CITY OF ONTARIO

Regular City Council/Housing Authority Meeting
NOVEMBER 19, 2024

City Hall
303 East B Street, Ontario, CA 91764

MAYOR PAUL S. LEON • MAYOR PRO TEM DEBRA PORADA
COUNCIL MEMBERS ALAN D. WAPNER, JIM W. BOWMAN AND RUBEN VALENCIA

CITY CLERK SHEILA MAUTZ • TREASURER JAMES R. MILHISER
CITY MANAGER SCOTT OCHOA • CITY ATTORNEY RUBEN DURAN

WELCOME TO A MEETING OF THE ONTARIO CITY COUNCIL

All documents for public review are on file with the Records Management/City Clerk's Department located at 303 East B Street, Ontario, CA 91764.

Anyone wishing to speak in person during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Clerk will not accept blue slips after that time. To comment by email, submit your comments no later than 4:00 p.m. on the day of the meeting by emailing your name, agenda item you are commenting on and your comments to publiccomments@ontarioca.gov. All comments received by the deadline will be forwarded to the City Council for consideration before action is taken on the matter and will be entered into the record.

Speakers will be alerted when they have 1 minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.

In accordance with State Law, remarks during public comment are to be limited to subjects within Council's jurisdiction. Remarks on other agenda items will be limited to those items.

Remarks from those seated or standing in the back of the chamber will not permitted. All those wishing to speak including Council and Staff need to be recognized by the Chair before speaking.

ACCOMODATIONS

If you need special assistance or accommodations to participate in this meeting, please contact the City Clerk's office at 909-395-2009. Notification of 48 hours prior to the meeting will help the City make reasonable arrangements. Equipment for the hearing impaired is available in the Records Management Office.

ORDER OF BUSINESS

The regular City Council and Housing Authority meeting begins with Public Comment at 6:30 p.m. immediately followed by the Regular Meeting and Public Hearings. No agenda item will be introduced for consideration after 10:00 p.m. except by majority vote of the City Council.

CALL TO ORDER *(OPEN SESSION)*

ROLL CALL

Porada, Wapner, Bowman, Valencia, Mayor/Chairman Leon

PLEDGE OF ALLEGIANCE

Council Member Wapner

INVOCATION

Senior Pastor Thomas, Ontario Seventh-Day Adventist Church

PUBLIC COMMENTS 6:30 P.M.

The Public Comment portion of the Council/Housing Authority meeting is limited to 30 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

To comment by email, submit your comments by email no later than 4:00 p.m. on the day of the meeting by emailing your name, agenda item you are commenting on and your comment to publiccomments@ontarioca.gov. All Comments received by the deadline will be forwarded to the City Council for consideration before action is taken on the matter and entered into the record. As previously noted -- if you wish to address the Council, fill out one of the blue slips at the rear of the chambers and give it to the City Clerk.

AGENDA REVIEW/ANNOUNCEMENTS

The City Manager will go over all updated materials and correspondence received after the

Agenda was distributed to ensure Council Members have received them. He will also make any necessary recommendations regarding Agenda modifications or announcements regarding Agenda items to be considered.

INFORMATION RELATIVE TO POSSIBLE CONFLICT OF INTEREST

Agenda item contractors, subcontractors and agents may require member abstentions due to conflict of interests and financial interests. Council Member abstentions shall be stated under this item for recordation on the appropriate item.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for a separate vote.

1. APPROVAL OF MINUTES

Minutes for the regular meetings of the City Council, Housing Authority and Industrial Development Authority of October 15, 2024, and approving same as on file in the Records Management Department.

ATTACHMENT: 20241015 Meeting Minutes (Not Official Until Approved)

2. BILLS & PAYROLL

Bills October 25, 2024 through October 31, 2024, and Payroll October 6, 2024 through October 19, 2024.

3. A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT REGARDING COMMUNITY FACILITIES DISTRICT NO. 52 (SUNDANCE PARK) FOR ASSESSOR PARCEL NUMBER (LD PARCEL 1) 0218-211-01-0000 AND FEE IN-LIEU BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO, LLC.

That the City Council:

A. Adopt a Resolution approving an Agreement regarding Community Facilities District No. 52 (Sundance Park) for Assessor Parcel Number (LD Parcel 1) 0218-211-01-0000 and Fee In-Lieu (the "Agreement") between the City of Ontario and BrookCal Ontario, LLC (the "Developer"); and
B. Authorize the City Manager, or his designee, to finalize, execute, and record said Agreement.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT REGARDING ASSESSOR PARCEL NUMBER (LD PARCEL 1) 0218-211-01-0000 AND FEE IN-LIEU BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO, LLC.

ATTACHMENT: Resolution Approving Fee In-Lieu Agreement 01^RESO^RM
ATTACHMENT: CFD 52 Sundance Park Fee In-Lieu Agreement^02 Signed by developer_only.pdf
ATTACHMENT: CFD 52 Request for Budget Change_20241113 for granicus.pdf

4. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING A SPECIAL TAX WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 72 (LOMA CREEK LOGISTICS CENTER SERVICES)

That the City Council consider and adopt an Ordinance authorizing the levy of special taxes within City of Ontario Community Facilities District No. 72 (Loma Creek Logistics Center Services).

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING A SPECIAL TAX WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 72 (LOMA CREEK LOGISTICS CENTER SERVICES).

ATTACHMENT: CFD 72 Loma Creek Logistics Center Services 01^ORD^RM

5. PURCHASE OF FLEET VEHICLES

That the City Council take the following actions:

A. Authorize the sole source purchase and delivery of three (3) Ford F150 XLT pick-up trucks in the amount of $183,630 plus a 10% contingency of $18,363 to mitigate any unforeseen issues with supply chain surcharges and manufacturers price increases, for a total not-to-exceed amount of $201,993 from Citrus Motors, of Ontario, California, and
B. Authorize the sole source purchase and delivery of two (2) Ford F150 Lariat pick-up trucks in the amount of $147,519 plus a 10% contingency of $14,752 to mitigate any unforeseen issues with supply chain surcharges and manufacturers price increases, for a total not-to-exceed amount of $162,271 from Citrus Motors, of Ontario, California; and
C. Authorize the sole source purchase and delivery of one (1) Kovatch Mobile Equipment (KME) Custom Tractor Drawn Rescue in the amount of $2,757,113, plus a 10% contingency of $275,711 to mitigate any unforeseen issues with supply chain surcharges and manufacturers price increases, for a total not-to-exceed amount of $3,032,824 from Fire Apparatus Solutions, of Rialto, California.

6. AUTHORIZE THE PURCHASE OF PLAYGROUND EQUIPMENT AND PICNIC SHELTERS WITH INNOVATIVE PLAYGROUNDS COMPANY FOR THE DE ANZA PARK IMPROVEMENTS PROJECT

That the City Council take the following actions:

A. Authorize the cooperative purchase of playground equipment for the De Anza Park Improvements Project in the amount of $913,554 plus a 10% contingency of $91,355 to mitigate any unforeseen issues with supply chain surcharges and manufactory price increases for a total not-to-exceed amount of $1,004,909 from Innovative Playgrounds Company, of Whittier, California, consistent with the terms and conditions of the Sourcewell Cooperative Contract No. 010521- BUR; and

B. Authorize the cooperative purchase of picnic shelters for the De Anza Park Improvements Project in the amount of $659,061 plus a 10% contingency of $65,906 to mitigate any unforeseen issues with supply chain surcharges and manufactory price increases for a total not-to-exceed amount of $724,967 from Innovative Playgrounds Company, of Whittier, California, consistent with the terms and conditions of the Sourcewell Cooperative Contract No. 010521- BUR.

ATTACHMENT: BCI Burke- Sourcewell Contract 010521.pdf
ATTACHMENT: Playground Quote.pdf
ATTACHMENT: Shelter Quote.pdf

7. DESIGN SERVICES AGREEMENTS FOR ON-CALL ARCHITECTURAL SPACE PLANNING AND ENGINEERING DESIGN SERVICES

That the City Council authorize the City Manager, or his designee, to execute the following three-year Design Services Agreements for on-call Architectural, Space Planning, and Engineering Design Services for a total compensation amount of $1,000,000 over three (3) years and extend the agreements for up to two (2) additional one-year periods:

a. HMC Architects, of Ontario, California, for a total contract amount not-to-exceed $200,000;
b. Holt Architecture, of Palm Desert, California, for a total contract amount not-to-exceed $200,000;
c. IDS Group, Inc., of Irvine, California, for a total contract amount not-to-exceed $200,000;
d. Hammel, Green and Abrahamson, Inc., of Santa Monica, California, for a total contract amount not-to-exceed $200,000; and
e. Robert Borders & Associates, of Costa Mesa, California, for a total contract amount not-to-exceed $200,000.

ATTACHMENT: HMC Group- Design Services Agreement.pdf
ATTACHMENT: Holt Architects- Design Services Agreement.pdf
ATTACHMENT: IDS Group, Inc.- Design Services Agreement.pdf
ATTACHMENT: Hammel, Green and Abrahamson, Inc.- Design Services Agreement.pdf
ATTACHMENT: Robert Borders & Associates- Design Services Agreement.pdf

8. CONSTRUCTION CONTRACTS FOR THE SPORTS COMPLEX OFFSITE UTILITIES PROJECT AND THE SEWER IMPROVEMENT AT VINEYARD PROJECT IN CONNECTION WITH THE CONSTRUCTION OF THE ONTARIO PROFESSIONAL BASEBALL STADIUM

That the City Council take the following actions:

A. Authorize the City Manager or his designee to award Contract No. D&C23-025 Sports Complex Offsite Utilities Project to Griffith Company, of Brea, California, for the

construction of the Offsite Utilities for the Sports Complex, in the amount of $90,584,000 plus a 15% contingency of $13,587,600, for a total not-to-exceed contract amount of $104,171,600, and

B. Authorize the City Manager or his designee to award Contract No. D&C23-025 Sports Complex Sewer Improvement at Vineyard Avenue Project to Weka, Inc., of San Bernardino, California, for the construction of the Offsite Vineyard Sewer for the Sports Complex, in the amount of $27,972,383 plus a 15% contingency of $4,195,857, for a total not-to-exceed contract amount of $32,168,240, and

C. Authorize the City Manager or his designee to execute Amendment No. 2 to the on-call Professional Services Agreement with Ardurra Group, Inc., of Newport Beach, California, to provide on-call Design Services for the Ontario Sports Complex Project in the amount of $72,780 for a total not-to-exceed contract amount of $2,457,212; and

D. Authorize the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities.

ATTACHMENT: Weka, Inc.- Construction Contract.pdf
ATTACHMENT: Ardurra Group, Inc.- Amendment No. 2.pdf
ATTACHMENT: Griffith Company- Construction Contract.pdf

9. A GOODS AND EQUIPMENT PURCHASE AGREEMENT WITH MCLAUGHLIN WASTE EQUIPMENT, INC. FOR ROLL-OFF CONTAINERS AND PARTS

That the City Council authorize the City Manager, or his designee, to execute a Goods and Equipment Purchase Agreement with McLaughlin Waste Equipment, Inc., of Lockeford, California, for the purchase of roll-off containers and parts for a total contract amount not-to-exceed $2,000,000 for up to five (5) years.

ATTACHMENT: McLaughlin Waste Equipment, Inc.- Goods and Equipment Purchase Agreement.pdf

PUBLIC HEARINGS

Pursuant to Government Code Section 65009, if you challenge the City's zoning, planning or any other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the public hearing. Affidavits of posting compliance, for all items below, are on file with the Records Management Department.

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10. AN APPEAL OF THE PLANNING COMMISSION DECISION APPROVING FILE NO. PDEV22-017

That the City Council conduct a public hearing on the appeal and after receiving public testimony, uphold the Planning Commission decision to approve the Development Plan (File No. PDEV22-017) and deny the appeal.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO CERTIFY THE 5355

EAST AIRPORT DRIVE FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2022090006) FOR A DEVELOPMENT PLAN TO CONSTRUCT A 270,337 SQUARE FOOT INDUSTRIAL BUILDING ON 13.08 ACRES OF LAND FOR PROPERTY LOCATED AT 5355 EAST AIRPORT DRIVE, WITHIN THE IH (HEAVY INDUSTRIAL) ZONING DISTRICT, AND ADOPT ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0238-052-29 AND 0238-052-20.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE FILE NO. PDEV22-017, A DEVELOPMENT PLAN TO CONSTRUCT A 270,337 SQUARE FOOT INDUSTRIAL BUILDING ON 13.08 ACRES OF LAND FOR PROPERTY LOCATED AT 5355 EAST AIRPORT DRIVE, WITHIN THE IH (HEAVY INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0238-052-29 AND 0238-052-20.

ATTACHMENT: 20241119 File No. PDEV22-017 Appeal ^01 PC Back-up.pdf
ATTACHMENT: 20241119 File No. PDEV22-017 CC^02 Appeal Letter Exhibit A.pdf
ATTACHMENT: 20241119 File No. PDEV22-017 CC^03 Applicant Response.pdf
ATTACHMENT: 20241119 File No. PDEV22-017 CC^07 HRA Memo.pdf
ATTACHMENT: 20241119 File No. PDEV22-017 CC FEIR 04^RESO^RM
ATTACHMENT: 20241119 File No. PDEV22-017 CC PDEV 05^RESO^RM
ATTACHMENT: 20241119 File No. PDEV22-017 CC^06 Dept COA.pdf

11. A PUBLIC HEARING TO CONSIDER A DEVELOPMENT CODE AMENDMENT (FILE NO. PDCA24-003) REVISING AND CLARIFYING CERTAIN PROVISIONS OF THE CITY OF ONTARIO DEVELOPMENT CODE

That the City Council introduce and waive further reading of an Ordinance Approving File No. PDCA24-003, a Development Code Amendment revising and clarifying certain provisions of Chapters 2.0 (Administration and Procedures), 4.0 (Permits, Actions, and Decisions), 5.0 (Zoning and Land Use), 6.0 (Development and Subdivision Regulations), 8.0 (Sign Regulations), and 9.0 (Definitions and Glossary) of the City of Ontario Development Code.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA24-003, A DEVELOPMENT CODE AMENDMENT REVISING AND CLARIFYING CERTAIN PROVISIONS OF CHAPTERS 2.0 (ADMINISTRATION AND PROCEDURES), 4.0 (PERMITS, ACTIONS, AND DECISIONS), 5.0 (ZONING AND LAND USE), 6.0 (DEVELOPMENT AND SUBDIVISION REGULATIONS), 8.0 (SIGN REGULATIONS), AND 9.0 (DEFINITIONS AND GLOSSARY) OF THE CITY OF ONTARIO DEVELOPMENT CODE, AND MAKING FINDINGS IN SUPPORT THEREOF.

ATTACHMENT: 20241119 PDCA24-003 ^01 PC Back-up.pdf
ATTACHMENT: 20241119 PDCA24-003 DCA 1 02^ORD^RM
ATTACHMENT: 20241119 PDCA24-003 DCA #1^03 ORD Attachment A.pdf

12. A RESOLUTION REGARDING A LOAN AGREEMENT BETWEEN THE CITY OF ONTARIO AND

OTC LOT A OWNER, LLC AND AN ECONOMIC SUBSIDY REPORT PURSUANT TO GOVERNMENT CODE SECTION 53083

That the City Council consider and adopt a Resolution authorizing the execution of a Loan Agreement and other related documents in connection with providing a loan to OTC Lot A Owner, LLC and accepting the Economic Development Subsidy Report prepared pursuant to Government Code Section 53083.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE LOAN AGREEMENT BETWEEN THE CITY OF ONTARIO AND OTC LOT A OWNER, LLC AND EXECUTION THEREOF; ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT PREPARED PURSUANT TO GOVERNMENT CODE SECTION 53083; FINDING THAT SUCH LOAN AGREEMENT APPROVAL IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15061(B)(3) AND 15378(B)(4) AND DIRECTING STAFF TO ISSUE A NOTICE OF EXEMPTION

ATTACHMENT: OTC LOT A Owner LLC Loan Agmt 01^RESO^RM
ATTACHMENT: OTC Lot A Owner LLC Loan Subsidy Report 11-19-2024.doc
ATTACHMENT: OTC Lot A Owner Loan Agreement 11-19-2024.doc
ATTACHMENT: OTC Lot A Owner Leasehold Deed of Trust 11-19-2024.docx

13. A PUBLIC HEARING TO CONSIDER THE SALE OF CITY OF ONTARIO OWNED PROPERTY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 52201; MAKING CERTAIN FINDINGS; AND ADOPTION OF A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF ONTARIO AND RICHARD FERNANDO BARBA

That the City of Ontario conduct a public hearing to consider the sale of City-owned property; and adopt a Resolution approving a Purchase and Sale Agreement ("Agreement") between the City of Ontario ("City") and Richard Fernando Barba ("Developer") (on file in the Records Management Department); and authorize the City Manager to execute the Agreement and all other documents required for implementation of the Agreement.

A RESOLUTION OF THE CITY OF ONTARIO, OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF ONTARIO AND RICHARD FERNANDO BARBA FOR THE PURCHASE AND SALE OF CERTAIN REAL PROPERTY LOCATED AT 910 EAST CALIFORNIA STREET AND 808 SOUTH GREENWOOD AVENUE, ONTARIO.

ATTACHMENT: Barba Purchase and Sale Staff Report Exhibit A^01.pdf
ATTACHMENT: Barba Purchase and Sale 02^RESO^RM
ATTACHMENT: Barba_52201_Summary_Report_ED_Opp_03.docx
ATTACHMENT: Barba_Purchase_and_Sale_Agmt_04.doc

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

14. INTRODUCTION OF AN ORDINANCE ANNUALLY ADOPTING A MILITARY EQUIPMENT USE POLICY PURSUANT TO GOVERNMENT CODE SECTIONS 7070, ET. SEQ.

That the City Council introduce and waive further reading of an Ordinance annually adopting the Military Equipment Use Policy and approving the itemized military grade equipment currently in possession of the Ontario Police Department.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A MILITARY EQUIPMENT USE POLICY PURSUANT TO GOVERNMENT CODE §§ 7070, ET. SEQ.

ATTACHMENT: AB 481 Ordinance 01^ORD^RM
ATTACHMENT: Policy 708 Military Equipment^02
ATTACHMENT: OPD 481 DRAFT 2024^03

15. AN ORDINANCE AMENDING SECTION 3-1.112 TO TITLE 3 OF THE MUNICIPAL CODE RELATING TO LICENSE REQUIREMENTS OF CONTRACTORS AND SUBCONTRACTORS TO ENHANCE COMPLIANCE WITH LOCAL LABOR STANDARDS

That the City Council introduce an Ordinance amending Section 3-1.112 to Title 3 of the Ontario Municipal Code relating to requirements of contractors and subcontractors to enhance compliance with local labor standards.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 3-1.112 TO TITLE 3 OF THE MUNICIPAL CODE RELATING TO LICENSE REQUIREMENTS OF CONTRACTORS AND SUBCONTRACTORS TO ENHANCE COMPLIANCE WITH LOCAL LABOR STANDARDS.

ATTACHMENT: Contractor Transparency ORD^RM

STAFF MATTERS

City Manager Ochoa

COUNCIL MATTERS

Mayor Leon
Mayor pro Tem Porada
Council Member Wapner
Council Member Bowman
Council Member Valencia

ADJOURNMENT

ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY/
INDUSTRIAL DEVELOPMENT AUTHORITY
MINUTES
OCTOBER 15, 2024
(Not Official Until Approved)

JOINT MEETINGS

The regular meetings of the Ontario City Council, Housing Authority and Industrial Development Authority were held on Tuesday, October 15, 2024 at Ontario City Hall, 303 E. B Street Ontario, California.

OPEN MEETING CALLED TO ORDER

Mayor Leon called the joint meetings to order at 6:33 p.m.

ROLL CALL

PRESENT:	Mayor/Chairman:	Paul S. Leon
	Mayor pro Tem/Vice Chair:	Debra Porada
	Council/Authority Members:	Alan D. Wapner, and Ruben Valencia
ABSENT:	Council/Authority Members:	Jim W. Bowman (excused)

Also present were City Manager / Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran, and City Clerk / Secretary Sheila Mautz.

INFORMATION RELATIVE TO POSSIBLE CONFLICTS OF INTEREST

There were no conflicts of interest announced by the City Council.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor pro Tem Porada.

INVOCATION

The invocation was led by Rev. Benjamin Barlow, First Christian Church of Ontario.

SPECIAL CEREMONIES

PROCLAMATION OF OCTOBER 20-26, 2024 AS FRIENDS OF LIBRARIES WEEK

The City Council proclaimed the week of October 20-26, 2024 as Friends of Libraries Week.

PROCLAMATION OF OCTOBER 6-12, 2024 AS NATIONAL FIRE PREVENTION WEEK

The City Council proclaimed the week of October 6-12, 2024 as National Fire Prevention Week.

Mayor Leon called a recess at 6:44 p.m. and reconvened at 6:46 p.m.

PUBLIC COMMENT

Assistant City Clerk Isbell announced there were no written comments.

Mayor Leon called upon the first speaker:
David Jaynes, spoke regarding traffic at the intersection of Mountain Avenue.
Nicole Diggs, spoke regarding traffic at the intersection of Mountain Avenue.
Natalie Peterkin, spoke regarding traffic at the intersection of Mountain Avenue.
Sherry Wicks, spoke regarding traffic at the intersection of Mountain Avenue.
Sabrina Demase, spoke regarding traffic at the intersection of Mountain Avenue.
Hope Bilderain, announced the Relay for Life on October 19, 2024.
Cody Neighbors, spoke regarding crime at Mountain Avenue and 4th Street.
Kristina Cotran, announced upcoming Toastmasters' meetings.
Xochitl Baca, spoke on Indigenous People Day.
Brad Neumann, spoke on his personnel matter.
Jesse Fonseca, spoke regarding airplane noise.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa announced the updated Exhibits to the Resolution being considered under Agenda Item No. 7. The update reflected any payments received from property owners up to 9:00am on Tuesday, October 15, 2024. The updated materials reflected a revised and reduced amount for assessments totaling $34,913.29 related to 106 parcels, which means that $99,388.76 for 53 parcels was collected, postponed, or settled since the public agenda was prepared.

MOTION: Moved by Council Member Wapner, seconded by Mayor pro Tem Porada, and carried by a unanimous vote 4-0 with Council Member Bowman absent, to approve the Consent Calendar without Item No. 18.

ITEM PULLED: Council Member Valencia pulled Item No. 18 for a separate vote.

There was one written comment from CMD Electric Inc. in opposition of Item No. 14.

1. APPROVAL OF MINUTES

Approved minutes for the regular meeting of the City Council and Housing Authority of September 17, 2024 and approving same as on file in the Records Management Department.

2. BILLS & PAYROLL

Approved bills September 13, 2024 through September 26, 2024, in the amount of $24,153,642.55, and Payroll August 25, 2024 through September 7, 2024 in the amount of $5,709,428.41.

3. AN AMENDMENT TO A DESIGN SERVICES AGREEMENT WITH INFRASTRUCTURE ENGINEERING CORPORATION, AN ARDURRA GROUP CORPORATION, FOR THE FOURTH STREET STORM DRAIN PROJECT

The City Council approved and authorized the City Manager, or his designee, to execute Amendment No. 18 to the On-Call Design Services Agreement with Infrastructure Engineering Corporation, an Ardurra Group Corporation, of Newport Beach, California, to provide additional engineering design services and construction support for water main improvements for the Fourth Street Storm Drain Project in the amount of $494,235, for a revised not-to-exceed authorization amount of $9,651,703, and extend the contract term to allow for the completion of ongoing projects; and authorize the City Manager, or his designee, to execute said amendment and future amendments within the authorization limits.

4. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20536 GENERALLY LOCATED WEST OF ARCHIBALD AVENUE BETWEEN CHINO AVENUE AND EAST RIVERSIDE DRIVE WITHIN THE COUNTRYSIDE SPECIFIC PLAN

The City Council adopted a Resolution approving an Improvement Agreement, Improvement Security and Final Tract Map No. 20536 generally located west of Archibald Avenue between Chino Avenue and East Riverside Drive within the Countryside Specific Plan.

RESOLUTION NO. 2024-173 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20536 GENERALLY LOCATED WEST OF ARCHIBALD AVENUE BETWEEN CHINO AVENUE AND EAST RIVERSIDE DRIVE WITHIN THE COUNTRYSIDE SPECIFIC PLAN.

5. AN AGREEMENT WITH THE CITY OF CHINO FOR OPERATIONS AND MAINTENANCE OF THE LANDSCAPED MEDIAN ON EUCLID AVENUE

The City Council authorized the City Manager, or his designee, to execute an Agreement with the City of Chino for the shared operations and maintenance of the landscaped median on Euclid Avenue between Riverside Drive and Merrill Avenue.

6. A CONSTRUCTION CONTRACT WITH SULLY-MILLER CONTRACTING COMPANY; A PROFESSIONAL SERVICES AGREEMENT WITH STANTEC CONSULTING SERVICES INC.; AND AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH ARDURRA GROUP, INC. FOR THE GROVE AVENUE AND HOLT BOULEVARD STREET AND TRUNK SEWER IMPROVEMENTS PROJECT

The City Council took the following actions:

A. Awarded a Construction Contract to Sully-Miller Contracting Company of Brea, CA, for the construction of the Grove Avenue at Holt Boulevard Intersection Widening and North Vineyard Avenue Sanitary Sewer Project, in the contract amount of $20,323,888 plus a fifteen percent (15%) contingency of $3,048,584, for a total not-to-exceed authorization amount of $23,372,472; and authorized the City Manager, or his designee, to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project.
B. Authorized the City Manager, or his designee, to execute a Professional Services Agreement with Stantec Consulting Services Inc. of Irvine, California, for the North Vineyard Avenue Sanitary Sewer Project, for $212,900 plus an additional fifteen percent (15%) contingency of $31,935 for a total not-to-exceed authorization amount of $244,835 for construction engineering services.
C. Authorized the City Manager, or his designee, to execute Amendment No. 5 to the Professional Services Agreement with Ardurra Group, Inc. of El Segundo, CA, for the North Vineyard Avenue Sanitary Sewer Project, by $191,148 plus an additional ten percent (10%) contingency of $19,115 for a new total not-to-exceed authorization amount of $4,312,812 for construction management, inspection, and material testing services.

7. A RESOLUTION FOR PLACEMENT OF SPECIAL ASSESSMENTS ON THE SAN BERNARDINO COUNTY TAX ROLLS

The City Council adopted a Resolution for recovery of fees and costs incurred in abating property and dangerous building violations, as well as administrative citations and civil penalties associated with property maintenance violations and placing assessments on the San Bernardino County Tax Rolls.

RESOLUTION NO. 2024-174 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

8. A CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH RESOURCE ENVIRONMENTAL, INC. FOR THE EMERGENCY DEMOLITION OF THE PROPERTY AT 9155/9381 E. RIVERSIDE DRIVE

The City Council took the following actions:

A. Authorized the City Manager, or his designee, to execute Change Order No. 1 to the Construction Contract with Resource Environmental, Inc., of Cerritos, California, in the amount of $1,422,409 for a total not-to-exceed contract amount of $3,163,409; and
B. Authorized the City Manager, or his designee, to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts and filing a notice of completion at the conclusion of all construction related activities.

9. AWARD A CONSTRUCTION CONTRACT TO OPTIMA RPM, INC. FOR THE WELLNESS CAMPUS PROJECT AND AMENDMENTS TO THE DESIGN SERVICES AGREEMENT WITH HMC ARCHITECTS FOR THE DESIGN OF THE WELLNESS CAMPUS PROJECT AND TITLE 24 COMMISSIONING SERVICES FOR THE CITY SERVICES BUILDING PROJECT

The City Council took the following actions:

A. Rejected Spec 7 Con's bid for Bid No. 1846 - D&C24-011 Ontario Motor Inn Renovation as being nonresponsive, and
B. Authorized the City Manager, or his designee, to execute a Construction Contract Bid No. 1846 - D&C24-011 Ontario Motor Inn Renovation with Optima RPM, Inc., of Irvine, California, for the renovation of a City-owned motel for emergency and temporary housing units located at 1522 W. Mission Blvd. in the amount of $4,098,000 and authorize a 20% contingency of $819,600 for a total not-to-exceed contract amount of $4,917,600, and
C. Authorized the City Manager, or his designee, to execute Amendment No. 5 to the Design Services Agreement with HMC Architects, of Ontario, California, to provide on-call architectural services for the design of the Wellness Campus Project in the amount of $1,141,485 for a total not-to-exceed contract amount of $9,236,815;
D. Authorized the City Manager, or his designee, to execute Amendment No. 6 to the Design Services Agreement with HMC Architects, of Ontario, California, to provide Title 24 Commissioning Services for the City Services Building Project in the amount of $44,510 for a total not-to-exceed contract amount of $9,281,325; and
E. Authorized the City Manager, or his designee, to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts and filing a notice of completion at the conclusion of all construction related activities.

10. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH GALLAGHER BENEFIT SERVICES INC. FOR SPECIALIZED RECRUITMENT SUPPORT

The City Council authorized the City Manager, or his designee, to execute Amendment No. 2 to the Professional Services Agreement with Gallagher Benefit Services Inc., of Berkeley, California, for specialized recruitment services in the amount of $100,000 for a total a not-to-exceed amount of $342,885.

11. PROFESSIONAL DESIGN SERVICES AGREEMENTS FOR ON-CALL ARCHITECTURAL SERVICES FOR THE ONTARIO MUSEUM OF HISTORY AND ART

The City Council took the following actions:

A. Rejected the protest from MAAM Architects for D&C23-009 Museum On-Call Architect as the selection was based on qualifications, and
B. Authorized the City Manager or his designee to complete and execute the following three-year Professional Design Services Agreement for On-Call Architectural Services for a total compensation amount of $1,000,000 over three (3) years and extend the agreements for up to two (2) additional one-year periods:
    1. Frederick Fisher & Partners, of Los Angeles, California for a total contract amount not-to-exceed $250,000;
    2. Architectural Resources Group, of Los Angeles, California for a total contract amount not-to-exceed $150,000; and
    3. Page & Turnbull, of Los Angeles, California for a total contract amount not-to-exceed $150,000; and
    4. HMC Architects, of Ontario, California for a total contract amount not-to-exceed $150,000; and
    5. Smithgroup, of Los Angeles, California for a total contract amount not-to-exceed $150,000; and
    6. Johnson Favaro, of Culver City, California for a total contract amount not-to-exceed $150,000; and
C. Authorized the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to agreements, assessments, easements, reduction of retention accounts, contracts amendments within the authorization limits, and filing a notice of completion at the conclusion of all construction related activities.

12. A CONSTRUCTION CONTRACT WITH PHILBIN CONSTRUCTION COMPANY FOR MASS GRADING AND AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SWA GROUP, INC. FOR ONTARIO'S GRAND PARK PROJECT

The City Council took the following actions:

A. Authorized the City Manager, or his designee, to complete and execute Construction Contract No. D&C21-005 - Grand Park Phase 1 Rough Grading with Philbin Construction Company, of Laguna Niguel, California, for the mass grading and debris removal at Ontario's Grand Park in the amount of $4,534,000 plus a 20% contingency of $906,800 for a total not-to-exceed contract amount of $5,440,800, and
B. Authorized the City Manager, or his designee, to execute Amendment No. 1 to the Professional Services Agreement with SWA Group, Inc., of Laguna Beach, California, for additional engineering services in the preparation of the design and construction documents for Ontario's Grand Park Project in the amount of $141,359 for a not-to-exceed amount of $6,114,355; and
C. Authorized the City Manager, or his designee, to execute all documents required for the completion of the project including, but not limited to agreements, assessments, easements, lot line adjustments, reduction of retention accounts, contracts and contract amendments within the authorization limits, and filing a notice of completion at the conclusion of all construction related activities.

13. A CONSTRUCTION CONTRACT WITH BEST DRILLING AND PUMP, INC. FOR THE DRILLING OF WELL NO. 53 PROJECT, ONTARIO MUNICIPAL UTILITIES COMPANY CONTRACT NO. UT 1063

The City Council approved the plans and specifications and award Contract No. UT 1063 to Best Drilling and Pump, Inc. of Colton, California, for the Drilling of Well No. 53 Project, in the amount of $1,919,431 plus a 15% contingency of $287,915, for a total not-to-exceed amount of $2,207,346, a term of 100 calendar days after issuance of notice to proceed, and authorize the City Manager, or his designee, to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project.

14. AWARD OF 24 CONSTRUCTION CONTRACTS IN CONNECTION WITH THE CONSTRUCTION OF THE ONTARIO PROFESSIONAL BASEBALL STADIUM, AWARD A CONSTRUCTION CONTRACT TO BOMEL CONSTRUCTION FOR THE PROFESSIONAL BASEBALL STADIUM PARKING STRUCTURE, AUTHORIZE AN AGREEMENT WITH KIZH NATION RESOURCE MANAGEMENT FOR EARTHWORK MONITORING FOR THE ONTARIO SPORTS COMPLEX, APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH RMA GROUP FOR SPECIAL INSPECTION FOR THE PROFESSIONAL BASEBALL STADIUM AND SPORTS COMPLEX, APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH TILDEN-COIL FOR CONSTRUCTION MANAGEMENT OF THE ONTARIO SPORTS COMPLEX, AND CONSIDER, AND ADOPT A RESOLUTION FOR THE INTENT TO ISSUE TAX-EXEMPT OBLIGATIONS

The City Council took the following actions:

A. Authorized the City Manager, or his designee, to execute 24 Construction Contracts to provide various construction services for Bid No. 1831 - D&C23-011 - Minor League Baseball Stadium in the amount of $131,994,503 and authorized a combined contingency of $19,700,000 for a total not-to-exceed contract amount of $151,694,503,
   1. 01 - Concrete, Structural – Gonsalves & Santucci, Inc. dba Conco: $18,387,000
   2. 03 - Masonry & Brick Veneer – Haxton Masonry, Inc.: $5,631,000
   3. 05 - Railings – KCB Towers, Inc.: $4,395,560
   4. 07 - Roofing – Commercial Roofing Systems, Inc.: $3,099,320
   5. 08 - Waterproofing – Best Contracting Services, Inc.: $1,308,000
   6. 09 - Sheet Metal – Best Contracting Services, Inc.: $5,299,448
   7. 10 - Door, Frames, Hardware – Star Hardware, Inc.: $874,900
   8. 11- Aluminum & Glazing – Golden State Glazing, Inc.: $3,312,066
   9. 12 - Framing, Drywall & Insulation – Caston, Inc.: $7,258,585
   10. 13 - Acoustical Ceiling & Treatment – Southcoast Acoustical Interiors, Inc.: $613,250
   11. 14 - Finish Flooring – Progressive Surface Solutions, LLC: $1,348,000
   12. 16 - Ceramic Tile – Continental Marble & Tile Co.: $1,611,806
   13. 17 - Painting & Wall Covering – Magnum Drywall, Inc.: $1,048,000
   14. 18 - General Package – Inland Building Construction Companies, Inc.: $12,355,400
   15. 19 - Aquatics – California Commercial Pools, Inc.: $2,548,000
   16. 21 - Food Service Equipment – Kamran and Company, LLC: $5,429,700
   17. 22 - Fire Sprinkler – JPI Development Group, Inc.: $1,315,000
   18. 23 - Plumbing – Continental Plumbing, Inc.: $8,194,613
   19. 24 - Site Utilities – Kerns, Inc.: $3,280,580
   20. 25 - HVAC – Westland Mechanical: $7,115,000
   21. 26 - Electrical & Low Voltage – Rancho Pacific Electric Construction, Inc.: $25,999,500
   22. 27 - Landscape & Irrigation – Brightview Landscape Development, Inc.: $7,433,570
   23. 28 - Fences & Gates – Econo Fence, Inc.: $2,009,205
   24. 29 - Asphaltic Paving – Terra Pave, Inc.: $2,127,000, and
B. The City Council rejected bid from Brady West, Inc. as non-responsive on Bid No. 1831 -D&C23-011 – Minor League Baseball Stadium in the Ontario Ballpark Section 12 Framing and Drywall and award the bid to the next lowest responsible bidder, and
C. The City Council rejected all bids received for Bid No. 1831 -D&C23-011 – Minor League Baseball Stadium in the Ontario Ballpark Sections 02 Site Concrete; 06 Finish Carpentry; 20 Signage and authorize Sta to solicit new bids for these trades in relation to the Professional Baseball Stadium, and
D. The City Council rejected the bid protest from CMD Electric for Bid No. 1831 - D&C23-Minor League Baseball Stadium, and

E. Authorized the City Manager, or his designee, to execute a Construction Contract with Bomel Construction Company, Inc., of Ontario, California, to provide construction services for Bid No. 1829 - D&C23-011B Professional Baseball Stadium Parking Structure in the amount of $31,225,000 and authorized a contingency of $4,700,000 for a total not-to-exceed contract amount of $35,925,000 and waive any and all irregularities and reject any and all protests, including by way of illustration and not by limitation the protest of Swinerton Builders, and
F. Authorized an agreement with Kizh Nation Resources Management to monitor all groundwork to ensure the Native American Cultural Resources are properly mitigated per the approved Environmental Impact Report in the amount of $186,046, and
G. Authorized the City Manager or his designee to execute Amendment No. 1 to the Professional Services Agreement with RMA Group, of Rancho Cucamonga, California, to provide on-call geotechnical consulting, materials testing and special inspection for the Ontario Sports Complex Project in the amount of $2,242,360 for a total not-to-exceed contract amount of $2,442,360, and
H. Authorized the City Manager or his designee to execute Amendment No. 5 to the Professional Services Agreement with Tilden-Coil Constructors, Inc., of Riverside, California, for the procurement of long lead electrical gear for the Professional Baseball Stadium and Professional Baseball Stadium Parking Structure, fee adjustment for the mass grading and general conditions of the Professional Baseball Stadium in the amount of $14,066,782 for a total not-to-exceed contract amount of $45,968,259, and
I. Authorized the extension of working hours to be Monday through Saturday from 6:00 am to 11:00 pm and on Sunday from 8:00 am to 6:00 pm for the duration of the construction of the Professional Baseball Stadium and Parking Structure, and
J. Authorized the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities; and
K. Considered and adopted a Resolution making a declaration of intent to issue tax-exempt obligations for the City's public capital improvements.

RESOLUTION NO. 2024-175 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REGARDING ITS INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS FOR PUBLIC CAPITAL IMPROVEMENTS.

15. A LEASE AGREEMENT BETWEEN THE CITY OF ONTARIO AND THE INTERNATIONAL AIRPORT AUTHORITY

The City Council approved a Lease Agreement between the City of Ontario and the Ontario International Airport Authority for the use of the City-owned property located

at 1236 East Airport Drive for a five-year term with the option to extend for up to two additional five-year terms.

16. PRE-AUTHORIZED LIST OF VENDORS TO PROVIDE SPECIALIZED PARTS AND EQUIPMENT FOR CITY FIBER OPTICS NETWORK

The City Council approved a pre-authorized vendor list to provide specialized parts and equipment for the construction and maintenance of the City Fiber Optics Network, OntarioNet.

17. A SPECIAL SERVICES AGREEMENT WITH SAN BERNARDINO COUNTY FOR WIDE AREA NETWORK AND GENERAL INNOVATION AND TECHNOLOGY DEPARTMENT SERVICES.

The City Council authorized the City Manager or his designee to execute a Special Services Agreement with San Bernardino County, with its principal place of business in San Bernardino, California, for Wide Area Network and General Innovation and Technology Department Services for a total contract not-to-exceed amount of $9,969,488.

ITEMS PULLED FOR A SEPARATE VOTE:

18. ADOPTION OF AN ORDINANCE AMENDING SECTION 2-1.203 OF THE ONTARIO MUNICIPAL CODE RELATING TO SALARY COMPENSATION FOR THE CITY COUNCIL

The City Council adopted an Ordinance amending Section 2-1.203 of the Ontario Municipal Code relating to Salary Compensation for the Mayor and the City Council. Introduction and first reading took place at a regular meeting on October 1, 2024.

ORDINANCE NO. 3287 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 2-1.203 OF THE ONTARIO MUNICIPAL CODE RELATING TO SALARY COMPENSATION FOR THE CITY COUNCIL.

MOTION: Moved by Council Member Wapner, seconded by Mayor pro Tem Porada and carried by a vote 3-1 with Council Member Bowman absent and Council Member Valencia in opposition, to adopt Ordinance No. 3287.

PUBLIC HEARINGS

19. A PUBLIC HEARING TO CONSIDER THE SALE OF ONTARIO INDUSTRIAL DEVELOPMENT AUTHORITY OWNED PROPERTY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 52201; MAKING CERTAIN FINDINGS; AND ADOPTION OF A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE ONTARIO INDUSTRIAL DEVELOPMENT AUTHORITY AND RICHARD FERNANDO BARBA

The Ontario Industrial Development Authority conducted a public hearing to consider the sale of Authority-owned property; and adopt a resolution approving a Purchase and Sale Agreement between the Ontario Industrial Development Authority and Richard Fernando Barba (on file in the Records Management Department); and authorized the Executive Director to execute the Agreement and all other documents required for implementation of the Agreement.

RESOLUTION NO. OIDA-60 A RESOLUTION OF THE ONTARIO INDUSTRIAL DEVELOPMENT AUTHORITY, OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE ONTARIO INDUSTRIAL DEVELOPMENT AUTHORITY AND RICHARD FERNANDO BARBA FOR THE PURCHASE AND SALE OF CERTAIN REAL PROPERTY LOCATED AT 928 EAST CALIFORNIA STREET, 960 EAST CALIFORNIA STREET, 1042 EAST CALIFORNIA STREET, 807 SOUTH GREENWOOD AVENUE, 814 SOUTH GREENWOOD AVENUE, AND 815 SOUTH GREENWOOD AVENUE, ONTARIO.

Notice of public hearing was duly given. Affidavits of compliance are on file. There were no written communications.

Mayor Leon opened the public hearing and inquired if anyone was interested in speaking to the item. Hearing no one, Mayor Leon closed the public hearing and opened the item for Council discussion.

MOTION: Moved by Council Member Wapner, seconded by Mayor pro Tem Porada carried by a unanimous vote 4-0 with Council Member Bowman absent, to adopt Resolution No. OIDA-60.

20. A PUBLIC HEARING TO CONSIDER THE SALE OF ONTARIO INDUSTRIAL DEVELOPMENT AUTHORITY OWNED PROPERTY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 52201; MAKING CERTAIN FINDINGS; AND ADOPTION OF A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE ONTARIO INDUSTRIAL DEVELOPMENT AUTHORITY AND ANADALUSIA DEVELOPMENT COMPANY

The Ontario Industrial Development Authority conducted a public hearing to consider the sale of Authority-owned property; and adopt a resolution approving a Purchase and Sale Agreement between the Ontario Industrial Development Authority and Anadalusia Development Company (on file in the Records Management Department); and authorized the Executive Director to execute the Agreement and

all other documents required for implementation of the Agreement.

RESOLUTION NO. OIDA-61 A RESOLUTION OF THE ONTARIO INDUSTRIAL DEVELOPMENT AUTHORITY, OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE ONTARIO INDUSTRIAL DEVELOPMENT AUTHORITY AND ANADALUSIA DEVELOPMENT COMPANY FOR THE PURCHASE AND SALE OF CERTAIN REAL PROPERTY LOCATED AT 936 SOUTH GROVE AVENUE, ONTARIO.

Notice of public hearing was duly given. Affidavits of compliance are on file. There were no written communications.

Mayor Leon opened the public hearing and inquired if anyone was interested in speaking to the item. Hearing no one, Mayor Leon closed the public hearing and opened the item for Council discussion.

MOTION: Moved by Mayor pro Tem Porada, seconded by Council Member Wapner and carried by a unanimous vote 4-0 with Council Member Bowman absent, to adopt Resolution No. OIDA-61.

21. AN APPEAL OF THE PLANNING COMMISSION DECISION APPROVING FILE NOS. PMTT23-008 AND PDEV23-037

The City Council conducted a public hearing on the appeal and after receiving all public testimony, uphold the Planning Commission's decision to approve Tentative Tract Map No. 20659 (File No. PMTT23-008) and a Development Plan (File No. PDEV23-037) and deny the appeal.

RESOLUTION NO. 2024-176 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE FILE NO. PMTT23-008, FOR TENTATIVE TRACT MAP NO. 20659, SUBDIVIDING 3.1 ACRES OF LAND INTO ONE PARCEL FOR CONDOMINIUM PURPOSES LOCATED AT 1355 WEST 5TH STREET, WITHIN THE LDR-5 (LOW DENSITY RESIDENTIAL – 2.1 TO 5.0 DU/AC) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1008-551-12.

RESOLUTION NO. 2024-177 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE FILE NO. PDEV23-037, A DEVELOPMENT PLAN TO CONSTRUCT 70 MULTIPLE-FAMILY RESIDENTIAL CONDOMINIUM UNITS, INCLUDING 7 MODERATE INCOME AFFORDABLE UNITS ON 3.1 ACRES OF LAND LOCATED AT 1355 WEST 5TH STREET, WITHIN THE LDR-5 (LOW DENSITY RESIDENTIAL – 2.1 TO 5.0 DU/AC) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1008-551-12.

Notice of public hearing was duly given. Affidavits of compliance are on file. The following submitted written communications in opposition:

Greg Gomez
Allen
Mary Thompson
Cynthia Kerby
Jorge Mogollan
Sergio Canales
Eileen Finlay
Joel Harger

Assistant Director of Community Development Rudy Zeledon provided background on the item.

Mayor Leon recessed the meetings at 7:31 p.m. and reconvened at 7:41 p.m.

Mayor Leon opened the public hearing and inquired if anyone was interested in speaking to the item.

The appellant Greg Gomez provided background regarding his opposition to the item.
Leo Gomez, spoke in opposition.
Steve Ho, spoke in opposition.
Tiffany Onspot, spoke in opposition.
Luis Suarez, spoke in opposition.
Peter Bloomfield, spoke in opposition.
Elizabeth Garcia, spoke in opposition.
Gustavo Valdez, spoke in opposition.
Klara Valdez, spoke in opposition.
Juana Hironaca, spoke in opposition.
Martha Lopez, spoke in opposition.
Joe Estrada, spoke in opposition.
Judy Rodriguez-Jauregui, spoke in opposition.
Joe Solis, spoke in opposition.

The applicant Joe Oftalie spoke in support of the project.

Mr. Gomez was given an opportunity to rebuttal Mr. Oftalie’s comments.

Hearing no one else, Mayor Leon closed the public hearing and opened the item for Council discussion.

MOTION: Moved by Council Member Wapner, seconded by Mayor pro Tem Porada and carried by a unanimous vote 4-0 with Council Member Bowman absent, to adopt Resolution Nos. 2024-176 and 204-177.

22. A RESOLUTION TO ESTABLISH BROADBAND FEES FOR ONTARIONET

The City Council adopted a Resolution to adopt a schedule of fees, as well as charges for late or declined payments, including the maximum and minimum rates that OntarioNet may charge customers to access and use OntarioNet's fiber optic network to connect to the Internet and to obtain communications services, upon the recommendation of the City Manager, and to delegate authority to the City Manager to establish rate plans for residential and small business customers, and negotiate contract rates with large commercial customers within those established ranges, and to set all the other terms, conditions and policies applicable to customer access and use of OntarioNet's fiber optic network and related services.

RESOLUTION NO. 2024-178 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING FEES FOR USE OF THE ONTARIONET FIBER OPTIC NETWORK AND OTHER ASSOCIATED LOCAL GOVERNMENT PROPERTY.

Notice of public hearing was duly given. Affidavits of compliance are on file. There were no written communications.

Mayor Leon opened the public hearing and inquired if anyone was interested in speaking to the item. Hearing no one, Mayor Leon closed the public hearing and opened the item for Council discussion.

MOTION: Moved by Mayor pro Tem Porada, seconded by Council Member Valencia and carried by a unanimous vote 4-0 with Council Member Bowman absent, to adopt Resolution No. 2024-178.

23. AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO UPHOLD THE ZONING ADMINISTRATOR'S INTERPRETATION AND DETERMINATION DECISION FOR FILE NOS. PDET23-005, PDET23-007, PDET23-008, PDET23-009, PDET23-010, PDET23-015 AND PDET23-016

The City Council conducted a public hearing on the Appeals and after receiving all public testimony, uphold the Planning Commission's decision to uphold Zoning Administrator Decision No's. ZA23-024 (File No. PDET23-005), ZA23-030 (File No. PDET23-007), ZA23-031 (File No. PDET23-008), ZA23-032 (File No. PDET23-009), ZA23-033 (File No. PDET23-010), ZA23-038 (File No. PDET23-015) and ZA23-039 (File No. PDET23-016) and deny the Appeals.

RESOLUTION NO. 2024-179 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO UPHOLD THE PLANNING COMMISSION'S

DECISION TO UPHOLD THE ZONING ADMINISTRATOR'S INTERPRETATION AND DETERMINATION DECISION (FILE NO. PDET23-005) THAT THE ONTARIO DEVELOPMENT CODE DIVISION 5.03, SECTION 5.03.250(E)(1) IS APPLICABLE AND ENFORCEABLE TO THE OPERATION TO THE HOTEL HACIENDA, LOCATED AT 2425 SOUTH ARCHIBALD AVENUE, WITHIN THE COMMUNITY COMMERCIAL ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1083-071-26.

RESOLUTION NO. 2024-180 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO UPHOLD THE PLANNING COMMISSION'S DECISION TO UPHOLD THE ZONING ADMINISTRATOR'S INTERPRETATION AND DETERMINATION DECISION (FILE NO. PDET23-007) THAT THE ONTARIO DEVELOPMENT CODE DIVISION 5.03, SECTION 5.03.250(E)(1) IS APPLICABLE AND ENFORCEABLE TO THE OPERATION TO THE BRIGHT STAR MOTEL, LOCATED AT 1530 WEST MISSION BOULEVARD, WITHIN THE LIGHT INDUSTRIAL ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1011-221-15.

RESOLUTION NO. 2024-181 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO UPHOLD THE PLANNING COMMISSION'S DECISION TO UPHOLD THE ZONING ADMINISTRATOR'S INTERPRETATION AND DETERMINATION DECISION (FILE NO. PDET23-008) THAT THE ONTARIO DEVELOPMENT CODE DIVISION 5.03, SECTION 5.03.250(E)(1) IS APPLICABLE AND ENFORCEABLE TO THE OPERATION TO THE DAYS INN ONTARIO MOTEL, LOCATED AT 1405 EAST 4TH STREET, WITHIN THE NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0108-381-32.

RESOLUTION NO. 2024-182 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO UPHOLD THE PLANNING COMMISSION'S DECISION TO UPHOLD THE ZONING ADMINISTRATOR'S INTERPRETATION AND DETERMINATION DECISION (FILE NO. PDET23-009) THAT THE ONTARIO DEVELOPMENT CODE DIVISION 5.03, SECTION 5.03.250(E)(1) IS APPLICABLE AND ENFORCEABLE TO THE OPERATION TO THE ECONOMY INN, LOCATED AT 2301 SOUTH EUCLID AVENUE, WITHIN THE COMMUNITY COMMERCIAL ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1051-071-04.

RESOLUTION NO. 2024-183 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO UPHOLD THE PLANNING COMMISSION'S DECISION TO UPHOLD THE ZONING ADMINISTRATOR'S INTERPRETATION AND DETERMINATION DECISION (FILE NO. PDET23-010) THAT THE ONTARIO DEVELOPMENT CODE DIVISION 5.03, SECTION 5.03.250(E)(1) IS APPLICABLE AND ENFORCEABLE TO THE OPERATION TO THE MAYFAIR INN, LOCATED AT 1120 EAST HOLT BOULEVARD, WITHIN THE INDUSTRIAL PARK ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-141-25.

RESOLUTION NO. 2024-184 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO UPHOLD THE PLANNING COMMISSION'S DECISION TO UPHOLD THE ZONING ADMINISTRATOR'S INTERPRETATION AND DETERMINATION DECISION (FILE NO. PDET23-015) THAT THE ONTARIO DEVELOPMENT CODE DIVISION 5.03, SECTION 5.03.250(E)(1) IS APPLICABLE AND ENFORCEABLE TO THE OPERATION TO THE SANDS MOTEL, LOCATED AT 1240 WEST MISSION BOULEVARD, WITHIN THE LIGHT INDUSTRIAL ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1101-211-03.

RESOLUTION NO. 2024-185 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO UPHOLD THE PLANNING COMMISSION'S DECISION TO UPHOLD THE ZONING ADMINISTRATOR'S INTERPRETATION AND DETERMINATION DECISION (FILE NO. PDET23-016) THAT THE ONTARIO DEVELOPMENT CODE DIVISION 5.03, SECTION 5.03.250(E)(1) IS APPLICABLE AND ENFORCEABLE TO THE OPERATION TO THE WEST COAST INN, LOCATED AT 1211 NORTH GROVE AVENUE, WITHIN THE NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1047-451-25.

Notice of public hearing was duly given. Affidavits of compliance are on file. There were no written communications.

Mayor Leon opened the public hearing and inquired if anyone was interested in speaking to the item. Hearing no one, Mayor Leon closed the public hearing and opened the item for Council discussion.

MOTION: Moved by Council Member Wapner, seconded by Mayor pro Tem Porada and carried by a unanimous vote 4-0 with Council Member Bowman absent, to adopt Resolution Nos. 2024-179, 2024-180, 2024-181, 2024-182, 2024-183, 2024-184, 2024-184, and 2024-185.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

24. A RESOLUTION AUTHORIZING THE DISSOLUTION OF THE CHINO BASIN WATER BANK PLANNING AUTHORITY AND APPROVING AN AMENDMENT TERMINATING THE AUTHORITY'S JOINT POWERS AGREEMENT BY AND AMONG THE CITY OF ONTARIO, INLAND EMPIRE UTILITIES AGENCY, CUCAMONGA VALLEY WATER DISTRICT, AND MONTE VISTA WATER DISTRICT

The City Council adopted a Resolution authorizing the City Manager, or his designee, to dissolve the Chino Basin Water Bank Planning Authority and approved an Amendment terminating the Joint Powers Agreement by and among the City of Ontario, Inland Empire Utilities Agency, Cucamonga Valley Water District, and

Monte Vista Water District.

RESOLUTION NO. 2024-186 A RESOLUTION OF THE CITY COUNCIL OF ONTARIO, CALIFORNIA, AGREEING TO DISSOLVE THE CHINO BASIN WATER BANK PLANNING AUTHORITY AND APPROVE AN AMENDMENT TERMINATING THE AUTHORITY'S JOINT POWERS AGREEMENT.

MOTION: Moved by Mayor pro Tem Porada, seconded by Council Member Valencia and carried by a unanimous vote 4-0 with Council Member Bowman absent, adopt Resolution No. 2024-186.

STAFF MATTERS

City Manager Ochoa made no announcements.

COUNCIL MATTERS

Council Member Valencia had no comments.

Council Member Wapner had no comments.

Mayor Leon had no comments.

Mayor pro Tem Porada announced the upcoming Art Festival.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 9:07 p.m. and announced the next regular meeting was scheduled for November 5, 2024.

Respectfully submitted,

_____
SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:

_____
PAUL S. LEON, MAYOR/CHAIRMAN

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **CONSENT CALENDAR**
Department: Financial Services Prepared By: Stephanie Castro Department: Prepared By: Stephanie Castro Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Reviewed By: Claudia Hernandez Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 3

SUBJECT: **A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT REGARDING COMMUNITY FACILITIES DISTRICT NO. 52 (SUNDANCE PARK) FOR ASSESSOR PARCEL NUMBER (LD PARCEL 1) 0218-211-01-0000 AND FEE IN-LIEU BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO, LLC.**

RECOMMENDATION: That the City Council:

A. Adopt a Resolution approving an Agreement regarding Community Facilities District No. 52 (Sundance Park) for Assessor Parcel Number (LD Parcel 1) 0218-211-01-0000 and Fee In-Lieu (the "Agreement") between the City of Ontario and BrookCal Ontario, LLC (the "Developer"); and
B. Authorize the City Manager, or his designee, to finalize, execute, and record said Agreement.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

FISCAL IMPACT: The Agreement will allow the City to collect $235,398 for Special Tax A and $66,390 for Special Tax B from the Developer since the formation of Community Facilities District No. 52 (Sundance Park) was not formed in time to levy the special taxes on the property for Fiscal Year 2024-25. The special tax revenues will be included in the Fiscal Year 2024-25 next quarterly budget update to pay for administrative fees and municipal services. The net fiscal impact to the General Fund is a revenue of approximately $60,000 to pay for City provided services.

BACKGROUND & ANALYSIS: On June 7, 2022, the City and BrookCal Ontario, LLC, entered into that certain Development Agreement (File No. PDA21-014) (the "Development Agreement"). Pursuant to Section 5.1 of the Development Agreement, the Developer must form a community facilities district

(the “CFD”) which consists of the property, pursuant to the Mello-Roos Community Facilities Act of 1982 (commencing with Government Code Section 53311) prior to recordation of any parcel map and issuance of building permits. The Owner petitioned the City to establish a community facilities district known as Community Facilities District No. 52 (Sundance Park), and on August 20, 2024, the City did establish the CFD, relating to the development of and to include Assessor Parcel Number 0218-211-01-0000 (the property), and the CFD was not formed in time to meet the County of San Bernardino's deadline to place the levy of the CFD special taxes on the annual tax roll for Fiscal Year 2024-25.

The City and Developer desire to enter into this Agreement, which requires that the Developer pay the City an amount equal to what otherwise would have been the special tax levy amount on permitted parcels in the CFD for the Fiscal Year 2024-25 levy period, since the CFD was not formed by August 10, 2024.

The attached Resolution approves the Agreement and authorizes its execution by the City Manager or either of his designees.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT REGARDING ASSESSOR PARCEL NUMBER (LD PARCEL 1) 0218-211-01-0000 AND FEE IN-LIEU BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO, LLC.

WHEREAS, on August 20, 2024, the City of Ontario (the "City") and BrookCal Ontario, LLC (the "Developer"), entered into that certain Development Agreement (File No. PDA21-014) relating to the development of Assessor Parcel Number (LD Parcel 1) 0218-211-01-0000 (the "Property"); and

WHEREAS, the Owner petitioned the City to establish a community facilities district known as City of Ontario Community Facilities District No. 52 (Sundance Park) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982 (commencing with Government Code Section 53311), and, on August 20, 2024, the City did establish the CFD relating to the development of and to include Assessor Parcel Number 0218-211-01-0000 (the "Property"); and

WHEREAS, the CFD was not formed in time to meet the County of San Bernardino's deadline to place the levy of the CFD special taxes on the annual tax roll for Fiscal Year 2024-25; and

WHEREAS, the City and the Developer now desire to enter into that certain Fee In-Lieu Agreement, the form of which is attached hereto as Exhibit "A" and incorporated herein (the "Agreement"), relating to the payment by Developer of an amount in-lieu of the levy of special taxes by the CFD for Fiscal Year 2024-25.

NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the City Council of the City of Ontario as follows:

SECTION 1. Recitals. The above recitals are true and correct and the City Council of the City (the "City Council") so finds and determines.

SECTION 2. Approval of Agreement. The Agreement is hereby approved by the City Council in substantially the form presented at this meeting, and attached hereto as Exhibit A, with such insertions, omissions and changes as shall be approved by the City Manager, Assistant City Manager, or either of their designees (the "Authorized Officers"), the execution of the Agreement being conclusive evidence of such approval. The execution and delivery of the Agreement is hereby confirmed and ratified. The Authorized Officers are hereby directed and authorized to execute and to take all other necessary actions to effectuate the transaction contemplated by this Resolution.

SECTION 3. Effective Date. This Resolution shall take effect from and after the date of its passage and adoption. The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of November, 2024.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2024- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held November 19, 2024 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2024- duly passed and adopted by the Ontario City Council at their regular meeting held November 19, 2024.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

IN-LIEU AGREEMENT

[attached]

FEE IN-LIEU AGREEMENT
FOR ASSESSOR PARCEL NUMBER 0218-211-01-0000

This Fee In-Lieu Agreement for Assessor Parcel Number 0218-211-01-0000 (the "Agreement") is entered into as of November __, 2024 (the "Effective Date"), by and between the City of Ontario, a municipal corporation organized under the laws of the State of California ("City") and BrookCal Ontario, LLC, a Delaware limited liability company ("Owner"). The City and Owner are sometimes individually referred to as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, the Owner petitioned the City to establish a community facilities district known as City of Ontario Community Facilities District No. 52 (Sundance Park) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982 (commencing with Government Code Section 53311), and, on August 20, 2024, the City did establish the CFD, relating to the development of and to include Assessor Parcel Number 0218-211-01-0000 (the "Property"); and

WHEREAS, the CFD was not formed in time to meet the County of San Bernardino's deadline to place the levy of the CFD special taxes on the annual tax roll for Fiscal Year 2024-25; and

WHEREAS, the Parties now desire to enter into this Agreement for the payment by Owner of an amount in-lieu of the levy of the CFD special taxes for Fiscal Year 2024-25.

NOW THEREFORE, in consideration of the mutual promises contained herein (and for other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged), the Parties agree as follows:

AGREEMENT

1. Incorporation of Recitals. The above recitals are true and correct, and are incorporated herein by this reference.

2. Fee In-Lieu. Because the CFD was not formed in time to levy the CFD special taxes on the Property for Fiscal Year 2024-25, Owner agrees to pay to the City what otherwise would have been the CFD special tax amount levied on the property for the Fiscal Year 2024-25 levy period (the "Fee"), by no later than the date of execution of this Agreement, which has been calculated to be the amount of $235,398.00 for Special Tax A (as defined in the Rate and Method for the CFD) and $66,390.78 for Special Tax B (as defined in the Rate and Method for the CFD). Owner shall pay the Fee in two equal, separate installments, in immediately available funds, either by check or by wire transfer. The first installment of the Fee, in the amount of $150,894.39 (consisting of $117,699 in lieu of the amount that otherwise would have been levied for the first installment of Special Tax A for Fiscal Year 2024-25 and $33,195.39 in lieu of the amount that otherwise would have been levied for the first installment of Special Tax B for Fiscal Year 2024-25), shall be payable and due to the City on December 10, 2024. The second installment of the Fee, in the amount of $150,894.39 (consisting of $117,699 in lieu of the amount that otherwise would have been levied for the second installment of Special Tax A for Fiscal Year 2024-25 and $33,195.39 in lieu of the amount that otherwise would have been levied for the second installment of Special Tax B for Fiscal Year 2024-25), shall be payable and due to the City on

April 10, 2025. The total outstanding amount of the Fee, however, may be paid in full by Owner on any day prior to April 10, 2025.

3. Release and Indemnification. Owner hereby releases and shall defend, indemnify, and hold the City (its officials, officers, employees, and agents) free and harmless from any and all liability (including without limitation the payment of attorneys' fees, loss, damage, costs, or injury to property or persons including wrongful death) in any manner arising out of or incident to formation of the CFD, development of the Property, and Owner's performance of this Agreement. Further, Owner shall defend at its own expense (including attorneys' fees) the City (its officials, officers, employees, and agents) in any legal action based upon this Section.

4. Headings. Section headings contained in this Agreement are for convenience only and shall not have an effect in the construction or interpretation of any provision.

5. Notices. All notices to be given hereunder shall be in writing and may be made either by personal delivery or by registered or certified mail, postage prepaid, return receipt requested. Mailed notices shall be addressed to the Parties at the addresses listed below, but each Party may change the address by written notice in accordance with this Section. Notices delivered personally will be deemed communicated as of actual receipt; mailed notices will be deemed communicated as of two (2) days after mailing.

CITY:

City of Ontario
Attn: Scott Ochoa, City Manager
303 East "B" Street
Ontario, CA 91764

With a copy to:

Ruben Duran, Esquire
City Attorney
Best Best & Krieger LLP
2855 E. Guasti Road, Suite 400
Ontario, CA 91761
Ruben.duran@bbklaw.com

OWNER:

Brookfield Properties
3200 Park Center Drive #1000
Costa Mesa, CA 92626
Nicole.burdette@brookfieldpropertiesdevelopment.com

6. Entire Agreement. This Agreement contains the entire Agreement of the Parties with respect to the subject matter hereof; and supersedes all prior negotiations, understandings, or agreements (either written or oral, express or implied). The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

7. Successors and Assigns. This Agreement shall be binding on and inure to the benefit of the successors and assigns of the Parties.

8. Waiver. A Party's failure to insist upon strict compliance with any provision of this Agreement or to exercise any right or privilege provided herein (or the Party's silence with respect to any breach by the other Party hereunder) shall not relieve the breaching Party of any of its obligations hereunder (whether of the same or similar type). The foregoing shall be true whether the non-breaching Party's actions are intentional or unintentional. No waiver shall be effective unless in writing and signed by the Party against whom waiver is asserted.

9. Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in San Bernardino County.

10. Severability. Should any provision of this Agreement be found to be invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

11. Time. Time is of the essence in this Agreement.

12. Counterparts. This Agreement may be signed in several counterparts, each of which shall constitute an original and all of which shall constitute but one of the same instrument.

(signature page follows)

IN WITNESS THEREOF, the Parties have caused this Agreement to be executed by their duly-authorized representatives as of the Effective Date.

CITY OF ONTARIO	**BROOKCAL ONTARIO, LLC**
By:_____ Scott Ochoa, City Manager	By:_____ Nicole Burdette, President
Attest By:_____ Sheila Mautz, City Clerk	 By:_____ Dave Bartlett, Vice President
Approved as to Form: By:_____ Best Best & Krieger, City Attorney	

CITY OF ONTARIO
REQUEST FOR BUDGET CHANGE - FORM
(Please Print in Ink or Type)

Requesting Agency/Division: Special Districts Administration

Revenues:

GL Account - Revenue Category/Description	Fund-Cost Center-Proj/Grant	Current Budget	+	Proposed Amendments	=	Amended Budget
40801-CFD Taxes- ORC044 (CFD 52)	2920-FSD015	$ 0.00	$	66,390.00	$	66,390.00
45901- Special District Services Charges	1000	0.00		60,000.00		60,000.00
		$	$	126,390.00	$	126,390.00

Expenditures:

GL Account - Spend Category/Description	Fund-Cost Center-Proj/Grant	Current Budget	+	Proposed Amendments	=	Amended Budget
53102 - Administrative Expense-ORC044 (CFD 52)	2920-FSD015	$ 0.00	$	60,000.00	$	60,000.00
		$	$	60,000.00	$	60,000.00

Reason for Change:
The CFD was not formed in time to meet the County of San Bernardino's deadline to place the levy of the CFD special taxes on the annual tax roll for FY2024-25. Therefore the Developer and City entered into an in-lieu agreement requiring the Developer to pay the City the equal amount to what otherwise would have been the special tax levied amount. (CC Agenda, November 19, 2024)

Prepared by: Stephanie Castro **Phone #** x-2349

Agency/Department Head	**Date**	**Agenda Item Number**	**Date**
Claudia Hernandez	11/13/2024	3690	11/19/2024
Budget Office	**Date**	**Processed By**	**Date**

NOTE: All requests for Budget change requiring City Council approval must be completed, signed and attached to the staff report.
Submit budget changes in Workday.
Budget changes will be processed following City Council approval.

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **CONSENT CALENDAR**
Department: Financial Services Prepared By: Stephanie Castro Department: Prepared By: Stephanie Castro Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Reviewed By: Claudia Hernandez Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 4

SUBJECT: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING A SPECIAL TAX WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 72 (LOMA CREEK LOGISTICS CENTER SERVICES)**

RECOMMENDATION: That the City Council consider and adopt an Ordinance authorizing the levy of special taxes within City of Ontario Community Facilities District No. 72 (Loma Creek Logistics Center Services).

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

FISCAL IMPACT: The use of Mello-Roos financing in the Loma Creek Logistics Center Services development is projected to generate approximately $133,848 per year, at buildout, to fund administrative fees and municipal services. City Council approval will be required to process annual special tax levies in future years.

BACKGROUND & ANALYSIS: The Mello-Roos Community Facilities Act of 1982 (the Act) provides local government, with the consent from a majority of the property owners, the authority to establish community facilities districts for the purpose of levying special taxes to fund municipal services.

At a public hearing conducted by the City Council on November 5, 2024 the City Council adopted a Resolution of Formation of Community Facilities District 72 (Loma Creek Logistics Center Services); authorized the levy of a special tax; established an appropriations limit of the Community Facilities District; and called a special election for the Community Facilities District. On that date, an election was held in which the qualified electors of the Community Facilities District approved said proposition by more than the two-thirds vote required by the Act. Adoption of the proposed

ordinance to authorize the levy of special taxes within the Community Facilities District will conclude the formation process for City of Ontario Community Facilities District No. 72 (Loma Creek Logistics Center Services).

The Loma Creek Logistics Center Services project addresses the development of approximately 23.87 gross acres located generally south of Chino Avenue, north of Ontario Ranch Road, west of Mill Creek Avenue, and east of Haven Avenue. At buildout, the project is expected to include 535,168 square feet of industrial space.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING A SPECIAL TAX WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 72 (LOMA CREEK LOGISTICS CENTER SERVICES)

WHEREAS, on September 17, 2024, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District Proposed to be Named City of Ontario Community Facilities District No. 72 (Loma Creek Logistics Center Services) and to Authorize the Levy of a Special Tax Therein" stating its intention to establish City of Ontario Community Facilities District No. 72 (Loma Creek Logistics Center Services) (the "Community Facilities District") and to authorize the Community Facilities District to levy a special tax (the "Special Tax") within the Community Facilities District for the purpose of financing certain services (the "Services"); and

WHEREAS, on November 5, 2024, the City Council held a noticed public hearing on the establishment of the Community Facilities District, as required by the Act; and

WHEREAS, subsequent to the close of said hearing, the City Council adopted resolutions entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of City of Ontario Community Facilities District No. 72 (Loma Creek Logistics Center Services), Proposing that the Community Facilities District be Authorized to Levy a Special Tax and Proposing that an Appropriations Limit of the Community Facilities District Be Established" (the "Resolution of Formation") and "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 72 (Loma Creek Logistics Center Services)," which resolutions established the Community Facilities District, proposed that the Community Facilities District be authorized to levy the Special Tax within the Community Facilities District, proposed that an appropriations limit of the Community Facilities District be established and called a special election to submit to the qualified electors of the Community Facilities District the combined ballot proposition to authorize the Community Facilities District to levy the Special Tax and to establish the appropriations limit of the Community Facilities District; and

WHEREAS, on November 5, 2024, an election was held in which the qualified electors of the Community Facilities District approved said proposition by more than the two-thirds vote required by the Act; and

WHEREAS, the City Council is the legislative body of the Community Facilities District;

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby authorizes and levies the Special Tax within the Community Facilities District pursuant to Sections 53328 and 53340 of the Act, at the rate and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the "Rate and Method"). The Special Tax is hereby levied commencing in fiscal year 2025-26 and in each fiscal year thereafter until the last fiscal year in which the Special Tax is authorized to be levied pursuant to the Rate and Method.

SECTION 2. The City Council may, pursuant to subdivision (b) of Section 53340 of the Act, provide, by resolution, for the levy of the Special Tax in the current tax year or in future tax years at the same rate or at a lower rate than the rate provided by this Ordinance. In no event shall the Special Tax be levied on any parcel within the Community Facilities District in excess of the maximum tax specified therefor in the Rate and Method.

SECTION 3. The Special Tax shall be levied on all of the parcels in the Community Facilities District, unless exempted by law or by the Rate and Method.

SECTION 4. The proceeds of the Special Tax shall only be used to pay, in whole or in part, the cost of providing the Services and incidental expenses pursuant to the Act.

SECTION 5. The Special Tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes or in such other manner as the City Council shall determine, including direct billing of the affected property owners.

SECTION 6. If for any reason any portion of this Ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel within the Community Facilities District by a court of competent jurisdiction, the balance of this Ordinance and the application of the Special Tax to the remaining parcels within the Community Facilities District shall not be affected.

SECTION 7. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

The City Clerk of the City of Ontario shall certify as to the adoption of this Ordinance.

PASSED, APPROVED, AND ADOPTED this 19th day of November, 2024.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held November 5, 2024 and adopted at the regular meeting held November 19, 2024 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. _____ duly passed and adopted by the Ontario City Council at their regular meeting held November 19, 2024 and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **CONSENT CALENDAR**
Department: Public Works Prepared By: Manuel Rebolledo Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Andrea Ampig, Bonnie Tam Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 5

SUBJECT: PURCHASE OF FLEET VEHICLES

RECOMMENDATION: That the City Council take the following actions:

A. Authorize the sole source purchase and delivery of three (3) Ford F150 XLT pick-up trucks in the amount of $183,630 plus a 10% contingency of $18,363 to mitigate any unforeseen issues with supply chain surcharges and manufacturers price increases, for a total not-to-exceed amount of $201,993 from Citrus Motors, of Ontario, California, and
B. Authorize the sole source purchase and delivery of two (2) Ford F150 Lariat pick-up trucks in the amount of $147,519 plus a 10% contingency of $14,752 to mitigate any unforeseen issues with supply chain surcharges and manufacturers price increases, for a total not-to-exceed amount of $162,271 from Citrus Motors, of Ontario, California; and
C. Authorize the sole source purchase and delivery of one (1) Kovatch Mobile Equipment (KME) Custom Tractor Drawn Rescue in the amount of $2,757,113, plus a 10% contingency of $275,711 to mitigate any unforeseen issues with supply chain surcharges and manufacturers price increases, for a total not-to-exceed amount of $3,032,824 from Fire Apparatus Solutions, of Rialto, California.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner

FISCAL IMPACT: The total cost of the vehicles recommended for purchase is $3,088,262 plus a 10% contingency of $308,826 for a total not-to-exceed amount of $3,397,088. The Fiscal Year 2024-25 Adopted Budget includes partial appropriations in the Equipment Services Fund for the purchase of the vehicles listed above. If approved, additional appropriations will be requested, as needed, in future quarterly budget updates to the City Council for approval.

BACKGROUND & ANALYSIS: The need for the following four (4) vehicles is a result of growth throughout the City leading to increased operations:

- Three (3) Ford F150 XLT pick-up trucks requested by the Fire Department; and

- One (1) KME Custom Tractor Drawn Rescue by the Fire Department.

The following two (2) vehicles being requested are replacements for existing vehicles:

- Two (2) Ford F150 Lariat pick-up trucks requested by the Fire Department.

The vehicles recommended for replacement have outlived their useful life and it is no longer cost effective to maintain them. They are scheduled for replacement pursuant to ongoing efforts to reduce expenses, maximize useful life expectancy, and extend replacement cycles of fleet equipment while ensuring safe and reliable operation.

On September 17, 2024, the City Council approved the award of Bid No. 1773 for three (3) Ford F150 XLT pick-up trucks and Bid No. 1774 for two (2) Ford F150 Lariat pick-up trucks to the sole bidder, Proper Performance LLC, of New Wilmington, Pennsylvania. However when Staff proceeded to place an order, Proper Performance, LLC notified the City that they no longer stocked the vehicles outlined in Bid No. 1773 and Bid No. 1774.

In general conformation with the provisions of Government Code Section 54201 through 54204, Ontario Municipal Code Section 2-6.20(c) allows the purchase of supplies and equipment without further complying with the City's standard bidding procedures if no bids are received through the formal or informal procedures.

On September 19, 2023 the City Council approved Fire Apparatus Solutions, of Rialto, California, as the sole vendor for KME fire apparatus and fire equipment. Fire Department Staff is requesting to purchase a KME Custom Tractor Drawn Rescue to supplement their existing fleet.

The table below summarizes the quantity, type, requesting Agency, and price of each vehicle purchase:

QUANTITY	TYPE	DEPARTMENT	PRICE
3	Ford F150 XLT	Fire Department	$201,993
2	Ford F150 Lariat	Fire Department	$162,271
1	KME Tractor Drawn Rescue	Fire Department	$3,032,824
TOTAL			**TOTAL**
6			$3,397,088

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **CONSENT CALENDAR**
Department: Public Works Prepared By: Philip Marino Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Andrea Ampig, Bonnie Tam Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 6

SUBJECT: **AUTHORIZE THE PURCHASE OF PLAYGROUND EQUIPMENT AND PICNIC SHELTERS WITH INNOVATIVE PLAYGROUNDS COMPANY FOR THE DE ANZA PARK IMPROVEMENTS PROJECT**

RECOMMENDATION: That the City Council take the following actions:

A. Authorize the cooperative purchase of playground equipment for the De Anza Park Improvements Project in the amount of $913,554 plus a 10% contingency of $91,355 to mitigate any unforeseen issues with supply chain surcharges and manufactory price increases for a total not-to-exceed amount of $1,004,909 from Innovative Playgrounds Company, of Whittier, California, consistent with the terms and conditions of the Sourcewell Cooperative Contract No. 010521- BUR; and
B. Authorize the cooperative purchase of picnic shelters for the De Anza Park Improvements Project in the amount of $659,061 plus a 10% contingency of $65,906 to mitigate any unforeseen issues with supply chain surcharges and manufactory price increases for a total not-to-exceed amount of $724,967 from Innovative Playgrounds Company, of Whittier, California, consistent with the terms and conditions of the Sourcewell Cooperative Contract No. 010521- BUR.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

FISCAL IMPACT: The Fiscal Year 2024-25 Adopted Budget includes appropriations in the Capital Projects- Measure Q Fund for the purchase of playground equipment and picnic shelters for the De Anza Park Improvements Project. The cost of the playground equipment is an amount of $913,554 plus a 10% contingency of $91,355 for a total not-to-exceed amount of $1,004,909. The total cost of the picnic shelters is an amount of $659,061 plus a 10% contingency of $65,906 for a total not-to-exceed amount of $724,967. The total cost of the recommended actions is in an amount of $1,572,615 plus a 10% contingency of $157,261 for a total amount not-to-exceed $1,729,876.

BACKGROUND & ANALYSIS: The current playground equipment at De Anza Park is outdated and in need of replacement to keep it in working order and to reduce future maintenance expenses. If approved, Innovative Playgrounds Company will construct concrete curbing around the playground, install rubber surfacing, and install the play equipment. The project consists of a 2 to 5 year-old play area, and a 5 to 12 year-old play area. Play elements include slides, climbing features, music equipment, shade structures, swings, orbit spinner, and benches.

A total of four (4) steel hip, vented top picnic shelters will be installed at De Anza Park. Three (3) picnic shelters will be installed adjacent to the new playground and one (1) picnic shelter will be installed near the proposed splash pad area. Each shelter will have four (4) picnic tables, including one (1) Americans with Disabilities Act-compliant picnic table, accommodating approximately 16 people per picnic shelter. These shelters provide needed shade for park users while utilizing the surrounding park amenities.

In general conformation with the provisions of Government Code Section 54201 through 54204, Ontario Municipal Code Section 2- 6. 29 allows for the purchase of supplies and equipment through cooperative purchasing programs. Cooperative purchasing allows the City to pool its procurement power with other public agencies to obtain lower pricing than otherwise might be possible.

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Solicitation Number: RFP #010521

CONTRACT

This Contract is between Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 (Sourcewell) and BCI Burke Company, LLC, 727 Northwest Way, Fond du Lac, WI 54937 (Vendor).

Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21) that offers cooperative procurement solutions to government entities. Participation is open to federal, state/province, and municipal governmental entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States and Canada. Sourcewell issued a public solicitation for Playground and Water Play Equipment with Related Accessories and Services from which Vendor was awarded a contract.

Vendor desires to contract with Sourcewell to provide equipment, products, or services to Sourcewell and the entities that access Sourcewell's cooperative purchasing contracts (Participating Entities).

1. TERM OF CONTRACT

A. EFFECTIVE DATE. This Contract is effective upon the date of the final signature below.

B. EXPIRATION DATE AND EXTENSION. This Contract expires February 17, 2025, unless it is cancelled sooner pursuant to Article 22. This Contract may be extended up to one additional one-year period upon request of Sourcewell and with written agreement by Vendor.

C. SURVIVAL OF TERMS. Articles 11 through 14 survive the expiration or cancellation of this Contract.

2. EQUIPMENT, PRODUCTS, OR SERVICES

A. EQUIPMENT, PRODUCTS, OR SERVICES. Vendor will provide the Equipment, Products, or Services as stated in its Proposal submitted under the Solicitation Number listed above. Vendor's Equipment, Products, or Services Proposal (Proposal) is attached and incorporated into this Contract.

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All Equipment and Products provided under this Contract must be new/current model. Vendor may offer close-out or refurbished Equipment or Products if they are clearly indicated in Vendor's product and pricing list. Unless agreed to by the Participating Entities in advance, Equipment or Products must be delivered as operational to the Participating Entity's site.

This Contract offers an indefinite quantity of sales, and while substantial volume is anticipated, sales and sales volume are not guaranteed.

B. WARRANTY. Vendor warrants that all Equipment, Products, and Services furnished are free from liens and encumbrances, and are free from defects in design, materials, and workmanship. In addition, Vendor warrants the Equipment, Products, and Services are suitable for and will perform in accordance with the ordinary use for which they are intended. Vendor's dealers and distributors must agree to assist the Participating Entity in reaching a resolution in any dispute over warranty terms with the manufacturer. Any manufacturer's warranty that is effective past the expiration of the Vendor's warranty will be passed on to the Participating Entity.

C. DEALERS, DISTRIBUTORS, AND/OR RESELLERS. Upon Contract execution, Vendor will make available to Sourcewell a means to validate or authenticate Vendor's authorized dealers, distributors, and/or resellers relative to the Equipment, Products, and Services related to this Contract. This list may be updated from time-to-time and is incorporated into this Contract by reference. It is the Vendor's responsibility to ensure Sourcewell receives the most current version of this list.

3. PRICING

All Equipment, Products, or Services under this Contract will be priced as stated in Vendor's Proposal.

When providing pricing quotes to Participating Entities, all pricing quoted must reflect a Participating Entity's total cost of acquisition. This means that the quoted cost is for delivered Equipment, Products, and Services that are operational for their intended purpose, and includes all costs to the Participating Entity's requested delivery location.

Regardless of the payment method chosen by the Participating Entity, the total cost associated with any purchase option of the Equipment, Products, or Services must always be disclosed in the pricing quote to the applicable Participating Entity at the time of purchase.

A. SHIPPING AND SHIPPING COSTS. All delivered Equipment and Products must be properly packaged. Damaged Equipment and Products may be rejected. If the damage is not readily apparent at the time of delivery, Vendor must permit the Equipment and Products to be returned within a reasonable time at no cost to Sourcewell or its Participating Entities. Participating Entities reserve the right to inspect the Equipment and Products at a reasonable

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time after delivery where circumstances or conditions prevent effective inspection of the Equipment and Products at the time of delivery.

Vendor must arrange for and pay for the return shipment on Equipment and Products that arrive in a defective or inoperable condition.

Sourcewell may declare the Vendor in breach of this Contract if the Vendor intentionally delivers substandard or inferior Equipment or Products. In the event of the delivery of nonconforming Equipment and Products, the Participating Entity will notify the Vendor as soon as possible and the Vendor will replace nonconforming Equipment and Products with conforming Equipment and Products that are acceptable to the Participating Entity.

B. SALES TAX. Each Participating Entity is responsible for supplying the Vendor with valid tax-exemption certification(s). When ordering, a Participating Entity must indicate if it is a tax-exempt entity.

C. HOT LIST PRICING. At any time during this Contract, Vendor may offer a specific selection of Equipment, Products, or Services at discounts greater than those listed in the Contract. When Vendor determines it will offer Hot List Pricing, it must be submitted electronically to Sourcewell in a line-item format. Equipment, Products, or Services may be added or removed from the Hot List at any time through a Sourcewell Price and Product Change Form as defined in Article 4 below.

Hot List program and pricing may also be used to discount and liquidate close-out and discontinued Equipment and Products as long as those close-out and discontinued items are clearly identified as such. Current ordering process and administrative fees apply. Hot List Pricing must be published and made available to all Participating Entities.

4. PRODUCT AND PRICING CHANGE REQUESTS

Vendor may request Equipment, Product, or Service changes, additions, or deletions at any time. All requests must be made in writing by submitting a signed Sourcewell Price and Product Change Request Form to the assigned Sourcewell Contract Administrator. This form is available from the assigned Sourcewell Contract Administrator. At a minimum, the request must:

- Identify the applicable Sourcewell contract number;
- Clearly specify the requested change;
- Provide sufficient detail to justify the requested change;
- Individually list all Equipment, Products, or Services affected by the requested change, along with the requested change (e.g., addition, deletion, price change); and
- Include a complete restatement of pricing documentation in Microsoft Excel with the effective date of the modified pricing, or product addition or deletion. The new pricing

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restatement must include all Equipment, Products, and Services offered, even for those items where pricing remains unchanged.

A fully executed Sourcewell Price and Product Request Form will become an amendment to this Contract and be incorporated by reference.

5. PARTICIPATION, CONTRACT ACCESS, AND PARTICIPATING ENTITY REQUIREMENTS

A. PARTICIPATION. Sourcewell's cooperative contracts are available and open to public and nonprofit entities across the United States and Canada; such as federal, state/province, municipal, K-12 and higher education, tribal government, and other public entities.

The benefits of this Contract should be available to all Participating Entities that can legally access the Equipment, Products, or Services under this Contract. A Participating Entity's authority to access this Contract is determined through its cooperative purchasing, interlocal, or joint powers laws. Any entity accessing benefits of this Contract will be considered a Service Member of Sourcewell during such time of access. Vendor understands that a Participating Entity's use of this Contract is at the Participating Entity's sole convenience and Participating Entities reserve the right to obtain like Equipment, Products, or Services from any other source.

Vendor is responsible for familiarizing its sales and service forces with Sourcewell contract use eligibility requirements and documentation and will encourage potential participating entities to join Sourcewell. Sourcewell reserves the right to add and remove Participating Entities to its roster during the term of this Contract.

B. PUBLIC FACILITIES. Vendor's employees may be required to perform work at government-owned facilities, including schools. Vendor's employees and agents must conduct themselves in a professional manner while on the premises, and in accordance with Participating Entity policies and procedures, and all applicable laws.

6. PARTICIPATING ENTITY USE AND PURCHASING

A. ORDERS AND PAYMENT. To access the contracted Equipment, Products, or Services under this Contract, a Participating Entity must clearly indicate to Vendor that it intends to access this Contract; however, order flow and procedure will be developed jointly between Sourcewell and Vendor. Typically, a Participating Entity will issue an order directly to Vendor. If a Participating Entity issues a purchase order, it may use its own forms, but the purchase order should clearly note the applicable Sourcewell contract number. All Participating Entity orders under this Contract must be issued prior to expiration of this Contract; however, Vendor performance, Participating Entity payment, and any applicable warranty periods or other Vendor or Participating Entity obligations may extend beyond the term of this Contract.

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Vendor's acceptable forms of payment are included in Attachment A. Participating Entities will be solely responsible for payment and Sourcewell will have no liability for any unpaid invoice of any Participating Entity.

B. ADDITIONAL TERMS AND CONDITIONS/PARTICIPATING ADDENDUM. Additional terms and conditions to a purchase order, or other required transaction documentation, may be negotiated between a Participating Entity and Vendor, such as job or industry-specific requirements, legal requirements (e.g., affirmative action or immigration status requirements), or specific local policy requirements. Some Participating Entitles may require the use of a Participating Addendum; the terms of which will be worked out directly between the Participating Entity and the Vendor. Any negotiated additional terms and conditions must never be less favorable to the Participating Entity than what is contained in this Contract.

C. SPECIALIZED SERVICE REQUIREMENTS. In the event that the Participating Entity requires service or specialized performance requirements (such as e-commerce specifications, specialized delivery requirements, or other specifications and requirements) not addressed in this Contract, the Participating Entity and the Vendor may enter into a separate, standalone agreement, apart from this Contract. Sourcewell, including its agents and employees, will not be made a party to a claim for breach of such agreement.

D. TERMINATION OF ORDERS. Participating Entities may terminate an order, in whole or in part, immediately upon notice to Vendor in the event of any of the following events:

1. The Participating Entity fails to receive funding or appropriation from its governing body at levels sufficient to pay for the goods to be purchased;
2. Federal, state, or provincial laws or regulations prohibit the purchase or change the Participating Entity's requirements; or
3. Vendor commits any material breach of this Contract or the additional terms agreed to between the Vendor and a Participating Entity.

E. GOVERNING LAW AND VENUE. The governing law and venue for any action related to a Participating Entity's order will be determined by the Participating Entity making the purchase.

7. CUSTOMER SERVICE

A. PRIMARY ACCOUNT REPRESENTATIVE. Vendor will assign an Account Representative to Sourcewell for this Contract and must provide prompt notice to Sourcewell if that person is changed. The Account Representative will be responsible for:

- Maintenance and management of this Contract;
- Timely response to all Sourcewell and Participating Entity inquiries; and
- Business reviews to Sourcewell and Participating Entities, if applicable.

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B. BUSINESS REVIEWS. Vendor must perform a minimum of one business review with Sourcewell per contract year. The business review will cover sales to Participating Entities, pricing and contract terms, administrative fees, supply issues, customer issues, and any other necessary information.

8. REPORT ON CONTRACT SALES ACTIVITY AND ADMINISTRATIVE FEE PAYMENT

A. CONTRACT SALES ACTIVITY REPORT. Each calendar quarter, Vendor must provide a contract sales activity report (Report) to the Sourcewell Contract Administrator assigned to this Contract. A Report must be provided regardless of the number or amount of sales during that quarter (i.e., if there are no sales, Vendor must submit a report indicating no sales were made).

The Report must contain the following fields:

- Customer Name (e.g., City of Staples Highway Department);
- Customer Physical Street Address;
- Customer City;
- Customer State/Province;
- Customer Zip Code;
- Customer Contact Name;
- Customer Contact Email Address;
- Customer Contact Telephone Number;
- Sourcewell Assigned Entity/Participating Entity Number;
- Item Purchased Description;
- Item Purchased Price;
- Sourcewell Administrative Fee Applied; and
- Date Purchase was invoiced/sale was recognized as revenue by Vendor.

B. ADMINISTRATIVE FEE. In consideration for the support and services provided by Sourcewell, the Vendor will pay an administrative fee to Sourcewell on all Equipment, Products, and Services provided to Participating Entities. The Administrative Fee must be included in, and not added to, the pricing. Vendor may not charge Participating Entities more than the contracted price to offset the Administrative Fee.

The Vendor will submit payment to Sourcewell for the percentage of administrative fee stated in the Proposal multiplied by the total sales of all Equipment, Products, and Services purchased by Participating Entities under this Contract during each calendar quarter. Payments should note the Vendor's name and Sourcewell-assigned contract number in the memo; and must be mailed to the address above "Attn: Accounts Receivable" or remitted electronically to Sourcewell's banking institution per Sourcewell's Finance department instructions. Payments must be received no later than 45 calendar days after the end of each calendar quarter.

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Vendor agrees to cooperate with Sourcewell in auditing transactions under this Contract to ensure that the administrative fee is paid on all items purchased under this Contract.

In the event the Vendor is delinquent in any undisputed administrative fees, Sourcewell reserves the right to cancel this Contract and reject any proposal submitted by the Vendor in any subsequent solicitation. In the event this Contract is cancelled by either party prior to the Contract's expiration date, the administrative fee payment will be due no more than 30 days from the cancellation date.

9. AUTHORIZED REPRESENTATIVE

Sourcewell's Authorized Representative is its Chief Procurement Officer.

Vendor's Authorized Representative is the person named in the Vendor's Proposal. If Vendor's Authorized Representative changes at any time during this Contract, Vendor must promptly notify Sourcewell in writing.

10. AUDIT, ASSIGNMENT, AMENDMENTS, WAIVER, AND CONTRACT COMPLETE

A. AUDIT. Pursuant to Minnesota Statutes Section 16C.05, subdivision 5, the books, records, documents, and accounting procedures and practices relevant this Agreement are subject to examination by Sourcewell or the Minnesota State Auditor for a minimum of six years from the end of this Contract. This clause extends to Participating Entities as it relates to business conducted by that Participating Entity under this Contract.

B. ASSIGNMENT. Neither the Vendor nor Sourcewell may assign or transfer any rights or obligations under this Contract without the prior consent of the parties and a fully executed assignment agreement. Such consent will not be unreasonably withheld.

C. AMENDMENTS. Any amendment to this Contract must be in writing and will not be effective until it has been fully executed by the parties.

D. WAIVER. If either party fails to enforce any provision of this Contract, that failure does not waive the provision or the right to enforce it.

E. CONTRACT COMPLETE. This Contract contains all negotiations and agreements between Sourcewell and Vendor. No other understanding regarding this Contract, whether written or oral, may be used to bind either party. For any conflict between the attached Proposal and the terms set out in Articles 1-22, the terms of Articles 1-22 will govern.

F. RELATIONSHIP OF THE PARTIES. The relationship of the parties is one of independent contractors, each free to exercise judgment and discretion with regard to the conduct of their

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respective businesses. This Contract does not create a partnership, joint venture, or any other relationship such as master-servant, or principal-agent.

11. LIABILITY

Vendor must indemnify, save, and hold Sourcewell and its Participating Entities, including their agents and employees, harmless from any claims or causes of action, including attorneys' fees, arising out of the performance of this Contract by the Vendor or its agents or employees; this indemnification includes injury or death to person(s) or property alleged to have been caused by some defect in the Equipment, Products, or Services under this Contract to the extent the Equipment, Product, or Service has been used according to its specifications.

12. GOVERNMENT DATA PRACTICES

Vendor and Sourcewell must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by or provided to Sourcewell under this Contract and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Vendor under this Contract.

If the Vendor receives a request to release the data referred to in this article, the Vendor must immediately notify Sourcewell and Sourcewell will assist with how the Vendor should respond to the request.

13. INTELLECTUAL PROPERTY, PUBLICITY, MARKETING, AND ENDORSEMENT

A. INTELLECTUAL PROPERTY

1. *Grant of License.* During the term of this Contract:

   a. Sourcewell grants to Vendor a royalty-free, worldwide, non-exclusive right and license to use theTrademark(s) provided to Vendor by Sourcewell in advertising and promotional materials for the purpose of marketing Sourcewell's relationship with Vendor.

   b. Vendor grants to Sourcewell a royalty-free, worldwide, non-exclusive right and license to use Vendor's Trademarks in advertising and promotional materials for the purpose of marketing Vendor's relationship with Sourcewell.

2. *Limited Right of Sublicense*. The right and license granted herein includes a limited right of each party to grant sublicenses to its and their respective distributors, marketing representatives, and agents (collectively "Permitted Sublicensees") in advertising and promotional materials for the purpose of marketing the Parties' relationship to Participating Entities. Any sublicense granted will be subject to the terms and conditions of this Article. Each party will be responsible for any breach of this Article by any of their respective sublicensees.

3. *Use; Quality Control.*

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a. Sourcewell must not alter Vendor's Trademarks from the form provided by Vendor and must comply with Vendor's removal requests as to specific uses of its trademarks or logos.

b. Vendor must not alter Sourcewell's Trademarks from the form provided by Sourcewell and must comply with Sourcewell's removal requests as to specific uses of its trademarks or logos.

c. Each party agrees to use, and to cause its Permitted Sublicensees to use, the other party's Trademarks only in good faith and in a dignified manner consistent with such party's use of the Trademarks. Upon written notice to the breaching party, the breaching party has 30 days of the date of the written notice to cure the breach or the license will be terminated.

4. As applicable, Vendor agrees to indemnify and hold harmless Sourcewell and its Participating Entities against any and all suits, claims, judgments, and costs instituted or recovered against Sourcewell or Participating Entities by any person on account of the use of any Equipment or Products by Sourcewell or its Participating Entities supplied by Vendor in violation of applicable patent or copyright laws.

5. Termination. Upon the termination of this Contract for any reason, each party, including Permitted Sublicensees, will have 30 days to remove all Trademarks from signage, websites, and the like bearing the other party's name or logo (excepting Sourcewell's pre-printed catalog of vendors which may be used until the next printing). Vendor must return all marketing and promotional materials, including signage, provided by Sourcewell, or dispose of it according to Sourcewell's written directions.

B. PUBLICITY. Any publicity regarding the subject matter of this Contract must not be released without prior written approval from the Authorized Representatives. Publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Vendor individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Contract.

C. MARKETING. Any direct advertising, marketing, or offers with Participating Entities must be approved by Sourcewell. Materials should be sent to the Sourcewell Contract Administrator assigned to this Contract.

D. ENDORSEMENT. The Vendor must not claim that Sourcewell endorses its Equipment, Products, or Services.

14. GOVERNING LAW, JURISDICTION, AND VENUE

Minnesota law governs this Contract. Venue for all legal proceedings out of this Contract, or its breach, must be in the appropriate state court in Todd County or federal court in Fergus Falls, Minnesota.

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15. FORCE MAJEURE

Neither party to this Contract will be held responsible for delay or default caused by acts of God or other conditions that are beyond that party's reasonable control. A party defaulting under this provision must provide the other party prompt written notice of the default.

16. SEVERABILITY

If any provision of this Contract is found to be illegal, unenforceable, or void then both Sourcewell and Vendor will be relieved of all obligations arising under such provisions. If the remainder of this Contract is capable of performance, it will not be affected by such declaration or finding and must be fully performed.

17. PERFORMANCE, DEFAULT, AND REMEDIES

A. PERFORMANCE. During the term of this Contract, the parties will monitor performance and address unresolved contract issues as follows:

1. *Notification.* The parties must promptly notify each other of any known dispute and work in good faith to resolve such dispute within a reasonable period of time. If necessary, Sourcewell and the Vendor will jointly develop a short briefing document that describes the issue(s), relevant impact, and positions of both parties.
2. *Escalation.* If parties are unable to resolve the issue in a timely manner, as specified above, either Sourcewell or Vendor may escalate the resolution of the issue to a higher level of management. The Vendor will have 30 calendar days to cure an outstanding issue.
3. *Performance while Dispute is Pending*. Notwithstanding the existence of a dispute, the Vendor must continue without delay to carry out all of its responsibilities under the Contract that are not affected by the dispute. If the Vendor fails to continue without delay to perform its responsibilities under the Contract, in the accomplishment of all undisputed work, any additional costs incurred by Sourcewell and/or its Participating Entities as a result of such failure to proceed will be borne by the Vendor.

B. DEFAULT AND REMEDIES. Either of the following constitutes cause to declare this Contract, or any Participating Entity order under this Contract, in default:

1. Nonperformance of contractual requirements, or
2. A material breach of any term or condition of this Contract.

Written notice of default and a reasonable opportunity to cure must be issued by the party claiming default. Time allowed for cure will not diminish or eliminate any liability for liquidated or other damages. If the default remains after the opportunity for cure, the non-defaulting party may:

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- Exercise any remedy provided by law or equity, or
- Terminate the Contract or any portion thereof, including any orders issued against the Contract.

18. INSURANCE

A. REQUIREMENTS. At its own expense, Vendor must maintain insurance policy(ies) in effect at all times during the performance of this Contract with insurance company(ies) licensed or authorized to do business in the State of Minnesota having an "AM BEST" rating of A- or better, with coverage and limits of insurance not less than the following:

1. *Workers' Compensation and Employer's Liability.*
Workers' Compensation: As required by any applicable law or regulation.
Employer's Liability Insurance: must be provided in amounts not less than listed below:
Minimum limits:
$500,000 each accident for bodily injury by accident
$500,000 policy limit for bodily injury by disease
$500,000 each employee for bodily injury by disease

2. *Commercial General Liability Insurance.* Vendor will maintain insurance covering its operations, with coverage on an occurrence basis, and must be subject to terms no less broad than the Insurance Services Office ("ISO") Commercial General Liability Form CG0001 (2001 or newer edition), or equivalent. At a minimum, coverage must include liability arising from premises, operations, bodily injury and property damage, independent contractors, products-completed operations including construction defect, contractual liability, blanket contractual liability, and personal injury and advertising injury. All required limits, terms and conditions of coverage must be maintained during the term of this Contract.
Minimum Limits:
$1,000,000 each occurrence Bodily Injury and Property Damage
$1,000,000 Personal and Advertising Injury
$2,000,000 aggregate for Products-Completed operations
$2,000,000 general aggregate

3. *Commercial Automobile Liability Insurance.* During the term of this Contract, Vendor will maintain insurance covering all owned, hired, and non-owned automobiles in limits of liability not less than indicated below. The coverage must be subject to terms no less broad than ISO Business Auto Coverage Form CA 0001 (2010 edition or newer), or equivalent.
Minimum Limits:
$1,000,000 each accident, combined single limit

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4. *Umbrella Insurance*. During the term of this Contract, Vendor will maintain umbrella coverage over Workers' Compensation, Commercial General Liability, and Commercial Automobile.

Minimum Limits:
$2,000,000

5. *Professional/Technical, Errors and Omissions, and/or Miscellaneous Professional Liability*. During the term of this Contract, Vendor will maintain coverage for all claims the Vendor may become legally obligated to pay resulting from any actual or alleged negligent act, error, or omission related to Vendor's professional services required under this Contract.

Minimum Limits:
$2,000,000 per claim or event
$2,000,000 – annual aggregate

Failure of Vendor to maintain the required insurance will constitute a material breach entitling Sourcewell to immediately terminate this Contract for default.

B. CERTIFICATES OF INSURANCE. Prior to commencing under this Contract, Vendor must furnish to Sourcewell a certificate of insurance, as evidence of the insurance required under this Contract. Prior to expiration of the policy(ies), renewal certificates must be mailed to Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 or sent to the Sourcewell Contract Administrator assigned to this Contract. The certificates must be signed by a person authorized by the insurer(s) to bind coverage on their behalf.

Failure to request certificates of insurance by Sourcewell, or failure of Vendor to provide certificates of insurance, in no way limits or relieves Vendor of its duties and responsibilities in this Contract.

C. ADDITIONAL INSURED ENDORSEMENT AND PRIMARY AND NON-CONTRIBUTORY INSURANCE CLAUSE. Vendor agrees to list Sourcewell and its Participating Entities, including their officers, agents, and employees, as an additional insured under the Vendor's commercial general liability insurance policy with respect to liability arising out of activities, "operations," or "work" performed by or on behalf of Vendor, and products and completed operations of Vendor. The policy provision(s) or endorsement(s) must further provide that coverage is primary and not excess over or contributory with any other valid, applicable, and collectible insurance or self-insurance in force for the additional insureds.

D. WAIVER OF SUBROGATION. Vendor waives and must require (by endorsement or otherwise) all its insurers to waive subrogation rights against Sourcewell and other additional insureds for losses paid under the insurance policies required by this Contract or other insurance applicable to the Vendor or its subcontractors. The waiver must apply to all deductibles and/or self-insured retentions applicable to the required or any other insurance

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maintained by the Vendor or its subcontractors. Where permitted by law, Vendor must require similar written express waivers of subrogation and insurance clauses from each of its subcontractors.

E. UMBRELLA/EXCESS LIABILITY/SELF-INSURED RETENTION. The limits required by this Contract can be met by either providing a primary policy or in combination with umbrella/excess liability policy(ies), or self-insured retention.

19. COMPLIANCE

A. LAWS AND REGULATIONS. All Equipment, Products, or Services provided under this Contract must comply fully with applicable federal laws and regulations, and with the laws in the states and provinces in which the Equipment, Products, or Services are sold.

B. LICENSES. Vendor must maintain a valid and current status on all required federal, state/provincial, and local licenses, bonds, and permits required for the operation of the business that the Vendor conducts with Sourcewell and Participating Entities.

20. BANKRUPTCY, DEBARMENT, OR SUSPENSION CERTIFICATION

Vendor certifies and warrants that it is not in bankruptcy or that it has previously disclosed in writing certain information to Sourcewell related to bankruptcy actions. If at any time during this Contract Vendor declares bankruptcy, Vendor must immediately notify Sourcewell in writing.

Vendor certifies and warrants that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Vendor certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this Contract. Vendor further warrants that it will provide immediate written notice to Sourcewell if this certification changes at any time.

21. PROVISIONS FOR NON-UNITED STATES FEDERAL ENTITY PROCUREMENTS UNDER UNITED STATES FEDERAL AWARDS OR OTHER AWARDS

Participating Entities that use United States federal grant or FEMA funds to purchase goods or services from this Contract may be subject to additional requirements including the procurement standards of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. § 200. Participating Entities may also require additional requirements based on specific funding specifications. Within this Article, all references to “federal” should be interpreted to mean the United States federal government.

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The following list only applies when a Participating Entity accesses Vendor's Equipment, Products, or Services with United States federal funds.

A. EQUAL EMPLOYMENT OPPORTUNITY. Except as otherwise provided under 41 C.F.R. § 60, all contracts that meet the definition of "federally assisted construction contract" in 41 C.F.R. § 60-1.3 must include the equal opportunity clause provided under 41 C.F.R. §60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 C.F.R. §, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 C.F.R. § 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor." The equal opportunity clause is incorporated herein by reference.

B. DAVIS-BACON ACT, AS AMENDED (40 U.S.C. § 3141-3148). When required by federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. § 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 C.F.R. § 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-federal entity must report all suspected or reported violations to the federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. § 3145), as supplemented by Department of Labor regulations (29 C.F.R. § 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-federal entity must report all suspected or reported violations to the federal awarding agency. Vendor must be in compliance with all applicable Davis-Bacon Act provisions.

C. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. § 3701-3708). Where applicable, all contracts awarded by the non-federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. § 5). Under 40 U.S.C. § 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40

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hours in the work week. The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence. This provision is hereby incorporated by reference into this Contract. Vendor certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Vendor must comply with applicable requirements as referenced above.

D. RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT. If the federal award meets the definition of "funding agreement" under 37 C.F.R. § 401.2(a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 C.F.R. § 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency. Vendor certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Vendor must comply with applicable requirements as referenced above.

E. CLEAN AIR ACT (42 U.S.C. § 7401-7671Q.) AND THE FEDERAL WATER POLLUTION CONTROL ACT (33 U.S.C. § 1251-1387). Contracts and subgrants of amounts in excess of $150,000 require the non-federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. § 7401- 7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. § 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). Vendor certifies that during the term of this Contract will comply with applicable requirements as referenced above.

F. DEBARMENT AND SUSPENSION (EXECUTIVE ORDERS 12549 AND 12689). A contract award (see 2 C.F.R. § 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 C.F.R. §180 that implement Executive Orders 12549 (3 C.F.R. § 1986 Comp., p. 189) and 12689 (3 C.F.R. § 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. Vendor certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

G. BYRD ANTI-LOBBYING AMENDMENT, AS AMENDED (31 U.S.C. § 1352). Vendors must file any required certifications. Vendors must not have used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any

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agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Vendors must disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the non-federal award. Vendors must file all certifications and disclosures required by, and otherwise comply with, the Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352).

H. RECORD RETENTION REQUIREMENTS. To the extent applicable, Vendor must comply with the record retention requirements detailed in 2 C.F.R. § 200.333. The Vendor further certifies that it will retain all records as required by 2 C.F.R. § 200.333 for a period of 3 years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

I. ENERGY POLICY AND CONSERVATION ACT COMPLIANCE. To the extent applicable, Vendor must comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

J. BUY AMERICAN PROVISIONS COMPLIANCE. To the extent applicable, Vendor must comply with all applicable provisions of the Buy American Act. Purchases made in accordance with the Buy American Act must follow the applicable procurement rules calling for free and open competition.

K. ACCESS TO RECORDS (2 C.F.R. § 200.336). Vendor agrees that duly authorized representatives of a federal agency must have access to any books, documents, papers and records of Vendor that are directly pertinent to Vendor's discharge of its obligations under this Contract for the purpose of making audits, examinations, excerpts, and transcriptions. The right also includes timely and reasonable access to Vendor's personnel for the purpose of interview and discussion relating to such documents.

L. PROCUREMENT OF RECOVERED MATERIALS (2 C.F.R. § 200.322). A non-federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. § 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired during the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

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22. CANCELLATION

Sourcewell or Vendor may cancel this Contract at any time, with or without cause, upon 60 days' written notice to the other party. However, Sourcewell may cancel this Contract immediately upon discovery of a material defect in any certification made in Vendor's Proposal. Cancellation of this Contract does not relieve either party of financial, product, or service obligations incurred or accrued prior to cancellation.

Sourcewell	BCI Burke Company, LLC
DocuSigned by: Jeremy Schwartz C0FD2A139D06489...	DocuSigned by: Doug Pietrowski 5E49EAF153C543E...
By: _____	By: _____
Jeremy Schwartz	Doug Pietrowski
Title: Director of Operations & Procurement/CPO	Title: Chief Financial Officer
Date: 2/15/2021 | 10:34 PM CST	Date: 2/15/2021 | 1:06 PM PST

Approved:

DocuSigned by: Chad Coauette 7E42B8F817A64CC...

By: _____

Chad Coauette

Title: Executive Director/CEO

Date: 2/15/2021 | 10:45 PM CST

RFP 010521 - Playground and Water Play Equipment with Related Accessories and Services

Vendor Details

Company Name:	BCI Burke Company, LLC
Does your company conduct business under any other name? If yes, please state:	WI
Address:	727 Northwest Way Fond du Lac, wi 54935
Contact:	Marianne Larson
Email:	mlarson@bciburke.com
Phone:	920-933-6701
HST#:	

Submission Details

Created On:	Thursday November 12, 2020 10:17:31
Submitted On:	Tuesday January 05, 2021 09:24:22
Submitted By:	Jessica Westphal
Email:	jwestphal@bciburke.com
Transaction #:	496579f6-aad4-4995-b61d-21d352c781ce
Submitter's IP Address:	24.196.128.114

Specifications

Table 1: Proposer Identity & Authorized Representatives

General Instructions (applies to all Tables) Sourcewell prefers a brief but thorough response to each question. Please do not merely attach additional documents to your response without also providing a substantive response. Do not leave answers blank; mark "NA" if the question does not apply to you (preferably with an explanation).

Line Item	Question	Response *	
1	Proposer Legal Name (and applicable d/b/a, if any):	BCI Burke Company, LLC	*
2	Proposer Address:	727 Northwest Way Fond du Lac, WI 54937	*
3	Proposer website address:	www.bciburke.com	*
4	Proposer's Authorized Representative (name, title, address, email address & phone) (The representative must have authority to sign the "Proposer's Assurance of Compliance" on behalf of the Proposer and, in the event of award, will be expected to execute the resulting contract):	Doug Pietrowski, Chief Financial Officer, 727 Northwest Way, Fond du Lac, WI 54937 dpietrowski@bciburke.com (920) 921-9220	*
5	Proposer's primary contact for this proposal (name, title, address, email address & phone):	Marianne Larson, Sales Support Manager, 727 Northwest Way, Fond du Lac, WI 54397, mlarson@bciburke.com, (920) 933-6701	*
6	Proposer's other contacts for this proposal, if any (name, title, address, email address & phone):	Jessica Westphal, Sales Support Coordinator 727 Northwest Way, Fond du Lac, WI 54397, jwestphal@bciburke.com, (920) 933-6697	

Table 2: Company Information and Financial Strength

Line Item	Question	Response *	
7	Provide a brief history of your company, including your company's core values, business philosophy, and industry longevity related to the requested equipment, products or services.	JE Burke Company was incorporated in 1920 as a weather-stripping company that quickly expanded to include the design and production of designer radiator furniture. After receiving a request to fabricate a slide for a family friend, JE Burke entered the playground industry and soon playground products were the company's main focus. The company remained family-owned and operated under the JE Burke company name until it was purchased from Greg Burke in 1997 and was incorporated as BCI Burke Company, LLC. Burke just celebrated our 100th anniversary this year. Our mission at Burke is simple: To bring Play That Moves You to communities around the world. Our purpose each and every day is to create quality and innovative playground equipment that inspires us to move. We do this with a culture that is focused on outcomes where everyone wins – the Company, our Employees, our Representatives, our Partners, our Customers and the Community. It's what we focus on every day. See attachment Burke History.	*
8	What are your company's expectations in the event of an award?	Our expectations are that Burke and Sourcewell will work as a cohesive team to provide Sourcewell customers with the highest quality products and services for the best value in the industry. We will commit our resources to immediately train our internal staff, Representatives and current customers regarding the benefits of purchasing through Sourcewell We will market the Sourcewell contract to existing Burke and Sourcewell customers. We will introduce Sourcewell to the Canadian market using our current Representative and targeted Marketing initiatives to increase brand awareness for both Burke and Sourcewell in Canada. The Burke/Sourcewell partnership will continue to grow throughout the term of the contract as we exceed member expectations and bring "Play That Moves You" to communities throughout the US and Canada.	*

9	Demonstrate your financial strength and stability with meaningful data. This could include such items as financial statements, SEC filings, credit and bond ratings, letters of credit, and detailed reference letters. Upload supporting documents (as applicable) in the document upload section of your response.	BCI Burke FEIN#: 39-1900568 NCAIS #: 332300 Architectural & Structural Metals Manufacturing Industry Type: Manufacturing Sub Type: Fabricated Metal Product Manufacturing Burke is a privately held company that is growing rapidly and has a strong financial position. We are pleased to provide the attached references to demonstrate our financial strength. BCI Burke has entered its 100th year of continuous operation in 2020 making us the oldest commercial playground equipment manufacturer in the United States. Achieving longevity such as this can only be accomplished through continued operational discipline and financial strength. See financial attachments	*
10	What is your US market share for the solutions that you are proposing?	Burke is proudly represented by local Representative Partners throughout the United States. Our market share varies by territory but is as strong as 30% in some areas.	*
11	What is your Canadian market share for the solutions that you are proposing?	Burke is proudly represented by local Representative Partners throughout Canada Our market share varies by province but is as strong as 15% in some areas.	*
12	Has your business ever petitioned for bankruptcy protection? If so, explain in detail.	Burke has not ever petitioned for bankruptcy protection.	*
13	How is your organization best described: is it a manufacturer, a distributor/dealer/reseller, or a service provider? Answer whichever question (either a) or b) just below) best applies to your organization. a) If your company is best described as a distributor/dealer/reseller (or similar entity), provide your written authorization to act as a distributor/dealer/reseller for the manufacturer of the products proposed in this RFP. If applicable, is your dealer network independent or company owned? b) If your company is best described as a manufacturer or service provider, describe your relationship with your sales and service force and with your dealer network in delivering the products and services proposed in this RFP. Are these individuals your employees, or the employees of a third party?	Burke is best described as a manufacturer. Burke has thirty contracted US and Canadian Representative Firms that employ outside and inside sales representatives and administrative staff. The Representative Firms are responsible for servicing all markets within their contracted territory. The Representative Firms are independent entities that contract with Burke to sell Burke products within their specific territory. Please see the enclosed Representative Territory map to identify coverage of Burke products and services throughout the United States and Canada. Having solid relationships with our Representatives is critical for Burke; in fact it is these very relationships that set Burke apart in the industry from other manufacturers. Bottom line is that the customer needs to be taken care of in a timely manner, and that is what Burke and our Representatives do. It may sound like a simple concept, but it is not common in our industry. The relationship with our Representatives is based upon a model that consists of shared goals and objectives, mutual dependence, open lines of communication, mutual commitment to customer satisfaction, concerns for others profitability, and trust. Each of these items overlaps the next and must remain in proportional balance in order for Burke and our Representatives to be successful. Burke realizes that the Representative is also our customer and to maintain our model of successful factory/Representative relationship, professional respect, continuous improvement initiatives, and investment of effort by top management are a necessity. Burke recognizes and strives to support our Representative Firms' efforts by timely responses and open lines of communication, and in the end, this allows Burke and our Representatives to offer superior customer service to the end customer.	*
14	If applicable, provide a detailed explanation outlining the licenses and certifications that are both required to be held, and actually held, by your organization (including third parties and subcontractors that you use) in pursuit of the business contemplated by this RFP.	It is a requirement in our industry to have all products certified through IPEMA to the ASTM F1487 and CSA Z614 playground safety standards for equipment and surfacing. We are active participants in the equipment certification program and the surfacing certification program, and all of our products are certified to the appropriate standards. Our company also maintains certification to ISO 9001 and ISO 14001, which are both necessities to compete and carry on business in our industry. BCI Burke offers Installer Training done in conjunction with NPCAI to offer both NPCAI and Burke Installer Certification. Many of our Representative Firms send their installers to this training to become Burke Certified Installers to ensure our products are installed safely, properly and compliant.	*
15	Provide all "Suspension or Debarment" information that has applied to your organization during the past ten years.	Burke has not had any Suspension or Disbarment proceedings during the past ten years.	*

Table 3: Industry Recognition & Marketplace Success

Line Item	Question	Response *	
16	Describe any relevant industry awards or recognition that your company has received in the past five years	Burke has been featured in many magazines and received recognition for many of our designs. • Featured in LASN 2017 Playground Issue – Hope Playground in Redmond, OR. • Featured in LASN 2016 School Issue – First United Methodist Church in Richardson, TX • 2015 Ruth Hughes Innovative Accessible Recreation Facility Award from the New Jersey Commission on Recreation for Individuals with Disabilities for The Jets Play 60 All Access Playground at Central Park of Morris County Please see attached Burke Awards for additional awards we have also received.	*
17	What percentage of your sales are to the governmental sector in the past three years	30% of Burke's sales over the past three years are to the governmental sector.	*
18	What percentage of your sales are to the education sector in the past three years	35% of Burke's sales over the past three years are to the education sector..	*
19	List any state, provincial, or cooperative purchasing contracts that you hold. What is the annual sales volume for each of these contracts over the past three years?	OMNIA Partners - Contract # R170301 Over $18M in sales over past 3 years Equalis Group/Sourcing Alliance - Contract # 2020.05.4A New Contract, no reported sales at this time. HGACBuy- Contract # PR11-20 Approximately $1M in Sales in past 3 years Ohio State Contract – Schedule # 800702 Approximately $3M in Sales in past 3 years NJ State Contract – Contract # T0103, 16-FLEET-00134 Over $2.7M in Sales over past 3 years	*
20	List any GSA contracts or Standing Offers and Supply Arrangements (SOSA) that you hold. What is the annual sales volume for each of these contracts over the past three years?	GSA – Contract #'s 47QSMA20D08NL & 47QSMA20D08NM Over $6 Million in sales over the past 3 years CMAS – Contract#'s 4-20-78-0025B & 4-20-78-0025C Over $700,000 in sales over the past 3 years	*

Table 4: References/Testimonials

Line Item 21. Supply reference information from three customers who are eligible to be Sourcewell participating entities.

Entity Name *	Contact Name *	Phone Number *	
Mecklenburg County Parks and Recreation	James Rainey	(980) 314-1043	*
Downers Grove School District	Kevin Barto	(630) 719-5858	*
Charlotte County	Lacey Solomon	(941) 833-3840	*

Table 5: Top Five Government or Education Customers

Line Item 22. Provide a list of your top five government, education, or non-profit customers (entity name is optional), including entity type, the state or province the entity is located in, scope of the project(s), size of transaction(s), and dollar volumes from the past three years.

Entity Name	Entity Type *	State / Province *	Scope of Work *	Size of Transactions *	Dollar Volume Past Three Years *	
Clark County School Distict	Education	Nevada - NV	Playground Equipment, Surfacing, Install	Range from $15,000 to $250,000	$2,200,000	*
Town of Islip	Government	New York - NY	Playground Equipment, Surfacing and Install	ange from $2,000 to $155,000	$2,800,000	*
Camp Lejeune	Government	North Carolina - NC	Playground Equipment, Surfacing, Install and Demo	Range from $50,000 to $100,000 per Location	$6,500,000	*
USD 259	Education	Kansas - KS	Playground Equipment, Surfacing and Install	Range $500 to $120,000 per project	$1,700,000	*
IDEA Schools	Education	Texas - TX	Playground Equipment, Surfacing and Install	Range from $50,000 - $200,000	$2,800,000	*

Table 6: Ability to Sell and Deliver Service

Describe your company's capability to meet the needs of Sourcewell participating entities across the US and Canada, as applicable. Your response should address in detail at least the following areas: locations of your network of sales and service providers, the number of workers (full-time equivalents) involved in each sector, whether these workers are your direct employees (or employees of a third party), and any overlap between the sales and service functions.

Line Item	Question	Response *	
23	Sales force.	Burke employs four Regional Sales Managers (RSM) who assist our Representative firms and customers in a variety of ways. Each RSM is assigned a territory within the United States and Canada (Northeast, Southeast, Western and Midwest). The RSMs assist our Representative Firms by joining them in customer visits, lunch & learns, tradeshows, territory development, training and recruiting. The RSMs report directly to Michael Phelan, Burke's President/CEO. Burke's Sales Support and Marketing Departments provide continuous support to the RSMs and Representatives. This model has proven to be very effective for Burke and demonstrates our commitment to fully support our Representative firms and our customers. Burke RSMs also handle Burke Direct sales into areas that are not currently covered by a contracted Representative firm. RSMs work closely with Burke Sales Support Staff to ensure exceptional Burke designs, timely submission of proposals and quotes, order placement, order delivery, equipment installation and service.	*
24	Dealer network or other distribution methods.	Burke has thirty contracted US and Canadian Representative Firms that employ outside and inside sales representatives and administrative staff. The Representative firms are responsible for servicing all markets within their contracted territory. The Representative firms are independent entities that contract with Burke to sell Burke products within their specific territory. The Burke team is here to help before, during and after the sale – long after. From the initial design through the final installation, Burke works closely with its Representatives and directly with government entities to make sure all the pieces come together. Our focus is not just about Play that Moves Us today; it is about building a relationship with Sourcewell Partners and customers for years to come. Having solid relationships with our Representatives is critical for Burke; in fact it is these very relationships that set Burke apart in the industry from other manufacturers. Bottom line is that the customer needs to be taken care of in a timely manner, and that is what Burke and our Representatives do. It may sound like a simple concept, but it is not common in our industry. The relationship with our Representatives is based upon a model that consists of shared goals and objectives, mutual dependence, open lines of communication, mutual commitment to customer satisfaction, concerns for others profitability, and trust. Each of these items overlaps the next and must remain in proportional balance in order for Burke and our Representatives to be successful. Burke realizes that the Representative is also our customer and to maintain our model of successful factory/Representative relationship professional respect, continuous improvement initiatives, and investment of effort by top management are a necessity. Burke recognizes and strives to support our Representative Firms' efforts by timely responses and open lines of communication, and in the end this allows Burke and our Representatives to offer superior customer service to the end customer. Please see the enclosed Representative map to identify coverage of Burke products and services throughout the United States and Canada.	*
25	Service force.	We have one service and parts center with three full time technicians. The hours of operation are 7:30am-4:30pm Central Time. After-hour phone calls are recorded and are returned / answered the following business day. Additionally, our Representatives have access to our website 24/7. This website offers our Representatives a large amount of information they can access before, during or after our normal hours of operation. Burke has a toll free Customer Service telephone number available for customers to call the factory direct. Our Customer Service staff has the ability to process requests almost immediately and we can ship service parts the same day in many cases, including Next Day Air service if the situation requires it. Customer Service requests are forwarded directly to the Production Manager and their staff for immediate processing	*

26	Describe in detail the process and procedure of your customer service program, if applicable. Include your response-time capabilities and commitments, as well as any incentives that help your providers meet your stated service goals or promises.	Burke Customer Service staff is arranged to provide a person to talk to when a need arises. Incoming calls go directly to a real-live person, not an answering system. Staff also stagger their breaks, lunches and vacations to ensure someone is always available for calls during normal business hours. Our Customer Service staff has the ability to process requests immediately and we can service parts the same day in many cases, including Next Day Air service if the situation requires it. They have the availability to see stock status of parts to ensure promises made to customers on ship dates are met. Their requests (via information from the customer) are forwarded directly to the Production Manager and staff for immediate processing. Burke is committed to providing superior customer service. Not only do we evaluate our processes internally, we regularly send Customer Satisfaction Surveys to recent order recipients. We request feedback on quality, appearance, and the ease of installation. The survey also requests input on our selection of products, service provided by our Sales Representatives, and suggestion for improvement. These responses are then documented and reviewed by our Management, Quality and Customer Service departments.. This data is used to evaluate opportunities for continual improvement of system effectiveness and customer satisfaction.	*
27	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in the United States.	Burke is able to offer our contracted products and services to Sourcewell customers throughout the United States.	*
28	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in Canada.	Burke is very willing and able to provide our products and services to Sourcewell customers in Canada. Since 2010 we have had an Authorized Representative, PlayQuest Recreation, proudly representing Burke products in the Provinces of Alberta, Manitoba, Saskatchewan, Northwest Territories, Yukon and Northern British Columbia. PlayQuest Recreation provides turnkey solutions for any sized project. Since then Burke has hired on two more Representatives. Cobequid Consulting representing the Provinces of Nova Scotia, New Brunswick and Prince Edward Island and Suttle Recreation covering the Provinces of British Columbia and Yukon. Burke is actively seeking new Representation in the areas that are currently being serviced by Burke Direct. Burke's Regional Sales Manager visits Canada frequently and is working on partnerships with local installers and surfacing companies in Ontario and Quebec. In the City of Brampton, the fastest growing municipality in Canada, Burke equipment has been officially approved. Several architectural firms are scheduled to review Burke products and we are aggressively pursuing approval to be included in their specifications.	*
29	Identify any geographic areas of the United States or Canada that you will NOT be fully serving through the proposed contract.	Burke is able to offer our contracted products and services to Sourcewell customers throughout the United States and Canada without any geographic restrictions.	*
30	Identify any Sourcewell participating entity sectors (i.e., government, education, not-for-profit) that you will NOT be fully serving through the proposed contract. Explain in detail. For example, does your company have only a regional presence, or do other cooperative purchasing contracts limit your ability to promote another contract?	Burke is not restricted by any other cooperative agreements pertaining to the Member Sectors to which we can sell. Burke is able to provide our contracted products and services in the government, education and not-for-profit sectors.	*
31	Define any specific contract requirements or restrictions that would apply to our participating entities in Hawaii and Alaska and in US Territories.	There are no specific contract requirements or restrictions that would apply to Sourcewell members in Hawaii and Alaska and in US Territories. These customers would be handled directly by Burke Corporate as a Burke direct customer.	*

Table 7: Marketing Plan

Line Item	Question	Response *	
32	Describe your marketing strategy for promoting this contract opportunity. Upload representative samples of your marketing materials (if applicable) in the document upload section of your response.	Burke will develop and utilize cobranded postcard mailers, email blasts, and Google Adwords advertising to dramatically elevate awareness. In addition, each message will be shared via our social media campaign. Website / Catalog Burke's two most impactful marketing initiatives are our website and catalog. Burke will maintain a dedicated page within our website outlining our relationship with Sourcewell and providing a link to the Sourcewell web site. Sourcewell will also be included in our printed catalog. Direct Mail Campaigns/ Co-branded Collateral/Advertising Schedule Our marketing team will build in the Sourcewell logo and language to co-brand our pieces in our scheduled marketing campaigns. Additionally, we will budget for additional mailings specific to Sourcewell Direct mail postcards will be sent to our database, along with any database records that Sourcewell provides. Print advertising is scheduled in local and national publications for the year and will include Sourcewell in our scheduled placements. These publications include, but are not limited to Parks & Recreation Magazine and Parks and Rec Business Magazine. We also participate in state specific publications such as California Parks and Recreation Society (CPRS) Magazine, and our partnership will also be reflected in those advertisements. Tradeshow Participation Burke has increased our presence in both the local and national tradeshow circuit, heavily increasing our marketing efforts for the National Recreation and Parks Association (NRPA) Annual Conference in September, as well as the American Society of Landscape Architects (ASLA) immediately following NRPA in October. We will incorporate the Sourcewell logo in our physical handouts, as well as our pre-and post-show marketing efforts, including print advertising in national magazines and show specific publications, email blasts, and our social media campaign. Internal Promotion Burke provides a Burke Spot for all upcoming news and events to all our employees and Representative Firms. We will send ongoing updates regarding the contract award and reminders will be include the Sourcewell contract in their communication and sales tactics. We hold an annual Sales Conference for our Representative Firms that include continuing education presentations and updates. Sourcewell contract details and reminders are included in these presentations. See attached examples of Burke's 2021 Catalog, Shade Systems Catalog, and current marketing materials used with similar contracts and promotions.	*
33	Describe your use of technology and digital data (e.g., social media, metadata usage) to enhance marketing effectiveness.	Burke uses Facebook, Twitter, LinkedIn, YouTube, Vimeo and a Blog to share pertinent information with followers that include both Representative and potential customers. Many of our Representatives share Burke posts and information with their followers to help spread the message even further. Burke also runs an email campaign, utilizes AdWords and Remarketing and participates in Facebook ads to assist in brand awareness and help promote its products.	*
34	In your view, what is Sourcewell's role in promoting contracts arising out of this RFP? How will you integrate a Sourcewell-awarded contract into your sales process?	By linking existing clients with Burke, Sourcewell can provide customers better and additional resources by promoting this contract and partnership. In addition to the marketing efforts above in Question 32, Burke will pull our existing government customers from our databases and send targeted email blasts and direct mail postcards to these contacts. Our message will include not only the award of the contract, but can also include our past efforts and successes utilizing this contract and encourage them to take advantage of this opportunity. Because these contacts are existing customers, our Representative Firms and sales staff can also contact some of these clients directly, based on the relationship we have built and sustained in some of these markets to promote the benefits of utilizing Sourcewell for another project.	*
35	Are your products or services available through an e-procurement ordering process? If so, describe your e-procurement system and how governmental and educational customers have used it.	Most business is conducted through location Representatives due to the complexity of playground projects. If awarded the Sourcewell Contract, Burke is open to replicating an ordering system similar to the GSA Advantage website for use by Sourcewell customers.	*

Table 8: Value-Added Attributes

Line Item	Question	Response *	

36	Describe any product, equipment, maintenance, or operator training programs that you offer to Sourcewell participating entities. Include details, such as whether training is standard or optional, who provides training, and any costs that apply.	BCI Burke offers Installer Training done in conjunction with NPCAI to offer both NPCAI and Burke certifications. This is a two day training at a significantly reduced rate that includes lodging and meals. Installers will also receive a tour of Burke Headquarters. Installer Training is optional; installers do not need to be Burke or NPCAI Certified to install our equipment as long as the installation instructions are followed. Burke also offers product training, including Lunch & Learns for designers and staff. Topics include: • Proper Playground Maintenance • Play That Moves You – Making The Case for Play • Designing Play That Moves You • Burke Product Training • Creating Safer Play – NPPS Safety Supervision Burke offers a continuing education program to Parks and Recreation professionals, Landscape Architects and Architects where they can obtain CEU credits and help further their education. The program is offered as a self-paced online course through AEC Daily as well as in-person at conferences, symposiums or Lunch and Learns. The in-person training is provided by a certified trainer and includes leave behind study guides and references to help keep important information at their disposal. These three courses are developed with experts in the field and provide no-cost training options and offer the opportunity to learn about Inclusive Play, Outdoor Fitness and Obstacle Courses and Outdoor Musical Instruments.	*
37	Describe any technological advances that your proposed products or services offer.	EZDesign Software Burke's Designers utilize our proprietary EZDesign software, which is known to be the most advanced in the industry – features all applicable safety standards and ADA requirements built right into the design configurator. KoreKonnect Direct-Bolt System Nucleus and Voltage feature our Industry-leading KoreKonnect direct-bolt system resulting in the strongest and most accurate connection system ever. Factory located connection points make for easy, precise installation and an error-free fit. Best of all, KoreKonnect is covered for 100 years under our non-pro-rated Generations Warranty KoreKonnect clamp castings [Nucleus, Voltage] shall be cast aluminum heat-treated alloy A356-T6 with a tensile strength of at least 34,000 psi, yield strength of at least 24,000 psi, shear of 20,700 psi, and elongation of 3.50% minimum. Each casting shall clamp to the post with two connection bolts. Clamp casting shall encapsulate the component attached to support surge loads, preventing surge loads being supported by only the hardware. Clamp shall be finished with a baked on powder coating. Color compounded, rotationally molded plastics You'll get long wear and bright, vibrant colors that hold up for years thanks to our thick, durable rotomolded plastics with UV-20 protection. Color compounding provides greater structure integrity for the life of rotationally molded products; the UV inhibitor is added during the production process and keeps these plastics from UV degradation and fading like that of products produced via a Dry-Blend process. Rotationally Molded Plastic Parts shall be manufactured from color compounded, linear, low-density polyethylene with an average of .250" wall thickness and textured non-sliding surfaces. Plastic parts shall be UV stabilized to UV-20 and shall have a density of 0.935 per ASTM D-1505. Plastic parts shall have a tensile strength at yield no less than 2800 psi with flexural modulus of 90,000 psi.	*

38	Describe any “green” initiatives that relate to your company or to your products or services, and include a list of the certifying agency for each.	We all share one earth, and at Burke we want to preserve our planet for future generations of children. We’ve implemented a variety of practices to help us help keep our shared world a better, greener place. Manufacturing: Being ISO 14001:2015 certified means we have strict environmental controls built into our manufacturing process. We get 100% of our energy from wind and other renewable resources. This helped us earn the Green Power Partner designation from the US Environmental Protection Agency – the only playground manufacturer to achieve this! Internally, we have a very comprehensive recycling program where we recycle the following: • Metal products, including stainless steel and copper/brass • Aluminum • Cardboard (separate dumpsters on site for this) • HDPE (High Density Polyethylene) • Wood pallets • Paper and aluminum cans and plastic bottles (bins at each person’s desk for these) Additionally, we have an internal EMAP (Environmental Management Action Plan) to try to achieve 100% LED Lighting in the entire facility over a three year span starting in 2019. To date we are over 90% LED fixtures on our campus. In our powder coat system, we utilize phosphate-free chemicals in our cleaning processes, as well as enlist a third-party certified handler to manage any wastes from this process according to State and Federal regulations. We also utilize motion activated lights wherever feasible to reduce the amount of energy consumed in lighting, especially in warehouse and even restroom areas. Design: We design high-quality products with long life expectancies and quality components to extend the useable life of the play space. Many of our raw materials have recycled content, including our steel tubes and castings. In addition, many other Burke products are made from recycled material. For example, the NaturePlay® ClubHouse™ Board Panels and Roofs are made from 75% post-consumer material and are 100% recyclable after use. Offices: Our corporate office uses energy efficient LED lighting to help reduce energy use on a daily basis. We also use recycled paper to print our catalogs and created a digital catalog to decrease the amount of paper being used. We abide by the six R's: Reduce, Reuse, Recycle, Repair, Recover and Respect. Suppliers: To minimize transportation costs and fuel usage, we prefer to work with suppliers located near our manufacturing facility if at all possible. See attachment Green Initiative	*
39	Identify any third-party issued eco-labels, ratings or certifications that your company has received for the equipment or products included in your Proposal related to energy efficiency or conservation, life-cycle design (cradle-to-cradle), or other green/sustainability factors.	Burke has received the ISO 14001:2015 Certification by the NSF-International Strategic Registrations for Design and Manufacture of Playground Park and Recreation Equipment with the Design, Manufacture and Distribution of Specialized Parts. We get 100% of our energy from wind and other renewable resources. This helped us earn the Green Power Partner designation from the US Environmental Protection Agency – the only playground manufacturer to achieve this! See attachment Green Initiative	*
40	Describe any Women or Minority Business Entity (WMBE), Small Business Entity (SBE), or veteran owned business certifications that your company or hub partners have obtained. Upload documentation of certification (as applicable) in the document upload section of your response.	BCI Burke is not eligible for WMBE or SBE accreditation, however many of our local Sales Representatives have obtained these accreditations.	*

41	What unique attributes does your company, your products, or your services offer to Sourcewell participating entities? What makes your proposed solutions unique in your industry as it applies to Sourcewell participating entities?	Research At Burke we believe great product design comes from great research, for example we continue to study how children play with our partner at University of Nebraska Omaha and incorporate what we learn into our product and playground designs. Our product design process includes a focus on how to enhance development and overall experience for children and adults of all abilities. Design To design the best playgrounds that comply with necessary standards, Burke has proprietary software that has all of the controls built-in to ensure all safety standards are met. Fusing creativity into playspaces, we have landscape designers to design custom playspaces using panels and unique layouts to create a space that ignites imagination and brings communities together. Playground Grant Search and Fundraising Burke provides options and programs that can help you raise funds and search for grants to help fund your playground equipment. For your convenience, we've brought together information on our fundraising program, grant resources and purchasing cooperatives. And of course, we're always glad to discuss your playground equipment needs and help you find ways to get the playground your kids deserve. https://www.bciburke.com/resources/playground-funding-resources Promotions and Grants Burke offers three to four promotions annually that we will share with Sourcewell participants. We also have a Burke in-kind grant program that customers can apply for if they meet the criteria.	*

Table 9: Warranty

Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may upload representative samples of your warranty materials (if applicable) in the document upload section of your response in addition to responding to the questions below.

Line Item	Question	Response *	
42	Do your warranties cover all products, parts, and labor?	Burke stands behind our products like no other playground manufacturer. It starts with Burke Built® quality that is backed by the longest and strongest warranty in the industry – the Burke's Generations Warranty®. We don't pro-rate your warranty and if a plastic play event needs replacement during the warranty period due to manufacturing defect, we'll replace it for free and give you a brand-new warranty on the part. Burke's hand-crafted quality also means less maintenance is required, which keeps your operating costs low and your playground open for play. The Burke Generations Warranty is the longest and strongest in the industry and shows our commitment to creating spaces that will serve communities for years to come. Labor is not included in Burke's warranty. However, numerous Burke Representatives include a supplemental warranty for labor related to warrant repairs on Burke equipment. Each warranty claim is reviewed on a case by case basis to ensure the full scope of the claim is understood and documented. It is during this review that a decision is made on the cost of labor and if it is to be covered in relation to the claim. See Burke Warranty and Shade Systems Warranty attachments	*
43	Do your warranties impose usage restrictions or other limitations that adversely affect coverage?	Our warranty is not prorated and replacement parts covered under that warranty will have their own appropriate, full-length warranty instead of being restricted to the balance of the original warranty period which is based on the date it was shipped by the manufacturer. Furthermore, all parts covered under Burke's warranty are shipped free of charge.	*
44	Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?	Burke offers a Back-charge/Reimbursement form as needed (which includes mileage reimbursement) for when products are replaced. Every circumstance is handled individually by Customer Service staff and/or Plant Manager.	*
45	Are there any geographic regions of the United States or Canada (as applicable) for which you cannot provide a certified technician to perform warranty repairs? How will Sourcewell participating entities in these regions be provided service for warranty repair?	Burke has Authorized Representatives across the US and Canada that are able to assist with locating qualified installers for removal or replacement of parts. If there is a territory unrepresented by a Burke Dealer, Burke Corporate will locate a qualified organization to assist with product removal or installation. Many of Burke parts can be simply replaced without needing to rely on outside contractors or installers.	*
46	Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?	Burke does not cover warranty service for parts made by other manufacturers. Burke also takes great care in making sure we do not mix and match our parts with other manufacturers on the same piece of play equipment. Installers will, in most cases, work with whatever equipment is on site, even if it is multiple suppliers, however warranty service should be directed to the original manufacturer if at all possible.	*
47	What are your proposed exchange and return programs and policies?	If products are returned to Burke due to an error in ordering or the customer has changed their mind on something, parts that can go directly into stock with no additional work are simply put into stock and the customer is credited for those parts. Parts that need additional processing or re-powder coating are assessed a 25% re-stocking charge. If parts are not able to be used (as determined by the Quality Manager) and have to be scrapped, the customer will not receive credit for those items.	*
48	Describe any service contract options for the items included in your proposal.	Burke does not provide service contract options.	*

Table 10: Payment Terms and Financing Options

Line Item	Question	Response *	
49	What are your payment terms (e.g., net 10, net 30)?	There are no credit requirements for governmental entities purchasing with BCI Burke. All governmental entities are granted net 30 day terms.	*
50	Describe any leasing or financing options available for use by educational or governmental entities.	To assist with financing, Burke partners with NewLane Finance to offer a payment plan for approved customers. See NewLane Finance attachment	*
51	Briefly describe your proposed order process. Include enough detail to support your ability to report quarterly sales to Sourcewell as described in the Contract template. For example, indicate whether your dealer network is included in your response and whether each dealer (or some other entity) will process the Sourcewell participating entities' purchase orders.	The Burke Representative will receive a signed quotation or purchase order from the Sourcewell customer. The Representative will utilize Burke's internet based ordering system which is available for use by Authorized Representatives only. The system is entirely self-developed and self-managed by our in-house IT and Order Entry Departments. Once the order is placed, our Order Entry Department will process the order internally. The order is carefully reviewed by the Order Entry and Design Departments to ensure the order matches the customer's purchase order including equipment, color, price, requested delivery date, shipping location and any other information pertinent to the order. The Burke Representative will invoice the customer once the order has shipped. All Sourcewell orders will be flagged as such in Burke's system so that Burke's Accounting Department is able to easily identify the Sourcewell orders and generate quarterly reports which accurately reflect Sourcewell order totals.	*
52	Do you accept the P-card procurement and payment process? If so, is there any additional cost to Sourcewell participating entities for using this process?	Burke is currently not set up to accept P-card payments. If awarded the Sourcewell contract, Burke will carefully consider adding this capability.	*

Table 11: Pricing and Delivery

Provide detailed pricing information in the questions that follow below. Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract as desribed in the RFP, the template Contract, and the Sourcewell Price and Product Change Request Form.

Line Item	Question	Response *	
53	Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the Sourcewell discounted price) on all of the items that you want Sourcewell to consider as part of your RFP response. If applicable, provide a SKU for each item in your proposal. Upload your pricing materials (if applicable) in the document upload section of your response.	All contract pricing is determined using product category discounts. Information relating to Burke equipment, Burke Turf, Burke Tiles, Shade and installation is provided in the Burke 2021 Price List attachment which includes Burke Equipment & Surfacing Pricing, Burke Equipment Installation Rates, and Shade Structures Pricing.	*

54	Quantify the pricing discount represented by the pricing proposal in this response. For example, if the pricing in your response represents a percentage discount from MSRP or list, state the percentage or percentage range.	Burke will offer discounts off of list price for each product category as follows: • 7% Discount off of published list prices: o Burke Playground Equipment o Sports & Recreation Equipment o Site Amenities o Borders • 5% Discount off of published list prices o Burke Turf o Burke Tiles 3.5% Discount for shade products • Burke Equipment Installation o Not to exceed rates based on List Price of proposed equipment. See attached chart which provides the rates for each state. • Burke Tile Installation Rates o A per tile rate based on location of project. See attached chart which provides the rates for each state. • Freight o Due to fluctuations in freight rates and the varying size and shape of playground equipment, freight is determined on a per project basis. Freight will be invoiced to NJPA customers at Burke's cost. The freight charge will be clearly noted on the quote provided by Burke. All pricing information relating to Burke equipment, Burke Turf, Burke Tiles and installation is provided in the Burke 2021 Price List attachment	*
55	Describe any quantity or volume discounts or rebate programs that you offer.	Burke will offer the following volume discounts on Burke Playground Equipment, Sports & Recreation Equipment, Site Amenities and borders: List Price Range Discount off of list price $1-$49,999 Standard proposed discount of 7% off of list price $50,000-$99,999 10% Discount off of list price $100,000 and above 15% Discount off of list price Burke offers promotions throughout the year which will provide additional customer discounts. These promotional prices will be offered to Sourcewell customers and quoted accordingly. We will encourage Sourcewell customers to utilize these deep discounts when they are available. Please note that volume pricing does not apply to surfacing or installation.	*
56	Propose a method of facilitating "sourced" products or related services, which may be referred to as "open market" items or "nonstandard options". For example, you may supply such items "at cost" or "at cost plus a percentage," or you may supply a quote for each such request.	Sourcewell customers are able to purchase non-Burke contracted products and services by utilizing the "open market" clause in the Sourcewell contract. Our Representative firms distribute a wide variety of ancillary products including water play, bleachers, park shelters, non-Burke surfacing (PIP, EWF etc.) offering a full turn-key solution for Sourcewell customers. Burke will provide line item quotations for these "open market" items on the Sourcewell quote, and will clearly indicate that these are "open market" goods and/or services. The Sourcewell customer will be required to sign the quotation, which is an indication that they agree to the products and services as quoted.	*
57	Identify any element of the total cost of acquisition that is NOT included in the pricing submitted with your response. This includes all additional charges associated with a purchase that are not directly identified as freight or shipping charges. For example, list costs for items like pre-delivery inspection, installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer.	All costs for the project will be indicated as a line item on the customer's quotation. Installation will be charged per the Equipment Installation Rate sheet included in the pricing section. These charges are "do not exceed" rates and do not apply to prevailing wage projects. Please see the Equipment Installation Rate sheet for more information. The customer will be notified of any additional charges that may apply to custom equipment, surface mount or coastal paint options.	*
58	If freight, delivery, or shipping is an additional cost to the Sourcewell participating entity, describe in detail the complete freight, shipping, and delivery program.	Due to fluctuating fuel prices, freight rates are quoted on a per project basis, and are valid for 30 days from the quote date. The freight charge will be clearly indicated on the quote provided by Burke and will be quoted at Burke's cost.	*
59	Specifically describe freight, shipping, and delivery terms or programs available for Alaska, Hawaii, Canada, or any offshore delivery.	Burke will use transportation brokers to source out the most cost effective freight rate to ship to Alaska, Hawaii and Canada. The freight charges will be clearly noted on the quote provided by Burke.	*

60	Describe any unique distribution and/or delivery methods or options offered in your proposal.	Because Burke quotes out each project individually, we are able to accommodate special delivery requests (lift gate, residential delivery, and timekeeper) for an additional cost which will be reflected on the quotation	*

Table 12: Pricing Offered

Line Item	The Pricing Offered in this Proposal is: *	Comments	
61	b. the same as the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.		

Table 13: Audit and Administrative Fee

Line Item	Question	Response *	
62	Specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with Sourcewell. This process includes ensuring that Sourcewell participating entities obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to Sourcewell.	As mentioned in the answer to question 51, each Sourcewell customer order is carefully audited by our Accounting Department, Design Department and Sales Department to ensure everything is to the customer's specifications and according to the terms and conditions of the Sourcewell contract. Burke works very closely with our Representatives and customers to ensure total customer satisfaction throughout the entire process.	*
63	Identify a proposed administrative fee that you will pay to Sourcewell for facilitating, managing, and promoting the Sourcewell Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See the RFP and template Contract for additional details.)	Burke is pleased to offer an administrative fee of 2% of the of the customer price of all products and services invoiced/sold under the Sourcewell contract. This fee will be reported and paid to Sourcewell on a quarterly basis. The sale will be reported and the fee paid once full payment is received from the Sourcewell customer. Burke agrees not to up-charge or offset the administrative fees to Sourcewell Members.	*

Table 14A: Depth and Breadth of Offered Equipment Products and Services

Line Item	Question	Response *	
64	Provide a detailed description of the equipment, products, and services that you are offering in your proposal.	Playground Equipment Sports & Recreation Equipment Site Amenities Shade Burke Turf and Burke Tiles Surfacing, including plastic borders Installation of Burke Equipment Installation of Burke Turf & Burke Tiles Delivery of all products Sourcewell customers will also be able to purchase non-Burke contracted products and services by utilizing the "open market" clause in the contract. Our Representative firms sell a wide variety of products including water play, bleachers, shelters, surfacing (PIP, EWF etc.), offering a full turn-key solution for your park or school. See attachments: Burke 2021 Catalog Shade Systems Catalog	*
65	Within this RFP category there may be subcategories of solutions. List subcategory titles that best describe your products and services.	Burke does not have any products or services that have subcategories.	*

Table 14B: Depth and Breadth of Offered Equipment Products and Services

Indicate below if the listed types or classes of equipment, products, and services are offered within your proposal. Provide additional comments in the text box provided, as necessary.

Line Item	Category or Type	Offered *	Comments	
66	Playground equipment, site furnishings, site amenities, and accessories.	(•) Yes ( ) No	N/A	*
67	Water play and aquatic recreational structures and equipment.	( ) Yes (•) No	These products are available for purchase via open market designation through our local Representative Firms	*
68	Playground surfacing and fall protection, and water play and aquatic recreational surfacing.	(•) Yes ( ) No	Burke offers Burke Turf and Burke Tile pricing as line items on the contract. Additional surfacing options are available as open market items through our Authorized Representatives.	*
69	Services related to the solutions above.	(•) Yes ( ) No	N/A	*

Table 15: Industry Specific Questions

Line Item	Question	Response *	
70	If you are awarded a contract, provide a few examples of internal metrics that will be tracked to measure whether you are having success with the contract.	If we are awarded the contract we will monitor our progress and success by measuring activity and revenue generation. The best metrics to capture this are tracking the project dollars quoted using the contract and the order dollars placed using the contract. We can track this by Representative firm and by territory to understand where we are being successful and develop targeted efforts for areas we want to improve.	*
71	Describe how your offering addresses the needs of user's safety, well-being, and range or level of accessibility?	At Burke, we design and test our products to all applicable safety standards. We are participants in the International Play Equipment Manufacturer's Association (IPEMA) certification program, and our facility and processes are audited by IPEMA and their third-party verifier to participate in the program and maintain certified products. Burke's Engineering and Product Design Manager, Scott Liebelt, is a director on the IPEMA Board of Directors. He attends ASTM and IPEMA meetings to participate in writing, revising, and interpreting the IPEMA procedures and ASTM-1487 standard, which is the consumer safety performance specification for playground equipment for public use. We have six Burke employees from a variety of departments that are Certified Playground Safety Inspectors (CPSI) through the National Recreation and Park Association (NRPA). The design of our playspaces also promotes safety, well-being and accessibility by focusing on not just access but Universal Design. This means designing spaces to be useable for everyone in the community, regardless of ability, level of concentration or age. Not only do we provide a variety of play events that are designed with these principles, but the overall play environment design has the Universal Design lens with play variety and equity as important considerations. In order to create spaces for the well-being and development of all people, we need to design them with engagement, excitement, socialization and community for everyone.	*
72	Describe how your offering addresses the user's desire to customize the offering (e.g. themes, etc.).	Customizable playspaces can set your playground apart and create an imaginative play experience like no other! Your Burke Representative and our creative Design Team will help you bring your play environment to life and create a space that's as unique as your community with anything from custom vehicles, play panels, photo opportunity panels, storefronts, post toppers, counters, NaturePlay, ClubHouses, barns, airplanes and more! Our Design Team has backgrounds in design, animation, landscape architecture and art and uses their creativity and experience to design a play environment that fosters pretend play and helps children develop friendships and enhance their imaginative skills.	*
73	Identify any certification(s) that your business or the products included in your proposal have attained or received.	• ISO 9001:2015 Certification • ISO 14001:2015 Certification • Founding and active member of the International Play Equipment Manufacturer's Association (IPEMA). In fact Burke's Engineering and Product Manager, Scott Liebelt, is a director on the IPEMA Board of Directors. He attends ASTM and IPEMA meetings to participate in writing, revising, and interpreting the IPEMA procedures and ASTM-1487 standard, which is the consumer safety performance specification for playground equipment for public use. • Accredited IPEMA Certification facility • Alliant Energy's Second Nature™ Program • Partner with US Environmental Protection Agency Green Power Program • Partner with the National Program for Playground Safety (NPPS) and only playground manufacturer to give a free NPPS Playground Supervision Safety Kit with every modular play structure order! • Currently, six Burke employees are certified through the National Recreation and Park Association (NRPA) as Certified Playground Inspectors	*

Table 16: Exceptions to Terms, Conditions, or Specifications Form

Line Item 74. **NOTICE**: To identify any exception, or to request any modification, to the Sourcewell template Contract terms, conditions, or specifications, a Proposer must submit the exception or requested modification on the **Exceptions to Terms, Conditions, or Specifications Form** immediately below. The contract section, the specific text addressed by the exception or requested modification, and the proposed modification must be identified in detail. Proposer's exceptions and proposed modifications are subject to review and approval of Sourcewell and will not automatically be included in the contract.

Contract Section	Term, Condition, or Specification	Exception or Proposed Modification	

Proposer's Affidavit

PROPOSER AFFIDAVIT AND ASSURANCE OF COMPLIANCE

I certify that I am the authorized representative of the Proposer submitting the foregoing Proposal with the legal authority to bind the Proposer to this Affidavit and Assurance of Compliance:

1. The Proposer is submitting this Proposal under its full and complete legal name, and the Proposer legally exists in good standing in the jurisdiction of its residence.

2. The Proposer warrants that the information provided in this Proposal is true, correct, and reliable for purposes of evaluation for contract award.

3. The Proposer, including any person assisting with the creation of this Proposal, has arrived at this Proposal independently and the Proposal has been created without colluding with any other person, company, or parties that have or will submit a proposal under this solicitation; and the Proposal has in all respects been created fairly without any fraud or dishonesty. The Proposer has not directly or indirectly entered into any agreement or arrangement with any person or business in an effort to influence any part of this solicitation or operations of a resulting contract; and the Proposer has not taken any action in restraint of free trade or competitiveness in connection with this solicitation. Additionally, if Proposer has worked with a consultant on the Proposal, the consultant (an individual or a company) has not assisted any other entity that has submitted or will submit a proposal for this solicitation.

4. To the best of its knowledge and belief, and except as otherwise disclosed in the Proposal, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest. An organizational conflict of interest exists when a vendor has an unfair competitive advantage or the vendor's objectivity in performing the contract is, or might be, impaired.

5. The contents of the Proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or legally authorized agent of the Proposer and will not be communicated to any such persons prior to Due Date of this solicitation.

6. If awarded a contract, the Proposer will provide to Sourcewell Participating Entities the equipment, products, and services in accordance with the terms, conditions, and scope of a resulting contract.

7. The Proposer possesses, or will possess before delivering any equipment, products, or services, all applicable licenses or certifications necessary to deliver such equipment, products, or services under any resulting contract.

8. The Proposer agrees to deliver equipment, products, and services through valid contracts, purchase orders, or means that are acceptable to Sourcewell Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to Sourcewell Members under an awarded Contract.

9. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.

10. The Proposer understands that Sourcewell will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statutes Section 13.591, subdivision 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals become public data. Minnesota Statutes Section 13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.

11. Proposer its employees, agents, and subcontractors are not:

    a. Included on the "Specially Designated Nationals and Blocked Persons" list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury found at: https://www.treasury.gov/ofac/downloads/sdnlist.pdf;

    b. Included on the government-wide exclusions lists in the United States System for Award Management found at: https://sam.gov/SAM/; or

    c. Presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated

by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Vendor certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this solicitation.

☑ By checking this box I acknowledge that I am bound by the terms of the Proposer's Affidavit, have the legal authority to submit this Proposal on behalf of the Proposer, and that this electronic acknowledgment has the same legal effect, validity, and enforceability as if I had hand signed the Proposal. This signature will not be denied such legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation. - Jessica Westphal, Sales Support Coordinator, BCI Burke Company, LLC

The Proposer declares that there is an actual or potential Conflict of Interest relating to the preparation of its submission, and/or the Proposer foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the bid.

○ **Yes** ◉ **No**

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document.

Check the box in the column "**I have reviewed this addendum**" below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
Addendum 6_Playground_Water_Play_Equipment_RFP_010521 Tue December 22 2020 03:29 PM	☑	1
Addendum 5_Playground_Water_Play_Equipment_RFP_010521 Fri December 18 2020 04:15 PM	☑	1
Addendum 4_Playground_Water_Play_Equipment_RFP_010521 Mon December 7 2020 07:55 AM	☑	1
Addendum 3_Playground_Water_Play_Equipment_RFP_010521 Thu November 19 2020 08:52 AM	☑	1
Addendum 2_Playground_Water_Play_Equipment_RFP_010521 Fri November 13 2020 09:09 AM	☑	2
Addendum 1_Playground_Water_Play_Equipment_RFP_010521 Thu November 12 2020 10:53 AM	☑	2

DocuSign Envelope ID: FFAB8273-E00E-45B9-9904-E2FBEA635A02

AMENDMENT #1
TO
CONTRACT # 010521-BCI

THIS AMENDMENT is by and between **Sourcewell** and **BCI Burke Company, LLC** (Vendor).

Vendor was awarded a Sourcewell Contract for Playground and Water Play Equipment with Related Accessories and Services effective February 15, 2021, through February 17, 2025, relating to the provision of services by Vendor to Sourcewell and its Members (Original Agreement).

The parties agree that certain terms within the Original Agreement will be updated and amended and only to the extent as hereunder provided.

IN CONSIDERATION OF the mutual covenants and agreements described in this Amendment, the parties agree as follows:

1. This Amendment is effective upon the date of the last signature below.

2. Table 13: Audit and Administrative Fee—Line Item Question 63 of the Proposal is deleted in its entirety and replaced with the following new language:

   RESPONSE: Burke is pleased to offer an administrative fee of 2% of the customer price of all products and services, excluding freight and bond charges, invoiced/sold under the Sourcewell contract. This fee will be reported and paid to Sourcewell on a quarterly basis. The sale will be reported, and the fee paid once full payment is received from the Sourcewell customer. Burke agrees not to up-charge or offset the administrative fees to Sourcewell Members.

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Except as amended by this Amendment, the Original Agreement remains in full force and effect.

Sourcewell

By: DocuSigned by: Jeremy Schwartz C0FD2A139D06489...
Authorized Signature

Jeremy Schwartz
Name – Printed

Title: Director of Operations & Procurement/CPO

Date: 3/10/2021 | 5:29 PM CST

BCI Burke Company, LLC

By: DocuSigned by: Marianne Larson 560EA7AAB49D42D...
Authorized Signature

Marianne Larson
Name – Printed

Title: Sales Support Manager

Date: 3/10/2021 | 2:23 PM PST

Sourcewell–APPROVED:

By: DocuSigned by: Chad Coauette 7E42B8F817A64CC...
Authorized Signature

Chad Coauette
Name – Printed

Title: Executive Director/CEO

Date: 3/10/2021 | 5:47 PM CST

DocuSign Envelope ID: 8F5A91CB-8A14-47EC-88A9-81F81BFC4478

AMENDMENT #2
TO
CONTRACT # 010521-BCI

THIS AMENDMENT is by and between **Sourcewell** and **BCI Burke Company, LLC** (Vendor).

Sourcewell awarded Vendor a contract for Playground and Water Play Equipment with Related Accessories and Services effective February 15, 2021, through February 17, 2025, relating to the provision of services by Vendor to Sourcewell and its Members (Original Agreement).

The parties agree that certain terms within the Original Agreement will be amended and only to the extent as hereunder provided.

IN CONSIDERATION OF the mutual covenants and agreements described in this Amendment, the parties agree as follows:

1. This Amendment is effective upon the date of the last signature below.
2. Section 18. Insurance, Subsection A. Requirements, Item 5 Professional/Technical Errors and Omissions of the Original Agreement is deleted in its entirety.

Except as amended by this Amendment, the Original Agreement remains in full force and effect.

Sourcewell

By: DocuSigned by: Jeremy Schwartz C0FD2A139D06489...
Jeremy Schwartz

Title: Director of Operations & Procurement/CPO

Date: 3/18/2021 | 4:23 PM CDT

BCI Burke Company, LLC

By: DocuSigned by: Doug Pietrowski 5E49EAF153C543E...
Doug Pietrowski

Title: CFO

Date: 3/18/2021 | 2:11 PM PDT

Sourcewell–APPROVED:

By: DocuSigned by: Chad Coauette 7E42B8F817A64CC...
Chad Coauette

Title: Executive Director/CEO

Date: 3/18/2021 | 4:25 PM CDT

DocuSign Envelope ID: 16CC7607-E02A-435B-92AC-C45824466FD3

AMENDMENT #3
TO
CONTRACT # 010521-BCI

THIS AMENDMENT is effective upon the date of the last signature below by and between **Sourcewell** and **BCI Burke Company, LLC** (Vendor).

Sourcewell awarded Vendor a contract for Playground and Water Play Equipment with Related Accessories and Services effective February 15, 2021, through February 17, 2025, relating to the provision of services by Vendor to Sourcewell and its Members (Original Agreement).

The parties agree that certain terms within the Original Agreement will be amended and only to the extent as hereunder provided.

IN CONSIDERATION OF the mutual covenants and agreements described in this Amendment, the parties agree as follows:

> The response to question 49 in Table 10 of the Proposal is clarified to read: "Payment for equipment items will be due within 30 days after the products ship. Service-related items will typically be invoiced at completion of the project and will be due within 30 days of the invoice date. Larger projects may require progress payments, in which case, these terms will be clearly noted on the customer quotation."

Except as amended by this Amendment, the Original Agreement remains in full force and effect.

Sourcewell

DocuSigned by:
By: Jeremy Schwartz
C0FD2A139D06489...
Jeremy Schwartz

Title: Director of Operations & Procurement/CPO

Date: 5/12/2023 | 7:49 PM CDT

BCI Burke Company, LLC

DocuSigned by:
By: Marianne Larson
F7548BD2B6B34BE...
Marianne Larson

Title: Contracts & Sales Admin Mgr

Date: 5/12/2023 | 12:26 PM PDT

Sourcewell–APPROVED:

DocuSigned by:
By: Chad Coauette
7E42B8F817A64CC...
Chad Coauette

Title: Executive Director/CEO

Date: 5/12/2023 | 8:24 PM CDT

Innovative Playgrounds Co., Inc.
12407 E. Slauson Ave. Unit D
Whittier, CA 90606
562-693-5200
www.innovplay.com

Estimate

ADDRESS	SHIP TO
City of Ontario 1425 S. Bon View Ave. Ontario, CA 91761 Sourcewell ID# 34482	M/F: De Anza Park 1405 S. Fern Ave. Ontario, CA 91762

ESTIMATE #	DATE	
10608	10/09/2024	

TRACKING NO.
New Play Units

SALES REP
ALVINO

ACTIVITY	DESCRIPTION	AMOUNT
	AREA 5-12	
PREP-BASE	Install (5,815) Sq. Ft. of aggregate base at 4" depth to prep for rubber surfacing. (Open Market)	12,940.42
PREP WORK	Construct (325) LF of concrete curbing at 6" x 10". (Open Market)	19,225.35
PLAY UNIT	Supply Burke Play Equipment as Per Drawing #513-176945-6, Includes: (1) "Nucleus Aspire Series" Play Unit for 5-12 Age Group with 5" OD Aluminum Posts and Integrated Shade Canopies, (1) Custom Giant Burke Chair, (1) Music PlayEnsemble Center, (1) Serenity Spot, (1) Inclusive Orbit Spinner, (1) Cirrus Swing, (1) ADA MVMNT Inclusive Electronic Game, (1) 5" OD Arch Frame Swing at 8' Toprail with (2) Belt Seats, (1) ADA Freedom Seat, (1) Konnection Parent/Child Swing, with Chains, (8) 6' Traditional Series Benches w/ Back, (2) PVC Litter Container w/ Flat Lid, and (1) Freestanding Welcome Age Sign. LIST PRICE: $304,023.00 "SOURCEWELL CUSTOMER DISCOUNT" APPLIED ($45,603.45) (Burke Sourcewell Contract # 010521-BUR)	258,419.55T
KIT-2	FREE Maintenance Kit (includes installation booklet, graffiti remover, tools and touch up Paint). LIST PRICE $250.00	0.00T
INSTALLATION	Install Burke Play Equipment for Area 5-12 as Per Drawing #513-176945-6 into dirt/base.	113,891.19
PIP-1	Supply approx. (5,815) Sq. Ft. of 3.5" thick pour in place surfacing with 1/2" EPDM cap. PIP to be 100% color with aliphatic binder. Includes design as shown on 3D. (Open Market)	91,144.66T
INSTALL-PIP	Install approx. (5,815) Sq. Ft. of 3.5" thick pour in place surfacing with 1/2" EPDM cap and aliphatic binder. Includes design as shown on 3D. (Open Market)	44,023.88
	AREA 6MO. - 5 YRS.	
PREP-BASE	Install (3,015) Sq. Ft. of aggregate base at 4" depth to prep for rubber surfacing.(Open Market)	6,709.44
PREP WORK	Construct (230) LF of concrete curbing at 6" x 10". (Open Market)	13,605.63
PLAY UNIT	Supply Burke Play Equipment as Per Drawing #513-176945-6, Includes: (1) "Nucleus Series" Play Unit for 2-5 Age Group with 5" OD Aluminum Posts w/ Integrated Shade Canopies, (1) "Synergy Series" Play Unit for 6-23 months Age Group with 3.5" OD Aluminum Posts w/ Integrate Shade Canopy, (3) ADA Accessible Activity Panel Clusters, (1) 5" OD Single Bay Arch Frame Swing at 8' Toprail with (2) Tot Seats, with Chains, (5) 6' Traditional Series Benches w/ Back, (2) PVC Litter Container w/ Flat Lid, (1) Welcome Safety Age Sign, and (1) "Synergy Series" Custom Activity Panel Wall Barrier with 3.5" Aluminum Posts at Approx. (100) LF. LIST PRICE: $164,179.00 "SOURCEWELL CUSTOMER DISCOUNT" APPLIED ($24,626.85)	139,552.15T

ESTIMATE VALID FOR 30 DAYS
Acceptance of estimate: the above prices, specifications and conditions are satisfactory and are hereby accepted. Any alterations or deviations from the above will be accepted only upon written notice and will become an extra charge over and above the estimate period. 50% deposit due with order, unless net 30 terms have been approved.

ACTIVITY	DESCRIPTION	AMOUNT
	(Burke Sourcewell Contract # 010521-BUR)	
KIT-2	FREE Maintenance Kit (includes installation booklet, graffiti remover, tools and touch up Paint). LIST PRICE $250.00	0.00T
INSTALLATION	Install Burke Play Equipment for Area 6 months- 5 years as per drawing #513-176945-6 into dirt/base.	62,304.54
PIP-1	Supply approx. (580) Sq. Ft. of 3.5" thick and (2,435) Sq. Ft. of 2.5" thick pour in place surfacing with 1/2" EPDM cap. PIP to be 100% color with aliphatic binder. Includes design as shown on 3D. (Open Market)	48,253.16T
INSTALL-PIP	Install approx. (580) Sq. Ft. of 3.5" thick and (2,435) Sq. Ft. of 2.5" thick pour in place surfacing with 1/2" EPDM cap and aliphatic binder. Includes design as shown on 3D. (Open Market)	24,466.20
FREIGHT	BURKE Shipping charge to Ontario, CA. Freight price valid for 30 days only, due to fluctuating fuel pricing. Please requote after 11/7/24.	15,150.00
FREIGHT	PIP Shipping charge to Ontario, CA. Freight price valid for 30 days only, due to fluctuating fuel pricing. Please requote after 11/7/24. (Open Market)	16,848.00
INCLUDES	Pricing includes prevailing wage rates.	0.00T
EXCLUDES	Pricing excludes regular wage rates, permits, bonds, any border material and/or concrete curbing, fencing (temporary and/or permanent), special installation due to unforeseen site conditions and any additional site work/preparation/amenities.	0.00T
	PAYMENT TERMS: NET 30 ON PO'S FROM CITIES, SCHOOL DISTRICTS, STATE, OR FEDERAL ENTITIES.	

SUBTOTAL	866,534.17
TAX (8.75%)	47,019.83
TOTAL	**$913,554.00**

Accepted By

Accepted Date

ESTIMATE VALID FOR 30 DAYS

Acceptance of estimate: the above prices, specifications and conditions are satisfactory and are hereby accepted. Any alterations or deviations from the above will be accepted only upon written notice and will become an extra charge over and above the estimate period. 50% deposit due with order, unless net 30 terms have been approved.

Innovative Playgrounds Co., Inc.
12407 E. Slauson Ave. Unit D
Whittier, CA 90606
562-693-5200
www.innovplay.com

Estimate

ADDRESS	SHIP TO
City of Ontario 1425 S. Bon View Ave. Ontario, CA 91761 Sourcewell ID# 34482	M/F: De Anza Park 1405 S. Fern Ave. Ontario, CA 91762

ESTIMATE #	DATE	
10609	10/09/2024	

TRACKING NO.
Shelters & Amenities

SALES REP
ALVINO

ACTIVITY	DESCRIPTION	AMOUNT
	SHELTERS & AMENITIES	
SHELTER-1	Supply (3) 30' x 35' Steel Hip Shelter w/ Vented Top, 8'Eave Height, Framework, 6 post powder coated, w/ 24 ga MultiRib Metal Roofing 4:12 Roof Pitch, w/ Polyester Powder Coated Framework, w/ 24 ga MultiRib Metal Roofing, Overhead Lattice. Includes electrical access holes as required. (Open Market) LIST PRICE: $281,380.95 IN KIND CUSTOMER DISCOUNT APPLIED: ($16,882.86)	264,498.10T
ENGINEERING	Engineering Fee for Shelters. (Open Market)	2,328.77
INSTALLATION	Install (3) 30' x 35' Steel Hip Shelter w/ Vented Top, 8'Eave Height. (Open Market)	166,967.95
PLAY EQUIPMENT	Supply Burke site amenities for Shelters: (9) Burke 6' PVC Traditional Picnic Table w/PVC legs Model #580-0227 ($1,704.00 Ea.) (3) Burke 8' PVC Traditional ADA Picnic Table, one end Model #580-0226 ($1,550.00 Ea.) (3) Burke PVC Litter Container w/ Flat Lid Model# 580-0184 ($723.00 Ea.) LIST PRICE: $22,155.00 "SOURCEWELL CUSTOMER DISCOUNT" APPLIED ($1,550.85) (Burke Sourcewell Contract # 010521-BUR)	20,604.15T
INSTALLATION	Assembly and surface mount into concrete (9) Burke 6' PVC Traditional Picnic Table w/PVC legs Model #580-0227 (3 per shelter), (3) Burke 8' PVC Traditional ADA Picnic Table, one end Model #580-0226 (1 per shelter) (3) Burke PVC Litter Container w/ Flat Lid Model# 580-0184 (1 per shelter).	9,084.51
	SPLASH PAD AMENITIES	
SHELTER-1	Supply (1) 26' x 33' Steel Hip Shelter w/ Vented Top, 8'Eave Height, Framework, 6 post powder coated, w/ 24 ga MultiRib Metal Roofing 4:12 Roof Pitch, w/ Polyester Powder Coated Framework, w/ 24 ga MultiRib Metal Roofing, Overhead Lattice. Includes electrical access holes as required. (Open Market) LIST PRICE: $75,811.11 IN KIND CUSTOMER DISCOUNT APPLIED: ($4,548.67)	71,262.44T
INSTALLATION	Install (1) 26' x 33' Steel Hip Shelter w/ Vented Top, 8'Eave Height into dirt. (Open Market)	53,179.22
PLAY EQUIPMENT	Supply Burke site amenities for Shelters: (6) Burke 6' PVC Traditional Picnic Table w/PVC legs Model #580-0227 ($1,704.00 Ea.) (1) Burke 8' PVC Traditional ADA Picnic Table, one end Model #580-0226 ($1,550.00 Ea.) (3) Burke 6' PVC Traditional Bench w/Back Table, one end Model #580-0172 ($723.00 Ea.) (5) Burke PVC Litter Container w/ Flat Lid Model# 580-0184 ($723.00 Ea.) LIST PRICE: $17,558.00 "SOURCEWELL CUSTOMER DISCOUNT" APPLIED ($1,229.06)	16,328.94T

ESTIMATE VALID FOR 30 DAYS
Acceptance of estimate: the above prices, specifications and conditions are satisfactory and are hereby accepted. Any alterations or deviations from the above will be accepted only upon written notice and will become an extra charge over and above the estimate period. 50% deposit due with order, unless net [illegible] terms have been approved.

ACTIVITY	DESCRIPTION	AMOUNT
	(Burke Sourcewell Contract # 010521-BUR)	
INSTALLATION	Assembly and surface mount into concrete (6) Burke 6' PVC Traditional Picnic Table w/PVC legs Model #580-0227 (3 per shelter), (1) Burke 8' PVC Traditional ADA Picnic Table, one end Model #580-0226 (1 per shelter) and (3) Burke 6' PVC Traditional Bench w/back Model #580-0172 (Splash Pad Area) and (5) Burke PVC Litter Container w/ Flat Lid Model# 580-0184 (1 per shelter and 4 Splash Pad Area).	8,802.82
FREIGHT	SHELTERS Shipping charge to Ontario, CA. Freight price valid for 30 days only, due to fluctuating fuel pricing. Please requote after 11/7/24. (Open Market)	8,343.00
FREIGHT	BURKE Shipping charge to Ontario, CA. Freight price valid for 30 days only, due to fluctuating fuel pricing. Please requote after 11/7/24.	5,050.00
INCLUDES	Pricing includes prevailing wage rates.	0.00T
EXCLUDES	Pricing excludes regular wage rates, permits, bonds, any border material and/or concrete curbing, fencing (temporary and/or permanent), special installation due to unforeseen site conditions and any additional site work/preparation/amenities.	0.00T
	PAYMENT TERMS: NET 30 ON PO'S FROM CITIES, SCHOOL DISTRICTS, STATE, OR FEDERAL ENTITIES.	

SUBTOTAL	626,449.90
TAX (8.75%)	32,610.69
TOTAL	**$659,060.59**

Accepted By

Accepted Date

ESTIMATE VALID FOR 30 DAYS

Acceptance of estimate: the above prices, specifications and conditions are satisfactory and are hereby accepted. Any alterations or deviations from the above will be accepted only upon written notice and will become an extra charge over and above the estimate period. 50% deposit due with order, unless net 30 terms have been approved.

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **CONSENT CALENDAR**
Department: Public Works Prepared By: Cynthia Heredia-Torres Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Andrea Ampig, Bonnie Tam Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 7

SUBJECT: DESIGN SERVICES AGREEMENTS FOR ON-CALL ARCHITECTURAL SPACE PLANNING AND ENGINEERING DESIGN SERVICES

RECOMMENDATION: That the City Council authorize the City Manager, or his designee, to execute the following three-year Design Services Agreements for on-call Architectural, Space Planning, and Engineering Design Services for a total compensation amount of $1,000,000 over three (3) years and extend the agreements for up to two (2) additional one-year periods:

a. HMC Architects, of Ontario, California, for a total contract amount not-to-exceed $200,000;
b. Holt Architecture, of Palm Desert, California, for a total contract amount not-to-exceed $200,000;
c. IDS Group, Inc., of Irvine, California, for a total contract amount not-to-exceed $200,000;
d. Hammel, Green and Abrahamson, Inc., of Santa Monica, California, for a total contract amount not-to-exceed $200,000; and
e. Robert Borders & Associates, of Costa Mesa, California, for a total contract amount not-to-exceed $200,000.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
Invest in the Growth and Evolution of the City's Economy

FISCAL IMPACT: The proposed Design Services Agreements with HMC Architects, Holt Architecture, IDS Group, Inc., Hammel, Green and Abrahamson, Inc., and Robert Borders & Associates are each in the amount of $66,667 per year for a total not-to-exceed contract amount of $200,000 over a three-year period. The cost of the recommended actions shall not exceed $333,333 per year for a total not-to-exceed contract amount of $1,000,000 over a three-year period. The Fiscal Year 2024-25 Adopted Budget and 5-Year Capital Improvement Program includes current and planned appropriations for various City-wide projects in the Capital Projects Fund.

BACKGROUND & ANALYSIS: The City has needs for On-Call Architectural, Space Planning and Engineering Design Services for work that cannot be provided by City Staff. Staff is recommending contracts with a total of five qualified firms to assure a timely and cost-effective option is always available for each task order. Additionally, Staff recommends that all contracts be executed between the firms and the City, so that any City agencies can use these firms. This procedure reduces overhead charges and increases efficiency in completing critical projects, ultimately resulting in well-executed projects.

On August 29, 2024, the City solicited requests for proposals for Invitation No. 1832 On-Call Architectural, Space Planning and Engineering Design Services and responses from the following companies were evaluated:

COMPANY	LOCATION
Architecture Plus	La Canada, CA
BOA Architecture	Long Beach, CA
Bureau Veritas	Irvine, CA
Hammel, Green and Abrahamson, Inc.	Santa Monica, CA
HMC Architects	Ontario, CA
Holt Architecture	Palm Desert, CA
IDS Group, Inc.	Irvine, CA
Lehrer Architects LA, Inc.	Los Angeles, CA
Lionakis	Sacramento, CA
M. Arthur Gensler Jr. & Associates, Inc.	Los Angeles, CA
MILLER Architectural Corporation	Redlands, CA
Noll and Tam Architects	Berkeley, CA
PBK	Rancho Cucamonga, CA
Robert Borders & Associates	Costa Mesa, CA
Tighe Architecture	Los Angeles, CA
TSK	Los Angeles, CA
Westgroup Designs	Irvine, CA

City Staff reviewed the requests for proposals utilizing a qualifications-based selection process. HMC Architects, Holt Architecture, IDS Group, Inc., Hammel, Green and Abrahamson, Inc., and Robert Borders & Associates were deemed to be the most qualified firms. The recommendation to award Professional Services Agreements to these firms is based on their broad range of expertise as demonstrated by work performed for other municipal agencies and capability to perform highly complex work in a timely manner.

CITY OF ONTARIO
303 EAST B STREET | ONTARIO, CALIFORNIA 91764
(909) 395-2000 FAX (909) 395-2070 OntarioCA.gov

PAUL S. LEON
MAYOR

DEBRA PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT OCHOA
CITY MANAGER

CITY OF ONTARIO
DESIGN SERVICES AGREEMENT

1. PARTIES AND DATE.

This Agreement is made and entered into as of _____, by and between the City of Ontario, a municipal corporation organized and operating under the laws of the State of California with its principal place of business at 303 East "B" Street, Ontario, California 91764-4196, County of San Bernardino, State of California ("City"), and **HMC Group dba HMC Architects**, a **CORPORATION** with its principal place of business at 3546 Concours Street, Ontario, CA 91764 (hereinafter referred to as "Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

2. RECITALS.

2.1 City. City is a municipal corporation organized under the laws of the State of California, with power to contract for services necessary to achieve its purpose.

2.2 Consultant**.** Consultant desires to perform and assume responsibility for the provision of certain professional engineering or architectural design services required by the City on the terms and conditions set forth in this Agreement. Consultant warrants that it is fully licensed, qualified, and willing to perform the services required by this Agreement; provided, however, that if Consultant is a corporation or other organization, the Project Consultant designated pursuant to Section 3.2, and not the Consultant itself, shall be fully licensed to practice as an **engineer or architect** in the State of California.

2.3 Project**.** City desires to engage Consultant to render such services for the **D&C 24-012 On-Call Architectural, Space Planning And Engineering Design Services** ("Project") as set forth in this Agreement.

3. TERMS

3.1 Employment of Consultant.

3.1.1 Scope of Services. Consultant promises and agrees to furnish to City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional engineering or architectural and related services necessary for the full and adequate completion of the Project consistent with the provisions of this Agreement (hereinafter referred to as "Services"). The Services are more particularly described throughout this Agreement, including Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement,

any exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations. All Services performed by Consultant shall be subject to the sole and discretionary approval of the City, which approval shall not be unreasonably withheld.

3.1.2 Term. The term of this Agreement shall be from **November 20, 2024,** to **November 20, 2027**, unless earlier terminated as provided herein. The City shall have the unilateral option, at its sole discretion, to renew this Agreement automatically for no more than two (2) additional one-year terms. Consultant shall complete the Services within the term of this Agreement, and shall meet any other established schedules and deadlines.

3.2 Project Consultant; Key Personnel.

3.2.1 **Engineer of Record OR Project Architect**. Consultant shall name a specific individual to act as Project Consultant, subject to the approval of City. Consultant hereby designates Amy Karn – License #C-34961 to act as the Engineer of Record OR Project Architect for the Project. The Engineer of Record OR Project Architect shall: (1) maintain oversight of the Services; (2) have full authority to represent and act on behalf of the Consultant for all purposes under this Agreement; (3) supervise and direct the Services using his or her best skill and attention; (4) be responsible for the means, methods, techniques, sequences and procedures used for the Services; (5) adequately coordinate all portions of the Services; and (6) act as principal contact with City and all contractors, consultants, engineers and inspectors on the Project. Any change in the Engineer of Record OR Project Architect shall be subject to the City's prior written approval, which approval shall not be unreasonably withheld. The new Engineer of Record OR Project Architect shall be of at least equal competence as the prior Engineer of Record OR Project Architect. In the event that City and Consultant cannot agree as to the substitution of a new Engineer of Record OR Project Architect, City shall be entitled to terminate this Agreement for cause.

3.2.2 Key Personnel. In addition to the Engineer of Record OR Project Architect, Consultant has represented to the City that certain additional key personnel, engineers and consultants will perform the Services under this Agreement. Should one or more of such personnel, engineers or consultants become unavailable, Consultant may substitute others of at least equal competence upon written approval of the City. In the event that City and Consultant cannot agree as to the substitution of key personnel, engineers or consultants, City shall be entitled to terminate this Agreement for cause. The key additional personnel, engineers and consultants for performance of this Agreement are as follows: Amy Karn – License #C-34961

3.3 Hiring of Consultants and Personnel.

3.3.1 Right to Hire or Employ. Consultant shall have the option, unless City objects in writing after notice, to employ at its expense architects, engineers, experts or other consultants qualified and licensed to render services in connection with the planning and/or administration of the Project, and to delegate to them such duties as Consultant may delegate without relieving Consultant from administrative or other responsibility under this Agreement. Consultant shall be responsible for the coordination and cooperation of Consultant's architects, engineers, experts or other consultants. All consultants, including changes in consultants, shall be subject to approval by City in its sole and reasonable discretion. Consultant shall notify City of the identity of all consultants at least fourteen (14) days prior to their commencement of work to allow City to review their qualifications and approve to their participation on the Project in its sole and reasonable discretion.

3.3.2 Qualification and License. All architects, engineers, experts and other consultants retained by Consultant in performance of this Agreement shall be qualified to perform the Services assigned to them, and shall be licensed to practice in their respective professions, where required by law.

3.3.3 Standards and Insurance. All architects, engineers, experts and other consultants hired by Consultant shall be required to meet all of the same standards and insurance requirements set forth in this Agreement, unless other standards or requirements are approved by the City in writing. Unless changes are approved in writing by the City, Consultant's agreements with its consultants shall contain a provision making them subject to all provisions stipulated in this Agreement.

3.3.4 Assignments or Staff Changes. Consultant shall promptly obtain written City approval of any assignment, reassignment or replacement of such architects, engineers, experts and consultants, or of other staff changes of key personnel working on the Project. As provided in the Agreement, any changes in Consultant's consultants and key personnel shall be subject to approval by City.

3.3.5 Draftsman and Clerical Support. Draftsmen and clerical personnel shall be retained by Consultant at Consultant's sole expense.

3.4 Standard of Care.

3.4.1 Standard of Care. Consultant shall perform all Services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals qualified to perform the Services in the same discipline in the State of California, and shall be responsible to City for damages sustained by the City and delays to the Project as specified in the indemnification provision of this Agreement. Without limiting the foregoing, Consultant shall be fully responsible to the City for any increased costs incurred by the City as a result of any such delays in the design or construction of the Project. Consultant represents and maintains that it is skilled in the professional calling necessary to perform the Services. Consultant warrants and represents that all of its employees, architects, engineers, experts and other consultants shall have sufficient skill and experience to perform the Services assigned to them. Finally, Consultant represents that it, its employees, architects, engineers, experts and other consultants have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services assigned to or rendered by them and that such licenses and approvals shall be maintained throughout the term of this Agreement. As provided for in the indemnification provisions of this Agreement, Consultant shall perform, at its own cost and expense and without reimbursement from the City, any services necessary to correct errors or omissions which are caused by the Consultant's failure to comply with the standard of care provided for herein.

3.4.2 Performance of Employees. Any employee or consultant who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee or consultant who fails or refuses to perform the Services in a manner acceptable to the City, shall be promptly removed from the Project by the Consultant and shall not be re-employed to perform any of the Services or to work on the Project.

3.5 Laws and Regulations.

3.5.1 Knowledge and Compliance. Consultant shall keep itself fully informed of and in compliance with all applicable local, state and federal laws, rules and regulations in any manner affecting the performance of the Services or the Project, and shall give all notices required of the Consultant by law. Consultant shall be liable, pursuant to the standard of care and indemnification provisions of this Agreement, for all violations of such laws and regulations in connection with its Services. Consultant shall defend, indemnify and hold City, its officials, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

3.5.2 Drawings and Specifications. Consultant shall cause all drawings and specifications to conform to any applicable requirements of federal, state and local laws, rules and regulations, including the Uniform Building Code, in effect as of the time the drawings and specifications are prepared or revised during the latest phase of the Services described in Exhibit "A" attached hereto. Any significant revisions made necessary by changes in such laws, rules and regulations after this time may be compensated as Additional Services which were not known or reasonably should not have been known by Consultant. Consultant shall cause the necessary copies of such drawings and specifications to be filed with any governmental bodies with approval jurisdiction over the Project, in accordance with the Services described in Exhibit "A" attached hereto. For the preparation of all such drawings and specifications, the Consultant shall use Computer Aided Design Drafting ("CADD") (e.g., AutoCAD) or other technology acceptable to the Consultant and City.

3.5.3 Americans with Disabilities Act. Consultant will use its best professional efforts to interpret all applicable federal, state and local laws, rules and regulations with respect to access, including those of the Americans with Disabilities Act ("ADA"). Consultant shall inform City of the existence of inconsistencies of which it is aware or reasonably should be aware between federal and state accessibility laws, rules and regulations, as well as any other issues which are subject to conflicting interpretations of the law, and shall provide the City with its interpretation of such inconsistencies and conflicting interpretations. Unless Consultant brings such inconsistencies and conflicting interpretations to the attention of the City and requests City's direction on how to proceed, the Consultant's interpretation of such inconsistencies and conflicting interpretations shall be the sole responsibility and liability of Consultant, and the Consultant shall correct all plans, specifications and other documents prepared for the Project at no additional cost if its interpretations are shown to be incorrect. In the event that the Consultant request's City's direction on how to proceed with respect to any inconsistent and/or conflicting interpretation, the Consultant shall be responsible to the City only pursuant to the indemnification provisions of this Agreement.

3.5.4 Permits, Approvals and Authorizations. Consultant shall provide City with a list of all permits, approvals or other authorizations required for the Project from all federal, state or local governmental bodies with approval jurisdiction over the Project. Consultant shall then assist the City in obtaining all such permits, approvals and other authorizations. The costs of such permits, approvals and other authorizations shall be paid by the City.

3.5.5 Water Quality Management and Compliance. Consultant shall keep itself and all subcontractors, staff, and employees fully informed of and in compliance with all local, state and federal laws, rules and regulations that may impact, or be implicated by the performance of the Services including, without limitation, all applicable provisions of the City's ordinances

regulating water quality and storm water; the Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq*.); the California Porter-Cologne Water Quality Control Act (Cal Water Code §§ 13000-14950); and any and all regulations, policies, or permits issued pursuant to any such authority. Consultant shall additionally comply with the lawful requirements of the City, and any other municipality, drainage district, or other local agency with jurisdiction over the location where the Services are to be conducted, regulating water quality and storm water discharges. Failure to comply with laws, regulations, and ordinances listed in this Section is a violation of federal and state law.

3.6 Independent Contractor.

3.6.1 Control and Payment of Subordinates. City retains Consultant on an independent contractor basis and Consultant is not an employee of City. Consultant is not an employee for state tax, federal tax or any other purpose, and is not entitled to the rights or benefits afforded to City's employees. Any additional personnel performing the Services under this Agreement on behalf of Consultant shall also not be employees of City, and shall at all times be under Consultant's exclusive direction and control. Consultant shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. Consultant shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

3.7 Schedule of Services.

3.7.1 Consultant Services. Consultant shall fully and adequately complete the Services described in this Agreement and in Exhibit "A" attached hereto and incorporated herein by reference.

3.7.2 Timely Performance Standard. Consultant shall perform all Services hereunder as expeditiously as is consistent with professional skill and care, as well as the orderly progress of the Project work so as not to be the cause, in whole or in part, of delays in the completion of the Project or in the achievement of any Project milestones, as provided herein. Specifically, Consultant shall perform its Services so as to allow for the full and adequate completion of the Project within the time required by the City and within any completion schedules adopted for the Project. Consultant agrees to coordinate with City's staff, contractors and consultants in the performance of the Services, and shall be available to City's staff, contractors and consultants at all reasonable times.

3.7.3 Performance Schedule. Consultant shall prepare an estimated time schedule for the performance of Consultant's Services, to be adjusted as the Project proceeds. Such schedule shall be subject to the City's review and approval, which approval shall not be unreasonably withheld, and shall include allowances for periods of time required for City's review and approval of submissions, and for approvals of authorities having jurisdiction over Project approval and funding. If City and Consultant cannot mutually agree on a performance schedule, City shall have the authority to immediately terminate this Agreement. The schedule shall not be exceeded by Consultant without the prior written approval of City. If the Consultant's Services are not completed within the time provided by the agreed upon performance schedule, or any milestones established therein, it is understood, acknowledged and agreed that the City will suffer damage for which the Consultant will be responsible.

3.7.4 Excusable Delays. Any delays in Consultant's work caused by the following may be added to the time for completion of any obligations of Consultant: (1) the actions of City or its employees; (2) the actions of those in direct contractual relationship with City; (3) the actions of any governmental agency having jurisdiction over the Project; (4) the actions of any parties not within the reasonable control of the Consultant; and (5) any Force Majeure Event (as defined herein) or other unforeseen occurrence not due to any fault or negligence on the part of Consultant. Neither the City nor the Consultant shall be liable for damages, liquidated or otherwise, to the other on account of such delays.

3.7.5 Force Majeure Events. Neither City nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing Party. For purposes of this Agreement, such circumstances include a Force Majeure Event. A Force Majeure Event shall mean an event that materially affects a Party's performance and is one or more of the following: (1) Acts of God or other natural disasters; (2) terrorism or other acts of a public enemy; (3) orders of governmental authorities (including, without limitation, unreasonable and unforeseeable delay in the issuance of permits or approvals by governmental authorities that are required for the services); (4) strikes and other organized labor action occurring at the site and the effects thereof on the services, only to the extent such strikes and other organized labor action are beyond the control of Consultant and its subcontractors, and to the extent the effects thereof cannot be avoided by use of replacement workers; and (5) pandemics, epidemics or quarantine restrictions. For purposes of this section, "orders of governmental authorities," includes ordinances, emergency proclamations and orders, rules to protect the public health, welfare and safety, and other actions of a public agency applicable to the Services and Agreement. Should a Force Majeure Event occur, the non-performing Party shall, within fifteen (15) calendar days of the beginning of an Force Majeure Event, give written notice to the other Party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement. Force Majeure Events shall not entitle Consultant to any additional compensation. Notwithstanding the foregoing in this section, the City may still terminate this Agreement in accordance with the termination provisions of this Agreement.

3.7.6 Request for Excusable Delay Credit. The Consultant shall, within fifteen (15) calendar days of the beginning of any excusable delay, notify the City in writing of the causes of delay (unless City grants in writing a further period of time to file such notice prior to the date of final payment under the Agreement). City will then ascertain the facts and the extent of the delay, and grant an extension of time for completing the Services when, in its sole judgment, the findings of fact justify such an extension. The City's findings of fact thereon shall be final and conclusive on the Parties. Extensions of time shall apply only to that portion of the Services affected by the delay and shall not apply to other portions of the Services not so affected. The sole remedy of Consultant for extensions of time shall be an extension of the performance time at no cost to the City. If Additional Services are required as a result of an excusable delay, the Parties shall mutually agree thereto pursuant to the Additional Services provision of this Agreement. Should Consultant make an application for an extension of time, Consultant shall submit evidence that the insurance policies required by this Agreement remain in effect during the requested additional period of time.

3.8 Additional Services.

3.8.1 Request for Services. At City's request, Consultant may be asked to perform services not otherwise included in this Agreement, not included within the basic services

listed in Exhibit “A” attached hereto, and/or not customarily furnished in accordance with generally accepted architectural practice.

3.8.2 Definition. As used herein, “Additional Services” mean: (1) any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary for the Consultant to perform at the execution of this Agreement; or (2) any work listed as Additional Services in Exhibit “A” attached hereto. Consultant shall not perform, nor be compensated for, Additional Services without prior written authorization from City and without an agreement between the City and Consultant as to the compensation to be paid for such services. City shall pay Consultant for any approved Additional Services, pursuant to the compensation provisions herein, so long as such services are not made necessary through the fault of Consultant pursuant to the indemnification provision of this Agreement.

3.8.3 Examples of Additional Services. Such Additional Services shall not include any redesign or revisions to drawings, specifications or other documents when such revisions are necessary in order to bring such documents into compliance with applicable laws, rules, regulations or codes of which Consultant was aware or should have been aware pursuant to the laws and regulations provision of this Agreement above. Such Additional Services may include, but shall not be limited to:

(a) Separately Bid Portions of Project. Plan preparation and/or administration of work on portions of the Project separately bid.

(b) Furniture and Interior Design. Assistance to City, if requested, for the selection of moveable furniture, equipment or articles which are not included in the Construction Documents.

(c) Fault of Contractor. Services caused by delinquency, default or insolvency of contractor, or by major defects in the work of the contractor, provided that any such services made necessary by the failure of Consultant to detect and report such matters when it reasonably should have done so shall not be compensated.

(d) Inconsistent Approvals or Instructions. Revisions in drawings, specifications or other documents when such revisions are inconsistent with written approvals or instructions previously given and are due to causes beyond the control of Consultant.

(e) Legal Proceedings. Serving as an expert witness on City's behalf or attending legal proceedings to which the Consultant is not a party.

(f) Damage Repair. Supervision of repair of damages to any structure.

(g) Extra Environmental Services. Additional work required for environmental conditions (e.g. asbestos or site conditions) not already contemplated within the Consultant's services for the Project.

3.9 City Responsibilities. City’s responsibilities shall include the following:

3.9.1 Data and Information. City shall make available to Consultant all necessary data and information concerning the purpose and requirements of the Project, including scheduling and budget limitations, objectives, constraints and criteria. As part of the budget

limitation information, the City shall provide the Consultant with a preliminary construction budget ("City's Preliminary Construction Budget").

3.9.2 Project Survey. If required pursuant to the scope of the Project and if requested by Consultant, City shall furnish Consultant with, or direct Consultant to procure at City's expense, a survey of the Project site prepared by a registered surveyor or civil engineer, any other record documents which shall indicate existing structures, land features, improvements, sewer, water, gas, electrical and utility lines, topographical information and boundary dimensions of the site, and any other such pertinent information.

3.9.3 Bid Phase. Distribute Construction Documents to bidders and conduct the opening and review of bids for the Project.

3.9.4 Testing. Retain consultant(s) to conduct chemical, mechanical, soils, geological or other tests required for proper design of the Project, and furnish such surveys, borings, test pits, and other tests as may be necessary to reveal conditions of the site which must be known to determine soil condition or to ensure the proper development of the required drawings and specifications.

3.9.5 Required Inspections and Tests. Retain consultant(s) to conduct materials testing and inspection or environmental/hazardous materials testing and inspection pursuant to any applicable laws, rules or regulations.

3.9.6 Fees of Reviewing or Licensing Agencies. Directly pay or reimburse the payment of all fees required by any reviewing or licensing agency, or other agency having approval jurisdiction over the Project.

3.9.7 City's Representative. The City hereby designates the City Manager, or his or her designee, to act as its representative for the performance of this Agreement ("City's Representative"). City's Representative shall have the power to act on behalf of the City for all purposes under this Contract. The City Manager hereby designates Cynthia Heredia-Torres, Project Manager, or his or her designee, as the City's contact for the implementation of the Services hereunder. Contractor shall not accept direction or orders from any person other than the City's Representative or his or her designee.

3.9.8 Review and Approved Documents. Review all documents submitted by Consultant, including change orders and other matters requiring approval by the City Council or other officials. City shall advise Consultant of decisions pertaining to such documents within a reasonable time after submission, so as not to cause unreasonable delay as provided in the excusable delay provisions of this Agreement above.

3.10 Compensation.

3.10.1 Consultant's Compensation for Basic Services. City shall pay to Consultant, for the performance of all Services rendered under this Agreement, the total not to exceed amount of **Two Hundred Thousand Dollars ($200,000**) ("Total Compensation"). This Total Compensation amount shall be based upon, and may be adjusted according to, the fee schedule and related terms and conditions attached hereto as Exhibit "B" and incorporated herein by reference. The Total Compensation, as may be adjusted upon mutual agreement, shall constitute complete and adequate payment for Services under this Agreement.

3.10.2 Payment for Additional Services. At any time during the term of this Agreement, City may request that Consultant perform Additional Services. As used herein, Additional Services means any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary at the execution of this Agreement. Any additional work in excess of this amount must be approved by the City. If authorized, such Additional Services will be compensated at the rates and in the manner set forth in Exhibit "C" attached hereto and incorporated herein by reference, unless a flat rate or some other form of compensation is mutually agreed upon by the Parties. If City requires Consultant to hire consultants to perform any Additional Services, Consultant shall be compensated therefore at the rates and in the manner set forth in Exhibit "C" attached hereto and incorporated herein by reference, unless a flat rate or some other form of compensation is mutually agreed upon by the Parties. City shall have the authority to review and approve the rates of any such consultants. In addition, Consultant shall be reimbursed for any expenses incurred by such consultants pursuant to the terms and conditions of Section 3.10.3.

3.10.3 Reimbursable Expenses. Reimbursable expenses are in addition to compensation for the Services and Additional Services. Consultant shall not be reimbursed for any expenses unless authorized in writing by City, which approval may be evidenced by inclusion in Exhibit "C" attached hereto. Such reimbursable expenses shall include only those expenses which are reasonably and necessarily incurred by Consultant in the interest of the Project. Consultant shall be required to acquire prior written consent in order to obtain reimbursement for the following: (1) extraordinary transportation expenses incurred in connection with the Project; (2) out-of-town travel expenses incurred in connection with the Project; (3) fees paid for securing approval of authorities having jurisdiction over the Project; (4) bid document duplication costs in excess of $1,000; and (5) other costs, fees and expenses in excess of $1,000.

3.10.4 Payment to Consultant. Consultant's compensation and reimbursable expenses shall be paid by City to Consultant no more often than monthly. Such periodic payments shall be made based upon the percentage of work completed, and in accordance with the phasing and funding schedule provided in Exhibit "B" and the compensation rates indicated in Exhibit "C" attached hereto and incorporated herein by reference. In order to receive payment, Consultant shall present to City an itemized statement which indicates Services performed, percentage of Services completed, method for computing the amount payable, and the amount to be paid. The statement shall describe the amount of Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement, as well as those expenses for which reimbursement is requested for that statement period. The amount paid to Consultant shall never exceed the percentage amounts authorized by the phasing and funding schedule located in Exhibit "B" attached hereto. City shall, within thirty (30) days of receiving such statement, review the statement and pay all approved charges thereon pursuant to the provisions of Civil Code Section 3320. Disputed amounts shall be resolved by the Parties in a mutually agreeable manner.

Payments made for Additional Services shall be made in installments, not more often than monthly, proportionate to the degree of completion of such services or in such other manner as the Parties shall specify when such services are agreed upon, and in accordance with any authorized fee or rate schedule. In order to receive payment, Consultant shall present to City an itemized statement which indicates the Additional Services performed, percentage of Additional Services completed, method for computing the amount payable, and the amount to be paid. The statement shall describe the amount of Additional Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. City shall, within thirty (30) days of receiving such statement, review

the statement and pay all approved charges thereon pursuant to the provisions of Civil Code Section 3320. Disputed amounts shall be resolved by the Parties in a mutually agreeable manner.

Upon cancellation or termination of this Agreement, Consultant shall be compensated as set forth in the termination provision herein.

3.10.5 Withholding Payment to Consultant. The City may withhold payment, in whole or in part, to the extent reasonably necessary to protect the City from claims, demands, causes of action, costs, expenses, liabilities, losses, damages, or injuries of any kind to the extent arising out of or caused by the negligence, recklessness, or willful misconduct protected under the indemnification provisions of this Agreement. Failure by City to deduct any sums from a progress payment shall not constitute a waiver of the City's right to such sums. The City may keep any moneys which would otherwise be payable at any time hereunder and apply the same, or so much as may be necessary therefor, to the payment of any expenses, losses, or damages as determined by the City, incurred by the City for which Consultant is liable under the Agreement or state law. Payments to the Consultant for compensation and reimbursable expenses due shall not be contingent on the construction, completion or ultimate success of the Project. Payment to the Consultant shall not be withheld, postponed, or made contingent upon receipt by the City of offsetting reimbursement or credit from Parties not within the Consultant's reasonable control.

3.10.6 Prevailing Wages. Consultant is aware of the requirements of California Labor Code Sections 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. Since the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and since the total compensation is $1,000 or more, Consultant agrees to fully comply with and to require its consultants to fully comply with such Prevailing Wage Laws. City shall provide Consultant with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. Consultant shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Consultant's principal place of business and at the Project site. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4. Consultant shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure of the Consultant or its consultants to comply with the Prevailing Wage Laws.

(a) Registration/DIR Compliance. If the Services are being performed as part of an applicable "public works project" of over $25,000 when the project is for construction, alteration, demolition, installation, or repair work, or a public works project of over $15,000 when the project is for maintenance work, in addition to the foregoing, then pursuant to Labor Code sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such Services must be registered with the Department of Industrial Relations ("DIR"). Consultant shall maintain

registration for the duration of the Project and require the same of any subconsultants. This project may also be subject to compliance monitoring and enforcement by the DIR. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements, including the submission of payroll records directly to the DIR. Any stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant.

3.10.7 Automated Clearing House ("ACH") payments. It is the City's policy to pay its consultant invoices via electronic fund transfers through the ACH network. All payments due and owing pursuant to a properly issued and correct invoice or under this Agreement shall be made through electronic ACH transfers, unless otherwise agreed upon by both Parties in writing. Consultant shall provide the City with ACH payment details whereby the City shall initiate the ACH transfers to Consultant in the amount required pursuant to a properly issued and correct invoice or under this Agreement. Each Party shall undertake any and all required actions and execute any required documents, instruments, or agreements required to effectuate the requirements of this Section. In the event the City erroneously deposits funds into an account, or otherwise deposits funds to which Consultant is not entitled: (1) Consultant shall immediately notify the City and the financial institution; (2) Consultant shall not withdraw any of the funds which were erroneously deposited or to which Consultant is not entitled; and (3) Consultant authorizes both the City and financial institution to take all actions necessary to correct the error and return to the City all funds erroneously deposited or to which Consultant is not entitled.

3.11 Notice to Proceed.

Consultant shall not proceed with performance of any Services under this Agreement unless and until the City provides a written notice to proceed.

3.12 Termination, Suspension and Abandonment.

3.12.1 Grounds for Termination; Consultant's Termination for Cause. City hereby reserves the right to suspend or abandon, at any time and for any reason, all or any portion of the Project and the construction work thereon, or to terminate this Agreement at any time with or without cause. Consultant shall be provided with at least seven (7) days advanced written notice of such suspension, abandonment or termination. In the event of such suspension, abandonment or termination, Consultant shall be paid for Services and reimbursable expenses rendered up to the date of such suspension, abandonment or termination, pursuant to the schedule of payments provided for in this Agreement, less any claims against or damages suffered by City as a result of the default, if any, by Consultant. Consultant hereby expressly waives any and all claims for damages or compensation arising under this Agreement, except as set forth herein, in the event of such suspension, abandonment or termination. Consultant may terminate this Agreement for substantial breach of performance by the City such as failure to make payment to Consultant as provided in this Agreement.

3.12.2 City's Suspension of Work. If Consultant's Services are suspended by City, City may require Consultant to resume such Services within ninety (90) days after written notice

from City. When the Project is resumed, the Total Compensation and schedule of Services shall be equitably adjusted upon mutual agreement of the City and Consultant.

3.12.3 Documents and Other Data. Upon suspension, abandonment or termination, Consultant shall provide to City all preliminary studies, sketches, working drawings, specifications, computations, and all other Project Documents, as defined below, to which City would have been entitled at the completion of Consultant's Services under this Agreement. Upon payment of the amount required to be paid to Consultant pursuant to the termination provisions of this Agreement, City shall have the rights, as provided in this Agreement hereinafter, to use such Project Documents prepared by or on behalf of Consultant under this Agreement. Consultant shall make such documents available to City upon request and without additional compensation other than as may be approved as a reimbursable expense.

3.12.4 Employment of other Consultants. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

3.13 Ownership and Use of Documents; Confidentiality.

3.13.1 Ownership. All plans, specifications, original or reproducible transparencies of working drawings and master plans, preliminary sketches, architectural presentation drawings, structural computations, estimates and any other documents prepared pursuant to this Agreement, including, but not limited to, any other works of authorship fixed in any tangible medium of expression such as writings, physical drawings and data magnetically or otherwise recorded on computer diskettes (hereinafter referred to as the "Project Documents") shall be and remain the property of City. Although the official copyright in all Project Documents shall remain with the Consultant or other applicable subcontractors or consultants, the Project Documents shall be the property of City whether or not the work for which they were made is executed or completed. Within thirty (30) calendar days following completion of the Project, Consultant shall provide to City copies of all Project Documents required by City. In addition, Consultant shall retain copies of all Project Documents on file for a minimum of fifteen (15) years following completion of the Project, and shall make copies available to City upon the payment of reasonable duplication costs. Before destroying the Project Documents following this retention period, Consultant shall make a reasonable effort to notify City and provide City with the opportunity to obtain the documents.

3.13.2 Right to Use. Consultant grants to City the right to use and reuse all or part of the Project Documents, at City's sole discretion and with no additional compensation to Consultant, for the following purposes:

(a) The construction of all or part of this Project.

(b) The repair, renovation, modernization, replacement, reconstruction or expansion of this Project at any time;

(c) The construction of another project by or on behalf of the City for its ownership and use;

City is not bound by this Agreement to employ the services of Consultant in the event such documents are used or reused for these purposes. City shall be able to use or reuse the Project Documents for these purposes without risk of liability to the Consultant or third parties with respect

to the condition of the Project Documents, and the use or reuse of the Project Documents for these purposes shall not be construed or interpreted to waive or limit City's right to recover for latent defects or for errors or omissions of the Consultant.

Any use or reuse by City of the Project Documents on any project other than this Project without employing the services of Consultant shall be at City's own risk with respect to third parties. If City uses or reuses the Project Documents on any project other than this Project, it shall remove the Consultant's seal from the Project Documents and hold harmless Consultant and its officers, directors, agents and employees from claims arising out of the negligent use or re-use of the Project Documents on such other project.

3.13.3 License. This Agreement creates a non-exclusive and perpetual license for City to copy, use, modify or reuse any and all Project Documents and any intellectual property rights therein. Consultant shall require any and all subcontractors and consultants to agree in writing that City is granted a non-exclusive and perpetual license for the work of such subcontractors or consultants performed pursuant to this Agreement.

3.13.4 Right to License. Consultant represents and warrants that Consultant has the legal right to license any and all copyrights, designs and other intellectual property embodied in the Project Documents that Consultant prepares or causes to be prepared pursuant to this Agreement. Consultant shall indemnify and hold City harmless pursuant to the indemnification provisions of this Agreement for any breach of this Section. Consultant makes no such representation and warranty in regard to previously prepared designs, plans, specifications, studies, drawings, estimates or other documents that were prepared by design professionals other than Consultant and provided to Consultant by City.

3.13.5 Confidentiality. All Project Documents, either created by or provided to Consultant in connection with the performance of this Agreement, shall be held confidential by Consultant to the extent they are not subject to disclosure pursuant to the Public Records Act. All Project Documents shall not, without the written consent of City, be used or reproduced by Consultant for any purposes other than the performance of the Services. Consultant shall not disclose, cause or facilitate the disclosure of the Project Documents to any person or entity not connected with the performance of the Services or the Project. Nothing furnished to Consultant which is otherwise known to Consultant or is generally known, or has become known, to the related industry shall be deemed confidential. Consultant shall not use City's name or insignia, photographs of the Project, or any publicity pertaining to the Services or the Project in any magazine, trade paper, newspaper, television or radio production or other similar medium without the written consent of City.

3.14 Indemnification.

3.14.1 To the fullest extent permitted by law, Consultant shall defend (with counsel of City's choosing), indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's Services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses except such loss or damage caused by the sole negligence or willful misconduct of the City. Consultant's obligation to indemnify shall

survive expiration or termination of this Agreement and shall not be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

3.14.2 If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance as a "design professional" (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

3.15 Insurance. Consultant shall not commence work under this Agreement until it has provided evidence satisfactory to the City that it has secured all insurance required under this Section. In addition, Consultant shall not allow any subconsultant to commence work on any subcontract until it has provided evidence satisfactory to the City that the subconsultant has secured all insurance required under this section.

3.15.1 Types of Insurance Required. As a condition precedent to the effectiveness of this Agreement for work to be performed hereunder, and without limiting the indemnity provisions of the Agreement, Consultant shall, at its expense, procure and maintain in full force and effect for the duration of the Agreement the following policies of insurance. If the existing policies do not meet the insurance requirements set forth herein, Consultant agrees to amend, supplement or endorse the policies to do so.

3.15.2 Additional Insured. The City of Ontario, its officials, officers, employees, agents, and volunteers shall be named as additional insureds on Consultant's and its subconsultants' policies of commercial general liability and automobile liability insurance using the endorsements and forms specified herein or exact equivalents.

3.15.3 Commercial General Liability

(a) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the City.

(b) Coverage for Commercial General Liability insurance shall be at least as broad as the following: Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent. Commercial General Liability Insurance must include coverage for the following:

(i) Bodily Injury and Property Damage

(ii) Personal Injury/Advertising Injury

(iii) Premises/Operations Liability

(iv) Products/Completed Operations Liability

(v) Aggregate Limits that Apply per Project

(vi) Explosion, Collapse and Underground (UCX) exclusion deleted

(vii) Contractual Liability with respect to this Contract

(viii) Broad Form Property Damage

(ix) Independent Consultants Coverage

(c) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(d) The policy shall give City, the City Council and each member of the City Council, its officers, employees, agents and City designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(e) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the City, and provided that such deductibles shall not apply to the City as an additional insured.

3.15.4 Automobile Liability

(a) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, in a form and with insurance companies acceptable to the City.

(b) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(c) The policy shall give City, the City Council and each member of the City Council, its officers, employees, agents and City designated volunteers additional insured status.

(d) Subject to written approval by the City, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the City as an additional insured, but not a self-insured retention.

3.15.5 Workers' Compensation/Employer's Liability

(a) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(b) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this Section.

3.15.6 Professional Liability (Errors and Omissions)

(a) At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the City and in an amount indicated herein. This insurance shall be written on a policy form coverage specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

3.15.7 Minimum Policy Limits Required

(a) The following insurance limits are required for the Agreement:

Coverage	Combined Single Limit
Commercial General Liability	$2,000,000 per occurrence/ $4,000,000 aggregate for bodily injury, personal injury, and property damage
Automobile Liability	$2,000,000 per occurrence for bodily injury and property damage
Employer's Liability	$1,000,000 per occurrence
Professional Liability	$2,000,000 per claim and aggregate (errors and omissions)

(b) Defense costs shall be payable in addition to the limits.

(c) Requirements of specific coverage or limits contained in this Section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

3.15.8 Evidence Required

(a) Prior to execution of the Agreement, the Consultant shall file with the City evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord

Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

3.15.9 Policy Provisions Required

(a) Consultant shall provide the City at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the City at least ten (10) days prior to the effective date of cancellation or expiration.

(b) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, deductible, or self-insurance maintained by the City, its officials, officers, employees, agents, or volunteers shall not contribute with this primary insurance. Policies shall contain or be endorsed to contain such provisions.

(c) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(d) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(e) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the City and shall not preclude the City from taking such other actions available to the City under other provisions of the Agreement or law.

3.15.10 Qualifying Insurers

(a) All policies required shall be issued by acceptable insurance companies, as determined by the City, which satisfy the following minimum requirements: Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or

otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

3.15.11 Additional Insurance Provisions

(a) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the City, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(b) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Consultant or City will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, City may cancel this Agreement.

(c) The City may require the Consultant to provide complete copies of all insurance policies in effect for the duration of the Project.

(d) Neither the City nor the City Council, nor any member of the City Council, nor any of the officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

3.15.12 Subconsultant Insurance Requirements

(a) Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the City that they have secured all insurance required under this Section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the City as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant, City may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

3.16 Records.

Consultant shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Consultant shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Consultant shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of five (5) years from the date of final payment under this Agreement.

3.17 Standardized Manufactured Items.

Consultant shall cooperate and consult with City in the use and selection of manufactured items on the Project, including but not limited to, paint, hardware, plumbing, mechanical and electrical equipment, fixtures, roofing materials and floor coverings. All such manufactured items

shall be standardized to City's criteria to the extent such criteria do not interfere with building design.

3.18 Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described herein. Any additional or subsequent construction at the site of the Project, or at any other City site, will be covered by, and be the subject of, a separate Agreement for engineering or architectural services between City and the Consultant chosen therefor by City.

3.19 Mediation.

Disputes arising from this Agreement may be submitted to mediation if mutually agreeable to the Parties hereto. The type and process of mediation to be utilized shall be subject to the mutual agreement of the Parties.

3.20 Successors and Assigns.

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of City. Any attempted assignment without such consent shall be invalid and void.

3.21 Asbestos Certification.

Consultant shall certify to City, in writing and under penalty of perjury, that to the best of its knowledge, information and belief no asbestos-containing material or other material deemed to be hazardous by the state or federal government was specified as a building material in any construction document that the Consultant prepares for the Project. Consultant shall require all consultants who prepare any other documents for the Project to submit the same written certification. Consultant shall also assist the City in ensuring that contractors provide City with certification, in writing and under penalty of perjury, that to the best of their knowledge, information and belief no material furnished, installed or incorporated into the Project contains asbestos or any other material deemed to be hazardous by the state or federal government. These certifications shall be part of the final Project submittal. Consultant shall include statements in its specifications that materials containing asbestos or any other material deemed to be hazardous by the state or federal government are not to be included.

3.22 No Third Party Rights.

This Agreement shall not create any rights in, or inure to the benefits of, any third party except as expressly provided herein.

3.23 Governing Law.

This Agreement shall be construed in accordance with, and governed by, the laws of the State of California. Venue shall be in San Bernardino County.

3.24 Exhibits and Recitals.

All exhibits and recitals contained herein and attached hereto are material parts of this Agreement and are incorporated as if fully set forth.

3.25 Severability.

Should any provision in the Agreement be held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall continue in full force and effect.

3.26 Non-Waiver.

None of the provisions of this Agreement shall be considered waived by either Party, unless such waiver is specifically specified in writing.

3.27 Safety.

Consultant shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Consultant shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of its employees, consultant and subcontractors appropriate to the nature of the work and the conditions under which the work is to be performed.

3.28 Harassment Policy.

Consultant shall provide a copy of the City's Harassment Policy to each of its employees assigned to perform the tasks under this Agreement. Consultant shall submit to the City's Personnel Manager a statement signed by each of its employees who are assigned to perform the Services under this Agreement certifying receipt of City's Harassment Policy and certifying that they have read the Harassment Policy. A finding by the City that any of Consultant's employees has harassed a City employee shall be grounds for appropriate discipline, up to and including such employee's removal from performance of this Agreement at City's request.

3.29 Delivery of Notices.

All notices permitted or required under this Agreement shall be given to the respective Parties at the following address, or at such other address as the respective Parties may provide in writing for this purpose:

CITY:	CONSULTANT:
City of Ontario	HMC Group dba HMC Architects
303 East “B” Street	3546 Concours Street
Ontario, CA 91764	Ontario, CA 91764
Attn: Cynthia Heredia-Torres	

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the Party

at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

3.30 Time of Essence.

Time is of the essence for each and every provision of this Agreement.

3.31 City's Right to Employ Other Consultants.

City reserves right to employ other consultants, including designers, in connection with this Project or other projects.

3.32 Prohibited Interests.

3.32.1 Solicitation. Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability.

3.32.2 Conflict of Interest. For the term of this Agreement, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.33 Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or any other classification protected by federal or state law. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Consultant shall also comply with all relevant provisions of City's minority business enterprise program, affirmative action plan or other related programs or guidelines currently in effect or hereinafter enacted.

3.34 Labor Certification.

By its signature hereunder, Consultant certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.

3.35 Subcontracting.

As specified in this Agreement, Consultant shall not subcontract any portion of the Services required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to each and every provision of this Agreement.

3.36 Supplemental Conditions.

Any supplemental conditions shall be attached as an exhibit to this Agreement, and that exhibit shall be incorporated herein by reference.

3.37 Entire Agreement.

This Agreement, with its exhibits, contains the entire agreement of the Parties hereto, and supersedes any and all other prior or contemporaneous negotiations, understandings and oral or written agreements between the Parties hereto. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. Furthermore, any modification of this Agreement shall only be effective if in writing signed by all Parties hereto.

SIGNATURES ON FOLLOWING PAGE

SIGNATURE PAGE FOR DESIGN SERVICES AGREEMENT
BETWEEN THE CITY OF ONTARIO
AND HMC GROUP DBA HMC ARCHITECTS

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY OF ONTARIO

Approved By:

_____
Scott Ochoa
City Manager

Approved as to Form:

_____
Best Best & Krieger LLP
City Attorney

Attested By:

_____
City Clerk

HMC Group dba HMC Architects

By: _____

Its: _____

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

[If Corporation, TWO SIGNATURES, President OR Vice President AND Secretary OR Treasurer REQUIRED]

EXHIBIT "A"
SCOPE OF SERVICES

1. GENERAL REQUIREMENTS.

1.1 Basic Services. Consultant agrees to perform all the necessary professional architectural, engineering (e.g. mechanical, electrical, plumbing, structural, site engineering, and any other necessary engineering services mutually agreeable to the Parties) and construction administration services for the Project in a timely and professional manner, consistent with the standards of the profession, including those provided for herein.

1.2 Exclusions from Basic Services. The following services shall be excluded from the basic services listed above: soils engineering, geotechnical services, and hazardous waste or toxic substances engineering.

1.3 Additional Services. Consultant shall perform the following Additional Services for the Project: Project Specific

1.4 Communication with City. Consultant shall participate in consultations and conferences with authorized representatives of City and/or other local, regional, or state agencies concerned with the Project, which may be necessary for the completion of the Project or the development of the drawings, specifications and documents in accordance with the applicable standards and requirements of law and the City. Such consultations and conferences shall continue throughout the planning and construction of the Project and the contractor's warranty period. Consultant shall take direction only from the City's Representative, or any other representative specifically designated by the City for this Project, including any construction manager hired by the City.

1.5 Coordination and Cooperation with Construction Manager. The City may hire a construction manager to administer and coordinate all or any part of the Project on its behalf. If the City does so, it shall provide a copy of its agreement with the construction manager so that the Consultant will be fully aware of the duties and responsibilities of the construction manager. The Consultant shall cooperate with the construction manager and respond to any requests or directives authorized by the City to be made or given by the construction manager. The Consultant shall request clarification from the City in writing if the Consultant should have any questions regarding the authority of the construction manager.

2. INITIAL PLANNING PHASE.

During the initial planning phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

2.1 Project Feasibility. Provide advice and assistance to City in determining the feasibility of the Project, analysis of the type and quality of materials and construction to be selected, the site location, and other initial planning matters.

2.2 Meeting Budget and Project Goals. Consultant shall notify City in writing of potential complications, cost overruns, unusual conditions, and general needs that potentially impact the Project budget and time line, including the City's Preliminary Construction Budget. Consultant shall use its best judgment in determining the balance between the size, type and quality of construction to achieve a satisfactory solution within the Project's budget and

construction allowance. It shall be the duty of the Consultant to design the Project within budget. As discussed herein, including in Section 7.3, if the lowest responsive and responsible bid for the Project exceeds the budget by the stated amount, Consultant may be required to make the necessary changes in the drawing and specifications, at its sole cost and expense, to bring the bids within the required budget.

2.3 Permits, Approvals and Authorizations. As indicated in Section 3.5.4 of the Agreement, Consultant shall assist City in securing easements, encroachment permits, rights of way, dedications, infrastructures and road improvements, as well as coordinating with utilities and adjacent property owners.

3. SCHEMATIC PLAN PHASE.

During the schematic plan phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

3.1 Funding Documents. Consultant shall provide a site plan and all other Project-related information necessary and required for an application by City to any federal, state, regional, or local agencies for funds to finance the construction Project.

3.2 Schematic Plans. In cooperation with City, Consultant shall prepare preliminary plans and studies, schematic drawings, site utilization plans, and phasing plans showing the scale and relationship of the components of the Project, the plot plan development at the site, and the proposed architectural concept of the buildings ("Schematic Plans"). Consultant shall incorporate the functional requirements of City into the Schematic Plans. The Schematic Plans shall meet all laws, rules and regulations of the State of California. The Schematic Plans shall show all rooms incorporated in each building of the Project in single-line drawings, and shall include all revisions required by City or by any federal, state, regional or local agency having jurisdiction over the Project. All architectural drawings for the Project shall be in a form suitable for reproduction.

3.3 Preliminary Project Budget. Consultant shall use the City's Preliminary Construction Budget and its own expertise and experience with the Project to establish a preliminary project budget or allowance in a format required by City ("Consultant's Preliminary Project Budget"). The purpose of the Consultant's Preliminary Project Budget is to show the probable Project cost in relation to City's Preliminary Construction Budget and the construction standards of any applicable funding agency. If Consultant perceives site considerations which render the Project expensive or cost prohibitive, Consultant shall disclose such conditions in writing to City immediately. As discussed herein, including in Section 7.3, if the lowest responsive and responsible bid for the Project exceeds the budget by more than the stated amount, Consultant may be required to make the necessary changes in the drawings and specifications, at its sole cost and expense, to bring the bids within the required budget Consultant shall provide a preliminary written time schedule for the performance of all construction work on the Project.

3.4 Copies of Schematic Plans and Other Documents. Consultant, at its own expense, shall provide a complete set of the Schematic Plans described herein for City's review and approval. Additionally, at City's expense, Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

4. DESIGN DEVELOPMENT PHASE.

During the design development phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

4.1 Design Development Documents. Once City provides Consultant with specific written approval of the Schematic Plans described herein, Consultant shall prepare design development documents consisting of: (1) site and floor plans; (2) elevations; and (3) any other drawings and documents sufficient to fix and describe the types and makeup of materials, as well as the size and character of the Project's structural, mechanical and electrical systems, and to outline the Project specifications ("Design Development Documents"). The Design Development Documents shall be prepared in sufficient form to present to the City Council for approval.

4.2 Copies of Design Development and Other Documents. Consultant, at its own expense, shall provide a complete set of the Design Development Documents described herein for City's review and approval. Additionally, at City's expense, Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

4.3 Updated Project Budget. Consultant shall use its Preliminary Project Budget and expertise and experience with the Project to establish an updated estimate of probable construction costs, containing detail consistent with the Design Development Documents as set forth herein and containing a breakdown based on types of materials and specifications identified herein ("Consultant's Updated Project Budget").

4.4 Timetable. Consultant shall provide a written timetable for full and adequate completion of the Project to City.

4.5 Application for Approvals. Consultant shall assist City in applying for and obtaining required approvals from all federal, state, regional or local agencies concerned with the Project. Consultant shall furnish and process all architectural and engineering information required to prepare and process applications to applicable utilities in order to secure priorities and materials, to aid in the construction of the Project and to obtain final Project approval and acceptance by any of the above agencies as may be required.

4.6 Color and Other Aesthetic Issues. Consultant shall provide, for City's review and approval, a preliminary schedule of all color materials and selections of textures, finishes and other matters involving an aesthetic decision about the Project.

5. FINAL WORKING DRAWINGS AND SPECIFICATIONS.

During the final working drawings and specifications phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

5.1 Final Working Drawings and Specifications. Once City provides Consultant with specific written approval of the Design Development Documents described herein, Consultant shall prepare such complete working drawings and specifications as are necessary for developing complete bids and for properly executing the Project work in an efficient and thorough manner ("Final Working Drawings and Specifications"). Such Final Working Drawings and Specifications shall be developed from the Schematic Plans and Design Development Documents approved by City. The Final Working Drawings and Specifications shall set forth in

detail all of the following: (1) the Project construction work to be done; (2) the materials, workmanship, finishes, and equipment required for the architectural, structural, mechanical, and electrical systems; and (3) the utility service connection equipment and site work. As indicated in Section 3.9.2 of the Agreement, City may be requested to supply Consultant with the necessary information to determine the proper location of all improvements on and off site, including record drawings ("as-built drawings") in City's possession. Consultant will make a good-faith effort to verify the accuracy of such information by means of a thorough interior and exterior visual survey of site conditions. City shall also make a good-faith effort to verify the accuracy of the as-built drawings and provide any supplemental information to Consultant which may not be shown on the as-built drawings.

5.2 Form. The Final Working Drawings and Specifications must be in such form as will enable Consultant and City to secure the required permits and approvals from all federal, state, regional or local agencies concerned with the Project. In addition, the Final Working Drawings and Specifications must be in such form as will enable City to obtain, by competitive bidding, a responsible and responsive bid within the applicable budgetary limitations and cost standards. The Final Working Drawings and Specifications shall be clear and legible so that uniform copies may be on standard architectural size paper, properly indexed and numbered, and shall be capable of being clearly copied and assembled in a professional manner by Consultant.

5.3 Approval and Revisions. City shall review, study, and check the Final Working Drawings and Specifications presented to it by Consultant, and request any necessary revisions or obtain any necessary approvals by the City Council, subject to the approval of all federal, state, regional or local agencies concerned with the Project. Consultant shall make all City-requested changes, additions, deletions, and corrections in the Final Working Drawings and Specifications at no additional cost, so long as they are not in conflict with the requirements of public agencies having jurisdiction or prior approval, or inconsistent with earlier City direction or Consultant's professional judgment. Consultant shall bring any such conflicts and/or inconsistencies to the attention of City. The Parties agree that Consultant, and not the City, possesses the requisite expertise to determine the constructability of the Final Working Drawings and Specifications. However, the City reserves the right to conduct one or more constructability review processes with the Final Working Drawings and Specifications, and to hire an independent architect or other consultant to perform such reviews. Any such independent constructability review shall be at City's expense. Consultant shall make all City-requested changes, additions, deletions, and corrections in the Final Working Drawings and Specifications which may result from any constructability review, at no additional cost to the City, so long as they are not in conflict with the requirements of public agencies having jurisdiction or prior approval, or inconsistent with earlier City direction or Consultant's professional judgment. If such changes, additions, deletions or corrections are inconsistent with prior City direction, Consultant shall make such alterations and be compensated therefore pursuant to the Additional Services provision of this Agreement.

5.4 Costs of Construction. It is understood by Consultant that should the Final Working Drawings and Specifications be ordered by City, City shall specify the sum of money set aside to cover the total cost of construction of the work, exclusive of Consultant's fees. Should it become evident that the total construction cost will exceed the specified sum, Consultant shall at once present a statement in writing to the City's Representative setting forth this fact and giving a full statement of the cost estimates on which the conclusion is based.

5.5 Copies of Final Working Drawings and Specifications and Other Documents. Consultant, at its own expense, shall provide a complete set of the Final Working Drawings and Specifications described herein for City's review and approval. Additionally, at City's expense,

Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

6. CONSTRUCTION CONTRACT DOCUMENTS.

During the construction contract documents phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

6.1 Bid and Contract Documents. If so required by City, Consultant shall assist City in the completion of all bid and construction documents, including but not limited to, the Notice Inviting Bids, Instructions to Bidders, Contract Bid Forms (including Alternate Bids as requested by City), `Contract, General Conditions, Supplementary General Conditions, Special Conditions, DVBE and other applicable affirmative action documents, Performance Bond, Payment Bond, Escrow Agreement for Security Deposits, and any other certifications and documents required by federal, state and local laws, rules and regulations which may be reasonably required in order to obtain bids responsive to the specifications and drawings. All such documents shall be subject to the approval of City and City's legal counsel.

6.2 Final Estimate. At the time of delivery of these bid and construction documents, which shall include the Final Working Drawings and Specifications (collectively referred to herein as the "Construction Documents"), Consultant shall provide City with its final estimate of probable construction cost ("Consultant's Final Estimate"). As discussed herein, including in Section 7.3, it shall be the Consultant's duty to design the Project within budget.

7. BID PHASE.

During the bid phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

7.1 Reproducible Construction Documents. Once City provides Consultant with specific written approval of the Construction Documents and Consultant's Final Estimate, Consultant shall provide to City one set of reproducible Construction Documents.

7.2 Distribution of Contract Documents and Review of Bids. Consultant shall assist City in distributing the Construction Documents to bidders and conducting the opening and review of bids for the Project.

7.3 Over Budget. If the apparent lowest responsive and responsible bid on the Project exceeds the Consultant's Final Estimate by more than five percent (5%), City may request Consultant to amend, at Consultant's sole cost and expense, the Final Drawings and Specifications in order to rebid the Project and receive a lowest responsive and responsible bid equal to or less than the Consultant's Final Estimate. All revisions necessary to bring the lowest responsible and responsive bid within the Consultant's Final Estimate, including any omissions, deferrals or alternates, shall be made in consultation with, and subject to the approval of, the City.

8. CONSTRUCTION PHASE.

During the construction phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

8.1 Observation. The Project Consultant shall observe work executed from the Final Working Drawings and Specifications in person, provided that City may, in its discretion, consent to such observation by another competent representative of Consultant.

8.2 General Administration. Consultant shall provide general administration of the Construction Documents and the work performed by the contractors.

8.3 Pre-Construction Meeting. Consultant shall conduct one or more pre-construction meetings, as the City determines is needed for the Project, with all interested Parties.

8.4 Site Visits of Contractor's Work. Consultant shall conduct site visits to observe each contractors' work for general conformance with the Construction Documents and with any approved construction schedules or milestones. Such site visits shall be conducted as often as are necessary and appropriate to the stage of construction, according to the City's sole discretion, but in no event less than weekly.

8.5 Site Visits of Inspector's Work. Consultant shall conduct site visits to communicate and observe the activities of the City inspectors. Such site visits shall be conducted as often as is mutually acceptable to Consultant and City. Consultant shall direct the City inspectors and the Project contractors to coordinate the preparation of record drawings indicating dimensions and location of all "as-built" conditions, including but not limited to, underground utility lines.

8.6 Coordination of Subconsultants. Consultant shall cause all architects, engineers and other consultants, as may be hired by Consultant or City, to observe the work completed under their disciplines as required, and approve and review all test results for general conformance with the Construction Documents.

8.7 Reports. Consultant shall make regular reports as may be required by applicable federal, state or local laws, rules or regulations, as well as the federal, state, regional or local agencies concerned with the Project.

8.8 Construction Meetings; Minutes. Consultant shall attend all construction meetings and provide written reports/minutes to the City after each construction meeting in order to keep City informed of the progress of the work. Such meetings shall occur at a frequency necessary for the progress of the Project work, according to the City's sole discretion, but no less than weekly.

8.9 Written Reports. Consultant shall make written reports to City as necessary to inform City of problems arising during construction, changes contemplated as a result of each such problems, and progress of the Project work.

8.10 Written Records. Consultant shall keep accurate written records of the progress and quality of the Project work and the time schedules, and shall advise the contractors and City of any deviations from the time schedule which could delay timely completion of the Project.

8.11 Material and Test Reports. Consultant shall check and process, in a timely manner, all required material and test reports for the Project work. In addition, Consultant shall provide notice of any deficiencies in material or work reflected in such reports, as well as its recommendation for correction of such deficiencies, to the contractors and City.

8.12 Review and Response to Submissions. Consultant shall review and respond, in a timely manner, to all schedules, submittals, shop drawings, samples, information requests, change requests, and other submissions of the contractor and subcontractors for compliance with, or alterations and additions to, the Construction Documents. Consultant's review and response shall be done in such a manner so as to ensure the timely and uninterrupted progress of the Project work.

8.13 Rejection of Work. Consultant shall promptly reject, as discussed with City, work or materials which do not conform to the Construction Documents. Consultant shall immediately notify the City and contractor(s) of such rejections. Consultant shall also have the authority to recommend to the City that additional inspection or testing of the work be performed, whether or not such work is fabricated, installed or completed.

8.14 Substitutions. Consultant shall consult with City, in a timely manner, with regard to substitution of materials, equipment and laboratory reports thereof, prior to the City's final written approval of such substitutions. Consultant's consultation shall be done in such a manner so as to ensure the timely and uninterrupted progress of the Project work.

8.15 Revised Documents and Drawings. Consultant shall prepare, at no additional expense to City, all documents and/or drawings made necessary by errors and omissions in the originally approved Construction Documents.

8.16 Change Requests and Material Changes. Consultant shall evaluate and advise City, in a timely manner and in writing, of any change requests and material change(s) which may be requested or necessary in the Project plans and specifications. Consultant shall provide the City with its opinion as to whether such change requests should be approved, denied or revised. If the City has not hired a construction manager or other person to do so, the Consultant shall prepare and execute all change orders and submit them to the City for authorization. If the City has designated a construction manager or other person to prepare all change orders, the Consultant shall review all change orders prepared by such person, execute them and deliver them to the City for authorization if they meet with the Consultant's approval, or submit them to the City with recommendations for revision or denial if necessary. Consultant shall not order contractors to make any changes affecting the contract price without approval by City of such a written change order, pursuant to the terms of the Construction Documents. Consultant may order, on its own responsibility and pending City Council approval, changes necessary to meet construction emergencies, if written approval of City's Representative is first secured.

8.17 Applications for Payment. Consultant shall examine, verify and approve contractor's applications for payment, and shall issue certificates for payment in amounts approved by the City's inspector.

8.18 Final Color and Product Selection. Consultant shall coordinate final color and product selection with City's original design concept.

8.19 Substantial Completion. Consultant shall determine the date of substantial completion, in consultation with the City.

8.20 Punch List. After determining that the Project is substantially complete, Consultant shall participate in the inspection of the Project and shall review all remaining deficiencies and minor items needed to be corrected or completed on the Project, including those identified on the punch list prepared by the contractor ("Punch List Items"). Consultant shall notify

contractor in writing that all Punch List Items must be corrected prior to final acceptance of the Project and final payment. Consultant shall also notify City of all Punch List Items.

8.21 Warranties. Consultant shall review materials assembled by the contractor and subcontractors with regard to all written warranties, guarantees, owners' manuals, instruction books, diagrams, record "as built" drawings, and any other materials required from the contractors and subcontractors pursuant to the Construction Documents. Consultant shall coordinate and provide these materials to the City.

8.22 Certificate of Completion. Consultant shall participate in any further inspections of the Project necessary to issue Consultant's Certificate of Completion and final certificate for payment.

8.23 Documents for Project Close-Out. Consultant shall cause all other architects, engineers and other consultants, as may be hired by Consultant, to file any and all required documentation with the City or other governmental authorities necessary to close out the Project. Consultant shall assist the City in obtaining such documentation from all other architects, engineers, or other consultants.

9. AS-BUILT DRAWINGS.

During the as-built drawings phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

9.1 As-Built Drawings and Specifications. Not later than thirty (30) days after substantial completion of the Project, before receipt of final payment, Consultant shall review and forward the Final Working Drawings and Specifications, indicating on them all changes made by change orders or otherwise pursuant to the Construction Documents, as well as all information called for on the specifications, thus producing an "as-built" set of Final Working Drawings and Specifications ("As-Built Drawings and Specifications"). The As-Built Drawings and Specifications shall show, among other things, the location of all concealed pipe, buried conduit runs and other similar elements within the completed Project. Consultant shall personally review and certify that the As-Built Drawings and Specifications are a correct representation of the information supplied to Consultant by any inspectors and the contractor, and shall obtain certifications from any inspectors and the contractor that the drawings are correct.

9.2 Approval. Once City provides Consultant with specific written approval of the As-Built Drawings and Specifications, Consultant shall forward to City the complete set of original As-Built Drawings and Specifications or a complete set of reproducible duplicate As-Built Drawings and Specifications. The tracing shall be of such quality that clear and legible prints may be made without appreciable and objectionable loss of detail.

9.3 Documents for Final Payment. Prior to the receipt of Consultant's final payment, Consultant shall forward to City all of the following: (1) one clear and legible set of reproductions of the computations; (2) the original copy of the specifications; (3) the As-Built Drawings and Specifications as required herein; and (4) Consultant's Certificate of Completion.

10. WARRANTY PERIOD.

During the warranty period phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

10.1 Advice. Consultant shall provide advice to City on apparent deficiencies in the Project during any applicable warranty periods for the Project.

Part 2 Fee Proposal

Please submit a standard fee schedule for services to be provided. The fee to be paid to the Consultant will be made at the Consultants hourly fee schedule for the various consultant staff positions, as well hourly rate schedules for sub-consultants. Fee Schedule will be proposal shall include hourly rates for all personnel for "Additional Work" (as such term is defined in the proposed Design Services Agreement") attached hereto as Exhibit "B" and incorporated herein).

HMC Rate Schedule

Standard Hourly Rate by Professional Category.

DESCRIPTION	RATES
Principal in Charge	$395
Sr Project Manager/Sr Project Architect/Sr Technical Manager	$290
Project Manager/Project Architect/Technical Manager	$275
Job Captain/Technical Leader	$230
Project Coordinator	$200
Senior Construction Administrator	$295
Construction Administrator	$275
Project Administration Support	$160
Design Principal	$395
Senior Project Designer	$290
Project Designer	$275
Design Leader	$230
Designer II	$180
Designer	$160
Sustainability Director	$325
Specifications Writer	$250
Visualization Arts	$230

These are the current hourly rates effective July 1, 2024, through June 30, 2027, and are subject to change effective July 1st, 2027 and one time annually on subsequent July 1 through the duration of the on-call contract.

700 South Flower Street, Suite 2100 Los Angeles, CA 90017 213.418.0201 kpff.com

kpff

KPFF CONSULTING ENGINEERS
LOS ANGELES CIVIL/STRUCTURAL DIVISION
HOURLY RATE SCHEDULE

2024

PRINCIPAL-IN-CHARGE	$290.00
SENIOR CIVIL ENGINEER/SENIOR PROJECT MANAGER	$235.00
PROJECT MANAGER	$215.00
PROJECT ENGINEER/PROJECT SURVEYOR	$180.00
DESIGN ENGINEER/SURVEY ANALYST	$165.00
CHIEF CAD OPERATOR/LEAD MODELER	$190.00
DRAFTER/CAD OPERATOR/MODELER	$165.00
ADMINISTRATIVE SUPPORT	$110.00

FIELD SURVEY

(Prevailing wage rates available upon request)

ONE-PERSON SURVEY CREW	$195.00
TWO-PERSON SURVEY CREW	$265.00
THREE-PERSON SURVEY CREW	$315.00

Note: Hourly rates will be updated on an annual basis throughout the duration of the project, and services will be billed at the hourly rates in place at the time the service is provided.

mulholland

BILLING RATE SCHEDULE

For: 12 – HMC Architects
Effective: January 1, 2024 – December 31, 2024

Mulholland Consulting, Inc.	
Classification	**Billing Rate**
Principal in Charge	$285/hr
Project Manager	$240/hr
Project Engineer	$190/hr
Design Engineer	$155/hr
Engineering Technician	$135/hr
Administrative Assistant	$115/hr

Provisions

1. Client will be billed monthly based on the percentage of completion of the Scope of Work with NET 30 payment terms.
2. Mileage will be charged at the current Internal Revenue Services (IRS) Standard Mileage Rates.
3. Subcontracted services and reimbursable items shall be invoiced at cost plus fifteen percent (15%).
4. Billing rates are subject to change once per calendar year or otherwise required by the California Department of Industrial Relations Prevailing Wage Increases if applicable.
5. **Billing Rates shall increase five percent (5%) per year as allowed by the City's Request for Proposals for a total of five (5) years from the date of Proposal submission on August 2, 2024.**

rtm

EXHIBIT A
2024
HOURLY CHARGE RATE AND
EXPENSE REIMBURSEMENT SCHEDULE

General Services Charge Rates:

Principal	$ 250.00
Associate	$ 210.00
Project Engineer II	$ 190.00
Project Engineer I	$ 165.00
Design Engineer II	$ 150.00
Design Engineer I	$ 135.00
BIM/CAD Manager	$ 180.00
Assistant BIM/CAD Manager	$ 155.00
BIM/CAD Designer II	$ 130.00
BIM/CAD Designer I	$ 105.00
Administrative Support	$ 90.00

Reimbursable Expenses:

Reproduction, special photography, delivery services, express mail, printing, plotting, travel expenses (air, taxi, parking, etc.), and any other services performed by a subcontractor, will be billed at cost plus 15%.

Vehicle mileage, between RTM's office and project site and/or client office, will be billed at $0.67 per mile.

All rates are effective to 12/31/24 and are subject to change at any time without prior notice.

National Resources, Local Relationships

Schaumburg, IL | Belleville, IL | Chicago, IL | Dallas, TX | Davenport, IA | Denver, CO | Evansville, IN | Irvine, CA
Laguna Woods, CA | Milwaukee, WI | Newport Beach, CA | Orlando, FL | Overland Park, KS | Palm Springs, CA
Seattle, WA | Springfield, IL | Springfield, MO | St. Louis, MO

rtmec.com

P2S ENG

P2S LP
RATE SCHEDULE FOR ENGINEERING SERVICES ON A
TIME AND EXPENSE BASIS

Category	Rate
PRINCIPAL ENGINEER	$353
ENGINEER GRADE 05	$298
ENGINEER GRADE 04	$289
ENGINEER GRADE 03	$247
ENGINEER GRADE 02	$228
ENGINEER GRADE 01	$202
DESIGN ENGINEER GRADE 05	$247
DESIGN ENGINEER GRADE 04	$228
DESIGN ENGINEER GRADE 03	$202
DESIGN ENGINEER GRADE 02	$179
DESIGN ENGINEER GRADE 01	$159
DESIGNER GRADE 04	$170
DESIGNER GRADE 03	$159
DESIGNER GRADE 02	$146
DESIGNER GRADE 01	$140
CAD/BIM DESIGNER GRADE 04	$141
CAD/BIM DESIGNER GRADE 03	$127
CAD/BIM DESIGNER GRADE 02	$114
CAD/BIM DESIGNER GRADE 01	$104
COMMISSIONING GRADE 05	$298
COMMISSIONING GRADE 04	$259
COMMISSIONING GRADE 03	$220
COMMISSIONING GRADE 02	$176
COMMISSIONING GRADE 01	$151
TECHNICAL WRITER	$159
PROJECT ASSISTANT	$104

In addition, for direct out-of-pocket expenses (when they occur), we quote the following:

1) Automobile: at current IRS rate per mile from home office for travel outside Los Angeles, Orange, San Diego, San Bernardino, Riverside & King counties
2) Travel Expense: at Cost
3) Subsistence: While away from home office for more than 1 day: at Cost, but not to exceed $275 per day per person.
4) Plan Check Fees: at Cost plus 10% markup
5) Third-Party Services: at Cost plus 10% markup
   - Printing and copy services
   - Consultant and subcontract professional fees
   - Surveying / Soils Investigation
   - Testing Laboratory Work

LIABILITY LIMITS

Professional Liability	$ 5,000,000.
General Liability	$ 2,000,000.

Effective January 1, 2024 – December 31, 2024
RT-224

DESIGN WEST ENGINEERING

Your Partners in Mechanical, Electrical, Plumbing, Commissioning, Fire Protection, Technology, & Energy.

2024 RATE SHEET

Principal Engineering.....$260.00 per hour

Mechanical & Plumbing Engineering
Senior Engineer, Mechanical.....$230.00 per hour
Mechanical Project Manager.....$180.00 per hour
Mechanical Designer.....$140.00 per hour
Mechanical CAD Draftsperson.....$120.00 per hour

Electrical Engineering
Senior Engineer, Electrical.....$230.00 per hour
Electrical Project Manager.....$180.00 per hour
Electrical Designer.....$140.00 per hour
Electrical CAD Draftsperson.....$120.00 per hour

Commissioning Services
Director of Commissioning Services.....$230.00 per hour
Commissioning Agent.....$180.00 per hour
Commissioning Engineer.....$140.00 per hour

Energy Services
Director of Energy Services Engineering.....$230.00 per hour
Energy Services Engineer.....$180.00 per hour
Energy Services Designer.....$140.00 per hour

Fire Protection Engineering
Senior Engineer, Mechanical.....$230.00 per hour
Fire Protection Project Manager.....$180.00 per hour
Fire Protection Designer.....$140.00 per hour

Utility Coordination
Senior Engineer.....$230.00 per hour
Project Manager.....$180.00 per hour
Utility Coordinator.....$140.00 per hour
CAD Draftsperson.....$120.00 per hour

Low Voltage Engineering
Senior Engineering, Electrical.....$230.00 per hour
Low Voltage Project Manager.....$180.00 per hour
Low Voltage Designer.....$140.00 per hour

Clerical Support.....$100.00 per hour

*** Rates Effective January 1, 2024

412 E Vanderbilt Way | San Bernardino, CA 92408
Southern California 909.890.3700 | **Pacific Northwest** 425.458.9700 | **DesignWestEng.com**

2024 HOURLY RATES

EPTDESIGN PROJECT ROLE	FEE
Principal	$230
Senior Associate	$180
Associate	$155
Project Manager	$125
Project Captain	$110
Designer	$100
Administrative	$85

Rates subject to a 5% escalation clause each year thereafter.

Rates effective through December 31, 2024.

REIMBURSABLE EXPENSES

Reimbursable expenses are in addition to compensation for basic and additional services and include actual expenditures made by EPTDESIGN in the development of the project. These expenses shall include, but not be limited to, reproduction, overnight delivery and messenger services, and travel expenses when approved in advance.



STANDARD HOURLY RATES

Spurlock Landscape Architects will provide professional services at the following hourly rates:

Principal	225.00 / hour
Project Manager	175.00 / hour
Job Captain	150.00 / hour
Landscape Designer	125.00 / hour
Administrator	90.00 / hour
Intern	75.00 / hour

rates current as of February 2023

VERDE DESIGN QUALIFICATIONS

VERDE DESIGN

VERDE DESIGN

Charge Rate Schedule

Effective until December 31, 2024

The following chart outlines the current charge rate for professional and office costs. Reimbursable rates and expenses are shown at the bottom.

Project Rates

Principal	$270.00 per hour
Project Manager/Construction Manager	
Level Four	$255.00 per hour
Level Three	$235.00 per hour
Level Two	$190.00 per hour
Level One	$175.00 per hour
Project Architect	$255.00 per hour
Project Engineer	
Level II	$195.00 per hour
Level I	$180.00 per hour
IT Manager	$190.00 per hour
CAD Manager	$185.00 per hour
Project Designer	$170.00 per hour
Job Captain/Staff Engineer/Construction Administrator	$160.00 per hour
Draftsperson Level II	$155.00 per hour
Draftsperson Level I	$150.00 per hour
Project Administrator	$95.00 per hour
Intern	$80.00 per hour

Reimbursable Rates

Blueprints, Printing and Reproductions	Cost plus 10%
Sub Consultant Services	Cost plus 10%

Reimbursable Expenses

Blueprints and Reproductions	Travel Expenses
Photography	Parking and Toll Expenses
Models and Renderings	Permit Fees
Postage/Overnight Mail Service	Courier Delivery Service

Charge Rate Schedule is subject to revisions.

LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING • SPORT PLANNING & DESIGN 5

VERDE DESIGN QUALIFICATIONS

VERDE DESIGN

VERDE DESIGN

Charge Rate Schedule

Effective until December 31, 2025

The following chart outlines the current charge rate for professional and office costs. Reimbursable rates and expenses are shown at the bottom.

Project Rates

Principal	$275.00 per hour
Project Manager/Construction Manager	
Level Four	$260.00 per hour
Level Three	$240.00 per hour
Level Two	$195.00 per hour
Level One	$180.00 per hour
Project Engineer	
Level II	$200.00 per hour
Level I	$185.00 per hour
IT Manager	$195.00 per hour
CAD Manager	$190.00 per hour
Project Designer	$175.00 per hour
Job Captain/Staff Engineer/Construction Administrator	$165.00 per hour
Draftsperson Level II	$160.00 per hour
Draftsperson Level I	$155.00 per hour
Project Administrator	$100.00 per hour
Intern	$85.00 per hour

Reimbursable Rates

Blueprints, Printing and Reproductions	Cost plus 10%
Sub Consultant Services	Cost plus 10%

Reimbursable Expenses

Blueprints and Reproductions	Travel Expenses
Photography	Parking and Toll Expenses
Models and Renderings	Permit Fees
Postage/Overnight Mail Service	Courier Delivery Service

Charge Rate Schedule is subject to revisions.

LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING • SPORT PLANNING & DESIGN 6

MARCENE TAYLOR INC.

2024 Hourly Billing Rates

MTI extends a special blended hourly rate of $180/hour to HMC Architects only.

CUMMING GROUP

cumming-group.com

2024 Hourly Rates

Discipline	Hourly Rate
Construction / Project Management / Constructability Review	
Executive / Senior Vice President	$450.00
Managing Principal / Vice President	$375.00
Managing Director / Project Director / Senior Director	$325.00
Director	$270.00
Senior Project Manager / Associate Director	$230.00
Project Manager	$205.00
Project Engineer / Assistant Project Manager	$180.00
Project Coordinator / Intern	$145.00
Administration / Clerk	$95.00
Cost Management	
Executive / Senior Vice President	$450.00
Managing Principal / Vice President	$375.00
Managing Director / Director / Regional Director	$325.00
Associate Director	$250.00
Senior Cost Manager	$220.00
Cost Manager	$195.00
Assistant Cost Manager / Estimating Technician / Intern	$135.00
Dispute Resolution & Avoidance (Non-Energy)	
Executive / Senior Vice President	$450.00
Vice President / Managing Director	$450.00
Senior Director	$425.00
Director	$400.00
Associate Director	$350.00
Senior Compliance Auditor	$325.00
Senior Forensic Analyst	$300.00
Delay Analyst	$275.00
Senior Consultant	$295.00
Consultant	$245.00
Senior Scheduler	$210.00
Scheduler	$195.00
Data Analyst	$200.00
Document Control	$150.00
ADR Neutral	
Vice President / Managing Director	$450.00
Director	$400.00

One year after the effective date of the Agreement, and annually thereafter, rates will increase by the greater of (i) the change in percentage during the prior twelve (12) month period in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), or (ii) five percent (5%)

RTL Rate Schedule

Standard Hourly Rate by Professional Category.

DESCRIPTION	RATES
Library Planning Consultant	$160
Assistants/Notetakers	$100

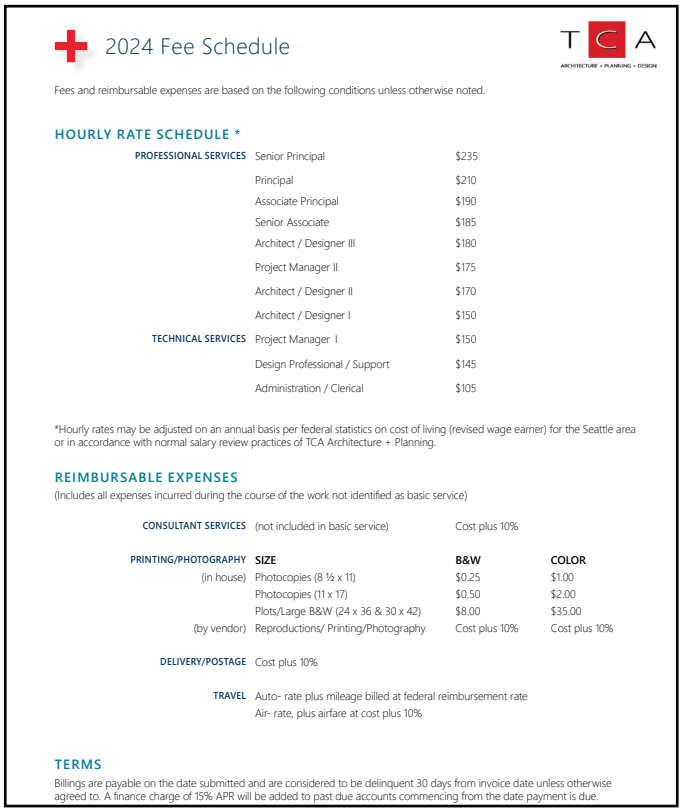
These are the current hourly rates effective through December 2025, and are subject to change.

rfa Rate Schedule

Standard Hourly Rate by Professional Category.

DESCRIPTION	RATES
Principal	$230
Associate	$210
Project Manager	$190
Technical Drafter	$170
Administrative	$110
Engineering/Consultant	1.2 x Direct Expense
Principal Consultation (for consultation not related to an ongoing project)	$300

These are the current hourly rates effective through December 2025, and are subject to change.



2024 Fee Schedule

TCA ARCHITECTURE + PLANNING + DESIGN

Fees and reimbursable expenses are based on the following conditions unless otherwise noted.

HOURLY RATE SCHEDULE *

PROFESSIONAL SERVICES	Senior Principal	$235
	Principal	$210
	Associate Principal	$190
	Senior Associate	$185
	Architect / Designer III	$180
	Project Manager II	$175
	Architect / Designer II	$170
	Architect / Designer I	$150
TECHNICAL SERVICES	Project Manager I	$150
	Design Professional / Support	$145
	Administration / Clerical	$105

*Hourly rates may be adjusted on an annual basis per federal statistics on cost of living (revised wage earner) for the Seattle area or in accordance with normal salary review practices of TCA Architecture + Planning.

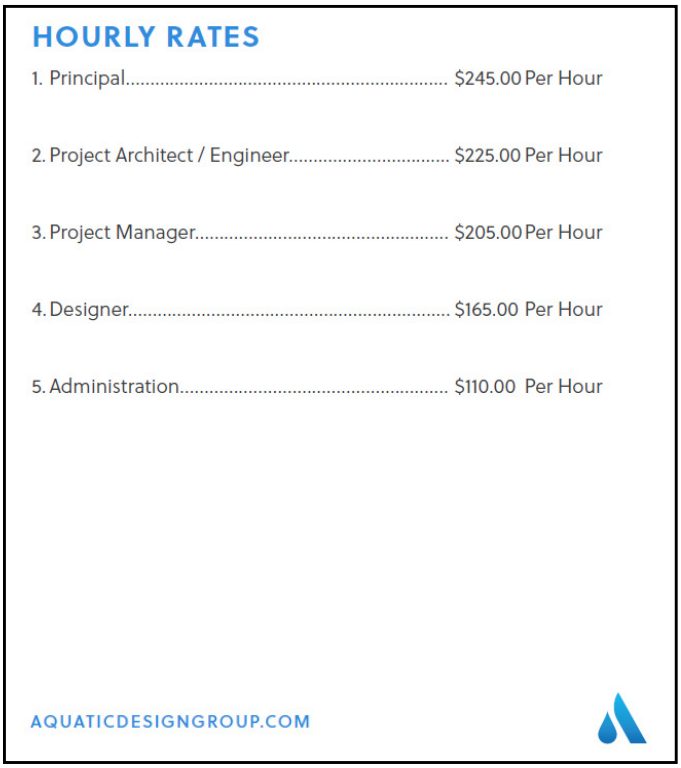
REIMBURSABLE EXPENSES

(Includes all expenses incurred during the course of the work not identified as basic service)

CONSULTANT SERVICES	(not included in basic service)	Cost plus 10%	
PRINTING/PHOTOGRAPHY	SIZE	B&W	COLOR
(in house)	Photocopies (8 ½ x 11)	$0.25	$1.00
	Photocopies (11 x 17)	$0.50	$2.00
	Plots/Large B&W (24 x 36 & 30 x 42)	$8.00	$35.00
(by vendor)	Reproductions/ Printing/Photography	Cost plus 10%	Cost plus 10%
DELIVERY/POSTAGE	Cost plus 10%		
TRAVEL	Auto- rate plus mileage billed at federal reimbursement rate		
	Air- rate, plus airfare at cost plus 10%		

TERMS

Billings are payable on the date submitted and are considered to be delinquent 30 days from invoice date unless otherwise agreed to. A finance charge of 15% APR will be added to past due accounts commencing from the date payment is due.



HOURLY RATES

1. Principal..... $245.00 Per Hour
2. Project Architect / Engineer..... $225.00 Per Hour
3. Project Manager..... $205.00 Per Hour
4. Designer..... $165.00 Per Hour
5. Administration..... $110.00 Per Hour

AQUATICDESIGNGROUP.COM

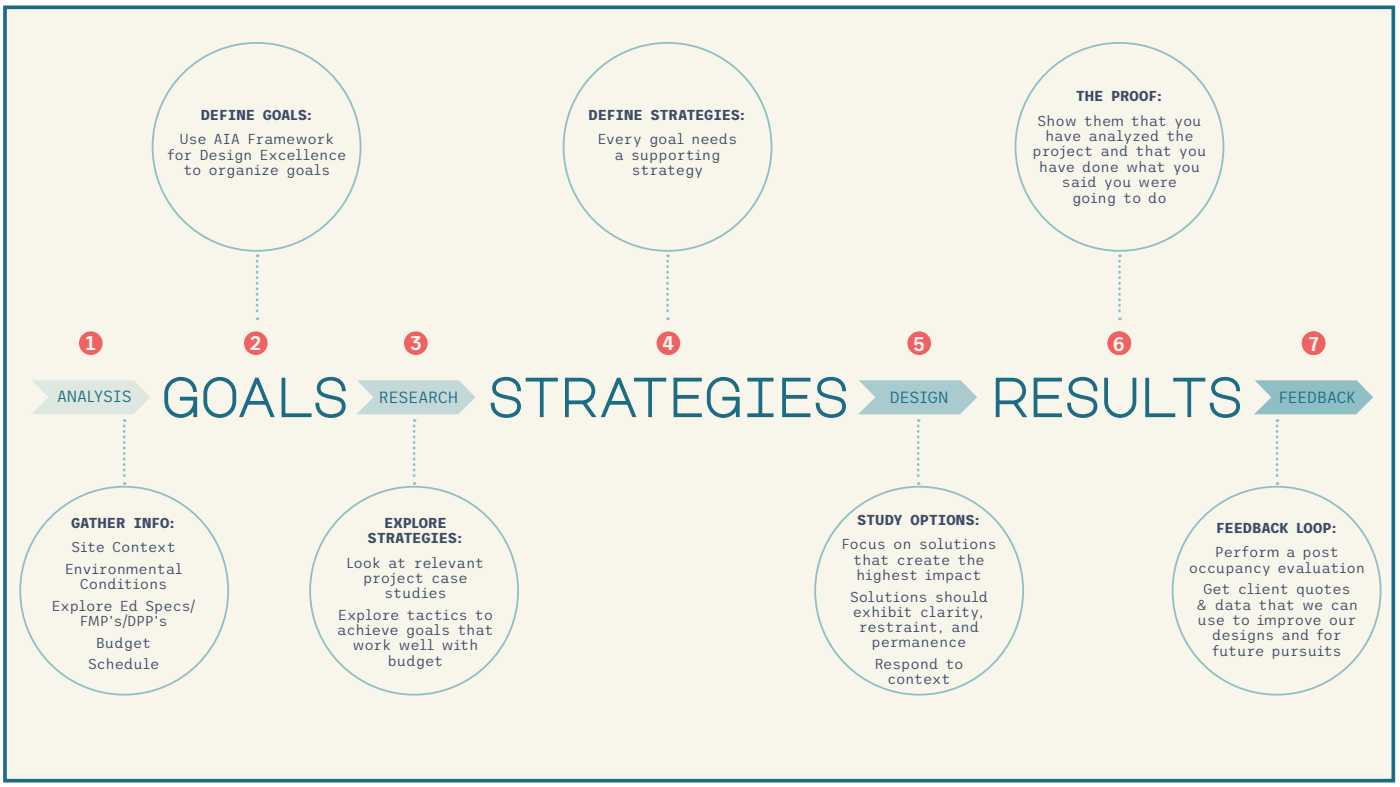
06 Approach and Understanding

Collaborative Approach Yields Successful Results

The Proposer shall provide a written narrative that addresses the Scope of Work and demonstrates the Proposer's understanding of the City's needs and requirements. Provide a thorough description demonstrating an understanding of the Scope of Work and its components. Describe how the Scope of Work will be implemented and monitored. In addition, describe staffing levels and timeframe necessary for tasks described in the Scope of Work. In reviewing the Scope of Work Services and goals described in Exhibit "A," the Proposer may identify additional necessary tasks and is invited to bring these to the City's attention within the discussion of its proposed method to accomplish the work.

Design Approach

HMC's design approach to each project is guided by our own set of design best practices that we personalize to our clients' needs. We start by defining the project goals and collecting information to inform our strategies as we test different options. We study our results and make the most informed choice for our client and their site needs. These decisions drive our future processes and guide us as we revisit our projects to ensure success.



Work Plan Approach

Below is an outline of a typical work plan across the phases of our basic architectural and engineering services. Every project is unique, and we will work with you to determine the appropriate work plan and phases for each of yours to come through your on-call during kick-off.

Kick-Off

Once HMC is awarded a project from your on-call contract, we will meet with the City to *"plan the plan."* We will listen and gather feedback from you to understand the goals for the project, including unique challenges and opportunities as seen by your stakeholders, team, site staff, and community. We will discuss and verify key factors such as schedule, budget, program, and scope, and work with your team to build the proper work plan, determine appropriate phases, and include the required consultants.

Planning, Programming, and Preliminary Design

This phase is not required for all projects but is essential if your project has an undefined program or scope. HMC will work closely with City staff and other stakeholders to develop a space program based on the specific project typology, conduct surveys with stakeholders, user groups, and community groups, and develop rough order of magnitude costs for the project. Together, we will ensure the final program is appropriate for the project, your budget, and the community it serves.

Schematic Design

This phase expands upon the design concepts prepared in the planning, programming, and preliminary design phase and becomes the foundation for all subsequent work by the design team. HMC will work closely with City staff and other stakeholders to confirm the design approach is contextual and meets the goals and vision for the project, and begin to identify architectural massing, "look and feel," building materials, and systems. We will also develop estimates of probable construction costs for the project to ensure that what is designed meets your budget.

Design Development

This phase begins the detailed design and production phase of the project and is built on the approved documents developed in Schematic Design. This phase is also the starting point of drawing and coordination for each engineering discipline, such as structural, mechanical, electrical, and plumbing.

Concurrently, we will begin to develop the building floor plan, incorporating input from consultants. We will coordinate elements of the exterior design as it relates to the interior of the building. The final Design Development package will be submitted to the cost estimator for Design Development Phase pricing. HMC will conduct a comprehensive page turn meeting with City staff and other stakeholders using the 100% Design Development deliverables to ensure that the indicated systems align with owner's project requirements.

HMC is proud of the relationship we have established with the City over the past decade. Pictured here, you can see our team leading workshops and design review sessions with City staff.



Left Image: *Brandon Gullotti, Jennifer Wehling, and the Ontario Sports Complex team during a planning workshop.*



Right Image: *City Manager, Scott Ochoa, in a virtual reality walk-through of the Convention Center design.*

Construction Documents / Agency Review & Approval

This phase utilizes the approved Design Development Package as the basis for continuation. Our team will prepare construction details, specifications, and coordinate systems and utilities between the architecture and engineering teams. A final quality assurance/quality control (QA/QC) internal plan review will be performed and addressed. Upon completion of QA/QC, we will submit the construction documents to the governing agencies for the required plan check review process. All corrective measures will be addressed accordingly, and the plans will be resubmitted to the appropriate departments for final approval and issuance of building permits. Upon incorporation of all review team and bidding agency comments, the plans will be compiled into a single bid document for issuance.

Bidding

As part of the project scope of services, the team will provide necessary support during the bidding and contract negotiations phase to ensure all bidders have accurate and consistent project information and will assist the City with establishing a fair, transparent process that leads to the selection of a capable contractor and a well-defined construction agreement.

Construction Administration

HMC sees the construction phase of a project as a continuation of an already highly collaborative process. The same HMC team that you have grown to trust during the design phase will continue into construction to avoid any institutional memory loss and keep the project moving forward.

We work collaboratively in all types of delivery methods and value the importance of a successful relationship between the City, HMC, and the contractor. Our goal is to ensure that you receive the project envisioned for the planned cost and the schedule promised to your stakeholders.

During this phase, the project team and assigned construction administrator (CA) are involved throughout the construction process. The CA will regularly visit the site, attend job meetings, and serve as your single point of contact during construction.

The CA will also be a member of the team during the development of the drawings, participating in quality control reviews to provide continuity and consistency when construction begins.

As the project nears its completion, the design team will meticulously review the construction, including the startup and testing of all systems for conformance and quality, prepare punch lists, and review required as-built documentation, warranties, and operation and maintenance manuals to ensure that all contract requirements have been met.



New Community Center,
City of Los Banos



Frontier Project,
Cucamonga Valley Water District



San Gabriel Valley Aquatic Center,
County of Los Angeles

CITY OF ONTARIO
303 EAST B STREET | ONTARIO, CALIFORNIA 91764
(909) 395-2000 FAX (909) 395-2070 OntarioCA.gov

PAUL S. LEON
MAYOR

DEBRA PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT OCHOA
CITY MANAGER

CITY OF ONTARIO
DESIGN SERVICES AGREEMENT

1. PARTIES AND DATE.

This Agreement is made and entered into as of _____, by and between the City of Ontario, a municipal corporation organized and operating under the laws of the State of California with its principal place of business at 303 East "B" Street, Ontario, California 91764-4196, County of San Bernardino, State of California ("City"), and **Holt Architects DBA Holt Architecture**, a **CORPORATION** with its principal place of business at 36951 Cook Street Ste. L, Palm Desert, CA 92211 (hereinafter referred to as "Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

2. RECITALS.

2.1 City. City is a municipal corporation organized under the laws of the State of California, with power to contract for services necessary to achieve its purpose.

2.2 Consultant**.** Consultant desires to perform and assume responsibility for the provision of certain professional engineering or architectural design services required by the City on the terms and conditions set forth in this Agreement. Consultant warrants that it is fully licensed, qualified, and willing to perform the services required by this Agreement; provided, however, that if Consultant is a corporation or other organization, the Project Consultant designated pursuant to Section 3.2, and not the Consultant itself, shall be fully licensed to practice as an **engineer or architect** in the State of California.

2.3 Project**.** City desires to engage Consultant to render such services for the D&C 24-012 ON-CALL ARCHITECTURAL, SPACE PLANNING AND ENGINEERING DESIGN SERVICES ("Project") as set forth in this Agreement.

3. TERMS

3.1 Employment of Consultant.

3.1.1 Scope of Services. Consultant promises and agrees to furnish to City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional engineering or architectural and related services necessary for the full and adequate completion of the Project consistent with the provisions of this Agreement (hereinafter referred to as "Services"). The Services are more particularly described throughout this Agreement, including Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement,

any exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations. All Services performed by Consultant shall be subject to the sole and discretionary approval of the City, which approval shall not be unreasonably withheld.

3.1.2 Term. The term of this Agreement shall be from **November 20, 2024,** to **November 20, 2027**, unless earlier terminated as provided herein. The City shall have the unilateral option, at its sole discretion, to renew this Agreement automatically for no more than two (2) additional one-year terms. Consultant shall complete the Services within the term of this Agreement, and shall meet any other established schedules and deadlines.

3.2 Project Consultant; Key Personnel.

3.2.1 **Engineer of Record OR Project Architect**. Consultant shall name a specific individual to act as Project Consultant, subject to the approval of City. Consultant hereby designates Thomas Howell, CEO/CFO, CA Architect License C31626 to act as the Engineer of Record OR Project Architect for the Project. The Engineer of Record OR Project Architect shall: (1) maintain oversight of the Services; (2) have full authority to represent and act on behalf of the Consultant for all purposes under this Agreement; (3) supervise and direct the Services using his or her best skill and attention; (4) be responsible for the means, methods, techniques, sequences and procedures used for the Services; (5) adequately coordinate all portions of the Services; and (6) act as principal contact with City and all contractors, consultants, engineers and inspectors on the Project. Any change in the Engineer of Record OR Project Architect shall be subject to the City's prior written approval, which approval shall not be unreasonably withheld. The new Engineer of Record OR Project Architect shall be of at least equal competence as the prior Engineer of Record OR Project Architect. In the event that City and Consultant cannot agree as to the substitution of a new Engineer of Record OR Project Architect, City shall be entitled to terminate this Agreement for cause.

3.2.2 Key Personnel. In addition to the Engineer of Record OR Project Architect, Consultant has represented to the City that certain additional key personnel, engineers and consultants will perform the Services under this Agreement. Should one or more of such personnel, engineers or consultants become unavailable, Consultant may substitute others of at least equal competence upon written approval of the City. In the event that City and Consultant cannot agree as to the substitution of key personnel, engineers or consultants, City shall be entitled to terminate this Agreement for cause. The key additional personnel, engineers and consultants for performance of this Agreement are as follows: Thomas Howell, CEO/CFO, CA Architect License C31626, Matthew Acton, Secretary, CA Architect License C37028

3.3 Hiring of Consultants and Personnel.

3.3.1 Right to Hire or Employ. Consultant shall have the option, unless City objects in writing after notice, to employ at its expense architects, engineers, experts or other consultants qualified and licensed to render services in connection with the planning and/or administration of the Project, and to delegate to them such duties as Consultant may delegate without relieving Consultant from administrative or other responsibility under this Agreement. Consultant shall be responsible for the coordination and cooperation of Consultant's architects, engineers, experts or other consultants. All consultants, including changes in consultants, shall be subject to approval by City in its sole and reasonable discretion. Consultant shall notify City of the identity of all consultants at least fourteen (14) days prior to their commencement of work to allow City to review their qualifications and approve to their participation on the Project in its sole and reasonable discretion.

3.3.2 Qualification and License. All architects, engineers, experts and other consultants retained by Consultant in performance of this Agreement shall be qualified to perform the Services assigned to them, and shall be licensed to practice in their respective professions, where required by law.

3.3.3 Standards and Insurance. All architects, engineers, experts and other consultants hired by Consultant shall be required to meet all of the same standards and insurance requirements set forth in this Agreement, unless other standards or requirements are approved by the City in writing. Unless changes are approved in writing by the City, Consultant's agreements with its consultants shall contain a provision making them subject to all provisions stipulated in this Agreement.

3.3.4 Assignments or Staff Changes. Consultant shall promptly obtain written City approval of any assignment, reassignment or replacement of such architects, engineers, experts and consultants, or of other staff changes of key personnel working on the Project. As provided in the Agreement, any changes in Consultant's consultants and key personnel shall be subject to approval by City.

3.3.5 Draftsman and Clerical Support. Draftsmen and clerical personnel shall be retained by Consultant at Consultant's sole expense.

3.4 Standard of Care.

3.4.1 Standard of Care. Consultant shall perform all Services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals qualified to perform the Services in the same discipline in the State of California, and shall be responsible to City for damages sustained by the City and delays to the Project as specified in the indemnification provision of this Agreement. Without limiting the foregoing, Consultant shall be fully responsible to the City for any increased costs incurred by the City as a result of any such delays in the design or construction of the Project. Consultant represents and maintains that it is skilled in the professional calling necessary to perform the Services. Consultant warrants and represents that all of its employees, architects, engineers, experts and other consultants shall have sufficient skill and experience to perform the Services assigned to them. Finally, Consultant represents that it, its employees, architects, engineers, experts and other consultants have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services assigned to or rendered by them and that such licenses and approvals shall be maintained throughout the term of this Agreement. As provided for in the indemnification provisions of this Agreement, Consultant shall perform, at its own cost and expense and without reimbursement from the City, any services necessary to correct errors or omissions which are caused by the Consultant's failure to comply with the standard of care provided for herein.

3.4.2 Performance of Employees. Any employee or consultant who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee or consultant who fails or refuses to perform the Services in a manner acceptable to the City, shall be promptly removed from the Project by the Consultant and shall not be re-employed to perform any of the Services or to work on the Project.

3.5 Laws and Regulations.

3.5.1 Knowledge and Compliance. Consultant shall keep itself fully informed of and in compliance with all applicable local, state and federal laws, rules and regulations in any manner affecting the performance of the Services or the Project, and shall give all notices required of the Consultant by law. Consultant shall be liable, pursuant to the standard of care and indemnification provisions of this Agreement, for all violations of such laws and regulations in connection with its Services. Consultant shall defend, indemnify and hold City, its officials, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

3.5.2 Drawings and Specifications. Consultant shall cause all drawings and specifications to conform to any applicable requirements of federal, state and local laws, rules and regulations, including the Uniform Building Code, in effect as of the time the drawings and specifications are prepared or revised during the latest phase of the Services described in Exhibit "A" attached hereto. Any significant revisions made necessary by changes in such laws, rules and regulations after this time may be compensated as Additional Services which were not known or reasonably should not have been known by Consultant. Consultant shall cause the necessary copies of such drawings and specifications to be filed with any governmental bodies with approval jurisdiction over the Project, in accordance with the Services described in Exhibit "A" attached hereto. For the preparation of all such drawings and specifications, the Consultant shall use Computer Aided Design Drafting ("CADD") (e.g., AutoCAD) or other technology acceptable to the Consultant and City.

3.5.3 Americans with Disabilities Act. Consultant will use its best professional efforts to interpret all applicable federal, state and local laws, rules and regulations with respect to access, including those of the Americans with Disabilities Act ("ADA"). Consultant shall inform City of the existence of inconsistencies of which it is aware or reasonably should be aware between federal and state accessibility laws, rules and regulations, as well as any other issues which are subject to conflicting interpretations of the law, and shall provide the City with its interpretation of such inconsistencies and conflicting interpretations. Unless Consultant brings such inconsistencies and conflicting interpretations to the attention of the City and requests City's direction on how to proceed, the Consultant's interpretation of such inconsistencies and conflicting interpretations shall be the sole responsibility and liability of Consultant, and the Consultant shall correct all plans, specifications and other documents prepared for the Project at no additional cost if its interpretations are shown to be incorrect. In the event that the Consultant request's City's direction on how to proceed with respect to any inconsistent and/or conflicting interpretation, the Consultant shall be responsible to the City only pursuant to the indemnification provisions of this Agreement.

3.5.4 Permits, Approvals and Authorizations. Consultant shall provide City with a list of all permits, approvals or other authorizations required for the Project from all federal, state or local governmental bodies with approval jurisdiction over the Project. Consultant shall then assist the City in obtaining all such permits, approvals and other authorizations. The costs of such permits, approvals and other authorizations shall be paid by the City.

3.5.5 Water Quality Management and Compliance. Consultant shall keep itself and all subcontractors, staff, and employees fully informed of and in compliance with all local, state and federal laws, rules and regulations that may impact, or be implicated by the performance of the Services including, without limitation, all applicable provisions of the City's ordinances

regulating water quality and storm water; the Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq*.); the California Porter-Cologne Water Quality Control Act (Cal Water Code §§ 13000-14950); and any and all regulations, policies, or permits issued pursuant to any such authority. Consultant shall additionally comply with the lawful requirements of the City, and any other municipality, drainage district, or other local agency with jurisdiction over the location where the Services are to be conducted, regulating water quality and storm water discharges. Failure to comply with laws, regulations, and ordinances listed in this Section is a violation of federal and state law.

3.6 Independent Contractor.

3.6.1 Control and Payment of Subordinates. City retains Consultant on an independent contractor basis and Consultant is not an employee of City. Consultant is not an employee for state tax, federal tax or any other purpose, and is not entitled to the rights or benefits afforded to City's employees. Any additional personnel performing the Services under this Agreement on behalf of Consultant shall also not be employees of City, and shall at all times be under Consultant's exclusive direction and control. Consultant shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. Consultant shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

3.7 Schedule of Services.

3.7.1 Consultant Services. Consultant shall fully and adequately complete the Services described in this Agreement and in Exhibit "A" attached hereto and incorporated herein by reference.

3.7.2 Timely Performance Standard. Consultant shall perform all Services hereunder as expeditiously as is consistent with professional skill and care, as well as the orderly progress of the Project work so as not to be the cause, in whole or in part, of delays in the completion of the Project or in the achievement of any Project milestones, as provided herein. Specifically, Consultant shall perform its Services so as to allow for the full and adequate completion of the Project within the time required by the City and within any completion schedules adopted for the Project. Consultant agrees to coordinate with City's staff, contractors and consultants in the performance of the Services, and shall be available to City's staff, contractors and consultants at all reasonable times.

3.7.3 Performance Schedule. Consultant shall prepare an estimated time schedule for the performance of Consultant's Services, to be adjusted as the Project proceeds. Such schedule shall be subject to the City's review and approval, which approval shall not be unreasonably withheld, and shall include allowances for periods of time required for City's review and approval of submissions, and for approvals of authorities having jurisdiction over Project approval and funding. If City and Consultant cannot mutually agree on a performance schedule, City shall have the authority to immediately terminate this Agreement. The schedule shall not be exceeded by Consultant without the prior written approval of City. If the Consultant's Services are not completed within the time provided by the agreed upon performance schedule, or any milestones established therein, it is understood, acknowledged and agreed that the City will suffer damage for which the Consultant will be responsible.

3.7.4 Excusable Delays. Any delays in Consultant's work caused by the following may be added to the time for completion of any obligations of Consultant: (1) the actions of City or its employees; (2) the actions of those in direct contractual relationship with City; (3) the actions of any governmental agency having jurisdiction over the Project; (4) the actions of any parties not within the reasonable control of the Consultant; and (5) any Force Majeure Event (as defined herein) or other unforeseen occurrence not due to any fault or negligence on the part of Consultant. Neither the City nor the Consultant shall be liable for damages, liquidated or otherwise, to the other on account of such delays.

3.7.5 Force Majeure Events. Neither City nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing Party. For purposes of this Agreement, such circumstances include a Force Majeure Event. A Force Majeure Event shall mean an event that materially affects a Party's performance and is one or more of the following: (1) Acts of God or other natural disasters; (2) terrorism or other acts of a public enemy; (3) orders of governmental authorities (including, without limitation, unreasonable and unforeseeable delay in the issuance of permits or approvals by governmental authorities that are required for the services); (4) strikes and other organized labor action occurring at the site and the effects thereof on the services, only to the extent such strikes and other organized labor action are beyond the control of Consultant and its subcontractors, and to the extent the effects thereof cannot be avoided by use of replacement workers; and (5) pandemics, epidemics or quarantine restrictions. For purposes of this section, "orders of governmental authorities," includes ordinances, emergency proclamations and orders, rules to protect the public health, welfare and safety, and other actions of a public agency applicable to the Services and Agreement. Should a Force Majeure Event occur, the non-performing Party shall, within fifteen (15) calendar days of the beginning of an Force Majeure Event, give written notice to the other Party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement. Force Majeure Events shall not entitle Consultant to any additional compensation. Notwithstanding the foregoing in this section, the City may still terminate this Agreement in accordance with the termination provisions of this Agreement.

3.7.6 Request for Excusable Delay Credit. The Consultant shall, within fifteen (15) calendar days of the beginning of any excusable delay, notify the City in writing of the causes of delay (unless City grants in writing a further period of time to file such notice prior to the date of final payment under the Agreement). City will then ascertain the facts and the extent of the delay, and grant an extension of time for completing the Services when, in its sole judgment, the findings of fact justify such an extension. The City's findings of fact thereon shall be final and conclusive on the Parties. Extensions of time shall apply only to that portion of the Services affected by the delay and shall not apply to other portions of the Services not so affected. The sole remedy of Consultant for extensions of time shall be an extension of the performance time at no cost to the City. If Additional Services are required as a result of an excusable delay, the Parties shall mutually agree thereto pursuant to the Additional Services provision of this Agreement. Should Consultant make an application for an extension of time, Consultant shall submit evidence that the insurance policies required by this Agreement remain in effect during the requested additional period of time.

3.8 Additional Services.

3.8.1 Request for Services. At City's request, Consultant may be asked to perform services not otherwise included in this Agreement, not included within the basic services

listed in Exhibit “A” attached hereto, and/or not customarily furnished in accordance with generally accepted architectural practice.

3.8.2 Definition. As used herein, “Additional Services” mean: (1) any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary for the Consultant to perform at the execution of this Agreement; or (2) any work listed as Additional Services in Exhibit “A” attached hereto. Consultant shall not perform, nor be compensated for, Additional Services without prior written authorization from City and without an agreement between the City and Consultant as to the compensation to be paid for such services. City shall pay Consultant for any approved Additional Services, pursuant to the compensation provisions herein, so long as such services are not made necessary through the fault of Consultant pursuant to the indemnification provision of this Agreement.

3.8.3 Examples of Additional Services. Such Additional Services shall not include any redesign or revisions to drawings, specifications or other documents when such revisions are necessary in order to bring such documents into compliance with applicable laws, rules, regulations or codes of which Consultant was aware or should have been aware pursuant to the laws and regulations provision of this Agreement above. Such Additional Services may include, but shall not be limited to:

(a) Separately Bid Portions of Project. Plan preparation and/or administration of work on portions of the Project separately bid.

(b) Furniture and Interior Design. Assistance to City, if requested, for the selection of moveable furniture, equipment or articles which are not included in the Construction Documents.

(c) Fault of Contractor. Services caused by delinquency, default or insolvency of contractor, or by major defects in the work of the contractor, provided that any such services made necessary by the failure of Consultant to detect and report such matters when it reasonably should have done so shall not be compensated.

(d) Inconsistent Approvals or Instructions. Revisions in drawings, specifications or other documents when such revisions are inconsistent with written approvals or instructions previously given and are due to causes beyond the control of Consultant.

(e) Legal Proceedings. Serving as an expert witness on City's behalf or attending legal proceedings to which the Consultant is not a party.

(f) Damage Repair. Supervision of repair of damages to any structure.

(g) Extra Environmental Services. Additional work required for environmental conditions (e.g. asbestos or site conditions) not already contemplated within the Consultant's services for the Project.

3.9 City Responsibilities. City’s responsibilities shall include the following:

3.9.1 Data and Information. City shall make available to Consultant all necessary data and information concerning the purpose and requirements of the Project, including scheduling and budget limitations, objectives, constraints and criteria. As part of the budget

limitation information, the City shall provide the Consultant with a preliminary construction budget ("City's Preliminary Construction Budget").

3.9.2 Project Survey. If required pursuant to the scope of the Project and if requested by Consultant, City shall furnish Consultant with, or direct Consultant to procure at City's expense, a survey of the Project site prepared by a registered surveyor or civil engineer, any other record documents which shall indicate existing structures, land features, improvements, sewer, water, gas, electrical and utility lines, topographical information and boundary dimensions of the site, and any other such pertinent information.

3.9.3 Bid Phase. Distribute Construction Documents to bidders and conduct the opening and review of bids for the Project.

3.9.4 Testing. Retain consultant(s) to conduct chemical, mechanical, soils, geological or other tests required for proper design of the Project, and furnish such surveys, borings, test pits, and other tests as may be necessary to reveal conditions of the site which must be known to determine soil condition or to ensure the proper development of the required drawings and specifications.

3.9.5 Required Inspections and Tests. Retain consultant(s) to conduct materials testing and inspection or environmental/hazardous materials testing and inspection pursuant to any applicable laws, rules or regulations.

3.9.6 Fees of Reviewing or Licensing Agencies. Directly pay or reimburse the payment of all fees required by any reviewing or licensing agency, or other agency having approval jurisdiction over the Project.

3.9.7 City's Representative. The City hereby designates the City Manager, or his or her designee, to act as its representative for the performance of this Agreement ("City's Representative"). City's Representative shall have the power to act on behalf of the City for all purposes under this Contract. The City Manager hereby designates **Cynthia Heredia-Torres, Project Manager**, or his or her designee, as the City's contact for the implementation of the Services hereunder. Contractor shall not accept direction or orders from any person other than the City's Representative or his or her designee.

3.9.8 Review and Approved Documents. Review all documents submitted by Consultant, including change orders and other matters requiring approval by the City Council or other officials. City shall advise Consultant of decisions pertaining to such documents within a reasonable time after submission, so as not to cause unreasonable delay as provided in the excusable delay provisions of this Agreement above.

3.10 Compensation.

3.10.1 Consultant's Compensation for Basic Services. City shall pay to Consultant, for the performance of all Services rendered under this Agreement, the total not to exceed amount of **Two Hundred Thousand** Dollars **($200,000**) ("Total Compensation"). This Total Compensation amount shall be based upon, and may be adjusted according to, the fee schedule and related terms and conditions attached hereto as Exhibit "B" and incorporated herein by reference. The Total Compensation, as may be adjusted upon mutual agreement, shall constitute complete and adequate payment for Services under this Agreement.

3.10.2 Payment for Additional Services. At any time during the term of this Agreement, City may request that Consultant perform Additional Services. As used herein, Additional Services means any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary at the execution of this Agreement. Any additional work in excess of this amount must be approved by the City. If authorized, such Additional Services will be compensated at the rates and in the manner set forth in Exhibit "C" attached hereto and incorporated herein by reference, unless a flat rate or some other form of compensation is mutually agreed upon by the Parties. If City requires Consultant to hire consultants to perform any Additional Services, Consultant shall be compensated therefore at the rates and in the manner set forth in Exhibit "C" attached hereto and incorporated herein by reference, unless a flat rate or some other form of compensation is mutually agreed upon by the Parties. City shall have the authority to review and approve the rates of any such consultants. In addition, Consultant shall be reimbursed for any expenses incurred by such consultants pursuant to the terms and conditions of Section 3.10.3.

3.10.3 Reimbursable Expenses. Reimbursable expenses are in addition to compensation for the Services and Additional Services. Consultant shall not be reimbursed for any expenses unless authorized in writing by City, which approval may be evidenced by inclusion in Exhibit "C" attached hereto. Such reimbursable expenses shall include only those expenses which are reasonably and necessarily incurred by Consultant in the interest of the Project. Consultant shall be required to acquire prior written consent in order to obtain reimbursement for the following: (1) extraordinary transportation expenses incurred in connection with the Project; (2) out-of-town travel expenses incurred in connection with the Project; (3) fees paid for securing approval of authorities having jurisdiction over the Project; (4) bid document duplication costs in excess of $1,000; and (5) other costs, fees and expenses in excess of $1,000.

3.10.4 Payment to Consultant. Consultant's compensation and reimbursable expenses shall be paid by City to Consultant no more often than monthly. Such periodic payments shall be made based upon the percentage of work completed, and in accordance with the phasing and funding schedule provided in Exhibit "B" and the compensation rates indicated in Exhibit "C" attached hereto and incorporated herein by reference. In order to receive payment, Consultant shall present to City an itemized statement which indicates Services performed, percentage of Services completed, method for computing the amount payable, and the amount to be paid. The statement shall describe the amount of Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement, as well as those expenses for which reimbursement is requested for that statement period. The amount paid to Consultant shall never exceed the percentage amounts authorized by the phasing and funding schedule located in Exhibit "B" attached hereto. City shall, within thirty (30) days of receiving such statement, review the statement and pay all approved charges thereon pursuant to the provisions of Civil Code Section 3320. Disputed amounts shall be resolved by the Parties in a mutually agreeable manner.

Payments made for Additional Services shall be made in installments, not more often than monthly, proportionate to the degree of completion of such services or in such other manner as the Parties shall specify when such services are agreed upon, and in accordance with any authorized fee or rate schedule. In order to receive payment, Consultant shall present to City an itemized statement which indicates the Additional Services performed, percentage of Additional Services completed, method for computing the amount payable, and the amount to be paid. The statement shall describe the amount of Additional Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. City shall, within thirty (30) days of receiving such statement, review

the statement and pay all approved charges thereon pursuant to the provisions of Civil Code Section 3320. Disputed amounts shall be resolved by the Parties in a mutually agreeable manner.

Upon cancellation or termination of this Agreement, Consultant shall be compensated as set forth in the termination provision herein.

3.10.5 Withholding Payment to Consultant. The City may withhold payment, in whole or in part, to the extent reasonably necessary to protect the City from claims, demands, causes of action, costs, expenses, liabilities, losses, damages, or injuries of any kind to the extent arising out of or caused by the negligence, recklessness, or willful misconduct protected under the indemnification provisions of this Agreement. Failure by City to deduct any sums from a progress payment shall not constitute a waiver of the City's right to such sums. The City may keep any moneys which would otherwise be payable at any time hereunder and apply the same, or so much as may be necessary therefor, to the payment of any expenses, losses, or damages as determined by the City, incurred by the City for which Consultant is liable under the Agreement or state law. Payments to the Consultant for compensation and reimbursable expenses due shall not be contingent on the construction, completion or ultimate success of the Project. Payment to the Consultant shall not be withheld, postponed, or made contingent upon receipt by the City of offsetting reimbursement or credit from Parties not within the Consultant's reasonable control.

3.10.6 Prevailing Wages. Consultant is aware of the requirements of California Labor Code Sections 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. Since the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and since the total compensation is $1,000 or more, Consultant agrees to fully comply with and to require its consultants to fully comply with such Prevailing Wage Laws. City shall provide Consultant with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. Consultant shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Consultant's principal place of business and at the Project site. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4. Consultant shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure of the Consultant or its consultants to comply with the Prevailing Wage Laws.

(a) Registration/DIR Compliance. If the Services are being performed as part of an applicable "public works project" of over $25,000 when the project is for construction, alteration, demolition, installation, or repair work, or a public works project of over $15,000 when the project is for maintenance work, in addition to the foregoing, then pursuant to Labor Code sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such Services must be registered with the Department of Industrial Relations ("DIR"). Consultant shall maintain

registration for the duration of the Project and require the same of any subconsultants. This project may also be subject to compliance monitoring and enforcement by the DIR. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements, including the submission of payroll records directly to the DIR. Any stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant.

3.10.7 Automated Clearing House ("ACH") payments. It is the City's policy to pay its consultant invoices via electronic fund transfers through the ACH network. All payments due and owing pursuant to a properly issued and correct invoice or under this Agreement shall be made through electronic ACH transfers, unless otherwise agreed upon by both Parties in writing. Consultant shall provide the City with ACH payment details whereby the City shall initiate the ACH transfers to Consultant in the amount required pursuant to a properly issued and correct invoice or under this Agreement. Each Party shall undertake any and all required actions and execute any required documents, instruments, or agreements required to effectuate the requirements of this Section. In the event the City erroneously deposits funds into an account, or otherwise deposits funds to which Consultant is not entitled: (1) Consultant shall immediately notify the City and the financial institution; (2) Consultant shall not withdraw any of the funds which were erroneously deposited or to which Consultant is not entitled; and (3) Consultant authorizes both the City and financial institution to take all actions necessary to correct the error and return to the City all funds erroneously deposited or to which Consultant is not entitled.

3.11 Notice to Proceed.

Consultant shall not proceed with performance of any Services under this Agreement unless and until the City provides a written notice to proceed.

3.12 Termination, Suspension and Abandonment.

3.12.1 Grounds for Termination; Consultant's Termination for Cause. City hereby reserves the right to suspend or abandon, at any time and for any reason, all or any portion of the Project and the construction work thereon, or to terminate this Agreement at any time with or without cause. Consultant shall be provided with at least seven (7) days advanced written notice of such suspension, abandonment or termination. In the event of such suspension, abandonment or termination, Consultant shall be paid for Services and reimbursable expenses rendered up to the date of such suspension, abandonment or termination, pursuant to the schedule of payments provided for in this Agreement, less any claims against or damages suffered by City as a result of the default, if any, by Consultant. Consultant hereby expressly waives any and all claims for damages or compensation arising under this Agreement, except as set forth herein, in the event of such suspension, abandonment or termination. Consultant may terminate this Agreement for substantial breach of performance by the City such as failure to make payment to Consultant as provided in this Agreement.

3.12.2 City's Suspension of Work. If Consultant's Services are suspended by City, City may require Consultant to resume such Services within ninety (90) days after written notice

from City. When the Project is resumed, the Total Compensation and schedule of Services shall be equitably adjusted upon mutual agreement of the City and Consultant.

3.12.3 Documents and Other Data. Upon suspension, abandonment or termination, Consultant shall provide to City all preliminary studies, sketches, working drawings, specifications, computations, and all other Project Documents, as defined below, to which City would have been entitled at the completion of Consultant's Services under this Agreement. Upon payment of the amount required to be paid to Consultant pursuant to the termination provisions of this Agreement, City shall have the rights, as provided in this Agreement hereinafter, to use such Project Documents prepared by or on behalf of Consultant under this Agreement. Consultant shall make such documents available to City upon request and without additional compensation other than as may be approved as a reimbursable expense.

3.12.4 Employment of other Consultants. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

3.13 Ownership and Use of Documents; Confidentiality.

3.13.1 Ownership. All plans, specifications, original or reproducible transparencies of working drawings and master plans, preliminary sketches, architectural presentation drawings, structural computations, estimates and any other documents prepared pursuant to this Agreement, including, but not limited to, any other works of authorship fixed in any tangible medium of expression such as writings, physical drawings and data magnetically or otherwise recorded on computer diskettes (hereinafter referred to as the "Project Documents") shall be and remain the property of City. Although the official copyright in all Project Documents shall remain with the Consultant or other applicable subcontractors or consultants, the Project Documents shall be the property of City whether or not the work for which they were made is executed or completed. Within thirty (30) calendar days following completion of the Project, Consultant shall provide to City copies of all Project Documents required by City. In addition, Consultant shall retain copies of all Project Documents on file for a minimum of fifteen (15) years following completion of the Project, and shall make copies available to City upon the payment of reasonable duplication costs. Before destroying the Project Documents following this retention period, Consultant shall make a reasonable effort to notify City and provide City with the opportunity to obtain the documents.

3.13.2 Right to Use. Consultant grants to City the right to use and reuse all or part of the Project Documents, at City's sole discretion and with no additional compensation to Consultant, for the following purposes:

(a) The construction of all or part of this Project.

(b) The repair, renovation, modernization, replacement, reconstruction or expansion of this Project at any time;

(c) The construction of another project by or on behalf of the City for its ownership and use;

City is not bound by this Agreement to employ the services of Consultant in the event such documents are used or reused for these purposes. City shall be able to use or reuse the Project Documents for these purposes without risk of liability to the Consultant or third parties with respect

to the condition of the Project Documents, and the use or reuse of the Project Documents for these purposes shall not be construed or interpreted to waive or limit City's right to recover for latent defects or for errors or omissions of the Consultant.

Any use or reuse by City of the Project Documents on any project other than this Project without employing the services of Consultant shall be at City's own risk with respect to third parties. If City uses or reuses the Project Documents on any project other than this Project, it shall remove the Consultant's seal from the Project Documents and hold harmless Consultant and its officers, directors, agents and employees from claims arising out of the negligent use or re-use of the Project Documents on such other project.

3.13.3 License. This Agreement creates a non-exclusive and perpetual license for City to copy, use, modify or reuse any and all Project Documents and any intellectual property rights therein. Consultant shall require any and all subcontractors and consultants to agree in writing that City is granted a non-exclusive and perpetual license for the work of such subcontractors or consultants performed pursuant to this Agreement.

3.13.4 Right to License. Consultant represents and warrants that Consultant has the legal right to license any and all copyrights, designs and other intellectual property embodied in the Project Documents that Consultant prepares or causes to be prepared pursuant to this Agreement. Consultant shall indemnify and hold City harmless pursuant to the indemnification provisions of this Agreement for any breach of this Section. Consultant makes no such representation and warranty in regard to previously prepared designs, plans, specifications, studies, drawings, estimates or other documents that were prepared by design professionals other than Consultant and provided to Consultant by City.

3.13.5 Confidentiality. All Project Documents, either created by or provided to Consultant in connection with the performance of this Agreement, shall be held confidential by Consultant to the extent they are not subject to disclosure pursuant to the Public Records Act. All Project Documents shall not, without the written consent of City, be used or reproduced by Consultant for any purposes other than the performance of the Services. Consultant shall not disclose, cause or facilitate the disclosure of the Project Documents to any person or entity not connected with the performance of the Services or the Project. Nothing furnished to Consultant which is otherwise known to Consultant or is generally known, or has become known, to the related industry shall be deemed confidential. Consultant shall not use City's name or insignia, photographs of the Project, or any publicity pertaining to the Services or the Project in any magazine, trade paper, newspaper, television or radio production or other similar medium without the written consent of City.

3.14 Indemnification.

3.14.1 To the fullest extent permitted by law, Consultant shall defend (with counsel of City's choosing), indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's Services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses except such loss or damage caused by the sole negligence or willful misconduct of the City. Consultant's obligation to indemnify shall

survive expiration or termination of this Agreement and shall not be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

3.14.2 If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance as a "design professional" (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

3.15 Insurance. Consultant shall not commence work under this Agreement until it has provided evidence satisfactory to the City that it has secured all insurance required under this Section. In addition, Consultant shall not allow any subconsultant to commence work on any subcontract until it has provided evidence satisfactory to the City that the subconsultant has secured all insurance required under this section.

3.15.1 Types of Insurance Required. As a condition precedent to the effectiveness of this Agreement for work to be performed hereunder, and without limiting the indemnity provisions of the Agreement, Consultant shall, at its expense, procure and maintain in full force and effect for the duration of the Agreement the following policies of insurance. If the existing policies do not meet the insurance requirements set forth herein, Consultant agrees to amend, supplement or endorse the policies to do so.

3.15.2 Additional Insured. The City of Ontario, its officials, officers, employees, agents, and volunteers shall be named as additional insureds on Consultant's and its subconsultants' policies of commercial general liability and automobile liability insurance using the endorsements and forms specified herein or exact equivalents.

3.15.3 Commercial General Liability

(a) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the City.

(b) Coverage for Commercial General Liability insurance shall be at least as broad as the following: Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent. Commercial General Liability Insurance must include coverage for the following:

(i) Bodily Injury and Property Damage

(ii) Personal Injury/Advertising Injury

(iii) Premises/Operations Liability

(iv) Products/Completed Operations Liability

(v) Aggregate Limits that Apply per Project

(vi) Explosion, Collapse and Underground (UCX) exclusion deleted

(vii) Contractual Liability with respect to this Contract

(viii) Broad Form Property Damage

(ix) Independent Consultants Coverage

(c) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(d) The policy shall give City, the City Council and each member of the City Council, its officers, employees, agents and City designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(e) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the City, and provided that such deductibles shall not apply to the City as an additional insured.

3.15.4 Automobile Liability

(a) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, in a form and with insurance companies acceptable to the City.

(b) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(c) The policy shall give City, the City Council and each member of the City Council, its officers, employees, agents and City designated volunteers additional insured status.

(d) Subject to written approval by the City, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the City as an additional insured, but not a self-insured retention.

3.15.5 Workers' Compensation/Employer's Liability

(a) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(b) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this Section.

3.15.6 Professional Liability (Errors and Omissions)

(a) At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the City and in an amount indicated herein. This insurance shall be written on a policy form coverage specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

3.15.7 Minimum Policy Limits Required

(a) The following insurance limits are required for the Agreement:

Coverage	Combined Single Limit
Commercial General Liability	$2,000,000 per occurrence/ $4,000,000 aggregate for bodily injury, personal injury, and property damage
Automobile Liability	$2,000,000 per occurrence for bodily injury and property damage
Employer's Liability	$1,000,000 per occurrence
Professional Liability	$2,000,000 per claim and aggregate (errors and omissions)

(b) Defense costs shall be payable in addition to the limits.

(c) Requirements of specific coverage or limits contained in this Section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

3.15.8 Evidence Required

(a) Prior to execution of the Agreement, the Consultant shall file with the City evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord

Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

3.15.9 Policy Provisions Required

(a) Consultant shall provide the City at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the City at least ten (10) days prior to the effective date of cancellation or expiration.

(b) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, deductible, or self-insurance maintained by the City, its officials, officers, employees, agents, or volunteers shall not contribute with this primary insurance. Policies shall contain or be endorsed to contain such provisions.

(c) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(d) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(e) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the City and shall not preclude the City from taking such other actions available to the City under other provisions of the Agreement or law.

3.15.10 Qualifying Insurers

(a) All policies required shall be issued by acceptable insurance companies, as determined by the City, which satisfy the following minimum requirements: Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or

otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

3.15.11 Additional Insurance Provisions

(a) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the City, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(b) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Consultant or City will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, City may cancel this Agreement.

(c) The City may require the Consultant to provide complete copies of all insurance policies in effect for the duration of the Project.

(d) Neither the City nor the City Council, nor any member of the City Council, nor any of the officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

3.15.12 Subconsultant Insurance Requirements

(a) Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the City that they have secured all insurance required under this Section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the City as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant, City may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

3.16 Records.

Consultant shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Consultant shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Consultant shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of five (5) years from the date of final payment under this Agreement.

3.17 Standardized Manufactured Items.

Consultant shall cooperate and consult with City in the use and selection of manufactured items on the Project, including but not limited to, paint, hardware, plumbing, mechanical and electrical equipment, fixtures, roofing materials and floor coverings. All such manufactured items

shall be standardized to City's criteria to the extent such criteria do not interfere with building design.

3.18 Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described herein. Any additional or subsequent construction at the site of the Project, or at any other City site, will be covered by, and be the subject of, a separate Agreement for engineering or architectural services between City and the Consultant chosen therefor by City.

3.19 Mediation.

Disputes arising from this Agreement may be submitted to mediation if mutually agreeable to the Parties hereto. The type and process of mediation to be utilized shall be subject to the mutual agreement of the Parties.

3.20 Successors and Assigns.

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of City. Any attempted assignment without such consent shall be invalid and void.

3.21 Asbestos Certification.

Consultant shall certify to City, in writing and under penalty of perjury, that to the best of its knowledge, information and belief no asbestos-containing material or other material deemed to be hazardous by the state or federal government was specified as a building material in any construction document that the Consultant prepares for the Project. Consultant shall require all consultants who prepare any other documents for the Project to submit the same written certification. Consultant shall also assist the City in ensuring that contractors provide City with certification, in writing and under penalty of perjury, that to the best of their knowledge, information and belief no material furnished, installed or incorporated into the Project contains asbestos or any other material deemed to be hazardous by the state or federal government. These certifications shall be part of the final Project submittal. Consultant shall include statements in its specifications that materials containing asbestos or any other material deemed to be hazardous by the state or federal government are not to be included.

3.22 No Third Party Rights.

This Agreement shall not create any rights in, or inure to the benefits of, any third party except as expressly provided herein.

3.23 Governing Law.

This Agreement shall be construed in accordance with, and governed by, the laws of the State of California. Venue shall be in San Bernardino County.

3.24 Exhibits and Recitals.

All exhibits and recitals contained herein and attached hereto are material parts of this Agreement and are incorporated as if fully set forth.

3.25 Severability.

Should any provision in the Agreement be held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall continue in full force and effect.

3.26 Non-Waiver.

None of the provisions of this Agreement shall be considered waived by either Party, unless such waiver is specifically specified in writing.

3.27 Safety.

Consultant shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Consultant shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of its employees, consultant and subcontractors appropriate to the nature of the work and the conditions under which the work is to be performed.

3.28 Harassment Policy.

Consultant shall provide a copy of the City's Harassment Policy to each of its employees assigned to perform the tasks under this Agreement. Consultant shall submit to the City's Personnel Manager a statement signed by each of its employees who are assigned to perform the Services under this Agreement certifying receipt of City's Harassment Policy and certifying that they have read the Harassment Policy. A finding by the City that any of Consultant's employees has harassed a City employee shall be grounds for appropriate discipline, up to and including such employee's removal from performance of this Agreement at City's request.

3.29 Delivery of Notices.

All notices permitted or required under this Agreement shall be given to the respective Parties at the following address, or at such other address as the respective Parties may provide in writing for this purpose:

CITY:	CONSULTANT:
City of Ontario	Holt Architects
303 East “B” Street	36951 Cook Street Ste. L
Ontario, CA 91764	Palm Desert, CA 92211
Attn: Cynthia Heredia-Torres	Attn: Thomas Howell

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the Party

at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

3.30 Time of Essence.

Time is of the essence for each and every provision of this Agreement.

3.31 City's Right to Employ Other Consultants.

City reserves right to employ other consultants, including designers, in connection with this Project or other projects.

3.32 Prohibited Interests.

3.32.1 Solicitation. Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability.

3.32.2 Conflict of Interest. For the term of this Agreement, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.33 Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or any other classification protected by federal or state law. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Consultant shall also comply with all relevant provisions of City's minority business enterprise program, affirmative action plan or other related programs or guidelines currently in effect or hereinafter enacted.

3.34 Labor Certification.

By its signature hereunder, Consultant certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.

3.35 Subcontracting.

As specified in this Agreement, Consultant shall not subcontract any portion of the Services required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to each and every provision of this Agreement.

3.36 Supplemental Conditions.

Any supplemental conditions shall be attached as an exhibit to this Agreement, and that exhibit shall be incorporated herein by reference.

3.37 Entire Agreement.

This Agreement, with its exhibits, contains the entire agreement of the Parties hereto, and supersedes any and all other prior or contemporaneous negotiations, understandings and oral or written agreements between the Parties hereto. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. Furthermore, any modification of this Agreement shall only be effective if in writing signed by all Parties hereto.

SIGNATURES ON FOLLOWING PAGE

SIGNATURE PAGE FOR DESIGN SERVICES AGREEMENT
BETWEEN THE CITY OF ONTARIO
AND HOLT ARCHITECTS DBA HOLT ARCHITECTURE

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY OF ONTARIO	**Holt Architects DBA Holt Architecture**
Approved By:	
_____	By: _____
Scott Ochoa City Manager	Its: _____
Approved as to Form:	Printed Name: _____
_____	By: _____
Best Best & Krieger LLP City Attorney	Its: _____
	Printed Name: _____
Attested By:	
_____	[If Corporation, TWO SIGNATURES, President OR Vice President AND Secretary OR Treasurer REQUIRED]
City Clerk	

EXHIBIT "A"
SCOPE OF SERVICES

1. GENERAL REQUIREMENTS.

1.1 Basic Services. Consultant agrees to perform all the necessary professional architectural, engineering (e.g. mechanical, electrical, plumbing, structural, site engineering, and any other necessary engineering services mutually agreeable to the Parties) and construction administration services for the Project in a timely and professional manner, consistent with the standards of the profession, including those provided for herein.

1.2 Exclusions from Basic Services. The following services shall be excluded from the basic services listed above: soils engineering, geotechnical services, and hazardous waste or toxic substances engineering.

1.3 Additional Services. Consultant shall perform the following Additional Services for the Project: Project Specific

1.4 Communication with City. Consultant shall participate in consultations and conferences with authorized representatives of City and/or other local, regional, or state agencies concerned with the Project, which may be necessary for the completion of the Project or the development of the drawings, specifications and documents in accordance with the applicable standards and requirements of law and the City. Such consultations and conferences shall continue throughout the planning and construction of the Project and the contractor's warranty period. Consultant shall take direction only from the City's Representative, or any other representative specifically designated by the City for this Project, including any construction manager hired by the City.

1.5 Coordination and Cooperation with Construction Manager. The City may hire a construction manager to administer and coordinate all or any part of the Project on its behalf. If the City does so, it shall provide a copy of its agreement with the construction manager so that the Consultant will be fully aware of the duties and responsibilities of the construction manager. The Consultant shall cooperate with the construction manager and respond to any requests or directives authorized by the City to be made or given by the construction manager. The Consultant shall request clarification from the City in writing if the Consultant should have any questions regarding the authority of the construction manager.

2. INITIAL PLANNING PHASE.

During the initial planning phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

2.1 Project Feasibility. Provide advice and assistance to City in determining the feasibility of the Project, analysis of the type and quality of materials and construction to be selected, the site location, and other initial planning matters.

2.2 Meeting Budget and Project Goals. Consultant shall notify City in writing of potential complications, cost overruns, unusual conditions, and general needs that potentially impact the Project budget and time line, including the City's Preliminary Construction Budget. Consultant shall use its best judgment in determining the balance between the size, type and quality of construction to achieve a satisfactory solution within the Project's budget and

construction allowance. It shall be the duty of the Consultant to design the Project within budget. As discussed herein, including in Section 7.3, if the lowest responsive and responsible bid for the Project exceeds the budget by the stated amount, Consultant may be required to make the necessary changes in the drawing and specifications, at its sole cost and expense, to bring the bids within the required budget.

2.3 Permits, Approvals and Authorizations. As indicated in Section 3.5.4 of the Agreement, Consultant shall assist City in securing easements, encroachment permits, rights of way, dedications, infrastructures and road improvements, as well as coordinating with utilities and adjacent property owners.

3. SCHEMATIC PLAN PHASE.

During the schematic plan phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

3.1 Funding Documents. Consultant shall provide a site plan and all other Project-related information necessary and required for an application by City to any federal, state, regional, or local agencies for funds to finance the construction Project.

3.2 Schematic Plans. In cooperation with City, Consultant shall prepare preliminary plans and studies, schematic drawings, site utilization plans, and phasing plans showing the scale and relationship of the components of the Project, the plot plan development at the site, and the proposed architectural concept of the buildings ("Schematic Plans"). Consultant shall incorporate the functional requirements of City into the Schematic Plans. The Schematic Plans shall meet all laws, rules and regulations of the State of California. The Schematic Plans shall show all rooms incorporated in each building of the Project in single-line drawings, and shall include all revisions required by City or by any federal, state, regional or local agency having jurisdiction over the Project. All architectural drawings for the Project shall be in a form suitable for reproduction.

3.3 Preliminary Project Budget. Consultant shall use the City's Preliminary Construction Budget and its own expertise and experience with the Project to establish a preliminary project budget or allowance in a format required by City ("Consultant's Preliminary Project Budget"). The purpose of the Consultant's Preliminary Project Budget is to show the probable Project cost in relation to City's Preliminary Construction Budget and the construction standards of any applicable funding agency. If Consultant perceives site considerations which render the Project expensive or cost prohibitive, Consultant shall disclose such conditions in writing to City immediately. As discussed herein, including in Section 7.3, if the lowest responsive and responsible bid for the Project exceeds the budget by more than the stated amount, Consultant may be required to make the necessary changes in the drawings and specifications, at its sole cost and expense, to bring the bids within the required budget Consultant shall provide a preliminary written time schedule for the performance of all construction work on the Project.

3.4 Copies of Schematic Plans and Other Documents. Consultant, at its own expense, shall provide a complete set of the Schematic Plans described herein for City's review and approval. Additionally, at City's expense, Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

4. DESIGN DEVELOPMENT PHASE.

During the design development phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

4.1 Design Development Documents. Once City provides Consultant with specific written approval of the Schematic Plans described herein, Consultant shall prepare design development documents consisting of: (1) site and floor plans; (2) elevations; and (3) any other drawings and documents sufficient to fix and describe the types and makeup of materials, as well as the size and character of the Project's structural, mechanical and electrical systems, and to outline the Project specifications ("Design Development Documents"). The Design Development Documents shall be prepared in sufficient form to present to the City Council for approval.

4.2 Copies of Design Development and Other Documents. Consultant, at its own expense, shall provide a complete set of the Design Development Documents described herein for City's review and approval. Additionally, at City's expense, Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

4.3 Updated Project Budget. Consultant shall use its Preliminary Project Budget and expertise and experience with the Project to establish an updated estimate of probable construction costs, containing detail consistent with the Design Development Documents as set forth herein and containing a breakdown based on types of materials and specifications identified herein ("Consultant's Updated Project Budget").

4.4 Timetable. Consultant shall provide a written timetable for full and adequate completion of the Project to City.

4.5 Application for Approvals. Consultant shall assist City in applying for and obtaining required approvals from all federal, state, regional or local agencies concerned with the Project. Consultant shall furnish and process all architectural and engineering information required to prepare and process applications to applicable utilities in order to secure priorities and materials, to aid in the construction of the Project and to obtain final Project approval and acceptance by any of the above agencies as may be required.

4.6 Color and Other Aesthetic Issues. Consultant shall provide, for City's review and approval, a preliminary schedule of all color materials and selections of textures, finishes and other matters involving an aesthetic decision about the Project.

5. FINAL WORKING DRAWINGS AND SPECIFICATIONS.

During the final working drawings and specifications phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

5.1 Final Working Drawings and Specifications. Once City provides Consultant with specific written approval of the Design Development Documents described herein, Consultant shall prepare such complete working drawings and specifications as are necessary for developing complete bids and for properly executing the Project work in an efficient and thorough manner ("Final Working Drawings and Specifications"). Such Final Working Drawings and Specifications shall be developed from the Schematic Plans and Design Development Documents approved by City. The Final Working Drawings and Specifications shall set forth in

detail all of the following: (1) the Project construction work to be done; (2) the materials, workmanship, finishes, and equipment required for the architectural, structural, mechanical, and electrical systems; and (3) the utility service connection equipment and site work. As indicated in Section 3.9.2 of the Agreement, City may be requested to supply Consultant with the necessary information to determine the proper location of all improvements on and off site, including record drawings ("as-built drawings") in City's possession. Consultant will make a good-faith effort to verify the accuracy of such information by means of a thorough interior and exterior visual survey of site conditions. City shall also make a good-faith effort to verify the accuracy of the as-built drawings and provide any supplemental information to Consultant which may not be shown on the as-built drawings.

5.2 Form. The Final Working Drawings and Specifications must be in such form as will enable Consultant and City to secure the required permits and approvals from all federal, state, regional or local agencies concerned with the Project. In addition, the Final Working Drawings and Specifications must be in such form as will enable City to obtain, by competitive bidding, a responsible and responsive bid within the applicable budgetary limitations and cost standards. The Final Working Drawings and Specifications shall be clear and legible so that uniform copies may be on standard architectural size paper, properly indexed and numbered, and shall be capable of being clearly copied and assembled in a professional manner by Consultant.

5.3 Approval and Revisions. City shall review, study, and check the Final Working Drawings and Specifications presented to it by Consultant, and request any necessary revisions or obtain any necessary approvals by the City Council, subject to the approval of all federal, state, regional or local agencies concerned with the Project. Consultant shall make all City-requested changes, additions, deletions, and corrections in the Final Working Drawings and Specifications at no additional cost, so long as they are not in conflict with the requirements of public agencies having jurisdiction or prior approval, or inconsistent with earlier City direction or Consultant's professional judgment. Consultant shall bring any such conflicts and/or inconsistencies to the attention of City. The Parties agree that Consultant, and not the City, possesses the requisite expertise to determine the constructability of the Final Working Drawings and Specifications. However, the City reserves the right to conduct one or more constructability review processes with the Final Working Drawings and Specifications, and to hire an independent architect or other consultant to perform such reviews. Any such independent constructability review shall be at City's expense. Consultant shall make all City-requested changes, additions, deletions, and corrections in the Final Working Drawings and Specifications which may result from any constructability review, at no additional cost to the City, so long as they are not in conflict with the requirements of public agencies having jurisdiction or prior approval, or inconsistent with earlier City direction or Consultant's professional judgment. If such changes, additions, deletions or corrections are inconsistent with prior City direction, Consultant shall make such alterations and be compensated therefore pursuant to the Additional Services provision of this Agreement.

5.4 Costs of Construction. It is understood by Consultant that should the Final Working Drawings and Specifications be ordered by City, City shall specify the sum of money set aside to cover the total cost of construction of the work, exclusive of Consultant's fees. Should it become evident that the total construction cost will exceed the specified sum, Consultant shall at once present a statement in writing to the City's Representative setting forth this fact and giving a full statement of the cost estimates on which the conclusion is based.

5.5 Copies of Final Working Drawings and Specifications and Other Documents. Consultant, at its own expense, shall provide a complete set of the Final Working Drawings and Specifications described herein for City's review and approval. Additionally, at City's expense,

Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

6. CONSTRUCTION CONTRACT DOCUMENTS.

During the construction contract documents phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

6.1 Bid and Contract Documents. If so required by City, Consultant shall assist City in the completion of all bid and construction documents, including but not limited to, the Notice Inviting Bids, Instructions to Bidders, Contract Bid Forms (including Alternate Bids as requested by City), `Contract, General Conditions, Supplementary General Conditions, Special Conditions, DVBE and other applicable affirmative action documents, Performance Bond, Payment Bond, Escrow Agreement for Security Deposits, and any other certifications and documents required by federal, state and local laws, rules and regulations which may be reasonably required in order to obtain bids responsive to the specifications and drawings. All such documents shall be subject to the approval of City and City's legal counsel.

6.2 Final Estimate. At the time of delivery of these bid and construction documents, which shall include the Final Working Drawings and Specifications (collectively referred to herein as the "Construction Documents"), Consultant shall provide City with its final estimate of probable construction cost ("Consultant's Final Estimate"). As discussed herein, including in Section 7.3, it shall be the Consultant's duty to design the Project within budget.

7. BID PHASE.

During the bid phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

7.1 Reproducible Construction Documents. Once City provides Consultant with specific written approval of the Construction Documents and Consultant's Final Estimate, Consultant shall provide to City one set of reproducible Construction Documents.

7.2 Distribution of Contract Documents and Review of Bids. Consultant shall assist City in distributing the Construction Documents to bidders and conducting the opening and review of bids for the Project.

7.3 Over Budget. If the apparent lowest responsive and responsible bid on the Project exceeds the Consultant's Final Estimate by more than five percent (5%), City may request Consultant to amend, at Consultant's sole cost and expense, the Final Drawings and Specifications in order to rebid the Project and receive a lowest responsive and responsible bid equal to or less than the Consultant's Final Estimate. All revisions necessary to bring the lowest responsible and responsive bid within the Consultant's Final Estimate, including any omissions, deferrals or alternates, shall be made in consultation with, and subject to the approval of, the City.

8. CONSTRUCTION PHASE.

During the construction phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

8.1 Observation. The Project Consultant shall observe work executed from the Final Working Drawings and Specifications in person, provided that City may, in its discretion, consent to such observation by another competent representative of Consultant.

8.2 General Administration. Consultant shall provide general administration of the Construction Documents and the work performed by the contractors.

8.3 Pre-Construction Meeting. Consultant shall conduct one or more pre-construction meetings, as the City determines is needed for the Project, with all interested Parties.

8.4 Site Visits of Contractor's Work. Consultant shall conduct site visits to observe each contractors' work for general conformance with the Construction Documents and with any approved construction schedules or milestones. Such site visits shall be conducted as often as are necessary and appropriate to the stage of construction, according to the City's sole discretion, but in no event less than weekly.

8.5 Site Visits of Inspector's Work. Consultant shall conduct site visits to communicate and observe the activities of the City inspectors. Such site visits shall be conducted as often as is mutually acceptable to Consultant and City. Consultant shall direct the City inspectors and the Project contractors to coordinate the preparation of record drawings indicating dimensions and location of all "as-built" conditions, including but not limited to, underground utility lines.

8.6 Coordination of Subconsultants. Consultant shall cause all architects, engineers and other consultants, as may be hired by Consultant or City, to observe the work completed under their disciplines as required, and approve and review all test results for general conformance with the Construction Documents.

8.7 Reports. Consultant shall make regular reports as may be required by applicable federal, state or local laws, rules or regulations, as well as the federal, state, regional or local agencies concerned with the Project.

8.8 Construction Meetings; Minutes. Consultant shall attend all construction meetings and provide written reports/minutes to the City after each construction meeting in order to keep City informed of the progress of the work. Such meetings shall occur at a frequency necessary for the progress of the Project work, according to the City's sole discretion, but no less than weekly.

8.9 Written Reports. Consultant shall make written reports to City as necessary to inform City of problems arising during construction, changes contemplated as a result of each such problems, and progress of the Project work.

8.10 Written Records. Consultant shall keep accurate written records of the progress and quality of the Project work and the time schedules, and shall advise the contractors and City of any deviations from the time schedule which could delay timely completion of the Project.

8.11 Material and Test Reports. Consultant shall check and process, in a timely manner, all required material and test reports for the Project work. In addition, Consultant shall provide notice of any deficiencies in material or work reflected in such reports, as well as its recommendation for correction of such deficiencies, to the contractors and City.

8.12 Review and Response to Submissions. Consultant shall review and respond, in a timely manner, to all schedules, submittals, shop drawings, samples, information requests, change requests, and other submissions of the contractor and subcontractors for compliance with, or alterations and additions to, the Construction Documents. Consultant's review and response shall be done in such a manner so as to ensure the timely and uninterrupted progress of the Project work.

8.13 Rejection of Work. Consultant shall promptly reject, as discussed with City, work or materials which do not conform to the Construction Documents. Consultant shall immediately notify the City and contractor(s) of such rejections. Consultant shall also have the authority to recommend to the City that additional inspection or testing of the work be performed, whether or not such work is fabricated, installed or completed.

8.14 Substitutions. Consultant shall consult with City, in a timely manner, with regard to substitution of materials, equipment and laboratory reports thereof, prior to the City's final written approval of such substitutions. Consultant's consultation shall be done in such a manner so as to ensure the timely and uninterrupted progress of the Project work.

8.15 Revised Documents and Drawings. Consultant shall prepare, at no additional expense to City, all documents and/or drawings made necessary by errors and omissions in the originally approved Construction Documents.

8.16 Change Requests and Material Changes. Consultant shall evaluate and advise City, in a timely manner and in writing, of any change requests and material change(s) which may be requested or necessary in the Project plans and specifications. Consultant shall provide the City with its opinion as to whether such change requests should be approved, denied or revised. If the City has not hired a construction manager or other person to do so, the Consultant shall prepare and execute all change orders and submit them to the City for authorization. If the City has designated a construction manager or other person to prepare all change orders, the Consultant shall review all change orders prepared by such person, execute them and deliver them to the City for authorization if they meet with the Consultant's approval, or submit them to the City with recommendations for revision or denial if necessary. Consultant shall not order contractors to make any changes affecting the contract price without approval by City of such a written change order, pursuant to the terms of the Construction Documents. Consultant may order, on its own responsibility and pending City Council approval, changes necessary to meet construction emergencies, if written approval of City's Representative is first secured.

8.17 Applications for Payment. Consultant shall examine, verify and approve contractor's applications for payment, and shall issue certificates for payment in amounts approved by the City's inspector.

8.18 Final Color and Product Selection. Consultant shall coordinate final color and product selection with City's original design concept.

8.19 Substantial Completion. Consultant shall determine the date of substantial completion, in consultation with the City.

8.20 Punch List. After determining that the Project is substantially complete, Consultant shall participate in the inspection of the Project and shall review all remaining deficiencies and minor items needed to be corrected or completed on the Project, including those identified on the punch list prepared by the contractor ("Punch List Items"). Consultant shall notify

contractor in writing that all Punch List Items must be corrected prior to final acceptance of the Project and final payment. Consultant shall also notify City of all Punch List Items.

8.21 Warranties. Consultant shall review materials assembled by the contractor and subcontractors with regard to all written warranties, guarantees, owners' manuals, instruction books, diagrams, record "as built" drawings, and any other materials required from the contractors and subcontractors pursuant to the Construction Documents. Consultant shall coordinate and provide these materials to the City.

8.22 Certificate of Completion. Consultant shall participate in any further inspections of the Project necessary to issue Consultant's Certificate of Completion and final certificate for payment.

8.23 Documents for Project Close-Out. Consultant shall cause all other architects, engineers and other consultants, as may be hired by Consultant, to file any and all required documentation with the City or other governmental authorities necessary to close out the Project. Consultant shall assist the City in obtaining such documentation from all other architects, engineers, or other consultants.

9. AS-BUILT DRAWINGS.

During the as-built drawings phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

9.1 As-Built Drawings and Specifications. Not later than thirty (30) days after substantial completion of the Project, before receipt of final payment, Consultant shall review and forward the Final Working Drawings and Specifications, indicating on them all changes made by change orders or otherwise pursuant to the Construction Documents, as well as all information called for on the specifications, thus producing an "as-built" set of Final Working Drawings and Specifications ("As-Built Drawings and Specifications"). The As-Built Drawings and Specifications shall show, among other things, the location of all concealed pipe, buried conduit runs and other similar elements within the completed Project. Consultant shall personally review and certify that the As-Built Drawings and Specifications are a correct representation of the information supplied to Consultant by any inspectors and the contractor, and shall obtain certifications from any inspectors and the contractor that the drawings are correct.

9.2 Approval. Once City provides Consultant with specific written approval of the As-Built Drawings and Specifications, Consultant shall forward to City the complete set of original As-Built Drawings and Specifications or a complete set of reproducible duplicate As-Built Drawings and Specifications. The tracing shall be of such quality that clear and legible prints may be made without appreciable and objectionable loss of detail.

9.3 Documents for Final Payment. Prior to the receipt of Consultant's final payment, Consultant shall forward to City all of the following: (1) one clear and legible set of reproductions of the computations; (2) the original copy of the specifications; (3) the As-Built Drawings and Specifications as required herein; and (4) Consultant's Certificate of Completion.

10. WARRANTY PERIOD.

During the warranty period phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

10.1 Advice. Consultant shall provide advice to City on apparent deficiencies in the Project during any applicable warranty periods for the Project

2024 HOURLY RATE AND EXPENSE SCHEDULE

HOLT ARCHITECTURE STAFF

Principal	250.00
Project Manager + Designer	170.00
Assistant Project Manager + Assistant Designer + Interior Designer	145.00
Project Assistant	110.00

CONSULTANTS

Services performed by Consultants outside the Scope of Work delineated in Professional Services Agreement such as: Structural, Mechanical, Electrical Plumbing, Civil; Soils, Landscape, etc.	Cost + 15%

REIMBURSABLE EXPENSES

Vehicle Mileage	0.85 Mile
Postage/Delivery Service, Outside Reprographic Service, Photography, Permits & Fees	Cost + 15%

Copies, Printing & Scanning	Black & White	Color
8 ½ x 11	.20	.50
11 x 17	.50	1.00
18 x 24	2.00	4.00
24 x 36	4.00	6.00
30 x 42	6.00	9.00
36 x 48	12.00	16.00

2024 VCA ENGINEERS SCHEDULE OF FEES

PROFESSIONAL STAFF	HOURLY RATE
Principal	$220.00
Project Manager	$200.00
Lead/Senior Project Engineer	$180.00
Project Engineer	$165.00
Engineer	$155.00
BIM Modeler	$130.00
Senior CADD Technician	$110.00
CADD Technician	$100.00
Clerical/Admin	$70.00

MILEAGE AND SUBSISTENCE

Auto Mileage	$ 0.67 per mile plus 10%
Parking	Actual Cost plus 10%
Air Travel and Car Rental	Actual Cost plus 10%
Subsistence (overnight out of LA)	Actual Cost plus 10%

DIRECT SERVICES

Milestone Reproducible Submittal (one set)	**Included in Proposed Fees**
Messenger and Overnight Delivery Services	Actual Cost plus 10%
Long Distance Phone	Actual Cost plus 10%
Outside B&W Plotting	Actual Cost plus 10%
Sepia/Mylar	Actual Cost plus 10%
Reprographic Services (binding, mounting and etc.)	Actual Cost plus 10%

LIABILITY INSURANCE

During the terms of this agreement, VCA shall at all times procure and maintain insurance. VCA carries General, Automobile Liability Insurance and Workers Compensation at $2M each occurrence and Professional Liability Insurance at $2M per claim.

CLAIMS AND DISPUTES

Client and VCA agree to negotiate and resolve all disputes between them in good faith as a first attempt. If the dispute cannot be resolved therein, the parties shall mutually agree to submit the matter to mediation and arbitration in accordance with the American Arbitration Association's Commercial Mediation Rules if the total dispute is less than $49,000. The results of the arbitration, as decided by three (3) arbitrators, each party choosing their own arbitrator and the two arbitrator choosing a third member, shall be final, and judgment may be entered upon it in any court of competent jurisdiction in the City where the work is performed.

WISEMAN + ROHY Structural Engineers

SCHEDULE OF CHARGES

JANUARY 1, 2024 TO DECEMBER 31, 2024

Principal Engineer	275/hour
Managing Senior Engineer	255/hour
Project Engineer V	233/hour
Project Engineer IV	208/hour
Project Engineer III	188/hour
Project Engineer II	171/hour
Project Engineer I	153/hour
Managing Sr. Drafter	148/hour
Project Drafter II	140/hour
Project Drafter I	132/hour
Administrative/Clerical	83/hour

Sierra West Consulting Group, Inc. - Standard Billing Rates -2024

Standard billing rates for the calendar year 2024 are as follows:

Principal / Chief Estimator	$150
Chief Cost Planner	$150
Principal / Chief Estimator-Expert Witness/Litigation Support	$250
Trade Surveyor	$125
Administrative	$ 85

Jobs under 24/hrs. will be subject to a flat rate of $150 per hour.

Community Works Design Group (CWDG)

Landscape Architect

RATES EFFECTIVE JUNE 30, 2024 – JULY 1, 2025

Principal Landscape Architect's time at the fixed rate of:	$215.00 per hour
Principal Certified Access Specialist (CASp)'s time at the fixed rate of:	$215.00 per hour
Certified Access Specialist (CASp)'s time at the fixed rate of:	$195.00 per hour
Senior Landscape Architect's time at the fixed rate of:	$175.00 per hour
Certified Water Auditor's time at the fixed rate of:	$175.00 per hour
Certified Irrigation Designer's time at the fixed rate of:	$175.00 per hour
Senior Project Manager's time at the fixed rate of:	$160.00 per hour
Construction Manager's time at the fixed rate of:	$160.00 per hour
ISA Certified Arborist's time at the fixed rate of:	$160.00 per hour
FAA Part 107 sUAS Remote Pilot's time at the fixed rate of:	$160.00 per hour
Project Manager's time at the fixed rate of:	$145.00 per hour
Landscape Designer's time at the fixed rate of:	$130.00 per hour
Design Assistant's time at the fixed rate of:	$ 75.00 per hour
Professional Staff's time at the fixed rate of:	$ 75.00 per hour

RATE INCREASES

Rates will increase on an annual basis by 1/15 based upon annual CPI (Consumer Price Index).

TERMS AND CONDITIONS OF PAYMENT

We will bill in proportion to the percentage of work complete at the time of billing. All billing statements are due upon receipt. Interest will be charged at the rate of 2% per month on the past due balance thirty days and over.

RATE SCHEDULE FOR ENGINEERING SERVICES
ON A TIME AND EXPENSE BASIS

Category	Rate
PRINCIPAL ENGINEER	$353
ENGINEER GRADE 05	$298
ENGINEER GRADE 04	$289
ENGINEER GRADE 03	$247
ENGINEER GRADE 02	$228
ENGINEER GRADE 01	$202
DESIGN ENGINEER GRADE 05	$247
DESIGN ENGINEER GRADE 04	$228
DESIGN ENGINEER GRADE 03	$202
DESIGN ENGINEER GRADE 02	$179
DESIGN ENGINEER GRADE 01	$159
DESIGNER GRADE 04	$170
DESIGNER GRADE 03	$159
DESIGNER GRADE 02	$146
DESIGNER GRADE 01	$140
CAD/BIM DESIGNER GRADE 04	$141
CAD/BIM DESIGNER GRADE 03	$127
CAD/BIM DESIGNER GRADE 02	$114
CAD/BIM DESIGNER GRADE 01	$104
COMMISSIONING GRADE 05	$298
COMMISSIONING GRADE 04	$259
COMMISSIONING GRADE 03	$220
COMMISSIONING GRADE 02	$176
COMMISSIONING GRADE 01	$151
TECHNICAL WRITER	$159
PROJECTASSISTANT	$104

In addition, for direct out-of-pocket expenses (when they occur), we quote the following:

1)	Automobile:	at current IRS rate per mile from home office for travel outside Los Angeles, Orange, San Diego, San Bernardino, Riverside & King counties
2)	Travel Expense:	at Cost
3)	Subsistence:	While away from home office for more than 1 day: at Cost, but not to exceed $275 per day per person.
4)	Plan Check Fees:	at Cost plus 10% markup
5)	Third-Party Services:	at Cost plus 10% markup

- Printing and copy services
- Consultant and subcontract professional fees
- Surveying / Soils Investigation
- Testing Laboratory Work

Raincross Construction Services Company, Inc.
Billable Hourly Rates
Consulting Services

Position	Rate
Project Executive	$185.00
On-site Laser Scanning	$189.00
Production Director	$182.00
BIM Manager	$167.00
Aerial Survey Pilot	$166.00
Sr. Project Manager	$157.00
Scheduler	$149.00
BIM Specialist	$148.00
Sr. Superintendent	$147.00
Superintendent	$140.00
Project Manager	$137.00
BIM Technician	$137.00
Preconstruction Manager	$136.00
Estimator	$135.00
Safety Officer	$135.00
QA/QC Coordinator	$135.00
Assistant Project Manager	$131.00
Area/Assistant Superintendent	$124.00
Sr. Project Engineer	$115.00
Project Engineer	$113.00
Accountant	$109.00
Field Labor	$105.00
Labor Compliance Coordinator	$84.00
Sr. Project Administrator	$84.00
Project Administrator	$75.00
Preconstruction Coordinator	$75.00

* Hourly rates subject to increase after **12/31/2024**

Landmark Consultants, Inc.
2024 Standard Fee Schedule

PROFESSIONAL RATES
(HOURLY)

Principal Engineer	$260
Geotechnical Engineer	$255
Senior Engineer	$235
Project Engineer	$220
Staff Engineer	$190
Operations Manager	$170
Senior Geologist	$235
Project Geologist	$220
Staff Geologist	$190
Legal Cases-Pricipal Engineer (investigative work)	$425
Legal Cases-Pricipal Engineer (depositions and trial)	$525

TECHNICAL RATES

Testing Technician-(Concrete/Masonry/Soils/Asphalt)	$100
Prevailing Wage Technician-(Concrete/Masonry/Soils/Asphalt)	$125
Special Inspector-(Masonry, Steel, Concrete, Welding & Bolt)	$110
PW Special Inspector-(Masonry, Steel, Concrete, Welding & Bolt)	$130
DSA Project Technician/Inspector	$130
Laboratory Personnel	$100
Admin. Support Staff	$95
Drafting	$120
Copies of Reports (Min)	$60
Trip Charges	$200

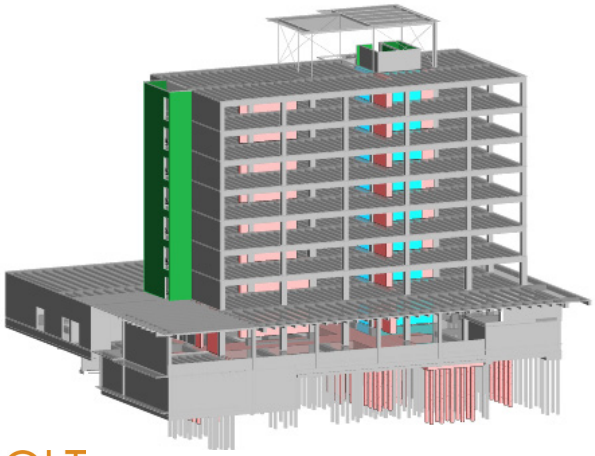
Construction Administration/Project Management: 20% of Field & Laboratory Subtotal

2 hrs minimum will be charged for all field work and thereafter in 4 hrs increments. An overtime premium of 1.5 times the standard rate will be charged for all personnel services periods in excess of 8 hrs per day or Saturday, and 2 times the standard rate for work in excess of 12 hrs per week day, in excess of 8 hrs on Saturday, and all day on Sunday or holidays. ICC inspection will be charged 4 hrs minimum.

6. Approach and Understanding

DOCUMENT MANAGEMENT/QUALITY CONTROL

- Quality Control is integral to our approach, and there are multiple facets.
- At the earliest stage of design, as soon as progress allows, we begin to use 3D software. This allows stakeholders as well as team members to clearly understand, explore and approve the design for further development. This clarity avoids unwelcome surprises later.
- As the design progresses, we utilize 3D software (BIM) to integrate all elements: architectural, civil, structural, mechanical, plumbing, electrical, and any other specialty consultant work. This provides a clear basis to identify and resolve any conflicts before they become problematic.
- Although less interesting to review, but just as important, our team develops a project specific checklist from our Office Quality Control Guide. This guide is built on our 35-years of things to consider and "lessons learned". We continue to update this Guide with each project. In addition, our team will use this guide to perform quality control reviews at major project milestones. These reviews become increasingly intensive as the project develops and are overseen by the Senior Principal.
- All of this allows effective and efficient communication of the status of general progress, any open considerations, as well as checks on schedule and budget.



PROGRAMMING

- We will review with the City in detail all aspects that are of Interest to the Owner, such as:
  - Conduct visioning and problem seeking sessions
  - Review project location and physical facilities
  - Identify key program representatives for each major program element
  - Establish evaluation criteria
  - Facilitate detailed work sessions with each user group
  - Develop conceptual program alternatives
  - Consider the relationship of parts to the whole
  - Review project schedule and budget
- This will allow the City to validate or clarify the Program and provide a solid foundation for the Design Team to prepare options and considerations for the City in the Schematic Design Phase.

Room Name	Department	Square Footage	Quantity	Total Square Footage	Notes
Department Head		240	1	240	
Deputy Director		180	1	180	
Management Staff		120	17	2,040	
Administration		81	56	4,536	
Lobby		300	1	300	
Situation Room		5,500	1	5,500	Operations / Plans / Finance / Logistics. Open floor plan for the support of free flowing communication. Pod style set up. Perimeter of the room contains multiple displays and display types.
Policy		350	1	350	Fire Chief, Sheriff, Chair of the Board, Health Officer, Executive Officer, etc... Gives Policy direction to the EOC floor.
Breakout Room		350	2	700	Generic break out rooms for use by any department. Incident specific solutions developed and directed back to the EOC floor.
Med Health Comm Center		600	1	600	County can take over control of patient distribution. During an event this room would operate as the main control room for patient distribution, transferring of patients, and coordination with other hospitals/counties. Riverside County is in charge of coordination for the entire Southern California region.
EOC Director/Manager		120	1	120	Person that is managing the EOC for each incident. Manager's office is area for closed door discussions, as well as, the office for the manager to conduct managing tasks for the EOC floor.
Message Center		350	1	350	All calls from the outside come in to the Message Center and then routed to the EOC areas. Operates as a screening area for both people entering the EOC and all phone communications.
RACES / Local Government		600	1	600	Departmental and radio amateur radio operators where information from the cities enter the building. Hospitals, special districts, private entities and other agencies will have abilities to communicate with the EOC should the phone communications become inoperable. This room shall be in close proximity to the Message Center.
Feeding / Training		900	1	900	Operable partitions to divide the room into (3) training rooms. Will serve as the break room / lunch room and be connected to a serving counter from the warming kitchen. Buffering room between the secured and unsecured portions of the EOC.
JIC		700	1	700	Room where Public Information Officer representatives from other agencies will come together to coordinate information for message development and distribution. JIC to be in close proximity to the Training / Feeding room.
Phone Bank		350	1	350	In close proximity to the JIC. Entry point for single-line phone calls from the general public for questions regarding the specific incident.
Alternate EOC / Dispatch Sheriff		730	1	730	Alternate dispatch center that would take over control of dispatch calls during an event.
Alternate EOC / Dispatch Fire		730	1	730	Alternate dispatch center that would take over control of dispatch calls during an event.
Planning Cycle / MAC Conference Room		400	1	400	Development of action plans for the next operational period separated from the EOC operations floor.
Library		200	1	200	High Density Storage locations for storage of operational information, plans, and binders.
Business Partnership		350	1	350	Coordination room with private partnerships for information and resource distribution.
Warming Kitchen		400	1	400	
Office Storage		100	4	400	
Rehab		250	2	500	Functions as a sleeping room.
Electrical		250	1	250	
I.T. Room		150	1	150	(2) Points of Entry
Radio Room		150	1	150	
Sheriff Radio		150	1	150	Combine with Fire (Divider Wall)
Fire Radio		150	1	150	Combine with Sheriff (Divider Wall)
Laundry Room		100	1	100	
Janitor		100	1	100	
Men's Locker Room		350	1	350	
Women's Locker Room		350	1	350	
Men's Restroom		300	2	600	(1) in Office Building
Women's Restroom		300	2	600	(1) in Office Building
Gross SF Total				24,126	
Other SF Efficiencies		20.00%		4,825	
Net SF Total				28,951	



SCHEMATIC DESIGN

- Once a clear and concise program has been established, we will present to the City initial concepts and design ideas, and together validate the direction of the project upon which to finalize the design. Schematic Design documents are developed in this stage, such as:
  - Program Diagrams
  - Alternate Plans Showing Primary and Support Spaces
  - Phasing Concepts
  - Future Expansion Options
  - Sketches and Study Models, as required
  - Conceptual 2D Site and Floor Plans
  - Evaluation and Ranking of Concepts

- This step in the project development process will help the City establish a clear design concept. Our design team can then start to develop the concept in 3 dimensions through a variety of tools in the Design Development stage.



DESIGN DEVELOPMENT - MATERIAL SELECTION

DESIGN DEVELOPMENT

- We integrate our Clients in the design process from Day 1. Through a variety of digital media, Holt creates the visual aids needed to help clients make critical design decisions.
- These visual aids are extremely important when navigating the design's approval process and are integral to successful communication with the various project Consultants.

CONSTRUCTION DOCUMENTS

- Our use of BIM continues to facilitate the decision making, detailing, production, and coordination of the drawings so that the resulting documents are clear, consistent, fully coordinated, and describe the Project as accurately as possible.
- Please see page 3 for more detail on our document management and quality control.

BID/CONSTRUCTION ADMINISTRATION

- When documents are ready to bid, the team will assist the Owner in obtaining competitive Bids for Construction.
- During the construction process, the team will provide the required construction observation services to the client. This is to ensure the objectives of the Owner are met, which are expressed in the Construction Documents.



CITY OF ONTARIO
303 EAST B STREET | ONTARIO, CALIFORNIA 91764
(909) 395-2000 FAX (909) 395-2070 OntarioCA.gov

PAUL S. LEON
MAYOR

DEBRA PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT OCHOA
CITY MANAGER

CITY OF ONTARIO
DESIGN SERVICES AGREEMENT

1. PARTIES AND DATE.

This Agreement is made and entered into as of _____, by and between the City of Ontario, a municipal corporation organized and operating under the laws of the State of California with its principal place of business at 303 East "B" Street, Ontario, California 91764-4196, County of San Bernardino, State of California ("City"), and **IDS Group, Inc.**, a **CORPORATION** with its principal place of business at 1 Peters Canyon Rd, Suite 130, Irvine, CA 92606 (hereinafter referred to as "Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

2. RECITALS.

2.1 City. City is a municipal corporation organized under the laws of the State of California, with power to contract for services necessary to achieve its purpose.

2.2 Consultant**.** Consultant desires to perform and assume responsibility for the provision of certain professional engineering or architectural design services required by the City on the terms and conditions set forth in this Agreement. Consultant warrants that it is fully licensed, qualified, and willing to perform the services required by this Agreement; provided, however, that if Consultant is a corporation or other organization, the Project Consultant designated pursuant to Section 3.2, and not the Consultant itself, shall be fully licensed to practice as an engineer or architect in the State of California.

2.3 Project**.** City desires to engage Consultant to render such services for the **D&C 24-012 On-Call Architectural, Space Planning And Engineering Design Services** ("Project") as set forth in this Agreement.

3. TERMS

3.1 Employment of Consultant.

3.1.1 Scope of Services. Consultant promises and agrees to furnish to City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional engineering or architectural and related services necessary for the full and adequate completion of the Project consistent with the provisions of this Agreement (hereinafter referred to as "Services"). The Services are more particularly described throughout this Agreement, including Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement,

any exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations. All Services performed by Consultant shall be subject to the sole and discretionary approval of the City, which approval shall not be unreasonably withheld.

3.1.2 Term. The term of this Agreement shall be from **November 20, 2024,** to **November 20, 2027**, unless earlier terminated as provided herein. The City shall have the unilateral option, at its sole discretion, to renew this Agreement automatically for no more than two (2) additional one-year terms. Consultant shall complete the Services within the term of this Agreement, and shall meet any other established schedules and deadlines.

3.2 Project Consultant; Key Personnel.

3.2.1 **Engineer of Record OR Project Architect**. Consultant shall name a specific individual to act as Project Consultant, subject to the approval of City. Consultant hereby designates Said Hilmy (License No. CA #C43988) to act as the Engineer of Record OR Project Architect for the Project. The Engineer of Record OR Project Architect shall: (1) maintain oversight of the Services; (2) have full authority to represent and act on behalf of the Consultant for all purposes under this Agreement; (3) supervise and direct the Services using his or her best skill and attention; (4) be responsible for the means, methods, techniques, sequences and procedures used for the Services; (5) adequately coordinate all portions of the Services; and (6) act as principal contact with City and all contractors, consultants, engineers and inspectors on the Project. Any change in the Engineer of Record OR Project Architect shall be subject to the City's prior written approval, which approval shall not be unreasonably withheld. The new Engineer of Record OR Project Architect shall be of at least equal competence as the prior Engineer of Record OR Project Architect. In the event that City and Consultant cannot agree as to the substitution of a new Engineer of Record OR Project Architect, City shall be entitled to terminate this Agreement for cause.

3.2.2 Key Personnel. In addition to the Engineer of Record OR Project Architect, Consultant has represented to the City that certain additional key personnel, engineers and consultants will perform the Services under this Agreement. Should one or more of such personnel, engineers or consultants become unavailable, Consultant may substitute others of at least equal competence upon written approval of the City. In the event that City and Consultant cannot agree as to the substitution of key personnel, engineers or consultants, City shall be entitled to terminate this Agreement for cause. The key additional personnel, engineers and consultants for performance of this Agreement are as follows: Said Hilmy - CA #S3680/ CA #C43988, John Silber - CA #C15573, Shelley Sivak - CA #C33767, Joy Lyndes - CA #4131, Jaime Rosenbach - CA #S5186/ CA #C42855, Darren Smith - CA #M30841, Steven Collins - CA #E22805,Adrian Anderson - CA #C60955

3.3 Hiring of Consultants and Personnel.

3.3.1 Right to Hire or Employ. Consultant shall have the option, unless City objects in writing after notice, to employ at its expense architects, engineers, experts or other consultants qualified and licensed to render services in connection with the planning and/or administration of the Project, and to delegate to them such duties as Consultant may delegate without relieving Consultant from administrative or other responsibility under this Agreement. Consultant shall be responsible for the coordination and cooperation of Consultant's architects, engineers, experts or other consultants. All consultants, including changes in consultants, shall be subject to approval by City in its sole and reasonable discretion. Consultant shall notify City of the identity of all consultants at least fourteen (14) days prior to their commencement of work

to allow City to review their qualifications and approve to their participation on the Project in its sole and reasonable discretion.

3.3.2 Qualification and License. All architects, engineers, experts and other consultants retained by Consultant in performance of this Agreement shall be qualified to perform the Services assigned to them, and shall be licensed to practice in their respective professions, where required by law.

3.3.3 Standards and Insurance. All architects, engineers, experts and other consultants hired by Consultant shall be required to meet all of the same standards and insurance requirements set forth in this Agreement, unless other standards or requirements are approved by the City in writing. Unless changes are approved in writing by the City, Consultant's agreements with its consultants shall contain a provision making them subject to all provisions stipulated in this Agreement.

3.3.4 Assignments or Staff Changes. Consultant shall promptly obtain written City approval of any assignment, reassignment or replacement of such architects, engineers, experts and consultants, or of other staff changes of key personnel working on the Project. As provided in the Agreement, any changes in Consultant's consultants and key personnel shall be subject to approval by City.

3.3.5 Draftsman and Clerical Support. Draftsmen and clerical personnel shall be retained by Consultant at Consultant's sole expense.

3.4 Standard of Care.

3.4.1 Standard of Care. Consultant shall perform all Services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals qualified to perform the Services in the same discipline in the State of California, and shall be responsible to City for damages sustained by the City and delays to the Project as specified in the indemnification provision of this Agreement. Without limiting the foregoing, Consultant shall be fully responsible to the City for any increased costs incurred by the City as a result of any such delays in the design or construction of the Project. Consultant represents and maintains that it is skilled in the professional calling necessary to perform the Services. Consultant warrants and represents that all of its employees, architects, engineers, experts and other consultants shall have sufficient skill and experience to perform the Services assigned to them. Finally, Consultant represents that it, its employees, architects, engineers, experts and other consultants have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services assigned to or rendered by them and that such licenses and approvals shall be maintained throughout the term of this Agreement. As provided for in the indemnification provisions of this Agreement, Consultant shall perform, at its own cost and expense and without reimbursement from the City, any services necessary to correct errors or omissions which are caused by the Consultant's failure to comply with the standard of care provided for herein.

3.4.2 Performance of Employees. Any employee or consultant who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee or consultant who fails or refuses to perform the Services in a manner acceptable to the City, shall be promptly removed from the Project by the Consultant and shall not be re-employed to perform any of the Services or to work on the Project.

3.5 Laws and Regulations.

3.5.1 Knowledge and Compliance. Consultant shall keep itself fully informed of and in compliance with all applicable local, state and federal laws, rules and regulations in any manner affecting the performance of the Services or the Project, and shall give all notices required of the Consultant by law. Consultant shall be liable, pursuant to the standard of care and indemnification provisions of this Agreement, for all violations of such laws and regulations in connection with its Services. Consultant shall defend, indemnify and hold City, its officials, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

3.5.2 Drawings and Specifications. Consultant shall cause all drawings and specifications to conform to any applicable requirements of federal, state and local laws, rules and regulations, including the Uniform Building Code, in effect as of the time the drawings and specifications are prepared or revised during the latest phase of the Services described in Exhibit "A" attached hereto. Any significant revisions made necessary by changes in such laws, rules and regulations after this time may be compensated as Additional Services which were not known or reasonably should not have been known by Consultant. Consultant shall cause the necessary copies of such drawings and specifications to be filed with any governmental bodies with approval jurisdiction over the Project, in accordance with the Services described in Exhibit "A" attached hereto. For the preparation of all such drawings and specifications, the Consultant shall use Computer Aided Design Drafting ("CADD") (e.g., AutoCAD) or other technology acceptable to the Consultant and City.

3.5.3 Americans with Disabilities Act. Consultant will use its best professional efforts to interpret all applicable federal, state and local laws, rules and regulations with respect to access, including those of the Americans with Disabilities Act ("ADA"). Consultant shall inform City of the existence of inconsistencies of which it is aware or reasonably should be aware between federal and state accessibility laws, rules and regulations, as well as any other issues which are subject to conflicting interpretations of the law, and shall provide the City with its interpretation of such inconsistencies and conflicting interpretations. Unless Consultant brings such inconsistencies and conflicting interpretations to the attention of the City and requests City's direction on how to proceed, the Consultant's interpretation of such inconsistencies and conflicting interpretations shall be the sole responsibility and liability of Consultant, and the Consultant shall correct all plans, specifications and other documents prepared for the Project at no additional cost if its interpretations are shown to be incorrect. In the event that the Consultant request's City's direction on how to proceed with respect to any inconsistent and/or conflicting interpretation, the Consultant shall be responsible to the City only pursuant to the indemnification provisions of this Agreement.

3.5.4 Permits, Approvals and Authorizations. Consultant shall provide City with a list of all permits, approvals or other authorizations required for the Project from all federal, state or local governmental bodies with approval jurisdiction over the Project. Consultant shall then assist the City in obtaining all such permits, approvals and other authorizations. The costs of such permits, approvals and other authorizations shall be paid by the City.

3.5.5 Water Quality Management and Compliance. Consultant shall keep itself and all subcontractors, staff, and employees fully informed of and in compliance with all local, state and federal laws, rules and regulations that may impact, or be implicated by the performance of the Services including, without limitation, all applicable provisions of the City's ordinances

regulating water quality and storm water; the Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq*.); the California Porter-Cologne Water Quality Control Act (Cal Water Code §§ 13000-14950); and any and all regulations, policies, or permits issued pursuant to any such authority. Consultant shall additionally comply with the lawful requirements of the City, and any other municipality, drainage district, or other local agency with jurisdiction over the location where the Services are to be conducted, regulating water quality and storm water discharges. Failure to comply with laws, regulations, and ordinances listed in this Section is a violation of federal and state law.

3.6 Independent Contractor.

3.6.1 Control and Payment of Subordinates. City retains Consultant on an independent contractor basis and Consultant is not an employee of City. Consultant is not an employee for state tax, federal tax or any other purpose, and is not entitled to the rights or benefits afforded to City's employees. Any additional personnel performing the Services under this Agreement on behalf of Consultant shall also not be employees of City, and shall at all times be under Consultant's exclusive direction and control. Consultant shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. Consultant shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

3.7 Schedule of Services.

3.7.1 Consultant Services. Consultant shall fully and adequately complete the Services described in this Agreement and in Exhibit "A" attached hereto and incorporated herein by reference.

3.7.2 Timely Performance Standard. Consultant shall perform all Services hereunder as expeditiously as is consistent with professional skill and care, as well as the orderly progress of the Project work so as not to be the cause, in whole or in part, of delays in the completion of the Project or in the achievement of any Project milestones, as provided herein. Specifically, Consultant shall perform its Services so as to allow for the full and adequate completion of the Project within the time required by the City and within any completion schedules adopted for the Project. Consultant agrees to coordinate with City's staff, contractors and consultants in the performance of the Services, and shall be available to City's staff, contractors and consultants at all reasonable times.

3.7.3 Performance Schedule. Consultant shall prepare an estimated time schedule for the performance of Consultant's Services, to be adjusted as the Project proceeds. Such schedule shall be subject to the City's review and approval, which approval shall not be unreasonably withheld, and shall include allowances for periods of time required for City's review and approval of submissions, and for approvals of authorities having jurisdiction over Project approval and funding. If City and Consultant cannot mutually agree on a performance schedule, City shall have the authority to immediately terminate this Agreement. The schedule shall not be exceeded by Consultant without the prior written approval of City. If the Consultant's Services are not completed within the time provided by the agreed upon performance schedule, or any milestones established therein, it is understood, acknowledged and agreed that the City will suffer damage for which the Consultant will be responsible.

3.7.4 Excusable Delays. Any delays in Consultant's work caused by the following may be added to the time for completion of any obligations of Consultant: (1) the actions of City or its employees; (2) the actions of those in direct contractual relationship with City; (3) the actions of any governmental agency having jurisdiction over the Project; (4) the actions of any parties not within the reasonable control of the Consultant; and (5) any Force Majeure Event (as defined herein) or other unforeseen occurrence not due to any fault or negligence on the part of Consultant. Neither the City nor the Consultant shall be liable for damages, liquidated or otherwise, to the other on account of such delays.

3.7.5 Force Majeure Events. Neither City nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing Party. For purposes of this Agreement, such circumstances include a Force Majeure Event. A Force Majeure Event shall mean an event that materially affects a Party's performance and is one or more of the following: (1) Acts of God or other natural disasters; (2) terrorism or other acts of a public enemy; (3) orders of governmental authorities (including, without limitation, unreasonable and unforeseeable delay in the issuance of permits or approvals by governmental authorities that are required for the services); (4) strikes and other organized labor action occurring at the site and the effects thereof on the services, only to the extent such strikes and other organized labor action are beyond the control of Consultant and its subcontractors, and to the extent the effects thereof cannot be avoided by use of replacement workers; and (5) pandemics, epidemics or quarantine restrictions. For purposes of this section, "orders of governmental authorities," includes ordinances, emergency proclamations and orders, rules to protect the public health, welfare and safety, and other actions of a public agency applicable to the Services and Agreement. Should a Force Majeure Event occur, the non-performing Party shall, within fifteen (15) calendar days of the beginning of an Force Majeure Event, give written notice to the other Party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement. Force Majeure Events shall not entitle Consultant to any additional compensation. Notwithstanding the foregoing in this section, the City may still terminate this Agreement in accordance with the termination provisions of this Agreement.

3.7.6 Request for Excusable Delay Credit. The Consultant shall, within fifteen (15) calendar days of the beginning of any excusable delay, notify the City in writing of the causes of delay (unless City grants in writing a further period of time to file such notice prior to the date of final payment under the Agreement). City will then ascertain the facts and the extent of the delay, and grant an extension of time for completing the Services when, in its sole judgment, the findings of fact justify such an extension. The City's findings of fact thereon shall be final and conclusive on the Parties. Extensions of time shall apply only to that portion of the Services affected by the delay and shall not apply to other portions of the Services not so affected. The sole remedy of Consultant for extensions of time shall be an extension of the performance time at no cost to the City. If Additional Services are required as a result of an excusable delay, the Parties shall mutually agree thereto pursuant to the Additional Services provision of this Agreement. Should Consultant make an application for an extension of time, Consultant shall submit evidence that the insurance policies required by this Agreement remain in effect during the requested additional period of time.

3.8 Additional Services.

3.8.1 Request for Services. At City's request, Consultant may be asked to perform services not otherwise included in this Agreement, not included within the basic services

listed in Exhibit “A” attached hereto, and/or not customarily furnished in accordance with generally accepted architectural practice.

3.8.2 Definition. As used herein, “Additional Services” mean: (1) any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary for the Consultant to perform at the execution of this Agreement; or (2) any work listed as Additional Services in Exhibit “A” attached hereto. Consultant shall not perform, nor be compensated for, Additional Services without prior written authorization from City and without an agreement between the City and Consultant as to the compensation to be paid for such services. City shall pay Consultant for any approved Additional Services, pursuant to the compensation provisions herein, so long as such services are not made necessary through the fault of Consultant pursuant to the indemnification provision of this Agreement.

3.8.3 Examples of Additional Services. Such Additional Services shall not include any redesign or revisions to drawings, specifications or other documents when such revisions are necessary in order to bring such documents into compliance with applicable laws, rules, regulations or codes of which Consultant was aware or should have been aware pursuant to the laws and regulations provision of this Agreement above. Such Additional Services may include, but shall not be limited to:

(a) Separately Bid Portions of Project. Plan preparation and/or administration of work on portions of the Project separately bid.

(b) Furniture and Interior Design. Assistance to City, if requested, for the selection of moveable furniture, equipment or articles which are not included in the Construction Documents.

(c) Fault of Contractor. Services caused by delinquency, default or insolvency of contractor, or by major defects in the work of the contractor, provided that any such services made necessary by the failure of Consultant to detect and report such matters when it reasonably should have done so shall not be compensated.

(d) Inconsistent Approvals or Instructions. Revisions in drawings, specifications or other documents when such revisions are inconsistent with written approvals or instructions previously given and are due to causes beyond the control of Consultant.

(e) Legal Proceedings. Serving as an expert witness on City's behalf or attending legal proceedings to which the Consultant is not a party.

(f) Damage Repair. Supervision of repair of damages to any structure.

(g) Extra Environmental Services. Additional work required for environmental conditions (e.g. asbestos or site conditions) not already contemplated within the Consultant's services for the Project.

3.9 City Responsibilities. City’s responsibilities shall include the following:

3.9.1 Data and Information. City shall make available to Consultant all necessary data and information concerning the purpose and requirements of the Project, including scheduling and budget limitations, objectives, constraints and criteria. As part of the budget

limitation information, the City shall provide the Consultant with a preliminary construction budget ("City's Preliminary Construction Budget").

3.9.2 Project Survey. If required pursuant to the scope of the Project and if requested by Consultant, City shall furnish Consultant with, or direct Consultant to procure at City's expense, a survey of the Project site prepared by a registered surveyor or civil engineer, any other record documents which shall indicate existing structures, land features, improvements, sewer, water, gas, electrical and utility lines, topographical information and boundary dimensions of the site, and any other such pertinent information.

3.9.3 Bid Phase. Distribute Construction Documents to bidders and conduct the opening and review of bids for the Project.

3.9.4 Testing. Retain consultant(s) to conduct chemical, mechanical, soils, geological or other tests required for proper design of the Project, and furnish such surveys, borings, test pits, and other tests as may be necessary to reveal conditions of the site which must be known to determine soil condition or to ensure the proper development of the required drawings and specifications.

3.9.5 Required Inspections and Tests. Retain consultant(s) to conduct materials testing and inspection or environmental/hazardous materials testing and inspection pursuant to any applicable laws, rules or regulations.

3.9.6 Fees of Reviewing or Licensing Agencies. Directly pay or reimburse the payment of all fees required by any reviewing or licensing agency, or other agency having approval jurisdiction over the Project.

3.9.7 City's Representative. The City hereby designates the City Manager, or his or her designee, to act as its representative for the performance of this Agreement ("City's Representative"). City's Representative shall have the power to act on behalf of the City for all purposes under this Contract. The City Manager hereby designates **Cynthia Heredia-Torres, Project Manager**, or his or her designee, as the City's contact for the implementation of the Services hereunder. Contractor shall not accept direction or orders from any person other than the City's Representative or his or her designee.

3.9.8 Review and Approved Documents. Review all documents submitted by Consultant, including change orders and other matters requiring approval by the City Council or other officials. City shall advise Consultant of decisions pertaining to such documents within a reasonable time after submission, so as not to cause unreasonable delay as provided in the excusable delay provisions of this Agreement above.

3.10 Compensation.

3.10.1 Consultant's Compensation for Basic Services. City shall pay to Consultant, for the performance of all Services rendered under this Agreement, the total not to exceed amount of **Two Hundred Thousand Dollars ($200,000**) ("Total Compensation"). This Total Compensation amount shall be based upon, and may be adjusted according to, the fee schedule and related terms and conditions attached hereto as Exhibit "B" and incorporated herein by reference. The Total Compensation, as may be adjusted upon mutual agreement, shall constitute complete and adequate payment for Services under this Agreement.

3.10.2 Payment for Additional Services. At any time during the term of this Agreement, City may request that Consultant perform Additional Services. As used herein, Additional Services means any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary at the execution of this Agreement. Any additional work in excess of this amount must be approved by the City. If authorized, such Additional Services will be compensated at the rates and in the manner set forth in Exhibit "C" attached hereto and incorporated herein by reference, unless a flat rate or some other form of compensation is mutually agreed upon by the Parties. If City requires Consultant to hire consultants to perform any Additional Services, Consultant shall be compensated therefore at the rates and in the manner set forth in Exhibit "C" attached hereto and incorporated herein by reference, unless a flat rate or some other form of compensation is mutually agreed upon by the Parties. City shall have the authority to review and approve the rates of any such consultants. In addition, Consultant shall be reimbursed for any expenses incurred by such consultants pursuant to the terms and conditions of Section 3.10.3.

3.10.3 Reimbursable Expenses. Reimbursable expenses are in addition to compensation for the Services and Additional Services. Consultant shall not be reimbursed for any expenses unless authorized in writing by City, which approval may be evidenced by inclusion in Exhibit "C" attached hereto. Such reimbursable expenses shall include only those expenses which are reasonably and necessarily incurred by Consultant in the interest of the Project. Consultant shall be required to acquire prior written consent in order to obtain reimbursement for the following: (1) extraordinary transportation expenses incurred in connection with the Project; (2) out-of-town travel expenses incurred in connection with the Project; (3) fees paid for securing approval of authorities having jurisdiction over the Project; (4) bid document duplication costs in excess of $1,000; and (5) other costs, fees and expenses in excess of $1,000.

3.10.4 Payment to Consultant. Consultant's compensation and reimbursable expenses shall be paid by City to Consultant no more often than monthly. Such periodic payments shall be made based upon the percentage of work completed, and in accordance with the phasing and funding schedule provided in Exhibit "B" and the compensation rates indicated in Exhibit "C" attached hereto and incorporated herein by reference. In order to receive payment, Consultant shall present to City an itemized statement which indicates Services performed, percentage of Services completed, method for computing the amount payable, and the amount to be paid. The statement shall describe the amount of Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement, as well as those expenses for which reimbursement is requested for that statement period. The amount paid to Consultant shall never exceed the percentage amounts authorized by the phasing and funding schedule located in Exhibit "B" attached hereto. City shall, within thirty (30) days of receiving such statement, review the statement and pay all approved charges thereon pursuant to the provisions of Civil Code Section 3320. Disputed amounts shall be resolved by the Parties in a mutually agreeable manner.

Payments made for Additional Services shall be made in installments, not more often than monthly, proportionate to the degree of completion of such services or in such other manner as the Parties shall specify when such services are agreed upon, and in accordance with any authorized fee or rate schedule. In order to receive payment, Consultant shall present to City an itemized statement which indicates the Additional Services performed, percentage of Additional Services completed, method for computing the amount payable, and the amount to be paid. The statement shall describe the amount of Additional Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. City shall, within thirty (30) days of receiving such statement, review

the statement and pay all approved charges thereon pursuant to the provisions of Civil Code Section 3320. Disputed amounts shall be resolved by the Parties in a mutually agreeable manner.

Upon cancellation or termination of this Agreement, Consultant shall be compensated as set forth in the termination provision herein.

3.10.5 Withholding Payment to Consultant. The City may withhold payment, in whole or in part, to the extent reasonably necessary to protect the City from claims, demands, causes of action, costs, expenses, liabilities, losses, damages, or injuries of any kind to the extent arising out of or caused by the negligence, recklessness, or willful misconduct protected under the indemnification provisions of this Agreement. Failure by City to deduct any sums from a progress payment shall not constitute a waiver of the City's right to such sums. The City may keep any moneys which would otherwise be payable at any time hereunder and apply the same, or so much as may be necessary therefor, to the payment of any expenses, losses, or damages as determined by the City, incurred by the City for which Consultant is liable under the Agreement or state law. Payments to the Consultant for compensation and reimbursable expenses due shall not be contingent on the construction, completion or ultimate success of the Project. Payment to the Consultant shall not be withheld, postponed, or made contingent upon receipt by the City of offsetting reimbursement or credit from Parties not within the Consultant's reasonable control.

3.10.6 Prevailing Wages. Consultant is aware of the requirements of California Labor Code Sections 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. Since the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and since the total compensation is $1,000 or more, Consultant agrees to fully comply with and to require its consultants to fully comply with such Prevailing Wage Laws. City shall provide Consultant with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. Consultant shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Consultant's principal place of business and at the Project site. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4. Consultant shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure of the Consultant or its consultants to comply with the Prevailing Wage Laws.

(a) Registration/DIR Compliance. If the Services are being performed as part of an applicable "public works project" of over $25,000 when the project is for construction, alteration, demolition, installation, or repair work, or a public works project of over $15,000 when the project is for maintenance work, in addition to the foregoing, then pursuant to Labor Code sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such Services must be registered with the Department of Industrial Relations ("DIR"). Consultant shall maintain

registration for the duration of the Project and require the same of any subconsultants. This project may also be subject to compliance monitoring and enforcement by the DIR. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements, including the submission of payroll records directly to the DIR. Any stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant.

3.10.7 Automated Clearing House ("ACH") payments. It is the City's policy to pay its consultant invoices via electronic fund transfers through the ACH network. All payments due and owing pursuant to a properly issued and correct invoice or under this Agreement shall be made through electronic ACH transfers, unless otherwise agreed upon by both Parties in writing. Consultant shall provide the City with ACH payment details whereby the City shall initiate the ACH transfers to Consultant in the amount required pursuant to a properly issued and correct invoice or under this Agreement. Each Party shall undertake any and all required actions and execute any required documents, instruments, or agreements required to effectuate the requirements of this Section. In the event the City erroneously deposits funds into an account, or otherwise deposits funds to which Consultant is not entitled: (1) Consultant shall immediately notify the City and the financial institution; (2) Consultant shall not withdraw any of the funds which were erroneously deposited or to which Consultant is not entitled; and (3) Consultant authorizes both the City and financial institution to take all actions necessary to correct the error and return to the City all funds erroneously deposited or to which Consultant is not entitled.

3.11 Notice to Proceed.

Consultant shall not proceed with performance of any Services under this Agreement unless and until the City provides a written notice to proceed.

3.12 Termination, Suspension and Abandonment.

3.12.1 Grounds for Termination; Consultant's Termination for Cause. City hereby reserves the right to suspend or abandon, at any time and for any reason, all or any portion of the Project and the construction work thereon, or to terminate this Agreement at any time with or without cause. Consultant shall be provided with at least seven (7) days advanced written notice of such suspension, abandonment or termination. In the event of such suspension, abandonment or termination, Consultant shall be paid for Services and reimbursable expenses rendered up to the date of such suspension, abandonment or termination, pursuant to the schedule of payments provided for in this Agreement, less any claims against or damages suffered by City as a result of the default, if any, by Consultant. Consultant hereby expressly waives any and all claims for damages or compensation arising under this Agreement, except as set forth herein, in the event of such suspension, abandonment or termination. Consultant may terminate this Agreement for substantial breach of performance by the City such as failure to make payment to Consultant as provided in this Agreement.

3.12.2 City's Suspension of Work. If Consultant's Services are suspended by City, City may require Consultant to resume such Services within ninety (90) days after written notice

from City. When the Project is resumed, the Total Compensation and schedule of Services shall be equitably adjusted upon mutual agreement of the City and Consultant.

3.12.3 Documents and Other Data. Upon suspension, abandonment or termination, Consultant shall provide to City all preliminary studies, sketches, working drawings, specifications, computations, and all other Project Documents, as defined below, to which City would have been entitled at the completion of Consultant's Services under this Agreement. Upon payment of the amount required to be paid to Consultant pursuant to the termination provisions of this Agreement, City shall have the rights, as provided in this Agreement hereinafter, to use such Project Documents prepared by or on behalf of Consultant under this Agreement. Consultant shall make such documents available to City upon request and without additional compensation other than as may be approved as a reimbursable expense.

3.12.4 Employment of other Consultants. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

3.13 Ownership and Use of Documents; Confidentiality.

3.13.1 Ownership. All plans, specifications, original or reproducible transparencies of working drawings and master plans, preliminary sketches, architectural presentation drawings, structural computations, estimates and any other documents prepared pursuant to this Agreement, including, but not limited to, any other works of authorship fixed in any tangible medium of expression such as writings, physical drawings and data magnetically or otherwise recorded on computer diskettes (hereinafter referred to as the "Project Documents") shall be and remain the property of City. Although the official copyright in all Project Documents shall remain with the Consultant or other applicable subcontractors or consultants, the Project Documents shall be the property of City whether or not the work for which they were made is executed or completed. Within thirty (30) calendar days following completion of the Project, Consultant shall provide to City copies of all Project Documents required by City. In addition, Consultant shall retain copies of all Project Documents on file for a minimum of fifteen (15) years following completion of the Project, and shall make copies available to City upon the payment of reasonable duplication costs. Before destroying the Project Documents following this retention period, Consultant shall make a reasonable effort to notify City and provide City with the opportunity to obtain the documents.

3.13.2 Right to Use. Consultant grants to City the right to use and reuse all or part of the Project Documents, at City's sole discretion and with no additional compensation to Consultant, for the following purposes:

(a) The construction of all or part of this Project.

(b) The repair, renovation, modernization, replacement, reconstruction or expansion of this Project at any time;

(c) The construction of another project by or on behalf of the City for its ownership and use;

City is not bound by this Agreement to employ the services of Consultant in the event such documents are used or reused for these purposes. City shall be able to use or reuse the Project Documents for these purposes without risk of liability to the Consultant or third parties with respect

to the condition of the Project Documents, and the use or reuse of the Project Documents for these purposes shall not be construed or interpreted to waive or limit City's right to recover for latent defects or for errors or omissions of the Consultant.

Any use or reuse by City of the Project Documents on any project other than this Project without employing the services of Consultant shall be at City's own risk with respect to third parties. If City uses or reuses the Project Documents on any project other than this Project, it shall remove the Consultant's seal from the Project Documents and hold harmless Consultant and its officers, directors, agents and employees from claims arising out of the negligent use or re-use of the Project Documents on such other project.

3.13.3 License. This Agreement creates a non-exclusive and perpetual license for City to copy, use, modify or reuse any and all Project Documents and any intellectual property rights therein. Consultant shall require any and all subcontractors and consultants to agree in writing that City is granted a non-exclusive and perpetual license for the work of such subcontractors or consultants performed pursuant to this Agreement.

3.13.4 Right to License. Consultant represents and warrants that Consultant has the legal right to license any and all copyrights, designs and other intellectual property embodied in the Project Documents that Consultant prepares or causes to be prepared pursuant to this Agreement. Consultant shall indemnify and hold City harmless pursuant to the indemnification provisions of this Agreement for any breach of this Section. Consultant makes no such representation and warranty in regard to previously prepared designs, plans, specifications, studies, drawings, estimates or other documents that were prepared by design professionals other than Consultant and provided to Consultant by City.

3.13.5 Confidentiality. All Project Documents, either created by or provided to Consultant in connection with the performance of this Agreement, shall be held confidential by Consultant to the extent they are not subject to disclosure pursuant to the Public Records Act. All Project Documents shall not, without the written consent of City, be used or reproduced by Consultant for any purposes other than the performance of the Services. Consultant shall not disclose, cause or facilitate the disclosure of the Project Documents to any person or entity not connected with the performance of the Services or the Project. Nothing furnished to Consultant which is otherwise known to Consultant or is generally known, or has become known, to the related industry shall be deemed confidential. Consultant shall not use City's name or insignia, photographs of the Project, or any publicity pertaining to the Services or the Project in any magazine, trade paper, newspaper, television or radio production or other similar medium without the written consent of City.

3.14 Indemnification.

3.14.1 To the fullest extent permitted by law, Consultant shall defend (with counsel of City's choosing), indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's Services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses except such loss or damage caused by the sole negligence or willful misconduct of the City. Consultant's obligation to indemnify shall

survive expiration or termination of this Agreement and shall not be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

3.14.2 If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance as a "design professional" (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

3.15 Insurance. Consultant shall not commence work under this Agreement until it has provided evidence satisfactory to the City that it has secured all insurance required under this Section. In addition, Consultant shall not allow any subconsultant to commence work on any subcontract until it has provided evidence satisfactory to the City that the subconsultant has secured all insurance required under this section.

3.15.1 Types of Insurance Required. As a condition precedent to the effectiveness of this Agreement for work to be performed hereunder, and without limiting the indemnity provisions of the Agreement, Consultant shall, at its expense, procure and maintain in full force and effect for the duration of the Agreement the following policies of insurance. If the existing policies do not meet the insurance requirements set forth herein, Consultant agrees to amend, supplement or endorse the policies to do so.

3.15.2 Additional Insured. The City of Ontario, its officials, officers, employees, agents, and volunteers shall be named as additional insureds on Consultant's and its subconsultants' policies of commercial general liability and automobile liability insurance using the endorsements and forms specified herein or exact equivalents.

3.15.3 Commercial General Liability

(a) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the City.

(b) Coverage for Commercial General Liability insurance shall be at least as broad as the following: Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent. Commercial General Liability Insurance must include coverage for the following:

(i) Bodily Injury and Property Damage

(ii) Personal Injury/Advertising Injury

(iii) Premises/Operations Liability

(iv) Products/Completed Operations Liability

(v) Aggregate Limits that Apply per Project

(vi) Explosion, Collapse and Underground (UCX) exclusion deleted

(vii) Contractual Liability with respect to this Contract

(viii) Broad Form Property Damage

(ix) Independent Consultants Coverage

(c) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(d) The policy shall give City, the City Council and each member of the City Council, its officers, employees, agents and City designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(e) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the City, and provided that such deductibles shall not apply to the City as an additional insured.

3.15.4 Automobile Liability

(a) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, in a form and with insurance companies acceptable to the City.

(b) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(c) The policy shall give City, the City Council and each member of the City Council, its officers, employees, agents and City designated volunteers additional insured status.

(d) Subject to written approval by the City, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the City as an additional insured, but not a self-insured retention.

3.15.5 Workers' Compensation/Employer's Liability

(a) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(b) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this Section.

3.15.6 Professional Liability (Errors and Omissions)

(a) At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the City and in an amount indicated herein. This insurance shall be written on a policy form coverage specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

3.15.7 Minimum Policy Limits Required

(a) The following insurance limits are required for the Agreement:

Coverage	Combined Single Limit
Commercial General Liability	$2,000,000 per occurrence/ $4,000,000 aggregate for bodily injury, personal injury, and property damage
Automobile Liability	$2,000,000 per occurrence for bodily injury and property damage
Employer's Liability	$1,000,000 per occurrence
Professional Liability	$2,000,000 per claim and aggregate (errors and omissions)

(b) Defense costs shall be payable in addition to the limits.

(c) Requirements of specific coverage or limits contained in this Section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

3.15.8 Evidence Required

(a) Prior to execution of the Agreement, the Consultant shall file with the City evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord

Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

3.15.9 Policy Provisions Required

(a) Consultant shall provide the City at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the City at least ten (10) days prior to the effective date of cancellation or expiration.

(b) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, deductible, or self-insurance maintained by the City, its officials, officers, employees, agents, or volunteers shall not contribute with this primary insurance. Policies shall contain or be endorsed to contain such provisions.

(c) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(d) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(e) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the City and shall not preclude the City from taking such other actions available to the City under other provisions of the Agreement or law.

3.15.10 Qualifying Insurers

(a) All policies required shall be issued by acceptable insurance companies, as determined by the City, which satisfy the following minimum requirements: Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or

otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

3.15.11 Additional Insurance Provisions

(a) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the City, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(b) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Consultant or City will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, City may cancel this Agreement.

(c) The City may require the Consultant to provide complete copies of all insurance policies in effect for the duration of the Project.

(d) Neither the City nor the City Council, nor any member of the City Council, nor any of the officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

3.15.12 Subconsultant Insurance Requirements

(a) Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the City that they have secured all insurance required under this Section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the City as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant, City may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

3.16 Records.

Consultant shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Consultant shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Consultant shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of five (5) years from the date of final payment under this Agreement.

3.17 Standardized Manufactured Items.

Consultant shall cooperate and consult with City in the use and selection of manufactured items on the Project, including but not limited to, paint, hardware, plumbing, mechanical and electrical equipment, fixtures, roofing materials and floor coverings. All such manufactured items

shall be standardized to City's criteria to the extent such criteria do not interfere with building design.

3.18 Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described herein. Any additional or subsequent construction at the site of the Project, or at any other City site, will be covered by, and be the subject of, a separate Agreement for engineering or architectural services between City and the Consultant chosen therefor by City.

3.19 Mediation.

Disputes arising from this Agreement may be submitted to mediation if mutually agreeable to the Parties hereto. The type and process of mediation to be utilized shall be subject to the mutual agreement of the Parties.

3.20 Successors and Assigns.

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of City. Any attempted assignment without such consent shall be invalid and void.

3.21 Asbestos Certification.

Consultant shall certify to City, in writing and under penalty of perjury, that to the best of its knowledge, information and belief no asbestos-containing material or other material deemed to be hazardous by the state or federal government was specified as a building material in any construction document that the Consultant prepares for the Project. Consultant shall require all consultants who prepare any other documents for the Project to submit the same written certification. Consultant shall also assist the City in ensuring that contractors provide City with certification, in writing and under penalty of perjury, that to the best of their knowledge, information and belief no material furnished, installed or incorporated into the Project contains asbestos or any other material deemed to be hazardous by the state or federal government. These certifications shall be part of the final Project submittal. Consultant shall include statements in its specifications that materials containing asbestos or any other material deemed to be hazardous by the state or federal government are not to be included.

3.22 No Third Party Rights.

This Agreement shall not create any rights in, or inure to the benefits of, any third party except as expressly provided herein.

3.23 Governing Law.

This Agreement shall be construed in accordance with, and governed by, the laws of the State of California. Venue shall be in San Bernardino County.

3.24 Exhibits and Recitals.

All exhibits and recitals contained herein and attached hereto are material parts of this Agreement and are incorporated as if fully set forth.

3.25 Severability.

Should any provision in the Agreement be held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall continue in full force and effect.

3.26 Non-Waiver.

None of the provisions of this Agreement shall be considered waived by either Party, unless such waiver is specifically specified in writing.

3.27 Safety.

Consultant shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Consultant shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of its employees, consultant and subcontractors appropriate to the nature of the work and the conditions under which the work is to be performed.

3.28 Harassment Policy.

Consultant shall provide a copy of the City's Harassment Policy to each of its employees assigned to perform the tasks under this Agreement. Consultant shall submit to the City's Personnel Manager a statement signed by each of its employees who are assigned to perform the Services under this Agreement certifying receipt of City's Harassment Policy and certifying that they have read the Harassment Policy. A finding by the City that any of Consultant's employees has harassed a City employee shall be grounds for appropriate discipline, up to and including such employee's removal from performance of this Agreement at City's request.

3.29 Delivery of Notices.

All notices permitted or required under this Agreement shall be given to the respective Parties at the following address, or at such other address as the respective Parties may provide in writing for this purpose:

CITY:	CONSULTANT:
City of Ontario	IDS Group, Inc.
303 East “B” Street	1 Peters Canyon Rd, Suite 130,
Ontario, CA 91764	Irvine, CA 92606
Attn: Cynthia Heredia-Torres	Attn: Said Hilmy

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the Party

at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

3.30 Time of Essence.

Time is of the essence for each and every provision of this Agreement.

3.31 City's Right to Employ Other Consultants.

City reserves right to employ other consultants, including designers, in connection with this Project or other projects.

3.32 Prohibited Interests.

3.32.1 Solicitation. Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability.

3.32.2 Conflict of Interest. For the term of this Agreement, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.33 Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or any other classification protected by federal or state law. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Consultant shall also comply with all relevant provisions of City's minority business enterprise program, affirmative action plan or other related programs or guidelines currently in effect or hereinafter enacted.

3.34 Labor Certification.

By its signature hereunder, Consultant certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.

3.35 Subcontracting.

As specified in this Agreement, Consultant shall not subcontract any portion of the Services required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to each and every provision of this Agreement.

3.36 Supplemental Conditions.

Any supplemental conditions shall be attached as an exhibit to this Agreement, and that exhibit shall be incorporated herein by reference.

3.37 Entire Agreement.

This Agreement, with its exhibits, contains the entire agreement of the Parties hereto, and supersedes any and all other prior or contemporaneous negotiations, understandings and oral or written agreements between the Parties hereto. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. Furthermore, any modification of this Agreement shall only be effective if in writing signed by all Parties hereto.

SIGNATURES ON FOLLOWING PAGE

SIGNATURE PAGE FOR DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF ONTARIO AND IDS GROUP, INC.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY OF ONTARIO	**IDS Group, Inc.**
Approved By:	By: _____
_____	Its: _____
Scott Ochoa City Manager	Printed Name: _____
Approved as to Form:	By: _____
_____	Its: _____
Best Best & Krieger LLP City Attorney	Printed Name: _____
Attested By:	[If Corporation, TWO SIGNATURES, President OR Vice President AND Secretary OR Treasurer REQUIRED]
_____	
City Clerk	

EXHIBIT "A"
SCOPE OF SERVICES

1. GENERAL REQUIREMENTS.

1.1 Basic Services. Consultant agrees to perform all the necessary professional architectural, engineering (e.g. mechanical, electrical, plumbing, structural, site engineering, and any other necessary engineering services mutually agreeable to the Parties) and construction administration services for the Project in a timely and professional manner, consistent with the standards of the profession, including those provided for herein.

1.2 Exclusions from Basic Services. The following services shall be excluded from the basic services listed above: soils engineering, geotechnical services, and hazardous waste or toxic substances engineering.

1.3 Additional Services. Consultant shall perform the following Additional Services for the Project: Project Specific

1.4 Communication with City. Consultant shall participate in consultations and conferences with authorized representatives of City and/or other local, regional, or state agencies concerned with the Project, which may be necessary for the completion of the Project or the development of the drawings, specifications and documents in accordance with the applicable standards and requirements of law and the City. Such consultations and conferences shall continue throughout the planning and construction of the Project and the contractor's warranty period. Consultant shall take direction only from the City's Representative, or any other representative specifically designated by the City for this Project, including any construction manager hired by the City.

1.5 Coordination and Cooperation with Construction Manager. The City may hire a construction manager to administer and coordinate all or any part of the Project on its behalf. If the City does so, it shall provide a copy of its agreement with the construction manager so that the Consultant will be fully aware of the duties and responsibilities of the construction manager. The Consultant shall cooperate with the construction manager and respond to any requests or directives authorized by the City to be made or given by the construction manager. The Consultant shall request clarification from the City in writing if the Consultant should have any questions regarding the authority of the construction manager.

2. INITIAL PLANNING PHASE.

During the initial planning phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

2.1 Project Feasibility. Provide advice and assistance to City in determining the feasibility of the Project, analysis of the type and quality of materials and construction to be selected, the site location, and other initial planning matters.

2.2 Meeting Budget and Project Goals. Consultant shall notify City in writing of potential complications, cost overruns, unusual conditions, and general needs that potentially impact the Project budget and time line, including the City's Preliminary Construction Budget. Consultant shall use its best judgment in determining the balance between the size, type and quality of construction to achieve a satisfactory solution within the Project's budget and

construction allowance. It shall be the duty of the Consultant to design the Project within budget. As discussed herein, including in Section 7.3, if the lowest responsive and responsible bid for the Project exceeds the budget by the stated amount, Consultant may be required to make the necessary changes in the drawing and specifications, at its sole cost and expense, to bring the bids within the required budget.

2.3 Permits, Approvals and Authorizations. As indicated in Section 3.5.4 of the Agreement, Consultant shall assist City in securing easements, encroachment permits, rights of way, dedications, infrastructures and road improvements, as well as coordinating with utilities and adjacent property owners.

3. SCHEMATIC PLAN PHASE.

During the schematic plan phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

3.1 Funding Documents. Consultant shall provide a site plan and all other Project-related information necessary and required for an application by City to any federal, state, regional, or local agencies for funds to finance the construction Project.

3.2 Schematic Plans. In cooperation with City, Consultant shall prepare preliminary plans and studies, schematic drawings, site utilization plans, and phasing plans showing the scale and relationship of the components of the Project, the plot plan development at the site, and the proposed architectural concept of the buildings ("Schematic Plans"). Consultant shall incorporate the functional requirements of City into the Schematic Plans. The Schematic Plans shall meet all laws, rules and regulations of the State of California. The Schematic Plans shall show all rooms incorporated in each building of the Project in single-line drawings, and shall include all revisions required by City or by any federal, state, regional or local agency having jurisdiction over the Project. All architectural drawings for the Project shall be in a form suitable for reproduction.

3.3 Preliminary Project Budget. Consultant shall use the City's Preliminary Construction Budget and its own expertise and experience with the Project to establish a preliminary project budget or allowance in a format required by City ("Consultant's Preliminary Project Budget"). The purpose of the Consultant's Preliminary Project Budget is to show the probable Project cost in relation to City's Preliminary Construction Budget and the construction standards of any applicable funding agency. If Consultant perceives site considerations which render the Project expensive or cost prohibitive, Consultant shall disclose such conditions in writing to City immediately. As discussed herein, including in Section 7.3, if the lowest responsive and responsible bid for the Project exceeds the budget by more than the stated amount, Consultant may be required to make the necessary changes in the drawings and specifications, at its sole cost and expense, to bring the bids within the required budget Consultant shall provide a preliminary written time schedule for the performance of all construction work on the Project.

3.4 Copies of Schematic Plans and Other Documents. Consultant, at its own expense, shall provide a complete set of the Schematic Plans described herein for City's review and approval. Additionally, at City's expense, Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

4. DESIGN DEVELOPMENT PHASE.

During the design development phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

4.1 Design Development Documents. Once City provides Consultant with specific written approval of the Schematic Plans described herein, Consultant shall prepare design development documents consisting of: (1) site and floor plans; (2) elevations; and (3) any other drawings and documents sufficient to fix and describe the types and makeup of materials, as well as the size and character of the Project's structural, mechanical and electrical systems, and to outline the Project specifications ("Design Development Documents"). The Design Development Documents shall be prepared in sufficient form to present to the City Council for approval.

4.2 Copies of Design Development and Other Documents. Consultant, at its own expense, shall provide a complete set of the Design Development Documents described herein for City's review and approval. Additionally, at City's expense, Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

4.3 Updated Project Budget. Consultant shall use its Preliminary Project Budget and expertise and experience with the Project to establish an updated estimate of probable construction costs, containing detail consistent with the Design Development Documents as set forth herein and containing a breakdown based on types of materials and specifications identified herein ("Consultant's Updated Project Budget").

4.4 Timetable. Consultant shall provide a written timetable for full and adequate completion of the Project to City.

4.5 Application for Approvals. Consultant shall assist City in applying for and obtaining required approvals from all federal, state, regional or local agencies concerned with the Project. Consultant shall furnish and process all architectural and engineering information required to prepare and process applications to applicable utilities in order to secure priorities and materials, to aid in the construction of the Project and to obtain final Project approval and acceptance by any of the above agencies as may be required.

4.6 Color and Other Aesthetic Issues. Consultant shall provide, for City's review and approval, a preliminary schedule of all color materials and selections of textures, finishes and other matters involving an aesthetic decision about the Project.

5. FINAL WORKING DRAWINGS AND SPECIFICATIONS.

During the final working drawings and specifications phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

5.1 Final Working Drawings and Specifications. Once City provides Consultant with specific written approval of the Design Development Documents described herein, Consultant shall prepare such complete working drawings and specifications as are necessary for developing complete bids and for properly executing the Project work in an efficient and thorough manner ("Final Working Drawings and Specifications"). Such Final Working Drawings and Specifications shall be developed from the Schematic Plans and Design Development Documents approved by City. The Final Working Drawings and Specifications shall set forth in

detail all of the following: (1) the Project construction work to be done; (2) the materials, workmanship, finishes, and equipment required for the architectural, structural, mechanical, and electrical systems; and (3) the utility service connection equipment and site work. As indicated in Section 3.9.2 of the Agreement, City may be requested to supply Consultant with the necessary information to determine the proper location of all improvements on and off site, including record drawings ("as-built drawings") in City's possession. Consultant will make a good-faith effort to verify the accuracy of such information by means of a thorough interior and exterior visual survey of site conditions. City shall also make a good-faith effort to verify the accuracy of the as-built drawings and provide any supplemental information to Consultant which may not be shown on the as-built drawings.

5.2 Form. The Final Working Drawings and Specifications must be in such form as will enable Consultant and City to secure the required permits and approvals from all federal, state, regional or local agencies concerned with the Project. In addition, the Final Working Drawings and Specifications must be in such form as will enable City to obtain, by competitive bidding, a responsible and responsive bid within the applicable budgetary limitations and cost standards. The Final Working Drawings and Specifications shall be clear and legible so that uniform copies may be on standard architectural size paper, properly indexed and numbered, and shall be capable of being clearly copied and assembled in a professional manner by Consultant.

5.3 Approval and Revisions. City shall review, study, and check the Final Working Drawings and Specifications presented to it by Consultant, and request any necessary revisions or obtain any necessary approvals by the City Council, subject to the approval of all federal, state, regional or local agencies concerned with the Project. Consultant shall make all City-requested changes, additions, deletions, and corrections in the Final Working Drawings and Specifications at no additional cost, so long as they are not in conflict with the requirements of public agencies having jurisdiction or prior approval, or inconsistent with earlier City direction or Consultant's professional judgment. Consultant shall bring any such conflicts and/or inconsistencies to the attention of City. The Parties agree that Consultant, and not the City, possesses the requisite expertise to determine the constructability of the Final Working Drawings and Specifications. However, the City reserves the right to conduct one or more constructability review processes with the Final Working Drawings and Specifications, and to hire an independent architect or other consultant to perform such reviews. Any such independent constructability review shall be at City's expense. Consultant shall make all City-requested changes, additions, deletions, and corrections in the Final Working Drawings and Specifications which may result from any constructability review, at no additional cost to the City, so long as they are not in conflict with the requirements of public agencies having jurisdiction or prior approval, or inconsistent with earlier City direction or Consultant's professional judgment. If such changes, additions, deletions or corrections are inconsistent with prior City direction, Consultant shall make such alterations and be compensated therefore pursuant to the Additional Services provision of this Agreement.

5.4 Costs of Construction. It is understood by Consultant that should the Final Working Drawings and Specifications be ordered by City, City shall specify the sum of money set aside to cover the total cost of construction of the work, exclusive of Consultant's fees. Should it become evident that the total construction cost will exceed the specified sum, Consultant shall at once present a statement in writing to the City's Representative setting forth this fact and giving a full statement of the cost estimates on which the conclusion is based.

5.5 Copies of Final Working Drawings and Specifications and Other Documents. Consultant, at its own expense, shall provide a complete set of the Final Working Drawings and Specifications described herein for City's review and approval. Additionally, at City's expense,

Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

6. CONSTRUCTION CONTRACT DOCUMENTS.

During the construction contract documents phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

6.1 Bid and Contract Documents. If so required by City, Consultant shall assist City in the completion of all bid and construction documents, including but not limited to, the Notice Inviting Bids, Instructions to Bidders, Contract Bid Forms (including Alternate Bids as requested by City), `Contract, General Conditions, Supplementary General Conditions, Special Conditions, DVBE and other applicable affirmative action documents, Performance Bond, Payment Bond, Escrow Agreement for Security Deposits, and any other certifications and documents required by federal, state and local laws, rules and regulations which may be reasonably required in order to obtain bids responsive to the specifications and drawings. All such documents shall be subject to the approval of City and City's legal counsel.

6.2 Final Estimate. At the time of delivery of these bid and construction documents, which shall include the Final Working Drawings and Specifications (collectively referred to herein as the "Construction Documents"), Consultant shall provide City with its final estimate of probable construction cost ("Consultant's Final Estimate"). As discussed herein, including in Section 7.3, it shall be the Consultant's duty to design the Project within budget.

7. BID PHASE.

During the bid phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

7.1 Reproducible Construction Documents. Once City provides Consultant with specific written approval of the Construction Documents and Consultant's Final Estimate, Consultant shall provide to City one set of reproducible Construction Documents.

7.2 Distribution of Contract Documents and Review of Bids. Consultant shall assist City in distributing the Construction Documents to bidders and conducting the opening and review of bids for the Project.

7.3 Over Budget. If the apparent lowest responsive and responsible bid on the Project exceeds the Consultant's Final Estimate by more than five percent (5%), City may request Consultant to amend, at Consultant's sole cost and expense, the Final Drawings and Specifications in order to rebid the Project and receive a lowest responsive and responsible bid equal to or less than the Consultant's Final Estimate. All revisions necessary to bring the lowest responsible and responsive bid within the Consultant's Final Estimate, including any omissions, deferrals or alternates, shall be made in consultation with, and subject to the approval of, the City.

8. CONSTRUCTION PHASE.

During the construction phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

8.1 Observation. The Project Consultant shall observe work executed from the Final Working Drawings and Specifications in person, provided that City may, in its discretion, consent to such observation by another competent representative of Consultant.

8.2 General Administration. Consultant shall provide general administration of the Construction Documents and the work performed by the contractors.

8.3 Pre-Construction Meeting. Consultant shall conduct one or more pre-construction meetings, as the City determines is needed for the Project, with all interested Parties.

8.4 Site Visits of Contractor's Work. Consultant shall conduct site visits to observe each contractors' work for general conformance with the Construction Documents and with any approved construction schedules or milestones. Such site visits shall be conducted as often as are necessary and appropriate to the stage of construction, according to the City's sole discretion, but in no event less than weekly.

8.5 Site Visits of Inspector's Work. Consultant shall conduct site visits to communicate and observe the activities of the City inspectors. Such site visits shall be conducted as often as is mutually acceptable to Consultant and City. Consultant shall direct the City inspectors and the Project contractors to coordinate the preparation of record drawings indicating dimensions and location of all "as-built" conditions, including but not limited to, underground utility lines.

8.6 Coordination of Subconsultants. Consultant shall cause all architects, engineers and other consultants, as may be hired by Consultant or City, to observe the work completed under their disciplines as required, and approve and review all test results for general conformance with the Construction Documents.

8.7 Reports. Consultant shall make regular reports as may be required by applicable federal, state or local laws, rules or regulations, as well as the federal, state, regional or local agencies concerned with the Project.

8.8 Construction Meetings; Minutes. Consultant shall attend all construction meetings and provide written reports/minutes to the City after each construction meeting in order to keep City informed of the progress of the work. Such meetings shall occur at a frequency necessary for the progress of the Project work, according to the City's sole discretion, but no less than weekly.

8.9 Written Reports. Consultant shall make written reports to City as necessary to inform City of problems arising during construction, changes contemplated as a result of each such problems, and progress of the Project work.

8.10 Written Records. Consultant shall keep accurate written records of the progress and quality of the Project work and the time schedules, and shall advise the contractors and City of any deviations from the time schedule which could delay timely completion of the Project.

8.11 Material and Test Reports. Consultant shall check and process, in a timely manner, all required material and test reports for the Project work. In addition, Consultant shall provide notice of any deficiencies in material or work reflected in such reports, as well as its recommendation for correction of such deficiencies, to the contractors and City.

8.12 Review and Response to Submissions. Consultant shall review and respond, in a timely manner, to all schedules, submittals, shop drawings, samples, information requests, change requests, and other submissions of the contractor and subcontractors for compliance with, or alterations and additions to, the Construction Documents. Consultant's review and response shall be done in such a manner so as to ensure the timely and uninterrupted progress of the Project work.

8.13 Rejection of Work. Consultant shall promptly reject, as discussed with City, work or materials which do not conform to the Construction Documents. Consultant shall immediately notify the City and contractor(s) of such rejections. Consultant shall also have the authority to recommend to the City that additional inspection or testing of the work be performed, whether or not such work is fabricated, installed or completed.

8.14 Substitutions. Consultant shall consult with City, in a timely manner, with regard to substitution of materials, equipment and laboratory reports thereof, prior to the City's final written approval of such substitutions. Consultant's consultation shall be done in such a manner so as to ensure the timely and uninterrupted progress of the Project work.

8.15 Revised Documents and Drawings. Consultant shall prepare, at no additional expense to City, all documents and/or drawings made necessary by errors and omissions in the originally approved Construction Documents.

8.16 Change Requests and Material Changes. Consultant shall evaluate and advise City, in a timely manner and in writing, of any change requests and material change(s) which may be requested or necessary in the Project plans and specifications. Consultant shall provide the City with its opinion as to whether such change requests should be approved, denied or revised. If the City has not hired a construction manager or other person to do so, the Consultant shall prepare and execute all change orders and submit them to the City for authorization. If the City has designated a construction manager or other person to prepare all change orders, the Consultant shall review all change orders prepared by such person, execute them and deliver them to the City for authorization if they meet with the Consultant's approval, or submit them to the City with recommendations for revision or denial if necessary. Consultant shall not order contractors to make any changes affecting the contract price without approval by City of such a written change order, pursuant to the terms of the Construction Documents. Consultant may order, on its own responsibility and pending City Council approval, changes necessary to meet construction emergencies, if written approval of City's Representative is first secured.

8.17 Applications for Payment. Consultant shall examine, verify and approve contractor's applications for payment, and shall issue certificates for payment in amounts approved by the City's inspector.

8.18 Final Color and Product Selection. Consultant shall coordinate final color and product selection with City's original design concept.

8.19 Substantial Completion. Consultant shall determine the date of substantial completion, in consultation with the City.

8.20 Punch List. After determining that the Project is substantially complete, Consultant shall participate in the inspection of the Project and shall review all remaining deficiencies and minor items needed to be corrected or completed on the Project, including those identified on the punch list prepared by the contractor ("Punch List Items"). Consultant shall notify

contractor in writing that all Punch List Items must be corrected prior to final acceptance of the Project and final payment. Consultant shall also notify City of all Punch List Items.

8.21 Warranties. Consultant shall review materials assembled by the contractor and subcontractors with regard to all written warranties, guarantees, owners' manuals, instruction books, diagrams, record "as built" drawings, and any other materials required from the contractors and subcontractors pursuant to the Construction Documents. Consultant shall coordinate and provide these materials to the City.

8.22 Certificate of Completion. Consultant shall participate in any further inspections of the Project necessary to issue Consultant's Certificate of Completion and final certificate for payment.

8.23 Documents for Project Close-Out. Consultant shall cause all other architects, engineers and other consultants, as may be hired by Consultant, to file any and all required documentation with the City or other governmental authorities necessary to close out the Project. Consultant shall assist the City in obtaining such documentation from all other architects, engineers, or other consultants.

9. AS-BUILT DRAWINGS.

During the as-built drawings phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

9.1 As-Built Drawings and Specifications. Not later than thirty (30) days after substantial completion of the Project, before receipt of final payment, Consultant shall review and forward the Final Working Drawings and Specifications, indicating on them all changes made by change orders or otherwise pursuant to the Construction Documents, as well as all information called for on the specifications, thus producing an "as-built" set of Final Working Drawings and Specifications ("As-Built Drawings and Specifications"). The As-Built Drawings and Specifications shall show, among other things, the location of all concealed pipe, buried conduit runs and other similar elements within the completed Project. Consultant shall personally review and certify that the As-Built Drawings and Specifications are a correct representation of the information supplied to Consultant by any inspectors and the contractor, and shall obtain certifications from any inspectors and the contractor that the drawings are correct.

9.2 Approval. Once City provides Consultant with specific written approval of the As-Built Drawings and Specifications, Consultant shall forward to City the complete set of original As-Built Drawings and Specifications or a complete set of reproducible duplicate As-Built Drawings and Specifications. The tracing shall be of such quality that clear and legible prints may be made without appreciable and objectionable loss of detail.

9.3 Documents for Final Payment. Prior to the receipt of Consultant's final payment, Consultant shall forward to City all of the following: (1) one clear and legible set of reproductions of the computations; (2) the original copy of the specifications; (3) the As-Built Drawings and Specifications as required herein; and (4) Consultant's Certificate of Completion.

10. WARRANTY PERIOD.

During the warranty period phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

10.1 Advice. Consultant shall provide advice to City on apparent deficiencies in the Project during any applicable warranty periods for the Project.

PART TWO
FEE PROPOSAL

IDS GROUP

IDS GROUP, INC.

Rate Sheet - City of Ontario

Title - Association	Hourly Rate
Principal	$243
Associate Principal	$229
Senior Project Manager | Associate	$219
Senior Planner	$219
QA/QC Manager	$219
Registered Architect | Engineer	$205
Project Manager	$205
Senior Architect | Engineer	$192
Senior Cost Estimator	$182
Project Architect | Engineer	$182
Senior Designer	$177
Designer Architect | Engineer	$166
Specification Writer	$166
Engineering Designer - BIM	$145
Architectural Job Captain | Designer	$137
CAD Drafting Engineer | Architect	$123
Office Administration	$76

Expenses such as, but not limited to plan check fees, permits inspections, testing services, title company fees, special delivery charges, plotting/presentation boards, maps, aerial photographs, and reprographics / illustrations that may be required for community or other stakeholder presentations, shall be billed to the owner at Consultant's direct cost plus 5%.



8. OTHER INFORMATION

PROJECT MANAGEMENT & PROJECT CONTROLS

IDS' project manager will implement project controls including timely and regular client communications, established monitoring to control costs and schedule. Activities under the umbrella of project controls include:

Project Planning: IDS' Project Manager will create project plans, schedules, WBS, and budget to establish a baseline to work with throughout the project. This includes a kick-off meeting to deeply understand all of our client's needs.

Budgeting: IDS' team will provide schedule-phased budgets, a transparent model that will be available to serve as a benchmark throughout the project and as an important cash flow tool for accurate invoicing and project accounting.

Risk Management: Our team will preemptively identify risks, monitor risk continuously, and develop a contingency plan to address and mitigate issues to help reduce impacts to budget and schedule.

Forecasting: IDS' team will perform regular updates to the schedule to ensure faster responses and corrective actions if a project schedule moves off-track.

Project Administration: This process involves established processes and systems that can help team members communicate and collaborate. The goal is to track status, action items, capture meeting minutes and lessons learned, and manage workflows seamlessly so teams can focus on efficient execution of project tasks.

Constructability Reviews

To improve project efficiency and constructability, IDS' team leverages Bluebeam Revu®, a PDF-based solution designed for the construction industry, for each phase of the preconstruction process. Revu enables IDS to electronically share project feedback by redlining PDFs with industry-standard markups and takeoffs. In addition, IDS utilizes an online session collaboration feature, which allows multiple discipline-lead reviewers to comment on the same PDF together in real-time, or individually. As a result of this concurrent review, where team members can see comments made by other members, a more comprehensive, easy to understand, and quality list of comments are generated resulting in improved deliverables.

CITY OF ONTARIO
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PAUL S. LEON
MAYOR

DEBRA PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT OCHOA
CITY MANAGER

CITY OF ONTARIO
DESIGN SERVICES AGREEMENT

1. PARTIES AND DATE.

This Agreement is made and entered into as of _____, by and between the City of Ontario, a municipal corporation organized and operating under the laws of the State of California with its principal place of business at 303 East "B" Street, Ontario, California 91764-4196, County of San Bernardino, State of California ("City"), and **Hammel, Green, and Abrahamsom, Inc.**, a **CORPORATION** with its principal place of business at 420 North 5th Street Suite 100, Minneapolis, MN 55401 (hereinafter referred to as "Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

2. RECITALS.

2.1 City. City is a municipal corporation organized under the laws of the State of California, with power to contract for services necessary to achieve its purpose.

2.2 Consultant**.** Consultant desires to perform and assume responsibility for the provision of certain professional engineering or architectural design services required by the City on the terms and conditions set forth in this Agreement. Consultant warrants that it is fully licensed, qualified, and willing to perform the services required by this Agreement; provided, however, that if Consultant is a corporation or other organization, the Project Consultant designated pursuant to Section 3.2, and not the Consultant itself, shall be fully licensed to practice as an **engineer or architect** in the State of California.

2.3 Project**.** City desires to engage Consultant to render such services for the **D&C 24-012 On-Call Architectural, Space Planning And Engineering Design Services** ("Project") as set forth in this Agreement.

3. TERMS

3.1 Employment of Consultant.

3.1.1 Scope of Services. Consultant promises and agrees to furnish to City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional engineering or architectural and related services necessary for the full and adequate completion of the Project consistent with the provisions of this Agreement (hereinafter referred to as "Services"). The Services are more particularly described throughout this Agreement, including Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement,

any exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations. All Services performed by Consultant shall be subject to the sole and discretionary approval of the City, which approval shall not be unreasonably withheld.

3.1.2 Term. The term of this Agreement shall be from **November 20, 2024,** to **November 20, 2027**, unless earlier terminated as provided herein. The City shall have the unilateral option, at its sole discretion, to renew this Agreement automatically for no more than two (2) additional one-year terms. Consultant shall complete the Services within the term of this Agreement, and shall meet any other established schedules and deadlines.

3.2 Project Consultant; Key Personnel.

3.2.1 **Engineer of Record OR Project Architect**. Consultant shall name a specific individual to act as Project Consultant, subject to the approval of City. Consultant hereby designates Fielding Featherston (License No. C-36641) to act as the Engineer of Record OR Project Architect for the Project. The Engineer of Record OR Project Architect shall: (1) maintain oversight of the Services; (2) have full authority to represent and act on behalf of the Consultant for all purposes under this Agreement; (3) supervise and direct the Services using his or her best skill and attention; (4) be responsible for the means, methods, techniques, sequences and procedures used for the Services; (5) adequately coordinate all portions of the Services; and (6) act as principal contact with City and all contractors, consultants, engineers and inspectors on the Project. Any change in the Engineer of Record OR Project Architect shall be subject to the City's prior written approval, which approval shall not be unreasonably withheld. The new Engineer of Record OR Project Architect shall be of at least equal competence as the prior Engineer of Record OR Project Architect. In the event that City and Consultant cannot agree as to the substitution of a new Engineer of Record OR Project Architect, City shall be entitled to terminate this Agreement for cause.

3.2.2 Key Personnel. In addition to the Engineer of Record OR Project Architect, Consultant has represented to the City that certain additional key personnel, engineers and consultants will perform the Services under this Agreement. Should one or more of such personnel, engineers or consultants become unavailable, Consultant may substitute others of at least equal competence upon written approval of the City. In the event that City and Consultant cannot agree as to the substitution of key personnel, engineers or consultants, City shall be entitled to terminate this Agreement for cause. The key additional personnel, engineers and consultants for performance of this Agreement are as follows: Fielding Featherston - California Licensed Architect C-36641, Taylor Hsiao - California Licensed Architect C-30011, Delphine Msika - California Licensed Architect C-39347, David Ainsworth – CA Licensed Engineer M28785

3.3 Hiring of Consultants and Personnel.

3.3.1 Right to Hire or Employ. Consultant shall have the option, unless City objects in writing after notice, to employ at its expense architects, engineers, experts or other consultants qualified and licensed to render services in connection with the planning and/or administration of the Project, and to delegate to them such duties as Consultant may delegate without relieving Consultant from administrative or other responsibility under this Agreement. Consultant shall be responsible for the coordination and cooperation of Consultant's architects, engineers, experts or other consultants. All consultants, including changes in consultants, shall be subject to approval by City in its sole and reasonable discretion. Consultant shall notify City of the identity of all consultants at least fourteen (14) days prior to their commencement of work

to allow City to review their qualifications and approve to their participation on the Project in its sole and reasonable discretion.

3.3.2 Qualification and License. All architects, engineers, experts and other consultants retained by Consultant in performance of this Agreement shall be qualified to perform the Services assigned to them, and shall be licensed to practice in their respective professions, where required by law.

3.3.3 Standards and Insurance. All architects, engineers, experts and other consultants hired by Consultant shall be required to meet all of the same standards and insurance requirements set forth in this Agreement, unless other standards or requirements are approved by the City in writing. Unless changes are approved in writing by the City, Consultant's agreements with its consultants shall contain a provision making them subject to all provisions stipulated in this Agreement.

3.3.4 Assignments or Staff Changes. Consultant shall promptly obtain written City approval of any assignment, reassignment or replacement of such architects, engineers, experts and consultants, or of other staff changes of key personnel working on the Project. As provided in the Agreement, any changes in Consultant's consultants and key personnel shall be subject to approval by City.

3.3.5 Draftsman and Clerical Support. Draftsmen and clerical personnel shall be retained by Consultant at Consultant's sole expense.

3.4 Standard of Care.

3.4.1 Standard of Care. Consultant shall perform all Services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals qualified to perform the Services in the same discipline in the State of California, and shall be responsible to City for damages sustained by the City and delays to the Project as specified in the indemnification provision of this Agreement. Without limiting the foregoing, Consultant shall be fully responsible to the City for any increased costs incurred by the City as a result of any such delays in the design or construction of the Project. Consultant represents and maintains that it is skilled in the professional calling necessary to perform the Services. Consultant warrants and represents that all of its employees, architects, engineers, experts and other consultants shall have sufficient skill and experience to perform the Services assigned to them. Finally, Consultant represents that it, its employees, architects, engineers, experts and other consultants have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services assigned to or rendered by them and that such licenses and approvals shall be maintained throughout the term of this Agreement. As provided for in the indemnification provisions of this Agreement, Consultant shall perform, at its own cost and expense and without reimbursement from the City, any services necessary to correct errors or omissions which are caused by the Consultant's failure to comply with the standard of care provided for herein.

3.4.2 Performance of Employees. Any employee or consultant who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee or consultant who fails or refuses to perform the Services in a manner acceptable to the City, shall be promptly removed from the Project by the Consultant and shall not be re-employed to perform any of the Services or to work on the Project.

3.5 Laws and Regulations.

3.5.1 Knowledge and Compliance. Consultant shall keep itself fully informed of and in compliance with all applicable local, state and federal laws, rules and regulations in any manner affecting the performance of the Services or the Project, and shall give all notices required of the Consultant by law. Consultant shall be liable, pursuant to the standard of care and indemnification provisions of this Agreement, for all violations of such laws and regulations in connection with its Services. Consultant shall defend, indemnify and hold City, its officials, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

3.5.2 Drawings and Specifications. Consultant shall cause all drawings and specifications to conform to any applicable requirements of federal, state and local laws, rules and regulations, including the Uniform Building Code, in effect as of the time the drawings and specifications are prepared or revised during the latest phase of the Services described in Exhibit "A" attached hereto. Any significant revisions made necessary by changes in such laws, rules and regulations after this time may be compensated as Additional Services which were not known or reasonably should not have been known by Consultant. Consultant shall cause the necessary copies of such drawings and specifications to be filed with any governmental bodies with approval jurisdiction over the Project, in accordance with the Services described in Exhibit "A" attached hereto. For the preparation of all such drawings and specifications, the Consultant shall use Computer Aided Design Drafting ("CADD") (e.g., AutoCAD) or other technology acceptable to the Consultant and City.

3.5.3 Americans with Disabilities Act. Consultant will use its best professional efforts to interpret all applicable federal, state and local laws, rules and regulations with respect to access, including those of the Americans with Disabilities Act ("ADA"). Consultant shall inform City of the existence of inconsistencies of which it is aware or reasonably should be aware between federal and state accessibility laws, rules and regulations, as well as any other issues which are subject to conflicting interpretations of the law, and shall provide the City with its interpretation of such inconsistencies and conflicting interpretations. Unless Consultant brings such inconsistencies and conflicting interpretations to the attention of the City and requests City's direction on how to proceed, the Consultant's interpretation of such inconsistencies and conflicting interpretations shall be the sole responsibility and liability of Consultant, and the Consultant shall correct all plans, specifications and other documents prepared for the Project at no additional cost if its interpretations are shown to be incorrect. In the event that the Consultant request's City's direction on how to proceed with respect to any inconsistent and/or conflicting interpretation, the Consultant shall be responsible to the City only pursuant to the indemnification provisions of this Agreement.

3.5.4 Permits, Approvals and Authorizations. Consultant shall provide City with a list of all permits, approvals or other authorizations required for the Project from all federal, state or local governmental bodies with approval jurisdiction over the Project. Consultant shall then assist the City in obtaining all such permits, approvals and other authorizations. The costs of such permits, approvals and other authorizations shall be paid by the City.

3.5.5 Water Quality Management and Compliance. Consultant shall keep itself and all subcontractors, staff, and employees fully informed of and in compliance with all local, state and federal laws, rules and regulations that may impact, or be implicated by the performance of the Services including, without limitation, all applicable provisions of the City's ordinances

regulating water quality and storm water; the Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq*.); the California Porter-Cologne Water Quality Control Act (Cal Water Code §§ 13000-14950); and any and all regulations, policies, or permits issued pursuant to any such authority. Consultant shall additionally comply with the lawful requirements of the City, and any other municipality, drainage district, or other local agency with jurisdiction over the location where the Services are to be conducted, regulating water quality and storm water discharges. Failure to comply with laws, regulations, and ordinances listed in this Section is a violation of federal and state law.

3.6 Independent Contractor.

3.6.1 Control and Payment of Subordinates. City retains Consultant on an independent contractor basis and Consultant is not an employee of City. Consultant is not an employee for state tax, federal tax or any other purpose, and is not entitled to the rights or benefits afforded to City's employees. Any additional personnel performing the Services under this Agreement on behalf of Consultant shall also not be employees of City, and shall at all times be under Consultant's exclusive direction and control. Consultant shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. Consultant shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

3.7 Schedule of Services.

3.7.1 Consultant Services. Consultant shall fully and adequately complete the Services described in this Agreement and in Exhibit "A" attached hereto and incorporated herein by reference.

3.7.2 Timely Performance Standard. Consultant shall perform all Services hereunder as expeditiously as is consistent with professional skill and care, as well as the orderly progress of the Project work so as not to be the cause, in whole or in part, of delays in the completion of the Project or in the achievement of any Project milestones, as provided herein. Specifically, Consultant shall perform its Services so as to allow for the full and adequate completion of the Project within the time required by the City and within any completion schedules adopted for the Project. Consultant agrees to coordinate with City's staff, contractors and consultants in the performance of the Services, and shall be available to City's staff, contractors and consultants at all reasonable times.

3.7.3 Performance Schedule. Consultant shall prepare an estimated time schedule for the performance of Consultant's Services, to be adjusted as the Project proceeds. Such schedule shall be subject to the City's review and approval, which approval shall not be unreasonably withheld, and shall include allowances for periods of time required for City's review and approval of submissions, and for approvals of authorities having jurisdiction over Project approval and funding. If City and Consultant cannot mutually agree on a performance schedule, City shall have the authority to immediately terminate this Agreement. The schedule shall not be exceeded by Consultant without the prior written approval of City. If the Consultant's Services are not completed within the time provided by the agreed upon performance schedule, or any milestones established therein, it is understood, acknowledged and agreed that the City will suffer damage for which the Consultant will be responsible.

3.7.4 Excusable Delays. Any delays in Consultant's work caused by the following may be added to the time for completion of any obligations of Consultant: (1) the actions of City or its employees; (2) the actions of those in direct contractual relationship with City; (3) the actions of any governmental agency having jurisdiction over the Project; (4) the actions of any parties not within the reasonable control of the Consultant; and (5) any Force Majeure Event (as defined herein) or other unforeseen occurrence not due to any fault or negligence on the part of Consultant. Neither the City nor the Consultant shall be liable for damages, liquidated or otherwise, to the other on account of such delays.

3.7.5 Force Majeure Events. Neither City nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing Party. For purposes of this Agreement, such circumstances include a Force Majeure Event. A Force Majeure Event shall mean an event that materially affects a Party's performance and is one or more of the following: (1) Acts of God or other natural disasters; (2) terrorism or other acts of a public enemy; (3) orders of governmental authorities (including, without limitation, unreasonable and unforeseeable delay in the issuance of permits or approvals by governmental authorities that are required for the services); (4) strikes and other organized labor action occurring at the site and the effects thereof on the services, only to the extent such strikes and other organized labor action are beyond the control of Consultant and its subcontractors, and to the extent the effects thereof cannot be avoided by use of replacement workers; and (5) pandemics, epidemics or quarantine restrictions. For purposes of this section, "orders of governmental authorities," includes ordinances, emergency proclamations and orders, rules to protect the public health, welfare and safety, and other actions of a public agency applicable to the Services and Agreement. Should a Force Majeure Event occur, the non-performing Party shall, within fifteen (15) calendar days of the beginning of an Force Majeure Event, give written notice to the other Party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement. Force Majeure Events shall not entitle Consultant to any additional compensation. Notwithstanding the foregoing in this section, the City may still terminate this Agreement in accordance with the termination provisions of this Agreement.

3.7.6 Request for Excusable Delay Credit. The Consultant shall, within fifteen (15) calendar days of the beginning of any excusable delay, notify the City in writing of the causes of delay (unless City grants in writing a further period of time to file such notice prior to the date of final payment under the Agreement). City will then ascertain the facts and the extent of the delay, and grant an extension of time for completing the Services when, in its sole judgment, the findings of fact justify such an extension. The City's findings of fact thereon shall be final and conclusive on the Parties. Extensions of time shall apply only to that portion of the Services affected by the delay and shall not apply to other portions of the Services not so affected. The sole remedy of Consultant for extensions of time shall be an extension of the performance time at no cost to the City. If Additional Services are required as a result of an excusable delay, the Parties shall mutually agree thereto pursuant to the Additional Services provision of this Agreement. Should Consultant make an application for an extension of time, Consultant shall submit evidence that the insurance policies required by this Agreement remain in effect during the requested additional period of time.

3.8 Additional Services.

3.8.1 Request for Services. At City's request, Consultant may be asked to perform services not otherwise included in this Agreement, not included within the basic services

listed in Exhibit “A” attached hereto, and/or not customarily furnished in accordance with generally accepted architectural practice.

3.8.2 Definition. As used herein, “Additional Services” mean: (1) any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary for the Consultant to perform at the execution of this Agreement; or (2) any work listed as Additional Services in Exhibit “A” attached hereto. Consultant shall not perform, nor be compensated for, Additional Services without prior written authorization from City and without an agreement between the City and Consultant as to the compensation to be paid for such services. City shall pay Consultant for any approved Additional Services, pursuant to the compensation provisions herein, so long as such services are not made necessary through the fault of Consultant pursuant to the indemnification provision of this Agreement.

3.8.3 Examples of Additional Services. Such Additional Services shall not include any redesign or revisions to drawings, specifications or other documents when such revisions are necessary in order to bring such documents into compliance with applicable laws, rules, regulations or codes of which Consultant was aware or should have been aware pursuant to the laws and regulations provision of this Agreement above. Such Additional Services may include, but shall not be limited to:

(a) Separately Bid Portions of Project. Plan preparation and/or administration of work on portions of the Project separately bid.

(b) Furniture and Interior Design. Assistance to City, if requested, for the selection of moveable furniture, equipment or articles which are not included in the Construction Documents.

(c) Fault of Contractor. Services caused by delinquency, default or insolvency of contractor, or by major defects in the work of the contractor, provided that any such services made necessary by the failure of Consultant to detect and report such matters when it reasonably should have done so shall not be compensated.

(d) Inconsistent Approvals or Instructions. Revisions in drawings, specifications or other documents when such revisions are inconsistent with written approvals or instructions previously given and are due to causes beyond the control of Consultant.

(e) Legal Proceedings. Serving as an expert witness on City's behalf or attending legal proceedings to which the Consultant is not a party.

(f) Damage Repair. Supervision of repair of damages to any structure.

(g) Extra Environmental Services. Additional work required for environmental conditions (e.g. asbestos or site conditions) not already contemplated within the Consultant's services for the Project.

3.9 City Responsibilities. City’s responsibilities shall include the following:

3.9.1 Data and Information. City shall make available to Consultant all necessary data and information concerning the purpose and requirements of the Project, including scheduling and budget limitations, objectives, constraints and criteria. As part of the budget

limitation information, the City shall provide the Consultant with a preliminary construction budget ("City's Preliminary Construction Budget").

3.9.2 Project Survey. If required pursuant to the scope of the Project and if requested by Consultant, City shall furnish Consultant with, or direct Consultant to procure at City's expense, a survey of the Project site prepared by a registered surveyor or civil engineer, any other record documents which shall indicate existing structures, land features, improvements, sewer, water, gas, electrical and utility lines, topographical information and boundary dimensions of the site, and any other such pertinent information.

3.9.3 Bid Phase. Distribute Construction Documents to bidders and conduct the opening and review of bids for the Project.

3.9.4 Testing. Retain consultant(s) to conduct chemical, mechanical, soils, geological or other tests required for proper design of the Project, and furnish such surveys, borings, test pits, and other tests as may be necessary to reveal conditions of the site which must be known to determine soil condition or to ensure the proper development of the required drawings and specifications.

3.9.5 Required Inspections and Tests. Retain consultant(s) to conduct materials testing and inspection or environmental/hazardous materials testing and inspection pursuant to any applicable laws, rules or regulations.

3.9.6 Fees of Reviewing or Licensing Agencies. Directly pay or reimburse the payment of all fees required by any reviewing or licensing agency, or other agency having approval jurisdiction over the Project.

3.9.7 City's Representative. The City hereby designates the City Manager, or his or her designee, to act as its representative for the performance of this Agreement ("City's Representative"). City's Representative shall have the power to act on behalf of the City for all purposes under this Contract. The City Manager hereby designates **Cynthia Heredia-Torres, Project Manager**, or his or her designee, as the City's contact for the implementation of the Services hereunder. Contractor shall not accept direction or orders from any person other than the City's Representative or his or her designee.

3.9.8 Review and Approved Documents. Review all documents submitted by Consultant, including change orders and other matters requiring approval by the City Council or other officials. City shall advise Consultant of decisions pertaining to such documents within a reasonable time after submission, so as not to cause unreasonable delay as provided in the excusable delay provisions of this Agreement above.

3.10 Compensation.

3.10.1 Consultant's Compensation for Basic Services. City shall pay to Consultant, for the performance of all Services rendered under this Agreement, the total not to exceed amount of **Two Hundred Thousand Dollars ($200,000**) ("Total Compensation"). This Total Compensation amount shall be based upon, and may be adjusted according to, the fee schedule and related terms and conditions attached hereto as Exhibit "B" and incorporated herein by reference. The Total Compensation, as may be adjusted upon mutual agreement, shall constitute complete and adequate payment for Services under this Agreement.

3.10.2 Payment for Additional Services. At any time during the term of this Agreement, City may request that Consultant perform Additional Services. As used herein, Additional Services means any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary at the execution of this Agreement. Any additional work in excess of this amount must be approved by the City. If authorized, such Additional Services will be compensated at the rates and in the manner set forth in Exhibit "C" attached hereto and incorporated herein by reference, unless a flat rate or some other form of compensation is mutually agreed upon by the Parties. If City requires Consultant to hire consultants to perform any Additional Services, Consultant shall be compensated therefore at the rates and in the manner set forth in Exhibit "C" attached hereto and incorporated herein by reference, unless a flat rate or some other form of compensation is mutually agreed upon by the Parties. City shall have the authority to review and approve the rates of any such consultants. In addition, Consultant shall be reimbursed for any expenses incurred by such consultants pursuant to the terms and conditions of Section 3.10.3.

3.10.3 Reimbursable Expenses. Reimbursable expenses are in addition to compensation for the Services and Additional Services. Consultant shall not be reimbursed for any expenses unless authorized in writing by City, which approval may be evidenced by inclusion in Exhibit "C" attached hereto. Such reimbursable expenses shall include only those expenses which are reasonably and necessarily incurred by Consultant in the interest of the Project. Consultant shall be required to acquire prior written consent in order to obtain reimbursement for the following: (1) extraordinary transportation expenses incurred in connection with the Project; (2) out-of-town travel expenses incurred in connection with the Project; (3) fees paid for securing approval of authorities having jurisdiction over the Project; (4) bid document duplication costs in excess of $1,000; and (5) other costs, fees and expenses in excess of $1,000.

3.10.4 Payment to Consultant. Consultant's compensation and reimbursable expenses shall be paid by City to Consultant no more often than monthly. Such periodic payments shall be made based upon the percentage of work completed, and in accordance with the phasing and funding schedule provided in Exhibit "B" and the compensation rates indicated in Exhibit "C" attached hereto and incorporated herein by reference. In order to receive payment, Consultant shall present to City an itemized statement which indicates Services performed, percentage of Services completed, method for computing the amount payable, and the amount to be paid. The statement shall describe the amount of Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement, as well as those expenses for which reimbursement is requested for that statement period. The amount paid to Consultant shall never exceed the percentage amounts authorized by the phasing and funding schedule located in Exhibit "B" attached hereto. City shall, within thirty (30) days of receiving such statement, review the statement and pay all approved charges thereon pursuant to the provisions of Civil Code Section 3320. Disputed amounts shall be resolved by the Parties in a mutually agreeable manner.

Payments made for Additional Services shall be made in installments, not more often than monthly, proportionate to the degree of completion of such services or in such other manner as the Parties shall specify when such services are agreed upon, and in accordance with any authorized fee or rate schedule. In order to receive payment, Consultant shall present to City an itemized statement which indicates the Additional Services performed, percentage of Additional Services completed, method for computing the amount payable, and the amount to be paid. The statement shall describe the amount of Additional Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. City shall, within thirty (30) days of receiving such statement, review

the statement and pay all approved charges thereon pursuant to the provisions of Civil Code Section 3320. Disputed amounts shall be resolved by the Parties in a mutually agreeable manner.

Upon cancellation or termination of this Agreement, Consultant shall be compensated as set forth in the termination provision herein.

3.10.5 Withholding Payment to Consultant. The City may withhold payment, in whole or in part, to the extent reasonably necessary to protect the City from claims, demands, causes of action, costs, expenses, liabilities, losses, damages, or injuries of any kind to the extent arising out of or caused by the negligence, recklessness, or willful misconduct protected under the indemnification provisions of this Agreement. Failure by City to deduct any sums from a progress payment shall not constitute a waiver of the City's right to such sums. The City may keep any moneys which would otherwise be payable at any time hereunder and apply the same, or so much as may be necessary therefor, to the payment of any expenses, losses, or damages as determined by the City, incurred by the City for which Consultant is liable under the Agreement or state law. Payments to the Consultant for compensation and reimbursable expenses due shall not be contingent on the construction, completion or ultimate success of the Project. Payment to the Consultant shall not be withheld, postponed, or made contingent upon receipt by the City of offsetting reimbursement or credit from Parties not within the Consultant's reasonable control.

3.10.6 Prevailing Wages. Consultant is aware of the requirements of California Labor Code Sections 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. Since the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and since the total compensation is $1,000 or more, Consultant agrees to fully comply with and to require its consultants to fully comply with such Prevailing Wage Laws. City shall provide Consultant with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. Consultant shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Consultant's principal place of business and at the Project site. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4. Consultant shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure of the Consultant or its consultants to comply with the Prevailing Wage Laws.

(a) Registration/DIR Compliance. If the Services are being performed as part of an applicable "public works project" of over $25,000 when the project is for construction, alteration, demolition, installation, or repair work, or a public works project of over $15,000 when the project is for maintenance work, in addition to the foregoing, then pursuant to Labor Code sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such Services must be registered with the Department of Industrial Relations ("DIR"). Consultant shall maintain

registration for the duration of the Project and require the same of any subconsultants. This project may also be subject to compliance monitoring and enforcement by the DIR. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements, including the submission of payroll records directly to the DIR. Any stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant.

3.10.7 Automated Clearing House ("ACH") payments. It is the City's policy to pay its consultant invoices via electronic fund transfers through the ACH network. All payments due and owing pursuant to a properly issued and correct invoice or under this Agreement shall be made through electronic ACH transfers, unless otherwise agreed upon by both Parties in writing. Consultant shall provide the City with ACH payment details whereby the City shall initiate the ACH transfers to Consultant in the amount required pursuant to a properly issued and correct invoice or under this Agreement. Each Party shall undertake any and all required actions and execute any required documents, instruments, or agreements required to effectuate the requirements of this Section. In the event the City erroneously deposits funds into an account, or otherwise deposits funds to which Consultant is not entitled: (1) Consultant shall immediately notify the City and the financial institution; (2) Consultant shall not withdraw any of the funds which were erroneously deposited or to which Consultant is not entitled; and (3) Consultant authorizes both the City and financial institution to take all actions necessary to correct the error and return to the City all funds erroneously deposited or to which Consultant is not entitled.

3.11 Notice to Proceed.

Consultant shall not proceed with performance of any Services under this Agreement unless and until the City provides a written notice to proceed.

3.12 Termination, Suspension and Abandonment.

3.12.1 Grounds for Termination; Consultant's Termination for Cause. City hereby reserves the right to suspend or abandon, at any time and for any reason, all or any portion of the Project and the construction work thereon, or to terminate this Agreement at any time with or without cause. Consultant shall be provided with at least seven (7) days advanced written notice of such suspension, abandonment or termination. In the event of such suspension, abandonment or termination, Consultant shall be paid for Services and reimbursable expenses rendered up to the date of such suspension, abandonment or termination, pursuant to the schedule of payments provided for in this Agreement, less any claims against or damages suffered by City as a result of the default, if any, by Consultant. Consultant hereby expressly waives any and all claims for damages or compensation arising under this Agreement, except as set forth herein, in the event of such suspension, abandonment or termination. Consultant may terminate this Agreement for substantial breach of performance by the City such as failure to make payment to Consultant as provided in this Agreement.

3.12.2 City's Suspension of Work. If Consultant's Services are suspended by City, City may require Consultant to resume such Services within ninety (90) days after written notice

from City. When the Project is resumed, the Total Compensation and schedule of Services shall be equitably adjusted upon mutual agreement of the City and Consultant.

3.12.3 Documents and Other Data. Upon suspension, abandonment or termination, Consultant shall provide to City all preliminary studies, sketches, working drawings, specifications, computations, and all other Project Documents, as defined below, to which City would have been entitled at the completion of Consultant's Services under this Agreement. Upon payment of the amount required to be paid to Consultant pursuant to the termination provisions of this Agreement, City shall have the rights, as provided in this Agreement hereinafter, to use such Project Documents prepared by or on behalf of Consultant under this Agreement. Consultant shall make such documents available to City upon request and without additional compensation other than as may be approved as a reimbursable expense.

3.12.4 Employment of other Consultants. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

3.13 Ownership and Use of Documents; Confidentiality.

3.13.1 Ownership. All plans, specifications, original or reproducible transparencies of working drawings and master plans, preliminary sketches, architectural presentation drawings, structural computations, estimates and any other documents prepared pursuant to this Agreement, including, but not limited to, any other works of authorship fixed in any tangible medium of expression such as writings, physical drawings and data magnetically or otherwise recorded on computer diskettes (hereinafter referred to as the "Project Documents") shall be and remain the property of City. Although the official copyright in all Project Documents shall remain with the Consultant or other applicable subcontractors or consultants, the Project Documents shall be the property of City whether or not the work for which they were made is executed or completed. Within thirty (30) calendar days following completion of the Project, Consultant shall provide to City copies of all Project Documents required by City. In addition, Consultant shall retain copies of all Project Documents on file for a minimum of fifteen (15) years following completion of the Project, and shall make copies available to City upon the payment of reasonable duplication costs. Before destroying the Project Documents following this retention period, Consultant shall make a reasonable effort to notify City and provide City with the opportunity to obtain the documents.

3.13.2 Right to Use. Consultant grants to City the right to use and reuse all or part of the Project Documents, at City's sole discretion and with no additional compensation to Consultant, for the following purposes:

(a) The construction of all or part of this Project.

(b) The repair, renovation, modernization, replacement, reconstruction or expansion of this Project at any time;

(c) The construction of another project by or on behalf of the City for its ownership and use;

City is not bound by this Agreement to employ the services of Consultant in the event such documents are used or reused for these purposes. City shall be able to use or reuse the Project Documents for these purposes without risk of liability to the Consultant or third parties with respect

to the condition of the Project Documents, and the use or reuse of the Project Documents for these purposes shall not be construed or interpreted to waive or limit City's right to recover for latent defects or for errors or omissions of the Consultant.

Any use or reuse by City of the Project Documents on any project other than this Project without employing the services of Consultant shall be at City's own risk with respect to third parties. If City uses or reuses the Project Documents on any project other than this Project, it shall remove the Consultant's seal from the Project Documents and hold harmless Consultant and its officers, directors, agents and employees from claims arising out of the negligent use or re-use of the Project Documents on such other project.

3.13.3 License. This Agreement creates a non-exclusive and perpetual license for City to copy, use, modify or reuse any and all Project Documents and any intellectual property rights therein. Consultant shall require any and all subcontractors and consultants to agree in writing that City is granted a non-exclusive and perpetual license for the work of such subcontractors or consultants performed pursuant to this Agreement.

3.13.4 Right to License. Consultant represents and warrants that Consultant has the legal right to license any and all copyrights, designs and other intellectual property embodied in the Project Documents that Consultant prepares or causes to be prepared pursuant to this Agreement. Consultant shall indemnify and hold City harmless pursuant to the indemnification provisions of this Agreement for any breach of this Section. Consultant makes no such representation and warranty in regard to previously prepared designs, plans, specifications, studies, drawings, estimates or other documents that were prepared by design professionals other than Consultant and provided to Consultant by City.

3.13.5 Confidentiality. All Project Documents, either created by or provided to Consultant in connection with the performance of this Agreement, shall be held confidential by Consultant to the extent they are not subject to disclosure pursuant to the Public Records Act. All Project Documents shall not, without the written consent of City, be used or reproduced by Consultant for any purposes other than the performance of the Services. Consultant shall not disclose, cause or facilitate the disclosure of the Project Documents to any person or entity not connected with the performance of the Services or the Project. Nothing furnished to Consultant which is otherwise known to Consultant or is generally known, or has become known, to the related industry shall be deemed confidential. Consultant shall not use City's name or insignia, photographs of the Project, or any publicity pertaining to the Services or the Project in any magazine, trade paper, newspaper, television or radio production or other similar medium without the written consent of City.

3.14 Indemnification.

3.14.1 To the fullest extent permitted by law, Consultant shall defend (with counsel of City's choosing), indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's Services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses except such loss or damage caused by the sole negligence or willful misconduct of the City. Consultant's obligation to indemnify shall

survive expiration or termination of this Agreement and shall not be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

3.14.2 If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance as a "design professional" (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

3.15 Insurance. Consultant shall not commence work under this Agreement until it has provided evidence satisfactory to the City that it has secured all insurance required under this Section. In addition, Consultant shall not allow any subconsultant to commence work on any subcontract until it has provided evidence satisfactory to the City that the subconsultant has secured all insurance required under this section.

3.15.1 Types of Insurance Required. As a condition precedent to the effectiveness of this Agreement for work to be performed hereunder, and without limiting the indemnity provisions of the Agreement, Consultant shall, at its expense, procure and maintain in full force and effect for the duration of the Agreement the following policies of insurance. If the existing policies do not meet the insurance requirements set forth herein, Consultant agrees to amend, supplement or endorse the policies to do so.

3.15.2 Additional Insured. The City of Ontario, its officials, officers, employees, agents, and volunteers shall be named as additional insureds on Consultant's and its subconsultants' policies of commercial general liability and automobile liability insurance using the endorsements and forms specified herein or exact equivalents.

3.15.3 Commercial General Liability

(a) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the City.

(b) Coverage for Commercial General Liability insurance shall be at least as broad as the following: Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent. Commercial General Liability Insurance must include coverage for the following:

(i) Bodily Injury and Property Damage

(ii) Personal Injury/Advertising Injury

(iii) Premises/Operations Liability

(iv) Products/Completed Operations Liability

(v) Aggregate Limits that Apply per Project

(vi) Explosion, Collapse and Underground (UCX) exclusion deleted

(vii) Contractual Liability with respect to this Contract

(viii) Broad Form Property Damage

(ix) Independent Consultants Coverage

(c) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(d) The policy shall give City, the City Council and each member of the City Council, its officers, employees, agents and City designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(e) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the City, and provided that such deductibles shall not apply to the City as an additional insured.

3.15.4 Automobile Liability

(a) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, in a form and with insurance companies acceptable to the City.

(b) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(c) The policy shall give City, the City Council and each member of the City Council, its officers, employees, agents and City designated volunteers additional insured status.

(d) Subject to written approval by the City, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the City as an additional insured, but not a self-insured retention.

3.15.5 Workers' Compensation/Employer's Liability

(a) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(b) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this Section.

3.15.6 Professional Liability (Errors and Omissions)

(a) At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the City and in an amount indicated herein. This insurance shall be written on a policy form coverage specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

3.15.7 Minimum Policy Limits Required

(a) The following insurance limits are required for the Agreement:

Coverage	Combined Single Limit
Commercial General Liability	$2,000,000 per occurrence/ $4,000,000 aggregate for bodily injury, personal injury, and property damage
Automobile Liability	$2,000,000 per occurrence for bodily injury and property damage
Employer's Liability	$1,000,000 per occurrence
Professional Liability	$2,000,000 per claim and aggregate (errors and omissions)

(b) Defense costs shall be payable in addition to the limits.

(c) Requirements of specific coverage or limits contained in this Section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

3.15.8 Evidence Required

(a) Prior to execution of the Agreement, the Consultant shall file with the City evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord

Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

3.15.9 Policy Provisions Required

(a) Consultant shall provide the City at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the City at least ten (10) days prior to the effective date of cancellation or expiration.

(b) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, deductible, or self-insurance maintained by the City, its officials, officers, employees, agents, or volunteers shall not contribute with this primary insurance. Policies shall contain or be endorsed to contain such provisions.

(c) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(d) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(e) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the City and shall not preclude the City from taking such other actions available to the City under other provisions of the Agreement or law.

3.15.10 Qualifying Insurers

(a) All policies required shall be issued by acceptable insurance companies, as determined by the City, which satisfy the following minimum requirements: Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or

otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

3.15.11 Additional Insurance Provisions

(a) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the City, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(b) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Consultant or City will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, City may cancel this Agreement.

(c) The City may require the Consultant to provide complete copies of all insurance policies in effect for the duration of the Project.

(d) Neither the City nor the City Council, nor any member of the City Council, nor any of the officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

3.15.12 Subconsultant Insurance Requirements

(a) Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the City that they have secured all insurance required under this Section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the City as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant, City may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

3.16 Records.

Consultant shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Consultant shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Consultant shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of five (5) years from the date of final payment under this Agreement.

3.17 Standardized Manufactured Items.

Consultant shall cooperate and consult with City in the use and selection of manufactured items on the Project, including but not limited to, paint, hardware, plumbing, mechanical and electrical equipment, fixtures, roofing materials and floor coverings. All such manufactured items

shall be standardized to City's criteria to the extent such criteria do not interfere with building design.

3.18 Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described herein. Any additional or subsequent construction at the site of the Project, or at any other City site, will be covered by, and be the subject of, a separate Agreement for engineering or architectural services between City and the Consultant chosen therefor by City.

3.19 Mediation.

Disputes arising from this Agreement may be submitted to mediation if mutually agreeable to the Parties hereto. The type and process of mediation to be utilized shall be subject to the mutual agreement of the Parties.

3.20 Successors and Assigns.

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of City. Any attempted assignment without such consent shall be invalid and void.

3.21 Asbestos Certification.

Consultant shall certify to City, in writing and under penalty of perjury, that to the best of its knowledge, information and belief no asbestos-containing material or other material deemed to be hazardous by the state or federal government was specified as a building material in any construction document that the Consultant prepares for the Project. Consultant shall require all consultants who prepare any other documents for the Project to submit the same written certification. Consultant shall also assist the City in ensuring that contractors provide City with certification, in writing and under penalty of perjury, that to the best of their knowledge, information and belief no material furnished, installed or incorporated into the Project contains asbestos or any other material deemed to be hazardous by the state or federal government. These certifications shall be part of the final Project submittal. Consultant shall include statements in its specifications that materials containing asbestos or any other material deemed to be hazardous by the state or federal government are not to be included.

3.22 No Third Party Rights.

This Agreement shall not create any rights in, or inure to the benefits of, any third party except as expressly provided herein.

3.23 Governing Law.

This Agreement shall be construed in accordance with, and governed by, the laws of the State of California. Venue shall be in San Bernardino County.

3.24 Exhibits and Recitals.

All exhibits and recitals contained herein and attached hereto are material parts of this Agreement and are incorporated as if fully set forth.

3.25 Severability.

Should any provision in the Agreement be held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall continue in full force and effect.

3.26 Non-Waiver.

None of the provisions of this Agreement shall be considered waived by either Party, unless such waiver is specifically specified in writing.

3.27 Safety.

Consultant shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Consultant shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of its employees, consultant and subcontractors appropriate to the nature of the work and the conditions under which the work is to be performed.

3.28 Harassment Policy.

Consultant shall provide a copy of the City's Harassment Policy to each of its employees assigned to perform the tasks under this Agreement. Consultant shall submit to the City's Personnel Manager a statement signed by each of its employees who are assigned to perform the Services under this Agreement certifying receipt of City's Harassment Policy and certifying that they have read the Harassment Policy. A finding by the City that any of Consultant's employees has harassed a City employee shall be grounds for appropriate discipline, up to and including such employee's removal from performance of this Agreement at City's request.

3.29 Delivery of Notices.

All notices permitted or required under this Agreement shall be given to the respective Parties at the following address, or at such other address as the respective Parties may provide in writing for this purpose:

CITY:	CONSULTANT:
City of Ontario	Hammel, Green and Abrahamson, Inc.
303 East “B” Street	1301 Colorado Avenue
Ontario, CA 91764	Santa Monica, CA 90404
Attn: Cynthia Heredia-Torres	Attn: Fielding Featherston

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the Party

at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

3.30 Time of Essence.

Time is of the essence for each and every provision of this Agreement.

3.31 City's Right to Employ Other Consultants.

City reserves right to employ other consultants, including designers, in connection with this Project or other projects.

3.32 Prohibited Interests.

3.32.1 Solicitation. Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability.

3.32.2 Conflict of Interest. For the term of this Agreement, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.33 Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or any other classification protected by federal or state law. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Consultant shall also comply with all relevant provisions of City's minority business enterprise program, affirmative action plan or other related programs or guidelines currently in effect or hereinafter enacted.

3.34 Labor Certification.

By its signature hereunder, Consultant certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.

3.35 Subcontracting.

As specified in this Agreement, Consultant shall not subcontract any portion of the Services required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to each and every provision of this Agreement.

3.36 Supplemental Conditions.

Any supplemental conditions shall be attached as an exhibit to this Agreement, and that exhibit shall be incorporated herein by reference.

3.37 Entire Agreement.

This Agreement, with its exhibits, contains the entire agreement of the Parties hereto, and supersedes any and all other prior or contemporaneous negotiations, understandings and oral or written agreements between the Parties hereto. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. Furthermore, any modification of this Agreement shall only be effective if in writing signed by all Parties hereto.

SIGNATURES ON FOLLOWING PAGE

SIGNATURE PAGE FOR DESIGN SERVICES AGREEMENT
BETWEEN THE CITY OF ONTARIO
AND HAMMEL, GREEN AND ABRAHAMSON, INC.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY OF ONTARIO

Approved By:

_____
Scott Ochoa
City Manager

Approved as to Form:

_____
Best Best & Krieger LLP
City Attorney

Attested By:

_____
City Clerk

Hammel, Green and Abrahamson, Inc.

By: _____

Its: _____

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

[If Corporation, TWO SIGNATURES, President OR Vice President AND Secretary OR Treasurer REQUIRED]

EXHIBIT "A"
SCOPE OF SERVICES

1. GENERAL REQUIREMENTS.

1.1 Basic Services. Consultant agrees to perform all the necessary professional architectural, engineering (e.g. mechanical, electrical, plumbing, structural, site engineering, and any other necessary engineering services mutually agreeable to the Parties) and construction administration services for the Project in a timely and professional manner, consistent with the standards of the profession, including those provided for herein.

1.2 Exclusions from Basic Services. The following services shall be excluded from the basic services listed above: soils engineering, geotechnical services, and hazardous waste or toxic substances engineering.

1.3 Additional Services. Consultant shall perform the following Additional Services for the Project: Project Specific

1.4 Communication with City. Consultant shall participate in consultations and conferences with authorized representatives of City and/or other local, regional, or state agencies concerned with the Project, which may be necessary for the completion of the Project or the development of the drawings, specifications and documents in accordance with the applicable standards and requirements of law and the City. Such consultations and conferences shall continue throughout the planning and construction of the Project and the contractor's warranty period. Consultant shall take direction only from the City's Representative, or any other representative specifically designated by the City for this Project, including any construction manager hired by the City.

1.5 Coordination and Cooperation with Construction Manager. The City may hire a construction manager to administer and coordinate all or any part of the Project on its behalf. If the City does so, it shall provide a copy of its agreement with the construction manager so that the Consultant will be fully aware of the duties and responsibilities of the construction manager. The Consultant shall cooperate with the construction manager and respond to any requests or directives authorized by the City to be made or given by the construction manager. The Consultant shall request clarification from the City in writing if the Consultant should have any questions regarding the authority of the construction manager.

2. INITIAL PLANNING PHASE.

During the initial planning phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

2.1 Project Feasibility. Provide advice and assistance to City in determining the feasibility of the Project, analysis of the type and quality of materials and construction to be selected, the site location, and other initial planning matters.

2.2 Meeting Budget and Project Goals. Consultant shall notify City in writing of potential complications, cost overruns, unusual conditions, and general needs that potentially impact the Project budget and time line, including the City's Preliminary Construction Budget. Consultant shall use its best judgment in determining the balance between the size, type and quality of construction to achieve a satisfactory solution within the Project's budget and

construction allowance. It shall be the duty of the Consultant to design the Project within budget. As discussed herein, including in Section 7.3, if the lowest responsive and responsible bid for the Project exceeds the budget by the stated amount, Consultant may be required to make the necessary changes in the drawing and specifications, at its sole cost and expense, to bring the bids within the required budget.

2.3 Permits, Approvals and Authorizations. As indicated in Section 3.5.4 of the Agreement, Consultant shall assist City in securing easements, encroachment permits, rights of way, dedications, infrastructures and road improvements, as well as coordinating with utilities and adjacent property owners.

3. SCHEMATIC PLAN PHASE.

During the schematic plan phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

3.1 Funding Documents. Consultant shall provide a site plan and all other Project-related information necessary and required for an application by City to any federal, state, regional, or local agencies for funds to finance the construction Project.

3.2 Schematic Plans. In cooperation with City, Consultant shall prepare preliminary plans and studies, schematic drawings, site utilization plans, and phasing plans showing the scale and relationship of the components of the Project, the plot plan development at the site, and the proposed architectural concept of the buildings ("Schematic Plans"). Consultant shall incorporate the functional requirements of City into the Schematic Plans. The Schematic Plans shall meet all laws, rules and regulations of the State of California. The Schematic Plans shall show all rooms incorporated in each building of the Project in single-line drawings, and shall include all revisions required by City or by any federal, state, regional or local agency having jurisdiction over the Project. All architectural drawings for the Project shall be in a form suitable for reproduction.

3.3 Preliminary Project Budget. Consultant shall use the City's Preliminary Construction Budget and its own expertise and experience with the Project to establish a preliminary project budget or allowance in a format required by City ("Consultant's Preliminary Project Budget"). The purpose of the Consultant's Preliminary Project Budget is to show the probable Project cost in relation to City's Preliminary Construction Budget and the construction standards of any applicable funding agency. If Consultant perceives site considerations which render the Project expensive or cost prohibitive, Consultant shall disclose such conditions in writing to City immediately. As discussed herein, including in Section 7.3, if the lowest responsive and responsible bid for the Project exceeds the budget by more than the stated amount, Consultant may be required to make the necessary changes in the drawings and specifications, at its sole cost and expense, to bring the bids within the required budget Consultant shall provide a preliminary written time schedule for the performance of all construction work on the Project.

3.4 Copies of Schematic Plans and Other Documents. Consultant, at its own expense, shall provide a complete set of the Schematic Plans described herein for City's review and approval. Additionally, at City's expense, Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

4. DESIGN DEVELOPMENT PHASE.

During the design development phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

4.1 Design Development Documents. Once City provides Consultant with specific written approval of the Schematic Plans described herein, Consultant shall prepare design development documents consisting of: (1) site and floor plans; (2) elevations; and (3) any other drawings and documents sufficient to fix and describe the types and makeup of materials, as well as the size and character of the Project's structural, mechanical and electrical systems, and to outline the Project specifications ("Design Development Documents"). The Design Development Documents shall be prepared in sufficient form to present to the City Council for approval.

4.2 Copies of Design Development and Other Documents. Consultant, at its own expense, shall provide a complete set of the Design Development Documents described herein for City's review and approval. Additionally, at City's expense, Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

4.3 Updated Project Budget. Consultant shall use its Preliminary Project Budget and expertise and experience with the Project to establish an updated estimate of probable construction costs, containing detail consistent with the Design Development Documents as set forth herein and containing a breakdown based on types of materials and specifications identified herein ("Consultant's Updated Project Budget").

4.4 Timetable. Consultant shall provide a written timetable for full and adequate completion of the Project to City.

4.5 Application for Approvals. Consultant shall assist City in applying for and obtaining required approvals from all federal, state, regional or local agencies concerned with the Project. Consultant shall furnish and process all architectural and engineering information required to prepare and process applications to applicable utilities in order to secure priorities and materials, to aid in the construction of the Project and to obtain final Project approval and acceptance by any of the above agencies as may be required.

4.6 Color and Other Aesthetic Issues. Consultant shall provide, for City's review and approval, a preliminary schedule of all color materials and selections of textures, finishes and other matters involving an aesthetic decision about the Project.

5. FINAL WORKING DRAWINGS AND SPECIFICATIONS.

During the final working drawings and specifications phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

5.1 Final Working Drawings and Specifications. Once City provides Consultant with specific written approval of the Design Development Documents described herein, Consultant shall prepare such complete working drawings and specifications as are necessary for developing complete bids and for properly executing the Project work in an efficient and thorough manner ("Final Working Drawings and Specifications"). Such Final Working Drawings and Specifications shall be developed from the Schematic Plans and Design Development Documents approved by City. The Final Working Drawings and Specifications shall set forth in

detail all of the following: (1) the Project construction work to be done; (2) the materials, workmanship, finishes, and equipment required for the architectural, structural, mechanical, and electrical systems; and (3) the utility service connection equipment and site work. As indicated in Section 3.9.2 of the Agreement, City may be requested to supply Consultant with the necessary information to determine the proper location of all improvements on and off site, including record drawings ("as-built drawings") in City's possession. Consultant will make a good-faith effort to verify the accuracy of such information by means of a thorough interior and exterior visual survey of site conditions. City shall also make a good-faith effort to verify the accuracy of the as-built drawings and provide any supplemental information to Consultant which may not be shown on the as-built drawings.

5.2 Form. The Final Working Drawings and Specifications must be in such form as will enable Consultant and City to secure the required permits and approvals from all federal, state, regional or local agencies concerned with the Project. In addition, the Final Working Drawings and Specifications must be in such form as will enable City to obtain, by competitive bidding, a responsible and responsive bid within the applicable budgetary limitations and cost standards. The Final Working Drawings and Specifications shall be clear and legible so that uniform copies may be on standard architectural size paper, properly indexed and numbered, and shall be capable of being clearly copied and assembled in a professional manner by Consultant.

5.3 Approval and Revisions. City shall review, study, and check the Final Working Drawings and Specifications presented to it by Consultant, and request any necessary revisions or obtain any necessary approvals by the City Council, subject to the approval of all federal, state, regional or local agencies concerned with the Project. Consultant shall make all City-requested changes, additions, deletions, and corrections in the Final Working Drawings and Specifications at no additional cost, so long as they are not in conflict with the requirements of public agencies having jurisdiction or prior approval, or inconsistent with earlier City direction or Consultant's professional judgment. Consultant shall bring any such conflicts and/or inconsistencies to the attention of City. The Parties agree that Consultant, and not the City, possesses the requisite expertise to determine the constructability of the Final Working Drawings and Specifications. However, the City reserves the right to conduct one or more constructability review processes with the Final Working Drawings and Specifications, and to hire an independent architect or other consultant to perform such reviews. Any such independent constructability review shall be at City's expense. Consultant shall make all City-requested changes, additions, deletions, and corrections in the Final Working Drawings and Specifications which may result from any constructability review, at no additional cost to the City, so long as they are not in conflict with the requirements of public agencies having jurisdiction or prior approval, or inconsistent with earlier City direction or Consultant's professional judgment. If such changes, additions, deletions or corrections are inconsistent with prior City direction, Consultant shall make such alterations and be compensated therefore pursuant to the Additional Services provision of this Agreement.

5.4 Costs of Construction. It is understood by Consultant that should the Final Working Drawings and Specifications be ordered by City, City shall specify the sum of money set aside to cover the total cost of construction of the work, exclusive of Consultant's fees. Should it become evident that the total construction cost will exceed the specified sum, Consultant shall at once present a statement in writing to the City's Representative setting forth this fact and giving a full statement of the cost estimates on which the conclusion is based.

5.5 Copies of Final Working Drawings and Specifications and Other Documents. Consultant, at its own expense, shall provide a complete set of the Final Working Drawings and Specifications described herein for City's review and approval. Additionally, at City's expense,

Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

6. CONSTRUCTION CONTRACT DOCUMENTS.

During the construction contract documents phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

6.1 Bid and Contract Documents. If so required by City, Consultant shall assist City in the completion of all bid and construction documents, including but not limited to, the Notice Inviting Bids, Instructions to Bidders, Contract Bid Forms (including Alternate Bids as requested by City), `Contract, General Conditions, Supplementary General Conditions, Special Conditions, DVBE and other applicable affirmative action documents, Performance Bond, Payment Bond, Escrow Agreement for Security Deposits, and any other certifications and documents required by federal, state and local laws, rules and regulations which may be reasonably required in order to obtain bids responsive to the specifications and drawings. All such documents shall be subject to the approval of City and City's legal counsel.

6.2 Final Estimate. At the time of delivery of these bid and construction documents, which shall include the Final Working Drawings and Specifications (collectively referred to herein as the "Construction Documents"), Consultant shall provide City with its final estimate of probable construction cost ("Consultant's Final Estimate"). As discussed herein, including in Section 7.3, it shall be the Consultant's duty to design the Project within budget.

7. BID PHASE.

During the bid phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

7.1 Reproducible Construction Documents. Once City provides Consultant with specific written approval of the Construction Documents and Consultant's Final Estimate, Consultant shall provide to City one set of reproducible Construction Documents.

7.2 Distribution of Contract Documents and Review of Bids. Consultant shall assist City in distributing the Construction Documents to bidders and conducting the opening and review of bids for the Project.

7.3 Over Budget. If the apparent lowest responsive and responsible bid on the Project exceeds the Consultant's Final Estimate by more than five percent (5%), City may request Consultant to amend, at Consultant's sole cost and expense, the Final Drawings and Specifications in order to rebid the Project and receive a lowest responsive and responsible bid equal to or less than the Consultant's Final Estimate. All revisions necessary to bring the lowest responsible and responsive bid within the Consultant's Final Estimate, including any omissions, deferrals or alternates, shall be made in consultation with, and subject to the approval of, the City.

8. CONSTRUCTION PHASE.

During the construction phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

8.1 Observation. The Project Consultant shall observe work executed from the Final Working Drawings and Specifications in person, provided that City may, in its discretion, consent to such observation by another competent representative of Consultant.

8.2 General Administration. Consultant shall provide general administration of the Construction Documents and the work performed by the contractors.

8.3 Pre-Construction Meeting. Consultant shall conduct one or more pre-construction meetings, as the City determines is needed for the Project, with all interested Parties.

8.4 Site Visits of Contractor's Work. Consultant shall conduct site visits to observe each contractors' work for general conformance with the Construction Documents and with any approved construction schedules or milestones. Such site visits shall be conducted as often as are necessary and appropriate to the stage of construction, according to the City's sole discretion, but in no event less than weekly.

8.5 Site Visits of Inspector's Work. Consultant shall conduct site visits to communicate and observe the activities of the City inspectors. Such site visits shall be conducted as often as is mutually acceptable to Consultant and City. Consultant shall direct the City inspectors and the Project contractors to coordinate the preparation of record drawings indicating dimensions and location of all "as-built" conditions, including but not limited to, underground utility lines.

8.6 Coordination of Subconsultants. Consultant shall cause all architects, engineers and other consultants, as may be hired by Consultant or City, to observe the work completed under their disciplines as required, and approve and review all test results for general conformance with the Construction Documents.

8.7 Reports. Consultant shall make regular reports as may be required by applicable federal, state or local laws, rules or regulations, as well as the federal, state, regional or local agencies concerned with the Project.

8.8 Construction Meetings; Minutes. Consultant shall attend all construction meetings and provide written reports/minutes to the City after each construction meeting in order to keep City informed of the progress of the work. Such meetings shall occur at a frequency necessary for the progress of the Project work, according to the City's sole discretion, but no less than weekly.

8.9 Written Reports. Consultant shall make written reports to City as necessary to inform City of problems arising during construction, changes contemplated as a result of each such problems, and progress of the Project work.

8.10 Written Records. Consultant shall keep accurate written records of the progress and quality of the Project work and the time schedules, and shall advise the contractors and City of any deviations from the time schedule which could delay timely completion of the Project.

8.11 Material and Test Reports. Consultant shall check and process, in a timely manner, all required material and test reports for the Project work. In addition, Consultant shall provide notice of any deficiencies in material or work reflected in such reports, as well as its recommendation for correction of such deficiencies, to the contractors and City.

8.12 Review and Response to Submissions. Consultant shall review and respond, in a timely manner, to all schedules, submittals, shop drawings, samples, information requests, change requests, and other submissions of the contractor and subcontractors for compliance with, or alterations and additions to, the Construction Documents. Consultant's review and response shall be done in such a manner so as to ensure the timely and uninterrupted progress of the Project work.

8.13 Rejection of Work. Consultant shall promptly reject, as discussed with City, work or materials which do not conform to the Construction Documents. Consultant shall immediately notify the City and contractor(s) of such rejections. Consultant shall also have the authority to recommend to the City that additional inspection or testing of the work be performed, whether or not such work is fabricated, installed or completed.

8.14 Substitutions. Consultant shall consult with City, in a timely manner, with regard to substitution of materials, equipment and laboratory reports thereof, prior to the City's final written approval of such substitutions. Consultant's consultation shall be done in such a manner so as to ensure the timely and uninterrupted progress of the Project work.

8.15 Revised Documents and Drawings. Consultant shall prepare, at no additional expense to City, all documents and/or drawings made necessary by errors and omissions in the originally approved Construction Documents.

8.16 Change Requests and Material Changes. Consultant shall evaluate and advise City, in a timely manner and in writing, of any change requests and material change(s) which may be requested or necessary in the Project plans and specifications. Consultant shall provide the City with its opinion as to whether such change requests should be approved, denied or revised. If the City has not hired a construction manager or other person to do so, the Consultant shall prepare and execute all change orders and submit them to the City for authorization. If the City has designated a construction manager or other person to prepare all change orders, the Consultant shall review all change orders prepared by such person, execute them and deliver them to the City for authorization if they meet with the Consultant's approval, or submit them to the City with recommendations for revision or denial if necessary. Consultant shall not order contractors to make any changes affecting the contract price without approval by City of such a written change order, pursuant to the terms of the Construction Documents. Consultant may order, on its own responsibility and pending City Council approval, changes necessary to meet construction emergencies, if written approval of City's Representative is first secured.

8.17 Applications for Payment. Consultant shall examine, verify and approve contractor's applications for payment, and shall issue certificates for payment in amounts approved by the City's inspector.

8.18 Final Color and Product Selection. Consultant shall coordinate final color and product selection with City's original design concept.

8.19 Substantial Completion. Consultant shall determine the date of substantial completion, in consultation with the City.

8.20 Punch List. After determining that the Project is substantially complete, Consultant shall participate in the inspection of the Project and shall review all remaining deficiencies and minor items needed to be corrected or completed on the Project, including those identified on the punch list prepared by the contractor ("Punch List Items"). Consultant shall notify

contractor in writing that all Punch List Items must be corrected prior to final acceptance of the Project and final payment. Consultant shall also notify City of all Punch List Items.

8.21 Warranties. Consultant shall review materials assembled by the contractor and subcontractors with regard to all written warranties, guarantees, owners' manuals, instruction books, diagrams, record "as built" drawings, and any other materials required from the contractors and subcontractors pursuant to the Construction Documents. Consultant shall coordinate and provide these materials to the City.

8.22 Certificate of Completion. Consultant shall participate in any further inspections of the Project necessary to issue Consultant's Certificate of Completion and final certificate for payment.

8.23 Documents for Project Close-Out. Consultant shall cause all other architects, engineers and other consultants, as may be hired by Consultant, to file any and all required documentation with the City or other governmental authorities necessary to close out the Project. Consultant shall assist the City in obtaining such documentation from all other architects, engineers, or other consultants.

9. AS-BUILT DRAWINGS.

During the as-built drawings phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

9.1 As-Built Drawings and Specifications. Not later than thirty (30) days after substantial completion of the Project, before receipt of final payment, Consultant shall review and forward the Final Working Drawings and Specifications, indicating on them all changes made by change orders or otherwise pursuant to the Construction Documents, as well as all information called for on the specifications, thus producing an "as-built" set of Final Working Drawings and Specifications ("As-Built Drawings and Specifications"). The As-Built Drawings and Specifications shall show, among other things, the location of all concealed pipe, buried conduit runs and other similar elements within the completed Project. Consultant shall personally review and certify that the As-Built Drawings and Specifications are a correct representation of the information supplied to Consultant by any inspectors and the contractor, and shall obtain certifications from any inspectors and the contractor that the drawings are correct.

9.2 Approval. Once City provides Consultant with specific written approval of the As-Built Drawings and Specifications, Consultant shall forward to City the complete set of original As-Built Drawings and Specifications or a complete set of reproducible duplicate As-Built Drawings and Specifications. The tracing shall be of such quality that clear and legible prints may be made without appreciable and objectionable loss of detail.

9.3 Documents for Final Payment. Prior to the receipt of Consultant's final payment, Consultant shall forward to City all of the following: (1) one clear and legible set of reproductions of the computations; (2) the original copy of the specifications; (3) the As-Built Drawings and Specifications as required herein; and (4) Consultant's Certificate of Completion.

10. WARRANTY PERIOD.

During the warranty period phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

10.1 Advice. Consultant shall provide advice to City on apparent deficiencies in the Project during any applicable warranty periods for the Project.

EXHIBIT "B"
FEE AND PHASING/FUNDING SCHEDULES

1. FEE SCHEDULE.

Consultant will invoice City on a monthly cycle based on the following fee schedule. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each phase and the total amount spent against the Total Compensation. Consultant will inform City regarding any out-of-scope work being performed by Consultant for which Consultant intends to seek compensation from City.

2. PHASING/FUNDING SCHEDULE.

Progress payments towards Total Compensation shall never exceed the following percentages of Total Compensation as of the phase indicated:

Initial Planning Phase:	_____ percent (%____)
Schematic Plan Phase:	_____ percent (%____)
Design Development Phase:	_____ percent (%____)
Final Working Drawings & Specifications Phase:	_____ percent (%____)
Construction Contract Documents Phase:	_____ percent (%____)
Bid Phase:	_____ percent (%____)
Construction Phase:	_____ percent (%____)
As-Built Drawings Phase:	_____ percent (%____)
Warranty Period Phase:	_____ percent (%____)

Note: No Phasing/Funding Schedule is necessary until a project task is issued under the contract

EXHIBIT "C"

COMPENSATION RATES AND REIMBURSABLE EXPENSES

Borders Architects

Standard Fee Schedule for additional work

ARCHITECTURAL AND INTERIOR DESIGN

Classification	Hourly Rate
Principal	$215.00
Senior Project Manager/Associate	$195.00
Project Manager	$165.00
Senior Designer	$160.00
Intermediate Designer	$140.00
Junior Designer	$115.00
Senior Drafter	$150.00
Intermediate Drafter	$125.00
Junior Drafter	$100.00
Clerical/Word Processor	$85.00

Overtime Rates: 1½ times the above.
This fee schedule is a fixed rate for the first year and is subject to negotiation for an hourly rate increase not to exceed (3) percent per year.

Reimbursable Expenses: We are to be reimbursed for out-of-pocket expenses incurred on behalf of the project such as long-distance telephone calls, CAD file translations, messenger services, renderings, printing, plotting, photography and other forms of reproducing drawings, specifications, and documents. These expenses will be invoiced at our cost plus 15%.

Travel:
1. IRS standard travel rates apply

Reimbursable expenses:
1. Printing
2. Plan check submittal fees
3. Sub-consultant fees

Linwood Engineering PC Fee Schedule

LEA's normal, hourly rates are indicated below:

Personnel	Hourly Rate
Principal/Owner/Specialist	$225.00
Engineer/Project Manager	$185.00
Designer	$145.00
Draftsperson	$95.00
Admin	$65.00

This fee schedule is a fixed rate for the first year and is subject to negotiation for an hourly rate increase not to exceed (3) percent per year.

Rates are based on work performed during Linwood Engineering, Inc's normal business hours (Monday through Thursday, 8am to 4pm, and Friday, 8am to noon). Rates outside normal business hours are as follows:

No additional fee for weekday overtime.
Weekend rate is 1.5 times the hourly rate.
Holiday rate is 2 times the hourly rate.

The hourly rates listed above do not include reimbursable expenses. Out-of-pocket expenses include reasonable and customary charges for travel, reproduction, etc. and are billed at cost plus 10%. Reimbursable expenses for travel are invoiced at current IRS Standard Mileage Rate.

CITY OF ONTARIO
303 EAST B STREET | ONTARIO, CALIFORNIA 91764
(909) 395-2000 FAX (909) 395-2070 OntarioCA.gov

PAUL S. LEON
MAYOR

DEBRA PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT OCHOA
CITY MANAGER

CITY OF ONTARIO
DESIGN SERVICES AGREEMENT

1. PARTIES AND DATE.

This Agreement is made and entered into as of _____, by and between the City of Ontario, a municipal corporation organized and operating under the laws of the State of California with its principal place of business at 303 East "B" Street, Ontario, California 91764-4196, County of San Bernardino, State of California ("City"), and **Robert Borders & Associates**, a **CORPORATION** with its principal place of business at 1675 Scenic Ave, Suite 210 Costa Mesa, CA 92626 (hereinafter referred to as "Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

2. RECITALS.

2.1 City. City is a municipal corporation organized under the laws of the State of California, with power to contract for services necessary to achieve its purpose.

2.2 Consultant**.** Consultant desires to perform and assume responsibility for the provision of certain professional engineering or architectural design services required by the City on the terms and conditions set forth in this Agreement. Consultant warrants that it is fully licensed, qualified, and willing to perform the services required by this Agreement; provided, however, that if Consultant is a corporation or other organization, the Project Consultant designated pursuant to Section 3.2, and not the Consultant itself, shall be fully licensed to practice as an engineer or architect in the State of California.

2.3 Project**.** City desires to engage Consultant to render such services for the **D&C 24-012 On-Call Architectural, Space Planning And Engineering Design Services** ("Project") as set forth in this Agreement.

3. TERMS

3.1 Employment of Consultant.

3.1.1 Scope of Services. Consultant promises and agrees to furnish to City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional engineering or architectural and related services necessary for the full and adequate completion of the Project consistent with the provisions of this Agreement (hereinafter referred to as "Services"). The Services are more particularly described throughout this Agreement, including Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement,

any exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations. All Services performed by Consultant shall be subject to the sole and discretionary approval of the City, which approval shall not be unreasonably withheld.

3.1.2 Term. The term of this Agreement shall be from **November 20, 2024,** to **November 20, 2027**, unless earlier terminated as provided herein. The City shall have the unilateral option, at its sole discretion, to renew this Agreement automatically for no more than two (2) additional one-year terms. Consultant shall complete the Services within the term of this Agreement, and shall meet any other established schedules and deadlines.

3.2 Project Consultant; Key Personnel.

3.2.1 **Engineer of Record OR Project Architect**. Consultant shall name a specific individual to act as Project Consultant, subject to the approval of City. Consultant hereby designates Loren Della Marna (License No. C21632) to act as the Engineer of Record OR Project Architect for the Project. The Engineer of Record OR Project Architect shall: (1) maintain oversight of the Services; (2) have full authority to represent and act on behalf of the Consultant for all purposes under this Agreement; (3) supervise and direct the Services using his or her best skill and attention; (4) be responsible for the means, methods, techniques, sequences and procedures used for the Services; (5) adequately coordinate all portions of the Services; and (6) act as principal contact with City and all contractors, consultants, engineers and inspectors on the Project. Any change in the Engineer of Record OR Project Architect shall be subject to the City's prior written approval, which approval shall not be unreasonably withheld. The new Engineer of Record OR Project Architect shall be of at least equal competence as the prior Engineer of Record OR Project Architect. In the event that City and Consultant cannot agree as to the substitution of a new Engineer of Record OR Project Architect, City shall be entitled to terminate this Agreement for cause.

3.2.2 Key Personnel. In addition to the Engineer of Record OR Project Architect, Consultant has represented to the City that certain additional key personnel, engineers and consultants will perform the Services under this Agreement. Should one or more of such personnel, engineers or consultants become unavailable, Consultant may substitute others of at least equal competence upon written approval of the City. In the event that City and Consultant cannot agree as to the substitution of key personnel, engineers or consultants, City shall be entitled to terminate this Agreement for cause. The key additional personnel, engineers and consultants for performance of this Agreement are as follows: Shelly DiLauro & Loren Della Marna

3.3 Hiring of Consultants and Personnel.

3.3.1 Right to Hire or Employ. Consultant shall have the option, unless City objects in writing after notice, to employ at its expense architects, engineers, experts or other consultants qualified and licensed to render services in connection with the planning and/or administration of the Project, and to delegate to them such duties as Consultant may delegate without relieving Consultant from administrative or other responsibility under this Agreement. Consultant shall be responsible for the coordination and cooperation of Consultant's architects, engineers, experts or other consultants. All consultants, including changes in consultants, shall be subject to approval by City in its sole and reasonable discretion. Consultant shall notify City of the identity of all consultants at least fourteen (14) days prior to their commencement of work to allow City to review their qualifications and approve to their participation on the Project in its sole and reasonable discretion.

3.3.2 Qualification and License. All architects, engineers, experts and other consultants retained by Consultant in performance of this Agreement shall be qualified to perform the Services assigned to them, and shall be licensed to practice in their respective professions, where required by law.

3.3.3 Standards and Insurance. All architects, engineers, experts and other consultants hired by Consultant shall be required to meet all of the same standards and insurance requirements set forth in this Agreement, unless other standards or requirements are approved by the City in writing. Unless changes are approved in writing by the City, Consultant's agreements with its consultants shall contain a provision making them subject to all provisions stipulated in this Agreement.

3.3.4 Assignments or Staff Changes. Consultant shall promptly obtain written City approval of any assignment, reassignment or replacement of such architects, engineers, experts and consultants, or of other staff changes of key personnel working on the Project. As provided in the Agreement, any changes in Consultant's consultants and key personnel shall be subject to approval by City.

3.3.5 Draftsman and Clerical Support. Draftsmen and clerical personnel shall be retained by Consultant at Consultant's sole expense.

3.4 Standard of Care.

3.4.1 Standard of Care. Consultant shall perform all Services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals qualified to perform the Services in the same discipline in the State of California, and shall be responsible to City for damages sustained by the City and delays to the Project as specified in the indemnification provision of this Agreement. Without limiting the foregoing, Consultant shall be fully responsible to the City for any increased costs incurred by the City as a result of any such delays in the design or construction of the Project. Consultant represents and maintains that it is skilled in the professional calling necessary to perform the Services. Consultant warrants and represents that all of its employees, architects, engineers, experts and other consultants shall have sufficient skill and experience to perform the Services assigned to them. Finally, Consultant represents that it, its employees, architects, engineers, experts and other consultants have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services assigned to or rendered by them and that such licenses and approvals shall be maintained throughout the term of this Agreement. As provided for in the indemnification provisions of this Agreement, Consultant shall perform, at its own cost and expense and without reimbursement from the City, any services necessary to correct errors or omissions which are caused by the Consultant's failure to comply with the standard of care provided for herein.

3.4.2 Performance of Employees. Any employee or consultant who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee or consultant who fails or refuses to perform the Services in a manner acceptable to the City, shall be promptly removed from the Project by the Consultant and shall not be re-employed to perform any of the Services or to work on the Project.

3.5 Laws and Regulations.

3.5.1 Knowledge and Compliance. Consultant shall keep itself fully informed of and in compliance with all applicable local, state and federal laws, rules and regulations in any manner affecting the performance of the Services or the Project, and shall give all notices required of the Consultant by law. Consultant shall be liable, pursuant to the standard of care and indemnification provisions of this Agreement, for all violations of such laws and regulations in connection with its Services. Consultant shall defend, indemnify and hold City, its officials, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

3.5.2 Drawings and Specifications. Consultant shall cause all drawings and specifications to conform to any applicable requirements of federal, state and local laws, rules and regulations, including the Uniform Building Code, in effect as of the time the drawings and specifications are prepared or revised during the latest phase of the Services described in Exhibit "A" attached hereto. Any significant revisions made necessary by changes in such laws, rules and regulations after this time may be compensated as Additional Services which were not known or reasonably should not have been known by Consultant. Consultant shall cause the necessary copies of such drawings and specifications to be filed with any governmental bodies with approval jurisdiction over the Project, in accordance with the Services described in Exhibit "A" attached hereto. For the preparation of all such drawings and specifications, the Consultant shall use Computer Aided Design Drafting ("CADD") (e.g., AutoCAD) or other technology acceptable to the Consultant and City.

3.5.3 Americans with Disabilities Act. Consultant will use its best professional efforts to interpret all applicable federal, state and local laws, rules and regulations with respect to access, including those of the Americans with Disabilities Act ("ADA"). Consultant shall inform City of the existence of inconsistencies of which it is aware or reasonably should be aware between federal and state accessibility laws, rules and regulations, as well as any other issues which are subject to conflicting interpretations of the law, and shall provide the City with its interpretation of such inconsistencies and conflicting interpretations. Unless Consultant brings such inconsistencies and conflicting interpretations to the attention of the City and requests City's direction on how to proceed, the Consultant's interpretation of such inconsistencies and conflicting interpretations shall be the sole responsibility and liability of Consultant, and the Consultant shall correct all plans, specifications and other documents prepared for the Project at no additional cost if its interpretations are shown to be incorrect. In the event that the Consultant request's City's direction on how to proceed with respect to any inconsistent and/or conflicting interpretation, the Consultant shall be responsible to the City only pursuant to the indemnification provisions of this Agreement.

3.5.4 Permits, Approvals and Authorizations. Consultant shall provide City with a list of all permits, approvals or other authorizations required for the Project from all federal, state or local governmental bodies with approval jurisdiction over the Project. Consultant shall then assist the City in obtaining all such permits, approvals and other authorizations. The costs of such permits, approvals and other authorizations shall be paid by the City.

3.5.5 Water Quality Management and Compliance. Consultant shall keep itself and all subcontractors, staff, and employees fully informed of and in compliance with all local, state and federal laws, rules and regulations that may impact, or be implicated by the performance of the Services including, without limitation, all applicable provisions of the City's ordinances

regulating water quality and storm water; the Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq*.); the California Porter-Cologne Water Quality Control Act (Cal Water Code §§ 13000-14950); and any and all regulations, policies, or permits issued pursuant to any such authority. Consultant shall additionally comply with the lawful requirements of the City, and any other municipality, drainage district, or other local agency with jurisdiction over the location where the Services are to be conducted, regulating water quality and storm water discharges. Failure to comply with laws, regulations, and ordinances listed in this Section is a violation of federal and state law.

3.6 Independent Contractor.

3.6.1 Control and Payment of Subordinates. City retains Consultant on an independent contractor basis and Consultant is not an employee of City. Consultant is not an employee for state tax, federal tax or any other purpose, and is not entitled to the rights or benefits afforded to City's employees. Any additional personnel performing the Services under this Agreement on behalf of Consultant shall also not be employees of City, and shall at all times be under Consultant's exclusive direction and control. Consultant shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. Consultant shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

3.7 Schedule of Services.

3.7.1 Consultant Services. Consultant shall fully and adequately complete the Services described in this Agreement and in Exhibit "A" attached hereto and incorporated herein by reference.

3.7.2 Timely Performance Standard. Consultant shall perform all Services hereunder as expeditiously as is consistent with professional skill and care, as well as the orderly progress of the Project work so as not to be the cause, in whole or in part, of delays in the completion of the Project or in the achievement of any Project milestones, as provided herein. Specifically, Consultant shall perform its Services so as to allow for the full and adequate completion of the Project within the time required by the City and within any completion schedules adopted for the Project. Consultant agrees to coordinate with City's staff, contractors and consultants in the performance of the Services, and shall be available to City's staff, contractors and consultants at all reasonable times.

3.7.3 Performance Schedule. Consultant shall prepare an estimated time schedule for the performance of Consultant's Services, to be adjusted as the Project proceeds. Such schedule shall be subject to the City's review and approval, which approval shall not be unreasonably withheld, and shall include allowances for periods of time required for City's review and approval of submissions, and for approvals of authorities having jurisdiction over Project approval and funding. If City and Consultant cannot mutually agree on a performance schedule, City shall have the authority to immediately terminate this Agreement. The schedule shall not be exceeded by Consultant without the prior written approval of City. If the Consultant's Services are not completed within the time provided by the agreed upon performance schedule, or any milestones established therein, it is understood, acknowledged and agreed that the City will suffer damage for which the Consultant will be responsible.

3.7.4 Excusable Delays. Any delays in Consultant's work caused by the following may be added to the time for completion of any obligations of Consultant: (1) the actions of City or its employees; (2) the actions of those in direct contractual relationship with City; (3) the actions of any governmental agency having jurisdiction over the Project; (4) the actions of any parties not within the reasonable control of the Consultant; and (5) any Force Majeure Event (as defined herein) or other unforeseen occurrence not due to any fault or negligence on the part of Consultant. Neither the City nor the Consultant shall be liable for damages, liquidated or otherwise, to the other on account of such delays.

3.7.5 Force Majeure Events. Neither City nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing Party. For purposes of this Agreement, such circumstances include a Force Majeure Event. A Force Majeure Event shall mean an event that materially affects a Party's performance and is one or more of the following: (1) Acts of God or other natural disasters; (2) terrorism or other acts of a public enemy; (3) orders of governmental authorities (including, without limitation, unreasonable and unforeseeable delay in the issuance of permits or approvals by governmental authorities that are required for the services); (4) strikes and other organized labor action occurring at the site and the effects thereof on the services, only to the extent such strikes and other organized labor action are beyond the control of Consultant and its subcontractors, and to the extent the effects thereof cannot be avoided by use of replacement workers; and (5) pandemics, epidemics or quarantine restrictions. For purposes of this section, "orders of governmental authorities," includes ordinances, emergency proclamations and orders, rules to protect the public health, welfare and safety, and other actions of a public agency applicable to the Services and Agreement. Should a Force Majeure Event occur, the non-performing Party shall, within fifteen (15) calendar days of the beginning of an Force Majeure Event, give written notice to the other Party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement. Force Majeure Events shall not entitle Consultant to any additional compensation. Notwithstanding the foregoing in this section, the City may still terminate this Agreement in accordance with the termination provisions of this Agreement.

3.7.6 Request for Excusable Delay Credit. The Consultant shall, within fifteen (15) calendar days of the beginning of any excusable delay, notify the City in writing of the causes of delay (unless City grants in writing a further period of time to file such notice prior to the date of final payment under the Agreement). City will then ascertain the facts and the extent of the delay, and grant an extension of time for completing the Services when, in its sole judgment, the findings of fact justify such an extension. The City's findings of fact thereon shall be final and conclusive on the Parties. Extensions of time shall apply only to that portion of the Services affected by the delay and shall not apply to other portions of the Services not so affected. The sole remedy of Consultant for extensions of time shall be an extension of the performance time at no cost to the City. If Additional Services are required as a result of an excusable delay, the Parties shall mutually agree thereto pursuant to the Additional Services provision of this Agreement. Should Consultant make an application for an extension of time, Consultant shall submit evidence that the insurance policies required by this Agreement remain in effect during the requested additional period of time.

3.8 Additional Services.

3.8.1 Request for Services. At City's request, Consultant may be asked to perform services not otherwise included in this Agreement, not included within the basic services

listed in Exhibit “A” attached hereto, and/or not customarily furnished in accordance with generally accepted architectural practice.

3.8.2 Definition. As used herein, “Additional Services” mean: (1) any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary for the Consultant to perform at the execution of this Agreement; or (2) any work listed as Additional Services in Exhibit “A” attached hereto. Consultant shall not perform, nor be compensated for, Additional Services without prior written authorization from City and without an agreement between the City and Consultant as to the compensation to be paid for such services. City shall pay Consultant for any approved Additional Services, pursuant to the compensation provisions herein, so long as such services are not made necessary through the fault of Consultant pursuant to the indemnification provision of this Agreement.

3.8.3 Examples of Additional Services. Such Additional Services shall not include any redesign or revisions to drawings, specifications or other documents when such revisions are necessary in order to bring such documents into compliance with applicable laws, rules, regulations or codes of which Consultant was aware or should have been aware pursuant to the laws and regulations provision of this Agreement above. Such Additional Services may include, but shall not be limited to:

(a) Separately Bid Portions of Project. Plan preparation and/or administration of work on portions of the Project separately bid.

(b) Furniture and Interior Design. Assistance to City, if requested, for the selection of moveable furniture, equipment or articles which are not included in the Construction Documents.

(c) Fault of Contractor. Services caused by delinquency, default or insolvency of contractor, or by major defects in the work of the contractor, provided that any such services made necessary by the failure of Consultant to detect and report such matters when it reasonably should have done so shall not be compensated.

(d) Inconsistent Approvals or Instructions. Revisions in drawings, specifications or other documents when such revisions are inconsistent with written approvals or instructions previously given and are due to causes beyond the control of Consultant.

(e) Legal Proceedings. Serving as an expert witness on City's behalf or attending legal proceedings to which the Consultant is not a party.

(f) Damage Repair. Supervision of repair of damages to any structure.

(g) Extra Environmental Services. Additional work required for environmental conditions (e.g. asbestos or site conditions) not already contemplated within the Consultant's services for the Project.

3.9 City Responsibilities. City’s responsibilities shall include the following:

3.9.1 Data and Information. City shall make available to Consultant all necessary data and information concerning the purpose and requirements of the Project, including scheduling and budget limitations, objectives, constraints and criteria. As part of the budget

limitation information, the City shall provide the Consultant with a preliminary construction budget ("City's Preliminary Construction Budget").

3.9.2 Project Survey. If required pursuant to the scope of the Project and if requested by Consultant, City shall furnish Consultant with, or direct Consultant to procure at City's expense, a survey of the Project site prepared by a registered surveyor or civil engineer, any other record documents which shall indicate existing structures, land features, improvements, sewer, water, gas, electrical and utility lines, topographical information and boundary dimensions of the site, and any other such pertinent information.

3.9.3 Bid Phase. Distribute Construction Documents to bidders and conduct the opening and review of bids for the Project.

3.9.4 Testing. Retain consultant(s) to conduct chemical, mechanical, soils, geological or other tests required for proper design of the Project, and furnish such surveys, borings, test pits, and other tests as may be necessary to reveal conditions of the site which must be known to determine soil condition or to ensure the proper development of the required drawings and specifications.

3.9.5 Required Inspections and Tests. Retain consultant(s) to conduct materials testing and inspection or environmental/hazardous materials testing and inspection pursuant to any applicable laws, rules or regulations.

3.9.6 Fees of Reviewing or Licensing Agencies. Directly pay or reimburse the payment of all fees required by any reviewing or licensing agency, or other agency having approval jurisdiction over the Project.

3.9.7 City's Representative. The City hereby designates the City Manager, or his or her designee, to act as its representative for the performance of this Agreement ("City's Representative"). City's Representative shall have the power to act on behalf of the City for all purposes under this Contract. The City Manager hereby designates **Cynthia Heredia-Torres, Project Manager**, or his or her designee, as the City's contact for the implementation of the Services hereunder. Contractor shall not accept direction or orders from any person other than the City's Representative or his or her designee.

3.9.8 Review and Approved Documents. Review all documents submitted by Consultant, including change orders and other matters requiring approval by the City Council or other officials. City shall advise Consultant of decisions pertaining to such documents within a reasonable time after submission, so as not to cause unreasonable delay as provided in the excusable delay provisions of this Agreement above.

3.10 Compensation.

3.10.1 Consultant's Compensation for Basic Services. City shall pay to Consultant, for the performance of all Services rendered under this Agreement, the total not to exceed amount of **Two Hundred Thousand Dollars ($200,000**) ("Total Compensation"). This Total Compensation amount shall be based upon, and may be adjusted according to, the fee schedule and related terms and conditions attached hereto as Exhibit "B" and incorporated herein by reference. The Total Compensation, as may be adjusted upon mutual agreement, shall constitute complete and adequate payment for Services under this Agreement.

3.10.2 Payment for Additional Services. At any time during the term of this Agreement, City may request that Consultant perform Additional Services. As used herein, Additional Services means any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary at the execution of this Agreement. Any additional work in excess of this amount must be approved by the City. If authorized, such Additional Services will be compensated at the rates and in the manner set forth in Exhibit "C" attached hereto and incorporated herein by reference, unless a flat rate or some other form of compensation is mutually agreed upon by the Parties. If City requires Consultant to hire consultants to perform any Additional Services, Consultant shall be compensated therefore at the rates and in the manner set forth in Exhibit "C" attached hereto and incorporated herein by reference, unless a flat rate or some other form of compensation is mutually agreed upon by the Parties. City shall have the authority to review and approve the rates of any such consultants. In addition, Consultant shall be reimbursed for any expenses incurred by such consultants pursuant to the terms and conditions of Section 3.10.3.

3.10.3 Reimbursable Expenses. Reimbursable expenses are in addition to compensation for the Services and Additional Services. Consultant shall not be reimbursed for any expenses unless authorized in writing by City, which approval may be evidenced by inclusion in Exhibit "C" attached hereto. Such reimbursable expenses shall include only those expenses which are reasonably and necessarily incurred by Consultant in the interest of the Project. Consultant shall be required to acquire prior written consent in order to obtain reimbursement for the following: (1) extraordinary transportation expenses incurred in connection with the Project; (2) out-of-town travel expenses incurred in connection with the Project; (3) fees paid for securing approval of authorities having jurisdiction over the Project; (4) bid document duplication costs in excess of $1,000; and (5) other costs, fees and expenses in excess of $1,000.

3.10.4 Payment to Consultant. Consultant's compensation and reimbursable expenses shall be paid by City to Consultant no more often than monthly. Such periodic payments shall be made based upon the percentage of work completed, and in accordance with the phasing and funding schedule provided in Exhibit "B" and the compensation rates indicated in Exhibit "C" attached hereto and incorporated herein by reference. In order to receive payment, Consultant shall present to City an itemized statement which indicates Services performed, percentage of Services completed, method for computing the amount payable, and the amount to be paid. The statement shall describe the amount of Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement, as well as those expenses for which reimbursement is requested for that statement period. The amount paid to Consultant shall never exceed the percentage amounts authorized by the phasing and funding schedule located in Exhibit "B" attached hereto. City shall, within thirty (30) days of receiving such statement, review the statement and pay all approved charges thereon pursuant to the provisions of Civil Code Section 3320. Disputed amounts shall be resolved by the Parties in a mutually agreeable manner.

Payments made for Additional Services shall be made in installments, not more often than monthly, proportionate to the degree of completion of such services or in such other manner as the Parties shall specify when such services are agreed upon, and in accordance with any authorized fee or rate schedule. In order to receive payment, Consultant shall present to City an itemized statement which indicates the Additional Services performed, percentage of Additional Services completed, method for computing the amount payable, and the amount to be paid. The statement shall describe the amount of Additional Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. City shall, within thirty (30) days of receiving such statement, review

the statement and pay all approved charges thereon pursuant to the provisions of Civil Code Section 3320. Disputed amounts shall be resolved by the Parties in a mutually agreeable manner.

Upon cancellation or termination of this Agreement, Consultant shall be compensated as set forth in the termination provision herein.

3.10.5 Withholding Payment to Consultant. The City may withhold payment, in whole or in part, to the extent reasonably necessary to protect the City from claims, demands, causes of action, costs, expenses, liabilities, losses, damages, or injuries of any kind to the extent arising out of or caused by the negligence, recklessness, or willful misconduct protected under the indemnification provisions of this Agreement. Failure by City to deduct any sums from a progress payment shall not constitute a waiver of the City's right to such sums. The City may keep any moneys which would otherwise be payable at any time hereunder and apply the same, or so much as may be necessary therefor, to the payment of any expenses, losses, or damages as determined by the City, incurred by the City for which Consultant is liable under the Agreement or state law. Payments to the Consultant for compensation and reimbursable expenses due shall not be contingent on the construction, completion or ultimate success of the Project. Payment to the Consultant shall not be withheld, postponed, or made contingent upon receipt by the City of offsetting reimbursement or credit from Parties not within the Consultant's reasonable control.

3.10.6 Prevailing Wages. Consultant is aware of the requirements of California Labor Code Sections 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. Since the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and since the total compensation is $1,000 or more, Consultant agrees to fully comply with and to require its consultants to fully comply with such Prevailing Wage Laws. City shall provide Consultant with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. Consultant shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Consultant's principal place of business and at the Project site. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4. Consultant shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure of the Consultant or its consultants to comply with the Prevailing Wage Laws.

(a) Registration/DIR Compliance. If the Services are being performed as part of an applicable "public works project" of over $25,000 when the project is for construction, alteration, demolition, installation, or repair work, or a public works project of over $15,000 when the project is for maintenance work, in addition to the foregoing, then pursuant to Labor Code sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such Services must be registered with the Department of Industrial Relations ("DIR"). Consultant shall maintain

registration for the duration of the Project and require the same of any subconsultants. This project may also be subject to compliance monitoring and enforcement by the DIR. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements, including the submission of payroll records directly to the DIR. Any stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant.

3.10.7 Automated Clearing House ("ACH") payments. It is the City's policy to pay its consultant invoices via electronic fund transfers through the ACH network. All payments due and owing pursuant to a properly issued and correct invoice or under this Agreement shall be made through electronic ACH transfers, unless otherwise agreed upon by both Parties in writing. Consultant shall provide the City with ACH payment details whereby the City shall initiate the ACH transfers to Consultant in the amount required pursuant to a properly issued and correct invoice or under this Agreement. Each Party shall undertake any and all required actions and execute any required documents, instruments, or agreements required to effectuate the requirements of this Section. In the event the City erroneously deposits funds into an account, or otherwise deposits funds to which Consultant is not entitled: (1) Consultant shall immediately notify the City and the financial institution; (2) Consultant shall not withdraw any of the funds which were erroneously deposited or to which Consultant is not entitled; and (3) Consultant authorizes both the City and financial institution to take all actions necessary to correct the error and return to the City all funds erroneously deposited or to which Consultant is not entitled.

3.11 Notice to Proceed.

Consultant shall not proceed with performance of any Services under this Agreement unless and until the City provides a written notice to proceed.

3.12 Termination, Suspension and Abandonment.

3.12.1 Grounds for Termination; Consultant's Termination for Cause. City hereby reserves the right to suspend or abandon, at any time and for any reason, all or any portion of the Project and the construction work thereon, or to terminate this Agreement at any time with or without cause. Consultant shall be provided with at least seven (7) days advanced written notice of such suspension, abandonment or termination. In the event of such suspension, abandonment or termination, Consultant shall be paid for Services and reimbursable expenses rendered up to the date of such suspension, abandonment or termination, pursuant to the schedule of payments provided for in this Agreement, less any claims against or damages suffered by City as a result of the default, if any, by Consultant. Consultant hereby expressly waives any and all claims for damages or compensation arising under this Agreement, except as set forth herein, in the event of such suspension, abandonment or termination. Consultant may terminate this Agreement for substantial breach of performance by the City such as failure to make payment to Consultant as provided in this Agreement.

3.12.2 City's Suspension of Work. If Consultant's Services are suspended by City, City may require Consultant to resume such Services within ninety (90) days after written notice

from City. When the Project is resumed, the Total Compensation and schedule of Services shall be equitably adjusted upon mutual agreement of the City and Consultant.

3.12.3 Documents and Other Data. Upon suspension, abandonment or termination, Consultant shall provide to City all preliminary studies, sketches, working drawings, specifications, computations, and all other Project Documents, as defined below, to which City would have been entitled at the completion of Consultant's Services under this Agreement. Upon payment of the amount required to be paid to Consultant pursuant to the termination provisions of this Agreement, City shall have the rights, as provided in this Agreement hereinafter, to use such Project Documents prepared by or on behalf of Consultant under this Agreement. Consultant shall make such documents available to City upon request and without additional compensation other than as may be approved as a reimbursable expense.

3.12.4 Employment of other Consultants. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

3.13 Ownership and Use of Documents; Confidentiality.

3.13.1 Ownership. All plans, specifications, original or reproducible transparencies of working drawings and master plans, preliminary sketches, architectural presentation drawings, structural computations, estimates and any other documents prepared pursuant to this Agreement, including, but not limited to, any other works of authorship fixed in any tangible medium of expression such as writings, physical drawings and data magnetically or otherwise recorded on computer diskettes (hereinafter referred to as the "Project Documents") shall be and remain the property of City. Although the official copyright in all Project Documents shall remain with the Consultant or other applicable subcontractors or consultants, the Project Documents shall be the property of City whether or not the work for which they were made is executed or completed. Within thirty (30) calendar days following completion of the Project, Consultant shall provide to City copies of all Project Documents required by City. In addition, Consultant shall retain copies of all Project Documents on file for a minimum of fifteen (15) years following completion of the Project, and shall make copies available to City upon the payment of reasonable duplication costs. Before destroying the Project Documents following this retention period, Consultant shall make a reasonable effort to notify City and provide City with the opportunity to obtain the documents.

3.13.2 Right to Use. Consultant grants to City the right to use and reuse all or part of the Project Documents, at City's sole discretion and with no additional compensation to Consultant, for the following purposes:

(a) The construction of all or part of this Project.

(b) The repair, renovation, modernization, replacement, reconstruction or expansion of this Project at any time;

(c) The construction of another project by or on behalf of the City for its ownership and use;

City is not bound by this Agreement to employ the services of Consultant in the event such documents are used or reused for these purposes. City shall be able to use or reuse the Project Documents for these purposes without risk of liability to the Consultant or third parties with respect

to the condition of the Project Documents, and the use or reuse of the Project Documents for these purposes shall not be construed or interpreted to waive or limit City's right to recover for latent defects or for errors or omissions of the Consultant.

Any use or reuse by City of the Project Documents on any project other than this Project without employing the services of Consultant shall be at City's own risk with respect to third parties. If City uses or reuses the Project Documents on any project other than this Project, it shall remove the Consultant's seal from the Project Documents and hold harmless Consultant and its officers, directors, agents and employees from claims arising out of the negligent use or re-use of the Project Documents on such other project.

3.13.3 License. This Agreement creates a non-exclusive and perpetual license for City to copy, use, modify or reuse any and all Project Documents and any intellectual property rights therein. Consultant shall require any and all subcontractors and consultants to agree in writing that City is granted a non-exclusive and perpetual license for the work of such subcontractors or consultants performed pursuant to this Agreement.

3.13.4 Right to License. Consultant represents and warrants that Consultant has the legal right to license any and all copyrights, designs and other intellectual property embodied in the Project Documents that Consultant prepares or causes to be prepared pursuant to this Agreement. Consultant shall indemnify and hold City harmless pursuant to the indemnification provisions of this Agreement for any breach of this Section. Consultant makes no such representation and warranty in regard to previously prepared designs, plans, specifications, studies, drawings, estimates or other documents that were prepared by design professionals other than Consultant and provided to Consultant by City.

3.13.5 Confidentiality. All Project Documents, either created by or provided to Consultant in connection with the performance of this Agreement, shall be held confidential by Consultant to the extent they are not subject to disclosure pursuant to the Public Records Act. All Project Documents shall not, without the written consent of City, be used or reproduced by Consultant for any purposes other than the performance of the Services. Consultant shall not disclose, cause or facilitate the disclosure of the Project Documents to any person or entity not connected with the performance of the Services or the Project. Nothing furnished to Consultant which is otherwise known to Consultant or is generally known, or has become known, to the related industry shall be deemed confidential. Consultant shall not use City's name or insignia, photographs of the Project, or any publicity pertaining to the Services or the Project in any magazine, trade paper, newspaper, television or radio production or other similar medium without the written consent of City.

3.14 Indemnification.

3.14.1 To the fullest extent permitted by law, Consultant shall defend (with counsel of City's choosing), indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's Services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses except such loss or damage caused by the sole negligence or willful misconduct of the City. Consultant's obligation to indemnify shall

survive expiration or termination of this Agreement and shall not be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

3.14.2 If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance as a "design professional" (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

3.15 Insurance. Consultant shall not commence work under this Agreement until it has provided evidence satisfactory to the City that it has secured all insurance required under this Section. In addition, Consultant shall not allow any subconsultant to commence work on any subcontract until it has provided evidence satisfactory to the City that the subconsultant has secured all insurance required under this section.

3.15.1 Types of Insurance Required. As a condition precedent to the effectiveness of this Agreement for work to be performed hereunder, and without limiting the indemnity provisions of the Agreement, Consultant shall, at its expense, procure and maintain in full force and effect for the duration of the Agreement the following policies of insurance. If the existing policies do not meet the insurance requirements set forth herein, Consultant agrees to amend, supplement or endorse the policies to do so.

3.15.2 Additional Insured. The City of Ontario, its officials, officers, employees, agents, and volunteers shall be named as additional insureds on Consultant's and its subconsultants' policies of commercial general liability and automobile liability insurance using the endorsements and forms specified herein or exact equivalents.

3.15.3 Commercial General Liability

(a) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the City.

(b) Coverage for Commercial General Liability insurance shall be at least as broad as the following: Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent. Commercial General Liability Insurance must include coverage for the following:

(i) Bodily Injury and Property Damage

(ii) Personal Injury/Advertising Injury

(iii) Premises/Operations Liability

(iv) Products/Completed Operations Liability

(v) Aggregate Limits that Apply per Project

(vi) Explosion, Collapse and Underground (UCX) exclusion deleted

(vii) Contractual Liability with respect to this Contract

(viii) Broad Form Property Damage

(ix) Independent Consultants Coverage

(c) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(d) The policy shall give City, the City Council and each member of the City Council, its officers, employees, agents and City designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(e) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the City, and provided that such deductibles shall not apply to the City as an additional insured.

3.15.4 Automobile Liability

(a) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, in a form and with insurance companies acceptable to the City.

(b) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(c) The policy shall give City, the City Council and each member of the City Council, its officers, employees, agents and City designated volunteers additional insured status.

(d) Subject to written approval by the City, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the City as an additional insured, but not a self-insured retention.

3.15.5 Workers' Compensation/Employer's Liability

(a) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(b) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this Section.

3.15.6 Professional Liability (Errors and Omissions)

(a) At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the City and in an amount indicated herein. This insurance shall be written on a policy form coverage specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

3.15.7 Minimum Policy Limits Required

(a) The following insurance limits are required for the Agreement:

Coverage	Combined Single Limit
Commercial General Liability	$2,000,000 per occurrence/ $4,000,000 aggregate for bodily injury, personal injury, and property damage
Automobile Liability	$2,000,000 per occurrence for bodily injury and property damage
Employer's Liability	$1,000,000 per occurrence
Professional Liability	$2,000,000 per claim and aggregate (errors and omissions)

(b) Defense costs shall be payable in addition to the limits.

(c) Requirements of specific coverage or limits contained in this Section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

3.15.8 Evidence Required

(a) Prior to execution of the Agreement, the Consultant shall file with the City evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord

Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

3.15.9 Policy Provisions Required

(a) Consultant shall provide the City at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the City at least ten (10) days prior to the effective date of cancellation or expiration.

(b) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, deductible, or self-insurance maintained by the City, its officials, officers, employees, agents, or volunteers shall not contribute with this primary insurance. Policies shall contain or be endorsed to contain such provisions.

(c) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(d) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(e) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the City and shall not preclude the City from taking such other actions available to the City under other provisions of the Agreement or law.

3.15.10 Qualifying Insurers

(a) All policies required shall be issued by acceptable insurance companies, as determined by the City, which satisfy the following minimum requirements: Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or

otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

3.15.11 Additional Insurance Provisions

(a) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the City, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(b) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Consultant or City will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, City may cancel this Agreement.

(c) The City may require the Consultant to provide complete copies of all insurance policies in effect for the duration of the Project.

(d) Neither the City nor the City Council, nor any member of the City Council, nor any of the officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

3.15.12 Subconsultant Insurance Requirements

(a) Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the City that they have secured all insurance required under this Section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the City as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant, City may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

3.16 Records.

Consultant shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Consultant shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Consultant shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of five (5) years from the date of final payment under this Agreement.

3.17 Standardized Manufactured Items.

Consultant shall cooperate and consult with City in the use and selection of manufactured items on the Project, including but not limited to, paint, hardware, plumbing, mechanical and electrical equipment, fixtures, roofing materials and floor coverings. All such manufactured items

shall be standardized to City's criteria to the extent such criteria do not interfere with building design.

3.18 Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described herein. Any additional or subsequent construction at the site of the Project, or at any other City site, will be covered by, and be the subject of, a separate Agreement for engineering or architectural services between City and the Consultant chosen therefor by City.

3.19 Mediation.

Disputes arising from this Agreement may be submitted to mediation if mutually agreeable to the Parties hereto. The type and process of mediation to be utilized shall be subject to the mutual agreement of the Parties.

3.20 Successors and Assigns.

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of City. Any attempted assignment without such consent shall be invalid and void.

3.21 Asbestos Certification.

Consultant shall certify to City, in writing and under penalty of perjury, that to the best of its knowledge, information and belief no asbestos-containing material or other material deemed to be hazardous by the state or federal government was specified as a building material in any construction document that the Consultant prepares for the Project. Consultant shall require all consultants who prepare any other documents for the Project to submit the same written certification. Consultant shall also assist the City in ensuring that contractors provide City with certification, in writing and under penalty of perjury, that to the best of their knowledge, information and belief no material furnished, installed or incorporated into the Project contains asbestos or any other material deemed to be hazardous by the state or federal government. These certifications shall be part of the final Project submittal. Consultant shall include statements in its specifications that materials containing asbestos or any other material deemed to be hazardous by the state or federal government are not to be included.

3.22 No Third Party Rights.

This Agreement shall not create any rights in, or inure to the benefits of, any third party except as expressly provided herein.

3.23 Governing Law.

This Agreement shall be construed in accordance with, and governed by, the laws of the State of California. Venue shall be in San Bernardino County.

3.24 Exhibits and Recitals.

All exhibits and recitals contained herein and attached hereto are material parts of this Agreement and are incorporated as if fully set forth.

3.25 Severability.

Should any provision in the Agreement be held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall continue in full force and effect.

3.26 Non-Waiver.

None of the provisions of this Agreement shall be considered waived by either Party, unless such waiver is specifically specified in writing.

3.27 Safety.

Consultant shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Consultant shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of its employees, consultant and subcontractors appropriate to the nature of the work and the conditions under which the work is to be performed.

3.28 Harassment Policy.

Consultant shall provide a copy of the City's Harassment Policy to each of its employees assigned to perform the tasks under this Agreement. Consultant shall submit to the City's Personnel Manager a statement signed by each of its employees who are assigned to perform the Services under this Agreement certifying receipt of City's Harassment Policy and certifying that they have read the Harassment Policy. A finding by the City that any of Consultant's employees has harassed a City employee shall be grounds for appropriate discipline, up to and including such employee's removal from performance of this Agreement at City's request.

3.29 Delivery of Notices.

All notices permitted or required under this Agreement shall be given to the respective Parties at the following address, or at such other address as the respective Parties may provide in writing for this purpose:

CITY:	CONSULTANT:
City of Ontario	Robert Borders & Associates
303 East “B” Street	1675 Scenic Ave, Suite 210
Ontario, CA 91764	Costa Mesa, CA 92626
Attn: Cynthia Heredia-Torres	Attn: Shelly DiLauro

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the Party

at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

3.30 Time of Essence.

Time is of the essence for each and every provision of this Agreement.

3.31 City's Right to Employ Other Consultants.

City reserves right to employ other consultants, including designers, in connection with this Project or other projects.

3.32 Prohibited Interests.

3.32.1 Solicitation. Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability.

3.32.2 Conflict of Interest. For the term of this Agreement, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.33 Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or any other classification protected by federal or state law. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Consultant shall also comply with all relevant provisions of City's minority business enterprise program, affirmative action plan or other related programs or guidelines currently in effect or hereinafter enacted.

3.34 Labor Certification.

By its signature hereunder, Consultant certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.

3.35 Subcontracting.

As specified in this Agreement, Consultant shall not subcontract any portion of the Services required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to each and every provision of this Agreement.

3.36 Supplemental Conditions.

Any supplemental conditions shall be attached as an exhibit to this Agreement, and that exhibit shall be incorporated herein by reference.

3.37 Entire Agreement.

This Agreement, with its exhibits, contains the entire agreement of the Parties hereto, and supersedes any and all other prior or contemporaneous negotiations, understandings and oral or written agreements between the Parties hereto. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. Furthermore, any modification of this Agreement shall only be effective if in writing signed by all Parties hereto.

SIGNATURES ON FOLLOWING PAGE

SIGNATURE PAGE FOR DESIGN SERVICES AGREEMENT
BETWEEN THE CITY OF ONTARIO
AND ROBERT BORDERS & ASSOCIATES

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY OF ONTARIO

Approved By:

_____
Scott Ochoa
City Manager

Approved as to Form:

_____
Best Best & Krieger LLP
City Attorney

Attested By:

_____
City Clerk

Robert Borders & Associates

By: _____

Its: _____

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

[If Corporation, TWO SIGNATURES, President OR Vice President AND Secretary OR Treasurer REQUIRED]

EXHIBIT "A"
SCOPE OF SERVICES

1. GENERAL REQUIREMENTS.

1.1 Basic Services. Consultant agrees to perform all the necessary professional architectural, engineering (e.g. mechanical, electrical, plumbing, structural, site engineering, and any other necessary engineering services mutually agreeable to the Parties) and construction administration services for the Project in a timely and professional manner, consistent with the standards of the profession, including those provided for herein.

1.2 Exclusions from Basic Services. The following services shall be excluded from the basic services listed above: soils engineering, geotechnical services, and hazardous waste or toxic substances engineering.

1.3 Additional Services. Consultant shall perform the following Additional Services for the Project: Project Specific

1.4 Communication with City. Consultant shall participate in consultations and conferences with authorized representatives of City and/or other local, regional, or state agencies concerned with the Project, which may be necessary for the completion of the Project or the development of the drawings, specifications and documents in accordance with the applicable standards and requirements of law and the City. Such consultations and conferences shall continue throughout the planning and construction of the Project and the contractor's warranty period. Consultant shall take direction only from the City's Representative, or any other representative specifically designated by the City for this Project, including any construction manager hired by the City.

1.5 Coordination and Cooperation with Construction Manager. The City may hire a construction manager to administer and coordinate all or any part of the Project on its behalf. If the City does so, it shall provide a copy of its agreement with the construction manager so that the Consultant will be fully aware of the duties and responsibilities of the construction manager. The Consultant shall cooperate with the construction manager and respond to any requests or directives authorized by the City to be made or given by the construction manager. The Consultant shall request clarification from the City in writing if the Consultant should have any questions regarding the authority of the construction manager.

2. INITIAL PLANNING PHASE.

During the initial planning phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

2.1 Project Feasibility. Provide advice and assistance to City in determining the feasibility of the Project, analysis of the type and quality of materials and construction to be selected, the site location, and other initial planning matters.

2.2 Meeting Budget and Project Goals. Consultant shall notify City in writing of potential complications, cost overruns, unusual conditions, and general needs that potentially impact the Project budget and time line, including the City's Preliminary Construction Budget. Consultant shall use its best judgment in determining the balance between the size, type and quality of construction to achieve a satisfactory solution within the Project's budget and

construction allowance. It shall be the duty of the Consultant to design the Project within budget. As discussed herein, including in Section 7.3, if the lowest responsive and responsible bid for the Project exceeds the budget by the stated amount, Consultant may be required to make the necessary changes in the drawing and specifications, at its sole cost and expense, to bring the bids within the required budget.

2.3 Permits, Approvals and Authorizations. As indicated in Section 3.5.4 of the Agreement, Consultant shall assist City in securing easements, encroachment permits, rights of way, dedications, infrastructures and road improvements, as well as coordinating with utilities and adjacent property owners.

3. SCHEMATIC PLAN PHASE.

During the schematic plan phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

3.1 Funding Documents. Consultant shall provide a site plan and all other Project-related information necessary and required for an application by City to any federal, state, regional, or local agencies for funds to finance the construction Project.

3.2 Schematic Plans. In cooperation with City, Consultant shall prepare preliminary plans and studies, schematic drawings, site utilization plans, and phasing plans showing the scale and relationship of the components of the Project, the plot plan development at the site, and the proposed architectural concept of the buildings ("Schematic Plans"). Consultant shall incorporate the functional requirements of City into the Schematic Plans. The Schematic Plans shall meet all laws, rules and regulations of the State of California. The Schematic Plans shall show all rooms incorporated in each building of the Project in single-line drawings, and shall include all revisions required by City or by any federal, state, regional or local agency having jurisdiction over the Project. All architectural drawings for the Project shall be in a form suitable for reproduction.

3.3 Preliminary Project Budget. Consultant shall use the City's Preliminary Construction Budget and its own expertise and experience with the Project to establish a preliminary project budget or allowance in a format required by City ("Consultant's Preliminary Project Budget"). The purpose of the Consultant's Preliminary Project Budget is to show the probable Project cost in relation to City's Preliminary Construction Budget and the construction standards of any applicable funding agency. If Consultant perceives site considerations which render the Project expensive or cost prohibitive, Consultant shall disclose such conditions in writing to City immediately. As discussed herein, including in Section 7.3, if the lowest responsive and responsible bid for the Project exceeds the budget by more than the stated amount, Consultant may be required to make the necessary changes in the drawings and specifications, at its sole cost and expense, to bring the bids within the required budget Consultant shall provide a preliminary written time schedule for the performance of all construction work on the Project.

3.4 Copies of Schematic Plans and Other Documents. Consultant, at its own expense, shall provide a complete set of the Schematic Plans described herein for City's review and approval. Additionally, at City's expense, Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

4. DESIGN DEVELOPMENT PHASE.

During the design development phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

4.1 Design Development Documents. Once City provides Consultant with specific written approval of the Schematic Plans described herein, Consultant shall prepare design development documents consisting of: (1) site and floor plans; (2) elevations; and (3) any other drawings and documents sufficient to fix and describe the types and makeup of materials, as well as the size and character of the Project's structural, mechanical and electrical systems, and to outline the Project specifications ("Design Development Documents"). The Design Development Documents shall be prepared in sufficient form to present to the City Council for approval.

4.2 Copies of Design Development and Other Documents. Consultant, at its own expense, shall provide a complete set of the Design Development Documents described herein for City's review and approval. Additionally, at City's expense, Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

4.3 Updated Project Budget. Consultant shall use its Preliminary Project Budget and expertise and experience with the Project to establish an updated estimate of probable construction costs, containing detail consistent with the Design Development Documents as set forth herein and containing a breakdown based on types of materials and specifications identified herein ("Consultant's Updated Project Budget").

4.4 Timetable. Consultant shall provide a written timetable for full and adequate completion of the Project to City.

4.5 Application for Approvals. Consultant shall assist City in applying for and obtaining required approvals from all federal, state, regional or local agencies concerned with the Project. Consultant shall furnish and process all architectural and engineering information required to prepare and process applications to applicable utilities in order to secure priorities and materials, to aid in the construction of the Project and to obtain final Project approval and acceptance by any of the above agencies as may be required.

4.6 Color and Other Aesthetic Issues. Consultant shall provide, for City's review and approval, a preliminary schedule of all color materials and selections of textures, finishes and other matters involving an aesthetic decision about the Project.

5. FINAL WORKING DRAWINGS AND SPECIFICATIONS.

During the final working drawings and specifications phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

5.1 Final Working Drawings and Specifications. Once City provides Consultant with specific written approval of the Design Development Documents described herein, Consultant shall prepare such complete working drawings and specifications as are necessary for developing complete bids and for properly executing the Project work in an efficient and thorough manner ("Final Working Drawings and Specifications"). Such Final Working Drawings and Specifications shall be developed from the Schematic Plans and Design Development Documents approved by City. The Final Working Drawings and Specifications shall set forth in

detail all of the following: (1) the Project construction work to be done; (2) the materials, workmanship, finishes, and equipment required for the architectural, structural, mechanical, and electrical systems; and (3) the utility service connection equipment and site work. As indicated in Section 3.9.2 of the Agreement, City may be requested to supply Consultant with the necessary information to determine the proper location of all improvements on and off site, including record drawings ("as-built drawings") in City's possession. Consultant will make a good-faith effort to verify the accuracy of such information by means of a thorough interior and exterior visual survey of site conditions. City shall also make a good-faith effort to verify the accuracy of the as-built drawings and provide any supplemental information to Consultant which may not be shown on the as-built drawings.

5.2 Form. The Final Working Drawings and Specifications must be in such form as will enable Consultant and City to secure the required permits and approvals from all federal, state, regional or local agencies concerned with the Project. In addition, the Final Working Drawings and Specifications must be in such form as will enable City to obtain, by competitive bidding, a responsible and responsive bid within the applicable budgetary limitations and cost standards. The Final Working Drawings and Specifications shall be clear and legible so that uniform copies may be on standard architectural size paper, properly indexed and numbered, and shall be capable of being clearly copied and assembled in a professional manner by Consultant.

5.3 Approval and Revisions. City shall review, study, and check the Final Working Drawings and Specifications presented to it by Consultant, and request any necessary revisions or obtain any necessary approvals by the City Council, subject to the approval of all federal, state, regional or local agencies concerned with the Project. Consultant shall make all City-requested changes, additions, deletions, and corrections in the Final Working Drawings and Specifications at no additional cost, so long as they are not in conflict with the requirements of public agencies having jurisdiction or prior approval, or inconsistent with earlier City direction or Consultant's professional judgment. Consultant shall bring any such conflicts and/or inconsistencies to the attention of City. The Parties agree that Consultant, and not the City, possesses the requisite expertise to determine the constructability of the Final Working Drawings and Specifications. However, the City reserves the right to conduct one or more constructability review processes with the Final Working Drawings and Specifications, and to hire an independent architect or other consultant to perform such reviews. Any such independent constructability review shall be at City's expense. Consultant shall make all City-requested changes, additions, deletions, and corrections in the Final Working Drawings and Specifications which may result from any constructability review, at no additional cost to the City, so long as they are not in conflict with the requirements of public agencies having jurisdiction or prior approval, or inconsistent with earlier City direction or Consultant's professional judgment. If such changes, additions, deletions or corrections are inconsistent with prior City direction, Consultant shall make such alterations and be compensated therefore pursuant to the Additional Services provision of this Agreement.

5.4 Costs of Construction. It is understood by Consultant that should the Final Working Drawings and Specifications be ordered by City, City shall specify the sum of money set aside to cover the total cost of construction of the work, exclusive of Consultant's fees. Should it become evident that the total construction cost will exceed the specified sum, Consultant shall at once present a statement in writing to the City's Representative setting forth this fact and giving a full statement of the cost estimates on which the conclusion is based.

5.5 Copies of Final Working Drawings and Specifications and Other Documents. Consultant, at its own expense, shall provide a complete set of the Final Working Drawings and Specifications described herein for City's review and approval. Additionally, at City's expense,

Consultant shall provide such documents as may be required by any federal, state, regional or local agencies concerned with the Project. Any additional copies required by City shall be provided at actual cost to City.

6. CONSTRUCTION CONTRACT DOCUMENTS.

During the construction contract documents phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

6.1 Bid and Contract Documents. If so required by City, Consultant shall assist City in the completion of all bid and construction documents, including but not limited to, the Notice Inviting Bids, Instructions to Bidders, Contract Bid Forms (including Alternate Bids as requested by City), `Contract, General Conditions, Supplementary General Conditions, Special Conditions, DVBE and other applicable affirmative action documents, Performance Bond, Payment Bond, Escrow Agreement for Security Deposits, and any other certifications and documents required by federal, state and local laws, rules and regulations which may be reasonably required in order to obtain bids responsive to the specifications and drawings. All such documents shall be subject to the approval of City and City's legal counsel.

6.2 Final Estimate. At the time of delivery of these bid and construction documents, which shall include the Final Working Drawings and Specifications (collectively referred to herein as the "Construction Documents"), Consultant shall provide City with its final estimate of probable construction cost ("Consultant's Final Estimate"). As discussed herein, including in Section 7.3, it shall be the Consultant's duty to design the Project within budget.

7. BID PHASE.

During the bid phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

7.1 Reproducible Construction Documents. Once City provides Consultant with specific written approval of the Construction Documents and Consultant's Final Estimate, Consultant shall provide to City one set of reproducible Construction Documents.

7.2 Distribution of Contract Documents and Review of Bids. Consultant shall assist City in distributing the Construction Documents to bidders and conducting the opening and review of bids for the Project.

7.3 Over Budget. If the apparent lowest responsive and responsible bid on the Project exceeds the Consultant's Final Estimate by more than five percent (5%), City may request Consultant to amend, at Consultant's sole cost and expense, the Final Drawings and Specifications in order to rebid the Project and receive a lowest responsive and responsible bid equal to or less than the Consultant's Final Estimate. All revisions necessary to bring the lowest responsible and responsive bid within the Consultant's Final Estimate, including any omissions, deferrals or alternates, shall be made in consultation with, and subject to the approval of, the City.

8. CONSTRUCTION PHASE.

During the construction phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

8.1 Observation. The Project Consultant shall observe work executed from the Final Working Drawings and Specifications in person, provided that City may, in its discretion, consent to such observation by another competent representative of Consultant.

8.2 General Administration. Consultant shall provide general administration of the Construction Documents and the work performed by the contractors.

8.3 Pre-Construction Meeting. Consultant shall conduct one or more pre-construction meetings, as the City determines is needed for the Project, with all interested Parties.

8.4 Site Visits of Contractor's Work. Consultant shall conduct site visits to observe each contractors' work for general conformance with the Construction Documents and with any approved construction schedules or milestones. Such site visits shall be conducted as often as are necessary and appropriate to the stage of construction, according to the City's sole discretion, but in no event less than weekly.

8.5 Site Visits of Inspector's Work. Consultant shall conduct site visits to communicate and observe the activities of the City inspectors. Such site visits shall be conducted as often as is mutually acceptable to Consultant and City. Consultant shall direct the City inspectors and the Project contractors to coordinate the preparation of record drawings indicating dimensions and location of all "as-built" conditions, including but not limited to, underground utility lines.

8.6 Coordination of Subconsultants. Consultant shall cause all architects, engineers and other consultants, as may be hired by Consultant or City, to observe the work completed under their disciplines as required, and approve and review all test results for general conformance with the Construction Documents.

8.7 Reports. Consultant shall make regular reports as may be required by applicable federal, state or local laws, rules or regulations, as well as the federal, state, regional or local agencies concerned with the Project.

8.8 Construction Meetings; Minutes. Consultant shall attend all construction meetings and provide written reports/minutes to the City after each construction meeting in order to keep City informed of the progress of the work. Such meetings shall occur at a frequency necessary for the progress of the Project work, according to the City's sole discretion, but no less than weekly.

8.9 Written Reports. Consultant shall make written reports to City as necessary to inform City of problems arising during construction, changes contemplated as a result of each such problems, and progress of the Project work.

8.10 Written Records. Consultant shall keep accurate written records of the progress and quality of the Project work and the time schedules, and shall advise the contractors and City of any deviations from the time schedule which could delay timely completion of the Project.

8.11 Material and Test Reports. Consultant shall check and process, in a timely manner, all required material and test reports for the Project work. In addition, Consultant shall provide notice of any deficiencies in material or work reflected in such reports, as well as its recommendation for correction of such deficiencies, to the contractors and City.

8.12 Review and Response to Submissions. Consultant shall review and respond, in a timely manner, to all schedules, submittals, shop drawings, samples, information requests, change requests, and other submissions of the contractor and subcontractors for compliance with, or alterations and additions to, the Construction Documents. Consultant's review and response shall be done in such a manner so as to ensure the timely and uninterrupted progress of the Project work.

8.13 Rejection of Work. Consultant shall promptly reject, as discussed with City, work or materials which do not conform to the Construction Documents. Consultant shall immediately notify the City and contractor(s) of such rejections. Consultant shall also have the authority to recommend to the City that additional inspection or testing of the work be performed, whether or not such work is fabricated, installed or completed.

8.14 Substitutions. Consultant shall consult with City, in a timely manner, with regard to substitution of materials, equipment and laboratory reports thereof, prior to the City's final written approval of such substitutions. Consultant's consultation shall be done in such a manner so as to ensure the timely and uninterrupted progress of the Project work.

8.15 Revised Documents and Drawings. Consultant shall prepare, at no additional expense to City, all documents and/or drawings made necessary by errors and omissions in the originally approved Construction Documents.

8.16 Change Requests and Material Changes. Consultant shall evaluate and advise City, in a timely manner and in writing, of any change requests and material change(s) which may be requested or necessary in the Project plans and specifications. Consultant shall provide the City with its opinion as to whether such change requests should be approved, denied or revised. If the City has not hired a construction manager or other person to do so, the Consultant shall prepare and execute all change orders and submit them to the City for authorization. If the City has designated a construction manager or other person to prepare all change orders, the Consultant shall review all change orders prepared by such person, execute them and deliver them to the City for authorization if they meet with the Consultant's approval, or submit them to the City with recommendations for revision or denial if necessary. Consultant shall not order contractors to make any changes affecting the contract price without approval by City of such a written change order, pursuant to the terms of the Construction Documents. Consultant may order, on its own responsibility and pending City Council approval, changes necessary to meet construction emergencies, if written approval of City's Representative is first secured.

8.17 Applications for Payment. Consultant shall examine, verify and approve contractor's applications for payment, and shall issue certificates for payment in amounts approved by the City's inspector.

8.18 Final Color and Product Selection. Consultant shall coordinate final color and product selection with City's original design concept.

8.19 Substantial Completion. Consultant shall determine the date of substantial completion, in consultation with the City.

8.20 Punch List. After determining that the Project is substantially complete, Consultant shall participate in the inspection of the Project and shall review all remaining deficiencies and minor items needed to be corrected or completed on the Project, including those identified on the punch list prepared by the contractor ("Punch List Items"). Consultant shall notify

contractor in writing that all Punch List Items must be corrected prior to final acceptance of the Project and final payment. Consultant shall also notify City of all Punch List Items.

8.21 Warranties. Consultant shall review materials assembled by the contractor and subcontractors with regard to all written warranties, guarantees, owners' manuals, instruction books, diagrams, record "as built" drawings, and any other materials required from the contractors and subcontractors pursuant to the Construction Documents. Consultant shall coordinate and provide these materials to the City.

8.22 Certificate of Completion. Consultant shall participate in any further inspections of the Project necessary to issue Consultant's Certificate of Completion and final certificate for payment.

8.23 Documents for Project Close-Out. Consultant shall cause all other architects, engineers and other consultants, as may be hired by Consultant, to file any and all required documentation with the City or other governmental authorities necessary to close out the Project. Consultant shall assist the City in obtaining such documentation from all other architects, engineers, or other consultants.

9. AS-BUILT DRAWINGS.

During the as-built drawings phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

9.1 As-Built Drawings and Specifications. Not later than thirty (30) days after substantial completion of the Project, before receipt of final payment, Consultant shall review and forward the Final Working Drawings and Specifications, indicating on them all changes made by change orders or otherwise pursuant to the Construction Documents, as well as all information called for on the specifications, thus producing an "as-built" set of Final Working Drawings and Specifications ("As-Built Drawings and Specifications"). The As-Built Drawings and Specifications shall show, among other things, the location of all concealed pipe, buried conduit runs and other similar elements within the completed Project. Consultant shall personally review and certify that the As-Built Drawings and Specifications are a correct representation of the information supplied to Consultant by any inspectors and the contractor, and shall obtain certifications from any inspectors and the contractor that the drawings are correct.

9.2 Approval. Once City provides Consultant with specific written approval of the As-Built Drawings and Specifications, Consultant shall forward to City the complete set of original As-Built Drawings and Specifications or a complete set of reproducible duplicate As-Built Drawings and Specifications. The tracing shall be of such quality that clear and legible prints may be made without appreciable and objectionable loss of detail.

9.3 Documents for Final Payment. Prior to the receipt of Consultant's final payment, Consultant shall forward to City all of the following: (1) one clear and legible set of reproductions of the computations; (2) the original copy of the specifications; (3) the As-Built Drawings and Specifications as required herein; and (4) Consultant's Certificate of Completion.

10. WARRANTY PERIOD.

During the warranty period phase of the Project, Consultant shall do all of the following, as well as any incidental services thereto:

10.1 Advice. Consultant shall provide advice to City on apparent deficiencies in the Project during any applicable warranty periods for the Project.

EXHIBIT "B"
FEE AND PHASING/FUNDING SCHEDULES

1. FEE SCHEDULE.

Consultant will invoice City on a monthly cycle based on the following fee schedule. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each phase and the total amount spent against the Total Compensation. Consultant will inform City regarding any out-of-scope work being performed by Consultant for which Consultant intends to seek compensation from City.

2. PHASING/FUNDING SCHEDULE.

Progress payments towards Total Compensation shall never exceed the following percentages of Total Compensation as of the phase indicated:

Initial Planning Phase:	_____ percent (%____)
Schematic Plan Phase:	_____ percent (%____)
Design Development Phase:	_____ percent (%____)
Final Working Drawings & Specifications Phase:	_____ percent (%____)
Construction Contract Documents Phase:	_____ percent (%____)
Bid Phase:	_____ percent (%____)
Construction Phase:	_____ percent (%____)
As-Built Drawings Phase:	_____ percent (%____)
Warranty Period Phase:	_____ percent (%____)

Note: No Phasing/Funding Schedule is necessary until a project task is issued under the contract

EXHIBIT "C"

COMPENSATION RATES AND REIMBURSABLE EXPENSES

Borders Architects

Standard Fee Schedule for additional work

ARCHITECTURAL AND INTERIOR DESIGN

Classification	Hourly Rate
Principal	$215.00
Senior Project Manager/Associate	$195.00
Project Manager	$165.00
Senior Designer	$160.00
Intermediate Designer	$140.00
Junior Designer	$115.00
Senior Drafter	$150.00
Intermediate Drafter	$125.00
Junior Drafter	$100.00
Clerical/Word Processor	$85.00

Overtime Rates: 1½ times the above.
This fee schedule is a fixed rate for the first year and is subject to negotiation for an hourly rate increase not to exceed (3) percent per year.

Reimbursable Expenses: We are to be reimbursed for out-of-pocket expenses incurred on behalf of the project such as long-distance telephone calls, CAD file translations, messenger services, renderings, printing, plotting, photography and other forms of reproducing drawings, specifications, and documents. These expenses will be invoiced at our cost plus 15%.

Travel:
1. IRS standard travel rates apply

Reimbursable expenses:
1. Printing
2. Plan check submittal fees
3. Sub-consultant fees

Linwood Engineering PC Fee Schedule

LEA's normal, hourly rates are indicated below:

Personnel	Hourly Rate
Principal/Owner/Specialist	$225.00
Engineer/Project Manager	$185.00
Designer	$145.00
Draftsperson	$95.00
Admin	$65.00

This fee schedule is a fixed rate for the first year and is subject to negotiation for an hourly rate increase not to exceed (3) percent per year.

Rates are based on work performed during Linwood Engineering, Inc's normal business hours (Monday through Thursday, 8am to 4pm, and Friday, 8am to noon). Rates outside normal business hours are as follows:

No additional fee for weekday overtime.
Weekend rate is 1.5 times the hourly rate.
Holiday rate is 2 times the hourly rate.

The hourly rates listed above do not include reimbursable expenses. Out-of-pocket expenses include reasonable and customary charges for travel, reproduction, etc. and are billed at cost plus 10%. Reimbursable expenses for travel are invoiced at current IRS Standard Mileage Rate.

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **CONSENT CALENDAR**
Department: Public Works Prepared By: Cynthia Heredia-Torres Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Andrea Ampig, Bonnie Tam Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 8

SUBJECT: **CONSTRUCTION CONTRACTS FOR THE SPORTS COMPLEX OFFSITE UTILITIES PROJECT AND THE SEWER IMPROVEMENT AT VINEYARD PROJECT IN CONNECTION WITH THE CONSTRUCTION OF THE ONTARIO PROFESSIONAL BASEBALL STADIUM**

RECOMMENDATION: That the City Council take the following actions:

A. Authorize the City Manager or his designee to award Contract No. D&C23-025 Sports Complex Offsite Utilities Project to Griffith Company, of Brea, California, for the construction of the Offsite Utilities for the Sports Complex, in the amount of $90,584,000 plus a 15% contingency of $13,587,600, for a total not-to-exceed contract amount of $104,171,600, and

B. Authorize the City Manager or his designee to award Contract No. D&C23-025 Sports Complex Sewer Improvement at Vineyard Avenue Project to Weka, Inc., of San Bernardino, California, for the construction of the Offsite Vineyard Sewer for the Sports Complex, in the amount of $27,972,383 plus a 15% contingency of $4,195,857, for a total not-to-exceed contract amount of $32,168,240, and

C. Authorize the City Manager or his designee to execute Amendment No. 2 to the on-call Professional Services Agreement with Ardurra Group, Inc., of Newport Beach, California, to provide on-call Design Services for the Ontario Sports Complex Project in the amount of $72,780 for a total not-to-exceed contract amount of $2,457,212; and

D. Authorize the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

Focus Resources in Ontario's Commercial and Residential Neighborhoods

Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

FISCAL IMPACT: The Fiscal Year 2024-25 Adopted Budget and 5-Year Capital Improvement Program includes current and planned appropriations in the Capital Projects-Measure Q, Sewer Capital, Water Capital, and DIF Ontario Ranch – Local Adjacent Sewer funds for the Regional Sports Complex – Off Site Improvements project. The recommended contract award to Griffith Company for the construction of the D&C23-025 Sports Complex Offsite Improvements is $90,584,000 plus a 15% contingency of $13,587,600, for a total not-to-exceed contract amount of $104,171,600. The recommended contract award to Weka, Inc. for the construction of the D&C23-025 Sports Complex Sewer Improvement at Vineyard Avenue Project is $27,972,383 plus a 15% contingency of $4,195,857 for a total not-to-exceed contract amount of $32,168,240. The proposed Amendment No. 2 for Ardurra Group for on-call Design Services for the Ontario Sports Complex Project is $72,780 for a total not-to-exceed contract amount of $2,457,212.

BACKGROUND & ANALYSIS: The Sports Complex project includes a professional baseball stadium, soccer fields, baseball tournament areas, softball tournament areas, football fields, tennis and pickleball courts, full and half-court basketball courts, retail facilities, and parking structures for the professional baseball stadium and sports fields area. The Sports Complex is being built in an underdeveloped area in Ontario Ranch. The City's infrastructure needs to be enhanced to accommodate the operations at the Sports Complex.

Sports Complex Offsite Utilities Project

The Sports Complex Offsite Utilities Project consists of street improvements and off-site utility work on Riverside Ave., Hellman Ave., Chino Ave., Vineyard Ave., and the newly constructed streets A St., B St. and C St. Street improvements consist of street widening, curb and gutter installation, sidewalk construction, striping, signage, and landscape improvements. Off-site utility work consists of installation of new traffic signals, street lighting, fiber optic lines, storm drains, 9,910 LF of recycled water pipeline, 10,320 LF of potable water pipeline, and 7,820 LF of Sewer pipeline.

On October 24, 2024, one (1) bid was received for the D&C23-025 Sports Complex Offsite Improvements Project:

Bidder	Location	Amount
Griffith Company	Brea, CA	$90,584,000

Staff recommends the award to Griffith Company, of Brea, California, for Construction Contract D&C23-025 Sports Complex Offsite Improvements Project based on their expertise, ability to perform the work in a timely manner, and successfully completing this type of work in the past.

Sewer Improvement at Vineyard Avenue Project

The Sports Complex Sewer Improvement Project at Vineyard Ave. will connect the sewer lines from the Sports Complex to the existing lines on Eucalyptus Ave. New sewer lines need to be constructed because the existing lines maintained by the Inland Empire Utility Agency cannot handle the capacity of the sewage coming from the Sports Complex. The project scope consists of installation of 10,315 LF of new sewer pipeline on Vineyard Ave. and Eucalyptus Ave. south of Riverside Drive. Improvements include sewer manholes, steel cased piping, new precast structures, new access roads, and sawcut patch and repair work on the existing street.

On October 21, 2024, four (4) bids were received for the D&C23-025 Sports Complex Vineyard Sewer Project. The bids ranged from a low bid amount of $27,972,383 to a high bid amount of $46,623,500. The bids are summarized below:

Bidder	**Location**	**Amount**
Weka, Inc.	San Bernardino, CA	$27,972,383
Norstar Plumbing & Engineering, Inc.	Alta Loma, CA	$33,444,555
Steve Bubalo Construction Co.	Monrovia, CA	$33,489,700
Steve P. Rados, Inc.	Santa Ana, CA	$46,623,500

Staff reviewed each bid, the company's qualifications, and responsiveness to the bid requirements. Staff recommends the award to Weka, Inc., of San Bernardino, California, for Construction Contract D&C23-025 Sports Complex Vineyard Sewer Project based on their expertise, pricing, references, the ability to perform the work in a timely manner, and successfully completing this type of work in the past.

On-Call Design Services for the Ontario Sports Complex Project

On July 16, 2024, the City Council approved Amendment No. 1 to the on-call Design Services Agreement with Ardurra Group, Inc. to include landscape and irrigation design of the City's public parkways and construction engineering services for the Ontario Sports Complex. Previously, Ardurra Group, Inc. designed all the Sports Complex off-site utilities. The proposed Amendment No. 2 to the on-call Design Services Agreement with Ardurra Group, Inc. includes design for the Sewer Improvement Project at Vineyard Ave.

CITY OF ONTARIO
303 EAST B STREET | ONTARIO, CALIFORNIA 91764
(909) 395-2000 FAX (909) 395-2070 OntarioCA.gov

PAUL S. LEON
MAYOR

DEBRA PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT OCHOA
CITY MANAGER

SECTION 00500 – CONTRACT FOR CONSTRUCTION

This Contract for Construction ("Contract"), No. D&C23-025 is made and entered as of _____, by and between City of Ontario, with its principal place of business at 303 East "B" Street, Ontario, CA 91764, sometimes hereinafter called the "City" and **Weka, Inc.**, sometimes hereinafter called "Contractor."

WITNESSETH: That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other as follows:

ARTICLE 1. SCOPE OF WORK.

The Contractor shall perform all Work within the time stipulated in the Contract, and shall provide all labor, materials, equipment, tools, utility services, and transportation to complete all of the Work required in strict compliance with the Contract Documents as specified in Article 5, below, for the following Project:

Sports Sewer Improvement at Vineyard Ave.

Contractor is an independent contractor and not an agent of the City. The Contractor and its surety shall be liable to the City for any damages arising as a result of the Contractor's failure to comply with this obligation.

ARTICLE 2. TIME FOR COMPLETION.

Time is of the essence in the performance of the Work. The Work shall be commenced on the date stated in the City's Notice to Proceed. The Contractor shall complete all Work required by the Contract Documents per the contract schedule and **within 389 calendar days** from the commencement date stated in the Notice to Proceed. By its signature hereunder, Contractor agrees the time for completion set forth above is adequate and reasonable to complete the Work.

ARTICLE 3. CONTRACT PRICE.

The City shall pay to the Contractor as full compensation for the performance of the Contract, subject to any additions or deductions as provided in the Contract Documents, and including all applicable taxes and costs, the sum of **Twenty-Seven Million Nine Hundred Seventy-Two Thousand Three Hundred Eighty-Three Dollars ($27,972,383)**. Payment shall be made as set forth in the General Conditions. The City will pay to Contractor compensation based upon the prices set forth in the Bid Schedule.

ARTICLE 4. LIQUIDATED DAMAGES.

Contractor acknowledges that the City will sustain actual damages for each and every Day completion of the Project is delayed beyond the Contract Time. Because of the nature of the Project, it would be impracticable or extremely difficult to determine the City's actual damages. Accordingly, in accordance with Government Code section 53069.85, it is agreed that the Contractor will pay the City the sum of $15,000 for each and every calendar day of delay beyond the time prescribed in the Contract Documents for finishing the Work, as Liquidated Damages and not as a penalty or forfeiture. In the event this is not paid, the Contractor agrees the City may deduct that amount from any money due or that may become due the Contractor under the Contract. This Section does not exclude recovery of other damages specified in the Contract Documents. Liquidated damages may be deducted from progress payments due Contractor, Project retention or may be collected directly from Contractor, or from Contractor's surety. These provisions for liquidated damages shall not prevent the City, in case of Contractor's default, from terminating the Contractor.

ARTICLE 5. COMPONENT PARTS OF THE CONTRACT.

The "Contract Documents" include the following:

Notice Inviting Bids
Instructions to Bidders
Bid Forms
Bid Acknowledgement
Bid Schedule
Bid Guarantee
Designation of Subcontractors
Non-Collusion Declaration Form
Iran Contracting Act Certification
Public Works Contractor DIR Registration Certification
Performance Bond
Payment (Labor and Materials) Bond
Contract for Construction
General Conditions
Special Conditions
Specifications
Addenda
Construction Plans and Drawings
Standard Specifications for Public Works Construction "Greenbook", latest edition, Except Sections 1-9
Applicable Local Agency Standards and Specifications, as last revised
Reference Specifications
Approved and fully executed Change Orders
Permits
Scope of Work Summary
Any other documents contained in or incorporated into the Contract

The Contractor shall complete the Work in strict accordance with all of the Contract Documents.

All of the Contract Documents are intended to be complementary. Work required by one of the Contract Documents and not by others shall be done as if required by all. In the event of conflict,

the various Contract Documents will be given effect in the order set forth in the General Conditions. This Contract shall supersede any prior agreement of the parties.

ARTICLE 6. PROVISIONS REQUIRED BY LAW AND CONTRACTOR COMPLIANCE.

Each and every provision of law required to be included in these Contract Documents shall be deemed to be included in these Contract Documents. The Contractor shall comply with all requirements of applicable federal, state and local laws, rules and regulations, including, but not limited to, the provisions of the California Labor Code and California Public Contract Code which are applicable to this Work.

ARTICLE 7. INDEMNIFICATION.

Contractor shall provide indemnification and defense as set forth in the General Conditions.

ARTICLE 8. PREVAILING WAGES.

Contractor shall be required to pay the prevailing rate of wages in accordance with the Labor Code which such rates shall be made available at the City's Office or may be obtained online at http://www.dir.ca.gov and which must be posted at the job site.

ARTICLE 9. FALSE CLAIMS.

Contractor acknowledges that if a false claim is submitted to the City, it may be considered fraud and Contractor may be subject to criminal prosecution. Contractor acknowledges that the False Claims Act, California Government Code sections 12650, et seq., provides for civil penalties where a person knowingly submits a false claim to a public entity. These provisions include within their scope false claims made with deliberate ignorance of the false information or in reckless disregard of the truth or falsity of the information. In the event the City seeks to recover penalties pursuant to the False Claims Act, it is entitled to recover its litigation costs, including attorneys' fees. Contractor hereby acknowledges that the filing of a false claim may the Contractor to an administrative debarment proceeding wherein Contractor may be prevented from further bidding on public contracts for a period of up to five (5) years.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, this Contract has been duly executed by the above-named parties, on the day and year above written.

CITY OF ONTARIO

By: _____
Scott Ochoa
City Manager

ATTEST:

By: _____
Sheila Mautz, City Clerk

APPROVED AS TO FORM:

By: _____
Best Best & Krieger LLP
City Attorney

Weka, Inc.

By: _____

Its: _____

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

_____
Contractor's License Number and Classification

_____
DIR Registration Number

[IF CORPORATION, TWO SIGNATURES, PRESIDENT **OR** VICE PRESIDENT **AND** SECRETARY **OR** TREASURER **REQUIRED]**

END OF CONTRACT

CITY OF ONTARIO
303 EAST B STREET | ONTARIO, CALIFORNIA 91764
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PAUL S. LEON
MAYOR

DEBRA PORADA
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ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT OCHOA
CITY MANAGER

AMENDMENT NO. 2 TO THE DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF ONTARIO AND ARDURRA GROUP, INC.

1. Parties and Date.

This Amendment No. 2 to the Agreement (as defined herein) is made and entered as of _____, by and between the City of Ontario ("City") and **Ardurra Group, Inc.**, a Corporation ("Consultant"). City and Consultant are sometimes individually referred to as "Party" and collectively as "Parties."

2. Recitals.

2.1 Agreement. The City and Consultant have entered into an agreement entitled "Design Services Agreement" dated June 4, 2024 ("Agreement").

2.2 Amendment Purpose. The City and Consultant desire to amend the Agreement to revise the scope of services for The Sports Complex Offsite Improvements and the not-to-exceed compensation amount by Seventy-Two Thousand Seven Hundred Eighty Dollars ($72,780) for a total contract amount not-to-exceed Two Million Four Hundred Fifty-Seven Thousand and Two Hundred Twelve Dollars ($2,457,212).

2.3 Amendment Authority. This Amendment No. 2 is authorized pursuant to Section 3.37 of the Agreement.

3. Terms.

3.1 Amendment. Section 3.1.1 and 3.10.1 of the Agreement is hereby amended in its entirety to read as follows:

> "3.1.1 Scope of Services. Consultant promises and agrees to furnish to City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional architectural and related services necessary for the full and adequate completion of the Project consistent with the provisions of this Agreement (hereinafter referred to as "Services"). The Services are more particularly described throughout this Agreement, including Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with,

this Agreement, any exhibits attached hereto and incorporated herein by reference, and all applicable local, state, and federal laws, rules and regulations. All Services performed by Consultant shall be subject to the sole and discretionary approval of the City, which approval shall not be unreasonably withheld. Additionally, Consultant shall comply with all Federal requirements applicable to the Services as set forth in Exhibit A."

3.10.1 Consultant's Compensation for Basic Services. City shall pay to Consultant, for the performance of all Services rendered under this Agreement, the total not to exceed amount of **Two Million Four Hundred Fifty-Seven Thousand and Two Hundred Twelve Dollars ($2,457,212)** ("Total Compensation"). This Total Compensation amount shall be based upon, and may be adjusted according to, the fee schedule and related terms and conditions attached hereto as Exhibit "B" and incorporated herein by reference. The Total Compensation, as may be adjusted upon mutual agreement, shall constitute complete and adequate payment for Services under this Agreement.

Exhibit A and B are hereby revised in their entirety and added Attachment A attached hereto and incorporated herein by reference.

3.2 Continuing Effect of Agreement. Except as amended by this Amendment No. 2, all other provisions of the Agreement remain in full force and effect and shall govern the actions of the parties under this Amendment No. 2. From and after the date of this Amendment No. 2, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this Amendment No. 2.

3.3 Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment No. 2.

3.4 Severability. If any portion of this Amendment No. 2 is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.5 Integration. This Amendment represents the entirety of the Parties' understanding relating to the subject of this Amendment, including written or verbal communications between the Parties, which shall have no relevance unless expressly incorporated herein. This is an integrated amendment.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURE PAGE FOR AMENDMENT NO. 2 TO THE DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF ONTARIO AND ARDURRA GROUP, INC.

IN WITNESS WHEREOF, the Parties have entered into this Amendment No. 2 as of the day and year first above written.

CITY OF ONTARIO

Approved By:

_____
Scott Ochoa
City Manager

Approved as to Form:

_____
Best Best & Krieger LLP
City Attorney

Attested By:

_____
City Clerk

ARDURRA GROUP, INC.

By: _____

Its: _____

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

[If Corporation, TWO SIGNATURES, President OR Vice President AND Secretary OR Treasurer REQUIRED]

ARDURRA

July 1, 2024

Christy Stevens, PE, Principal Engineer
Ontario Municipal Utilities Department
1333 S. Bon View Avenue
Ontario, CA 91761

SUBJECT: Amendment No. 2 Engineering Services for Ontario Regional Sports Complex Offsite Improvements – Sewer Improvements in Eucalyptus Avenue from Vineyard Ave to Carpenter Ave

Dear Ms. Stevens:
Thank you for the privilege to work with the City on this exciting, fast-tracked project. Based on OMUC's request to lower the elevation of the sewer along Eucalyptus Avenue, we prepared this scope and fee for your consideration and approval.

Please feel free to contact me if you have questions or require additional information at 661.748.3893 or dsalgado@ardurra.com.

Sincerely,

Dolores Salgado, PE
Client Service Manager

Enclosures:
Exhibit "A" Scope of Work
Exhibit "B" Design Fee Schedule and 2024 Billing Rates

City of Ontario Sports Complex
Engineering Services for Offsite Improvements
Amendment No. 2

Task 1 – PREPARE CONTRACT DOCUMENTS AND REVISE EXISTING PLANS

Ardurra will extend the sewer improvements approximately 1,200 linear feet along Eucalyptus Avenue from Vineyard Avenue to Carpenter Avenue. The following tasks are required to complete this work:

1. Data Collection and Utility Mapping
2. Surveying and Mapping (O'Day Consultants)
3. Hydraulic calculations
4. Prepare three (3) sewer plan and profile sheets and two manhole details
5. Revise five (5) sewer plan and profile sheets to deepen the sewer and manholes

Task 2 – ENGINEERING SERVICES DURING CONSTRUCTION

Attend construction progress site meetings and provide support services including technical review of submittals, RFIs, change orders, claim mitigation efforts, generation of support calculations, review of applicable standards, and presentation of acceptable alternatives or solutions. Upon completion of construction activities, City's team will forward one set of red-lined drawings to the Consultant to review and sign/approve as Finalized digital As-Builts record drawings.

NOTE: The management, meetings and other scope described above are covered by the Sports Complex Project. This scope below is specific to the additional segment of sewer main. Plus, submittals such as pipe and sewer manholes that are common to the entire sewer main alignments are also covered in the Sports Complex scope.

Change Order Management

Assist the City's team with negotiating and coordinate the implementation of contract change orders during the construction process. City's team will compile change order supporting documentation, such as inspection reports, test reports, drawings, sketches, photographs, and other materials as required. Ardurra will review and evaluate the appropriateness of all proposed change orders; advise City as to their effect on the contract time and cost; and perform independent estimates of the proposed change order work when necessary, as well as recommend approval or denial. **Assumed 3 total.**

Requests for Information (RFI)

Review and respond to contractor's Request for Information (RFIs) the duration of the project. Responses will be provided within five (5) working days and in accordance with the Contract Documents. **Assumed 5 total.**

Submittal Management

Review and respond to contractor's submittals the duration of the project. Assure contractor submittals are in conformance with the Contract Documents. Document the status of submittals, received and corresponding

responses, via a Submittal Log and provide the City with an updated log for the entire project duration. **Assumed 5 total.**

Design Revisions
Prepare construction field order changes and design changes, as required during construction. **Assumed 5 total.**

Post Construction
Prepare record drawings per City's standard process. Final drawings provided via PDF along with accompanying CAD files.

Task 3 – Additional Services

Additional services will be provided upon the City's request, up to an amount equal to 10% of the contracted amendment fee. Work under this task will be pre-approved and defined by the Ardurra and the City in advance.

EXCLUSIONS:

Exclusions stated herein can easily be added upon the City's request. They are listed here for clarity on the division of work, scope of work understanding, and based on previous scoping meetings with the City.

1. Qualified SWPPP Preparer services.
2. Construction Management and inspection.
3. Environmental Mitigation, Monitoring, and Reporting related to the EIR requirements.

Design Fee Schedule Ontario
Regional Sports Complex Offsite
Improvements Amendment No. 2

Task Item		Labor Hours								Subconsultants	Sub Markup	Direct Costs	TOTAL
		Quality Control	Constructability Review	PM	OMUC Utilities Design Lead	Project Engineer II	Engineer I	Labor Hrs	Labor Costs	Surveyor	Sub Markup	Direct Costs	TOTAL
										O'Day	10%		
	2024 Hourly Rates	$ 275	$ 275	$ 265	$ 265	$ 165	$ 125						
TASK 1	PREPARE CONTRACT DOCUMENTS AND REVISE EXISTING PLANS												
	Data Collection and Utility Mapping			2		16		26	$ 4,770		$ -		$ 4,770
	Surveying and Mapping			2		8		10	$ 1,850	$ 20,843	$ 2,084		$ 24,777
	Hydraulic calculations			2		2		4	$ 860		$ -		$ 860
	Prepare three (3) sewer plan and profile sheets and two manhole details	3	3	2		40	40	88	$ 13,780		$ -		$ 13,780
	Revise five (5) sewer plan and profile sheets to deepen the sewer and	5	5	2		20	20	52	$ 9,080		$ -		$ 9,080
											PREPARE CONTRACT DOCUMENTS AND REVISE EXISTING PLANS		$ 53,267
TASK 2	ENGINEERING SERVICES DURING CONSTRUCTION												
	Change Order Management				8			8	$ 2,120		$ -		$ 2,120
	Requests for Information (RFI)				5			5	$ 1,325		$ -		$ 1,325
	Submittal Management				5	6		11	$ 2,315		$ -		$ 2,315
	Design Revisions				5	8		13	$ 2,645		$ -		$ 2,645
	Post Construction				2	20		22	$ 3,830		$ -		$ 3,830
											ENGINEERING SERVICES DURING CONSTRUCTION		$ 12,235
TASK 3	ADDITIONAL SERVICES												
	Other Requested Services (10% total)												$ 7,278
											ADDITIONAL SERVICES		$ 7,278
	Total Hours:	8	8	10	25	120	60	239					
	Total Project Cost:	$ 2,200	$ 2,200	$ 2,650	$ 6,625	$ 19,800	$ 7,500		$ 42,575	$ 20,843	$ 2,084	$ -	$ 72,780

CITY OF ONTARIO
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RUBEN VALENCIA
COUNCIL MEMBERS

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT OCHOA
CITY MANAGER

SECTION 00500 – CONTRACT FOR CONSTRUCTION

This Contract for Construction ("Contract"), No. D&C23-025 is made and entered as of _____, by and between City of Ontario, with its principal place of business at 303 East "B" Street, Ontario, CA 91764, sometimes hereinafter called the "City" and **Griffith Company**, sometimes hereinafter called "Contractor."

WITNESSETH: That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other as follows:

ARTICLE 1. SCOPE OF WORK.

The Contractor shall perform all Work within the time stipulated in the Contract, and shall provide all labor, materials, equipment, tools, utility services, and transportation to complete all of the Work required in strict compliance with the Contract Documents as specified in Article 5, below, for the following Project:

Sports Complex Offsite Utilities

Contractor is an independent contractor and not an agent of the City. The Contractor and its surety shall be liable to the City for any damages arising as a result of the Contractor's failure to comply with this obligation.

ARTICLE 2. TIME FOR COMPLETION.

Time is of the essence in the performance of the Work. The Work shall be commenced on the date stated in the City's Notice to Proceed. The Contractor shall complete all Work required by the Contract Documents **per the contract schedule and within 389 calendar days** from the commencement date stated in the Notice to Proceed. By its signature hereunder, Contractor agrees the time for completion set forth above is adequate and reasonable to complete the Work.

ARTICLE 3. CONTRACT PRICE.

The City shall pay to the Contractor as full compensation for the performance of the Contract, subject to any additions or deductions as provided in the Contract Documents, and including all applicable taxes and costs, the sum of **Ninety Million Five Hundred Eighty-Four Thousand Dollars ($90,584,000)**. Payment shall be made as set forth in the General Conditions. The City will pay to Contractor compensation based upon the prices set forth in the Bid Schedule.

ARTICLE 4. LIQUIDATED DAMAGES.

Contractor acknowledges that the City will sustain actual damages for each and every Day completion of the Project is delayed beyond the Contract Time. Because of the nature of the Project, it would be impracticable or extremely difficult to determine the City's actual damages. Accordingly, in accordance with Government Code section 53069.85, it is agreed that the Contractor will pay the City the sum of $50,000 for each and every calendar day of delay beyond the time prescribed in the Contract Documents for finishing the Work, as Liquidated Damages and not as a penalty or forfeiture. In the event this is not paid, the Contractor agrees the City may deduct that amount from any money due or that may become due the Contractor under the Contract. This Section does not exclude recovery of other damages specified in the Contract Documents. Liquidated damages may be deducted from progress payments due Contractor, Project retention or may be collected directly from Contractor, or from Contractor's surety. These provisions for liquidated damages shall not prevent the City, in case of Contractor's default, from terminating the Contractor.

ARTICLE 5. COMPONENT PARTS OF THE CONTRACT.

The "Contract Documents" include the following:

Notice Inviting Bids
Instructions to Bidders
Bid Forms
Bid Acknowledgement
Bid Schedule
Bid Guarantee
Designation of Subcontractors
Non-Collusion Declaration Form
Iran Contracting Act Certification
Public Works Contractor DIR Registration Certification
Performance Bond
Payment (Labor and Materials) Bond
Contract for Construction
General Conditions
Special Conditions
Specifications
Addenda
Construction Plans and Drawings
Standard Specifications for Public Works Construction "Greenbook", latest edition, Except Sections 1-9
Applicable Local Agency Standards and Specifications, as last revised
Reference Specifications
Approved and fully executed Change Orders
Permits
Scope of Work Summary
Any other documents contained in or incorporated into the Contract

The Contractor shall complete the Work in strict accordance with all of the Contract Documents.

All of the Contract Documents are intended to be complementary. Work required by one of the Contract Documents and not by others shall be done as if required by all. In the event of conflict,

the various Contract Documents will be given effect in the order set forth in the General Conditions. This Contract shall supersede any prior agreement of the parties.

ARTICLE 6. PROVISIONS REQUIRED BY LAW AND CONTRACTOR COMPLIANCE.

Each and every provision of law required to be included in these Contract Documents shall be deemed to be included in these Contract Documents. The Contractor shall comply with all requirements of applicable federal, state and local laws, rules and regulations, including, but not limited to, the provisions of the California Labor Code and California Public Contract Code which are applicable to this Work.

ARTICLE 7. INDEMNIFICATION.

Contractor shall provide indemnification and defense as set forth in the General Conditions.

ARTICLE 8. PREVAILING WAGES.

Contractor shall be required to pay the prevailing rate of wages in accordance with the Labor Code which such rates shall be made available at the City's Office or may be obtained online at http://www.dir.ca.gov and which must be posted at the job site.

ARTICLE 9. FALSE CLAIMS.

Contractor acknowledges that if a false claim is submitted to the City, it may be considered fraud and Contractor may be subject to criminal prosecution. Contractor acknowledges that the False Claims Act, California Government Code sections 12650, et seq., provides for civil penalties where a person knowingly submits a false claim to a public entity. These provisions include within their scope false claims made with deliberate ignorance of the false information or in reckless disregard of the truth or falsity of the information. In the event the City seeks to recover penalties pursuant to the False Claims Act, it is entitled to recover its litigation costs, including attorneys' fees. Contractor hereby acknowledges that the filing of a false claim may the Contractor to an administrative debarment proceeding wherein Contractor may be prevented from further bidding on public contracts for a period of up to five (5) years.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, this Contract has been duly executed by the above-named parties, on the day and year above written.

CITY OF ONTARIO

By: _____
Scott Ochoa
City Manager

ATTEST:

By: _____
Sheila Mautz, City Clerk

APPROVED AS TO FORM:

By: _____
Best Best & Krieger LLP
City Attorney

Griffith Company

By: _____

Its: _____

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

_____
Contractor's License Number and Classification

_____
DIR Registration Number

[IF CORPORATION, TWO SIGNATURES, PRESIDENT **OR** VICE PRESIDENT **AND** SECRETARY **OR** TREASURER **REQUIRED]**

END OF CONTRACT

Notary Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF _____

On _____, 20___, before me, _____, Notary Public, personally

appeared _____, who proved to me on the basis of satisfactory

evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

☐ Individual
☐ Corporate Officer

_____
Title(s)

☐ Partner(s) ☐ Limited ☐ General
☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

_____

_____

DESCRIPTION OF ATTACHED DOCUMENT

_____
Title or Type of Document

_____
Number of Pages

_____
Date of Document

_____
Signer(s) Other Than Named Above

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **CONSENT CALENDAR**
Department: Public Works Prepared By: Blaine M Ishii Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Andrea Ampig, Bonnie Tam Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 9

SUBJECT: A GOODS AND EQUIPMENT PURCHASE AGREEMENT WITH MCLAUGHLIN WASTE EQUIPMENT, INC. FOR ROLL-OFF CONTAINERS AND PARTS

RECOMMENDATION: That the City Council authorize the City Manager, or his designee, to execute a Goods and Equipment Purchase Agreement with McLaughlin Waste Equipment, Inc., of Lockeford, California, for the purchase of roll-off containers and parts for a total contract amount not-to-exceed $2,000,000 for up to five (5) years.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: The recommended contract award to McLaughlin Waste Equipment, Inc. is for a total not-to-exceed contract amount of $1,200,000 over a three-year term. Two (2) one-year extensions may be exercised at the City's sole discretion for an additional contract amount of $400,000 per year for a total contract amount not-to-exceed $2,000,000 over the five-year term. The Fiscal Year 2024-25 Adopted Budget includes appropriations in the Integrated Waste Fund for the purchase of roll-off containers and parts.

BACKGROUND & ANALYSIS: The Integrated Waste Department currently has approximately 450 roll-off containers of various sizes in service for high volume customers for refuse, recycling, and construction and demolition materials. To maintain adequate inventory to meet customer needs, the Department routinely repairs roll-off containers to prolong their useful life and purchases around 40 new containers annually to replenish those that cannot be repaired.

On September 13, 2024, the City solicited quotes for Bid No. 1827 for Roll-Off Bins and Parts. The following two (2) vendors responded:

Company	Location	Amount
McLaughlin Waste Equipment, Inc.	Lockeford, CA	$307,620
CONFAB Manufacturing Company, LLC	Charlotte, NC	$281,460

The criteria used to assess the quotes included the cost of the containers, production design, warranty, delivery lead time, and customer references. Staff recommends that this purchase be awarded to McLaughlin Waste Equipment, Inc. since they submitted a complete proposal including prices for parts while CONFAB Manufacturing's proposal did not list pricing for parts.

McLaughlin Waste Equipment, Inc. has been the primary supplier of commercial waste containers to the City for the last three (3) years. The roll-off bins feature a high-quality steel material that greatly reduces damage, which results in a cost savings on repairs over time. Additionally, purchasing the McLaughlin Waste Equipment, Inc. containers will help reduce the inventory of spare parts due to interchangeability with the current bin inventory and provide greater visual continuity with the existing bins throughout the City.

CITY OF ONTARIO
303 EAST B STREET | ONTARIO, CALIFORNIA 91764
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PAUL S. LEON
MAYOR

DEBRA PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT OCHOA
CITY MANAGER

CITY OF ONTARIO
GOODS AND EQUIPMENT PURCHASE AGREEMENT

This Goods and Equipment Purchase Agreement ("Agreement") is made and entered as of _____, by and between the City of Ontario, a municipal corporation organized under the laws of the State of California with its principal place of business at 303 East "B" Street, Ontario, California 91764-4196, County of San Bernardino, State of California ("City"), and McLaughlin Waste Equipment, Inc., a Corporation with its principal place of business at 11900 East Locke Road, Lockeford, California ("Supplier"). City and Supplier are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

Section 1. DEFINITIONS.

A. "Goods" means all machinery, equipment, supplies, items, parts, materials, labor or other services, including design, engineering and installation services, provided by Supplier as specified in Exhibit "A," attached hereto and incorporated herein by reference.

B. "Delivery Date(s)" means that date or dates upon which the Goods is to be delivered to City, ready for approval, testing and/or use as specified in Exhibit "B."

Section 2. MATERIALS AND WORKMANSHIP.

When Exhibit "A" specifies machinery, equipment or material by manufacturer, model or trade name, no substitution will be made without City's written approval. Machinery, equipment or material installed in the Goods without the approval required by this Section 2 will be deemed to be defective material for purposes of Section 4. Where machinery, equipment or materials are referred to in Exhibit "A" as equal to any particular standard, City will decide the question of equality. When requested by City, Supplier will furnish City with the name of the manufacturer, the performance capabilities and other pertinent information necessary to properly determine the quality and suitability of any machines, equipment and material to be incorporated in the Goods. Material samples will be submitted at City's request.

Section 3. INSPECTIONS AND TESTS.

City shall have the right to inspect and/or test the Goods prior to acceptance. If upon inspection or testing the Goods or any portion thereof are found to be nonconforming, unsatisfactory, defective, of inferior quality or workmanship, or fail to meet any requirements or specifications contained in Exhibit "A," then without prejudice to any other rights or remedies, City may reject the Goods or exercise any of its rights under Section 4.C. The inspection, failure to

make inspection, acceptance of goods, or payment for goods shall not impair City's right to reject nonconforming goods, irrespective of City's failure to notify Supplier of a rejection of nonconforming goods or revocation of acceptance thereof or to specify with particularity any defect in nonconforming goods after rejection or acceptance thereof.

Section 4. WARRANTY.

A. Supplier warrants that the Goods will be of merchantable quality and free from defects in design, engineering, material, and workmanship for a period of two (2) years, or such longer period as provided by a manufacturer's warranty or as agreed to by Supplier and City, from the date of final written acceptance of the Goods by City as required for final payment under Section 7. Supplier further warrants that any services provided in connection with the Goods will be performed in a professional and workmanlike manner and in accordance with the highest industry standards.

B. Supplier further warrants that all machinery, equipment, or process included in the Goods will meet the performance requirements and specifications specified in Exhibit "A" and shall be fit for the purpose intended. City's inspection, testing, approval, or acceptance of any such machinery, equipment, or process will not relieve Supplier of its obligations under this Section 4.B.

C. For any breach of the warranties contained in Section 4.A and Section 4.B, Supplier will, immediately after receiving notice from City, at the option of City, and at Supplier's own expense and without cost to City:

1. Repair the defective Goods;

2. Replace the defective Goods with conforming Goods, F.O.B. City's plant, office or other location of City where the Goods was originally performed or delivered; or

3. Repay to City the purchase price of the defective Goods.

If City selects repair or replacement, any defects will be remedied without cost to City, including but not limited to, the costs of removal, repair, and replacement of the defective Goods, and reinstallation of new Goods. All such defective Goods that is so remedied will be similarly warranted as stated above. In addition, Supplier will repair or replace other items of the Goods which may have been damaged by such defects or the repairing of the same, all at its own expense and without cost to City.

D. Supplier also warrants that the Goods is free and clear of all liens and encumbrances whatsoever, that Supplier has a good and marketable title to same, and that Supplier owns or has a valid license for all of the proprietary technology and intellectual property incorporated within the Goods. Supplier agrees to indemnify, defend, and hold City harmless against any and all third party claims resulting from the breach or inaccuracy of any of the foregoing warranties.

E. In the event of a breach by Supplier of its obligations under this Section 4, City will not be limited to the remedies set forth in this Section 4, but will have all the rights and remedies

permitted by applicable law, including without limitation, all of the rights and remedies afforded to City under the California Commercial Code.

Section 5. PRICES.

Unless expressly provided otherwise, all prices and fees specified in Exhibit "C," attached hereto and incorporated herein by reference, are firm and shall not be subject to change without the written approval of City. No extra charges of any kind will be allowed unless specifically agreed to in writing by City's authorized representative. The total price shall include (i) all federal, state and local sales, use, excise, privilege, payroll, occupational and other taxes applicable to the Goods furnished to City hereunder; and (ii) all charges for packing, freight and transportation to destination.

Section 6. CHANGES.

City, at any time, by a written order, and without notice to any surety, may make changes in the Goods, including but not limited to, City's requirements and specifications. If such changes affect the cost of the Goods or time required for its performance, an equitable adjustment will be made in the price or time for performance or both. Any change in the price necessitated by such change will be agreed upon between City and Supplier and such change will be authorized by a change order document signed by City and accepted by Supplier.

Section 7. PAYMENTS.

A. Terms of payment, are net thirty (30) days, less any applicable retention, after receipt of invoice, or completion of applicable Progress Milestones. Final payment shall be made by City after Supplier has satisfied all contractual requirements. Payment of invoices shall not constitute acceptance of Goods.

B. If Progress Milestones have been specified in Exhibit "B," then payments for the Goods will be made as the requirements of such Progress Milestones are met. Progress payments for the Goods will be made by City upon proper application by Supplier during the progress of the Goods and according to the terms of payment as specified in Exhibit "B." Supplier's progress billing invoice will include progress payments due for the original scope of work and changes. Each "Item for Payment" shown in Exhibit "B" and each change order will be itemized on the invoice. Invoices for cost plus work, whether part of Exhibit "B" or a change order, must have subcontractor and/or supplier invoices attached to Supplier's invoice. Other format and support documents for invoices will be determined by City in advance of the first invoice cycle.

C. Payments otherwise due may be withheld by City on account of defective Goods not remedied, liens or other claims filed, reasonable evidence indicating probable filing of liens or other claims, failure of Supplier to make payments properly to its subcontractors or for material or labor, the failure of Supplier to perform any of its other obligations under the Agreement, or to protect City against any liability arising out of Supplier's failure to pay or discharge taxes or other obligations. If the causes for which payment is withheld are removed, the withheld payments will be made promptly. If the said causes are not removed within a reasonable period after written notice, City may remove them at Supplier's expense.

D. Payment of the final Progress Milestone payment or any retention will be made by City upon:

1. Submission of an invoice for satisfactory completion of the requirements of a Progress Milestone as defined in Exhibit "B" and in the amount associated with the Progress Milestone;

2. Written acceptance of the Goods by City;

3. Delivery of all drawings and specifications, if required by City;

4. Delivery of executed full releases of any and all liens arising out of this Agreement; and

5. Delivery of an affidavit listing all persons who might otherwise be entitled to file, claim, or maintain a lien of any kind or character, and containing an averment that all of the said persons have been paid in full.

If any person refuses to furnish an actual release or receipt in full, Supplier may furnish a bond satisfactory to City to indemnify City against any claim or lien at no cost to City.

E. Acceptance by Supplier of payment of the final Progress Milestone payment pursuant to Section 7.D will constitute a waiver, release and discharge of any and all claims and demands of any kind or character which Supplier then has, or can subsequently acquire against City, its successors and assigns, for or on account of any matter or thing arising out of, or in any manner connected with, the performance of this Agreement. However, payment for the final Progress Milestone by City will not constitute a waiver, release or discharge of any claims or demands which City then has, or can subsequently acquire, against Supplier, its successors and assigns, for or on account of any matter or thing arising out of, or in any manner connected with, the performance of this Agreement.

F. Automated Clearing House ("ACH") payments. It is the City's policy to pay its consultant invoices via electronic fund transfers through the ACH network. All payments due and owing pursuant to a properly issued and correct invoice or under this Agreement shall be made through electronic ACH transfers, unless otherwise agreed upon by both Parties in writing. Supplier shall provide the City with ACH payment details whereby the City shall initiate the ACH transfers to Supplier in the amount required pursuant to a properly issued and correct invoice or under this Agreement. Each Party shall undertake any and all required actions and execute any required documents, instruments, or agreements required to effectuate the requirements of this Section. In the event the City erroneously deposits funds into an account, or otherwise deposits funds to which Supplier is not entitled: (1) Supplier shall immediately notify the City and the financial institution; (2) Supplier shall not withdraw any of the funds which were erroneously deposited or to which Supplier is not entitled; and (3) Supplier authorizes both the City and financial institution to take all actions necessary to correct the error and return to the City all funds erroneously deposited or to which Supplier is not entitled.

Section 8. SCHEDULE FOR DELIVERY.

A. The time of Supplier's performance is of the essence for this Agreement. The Goods will be delivered in accordance with the schedule set forth in Exhibit "B." Supplier must immediately notify City in writing any time delivery is behind schedule or may not be completed on schedule. In addition to any other rights City may have under this Agreement or at law, Supplier shall pay City the sum of $1.00 per item of Goods for each calendar day for which the item of Goods is unavailable beyond the scheduled delivery date(s) specified in Exhibit "B."

B. In the event that the Goods is part of a larger project or projects that require the coordination of multiple contractors or suppliers, then Supplier will fully cooperate in scheduling the delivery so that City can maximize the efficient completion of such project(s).

Section 9. TAXES.

A. Supplier agrees to timely pay all sales and use tax (including any value added or gross receipts tax imposed similar to a sales and use tax) imposed by any federal, state or local taxing authority on the ultimate purchase price of the Goods provided under this Agreement.

B. Supplier will withhold, and require its subcontractors, where applicable, to withhold all required taxes and contributions of any federal, state or local taxing authority which is measured by wages, salaries or other remuneration of its employees or the employees of its subcontractors. Supplier will deposit, or cause to be deposited, in a timely manner with the appropriate taxing authorities all amounts required to be withheld.

C. All other taxes, however denominated or measured, imposed upon the price of the Goods provided hereunder, will be the responsibility of Supplier. In addition, all taxes assessed by any taxing jurisdiction based on Supplier property used or consumed in the provision of the Goods such as and including ad valorem, use, personal property and inventory taxes will be the responsibility of Supplier.

D. Supplier will, upon written request, submit to City written evidence of any filings or payments of all taxes required to be paid by Supplier hereunder.

Section 10. INDEPENDENT CONTRACTOR.

Supplier enters into this Agreement as an independent contractor and not as an employee of City. Supplier shall have no power or authority by this Agreement to bind City in any respect. Nothing in this Agreement shall be construed to be inconsistent with this relationship or status. All employees, agents, contractors or subcontractors hired or retained by the Supplier are employees, agents, contractors or subcontractors of the Supplier and not of City. City shall not be obligated in any way to pay any wage claims or other claims made against Supplier by any such employees, agents, contractors or subcontractors or any other person resulting from performance of this Agreement.

Section 11. SUBCONTRACTS.

Unless otherwise specified, Supplier must obtain City's written permission before

subcontracting any portion of the Goods. Except for the insurance requirements in Section 14.A, all subcontracts and orders for the purchase or rental of supplies, materials or equipment, or any other part of the Goods, will require that the subcontractor be bound by and subject to all of the terms and conditions of the Agreement. No subcontract or order will relieve Supplier from its obligations to City, including, but not limited to Supplier's insurance and indemnification obligations. No subcontract or order will bind City.

Section 12. TITLE AND RISK OF LOSS.

Unless otherwise agreed, City will have title to, and risk of loss of, all completed and partially completed portions of the Goods upon delivery, as well as materials delivered to and stored on City property which are intended to become a part of the Goods. However, Supplier will be liable for any loss or damage to the Goods and/or the materials caused by Supplier or its subcontractors, their agents or employees, and Supplier will replace or repair said Goods or materials at its own cost to the complete satisfaction of City. Notwithstanding the foregoing, in the event that the City has paid Supplier for all or a portion of the Goods which remains in the possession of Supplier, then City shall have title to, and the right to take possession of, such Goods at any time following payment therefor. Risk of loss for any Goods which remains in the possession of Supplier shall remain with Supplier until such Goods has been delivered or City has taken possession thereof. Supplier will have risk of loss or damage to Supplier's property used in the construction of the Goods but which does not become a part of the Goods.

Section 13. INDEMNIFICATION.

A. Supplier shall defend, indemnify and hold the City, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to any alleged acts, omissions, negligence or willful misconduct of Supplier, its officials, officers, employees, agents, subcontractors and subconsultants arising out of or in connection with the Goods or the performance of this Agreement, including without limitation the payment of all consequential damages and attorneys' fees and other related costs and expenses except such loss or damage which was caused by the sole negligence or willful misconduct of the City.

B. Supplier's defense obligation for any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against the City, its officials, officers, employees, agents, or volunteers shall be at Supplier's own cost, expense, and risk. Supplier shall pay and satisfy any judgment, award, or decree that may be rendered against City or its officials, officers, employees, agents, or volunteers, in any such suit, action, or other legal proceeding. Supplier shall reimburse City and its officials, officers, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

C. Supplier's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the City, its officials, officers, employees, agents or volunteers.

Section 14. INSURANCE.

A. General. Supplier shall take out and maintain:

1. Commercial General Liability Insurance, of at least $2,000,000 per occurrence/ $4,000,000 aggregate for bodily injury, personal injury and property damage, at least as broad as Insurance Services Office Commercial General Liability most recent Occurrence Form CG 00 01;

2. Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, of at least $2,000,000 per accident for bodily injury and property damage, at least as broad as most recent Insurance Services Office Form Number CA 00 01 covering automobile liability, Code 1 (any auto);

3. Workers' Compensation in compliance with applicable statutory requirements and Employer's Liability Coverage of at least $1,000,000 per occurrence; and

4. Pollution Liability Insurance of at least $2,000,000 per occurrence shall be provided by the Supplier if transporting hazardous materials.

5. If Supplier is also the manufacturer of any equipment included in the Goods, Supplier shall carry Product Liability and/or Errors and Omissions Insurance which covers said equipment with limits of not less than $1,000,000.

B. Additional Insured; Primary; Waiver of Subrogation; No Limitation on Coverage. The policies required under this Section shall give City, its officials, officers, employees, agents or volunteers additional insured status on commercial general liability and automobile liability insurance with the endorsements. Such policies shall contain a provision stating that Supplier's policy is primary insurance and that any insurance, deductible, or self-insurance maintained by the City or any additional insureds shall not be called upon to contribute to any loss, and shall contain or be endorsed with a waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers. The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Requirements of specific coverage or limits contained in this section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as additional insured pursuant to this Agreement.

C. Cancellation. Each insurance policy required by this Agreement shall be endorsed to state that: (A) coverage shall not be suspended, voided, reduced or canceled except after thirty (30) days (10 days for nonpayment of premium) prior written notice by certified mail, return receipt requested, has been given to the City; and (B) any failure to comply with reporting or other provisions of the policies, including breaches of warranties, shall not affect coverage provided to the City, its directors, officials, officers, employees, agents, and volunteers. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the City, its officials, officers, employees, agents and volunteers, or any other additional insureds

D. Insurance Carrier. All insurance required under this Section is to be placed with insurers with a current A.M. Best's rating no less than A-:VII, licensed to do business in California, and satisfactory to the City.

E. Evidence of Insurance. Supplier shall furnish City with original certificates of insurance and endorsements effecting coverage required by the Agreement. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf, and shall be on forms supplied or approved by the City. All certificates and endorsements must be received and approved by the City before delivery commences. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.

F. Subcontractors. All subcontractors shall meet the requirements of this Section before commencing work. In addition, Supplier shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

G. Freight. Supplier shall ensure that third party shippers contracted by Supplier have adequate insurance coverage for the shipped Goods.

Section 15. LIENS.

A. Supplier, subcontractors and suppliers will not make, file or maintain a mechanic's or other lien or claim of any kind or character against the Goods, for or on account of any labor, materials, fixtures, tools, machinery, equipment, or any other things furnished, or any other work done or performance given under, arising out of, or in any manner connected with the Agreement (such liens or claims referred to as "Claims"); and Supplier, subcontractor and suppliers expressly waive and relinquish any and all rights which they now have, or may subsequently acquire, to file or maintain any Claim and Supplier, subcontractor and suppliers agree that this provision waiving the right of Claims will be an independent covenant.

B. Supplier will save and hold City harmless from and against any and all Claims that may be filed by a subcontractor, supplier or any other person or entity and Supplier will, at its own expense, defend any and all actions based upon such Claims and will pay all charges of attorneys and all costs and other expenses arising from such Claims.

Section 16. TERMINATION OF AGREEMENT BY CITY.

A. Should Supplier at any time refuse or fail to deliver the Goods with promptness and diligence, or to perform any of its other obligations under the Agreement, City may terminate Supplier's right to proceed with the delivery of the Goods by written notice to Supplier. In such event City may obtain the Goods by whatever method it may deem expedient, including the hiring of another contractor or other contractors and, for that purpose, may take possession of all materials, machinery, equipment, tools and appliances and exercise all rights, options and privileges of Supplier. In such case Supplier will not be entitled to receive any further payments until the Goods is delivered. If City's cost of obtaining the Goods, including compensation for additional managerial and administrative services, will exceed the unpaid balance of the Agreement, Supplier will be liable for and will pay the difference to City.

B. City may, for its own convenience, terminate Supplier's right to proceed with the delivery of any portion or all of the Goods by written notice to Supplier. Such termination will be effective in the manner specified in such notice, will be without prejudice to any claims which City may have against Supplier, and will not affect the obligations and duties of Supplier under the Agreement with respect to portions of the Goods not terminated.

C. On receipt of notice under Section 16.B, Supplier will, with respect to the portion of the Goods terminated, unless the notice states otherwise,

1. Immediately discontinue such portion of the Goods and the placing of orders for materials, facilities, and supplies in connection with the Goods,

2. Unless otherwise directed by City, make every reasonable effort to procure cancellation of all existing orders or contracts upon terms satisfactory to City; and

3. Deliver only such portions of the Goods which City deems necessary to preserve and protect those portions of the Goods already in progress and to protect material, plant and equipment at the Goods site or in transit to the Goods site.

D. Upon termination pursuant to Section 16.B, Supplier will be paid a pro rata portion of the compensation in the Agreement for any portion of the terminated Goods already delivered, including material and services for which it has made firm contracts which are not canceled, it being understood that City will be entitled to such material and services. Upon determination of the amount of said pro rata compensation, City will promptly pay such amount to Supplier upon delivery by Supplier of the releases of liens and affidavit, pursuant to Section 7.C.

Section 17. FORCE MAJEURE

A. Supplier shall not be held responsible for failure or delay in shipping nor City for failure or delay in accepting goods described herein if such failure or delay is due to a Force Majeure Event.

B. A Force Majeure Event shall mean an event that materially affects a Party's performance and is one or more of the following: (1) Acts of God or other natural disasters occurring at the project site; (2) terrorism or other acts of a public enemy; (3) orders of governmental authorities (including, without limitation, unreasonable and unforeseeable delay in the issuance of permits or approvals by governmental authorities that are required for the work); (4) pandemics, epidemics or quarantine restrictions; and (5) strikes and other organized labor action occurring at the project site and the effects thereof on the work, only to the extent such strikes and other organized labor action are beyond the control of Supplier and its subcontractors, of every tier, and to the extent the effects thereof cannot be avoided by use of replacement workers. For purposes of this section, "orders of governmental authorities," includes ordinances, emergency proclamations and orders, rules to protect the public health, welfare and safety, and other actions of the City in its capacity as a municipal authority.

C. In the event of any such excused interference with shipments, City shall have the option either to reduce the quantity provided for in the order accordingly or to exercise its right of cancellation as set forth in this Agreement.

Section 18. MISCELLANEOUS PROVISIONS.

A. Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address or at such other address as the respective parties may provide in writing for this purpose:

CITY:

City of Ontario
303 East "B" Street
Ontario, CA 91764
Attn: Blaine Ishii, Integrated Waste Director

SUPPLIER:

Mclaughlin Waste Equipment, Inc.
11900 East Locke Rd.
Lockeford, CA
Tom Bullard, VP of Sales and Marketing

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

B. Assignment or Transfer. Supplier shall not assign or transfer any interest in this Agreement whether by assignment or novation, without the prior written consent of the City, which will not be unreasonably withheld. Provided, however, that claims for money due or to become due Supplier from the City under this Agreement may be assigned to a financial institution or to a trustee in bankruptcy, without such approval. Notice of any assignment or transfer, whether voluntary or involuntary, shall be furnished promptly to the City.

C. Successors and Assigns. This Agreement shall be binding on the successors and assigns of the Parties.

D. Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

E. Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel or otherwise.

F. Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in San Bernardino County.

G. Attorneys' Fees and Costs. If any action in law or equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, each Party shall pay its own attorneys' fees.

H. Interpretation. Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party.

I. No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

J. Authority to Enter Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right and authority to make this Agreement and bind each respective Party.

K. Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

L. Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

M. City's Right to Employ Other Suppliers. City reserves its right to employ other contractors in connection with the Goods.

N. Entire Agreement. This Agreement constitutes the entire agreement between the Parties relative to the Goods specified herein. There are no understandings, agreements, conditions, representations, warranties or promises with respect to this Agreement, except those contained in or referred to in the writing.

SIGNATURES ON FOLLOWING PAGE

SIGNATURE PAGE TO GOODS AND EQUIPMENT PURCHASE AGREEMENT BETWEEN THE CITY OF ONTARIO AND MCLAUGHLIN WASTE EQUIPMENT, INC.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first above written.

CITY OF ONTARIO

Approved By:

_____
Scott Ochoa
City Manager

Approved as to Form:

_____
Best Best & Krieger LLP
City Attorney

Attested By:

_____
Assistant City Clerk

MCLAUGHLIN WASTE EQUIPMENT, INC.

By: _____

Its: _____

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

Exhibit A
Goods Specifications

Vendor shall provide the city with Roll Off Containers in the quantities listed and have parts available for purchase as needed.

All containers and parts furnished shall be new and unused. Containers to be furnished under this specification shall be current production model roll-off containers. Containers shall conform to the best practices known to the trade in design, quality of material, and workmanship. Assemblies, sub-assemblies, and component parts shall be standard and interchangeable throughout the entire quantity of containers, as specified in the invitation to bid.

The City will be acquiring a total of Fifteen (40) Roll-Off trash containers; Twenty (20) 7 ft. H x 8 ft. W x 22 ft. long minimum (40 Cu. Yd., "High Side") and Twenty (20) of the 2 ft. H x 8 ft. W x 18 ft. long (10 Cu. Yd, "Low Boy") containers. All shall have 24" rib spacing.

Vendor shall provide a price for the containers, inclusive of taxes, assembly charges and delivery charges to be paid by the City.

Parts will be ordered on an as needed basis. Please refer to Exhibit "C" Fee Schedule for a listing of parts and provide pricing on a per item basis.

STANDARDS OF PERFORMANCE

Services shall be performed under the Contract in a skillful and competent manner. The vendor represents and maintains that it is skilled in the professional calling necessary to provide a quality product.

Equipment, Personnel and Supplies

Vendor shall provide all equipment, trained personnel and supplies necessary to produce and deliver said roll off containers in a timely manner.

CONSTRUCTION

Containers shall be constructed of steel, properly braced and reinforced with 3" x 2" x 3/8" angle header around the top, 12 gauge sides, ends, and doors; 7-gauge floors.

Shall be equipped with frame rollers, front and back, not less than 10" diameter x 7". Lock rollers on front shall extend not less than 7 inches OA from front of container. Units to be provided with steel wheels.

Tie-down rods, not less than ½" rod shall be furnished on each side and front of container, 24 inches from the top.

Finish – Shall be painted with good quality prime coat and with enamel finish coat (Dunn Edwards – National Blue).

Serial Numbers to be placed on both sides of front header with numbers welded on steel panel:
7 ft. H x 8 ft. W x 20 ft. L – 101001 through 101010.

Exhibit B
Delivery Schedule

Deliveries

All deliveries shall be made within 30 days after receipt of order (ARO) for Roll-Off Containers and 14 days for parts and are to be made F.O.B. destination with a priced delivery invoice; option delivered with a packing/delivery slip and the invoice emailed within 24 hours of delivery (As determined by the City some special-order items may be exemption from the delivery time frame).

Delivery Hours are Monday through Friday 6:00 a.m. and 3:30 p.m.

Delivery Locations:

Site Name	Address
Municipal Services Center	1425 S. Bon View Ave., Ontario, CA 91761

Equipment, Personnel and Supplies

Vendor shall provide all equipment, trained personnel and supplies necessary to produce and deliver said roll off containers in a timely manner

Exhibit C
Fee Schedule

BILLINGS AND COMPENSATION

The City shall issue an official City Purchase Order for products based on the terms of the contract. Upon delivery and acceptance by the City, vendor shall submit an official invoice for payment. Payment for work completed will be made within thirty (30) days of approved invoice. No payment will be made for products ordered without proper purchase order authorization. Payment cannot be made until materials, goods, or services have been received and accepted by the City in the quality and quantity ordered. In the event of disputes, the disputed invoice shall be submitted to the City Manager for his review and decision. The determination of the City Manager shall be final.

QUANTITIES
Quantities started are estimates only of product described or equivalent and are not guaranteed.

CONTRACT PERIOD
The contract term shall be a from July 1, 2024 – June 30, 2027 unless the City determines, in its sole discretion, that a later commencement date is necessary, in which case the City will notify the Bidder of such date upon award of the Contract. The total contract shall not exceed three million dollars ($1,200,000) over the three-year term.

EXTENSION OPTION
This Contract is subject to extension for two additional one (1) year periods from the date of expiration of this Contract, at the option of the City in accordance with the option granted in your bid.

Item No.	Description	Quantity	Unit Cost	Total Amount
1	7 ft. H x 8 ft. W x 22 ft. long minimum (40 Cu. Yd., “High Side”) Container	20	$9,194.00	$183,880.00
2	2 ft. H x 8 ft. W x 18 ft. long (10 Cu. Yd, “Low Boy”) Container	20	$6,187.00	$123,740.00
	**Pricing for parts listed in following pages			
	TOTAL VENDOR QUOTE PRICE			$307,620.00

Price Sheet – Drop Body Fronts			
Description	**Part #**	**Type**	**Price**
Front Sheet 2' STD	PSH14x24 1/2x90	SH	$52.45
Front Sheet 3' STD	PSH14x35 1/2x90	SH	$76.26
Front Sheet 4' STD	PSH14x48 1/2x90	SH	$83.49
Front Sheet 5' STD	PSH14X45 1/4x62 3/4	SH	$69.56
Front Sheet 6' STD	PSH14X45 1/4x75 1/2	SH	$83.14
Front Sheet 6.5' STD	PSH14X45 1/4x82 1/4	SH	$89.90
Front Sheet 7' STD	PSH14X45 1/4x88 1/4	SH	$96.87
Front Sheet 8' STD	PSH14X45 1/4x101	SH	$109.78
Front Sheet 9' STD	PSH14X45 1/4x113 3/4	SH	$123.78
Front Sheet 2' HD	PSH12x24 1/2x90	SH	$72.42
Front Sheet 3' HD	PSH12x35 1/2x90	SH	$105.30
Front Sheet 4' HD	PSH12x48 1/2x90	SH	$115.28
Front Sheet 5' HD	PSH12X45 1/4x62 3/4	SH	$96.04
Front Sheet 6' HD	PSH12X45 1/4x75 1/2	SH	$114.80
Front Sheet 6.5' HD	PSH12X45 1/4x82 1/4	SH	$123.72
Front Sheet 7' HD	PSH12X45 1/4x88 1/4	SH	$133.75
Front Sheet 8' HD	PSH12X45 1/4x101	SH	$151.58
Front Sheet 9' HD	PSH12X45 1/4x113 3/4	SH	$170.90
Front Header	PST3x.188x95	ST	$77.99
Front Header For Rolling Roof	PST3x.188.90	ST	$73.89
Front Sill	PST3x.188x95 5/8	ST	$78.50
Side/Frt Post 12GA 2'	PSH12x6 3/4x21	SH	$4.57
Side/Frt Post 12GA 3'	PSH12x6 3/4x33	SH	$7.18
Side/Frt Post 12GA 4'	PSH12x6 3/4x45	SH	$9.79
Side/Frt Post 12GA 5'	PSH12x6 3/4x57	SH	$12.40
Side/Frt Post 12GA 6'	PSH12x6 3/4x69	SH	$15.01
Side/Frt Post 12GA 6.5'	PSH12x6 3/4x75	SH	$16.32
Side/Frt Post 12GA 7'	PSH12x6 3/4x81	SH	$17.62
Side/Frt Post 12GA 8'	PSH12x6 3/4x93	SH	$20.24
Side/Frt Post 12GA 9'	PSH12x6 3/4x105	SH	$22.85
Front Center Post 2'	PSH12x6 3/4x1 1/4	SH	$0.27
Front Center Post 3'	PSH12x6 3/4x13 1/4	SH	$2.88
Front Center Post 4'	PSH12x6 3/4x25 1/4	SH	$5.44
Front Center Post 5'	PSH12x6 3/4x37 1/4	SH	$8.05
Front Center Post 6'	PSH12x6 3/4x49 1/4	SH	$10.66
Front Center Post 6.5'	PSH12x6 3/4x55 1/4	SH	$11.97

Front Center Post 7'	PSH12x6 3/4x61 1/4	SH	$13.27
Front Center Post 8'	PSH12x6 3/4x73 1/4	SH	$15.88
Front Center Post 9'	PSH12x6 3/4x85 1/4	SH	$18.49
Ladder Pipe	PBP1/2x22	BP	$2.39
Ladder Gusset	PSH10x2 1/2x2 1/2	SH	$0.26

Price Sheet – Drop Body Dog House			
Description	**Part #**	**Type**	**Price**
Horizontal Top Post	PSH12x6 3/4x24 1/2	SH	$7.24
Main Rail Gusset	PPL1/4x6x12	PL	$7.35
Snatch Hook	PPL1x6 5/8x6 5/8	PL	$17.59
Nose Roller 4x6 & Axle	PBOH-001	BO	$27.00
4x6 Nose Roller Axle	PBOH-002	BO	$13.50
Inside Nose Roller Bracket	PPL1/2x5 1/4x9	PL	$9.19
Outside Nose Roller Bracket	PPL1/2x8 1/4x11 1/4	PL	$20.90
Dog House Top	PSH07x25 1/4x27	SH	$51.13
Dog House End	PSH07x17 1/2x20	SH	$26.25
Dog House Channel Frame	PCH3x14 1/2	CH	$7.13
Dog House Gusset	PPL1/4x6x6	PL	$3.68

Price Sheet – Rectangular Drop Body Side			
Description	**Part #**	**Type**	**Price**
Side Sheet 2' 1/2	PSH14x24x24 1/2	SH	$15.49
Side Sheet 2' Full	PSH14x48x24 1/2	SH	$30.98
Side Sheet 3' 1/2	PSH14x24x38	SH	$22.25
Side Sheet 3' Full	PSH14x48x38	SH	$44.49
Side Sheet 4' 1/2	PSH14x24x50 3/4	SH	$29.29
Side Sheet 4' Full	PSH14x48x50 3/4	SH	$58.57
Side Sheet 5' 1/2	PSH14x24x63 1/2	SH	$36.40
Side Sheet 5' Full	PSH14x48x63 1/2	SH	$72.80
Side Sheet 6' 1/2	PSH14x24x76 1/4	SH	$43.51
Side Sheet 6' Full	PSH14x48x76 1/4	SH	$87.02
Side Sheet 6.5' 1/2	PSH14x24x82 1/4	SH	$46.89
Side Sheet 6.5' Full	PSH14x48x82 1/4	SH	$93.78
Side Sheet 7' 1/2	PSH14x24x89	SH	$50.69
Side Sheet 7' Full	PSH14x48x89	SH	$101.38
Side Sheet 8' 1/2	PSH14x24x101 3/4	SH	$57.80

Side Sheet 8' Full	PSH14x48x101 3/4	SH	$115.60
Side Sheet 2' 1/2	PSH12x24x24 1/2	SH	$21.68
Side Sheet 2' Full	PSH12x48x24 1/2	SH	$43.35
Side Sheet 3' 1/2	PSH12x24x38	SH	$31.13
Side Sheet 3' Full	PSH12x48x38	SH	$62.27
Side Sheet 4' 1/2	PSH12x24x50 3/4	SH	$40.99
Side Sheet 4' Full	PSH12x48x50 3/4	SH	$81.97
Side Sheet 5' 1/2	PSH12x24x63 1/2	SH	$50.94
Side Sheet 5' Full	PSH12x48x63 1/2	SH	$101.88
Side Sheet 6' 1/2	PSH12x24x76 1/4	SH	$60.89
Side Sheet 6' Full	PSH12x48x76 1/4	SH	$121.78
Side Sheet 6.5' 1/2	PSH12x24x82 1/4	SH	$65.62
Side Sheet 6.5' Full	PSH12x48x82 1/4	SH	$131.24
Side Sheet 7' 1/2	PSH12x24x89	SH	$70.94
Side Sheet 7' Full	PSH12x48x89	SH	$141.88
Side Sheet 8' 1/2	PSH12x24x101 3/4	SH	$80.89
Side Sheet 8' Full	PSH12x48x101 3/4	SH	$161.78
Floor Sill 12	PST3x.120x138	ST	$80.88
Floor Sill 14	PST3x.120x162	ST	$94.36
Floor Sill 16	PST3x.120x186	ST	$107.84
Floor Sill 18	PST3x.120x210	ST	$121.32
Floor Sill 20	PST3x.120x234	ST	$134.80
Floor Sill 22	PST3x.120x258	ST	$148.28
Floor Sill 24	PST3x.120x282	ST	$161.76
Floor Sill 26	PST3x.120x306	ST	$175.23
Side Header 12	PST3x.120x141 3/4	ST	$78.63
Side Header 14	PST3x.120x165 3/4	ST	$92.11
Side Header 16	PST3x.120x189 3/4	ST	$105.59
Side Header 18	PST3x.120x213 3/4	ST	$119.07
Side Header 20	PST3x.120x237 3/4	ST	$132.55
Side Header 22	PST3x.120x261 3/4	ST	$146.03
Side Header 24	PST3x.120x285 3/4	ST	$158.39
Side Header 26	PST3x.120x309 3/4	ST	$171.86
Angle Header 10	PAN3x3x1/4x117 3/4	AN	$62.02

Angle Header 12	PAN3x3x1/4x141 3/4	AN	$74.85
Angle Header 14	PAN3x3x1/4x165 3/4	AN	$87.68
Angle Header 16	PAN3x3x1/4x189 3/4	AN	$100.51
Angle Header 18	PAN3x3x1/4x213 3/4	AN	$113.34
Angle Header 20	PAN3x3x1/4x237 3/4	AN	$126.18
Angle Header 22	PAN3x3x1/4x261 3/4	AN	$139.01
Angle Header 24	PAN3x3x1/4x285 3/4	AN	$151.84

Price Sheet – Cam Lock Doors			
Description	**Part #**	**Type**	**Price**
Rope Hook 5/16	PRB5/16x5		$0.90
Rope Hook 3/8	PRB3/8x5		$1.00
Rope Hook 1/2	PRB1/2x5		$1.10
Rope Hook 5/16 Closed Loop	PRB5/16Xx6 1/2		$1.20
Rope Hook 3/8 Closed Loop	PRB3/8x6 1/2		$2.25
Door Header	PST3x.188x90	ST	$81.45
Door Sheet 2	PSH12x23x47	SH	$48.50
Door Sheet 3	PSH12x35x47	SH	$55.57
Door Sheet 4	PSH12x47x47	SH	$76.36
Door Sheet 5	PSH12x47x59	SH	$94.68
Door Sheet 6	PSH12x47x71	SH	$113.01
Door Sheet 7	PSH12x47x83	SH	$131.34
Door Sheet 7 1/2	PSH12x47x89	SH	$140.50
Door Sheet 8	PSH12x47x95	SH	$149.66
Door Sheet 9	PSH12x47x107	SH	$167.99
Vertical Door Post 2	PSH7 1/4x22 3/4	SH	$6.95
Vertical Door Post 3	PSH7 1/4x34 1/2	SH	$7.79
Vertical Door Post 4	PSH7 1/4x46 3/4	SH	$10.40
Vertical Door Post 5	PSH7 1/4x58 3/4	SH	$13.01
Vertical Door Post 6	PSH7 1/4x70 3/4	SH	$15.63
Vertical Door Post 7	PSH7 1/4x82 3/4	SH	$18.24
Vertical Door Post 7 1/2	PSH7 1/4x88 3/4	SH	$19.54
Vertical Door Post 8	PSH7 1/4x94 3/4	SH	$20.85
Vertical Door Post 9	PSH7 1/4x106 3/4	SH	$23.24
Horizontal Door Post	PSH6 3/4x40	SH	$8.70

Cam Lock Bar 2	PRB1x26 1/2	RB	$7.65
Cam Lock Bar 3	PRB1x38 1/2	RB	$11.14
Cam Lock Bar 4	PRB1x50 1/2	RB	$14.64
Cam Lock Bar 5	PRB1x62 1/2	RB	$18.14
Cam Lock Bar 6	PRB1x74 1/2	RB	$21.63
Cam Lock Bar 7	PRB1x86 1/2	RB	$25.13
Cam Lock Bar 7 1/2	PRB1x92 1/2	RB	$26.88
Cam Lock Bar 8	PRB1x98 1/2	RB	$28.63
Cam Lock Bar 9	PRB1x109 1/2	RB	$31.83
Cam Lock	PPL3/4x3 3/4x4	PL	$4.96
Cam Lock 1" Washer	PBO		$3.75
Door Handle	PRB1x24	RB	$6.99
Door Handle Gusset	PPL1/4x4x4	PL	$0.17
Door Lock Angle	PAN3x3x3/8x3	AN	$2.36
Door Hinge Left	PBO	BO	$15.63
Door Hinge Right	PBO	BO	$15.63
Door Hinge Post	PRT3x2x.250x	RT	$88.59
Door Pin Chain	PCN1/4x5 Links	CN	$1.58
Pin Angle Lock			$1.57
Door Open Safety Chain	PCN1/4x26 Links	CN	$7.23
Door Post Cap	PSH10x1 7/8x2 7/8	SH	$0.27
Door Header Gusset	PPL1/4x6x12	PL	$7.61
Header & Floor Gusset	PPL1/4x1 1/4x8	PL	$1.85

Price Sheet – Boogie Wheels			
Description	**Part #**	**Type**	**Price**
Mounting Bracket For STD	PCH3x3.5x20 1/2	CH	$7.23
Mounting Bracket For HD	PCH3x3.5x14 1/2	CH	$10.22
Boogie Wheel Bracket 8"		PL	$17.77
Boogie Wheel Bracket 10"		PL	$20.30
Boogie Wheel 8"		BO	$45.93
Boogie Wheel 10"			$67.00
Boogie Wheel Axle 10 1/2			$12.26

Pipe For Boogie Wheel Lock	PBP3/4x14	BP	$ 40.00

Price Sheet For Floor & Understructure			
Description	**Part #**	**Type**	**Price**
Main Rail 6" Channel 12	PCH6x8.2x142 1/2	CH	$127.37
Main Rail 6" Channel 14	PCH6x8.2x166 1/2	CH	$148.82
Main Rail 6" Channel 16	PCH6x8.2x190 1/2	CH	$170.27
Main Rail 6" Channel 18	PCH6x8.2x214 1/2	CH	$191.72
Main Rail 6" Channel 20	PCH6x8.2x238 1/2	CH	$213.17
Main Rail 6" Channel 22	PCH6x8.2x262 1/2	CH	$234.62
Main Rail 6" Channel 24	PCH6x8.2x286 1/2	CH	$256.07
Main Rail 6" Channel 26	PCH6x8.2x310 1/2	CH	$277.52
Cross Members	PCH3x3.5x90	CH	$36.48
Main Rail Gussets			
Floor Sheets STD 24"	PSH12x24x94	SH	$74.09
Floor Sheets STD 48"	PSH12x48x94	SH	$148.19
Floor Sheets HD 24"	PSH10x24x94	SH	$95.26
Floor Sheets HD 48"	PSH10x48x94	SH	$190.52
Floor Sheets HHD 24"	PSH07x24x94	SH	$126.90
Floor Sheets HHD 48"	PSH07x48x94	SH	$253.80
Splash Baffle			
Tarp Rails	RMBP1/2-80	BP	Inquire
Double End Hook Up	ROXAH-01	ASS	Inquire
DEH Underneath Hook	PPL1x4 1/4x5 3/4	PL	Inquire
DEH Gussets			Inquire
DEH Nose Roller Bracket			Inquire
DEH Nose Roller Bracket			Inquire
DEH Nose Roller Axle			Inquire
DEH Nose Roller			Inquire
DEH Base Channel-STD			Inquire
DEH Base Channel-HD			Inquire
Lift Eyes			Inquire
MR Gussets on Every x-Member			Inquire
No Ladders on Front			Inquire

Ladders on Side			Inquire
Floor Baffle			Inquire

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **PUBLIC HEARINGS**
Department: Planning Prepared By: Thomas Grahn Department: Prepared By: Thomas Grahn Staff Member Presenting: Scott Murphy, Executive Director Community Development Reviewed By: Kimberly Ruddins, Henry Noh, Rudy Zeledon Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 10

SUBJECT: **AN APPEAL OF THE PLANNING COMMISSION DECISION APPROVING FILE NO. PDEV22-017**

RECOMMENDATION: That the City Council conduct a public hearing on the appeal and after receiving public testimony, uphold the Planning Commission decision to approve the Development Plan (File No. PDEV22-017) and deny the appeal.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner

FISCAL IMPACT: There is not a direct fiscal impact associated with this action.

BACKGROUND & ANALYSIS:

On April 5, 2022, Prologis (Applicant) submitted a Development Plan (File No. PDEV22-017) to construct a 270,337 square feet industrial building on 13.08 acres of land, with a floor area ratio ("FAR") of 0.47, located at 5355 East Airport Drive. The Project site is currently developed with industrial land uses that include a grain processing company and a corn storage and distribution facility.

On March 18, 2024, the Development Advisory Board (DAB) voted to continue the Project to the next available DAB meeting to allow staff to work with the applicant to revise draft conditions of approval. On April 15, 2024, the DAB voted to recommend approval to the Planning Commission of the proposed Project.

On May 28, 2024, the Planning Commission conducted a hearing to consider the Project and continued the Project for further consideration. On August 27, 2024, the Planning Commission held a public hearing to consider the application and the Development Advisory Board's recommendation. Following a presentation of staff's findings and after receipt of all public

testimony, the Planning Commission addressed the application, and approved the project by a vote of 5-0, adopting Resolution Nos. PC24-036 and PC24-037 (see attached PC Back-up).

APPEAL:

On September 5, 2024, Aidan Marshall ("Appellant") from Adams Broadwell Joseph & Cardozo, representing Californian's Allied for a Responsible Economy (CARE CA), submitted an appeal of the Planning Commission's decision to approve File No. PDEV22-017. A copy of the Appeal application and Appellant statement is included as Exhibit A to this report. The basis of the Appellant's appeal lies in their belief that the Planning Commission's approval of the Project and certification of the Final Environmental Impact Report (Final EIR) violated the California Environmental Quality Act (CEQA) and land use laws because the City has not complied with its duty to disclose and mitigate the Project's potentially significant environmental and land use impacts, and the Planning Commission's approval findings were not supported by substantial evidence.

Appellant's Issue No. 1: The Final EIR fails to analyze the full scope of the Project, in particular in relation to the Project's reasonably foreseeable use as a parcel hub (a use that generates 2.6 times more trips than analyzed).

Staff Response: This comment is similar to Response to Comment A-6 in the Final EIR, 1-8 in the applicants Response To Comments (RTC) dated May 20, 2024, and CARE-7 in the RTC dated August 8, 2024. Refer to Final EIR RTC A-6 (Final EIR, pp. 2-38, 2-39), RTC 1-8 (RTC, p. 3), and RTC CARE-7 (RTC, p. 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project's trip generation. There is no reasonable possibility that the Project, as designed, could operate as a parcel hub. No additions, revisions, or corrections are necessary, and no further response is required. Additionally, revised conditions of approval for PDEV22-017 prohibit the primary use of the building being established as a parcel hub.

Appellant's Issue No. 2: The commenter reiterates prior comments that the Final EIR fails to analyze reasonably foreseeable truck trips to the Ports of Los Angeles and Long Beach, which are longer than the trips analyzed in the Final EIR.

Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant's Issue No. 3: The Final EIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines.

Staff Response: This comment is similar to RTC 1-20 in the RTC dated May 20, CARE-17, CARE-18, and CARE-21 in the RTC dated August 8. Refer to RTC 1-20 (RTC, pp. 8 to 10, and RTC CARE-17, CARE-18, and CARE-21 (RTC, p. 6). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant's Issue No. 4: The Final EIR's analysis of cumulative air quality impacts is inadequate because it fails to consider the Project's impacts in the context of the numerous other warehouses existing and planned in the area.

Staff Response: This comment is similar to RTC A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR RTC A-14 (Final EIR, pp. 2-41, 2-42), RTC Comment 1-8 (RTC, p. 4, 5), and RTC CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant's Issue No. 5: The Final EIR's quantified health risk analysis underestimates impacts because it analyzed trucks travelling only east along Airport Drive, not accounting for building downwash and relying on unreliable input values.

Staff Response: This comment is similar to RTC 1-12, 1-13, 1-41 in the RTC dated May 20, CARE-13, CARE-27, and CARE-28 in the RTC dated August 8. Refer to RTC 1-12, 1-13, and 1-41 (RTC, pp. 5, 14 to 16), and RTC CARE-13, CARE-27, CARE-28 (RTC, pp. 4,7). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts. No additions, revisions, or corrections to the EIR are necessary, and no further response is required.

Appellant's Issue No. 6: The Final EIR identifies significant vapor intrusion impacts due to tetrachloroethylene (PCE) contamination, but improperly defers formulation of mitigation measures.

Staff Response: This comment is similar to RTC CARE-4, CARE-5, and CARE-6 in the RTC dated August 8. Refer to RTC CARE-4, CARE-5, and CARE-6 (RTC, pp. 2, 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of vapor intrusion impacts. No additions, revisions, or corrections to the EIR are necessary, and no further response is required.

Appellant Issue No. 7: The Final EIR is deficient as a matter of law and its conclusions are not supported by substantial evidence based on the previous comments made.

Staff Response: The commenter asserts that the Planning Commission's approval decision must be vacated, and the EIR must be revised and recirculated in compliance with CEQA. Contrary to the

commenter's assertion, this memorandum, RTCs (dated May 20 and August 8), and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated. Thus, no additions, revisions, or corrections are necessary.

Appellant Issue No. 8: The commenter cites to Section 4.02.025(D) of the City's Municipal Code and assets that the Project would have significant and unavoidable VMT impact, potential health risk, air quality, GHG, energy, and soil contamination impacts that have been underestimated.

Staff Response: The commenter asserts that the City cannot make the requisite findings to approve the Project, and a revised EIR must be recirculated before the Project can be recommended for approval. Contrary to the commenter's assertion, this memorandum, prior RTCs (dated May 20 and August 8), and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated as feasible. Thus, no additions, revisions, or corrections are necessary.

Appellant Issue No. 9: The commenter provides previously submitted comment letters as Attachments A through D to the appeal letter.

Staff Response: Attachment A includes a comment letter dated October 5, 2023, which has been responded to in the Project's Final EIR. Attachment B includes a comment letter dated April 15, 2024, which has been response to in the RTC dated May 20, 2024. Attachment C is a comment letter dated May 28, 2024, which has been responded to in the RTC dated August 8, 2024. Response to Attachment D is provided below in RTC CARECA-13 to CARECA-33 in the applicant's response.

Appellant Issue No. 10: This comment consists of introductory remarks, identifies that the comments in this letter are being provided by Adams Broadwell Joseph & Cardozo on behalf of CARECA, and provides a summary of prior comments submitted concerning the Project during the Draft's EIR public review period, and on the Final EIR.

Staff Response: The commenter claims that the RTC, dated August 8, 2024, failed to resolve asserted flaws that CARE CA and its experts identified in the Draft EIR and that the Planning Commission should require the City to revise and recirculate the EIR before any further action is taken on the Project. Response to the comments made in this letter are provided below in the following issues and responses below. Thus, no further response is required.

Appellant Issue No. 11: The commenter reiterates previous comments about the conclusions of the Project's Phase I and II Environmental Site Assessment (ESA; Technical Appendix G to the Draft EIR) regarding ethylbenzene concentration and opines the Final EIR improperly defers formulation of mitigation for PCE and ethylbenzene contamination.

Staff Response: Refer to responses above and RTC CARE-4, CARE-5, and CARE-6 in the RTC dated August 8, 2024. Refer to RTC CARE-4, CARE-5, and CARE-6 (RTC, pp. 2, 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of vapor intrusion impacts. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

Appellant Issue No. 12: The commenter reiterates previous comments regarding the Project's potential as

a High Cube Parcel Hub Warehouse and that trip generated by the Project are not adequately analyzed.

Staff Response: This comment is similar to RTC A-6 in the Final EIR, 1-8 in the RTC dated May 20, 2024, and CARE-7 in the RTC dated August 8, 2024. Refer to Final EIR RTC A-6 (Final EIR, pp. 2-38, 2-39), RTC 1-8 (RTC, p. 3), and RTC CARE-7 (RTC, p. 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project's trip generation. There is no reasonable possibility that the Project, as designed, could operate as a parcel hub. No additions, revisions, or corrections are necessary, and no further response is required. Additionally, as previously noted, revised conditions of approval for PDEV22-017 prohibit the primary use of the building being established as a parcel hub.

Appellant Issue No. 13: The commenter reiterates previous comments that the Final EIR's analysis of cumulative impacts is inadequate because it fails to consider the cumulative impacts of past, present, and probable future projects.

Staff Response: This comment is similar to RTC A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR RTC A-14 (Final EIR, pp. 2-41, 2-42), RTC 1-8 (RTC, p. 4, 5), and RTC CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 14: The commenter reiterates previous comments that the Project's Health Risk Assessment underestimates health risk impacts on sensitive receptors and failed to account for building downwash and relied on unreliable input values.

Staff Response: This comment is similar to RTC 1-12, 1-13, 1-41 in the RTC dated May 20, CARE-13, CARE-27, and CARE-28 in the RTC dated August 8. Refer to RTC 1-12, 1-13, and 1-41 (RTC, pp. 5, 14 to 16), and RTC CARE-13, CARE-27, CARE-28 (RTC, pp. 4,7). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts. No additions, revisions, or corrections to the EIR are necessary, and no further response is required.

Appellant Issue No. 15: The commenter reiterates previous comments that Final EIR truck trip length is underestimated.

Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1-16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of

the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 16: The commenter reiterates previous comments that the Project's energy analysis remains inadequate.

Staff Response: This comment is similar to RTC 1-20 in the RTC dated May 20, CARE-17, CARE-18, and CARE-21 in the RTC dated August 8. Refer to RTC 1-20 (RTC, pp. 8 to 10, and RTC CARE-17, CARE-18, and CARE-21 (RTC, p. 6). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 17: The commenter asserts that the Project's Media Management Plan (Attachment F to the Final EIR) was never attached to the Final EIR that is posted at the City of Ontario's website.

Staff Response: The City thanks the commenter for calling this to the City's attention and the City immediately posted the Media Management Plan to the website. All appendices to the Final EIR are posted on the City's website. Additionally, the Media Management Plan was provided in all agenda packages and staff reports for the Project's Development Advisory Board and Planning Commission hearings. The commenter also summarizes the procedures in the Media Management Plan in the event that an unanticipated subsurface structure is discovered and states a site-specific remedial action work (RAW) plan should be initiated to protect workers onsite. The Media Management Plan's implementation is sufficient for ensuring that potential environmental effects are reduced to below a level of significance. Refer to Section 4.3 of the Media Management Plan, which requires adherence to a Health and Safety Plan (HASP) including for construction workers. The HASP will detail all planned construction activities and will describe standard safety precautions (e.g., protective gear for workers, proper soil handling techniques, etc.). The Contractor or the Environmental Professional is responsible for ensuring that the safety precautions detailed in the HASP are implemented and monitored during all activities at the site. The Contractor and the Environmental Professional also are required to abide by all applicable federal, state, and local regulations and codes relating to health and safety and are required by law to adhere to all California Occupational Safety and Health Administration regulations contained in Title 8 of the California Code of Regulations (8 CCR), as they apply to activities at the Project site. Additionally, revised conditions of approval for PDEV22-017 require the preparation and implementation of a remedial action work (RAW) plan for construction workers, for the potential of encountering hazardous materials.

Appellant Issue No. 18: The commenter reiterates previous comments that Final EIR truck trip length is underestimated and that the "Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns" by the National Center for Sustainable Transportation (NCST) validates that the majority of facilities in the SCAG region receive goods from the Ports of Los Angeles and Long Beach.

Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1-16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15,

and CARE-16 (RTC, p. 5). Specifically, refer to RTC CARE-16 regarding the low sample size of the study and that the study is not an accurate representation of warehouse facilities in the region. The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 19: The commenter reiterates previous comments the use of a diesel generator was not accounted for in the Project's air quality analysis and that diesel generators are a source of diesel particulate matter (DPM), which is a primary toxic air contaminant (TAC) associated with the Project.

Staff Response: Refer to RTC A-10 in the Final EIR (Final EIR, pp. 2-40 to 2-41) that addresses the use of diesel generator, and which provided a table of calculations of emissions that would be generated from a 197 horsepower (hp) diesel-powered emergency water pump and a 762 hp diesel-powered emergency backup generator. As shown, emissions would be negligible, and the Project's total emissions would be less than the South Coast Air Quality Management District (SCAQMD) significance threshold. Thus, no further response is required.

Appellant Issue No. 20: The commenter reiterates previous comments that the health risk impacts to the San Bernardino County West Valley Detention Center (WVDC) was not analyzed.

Staff Response: Refer to RTC CARE-31 in the RTC dated August 4 (RTC, p. 8). Thus, no further response is required.

Appellant Issue No. 21: The commenter reiterates previous comments regarding the Project's cumulative impacts analysis.

Staff Response: This comment is similar to RTC A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR RTC A-14 (Final EIR, pp. 2-41, 2-42), RTC 1-8 (RTC, p. 4, 5), and RTC CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 22: The commenter reiterates previous comments related to building downwash.

Staff Response: This comment is similar to RTC 1-12 in the RTC dated May 20. Refer to RTC Comment 1-12 in the RTC (RTC, p. 5) for a full discussion on the reasoning why the Project would not be materially affected by downwash. Thus, no further response is required.

Appellant Issue No. 23: The comment consists of introductory remarks from Smart Mobility and summarizes the findings of the commenter's letter in October 2023, stating that the Draft EIR acknowledges a significant and unavoidable VMT impact, asserting that the proposed VMT mitigation measure is not fully specified or quantified, and claiming that the Project's trip generation and GHG

emissions could be much higher than assumed.

Staff Response: As described in the following responses, the commenter's assertions are incorrect. Refer to the comments below. Thus, no further response is required.

Appellant Issue No. 24: The commenter reiterates previous comments and responses made regarding the Project's truck trip length.

Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 25: The commenter reiterates previous comments and responses made regarding the Project's significant and unavoidable VMT impacts.

Staff Response: The commenter's statements have been previously addressed at Final EIR RTC A-24, which included a calculation of feasible VMT mitigation measures. As stated, measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant (Final EIR pp. 2-44 to 2-45). Additionally, the commenter reiterated suggestions on requiring zero emission trucks, limiting daily number of trucks allowed at the Project site, and providing electric vehicle (EV) charging stations and electrical hookups for truckers. Refer to RTC B-53 and B-60 in the Final EIR (Final EIR, pp. 2-97 to 2-100) regarding the infeasibility of using zero-emission vehicles and EV charging stations for trucks and 1-33 in the RTC dated May 20 (RTC, p. 13) for limiting daily number of trucks allowed at the Project site. Thus, no further response is required.

Appellant Issue No. 26: The commenter reiterates previous comments and responses made related to the Project's trip generation assumptions.

Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION AGENDA REPORT

August 27, 2024

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NO: PDEV22-017

SUBJECT: A public hearing to consider certification of the Final Environmental Impact Report (State Clearinghouse No. 202209006), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with a Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district. **Submitted by Prologis.**

PROPERTY OWNER: Prologis

RECOMMENDED ACTION: That the Planning Commission consider and adopt the Final Environmental Impact Report (State Clearinghouse No. 202209006), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, and approve a Development Plan (File No. PDEV22-017), pursuant to the facts and reasons contained in the staff report and attached Resolutions, and subject to the conditions of approval appended to the attached Resolutions as "Attachment A."

PROJECT SETTING: The Project site is comprised of 13.08 acres of land located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district (see Figure 1: Project Location). The Project site is currently developed with industrial land uses that include a grain processing company and a corn storage and distribution facility. Land uses located north of the Project site are rail lines for the Southern Pacific Railroad and beyond that is an existing industrial building. Airport Drive is located south of the Project site and beyond that are two warehouse buildings. A Verizon facility is located west of the Project site and an industrial gas supplier is located to the east. The existing surrounding land uses,



Figure 1: Project Location

Case Planner:	Tom Grahn
Planning Director Approval:	
Submittal Date:	April 5, 2022

Hearing Body	*Date*	*Decision*	*Action*
DAB	4/15/2024	Approval	Recommend
PC	8/27/2024		Final
CC			

zoning, and Policy Plan (general plan) and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — On April 5, 2022, the Applicant submitted the subject Development Plan (File No. PDEV22-017) to develop an industrial building totaling 270,337 square feet of gross floor area on 13.08 acres and having a floor area ratio ("FAR") of 0.47.

On March 18, 2024, the Development Advisory Board (DAB) voted to continue the Project to the next available DAB meeting to allow staff to work with the Applicant to revise draft conditions of approval. On April 15, 2024, the DAB voted to recommend to the Planning Commission approval of the proposed Project.

On May 28, 2024, the Planning Commission conducted a hearing to consider the Project and continued the Project for further consideration.

(2) Site Design/Building Layout — The proposed development includes a warehouse distribution building, with a total floor area of 270,337 square feet. The building is centrally located on the Project site, setback approximately 180 to 200 feet from Airport Drive, 77 feet from the west property line, 72 feet from the east property line, and 40 feet from the north property line. The proposed warehouse building is rectangular in shape, positioned in an east-west orientation, with office space provided in the southwest and southeast corners of the building. The building is approximately 1,057 feet wide by 230 feet deep, with a total gross floor area of 270,337 square feet, including 255,337 square feet of warehouse, up to 15,000 square feet of office and 15,000 square feet of mezzanine area. The parking lot areas are located at the east, west, and south sides of the building, and a gated/walled truck yard is located along the south side of the building.

A yard area designed for tractor-trailer parking, truck maneuvering, and loading activities is proposed along the south side of the building. This area will be screened from public view through a combination of building walls, landscaping, and a 14-foot-high concrete screen wall designed to match the building architecture.

(3) Site Access/Circulation — The Project site will be accessible by trucks and passenger vehicles from two access points located at the southwestern and southeastern portions of the site along Airport Drive.

Internal circulation is provided with a minimum 24-foot-wide drive aisles throughout the site. The east and west sides of the Project site provide passenger vehicle parking with shared access separated by a gated truck yard along the south side of the building.

(4) Parking — The Project has provided off-street parking pursuant to the warehouse distribution parking standards specified in the Development Code. The number of off-

street parking spaces provided exceeds the minimum parking requirement for the Project. The off-street parking calculations for the Project are summarized in the table below:

Parking Summary

Type of Use	*Building Area (in SF)*	*Parking Ratio*	*Spaces Required*	*Spaces Provided*
Office & Mezzanine	15,000 SF Office (and 15,000 SF Mezzanine)	1 passenger vehicle space per 250 SF	120	251 (Parking Lot) 48 (Truck Yard)
Warehouse	255,337 SF	1 passenger vehicle space per 1,000 SF (<20,000 SF) 1 passenger vehicle space per 2,000 SF (>20,000 SF)	131	
TOTAL	**270,337**		**251**	**251***
Truck Trailer Parking	**54 Dock Doors**	**1 truck trailer space per 4 dock doors**	**14**	**48**

* Project site can accommodate vehicle parking in truck yard area if/when needed by tenant operations.

The Project is required to provide 251 vehicle parking spaces and provides 167 vehicle parking spaces in the parking lots and has space for at least 84 spaces within the truck yard area depending on future tenant needs. Depending on the tenant business operations, the 167 spaces in the parking areas on the east and west sides of the building should be sufficient to accommodate the tenant's needs. As conditioned, the truck yard area shall be required to provide passenger vehicle parking spaces when tenant operations require more than 167 parking spaces, provided a minimum 14 trailer parking spaces are maintained.

(5) Architecture — The Project incorporates a contemporary industrial architectural style. The proposed buildings will be of concrete tilt-up construction with color blocking, formliner accent treatment, accent colors, and score patterns. The paint colors proposed for this building are white and varying shades of gray. Dark green will be utilized as an accent color and applied to the canopy above the office areas. Material such as smooth finish concrete, canopy, and green-hued vision glazing applied to the building elevations and portions of parapet walls.

The architectural design also incorporates wall offsets at the southwest and southeast corners of the building to create variations in the wall plane, visual depth, shadows, and dimensions. The proposed wall offsets on the building are typically three or four feet.

The Project illustrates the type of high-quality architecture promoted by the Development Code, which is exemplified through the use of:

- Articulation in the building footprint, integrating a combination of recessed and popped-out metal canopies, vertical and horizontal reveal patterns;
- Articulation in the building parapet/roofline, accentuating the building's entries and breaking up large expanses of the building wall;
- A mix of exterior materials, finishes, and fixtures;
- Incorporation of base and top treatments defined by changes in color and recessed wall areas; and
- Ensuring consistency in massing, proportion, colors, and architectural detailing across all four building elevations.

(6) Landscaping — The Project's overall landscape coverage is 12.72 percent (72,527 square feet) and exceeds the minimum 10 percent requirement. The Project provides landscaping around the Project perimeter, adjacent to the building and throughout the passenger vehicle parking lots to soften the appearance of these areas and provide additional shade. The landscape plan includes 199 trees to be planted on-site including the neighborhood edges. The proposed tree species include Western Redbud, Desert Willow, Toyon, Skyrocket Juniper, Afghan Pine, Holly Oak, Chinese Pistache, California Sycamore, and Brisbane Box. Landscape plans will also incorporate low-water usage and drought-tolerant shrubs and ground covers throughout the site.

The Project includes right-of-way improvements (street, curb, gutter, sidewalk, and parkway) along Airport Drive. The proposed on-site and off-site landscape improvements will assist toward creating safe paths and areas for pedestrians to access the Project site.

(7) Signage — All Project signage is required to comply with sign regulations provided in Ontario Development Code Division 8.1. Prior to the issuance of a Building Permit for the installation of any new on-site signage, the Applicant is required to submit Sign Plans for Planning Department review and approval.

(8) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground storm water retention chambers to receive, retain, and treat storm water runoff. Any overflow drainage will be conveyed to the public street by way of parkway drains and culverts.

PUBLIC NOTIFICATION: The subject application was advertised as a public hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin newspaper). In addition, the Project site was posted with one or more large public notification signs and notices were mailed to all owners of real property located within a

minimum of 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

CORRESPONDENCE: As of the preparation of this Agenda Report, Planning Department staff has not received any written or verbal communications from the owners or occupants of properties surrounding the Project site or from the public in general, regarding the subject application; however, comments were received prior to the DAB hearing and those comments are provided as attachments to this report.

AGENCY/DEPARTMENT REVIEWS: Each City agency/department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Resolution preparation, recommended conditions of approval were provided and are appended to the attached Resolution as "Attachment A."

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

On April 19, 2011, the City Council of the City of Ontario approved and adopted the ONT ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ONT ALUCP.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed Project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (general plan), and City Council Priorities components of The Ontario Plan ("TOP"). More specifically, the goals and policies of TOP that are furthered by the proposed Project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy

- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner

(2) Vision.

Distinctive Development:

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

  - G 1-2. Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU-2 Compatibility: Compatibility between a wide range of uses and a resultant urban patterns and forms.

  - LU-2.6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.

  - CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

  - CE-2.2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.

  - CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➢ CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Community Design Element:

▪ Goal CD-2 Design Quality: A high level of design quality resulting in neighborhoods, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct.

➢ CD-2.1 Quality Building Design and Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide context-appropriate scale and proportion;
- A true architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are articulated, high quality, durable, and appropriate for the architectural style.

➢ CD-2.7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials, and construction techniques.

➢ CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.

➢ CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➢ CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:

- Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field;

- Garage parking: providing access to single-family residential garages through alley access, recessing garages from the frontage to emphasize front doors or active living spaces.

➢ CD-2.11 Entry Statements. We encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➢ CD-2.12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

➢ CD-2.13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

➢ CD-3.2 Comfortable, Human-Scale Public Realm. We require that public spaces, including streets, parks, and plazas on both public and private property be designed to maximize safety, comfort and aesthetics and connect to the citywide pedestrian, vehicular, and bicycle networks.

➢ CD-3.3 Complete and Connected Network. We require that pedestrian, vehicular, and bicycle circulation on both public and private property be coordinated to provide connections internally and externally to adjacent neighborhoods and properties (existing and planned) through a system of local roads and trails that promote walking and biking to nearby destinations (including existing and planned parks, commercial areas, and transit stops) and are designed to maximize safety, comfort, and aesthetics.

➢ CD-3.4 Context-Aware and Appropriate Design. We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

➢ CD-3.5 Active Frontages. We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).

➢ CD-3.6 Managed Infrastructure. We collaborate with developers and property owners to facilitate development that realizes the envisioned character and

functionality of the Place Type through the use of green and shared infrastructure within each Place Type.

- Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.

  - CD-5.1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

  - CD-5.2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The Project is consistent with the Housing Element of the Policy Plan (general plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and a Final Environmental Impact Report ("FEIR") has been prepared for the Project and addresses any impacts on the environment should the Project be implemented. These areas included: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. Through the EIR process these potential impacts were analyzed, revisions were incorporated into the plan and/or mitigation measures were identified that reduced the potential environmental impacts to a level that was less than significant. Of the areas analyzed by the EIR, all but five of the impact areas were determined to be less-than-significant and therefore did not require the imposition of mitigation measures, or there were no impacts at all. Of those environmental impact areas, four are mitigated to a level of less than significant and include: Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, and Tribal Cultural Resources. Only one remaining environmental impact area for Transportation, even with the mitigation measures, could not be reduced to less than significant and the impacts would remain significant and unavoidable after mitigation:

- Transportation (Vehicle Miles Traveled (VMT)): After the application of feasible mitigation measures, effectiveness of the Transportation Demand Management (TDM) strategies that have potential to reduce the Project VMT are dependent on as yet unknown Project building tenant(s); therefore, Project impacts related to

VMT would be significant and unavoidable on a direct and cumulatively-considerable basis.

The City of Ontario circulated the Draft EIR on August 22, 2023, through October 5, 2023, for public review. At the end of the public review period 2 comments were received. Refer to the Final Supplemental Environmental Impact Report, Section 2. Response to Comments.

Additionally, to ensure that the mitigation measures are implemented, a Mitigation Monitoring and Reporting Program has been prepared for the Project pursuant to CEQA Guidelines Section 15097, which specifies responsible agencies/departments, monitoring frequency, timing and method of verification and possible sanctions for non-compliance with mitigation measures.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*Policy Plan Land Use Designation*	*Zoning Designation*	*Specific Plan Land Use Designation*
Site:	Industrial (Grain processing and storage)	Industrial (0.55 FAR)	IH, Heavy Industrial	N/A
North:	Railroad ROW and Warehouse	Rail & Shea Business Center Beyond	RC Rail Corridor & IH, Heavy Industrial	Industrial / Commercial / Office
South:	Warehouse	Industrial (0.55 FAR)	IH, Heavy Industrial	N/A
East:	Industrial (Industrial gas supplier)	Industrial (0.55 FAR)	IH, Heavy Industrial	N/A
West:	Warehouse	Industrial (0.55 FAR)	IH, Heavy Industrial	N/A

General Site & Building Statistics

Item	*Proposed*	*Min./Max. Standard*	*Meets Y/N*
Project Area:	13.08 Acres	N/A	Y
Lot/Parcel Size:	13.08 Acres	10,000 SF (Min.)	Y
Building Area:	270,337 SF	N/A	Y
Floor Area Ratio:	0.47 FAR	0.55 FAR (Max.)	Y
Building Height:	46 FT	55 FT (Max.)	Y

Exhibit A: PROJECT LOCATION MAP

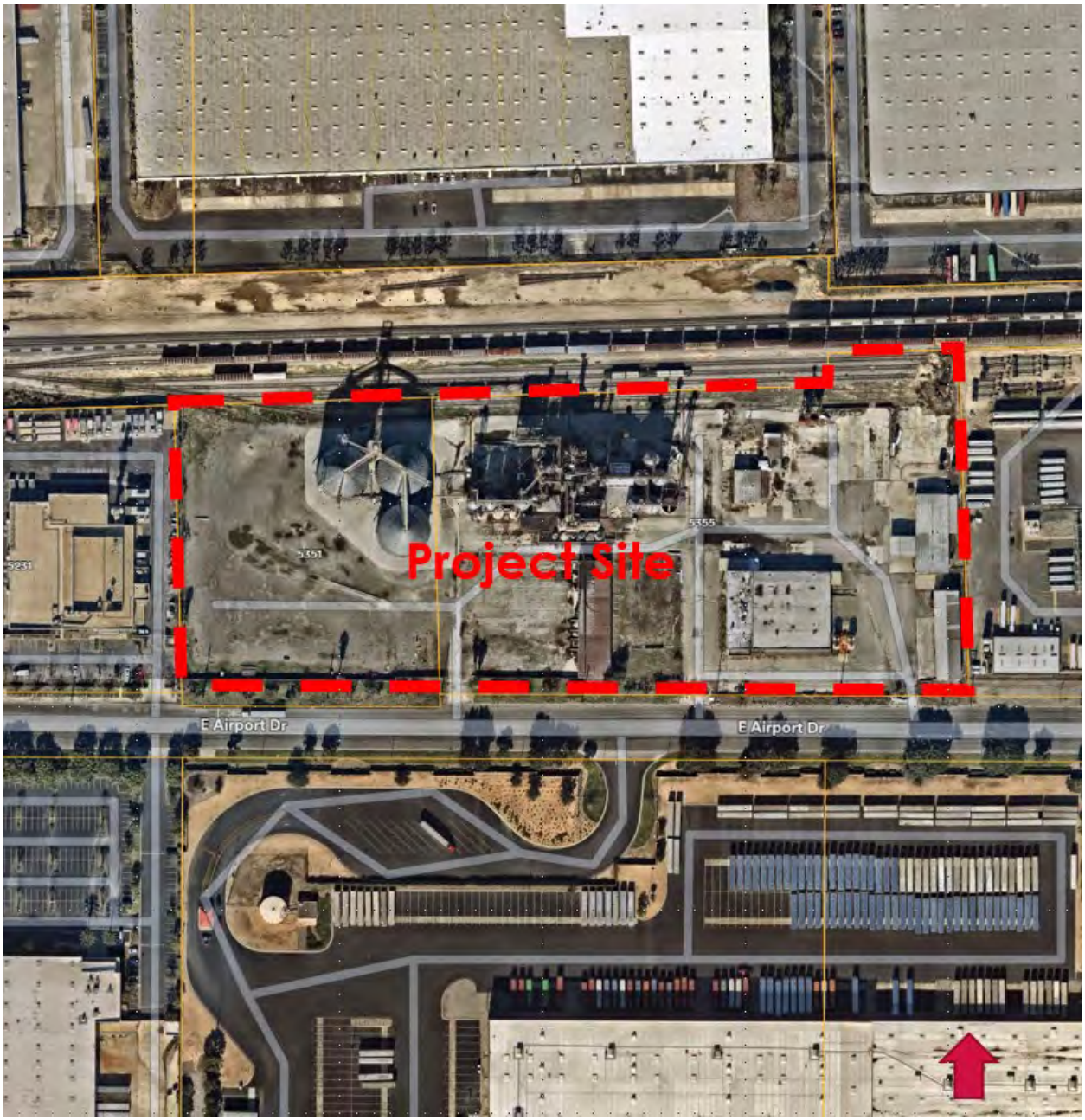


Exhibit B: SITE PLAN

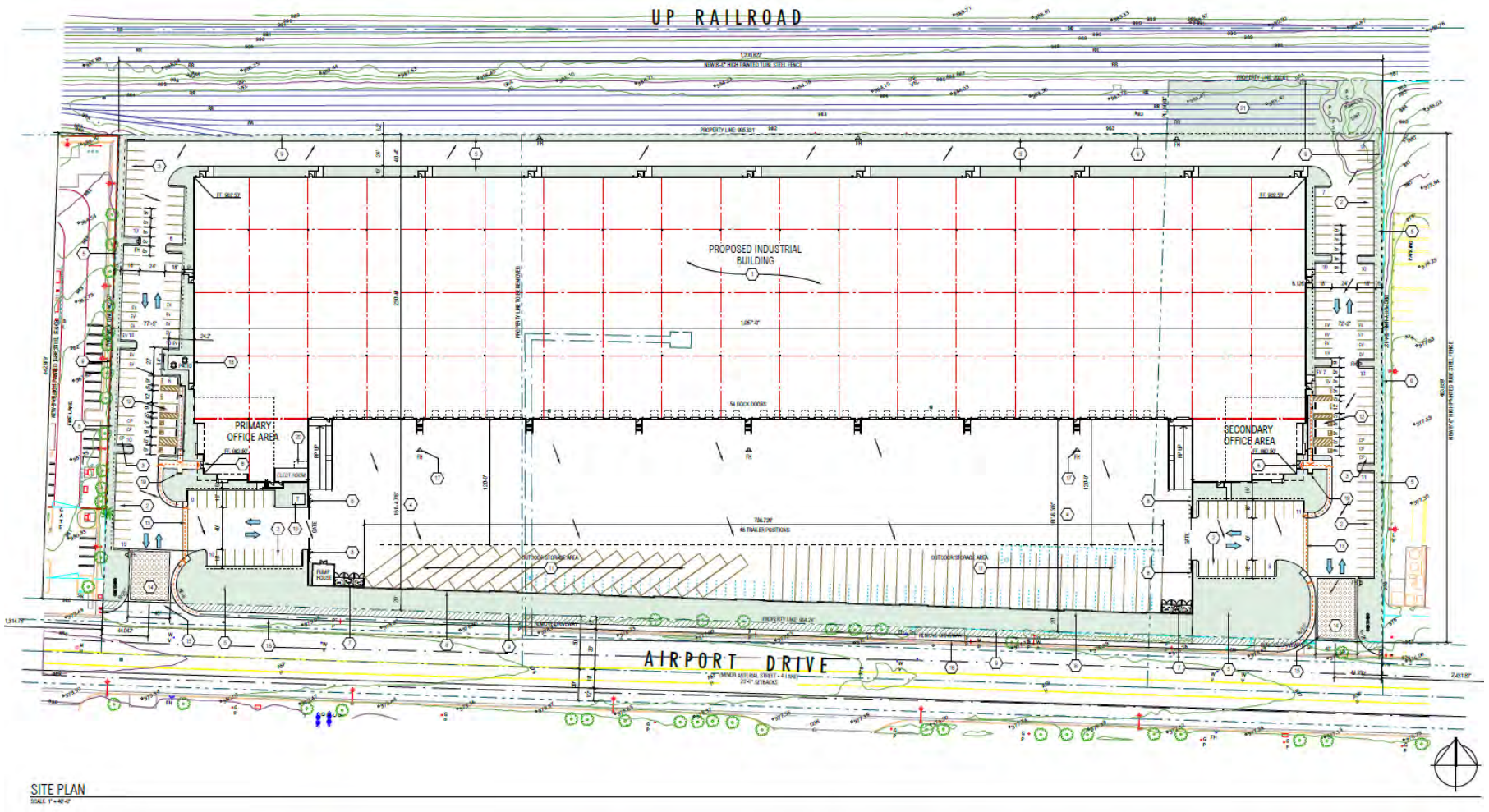


Exhibit C: FLOOR PLAN

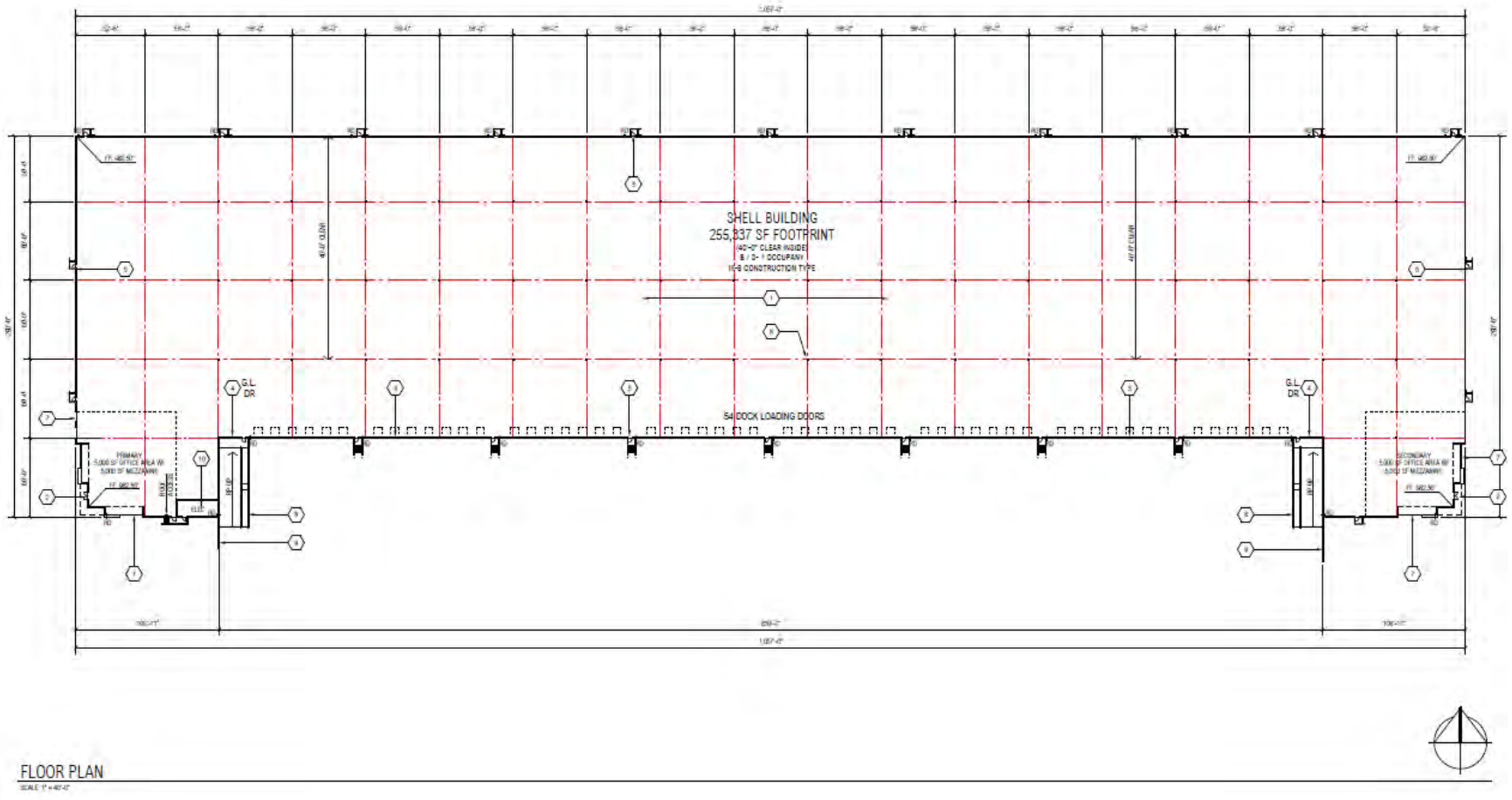
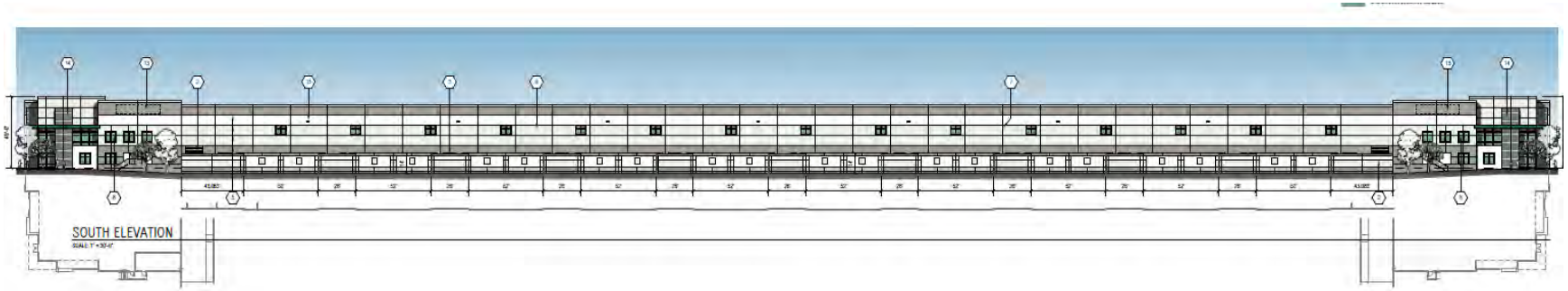


Exhibit D: EXTERIOR ELEVATIONS

South Elevation



North Elevation

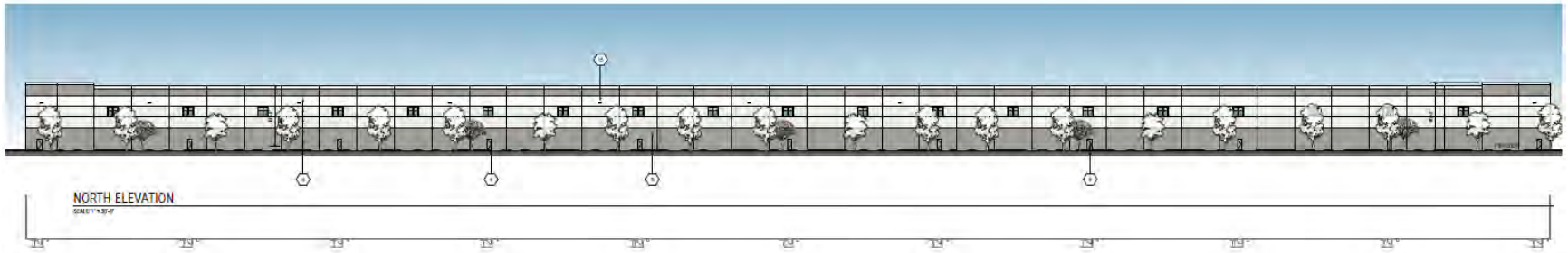
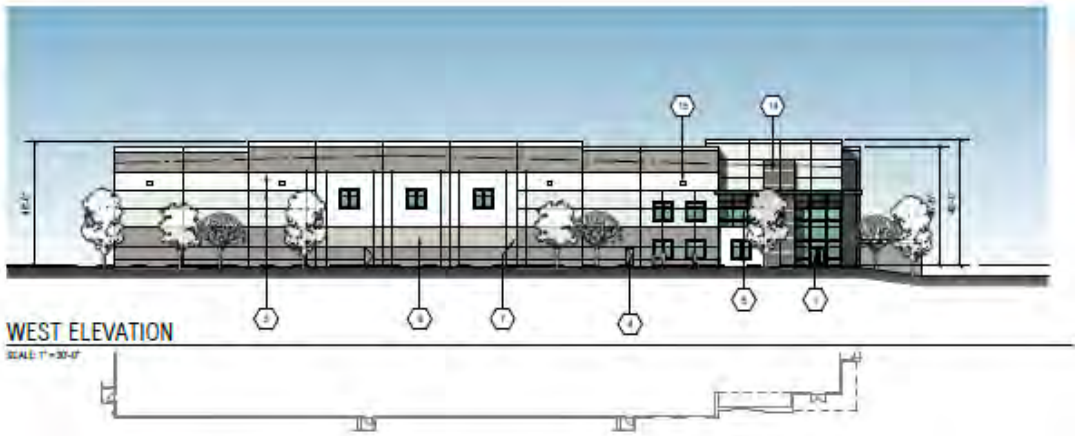


Exhibit D: ELEVATIONS (CONT.)

West Elevation



East Elevation

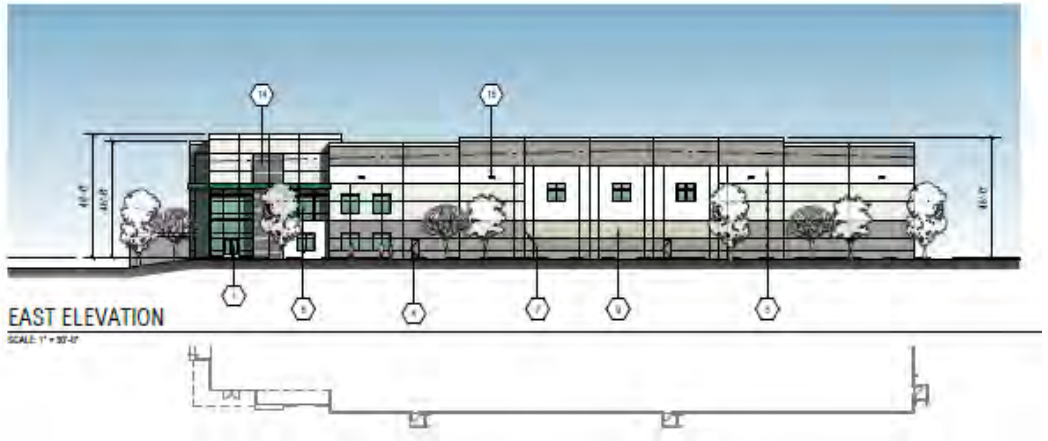
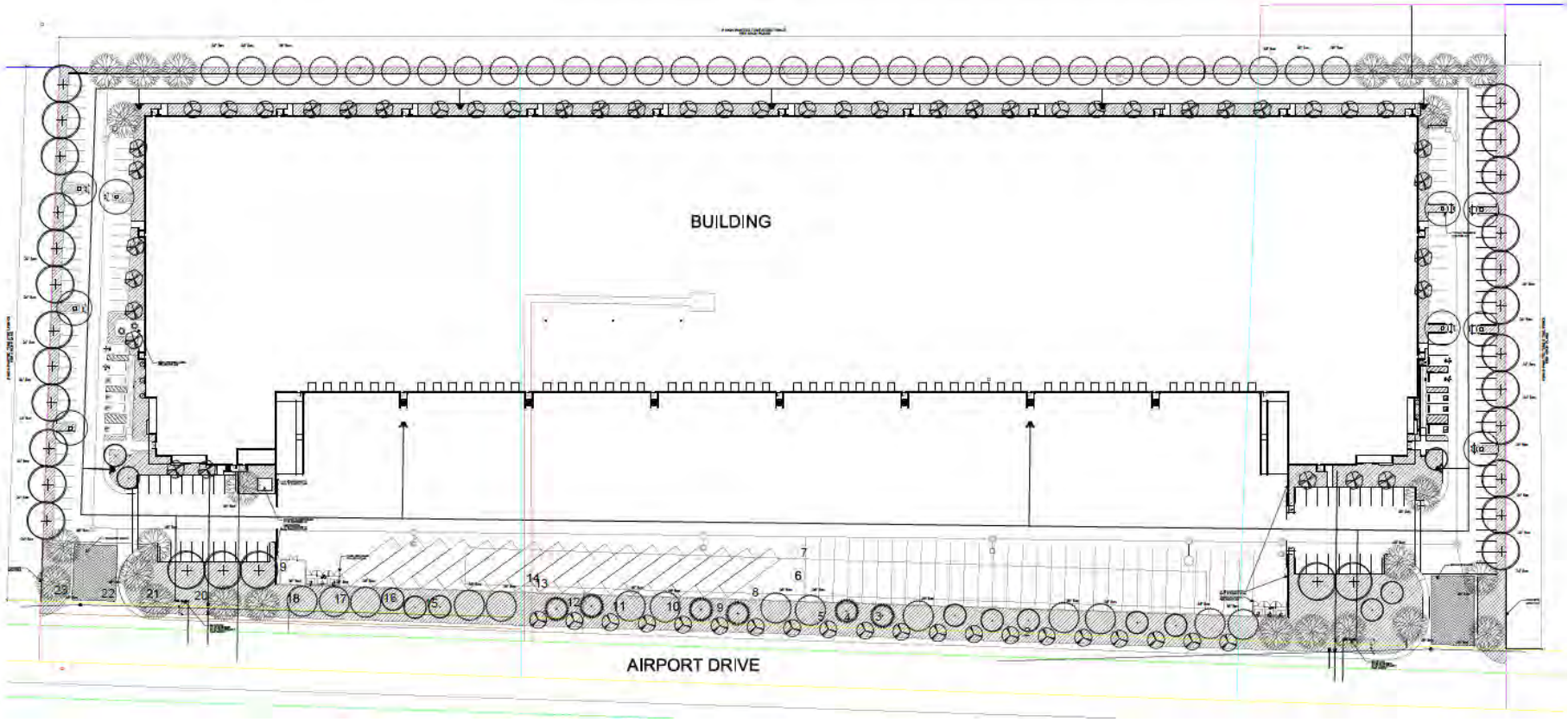


Exhibit E: CONCEPTUAL LANDSCAPE PLAN





Draft Environmental Impact Report

SCH No. 2022090006

5355 East Airport Drive

City of Ontario, California

Lead Agency:

City of Ontario
303 East "B" Street
Ontario, CA 91764

August 2023

Draft Environmental Impact Report
SCH No. 2022090006

5355 East Airport Drive

City of Ontario, California

Lead Agency
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Lead Agency Discretionary Permits
Development Plan PDEV22-017

August 2023

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ACRONYMS AND ABBREVIATIONS

Acronym	Definition
§	Section
>	greater than
≥	greater than or equal to
a.m.	Ante Meridiem (between the hours of midnight and noon)
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AB 52	Native Americans: California Environmental Quality Act
AB 1493	Pavley Fuel Efficiency Standards
AB 1327	California Solid Waste Reuse and Recycling Act
AB 939	California Solid Waste Integrated Management Act
AB 1881	California Assembly Bill 1881, California Water Conservation Act of 2006
AC	Acres
ACMs	Asbestos Containing Materials
A.D.	Anno Domini
ADP	Area Drainage Plan
AERMOD	Air Quality Dispersion Modeling
ADT	Average Daily Traffic
AFY	Acre Feet per Year
AIA	Airport Influence Area
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
AMSL	Above Mean Sea Level
A-P Act	Alquist-Priolo Earthquake Fault Zoning Act
APN	Assessor Parcel Number
AQMP	Air Quality Management Plan
ASTM	American Society of Testing and Materials
ASTs	Above ground storage tanks
Av.	Avenue
BACM	Best Available Control Measure
BAU	Business as Usual
B.C.	Before Christ
bgs	Below ground surface
Blvd.	Boulevard
BMPs	Best Management Practices

BLM	Bureau of Land Management
C_2F_6	Hexafluoroethane
C_2H_6	Ethane
CA	California
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
CalEEMod™	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CALGreen Code	California Green Building Standards Code
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CASQUA	California Stormwater Quality Association
CAW	California American Water
CBC	California Building Code
CBSC	California Building Standards Code
CCR	California Code of Regulations
CCAA	California Clear Air Act
CDC	California Department of Conservation
CDD	Community Development Director
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEPA	California Environmental Protection Agency
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CETAP	Community & Environmental Transportation Acceptability Process
CFC	California Fire Code
CFCs	Chlorofluorocarbons
C_2F_6	Hexaflouroethane
CF_4	Tetraflouromethane
CF_3CH_2F	HFC-134a
CFR	Code of Federal Regulations
CFS	Cubic Feet per Second
CGS	California Geologic Survey
CH	Conservation Habitat

C_2H_6	Ethane
CH4	Methane
CH_3CHF_2	HFC-152a
CHF_3	HFC-23
CHHSL	California Human Health Screening Level
CHP	combined heat and power
CHRIS	California Historic Resources Information System
CIWMB	California Integrated Waste Management Board
CLCA	California Land Conservation Act
CLUP	Comprehensive Land Use Plan
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon Monoxide
COG	Council of Governments
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalent
COHb	carboxyhemoglobin
CPUC	California Public Utilities Commission
CREED	Citizens for Responsible Equitable Environmental Development
CSU	California State University
CSRG	Conservation Summary Report Generator
CTC	California Transportation Commission
CTP	Clean Truck Program
CUP	Conditional Use Permit
CWA	Clean Water Act
CWC	California Water Code
CY	Cubic Yards
CZ	Change of Zone
dB	Decibel
dBA	A-weighted Decibels
DEH	Department of Environmental Health
DIF	Development Impact Fee
DOSH	Division of Occupational Safety and Health
DP	Development Permit
DPM	Diesel Particulate Matter
DRC	Design Review Committee
DRRP	Diesel Risk Reduction Plan
DTSC	Department of Toxic Substances Control

DU	Dwelling Unit
DU/AC	Dwelling units per acre
DWR	Department of Water Resources
E+A+P	Existing plus Ambient Growth plus Project Conditions
E+A+P+C	Existing plus Ambient Growth plus Project Conditions plus Cumulative Conditions
E+P	Existing plus Project Conditions
ECS	Environmental Constraints Sheet
EDR	EDR Sanborn
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EMFAC	Emission Factor Model
EO	Executive Order
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-To-Know Act
EPS	Emission Performance Standard
ESA	Environmental Site Assessment
et seq.	et sequentia, meaning "and the following"
EV	Electric Vehicle
F	Fahrenheit
FAA	Federal Aviation Administration
FAR	floor area ratio
FAR	Federal Aviation Regulations
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHSZ	Fire Hazard Severity Zone
FIRM	Flood Insurance Rate Map
FHA	Federal Housing Administration
FHWA	Federal Highway Administration
FIA	Fiscal Impact Analysis
FICON	Federal Interagency Committee on Noise
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Association
FY	Fiscal Year
FYI	For Your Information

GCC	Global Climate Change
Gg	Gigagrams
GHG	Greenhouse Gas
GIS	Geographic Information System
GISD	Geographic Information Services Database
$GgCO_2e$	Gigagrams of carbon dioxide equivalent
GLO	General Land Office
GP	General Plan
GPA	General Plan Amendment
gpd	Gallons per Day
gpm	Gallons per minute
GPS	Global Positioning System
GSA	Groundwater Sustainability Agencies
GVWR	Gross Vehicle Weight Rating
GWP	Global Warming Potential
H_2O	Water Vapor
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HCS+	Highway Capacity Software Plus
HDV	Heavy-duty vehicles
HFCs	Hydrofluorocarbons
HI	Hazard Index
HMBEP	Hazardous Materials Business Emergency Plan
HMMD	Hazardous Materials Management Division
HMMP	Hazardous Materials Management Plan
HMTA	Hazardous Materials Transportation Act
HMTAUSA	Hazardous Materials Transportation Uniform Safety Act
Hp	horsepower
HPLV	High Pressure Low Volume
HRI	Historical Resource Inventory
HSC	Health and Safety Code
HUC	Hydrologic Unit Code
HVAC	Heating, Ventilation, and Air Conditioning
I	Interstate
i.e.	that is
IA	Implementing Agreement
IBC	International Building Code
ID	Identification

IEPR	Integrated Energy Policy Report
INCE	Institute of Noise Control Engineering
IPA	Inland Port Airport
IPCC	Intergovernmental Panel on Climate Change
IRP	Installation Restoration Program
IS	Initial Study
ITE	Institute of Transportation Engineers
ITS	intelligent transportation systems
JD	Jurisdictional Delineation
JPA	Joint Powers Authority
JPR	Joint Project Review
kg	kilogram
kBTU	kilo-British thermal units
kWh	kilowatt-hour
LBP	Lead based paint
lbs	pounds
LCA	Life-cycle analysis
LCFS	low carbon fuel standard
LDA	Light duty autos
LDV	Light duty vehicles
LED	light-emitting diode
Leq	equivalent continuous sound level
LHD	light-heavy duty trucks
LID	low impact development
Lmax	Maximum level measured over the time interval
Lmin	Maximum level measures over the time interval
LOS	Level of Service
LSTs	Localized Significance Thresholds
LUST	Leaking Underground Storage Tank
M_3	Cubic Meter
MACT	Maximum achievable control technology
MBTA	Migratory Bird Treaty Act
MC	Municipal Code
MDP	Master Drainage Plan
MEISC	maximally exposed individual school child
MEIR	maximally exposed individual receptor
MEIW	maximally exposed individual worker

mg	milligrams
MGD	million gallons per day
MH	medium-heavy duty truck
MICR	Maximum Individual Cancer Risk
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MMTs	million metric tons
$MMTCO_2e$	million metric tons of carbon dioxide equivalent
MND	Mitigated Negative Declaration
Mph	Miles per hour
MPO	Metropolitan Planning Organization
MRZ-3	Mineral Resource Zone 3
MRF	Material Recovery Facility
MS4	Municipal Separate Storm Sewer System
MT	metric ton
$MTCO_2e$	Metric Tons of Carbon Dioxide Equivalent
MUTCD	Manual on Uniform Traffic Control Devices
MWD	Metropolitan Water District
N/A	Not Applicable
n/o	North of
N2	Nitrogen
n.d.	no date
NAHC	Native American Heritage Commission
NAAQS	National Ambient Air Quality Standards
NATA	National Air Toxic Assessment
NB	Northbound
ND	Negative Declaration
NDC	nationally determined contributions
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHP	National Register of Historic Places
NHPA	National Historic Preservation Act
NIOSH	National Institute for Occupational Safety and Health
No.	Number
NO	Nitric Oxide
NO_2	Nitrogen Dioxide
NO_X	Nitrogen Oxides
N_2	Nitrogen
N_2O	Nitrous Oxide

NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NPC	National Park Service
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NRCS	Natural Resources Conservation Service
O_2	Oxygen
O_3	Ozone
OD	Officially Designated
OEHHA	Office of Environmental Health Hazard Assessment
OHWM	Ordinary High-Water Mark
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Assessment
Ord.	Ordinance
Pb	Lead
PCBs	Polychlorinated biphenyls
PCEs	Passenger Car Equivalents
PDF	Project Design Feature
PF	Public Facilities land use designation
PFCs	Perfluorocarbons
PHF	peak hour factor
P-I	Public Institutional land use designation
p.m.	Post Meridiem (between the hours of noon and midnight)
PM	Particulate Matter
$PM_{2.5}$	Fine Particulate Matter (2.5 microns or smaller)
PM_{10}	Fine Particulate Matter (10 microns or smaller)
Porter-Cologne	Porter-Cologne Water Quality Control Act
ppb	parts per billion
ppm	parts per million
pp.	pages
ppt	parts per trillion
PPV	peak particle velocity
PRC	Professional Regulation Commission
PRC	Public Resources Code
PSE	Public Safety Element
PV	photovoltaic

RBBD	Road and Bridge Benefit District
RCA	Regional Conservation Authority
RCP	Reinforced Concrete Pipe
RCP	Regional Comprehensive Plan
RCNM	Roadway Construction Noise Model
RCRA	Resource Conservation and Recovery Act
Rd.	Road
REC	Recognized environmental Concerns
RECLAIM	Regional Clean Air Incentives Market
REL	Reference Exposure Level
REMEL	Reference Mean Emission Level
RIX	Rapid Infiltration Extraction
RME	resource management element
RMP	Resource Management Plan
RMS	root mean square
ROGs	Reactive Organic Gasses
ROW	Right of Way
RPS	Renewable Portfolio Standards
RPZ	Runway Protection Zone
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agency
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RV	Recreational Vehicle
RWQCB	Regional Water Quality Control Board
SF/s.f.	square foot or square feet
SARA	Superfund Amendments and Reauthorization Act
SB18	Bill of Rights for Children and Youth of California
SB	Southbound
SB	Senate Bill
SB 375	California Senate Bill 375, Sustainable Communities and Climate Protection Act of 2008
SCAB	South Coast Air Basin
SCAG	Sothern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCH	California State Clearinghouse (Office of Planning and Research)
SCS	Sustainable Communities Strategy
SCWR	Southern Cottonwood Willow Riparian
SF_6	Sulfur Hexafluoride

SLF	Sacred Lands File
SGMA	Sustainable groundwater management act
SHMA	Seismic Hazards Mapping Act
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
SO_4	Sulfates
SO_X	Sulfur Oxides
SOI	Sphere of Influence
SR	State Route
SRA	Source Receptor Area
St.	Street
STC	Sound Transmission Class
SURRGO	Soil Survey Geographic
SUSMP	Standard Urban Stormwater Management Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Regional Control Board
TAC	Toxic Air Contaminants
TBD	To be determined
TEA-21	Transportation Equality Act for 21st Century
TIA	Traffic Impact Analysis
TNW	Traditional Navigable Water
TPM	Tentative Parcel Map
TRUs	Transportation Refrigeration Units
TS	Traffic Signal
TSCEA	Toxic Substance Control Act
TSF	Thousand Square Feet
TTM	Tentative Tract Map
TUMF	Transportation Uniform Mitigation Fee
µg	microgram
UBC	Uniform Building Code
UNFCCC	United Nations' Framework Convention on Climate Change
URBEMIS	URBan EMISsions
U.S.	United States
USACE	United States Army Corps of Engineers
USCB	United States Census Bureau
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United Stated Geological Society

USTs	Underground storage tanks
UWMP	Urban Water Management Plan
V/C	Volume to Capacity Ratio
VFP	Vehicle Fueling Positions
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
VPH	Vehicles per Hour
WDR	Water discharge report
WoUS	Waters of the United States
WoS	Waters of the State
WQMP	Water Quality Management Plan
WRF	Water Reclamation Facility
WRP	Water Reclamation Plan
WRRA	Water Reuse and Recycle Act
WSA	Water Supply Assessment
YBP	Years before Present
Yr	year
ZC	Zone change

S.0 EXECUTIVE SUMMARY

S.1 INTRODUCTION

The California Environmental Quality Act (CEQA) as codified in Public Resources Code Section 21000, *et seq.* requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

This Environmental Impact Report (EIR) (California State Clearinghouse (SCH) No. 202209006) was prepared in accordance with CEQA Guidelines Article 9, Sections 15120-15132 to evaluate the potential environmental impacts associated with planning, constructing, and operating the proposed 5355 East Airport Drive Project (hereinafter, the "Project" or "proposed Project"). This EIR does not recommend approval or denial of the Project; rather, this EIR is a source of factual information regarding potential impacts to the physical environment that may result from the Project's implementation. The Draft EIR will be available for public review for a minimum period of 45 days. After consideration of public comment, the City of Ontario will consider certifying the Final EIR and adopting required findings.

CEQA Guidelines Section 15063 grants Lead Agencies the ability to bypass preparation of an Initial Study and proceed with preparation of an EIR in instances where an EIR is clearly required for a project. In this instance, the City of Ontario in its capacity as Lead Agency for the proposed Project has determined that the Project clearly has the potential to result in significant environmental effects and that an EIR shall be prepared that addresses the following environmental considerations:

4.1 Aesthetics
4.2 Air Quality
4.3 Cultural Resources
4.4 Energy
4.5 Geology and Soils
4.6 Greenhouse Gas Emissions
4.7 Hazards and Hazardous Materials
4.8 Hydrology and Water Quality
4.9 Noise
4.10 Transportation
4.11 Tribal Cultural Resources
4.12 Utilities and Service Systems

Refer to EIR Section 4.0, *Environmental Analysis*, for a full account and analysis of the subject matters listed above. Subject areas for which the impacts would be clearly less than significant and that do not warrant detailed analysis in this EIR are addressed in EIR Section 5.0, *Other CEQA Considerations*. For each of the aforementioned subject areas, this EIR describes: 1) the physical conditions that existed at the approximate time this EIR's NOP was published (September 1, 2022); 2) discloses the type and magnitude of potential environmental impacts resulting from Project planning, construction, and operation; and 3) if warranted, recommends feasible mitigation measures that would reduce or avoid significant adverse environmental impacts that may result from the Project. A summary of the Project's

significant environmental impacts and the mitigation measures imposed by the City of Ontario to lessen or avoid these impacts is included in this Executive Summary as Table S-1, *Mitigation Monitoring and Reporting Program*. The City of Ontario applies mitigation measures that it determines 1) are feasible and practical for project applicants to implement, 2) are feasible and practical for the City to monitor and enforce, 3) are legal for the City to impose, 4) have an essential nexus to the Project's impacts, and 5) would result in a benefit to the physical environment. CEQA does not require the Lead Agency to impose mitigation measures that are duplicative of mandatory regulatory requirements.

S.2 PROJECT OVERVIEW

S.2.1 LOCATION AND SETTING

The 13.08-acre Project Site is located in southwestern San Bernardino County, within the City of Ontario. The Project Site is located at 5355 East Airport Drive (APN: 0238-052-29 and 0238-052-20) and is bordered by East Airport Drive to the south, industrial uses to the east and west, and railroad tracks to the north. Refer to EIR Section 2.0, *Environmental Setting*, for a detailed description of the Project's location and setting.

S.2.2 PROJECT SUMMARY

For purposes of this EIR, the term "Project" refers to the discretionary action required to implement the proposed Project and all the activities associated with its implementation (including planning, construction, and ongoing operation). The Project would require demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The Project would entail redevelopment of the property and the construction and operation of a building with 270,337 square feet (s.f.) of interior floor area. The Project's design also includes the installation of associated site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detention facilities, exterior lighting, walls/fencing, and signage as well as site-adjacent improvements to East Airport Drive. The Project requires the City's approval of a Development Plan (PDEV22-017). Refer to EIR Section 3.0, *Project Description*, for a detailed description of the Project.

S.2.3 PROJECT OBJECTIVES

The fundamental purpose and goal of the 5355 East Airport Drive Project is to accomplish the orderly redevelopment of the Project Site with a modern warehouse distribution facility. The Project would achieve this goal through the following objectives.

A. To expand economic development and facilitate job creation in the City of Ontario by re-developing the property with a new, in-demand industrial use adjacent to an already-established industrial area.

B. To attract employment-generating businesses to the City of Ontario to reduce the need for members of the local workforce to commute outside the area for employment.

C. To develop industrial buildings with loading bays in close proximity to designated truck routes and the State highway system to avoid or shorten heavy truck-trip lengths on City and regional roads.

D. To attract businesses that can expedite the delivery of goods to consumers and businesses in the City of Ontario and beyond.

E. To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity of the Project Site and minimize conflicts with other nearby land uses.

F. To develop a property that has access to available infrastructure, including roads and utilities.

S.3 EIR PROCESS

The City published a NOP and filed a copy with the California Office of Planning and Research (OPR) State Clearinghouse (SCH) to inform the general public, trustee and responsible agencies and other interested parties that an EIR would be prepared for the Project. The NOP was distributed for a 30-day public review period, which began on September 1, 2022. The City of Ontario received written comments on the scope of the EIR during those 30 days, which are considered by the City during the preparation of this EIR. The City also held an EIR scoping meeting open to the interested public agencies and members of the general public on September 13, 2022.

The EIR will be circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day review period. During the 45-day public review period, public notices announcing availability of the Draft EIR will be mailed to the interested parties, an advertisement will be published in the Inland Valley Daily Bulletin (a newspaper of general circulation in the City of Ontario), and copies of the Draft EIR and its Technical Appendices will be available for review at the locations indicated in the public notices.

After the close of the 45-day Draft EIR public comment period, the City will prepare and publish responses to written comments received on the environmental effects of the Project. Thereafter, the Final EIR will be considered for certification by the Ontario Planning Commission. Certification of the Final EIR would be accompanied by the adoption of written findings and a "Statement of Overriding Considerations" for any significant unavoidable environmental impacts identified in the Final EIR. In addition, pursuant to Public Resources Code Section 21081.6, because the Project will include mitigation measures, the City, as Lead Agency, must adopt a Mitigation, Monitoring, and Reporting Program (MMRP), which describes the process to ensure implementation of the mitigation measures identified in the Final EIR. The MMRP will ensure CEQA compliance during Project construction and operation.

S.4 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

CEQA Guidelines Section 15123(b)(2) requires the Lead Agency (City of Ontario) to identify any known issues of controversy in the Executive Summary. The City has not identified any environmental issues of controversy associated with the Project. Notwithstanding, the Lead Agency has identified several issues of local concern including, but not limited to, potential impacts to air pollutant and toxic air contaminant emissions, greenhouse gas emissions, noise, and transportation – and these issues are all addressed in this EIR.

Considering the foregoing, this EIR addresses all environmental issues that are known by the City and that were identified in the comment letters that the City received in response to the NOP and during the EIR scoping meeting (refer to *Technical Appendix A*). See Table 1-1, *Summary of NOP and Scoping Meeting Comments*, in Section 1.0 of this EIR for a summary of all comments received during all comments received by the City during the environmental scoping for the Project.

S.5 ALTERNATIVES TO THE PROPOSED PROJECT

In compliance with CEQA Guidelines Section 15126.6, an EIR must describe a range of reasonable alternatives to the Project or to the location of the Project. Each alternative must be able to feasibly attain most of the Project's objectives and avoid or substantially lessen the Project's significant effects on the environment. A detailed description of each alternative evaluated in this EIR, as well as an analysis of the potential environmental impacts associated with each alternative, is provided in EIR Section 6.0, *Alternatives*. Also described in Section 6.0 is a list of alternatives that were considered but rejected from further analysis. The alternatives considered by this EIR include those listed below.

S.5.1 NO PROJECT/NO DEVELOPMENT ALTERNATIVE

The No Project/No Development Alternative considers no development on the Project site beyond what occurs on the site under existing conditions (as described in EIR Section 3.0). As such, the Alternative is considered to be the scenario where the existing grain processing company and corn storage and distribution facility are retained and the facility continues to process grain and corn into the future. Under this alternative, no improvements would be made to the Project site and none of the Project's internal parking, utility, and other infrastructure improvements would occur. This alternative was selected by the City to compare the environmental effects of the proposed Project with an alternative that would leave the Project site undeveloped in its general existing conditions.

Implementation of the No Project/No Development Alternative would result in no physical environmental impacts to the Project Site beyond those that have historically occurred on the Project Site. All potentially significant effects of the Project would be avoided by the selection of this Alternative; however, this Alternative would fail to meet all of the Project's objectives.

S.5.2 Reduced Building Area Alternative

The Reduced Building Area Alternative considers a proposal where the Project site would be redeveloped with two separate uses: a light industrial building and a trailer parking lot. Under this Alternative, a 135,169 s.f. light industrial building (including related site improvements such as truck loading/unloading areas and parking, passenger vehicle parking, landscaping, signage, and public utility connections) would be developed on the eastern portion of the Project site and a trailer parking lot would be developed on the western portion of the Project site. This alternative was selected to evaluate a scenario that would reduce the total building area on the Project site relative to the Project but still allow productive industrial use of the entire Project site.

The Reduced Building Area Alternative would avoid – the Project's significant and unavoidable VMT impacts. The Reduced Building Area Alternative would reduce the Project's less-than-significant impacts to air quality, energy, greenhouse gas emissions, and utilities and service systems. All other impacts from the Reduced Building Alternative would be similar to the Project.

S.5.3 Reduced Intensity Alternative

The Reduced Intensity Alternative considers a proposal where the Project site would be redeveloped with an industrial building with a total square footage of 63,500 s.f. This represents a reduced in development of 206,837 s.f. compare to the Project (approximately 76.5 percent). Under this alternative, no high-cube cold storage uses would be assumed. Access to the site would be similar to the Project with a proportional reduction in the number of parking spaces. Although the proposed building would be reduced, the development impact area would generally remain the same as the Project due to required landscaping, parking, and associated improvements. This alternative was selected to evaluate a scenario that would reduce the total building size on the Project site, eliminate the high-cube cold storage use, and would not take into account of existing trips generation in order to reduced vehicle and truck trips and significant impacts associated with VMT.

The Reduced Intensity Alternative would avoid – the Project's significant and unavoidable VMT impacts. The Reduced Intensity Area Alternative would reduce the Project's less-than-significant impacts to air quality, energy, greenhouse gas emissions, noise, and utilities and service systems. All other impacts from the Reduced Intensity Alternative would be similar to the Project.

S.6 Summary of Impact, Mitigation Measures, and Conclusions

Table S-1 provides a summary of the Project's environmental impacts, as required by CEQA Guidelines Section 15123(a). Also presented are the mitigation measures recommended by the Lead Agency to further avoid adverse environmental impacts or to reduce their level of significance. After the application of all feasible mitigation measures, the Project would not result in any significant and unavoidable environmental effects.

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
4.1 Aesthetics					
Threshold a: The Project would not substantially affect a scenic vista. The Project Site does not contain any designated scenic vistas or scenic corridors. The Project would not substantially affect views of the San Gabriel Mountains from nearby public viewing areas.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold b: The Project Site does not have any special or unique scenic resources. Additionally, the Project site is not within the corridor of an officially designated State scenic highway. Implementation of the Project would not damage scenic resources within a State scenic highway.	No mitigation is required.	N/A	N/A	N/A	No Impact.
Threshold c: The Project Site is within an urbanized area. The Project is designed in accordance with the applicable design regulations, governing scenic quality, within the City's Zoning and Development Code. The Project would not conflict with applicable zoning and other regulations governing scenic quality.	No mitigation is required.	N/A	N/A	N/A	No Impact.
Threshold d: The Project would be required to adhere to the lighting requirements set forth in the City's Development Code. The City would confirm compliance with applicable lighting requirements during future review of building permit application/plans. Mandatory compliance with the City's Development Code would ensure that the Project would not introduce permanent design features that would adversely affect day or nighttime views in the area. Additionally, the Project's building materials would consist of low reflective materials that minimize glare.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
4.2 Air Quality					
Threshold a: The Project would be consistent with South Coast Air Quality Management District (SCAQMD) *2016 Air Quality Management Plan (AQMP)* Consistency Criterion No. 1 because Project localized and regional construction and operational-source emissions would not exceed applicable SCAQMD regional significance thresholds and localized significance thresholds (LST). The Project would be consistent with *2016 AQMP* Consistency Criterion No. 2.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold b: Project-related activities would not exceed the applicable SCAQMD regional thresholds of significance during construction and operations. As such, Project-related emissions would not violate SCAQMD air quality standards or contribute to the non-attainment of ozone standards in the SCAB, and impacts would be less than significant.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold c: Implementation of the Project would not: 1) exceed applicable SCAQMD localized criteria pollution emissions thresholds during construction and operation; 2) would not expose sensitive receptors to toxic air contaminants (i.e., DPM) that exceed the applicable SCAQMD carcinogenic and non-carcinogenic risk thresholds; and 3) would not cause or contribute to the formation of a CO "hot spot."	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold d: The Project would not produce air emissions that would lead to unusual or substantial construction-related or	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
operational-related odors. The Project would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance.					
4.3 Cultural Resources					
Threshold a: The Project Site does not have any historic resources as defined by CEQA Guidelines Section 15064.5. No historic resources are present that could be altered or destroyed by construction or operation of the Project.	No mitigation is required.	N/A	N/A	N/A	No Impact.
Threshold b: No known prehistoric resources are present on the Project Site and the likelihood of uncovering buried prehistoric resources on the Project Site is low due to the magnitude of historic ground disturbance on the Project Site. Nonetheless, the potential exists for Project-related construction activities to result in a direct and cumulatively-considerable impact to significant subsurface prehistoric archaeological resources should such resources to be discovered during Project-related construction activities.	**MM 4.3-1** Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities: a. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching[1] b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier	Project Applicant, Project Archaeologist	City of Ontario Community Development Department (Planning)	Prior to the issuance of a grading permit.	Less-than-Significant Impact with Mitigation.

[1] Tribal monitoring shall cease once all ground disturbance activities have been completed with respect to the property or portion thereof. Example: Once excavation, grading, trenching, etc. have occurred tribal monitoring shall cease.

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe. d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs. e. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the				

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.				
	MM 4.3-2 Unanticipated Discovery of Human Remains and Associated Funerary Objects: a. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. b. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.	Project Archaeologist/ Native American Monitor	City of Ontario Community Development Department (Planning)	During grading and excavation operations.	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	c. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). d. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f)) e. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes. f. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.				

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	MM 4.3-3 Procedures for Burials and Funerary Remains: a. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. b. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created. c. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials. d. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted	Project Archaeologist	City of Ontario Community Development Department (Planning)	During grading and excavation operations.	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. e. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. f. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered. g. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be				

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.				
Threshold c: In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 *et seq.* Mandatory compliance with State law would ensure that any discovered human remains are appropriately treated and would preclude the potential for significant impacts.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
4.4 Energy					
Threshold a: The amount of energy and fuel consumed by construction and operation of the Project would not be inefficient, wasteful, or unnecessary. Furthermore, the Project would not cause or result in the need for additional energy facilities or energy delivery systems.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold b: The Project would not cause or result in the need for additional energy production or transmission facilities. The Project would not conflict with or obstruct the achievement of energy conservation goals within the State of California identified in State and local plans for renewable energy and energy efficiency.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
4.5 Geology and Soils					
Threshold a: Implementation of the Project would not expose people or structures to	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
substantial direct or indirect adverse effects related to liquefaction or fault rupture. The Project Site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements and building codes would ensure that the Project precludes potential hazards related to seismic ground shaking.					
Threshold b: Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a NPDES permit for construction activities and adhere to a SWPPP, and prepare an erosion control plan to minimize water and wind erosion. Following completion of development, the Project's owner or operator would be required by law to implement a SWQMP during operation, which would preclude substantial erosion impacts in the long-term.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold c: There is no potential for the Project's construction or operation to cause, or be impacted by, on- or off-site landslides or lateral spreading. Potential hazards associated with unstable soils would be precluded through mandatory adherence to the recommendations contained in the Site-specific geotechnical report during Project construction.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold d: The Project Site contains soils with low susceptibility to expansion; therefore, the Project would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils.	No mitigation is required.	N/A	N/A	N/A	No Impact.

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Threshold e: No septic tanks or alternative wastewater disposal systems are proposed to be installed on the Project Site. Accordingly, no impact would occur associated with soil compatibility for wastewater disposal systems.	No mitigation is required.	N/A	N/A	N/A	No Impact.
Threshold f: The Project would not impact any known paleontological resource or unique geological feature. However, the Project Site is underlain by older alluvium soils with a high sensitivity for paleontological resources. Accordingly, construction activities on the Project Site have the potential to unearth and adversely impact paleontological resource that may be buried beneath the ground surface.	**MM 4.5-1** Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Ontario that a qualified paleontologist ("paleontologist") has been retained by the Project Applicant or contractor to conduct monitoring of excavation activities in olde alluvium soils and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed. **MM 4.5-2** The paleontologist shall conduct full-time monitoring during grading and excavation operations in undisturbed Holocene and late Pleistocene old alluvial fan deposits starting at a depth of five (5) feet below the existing ground surface. The paleontologist shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resource. **MM 4.5-3** Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to	Project Applicant Project Contractor, Project Paleontologist Project Paleontologist	City of Ontario Community Development Department (Planning) City of Ontario Community Development Department (Planning) City of Ontario Community	Prior to the issuance of a grading permit. During grading and excavation operations. During grading and excavation operations.	Less-than-Significant with Mitigation.

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, shall be required for discoveries of significance as determined by the paleontological monitor. **MM 4.5-4** A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Ontario prior to issuance of the first occupancy permit.	 Project Paleontologist	Development Department (Planning) City of Ontario Community Development Department (Planning)	 Prior to issuance of first occupancy permit.	
4.6 Greenhouse Gas Emissions					
Threshold a: The Project would not exceed the significance threshold of 3,000 $MTCO_2e$ per year. As such, the Project would generate a less-than-significant volume of GHG emissions and would not have a significant impact on the environment.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold b: The Project would be consistent with or otherwise would not conflict with, applicable regulations, policies, plans, and policy goals that would further reduce GHG emissions.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
4.7 Hazards and Hazardous Materials					
Threshold a & b: During Project construction and operation, mandatory compliance to federal, State, and local regulations would ensure that the proposed Project would not create a significant hazard to the environment due to routine transport, use, disposal, or upset of hazardous materials. However, based on the results of the Phase I/II ESA, PCE impacts potentially	**MM 4.7-1** Prior to the issuance of a grading permit, the Project Applicant shall prepare a Soil Management Plan (SMP). The SMP shall include explicit instructions for the appropriate handling, storage, and disposal of any known or potentially impacted soil during soil moving activities. The general contractor will be required to follow the requirements of the SMP and stop work to make notification to the environmental team if any potential	Project Applicant	City of Ontario Community Development Department (Planning & Building)	Prior to the issuance of a grading permit	Less-than-Significant Impact with Mitigation.

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THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Project Site and impacts would be potentially significant.	impacts are observed at any time the environmental team is not already on-site. The SMP also requires air monitoring activities to monitor the air downwind of the Project Site and appropriate Health and Safety Plans that will be employed by site workers. The SMP shall identify specific requirements intended to protect human health when soil in certain areas of known or suspected impacts are disturbed for any reason, including, without limitation, as a result of demolition, utility installation/repair, soil excavation, drilling, grading/filling activities, stockpile generation, soil management, loading, and transportation. Requirements of the SMP include: a. Health and Safety Plan (HASP): A HASP will be prepared and in effect for all activities associated with the SMP and other activities at the Project Site. Contractors working onsite are expected to be operating under their own health and safety plans. b. Environmental Monitoring: In accordance with SCAQMD Rules, air monitoring will be necessary in areas where potential PCE contaminated soil are to be disturbed. Air monitoring for dust may also be required in other areas. An air monitoring/health and safety professional will be present during relevant activities and responsibilities will include recording monitoring data on field sheets, which will be kept as part of Project documentation. c. Soil Monitoring: Soils impacted by PCE that are encountered during site redevelopment will be characterized and documented. The monitoring and sampling activities to be performed include: • Visual observation performed to detect areas of soil that may be impacted by PCE				

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	or other non-VOC hazardous materials, if encountered. • Screening for PCEs using field instruments to document new or previously undetected sources of PCEs. • Soil sampling and chemical testing performed to evaluate concentrations of PCE. d. Proper Soil Handling: If impacted soil is encountered, the area will be delineated as necessary with cones, caution tape, stakes, chalk, or flagging, and the area will not be disturbed further until an environmental professional is onsite for observation and determination of whether testing and/or excavation work is required. Stockpile staging areas will be delineated prior to the start of excavation. All excavations will conform to applicable regulations, including Cal/OSHA Construction Safety Orders. The specific equipment, means, and methods to be utilized for soil removal, handling, and disposition will be selected based on the nature of the work to be conducted and its location on the site. If excavation is conducted during the rainy season (October through April), provisions will need to be made to prevent offsite migration of sediment in runoff. e. Fugitive Dust and Vapor Control: Appropriate procedures will be implemented to control the generation of airborne dust by soil removal activities, including, but not limited to, the use of water as a dust suppressant or stopping activities that have the potential to generate fugitive dust in the event wind conditions change creating an uncontrollable condition.				

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	f. Excavation and Stockpiling: Impacted soil that is excavated and not immediately removed from the site will be stockpiled onsite and covered with plastic sheeting to control dust and minimize exposure to precipitation and wind. If a stockpile remains onsite during the rainy season, a perimeter sediment barrier, constructed of material, such as straw bales or fiber roll, will also be installed. The stockpiles will be inspected biweekly at a minimum. During stockpile removal, only the working face of the stockpile will be uncovered. If the stockpiled impacted soil is to be transported offsite for disposal or recycling, the soil will be profiled for waste characteristics. Soil samples will be analyzed for parameters required by the disposal/recycling facility. g. Responding to Unknown Conditions: If previously unknown impacted soil is suspected (based on visual staining, odors, photo ionization detector readings, or other observations), the area will be delineated and construction activity will cease in this area, and sampling of the unknown material will occur using USEPA methodology. Analysis will be conducted for TPH, metals, and/or VOCs, as appropriate. Analytical results will be compared to applicable regulatory screening levels. Based on this comparison, a determination will be made regarding soil disposition (reuse on-site, off-site transport, and disposal/recycling, etc.). Additionally, if any UST or other subsurface features are encountered, a similar approach will be taken, and appropriate permitting, as necessary, will be obtained for the removal of the feature(s). Any permitted removals will be conducted with appropriate regulatory oversight, documentation, and reporting.				

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	h. Imported fill: As appropriate, offsite soils brought to the site for use as backfill (import fill), if necessary, will be tested in general conformance with the DTSC Information Advisory Clean Imported Fill Material document. i. Post-construction Requirements: If contaminated soil is left in place, the location of this soil will be surveyed or recorded by use of geographic positioning system equipment. Following the completion of construction, excavation, and disposition activities, a summary report will be prepared. The report will include a summary of activities, locations of soil sources and final disposition of contaminated soil, and estimated quantities of materials. Additionally, removal of any USTs or other subsurface features, if encountered, will be conducted under appropriate permits (if any) and documented in applicable reports for submittal to the Ontario Fire Department, or other regulatory agency, as appropriate.				
Threshold c: The Project site is not located within one-quarter mile of any existing or proposed school. Accordingly, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Impacts to schools located more than one-quarter mile of the Project site would be less than significant.	No mitigation is required.	N/A	N/A	N/A	No Impact.
Threshold d: Current and previous uses of the Project Site are included in several listings. No violations indicating a spill or a release were identified in the listings. Therefore, theses listings are not considered	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
to represent a significant environmental concern and impacts would be less than significant.					
Threshold e: The Project is consistent with the restrictions and requirements of the ONT ALUCP. As such, the Project would not result in an airport safety hazard for people residing or working in the Project area.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold f: The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, adequate emergency vehicle access is required to be provided. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold g: The Project Site is not located in close proximity to wildlands or areas with high fire hazards. Thus, the Project would not expose people or structures to a significant wildfire risk.	No mitigation is required.	N/A	N/A	N/A	No Impact.
4.8 Hydrology and Water Quality					
Threshold a: The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Adherence to a SWPPP and WQMP is required as part of the Project's implementation to address construction- and operational-related water quality.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold b: The Project would not physically impact any of the major groundwater recharge facilities in the Chino	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.

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THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Groundwater Basin. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the Basin.					
Threshold c: The Project would be required to comply with applicable water quality regulatory requirements to minimize erosion and siltation. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Lastly, the Project would not create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold d: The Project Site would not be subject to inundation from tsunamis or seiches. The Project Site is adjacent to an area with potential inundation from debris basins. The probability of dam failure is very low, and Ontario has never been impacted by a major dam failure. In addition, dam owners are required to maintain emergency action plans that include procedures for damage assessment and emergency warnings.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold e: The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
4.9 Noise					
Threshold a: The Project would generate short-term construction and long-term operational noise but would not generate	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.

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THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
noise levels that exceed the threshold standards.					
Threshold b: The Project's construction and operational activities would not result in a perceptible groundborne vibration or noise.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold c: The proposed Project would be compatible with noise levels from the Ontario International Airport (ONT) and operation of the Project would not expose future employees on the Project Site to excessive noise levels.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
4.10 Transportation					
Threshold a: The Project would not conflict with an applicable program, plan, ordinance or policy addressing the circulation system.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold b: The Project's vehicle traffic would exceed the City's VMT per service population impact threshold for both the baseline and cumulative conditions.	**MM 4.10-1** Prior to the issuance of a certificate of occupancy, the building operator shall prepare and submit for approval to the City of Ontario Community Development Department a Transportation Demand Management Program (TDMP). The TDMP shall specify measures that the building operator will commit to implementing in an effort to reduce vehicle miles traveled for its on-site employees. The TDMP shall include provisions, incentives, and programs for employee ridesharing programs, carpools, vanpools, transit use, bike travel, avoidance of peak periods of traffic congestion, and on-site parking preferences for zero-emission vehicles, among other items that have reasonable potential of reducing employee reliance on single-occupant gas-powered vehicles during peak time travel periods (rush hours).	Building Operator	City of Ontario Community Development Department (Planning)	Prior to the issuance of a certificate of occupancy	Significant and Unavoidable Impact.
Threshold c: The Project would not introduce any significant transportation safety hazards due to a design feature or incompatible use.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.

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THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Threshold d: Adequate emergency access would be provided to the Project Site during construction and long-term operation. The Project would not result in inadequate emergency access to the Site or surrounding properties.	No mitigation is required.	N/A	N/A	N/A	No Impact.
4.11 Tribal Cultural Resources					
Threshold a: The Project Site does not contain any recorded, significant tribal cultural resource sites; therefore, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources. Nonetheless, Project construction activities have the potential to unearth and adversely impact tribal cultural resources that may be buried at the Project Site.	**MM 4.3-1** through **4.3-3** shall apply.	Refer to Cultural Resources Threshold b.	Refer to Cultural Resources Threshold b.	Refer to Cultural Resources Threshold b.	Less-than-Significant Impact with Mitigation.
4.12 Utilities and Service Systems					
Threshold a: The physical environmental effects associated with installing the Project's proposed connections to existing utility infrastructure, as well as installation of on-site and off-site storm water management, water, and wastewater infrastructure have been evaluated throughout this EIR and no adverse impacts specific to the provision utilities services have been identified. Mitigation measures are identified, where necessary, for construction-related effects that would reduce construction-phase impacts to the maximum feasible extent. Impacts would be less than significant.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.

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THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Threshold b: Based on the information provided in the OMUC's UWMP, OMUC has sufficient water supplies available to serve the Project in normal, dry, and multiple dry years and impacts would be less than significant	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold c: The Project's proposed wastewater generation would not exceed the capacity of the RP-1. The Project's wastewater generation would represent a nominal increase in wastewater treatment demand and impacts would be less than significant.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold d: The Project's proposed solid waste disposal needs would be adequately accommodated by existing landfills serving the City. Therefore, the Project would have less than significant impacts related to solid waste.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact.
Threshold e: The Project would comply with all applicable federal, State, and local statues and regulations pertaining to management and reduction of solid waste. No impacts associated with regulatory compliance would occur.	No mitigation is required.	N/A	N/A	N/A	No Impact.

1.0 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that all public agencies within the State of California having land use approval over project activities that have the potential to adversely affect the quality of the environment, regulate such activities so that impacts to the environment can be prevented to the extent feasible. Such activities are reviewed and monitored through the CEQA compliance process, as provided in the CEQA Statute (Public Resources Code Sections 21000- 21177, as amended) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387, as amended).

Under CEQA, if there is substantial evidence that a project may have a significant effect on the physical environment, an Environmental Impact Report (EIR) must be prepared (CEQA Guidelines Section 15064(a)(1)). This document serves as an EIR for the proposed 5355 East Airport Drive Project. For purposes of this EIR, the term "Project" refers to all actions associated with implementation of the 5355 East Airport Drive project including its planning, construction, and ongoing operations. The term "Project Applicant" used herein refers to Prologis, Inc., which is the entity that submitted applications to the City of Ontario to entitle the Project. The term "Project Site" refers to the property upon which the Project is proposed. The public agency with the principal responsibility for carrying out or approving a project or the first public agency to make a discretionary decision to proceed with a proposed project should ordinarily act as the Lead Agency pursuant to CEQA Guidelines Sections 15050-15051. The term "Lead Agency" used herein refers to the City of Ontario. Throughout this document, the terms "Draft EIR" and "Final EIR" may be used interchangeably since both are part of the ultimate EIR record; however, "Draft EIR" may be used specifically when referring to information provided in the volume made available for the CEQA-required 45-day public review period.

1.1 PURPOSES OF CEQA AND THIS EIR

As stated by CEQA Guidelines Section 15002(a), the basic purposes of CEQA are to:

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

The purposes of this EIR are to inform public agency decision-makers and the general public about the potentially significant environmental effects of the Project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects (CEQA Guidelines Section 15121(a)). This EIR is an informational document that represents the independent judgment of the City of Ontario. Staff in the City's Planning Department reviewed and, as necessary, directed revisions to all submitted drafts, technical studies, and reports supporting this EIR for consistency with City policies and requirements, to ensure that this EIR reflects the City of Ontario's independent judgment.

1.2 SUMMARY OF THE PROJECT EVALUATED IN THIS EIR

As more fully described in EIR Subsection 3.0, *Project Description*, the Project Applicant submitted applications to the City of Ontario for a Development Plan (PDEV22-017) to allow for the construction and operation of one warehouse distribution facility on an approximately 13.08-acre Project property ("Project Site"). The Project Site is located at 5355 East Airport Drive (APN: 0238-052-29 and 0238-052-20) in the City of Ontario. Under existing conditions, the Project Site is developed with a grain processing operation and a corn storage and distribution facility. The Project would require demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The Project would entail redevelopment of the property and the construction and operation of a building with 270,337 square feet (s.f.) of interior floor area. The Project's design also includes the installation of associated site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detention facilities, exterior lighting, walls/fencing, and signage as well as site-adjacent improvements to East Airport Drive.

One discretionary approval for the Project is under consideration by the City of Ontario. Refer to EIR Subsection 3.0, *Project Description*, for a more comprehensive description of the Project's Development Plan application.

- **Development Plan (PDEV22-017)** proposes a redevelopment plan for the Project Site that provides for the construction and operation of one warehouse building with approximately 270,337 s.f. of building floor area. The Site Plan application depicts a layout of the building and associated physical design features, architectural design, and a landscaping plan.

1.3 CEQA COMPLIANCE PROCESS

As the first step in the CEQA-compliance process, on September 1, 2022, the City of Ontario filed a Notice of Preparation (NOP) with the California Office of Planning and Research (State Clearinghouse) and the San Bernardino County Clerk to indicate that an EIR would be prepared to evaluate the Project's potential to impact the environment. The NOP also was distributed to potential responsible and trustee agencies and other interested parties for a 30-day public review period that commenced on September 1, 2022. The purpose of distributing the NOP was to solicit responses in

order to assist the City in identifying the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this EIR.

In addition, the City of Ontario held a publicly-noticed EIR Scoping Meeting on September 13, 2022 using an internet-based virtual platform (Zoom). At the Scoping Meeting, the City provided information about the proposed Project, the intended scope of the EIR, and provided opportunity for public agencies and members of the general public to comment on the scope of environmental issues to be addressed in this EIR.

The NOP, public review distribution list, and written comments received by the City during the NOP public review period are provided in *Technical Appendix A* to this EIR. Substantive issues raised in response to the NOP are summarized below in Table 1-1, *Summary of NOP and Scoping Meeting Comments*. The purpose of Table 1-1 is to present a summary of the environmental topics that were identified by public agencies, interested parties, and members of the general public to be of primary interest. Table 1-1 does not list every comment received by the City during the NOP review period. Regardless of whether or not an environmental or CEQA-related comment is listed in Table 1-1, all relevant comments received in response to the NOP and the EIR Scoping Meeting are addressed in this EIR.

Table 1-1 Summary of NOP and Scoping Meeting Comments

Commenter	Date	Comment	Location in EIR Where Comment is Addressed
State and Local Agencies			
Native American Heritage Commission (NAHC)	September 8, 2022	- Request to provide consultation with California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the proposed Project, in compliance with AB 52 and SB 18.	Section 4.11, *Tribal Cultural Resources*
South Coast Air Quality Management District (SCAQMD)	September 30, 2022	- Recommendation to use the CalEEMod land use emissions software when preparing the Project's air quality analysis. - Request to quantify criteria pollutant emissions and compare the results to applicable SCAQMD regional and localized significance thresholds (LSTs). - Request to identify any potential adverse air quality impacts that could occur from all phases of the Project (including construction and operation) and all air pollutant sources related to the Project. - Request that the EIR disclose the potential for the Project to result in adverse health effects related to diesel emissions, performing a mobile source health risk assessment.	Section 4.2, *Air Quality*

Table 1-1 Summary of NOP and Scoping Meeting Comments

COMMENTER	DATE	COMMENT	LOCATION IN EIR WHERE COMMENT IS ADDRESSED
		- Recommendation to identify SCAQMD as a Responsible Agency, in the event a permit is required from SCAQMD. - Request that the Project incorporate design/mitigation measures to reduce any significant air pollutant emissions. - Recommendation for the lead agency to review Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Project that may help future warehouse operators meet their compliance obligation.	
State and Local Organizations			
Californians Allied for a Responsible Economy (CARE CA)	September 13 and 29, 2022	- Request to address potential construction-related environmental issues including air pollution, noise, GHG emissions, and onsite soil contamination. - Request to provide reasonable range of alternatives. - Request to provide details of all proposed future uses. - Request to study full mitigation of all air quality and GHG impacts that will be caused by the Project. - Request to provide a mobile source Health Risk Assessment and provide impacts from particulate matter from the diesel trucks. - Request to provide effective and enforceable mitigation measures.	Section 4.2, *Air Quality*, Section 4.5 *Geology and Soils*, Section 4.6, *Greenhouse Gas Emissions*, and Section 4.9, *Noise*

In consideration of the comments received by the City in response to the NOP, this EIR provides a detailed analysis of the Project's potential to cause adverse effects under the following topic areas:

- Aesthetics
- Air Quality
- Cultural Resources
- Energy
- Geology & Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities & Service System

The analysis related to the above topics is provided in EIR Section 4.0, *Environmental Analysis*.

The City concluded that the Project would clearly result in no or less-than-significant impacts to several environmental topic areas, including: Agriculture and Forestry Resources; Biological Resources, Land Use and Planning; Mineral Resources; Population and Housing; Public Services; Recreation; and Wildfire. Potential effects to these topic areas are summarized in EIR Section 5.0, *Other CEQA Considerations.*

As stated in CEQA Guidelines Section 15161, a Project EIR should "…focus primarily on the changes in the environment that would result from the development project" and "…examine all phases of the project including planning, construction, and operation." Acting as Lead Agency, the City of Ontario will consider the following items regarding the proposed Project and this EIR: a) evaluation of this EIR to determine if the physical environmental impacts of the Project are adequately disclosed; b) assessment of the adequacy and feasibility of identified mitigation measures; c) consideration of alternatives to the Project that could reduce or eliminate significant environmental effects of the Project; and, if necessary, d) consideration of Project benefits that override the Project's unavoidable and unmitigable significant effects on the environment.

The City of Ontario will release the Draft EIR for a minimum 45-day public review period and make the Draft EIR and its supporting technical appendices available for review in electronic form on the City's website and in paper copy at Ontario City Hall, 303 East B Street, Ontario, California 91764, during the City's regular business hours. The Draft EIR and its supporting technical appendices were made available for review on the City website at:

www.ontarioca.gov/Planning/Reports/EnvironmentalImpact.

During the 45-day review period, comments on the content of the Draft EIR can be submitted to:

Thomas Grahn
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764
Phone: (909) 395-2413
Email: TGrahn@ontarioca.gov

Public comments should be focused "on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated" (CEQA Guidelines Section 152049(a)).

Following the Draft EIR's 45-day public review period, the City will then respond in writing to all submitted comments pertaining to an environmental effect and publish a Final EIR. Before taking action to approve the Project, the City of Ontario (serving as the Lead Agency) has the obligation to: (a) ensure this EIR has been completed in accordance with CEQA; (b) review and consider the information contained in this EIR as part of its decision making process; (c) make a statement that this

EIR reflects the City of Ontario's independent judgment; (d) ensure that all significant effects on the environment are avoided or substantially lessened where feasible; and, if necessary (e) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR are infeasible and citing the specific benefits of the proposed Project that outweigh its unavoidable adverse effects (CEQA Guidelines Sections 15090-15093).

A Project-related decision-making hearing will be subject to a noticed public hearing held before the Planning Commission, which will include consideration of the information contained in the Final EIR and the associated administrative record. During the decision-making processes, the Project and its design features, objectives, merits, environmental consequences, and socioeconomic factors, among other information contained in the Project's administrative record, will be considered by the City of Ontario. If the Final EIR is certified and Development Plan PDEV22-017 is approved, the City of Ontario and other public agencies with permitting authority over all, or portions of, the Project would be able to rely on the Final EIR as part of their permitting and approval processes to evaluate the environmental effects of the Project as they pertain to the approval or denial of applicable permits. City staff would also rely on the certified Final EIR to subsequently conduct administrative level reviews for implementing permits and approvals.

1.4 CONTENT AND ORGANIZATION OF THIS EIR

This EIR contains all the information required to be included in an EIR as specified by CEQA (California Public Resources Code, Section 21000 *et. seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 5). In summary, the content and format of this EIR are as follows:

- **Section S.0, Executive Summary** provides an overview of the EIR and CEQA process and provides a brief Project Description, which includes summaries of the Project's objectives, the location and regional setting of the Project Site, and potential alternatives to the Project as required by CEQA. The Executive Summary also provides a summary of the Project's impacts, mitigation measures, and conclusions, in a table that forms the basis of the Project's Mitigation, Monitoring, and Reporting Program (MMRP).

- **Section 1.0, Introduction** provides introductory information about the CEQA process and the responsibilities of the City in its role as Lead Agency, a brief Project Description, the purpose of the EIR, and an overview of the EIR's format.

- **Section 2.0, Environmental Setting** describes the environmental setting, including descriptions of the Project Site's physical conditions and surrounding context used as the baseline for analysis in the EIR.

- **Section 3.0, Project Description**, serves as the EIR's Project Description for purposes of CEQA and contains a level of specificity commensurate with the level of detail proposed by the Project, including the summary requirements pursuant to CEQA Guidelines Section 15123. This Section provides a detailed description of the Project, including its location,

purpose, main objectives, design features, construction characteristics, and operational characteristics expected over the Project's lifetime. In addition, the discretionary actions required of the City of Ontario and other government agencies to authorize implementation of the Project are discussed.

- **Section 4.0, Environmental Analysis**, provides an analysis of potential direct, indirect, and cumulative impacts that may occur with implementation of the Project. A determination concerning the significance of each impact is addressed and mitigation measures are presented when warranted. The environmental changes identified in Section 4.0 and throughout this EIR are referred to as "effects" or "impacts" interchangeably. CEQA Guidelines Section 15358 describe the terms "effects" and "impacts" as being synonymous.

  In each Subsection of Section 4.0, the existing conditions pertaining to the subject area being analyzed are discussed accompanied by a specific analysis of physical impacts that may be caused by implementing the Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the Project. Indirect impacts represent secondary effects that would result from Project implementation. Cumulative effects are defined in CEQA Guidelines Section 15355 as "…two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."

  The analyses in Section 4.0 are based in part upon technical reports that are included in this EIR. Information also is drawn from other sources of analytical materials that directly or indirectly relate to the Project and are cited in Section 7.0, *References*.

  Where the analysis demonstrates that a physical adverse environmental effect may or would occur without undue speculation, feasible mitigation measures are recommended to reduce or avoid the significant effect. Mitigation measures must be fully enforceable, have an essential nexus to a legitimate governmental interest, and be "roughly proportional" to the impacts of the Project. The discussion then indicates whether the identified mitigation measures would reduce impacts to below a level of significance. In most cases, implementation of the mitigation measures would reduce the adverse environmental impacts to below a level of significance. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by the City of Ontario pursuant to CEQA Guidelines Section 15093.

- **Section 5.0, Other CEQA Considerations**, includes specific topics that are required by CEQA. These include a summary of the Project's significant and unavoidable environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-

inducing impacts of the Project. Section 5.0 also includes a discussion of the potential environmental effects that were found not to be significant during preparation of this EIR.

- **Section 6.0, Project Alternatives** describes and evaluates alternatives to the Project that could reduce or avoid the Project's adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives, including a "No Project" alternative, that will foster informed decision making and public participation.

- **Section 7.0, References**, cites all reference sources used in preparing this EIR and lists the agencies and persons that were consulted in preparing this EIR. Section 7.0 also lists the persons who authored or participated in preparing this EIR.

CEQA requires that an EIR contain, at a minimum, certain specified content. Table 1-2, *Location of CEQA Required Topics*, provides a quick reference guide for locating the CEQA-required sections within this document.

Table 1-2 Location of CEQA Required Topics

CEQA Required Topic	CEQA Guidelines Reference	Location in this EIR
Table of Contents	§ 15122	Table of Contents
Summary	§ 15123	Section S.0
Project Description	§ 15124	Section 3.0
Environmental Setting	§ 15125	Section 2.0
Consideration and Discussion of Environmental Impacts	§ 15126	Section 4.0
Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented	§ 15126.2(c)	Section 4.0 & Subsection 5.1
Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented	§ 15126.2(d)	Subsection 5.2
Growth-Inducing Impact of the Project	§ 15126.2(e)	Subsection 5.3
Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects	§ 15126.4	Section 4.0 & Table S-1
Consideration and Discussion of Alternatives to the Project	§ 15126.6	Section 6.0
Effects Not Found to be Significant	§ 15128	Subsection 5.4
Organizations and Persons Consulted	§ 15129	Section 7.0 & Technical Appendices
Discussion of Cumulative Impacts	§ 15130	Section 4.0
Energy Conservation	§ 15126.2(b) & Appendix F	Subsection 4.4

1.5 INCORPORATION BY REFERENCE

CEQA Guidelines Section 15147 states that the "information contained in an EIR shall include summarized…information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public," and that the "placement of highly technical and specialized analysis and data in the body of an EIR shall be avoided through the inclusion of supporting information and analyses as appendices to the main body of the EIR." CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document… [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of an EIR. Where this EIR incorporates a document by reference, the document is identified in the body of the EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this EIR. Refer to EIR Section 7.0, *References*, for a list of documents incorporated into this EIR by reference.

This EIR also relies on a number of Project-specific technical studies that are bound separately as Technical Appendices. The individual technical studies, reports, and supporting documentation that comprise the Technical Appendices are as follows:

A: Notice of Preparation (NOP) and NOP Comment Letters
B1: Air Quality Impact Analysis
B2: Health Risk Assessment
C: Cultural Records Search
D: Energy Analysis
E1: Geotechnical Investigation
E2: Infiltration Report
F: Greenhouse Gas Analysis
G: Phase I and II Environmental Site Assessment
H1: Preliminary Hydrology Report
H2: Preliminary Water Quality Management Plan
I: Noise Impact Analysis
J: Vehicle Miles Traveled Analysis
K: Trip Generation Assessment

As discussed above, the Technical Appendices are available for review at the City of Ontario Planning Department, 303 East B Street, Ontario, CA 91764, during the City's regular business hours and can be accessed on the City's website during the Draft EIR's public review period at the following address:

https://www.ontarioca.gov/Planning/Reports/EnvironmentalImpact

Other reference sources that are incorporated into this EIR by reference are listed in Section 7.0, *References*, of this EIR. In most cases, documents or websites not included in the EIR's Technical

Appendices are cited by a link to the online location where the document/website can be viewed for convenience. References relied upon by this EIR and cited in Section 7.0 can be requested in electronic form by contacting the City Planning Department or can be viewed in electronic format at the City of Ontario Planning Department, 303 East B Street, Ontario, CA 91764, during the City's regular business hours.

1.6 RESPONSIBLE AND TRUSTEE AGENCIES

The California Public Resources Code (Section 21104) requires that all EIRs be reviewed by responsible and trustee agencies (see also CEQA Guidelines Sections 15082 and 15086(a)). As defined by CEQA Guidelines Section 15381, "the term 'Responsible Agency' includes all public agencies other than the Lead Agency that have discretionary approval power over the project." A "Trustee Agency" is defined in CEQA Guidelines Section 15386 as "a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California." The Project would require approval from the following Trustee and Responsible Agencies:

- Santa Ana Regional Water Quality Control Board (RWQCB) is identified as a Trustee Agency for the Project that is responsible for issuance of a National Pollutant Discharge Elimination System (NPDES) Permit to ensure that during and after Project construction, on-site water flows do not result in siltation, other erosional actions, or degradation of surface or subsurface water quality.
- South Coast Air Quality Management District (SCAQMD) is identified as a Responsible Agency pertaining to the issuance of construction-related permits.
- Ontario Municipal Utilities Company (OMUC) is a Responsible Agency pertaining to the approval of the Project's proposed water connections.
- Inland Empire Utilities Agency (IEUA) is a Responsible Agency pertaining to the approval of the Project's proposed sewer connections.
- The San Bernardino County Flood Control District (SBCFCD) is a Responsible Agency pertaining to the approval of the Project's proposed drainage improvements.
- Southern California Edison (SCE) is identified as a Responsible Agency pertaining to the installation of new SCE facilities/connections to service the Project.
- Southern California Gas Company (SoCal Gas) is identified as a Trustee Agency pertaining to the installation of new Southern California Gas Company facilities/connections to service the Project.

There are no other known Trustee Agencies or Responsible Agencies identified for the Project. Regardless, this EIR can be used by any Trustee Agency or Responsible Agency, whether identified in this EIR or not, as part of their decision-making processes in relation to the proposed Project.

1.7 AREAS OF CONTROVERSY

Substantive issues raised in response to this EIR's NOP were previously summarized in Table 1-1. Based on comments received in response to the NOP, concerns were raised regarding potential impacts to the environment pertaining to the topics of: air quality geology and soils, greenhouse gases, and noise. No other areas of concern or controversy were identified pertaining to the proposed Project, beyond comments regarding the Project's potential environmental effects summarized in Table 1-1.

1.8 ISSUES TO BE RESOLVED BY THE DECISION-MAKING BODY

The primary issue to be resolved by the decision-making body for the proposed Project involves the Project's significant and unavoidable impacts in the environmental topic areas of vehicle miles traveled (VMT). The City of Ontario Planning Commission will evaluate whether the mitigation measures (Transportation Demand Management Program) presented in this document to reduce the Project's unavoidable VMT impact adequately reduce the Project's impact to the maximum feasible extent. The Planning Commission also will make a determination as to whether the Project's benefits outweigh the adverse environmental effect in support of adopting a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093.

2.0 Environmental Setting

2.1 Regional Setting and Location

The approximately 13.08-acre Project Site is located within the City of Ontario, which is located in the southwestern portion of San Bernardino County, California. Ontario is located east of the cities of Montclair and Chino and unincorporated area of San Bernardino County, west of the City of Fontana and unincorporated land in San Bernardino County, north of the Cities of Chino, Eastvale, and Jurupa Valley, and south of the cities of Upland and Rancho Cucamonga. The Project Site is located approximately 0.57-mile east of Interstate 15 (I-15) and approximately 0.28-mile south of Interstate 10 (I-10). The Site's location in a regional context is shown on Figure 3-1, *Regional Map*, in Section 3.0, *Project Description*.

The Project Site is located in an urbanized area of southern California commonly referred to as the "Inland Empire." The Inland Empire is an approximate 28,000 square-mile region comprising San Bernardino County, Riverside County, and eastern Los Angeles County.

2.2 Local Setting and Location

At the local scale, the Project Site is located at 5355 East Airport Drive (APN: 0238-052-29 and 0238-052-20). The Project Site is bordered by East Airport Drive to the south, industrial uses to the east and west, railroad tracks to the north. Refer to Figure 3-2, *Vicinity Map* and Figure 3-3, *USGS Topographic Map* in Section 3.0, *Project Description*.

The area immediately surrounding the Project Site contains a variety of industrial uses. The census tract containing the Project Site (Census Tract 6071012700) is ranked by the State as being in the 65th percentile for pollution burden which, based on the Census Tract's demographic characteristics, results in the Office of Environmental Health Hazard Assessment (OEHHA) ranking the area in the 88th percentile of communities that are disproportionately burdened by multiple sources of pollution (OEHHA, 2022).

OEHHA's California Communities Environmental Health Screening Tool: CalEnviroScreen 4.0, is a screening methodology that the State uses to identify California communities that are disproportionately burdened by multiple sources of pollution. The CalEnviroScreen 4.0 indicators for the Project Site's Census Tract are shown below.

Table 2-1 CalEnviroScreen Indicators for Census Tract 6071012700

Indicator	% Burden	Indicator	% Burden
Exposures		**Environmental Effects**	
Ozone:	91	Cleanup Sites	0
PM 2.5:	96	Groundwater Threats	31
Diesel PM:	97	Hazardous Waste	79
Pesticides:	0	Impaired Waters	0
Toxic Releases:	79	Solid Waste	70
Traffic:	89	**Sensitive Populations**	
Drinking Water:	93	Asthma	47
Lead from Housing:	9	Low Birth Weight	57
		Cardiovascular Disease	67
		Socioeconomic Factors	
		Education	40
		Linguistic Isolation	18
		Poverty	24
		Unemployment	54
		Housing Burden	32

Source: (OEHHA, 2022)

Exposure indicators are based on measurements of different types of pollution that people may encounter. Environmental effects indicators are based on the locations of toxic chemicals in or near communities. Sensitive population indicators measure the number of people in a community who may be more severely affected by pollution because of their age or health. Socioeconomic factor indicators are conditions that may increase people's stress or make healthy living difficult and cause them to be more sensitive to pollution's effects. As indicated in Table 2-1, for the Project Site's Census Tract, the highest environmental exposures (over 75%) are from ozone (O_3), fine particulate matter ($PM_{2.5}$), diesel particulate matter (DPM), toxic releases, drinking water, and hazardous waste. There are no population and socioeconomic factors over 75%. This data is consistent with the industrial nature of the Project Site and its surrounding area and low number of residents (population) living near the Project Site in the census tract.

Even though the Project site is not located within a census tract that receives the highest 25% of overall scores in CalEnviroScreen 4.0, the Project site is considered a SB 535 Disadvantaged Community identified by the California Environmental Protection Agency (CalEPA) due to the census tract being identified as a Disadvantaged Community in 2017. Census tracts identified in the 2017 Disadvantaged Community designation as disadvantaged, regardless of their scores in CalEnviroScreen 4.0, are considered a disadvantage community. The State provides California Climate Investment funding, appropriated by the State Legislature, from the proceeds of the State's Cap-and-Trade Program for investment in disadvantaged communities. The funding is used for programs that reduce emissions of greenhouse gases, with at least 25% of the funding going to projects that provide a benefit to

disadvantaged communities, and at least 10% of the funding going to projects located within those communities. (OEHHA, 2022)

2.3 SURROUNDING LAND USES

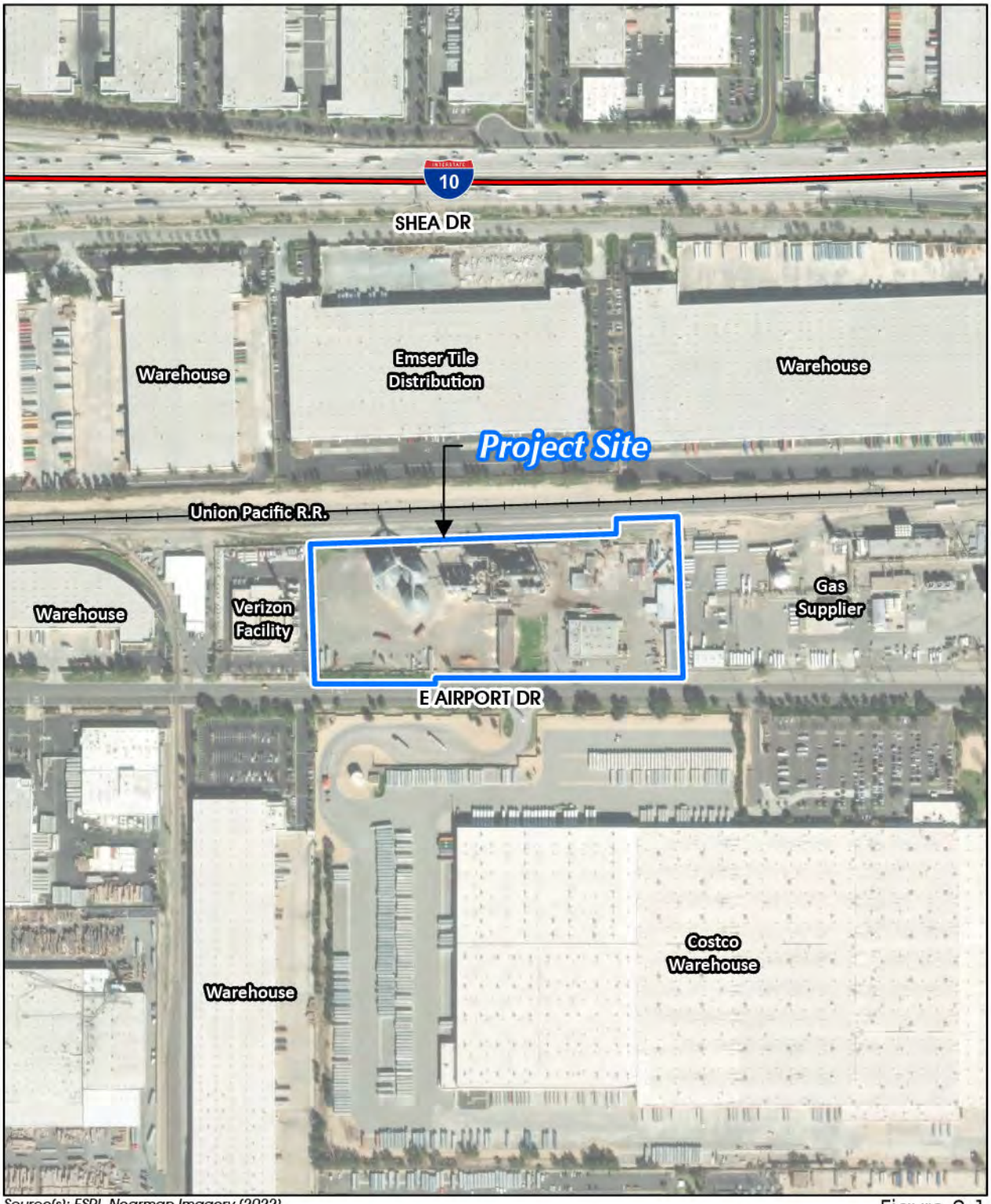
Existing land uses in the immediate vicinity of the Project Site are illustrated on Figure 2-1, *Surrounding Land Uses*, and are described below.

North: A railroad right-of-way adjoins the Project Site to the north. Emser Tile Distribution Center (5300 Shea Center Drive) is located to the north of the railroad tracks.

South: East Airport Drive adjoins the Project Site to the south. Two warehouses are located south of East Airport Drive with street addresses of 5600 East Airport Drive and 5200 East Airport Drive. Current tenants at these warehouses include Costco and XPO Logistics.

West: A Verizon facility (5351 East Airport Drive) adjoins the Project Site to the west.

East: A industrial gas supplier, Praxair, Inc. with the street address of 5735 East Airport Drive adjoins the Project Site to the east.



Source(s): ESRI, Nearmap Imagery (2022)

Figure 2-1

0 125 250 500 Feet

Surrounding Land Uses

2.4 PLANNING CONTEXT

2.4.1 CITY OF ONTARIO GENERAL PLAN (POLICY PLAN)

The City of Ontario's prevailing planning document is its General Plan (Policy Plan), dated August 2022. As depicted on Figure 2-2, *Existing General Plan Land Use Designations*, the City's General Plan designates the Project Site for "Industrial (IND)" land uses. The "IND" lane use designation is intended for a variety of light industrial uses, including warehousing/distribution, assembly, light manufacturing, research and development, storage, repair facilities, and supporting retail and professional office uses with a maximum floor area ratio (FAR) of 0.55 (Ontario, 2022a, p. 11).

2.4.2 ZONING

As shown on Figure 2-3, *Existing Zoning Designations*, the Project Site is designated as "Heavy Industrial (IH)". According to the Ontario Development Code, Chapter 5.0 Zoning and Land Use, the IH zoning district is established to accommodate heavier manufacturing, assembly, storage, warehousing, and other similar industrial activities, as well as adult uses, all of which may be developed at a maximum intensity of 0.55 FAR. This zoning district is intended to be located away from residentially zoned properties, public parks and schools, and mixed-use properties having a residential component. The IH zoning district is consistent with, and implements, the Industrial land use designation of the Policy Plan component of The Ontario Plan (Ontario, 2022c).

2.4.3 SCAG REGIONAL TRANSPORTATION PLAN / SUSTAINABLE COMMUNITIES STRATEGY

The Southern California Association of Governments (SCAG) is a Joint Powers Authority (JPA) under California State law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under State law as a Regional Transportation Planning Agency and a Council of Governments. The SCAG region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura) and 191 cities in an area covering more than 38,000 square miles.

SCAG's *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)* develops long-range regional transportation plans including a sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region. The *RTP/SCS* provides objectives for meeting air pollution emissions reduction targets set forth by the California Air Resources Board (CARB); these objectives were provided in direct response to Senate Bill 375 (SB 375) which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. The Subregional Sustainable Communities Strategies identifies the Project Site as being located in an area with a "Standard Suburban" land use pattern, which is defined as auto-oriented development with a minimal mix of land uses (SCAG, 2020a, Sustainable Communities Strategy Technical Report, p. 45).

The *Goods Movement Technical Report* of the RTP/SCS recognizes that the SCAG region is the premier trade gateway for the United States. It goes on to say that the SCAG region has witnessed continued growth for warehousing, distribution, cold storage and truck terminal facilities, with a majority of the growth for national and regional distribution facilities occurring in the Inland Empire. Through Connect SoCal, SCAG is working on various regional strategies to maintain the SCAG region as an important trade gateway while addressing regional transportation efficiency and environmental sustainability (SCAG, 2020a, Goods Movement Technical Report, pp. 1 through 17).

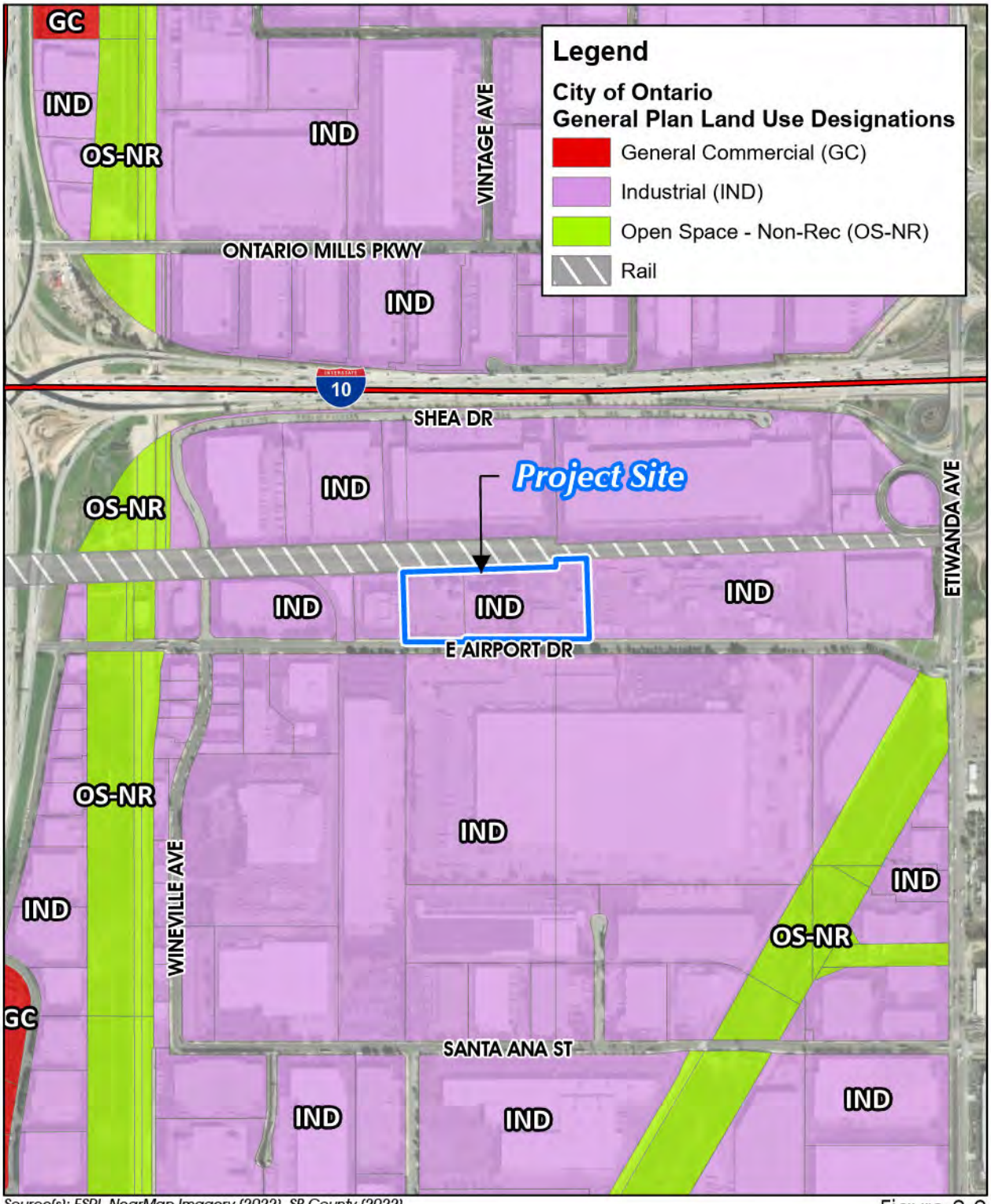
2.5 EXISTING PHYSICAL SITE CONDITIONS

CEQA Guidelines Section 15125(a)(1), recommends that the physical environmental condition that existed at the time an EIR's NOP is released for public review normally be used as the comparative baseline for the EIR analysis. The NOP for this EIR was released for public review on September 1, 2022, and the following pages include a description of the Project Site's physical environmental condition ("existing conditions") as of that approximate date. More information regarding the Project Site's environmental setting is provided in the specific subsections of EIR Section 4.0, *Environmental Analysis*.

2.5.1 LAND USE

Under existing conditions, the Project Site is developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site. Several subsurface septic systems are located beneath the Site to serve the existing uses.

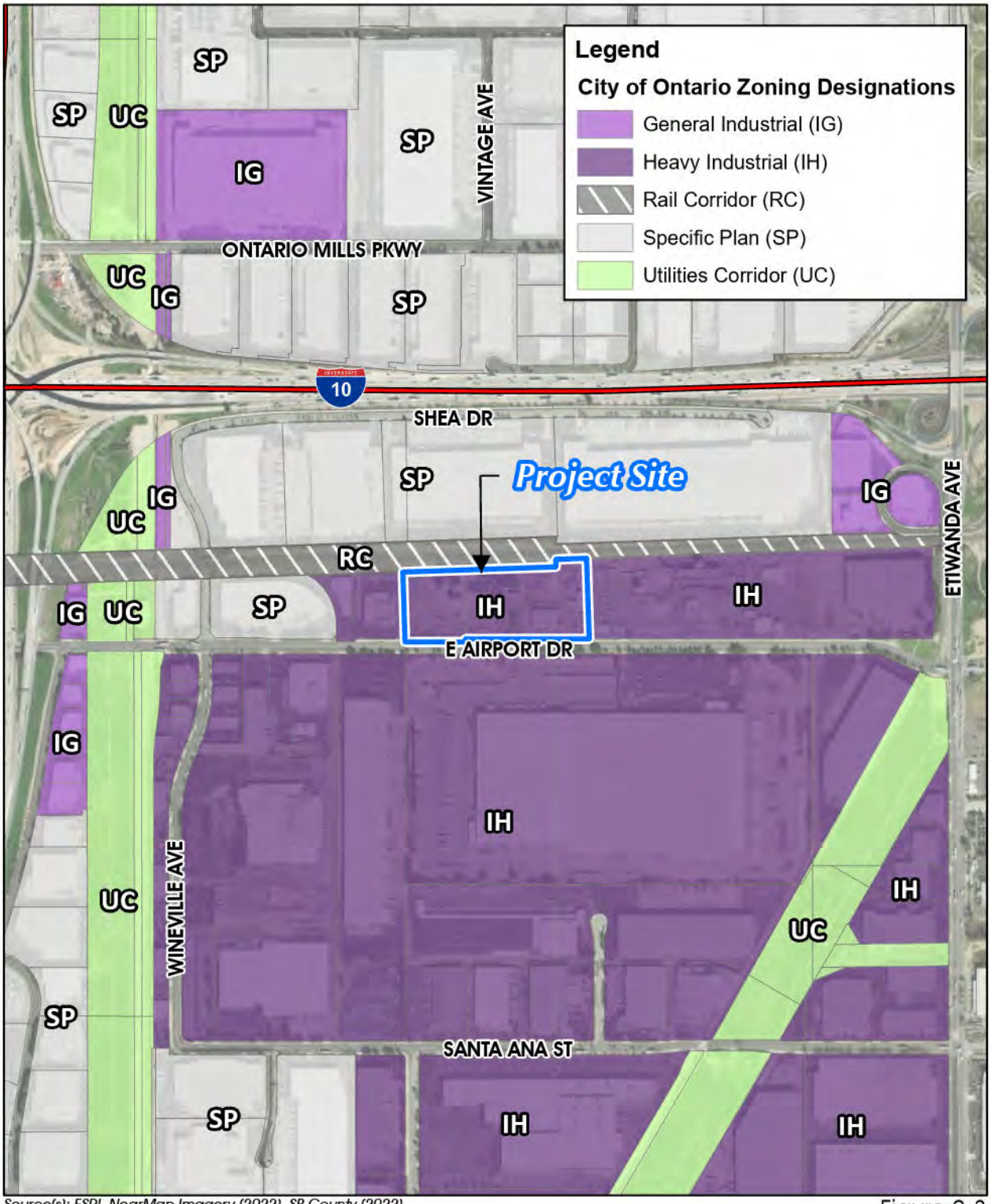
Pursuant to CEQA Guidelines Section 15125(d), the environmental setting should identify any inconsistencies between a proposed project and applicable general, specific, or regional plans. The Project Applicant proposes to develop the approximately 13.08-acre property as a one-building warehouse facility. The principal discretionary action required of the City of Ontario to implement the Project is a Development Plan, which is described in detail in Section 3.0, *Project Description*. Other permits and approvals are listed in Table 3-3, *Matrix of Approvals/Permits*. The Project is consistent with the existing General Plan land use and Zoning designations of "IND" and "IH", respectively.



Source(s): ESRI, NearMap Imagery (2022), SB County (2022)

Figure 2-2

Existing General Plan Land Use Designations



Source(s): ESRI, NearMap Imagery (2022), SB County (2022)

Figure 2-3

0 250 500 1,000 Feet

Existing Zoning Designations

2.5.2 Aesthetics and Topographic Features

The Project Site slopes gently to the south-southeast at a gradient of less than 1 percent and is perceived to be generally flat. Figure 3-3, *USGS Topographic Map*, in EIR Section 3.0, *Project Description*, depicts the Project Site's existing topographic conditions. The Project Site is completely developed and minimal vegetation is located around the southern perimeter of the Project Site. There are no rock outcroppings or other unique topographic or aesthetic features present on the property.

2.5.3 Air Quality and Climate

The Project Site is located in the 6,745-square mile South Coast Air Basin (SCAB), which includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAB is bound by the Pacific Ocean to the west and the San Gabriel, San Bernardino, the San Jacinto Mountains to the north and east, and San Diego County to the South. The SCAB is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD), the agency charged with bringing air quality in the SCAB into conformity with federal and State air quality standards. Although the climate of the SCAB is characterized as semi-arid, the air near the land surface is quite moist on most days because of the presence of a marine layer. More than 90% of the SCAB's rainfall occurs from November through April. Temperatures during the year range from an average minimum of 36°F in January to over 100°F maximum in the summer. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with the traveling storms moving through the region from the northwest. This period also brings five to ten periods of strong, dry offshore winds, locally termed "Santa Ana(s)" each year. (Urban Crossroads, 2022a)

At the regional level, air quality in the SCAB has improved over the past several decades; however, the SCAB is currently not in attainment of State and/or federal standards established for Ozone (O_3 one-hour (State standard only) and eight-hour), and particulate matter (PM_{10} (State standard only) and $PM_{2.5}$). No areas of the SCAB exceeded federal or State standards for nitrogen dioxide (NO_2), sulfur dioxide (SO_2), or carbon monoxide (CO). (Urban Crossroads, 2022a)

Refer to EIR Subsection 4.2, *Air Quality*, and 4.6, *Greenhouse Gas Emissions*, for a more detailed discussion of the existing air quality and climate setting in the Project area.

2.5.4 Cultural Resources & Tribal Cultural Resources

Three cultural resources have been recorded within one-half mile of the Project Site; none of which are within the Project boundaries. The resources include a historic railroad track alignment, a historic foundation, and a historic transmission line alignment. (BFSA, 2022)

2.5.5 Geology

Regionally, the Project Site is in the Upper Santa Ana River Valley, consisting of coalescing alluvial fans formed by steams flowing out of the San Gabriel Mountains to the north. The Project Site lies within the Peninsular Ranges geomorphic province, characterized by northwest-trending mountains

and valleys and extending south into Mexico. The Project Site is in one of the more seismically active portions of southern California. (Ontario, 2022a)

The Project Site is located in an area that is subject to strong ground motions due to earthquakes. Numerous faults capable of producing significant ground motions are located near the Project Site. (SoCal Geotechnical, 2022a, p. 10) An active fault is defined by the California Geotechnical Survey as a fault that has experienced surface displacement within the Holocene Epoch (roughly the last 11,000 years). The nearest active fault to the Project Site is the Cucamonga Fault, located approximately 7.0 miles to the north of the Project Site (CGS, 2015). Research of available maps indicates that the Project Site is not located within an Alquist-Priolo Earthquake Fault Zone. No evidence of faulting was identified during the geotechnical investigation. (SoCal Geotechnical, 2022a, p. 10)

Artificial fill soils were encountered beneath the existing pavements at all of the infiltration boring locations, extending to depths of 3 to 4± feet below the existing site grades. The fill soils generally consist of medium dense to dense silty sands, with occasional loose sands. The fill soils possess a disturbed mottled appearance resulting in their classification as artificial fill. Native alluvial soils were encountered beneath the fill soils at all of the infiltration boring locations, extending to at least the maximum depth explored of 12± feet. The alluvium generally consists of loose sands, silty sands and silty sands to sandy silts, with occasional medium dense silty sands. (SoCal Geotechnical, 2022b, p. 3)

Refer to EIR Subsection 4.5, *Geology and Soils*, for a more detailed discussion of the Project Site's existing geological setting.

2.5.6 Hydrology

The Project Site is located in the Santa Ana River watershed, which drains an approximately 2,650-square-mile area. The Santa Ana River starts in Santa Ana Canyon in the southern San Bernardino Mountains and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach.

The natural drainage pattern for the existing condition of the Project Site is north to south. There are no existing public storm drain systems at the frontage of the Project Site. Stormwater sheet flows south and discharge onto the existing curb and gutter on Airport Drive. Runoff flows east along Airport Drive and discharges into an existing catch basin located approximately 1,500 east of the Project Site. The existing catch basin is connected to the Lower Etiwanda Creek Channel, which conveys stormwater to the Wineville Basin. (Westland Group, 2022, p. 1)

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C8633J (effective 09/02/2016), the Project Site is located within FEMA Flood Zone X, which is correlated with areas of minimal flood hazard, determined to be less than the 0.2 percent annual chance flood. (FEMA, 2016)

Refer to EIR Subsection 4.8, *Hydrology and Water Quality*, for a more detailed discussion of the Project Site's existing hydrology and water quality setting.

2.5.7 NOISE

Urban Crossroads recorded 24-hour noise readings at four locations in the Project study area on March 8, 2022, to determine the baseline for the existing noise environment. Measured daytime noise levels in the area ranged from 58.4 equivalent level decibels (dBA L_{eq}) to 69.8 dBA L_{eq} and nighttime noise levels from 59.0 dBA L_{eq} to 68.2 dBA L_{eq}. In general, the existing background ambient noise levels in the Project area are dominated by traffic noise associated with automobiles and truck traffic on the local arterial roadway network and the railroad directly north of the Project Site.

Refer to EIR Subsection 4.9, *Noise*, for a more detailed discussion of the Project Site's existing noise setting.

2.5.8 TRANSPORTATION

The Project Site is located north of East Airport Drive, which is classified as a Minor Arterial under the Policy Plan (Ontario, 2022a). Existing traffic on East Airport Drive consists of both passenger vehicles and trucks passing through the area and accessing nearby land uses. The primary regional vehicular travel route serving the Project area is I-10 and I-15, which are located approximately 0.2-mile north and 0.4-mile west of the Project Site, respectively. The Project Site is located approximately 0.4-mile (driving distance) west of the N. Etiwanda Avenue on/off-ramp to I-10 and 3-mile (driving distance) northeast of the Jurupa Avenue on/off-ramp to I-10.

Public transit service in the region is provided by Omnitrans, a public transit agency that serves various jurisdictions within San Bernardino County. There are no public transit routes that run adjacent to the Project Site under existing conditions. The nearest transit routes to the Project Site are Route 61 which has a stop located along Fourth Street, approximately 0.9 mile north of the Project Site and Route 82 which has a stop located at South Etiwanda and Jurupa Avenue, approximately 1.2 miles southeast of the Project Site.

There are no existing bicycle facilities within the vicinity of the Project Site. The closest bike route to the Project Site is a Class III bike route located along Ontario Mills Parkway, approximately 0.4 mile north of the Project Site. There are no sidewalks on either side of East Airport Drive, with the exception of a small portion along the adjacent development frontage directly to the west at 5351 East Airport Drive.

Refer to EIR Subsection 4.10, *Transportation*, for a more detailed discussion of the Project Site's existing transportation setting.

2.5.9 Utilities and Service Systems

Water service to the Project Site is provided by the Ontario Municipal Utilities Company (OMUC) and the City of Ontario provides wastewater conveyance service to the Project Site. Under existing conditions, there is an existing 12-inch water main on East Airport Drive and a 24-inch recycled water main on East Airport Drive that ends approximately west of South Wineville Avenue.

Sanitary sewage generated at the Project Site currently discharges to subsurface septic systems located beneath the site. Two known septic systems are located on the eastern parcel and one known system is located on the western parcel.

The City of Ontario collected solid waste for residences and businesses within the City, including the Project Site. Solid waste generated during the operation of the Project is anticipated to be hauled to either Badlands Sanitary Landfill or El Sobrante Landfill.

Electricity and gas services will be provided by Southern California Edison (SCE) and Southern California Gas Company (SoCal Gas), respectively. Existing overhead power lines occur along East Airport Drive that are aligned in an east-west direction along the southern boundary of the Project Site. There is also an existing 10-inch gas line in East Airport Drive.

Refer to EIR Subsection 4.12, *Utilities and Service Systems*, for a more detailed discussion of the Project Site's existing utilities systems.

2.5.10 Rare and Unique Resources

As required by CEQA Guidelines Section 15125(c), the environmental setting should place special emphasis on resources that are rare or unique to that region and would be affected by the Project. Based on the existing conditions of the Project Site and surrounding area described above and discussed in more detail in Section 4.0, *Environmental Analysis*, the Project Site does not contain any resources that are rare or unique to the region.

3.0 PROJECT DESCRIPTION

This section provides all of the information required of an EIR Project Description pursuant to CEQA Guidelines Section 15124, including a description of the Project's precise location and boundaries; a statement of the Project's objectives; a description of the Project's technical, economic, and environmental characteristics; and a description of the intended uses of this EIR (including a list of the government agencies that are expected to use this EIR in their decision-making processes); a list of the permits and approvals that are required to implement the Project; and a list of related environmental review and consultation requirements.

3.1 PROJECT LOCATION AND SETTING

As shown in Figure 3-1, *Regional Map*, the 13.08-acre Project Site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County.

At the local scale, the Project Site is located at 5355 East Airport Drive (APN: 0238-052-29 and 0238-052-20). The Project Site is bordered by East Airport Drive to the south, industrial uses to the east and west, and railroad tracks to the north. Refer to Figure 3-2, *Vicinity Map*, and Figure 3-3, *USGC Topographic Map*. Also refer to EIR Subsection 2.3, *Surrounding Land Uses*, for a description of existing land uses that abut the Project Site.

Under existing conditions, the Project Site is developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site, and three known septic systems are located beneath the Site. Vehicular access to the Project Site is from three driveways along East Airport Drive. There are currently no sidewalks present along the Project Site's southern boundary on East Airport Drive.

3.2 STATEMENT OF OBJECTIVES

The fundamental purpose and goal of the 5355 East Airport Drive Project is to accomplish the orderly redevelopment of the Project Site with a modern warehouse distribution facility. The Project would achieve this goal through the following objectives.

A. To expand economic development and facilitate job creation in the City of Ontario by re-developing the property with a new, in-demand industrial use adjacent to an already-established industrial area.

B. To attract employment-generating businesses to the City of Ontario to reduce the need for members of the local workforce to commute outside the area for employment.

C. To develop industrial buildings with loading bays in close proximity to designated truck routes and the State highway system to avoid or shorten heavy truck-trip lengths on City and regional roads.

D. To attract businesses that can expedite the delivery of goods to consumers and businesses in the City of Ontario and beyond.

E. To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity of the Project Site and minimize conflicts with other nearby land uses.

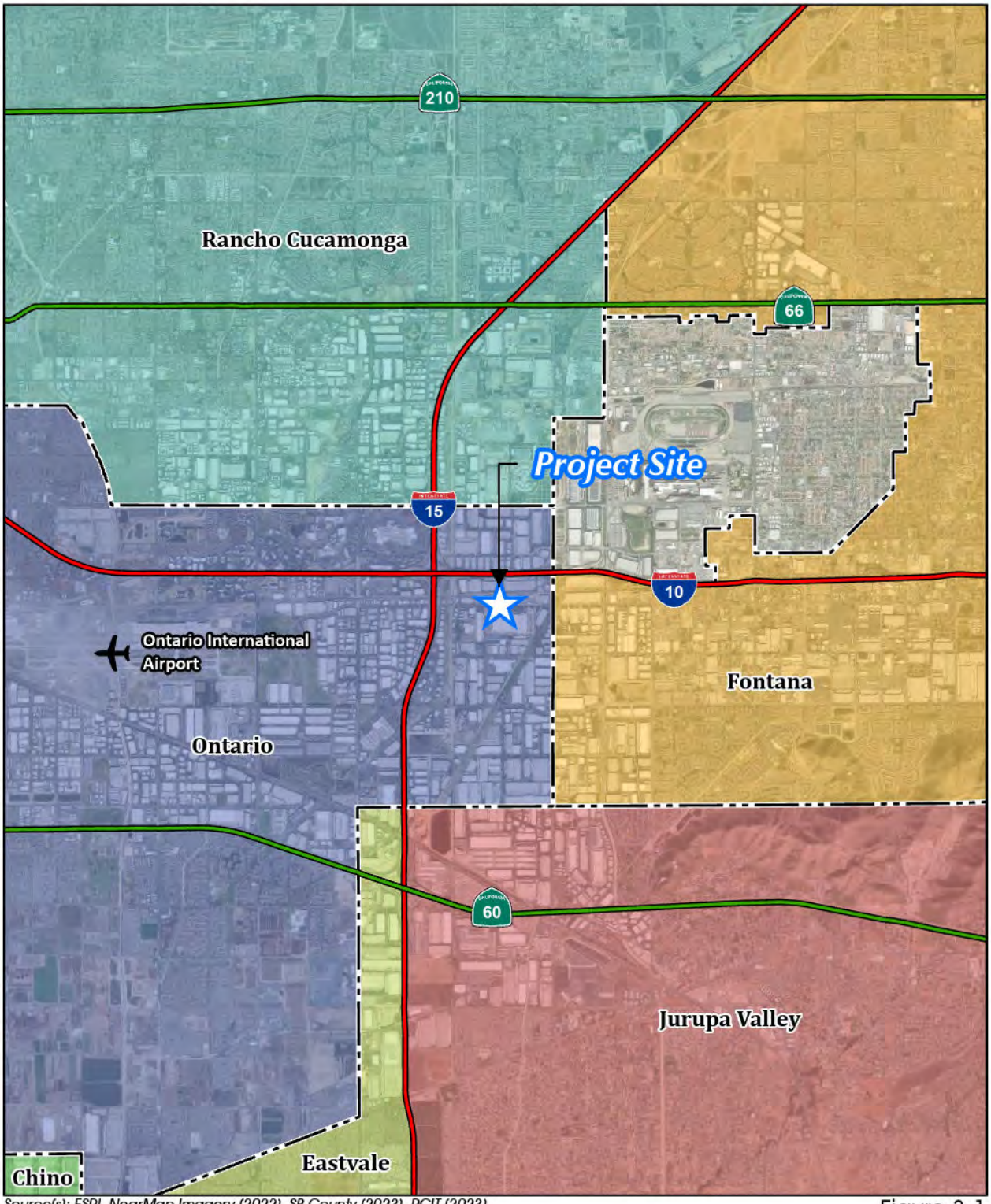
F. To develop a property that has access to available infrastructure, including roads and utilities.

3.3 PROJECT COMPONENTS

The Project involves a discretionary application for a Development Plan (PDEV22-017). The principal discretionary action required of the City of Ontario to implement the Project are described in detail on the following pages. Additional discretionary and administrative actions that would be necessary to implement the proposed Project are listed in Table 3-3, *Matrix of Project Approvals/Permits*, at the end of this Section.

3.3.1 DEVELOPMENT PLAN (PDEV22-017)

The proposed Development Plan specifies a development plan for the Project Site that provides for the construction and operation of a warehouse building with approximately 270,337 square feet (s.f.) of building floor area, including 255,337 s.f. of warehouse space and 15,000 s.f. of mezzanine. Although the future tenant(s) of the proposed building is unknown at this time, for purposes of analysis within this EIR it is assumed that the building would include approximately 27,034 s.f. of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses. The detailed components of the proposed Site Plan are described below. The Project design, which ultimately would include building components and systems to be shown on construction drawings (such as light fixtures, water fixtures, and heating, ventilation, and air condition equipment), would be conditioned by the City of Ontario to achieve Leadership in Energy and Environmental Design (LEED) standards.

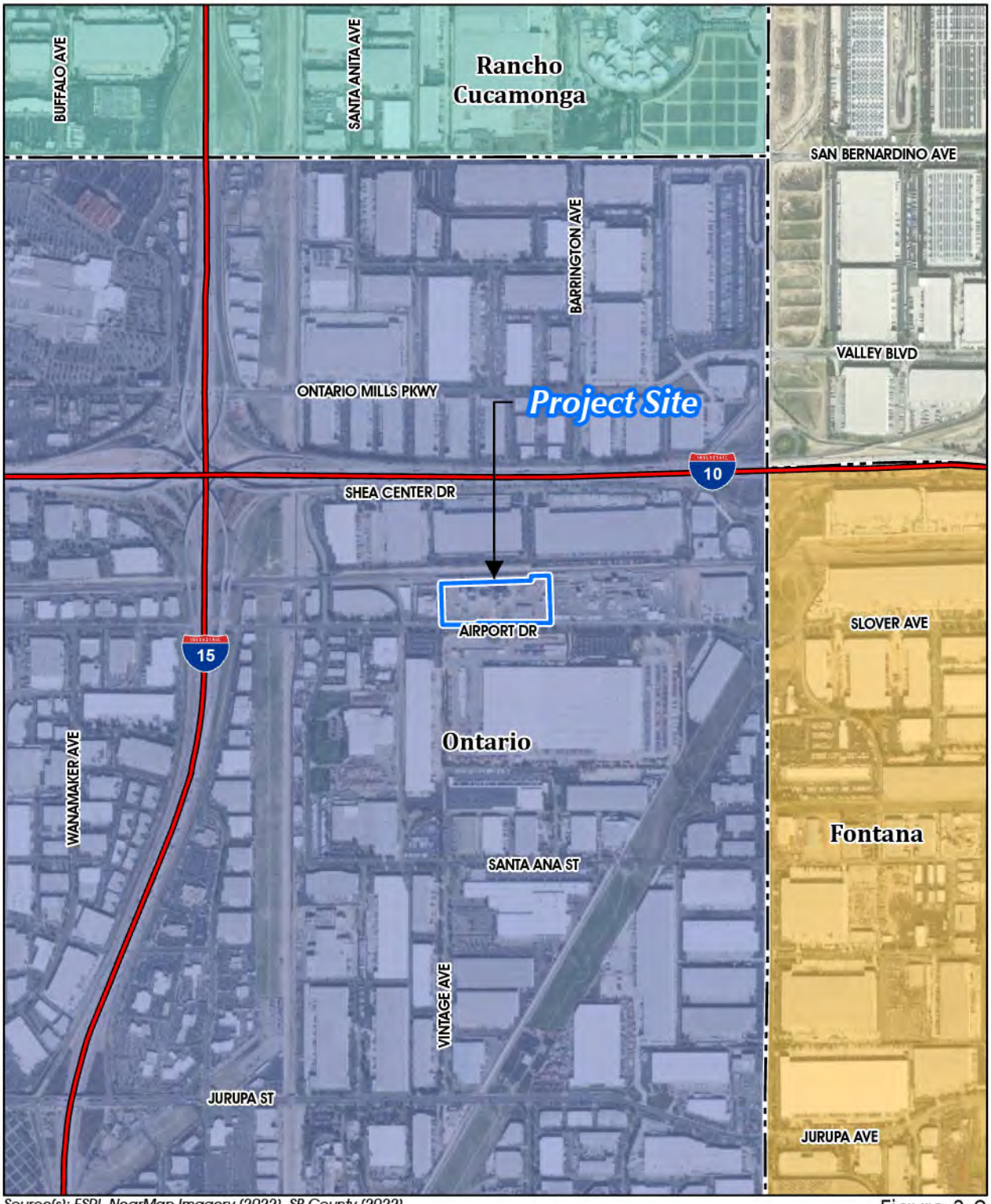


Source(s): ESRI, NearMap Imagery (2022), SB County (2023), RCIT (2023)

Figure 3-1

0 0.375 0.75 1.5 Miles

Regional Map

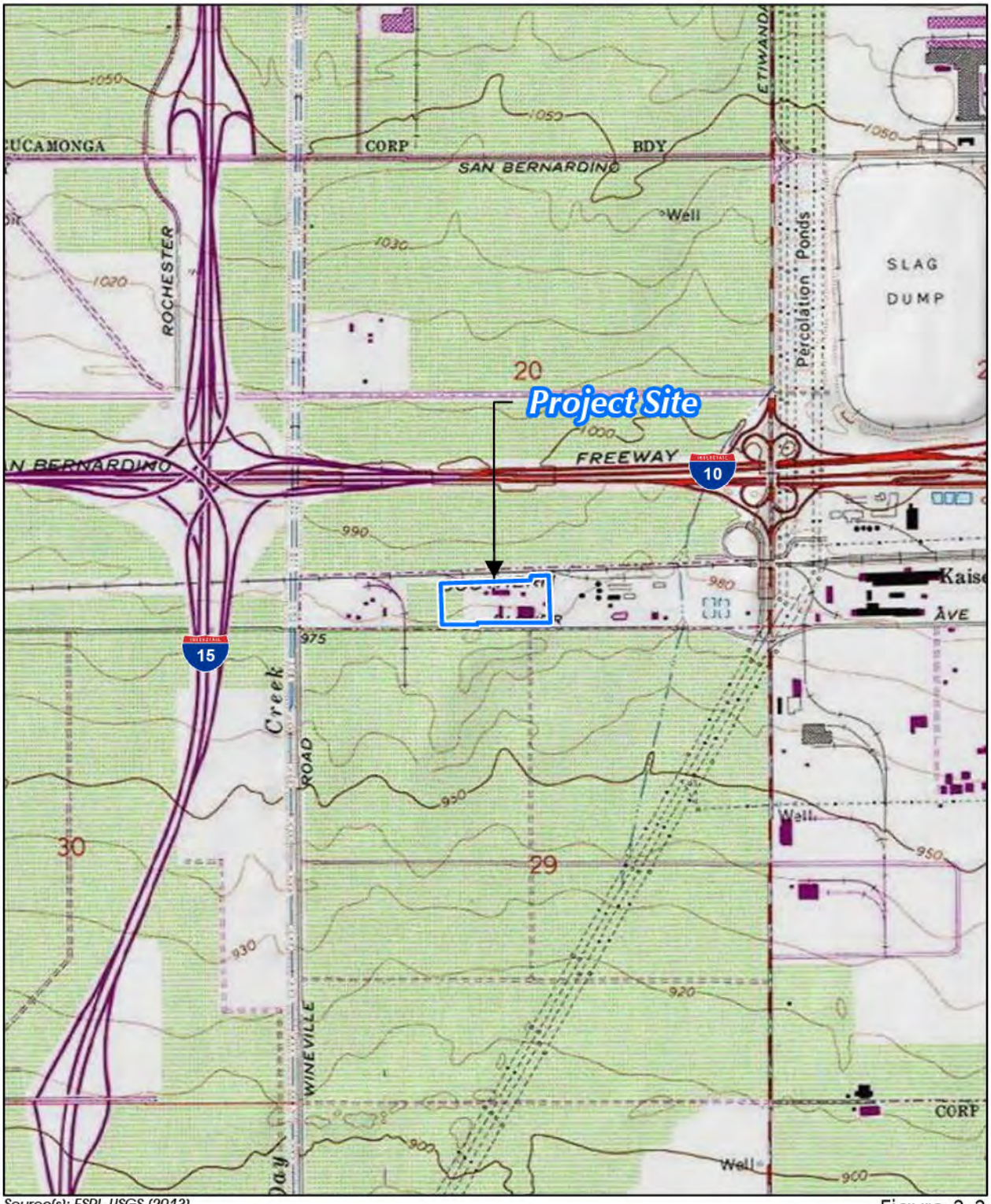


Source(s): ESRI, NearMap Imagery (2022), SB County (2022)

Figure 3-2

0 425 850 1,700 Feet

Vicinity Map



Source(s): ESRI, USGS (2013)

Figure 3-3

0 425 850 1,700 Feet

USGS Topographic Map

B. Site Plan

The proposed Site Plan for the Project is illustrated on Figure 3-4, *Proposed Site Plan*. The proposed building is designed as a rectangular-shaped building with its elongated sides oriented parallel to the Project Site's northern and southern boundaries. The proposed building would have 54 loading docks and 48 truck trailer parking spaces within the truck court/loading area on the south side of the building. The truck court/loading area would be enclosed and screened from public viewing areas by landscaping and minimum 14-foot-tall concrete tilt screening walls, with 8-foot-tall black tube steel gate used at the access points. Passenger vehicle parking areas would be provided on the west, south, and east sides of the building with a total of 251 on-site passenger vehicle spaces. Of the 251 spaces, 126 would be designated as standard automobile parking stalls, 7 would be designated as accessible parking stalls, 25 would be designated as electric vehicle parking stalls, and 93 would be designated as future stalls within the truck court. Additionally, bike racks would be provided near the building entrances and adjacent to the electrical room. Vehicular access would be provided via 2 driveways on East Airport Drive. Both driveways would be covered with enhanced decorative paving and would provide inbound/outbound access for passenger vehicles and trucks. A new sidewalk would be constructed along East Airport Drive to provide pedestrian access from the public street to the primary building entrances.

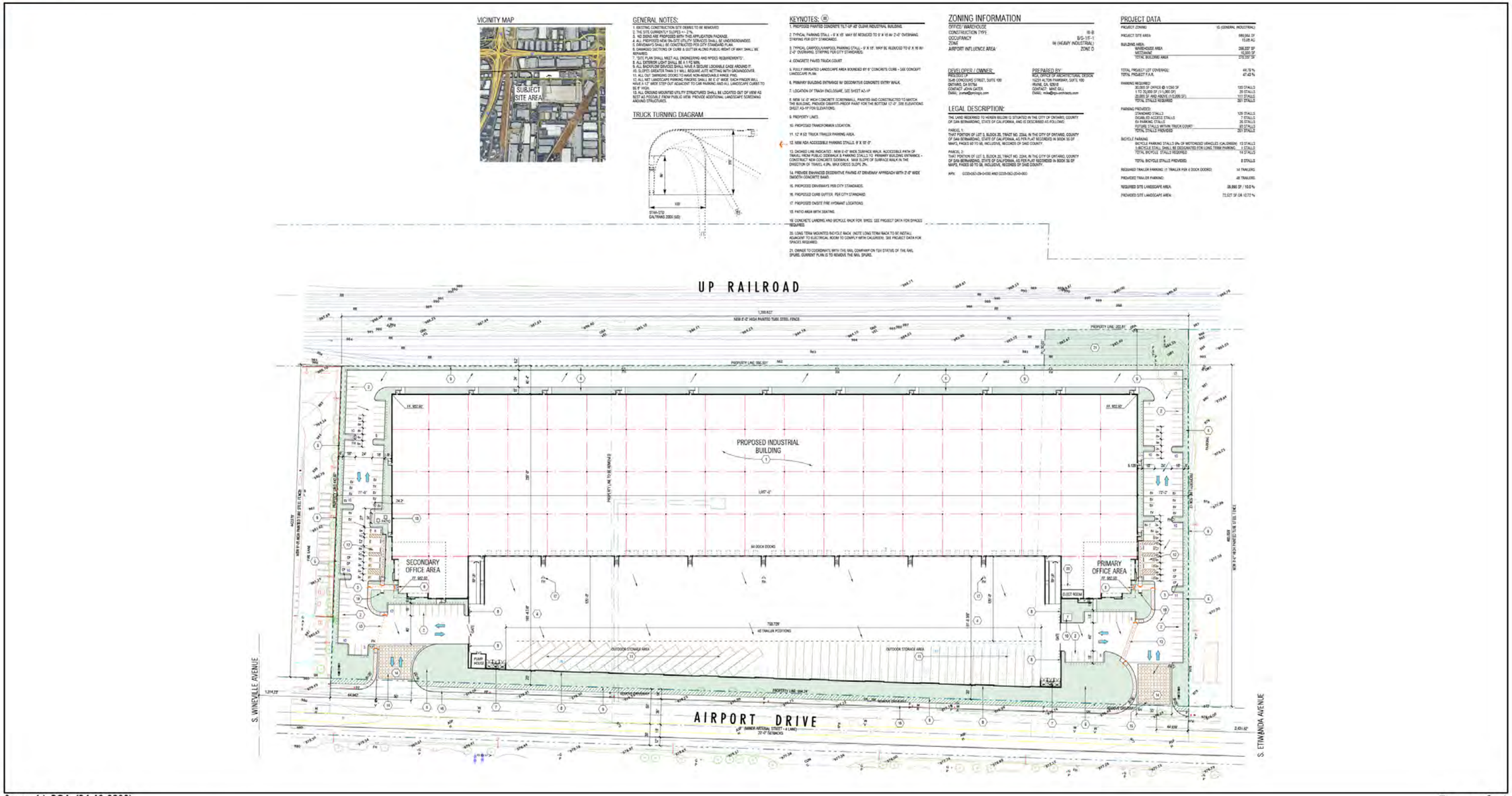
C. Architecture Plan

The proposed architecture plan provides a building with a maximum height of 49 feet above finished floor elevation to the top of the parapets; however, the proposed building would have a varied roofline and portions of the building would be slightly less than 49 feet tall. The proposed building would be constructed with concrete tilt-up panels, with special architectural features and colors at the potential office locations at the southwest and southeast corners of the building, which also would feature green reflective glazing. The proposed building's exterior color palette would be comprised of various shades of white, grays, dark grays, and dark green. Architectural elevations for the proposed project are illustrated on Figure 3-5, *Proposed Architectural Elevations*.

D. Landscaping/Exterior Features

Ornamental landscaping and lighting would be installed per compliance with the City's Municipal Code. As depicted in Figure 3-6, *Proposed Landscape Plan*, a variety of trees, shrubs, accent plants, and ground cover are proposed along the perimeter of the Project Site and parking area. Landscaping would feature drought-tolerant plant materials including approximately 199 trees, installed at the following sizes at the time of planting: 109 15 gallon, 10 48" box, 20 36" box, and 60 24" box trees.

Exterior lighting would be installed on-site, as necessary, for safety, security, and wayfinding. Decorative architectural lighting as well as landscape lighting would also be installed to accent building entries as focal points throughout the Site.

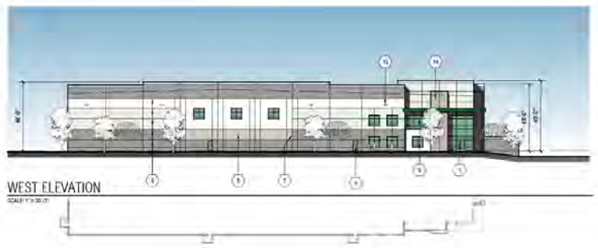


Source(s): RGA (04-18-2023)

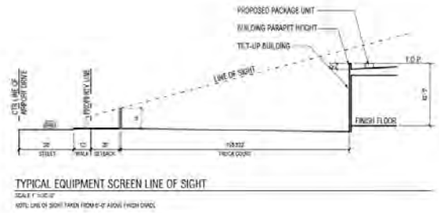
Figure 3-4

Not to Scale

Proposed Site Plan



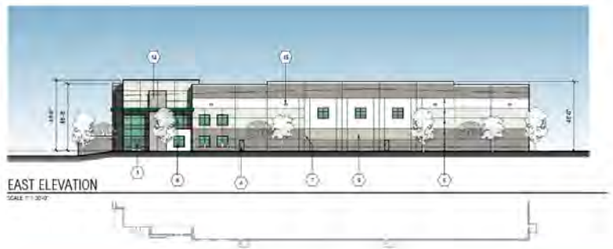
WEST ELEVATION



TYPICAL EQUIPMENT SCREEN LINE OF SIGHT



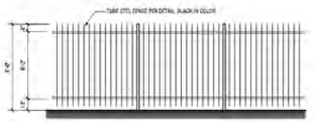
SOUTH ELEVATION



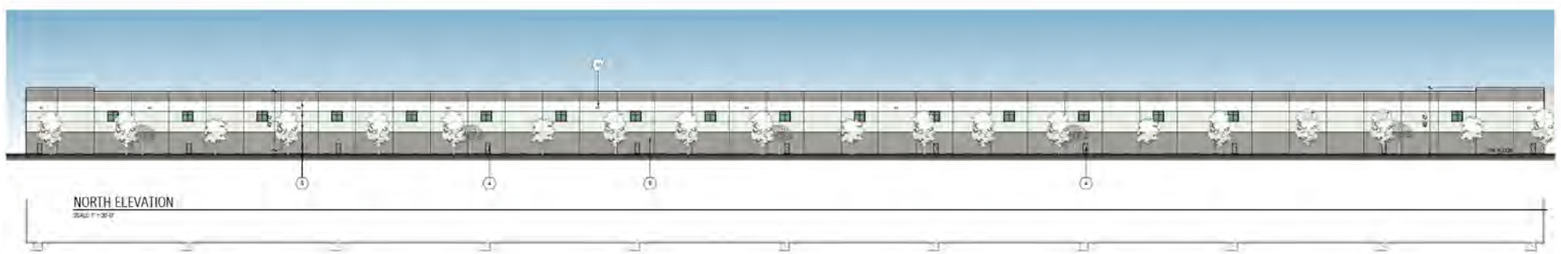
EAST ELEVATION



SIMILAR SITE LIGHTING STYLE 1



TYPICAL TUBE STEEL FENCE ELEVATION



NORTH ELEVATION

KEYNOTES (000)

1. PRIMARY ENTRANCE.
2. PAINTED 12' WIDE X 15' HIGH LEVEL VERTICAL LIFT TRUCK DOOR.
3. PAINTED 9' WIDE X 10' HIGH VERTICAL LIFT TRUCK DOOR.
4. 3' X 7' PAINTED METAL MAN DOOR.
5. 2" WIDE X 3/4" DEEP HORIZONTAL / VERTICAL REVEAL.
6. REFLECTIVE GLASS IN STOREFRONT FRAME SYSTEM.
7. PANEL JOINT.
8. 6'-0" HIGH CONCRETE PAINTED TRASH ENCLOSURE WITH SOLID METAL PAINTED SWINGING DOORS.
9. PAINTED CONCRETE TILT-UP EXTERIOR WALL CONSTRUCTION.
10. PAINTED CONCRETE SCREENWALL WITH BLACK TUBE STEEL GATE AT TRUCK COURT ENTRY
11. PAINTED CONCRETE TILT-UP FIRE PUMP HOUSE.
12. 14'-0" HIGH CONCRETE PAINTED SCREENWALL WITH THE BOTTOM 12'-0" PAINTED WITH GRAFFITI-RESISTANT PAINT.
13. FUTURE SIGN LOCATION.
14. CONCRETE PAINTED WALL WITH FORMLINER ACCENT.
15. WALL MOUNTED LIGHT FIXTURE.

FINISH SCHEDULE

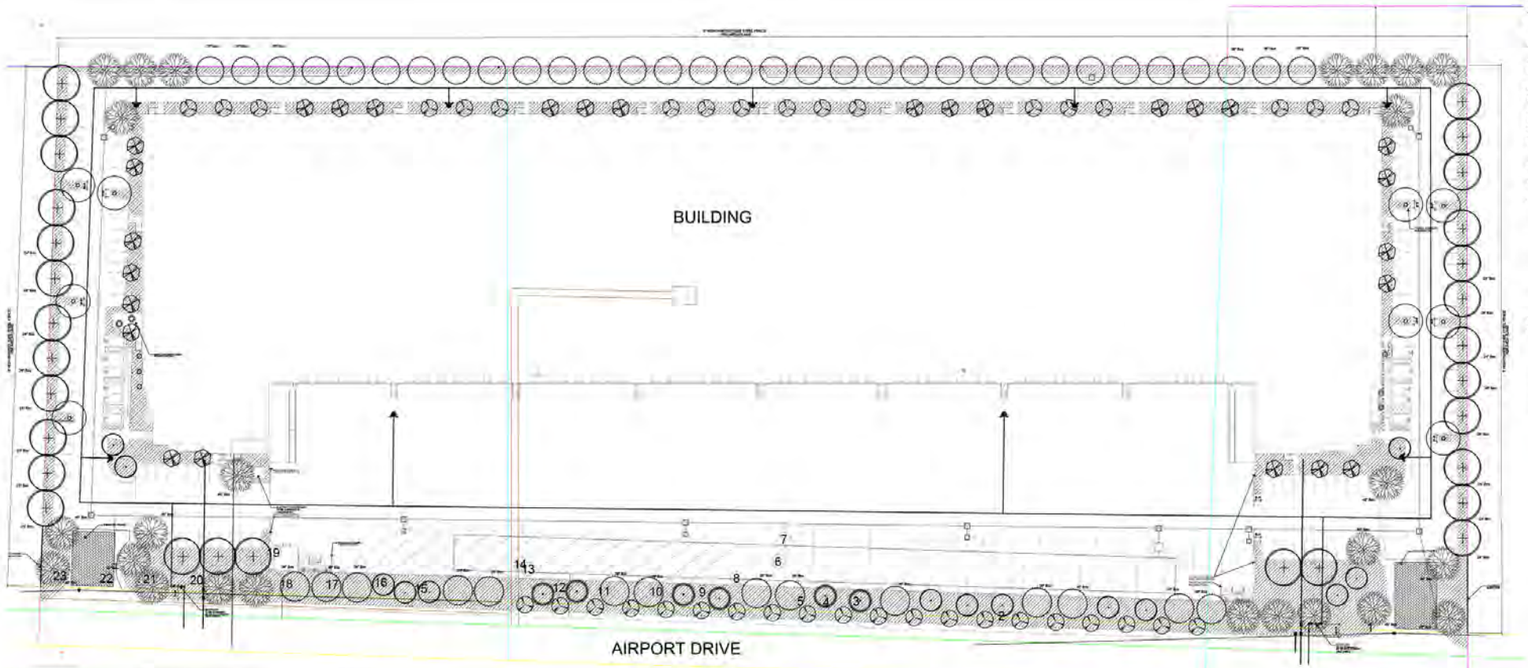
1. FIELD COLOR - PLD-9 PURE WHITE
2. ACCENT COLOR - PLD-6 SABLE
3. ACCENT COLOR - PLD-10 FIRST STAR
4. BASE ACCENT COLOR - PLD-7 LIQUORICE TINT
5. ACCENT COLOR - PLD-5 NEW DARK GREEN

Source(s): RGA (11-03-2022)

Figure 3-5

Not to Scale

Proposed Architectural Elevations



GENERAL NOTES:

1. All Trees within 5' of hardscape to have a 12" deep linear root barrier. See Planting Detail sheet.
2. Contractor to install concrete mowcurb between planters, rock and turf areas. See planting detail sheet.
3. All planter areas to receive a 2" layer of shredding organic mulch.
4. All backflows and above ground equipment to be placed at least 5' from hardscape on flat area. All equipment to be screened with 36" high strap-leaf plants.
5. Tall shrubs are to be provided at screen walls for protection from graffiti.
6. Soil compaction to be no grater than 85% on landscape areas.
7. All finish grades to be 1½" below finish surface paving.
8. Slopes to be maximum 3:1.
9. Agronomical soil testing report to be included in landscape plans.
10. Landscape irrigation equipment to be a combination of drip, spray and rotator.
11. Overhead spray systems shall be designed for plant material less than the height of the spray head.
12. All trees to have a 6' mulch ring around trunk. No irrigation other than required tree bubblers are allowed within ring.
13. Concrete mow curbs on property lines where no other maintenance delineation occurs.
14. Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area, for storm water infiltration, the entire area shall be loosened. The following shall be included on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then dropping the soil immediately back into the hole. The bucket then moved to the adjacent soil and repeats. The compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more compost topsoil can be added on top of the fractured soil as needed for grading. The landscape architect shall be present during this process and provide certification for the soil fracturing.
15. Plans shall meet all the requirements of the Landscape Development Guidelines.
16. 12" wide Step-out curb added to parking spaces adjacent to planters.

Existing trees
1-11 ...Jacaranda spp. 16" dia
12-16 ...Jacaranda spp. 14" dia
These are under power lines and have been severly topped as a result. Though living they are in poor form and structure. Trees are not deemed heritage trees and are not required to be mitigated

PLANTING LEGEND

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY.	W/COOLS	REMARKS
	Cercis occidentalis Western Redbud	24" Box	38	L	Standard
	Chilopsis linearis Desert Willow	15 Gal	8	L	Multi
	Heteromeles arbutifolia Toyon	15 Gal	13	L	Multi
	Jospemia x. 'Stjornicket' Skyrocket Juniper	15 Gal	6	M	Standard
	Pinus eldarica Afghan Pine	15 Gal 36" Box	29 20	M	Multi
	Quercus ilex Holly Oak	15 Gal	9	L	Standard
	Pistacia chinensis Chinese Pistache	15 Gal. 24" Box	13 16	L	Standard
	Platanus racemosa California Sycamore	48" Box 24" Box 15 Gal	10 6 9	M	Multi
	Tristania conferta Brisbane Box	15 Gal.	27	M	Standard

SHRUBS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	W/COOLS	REMARKS
	Callistemon 'Little John' Dwarf Callistemon	5 Gal	0	L	
	Cistus 'Sunset' Rockrose	5 Gal	0	L	
	Dietes bicolor Fortnight Lily	5 Gal	0	L	
	Dodonaea viscosa 'Purpurea' Hop Bush	5 Gal	0	M	
	Feijoa sellowiana Pineapple Guava	5 Gal	0	L	
	Heteromeles arbutifolia Toyon	5 Gal	0	L	
	Leucophyllum f. 'Green Cloud' Texas Ranger	5 Gal	0	L	
	Olea 'Little Ollie' Dwarf Olive	5 Gal	0	L	
	Salvia greggii Autumn Sage	5 Gal	0	L	
	Westringia fruticosa Coast Rosemary	5 Gal	0	L	

GROUNDCOVER

SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	W/COOLS	REMARKS
	Acacia redolens Acacia	1 Gal	5' O.C.	L	
	Baccharis pilularis Coyote Bush	1 Gal	30" O.C.	L	
	Carex panna Berkley Sedge	1 Gal	12" O.C.	M	
	Dalea greggii Indigo Bush	1 Gal	36" O.C.	L	
	Festuca mairei Atlas Fescue	1 Gal	18" O.C.	L	
	Rosmarinus o. 'Prostratus' Prostrate Rosemary	1 Gal	30" O.C.	L	

Total On-Site Tree Count = 199
25% Native Tree Count Required = 50
Native Tree Count Provided = 76

Total On-Site Tree Count = 199
5% 48" Box Required = 10
10% 36" Box Required = 20
30% 24" Box Required = 60
55% 15 Gal Required = 109

48" Box Provided = 10
36" Box Provided = 20
24" Box Provided = 60
15 Gal Provided = 109

WATER METER W1

WATER EFFICIENT LANDSCAPE WORKSHEET (MWELO)

Reference Evapotranspiration Rate (Eto): 56.6

Hydrozone # / Planting Description	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ETAF (PF/IE)	Landscape Area (LA)	ETAF x Area	Estimated Annual Water Use (EAWU) Gallons per Year	Estimated Annual Water Use (EAWU) Hcf per Year
Regular Landscape Areas								
Hydr#1 / Low (C & Shrub)	0.2	Drip	0.81	0.25	25,223	6,228	238,500	0.67
Hydr#2 / Medium (M & Shrub)	0.5	Drip	0.81	0.49	46,809	22,799	-	0.00
Hydr#3 / Low (Groundcover)	0.2	Rotary	0.75	0.3	28,036	7,476	286,344	0.80
Hydr#4 / Low & Moderate Trees	0.4	Bubbler	0.81	0.5	958	477	18,257	0.05
				Totals	**75,452**	**22,197**		
							Estimated Annual Water Use (EAWU) Total	467,700	1.31
							Maximum Allowed Water Allowance (MAWA)	1,730,611	5.11
Special Landscape Areas								
Hydrozone 1				1	-	-	-	0.00
Hydrozone 2				1	-	-	-	0.00
Hydrozone 3				1	-	-	-	0.00
				Totals	-	-		
							EAWU Total	-	0.00
							Maximum Allowed Water Allowance (MAWA)	-	0.00

ETAF Calculations

Regular Landscape Areas	
Total ETAF x Area	22,197
Total Area	75,452
Average ETAF	**0.31005**

All Landscape Areas	
Total ETAF x Area	22,197
Total Area	75,452
Sitewide ETAF	**0.31005**

Irrigation Efficiency

Drip Irrigation	0.81
Overhead Spray	0.75
Rotary	0.75

Source(s): Hunter Landscape (11-01-2022)

Figure 3-6

Not to Scale

Proposed Landscape Plan

E. Infrastructure Improvements

1. Water Service

Water service to the Project Site would be provided by the Ontario Municipal Utilities Company (OMUC). As depicted in Figure 3-7, *Proposed Utility Plan*, water would be accommodated via proposed water lines that would extend from the southeastern and southwestern corners of the building to an existing 12-inch water main at East Airport Drive. Additionally, recycled water to the Project Site would be provided via a proposed 8-inch recycled water main along East Airport Drive. The proposed 8-inch recycled water main would extend from the west of South Wineville Avenue to the eastern boundary of the Project Site and connect to the existing 24-inch recycled water main.

2. Sanitary Sewer Service

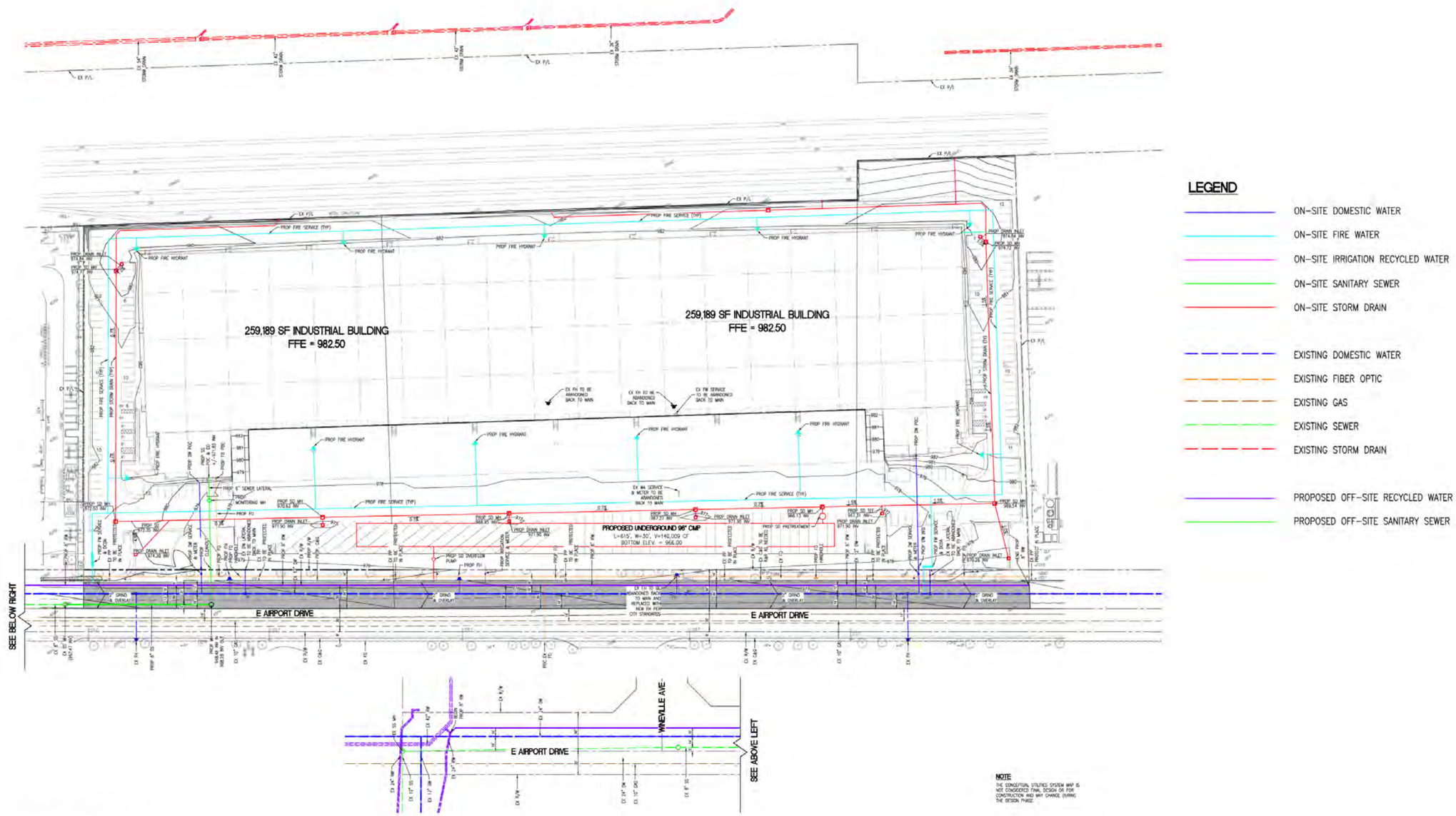
Sanitary sewer service to the Project Site would be provided by OMUC's sanitary sewer wastewater collection system and conveyed to the Inland Empire Utilities Agency (IEUA) for wastewater treatment. Sewer would be accommodated via proposed 6-inch sewer line that would extend from the southwestern corners of the building to a proposed 8-inch OMUC sewer main on East Airport Drive. There is an existing 8-inch OMUC sewer main on East Airport Drive that ends approximately at the western boundary of the Project Site where the proposed 8-inch sewer main would connect.

3. Drainage

Stormwater would sheet flow from north to south and would be captured by proposed on-site catch basins. The proposed on-site storm drain system is designed to convey the flow into a proposed underground infiltration chamber. In a large storm event, stormwater would exit the underground chamber system via pipes and would be pumped out through a proposed parkway drain on East Airport Drive. Runoff is designed to sheet flow east along Airport Drive and discharge into the existing catch basin, located approximately 1,500 feet east of the Project Site, to maintain the same point of discharge as the existing condition.

4. Dry Utilities

Electricity and gas services would be provided by the Southern California Edison (SCE) and Southern California Gas Company (SoCal Gas), respectively. All new dry utility infrastructure would be installed underground and within the Project Site with the exception of any electrical lines carrying voltages that SCE does not allow to be undergrounded.



Source(s): WestLAND Group, Inc. (05-08-2023)

Figure 3-7

Not to Scale

Proposed Utility Plan

3.4 SCOPE OF ENVIRONMENTAL ANALYSIS

3.4.1 PROJECT CONSTRUCTION CHARACTERISTICS

The Applicant anticipates that the Project's construction process would span approximately 12 months. The estimated Project construction schedule, organized by construction stage, is summarized in Table 3-1, *Estimated Construction Schedule*. For purposes of analysis in this EIR, construction is assumed to commence in July 2023 and conclude in June 2024. The construction schedule utilized in the analysis represents a "worst-case" analysis scenario should construction occur any time after the respective dates since air pollutant emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per the CEQA Guidelines.

Table 3-1 Estimated Construction Schedule

Construction Phase	Duration
Demolition	60 days
Site Preparation & Grading	30 days
Building Construction	160 days
Paving	45 days
Architectural Coating & Landscaping	30 days
Total	**12 months**

The composition of the construction equipment fleet that the Project Applicant intends to use to construct the Project, which also is used for purposes of analysis is in this EIR, is summarized in Table 3-2, *Estimated Construction Equipment Fleet*.

Table 3-2 Estimated Construction Equipment Fleet

Construction Activity	Equipment	Amount	Hours Per Day
Demolition/Crushing	Rubber Tired Dozers	2	8
	Excavators	3	8
	Concrete/Industrial Saws	1	8
	Crushing/Proc. Equipment	1	8
Grading	Graders	1	8
	Excavators	2	8
	Scrapers	2	8
	Rubber Tired Dozers	1	8
	Crawler Tractors	2	8

Construction Activity	Equipment	Amount	Hours Per Day
Building Construction	Forklifts	5	8
	Generator Sets	2	8
	Cranes	2	8
	Welders	2	8
	Crawler Tractors	5	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8
Site Preparation	Rubber Tired Dozers	3	8
	Crawler Tractors	4	8

The Project would require demolition of the existing buildings and asphalt paving on the site. Based on the Project's preliminary grading plan depicted in Figure 3-8, *Proposed Grading Plan - West*, and Figure 3-9, *Proposed Grading Plan – East*, the Project's grading operation would result in 9,000 more cubic yards of cut than fill, but final earthwork quantities are subject to final civil engineering design and after final engineering, the earthwork is expected to balance with no import or export of earth material required.

3.4.2 Project Operational Characteristics

The Project is proposed as a speculative development and the user(s) of the building is not known at this time. For the purposes of this EIR, the Project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night.

A. Proposed Site Activities

The proposed building on the Project Site would operate as an industrial warehouse. Because the user(s) is speculative and some building users require small amounts of warehouse space to be temperature controlled, for purposes of analysis within this EIR it is assumed that the building would include approximately 27,034 s.f. of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses. A limitation of 10% of the building for potential cold storage is based on the Project Applicant's understanding of the cold storage space market demand in the Inland Empire for buildings in the Project's size range, which tend to have small cold storage needs for perishable products such as nutritional supplements, flowers and plants, medicines, candles, cosmetics, organic textiles, and specialized products, should the building user need to store these types of products. Hazardous materials storage is not expected to occur within the building or on the Project Site; however, small quantities of hazardous chemicals and/or materials –

including but not limited to aerosols, cleaners, fertilizers, lubricants, paints or stains, fuels, ammonia, propane, oils, and solvents – could be utilized during routine Project operations and maintenance.

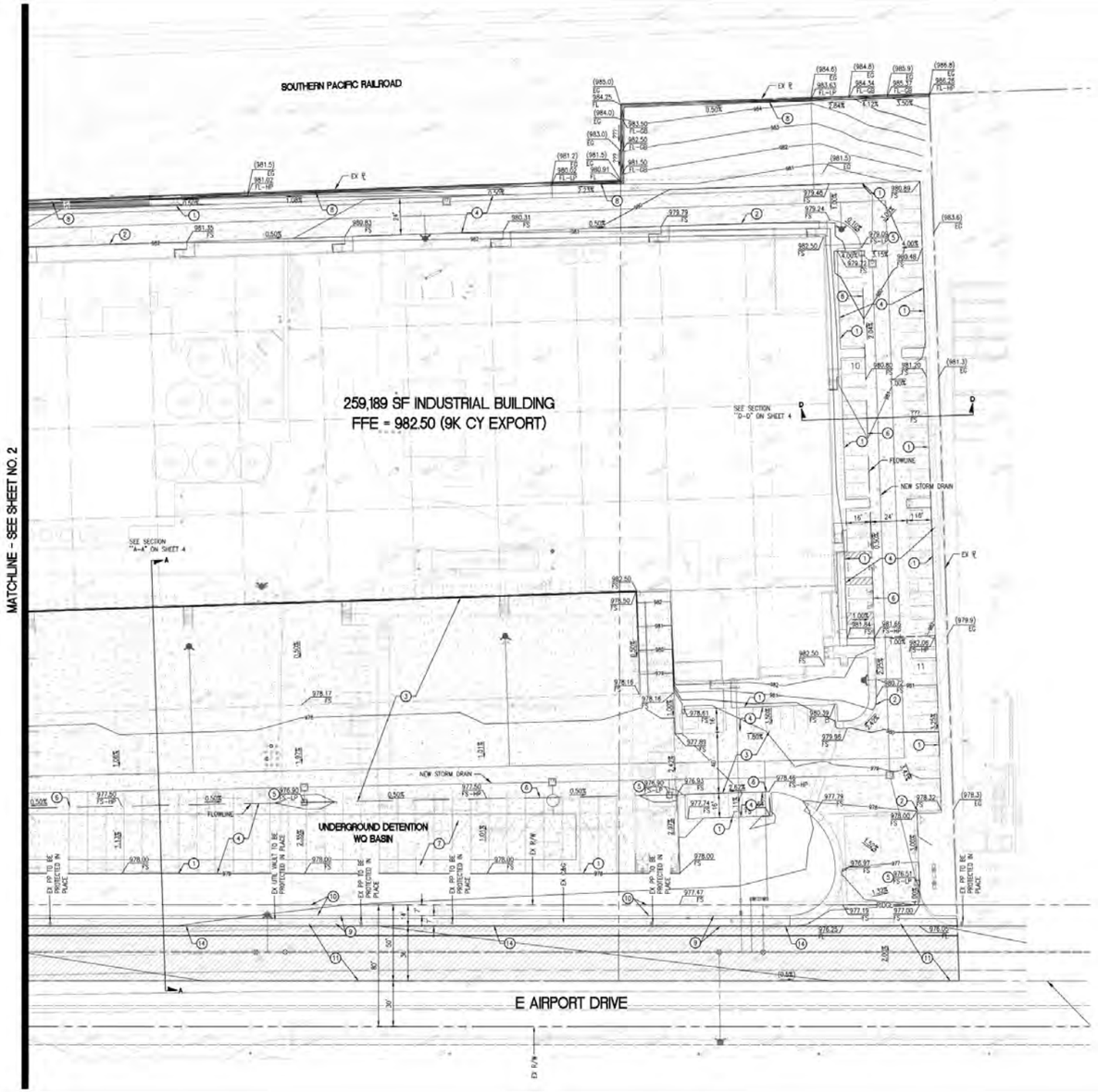
Exterior activities on the Project Site are reasonably assumed to include vehicle movement, parking, and the loading and unloading of tractor trailers at designated loading bays on the southern side of the building. As a practical matter, dock doors on warehouse buildings are not occupied by a truck at all times of the day. There are typically more dock door positions on industrial buildings than are needed for receiving and shipping volumes. The dock doors that are in use at any given time are usually selected based on interior building operation efficiencies. In other words, trucks ideally dock in the position closest to where the goods to be carried by the truck are inside the building. As a result, a number of dock door positions are frequently inactive throughout the day.

B. Traffic

During operation of the Project, employees, visitors, and vehicles hauling goods would travel to and from the Project Site on a daily basis. Project operations are calculated to generate 475 vehicle trips per day, including 308 passenger vehicle trips and 168 truck trips (in terms of actual vehicles). In order to account for the possibility of 10% of the building space being used for refrigerated uses, trucks associated with the cold-storage use are assumed to have transport refrigeration units (TRUs). Therefore, for modeling purposes 11 trucks (22 truck trips per day) are assumed to be equipped with TRUs. Pursuant to State law, on-road diesel-fueled trucks are required to comply with various air quality and greenhouse gas emission standards, including but not limited to the type of fuel used, engine model year stipulations, aerodynamic features, and idling time restrictions. Compliance with State law is mandatory and inspections of on-road diesel trucks subject to applicable State laws are conducted by the California Air Resources Board (CARB).

3.5 SUMMARY OF REQUESTED ACTIONS

The City of Ontario has primary approval responsibility for the proposed Project. As such, the City of Ontario serves as the Lead Agency for this EIR pursuant to CEQA Guidelines Sections 15050 and 15051. The role of the Lead Agency was previously detailed in EIR Section 1.0, *Introduction*. As part of the approval process for the proposed Project, the City's Planning Commission will hold a public hearing to consider the Project's Development Plan (PDEV22-017). The Planning Commission will consider certification of this EIR, and also will approve, approve with changes, or disapprove proposed PDEV22-017.



CONSTRUCTION NOTES

1. CONSTRUCT 6" CURB
2. CONSTRUCT 6" CURB AND GUTTER
3. CONSTRUCT HEAVY DUTY CONCRETE PAVEMENT
4. CONSTRUCT LIGHT DUTY CONCRETE PAVEMENT
5. CONSTRUCT STORM DRAIN DROP INLET
6. CONSTRUCT RIBBON GUTTER
7. CONSTRUCT INFILTRATION/DETENTION BASIN
8. CONSTRUCT 2' WIDE CONCRETE DITCH
9. CONSTRUCT SIDEWALK
10. CONSTRUCT PARKWAY LANDSCAPE
11. 2" GRIND AND OVERLAY
14. RECONSTRUCT EXISTING 8" CURB AND GUTTER

LEGEND

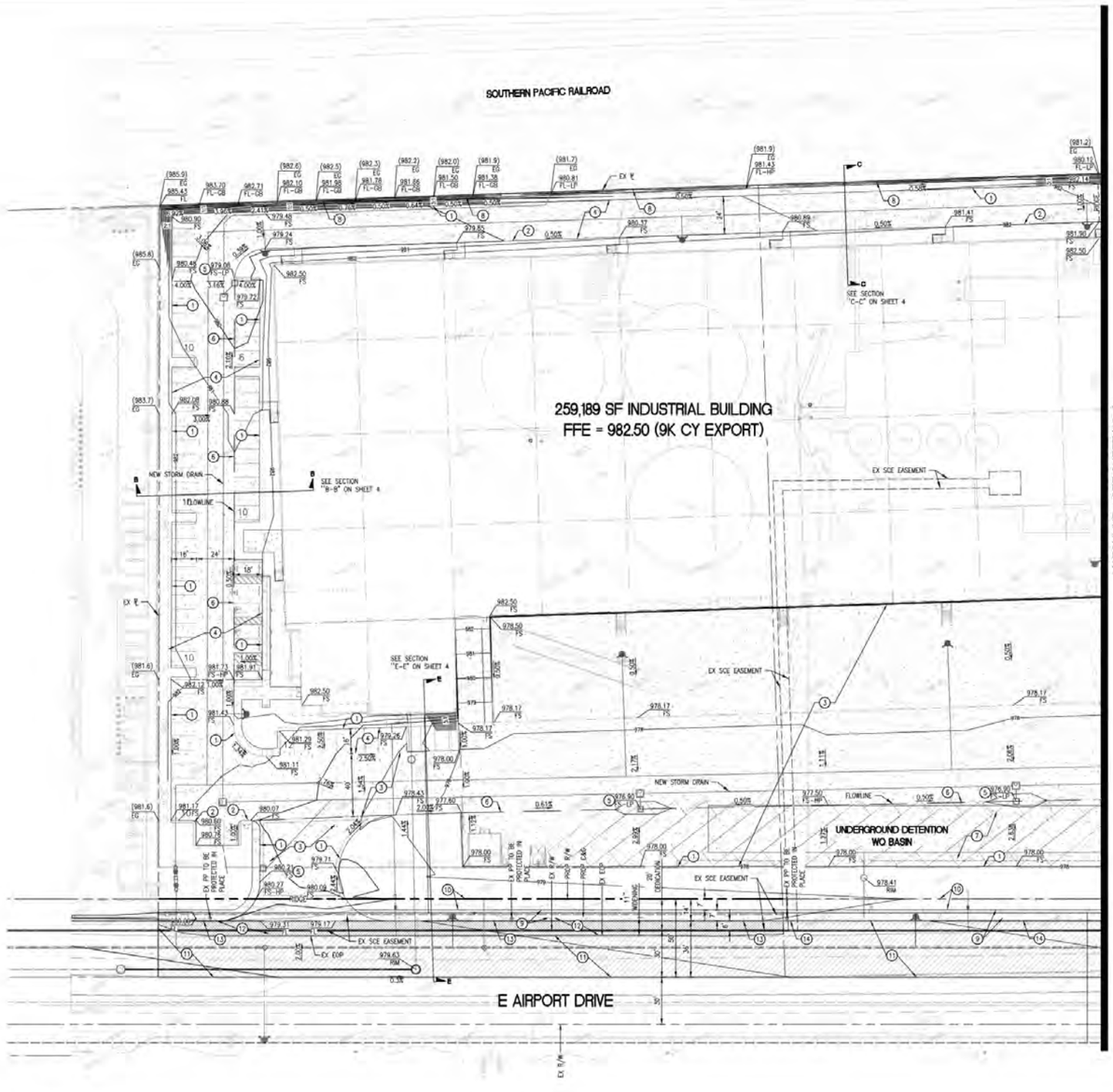
- SLOPES GREATER THAN 3:1
- HARDSCAPED AREAS
- 2" GRIND AND OVERLAY

Source(s): WestLAND Group, Inc. (05-08-2023)

Figure 3-8

Not to Scale

Proposed Grading Plan – West



CONSTRUCTION NOTES

1. CONSTRUCT 6" CURB
2. CONSTRUCT 6" CURB AND GUTTER
3. CONSTRUCT HEAVY DUTY CONCRETE PAVEMENT
4. CONSTRUCT LIGHT DUTY CONCRETE PAVEMENT
5. CONSTRUCT STORM DRAIN DROP INLET
6. CONSTRUCT RIBBON GUTTER
7. CONSTRUCT INFILTRATION/DETENTION BASIN
8. CONSTRUCT 2' WIDE CONCRETE DITCH
9. CONSTRUCT SIDEWALK
10. CONSTRUCT PARKWAY LANDSCAPE
11. 2" GRIND AND OVERLAY
12. CONSTRUCT NEW AC PAVEMENT
13. CONSTRUCT 8" CURB AND GUTTER
14. RECONSTRUCT EXISTING 8" CURB AND GUTTER

LEGEND

- SLOPES GREATER THAN 3:1
- HARDSCAPED AREAS
- 2" GRIND AND OVERLAY
- NEW AC PAVEMENT

Source(s): WestLAND Group, Inc. (05-08-2023)

Figure 3-9

Not to Scale

Proposed Grading Plan – East

3.6 Related Environmental Review And Consultation

Should the City of Ontario certify the Final EIR and approve the Project, additional discretionary and/or ministerial actions would be necessary to implement the proposed Project. Table 3-3, *Project Related Approvals/Permits*, list the agencies that are expected to use this EIR and provides a summary of the subsequent actions associated with the Project. This EIR covers all federal, State, and local government and quasi-governmental approvals which may be needed to construct and implement the Project, whether or not they are explicitly listed in Table 3-3 or elsewhere in this EIR (CEQA Guidelines § 15124(d)).

Table 3-3 Matrix of Project Approvals/Permits

Public Agency	Approvals and Decisions
Proposed Project – City of Ontario Discretionary Approvals	
City of Ontario Planning Commission	• Approve, conditionally approve, or deny Development Plan (PDEV22-017). • Certify or decline to certify this EIR along with appropriate CEQA Findings.
Subsequent City of Ontario Ministerial Approvals	
City of Ontario Subsequent Implementing Approvals	• Approve precise site plan(s) and landscaping/irrigation plan (s), as may be appropriate. • Issue Grading Permits. • Issue Building Permits. • Approve Road Improvement Plans. • Issue Encroachment Permits. • Approve Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP).
Other Agencies – Subsequent Approvals and Permits	
Santa Ana Regional Water Quality Control Board (RWQCB)	• Issuance of a Construction Activity General Construction Permit. • Compliance with National Pollutant Discharge Elimination System (NPDES) Permit.
San Bernardino County Flood Control District (SBCFCD)	• Approval of the Project's proposed drainage improvements.
Ontario Fire Department (OFD)	• Approval of fire hydrant locations and fire protection features for the proposed building.
South Coast Air Quality Management District (SCAQMD)	• Issuance of construction-related permits.
Ontario Municipal Utilities Company (OMUC)	• Approval of proposed water improvements and connections.
Inland Empire Utilities Agency (IEUA)	• Approval of proposed sewer improvements and connections.
Southern California Edison (SCE)	• Approvals required for the installation of new SCE facilities/connections to service the Project.

Public Agency	Approvals and Decisions
Southern California Gas Company	• Approvals required for the installation of new Southern California Gas Company facilities/connections to service the Project.

4.0 Environmental Analysis

4.1.1 Summary of EIR Scope

In accordance with CEQA Guidelines Sections 15126-15126.4, this EIR Section 4.0, *Environmental Analysis*, includes analyses of potential direct, indirect, and cumulatively-considerable impacts that could result from planning, construction, and/or operating the proposed Project.

The City of Ontario distributed a NOP for this EIR to public agencies and interested individuals and posted the NOP on its website to solicit input on the scope of environmental study for the Project. The City of Ontario also held a Scoping Meeting to solicit input from interested parties on the scope of study for the EIR. Taking all known information and public comments into consideration, 12 primary environmental subject areas are evaluated in detail in this Section 4.0, as listed below. Each subsection evaluates several specific topics related to the primary environmental subject. The title of each subsection is not limiting; therefore, refer to each subsection for a full account of the subject matters addressed therein.

4.1 Aesthetics
4.2 Air Quality
4.3 Cultural Resources
4.4 Energy
4.5 Geology and Soils
4.6 Greenhouse Gas Emissions
4.7 Hazards and Hazardous Materials
4.8 Hydrology and Water Quality
4.9 Noise
4.10 Transportation
4.11 Tribal Cultural Resources
4.12 Utilities and Service Systems

After conducting preliminary research and in consideration of all comments received by the City on the scope of this EIR and documented in the City's administrative record, the City determined that given the developed condition of the Project Site, the Project Site's location surrounded by industrial uses and a railroad track, the Project's consistency with the property's "Industrial (IND)" General Plan and "Heavy Industrial (IH)" zoning designations, and the construction and operational characteristics of the proposed Project, the Project would not have any reasonable potential to result in significant impacts under eight (8) primary environmental subject areas: Agriculture and Forestry Resources; Biological Resources; Land Use and Planning; Mineral Resources; Population and Housing; Public Services; Recreation; and Wildfire. These eight subjects are addressed in Section 5.0, *Other CEQA Considerations*.

4.1.2 Scope of Cumulative Effects Analysis

CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a proposed project. As noted in CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects creating related impacts" (CEQA Guidelines Section 15130(a)(1)). As defined in CEQA Guidelines Section 15355:

'Cumulative Impacts' refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

CEQA Guidelines Section 15130(b) describes two acceptable methods for identifying a study area for purposes of conducting a cumulative impact analysis. These two approaches include: 1) a list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency ['the list of projects approach'], or 2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact ['the summary of projections approach'].

The summary of projections approach is used in this EIR, except for the evaluation of cumulative transportation effects (for purposes of demonstrating General Plan policy compliance) and vehicular-related air quality, greenhouse gas, and noise impacts, for which the analysis combines the summary of projections approach with the manual addition of past, present, and reasonably foreseeable projects ("combined approach"). The City determined the combined approach to be appropriate because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effect for all subject areas, with the exception of transportation (and vehicular-related air quality, greenhouse gas, and noise effects), which requires a greater level of detailed study. With the combined approach, the cumulative impact analyses for the air quality, greenhouse gas, noise, and transportation issue areas overstate the Project's potential cumulatively considerable impacts relative to analyses that rely solely on the list of projects approach or solely on the summary of projections approach; therefore, the combined approach provides a conservative, "worst-case" analysis for the Project's cumulative air quality, greenhouse gas, noise, and transportation impacts.

For the cumulative impact analyses that rely on the summary projections approach (i.e., all issue areas with the exception of transportation and vehicular-related air quality, greenhouse gas, and noise – as described above), the cumulative study area primarily includes the City of Ontario, City of Fontana, City of Upland, City of Chino, City of Rancho Cucamonga, City of Jurupa Valley, and small portions of unincorporated San Bernardino County. These jurisdictions encompass the southwestern area of San Bernardino County and nearby portion of Riverside County and have similar environmental characteristics as the Project area. The selected study area encompasses the central San Bernardino

Valley, which is largely bounded by prominent topographic landforms, such as the San Gabriel Mountains and San Bernardino Mountains to the north, the San Jacinto Mountains to the east, the Temescal Mountains and Santa Ana Mountains to the south, and the Pomona Valley to the west. This study area exhibits similar characteristics in terms of climate, geology, and hydrology and, therefore, is likely to also have similar biological, archaeological, and tribal cultural resource characteristics as well. This study area also encompasses the service areas of the Project Site's primary public service and utility providers. Areas outside of this study area either exhibit topographic, climatological, or other environmental circumstances that differ from those of the Project area, or are simply too far from the proposed Project Site to produce environmental effects that could be cumulatively-considerable when considered together with the Project's impacts. Exceptions include the cumulative air quality analysis, which considers the entire South Coast Air Basin (SCAB); the greenhouse gas emissions and global climate change analysis, which affects all areas on the planet; and the analysis of potential cumulative hydrology and water quality effects, which considers other development projects located within the Santa Ana River Basin watershed.

Environmental impacts associated with buildout of the Project's cumulative study area were evaluated in CEQA compliance documents prepared for the respective General Plans of each of the above-named jurisdictions. The location where each of these CEQA compliance documents is available for review is provided below. All of the CEQA compliance documents listed below are herein incorporated by reference pursuant to CEQA Guidelines Section 15150.

- The Ontario Plan SEIR (SCH No. 2021070364), available for review at the City of Ontario Planning Department, 303 East B Street, Ontario, CA 91764;

- City of Fontana General Plan EIR (SCH No. 2016021099), available for review at the City of Fontana Planning Division, 8353 Sierra Avenue, Fontana, California 92335;

- City of Rancho Cucamonga General Plan Update EIR (SCH No. 2021050261), available for review at the City of Rancho Cucamonga, 10500 Civic Center Drive, Rancho Cucamonga, CA 91730;

- San Bernardino Countywide Plan EIR (SCH No. 2017101033), available for review at the County of San Bernardino Land Use Services Department – Planning Division 385 North Arrowhead Avenue, 1st Floor, San Bernardino, California 92415;

- City of Upland General Plan EIR (SCH No. 2012041006), available for review at the City of Upland Planning Division, 460 N. Euclid Avenue, Upland, CA 91786;

- City of Chino General Plan EIR (SCH No. 2008091064), available for review at the City of Chino Planning Division, 13220 Central Avenue, Chino, CA 91710;

- City of Jurupa Valley General Plan EIR (SCH No. 2016021025), available for review at the City of Jurupa Valley Planning Department, 8930 Limonite Avenue, Jurupa Valley, California 92509.

4.1.3 Analysis Format

Subsections 4.1 through 4.12 of this EIR evaluate the 12 environmental subjects warranting detailed analysis as determined by the City of Ontario in consideration of preliminary research findings, public comments, and technical study. The format of discussion is standardized as much as possible in each section for ease of review. The environmental setting is discussed first, followed by a discussion of the potential environmental impacts that would result from implementation of the Project (which is based on specified thresholds of significance used as criteria to determine whether potential environmental effects are significant).

The thresholds of significance used in this EIR are based on the thresholds of significance identified in Appendix G to the CEQA Guidelines, as most recently updated in December 2018. The thresholds are intended to assist the reader of this EIR in understanding how and why this EIR reaches a conclusion that an impact would or would not occur, and whether the impact would be significant or less than significant.

Serving as the CEQA Lead Agency for this EIR, the City of Ontario is responsible for determining whether an adverse environmental effect identified in this EIR should be classified as significant or less than significant. The standards of significance used in this EIR are based on the independent judgment of the City of Ontario, taking into consideration the City of Ontario Policy Plan; the City of Ontario Municipal Code and adopted City policies; the judgment of the technical experts that prepared this EIR's technical appendices; performance standards adopted, implemented, and monitored by regulatory agencies; and significance standards recommended by regulatory agencies.

As required by CEQA Guidelines Section 15126.2(a), Project-related effects on the environment are characterized in this EIR as direct, indirect, cumulatively-considerable, short-term, long-term, on-site, and/or off-site impacts. A summarized "impact statement" is provided in each Subsection following the analysis. Each Subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations) that the Project and its implementing actions are required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. For any impact identified as significant and unavoidable, the City of Ontario would be required to adopt a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 in order to approve the Project despite its significant impact(s) to the environment. The statement of overriding considerations would list the specific economic, legal, social, technological, and other benefits of the Project, supported by substantial evidence in the Project's administrative record, that outweigh the unavoidable impacts.

4.1.4 TERMINOLOGY USED IN THIS EIR

The level of significance is identified for each impact in this EIR. Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with CEQA and the CEQA Guidelines:

- No Impact. An adverse change in the physical environment would not occur.

- Less-than Significant Impact. An adverse change in the physical environment would occur but the change would not be substantial or potentially substantial and would not exceed the threshold(s) of significance presented in this EIR.

- Significant Impact. A substantial or potentially substantial adverse change in the physical environment would occur and would exceed the threshold(s) of significance presented in this EIR, requiring the consideration of mitigation measures.

Each Subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations, etc.) that the Project is required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. The following terms are used to describe the level of significance following the application of recommended mitigation measures:

- Less-than-Significant Impact with Mitigation. A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR; however, the impact can be avoided or reduced to a less than significant level through the application of feasible and enforceable mitigation measure(s).

- Significant and Unavoidable Impact. A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR. Feasible and enforceable mitigation measure(s) that have a proportional nexus to the Project's impact are either not available or would not be fully effective in avoiding or reducing the impact to below a level of significance.

For any impact identified as significant and unavoidable, the City of Ontario would be required to adopt a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 in order to approve the Project despite its significant impact(s) to the environment. The statement of overriding considerations would list the specific economic, legal, social, technological, and other benefits of the Project, supported by substantial evidence in the Project's administrative record, that outweigh the unavoidable impact(s).

4.1 AESTHETICS

This Subsection describes the aesthetic qualities and visual resources present on the Project Site and in the Site's vicinity, and evaluates the potential effects that the Project may have on these resources. Descriptions of existing visual characteristics, both on-site and in the vicinity of the Project Site, and the analysis of potential impacts to aesthetic resources are based on field observations and Site photographs collected by T&B Planning, Inc. on July 28, 2022; analysis of aerial photography (Google Earth, 2022); and the Project's proposed Site, architecture, and landscaping plans (as described in Section 3.0, *Project Description*, of this EIR). This Subsection also is based on information contained in the Aesthetics section of the certified Final Program SEIR prepared for The Ontario Plan (TOP) 2050 (SCH No. 2021070364), and the City of Ontario Municipal Code (Ontario, 2021a). All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.1.1 EXISTING CONDITIONS

A. Project Site and Surrounding Areas

The Project Site is located in the northeast portion of the City of Ontario, San Bernardino County, California. The Project Site is bordered by East Airport Drive to the south, industrial uses to the east and west, and the railroad to the north. Under existing conditions, the area surrounding the Project Site is fully developed with industrial land uses, primarily warehousing and manufacturing facilities, as described below and under EIR Subsection 2.3, *Surrounding Land* Uses.

North: A railroad right-of-way adjoins the Project Site to the north. Emser Tile Distribution Center (5300 Shea Center Drive) is located to the north of the railroad tracks.

South: East Airport Drive adjoins the Project Site to the south. Two warehouses are located south of East Airport Drive at the street addresses of 5600 East Airport Drive and 5200 East Airport Drive. Current tenants at the warehouses include Costco and XPO Logistics.

West: A Verizon facility (5351 East Airport Drive) adjoins the Project Site to the west.

East: A industrial gas supplier, Praxair, Inc (5735 East Airport Drive) adjoins the Project Site to the east.

Topographically, the Project Site is perceived as flat but, actually, slopes gently to the south-southeast at a gradient of less than one percent (SCG, 2022a). The Site is developed under existing conditions. There are no rock outcroppings or unique topographic features on the Project Site. Minimal vegetation, primarily turf and shrubs with a few trees, is located along the southern perimeter of the Project Site.

Pursuant to CEQA Guidelines Section 15125 and as explained in Section 2.0 of this EIR, the physical environmental condition for purposes of establishing the setting of this EIR is the environment as it existed at the time the EIR's NOP was released for public review. The NOP for this EIR was released on September 1, 2022. As of that approximate date, the Project Site is occupied by Verhoeven, a grain processing facility (sub-tenant), and The Scoular Company, a corn storage and distribution facility.

The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains silo grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site, and three to four septic systems are located onsite.

Figure 4.1-1 through Figure 4.1-3 illustrate a photographic inventory of the Project Site and are relied upon herein to describe the Project Site's aesthetic condition and character. These photographs provide a representative visual depiction of the Site's visual characteristics as seen from surrounding public viewing areas, which consist of public roads adjacent to the Project Site. The Site photographs presented on the following pages were stitched together from multiple individual photographs in order to provide wider panoramic views of the Project Site and its surroundings. The photographs were all taken during the same session and reflect a field of view approximately 5 feet above the ground.

B. Scenic Vistas and Scenic Resources

The Project Site is located within a relatively flat valley floor surrounded by rugged hills and mountains. As shown on Figure 4.1-1 through Figure 4.1-3, the Project Site does not contain any scenic resources, such as buildings or landscaping of aesthetic value, or any landforms of visual interest.

Major scenic resources in Ontario that contribute to scenic vistas include the San Gabriel Mountains to the north of the City. The San Gabriel Mountains are located approximately 8.7 miles north of the Project Site and are visible under clear weather conditions. The lower elevations of the San Gabriel Mountains are obscured from public viewing areas abutting the Project Site by the existing buildings and grain storage silos and storage onsite. Views of the upper elevations of the San Gabriel Mountains are partially obscured by onsite buildings; views of the San Gabriel Mountains, also, can sometimes be obscured from the Project Site and its surroundings during hazy conditions that are common to the Inland Empire Area.

C. Light and Glare

Artificial light is associated with the evening and nighttime hours, and sources may include streetlights, illuminated signage, and vehicle headlights. Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass or reflective materials, and, to a lesser degree, from broad expanses of light-colored surfaces. Glare can also be produced during evening and nighttime hours by artificial light directed toward a light-sensitive land use.

The Project Site contains sources of artificial, exterior lighting under existing conditions since it is currently operating as a grain processing facility and corn storage and distribution facility. Artificial lighting sources include building-mounted fixtures within the Project Site, street lights along East Airport Drive, and from developed properties to the east, west and south.





View 1: View from the Southwestern corner of the Project Site along E Airport Dr, looking North, Northeast, and East.

Figure 4.1-1

Not to Scale

Site Photography View 1





View 2: View from South of the Project Site along E Airport Dr, looking Northwest, North, and Northeast.

Figure 4.1-2

Not to Scale

Site Photography View 2









View 3: View from the Southeaster corner of the Project Site along E Airport Dr, looking West, Northwest, and North.

Figure 4.1-3

Not to Scale

Site Photography View 3

4.1.2 Regulatory Setting

A. State Plans, Policies, and Regulations

1. California Scenic Highways

The California Department of Transportation (Caltrans) manages the State Scenic Highway Program, established in 1963 through Senate Bill 1467, Streets and Highways Code, Sections 260 through 263 to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated as scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Scenic corridors consist of land that is visible from, adjacent to, and outside the highway right-of-way, and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries. Existing law provides Caltrans with full possession and control of all State highways, while this legislation places the Scenic Highway Program under the stewardship of Caltrans. The legislation further declares the intent of the State to assign responsibility for the regulation of land use and development along scenic highways to the appropriate State and local governmental agencies. Scenic highways are classified as either Officially Designated or Eligible for designation and Caltrans maintains the lists of these highways. (Caltrans, 2021)

There are no officially-designated scenic road or highway corridors within the City of Ontario (Caltrans, 2021).

B. Local Plans, Policies, and Regulations

1. The Policy Plan

The Policy Plan, part of The Ontario Plan, serves as the City's General Plan. The Policy Plan Community Design Element has several principles, goals, and policies that are applicable to the Project to distinguish Ontario as a unique, highly aesthetic built environment that fosters enjoyment, financial benefit, and well-being for the entire community. On August 16, 2022, the City approved TOP 2050, which include updates to the Policy Plan.

2. City of Ontario Municipal Code

The City of Ontario Municipal Code contains regulations regarding historical preservation and general design guidelines that address the aesthetic aspects of residential, commercial, and industrial development:

- **Title 9. Development Code, Chapter 1: Development Code**, contains regulations for landscaping, lighting, signage, and setbacks in the various land use districts. All on-site lighting fixtures, including parking lot lighting, security lighting and decorative lighting, be indirect or diffused, or shielded or directed away from residential areas.

4.1.3 Methodology for Evaluating Aesthetics Impacts

The analysis of aesthetics impacts will focus on changes to scenic vistas, viewsheds, and scenic resources, visual character, and the introduction of new sources of light and glare.

The analysis of potential impacts to scenic vistas, viewsheds, and scenic resources will identify whether the Project would block or otherwise substantially and adversely affect a unique view of a scenic vista(s) or scenic resource as seen from a public viewing location(s), such as a public road, park, trail, and/or other publicly-owned property at which the general public is legally authorized to use or congregate. Effects to scenic vistas from private properties will not be considered because the City's Policy Plan calls for the protection of public views and the City does not have any ordinances or policies in place that protect views from privately-owned property.

The U. S. Census Bureau defines an "urbanized area" as a densely settled core of census tracts and/or census blocks that have 50,000 or more residents and meet minimum population density requirements while also being adjacent to territory containing non-residential urban land uses. According to the 2010 Census Urbanized Area Reference Map, the Project is located within an urbanized area (US Census, 2012); therefore, the analysis of potential impacts to visual character will consider whether the Project design conflicts with applicable zoning and other applicable regulations governing scenic quality.

Lastly, the analysis of light and glare will consider if the Project would directly expose the Project area with bright lights or create unwanted light in the night sky including light trespass, sky glow, or over-lighting, the Project would adversely affect day or nighttime views in the area.

4.1.4 Basis for Determining Significance

According to Section I of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to aesthetics if the Project or any Project-related component would (OPR, 2019):

a. *Have a substantial adverse effect on a scenic vista;*

b. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;*

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

d. *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

4.1.5 IMPACT ANALYSIS

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

A significant impact would occur if a project were to introduce incompatible scenic elements within a field of view containing a scenic vista or substantially block views of a scenic vista. Viewsheds refer to the visual qualities of the geographical area that is defined by the horizon, topography, and other natural features that give an area its visual boundary and context, or by artificial developments that have become prominent visual components of an area.

The City of Ontario's General Plan (Policy Plan) does not identify scenic vistas within the City; however, The Policy Plan (Policy CD1-5) requires all major require north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The Project Site is located at East Airport Drive, a minor east-west minor arterial street, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan (Ontario, 2022a). Additionally, the Project Site is bordered by industrial uses to the east and west. The San Gabriel Mountains are partially visible from the East Airport Drive segment that abuts the Project Site (while looking north); however, views of the Mountains are largely obstructed by existing onsite structures and improvements. The proposed warehouse building would not obscure views of the San Gabriel Mountains substantially more than views of the Mountains are already obscured under existing conditions, and views of the San Bernardino Mountains would continue to be available above the proposed building. Therefore, the visibility – or lack thereof – of the San Gabriel Mountains from public viewing areas along the Project Site frontage would not change substantially with implementation of the Project. Accordingly, given that the Project Site is not a scenic vista, is not located near a designated scenic resource, and unique, prominent, and scenic views would not be obscured by the Project, implementation of the Project would not have a substantial adverse effect on a scenic vista and less-than-significant impacts would occur.

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

The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east–west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. The nearest eligible State scenic highway is SR-142, approximately 12.7 miles to the southwest of the Project Site (Caltrans, 2021). In addition, there are no historic buildings or any scenic resources identified on or in the vicinity of the Project Site. Therefore, the Project would not substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway. No impacts are anticipated.

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

According to CEQA Guidelines Section 15387, urban areas mean a central city or group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile. According to the 2010 Census Urbanized Area Reference Map, the Project is located within an urbanized area (US Census, 2012). As such, the potential impacts of the Project under this threshold are assessed based on whether the Project would conflict with applicable zoning and other regulations governing scenic quality.

The Project Site is zoned Heavy Industrial (IH) and the Project is required to comply with the development standards established in Section 6.01.025, *Industrial Zoning Districts*, of the City's Development Code. The intent and purpose of Section 6.01.025 are to ensure that development within the industrial zoning districts of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan component of TOP. Furthermore, these regulations are to ensure that the appearance of industrial buildings and uses are compatible with the visual character of the area in which they are located (Ontario, 2021b). Table 4.1-1, *Zoning District Development Standards Consistency Analysis*, addresses the Project's consistency with applicable development standards outlined in the City's Development Code. As shown below, the Project would not conflict with the applicable development standards in the City's Development Code established for the IH zone. Therefore, no adverse impacts are anticipated.

Table 4.1-1 Zoning District Development Standards Consistency Analysis

Applicable Development Standard	Project Consistency
Industrial Zoning District Development Standards	
A. Site Development Standards	
1. Minimum Lot Area:10,000 s.f.	**Consistent.** As shown in Figure 3-4, *Proposed Site Plan*, the Project Site area is 569,954 s.f., which is substantially larger than the required minimum lot area of 10,000 s.f. Therefore, the Project would be consistent with the minimum lot requirement.
2. Maximum Floor Area Ratio (FAR): 0.55	**Consistent.** As shown in Figure 3-4, *Proposed Site Plan*, the Project Site has a FAR of 0.47, which would not exceed the maximum FAR of 0.55. Therefore, the Project would be consistent with the maximum FAR requirement.
3. Minimum Lot Dimensions: 100 FT – Lot Width; 100 FT – Lot Depth	**Consistent.** As shown in Figure 3-4, *Proposed Site Plan*, the Project's lot width is approximately 1,200 feet and the depth is approximately 484 feet, which exceed the minimum 100-foot lot width and depth requirement.

Applicable Development Standard	Project Consistency
	Therefore, the Project is consistent with the minimum lot dimensions requirement.
4. Minimum Landscape Coverage a. Interior Lots: 10% b. Corner Lots: 15% c. Off-Street Parking Areas: 7%	**Consistent.** As shown in Figure 3-4, *Proposed Site Plan*, the Project Site is an interior lot and the Project's landscape coverage would meet the City's minimum 10% landscape coverage requirement. Therefore, the Project is consistent with the minimum landscape coverage.
5. Minimum Parking Space and Drive Aisle Separations a. Parking Space or Drive Aisle to Street Property Line: 10 FT b. Parking Space or Drive Aisle to Interior Property Line: 5 FT c. Parking Space to Buildings, Walls, and Fences: 10 FT – Areas adjacent to public entries and office areas; 5 FT – Areas adjacent to other building areas d. Drive Aisles to Buildings, Walls, and Fences: 10 FT	**Consistent.** As shown in Figure 3-4, *Proposed Site Plan*, there is a 20-foot landscape buffer between the Project Site parking space and drive aisle area and the street and interior property line. Additionally, the development standards state that "within yard areas fully screened by a decorative wall, there shall be no minimum drive aisle or parking space setback required". There is a 9-foot landscape buffer on the western side between the parking space and the proposed building, 6 foot landscape buffer on the eastern side, and 16 foot separation on the southern side adjacent to the secondary office area. Drive aisles surrounding the eastern, western, and southern side of the building are separated by parking spaces and landscaping, exceeding the minimum 10-foot requirement. Additionally, along the northern side of the building, there is a 10-foot landscape buffer between the building and the drive aisle. Therefore, the Project is consistent with the minimum parking space and drive aisle separations.
6. Minimum Screened Loading and Storage Yard Separations a. Enclosed Loading and Storage Yard to Street Property Line: 20 FT – Freeways; 20 FT - Arterial Streets; 10 FT - Collector/Local Streets b. Screened Loading and Storage Yard to Interior Property Line: 0 FT c. Screened Loading and Storage Yard to Buildings, Walls, and Fences: 0 FT	**Consistent.** As discussed above, the Project is located along an arterial street. As shown in Figure 3-4, *Proposed Site Plan*, the proposed truck yard would be 32 feet from East Airport Drive. Therefore, the Project is consistent with the minimum screened loading and storage yard separations.
7. Walls, Fences and Obstructions Refer to Section 6.02.025 (Design Standards for Nonresidential Zoning Districts).	**Consistent.** As shown in Figure 3-4, *Proposed Site Plan*, a 14-foot-tall concrete tilt screen wall would border the Project Site's southern boundary along the trailer parking spaces, which would meet the minimum height requirement of 8 feet. Site plans will be subject to review by the Planning Department prior to issuance of building permits. The Project would comply with

Applicable Development Standard	Project Consistency
	Section 6.02.025: Design Standards for Nonresidential Zoning Districts for Walls, Fences, and Obstructions.
8. Off Street Parking Refer to Division 6.03 (Off-Street Parking and Loading).	**Consistent.** The Project would provide a total of 251 parking spaces, which is within the minimum requirement of 251 parking spaces. The Project would comply with Section 6.03 Off-Street Parking and Loading.
9. Property Appearance and Maintenance Refer to Division 6.10 (Property Appearance and Maintenance).	**Consistent.** The Project Site would be redeveloped with a new warehouse distribution facility, which has been designed to be visually compatible with the adjacent building field colors. The Project would comply with Section 6.10 Property Appearance and Maintenance.
10. Historic Preservation Certain portions of commercial zoning districts are identified as historic or potentially historic, and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.	**Not Applicable.** The Project is not located in a commercial zoning district that is identified as historic or potentially historic.
11. Signs Refer to Division 8.1 (Sign Regulations).	**Consistent.** Site plans, including signage plans, will be subject to review by the Planning Department prior to issuance of building permits to ensure compliance with Division 8.1 Sign Regulations.
12. Security Standards Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).	**Consistent.** The Project would be required to comply with construction Site security requirements as stated in the Standard Conditions. Site plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). The Project would be required to comply with the Ontario Municipal Code.
13. Noise: Buildings shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).	**Consistent.** As discussed in Section 4.9, *Noise*, the Project would not result in significant noise impacts and the Project has been constructed to mitigate noise levels.
B. Building Development Standards	
1. Maximum Area Per Building: N/A	-
2. Minimum Street Setback a. From Freeway Property Line: 20FT b. From Arterial Street Property Line: 10 FT - Holt Boulevard; 20 FT - All Other Arterial Streets c. From Collector and Local Street Property Line: 10 FT	**Consistent.** As discussed above, the Project is located along an arterial street. As shown in Figure 3-4, *Proposed Site Plan*, **t**he proposed truck yard would be 32 feet from East Airport Drive and the proposed building would be further north. Therefore, the Project would be consistent with the minimum street setback.
3. Minimum Interior Property Line Setback: 0 FT	-

Applicable Development Standard	Project Consistency
4. Maximum Height: 55 FT	**Consistent.** The proposed building would be 49 feet in height and would not exceed the Zoning District Development Standards' height limit of 55 feet. Accordingly, the Project's proposed building height would comply with the City's permitted height in the IH zone.
5. Minimum Setback from Major Pipelines (to habitable structures): 50FT	**Not Applicable.** The Project Site is not located along the major pipelines within the City.

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

The analysis of light and glare describes the existing light and glare environments in the Project area, identifies the light- and glare-sensitive land uses in the area, describes the light and glare sources under the Project, and qualitatively evaluates whether the Project would result in a substantial increase in nighttime lighting and daytime glare as seen from the area's sensitive uses. The analysis of lighting impacts focuses on whether the Project would cause or substantially increase adverse night time lighting effects on light sensitive uses. Included in this analysis is consideration of the affected street frontages, the direction in which Project lighting would be directed, the potential for sunlight to reflect off the exterior surfaces of the proposed buildings, and the extent to which glare would interfere with the operation of motor vehicles or other activities.

Under existing conditions, the Project Site is surrounded by industrial uses and railroad tracks and street lights are located along East Airport Drive. New lighting would be introduced to the Site with the development of the Project. Pursuant to the requirements of the City's Development Code, on-site lighting is required to be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures are required to be selected and located to confine the area of illumination to within the Project Site and minimize light spillage. Furthermore, Site lighting plans are subject to review by the City's Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance).

With respect to glare, a majority of Project building materials would consist of tilt-up concrete panels which are low reflective. Although the building would incorporate some glass elements, the glass would result in minimal glare effects because proposed window glazing would be low reflective, would be set back from East Airport Drive at a distance and would be buffered from East Airport Drive by landscaping. Therefore, implementation of the Project would not result in a significant source of light or glare that would adversely affect daytime or nighttime views and impacts would be less than significant.

4.1.6 Cumulative Impact Analysis

The CEQA Guidelines define a "cumulative impact" as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts"

(CEQA Guidelines Section 15355). The Project's effects to scenic views of the San Gabriel Mountains, if any, would be localized to the immediate Project Site area and would not extend beyond the public viewing areas that immediately abut the Project Site (East Airport Drive). The views that would be affected only occur abutting the Project Site and the Project does not contain any off-site components that could adversely affect scenic views that occur elsewhere in the City. Furthermore, the Project's impacts to local scenic views are inherently site specific and not influenced or exacerbated by effects to scenic views that may occur at other, off-site properties. Because of the site-specific nature of these impacts, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties pursuant to Threshold "a."

As noted under the analysis of Threshold "b," the Project Site is not located within close proximity to any designated State scenic routes and does not contain any scenic resources. Therefore, the Project has no potential contribute to a cumulatively significant impact to scenic resources within a designated scenic route corridor.

Under existing conditions, the area surrounding the Project Site is entirely developed with industrial land uses. No new or pending development projects are known to occur in the area surrounding the Project Site. Accordingly, the Project would not contribute to cumulatively considerable impacts to local visual quality. Notwithstanding, as with the Project, any re-development in the surrounding area would be subject to applicable development regulations and design standards, including, but not limited to the Ontario Development Code. Mandatory compliance to applicable development regulations and design standards would ensure that developments would incorporate high quality building materials, site design, and landscaping to preclude potential conflicts with applicable zoning and other regulations governing visual quality.

With respect to potential cumulative light and glare impacts, the Project would be required to comply with City's Development Code, which sets standards for exterior lighting/fixtures. The restriction on unshielded light fixtures and "spill over" lighting enforced by these lighting regulations has the effect of minimizing light and glare that would affect daytime views and/or create sky glow. Additionally, development projects with artificial light sources in surrounding jurisdictions would be required to comply with the light reduction requirements applicable in their respective jurisdiction. Although cumulative development in the Project's surrounding area is expected to introduce new sources of lighting and potentially reflective materials, the required compliance with the applicable legal standard and code requirements would ensure that future cumulative development does not introduce substantial sources of lighting or glare. As such, the Project would not contribute to cumulatively-considerable, adverse impacts to the existing daytime or nighttime views of the Project Site or its surroundings.

4.1.7 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The Project would not substantially affect a scenic vista. The Project Site does not contain any designated scenic vistas or scenic corridors. The Project would not substantially affect views of the San Gabriel Mountains from nearby public viewing areas.

Threshold b: No Impact. The Project Site is not located within the viewshed of a scenic highway and does not contain scenic resources.

Threshold c: No Impact. The Project would not conflict with applicable zoning and other regulations governing scenic quality during Project construction or operation. The Project is consistent with the existing and surrounding industrial land uses.

Threshold d: Less-than-Significant Impact. Compliance with the City's Development Code requirements for artificial lighting would ensure less-than-significant impacts associated with light and glare affecting day or nighttime views in the area from on-site lighting elements.

4.1.8 Mitigation

Project impacts would be less than significant and mitigation is not required.

4.2 AIR QUALITY

This Subsection is primarily based on two technical studies that were prepared by Urban Crossroads, Inc. to evaluate the potential for Project-related construction and operational activities to result in adverse effects on local and regional air quality. The first report, an air quality impact analysis (AQIA), is titled "5355 East Airport Drive Air Quality Impact Analysis," dated August 30, 2022, and is included as *Technical Appendix B1* to this EIR (Urban Crossroads, 2022a). The second report, a mobile source health risk assessment (HRA), is titled "5355 East Airport Drive Mobile Source Health Risk Assessment," dated August 30, 2022, and is included as *Technical Appendix B2* to this EIR (Urban Crossroads, 2022b). All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.2.1 EXISTING CONDITIONS

A. Atmospheric Setting

The Project Site is located in the South Coast Air Basin (SCAB, or "Basin"), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAB encompasses approximately 6,745 square miles and includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAB is bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and the San Jacinto Mountains to the north and east, respectively; and the San Diego County line to the south. (Urban Crossroads, 2022a, p. 9)

B. Regional Climate

The regional climate – temperature, wind, humidity, precipitation, and the amount of sunshine – has a substantial influence on air quality. The SCAB's distinctive climate is determined by its terrain and geographical location, which comprises a coastal plain connected to broad valleys and low hills bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter. The SCAB is semi-arid, with average annual temperatures varying from the low-to-middle 60s, measured in degrees Fahrenheit (F); however, the air near the land surface is quite moist on most days because of the presence of a marine layer. This shallow layer of sea air is an important modifier of the SCAB's climate. Humidity restricts visibility in the SCAB and the relative high humidity heightens the conversion of sulfur dioxide (SO_2) to sulfates (SO_4). The marine layer provides an environment for that conversion process, especially during the spring and summer months. Inland areas of the SCAB, including where the Project Site is located, show more variability in annual minimum/maximum temperatures and lower average humidity than coastal areas within the SCAB due to decreased marine influence. (Urban Crossroads, 2022a, p. 9)

More than 90 percent of the SCAB's rainfall occurs between November and April. The annual average rainfall within the SCAB varies between approximately 9 inches in Riverside to 14 inches in downtown Los Angeles. Monthly and yearly rainfall totals are extremely variable. Summer rainfall usually consists of widely scattered thunderstorms near the coast and slightly heavier shower activity in the eastern portion of the SCAB. Due to its generally clear weather, about three-quarters of available sunshine is received in the SCAB; the remaining one-quarter is absorbed by clouds. The abundant

amount of sunshine (and its associated ultraviolet radiation) is a key factor to the photochemical reactions of air pollutants in the SCAB. (Urban Crossroads, 2022a, pp. 9-10)

Dominant airflow direction and speed are the driving mechanisms for transport and dispersion of air pollution. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with storms moving through the region from the northwest. This period also brings 5 to 10 periods of strong, dry offshore winds, locally termed "Santa Anas" each year. During the dry season, which coincides with the months of maximum photochemical smog concentrations, the wind flow is bimodal, typified by a daytime onshore sea breeze and a nighttime offshore drainage wind. Summer wind flows are created by the pressure differences between the relatively cold ocean and the unevenly heated and cooled land surfaces that modify the general northwesterly wind circulation over southern California. During the nighttime, heavy, cool air descends mountain slopes and flows through the mountain passes and canyons as it follows the lowering terrain toward the ocean. (Urban Crossroads, 2022a, p. 10)

In the SCAB, there are two distinct temperature inversion structures that control the vertical mixing of air pollution. During the summer, warm high-pressure descending (subsiding) air is undercut by a shallow layer of cool marine air. The boundary between these two layers of air is a persistent marine subsidence/inversion. This boundary prevents vertical mixing which effectively acts as an impervious lid to pollutants over the entire SCAB. The mixing height for the inversion structure is normally situated 1,000 to 1,500 feet above mean sea level. A second inversion-type forms in conjunction with the drainage of cool air off the surrounding mountains at night followed by the seaward drift of this pool of cool air. The top of this layer forms a sharp boundary with the warmer air aloft and creates nocturnal radiation inversions. These inversions occur primarily in the winter, when nights are longer and onshore flow is weakest. They are typically only a few hundred feet above mean sea level. These inversions effectively trap pollutants, such as nitrogen oxides and carbon monoxide, as the pool of cool air drifts seaward. Winter is therefore a period of high levels of primary pollutants along the coastline. (Urban Crossroads, 2022a, p. 10)

C. Criteria Pollutants and Associated Human Health Effects

The federal government and State of California have established maximum permissible concentrations for common air pollutants that may pose a risk to human health or would otherwise degrade air quality and adversely affect the environment. These regulated air pollutants are referred to as "criteria pollutants." An overview of the common criteria air pollutants in the SCAB, their sources, and associated effects to human health are summarized below (refer also to Section 2.4 of the Project's AQIA in *Technical Appendix B1* to this EIR for a detailed discussion of criteria pollutants).

- **Carbon Monoxide (CO)** is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest in the winter during the morning, when there is little to no wind and surface-based inversions trap the pollutant at ground levels. CO is emitted directly from internal combustion engines; therefore, motor vehicles operating at slow speeds are the

primary source of CO and the highest ambient CO concentrations in the SCAB are generally found near congested transportation corridors and intersections.

Health Effects

Inhaled CO does not directly affect the lungs but affects tissues by interfering with oxygen transport and competing with oxygen to combine with hemoglobin present in the blood to form carboxyhemoglobin (COH_b). Therefore, health conditions with an increased demand for oxygen supply can be adversely affected by exposure to CO. The most common symptoms associated with CO exposure include headache, nausea, vomiting, dizziness, fatigue, and muscle weakness. Individuals most at risk to the effects of CO include fetuses, patients with diseases involving heart and blood vessels, and those with chronic oxygen deficiency.

- **Sulfur Dioxide (SO_2)** is a colorless gas or liquid. SO_2 enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO_2 oxidizes in the atmosphere, it forms sulfates (SO_4). Collectively, these pollutants are referred to as sulfur oxides (SO_X).

  Health Effects

  SO_2 is a respiratory irritant to people afflicted with asthma. After a few minutes' exposure to low levels of SO_2, asthma sufferers can experience breathing difficulties, including airway constriction and reduction in breathing capacity. Although healthy individuals do not exhibit similar acute breathing difficulties in response to SO_2 exposure at low levels, animal studies suggest that very high levels of exposure can cause lung edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract.

- **Nitrogen Oxides (NO_X)** consist of nitric oxide (NO), nitrogen dioxide (NO_2) and nitrous oxide (N_2O) and are formed when nitrogen (N_2) combines with oxygen (O_2). Their lifespan in the atmosphere ranges from 1 to 7 days for nitric oxide and nitrogen dioxide, to 170 years for nitrous oxide. Nitrogen oxides are typically created during combustion processes, and are major contributors to smog formation and acid deposition.

  Health Effects

  NO_2 is a criteria air pollutant and may result in numerous adverse health effects; it absorbs blue light, resulting in a brownish-red cast to the atmosphere, and reduced visibility. Of the nitrogen oxide compounds, NO_2 is the most abundant in the atmosphere. As ambient concentrations of NO_2 are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO_2 than those indicated by regional monitoring stations. Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO_2. Short-term exposure to NO_2 can result in resistance to air flow

and airway contraction in healthy subjects. Exposure to NO_2 can result decreases in lung functions in individuals with asthma or chronic obstructive pulmonary diseases (e.g., chronic bronchitis, emphysema), as these individuals are more susceptible to the effects of NO_X than healthy individuals.

- **Ozone (O_3)** is a highly reactive and unstable gas that is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_X), both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, warm temperatures, and light wind conditions are favorable to the formation of this pollutant.

  Health Effects

  Short-term exposure (lasting for a few hours) to ozone at levels typically observed in southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Individuals exercising outdoors, children, and people with pre-existing lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for ozone effects. Children who participate in multiple outdoor sports and live in communities with high ozone levels have been found to have an increased risk for asthma.

- **Particulate Matter less than 10 microns (PM_{10}) and less than 2.5 microns ($PM_{2.5}$)** are air pollutants consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols that are 10 microns or smaller or 2.5 microns or smaller, respectively. These particles are formed in the atmosphere from primary gaseous emissions that include sulfates formed from SO_2 release from power plants and industrial facilities and nitrates that are formed from NO_X release from power plants, automobiles, and other types of combustion sources. The chemical composition of fine particles is highly dependent on location, time of year, and weather conditions.

  Health Effects

  The small size of PM_{10} and $PM_{2.5}$ allows them to enter the lungs where they may be deposited, resulting in adverse health effects. Elevated ambient concentrations of fine particulate matter (PM_{10} and $PM_{2.5}$) have been linked to an increase in respiratory infections, number, and severity of asthma attacks, and increased hospital admissions. Some studies have reported an association between long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in life-span, and an increased mortality from lung cancer. Daily fluctuations in $PM_{2.5}$ concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma. Recent studies show lung function growth in children is reduced with long-term exposure to particulate matter. The elderly, people with pre-

existing respiratory or cardiovascular disease, and children, appear to be the most susceptible to the effects of high levels of PM_{10} and $PM_{2.5}$.

- **Volatile Organic Compounds (VOCs) and Reactive Organic Gasses (ROGs)** are a family of hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. Both VOCs and ROGs are precursors to ozone and contribute to the formation of smog through atmospheric photochemical reactions. Individual VOCs and ROGs have different levels of reactivity; that is, they do not react at the same speed or do not form ozone to the same extent when exposed to photochemical processes.

  Health Effects

  VOCs often have an odor, including such common VOCs as gasoline, alcohol, and the solvents used in paints. Odors generated by VOCs can irritate the eye, nose, and throat, which can reduce respiratory volume. In addition, studies have shown that the VOCs that cause odors can stimulate sensory nerves to cause neurochemical changes that might influence health, for instance, by compromising the immune system.

- **Lead (Pb)** is a heavy metal that is highly persistent in the environment. Historically, the primary source of lead in the air was emissions from vehicles burning leaded gasoline. Currently, emissions of lead are largely limited to stationary sources such as lead smelters.

  Health Effects

  Exposure to low levels of lead can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased lead levels are associated with increased blood pressure. Lead poisoning can cause anemia, lethargy, seizures, and death. Fetuses, infants, and children are more sensitive than others to the adverse effects of lead exposure. (Urban Crossroads, 2022a, pp. 11-17)

As discussed in EIR Subsection 2.2, OEHHA's California Communities Environmental Health Screening Tool: CalEnviroScreen 4.0, is a screening methodology that the State of California uses to identify California communities that are disproportionately burdened by multiple sources of pollution. The CalEnviroScreen 4.0 indicators for the Project Site's Census Tract are in Table 2-1 and report that for the Project Site's Census Tract (Census Tract 6071012700) the highest environmental exposures from air pollution (over 75%) are from O_3, $PM_{2.5}$, and diesel particulate matter (DPM).

D. Existing Air Quality

Air quality is evaluated in the context of ambient air quality standards published by the federal and State governments. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. The National Ambient Air Quality

Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect are detailed in Table 4.2-1, *Ambient Air Quality Standards*.

Table 4.2-1 Ambient Air Quality Standards (1 of 2)

Pollutant	Averaging Time	California Standards [1]		National Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m³)		0.070 ppm (137 µg/m³)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m³	Gravimetric or Beta Attenuation	150 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m³		—		
Fine Particulate Matter (PM2.5)[9]	24 Hour	—	—	35 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m³	Gravimetric or Beta Attenuation	12.0 µg/m³	15 µg/m³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m³)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m³)		9 ppm (10 mg/m³)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m³)		—	—	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m³)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m³)		0.053 ppm (100 µg/m³)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m³)	Ultraviolet Fluorescence	75 ppb (196 µg/m³)	—	Ultraviolet Flourescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m³)	
	24 Hour	0.04 ppm (105 µg/m³)		0.14 ppm (for certain areas)[10]	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas)[10]	—	
Lead[12,13]	30 Day Average	1.5 µg/m³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m³ (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m³		
Visibility Reducing Particles[14]	8 Hour	See footnote 13	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m³)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m³)	Gas Chromatography			

Source: (Urban Crossroads, 2022a, Table 2-2)

Table 4.2-1 Ambient Air Quality Standards (2 of 2)

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 $\mu g/m^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 $\mu g/m^3$ to 12.0 $\mu g/m^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 $\mu g/m^3$, as was the annual secondary standard of 15 $\mu g/m^3$. The existing 24-hour PM10 standards (primary and secondary) of 150 $\mu g/m^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

    Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 $\mu g/m^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

Source: (Urban Crossroads, 2022a, Table 2-2)

1. *Regional Air Quality*

❑ Criteria Pollutants

The SCAQMD monitors levels of various criteria pollutants at 37 permanent monitoring stations and 5 single-pollutant source Pb air monitoring sites throughout the Air Basin. The attainment status for criteria pollutants within the SCAB is summarized in Table 4.2-2, *Attainment Status of Criteria Pollutants in the SCAB.*

Table 4.2-2 Attainment Status of Criteria Pollutants in the SCAB

Criteria Pollutant	State Designation	Federal Designation
O_3 – 1-hour standard	Nonattainment	--
O_3 – 8-hour standard	Nonattainment	Nonattainment
PM_{10}	Nonattainment	Attainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO_2	Attainment	Unclassifiable/Attainment
SO_2	Unclassifiable/Attainment	Unclassifiable/Attainment
Pb[1]	Attainment	Unclassifiable/Attainment

Note: See Appendix 2.1 for a detailed map of State/National Area Designations within the SCAB
"-" = The national 1-hour O_3 standard was revoked effective June 15, 2005.
[1] The Federal nonattainment designation for lead is only applicable towards the Los Angeles County portion of the SCAB.
Source: (Urban Crossroads, 2022a, Table 2-3)

2. *Local Air Quality*

❑ Criteria Pollutants

The SCAQMD has designated general forecast areas and air monitoring areas (referred to as Source Receptor Areas (SRA) throughout the district in order to provide Southern California residents information about air quality conditions. The Project Site is located within SRA 33. Within SRA 33, the Interstate 10 (I-10) Near Road and California State Route (CA-60) Near Road monitoring stations are located approximately 0.6 miles northeast and 5.3 miles southwest of the Project Site, respectively. These stations report air quality statistics for CO, NO_2, and $PM_{2.5;}$ these monitoring station do not provide data for O_3 or PM_{10}. As such, the next nearest monitoring station is utilized for reporting purposes herein. Data for O_3 or PM_{10} was obtained from the Central San Bernardino Valley 1 monitoring station, located in SRA 34, approximately 3.5 miles northeast of the Project Site. Data from Central San Bernardino Valley 1 monitoring station were utilized in lieu of the I-10 Near Road and CA-60 Near Road monitoring stations only in instances where data was not available from those stations within SRA 33. (Urban Crossroads, 2022a, p. 21)

Ambient air pollutant concentrations in the Project area are summarized in Table 4.2-3, *Project Area Air Quality Monitoring Summary*. Data was collected for the three most recent years for which data was available (2018-2020).

Table 4.2-3 Project Area Air Quality Monitoring Summary

Pollutant	Standard	Year		
		2018	2019	2020
O_3				
Maximum Federal 1-Hour Concentration (ppm)		0.141	0.124	0.151
Maximum Federal 8-Hour Concentration (ppm)		0.111	0.109	0.111
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	38	41	56
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	69	67	89
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	1.6	1.5	1.5
Maximum Federal 8-Hour Concentration	> 20 ppm	1.3	1.1	1.2
NO_2				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.088	0.086	0.094
Annual Federal Standard Design Value		0.027	0.028	0.029
PM_{10}				
Maximum Federal 24-Hour Concentration (µg/m^3)	> 150 µg/m^3	64	88	61
Annual Federal Arithmetic Mean (µg/m^3)		34.1	34.8	35.8
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m^3	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 µg/m^3	9	12	6
$PM_{2.5}$				
Maximum Federal 24-Hour Concentration (µg/m^3)	> 35 µg/m^3	47.90	41.30	53.10
Annual Federal Arithmetic Mean (µg/m^3)	> 12 µg/m^3	14.31	12.70	14.36
Number of Days Exceeding Federal 24-Hour Standard	> 35 µg/m^3	5	5	4

ppm = Parts Per Million
µg/m^3 = Microgram per Cubic Meter
Source: Data for O_3, CO, NO_2, PM_{10}, and $PM_{2.5}$ was obtained from SCAQMD Air Quality Data Tables.
Source: (Urban Crossroads, 2022a, Table 2-4)

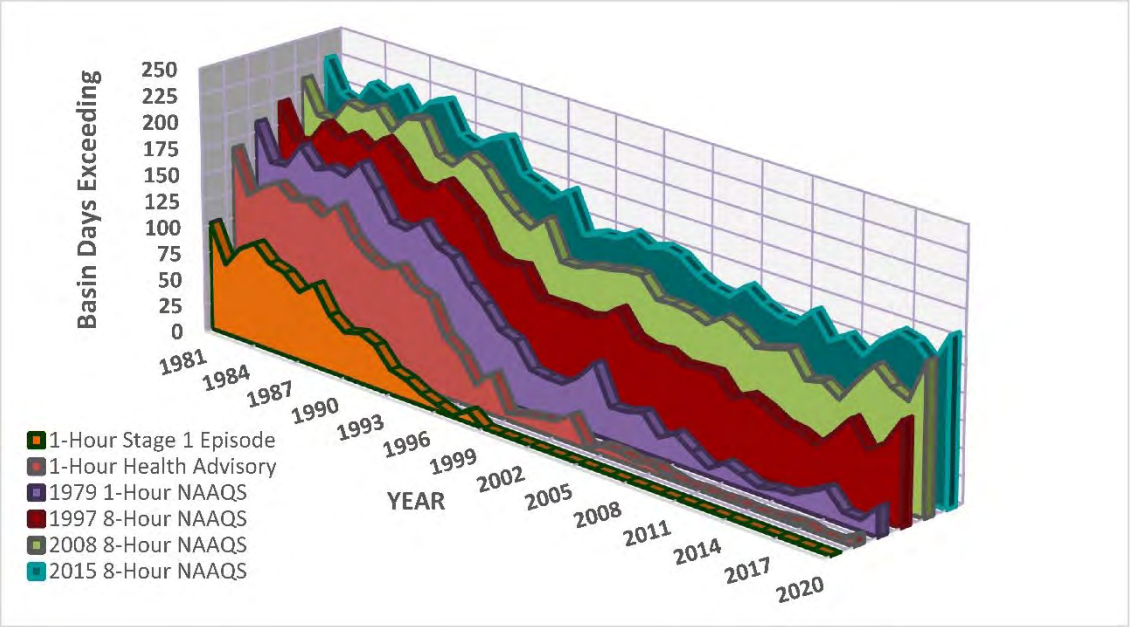
E. *Regional Air Quality Improvement*

The Project site is within the jurisdiction of the SCAQMD. SCAQMD develops comprehensive plans and regulatory programs for the region to attain federal standards by dates specified in federal law. The agency is also responsible for meeting State standards by the earliest date achievable, using reasonably available control measures. SCAQMD rule development through the 1970s and 1980s resulted in dramatic improvement in SCAB air quality. Nearly all control programs developed through the early 1990s relied on (i) the development and application of cleaner technology; (ii) add-on emission

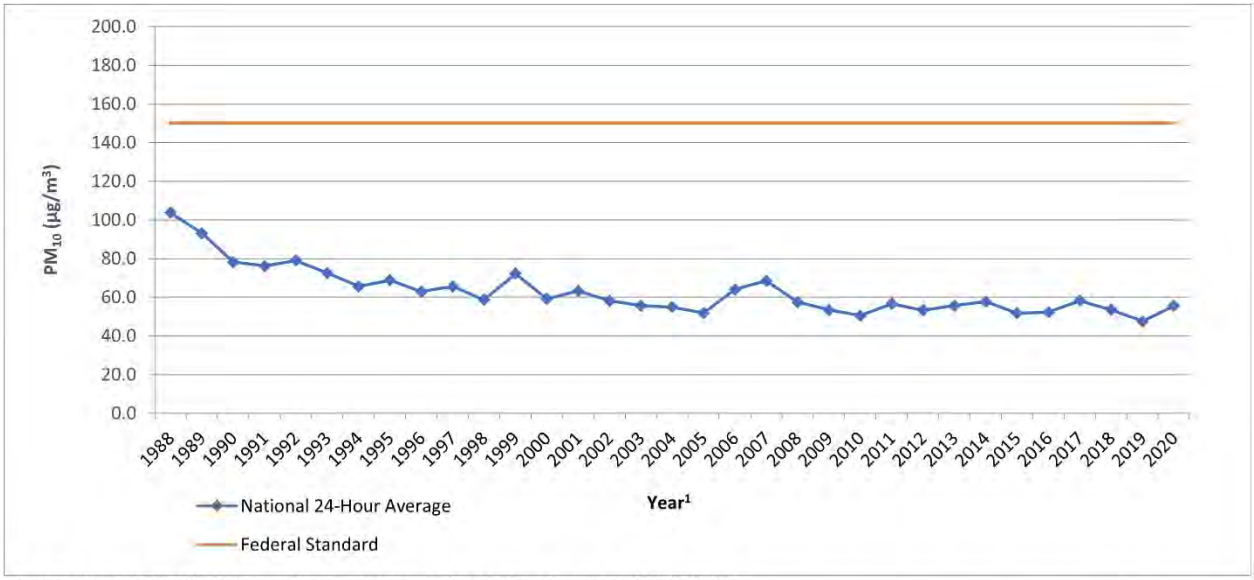
controls, and (iii) uniform California Environmental Quality Act (CEQA) review throughout the SCAB. Industrial emission sources have been significantly reduced by this approach and vehicular emissions have been reduced by technologies implemented at the State level by CARB.

Emissions of O_3, NO_X, PM, VOC, and CO have been decreasing in the SCAB since 1975 and are projected to continue to decrease beyond 2020 as shown in the images below produced by CARB and the SCAQMD.

SCAB O_3 Trend

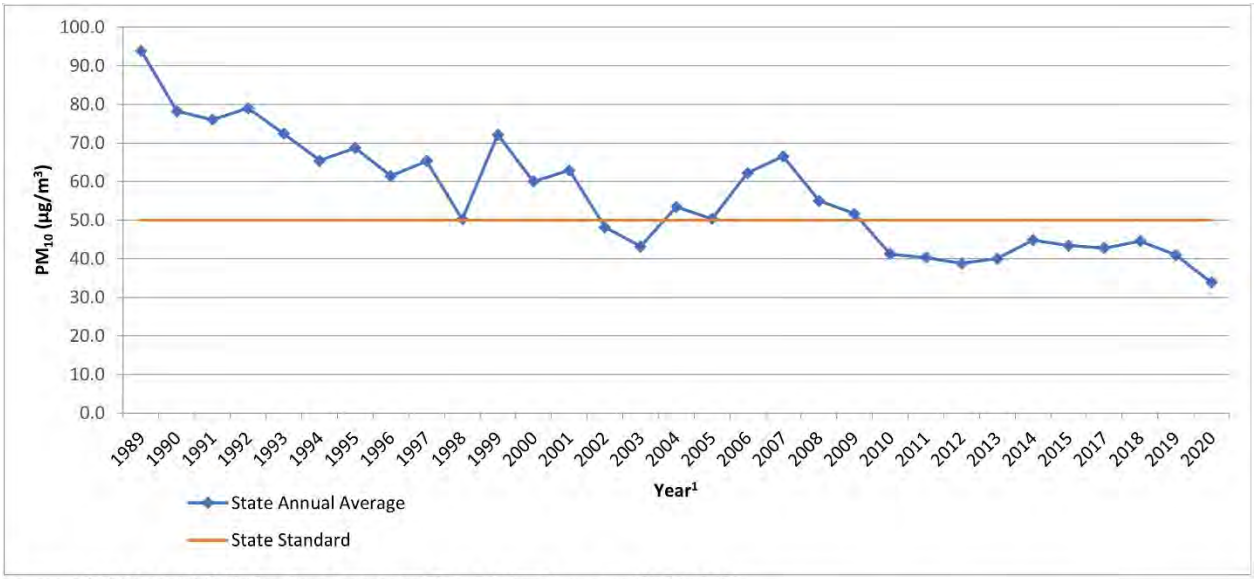


SCAB Average 24-Hour Concentration PM_{10} Trend (Based on Federal Standard)



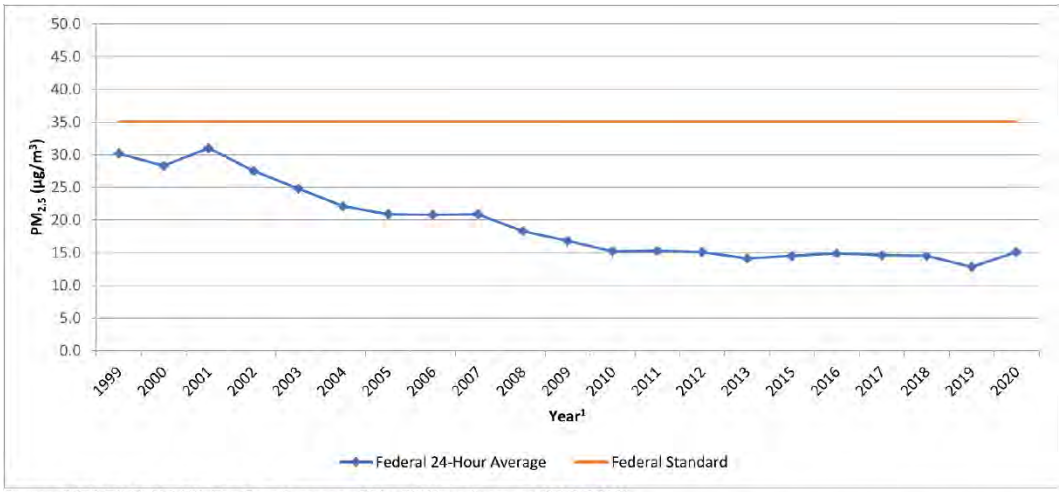
Source: 2020 CARB, iADAM: Top Four Summary: PM_{10} 24-Hour Averages (1988-2020)
[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.

SCAB Annual Average Concentration PM_{10} Trend (Based on State Standard)



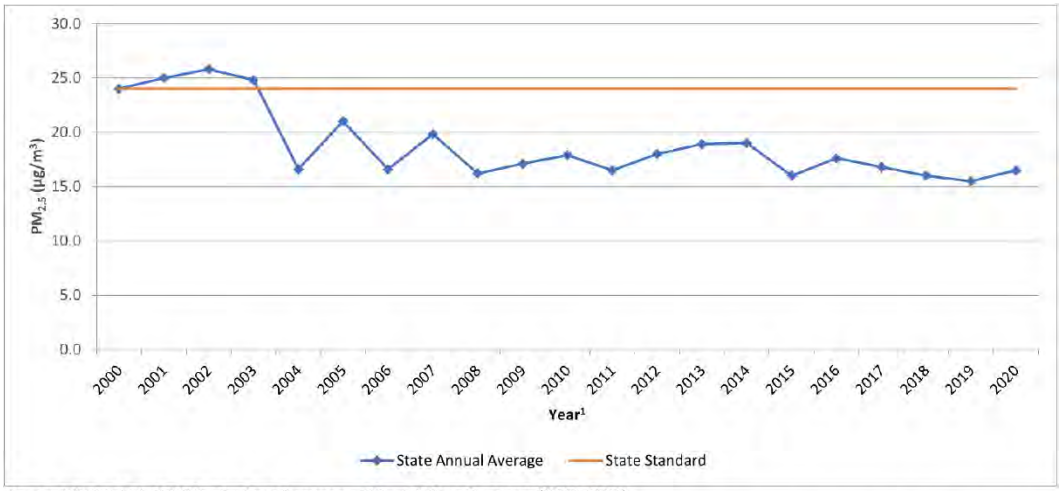
Source: 2020 CARB, iADAM: Top Four Summary: PM_{10} 24-Hour Averages (1988-2020)
[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.

SCAB 24-Hour Average Concentration $PM_{2.5}$ Trend (Based on Federal Standard)



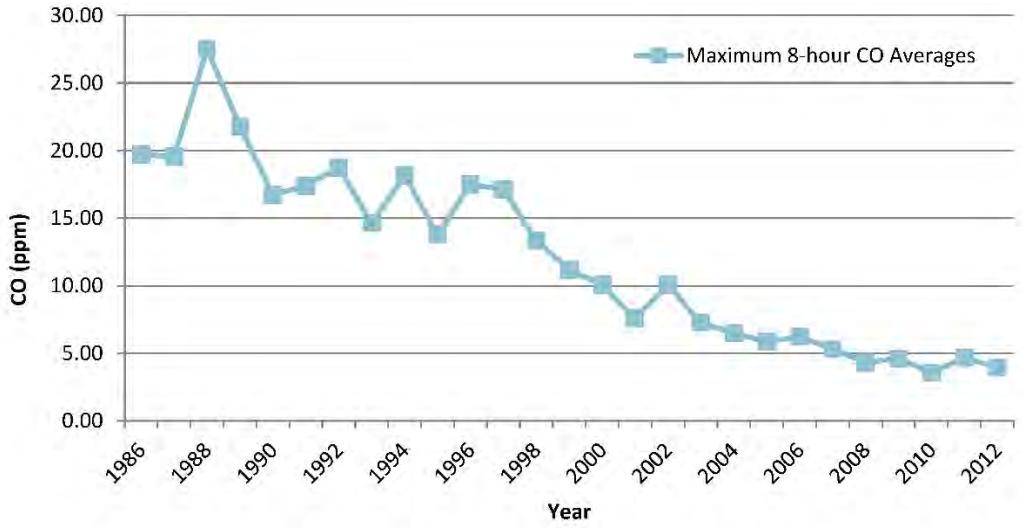
Source: 2020 CARB, iADAM: Top Four Summary: $PM_{2.5}$ 24-Hour Averages (1999-2020)
[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.

SCAB 24-Hour Average Concentration $PM_{2.5}$ Trend (Based on State Standard)



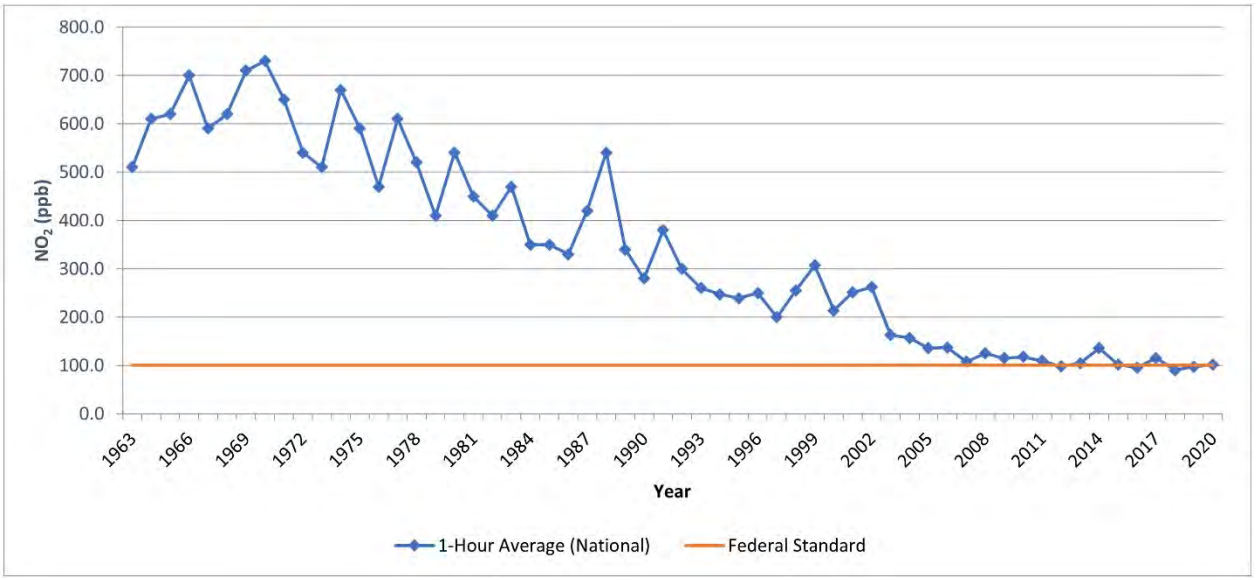
Source: 2020 CARB, iADAM: Top Four Summary: $PM_{2.5}$ 24-Hour Averages (1999-2020)
[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.

SCAB 8-Hour Average Concentration CO Trend

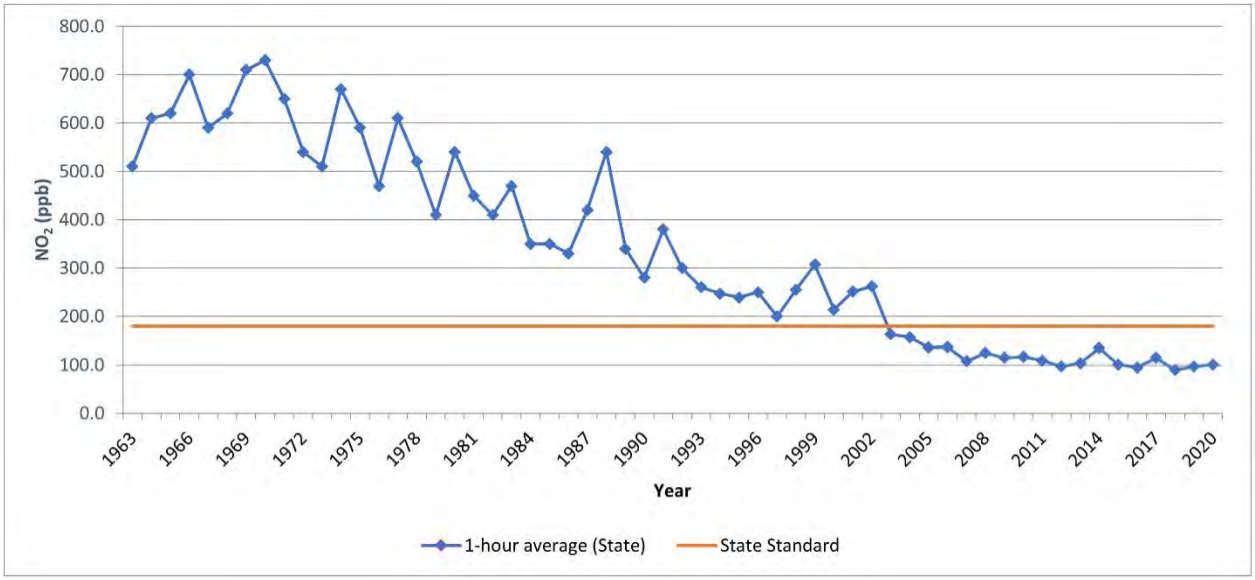


Source: 2020 CARB, iADAM: Top Four Summary: CO 8-Hour Averages (1986-2012)
[1] The most recent year where 8-hour concentration data is available is 2012.

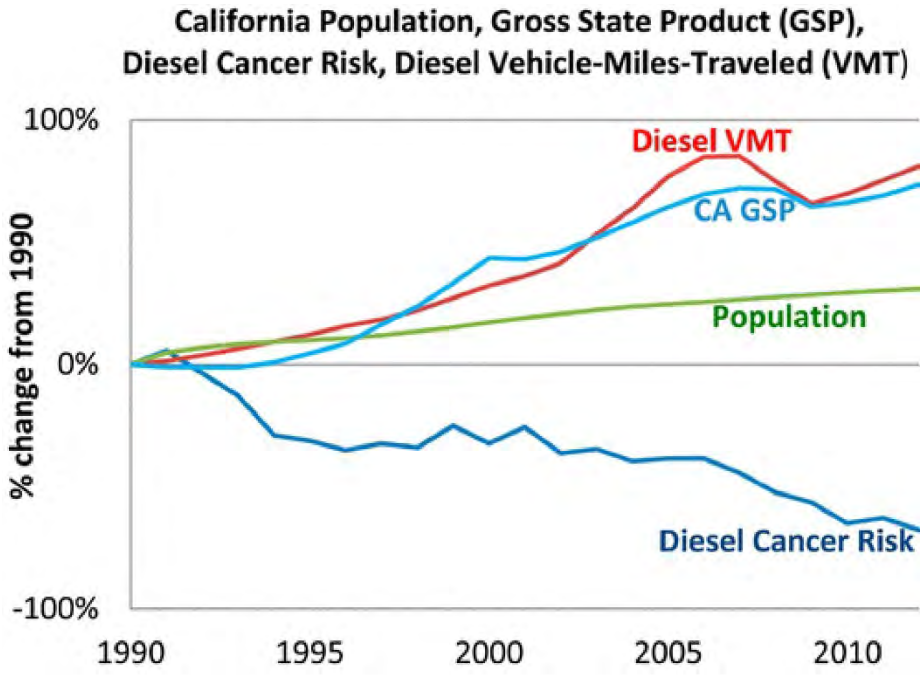
SCAB 1-Hour Average NO_2 Concentration Trend (Based on Federal Standard)



SCAB 1-Hour Average NO_2 Concentration Trend (Based on State Standard)



DPM and Diesel Vehicle Miles Trend



3. *Project Site Air Quality*

The Project Site is currently occupied and operating as a grain processing company and a corn storage and distribution facility. The estimated operation-source air pollutant emissions from existing uses on the Project Site are summarized on Table 4.2-4, *Existing Project Site Operation-Source Emissions*. Detailed operation model outputs are presented in Appendix 3.3 of the Project's AQIA contained as *Technical Appendix B1* to this EIR. (Urban Crossroads, 2022a, p. 28)

Table 4.2-4 Existing Project Site Operation-Source Emissions

Source	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
Mobile Source	1.03	9.24	15.78	0.08	2.04	0.53
Area Source	1.30	0.02	1.82	0.00	0.00	0.00
Energy Source	0.02	0.43	0.36	0.00	0.03	0.03
Total Maximum Daily Emissions	**2.35**	**9.69**	**17.96**	**0.08**	**2.07**	**0.56**
Winter						
Mobile Source	0.97	9.68	13.68	0.08	2.04	0.53
Area Source	1.00	0.00	0.00	0.00	0.00	0.00
Energy Source	0.02	0.43	0.36	0.00	0.03	0.03
Total Maximum Daily Emissions	**1.99**	**10.11**	**14.04**	**0.08**	**2.07**	**0.56**

Source: (Urban Crossroads, 2022a, Table 3-1)

4.2.2 Regulatory Setting

The following is a brief description of the federal, State, and local environmental laws and related regulations governing air quality emissions.

A. *Federal Plans, Policies, and Regulations*

1. *Federal Clean Air Act*

The Clean Air Act (CAA; 42 U.S.C. § 7401 et seq.) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes Environmental Protection Agency (EPA) to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants, which include O_3, CO, NO_x, SO_2, PM_{10}, $PM_{2.5}$, and Pb. (EPA, 2020a)

One of the goals of the CAA was to set and achieve NAAQS in every state by 1975 in order to address the public health and welfare risks posed by certain widespread air pollutants. The setting of these pollutant standards was coupled with directing the states to develop state implementation plans (SIPs),

applicable to appropriate industrial sources in the state, in order to achieve these standards. The CAA was amended in 1977 and 1990 primarily to set new goals (dates) for achieving attainment of NAAQS since many areas of the country had failed to meet the deadlines. (EPA, 2020a)

The sections of the federal CAA most directly applicable to the development of the Project Site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions address the urban air pollution problems of O_3 (smog), CO, and PM_{10}. Specifically, it clarifies how areas are designated and re-designated "attainment." It also allows EPA to define the boundaries of "nonattainment" areas: geographical areas whose air quality does not meet Federal air quality standards designed to protect public health. (EPA, 2020b) Mobile source emissions are regulated in accordance with the CAA Title II provisions. These standards are intended to reduce tailpipe emissions of hydrocarbons, CO, and NO_X on a phased-in basis that began in model year 1994. Automobile manufacturers also are required to reduce vehicle emissions resulting from the evaporation of gasoline during refueling. These provisions further require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas. (EPA, 2020c)

Section 112 of the Clean Air Act addresses emissions of hazardous air pollutants. Prior to 1990, CAA established a risk-based program under which only a few standards were developed. The 1990 Clean Air Act Amendments revised Section 112 to first require issuance of technology-based standards for major sources and certain area sources. "Major sources" are defined as a stationary source or group of stationary sources that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants. An "area source" is any stationary source that is not a major source. (EPA, 2020a)

For major sources, Section 112 requires that EPA establish emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants. These emission standards are commonly referred to as "maximum achievable control technology" or "MACT" standards. Eight years after the technology-based MACT standards are issued for a source category, EPA is required to review those standards to determine whether any residual risk exists for that source category and, if necessary, revise the standards to address such risk. (EPA, 2020a)

2. SmartWay Program

The US EPA's SmartWay Program is a voluntary public-private program developed in 2004, which 1) provides a comprehensive and well-recognized system for tracking, documenting and sharing information about fuel use and freight emissions across supply chains; 2) helps companies identify and select more efficient freight carriers, transport modes, equipment, and operational strategies to improve supply chain sustainability and lower costs from goods movement; 3) supports global energy security and offsets environmental risk for companies and countries; and 4) reduces freight transportation-related emissions by accelerating the use of advanced fuel-saving technologies (EPA, 2021a). This program is supported by major transportation industry associations, environmental groups, State and local governments, international agencies, and the corporate community.

B. State Plans, Policies, and Regulations

1. California Clean Air Act (CCAA)

The California Clean Air Act (CCAA) establishes numerous requirements for district plans to attain state ambient air quality standards for criteria air contaminants. The CCAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the State's ambient air quality standards, the CAAQS, by the earliest practical date. The CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, established standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. Generally, the CAAQS are more stringent than the NAAQS. For districts with serious air pollution, its attainment plan should include the following: no net increase in emissions from new and modified stationary sources; and best available retrofit technology for existing sources. (SCAQMD, n.d.)

2. Air Toxic Hot Spots Act

The Air Toxic "Hot Spots" Information and Assessment Act of 1987, commonly known as AB 2588, (Health & Safety Code Section 44300, et seq.) requires facilities emitting specified quantities of pollutants to conduct risk assessments describing the health impacts to neighboring communities created by their emissions of numerous specified hazardous compounds. If the district determines the health impact to be significant, neighbors must be notified. In addition, state law requires the facility to develop and implement a plan to reduce the health impacts to below significance, generally within 5 years. Additional control requirements for hazardous emissions from specific industries are established by the state and enforced by districts. (SCAQMD, n.d.)

3. Air Quality Management Planning

The CARB and local air districts throughout the State are responsible for developing clean air plans to demonstrate how and when California will attain air quality standards established under both the CAA and CCAA. For the areas within California that have not attained air quality standards, CARB works with local air districts to develop and implement State and local attainment plans. In general, attainment plans contain a discussion of ambient air quality data and trends; a baseline emissions inventory; future year projections of emissions, which account for growth projections and already adopted control measures; a comprehensive control strategy of additional measures needed to reach attainment; an attainment demonstration, which generally involves complex modeling; and contingency measures. Plans may also include interim milestones for progress toward attainment. Air quality planning activities undertaken by CARB also include the development of policies, guidance, and regulations related to State and federal ambient air quality standards; coordination with local agencies on transportation plans and strategies; and providing assistance to local districts and transportation agencies. (CARB, 2012)

4. Truck & Bus Regulation

Under the Truck and Bus Regulation, adopted by CARB in 2008, all diesel truck fleets operating in California are required to adhere to an aggressive schedule for upgrading and replacing heavy-duty

truck engines. Older, more polluting trucks are required to be replaced first, while trucks that already have relatively clean engines are not required to be replaced until later. Pursuant to the Truck and Bus Regulation, all pre-1994 heavy trucks (trucks with a gross vehicle weight rating greater than 26,000 pounds) were removed from service on California roads by 2015. Between 2015 and 2020, pre-2000 heavy trucks were equipped with PM filters and upgraded or replaced with an engine that meets 2010 emissions standards. The upgrades/replacements occurred on a rolling basis based on model year. By 2023, all heavy trucks operating on California roads must have engines that meet 2010 emissions standards. Lighter trucks (those with a gross vehicle weight rating of 14,001 to 26,000 pounds) adhered to a similar schedule, and were all replaced by 2020. (CARB, n.d.)

5. Advanced Clean Truck Regulation

In June, 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California will be required to be zero-emission. Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales. CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day. Commercial availability of electric-powered long-haul trucks is very limited; however, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future. (CARB, 2021)

6. California Air Resources Board Rules

The CARB enforces rules related to air pollutant emissions in the State of California. Rules with applicability to the Project include, but are not limited to, those listed below.

- CARB Rule 2485 (13 CCR 2485): Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling, which limits nonessential idling to five minutes or less for commercial trucks.
- CARB Rule 2449 (13 CCR 2449): In-Use Off-Road Diesel Idling Restricts, which limits nonessential idling to five minutes or less for diesel-powered off-road equipment.

C. Local Plans, Policies, and Regulations

1. SCAQMD Air Quality Management Plan

Under existing conditions, the NAAQS and CAAQS are exceeded in most parts of the SCAB. In response, and in conformance with California Health & Safety Code Section 40702 *et seq.* and the California CAA, the SCAQMD adopted an AQMP to plan for the improvement of regional air quality. AQMPs are updated regularly in order to more effectively reduce emissions and accommodate growth.

Each version of the plan is an update of the previous plan and has a 20-year horizon with a revised baseline. The SCAQMD's most recent iteration of the AQMP was adopted in March 2017 (SCAQMD, 2017a). The 2022 AQMP is currently being developed by SCAQMD to address the EPA's strengthened ozone standard. Development of the 2022 AQMP is in its early stages and no formal timeline for completion and adoption is currently known.

2. SCAQMD Rules

The SCAQMD enforces rules related to air pollutant emissions in the SCAB. Rules with applicability to the Project include, but are not limited to, those listed below.

- SCAQMD Rule 402 (Nuisance Odors): Prohibits the discharge of air contaminants that cause nuisance or annoyance to any considerable number of persons or to the public

- SCAQMD Rule 403 (Fugitive Dust): Requires the implementation of best available dust control measures (BACMs) during activities capable of generating fugitive dust. Rule 403 also requires activities defined as "large operations" to notify the SCAQMD by submitting specific forms; a large operation is defined as any active operation on property containing 50 or more acres of disturbed surface area; or any earth moving operation with a daily earth-moving or throughput volume of 3,850 cubic meters (5,000 cubic yards), three times during the most recent 365-day period.

- SCAQMD Rule 431.2 (Low Sulfur Fuel): Requires the use of diesel fuels that adhere to sulfur content limits.

- SCAQMD Rule 1108 (Cutback Asphalt): Prohibits the use of asphalt that exceeds a specified percentage of VOCs.

- SCAQMD Rule 1113 (Architectural Coatings): Requires all buildings within the SCAQMD to adhere to the VOC limits for architectural coatings.

- SCAQMD Rule 1186 (PM10 Emissions from Paved and Unpaved Roads, and Livestock Operations): Requires the use of street sweepers that meet minimum standards for cleaning capabilities.

- SCAQMD Rule 1301 (General): Provides pre-construction review requirements to ensure that new or relocated facilities do not interfere with progress in attainment of the NAAQS. Rule 1301 also limits emission increase of ammonia and ozone depleting compounds from new, modified, or relocated facilities by requiring the use of Best Available Control Technology (BACT).

- SCAQMD Rule 1401 (New Source Review of Toxic Air Contaminants): Prohibits a person from discharging into the atmosphere from any single source of emission whatsoever any

air contaminant for a period or periods aggregating more than three minutes in any 1 hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines.

- SCAQMD Rule 2305 (Warehouse Indirect Source Rule): Requires all operators of warehouses greater than or equal to 100,000 s.f. of indoor floor space to implement measures that reduce nitrogen oxides and particulate matter emissions and/or pay a fee to fund programs to improve regional air quality.

4.2.2 Methodology for Calculating Project-Related Air Quality Impacts

The California Emissions Estimator Model (CalEEMod), version 2022.1, was used to calculate all Project-related air pollutant emissions (with the exception of localized emissions and diesel particulate matter emissions from Project operations, refer to Subsection 4.2.3B, below). The CalEEMod is a Statewide land use emission computer model developed for the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the California Air Districts, including the SCAQMD, that provides a uniform platform to quantify potential criteria pollutant emissions associated with construction and operation of land development projects.

A. Project Construction Emissions

The Project's construction period will last approximately 12 months and will include 6 activity phases: 1) demolition/crushing; 2) site preparation; 3) grading; 4) building construction; 5) paving; and 6) architectural coating/landscaping. For purposes of the air quality analysis, the Project's construction activities are assumed to occur between May 2023 and April 2024. This assumption represents a conservative analysis scenario because, should construction occur later than the dates assumed in the analysis, construction equipment emissions would be the same or more likely lower than presented because emission regulations are becoming more stringent over time and the retirement of older (higher-polluting) equipment and replacement with newer (less-polluting) pieces of equipment is constantly happening in response to State regulations or service needs. The air quality analysis model utilizes the durations of each construction activity phase and the construction equipment fleet previously presented in EIR Section 3.0, *Project Description*. The analysis assumptions for Project construction are based on information provided by the Project Applicant and the experience and technical expertise of the Project's air quality technical expert (Urban Crossroads).

Refer to Section 4.4 of the Project's AQIA for more detail on the methodology utilized to calculate the Project's construction-related regional pollutant emissions.

B. Project Operational Emissions

The Project's operational-related regional pollutant emissions analysis quantifies air pollutant emissions from area source emissions, energy source emissions, mobile source emissions, transportation refrigeration units (TRU) emissions, on-site cargo handling equipment emissions, and stationary source emissions. (Urban Crossroads, 2022a, p. 35)

1. Area Source Emissions

Area source emissions associated with the Project would occur as a result of architectural coatings, consumer products, and landscape maintenance equipment, as follows:

Architectural Coatings

Over a period of time the building that is part of this Project would require maintenance and would therefore produce emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings. The emissions associated with architectural coatings were calculated using CalEEMod. (Urban Crossroads, 2022a, p. 35)

Consumer Products

Consumer products include, but are not limited to detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. Many of these products contain organic compounds which when released in the atmosphere can react to form ozone and other photochemically reactive pollutants. The emissions associated with use of consumer products were calculated based on defaults provided within CalEEMod. (Urban Crossroads, 2022a, p. 35)

Landscape Maintenance Equipment

Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. On October 9, 2021, the Governor signed AB 1346 to ban the sale of new gasoline-powered equipment under 25 gross horsepower (known as small off-road engines (SOREs)) by 2024. For purposes of analysis, the emissions associated with landscape maintenance equipment were calculated based on assumptions provided in CalEEMod. (Urban Crossroads, 2022a, p. 36)

2. Energy Source Emissions

Electricity and natural gas are used by almost every project. Criteria pollutant emissions are emitted through the generation of electricity and consumption of natural gas. However, because electrical generating facilities for the Project area are located either outside the region (state) or offset through the use of pollution credits) for generation within the SCAB, criteria pollutant emissions from offsite generation of electricity are generally excluded from the evaluation of significance and only natural gas use is considered. The emissions associated with natural gas use were calculated using CalEEMod. (Urban Crossroads, 2022a, p. 36)

3. Mobile Source Emissions

Project operational vehicular impacts derive primarily from vehicle trips generated by the Project, including employee trips to and from the Site and truck trips associated with the proposed uses. It should be noted that CalEEMod has different trip rates for different days of the week. In order to accurately determine mobile-source emission from vehicle activity generated by the proposed Project, the CalEEMod default trip rates were adjusted for weekday, Saturday, and Sunday utilizing the trip

rates based on trip-generation statistics published in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021). (Urban Crossroads, 2022a, p. 36)

In order to determine emissions from passenger car vehicles, CalEEMod defaults for trip length and trip purpose were utilized. Default vehicle trip lengths for primary trips will be populated using data from the local metropolitan planning organizations/Regional Transportation Planning Agencies (MPO/RTPA). Trip type percentages and trip lengths provided by MPO/RTPAs truncate data at their demonstrative borders. This analysis assumes that passenger cars include Light-Duty-Auto vehicles (LDA), Light-Duty-Trucks (LDT1[1] & LDT2[2]), Medium-Duty-Vehicles (MDV), and Motorcycles (MCY) vehicle types. (Urban Crossroads, 2022a, p. 37)

To determine emissions from trucks trip generation associated with the proposed Project, the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages. The trip length function for the general light industrial use has been revised to 30.58 miles and 28.62 miles for the high-cube cold storage and warehouse uses, respectively, an assumption of 100% primary trips for the proposed Project. Trucks are broken down by truck type. The truck fleet mix is estimated by rationing the trip rates for each truck type based on information provided by the SCAQMD recommended truck mix, by axle type. Heavy trucks are broken down by truck type (or axle type) and are categorized as either Light-Heavy-Duty Trucks (LHDT1[3] & LHDT2[4])/2-axle, Medium-Heavy-Duty Trucks (MHDT)/3-axle, and Heavy-Heavy-Duty Trucks (HHDT)/4+-axle. (Urban Crossroads, 2022a, p. 37)

Vehicles traveling on paved roads would be a source of fugitive emissions due to the generation of road dust inclusive of break and tire wear particulates. The emissions estimate for travel on paved roads were calculated using CalEEMod. (Urban Crossroads, 2022a, p. 38)

4. TRU Source Emissions

In order to account for the possibility of refrigerated uses, trucks associated with the cold-storage land use are assumed to also have TRUs. Therefore, for modeling purposes, 11 trucks (22 truck trips per day) have the potential to include TRUs. TRUs are accounted for during on-site and off-site travel. The TRU calculations are based on EMissions FACtor Model version 2021 (EMFAC2021), developed by the CARB. EMFAC2021 does not provide emission rates per hour or mile as with the on-road emission model and only provides emission inventories. Emission results are produced in tons per day while all activity, fuel consumption and horsepower hours were reported at annual levels. The emission inventory is based on specific assumptions including the average horsepower rating of specific types of equipment and the hours of operation annually. These assumptions are not always consistent with

[1] Vehicles under the LDT1 category have a gross vehicle weight rating (GVWR) of less than 6,000 lbs. and equivalent test weight (ETW) of less than or equal to 3,750 lbs.

[2] Vehicles under the LDT2 category have a GVWR of less than 6,000 lbs. and ETW between 3,751 lbs. and 5,750 lbs.

[3] Vehicles under the LHDT1 category have a GVWR of 8,501 to 10,000 lbs.

[4] Vehicles under the LHDT2 category have a GVWR of 10,001 to 14,000 lbs.

assumptions used in the modeling of project level emissions. Therefore, the emissions inventory was converted into emission rates to accurately calculate emissions from TRU operation associated with project level details. This was accomplished by converting the annual horsepower hours to daily operational characteristics and converting the daily emission levels into hourly emission rates based on the total emission of each criteria pollutant by equipment type and the average daily hours of operation. (Urban Crossroads, 2022a, p. 38)

5. On-site Cargo Handling Equipment Source Emissions

It is common for warehouse buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For this Project, on-site modeled operational equipment includes 1 175-horsepower (hp), natural gas-powered cargo handling equipment – port tractor operating 4 hours a day[5] for 365 days of the year. (Urban Crossroads, 2022a, p. 38)

C. Localized Pollutant Emissions

Localized emissions associated with Project-related construction and operational activities were calculated and evaluated in accordance with SCAQMD's Final Localized Significance Threshold Methodology ("Methodology"). The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the NAAQS and CAAQS. Collectively, these are referred to as Localized Significance Thresholds (LSTs).

For this Project, the appropriate SRA for the LST analysis is the SCAQMD I-10 Near Road (SRA 33). LSTs apply to CO, NO_2, PM_{10}, and $PM_{2.5}$. The SCAQMD produced look-up tables for projects less than or equal to 5 acres in size. In order to determine the appropriate methodology for determining localized impacts that could occur as a result of Project-related construction, the following process is undertaken:

- Identify the maximum daily on-site emissions that would occur during construction activity:
    - The maximum daily on-site emissions could be based on information provided by the Project Applicant; or
    - The SCAQMD's *Fact Sheet for Applying CalEEMod to Localized Significance Thresholds* and CalEEMod User's Guide *Appendix A: Calculation Details for CalEEMod* can be used to determine the maximum site acreage that is actively disturbed based on the construction equipment fleet and equipment hours as estimated in CalEEMod.

[5] Based on Table II-3, Port and Rail Cargo Handling Equipment Demographics by Type, from CARB's Technology Assessment: Mobile Cargo Handling Equipment document, a single piece of equipment could operate up to 2 hours per day (Total Average Annual Activity divided by Total Number Pieces of Equipment). As such, the analysis conservatively assumes that the tractor/loader/backhoe would operate up to 4 hours per day.

- If the total acreage disturbed is less than or equal to 5 acres per day, then the SCAQMD's screening look-up tables are utilized to determine if a Project has the potential to result in a significant impact. The look-up tables establish a maximum daily emissions threshold in lbs/day that can be compared to CalEEMod outputs.

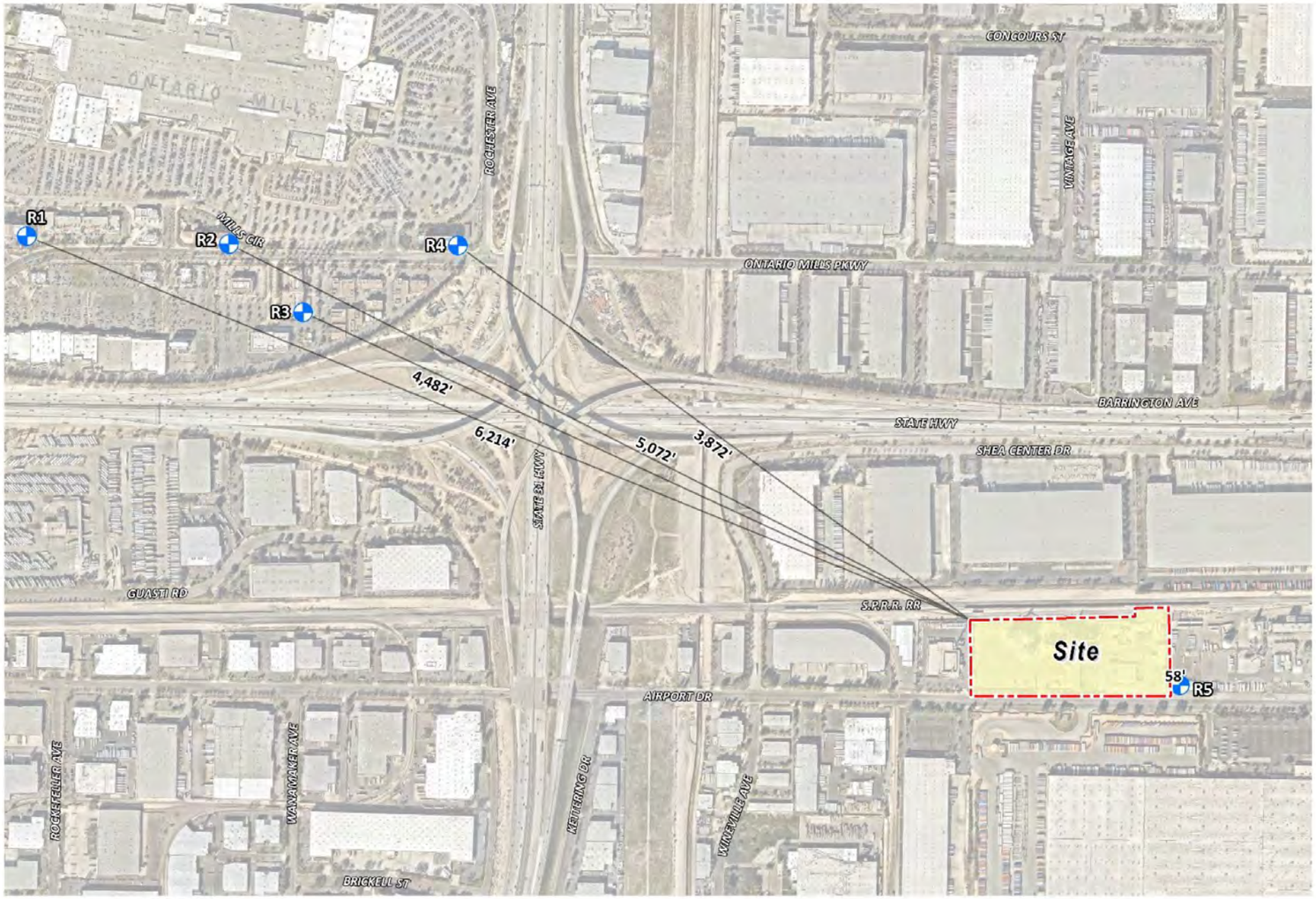
- If the total acreage disturbed is greater than 5 acres per day, then LST impacts may still be conservatively evaluated using the LST look-up tables for a 5-acre disturbance area. Use of the 5-acre disturbance area thresholds can be used to show that even if the daily emissions from all construction activity were emitted within a 5-acre area, and therefore concentrated over a smaller area which would result in greater site adjacent concentrations, the impacts would still be less than significant if the applicable 5-acre thresholds are utilized.

- The *LST Methodology* presents mass emission rates for each SRA, project sizes of 1, 2, and 5 acres, and nearest receptor distances of 25, 50, 100, 200, and 500 meters. For project sizes between the values given, or with receptors at distances between the given receptors, the methodology uses linear interpolation to determine the thresholds. (Urban Crossroads, 2022a, pp. 40-41)

Based on SCAQMD's LST Methodology, emissions for concern during construction activities are on-site NO_X, CO, $PM_{2.5}$, and PM_{10}. The LST Methodology clearly states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs. As such, for purposes of the construction LST analysis, only emissions included in the CalEEMod "on-site" emissions outputs were considered. Detailed information about application of this methodology can be found in Section 4.6 of the Project's AQIA.

1. Project-Related Sensitive Receptors Relative to Construction and Operational Activities

Some people are especially sensitive to air pollution and are given special consideration when evaluating air quality impacts from projects. These groups of people include children, the elderly and individuals with pre-existing respiratory or cardiovascular illness. Structures that house these persons or places where they gather are defined as "sensitive receptors. These structures typically include uses such as residences, schools, and hospitals or other health care facilities where an individual can remain for 24 hours. Although hotel uses are generally not considered sensitive receptors since occupants are transient and temporary, for the purpose of a conservative analysis, hotels are considered sensitive receptors in the analyses for this Project. Sensitive receptors in the Project study area and the nearest worker receptor relative to construction and operational activities are described below and shown on Figure 4.2-1, *Sensitive Receptor Locations*. Localized air quality impacts were evaluated at receptor land uses nearest the Project Site. All distances are measured from the Project Site boundary to the outdoor living areas (e.g., backyards) or at the building façade, whichever is closer to the Project Site. (Urban Crossroads, 2022a, p. 42)



Source(s): Urban Crossroads (08-23-2022)

Figure 4.2-1

Not to Scale

Sensitive Receptor Locations

R1: Location R1 represents the Ayres Hotel Ontario Mills Mall at 4395 Ontario Mills Parkway, approximately 6,214 feet northwest of the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receptor R1 is placed at the building façade.

R2: Location R2 represents the Hampton Inn & Suites Ontario at 4500 Ontario Mills Parkway, approximately 5,072 feet northwest of the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receptor R2 is placed at the building façade.

R3: Location R3 represents the Country Inn & Suites by Radisson, Ontario at Ontario Mills at 4674 Ontario Mills Parkway, approximately 4,482 feet northwest of the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receptor R3 is placed at the building façade.

R4: Location R4 represents the Hyatt Place Ontario/Rancho Cucamonga at 4760 Mills Circle, approximately 3,872 feet northwest of the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receptor R4 is placed at the building façade.

R5: Location R5 represents the nearest off-site worker location, which is at the Linde Industrial Gas Supplier facility at 5735 East Airport Drive, approximately 58 feet east of the Project Site. (Urban Crossroads, 2022a, p. 43)

D. Heath Risk Assessment Methodology

The Health Risk Assessment (HRA) was prepared based on SCAQMD guidelines to produce conservative estimates of human health risk posed by exposure to DPM. Emissions calculations for the construction HRA component are based on an assumed mix of construction equipment and hauling activity as presented in the Project's AQIA. Vehicle DPM emissions were calculated using emission factors for particulate matter less than 10µm in diameter (PM10) generated with the 2021 version of the EMFAC model developed by the CARB. Emission factors calculated using EMFAC 2021 are expressed in units of grams per vehicle miles traveled (g/VMT) or grams per idle-hour (g/idle-hr), depending on the emission process. For the proposed Project, annual average PM_{10} emission factors were generated by running EMFAC 2021 in EMFAC Mode for vehicles in the San Bernardino County jurisdiction. The EMFAC Mode generates emission factors in terms of grams of pollutant emitted per vehicle activity and can calculate a matrix of emission factors at specific values of temperature, relative humidity, and vehicle speed. The model was run for speeds traveled in the vicinity of the Project. (Urban Crossroads, 2022b)

The potential health risks of Project-related DPM emissions were quantified in accordance with the guidelines in the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*. For purposes of this analysis,

the Lakes AERMOD View (Version 10.2.1) was used to calculate annual average particulate concentrations associated with site operations. Refer to Section 2 of the Project's HRA (*Technical Appendix B2*) for a detailed description of HRA methodologies and for the model inputs and equations used in the estimation of the Project-related DPM emissions.

The modeling domain is limited to the Project's primary truck route and includes off-site sources in the study area for more than ¾ mile. This modeling domain is more inclusive and conservative than using only a ¼ mile modeling domain which is the distance supported by several reputable studies which conclude that the greatest potential risks occur within a ¼ mile of the primary source of emissions (in the case of the Project, the primary source of emissions is the on-site idling and travel). (Urban Crossroads, 2022b)

4.2.3 Basis for Determining Significance

According to Section III of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to air quality if the Project or any Project-related component would (OPR, 2019):

a. *Conflict with or obstruct implementation of the applicable air quality plan;*

b. *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard;*

c. *Expose sensitive receptors to substantial pollutant concentrations;*

d. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

The Project would result in a significant impact under Threshold "a" if the Project were determined to conflict with the SCAQMD *2016 AQMP*. Pursuant to Chapter 12, Sections 12.2 and 12.3, of the SCAQMD *CEQA Air Quality Handbook*, a project would conflict with the *AQMP* if either of the following conditions were to occur:

- The Project would increase the frequency or severity of existing NAAQS and/or CAAQS violations, cause or contribute to new air quality violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP; or

- The Project would exceed the *2016 AQMP's* future year buildout assumptions. (Urban Crossroads, 2022a, p. 50)

For evaluation under Threshold "b," implementation of the Project would result in a cumulatively-considerable impact if the Project's construction and/or operational activities exceed one or more of

the SCAQMD's "Regional Thresholds" for criteria pollutant emissions, as summarized in Table 4.2-5, *Maximum Daily Regional Emissions Thresholds*.

Table 4.2-5 Maximum Daily Regional Emissions Thresholds

Pollutant	Regional Construction Threshold	Regional Operational Thresholds
NO_X	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SO_X	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Pb	3 lbs/day	3 lbs/day

lbs/day = Pounds Per Day
Source: (Urban Crossroads, 2022a, Table 3-1)

For evaluation under Threshold "c," the Project would result in a significant impact if any of the following were to occur:

- The Project's localized criteria pollutant emissions would exceed one or more of the "Localized Thresholds" listed in Table 4.2-6, *Maximum Daily Localized Construction Emissions Thresholds*, or Table 4.2-7, *Maximum Daily Localized Operational Emissions Thresholds*.

Table 4.2-6 Maximum Daily Localized Construction Emissions Thresholds

Construction Activity	Construction Localized Thresholds			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Demolition/Crushing	118 lbs/day	863 lbs/day	280 lbs/day	141 lbs/day
Site Preparation	220 lbs/day	1,713 lbs/day	241 lbs/day	160 lbs/day
Grading	237 lbs/day	1,873 lbs/day	268 lbs/day	163 lbs/day

Localized Thresholds presented in this table are based on the SCAQMD Final LST Methodology, July 2008
Source: (Urban Crossroads, 2022a, Table 4-10)

Table 4.2-7 Maximum Daily Localized Operational Emissions Thresholds

Operational Localized Thresholds			
NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
270 lbs/day	2,193 lbs/day	78 lbs/day	41 lbs/day

Localized Thresholds presented in this table are based on the SCAQMD Final LST Methodology, July 2008
Source: (Urban Crossroads, 2022a, Table 4-12)

- The Project would cause or contribute to a CO "Hot Spot;" and/or

- The Project's toxic air contaminant emissions, like DPM, would expose sensitive receptor populations to an incremental cancer risk of greater than 10 in one million; and/or result in a non-carcinogenic health risk rating ("Acute Hazard Index") greater than 1.0.

For evaluation under Threshold "d," a significant impact would occur if the Project's construction and/or operational activities result in air emissions leading to an odor nuisance pursuant to SCAQMD Rule 402.

4.2.4 Impact Analysis

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

The SCAQMD *2016 AQMP*, which is the applicable air quality plan for the Project area, addresses long-term air quality conditions for the SCAB. The criteria for determining consistency with the *2016 AQMP* are analyzed below.

- *Consistency Criterion No. 1: The proposed project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*

Consistency Criterion No. 1 refers to violations of the NAAQS and CAAQS. Violations of the NAAQS and/or CAAQS would occur if the emissions resulting from the Project were to exceed the SCAQMD's localized emissions thresholds. As disclosed under the analysis for Thresholds "b" and "c" below, Project localized and regional construction and operational-source emissions would not exceed applicable SCAQMD regional significance thresholds and LST thresholds. As such, the Project is determined to be consistent with the first criterion.

- *Consistency Criterion No. 2: The Project will not exceed the assumptions in the AQMP based on the years of Project build-out phase.*

The 2016 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the Air District are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in City of Ontario Policy Plan is considered to be consistent with the AQMP.

Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and maximum area of disturbance. Irrespective of the site's land use designation, development of the site to its maximum potential would likely occur, with disturbance of the entire site occurring during construction activities. As such, when considering that no emissions thresholds will be exceeded, a less than significant impact would result.

The Project is designated for Industrial uses within the Policy Plan. The Industrial designation allows for a variety of light industrial uses, including warehousing/distribution, assembly, light manufacturing, research and development, storage, repair facilities, and supporting retail and professional office uses. This designation also accommodates activities that could potentially generate impacts, such as noise, dust, and other nuisances. The Project is proposed to consist of a single 270,337 s.f. warehouse building. As previously stated, this analysis assumes up to 27,034 s.f. of high-cube cold storage use (10% of the total building s.f.) and 243,303 s.f. of warehouse use (90% of total building) which is consistent with the proposed Industrial designation and therefore, the Project does not propose or require amendment of the Site's underlying land use designation.

Furthermore, as discussed below, the Project would not result in or cause exceedances of regional or localized air quality significance thresholds. Emissions generated by the Project are accurately represented in the AQMP emissions modeling, air pollution control strategies, and associated assumptions for emissions affecting the SCAB.

On the basis of the preceding discussion, the Project would not exceed the assumptions in the AQMP based on the years of Project build-out phase. The Project is therefore determined to be consistent with the second criterion.

Conclusion

The Project would not result in or cause NAAQS or CAAQS violations and the Project is consistent with the land use and growth intensities reflected in the adopted City of Ontario Policy Plan. Furthermore, the Project would not exceed any applicable regional or local thresholds. As such, the Project is considered to be consistent with the AQMP and impacts would be less than significant. (Urban Crossroads, 2022a, p. 51)

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

A. Construction Emissions Impact Analysis

The Project's peak construction-related emissions are summarized in Table 4.2-8, *Peak Construction Emissions Summary*. Detailed air model outputs are presented in Appendix 4.1 of the Project's AQIA. As shown in Table 4.2-8, peak construction-related emissions of VOC, NO_X, CO, SO_X, and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed the applicable SCAQMD regional thresholds. Accordingly, the Project's construction activities would not emit substantial concentrations for all pollutants and would not contribute to an existing or projected air quality violation on a cumulatively-considerable basis, and Project construction impacts would be less than significant.

Table 4.2-8 Peak Construction Emissions Summary

Year	Emissions (lbs/day)[1]					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
2023	1.77	39.60	71.80	0.13	9.9	4.32
2024	47.20	30.20	56.60	0.07	2.58	0.89
Winter						
2023	1.48	21.70	39.80	0.06	1.98	0.65
2024	47.10	30.40	53.50	0.07	2.58	0.89
Maximum Daily Emissions	**47.20**	**39.60**	**71.80**	**0.13**	**9.97**	**4.32**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

[1] PM_{10} and $PM_{2.5}$ emissions include fugitive dust from crushing activities.
CalEEMod construction-source (unmitigated) emissions are presented in Appendix 4.1 of the Project's AQIA.
Source: (Urban Crossroads, 2022a, Table 4-5)

B. Operational Emissions Impact Analysis

Peak emissions from Project operations are presented in Table 4.2-9, *Peak Operational Emissions Summary*. Detailed air model outputs for the operational analysis are provided in Appendices 4.2 and 4.3 of the Project's AQIA contained as *Technical Appendix B1* of this EIR. As shown, Project operational emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would not exceed SCAQMD regional criteria thresholds. Moreover, existing emissions from operation of the existing uses on the Project Site summarized in Table 4.2-4, *Existing Project Site Operation-Source Emissions*, were subtracted from the Project operational emissions to determine the new emissions from the proposed Project. As summarized in Table 4.2-9, Project operational emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would not exceed SCAQMD regional criteria thresholds. Accordingly, the Project would not emit

substantial concentrations of these pollutants during long-term operation and would not contribute to an existing or projected air quality violation. The Project's long-term emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would be less than significant.

Table 4.2-9 Peak Operational Emissions Summary

Source	Emissions (lbs/day)					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Summer						
Mobile Source	1.51	11.90	22.21	0.12	2.84	0.70
Area Source	8.45	0.10	11.80	0.00	0.02	0.02
Energy Source	0.16	2.87	2.41	0.02	0.22	0.22
TRU Source	0.79	0.87	0.10	0.00	0.04	0.03
On-Site Equipment Source	0.12	0.38	16.44	0.00	0.03	0.03
Project Maximum Daily Emissions	**11.02**	**16.12**	**52.96**	**0.14**	**3.15**	**1.00**
Subtraction of Emissions from Existing Uses	*-2.35*	*-9.69*	*-17.96*	*-0.08*	*-2.07*	*-0.56*
Total Maximum Daily Emissions	**8.67**	**6.43**	**35.00**	**0.06**	**1.08**	**0.44**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
Winter						
Mobile Source	1.43	12.49	19.13	0.12	2.84	0.70
Area Source	6.52	0.00	0.00	0.00	0.00	0.00
Energy Source	0.16	2.87	2.41	0.02	0.22	0.22
TRU Source	0.79	0.87	0.10	0.00	0.04	0.03
On-Site Equipment Source	0.12	0.38	16.44	0.00	0.03	0.03
Project Maximum Daily Emissions	**9.01**	**16.61**	**38.08**	**0.14**	**3.13**	**0.98**
Subtraction of Emissions from Existing Uses	*-1.99*	*-10.11*	*-14.04*	*-0.08*	*-2.07*	*-0.56*
Total Maximum Daily Emissions	**7.02**	**6.50**	**24.04**	**0.06**	**1.06**	**0.42**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

CalEEMod operational-source emissions are presented in Appendices 4.2 and 4.3 of the Project's AQIA.
Source: (Urban Crossroads, 2022a, Table 4-8)

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

During both construction and operation, the Project has the potential to expose nearby sensitive receptors to substantial pollutant concentrations. The following provides an analysis based on the applicable LSTs established by the State of California and SCAQMD, an analysis of the Project's potential to result in or contribute to CO "hot spots," and an analysis of the Project's potential to result in cancer risks and non-cancer health hazards.

A. Localized Criteria Pollutant Analysis

1. Construction Analysis

Table 4.2-10, *Localized Construction-Source Emissions Summary*, shows that localized emissions of NO_X, CO, and particulate matter (PM_{10} and $PM_{2.5}$) during Project construction would not exceed applicable SCAQMD thresholds. Accordingly, Project construction would not expose any sensitive receptors in the vicinity of the Project Site to substantial criteria pollutant concentrations. Impacts would be less than significant.

Table 4.2-10 Localized Construction-Source Emissions Summary

Construction Activity	Year	Scenario	Emissions (lbs/day)			
			NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
Demolition/ Crushing	2023	Summer	12.70	18.70	0.70	0.29
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**12.70**	**18.70**	**0.70**	**0.29**
		SCAQMD Localized Threshold	118	863	280	141
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Site Preparation	2023	Summer	15.70	30.00	5.76	2.79
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**15.70**	**30.00**	**5.76**	**2.79**
		SCAQMD Localized Threshold	220	1,713	241	160
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Grading	2023	Summer	19.90	36.20	2.85	1.16
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**19.90**	**36.20**	**2.85**	**1.16**
		SCAQMD Localized Threshold	237	1,873	268	163
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

CalEEMod unmitigated localized construction-source emissions are presented in Appendix 4.1 of the Project's AQIA.
Source: (Urban Crossroads, 2022a, Table 4-11)

2. Operational Analysis

As shown in Table 4.2-11, *Localized Operational-Source Emissions Summary*, Project operations would not exceed the applicable SCAQMD thresholds for localized NO_X, CO, and particulate matter (PM_{10} and $PM_{2.5}$) emissions. Accordingly, the Project would not expose any sensitive receptors in the vicinity of the Project Site to substantial pollutant concentrations. Impacts would be less than significant.

Table 4.2-11 Localized Operational-Source Emissions Summary

Scenario	Emissions (lbs/day)			
	NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
Summer	6.23	34.57	0.37	0.32
Winter	6.22	23.08	0.35	0.30
Maximum Daily Emissions	**6.23**	**34.57**	**0.37**	**0.32**
SCAQMD Localized Threshold	270	2,193	78	41
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

CalEEMod localized operational-source emissions are presented in Appendix 4.3 of the Project's AQIA.
Source: (Urban Crossroads, 2022a, Table 4-13)

B. CO Hot Spot Impact Analysis

An adverse CO concentration, known as a "hot spot", would occur if an exceedance of the State one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur. It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the SCAB is now designated as attainment.

A CO "hot spot" analysis was not performed for the Project because CO attainment in the SCAB was thoroughly analyzed as part of SCAQMD's 2003 AQMP and the 1992 Federal Attainment for Carbon Monoxide Plan (1992 CO Plan). For context, the CO "hot spot" analysis performed for the 2003 AQMP recorded a CO concentration of 8.4 parts per million (8-hour) at the Long Beach Boulevard/Imperial Highway intersection in Los Angeles County; however, only a small portion of the recorded CO concentrations (0.7 parts per million) were attributable to traffic congestion at the intersection. The vast majority of the recorded CO concentrations at the Long Beach Boulevard/Imperial Highway intersection (7.7 parts per million) were attributable to ambient air concentrations. In comparison, the ambient 1-hr and 8-hr CO concentration within the Project study area is estimated to be 1.6 ppm and 1.3 ppm, respectively (data from I-10 Near Road monitoring station for 2020). Therefore, even if the traffic volumes for the Project were double or even triple of the traffic volumes generated at the Long

Beach Blvd. and Imperial Hwy. intersection, coupled with the on-going improvements in ambient air quality, the Project would not be capable of resulting in a CO "hot spot" at any study area intersections. Furthermore, data from several air studies indicate that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection by between 24,000 and 44,000 vehicles per hour in order to generate a significant CO impact; the Project would generate nowhere near this volume of traffic. Based on the relatively low traffic congestion levels, low existing ambient CO concentrations, and the lack of any unusual meteorological and/or topographical conditions in the Project Site vicinity, the Project is not expected to cause or contribute to a CO "hot spot". (Urban Crossroads, 2022a, pp. 47-49) Impacts would be less than significant.

C. Toxic Air Contaminant Emissions Impact Analysis

1. Construction Analysis

Construction activity would occur over the entire Project Site. Therefore, the sensitive receptor land use with the greatest potential exposure to Project construction-source DPM emissions is Location R6 which is located approximately 8,840 feet northwest of the Project Site at an existing residence located at 11210 Fourth Street on the opposite side of I-10 and SR-60 from the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receptor R6 is placed at the building façade facing the Project Site. At the Maximally Exposed Individual Resident (MEIR), the maximum incremental cancer risk attributable to Project construction-source DPM emissions is estimated at <0.01 in one million, which is far less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. There are no sensitive receptors located in immediate, close proximity to the Project Site. As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity. All other receptors during construction activity would experience less risk than what is identified for Location R6. (Urban Crossroads, 2022b, p. 22)

2. Operational Analysis

- **Residential Exposure**

The Project Site primarily surrounded by industrial uses. Therefore, the residential land use with the greatest potential exposure to Project operational-source DPM emissions is Location R6 which is located approximately 8,840 feet northwest of the Project Site at an existing residence located at 11210 Fourth Street on the opposite side of I-15 and I-10 from the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receptor R6 is placed at the building façade facing the Project Site. At the MEIR, the maximum incremental cancer risk attributable to Project operational-source DPM emissions is estimated at 0.01 in one million, which is far less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled residential receptors are exposed to lesser concentrations and are located at a greater distance from the Project Site than the MEIR analyzed herein, and TACs generally dissipates with distance from the source, all other residential receptors in the vicinity of the Project Site would be exposed to less emissions and therefore less risk than the MEIR identified herein. There are no

residential receptors located in immediate, close proximity to the Project Site. As such, the Project will not cause a significant human health or cancer risk to nearby residences. (Urban Crossroads, 2022b, p. 22)

❑ Worker Exposure

The worker receptor land use with the greatest potential exposure to Project operational-source DPM emissions is Location R5, which represents the adjacent potential worker receptor approximately 58 feet east of the Project Site. At the Maximally Exposed Individual Worker (MEIW), the maximum incremental cancer risk impact is 0.25 in one million which is far less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled worker receptors are located at a greater distance than the MEIW analyzed herein, and DPM dissipates with distance from the source, all other worker receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project will not cause a significant human health or cancer risk to adjacent workers. (Urban Crossroads, 2022b, pp. 22-23)

❑ School Child Exposure

Proximity to sources of toxics is critical to determining the impact. In traffic-related studies, the additional non-cancer health risk attributable to proximity was seen within 1,000 feet and was strongest within 300 feet. California freeway studies show about a 70-percent drop-off in particulate pollution levels at 500 feet. Based on California Air Resources Board (CARB) and SCAQMD emissions and modeling analyses, an 80-percent drop-off in pollutant concentrations is expected at approximately 1,000 feet from a distribution center. The 1,000-foot evaluation distance is supported by research-based findings concerning TAC emission dispersion rates from roadways and large sources showing that emissions diminish substantially between 500 and 1,000 feet from emission sources. A one-quarter mile radius, or 1,320 feet, is commonly utilized for identifying sensitive receptors, such as schools, that may be impacted by a proposed project. This radius is more robust than, and therefore provides a more health protective scenario for evaluation than the 1,000-foot impact radius identified above.

There are no schools within one-quarter mile of the Project Site. The nearest school is Chaparral Elementary School, which is located approximately 11,200 feet southeast of the Project Site. Because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than one-quarter mile from the air pollution source, the Project would result in less-than-significant impacts to any schools in the vicinity of the Project. (Urban Crossroads, 2022b, p. 23)

Threshold d:	***Would the Project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?***

During construction activities on the Project Site, odors could be produced by construction equipment exhaust or from the application of asphalt and/or architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors

emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. In addition, construction activities on the Project Site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance. (Urban Crossroads, 2022a, p. 53) Accordingly, the Project's construction would not create objectionable odors affecting a substantial number of people and all impacts would be less than significant.

During long-term operation, the Project would operate as a warehouse distribution facility, which is not typically associated with the emission of objectionable odors. Temporary outdoor refuse storage could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the occupant(s) of the proposed warehouse building would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance, during long-term operation. (Urban Crossroads, 2022a, p. 53) As such, long-term operation of the Project would not create objectionable odors affecting a substantial number of people and all impacts would be less than significant.

4.2.5 Cumulative Impact Analysis

Based on SCAQMD guidance, any exceedance of a regional or localized threshold for criteria pollutants also is considered to be a cumulatively-considerable effect, while air pollutant emissions that fall below applicable regional and/or localized thresholds are not considered cumulatively-considerable. As discussed in the analysis under Threshold "b," the criteria pollutant emissions from Project construction and operation would be far less than the SCAQMD regional thresholds of significance. Therefore, the Project's emissions would not be considered cumulatively considerable. Furthermore, the Project would not conflict with the *2016 AQMP* and is not considered cumulatively-considerable.

As discussed under the analysis for Threshold "c," all Project-related construction- and operational localized air pollutant emissions – including DPM – would not exceed the applicable SCAQMD thresholds of significance. According to the SCAQMD's *Mates V* study and data visualization tool, which includes an emissions inventory of toxic air contaminants based on 2016-2018 data, the cancer risk in the Project Site's zip code (91761) is 600 per million, which indicates that the air toxics cancer risk in this zip code was higher than 93.0% of the SCAQMD population at the time the data was collected (SCAQMD, 2021). As regulatory requirements have become more stringent, however, air quality has improved and health risks have decreased, despite an increase in the number of warehouses across the Inland Empire and the SCAB (Ramboll, 2023). Because the Project's contribution to health risk would fall far below the SCAQMD's threshold of significance, and the SCAQMD is the regulatory authority responsible for air quality in the SCAB in which the Project site is located, the Project's contribution is not considered cumulatively-considerable.

As indicated in the analysis of Threshold "d," above, there are no Project components that would expose a substantial number of sensitive receptors to objectionable odors. There are no known sources of offensive odors in the Project area. Because the Project's construction and operation would not create substantial and objectionable odors and because there are no sources of objectionable odors in the areas immediately surrounding the Project Site, there is no potential for odors from the Project Site to commingle with odors from nearby development projects and expose nearby sensitive receptors to substantial, offensive odors. Accordingly, implementation of the Project would result in a less-than-significant cumulative impact related to odors.

4.2.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The Project would not emit air pollutants that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. As such, the Project would not conflict with and could obstruct implementation of the *AQMP*, and impacts would be less than significant.

Thresholds b: Less-than-Significant Impact. Project-related activities would not exceed the applicable SCAQMD regional thresholds of significance during construction and operations. As such, Project-related emissions would not violate SCAQMD air quality standards or contribute to the non-attainment of ozone standards in the SCAB, and impacts would be less than significant.

Threshold c: Less-than-Significant Impact. Implementation of the Project would not: 1) exceed applicable SCAQMD localized criteria pollution emissions thresholds during construction and operation; 2) would not expose sensitive receptors to toxic air contaminants (i.e., DPM) that exceed the applicable SCAQMD carcinogenic and non-carcinogenic risk significance thresholds; and 3) would not cause or measurably contribute to the formation of a CO "hot spot."

Threshold d: Less-than-Significant Impact. The Project would not produce air emissions that would lead to unusual or substantial construction-related or operational-related odors. The Project is required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance.

4.2.7 Mitigation

Project impacts would be less than significant and mitigation is not required.

4.3 CULTURAL RESOURCES

The analysis in this Subsection is based in part on a cultural resources record search prepared by Brian F. Smith and Associates, Inc. (hereinafter, "BFSA") and titled "Cultural Resources Records Search Results for the 5355 Airport Drive Project, Ontario, California", dated May 20, 2022 (BFSA, 2022). This report is included as *Technical Appendix C* to this EIR. This and other reference sources are cited and listed in Section 7.0, *References.*

4.3.1 EXISTING CONDITIONS

A cultural resources records search was obtained from the South Central Coastal Information Center (SCCIC) at California State University, Fullerton, which encompassed the Project Site and an area of one-half mile surrounding the Project Site. The records search identified 3 resources within one-half mile of the Project Site and no resources within the Project boundaries. The resources include a historic railroad track alignment, a historic foundation, and a historic transmission line alignment. No prehistoric resources were recorded on the Project Site or within one-half mile of the Project Site (BFSA, 2022). The Site is fully developed with a grain processing facility and a corn storage and distribution facility, so there is no reasonable possibility that prehistoric resources could be located on the surface of the Site. The existing uses have construction dates of 1975, so the buildings are newer than 50 years of age and not historic, with no reasonable possibility of historic resources to be present on the property.

4.3.2 REGULATORY SETTING

A. Federal Plans, Policies, and Regulations

1. National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) was passed primarily to acknowledge the importance of protecting United States heritage. Section 106 of NHPA granted legal status to historic preservation in federal planning, decision-making, and project execution. Section 106 requires all federal agencies to take into account the effects of their actions on historic properties, and provide ACHP with a reasonable opportunity to comment on those actions and the manner in which federal agencies are taking historic properties into account in their decisions. (NPS, 2021a)

A number of additional executive and legislative actions have been directed toward improving the ways in which all federal agencies manage historic properties and consider historic and cultural values in their planning and assistance. Executive Order 11593 (1971) and, later, Section 110 of NHPA (1980, amended 1992), provided the broadest of these mandates, giving federal agencies clear direction to identify and consider historic properties in federal and federally assisted actions. The National Historic Preservation Amendments of 1992 further clarified Section 110 and directed federal agencies to establish preservation programs commensurate with their missions and the effects of their authorized programs on historic properties. (NPS, 2021a)

2. *National Register of Historic Places (NRHP)*

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the NHPA of 1966, the NPS's National Register of Historic Places (NRHP) is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources. (NPS, 2020a)

To be considered eligible, a property must meet the National Register Criteria for Evaluation. This involves examining the property's age, integrity, and significance, as follows:

- Age and Integrity. Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?

- Significance. Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archaeological investigation about our past? (NPS, 2020a)

Nominations can be submitted to a SHPO from property owners, historical societies, preservation organizations, governmental agencies, and other individuals or groups. The SHPO notifies affected property owners and local governments and solicits public comment. If the owner (or a majority of owners for a district nomination) objects, the property cannot be listed but may be forwarded to the NPS for a Determination of Eligibility (DOE). Listing in the NRHP provides formal recognition of a property's historical, architectural, or archaeological significance based on national standards used by every state. (NPS, 2020a)

Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting. National Register listing does not lead to public acquisition or require public access. (NPS, 2020a)

3. *American Indian Religious Freedom Act*

The American Indian Religious Freedom Act (AIRFA) requires each executive branch agency with statutory or administrative responsibility for the management of Federal lands, to the extent practicable, permitted by law, and not clearly inconsistent with essential agency functions, to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites. Where appropriate, agencies are also required to maintain the confidentiality of sacred sites. Each executive branch agency with statutory or administrative responsibility for the management of Federal lands are required to implement procedures to ensure reasonable notice is provided of proposed actions or land management

policies that may restrict future access to or ceremonial use of, or adversely affect the physical integrity of, sacred sites. (NOAA, n.d.)

4. Native American Graves Protection and Repatriation Act (NAGPRA)

The Native American Graves Protection and Repatriation Act (NAGPRA; Public Law 101-601; 25 U.S.C. 3001-3013) describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, referred to collectively in the statute as cultural items, with which they can show a relationship of lineal descent or cultural affiliation. (NPS, 2021c)

One major purpose of this statute is to require that federal agencies and museums receiving Federal funds inventory holdings of Native American human remains and funerary objects and provide written summaries of other cultural items. The agencies and museums must consult with Indian Tribes and Native Hawaiian organizations to attempt to reach agreements on the repatriation or other disposition of these remains and objects. Once lineal descent or cultural affiliation has been established, and in some cases the right of possession also has been demonstrated, lineal descendants, affiliated Indian Tribes, or affiliated Native Hawaiian organizations normally make the final determination about the disposition of cultural items. Disposition may take many forms from reburial to long term curation, according to the wishes of the lineal descendent(s) or culturally affiliated Tribe(s). (NPS, 2021c)

The second major purpose of the statute is to provide greater protection for Native American burial sites and more careful control over the removal of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony on Federal and tribal lands. NAGPRA requires that Indian tribes or Native Hawaiian organizations be consulted whenever archaeological investigations encounter, or are expected to encounter, Native American cultural items or when such items are unexpectedly discovered on Federal or tribal lands. Excavation or removal of any such items also must be done under procedures required by the Archaeological Resources Protection Act. This NAGPRA requirement is likely to encourage the in-situ preservation of archaeological sites, or at least the portions of them that contain burials or other kinds of cultural items. (NPS, 2021c)

Other provisions of NAGPRA: (1) stipulate that illegal trafficking in human remains and cultural items may result in criminal penalties; (2) authorizes the Secretary of the Interior to administer a grants program to assist museums and Indian Tribes in complying with certain requirements of the statute; (3) requires the Secretary of the Interior to establish a Review Committee to provide advice and assistance in carrying out key provisions of the statute; authorizes the Secretary of the Interior to penalize museums that fail to comply with the statute; and, (4) directs the Secretary to develop regulations in consultation with this Review Committee. (NPS, 2021c)

B. State Plans, Policies, and Regulations

1. California Administrative Code, Title 14, Section 4308

Section 4308, *Archaeological Features*, of Title 14 of the California Administrative Code provides that: "No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value." (NPS, n.d.)

2. California Code of Regulations Title 14, Section 1427

California Code of Regulations Title 14, Section 1427 provides that: "No person shall collect or remove any object or thing of archaeological or historical interest or value, nor shall any person injure, disfigure, deface or destroy the physical site, location or context in which the object or thing of archaeological or historical interest or value is found." (NAHC, n.d.)

3. California Register of Historic Resources

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The Register is the authoritative guide to the state's significant historical and archaeological resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA. (OHP, n.d.)

In order for a resource to be included on the Register of Historic Resources, the resources must meet one of the following criteria:

- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
- Associated with the lives of persons important to local, California or national history (Criterion 2).
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
- Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation (Criterion 4). (OHP, n.d.)

For resources included on the Register of Historic Resources, environmental review may be required under CEQA if property is threatened by a project. Additionally, local building inspectors must grant code alternatives provided under State Historical Building Code. Further, the local assessor may enter into contract with property owner for property tax reduction pursuant to the Mills Act. A property owner also may place his or her own plaque or marker at the site of the resource. (OHP, n.d.)

Consent of owner is not required, but a resource cannot be listed over an owner's objections. The State Historical Resources Commission (SHRC) may formally determine a property eligible for the California Register if the resource owner objects. (OHP, n.d.)

4. Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process. (OPR, 2017b)

The Public Resources Code now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. (OPR, 2017b)

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code § 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources. These rules apply to projects that have a notice of preparation for an environmental impact report or negative declaration or mitigated negative declaration filed on or after July 1, 2015. (OPR, 2017b)

§ 21074 of the Public Resources Code defines "tribal cultural resources." In brief, in order to be considered a "tribal cultural resource," a resource must be either:

(1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or

(2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource. (OPR, 2017b)

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe. (OPR, 2017b)

5. State Health and Safety Code

California Health and Safety Code (HSC) § 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery…" until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. § 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting internment" with the intent to sell them or to dissect them with "malice or wantonness" is a public offense punishable by imprisonment in a state prison. Lastly, HSC §§ 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that "all California Indian human remains and cultural items are to be treated with dignity and respect." It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims. (CA Legislative Info, n.d.)

6. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, § 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archaeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines § 15064.5, as follows: (CRNA, 2019)

- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource

meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4852) including the following:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

- The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

4.3.3 Basis for Determining Significance

Section V of Appendix G to the CEQA Guidelines addresses typical adverse effects to cultural resources, and includes the following threshold questions to evaluate the Project's impacts on cultural resources (OPR, 2019):

a. Cause a substantial adverse change in the significance of a historical resource in pursuant to § 15064.5;

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5;

c. Disturb any human remains, including those interred outside of formal cemeteries?

4.3.4 Impact Analysis

Threshold a:	***Would the Project cause a substantial adverse change in the significance of a historical resource in pursuant to § 15064.5?***

Under existing conditions, the Project Site is currently developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed silo grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site, and three known septic systems are located beneath the Site. Implementation of the Project would require the demolition of all structures that are located on the Project Site under existing conditions.

BFSA conducted a cultural resources record search of the Project Site and concluded that no recorded historical resources pursuant to CEQA Guidelines Section 15064.5 are located within the Project boundaries or a one-half mile radius of the Project Site. The structures on the Project Site have a construction date of 1975 and after; and, the buildings and features within the Project Site were assessed and found not to be historically or architecturally significant under CEQA. Accordingly, implementation of the Project would not result in a substantial adverse change to any historical resource as defined by CEQA Guidelines Section 15064.5. No impact to a historical resource would occur.

Threshold b: ***Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?***

BFSA conducted a cultural resources record search of the Project Site and one-half mile radius around the Project Site. The results of this records search indicate that no pre/protohistoric cultural resources are located on or within a one-half mile of the Project Site. Additionally, no pre/protohistoric resources were observed on the Project Site. Therefore, implementation of the Project would not cause a substantial adverse change in the significance of a known prehistoric archaeological resource pursuant to CEQA Guidelines Section 15064.5.

Given the lack of any previously identified pre/protohistoric sites within or near the property and the magnitude of ground disturbances on the Project Site over the previous 47 years including the presence of subsurface septic systems, there is little potential for any pre/protohistoric resources to be present or disturbed by the proposed development. Notwithstanding, excavations on portions of the Project Site would occur within previously undisturbed soils that have the potential to contain pre/protohistoric archaeological resources. If any pre/protohistoric cultural resources are unearthed during Project construction that meet the definition of a significant archaeological resource pursuant to CEQA Guidelines Section 15064.5 and are disturbed/damaged by Project construction activities, impacts to those pre/protohistoric cultural resources would be significant. Based on the tribal consultation process conducted under AB 52, mitigation is presented in Subsection 4.3.7 consisting of monitoring and treatment procedures for any discovered resources that would lessen potential impacts to below a level of significance. Refer to Section 4.11, *Tribal Cultural Resources*, for details on the tribal consultation process.

Threshold c: ***Would the Project disturb any human remains, including those interred outside of formal cemeteries?***

The Project Site does not contain a cemetery and no known formal cemeteries are located within the immediate Site vicinity. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction.

If human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code Section 7050.5 “Disturbance of Human Remains.” According to Section 7050.5(b) and (c), if human remains are discovered, the

County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the Project Site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant.

4.3.5 Cumulative Impact Analysis

Record searches indicate the absence of significant historical sites and resources on the Project Site; therefore, implementation of the Project has no potential to contribute towards a significant cumulative impact to historical sites and/or resources.

The potential for Project construction to result in cumulatively-considerable impacts to prehistoric archaeological resources were also analyzed in conjunction with other projects located in the traditional use areas of Native American tribes that are affiliated to the Project Site. Development activities on the Project Site would not impact any known prehistoric archaeological resources and the likelihood of uncovering previously unknown prehistoric archaeological resources during Project construction are low due to the magnitude of surface and subsurface disturbance that has occurred on the Site to-date. Nonetheless, the remote potential exists for subsurface prehistoric archaeological resource that meet the CCR Section 15064.5 definition of a significant archaeological resource to be discovered beneath the surface of the Project Site during Project-related construction activities and on and beneath other development project sites in the region during construction activities. Accordingly, the Project has the potential to contribute to a significant cumulatively-considerable impact to prehistoric archaeological resources, if such resources are unearthed during Project construction, for which mitigation is required. As discussed below, with implementation of mitigation, cumulatively-considerable impacts would be less than significant.

Mandatory compliance with the provisions of California Health and Safety Code Section 7050.5 as well as Public Resources Code Section 5097 *et seq.*, would assure that all future development projects within the region treat human remains that may be uncovered during development activities in

accordance with prescribed, respectful and appropriate practices, thereby avoiding significant cumulative impacts.

4.3.6 Significance of Impacts Before Mitigation

Threshold a: No Impact. No historic resources, as defined by CEQA Guidelines Section 15064.5, are present on the Project Site nor is there a reasonable possibility that they could be discovered beneath the surface of the Site given the construction dates of existing surface improvements; therefore, no historic resources could be altered or destroyed by construction or operation of the Project.

Threshold b: Significant Direct and Cumulatively-Considerable Impact. No known prehistoric resources are present on the Project Site and the likelihood of uncovering buried prehistoric resources on the Project Site is low due to the magnitude of previous ground disturbance on the Project Site. Nonetheless, the remote potential exists for Project-related construction activities to uncover resources and result in a direct and cumulatively-considerable impact to significant subsurface prehistoric archaeological resources should such resources be discovered during Project-related construction activities. Moreover, during the course of the tribal consultation process, tribal monitoring was requested by the Gabrieleño Band of Mission Indians – Kizh Nation during the Project's ground-disturbing construction activities.

Threshold c: Less-than-Significant Impact. In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 *et seq*. Mandatory compliance with State law would ensure that any discovered human remains are appropriately treated and would preclude the potential for significant impacts.

4.3.7 Mitigation

The following mitigation measures address the potential for Project construction activities to impact significant archaeological resources that may be discovered during ground-disturbing construction activities. The following measures shall be required as notes on all grading plans and construction documents that involve subsurface ground disturbance.

MM 4.3-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities:

a. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is

not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching[1]

b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

e. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

MM 4.3-2 Unanticipated Discovery of Human Remains and Associated Funerary Objects:

a. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

[1] Tribal monitoring shall cease once all ground disturbance activities have been completed with respect to the property or portion thereof. Example: Once excavation, grading, trenching, etc. have occurred tribal monitoring shall cease.

b. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.

c. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

d. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f))

e. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

f. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

MM 4.3-3 Procedures for Burials and Funerary Remains:

a. As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.

b. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

c. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

d. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

e. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.

f. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

g. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

4.3.8 Significance of Impacts After Mitigation

Threshold b: Less-than-Significant Impact with Mitigation. Implementation of MM 4.3-1 through MM 4.3-3 would ensure the proper identification and subsequent treatment of any significant archaeological resources that may be encountered during ground-disturbing activities associated with Project construction. With implementation of the required mitigation, the Project's potential impacts to important archaeological resources would be reduced to less-than-significant. Cumulatively-considerable impacts would likewise be reduced to less-than-significant.

4.4 ENERGY

The analysis in this subsection is primarily based on information contained in a technical report prepared by Urban Crossroads, Inc. titled, "IE Distribution Center #14 Energy Analysis", dated August 30, 2022 (Urban Crossroads, 2022c). The technical report is included as *Technical Appendix D* to this EIR. Refer to Section 7.0, *References* for a complete list of reference sources used in this subsection.

4.4.1 EXISTING CONDITIONS

A. Electricity Consumption

The Project Site is located within the service area of Southern California Edison (SCE). SCE provides electricity to more than 15 million people in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. SCE generates electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers. (Urban Crossroads, 2022c, p. 15)

Under existing conditions, the Project Site is occupied and operating as a grain processing company and a corn storage and distribution facility. The estimated electricity consumption of the existing development on the Project Site is approximately 1,027,373 kilo-watt hour (kWh) per year (Urban Crossroads, 2022c, p. 27).

B. Natural Gas Consumption

The Project Site is located within the service area of the Southern California Gas Company (SoCalGas) which is regulated by the California Public Utilities Commission (CPUC). SoCalGas provides service to approximately 5.9 million customers. Natural gas from out-of-state production basins is delivered into California via the interstate natural gas pipeline system. The gas transported to California via the interstate pipelines, as well as some of the California-produced gas, is delivered into SoCalGas intrastate natural gas transmission pipelines systems (commonly referred to as California's "backbone" pipeline system). Natural gas on the utilities' backbone pipeline system is then delivered to the local transmission and distribution pipeline systems, or to natural gas storage fields. (Urban Crossroads, 2022c, p. 17)

The existing development on the Project Site is estimated to consume approximately 794,266 kilo British Thermal unit (kBTU) of natural gas per year (Urban Crossroads, 2022c, p. 27).

C. Transportation Energy/Fuel Consumption

Gasoline and other vehicle fuels are commercially-provided commodities. In 2021, the Department of Motor Vehicles (DMV) identified 36.2 million registered vehicles in California, and those vehicles consume an estimated 17.2 billion gallons of fuel each year. (Urban Crossroads, 2022c, p. 19-20)

The existing development on the Project Site is estimated to consume approximately 134,254 gallons of vehicle fuels per year (Urban Crossroads, 2022c, p. 27).

4.4.2 Regulatory Setting

A. Federal Plans, Policies, and Regulations

1. Intermodal Surface Transportation Efficiency Act (ISTEA)

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions. The applicable MPO for the City of Ontario is the Southern California Association of Governments (SCAG). SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is the applicable planning document for the area. (FHWA, n.d.)

2. The Transportation Equity Act for the 21st Century (TEA-21)

TEA-21 was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety. (Urban Crossroads, 2022c, p. 22)

B. State Plans, Policies, and Regulations

1. Integrated Energy Policy Report

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing California's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the State's economy; and protect public health and safety (Public Resources Code § 25301a). The CEC prepares these assessments and associated policy recommendations every two years, with updates on alternate years, as part of the Integrated Energy Policy Report (IEPR). (Urban Crossroads, 2022c, p. 22)

The 2021 IEPR was adopted February 2022, and continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. The 2021 IEPR provides the results of the

CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the state is to meet its climate, energy, air quality, and other environmental goals while maintaining reliability and controlling costs. Additionally, the 2021 IEPR provides the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the state is to meet its climate, energy, air quality, and other environmental goals while maintaining reliability and controlling costs. (Urban Crossroads, 2022c, p. 22-23)

2. State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access. (Urban Crossroads, 2022c, p. 23)

3. California Code Title 24, Part 6, Energy Efficiency Standards

California Code of Regulations (CCR) Title 24 Part 6: The California Energy Code was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption.

The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on August 1, 2009, and is administered by the California Building Standards Commission.

CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards that will be effective on January 1, 2023. The Project would be required to comply with the applicable standards in place at the time plan check submittals are made. (Urban Crossroads, 2022c, p. 23)

4. Pavley Regulations and Fuel Efficiency Standards (AB 1493)

California AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks). Although aimed at reducing GHG emissions, specifically, a co-benefit of the Pavley standards is an improvement in fuel efficiency and consequently a reduction in fuel consumption. (Urban Crossroads, 2022c, p. 23)

5. California Renewable Portfolio Standards (RPS)

First established in 2002 under Senate Bill (SB) 1078, California's Renewable Portfolio Standards (RPS) requires retail sellers of electric services to increase procurement from eligible renewable resources to 33% of total retail sales by 2020 (Urban Crossroads, 2022c, p. 24).

6. Senate Bill 350 (SB 350) – Clean Energy and Pollution Reduction Act of 2015

In October 2015, the legislature approved, and the Governor signed, SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the renewables portfolio standard (RPS), higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the CEC, and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States. (Urban Crossroads, 2022c, p. 24)

4.4.3 Basis for Determining Significance

According to Section I of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact associated with energy consumption if the Project or any Project-related component would (OPR, 2019):

a. *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation;*

b. *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

4.4.4 IMPACT ANALYSIS

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

A. Energy Use During Project Construction

The Project's construction process would consume electrical energy and diesel fuel. Project-related construction would represent a "single-event" energy demand and would not require on-going or permanent commitment of diesel fuel resources. Project construction activities are estimated to consume approximately 113,853 kWh of electricity, 67,491 gallons of diesel fuel from operation of construction equipment, 15,066 gallons of fuel from construction worker trips, and 11,965 gallons of fuel related to construction vendor trips (Urban Crossroads, 2022c, p. 30-38). Detailed calculations for all components of the Project's construction energy use are provided in subsection 5.3 of the Project's energy analysis (refer to *Technical Appendix D*).

Construction equipment use of fuel would not be atypical for the type of construction proposed because there are no aspects of the Project's proposed construction process that are unusual or energy-intensive, and Project construction equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. (Urban Crossroads, 2022c, p. 41)

CCR Title 13, Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Best Available Control Measures (BACMs) inform construction equipment operators of this requirement. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints. (Urban Crossroads, 2022c, p. 41)

As supported by the preceding discussion, the Project's construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

B. Energy Use During Project Operations

Energy consumption in support of or related to Project operations would include transportation fuel demands (fuel consumed by passenger car and truck vehicles accessing the Project Site), fuel demands from operational equipment, and facilities energy demands (energy consumed by building operations, site maintenance activities, and on-site cargo handling equipment).

The Project energy demand is calculated to be 179,406 gallons of fuel, 5,337,545 kBTU of natural gas per year, and 1,774,048 kWh of electricity per year The energy consumption of existing uses on the Project Site (refer to Subsection 4.4.1) were subtracted from the Project's gross energy totals to determine the new, net energy demands from the proposed Project. The net Project energy demand is calculated to be 45,152 gallons of fuel, 4,543,279 kBTU of natural gas per year, and 746,675 kWh of electricity per year. Project on-site cargo handling equipment would consume an estimated 4,642

gallons of natural gas per year (Urban Crossroads, 2022c, p. 38-40). Refer to subsection 5.4 of the Project's energy analysis (see *Technical Appendix D*) for detailed calculations of all components of the Project's operational energy use.

Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. The Project would implement sidewalks, facilitating and encouraging pedestrian access. Facilitating pedestrian and bicycle access would reduce VMT and associated energy consumption. In compliance with the California Green Building Standards Code and City requirements, the Project would promote the use of bicycles as an alternative mean of transportation by providing short-term and/or long-term bicycle parking accommodations. (Urban Crossroads, 2022c, p. 42)

Project on-site equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. The Project proposes a conventional warehouse use reflecting contemporary energy efficient/energy conserving designs and operational programs. The Project does not propose uses that are inherently energy intensive and the energy demands in total would be comparable to other industrial uses of similar scale and configuration. Lastly, the Project will comply with the applicable California Green Building Standard Code Title 24 standards. (Urban Crossroads, 2022c, p. 43)

As supported by the preceding discussion, the Project's operational energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

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

The following analyzes the Project's consistency with the applicable federal, State, and local regulations for renewable energy of energy efficiency.

A. Consistency with Federal Energy Regulations

1. Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

Transportation and access to the Project Site is provided by the local and regional roadway systems. The Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA because SCAG is not planning for intermodal facilities on or through the Project Site. (Urban Crossroads, 2022c, p. 45)

2. The Transportation Equity Act for the 21st Century (TEA-21)

The Project Site is located along major transportation corridors with proximate access to the Interstate freeway system. The Site selected for the Project facilitates access, acts to reduce vehicle miles

traveled, takes advantage of existing infrastructure systems, and promotes land use compatibilities through collocation of similar uses. The Project supports the strong planning processes emphasized under TEA-21. The Project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21. (Urban Crossroads, 2022c, p. 45)

B. Consistency with State Energy Regulations

1. Integrated Energy Policy Report

SCE would provide electricity service to the Project. SCE's Clean Power and Electrification Pathway (CPEP) white paper builds on existing state programs and policies. As such, the Project is consistent with, and would not otherwise interfere with, nor obstruct implementation the goals presented in the 2021 IEPR.

Additionally, the Project is required to comply with the applicable Title 24 standards which would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. As such, development of the proposed Project would support the goals presented in the 2020 IEPR. (Urban Crossroads, 2022c, p. 45)

2. State of California Energy Plan

The Project Site is located along major transportation corridors with proximate access to the Interstate freeway system. The Site selected for the Project facilitates access and takes advantage of existing infrastructure systems. The Project therefore supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with or obstruct, implementation of the State of California Energy Plan. (Urban Crossroads, 2022c, p. 46)

3. California Code Title 24, Part 6, Energy Efficiency Standards

The 2022 version of Title 24 was adopted by the CEC and will become effective on January 1, 2023. As the Project building construction is anticipated after that date, it is presumed that the Project would be required to comply with the Title 24 standards in place at that time. Therefore, the Project would result in a less-than-significant impact on energy resources. The proposed Project would be subject to Title 24 standards as a requirement of the California Building Standards Code. (Urban Crossroads, 2022c, p. 46)

4. California Code Title 24, Part 11, CALGreen

As previously stated, CCR, Title 24, Part 11: CALGreen is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2009, and is administered by the California Building Standards Commission. CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards that were published on July 1, 2022 and will become effective on January 1, 2023. The Project would be required to comply with the applicable standards in place at the time plan check submittals are made. (Urban Crossroads, 2022c, p. 46)

5. Pavley Fuel Efficiency Standards (AB 1493)

AB 1493 is not applicable to the Project as it is a statewide measure establishing vehicle emissions standards. No feature of the Project would interfere with implementation of the requirements under AB 1493. (Urban Crossroads, 2022c, p. 46)

6. Renewable Portfolio Standards (SB 1078)

California's RPS is not applicable to the Project as it is a statewide measure that establishes a renewable energy mix. No feature of the Project would interfere with implementation of the requirements under RPS. (Urban Crossroads, 2022c, p. 46)

7. Senate Bill 350 (SB 350) – Clean Energy and Pollution Act

The proposed Project would use energy from SCE, which has committed to diversify their portfolio of energy sources by increasing energy from wind and solar sources. No feature of the Project would interfere with implementation of SB 350. Additionally, the Project would be designed and constructed to implement the energy efficiency measures for new industrial developments and would include several measures designed to reduce energy consumption.

As shown above, the Project would not conflict with any of the state or local plans. As such, a less than significant impact is expected. (Urban Crossroads, 2022c, p. 46)

C. Consistency with Local Energy Regulations

1. City of Ontario Community Climate Action Plan

The Project would comply with applicable City of Ontario Community Climate Action Plan (CCAP) checklist measures. Compliance with the CCAP checklist measures would further reduce reliance on fossil fuels and expand the use of renewable energy. (Urban Crossroads, 2022c, p. 47)

D. Conclusion

As supported by the preceding analysis, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and a less-than-significant impact related to energy consumption would occur.

4.4.5 Cumulative Impact Analysis

The Project and other new development projects within the cumulative study area would be required to comply with all of the same applicable federal, State, and local regulatory measures aimed at reducing fossil fuel consumption and the conservation of energy. Accordingly, the Project would not cause or contribute to a significant cumulatively considerable impact related to conflicts with a State or local plan for renewable energy efficiency.

4.4.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The amount of energy and fuel consumed by construction and operation of the Project would not be inefficient, wasteful, or unnecessary. Furthermore, the Project would not cause or result in the need for additional energy facilities or energy delivery systems.

Threshold b: Less-than-Significant Impact. The Project would not cause or result in the need for additional energy production or transmission facilities. The Project would not conflict with or obstruct the achievement of energy conservation goals within the State of California identified in State and local plans for renewable energy and energy efficiency.

4.4.7 Mitigation

Impacts would be less than significant; therefore, mitigation is not required.

4.5 GEOLOGY AND SOILS

The analysis in this subsection is based primarily on information contained in the technical report prepared by Southern California Geotechnical titled "Geotechnical Investigation Proposed Warehouse 5355 East Airport Drive Ontario, California", dated March 9, 2022. The technical report is included as *Technical Appendix E1* to this EIR (SoCal Geotechnical, 2022a). In addition, an infiltration report prepared by Southern California Geotechnical, dated March 9, 2022, was used in this analysis and is included as *Technical Appendix E2* (Southern California Geotechnical, 2022b). Additional sources of information used to support the analysis in this subsection include the Final Supplemental EIR prepared for The Ontario Plan (Ontario, 2022b) and the Ontario Development Code (Ontario, 2021a). All of the references used in this subsection are listed in EIR Section 7.0, *References*.

4.5.1 EXISTING CONDITIONS

A. Soils

Artificial fill soils were encountered beneath the existing pavements at all of the Project Site's infiltration boring locations, extending to depths of 3 to 4± feet below the existing site grades. The fill soils generally consist of medium dense to dense silty sands, with occasional loose sands. The fill soils possess a disturbed mottled appearance resulting in their classification as artificial fill. Native alluvial soils were encountered beneath the fill soils at all of the infiltration boring locations, extending to at least the maximum depth explored of 12± feet. The alluvium generally consists of loose sands, silty sands and silty sands to sandy silts, with occasional medium dense silty sands. (Southern California Geotechnical, 2022b, p. 3)

B. Groundwater

Free water was not encountered during the drilling of any of the borings. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed as a depth in excess of 30± feet at the time of the subsurface exploration. (SoCal Geotechnical, 2022a, p. 7)

According to the water level data obtained from the California Department of Water Resources Water Data Library website, the nearest monitoring well on record (identified as State Well Number: 01S06W29H001S) is located 3,400± feet southeast of the Project Site. Water level readings within this monitoring well indicate a high groundwater level of 277± feet below the ground surface in April 2019. (SoCal Geotechnical, 2022a, p. 7)

C. Seismic Hazards

The Project Site is located in an area that is subject to strong ground motions due to earthquakes. Numerous faults capable of producing significant ground motions are located near the Project Site. An active fault is defined by the California Geotechnical Survey as a fault that has experienced surface displacement within the Holocene Epoch (roughly the last 11,000 years). The nearest active fault to

the Project Site is the Cucamonga Fault, located approximately 7 miles to the north of the Project Site (CGS, 2015).

Secondary hazards associated with earthquakes include surface rupture, ground failure, unstable soils and slopes. Each of these hazards is briefly described below.

1. Fault Rupture

Research of available maps indicates that the Project Site is not located within an Alquist-Priolo Earthquake Fault Zone. No evidence of faulting was identified during the geotechnical investigation. (SoCal Geotechnical, 2022a, p. 10)

2. Liquefaction

Liquefaction is the loss of strength in generally cohesionless, saturated soils when the pore-water pressure induced in the soil by a seismic event becomes equal to or exceeds the overburden pressure. The primary factors which influence the potential for liquefaction include groundwater table elevation, soil type and grain size characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. The depth within which the occurrence of liquefaction may impact surface improvements is generally identified as the upper 50 feet below the ground surface. Liquefaction potential is greater in saturated, loose, poorly graded fine sands with a mean (d_{50}) grain size in the range of 0.075 to 0.2 mm. Clayey (cohesive) soils or soils which possess clay particles (d<0.005mm) in excess of 20 percent are generally not considered to be susceptible to liquefaction, nor are those soils which are above the historic static groundwater table. (SoCal Geotechnical, 2022a, p. 12)

The general liquefaction susceptibility of the Project Site was determined by research of the San Bernardino County Land Use Plan, General Plan, Geologic Hazard Overlays. Map FH28C for the Guasti 7.5-Minute Quadrangle indicates that the Project Site is not located within an area of liquefaction susceptibility. (SoCal Geotechnical, 2022a, p. 12)

3. Unstable Soils and Slopes

The Project Site slopes gently to the south-southeast at a gradient of less than 1 percent. There is no evidence of historical landslides or rockfalls on the Project Site (CGS, 2021). As such, the Project Site is not susceptible to seismically-induced landslides and rockfalls.

D. Slope and Instability Hazards

1. Soil Erosion

Erosion is the movement of rock and soil due to water, wind, and gravity. Soil erosion may be a slow process that continues relatively unnoticed, or it may occur quickly, causing loss of topsoil. The rate and magnitude of soil erosion by water is controlled by rainfall intensity and runoff, soil texture and cohesion, slope gradient and length, and vegetation cover. The young alluvial sediment and wind-

blown sand underlying the Project Site are generally granular, poorly consolidated, and very susceptible to erosion. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. (Ontario, 2022b, p. 5.7-16)

2. Settlement Potential

Settlement refers to unequal compression of a soil foundation, shrinkage, or undue loads being applied to a building after its initial construction that affects the soil foundation. According to Southern California Geotechnical, the potential for seismically induced settlement is considered low (SoCal Geotechnical, 2022a, p. 10).

3. Shrinkage/Subsidence Potential

Subsidence is a gradual settling or sudden sinking of the ground surface (i.e, loss of elevation). The principal causes of subsidence are aquifer-system compaction, drainage of organic soils, underground mining, and natural compaction. Shrinkage is the reduction in volume in soil as the water content of the soil drops (i.e., loss of volume). According to Southern California Geotechnical, the potential for subsidence to affect the Project Site is considered low (SoCal Geotechnical, 2022a, p. 10).

4. Soil Expansion Potential

Expansive soils are soils that exhibit cyclic shrink and swell patterns in response to variations in moisture. Sites with expansive soils (expansion index>20) require special attention during project design and maintenance. According to Southern California Geotechnical, the near-surface soils on the Project Site consist of sands and silty sands with no appreciable clay content. These materials have been visually classified as non-expansive. Therefore, no design considerations related to expansive soils are considered warranted for the Project Site. (SoCal Geotechnical, 2022a, p. 13)

5. Landslide Potential

The Project Site slopes gently to the south-southeast at a gradient of less than 1 percent. There is no evidence of historical landslides or rockfalls on the Project Site (CGS, 2021). As such, the Project Site is not susceptible to seismically-induced landslides and rockfalls.

E. Paleontological Setting

1. Regional Setting

The City of Ontario is underlain by sediments less than 11,000 years old (Holocene) and deposited either by water or wind. In general, the alluvial fan sediments are coarse grained in the northern part of the City and consist of various mixtures of sand, gravel, and cobbles. Moving south away from the mountains, the sediments gradually become finer grained, consisting primarily of silt, silty clay, and silty sand. Generally, soils with faster infiltration rates, higher levels of organic matter, and improved soil structure, such as sand, sandy loam, and loam-textured soils have a greater resistance to erosion than silt, very fine sand, and certain-clay textured soils. (Ontario, 2022b, p. 5.7-5)

The possibility of finding additional paleontological resources within City boundaries is moderate to high. Geologic maps indicate that the City is situated on surface exposures of recent alluvium. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. However, these recent sediments overlie older Pleistocene sediments with high potential to contain paleontological resources. Older Pleistocene alluvial sediments have yielded significant fossils of extinct plants and animals elsewhere in the Inland Empire. These older sediments, often found at depths of 10 feet or more below the ground surface, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates. Significant vertebrate fossils from this age include Ice Age mammals such as camels, mammoths, mastodons, and ground sloths (Ontario, 2022b, p. 5.7-17)

2. Project Site Conditions

The Project Site is underlain by Young Eolian Deposits (Qye) and Very Young Alluvial Fan Deposits (Qf). Qye are wind-deposited Holocene sediments consisting of silt and fine- to medium-grained sand which are generally about 10 feet thick and are underlain by alluvial fan deposits. Qf are Late Holocene and consist predominantly of sand, gravel, cobbles, and boulders that form the active and recently active portions of the fan. These deposits are generally unconsolidated to slightly consolidated, and where they have not been graded, they have a network of braided channels on the surface (Ontario, 2022b, p. 5.7-5 through 5.7-7).

4.5.2 Regulatory Setting

The following is a brief description of the federal, State, and local environmental laws and related regulations governing issues related to geology, soils, and paleontological resources.

A. Federal Plans, Policies, and Regulations

1. Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. (EPA, 2020e)

2. Paleontological Resources Preservation Act

The Paleontological Resources Preservation Act (PRPA) was signed into law on March 30, 2009 (Public Law 111-11, Title VI, Subtitle D; 16 U.S.C. §§ 470aaa - 470aaa-11). PRPA directs the Department of Agriculture (U.S. Forest Service) and the Department of the Interior (National Park Service, Bureau of Land Management, Bureau of Reclamation, and Fish and Wildlife Service) to implement comprehensive paleontological resource management programs. Section 6310 of PRPA specifically states, "As soon as practical after the date of enactment of this Act, the Secretary shall issue such regulations as are appropriate to carry out this subtitle, providing opportunities for public notice and comment." (NPS, n.d.)

B. State Plans, Policies, and Regulations

1. Alquist-Priolo Earthquake Fault Zoning Act (A-P Act)

The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The A-P Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The A-P Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards. (CA Legislative Info, n.d.)

The A-P Act requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps. "Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994. The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy. Single family wood-frame and steel-frame dwellings up to two stories not part of a development of four units or more are exempt. However, local agencies can be more restrictive than state law requires. (CA Legislative Info, n.d.)

Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings will not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet). (CA Legislative Info, n.d.)

2. Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, § 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards. (CDC, n.d.)

Staff geologists in the Seismic Hazards Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally in order to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake–induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes. (CDC, n.d.)

The SHMA requires site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy. (CDC, n.d.)

3. Natural Hazards Disclosure Act

The Natural Hazards Disclosure Act, effective June 1, 1998 (as amended June 9, 1998), requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including a Seismic Hazard Zone. (CA Legislative Info, n.d.)

The law requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single-family wood-frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires. (CA Legislative Info, n.d.)

Before a development permit can be issued or a subdivision approved, cities and counties must require a site-specific investigation to determine whether a significant hazard exists at the Site and, if so, recommend measures to reduce the risk to an acceptable level. The investigation must be performed by state-licensed engineering geologist and/or civil engineer. (CA Legislative Info, n.d.)

4. Essentials Services Building Seismic Safety Act

In 1986, the California Legislature determined that buildings providing essential services should be capable of providing those services to the public after a disaster. Their intent in this regard was defined in legislation known as the Essential Services Buildings Seismic Safety Act of 1986 and includes requirements that such buildings shall be "…designed and constructed to minimize fire hazards and to resist…the forces generated by earthquakes, gravity, and winds." This enabling legislation can be found in the California Health and Safety Code, Chapter 2, § 16000 through 16022. In addition, the California Building Code defines how the intent of the act is to be implemented in Title 24, Part 1 of the California Building Standards Administrative Code, Chapter 4, Articles 1 through 3. (CAB, n.d.)

5. California Building Standards Code (Title 24)

California Code of Regulations (CCR) Title 24 is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment. These regulations are also known

as building standards (reference California Health and Safety Code § 18909). Health and Safety Code § 18902 gives CCR Title 24 the name California Building Standards Code (CBSC). (CBSC, 2019, p. 1)

The CBSC in CCR Title 24 is published by the California Building Standards Commission and it applies to all building occupancies (see Health and Safety Code §§ 18908 and 18938) throughout the State of California. Cities and counties are required by state law to enforce CCR Title 24 (reference Health and Safety Code §§ 17958, 17960, 18938(b), and 18948). Cities and counties may adopt ordinances making more restrictive requirements than provided by CCR Title 24, because of local climatic, geological, or topographical conditions. Such adoptions and a finding of need statement must be filed with the California Building Standards Commission (Reference Health and Safety Code §§ 17958.7 and 18941.5). (CBSC, 2019, p. 1)

6. California Public Resources Code

Paleontological sites are protected under a wide variety of State policies and regulations in the California Public Resources Code (PRC). In addition, paleontological resources are recognized as nonrenewable resources and receive protection under the PRC and CEQA. PRC Division 5, Chapter 1.7, § 5097.5, and Division Chapter 3, § 30244. This statute prohibits the removal, without permission, of any paleontological site or feature from lands under the jurisdiction of the State or any city, county, district, authority, or public corporation, or any agency thereof. As a result, local agencies are required to comply with PRC 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others. PRC § 5097.5 establishes the removal of paleontological resources as a misdemeanor and requires reasonable mitigation of adverse impacts to paleontological resources from developments on public lands (state, county, city, and district). (CA Legislative Info, 2011)

4.5.3 Basis for Determining Significance

Section VI of Appendix G to the CEQA Guidelines addresses typical adverse effects due to geological conditions, and includes the following threshold questions to evaluate the Project's impacts resulting from geologic or soil conditions (OPR, 2019):

a. *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

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

   ii. *Strong seismic ground shaking;*

   iii. *Seismic-related ground failure, including liquefaction;*

iv. Landslides;

b. Result in substantial soil erosion or the loss of topsoil;

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

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;

e. *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water*;

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

4.5.4 IMPACT ANALYSIS

Threshold a:	***Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; strong seismic ground shaking; seismic-related ground failure, including liquefaction; landslides?***

A. Rupture of Known Earthquake Fault

There are no known active or potentially active faults on or trending toward the Project Site. Research of available maps indicates that the Project Site is not located within an Alquist-Priolo Earthquake Fault Zone. No evidence of faulting was identified during the geotechnical investigation. (SoCal Geotechnical, 2022a, p. 10) Because there are no known faults located on or trending towards the Project Site, there is no potential for the Project to directly or indirectly expose people or structures to substantial adverse effects related to ground rupture. Impacts would be less than significant.

B. Strong Seismic Ground Shaking

The Project Site is located in a seismically active area of southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. The risk is not substantially different than the risk to other properties throughout the southern California area. As a mandatory condition of Project approval, the Project Applicant would be required to construct the proposed building in accordance with the CBSC and the Ontario Development Code. The CBSC and Ontario Development Code, which have been specifically tailored for California earthquake conditions, provide building standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and

occupancy, location, and maintenance of all buildings and structures. In addition, the CBSC (Chapter 18) require development project sites to be evaluated in preliminary soil reports to identify site-specific geologic and seismic conditions and provide site-specific recommendations to preclude adverse effects involving unstable soils and strong seismic ground-shaking, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems. The Project Applicant retained a professional geotechnical firm, Southern California Geotechnical, to prepare a geotechnical investigation for the Project Site, which is included as *Technical Appendix E1* to this EIR. The geotechnical investigation included recommendations for design, construction, and grading considerations based on the site-specific geological conditions and the Project's specific design. The recommendations included seismic design considerations, geotechnical design considerations, site grading, construction, foundation design and construction, floor slab design and construction, retaining wall design and construction, and pavement design parameters. This geotechnical investigation complies with the requirements of Chapter 18 of the CBSC. With mandatory compliance with these standards and site-specific design and construction measures, implementation of the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Impacts would be less than significant.

C. Seismic-Related Ground Failure

The Project would be required to be designed and constructed in accordance with applicable seismic safety guidelines, including the standard requirements of the CBSC, as noted above. Furthermore, the Project would be required (via conditions of approval) to comply with the grading and construction recommendations contained within the geotechnical investigation for the Project Site to further reduce the risk of seismic-related ground failure due to liquefaction. Therefore, implementation of the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards. Impacts would be less than significant.

D. Landslides

The Project Site is relatively flat, as is the immediately surrounding area. The Project Site slopes gently to the south-southeast at a gradient of less than 1 percent. There is no evidence of historical landslides or rockfalls on the Project Site (CGS, 2021). The Project includes retaining walls, which would be constructed in accordance with the site-specific recommendations contained within the geotechnical report to ensure their structural soundness. The City would condition the Project to comply with the site-specific design and engineering recommendations contained within the geotechnical investigation to ensure these measures are implemented. Mandatory compliance with the recommendations contained within the Project Site's geotechnical report would ensure that the Project is engineered and constructed to maximize stability and preclude safety hazards to on-site and abutting off-site areas. Accordingly, the Project would not be exposed to substantial landslide risks, and implementation of the Project would not pose a substantial direct or indirect landslide risk to surrounding properties. Impacts would be less than significant.

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

A. Construction-Related Erosion Impacts

Development of the Project would result in the demolition of all structures on-site, and grading and construction activities would occur that would expose and disturb soils that are currently covered by impervious surfaces. Disturbed soils would be subject to potential erosion during rainfall events or high winds due to the removal of stabilizing vegetation and building materials (e.g., existing concrete foundations) and exposure of these erodible materials to wind and water.

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least 1 acre of total land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Mandatory compliance with the SWPPP would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

B. Post-Development Erosion Impacts

Upon Project build-out, the Project Site would be covered by buildings, landscaping, and impervious surfaces. Stormwater runoff from the Project Site would be captured, treated to reduce waterborne pollutants (including sediment), and conveyed off-site via an on-site storm drain system.

The Project would be required to implement erosion control measures pursuant to Ontario Municipal Code Title 6, Chapter 12. During operation of the Project, the Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP) to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site-specific post-construction water quality management program designed to address the potential release of pollutants of concern for downstream receiving waters and other water pollutants through the use of BMPs. Implementation of the WQMP ensures on-going, long-term protection of the watershed basin. The Preliminary WQMP for the Project was prepared by Westland and is included as *Technical*

Appendix H2 to this EIR. Because the Project Applicant would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, Project operation would result in less-than-significant impacts related to soil erosion and sedimentation.

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

The Project Site is relatively flat, as is the immediately surrounding area. The Project Site slopes gently to the south-southeast at a gradient of less than 1 percent. There is no evidence of historical landslides or rockfalls on the Project Site (CGS, 2021). As noted in the response to Threshold "a", the Project includes retaining walls and manufactured slopes that would be engineered for structural soundness and constructed in accordance with the site-specific recommendations contained within the geotechnical investigation for the Project. Accordingly, the Project would result in less than significant impacts associated with landslide hazards.

Southern California Geotechnical indicated that there is a low potential for subsidence to affect the Project Site. Removal and recompaction of the near-surface existing soils is estimated to result in an average shrinkage of 5 to 15 percent. Minor ground subsidence is expected to occur in the soils below the zone of removal, due to settlement and machinery working. The subsidence is estimated to be 0.15 feet. The City will condition the Project to comply with the Site-specific ground preparation and construction recommendations contained in the Project's geotechnical report. Based on the foregoing, potential impacts related to soil shrinkage/subsidence and collapse would be less than significant.

Southern California Geotechnical indicated that there is a low potential for lateral spreading to affect the Project Site. Lateral spreading is primarily associated with liquefaction hazards. As noted above under the discussion of Threshold "a," the Project Site is not susceptible to liquefaction. Accordingly, impacts associated with lateral spreading would be less than significant.

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

The near-surface soils consist of sands and silty sands with no appreciable clay content. These materials have been visually classified as non-expansive. Therefore, no design considerations related to expansive soils are considered warranted for this Site. (SoCal Geotechnical, 2022a, p. 13) Accordingly, the Project Site does not contain expansive soils and as such, would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. No impacts would occur.

Threshold e:	***Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?***

The Project would connect to an existing sewer line installed beneath Airport Drive. The existing on-site septic systems would be removed and there would be no continued use of Project-site related septic systems upon implementation of the proposed Project. The Project would not utilize septic tanks or alternative wastewater systems. No impact related to the use of alternative waste water systems would thus occur.

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

The Project Site is underlain by Young Eolian Deposits (Qye) and Very Young Alluvial Fan Deposits (Qf). Qye are wind-deposited Holocene sediments consisting of silt and fine- to medium-grained sand which are generally about 10 feet thick and are underlain by alluvial fan deposits. Qf are Late Holocene and consist predominantly of sand, gravel, cobbles, and boulders that form the active and recently active portions of the fan. These deposits are generally unconsolidated to slightly consolidated, and where they have not been graded, they have a network of braided channels on the surface (Ontario, 2022b, p. 5.7-5 through 5.7-7).

The possibility of finding additional paleontological resources within City boundaries is moderate to high. However, geologic maps indicate that the Project Site is situated on surface exposures of recent alluvium. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. However, these recent sediments overlie older Pleistocene sediments with high potential to contain paleontological resources. (Ontario, 2022b, p. 5.7-17) In the event that the Project's construction activities encroach into previously undisturbed older alluvium deposits, the Project could result in impacts to important paleontological resources if such resources are unearthed and not properly treated. Therefore, the Project's potential to directly or indirectly destroy a unique paleontological resource buried beneath the ground surface is determined to be a potentially significant impact and mitigation is required.

4.5.5 Cumulative Impact Analysis

With the exception of erosion hazards, potential hazardous effects related to geologic and soil conditions addressed under Thresholds "a," "c," "d," and "e" are unique to the Project Site, and inherently restricted to the specific property proposed for development. That is, issues including fault rupture, seismic ground shaking, liquefaction, landslides, and expansive soils would involve effects to (and not from) a proposed development project, are specific to conditions on the subject property, and are not influenced or exacerbated by the geologic and/or soil hazards that may occur on other, off-site properties. Further, as noted in the foregoing analysis, all potential Project-related direct and indirect impacts related to potential hazardous effects related to geologic and soil conditions would be precluded through mandatory conformance with the CBSC, Ontario Development Code, other standard regulatory requirements, and the site-specific geotechnical recommendations contained within the

Project's geotechnical investigation, which will be incorporated into the Project's design via conditions of approval. Because of the site-specific nature of these potential hazards and the measures to address them, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties.

As discussed under Threshold "b", regulatory requirements mandate that the Project incorporate design measures during construction and long-term operation to ensure that significant erosion impacts do not occur. Other development projects in the vicinity of the Project Site would be required to comply with the same regulatory requirements as the Project to preclude substantial adverse water and wind erosion impacts. Because the Project and other projects within the cumulative study area would be subject to similar mandatory regulatory requirements to control erosion hazards during construction and long-term operation, cumulative impacts associated with wind and water erosion hazards would be less than significant.

The Project's potential to result in cumulative impacts to paleontological resources (Threshold "f") is similar to that of other projects located in the region that are underlain by older alluvial soils. Because the older alluvial soils present on the Project Site contain high paleontological sensitivity and because this geologic layer is present throughout the City of Ontario and southern California, the potential to impact paleontological resources is a cumulatively-considerable impact for which mitigation is required.

4.5.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. Implementation of the Project would not expose people or structures to substantial direct or indirect adverse effects related to liquefaction or fault rupture. The Project Site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements and building codes would ensure that the Project minimizes potential hazards related to seismic ground shaking to less-than-significant levels.

Threshold b: Less-than-Significant Impact. Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a NPDES permit for construction activities and adhere to a SWPPP, and prepare an erosion control plan to minimize water and wind erosion. Following completion of development, the Project's owner or operator would be required by law to implement a PWQMP during operation, which would preclude substantial erosion impacts in the long-term.

Threshold c: Less-than-Significant Impact. There is no potential for the Project's construction or operation to cause, or be impacted by, on- or off-site landslides or lateral spreading. Potential hazards associated with unstable soils would be precluded through mandatory adherence to the recommendations contained in the site-specific geotechnical report during Project construction.

Threshold d: No Impact. The Project Site contains soils that are classified as non-expansive. Therefore, the Project Site does not contain expansive soils and as such, would not create substantial direct or

indirect risks to life or property associated with the presence of expansive soils. No impact would occur.

Threshold e: No Impact. No septic tanks or alternative wastewater disposal systems are proposed to be used as part of the Project. Accordingly, no impact would occur with soil compatibility for waste water disposal systems.

Threshold f: Significant Direct and Cumulatively Considerable Impact. The Project would not impact any known paleontological resource or unique geological feature. However, the Project Site is underlain by older alluvium soils with a high sensitivity for paleontological resources. Accordingly, construction activities on the Project Site have the potential to unearth and adversely impact paleontological resource that may be buried beneath the ground surface.

4.5.7 MITIGATION

MM 4.5-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Ontario that a qualified paleontologist ("paleontologist") has been retained by the Project Applicant or contractor to conduct monitoring of excavation activities in olde alluvium soils and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

MM 4.5-2 The paleontologist shall conduct full-time monitoring during grading and excavation operations in undisturbed Holocene and late Pleistocene old alluvial fan deposits starting at a depth of five (5) feet below the existing ground surface. The paleontologist shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resources.

MM 4.5-3 Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, shall be required for discoveries of significance as determined by the paleontological monitor.

MM 4.5-4 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to

accurately record the original location of the specimens. The report shall be submitted to the City of Ontario prior to issuance of the first occupancy permit.

4.5.8 Significance of Impacts After Mitigation

Threshold f: Less-than-Significant Impact with Mitigation Incorporated. MMs 4.5-1 through 4.5-4 would ensure the proper identification and subsequent treatment of any paleontological resources that may be encountered during ground-disturbing activities associated with implementation of the proposed Project. Therefore, with implementation of MMs 4.5-1 through 4.5-4, the Project's potential impact to paleontological resources would be reduced to less-than-significant.

4.6 GREENHOUSE GAS EMISSIONS

The analysis provided in this subsection evaluates the Project's potential to generate greenhouse gas (GHG) emissions that could contribute substantially to Global Climate Change (GCC) and its associated environmental effects. This analysis is based on a report prepared by Urban Crossroads, Inc. titled, "5355 East Airport Drive Greenhouse Gas Analysis," dated August 30, 2022 (Urban Crossroads, 2022d). The GHG analysis report (GHGA) is included as *Technical Appendix F* to this EIR. All references used in this subsection are listed in EIR Section 7.0, *References*.

4.6.1 EXISTING CONDITIONS

A. Introduction to Global Climate Change

GCC is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. Many scientists believe that the climate shift taking place since the Industrial Revolution is occurring at a quicker rate and magnitude than in the past. Scientific theory suggests that GCC is the result of increased concentrations of GHGs in the earth's atmosphere, including carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. Scientists believe that this increased rate of climate change is the result of GHGs resulting from human activity and industrialization over the past 200 years. (Urban Crossroads, 2022d, p. 16)

An individual project like the Project evaluated in this EIR cannot generate enough GHG emissions to affect a discernible change in global climate. However, the Project may participate in the potential for GCC by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on GCC. (Urban Crossroads, 2022d, p. 16)

B. Greenhouse Gases

CO_2, CH_4, and N_2O emissions are the focus of evaluation in this subsection because these gases are the primary contributors to GCC from development projects. Although there are other substances such as fluorinated gases that also contribute to GCC, these fluorinated gases were not evaluated as their sources are not well-defined and do not contain accepted emissions factors or methodology to accurately calculate these gases. (Urban Crossroads, 2022d, p. 16)

A global warming potential (GWP) value indicates the amount of warming a gas causes over a given period of time and represents the potential of a gas to trap heat in the atmosphere. Individual GHGs have varying GWP values, as assigned by the Intergovernmental Panel on Climate Change (IPCC). The atmospheric lifetime and GWP of selected GHGs are summarized in Table 4.6-1, *GWP and Atmospheric Lifetime of Select GHGs.* GWP values range from 1 for CO_2 up to 23,900 for Sulfur Hexafluoride (SF_6). (Urban Crossroads, 2022d, p. 23)

Provided below is a description of the various gases that contribute to GCC. For more information about these gases and their associated human health effects, reefer to Section 2.3 of *Technical Appendix F* and the references sources cited therein.

Table 4.6-1 GWP and Atmospheric Lifetime of Select GHGs

Gas	Atmospheric Lifetime (years)	GWP (100-year time horizon)	
		2nd Assessment Report	5th Assessment Report
CO_2	See*	1	1
CH_4	12 .4	21	28
N_2O	121	310	265
HFC-23	222	11,700	12,400
HFC-134a	13.4	1,300	1,300
HFC-152a	1.5	140	138
SF_6	3,200	23,900	23,500

*As per Appendix 8.A. of IPCC's 5th Assessment Report, no single lifetime can be given.
Adapted from Table 2.14 of the IPCC Fourth Assessment Report, 2007
(Urban Crossroads, 2022d, p. 23)

- **Water Vapor (H_2O)** is the most abundant, important, and variable GHG in the atmosphere. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to 'hold' more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop would continue is unknown as there are also dynamics that hold the positive feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it would eventually condense into clouds, which are more able to reflect incoming solar radiation (thus allowing less energy to reach the earth's surface and heat it up). There are no known direct health effects related to water vapor; however, certain pollutants can dissolve in water vapor and the water vapor can then act as a pollutant-carrying agent. (Urban Crossroads, 2022d, p. 17)

- **Carbon Dioxide (CO_2)** is an odorless and colorless GHG that is emitted from natural and man-made sources. Natural sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Since the industrial revolution began in the mid-1700s, the sort of human activity that increases GHG emissions has increased dramatically in scale and distribution. As an example, prior to the industrial revolution, CO2 concentrations were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30%. Exposure to CO_2 in high concentrations can cause adverse human health effects, but

outdoor (atmospheric levels) are not high enough to be detrimental to human health. (Urban Crossroads, 2022d, p. 18)

- **Methane (CH_4)** is an extremely effective absorber of radiation, although its atmospheric concentration is less than CO2 and its lifetime in the atmosphere is brief (10-12 years), compared to other GHGs. Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of CH_4. Other man-made sources include fossil-fuel combustion and biomass burning. Exposure to elevated levels of CH_4 can cause asphyxiation, loss of consciousness, headache and dizziness, nausea and vomiting, weakness, loss of coordination, and an increased breathing rate. (Urban Crossroads, 2022d, p. 19)

- **Nitrous Oxide (N_2O)** concentrations began to rise at the beginning of the industrial revolution. N_2O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. N_2O can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is considered harmless; however, in some cases, heavy and extended use can cause Olney's Lesions (brain damage). (Urban Crossroads, 2022d, p. 19)

- **Chlorofluorocarbons (CFCs)** are gases formed synthetically by replacing all hydrogen atoms in CH_4 or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs have no natural source but were first synthesized in 1928. They were used for refrigerants, aerosol propellants and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and was extremely successful, so much so that levels of the major CFCs are now remaining steady or declining. However, their long atmospheric lifetimes mean that some of the CFCs would remain in the atmosphere for over 100 years. (Urban Crossroads, 2022d, p. 20)

- **Hydrofluorocarbons (HFCs)** are synthetic, man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential. HFCs are manmade for applications such as automobile air conditioners and refrigerants. No health effects are known to result from exposure to HFCs. (Urban Crossroads, 2022d, p. 21)

- **Perfluorocarbons (PFCs)** are primarily produced for aluminum production and semiconductor manufacture. PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. High-energy ultraviolet rays, which occur about 60 kilometers above earth's surface, are able to destroy the compounds. Because of this, PFCs have exceptionally long lifetimes, between 10,000 and 50,000 years.

No health effects are known to result from exposure to PFCs. (Urban Crossroads, 2022d, p. 21)

- **Sulfur Hexafluoride (SF_6)** an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated (23,900). SF_6 is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection. In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing. (Urban Crossroads, 2022d, p. 21)

- **Nitrogen Trifluoride (NF_3)** is a colorless gas with a distinctly moldy odor. NF_3 is used in industrial processes and is produced in the manufacturing of semiconductors, Liquid Crystal Display (LCD) panels, types of solar panels, and chemical lasers. Long-term or repeated exposure may affect the liver and kidneys and may cause fluorosis. (Urban Crossroads, 2022d, p. 22)

C. Greenhouse Gas Emissions Inventory

1. Global and National

Worldwide anthropogenic GHG emissions are tracked by the IPCC for industrialized nations (referred to as Annex I) and developing nations (referred to as Non-Annex I). Human GHG emissions data for Annex I nations are available through 2018. Based on the latest available data, the sum of these emissions totaled approximately 28,768,440 gigagram (Gg) CO_2e (equivalent). The United States is the world's second-largest emitter of GHGs, producing 6,676,650 Gg of CO_2e in 2018. (Urban Crossroads, 2022d, p. 23-24)

2. State of California

California has significantly slowed the rate of growth of GHG emissions due to the implementation of energy efficiency programs as well as adoption of strict emission controls but is still a substantial contributor to the U.S. emissions inventory total. The California Air Resource Board (CARB) compiles GHG inventories for the State of California. Based upon the 2021 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2019 GHG emissions period, California emitted an average 418.2 million metric tons of CO_2e per year ($MMTCO_2e/yr$) or 418,200 Gg CO_2e (6.26% of the total United States GHG emissions). (Urban Crossroads, 2022d, p. 24)

3. Project Site

The Project Site is currently occupied and operating as a grain processing company and a corn storage and distribution facility. Sources of existing GHG emissions on the Project Site include mobile source, area source, energy source, water usage, waste, and refrigerants. The estimated GHG emissions from existing uses on the Project Site is 1,645.77 metric tons of CO_2 equivalent ($MTCO_2e$) (Urban Crossroads, 2022d, p. 49).

D. Potential Effects of Climate Change in California

1. Public Health

Higher temperatures may increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation could increase from 25 to 35% under the lower warming range to 75 to 85% under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances, depending on wind conditions. Based on Our Changing Climate Assessing the Risks to California by the California Climate Change Center, large wildfires could become up to 55% more frequent if GHG emissions are not significantly reduced. (Urban Crossroads, 2022d, p. 24)

In addition, under the higher warming range scenario, there could be up to 100 more days per year with temperatures above 90 degrees F in Los Angeles and 95 degrees F in Sacramento by 2100. This is a substantial increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures could increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat. (Urban Crossroads, 2022d, p. 24-25)

2. Water Resources

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the state from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages. (Urban Crossroads, 2022d, p. 25)

If temperatures continue to increase, more precipitation could fall as rain instead of snow, and the snow that does fall could melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90%. Under the lower warming range scenario, snowpack losses could be only half as large as those possible if temperatures were to rise to the higher warming range. How much snowpack could be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack could pose challenges to water managers and hamper hydropower generation. (Urban Crossroads, 2022d, p. 25)

The State's water supplies are also at risk from rising sea levels. An influx of saltwater could degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta – a major fresh water supply. (Urban Crossroads, 2022d, p. 25)

3. Agriculture

Increased temperatures could cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25% of the water supply needed. Although higher CO_2 levels can stimulate plant production and increase plant water-use efficiency, California's farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth. Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts. (Urban Crossroads, 2022d, p. 25)

In addition, continued GCC could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued GCC could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates. (Urban Crossroads, 2022d, p. 26)

4. Forest and Landscape Effects

GCC has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55%, which is almost twice the increase expected if temperatures stay in the lower warming range. Since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks would not be uniform throughout the state. In contrast, wildfires in northern California could increase by up to 90% due to decreased precipitation. Moreover, continued GCC has the potential to alter natural ecosystems and biological diversity within the state. For example, alpine and subalpine ecosystems could decline by as much as 60 to 80% by the end of the century as a result of increasing temperatures. The productivity of the state's forests has the potential to decrease as a result of GCC. (Urban Crossroads, 2022d, p. 26)

5. Rising Sea Levels

Rising sea levels, more intense coastal storms, and warmer water temperatures could increasingly threaten the state's coastal regions. Under the higher warming range scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate low-lying coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats. Under the lower warming range scenario, sea level could rise 12-14 inches. (Urban Crossroads, 2022d, p. 26)

4.6.2 Regulatory Setting

The following is a brief description of the federal, state, and local environmental laws and related regulations related to GHG emissions.

A. International Plans, Policies, and Regulations

1. Kyoto Protocol

The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its Parties by setting internationally binding emission reduction targets. Recognizing that developed countries are principally responsible for the current high levels of GHG emissions in the atmosphere as a result of more than 150 years of industrial activity, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities." (UNFCCC, n.d.)

The Kyoto Protocol was adopted in Kyoto, Japan, on December 11, 1997 and entered into force on February 16, 2005. The detailed rules for the implementation of the Protocol were adopted at Conference of the Parties (COP) 7 in Marrakesh, Morocco, in 2001, and are referred to as the "Marrakesh Accords." Its first commitment period started in 2008 and ended in 2012. (UNFCCC, n.d.)

On December 8, 2012, in Doha, Qatar, the "Doha Amendment to the Kyoto Protocol" was adopted. The amendment includes:

- New commitments for Annex I Parties to the Kyoto Protocol who agreed to take on commitments in a second commitment period from January 1, 2013 to December 31, 2020;
- A revised list of greenhouse gases (GHG) to be reported on by Parties in the second commitment period; and
- Amendments to several articles of the Kyoto Protocol which specifically referenced issues pertaining to the first commitment period and which needed to be updated for the second commitment period. (UNFCCC, n.d.)

On December 21, 2012, the amendment was circulated by the Secretary-General of the United Nations, acting in his capacity as Depositary, to all Parties to the Kyoto Protocol in accordance with Articles 20 and 21 of the Protocol. (UNFCCC, n.d.)

During the first commitment period, 37 industrialized countries and the European Community committed to reduce GHG emissions to an average of five percent against 1990 levels. During the second commitment period, Parties committed to reduce GHG emissions by at least 18 percent below 1990 levels in the eight-year period from 2013 to 2020; however, the composition of Parties in the second commitment period is different from the first. (UNFCCC, n.d.)

2. The Paris Agreement

The Paris Agreement builds upon the Convention and – for the first time – brings all nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with

enhanced support to assist developing countries to do so. As such, it charts a new course in the global climate effort. (UNFCCC, n.d.)

The Paris Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change. To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place, thus supporting action by developing countries and the most vulnerable countries, in line with their own national objectives. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework. (UNFCCC, n.d.)

The Paris Agreement requires all Parties to put forward their best efforts through "nationally determined contributions" (NDCs) and to strengthen these efforts in the years ahead. This includes requirements that all Parties report regularly on their emissions and on their implementation efforts. (UNFCCC, n.d.)

In 2018, Parties will take stock of the collective efforts in relation to progress towards the goal set in the Paris Agreement and to inform the preparation of NDCs. There will also be a global stock-taking every five years to assess the collective progress towards achieving the purpose of the Agreement and to inform further individual actions by Parties. (UNFCCC, n.d.)

The Paris Agreement entered into force on November 4, 2016, thirty days after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55% of the total global greenhouse gas emissions have deposited their instruments of ratification, acceptance, approval, or accession with the Depositary. (UNFCCC, n.d.)

On June 1, 2017, President Trump announced he would begin the process of withdrawing the United States from the Paris Agreement. In accordance with articles within the Paris Agreement, the earliest effective date for the United States' withdrawal from the Agreement was November 4, 2020, at which time the withdraw became official. On January 20, 2021, President Biden signed the executive order for the United States to rejoin the Paris Agreement, which became official on February 19, 2021.

B. Federal Plans, Policies, and Regulations

1. Clean Air Act

Coinciding with the 2009 meeting of international leaders in Copenhagen, on December 7, 2009, the EPA issued an Endangerment Finding under § 202(a) of the Clean Air Act (CAA), opening the door to federal regulation of GHGs. The Endangerment Finding notes that GHGs threaten public health and welfare and are subject to regulation under the CAA. To date, the EPA has not promulgated regulations on GHG emissions, but it has begun to develop them. (EPA, 2020a; DOJ, 2015)

Previously the EPA had not regulated GHGs under the CAA because it asserted that the Act did not authorize it to issue mandatory regulations to address Global Climate Change (GCC) and that such regulation would be unwise without an unequivocally established causal link between GHGs and the increase in global surface air temperatures. In *Massachusetts v. Environmental Protection Agency et al.* (127 S. Ct. 1438 [2007]); however, the U.S. Supreme Court held that GHGs are pollutants under the CAA and directed the EPA to decide whether the gases endangered public health or welfare. The EPA had also not moved aggressively to regulate GHGs because it expected Congress to make progress on GHG legislation, primarily from the standpoint of a cap-and-trade system. However, proposals circulated in both the House of Representative and Senate have been controversial and it may be some time before the U.S. Congress adopts major climate change legislation. The EPA's Endangerment Finding paves the way for federal regulation of GHGs with or without Congress. (EPA, 2020a; DOJ, 2015)

C. State Plans, Policies, and Regulations

1. Title 24 Building Energy Standards

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods. The latest revisions (2019 Building Energy Efficiency Standards) became effective on January 1, 2020. The 2019 Building Energy Efficiency Standards are 7% more efficient than the previous (2016) Building Energy Efficiency Standards for residential construction and 30% more efficient than the previous Standards for non-residential construction. (The 2016 Building Energy Efficiency Standards already were 28% more efficient for residential construction and 5% more efficient for nonresidential construction than the 2013 Building Energy Efficiency Standards they replaced.) (CEC, 2018)

Part 11 of Title 24 is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: 1) Planning and design; 2) Energy efficiency; 3) Water efficiency and conservation; 4) Material conservation and resource efficiency; and 5) Environmental air quality." The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code. (CEC, 2018)

As previously stated, the Title 24 Energy Efficiency Standards and CALGreen Code are updated on a regular basis, with the most recent approved updates consisting of the 2022 Energy Efficiency

Standards and 2022 CALGreen Code, which will become effective on January 1, 2023. Non-residential mandatory measures included in the 2022 CALGreen Code include:

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).

- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).

- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).

- EV charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106. 5.3.3 (5.106.5.3). Additionally, Table 5.106.5.4.1 specifies requirements for the installation of raceway conduit and panel power requirements for medium- and heavy-duty electric vehicle supply equipment for warehouses, grocery stores, and retail stores.

- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8).

- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).

- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reuse or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).

- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).

- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:

  - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)

  - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor- mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).

  - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).

  - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).

- Outdoor potable water uses in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).

- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gallons per day (GPD) (5.303.1.1 and 5.303.1.2).

- Outdoor water uses in rehabilitated landscape projects equal or greater than 2,500 sf. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).

- Commissioning. For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

2. California Assembly Bill No. 1493 (AB 1493)

AB 1493 required the CARB to adopt the nation's first GHG emission standards for automobiles. On September 24, 2009, CARB adopted amendments to the "Pavley" regulations that reduce GHG emissions in new passenger vehicles from model year 2009 through 2016. These amendments were part of California's commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016. CARB's September amendments cement California's enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility. The amendments also prepare California to harmonize its rules with the federal rules for passenger vehicles. (CARB, n.d.)

The U.S. EPA granted California the authority to implement GHG emission reduction standards for new passenger cars, pickup trucks, and sport utility vehicles on June 30, 2009. The first California request to implement GHG standards for passenger vehicles, known as a waiver request, was made in December 2005, and was denied by the EPA in March 2008. That decision was based on a finding that California's request to reduce GHG emissions from passenger vehicles did not meet the CAA requirement of showing that the waiver was needed to meet "compelling and extraordinary conditions." (CARB, n.d.)

CARB's Board originally approved regulations to reduce GHGs from passenger vehicles in September 2004, with the regulations to take effect in 2009. These regulations were authorized by the 2002 legislation Assembly Bill 1493 (Pavley). (CARB, n.d.)

The regulations had been threatened by automaker lawsuits and were stalled by the EPA's delay in reviewing and then initially denying California's waiver request. The parties involved entered a May 19, 2009 agreement to resolve these issues. With the granting of the waiver on June 30, 2009, it is expected that the Pavley regulations reduced GHG emissions from California passenger vehicles by about 22% in 2012 and about 30% in 2016, all while improving fuel efficiency and reducing motorists' costs. (CARB, n.d.)

The CARB has adopted a new approach to passenger vehicles – cars and light trucks – by combining the control of smog-causing pollutants and greenhouse gas emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California. (CARB, n.d.)

3. Executive Order S-3-05

Executive Order (EO) S-3-05 documents GHG emission reduction goals, creates the Climate Action Team and directs the Secretary of the California EPA to coordinate efforts with meeting the GHG reduction targets with the heads of other state agencies. The EO requires the Secretary to report back to the Governor and Legislature biannually to report: progress toward meeting the GHG goals; GHG impacts to California; and applicable Mitigation and Adaptation Plans. EO S-3-05 goals for GHG emissions reductions include: reducing GHG emissions to 2000 levels by the year 2010; reducing GHG

emissions to 1990 levels by the year 2020; and reducing GHG emissions to 80 percent below 1990 levels by 2050. (CA State Library, 2005)

4. California Assembly Bill 32 – Global Warming Solutions Act of 2006

In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020, which represents a reduction of approximately 15 percent below emissions expected under a "business as usual" scenario. Pursuant to AB 32, the CARB must adopt regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. The full implementation of AB 32 will help mitigate risks associated with climate change, while improving energy efficiency, expanding the use of renewable energy resources, cleaner transportation, and reducing waste. (CARB, 2018)

AB 32 specifically required that CARB do the following: (CARB, 2018)

- Prepare and approve a Scoping Plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs by 2020, and update the Scoping Plan every five years.
- Maintain and continue reductions in emissions of GHG beyond 2020.
- Identify the statewide level of GHG emissions in 1990 to serve as the emissions limit to be achieved by 2020.
- Identify and adopt regulations for discrete early actions that could be enforceable on or before January 1, 2010.
- Adopt a regulation that establishes a system of market-based declining annual aggregate emission limits for sources or categories of sources that emit GHG emissions.
- Convene an Environmental Justice Advisory Committee to advise the Board in developing and updating the Scoping Plan and any other pertinent matter in implementing AB 32.
- Appoint an Economic and Technology Advancement Advisory Committee to provide recommendations for technologies, research, and GHG emission reduction measures.

5. CARB's 2017 Scoping Plan

In November 2007, CARB completed its estimated calculations of Statewide 1990 GHG levels. Net emission 1990 levels were estimated at 427 million metric tons (MMTs) (emission sources by sector were: transportation – 35%; electricity generation – 26%; industrial – 24%; residential – 7%; agriculture – 5%; and commercial – 3%). Accordingly, 427 million metric tons of carbon dioxide equivalent ($MMTCO_2e$) equivalent was established as the emissions limit for 2020. For comparison, CARB's estimate for baseline GHG emissions was 473 $MMTCO_2e$ for 2000 and without emissions reduction measures 2010 emissions were projected to be 532 $MMTCO_2e$. "Business as usual" conditions (without the reductions to be implemented by CARB regulations) for 2020 were projected to be 596 $MMTCO_2e$. (CARB, 2007)

AB 32 required CARB to develop a Scoping Plan which lays out California's strategy for meeting the goals. The Scoping Plan must be updated every 5 years. In December 2008, CARB approved the initial

Scoping Plan, which included a suite of measures to sharply cut GHG emissions. Table 4.6-2, *Scoping Plan GHG Reduction Measures Towards 2020 Target*, shows the proposed reductions from regulations and programs outlined in the Scoping Plan. While local government operations were not accounted for in achieving the Year 2020 emissions reduction, local land use changes are estimated to result in a reduction of 5 $MMTCO_2e$, which is approximately 3% of the 2020 GHG emissions reduction goal. In recognition of the critical role local governments will play in successful implementation of AB 32, CARB is recommending GHG reduction goals of 15% of 2006 levels by 2020 to ensure that municipal and community-wide emissions match the State's reduction target. According to the Measure Documentation Supplement to the Scoping Plan, local government actions and targets are anticipated to reduce vehicle miles by approximately 2% through land use planning, resulting in a potential GHG reduction of 2 $MMTCO_2e$ (or approximately 1.2% of the GHG reduction target). (CARB, 2018)

Overall, CARB determined that achieving the 1990 emission level in 2020 would require a reduction in GHG emissions of approximately 28.5% in the absence of new laws and regulations (referred to as "Business-As-Usual" [BAU]). The Scoping Plan evaluates opportunities for sector-specific reductions, integrates all CARB and Climate Action Team (CAT) early actions and additional GHG reduction measures, identifies additional measures to be pursued as regulations, and outlines the role of the cap-and-trade program.

Table 4.6-2 Scoping Plan GHG Reduction Measures Towards 2020 Target

Recommended Reduction Measures	*Reductions Counted toward 2020 Target of 169 MMT CO2e*	*Percentage of Statewide 2020 Target*
Cap and Trade Program and Associated Measures		
California Light-Duty Vehicle GHG Standards	31.7	19%
Energy Efficiency	26.3	16%
Renewable Portfolio Standard (33 percent by 2020)	21.3	13%
Low Carbon Fuel Standard	15	9%
Regional Transportation-Related GHG Targets[1]	5	3%
Vehicle Efficiency Measures	4.5	3%
Goods Movement	3.7	2%
Million Solar Roofs	2.1	1%
Medium/Heavy Duty Vehicles	1.4	1%
High Speed Rail	1.0	1%
Industrial Measures	0.3	0%
Additional Reduction Necessary to Achieve Cap	34.4	20%
Total Cap and Trade Program Reductions	146.7	87%
Uncapped Sources/Sectors Measures		
High Global Warming Potential Gas Measures	20.2	12%
Sustainable Forests	5	3%
Industrial Measures (for sources not covered under cap and trade program)	1.1	1%
Recycling and Waste (landfill methane capture)	1	1%
Total Uncapped Sources/Sectors Reductions	27.3	16%
Total Reductions Counted toward 2020 Target	174	100%
Other Recommended Measures – Not Counted toward 2020 Target		
State Government Operations	1.0 to 2.0	1%
Local Government Operations	To Be Determined[2]	NA
Green Buildings	26	15%
Recycling and Waste	9	5%
Water Sector Measures	4.8	3%
Methane Capture at Large Dairies	1	1%
Total Other Recommended Measures – Not Counted toward 2020 Target	42.8	NA

Source: CARB. 2008, MMTons CO2e: million metric tons of CO2e
[1]Reductions represent an estimate of what may be achieved from local land use changes. It is not the SB 375 regional target.
[2]According to the Measure Documentation Supplement to the Scoping Plan, local government actions and targets are anticipated to reduce vehicle miles by approximately 2 percent through land use planning, resulting in a potential GHG reduction of 2 million metric tons of CO2e (or approximately 1.2 percent of the GHG reduction target). However, these reductions were not included in the Scoping Plan reductions to achieve the 2020 Target

When the 2020 emissions level projection also was updated to account for implemented regulatory measures, including Pavley (vehicle model-years 2009 - 2016) and the renewable portfolio standard (12% - 20%), the 2020 projection in the BAU condition was reduced further to 507 metric tons of carbon dioxide equivalent ($MTCO_2e$). As a result, based on the updated economic and regulatory data, CARB determined that achieving the 1990 emissions level in 2020 would now only require a reduction

of GHG emissions of 80 $MTCO_2e$, or approximately 16 percent (down from 28.5%), from the BAU condition.

In May 2014, CARB approved the First Update to the Climate Change Scoping Plan (Update), which builds upon the initial Scoping Plan with new strategies and recommendations. The Update highlights California's progress toward meeting the near-term 2020 GHG emission reduction goals, highlights the latest climate change science and provides direction on how to achieve long-term emission reduction goal described in Executive Order S-3-05. The Update recalculates 1990 GHG emissions using new global warming potentials identified in the IPCC Fourth Assessment Report released in 2007. Using those Global Warming Potentials (GWPs), the 427 $MTCO_2e$ 1990 emissions level and 2020 GHG emissions limit identified in the 2008 Scoping Plan would be slightly higher, at 431 $MTCO_2e$. Based on the revised 2020 emissions level projection identified in the 2011 Final Supplement and the updated 1990 emissions levels identified in the discussion draft of the First Update, achieving the 1990 emissions level in 2020 would require a reduction of 78 $MTCO_2e$ (down from 509 $MTCO_2e$), or approximately 15.3% (down from 28.5%), from the BAU condition. (CARB, 2018; CARB, 2017)

In January 2017, CARB released the draft Second Update to the Scoping Plan, which identifies the State's post-2020 reduction strategy. The Second Update would reflect the 2030 target of a 40% reduction below 1990 levels, set by Senate Bill (SB) 32. Key GHG emissions reductions programs that the draft Second Update proposes to build upon include the Cap-and-Trade Regulation, the Low Carbon Fuel Standard, and much cleaner cars, trucks and freight movement, utilizing cleaner, renewable energy, and strategies to reduce methane emissions from agricultural and other wastes. The 2017 Scoping Plan Update was finalized in November 2017 and approved by the CARB on December 14, 2017. (CARB, 2017)

6. CARB's 2022 Scoping Plan

On December 15, 2022, CARB adopted the 2022 Scoping Plan for Achieving Carbon Neutrality. The 2022 Scoping Plan builds on the 2017 Scoping Plan as well as the requirements set forth by AB 1279, which directs the State to become carbon neutral no later than 2045. To achieve this statutory objective, the 2022 Scoping Plan lays out how California can reduce GHG emissions by 85% below 1990 levels and achieve carbon neutrality by 2045. The Scoping Plan scenario to do this is to "deploy a broad portfolio of existing and emerging fossil fuel alternatives and clean technologies, and align with statutes, Executive Orders, Board direction, and direction from the governor." The 2022 Scoping Plan sets one of the most aggressive approaches to reach carbon neutrality in the world. Unlike the 2017 Scoping Plan, CARB no longer includes a numeric per capita threshold and instead advocates for compliance with a local GHG reduction strategy (CAP) consistent with CEQA Guidelines Section 15183.5. (CARB, 2022a)

The key elements of the 2022 CARB Scoping Plan focus on transportation - the regulations that will impact this sector are adopted and enforced by CARB on vehicle manufacturers and outside the jurisdiction and control of local governments. As stated in the Plan's executive summary: "The major element of this unprecedented transformation is the aggressive reduction of fossil fuels wherever they

are currently used in California, building on and accelerating carbon reduction programs that have been in place for a decade and a half. That means rapidly moving to zero-emission transportation; electrifying the cars, buses, trains, and trucks that now constitute California's single largest source of planet-warming pollution." "[A]pproval of this plan catalyzes a number of efforts, including the development of new regulations as well as amendments to strengthen regulations and programs already in place, not just at CARB but across state agencies." (CARB, 2022a)

Included in the 2022 Scoping Plan is a set of Local Actions (Appendix D to the 2022 Scoping Plan) aimed at providing local jurisdictions with tools to reduce GHGs and assist the State in meeting the ambitious targets set forth in the 2022 Scoping Plan. Appendix D to the 2022 Scoping Plan includes a section on evaluating plan-level and project-level alignment with the State's Climate Goals in CEQA GHG analyses. In this section, CARB identifies several recommendations and strategies that should be considered for new development in order to determine consistency with the 2022 Scoping Plan. Notably, this section is focused on Residential and Mixed-Use Projects, in fact CARB states in Appendix D (page 4): "…focuses primarily on climate action plans (CAPs) and local authority over new residential development. It does not address other land use types (e.g., industrial) or air permitting." (CARB, 2022b)

7. California Senate Bill No. 1368 (SB 1368)

In 2006, the State Legislature adopted Senate Bill (SB) 1368 (Perata, Chapter 598, Statutes of 2006), which directs the California Public Utilities Commission (CPUC) to adopt a GHG emission performance standard (EPS) for the future power purchases of California utilities. SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than five years from resources that exceed specified emissions criteria. Accordingly, SB 1368 effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. SB 1368 will lead to dramatically lower GHG emissions associated with California energy demand. (CEC, n.d.)

8. Executive Order S-01-07

Executive Order (EO) S-01-07 is effectively known as the Low Carbon Fuel Standard (LCFS). The Executive Order seeks to reduce the carbon intensity of California's passenger vehicle fuels by at least 10% by 2020. The LCFS requires fuel providers in California to ensure that the mix of fuel they sell into the California market meet, on average, a declining standard for GHG emissions measured in CO_2e grams per unit of fuel energy sold. (CA State Library, 2007)

9. Senate Bill 1078

Senate Bill (SB) 1078 establishes the California Renewables Portfolio Standard Program, which required electric utilities and other entities under the jurisdiction of the California Public Utilities Commission to meet 20% of their renewable power by December 31, 2017 for the purposes of increasing the diversity, reliability, public health, and environmental benefits of the energy mix. (CA Legislative Info, n.d.)

10. Senate Bill 107

SB 107 directed California Public Utilities Commission's Renewable Energy Resources Program to increase the amount of renewable electricity (Renewable Portfolio Standard) generated per year, from 17% to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2010. (CA Legislative Info, n.d.)

11. Executive Order S-14-08

On November 17, 2008, Governor Schwarzenegger signed Executive Order S-14-08, revising California's existing Renewable Portfolio Standard (RPS) upward to require all retail sellers of electricity to serve 33% of their load from renewable energy sources by 2020. In order to meet this new goal, a substantial increase in the development of wind, solar, geothermal, and other "RPS eligible" energy projects will be needed. Executive Order S-14-08 seeks to accelerate such development by streamlining the siting, permitting, and procurement processes for renewable energy generation facilities. To this end, S-14-08 issues two directives: 1) the existing Renewable Energy Transmission Initiative will identify renewable energy zones that can be developed as such with little environmental impact, and 2) the California Energy Commission (CEC) and the California Department of Fish and Wildlife (CDFW) will collaborate to expedite the review, permitting, and licensing process for proposed RPS-eligible renewable energy projects. (CA State Library, 2008)

12. Senate Bill 97

By enacting SB 97 in 2007, California's lawmakers expressly recognized the need to analyze GHGs as a part of the CEQA process. SB 97 required the Governor's Office of Planning and Research (OPR) to develop, and the Natural Resources Agency to adopt, amendments to the CEQA Guidelines addressing the analysis and mitigation of greenhouse gas emissions. Those CEQA Guidelines amendments clarified several points, including the following: (CA Legislative Info, n.d.)

- Lead agencies must analyze the GHG emissions of proposed projects, and must reach a conclusion regarding the significance of those emissions. (See CEQA Guidelines § 15064.4.)
- When a project's GHG emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions. (See CEQA Guidelines § 15126.4(c).)
- Lead agencies must analyze potentially significant impacts associated with placing projects in hazardous locations, including locations potentially affected by climate change. (See CEQA Guidelines § 15126.2(a).)
- Lead agencies may significantly streamline the analysis of GHGs on a project level by using a programmatic GHG emissions reduction plan meeting certain criteria. (See CEQA Guidelines § 15183.5(b).)
- CEQA mandates analysis of a proposed project's potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives. (See CEQA Guidelines, Appendix F.)

As part of the administrative rulemaking process, the Natural Resources Agency developed a Final Statement of Reasons explaining the legal and factual bases, intent, and purpose of the CEQA

Guidelines amendments. The amendments to the CEQA Guidelines implementing SB 97 became effective on March 18, 2010. (CA Legislative Info, n.d.)

Of note, the new guidelines state that a lead agency shall have discretion to determine whether to use a quantitative model or methodology, or in the alternative, rely on a qualitative analysis or performance-based standards. Pursuant to CEQA Guidelines § 15064.4(a), "A lead agency shall have discretion to determine, in the context of a particular project, whether to: 1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use; or 2) Rely on a qualitative analysis or performance-based standards." (CA Legislative Info, n.d.)

CEQA emphasizes that the effects of greenhouse gas emissions are cumulative, and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis. (See CEQA Guidelines § 15130(f)).

§ 15064.4(b) of the guidelines provides direction for lead agencies for assessing the significance of impacts of greenhouse gas emissions:

1. The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; or
3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

The CEQA Guideline amendments do not identify a threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures. Instead, they call for a "good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." The amendments encourage lead agencies to consider many factors in performing a CEQA analysis and preserve lead agencies' discretion to make their own determinations based upon substantial evidence. The amendments also encourage public agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses.

13. Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the State's climate action goals to reduce greenhouse gas

(GHG) emissions through coordinated transportation and land use planning with the goal of more sustainable communities. (CARB, n.d.)

Under the Sustainable Communities Act, CARB sets regional targets for GHG emissions reductions from passenger vehicle use. In 2010, CARB established these targets for 2020 and 2035 for each region covered by one of the State's metropolitan planning organizations (MPO). CARB will periodically review and update the targets, as needed. (CARB, n.d.)

Each of California's MPOs must prepare a "sustainable communities strategy" (SCS) as an integral part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. CARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional GHG targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate "alternative planning strategy" (APS) to meet the targets. The APS is not a part of the RTP. (CARB, n.d.)

The Sustainable Communities Act also establishes incentives to encourage local governments and developers to implement the SCS or the APS. Developers can get relief from certain environmental review requirements under CEQA if their new residential and mixed-use projects are consistent with a region's SCS (or APS) that meets the targets (see Cal. Public Resources Code §§ 21155, 21155.1, 21155.2, 21159.28.). (CARB, n.d.)

14. Executive Order B-30-15

On April 29, 2015, Governor Brown issued Executive Order B-30-15, which sets a goal to reduce GHG emissions in California to 40 percent below 1990 levels by 2030. The 2030 target serves as a benchmark goal on the way to achieving the GHG reductions goal set by former Governor Schwarzenegger via Executive Order S-3-05 (i.e., 80% below 1990 greenhouse gas emissions levels by 2050). (CA State Library, 2015)

15. Senate Bill 32

On September 8, 2016, Governor Brown signed the Senate Bill (SB) 32 and its companion bill, Assembly Bill (AB) 197. SB 32 requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal of 1990 levels by 2020 and provides an intermediate goal to achieving S-3-05, which sets a statewide greenhouse gas reduction target of 80% below 1990 levels by 2050. (CA Legislative Info, n.d.)

D. Local Plans, Policies, and Regulations

1. City of Ontario Community Climate Action Plan

The Community Climate Action Plan (CCAP) contains further guidance on the City of Ontario's GHG Inventory reduction goals, policies, guidelines, and implementation programs. The purpose of the CCAP is to provide guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the City of Ontario. The CCAP builds upon the Reduction Plan to address City-specific information and City-specific GHG reduction measures. To address the state's requirement to reduce GHG emissions, the CCAP was prepared with the goal of reducing GHG emissions within the City by 15% below 2008 levels by the year 2020. The City's target is consistent with the AB 32 target and ensures that the City of Ontario achieves GHG reductions locally that complement and are consistent with state efforts to reduce GHG emissions.

As part of the CCAP, the City of Ontario published a guidance document titled "Greenhouse Gas Emissions, CEQA Thresholds and Screening Tables" (December 2014). As part of this guidance, the CCAP determined that if GHG emissions of a given project exceeds 3,000 $MTCO_2e$/yr, then project emissions would need to be reduced by 25% when compared to year 2008 emissions levels. Alternatively, the project would need to achieve a minimum of 100 points pursuant to measures identified in the Screening Tables.

The 2022 update to the Ontario Plan includes an update to the City's CCAP which was originally adopted on December 16, 2014. As stated in The Ontario Plan 2050 Draft Supplemental Environmental Impact Report (SEIR), the measures included in the 2022 update to the CCAP are not substantially different than that of the 2014 CCAP and therefore there is no change in the environmental impacts associated with the CCAP. As such, it is appropriate for the proposed Project to rely on the CEQA Thresholds and Screening Tables that were adopted under the 2014 CCAP, since the 2022 update to the CCAP does not contain measures that would be substantially different than the 2014 CCAP.

4.6.3 Basis for Determining Significance

In order to assess the significance of a proposed Project's environmental impacts it is necessary to identify quantitative or qualitative thresholds which, if exceeded, would constitute a finding of significance. While estimated Project-related GHG emissions can be quantified, the direct impacts of such emissions on GCC and global warming cannot be determined on the basis of available science. There is no evidence at this time that would indicate that the emissions from a project the size of the proposed Project would directly or indirectly affect the global climate given the small size of the Project compared to the cumulative size and scale of all sources of GHG across the globe.

AB 32 states, in part, that "[g]lobal warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Because global warming is the result of GHG emissions, and GHGs are emitted by innumerable sources worldwide, the proposed Project would have no potential to result in a direct impact to global warming; rather, Project-related contributions to GCC, if any, only have potential significance on a cumulative basis. Therefore, the

analysis below focuses on the Project's potential to contribute to GCC in a cumulatively considerable way.

Section VII of Appendix G to the CEQA Guidelines indicate that a project would result in a significant impact on climate change if a project were to (OPR, 2019):

a. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment;*

b. *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

4.6.4 Impact Analysis

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

As previously stated, SEIR prepared for The Ontario Plan 2050 identifies that the measures included in the 2022 update to the CCAP are not substantially different than that of the 2014 CCAP and therefore there is no change in the environmental impacts associated with the CCAP. As such, and consistent with the 2014 CCAP, this analysis relies on the annual screening threshold of 3,000 $MTCO_2e$/yr to define small projects that are considered less than significant and do not require further GHG emissions calculations or analysis. Projects that do not exceed an annual 3,000 $MTCO_2e$/yr are therefore considered less than significant and would not require further analysis or mitigation. (Urban Crossroads, 2022d, p. 51)

The annual GHG emissions associated with the operation of the proposed Project are summarized in Table 4.6-3, *Project GHG Emissions*. As shown, construction and operation of the Project would generate a total of approximately 4,236.54 $MTCO_2e$/yr. GHG emissions from existing land uses on the Project Site were subtracted from the Project's gross emissions to determine the net (or new) emissions attributed to the Project. Construction and operation of the Project less emissions from the existing on-site uses would result a net total of new GHG emissions of approximately 2,590.77 $MTCO_2e$/yr, which would fall below the significance threshold of 3,000 $MTCO_2e$/yr; therefore, Project-related GHG emissions are considered less than significant. (Urban Crossroads, 2022d, p. 59)

Table 4.6-3 Project GHG Emissions

Emission Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
Annual construction-related emissions amortized over 30 years	30.43	6.67E-04	3.33E-04	0.01	30.77
Mobile Source	1,536.00	0.11	0.18	2.15	1,596.00
Area Source	5.48	0.00	0.00	0.00	5.64

Emission Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
Energy Source	847.00	0.08	0.00	0.00	850.00
Water Usage	88.10	2.04	0.05	0.00	154.00
Waste	22.70	2.27	0.00	0.00	79.30
Refrigerants	0.00	0.00	0.00	1,078.00	1,078.00
TRU Source					156.68
On-Site Equipment					286.15
Total CO_2e (All Sources)	**4,236.54**				
Subtraction of Emissions from Existing Land Uses	*-1,645.77*				
Total Net CO_2e (All Sources)	**2,590.77**				

(Urban Crossroads, 2022d, p. 58)

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

The Project's consistency with the City's CCAP, AB 32 and SB 32 are discussed below. It should be noted that the Project's consistency with the SB 32 (2017 Scoping Plan) also satisfies consistency with AB 32 since the 2017 Scoping Plan is based on the overall targets established by AB 32. Consistency with the 2008 Scoping Plan is not necessary, since the target year for the 2008 Scoping Plan was 2020, and the Project's buildout year is 2024. As such the 2008 Scoping Plan does not apply and consistency with the 2017 Scoping Plan is relevant. (Urban Crossroads, 2022d, p. 59)

Since the Project does not exceed the established annual screening threshold of 3,000 $MTCO_2e$/yr, the Project is considered less than significant, does not require further GHG emissions calculations or analysis, and is presumed to be consistent with the City's CCAP. (Urban Crossroads, 2022d, p. 59)

In April 2015, Governor Brown signed EO B-30-15, which advocated for a statewide GHG-reduction target of 40 percent below year 1990 levels by 2030 and 80 percent below 1990 levels by 2050. In September 2016, Governor Brown signed the SB 32. SB 32 formally established a statewide goal to reduce GHG emissions to 40 percent below year 1990 levels by 2030. To date, no statues or regulations have been adopted to translate the year 2050 GHG reduction goal into comparable, scientifically-based statewide emission reduction targets.

CARB prepared the 2017 Scoping Plan Update to identify the measures that would achieve the emissions reduction goals of SB 32 (and, thus, also would achieve the emissions reductions goals of AB 32). Research conducted by the Lawrence Berkeley National Laboratory confirmed that California, under its existing GHG reduction policy framework (i.e., Scoping Plan Update), is on track to meet the year 2030 reduction targets established by the SB 32 (Urban Crossroads, 2022d, p. 37). As explained

in point-by-point detail in Table 4-7 of the Project's GHGA (Refer to *Technical Appendix F*), the Project would not conflict with applicable measures of the 2017 Scoping Plan Update and, therefore, would not interfere with the State's ability to achieve the year GHG-reduction targets established by AB 32 and SB32. Further, recent studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40% below 1990 levels by 2030 (Urban Crossroads, 2022d, p. 59-64)

In relation to CARB's 2022 Scoping Plan, the Project would not impede the State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Some of the current transportation sector policies that the Project would comply with (through vehicle manufacturer compliance) include: Advanced Clean Cars II, Advanced Clean Trucks, Advanced Clean Fleets, Zero Emission Forklifts, the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation, carbon pricing through the Cap-and-Trade Program, and the Low Carbon Fuel Standard. Further, the Project would be required to comply with applicable elements outlined in the City's CAP. As such, the Project would not be inconsistent with the 2022 Scoping Plan.

As described on the preceding pages, implementation of the Project would not conflict with the State's ability to achieve the State-wide GHG reduction mandates and would be consistent with applicable policies and plans related to GHG emissions reductions. Implementation of the Project would not actively interfere with any future federally-, State-, or locally-mandated retrofit obligations (such as requirements to use new technologies such as diesel particulate filters, emissions upgrades to a higher tier equipment, etc.) enacted or promulgated to legally require development projects to assist in meeting State-adopted GHG emissions reduction targets, including those established under EO S-3-05, EO B-30-15, or SB32. Therefore, the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and would result in a less-than-significant impact.

4.6.5 Cumulative Impact Analysis

GCC occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (See CEQA Guidelines Section 15130[f]). Accordingly, the analysis provided in subsection 4.6.4 reflects a cumulative impact analysis of the effects related to the Project's GHG emissions, which concludes that the Project would not exceed the applicable threshold of significance and that the Project would not conflict with an applicable GHG-reduction plans, policies, or regulations.

4.6.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The Project would not exceed the significance threshold of 3,000 $MTCO_2e$ per year. As such, the Project would generate a less-than-significant volume of GHG emissions and would not have a significant impact on the environment.

Threshold b: Less-than-Significant Impact. The Project would be consistent with or otherwise would not conflict with, applicable regulations policies, plans, and policy goals that would further reduce GHG emissions.

4.6.7 Mitigation

Impacts related to the Project's GHG emissions would be less than significant; therefore, mitigation measures are not required.

4.7 HAZARDS AND HAZARDOUS MATERIALS

This information and analysis presented in this Subsection is based in part on the technical study titled Phase I/Phase II Environmental Site Assessment Report (Phase I/II ESA), dated March 31, 2022, that was prepared by Farallon Consulting, L.L.C. (referenced herein as "Farallon") to determine the presence or absence of hazardous materials on the Project Site under existing conditions. The report is provided as *Technical Appendix G* to this EIR. This Subsection also relies on information from the City's Policy Plan (Ontario, 2022a); The Ontario Plan 2050 SEIR (Ontario, 2022b); Cal Fire – Fire Hazard Severity Zone Map (CAL FIRE, 2008); and Google Earth (Google Earth, 2022). All references used in this Subsection are listed in EIR Section 7.0, *References*.

In this EIR, the term "toxic substance" is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include chemical, biological, flammable, explosive, and radioactive substances.

In this EIR, the term "hazardous material" is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness.

Hazardous waste is defined in the California Code of Regulations, Title 22, Section 66261.3. The defining characteristics of hazardous waste are: ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the U.S. Environmental Protection Agency (EPA) as capable of inducing systemic damage to humans or animals). Certain wastes are called "Listed Wastes" and are found in the California Code of Regulations, Title 22, Sections 66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

4.7.1 EXISTING CONDITIONS

Under existing conditions, the Project Site is developed with a grain processing company (Verhoeven) and a corn storage and distribution facility (The Scoular Company). The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. An office and warehouse building, referred to as "Building A," is located on the southern portion of the Site. The warehouse portion on the northeastern side of Building A contains a service shop for repairing machinery related to the grain mill. Wastes stored in this area include motor oil, hydraulic oil, and gear oil, primarily related to tractor and forklift operation. A maintenance and repair shop, referred to as "Building B," is present on the eastern portion of the Site, and is used for light tractor and forklift service. New and waste vehicle fluids are stored in a hazardous substance storage area on the southwestern interior border of Building B. Additional

structures on the eastern parcel consist of a warehouse referred to as "Building C" on the north-central portion, used for assorted storage; and two grain storage structures on the southeastern and southwestern portions of the parcel, referred to as "Buildings D and E."

The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site, and three known septic systems are located beneath the Site: two on the eastern parcel, and one on the western parcel (Farallon, 2022, pp. 2-1). An additional septic system may be located beneath the eastern parcel, which is suspected to be present but not confirmed and cannot be confirmed until subsurface ground disturbance commences as part of the Project's demolition and grading operation.

A. Historical Review, Regulatory Records Review, and Field Reconnaissance

1. Review of Historical Records

Farallon reviewed various sources of information to determine past uses of the Project Site, including historical aerial photographs, historical topographic maps, Environmental Data Resources (EDR) collection of regulatory database records, city directories, historical site occupants, and historical site ownership records. Refer to the Project's Phase I/II ESA (refer to *Technical Appendix G*) for a detailed accounting of Farallon's research procedure.

Topographic maps between 1897 and 1903 did not include much detail regarding the Project Site. The Project Site was used as agricultural or grazing land from at least the late 1930s to the early 1970s. By 1973, the eastern parcel was developed with small grain storage silos and other features associated with milling operations in the grain mill area. In the 1975 aerial photograph, grain appeared to be stockpiled in the southwestern portion of the Project Site in Buildings A through C. By 1985, the grain storage structures, Buildings D and E, were developed. By 2002, the Project Site appeared in its existing configuration. The 2002 aerial photograph shows grain processing operations had expanded to the western parcel, which included the development of three large grain storage silos. The Project Site has been occupied by Verhoeven from 1973 to the present; Chino Grain and Milling, Inc. in 1985; Coast Grain Company between 1990 and 2003; Scoular between 2004 and the present; and JD Heistell and Company in 2009 (Farallon, 2022, pp. 5-1).

2. Regulatory Records Review

Farallon researched federal, State, and local environmental records databases to identify properties with reported environmental issues. A summary of the research results is provided below; the detailed listings of the specific hazardous materials databases the Project Site appears on is provided in Section 6.0 of the Project's Phase I /II ESA.

- JD Heiskell Holdings LLC, former occupant of the Site, was identified on HAZNET, Hazardous Waste Tracking System (HWTS), California Facility Inventory Database (CA FID) Underground Storage Tank (UST), Emissions Inventory Data (EMI), California Integrated Water Quality System (CIWQS), California Environmental Reporting System

(CERS), and Waste Data System (WDS) databases. The listings relate to hazardous material management, air quality permits, records of USTs, and industrial stormwater permits associated with livestock feed manufacturing operations. Hazardous wastes listed as being disposed of between 2003 and 2010 consisted of waste oil and mixed oil, aqueous solution with total organic residues less than 10 percent, other organic solvents, and asbestos-containing waste. No violations were identified in the listings. The listings for the USTs did not provide new information regarding contents, locations, and removal dates of the first-generation USTs.

- George Verhoeven Grain Inc., located on the Site, was identified on Facility Index System (FINDS), Enforcement and Compliance History Online (ECHO), Resource Conservation and Recovery Act (RCRA) non generators (NonGen/NLR), EMI, and CIWQS databases. George Verhoeven Grain Inc. was also identified in the CERS, aboveground storage tank (AST), CERS HAZ WASTE, CERS TANKS, National Pollutant Discharge Elimination System (NPDES), and San Bernadino County Permit databases (listed in the EDR Report under "Coast Grain Inc.)." The listings relate to hazardous material management, air quality permits, ASTs, and industrial stormwater permits associated with grain processing operations. The CERS TANKS listings indicated records of aboveground petroleum storage. No other information regarding ASTs was provided in the EDR database listings. The CERS listing indicated some administrative violations during inspections; however, there were no violations indicating a spill or a release occurred at the Site.

- The Scoular Company, located on the Site, was identified as "John Powell," a manager of Scoular, based on information obtained online, in the HAZNET and HWTS databases. The listings related to hazardous material management between 2006 and 2010. Hazardous wastes in the listing included other organic solids, waste oil and mixed oil, unspecified aqueous solution, and unspecified organic liquid mixture. No violations were identified in the listings.

- Coast Grain Inc./Coast Grain Company, former occupant of the Site, was identified on UST, CERS HAZ WASTE, Statewide Environmental Evaluation and Planning System (SWEEPS) UST, WDS, EMI, HAZNET, and HWTS databases. The listings related to records of USTs, industrial stormwater permits, air quality permits, and hazardous waste management associated with grain processing operations. The SWEEPS UST listing indicated the Site had five registered USTs. No specific information regarding the ASTs or USTs, including tank capacity, contents, or status, was provided in the listings. Hazardous wastes in the listing between 2002 and 2003 included tank bottom waste with halogenated organics.

- G&R Transportation, a freight shipping and trucking company, according to online resources, was listed as being associated with the Site address and identified in the HAULERS database. No pertinent information or violations were identified in the listing. No current or historical information regarding tenants at the Site has indicated G&R

Transportation occupied the Site, and this listing may be incorrectly associated with the Site.

Farallon also searched the GeoTracker database and the California Department of Toxic Substances Control online EnviroStor database (EnviroStor database) for records related to the Site, but found no listings (Farallon, 2022, pp. 6-1 to 6-2).

3. Field Reconnaissance

Farallon conducted an inspection of the Project Site and surrounding area on January 13, 2022 to observe the Site for physical evidence of recognized environmental conditions. Hazardous substances stored within the Building A warehouse on the eastern parcel included small quantities of oils and automotive fluids. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release. Hazardous substances stored within Building B on the eastern parcel included two 55-gallon used oil drums; two 25-gallon grease carts; and a parts washer attached to a 55-gallon drum of Shellsol D43, a petroleum hydrocarbon-based mineral spirit. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release. Hazardous substances within a fire cabinet in the western parcel office trailer included two 5-gallon gasoline canisters. Additional materials stored outside of the fire cabinet included ten 5-gallon pails containing truck lubricants, gear oil, and hydraulic oil; one 25-gallon grease cart; and one 5-gallon pail containing grease. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release. (Farallon, 2022, pp. 8-2)

The eastern parcel is equipped with a vehicle wash-down area with a sump north of Building B, which is asphalt-paved and bermed, and was previously used for truck washing. Property personnel report that truck exteriors were washed in this area on an infrequent basis, and no undercarriage/chassis or engine washing was conducted on the Site. The wash area is equipped with a lined sump connected to an approximately 10,000-gallon AST via underground piping. The AST was empty at the time of the Site visit. Personnel report that the water tank has not been used in at least 11 years. Given the nature of use and that wash water was routed to an AST with no discharge, the vehicle wash-down area is considered a de minimis condition for the Site. (Farallon, 2022, pp. 8-5)

- ❑ Staining and/or Corrosion

Farallon observed incidental petroleum staining on several areas of the Site, generally near petroleum product storage areas. No drains, sumps, clarifiers, or other potential subsurface conduits were observed in these areas. The staining is considered de minimis and does not constitute a recognized environmental condition. (Farallon, 2022, pp. 8-4)

❑ Storage Tank, Vent Pipe, and/or Fuel Port

Four ASTs were present on-site at the time of the field investigation:

- Two 250-gallon, reportedly double-walled diesel ASTs within secondary containment located on the northeastern exterior border of Building A and used for fueling tractors and forklift equipment. One of the ASTs is used by Verhoeven, and the other by Scoular.

- One 220-gallon, reportedly double-walled hydraulic oil AST located on the northeastern exterior border of Building A. This AST is used to provide new hydraulic oil for equipment operation and maintenance.

- One 499-gallon, single-walled propane AST located east of Building C.

The ASTs were observed to be in good condition with de minimis staining to nearby concrete pads, and no evidence of a significant release. (Farallon, 2022, pp. 8-4)

❑ Septic/Sewer System

Sanitary sewage generated at the Site discharges to three known on-site septic systems, two of which are located on the eastern parcel and one of which is located on the western parcel. Property personnel on the western parcel were unaware of the location of the septic systems. An additional septic system may be located beneath the eastern parcel, which is suspected to be present but not confirmed and cannot be confirmed until subsurface ground disturbance commences as part of the Project's demolition and grading operation.

Because on-site septic systems appear to be used for domestic sewer, with limited hazardous material use in the proximity that could be introduced to the septic systems as a release pathway, the presence of the septic systems at Building E, Building A, and on the western parcel is considered a de minimis condition for the Site. Because the septic system east of Building B is connected to a building that has been subject to the use and release of chlorinated solvents, this septic system is considered a recognized environmental condition in connection with the Site. (Farallon, 2022, pp. 8-4)

❑ Transformers

Three pad-mounted transformers were observed on the Site on the western parcel. No staining or leakage was observed in the vicinity of the transformers. Based on the good condition of the equipment, the transformers are not expected to represent a significant environmental concern. (Farallon, 2022, pp. 8-5)

B. Airport Hazards

The Project Site is located approximately 2.7 miles east of the Ontario International Airport (ONT). Under existing conditions, the Project Site is exposed to noise from overflight of aircraft. The Project Site is not located within any ONT Safety Zone.

C. Wildland Fire Hazards

The Project Site is completely surrounded by urbanized land uses and the Site not located adjacent to any wildlands. Additionally, the California Department of Forestry and Fire Protection (Cal Fire) does not identify the Project Site within a very high fire hazard severity zone (CAL FIRE, 2008).

4.7.2 Regulatory Setting

Hazardous materials and hazardous wastes are regulated by various federal, State, and local regulations to protect public health and the environment. This section summarizes the overall regulatory framework governing hazardous materials management that is applicable to the Project and the Project Site.

A. Federal Plans, Policies, and Regulations

1. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization Act (SARA)

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment (EPA, 2021d). Through CERCLA, the Environmental Protection Agency (EPA) was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed.

EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies.

The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA).

2. Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from the "cradle-to-grave;" this includes the generation, transportation, treatment, storage, and disposal of hazardous waste (EPA, 2021e). RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

3. Hazardous Materials Transportation Act (HMTA)

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property." (OSHA, n.d.).

Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107
- Material Designations 49 CFR Part 172
- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177

The HMTA is enforced by use of compliance orders (49 U.S.C. 1808(a)), civil penalties (49 U.S.C. 1809(b)), and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement.

4. Hazardous Materials Transportation Uniform Safety Act of 1990

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce (OSHA, n.d.). The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property.

The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

5. Occupational Safety and Health Act (OSHA)

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions (EPA, 2021c). In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational

Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states.

6. Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures (EPA, 2021f). Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture.
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found.
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law, but are submitted by industry and public interest groups for a variety of reasons.

B. State Plans, Policies, and Regulations

1. Cal/OSHA and the California State Plan

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State

safety and health standards, and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace.

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the State, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances (OSHA, n.d.). Cal/OSHA is the only agency in the State authorized to adopt, amend, or repeal occupational safety and health standards or orders. In addition, the Standards Board maintains standards for certain things not covered by federal standards or enforcement, including: elevators, aerial passenger tramways, amusement rides, pressure vessels, and mine safety training. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries or illnesses.

2. California Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Section 25100, et seq.) is the primary hazardous waste statute in California (CA Legislative Info, n.d.). The HWCL implements RCRA as a "cradle-to-grave" waste management system in the state. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law (RCRA).

3. California Code of Regulations (CCR), Titles 5, 17, 22 and 26

A variety of California Code of Regulation (CCR) titles address regulations and requirements for generators of hazardous waste (DTSC, n.d.; DTSC, 2019). Title 5 contains the California Plumbing Code which, in Appendix H, establishes detailed standards for the capping, removal, fill, and disposal of cesspools, septic tanks, and seepage pits. Title 17, Division 1, Chapter 8, defines and regulates handling and disposal of lead-based paint. Any detectable amount of lead is regulated. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully-authorized state according to RCRA, most regulations (i.e., 40 CFR 260, *et seq.*) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of state and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated

community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics).

4. Safe Drinking Water and Toxic Enforcement Act

Proposition 65, officially known as the Safe Drinking Water and Toxic Enforcement Act of 1986 (Health and Safety Code, Division 20, Chapter 6.6, Section 25249.5, *et seq*.), protects the state's drinking water sources from being contaminated with chemicals known to cause cancer, birth defects, or other reproductive harm, and requires businesses to inform Californians about exposures to such chemicals. Proposition 65 requires the state to maintain and update a list of chemicals known to the state to cause cancer or reproductive toxicity.

5. Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

California's Unified Program, overseen by the California Environmental Protection Agency (CalEPA), protects Californians from hazardous waste and hazardous materials by ensuring local regulatory agencies consistently apply statewide standards when they issue permits, conduct inspections, and engage in enforcement activities. The Unified Program is a consolidation of multiple environmental and emergency management programs, including the following:

- Aboveground Petroleum Storage Act (APSA) Program;
- Area Plans for Hazardous Materials Emergencies;
- California Accidental Release Prevention (CalARP) Program;
- Hazardous Materials Release Response Plans and Inventories (Business Plans);
- Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statements (HMIS) (California Code);
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment (tiered permitting) Programs; and
- Underground Storage Tank Program.

State agency partners involved in the implementation of the Unified Program are responsible for setting program element standards, working with CalEPA to ensure program consistency, and providing technical assistance to the California Unified Program Agencies (CUPAs) and Program Agencies (PAs). The state agencies involved with the Unified Program include CalEPA, Department of Toxic Substances Control (DTSC), the Governor's Office of Emergency Services (Cal OES), CAL FIRE – Office of the State Fire Marshall (CAL FIRE-OSFM), and the State Water Resources Control Board.

6. License to Transport Hazardous Materials

Caltrans regulates hazardous materials transportation on all interstate roads (California Vehicle Code, Section 32000.5, *et seq*). Within California, the State agencies with primary responsibility for enforcing federal and State regulations and for responding to transportation emergencies are the California Highway Patrol and Caltrans. Together, federal and State agencies determine driver-training

requirements, load labeling procedures, and container specifications for vehicles transporting hazardous materials.

7. California Hazardous Materials Release Response Plan and Inventory Law of 1985

The Business Plan Act requires preparation of Hazardous Materials Business Plans and disclosure of hazardous materials inventories, including an inventory of hazardous materials handled, plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures for businesses that handle, store, or transport hazardous materials in amounts exceeding specified minimums (California Health and Safety Code, Division 20, Chapter 6.95, Article 1). Statewide, DTSC has primary regulatory responsibility for management of hazardous materials, with delegation of authority to local jurisdictions that enter into agreements with the State. Local agencies are responsible for administering these regulations.

Several state agencies regulate the transportation and use of hazardous materials to minimize potential risks to public health and safety, including CalEPA and the California Emergency Management Agency. The California Highway Patrol and Caltrans enforce regulations specifically related to the transport of hazardous materials. Together, these agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roadways.

8. California Government Code (CGC) Section 51178

This section specifies that the Director of CalFire, in cooperation with local fire authorities, shall identify areas that are Very High Fire Hazard Severity Zones (VHFHSZ) in Local Responsibility Areas (LRAs), based on consistent statewide criteria, and the expected severity of fire hazard. Per CGC Section 51178, a local agency may, at its discretion, exclude an area within its jurisdiction that has been identified as a VHFHSZ, if certain conditions are met and/or specific findings can be made regarding the availability of effective fire protection services within the affected area.

C. Local Plans, Policies, and Regulations

1. Local Permitting Requirements

The aforementioned federal and State hazardous materials regulations require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials to obtain a hazardous materials permit and submit a business plan to its local Certified Unified Program Agency (CUPA). The CUPA also ensures local compliance with all applicable hazardous materials regulations. The CUPA is the San Bernardino County Fire Department, Hazardous Materials Division. The San Bernardino County Fire Department, Hazardous Materials Division also manages the following hazardous waste programs: 1) Hazardous Materials Release Response Plans and Inventory; 2) California Accidental Release Program; 3) Underground Storage Tanks; 4) Aboveground Petroleum Storage Act/Spill Prevention, Control, and Countermeasure Plan; 5) Hazardous Waste Generation and Onsite Treatment; and 6) Hazardous Materials Management Plans and Inventory.

2. City of Ontario Local Hazard Mitigation Plan

The City of Ontario's Local Hazard Mitigation Plan (LHMP) is a plan that the City reviews, monitors, and updates approximately every five years to reflect changing conditions and new information regarding hazards faced by the City of Ontario. The most current version is dated 2018 and it identify the City's hazards, review, and assess past disaster occurrences, estimate the probability of future occurrences, and set goals to reduce or eliminate long-term risk to people and property from natural and man-made hazards. The LHMP contains a series of goals and mitigation programs to address each of the hazards.

3. Ontario International Airport – Airport Land Use Compatibility Plan

The Ontario International Airport (ONT) Airport Land Use Compatibility Plan (ALUCP) establishes safety zones, airspace protection zones, noise impact zones, and recorded overflight notification zones for areas within the ONT. The Project Site is located approximately 2.3 miles east of the ONT and is located within its airport influence area (AIA). Accordingly, the Project Site is subject to the ONT ALUCP. The Project Site is not located within any ONT Safety Zone but a small portion of the Site abutting East Airport Drive is located in an ONT noise impact zone (60-65 decibels). (Ontario, 2011)

4. SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

Rule 1403 requires the implementation of specific work practices to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM) (SCAQMD, 2007). The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and clean-up procedures, and storage, disposal, and landfilling requirements for asbestos-containing waste materials (ACWM).

4.7.3 Methodology for Evaluating Hazards & Hazardous Materials Impacts

The analysis of potential hazards and hazardous materials-related impacts is based on hazardous materials investigations prepared specifically for the Project Site. The investigations included site reconnaissance, review of published reports, maps, and aerial photographs, field investigations, and laboratory testing. The analysis also included a review of the City's Policy Plan, information sources from State and Federal agencies, a review of applicable airport land use plans, hazardous materials mapping, fire hazard mapping, and other resource databases.

4.7.4 Basis for Determining Significance

Section VIII of Appendix G to the CEQA Guidelines addresses typical adverse effects due to hazards and hazardous materials, and includes the following threshold questions to evaluate the Project's impacts from hazards and hazardous materials (OPR, 2019):

a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;*

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;

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

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

4.7.5 IMPACT ANALYSIS

Threshold a:	***Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***
Threshold b:	***Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

Implementation of the Project would require demolition and removal of all existing structures and improvements on the Project Site, as well as the removal of all materials stored on the Site, and would result in the construction and long-term operation of one warehouse distribution building on the Site. In the event any hazards or hazardous materials were to be present on the Project Site or any hazardous materials were to be used or stored on the Project Site during construction or long-term operation, the Project would have the potential to expose workers on-site, the public, and/or the environment to a substantial hazard. The analysis below evaluates the potential for the Project to result in a substantial hazard to people or the environment during any stage of the Project.

A. Impact Analysis for Existing Site Conditions

1. Soil Vapor

In March 2022, Farallon conducted soil and soil vapor sampling at the Site to assess former UST areas and septic systems, and the new building footprint for the potential for vapor intrusion issues. Results

showed that no total petroleum hydrocarbons (TPH) or volatile organic compounds (VOCs) were detected exceeding laboratory detection limits in the soil samples collected from the Project Site. Low concentrations of naturally occurring metals including barium, cadmium, cobalt, chromium, copper, nickel, lead, vanadium, and zinc were detected in two soil samples submitted for analysis; and these concentrations were considerably less than screening levels. (Farallon, 2022, pp. 10-3)

Based on the sampling results, tetrachloroethylene (PCE) has been documented in soil vapor in the vicinity of Building B at concentrations exceeding screening levels, and PCE is also present in central and eastern portions of the Site in shallow zones at concentrations less than calculated screening levels. (Farallon, 2022, pp. 10-4) Therefore, PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Project Site and impacts would be potentially significant.

2. Building Materials

The use of ACMs (a known carcinogen) and lead paint (a known toxin) was common in building construction prior to 1978. Because the Project Site contains structures known to be constructed before 1978, there is potential for ACMs and surfaces covered with lead paint to be present on the Project Site.

Asbestos is a carcinogen and is categorized as a hazardous air pollutant by the federal EPA. Federal asbestos requirements are found in National Emission Standards for Hazardous Air Pollutants (NESHAP) within the CFR Title 40, Part 61, Subpart M, and are enforced in the Project area by the SCAQMD via Rule 1403. Rule 1403 establishes survey requirements, notification, and work practice requirements to prevent asbestos emissions from emanating during building renovation and demolition activities. Because ACMs are present in the existing construction debris and/or structures located on the property, then Rule 1403 requires notification of the SCAQMD prior to commencing any demolition or renovation activities. Rule 1403 also sets forth specific procedures for the removal of asbestos, and requires that an on-site representative trained in the requirements of Rule 1403 be present during the stripping, removing, handling, or disturbing of ACM. Mandatory compliance with the provisions of Rule 1403 would ensure that construction-related grading, clearing and demolition activities do not expose construction workers or nearby sensitive receptors to significant health risks associated with ACMs. Because the Project's demolition and construction contractors would be required to comply with AQMD Rule 1403 during demolition activities, impacts due to asbestos would be less than significant.

During demolition of the existing buildings on-site, there also is a potential to expose construction workers to health hazards associated with lead-based paint (LBP). The Project's demolition and construction contractors would be required to comply with CCR Title 17, Division 1, Chapter 8, which includes requirements such as employer provided training, air monitoring, protective clothing, respirators, and hand washing facilities. Mandatory compliance with the requirements of CCR Title 17, Division 1, Chapter 8 would ensure that construction workers and the public are not exposed to

significant LBP health hazards during demolition and/or during transport of demolition waste to an appropriate disposal facility, and would ensure that impacts related to LBP remain less than significant.

B. Impact Analysis for Temporary Construction-Related Activities

Heavy equipment (e.g., dozers, excavators, tractors) would be operated on the Project Site during construction. This heavy equipment likely would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project Site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the Project than would occur on any other similar construction site. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the EPA, DTSC, and the Santa Ana RWQCB. With mandatory compliance with applicable hazardous materials regulations, the Project would not create significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment. A less-than-significant impact would occur.

C. Impact Analysis for Long-Term Operation

The future building occupant(s) for the Project Site are not yet identified. However, the Project is designed to house warehouse distribution occupants and it is possible that hazardous materials could be used during the course of a future building user's daily operations. State and federal Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals in use at local businesses. Laws also are in place that requires businesses to plan and prepare for possible chemical emergencies. Any business that occupies the warehouse building on the Project Site and that handles hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) will require a permit from the San Bernardino County Fire Department Hazardous Materials Division in order to register the business as a hazardous materials handler. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the County of San Bernardino Fire Department and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan (HMBEP). An HMBEP is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material. With mandatory regulatory compliance, the Project would not pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment. Based on the foregoing

information, potential hazardous materials impacts associated with long-term operation of the Project are regarded as less than significant.

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

The Project Site is not within one-quarter mile of an existing or proposed school. The nearest school to the Project Site is the Chaparral Elementary School, which is located approximately 2.23 miles southeast of the Project Site. Accordingly, the Project has no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, and/or wastes within one-quarter mile of an existing or proposed school. No impact would occur.

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

Government Code Section 65962.5 requires State Department of Health Services (DTSC), State Water Resources Control Board, and the State Department of Resources Recycling and Recovery to maintain a list of hazardous materials sites that fall within specific, defined categories. As discussed in Subsection 4.7.1A.2, current and previous uses of the Project Site are included in several listings. No violations indicating a spill or a release were identified in the listings. Therefore, theses listings are not considered to represent a significant environmental concern. Additionally, Farallon searched the GeoTracker database and the California Department of Toxic Substances Control online EnviroStor database (EnviroStor database) for records related to the Site, but found no listings.

Two facilities (Costco Distribution Center to the south and Praxair, Inc. to the east) in the Project's vicinity were also recorded in several listings. However, based on the status, depth to groundwater, and location of the property at a cross-gradient direction from the Project Site, no evidence was found to indicate that these properties represent a recognized environmental condition in connection with the Project Site. (Farallon, 2022, pp. 6-2 to 6-3) Therefore, impacts would be less than significant.

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

The Project Site is located approximately 2.7 miles east of the Ontario International Airport (ONT). According to the Ontario International Airport (ONT) Land Use Compatibility Plan (ALUCP), the Project Site is located within the ONT Airport Influence Area (Ontario, 2011). Moreover, the Project Site is located outside the 65community noise equivalent level (CNEL) noise impact zone and is subject to the Noise Criteria established on Table 2-3 in the ONT ALUCP. According to Table 2-3 of the ONT ALUCP, industrial land uses located outside the 65 dBA CNEL noise level contours of ONT,

such as the Project, are considered normally compatible land use. For normally compatible land use, either the activities associated with the land use are inherently noisy or standard construction methods will sufficiently attenuate exterior noise to an acceptable indoor CNEL. Therefore, the Project would not result in excessive noise for people residing or working in the Project area.

Furthermore, the Project Site is not located in an ONT safety hazard zone (Ontario, 2011). Accordingly, implementation of the Project would not result in a safety hazard for people living or working on the Project area and impacts would be less than significant.

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

The City's Safety Element includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and interjurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. The City manages disaster preparedness through the Technical Services Bureau of the Ontario Fire Department. This bureau is responsible for the preparation of the community for disasters and the organization of recovery efforts. The City updated a Local Hazard Mitigation Plan prepared by the Office of Emergency Services of the Ontario Fire Department in 2018. Because the Project Site has been historically used for industrial uses, it is not identified in any of these plans as being an evacuation area.

Furthermore, construction of the Project would be generally confined to the Project Site and would not physically impair access to the Site or the Project area. During both construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles as required by the City and the Ontario Fire Department. In addition, the Project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the Project is required to comply with all applicable City codes, impacts would be less than significant level.

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

The Project Site is not located adjacent to wildlands nor is the Project Site located within or adjacent to a very high fire hazard severity zone (CAL FIRE, 2008). Accordingly, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur.

4.7.6 Cumulative Impact Analysis

As discussed above under the responses to Thresholds “a” and “b,” the Project’s construction and operation would be required to comply with all applicable federal, state, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Although the end user(s) of the Project Site are not presently known, if businesses that use or store hazardous materials occupy the Project, the

business owners and operators would be required to comply with all applicable federal, state, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Such uses also would be subject to additional review and permitting requirements by the San Bernardino County Fire Department. Similarly, any other developments in the area proposing the construction of uses with the potential for use, storage, or transport of hazardous materials also would be required to comply with applicable federal, State, and local regulations, and such uses would be subject to additional review and permits from their local oversight agency. Although there is on-site contamination present, compliance with mitigation measure MM 4.7-1 would ensure isolation of any impacts to the Project Site and would not have the ability to impact the surrounding area. Therefore, the potential for release of toxic substances or hazardous materials into the environment, either through accidents or due to routine transport, use, or disposal of such materials, would be reduced to a less-than-significant cumulative level. Accordingly, the Project's potential to contribute to a cumulatively significant hazardous materials impact would be less than significant.

The Project Site is not located within one-quarter mile of a school; therefore, the Project has no potential effect on students in relation to the use, handling, and transport of hazardous materials and would have no impact.

As indicated under Threshold "d," facilities in the site vicinity are not considered to be an REC to the Site. Because the Project Site is not classified as a hazardous materials site, there is no potential for the Project to contribute to, or exacerbate, adverse environmental effects resulting from other hazardous materials sites in the Project vicinity.

As discussed above under the response to Threshold "e," the Project is not a noise-sensitive land use and would not be adversely affected by noise from operations at the ONT. In addition, the Project would not introduce any land use to the Project Site that would conflict with the ONT ALUCP. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area and would not contribute to a cumulatively considerable impact associated with airport hazards.
The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route; thus, there is no potential for the Project to contribute to any cumulative impacts associated with an adopted emergency response plan or emergency evacuation plan.

As discussed above under Threshold "g," the Project Site is not located within or in close proximity to areas identified as being subject to wildland fire hazards and would have no potential to contribute to adverse, cumulative wildland fire hazards.

4.7.7 Significance of Impacts Before Mitigation

Threshold a and b: Potentially-Significant Impact. During Project construction and operation, mandatory compliance to federal, State, and local regulations would ensure that the proposed Project would not create a significant hazard to the environment due to routine transport, use, disposal, or upset of hazardous materials. However, based on the results of the Phase I/II ESA, PCE impacts potentially

associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Project Site and impacts would be potentially significant.

Threshold c: No Impact. The Project Site is not located within one-quarter mile of any existing or proposed school. Accordingly, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Impacts to schools located more than one-quarter mile of the Project Site would be less than significant.

Threshold d: Less-than-Significant Impact. Current and previous uses of the Project Site are included in several listings. No violations indicating a spill or a release were identified in the listings. Therefore, theses listings are not considered to represent a significant environmental concern and impacts would be less than significant.

Threshold e: Less-than-Significant Impact. The Project is consistent with the restrictions and requirements of the ONT ALUCP. As such, the Project would not result in an airport safety hazard for people residing or working in the Project area.

Threshold f: Less-than-Significant Impact. The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, adequate emergency vehicle access is required to be provided. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan.

Threshold g: No Impact. The Project Site is not located in close proximity to wildlands or areas with high fire hazards. Thus, the Project would not expose people or structures to a significant wildfire risk.

4.7.8 Mitigation

MM 4.7-1 Prior to the issuance of a grading permit, the Project Applicant shall prepare a Soil Management Plan (SMP). The SMP shall include explicit instructions for the appropriate handling, storage, and disposal of any known or potentially impacted soil during soil moving activities. The general contractor will be required to follow the requirements of the SMP and stop work to make notification to the environmental team if any potential impacts are observed at any time the environmental team is not already on-site. The SMP also requires air monitoring activities to monitor the air downwind of the Project Site and appropriate Health and Safety Plans that will be employed by site workers. The SMP shall identify specific requirements intended to protect human health when soil in certain areas of known or suspected impacts are disturbed for any reason, including, without limitation, as a result of demolition, utility installation/repair, soil excavation, drilling, grading/filling activities, stockpile generation, soil management, loading, and transportation. Requirements of the SMP include:

a. Health and Safety Plan (HASP): A HASP will be prepared and in effect for all activities associated with the SMP and other activities at the Project Site. Contractors working onsite are expected to be operating under their own health and safety plans.

b. Environmental Monitoring: In accordance with SCAQMD Rules, air monitoring will be necessary in areas where potential PCE contaminated soil are to be disturbed. Air monitoring for dust may also be required in other areas. An air monitoring/health and safety professional will be present during relevant activities and responsibilities will include recording monitoring data on field sheets, which will be kept as part of Project documentation.

c. Soil Monitoring: Soils impacted by PCE that are encountered during site redevelopment will be characterized and documented. The monitoring and sampling activities to be performed include:

- Visual observation performed to detect areas of soil that may be impacted by PCE or other non-VOC hazardous materials, if encountered.
- Screening for PCEs using field instruments to document new or previously undetected sources of PCEs.
- Soil sampling and chemical testing performed to evaluate concentrations of PCE.

d. Proper Soil Handling: If impacted soil is encountered, the area will be delineated as necessary with cones, caution tape, stakes, chalk, or flagging, and the area will not be disturbed further until an environmental professional is onsite for observation and determination of whether testing and/or excavation work is required. Stockpile staging areas will be delineated prior to the start of excavation. All excavations will conform to applicable regulations, including Cal/OSHA Construction Safety Orders. The specific equipment, means, and methods to be utilized for soil removal, handling, and disposition will be selected based on the nature of the work to be conducted and its location on the site. If excavation is conducted during the rainy season (October through April), provisions will need to be made to prevent offsite migration of sediment in runoff.

e. Fugitive Dust and Vapor Control: Appropriate procedures will be implemented to control the generation of airborne dust by soil removal activities, including, but not limited to, the use of water as a dust suppressant or stopping activities that have the potential to generate fugitive dust in the event wind conditions change creating an uncontrollable condition.

f. Excavation and Stockpiling: Impacted soil that is excavated and not immediately removed from the site will be stockpiled onsite and covered with plastic sheeting to control dust and minimize exposure to precipitation and wind. If a stockpile remains onsite during the rainy season, a perimeter sediment barrier, constructed

of material, such as straw bales or fiber roll, will also be installed. The stockpiles will be inspected biweekly at a minimum. During stockpile removal, only the working face of the stockpile will be uncovered. If the stockpiled impacted soil is to be transported offsite for disposal or recycling, the soil will be profiled for waste characteristics. Soil samples will be analyzed for parameters required by the disposal/recycling facility.

g. Responding to Unknown Conditions: If previously unknown impacted soil is suspected (based on visual staining, odors, photo ionization detector readings, or other observations), the area will be delineated and construction activity will cease in this area, and sampling of the unknown material will occur using USEPA methodology. Analysis will be conducted for TPH, metals, and/or VOCs, as appropriate. Analytical results will be compared to applicable regulatory screening levels. Based on this comparison, a determination will be made regarding soil disposition (reuse on-site, off-site transport, and disposal/recycling, etc.). Additionally, if any UST or other subsurface features are encountered, a similar approach will be taken, and appropriate permitting, as necessary, will be obtained for the removal of the feature(s). Any permitted removals will be conducted with appropriate regulatory oversight, documentation, and reporting.

h. Imported fill: As appropriate, offsite soils brought to the site for use as backfill (import fill), if necessary, will be tested in general conformance with the DTSC Information Advisory Clean Imported Fill Material document.

i. Post-construction Requirements: If contaminated soil is left in place, the location of this soil will be surveyed or recorded by use of geographic positioning system equipment. Following the completion of construction, excavation, and disposition activities, a summary report will be prepared. The report will include a summary of activities, locations of soil sources and final disposition of contaminated soil, and estimated quantities of materials. Additionally, removal of any USTs or other subsurface features, if encountered, will be conducted under appropriate permits (if any) and documented in applicable reports for submittal to the Ontario Fire Department, or other regulatory agency, as appropriate.

4.7.9 Significance of Impacts After Mitigation

Threshold a and b: Less-than-Significant Impact. Mitigation measure MM 4.7-1 would result in the preparation of a SMP for the Project. The SMP identifies requirements intended to protect human health when soil in certain areas of known or suspected areas are disturbed for any reason, including, without limitation, as a result of demolition, utility installation/repair, soil excavation, drilling, grading/filling activities, stockpile generation, soil management, loading, and transportation. Requirements of the SMP include protocols for the HASP, environmental monitoring, proper soil handling (if impacted soil is encountered), fugitive dust and vapor control, excavation and stockpiling, soil monitoring, soil monitoring, responding to unknown conditions, imported fill, and post-construction requirements. With the implementation of mitigation measure MM 4.7-1, the risk of

exposure of hazardous materials to the workers and the public through the routine transport, use, or disposal of contaminated or potentially contaminated soils or accident conditions would be less than significant.

4.8 HYDROLOGY AND WATER QUALITY

Information in this subsection relies on two technical reports prepared for the Project by Westland Group, Inc. (hereinafter, "Westland"): 1) "Preliminary Hydrology Report", dated March 2022 (Westland, 2022a); and 2) "Preliminary Water Quality Management Plan (PWQMP)", dated March 2022 (Westland, 2022b). These reports are provided as *Technical Appendix H1* and *H2*, respectively, to this EIR. All other information sources referenced in this subsection are listed in EIR Section 7.0, *References*.

The Project Site is located within the Santa Ana River watershed and is under the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB). As such, information for this subsection also was obtained from the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Plan* (updated June 2019) and the *Integrated Regional Water Management Plan* (IRWMP) for the Santa Ana River watershed (also referred to as "One Water One Watershed Plan Updated 2018," (February 19, 2019) prepared by the Santa Ana Watershed Project Authority (SAWPA). These documents are herein incorporated by reference and are available for public review at the physical locations and website addresses given in EIR Section 7.0, *References*.

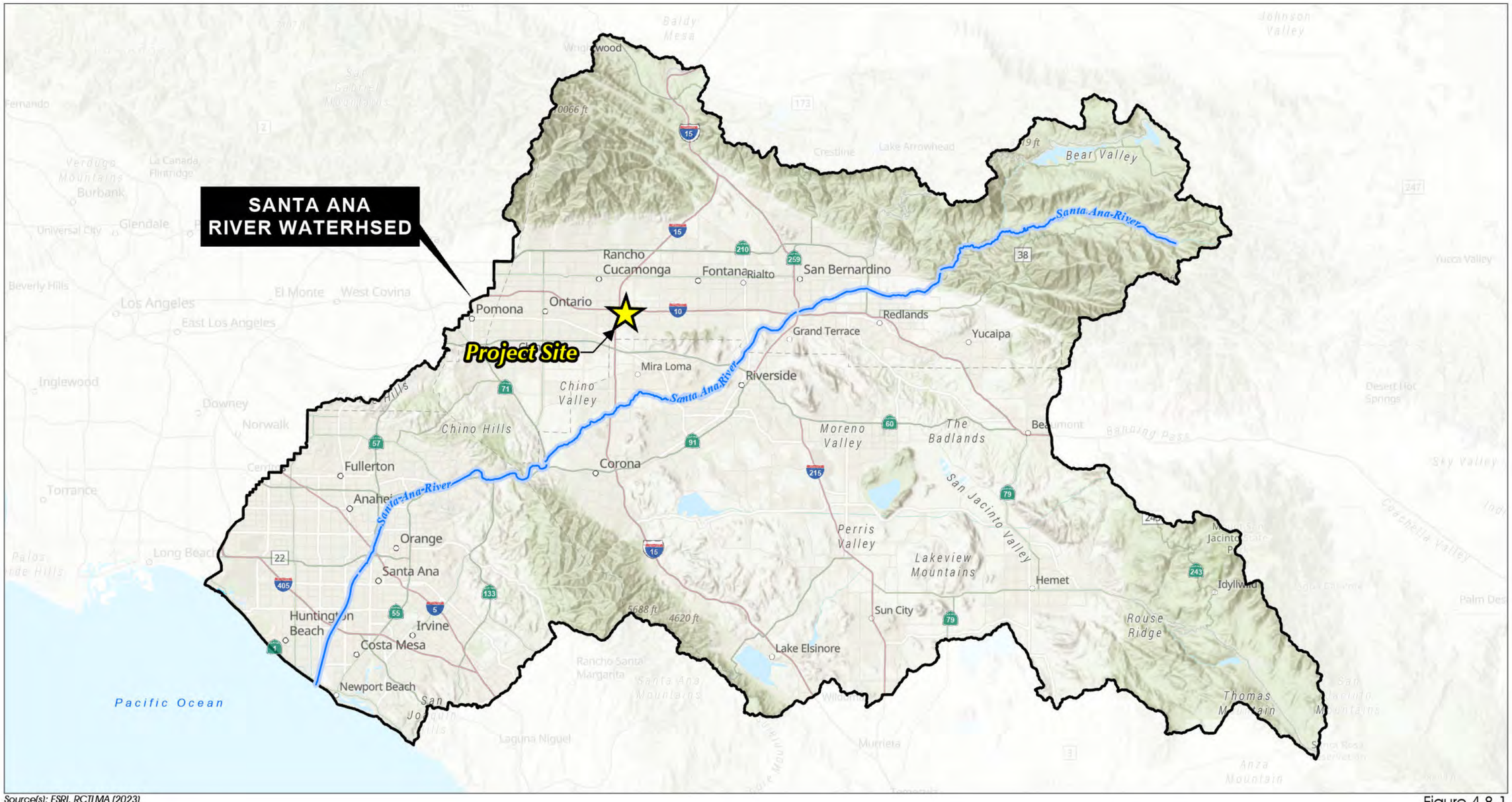
4.8.1 EXISTING CONDITIONS

A. Regional Hydrology

The Project Site is located within the 2,650-acre Santa Ana River watershed. Within the Santa Ana River watershed, the Santa Ana River is the principal surface flow water body within the region. The Santa Ana River originates in Santa Ana Canyon in the southern San Bernardino Mountains and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach. The total length of the Santa Ana River and its major tributaries is approximately 700 miles. The location of the Project Site within the Santa Ana River watershed is illustrated on Figure 4.8-1, *Santa Ana River Watershed Map*.

B. Site Hydrology

The Project Site currently consists of approximately 92% impervious surface area. The natural drainage pattern for the existing condition of the Site is north to south. There are no existing no public storm drain systems at the frontage of the Project Site. Stormwater sheet flows south and discharges onto the existing curb and gutter on Airport Drive. Runoff flows east along Airport Drive and discharges into an existing catch basin located approximately 1,500 feet east of the Site. This existing catch basin is connected to the Lower Etiwanda Creek Channel, which conveys stormwater to the Wineville Basin. (Westland, 2022a, p. 1)



Source(s): ESRI, RCTLMA (2023)

Figure 4.8-1

Santa Ana River Watershed Map

C. Flooding and Dam Inundation

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C8633J (effective 09/02/2016), the Project Site is located within FEMA Flood Zone X, which is correlated with areas of minimal flood hazard, determined to be less than the 0.2 percent annual chance flood. (FEMA, 2016)

D. Water Quality

The Federal Water Pollution Control Act Amendment of 1972 (also referred to as the Clean Water Act, CWA) requires all states to conduct water quality assessments of their water resources to identify water bodies that do not meet water quality standards. Water bodies that do not meet water quality standards due to excessive concentrations of pollutants are placed on a list of impaired waters pursuant to Section 303(d) of the CWA. Impaired water bodies to which stormwater from the City drains to include: Cucamonga Creek, Reach 1 (Zinc, copper, cadmium, lead); San Antonio Creek (pH); Chino Creek, Reach 2 (Indicator bacteria, pH); Chino Creek, Reach 1B (Nutrients, indicator bacteria, COD); Prado Basin Management Zone (pH); and Prado Park Lake (Nutrients, indicator bacteria) (Ontario, 2022a, Table 5.10-1).

E. Groundwater

The City of Ontario obtains its groundwater from the Chino Groundwater Basin. The Chino Basin is one of the largest groundwater basins in southern California and encompasses about 235 square miles of the Upper Santa Ana River watershed. It lies in portions of San Bernardino, Riverside, and Los Angeles counties. The Chino Basin has approximately 5 to 7 million acre-feet of water in storage and an estimated 1 million acre-feet of additional unused storage capacity. Prior to 1978, the Basin was in overdraft. After 1978, the Basin has been managed via adjudication by the Chino Basin Watermaster. The Chino Basin Watermaster has determined the safe yield for the basin and has assigned individual pumping allocations to each water purveyor to ensure that the total groundwater production does not exceed the safe yield. (Ontario, 2022a, p. 5.10-13)

Free water was not encountered during the drilling of any of the borings on the Project Site. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed as a depth in excess of 30± feet at the time of the subsurface exploration. (SoCal Geotechnical, 2022a, p. 7)

According to the water level data obtained from the California Department of Water Resources Water Data Library website, the nearest monitoring well on record (identified as State Well Number: 01S06W29H001S) is located 3,400± feet southeast of the Project Site. Water level readings within this monitoring well indicate a high groundwater level of 277± feet below the ground surface in April 2019. (SoCal Geotechnical, 2022a, p. 7)

4.8.2 Regulatory Setting

The following is a brief description of the federal, state, and local environmental laws and related regulations related to hydrology and water quality.

A. Federal Plans, Policies, and Regulations

1. Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. (EPA, 2020e)

2. Federal Flood Insurance Program

The U.S. Congress established the National Flood Insurance Program (NFIP) with the passage of the National Flood Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the Federal Government. If a community adopts and enforces a floodplain management ordinance to reduce future flood risk to new construction in floodplains, the Federal Government will make flood insurance available within the community as a financial protection against flood losses. This insurance is designed to provide an insurance alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods. The Federal Insurance and Mitigation Administration (FIMA) within FEMA is responsible for administering the NFIP and administering programs that provide assistance for mitigating future damages from natural hazards. (FEMA, 2021a)

3. Executive Order 11988 – Floodplain Management

Executive Order 11988 requires federal agencies to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of flood plains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative. In accomplishing this objective, "each agency shall provide leadership and shall take action to reduce the risk of flood loss, to minimize the impact of floods on human safety, health, and welfare, and to restore

and preserve the natural and beneficial values served by flood plains in carrying out its responsibilities" for the following actions: (FEMA, 2021b)

- Acquiring, managing, and disposing of federal lands and facilities;
- Providing federally-undertaken, financed, or assisted construction and improvements; and
- Conducting federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulation, and licensing activities.

B. State Plans, Policies, and Regulations

1. Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code § 13000 et seq.), the policy of the State is as follows: (SWRCB, 2014)

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of 9 hydrologic regions. The State Water Board and Regional Water Boards have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management. (SWRCB, 2014)

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The State Water Resources Control Board (SWRCB) and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions. (SWRCB, 2014)

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. (SWRCB, 2014) The Project Site is located within the Santa Ana River watershed and is under the jurisdiction of the Santa Ana RWQCB. The *Santa Ana River Basin Water Quality Control Plan* (updated June 2019) is the governing water quality plan for the region.

2. California Water Code

The California Water Code is the principal state law regulating water quality in California. Water quality provisions must be complied with as contained in numerous code sections including: 1) the Health and Safety Code for the protection of ground and surface waters from hazardous waste and other toxic substances; 2) the Fish and Game Code for the prevention of unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life; 3) the Harbors and Navigation Code for the prevention of the unauthorized discharge of waste from vessels into surface waters; and 4) the Food and Agriculture Code for the protection of groundwater which may be used for drinking water supplies. The California Department of Fish and Wildlife (CDFW), through provisions of the Fish & Game Code (§§ 1601 - 1603) is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by CDFW. (CA Legislative Info, n.d.)

Surface water quality is the responsibility of the RWQCB, water supply and wastewater treatment agencies, and city and county governments. The principal means of enforcement by the RWQCB is through the development, adoption, and issuance of water discharge permits. RWQCB basin plans establish water quality objectives that are defined as the limits or levels of water quality constituents or characteristics for the reasonable protection of beneficial uses of water. (CA Legislative Info, n.d.)

3. California Toxics Rule (CTR)

The California Toxics Rule (CTR) fills gap in California's water quality standards necessary to protect human health and aquatic life beneficial uses. The CTR criteria are similar to those published in the National Recommended Water Quality Criteria. The CTR supplements, and does not change or supersede, the criteria that EPA promulgated for California waters in the National Toxics Rule (NTR). The human health NTR and CTR criteria that apply to drinking water sources (those water bodies designated in the Basin Plans as municipal and domestic supply) consider chemical exposure through consumption of both water and aquatic organisms (fish and shellfish) harvested from the water. For waters that are not drinking water sources (e.g., enclosed bays and estuaries), human health NTR and CTR criteria only consider the consumption of contaminated aquatic organisms. The CTR and NTR criteria, along with the beneficial use designations in the Basin Plans and the related implementation

policies, are the directly applicable water quality standards for toxic priority pollutants in California waters. (SWRCB, 2016, pp. 14-15)

4. CDFG Code Section 1600 et seq. (Lake- or Streambed Alteration Agreement Program)

Fish and Game Code § 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: (CDFW, n.d.)

- Substantially divert or obstruct the natural flow of any river, stream, or lake;
- Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
- Deposit debris, waste or other materials that could pass into any river, stream, or lake.

It should be noted that "any river, stream or lake" includes those that are episodic (they are dry for periods of time) as well as those that are perennial (they flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water. (CDFW, n.d.)

CDFW requires a Lake and Streambed Alteration (LSA) Agreement when it determines that the activity, as described in a complete LSA Notification, may substantially adversely affect existing fish or wildlife resources. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify a project that would eliminate or reduce harmful impacts to fish and wildlife resources. Before issuing an LSA Agreement, CDFW must comply with CEQA. (CDFW, n.d.)

5. Watershed Management Initiative (WMI)

The State and Regional Water Boards are currently focused on looking at entire watersheds when addressing water pollution. The Water Boards adopted the Watershed Management Initiative (WMI) to further their goals. The WMI establishes a broad framework overlying the numerous federal and State mandated priorities. As such, the WMI helps the Water Boards achieve water resource protection, enhancement and restoration while balancing economic and environmental impacts. (SWRCB, 2017) The integrated approach of the WMI involves three main ideas:

- Use water quality to identify and prioritize water resource problems within individual watersheds. Involve stakeholders to develop solutions.
- Better coordinate point source and nonpoint source regulatory efforts. Establish working relationships between staff from different programs.
- Better coordinate local, state, and federal activities and programs, especially those relating to regulations and funding, to assist local watershed groups. (SWRCB, 2017)

6. Sustainable Groundwater Management Act (SGMA)

The 2014 Sustainable Groundwater Management Act (SGMA) requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. The DWR categorizes the priority of groundwater basins. For critically over-drafted basins, that will be 2040. For the remaining high and medium priority basins, 2042 is the deadline. The SGMA also requires local public agencies and Groundwater Sustainability Agencies (GSAs) in high- and medium-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs. GSPs are detailed road maps for how groundwater basins will reach long term sustainability. (DWR, n.d.) (DWR, 2020)

7. SWRCB Trash Amendments

On April 7, 2015, the SWRCB adopted an amendment to control trash that applies to the Water Quality Control Plan for Ocean Waters of California and the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California. They are collectively referred to as the "Trash Amendments." The Trash Amendments do the following: (a) establish a narrative water quality objective for trash, (b) corresponding applicability, (c) establish a prohibition on the discharge of trash, (d) provide implementation requirements for permitted storm water and other discharges, (e) set a time schedule for compliance, and (f) provide a framework for monitoring and reporting requirements. The Trash Amendments apply to all surface waters of California and include a land-use-based compliance approach to focus trash controls on areas with high trash-generation rates. Areas such as high density residential, industrial, commercial, mixed urban, and public transportation stations are considered priority land uses. The Santa Ana RWQCB implements the statewide Trash Amendments through Water Code Section 13383 Orders that contain region specific requirements. There are two compliance tracks:

- Track 1. Permittees must install, operate, and maintain a network of certified full capture systems in storm drains that capture runoff from priority land uses.

- Track 2. Permittees must implement a plan with a combination of full capture systems, multi-benefit projects, institutional controls, and/or other treatment methods that have the same effectiveness as Track 1 methods. (SWRCB, 2022)

The Project would be required to comply with the latest State Trash Amendments and the MS4 Permit by installing the appropriate Full Capture System or equivalent.

4.8.3 Basis for Determining Significance

Section IX of Appendix G to the CEQA Guidelines addresses typical adverse effects to hydrology and water quality, and includes the following threshold questions to evaluate the Project's impacts on hydrology and water quality (OPR, 2019):

a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;*

b. *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;*

c. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

   i. *Result in substantial erosion or siltation on- or off-site;*

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

   iii. *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*

   iv. *Impede or redirect flood flows;*

d. *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation;*

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

4.8.4 Impact Analysis

Threshold a: ***Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?***

The Project Applicant would be required to comply with Section 402 of the Clean Water Act, which authorizes the NPDES permit program that covers point sources of pollution discharging to a water body. The NPDES program would require the Project Applicant and/or construction contractor to prepare a Stormwater Pollution Prevention Plan (SWPPP) and obtain authorization to discharge stormwater under a NPDES construction stormwater permit because the Project would result in construction on a site that is larger than 1 acre. The Project Applicant also would be required to comply with the California Porter-Cologne Water Quality Control Act (Section 13000 *et seq.*, of the California Water Code), which requires that comprehensive water quality control plans be developed for all waters within the State of California. The Project Site is located within the jurisdiction of the Santa Ana RWQCB.

A. Construction-Related Water Quality Impacts

Construction of the Project would include demolition, site preparation and grading, building construction, paving, utility installation, and architectural coating and landscaping, which have the potential to generate silt, debris, organic waste, chemicals, paints, and other solvents; should these materials come into contact with water that reaches the groundwater table or flows off-site, the potential exists for the Project's construction activities to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during Project construction in the absence of any protective or avoidance measures.

Pursuant to the requirements of the Santa Ana RWQCB and Ontario Municipal Code Title 6, Chapter 6, Article IV and V, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project Applicant would be required to comply with the Sana Ana RWQCB's *Santa Ana River Basin Water Quality Control Program.* Compliance with the NPDES permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project's construction contractors would be required to implement during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydroseeding. Pursuant to Ontario Municipal Code Title 6, Chapter 12, the Project Applicant also would be required to implement erosion control measures to prevent soil erosion by wind. Mandatory compliance with the SWPPP and erosion control measures would ensure that the Project construction does not violate any water quality standards or waste discharge requirements. Therefore, water quality impacts associated with construction activities would be less than significant.

B. Post-Development Water Quality Impacts

The Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP) to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site-specific post-construction water quality management program designed to address the potential release of pollutants of concern for downstream receiving waters and other water pollutants through the use of BMPs. Implementation of the WQMP ensures on-going, long-term protection of the watershed basin. The preliminary WQMP for the Project was prepared by Westland and is included as *Technical Appendix H2* to this EIR. As identified in the WQMP, the Project is designed to include underground stormwater retention chambers, source control BMPs, and treatment control BMPs to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows for pollutants of concern before they are discharged into the municipal storm drain system (Westland, 2022b, pp. 4 to 6). Compliance with the preliminary WQMP would be

required as a condition or Project approval pursuant to Ontario Municipal Code Title 6, Chapter 6, Article V, and long-term maintenance of on-site BMPs would be required to ensure their long-term effectiveness. Therefore, water quality impacts associated with long-term operational activities would be less than significant.

Additionally, pursuant to Ontario Municipal Code Title 6, Chapter 6, Article IV, all businesses that own or operate facilities described in 40 CFR 122.26(b)(14)(i)-(xi) are required to obtain coverage under the State's General Permit for Discharges of Stormwater Associated with Industrial Activities, at least 14 days prior to the startup of business activities. All listed businesses are required to submit a completed Notice of Intent (NOI) form, site map and application fee to the SWRCB. The SWRCB also requires the listed businesses to prepare a SWPPP, retain a copy of the SWPPP on site and comply with all the requirements of the general permit. The Project would be required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. Because the permit is dependent upon a detailed accounting of all operational activities and procedures, and the Project's building users and their operational characteristics are not known at this time, details of the operational SWPPP (including BMPs) or potential exemption to the SWPPP operational activities requirement cannot be determined with certainty at this time. However, based on the performance requirements of the NPDES Industrial General Permit, the Project's mandatory compliance with all applicable water quality regulations would further reduce potential water quality impacts during long-term operation. Additionally, the Project would comply with the State Trash State Trash Amendments and the MS4 Permit by installing the appropriate Full Capture System or equivalent.

Based on the foregoing analysis, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during long-term operation. Impacts would be less than significant.

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

Water service to the Project Site would be provided by the Ontario Municipal Utilities Company (OMUC). As depicted in Figure 3-7, *Proposed Utility Plan*, water would be accommodated via proposed water lines that would extend from the southeastern and southwestern corners of the building to an existing 12-inch water main at East Airport Drive. The Project Applicant does not propose the use of any wells or other groundwater extraction activities. Therefore, the Project would not directly draw water from the groundwater table. Implementation of the Project has no potential to substantially deplete or decrease groundwater supplies and the Project's impact to groundwater supplies would be less than significant.

Development of the Project would slightly increase impervious surface coverage on the Project Site, which would, in turn, slightly reduce the amount of water percolating down into the underground aquifer that underlies the Project Site and a majority of the City and surrounding areas (i.e., Chino

Groundwater Basin). Percolation is just one of several sources of groundwater recharge for the Subbasin. A majority of the groundwater recharge in the Chino Groundwater Basin occurs within percolation basins ("recharge basins") that are located in the northern and western portions of the Basin (CBWM, 2021, Exhibit 3-5). The Project Site is located in the central portion of the Chino Groundwater Basin and would not physically impact any of the major groundwater recharge facilities in the Basin. Therefore, the Project would not result in substantial, adverse effects to local groundwater levels. Additionally, the Project includes design features that would maximize the percolation of on-site stormwater runoff into the groundwater basin, such as underground infiltration chambers and permeable landscape areas. Accordingly, buildout of the Project with these design features would not interfere substantially with groundwater recharge or impede sustainable groundwater management of the Chino Groundwater Basin. Based on the foregoing information, the Project would not interfere substantially with groundwater recharge.

For the reasons stated above, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the basin. Impacts would be less than significant.

Threshold c:	***Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impeded or redirect flood flows?***

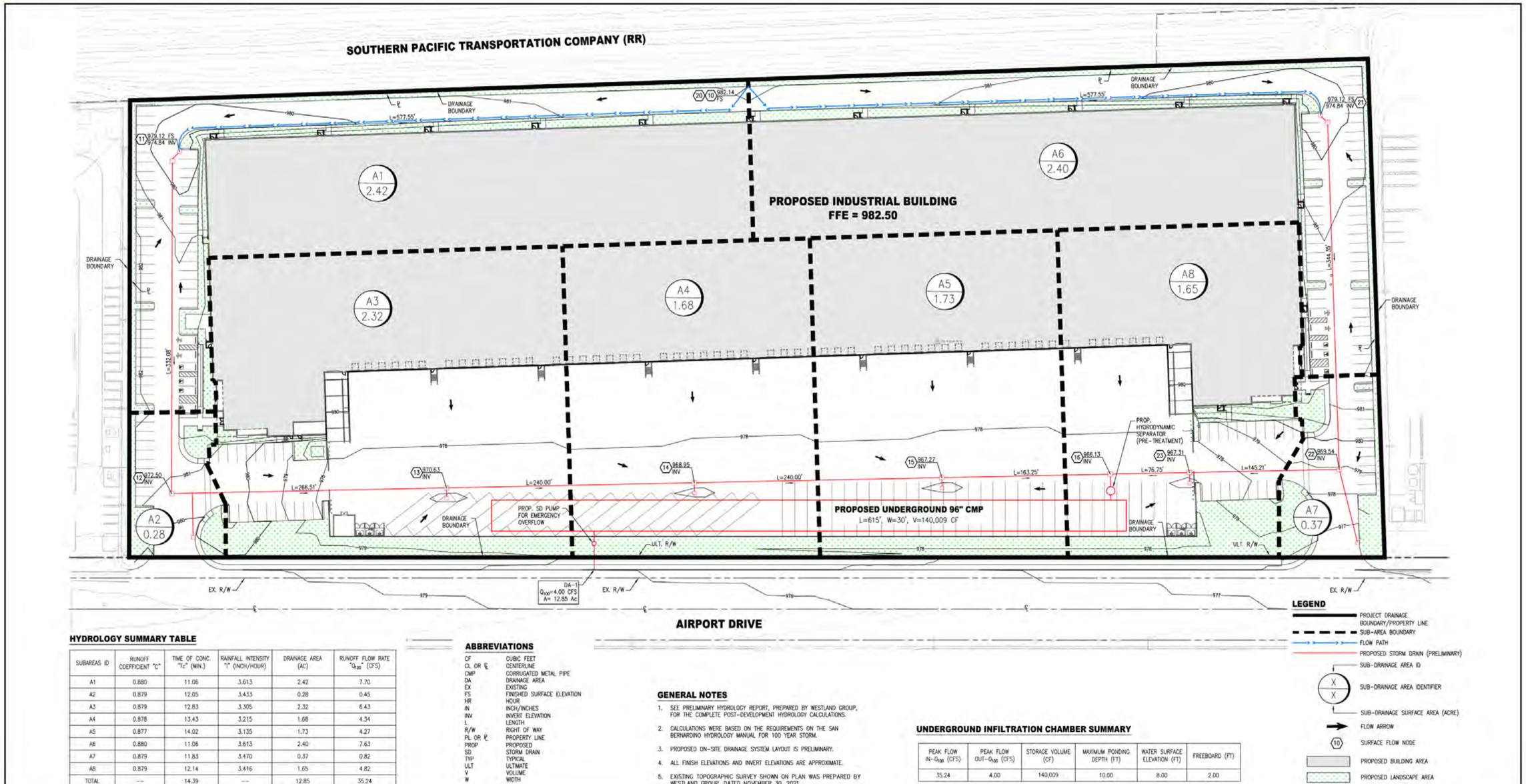
The proposed Project entails redevelopment of the Project Site with one warehouse building supported by drive aisles and parking areas for passenger vehicles and trailers. Docking areas are located south-facing façade of the proposed building. Landscape areas are proposed around the perimeter of the Site. The proposed development would consist of approximately 89% of impervious areas.

The proposed development would maintain the same drainage pattern as the existing condition. Stormwater is designed to sheet flow from north to south and be captured by proposed onsite catch basins. The proposed on-site storm drain system is designed to convey the flow into a proposed underground infiltration chamber. This system is designed to meet project's water quality requirements and provide sufficient storage to meet the 100-year storm hydrology requirement. In a large storm event, stormwater would exit the underground chamber system via pipes and be pumped out through a proposed parkway drain on Airport Drive. Runoff would sheet flow east along Airport Drive and discharge into the existing catch basin to maintain the same point of discharge as the existing condition. (Westland, 2022a, p. 2) See Figure 4.8-1, *Proposed Post-Development Hydrology Map*, for the post-development drainage map.

The following analysis evaluates the potential for Project-related development activities to adversely affect water quality or cause or exacerbate local flooding.

A. Erosion and Siltation

The Project would not alter the existing drainage pattern. Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects, including the Project, that include construction activities, such as clearing, grading, and/or excavation, that disturb at least 1 acre of total land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP will specify the BMPs that would be required to be implemented during construction activities to ensure that waterborne pollution – including erosion/siltation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project would be required to implement erosion control measures pursuant to Ontario Municipal Code Title 6, Chapter 12, and to ensure compliance with SCAQMD Rule 403. Mandatory compliance with the SWPPP and the City-required erosion control measures would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Based on the foregoing information, erosion and sedimentation impacts associated with Project construction activities would be less than significant.



HYDROLOGY SUMMARY TABLE

SUBAREAS ID	RUNOFF COEFFICIENT "C"	TIME OF CONC. "Tc" (MIN.)	RAINFALL INTENSITY "I" (INCH/HOUR)	DRAINAGE AREA (AC)	RUNOFF FLOW RATE "Q_{100}" (CFS)
A1	0.880	11.06	3.613	2.42	7.70
A2	0.879	12.05	3.433	0.28	0.45
A3	0.879	12.83	3.305	2.32	6.43
A4	0.878	13.43	3.215	1.68	4.34
A5	0.877	14.02	3.135	1.73	4.27
A6	0.880	11.06	3.613	2.40	7.63
A7	0.879	11.83	3.470	0.37	0.82
A8	0.879	12.14	3.416	1.65	4.82
TOTAL	--	14.39	--	12.85	35.24

ABBREVIATIONS

CF	CUBIC FEET
CL OR ℄	CENTERLINE
CMP	CORRUGATED METAL PIPE
DA	DRAINAGE AREA
EX	EXISTING
FS	FINISHED SURFACE ELEVATION
HR	HOUR
IN	INCH/INCHES
INV	INVERT ELEVATION
L	LENGTH
R/W	RIGHT OF WAY
PL OR ℙ	PROPERTY LINE
PROP	PROPOSED
SD	STORM DRAIN
TYP	TYPICAL
ULT	ULTIMATE
V	VOLUME
W	WIDTH

GENERAL NOTES

1. SEE PRELIMINARY HYDROLOGY REPORT, PREPARED BY WESTLAND GROUP, FOR THE COMPLETE POST-DEVELOPMENT HYDROLOGY CALCULATIONS.
2. CALCULATIONS WERE BASED ON THE REQUIREMENTS ON THE SAN BERNARDINO HYDROLOGY MANUAL FOR 100 YEAR STORM.
3. PROPOSED ON-SITE DRAINAGE SYSTEM LAYOUT IS PRELIMINARY.
4. ALL FINISH ELEVATIONS AND INVERT ELEVATIONS ARE APPROXIMATE.
5. EXISTING TOPOGRAPHIC SURVEY SHOWN ON PLAN WAS PREPARED BY WESTLAND GROUP, DATED NOVEMBER 30, 2021

UNDERGROUND INFILTRATION CHAMBER SUMMARY

PEAK FLOW IN-Q_{100} (CFS)	PEAK FLOW OUT-Q_{100} (CFS)	STORAGE VOLUME (CF)	MAXIMUM PONDING DEPTH (FT)	WATER SURFACE ELEVATION (FT)	FREEBOARD (FT)
35.24	4.00	140,009	10.00	8.00	2.00

LEGEND

- PROJECT DRAINAGE BOUNDARY/PROPERTY LINE
- SUB-AREA BOUNDARY
- FLOW PATH
- PROPOSED STORM DRAIN (PRELIMINARY)
- SUB-DRAINAGE AREA ID
- X / X — SUB-DRAINAGE AREA IDENTIFIER
- SUB-DRAINAGE SURFACE AREA (ACRE)
- FLOW ARROW
- (10) — SURFACE FLOW NODE
- PROPOSED BUILDING AREA
- PROPOSED LANDSCAPE AREA

Source(s): WestLAND Group, Inc. (03-23-2022)

Figure 4.8-2

Not to Scale

Proposed Post-Development Hydrology Map

During operation of the Project, the Project Applicant would be required to prepare and implement a WQMP to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site-specific post-construction water quality management program designed to address the potential release of pollutants of concern for downstream receiving waters and other water pollutants through the use of BMPs. Implementation of the WQMP ensures on-going, long-term protection of the watershed basin. The PWQMP for the Project was prepared by Westland and is included as *Technical Appendix H2* to this EIR. Because the Project Applicant would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, Project operation would result in less-than-significant impacts related to soil erosion and sedimentation.

B. Stormwater Runoff Discharge

Based on the 100-year rational method analysis presented in Table 4.8-1, *Pre-Development Hydrology Summary Table* and Table 4.8-2, *Post-Development Hydrology Summary Table*, the post-development flow rate within the disturbed area decreased compare to the pre-development flow rate. Furthermore, the post- development runoff volume decreased compare to the pre-development runoff volume. The decrease in flow rate and runoff volume was a result from a decrease in impervious areas.

Table 4.8-1 Pre-Development Hydrology Summary Table

Storm Event	Area (Acres)	Tc (min.)	Intensity (in/hr)	Flow Rate (cfs) (Rational Method)	Volume(cf) (Unit Hydrograph)
2-Year	12.85	14.77	1.71	14.42	--
100-Year		14.20	3.11	38.03	241,431

Source: (Westland, 2022a, Table 4.2.1)

Table 4.8-2 Post-Development Hydrology Summary Table

Storm Event	Area (Acres)	Tc (min.)	Intensity (in/hr)	Flow Rate (cfs) (Rational Method)	Volume(cf) (Unit Hydrograph)
2-Year	12.85	12.60	1.20	12.92	--
100-Year		14.39	309	35.24	237,145

Source: (Westland, 2022a, Table 4.2.2)

The proposed Project would not create or contribute runoff that would exceed the capacity of the existing downstream storm drain system. At buildout, the Project would discharge approximately 35.24 cubic feet per second (cfs) to the existing storm drain system, which is an approximately 7 percent decrease relative to existing conditions. Furthermore, the underground infiltration system is designed to accommodate the 100-year storm event and would not exceed the flow rates and runoff volumes generated by the existing condition. Once construction is complete, there would not be any substantial

increase in flood boundaries, levels, or frequencies in any areas outside the development. (Westland, 2022a, p. 4)

Based on the foregoing information, the Project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Impacts would be less than significant.

C. Stormwater Drainage System Capacity & Polluted Runoff

As described above, buildout of the Project would reduce the cfs of runoff discharged into the existing municipal storm drain system during peak storm events relative to existing conditions. Accordingly, the Project would not create or contribute runoff that would exceed the capacity of any existing storm water drainage system, and impacts would be less than significant.

As discussed in the response to Threshold "a" and this Threshold (refer to sub-item "A"), the Project's construction contractors would be required to comply with a SWPPP and the Project's owner or operator would be required to comply with the WQMP to ensure that Project-related construction activities and operational activities do not result in substantial amounts of polluted runoff. Additionally, the Project would comply with the State Trash Amendments and the MS4 Permit by installing the appropriate Full Capture System or equivalent. The Project would not result in substantial additional sources of polluted runoff and impacts would be less than significant.

D. Flood Flows

The Project Site is not located within a special flood hazard area (FEMA, 2016). Accordingly, the Project Site is not expected to be inundated by flood flows during the lifetime of the Project and the Project would not impede flood flows. No impact would occur.

Threshold d: ***Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?***

The Project Site is located approximately 38 miles northeast of the Pacific Ocean; consequently, there is no potential for the Project Site to be impacted by a tsunamis as tsunamis typically only reach up to a few miles inland. The Project Site also is not subject to flooding hazards associated with a seiche because the nearest body of water is the San Antonio Dam, approximately 10 miles to the north of the Project Site, which is too far away from the subject property to impact the property with a seiche (Google Earth, 2021). According to The Ontario Plan 2050 EIR, the Project Site is not located within the potential inundation from San Antonio Dam; however, the Project Site is adjacent to an area with potential inundation from debris basins (Ontario, 2022a, Figure 5.10-3). The probability of dam failure is very low, and Ontario has never been impacted by a major dam failure. In addition, dam owners are required to maintain emergency action plans that include procedures for damage assessment and emergency warnings. (Ontario, 2022a, p. 5.10-26) Accordingly, impacts would be less than significant.

Threshold e: ***Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?***

As discussed under Threshold "a" above, the Project Site is located within the Santa Ana River Basin and Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Plan* by preparing and adhering to a SWPPP and WQMP. As also discussed in Threshold "a" above, implementation of the Project would not conflict with or obstruct the *Santa Ana River Basin Water Quality Control* Plan and impacts would be less than significant.

The Project Site is located within the Chino Groundwater Basin, which is an adjudicated groundwater basin. Adjudicated basins, like the Chino Groundwater Basin, are exempt from the 2014 Sustainable Groundwater Management Act (SGMA) because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the basin. No component of the Project would obstruct with or prevent implementation of the management plan for the Chino Groundwater Basin. As such, the Project's construction and operation would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

4.8.5 Cumulative Impact Analysis

The cumulative impact analysis considers construction and operation of the Project in conjunction with other development projects in the vicinity of the Project Site and projects located in the Santa Ana River Basin and Chino Groundwater Basin.

A. Water Quality

Project construction and the construction of other projects in the cumulative study area would have the potential to contribute waterborne pollution, including erosion and siltation, to the Santa Ana River Watershed. Pursuant to the requirements of the State Water Resources Control Board and the Santa Ana RWQCB, all construction projects that disturb 1 or more acres of land area are required to obtain coverage for construction activities under the State's General Construction NPDES Permit. In order to obtain coverage, an effective Site-specific SWPPP is required to be developed and implemented. The SWPPP must identify potential on-site pollutants and identify an effective combination of erosion control and sediment control measures to reduce or eliminate discharge of pollutants to surface waters. In addition, the Project Applicant and all cumulative developments in the Santa Ana River Basin would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program, which establishes water quality standards for ground and surface waters of the region. Compliance with these mandatory regulatory requirements, would ensure that development projects within the Santa Ana River watershed, including the proposed Project, would not contribute substantially to water quality impairments during construction.

Operational activities on the Project Site would be required to comply with the Project's WQMP to minimize the amount of waterborne pollution, including erosion and sediment, discharged from the Site. Other development projects within the watershed would similarly be required by law to prepare

and implement Site-specific WQMPs to ensure that runoff does not substantially contribute to water quality violations. Accordingly, operation of the Project would not contribute to cumulatively-considerable water quality effects.

B. Groundwater Supplies and Management

The Project incorporates design features that would allow surface runoff to infiltrate into the groundwater basin. Other development projects would similarly be required by applicable lead agencies to incorporate design features that facilitate percolation (e.g., through minimum landscaped/permeable area requirements, water quality/detention basins, infiltration basins). Also, as previously noted, implementation of the Project would not result in substantial adverse effects to local groundwater supplies or groundwater recharge. Thus, no component of the Project would obstruct with or prevent implementation of the management plan for the Chino Groundwater Basin, and other development projects within the Chino Groundwater Basin would be prohibited from any activity that would endanger the health and sustainability of the groundwater basin. Based on the lack of impacts to groundwater, the provision of design measures that would facilitate percolation, and compliance with applicable Chino Groundwater Basin management plans, cumulative development would not result in a considerable, adverse effect to local groundwater supplies.

C. Flooding

Construction of the Project and other development projects within the Santa Ana River watershed would be required to comply with federal, State, and local regulations and applicable regional and local master drainage plans in order to mitigate flood hazards both on- and off-site. Compliance with federal, State, and local regulations and applicable drainage plans would require development sites to be protected from flooding during peak storm events (i.e., 100-year storm) and also would not allow development projects to expose downstream properties to increased flooding risks during peak storm events. In addition, future development proposals within the Santa Ana River Basin would be required to prepare hydrologic and hydraulic calculations, subject to review and approval by the responsible City Engineer, to demonstrate that substantial on- and/or off-site flood hazards would not occur. As discussed under the response to Threshold "c," the Project is designed to ensure that runoff from the Project Site during peak storm events is reduced relative to existing conditions. Because the Project and all other developments throughout the Santa Ana River Basin, would need to comply with federal, State, and local regulations to ensure that stormwater discharges do not substantially exceed existing volumes or exceed the volume of available conveyance infrastructure, a substantial cumulative impact related to flood hazards would not occur.

Additionally, the Project Site is not located within a special flood hazard area or in an area subject to inundation. Accordingly, development on the Project Site would have no potential to impede or redirect flood flows and a cumulatively-considerable impact would not occur.

4.8.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Adherence to a SWPPP and WQMP is required as part of the Project's implementation to address construction- and operational-related water quality.

Threshold b: Less-than-Significant Impact. The Project would not physically impact any of the major groundwater recharge facilities in the Chino Groundwater Basin. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the Basin.

Threshold c: Less-than-Significant Impact. The Project would be required to comply with applicable water quality regulatory requirements to minimize erosion and siltation. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Lastly, the Project would not create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Threshold d: Less-than-Significant Impact. The Project Site would not be subject to inundation from tsunamis or seiches. The Project Site is adjacent to an area with potential inundation from debris basins. The probability of dam failure is very low, and Ontario has never been impacted by a major dam failure. In addition, dam owners are required to maintain emergency action plans that include procedures for damage assessment and emergency warnings.

Threshold e: Less-than-Significant Impact. The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.8.7 Mitigation

Impacts would be less than significant; therefore, mitigation is not required.

4.9 NOISE

This Subsection addresses the environmental issue of noise, including existing noise levels in the Project area and the Project's potential to introduce new or elevated sources of noise. The analysis contained herein incorporates information contained in a technical report prepared by Urban Crossroads, Inc., titled "5355 East Airport Drive Noise Impact Analysis" (noise analysis) and dated August 3, 2022 (Urban Crossroads, 2022e). The report is included as *Technical Appendix I* to this EIR. Refer to Section 7.0, *References*, for a complete list of reference sources used in the analysis presented in this Subsection.

4.9.1 NOISE FUNDAMENTALS

A. Noise Definitions

Noise is simply defined as "unwanted sound." Sound becomes unwanted when it interferes with normal activities, when it causes physical harm, or when it has adverse effects on health. Because the range of sound that the human ear can detect is large, the scale used to measure sound intensity is based on multiples of 10, the logarithmic scale. The unit of measure to describe sound intensity is the decibel (dB). A sound increase of 10 dB represents a ten-fold increase in sound energy and is perceived by the human ear as being roughly twice as loud. A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise sources by discriminating against very low and very high frequencies of the audible spectrum (i.e., frequencies that are not audible to the human ear). The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at a distance of three feet is roughly 60 dBA, while a jet engine is 110 dBA at approximately 100 feet (Urban Crossroads, 2022e, pp. 7-8)

B. Noise Descriptors

Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most used noise descriptor is the equivalent level (L_{eq}). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in A-weighted decibels (dBA). The equivalent sound level (L_{eq}) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period and is commonly used to describe the "average" noise levels within the environment.

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time-of-day corrections require the addition of 5 decibels to dBA L_{eq} sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 decibels to dBA L_{eq} sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and night hours when noise can become more intrusive. CNEL does not represent the actual sound level heard at any time, but rather represents the total sound exposure. The

City of Ontario relies on the 24-hour CNEL level to assess land use compatibility with transportation related noise sources (Urban Crossroads, 2022e, p. 8).

C. Sound Propagation

When sound propagates over a distance, it changes in level and frequency content. The manner in which noise reduces with distance depends on geometric spreading, ground absorption, atmospheric effects, and shielding.

1. Geometric Spreading

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source (Urban Crossroads, 2022e, p. 8).

2. Ground Absorption

The propagation path of noise from a highway to a receiver is usually very close to the ground. Noise attenuation from ground absorption and reflective wave canceling adds to the attenuation associated with geometric spreading. Traditionally, the excess attenuation has also been expressed in terms of attenuation per doubling of distance. This approximation is usually sufficiently accurate for distances of less than 200 ft. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receiver, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., those sites with an absorptive ground surface between the source and the receiver such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed. When added to the cylindrical spreading, the excess ground attenuation results in an overall drop-off rate of 4.5 dB per doubling of distance from a line source (Urban Crossroads, 2022e, pp. 8-9).

3. Atmospheric Effects

Receivers located downwind from a source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Sound levels can be increased at large distances (e.g., more than 500 feet) due to atmospheric temperature inversion (i.e., increasing temperature with elevation). Other factors such as air temperature, humidity, and turbulence can also have significant effects (Urban Crossroads, 2022e, p. 9).

4. Shielding

A large object or barrier in the path between a noise source and a receptor can substantially attenuate noise levels at the receptor. The amount of attenuation provided by shielding depends on the size of

the object and the frequency content of the noise source. Shielding by trees and other such vegetation typically only has an "out of sight, out of mind" effect. That is, the perception of noise impact tends to decrease when vegetation blocks the line-of-sight to nearby residents. However, for vegetation to provide a substantial, or even noticeable, noise reduction, the vegetation area must be at least 15 feet in height, 100 feet wide and dense enough to completely obstruct the line-of-sight between the source and the receiver. This size of vegetation may provide up to 5 dBA of noise reduction. The Federal Highway Administration (FHWA) does not consider the planting of vegetation to be a noise abatement measure (Urban Crossroads, 2022e, p. 9).

D. Response to Noise

Approximately 16 percent of the population has a very low tolerance for noise and will object to any noise not of their own making. Consequently, even in the quietest environment, some complaints will occur. 20 to 30 percent of the population will not complain even in very severe noise environments. Thus, a variety of reactions can be expected from people exposed to any given environment. Despite this variability in behavior on an individual level, the population as a whole can be expected to exhibit the following responses to changes in noise levels: an increase of 1 dBA cannot be perceived except in carefully controlled laboratory experiments; a change of 3 dBA is considered "barely perceptible;" and a change of 5 dBA is considered "readily perceptible." (Urban Crossroads, 2022e, p. 10)

E. Vibration

Vibration is the periodic oscillation of a medium or object. Sources of groundborne vibration include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, groundborne vibrations may be described by amplitude and frequency. Vibration is often described in units of velocity (inches per second) and decibels (dB) and is denoted as VdB.

The background vibration-velocity level in residential areas is generally 50 VdB. Groundborne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels (Urban Crossroads, 2022e, p. 11).

4.9.2 Existing Noise Conditions

A. Existing Study Area Ambient Noise Conditions

Urban Crossroads recorded 24-hour noise readings at 4 locations in the area of sensitive noise receivers nearest to the Project Site, which are on the opposite side of I-15 and I-10 from the Project Site, on March 8, 2022. The noise measurement locations are identified in Figure 4.9-1, *Noise Measurement Locations*. The results of the existing noise level measurements are summarized below. Noise measurement worksheets for the hourly noise levels and the minimum and maximum observed noise levels at each measurement location are provided in the noise analysis (refer to *Technical Appendix I*). In general, the existing background ambient noise levels in the Project area are dominated by traffic

noise associated with automobiles and truck traffic on the local arterial roadway network. It should be noted that hotel uses are generally not considered sensitive receptors since occupants are temporary and transient, but for the purpose of a conservative analysis, hotels are considered sensitive receptors for the analysis of this Project.

- Location L1 represents the noise levels located northwest of the Project Site near Ayres Hotel Ontario Mills Mall at 4395 Ontario Mills Parkway. The noise level measurements collected show an average daytime noise level calculated to be 58.4 dBA L_{eq} and an average nighttime noise level calculated to be 59.0 dBA L_{eq} at Location L1.

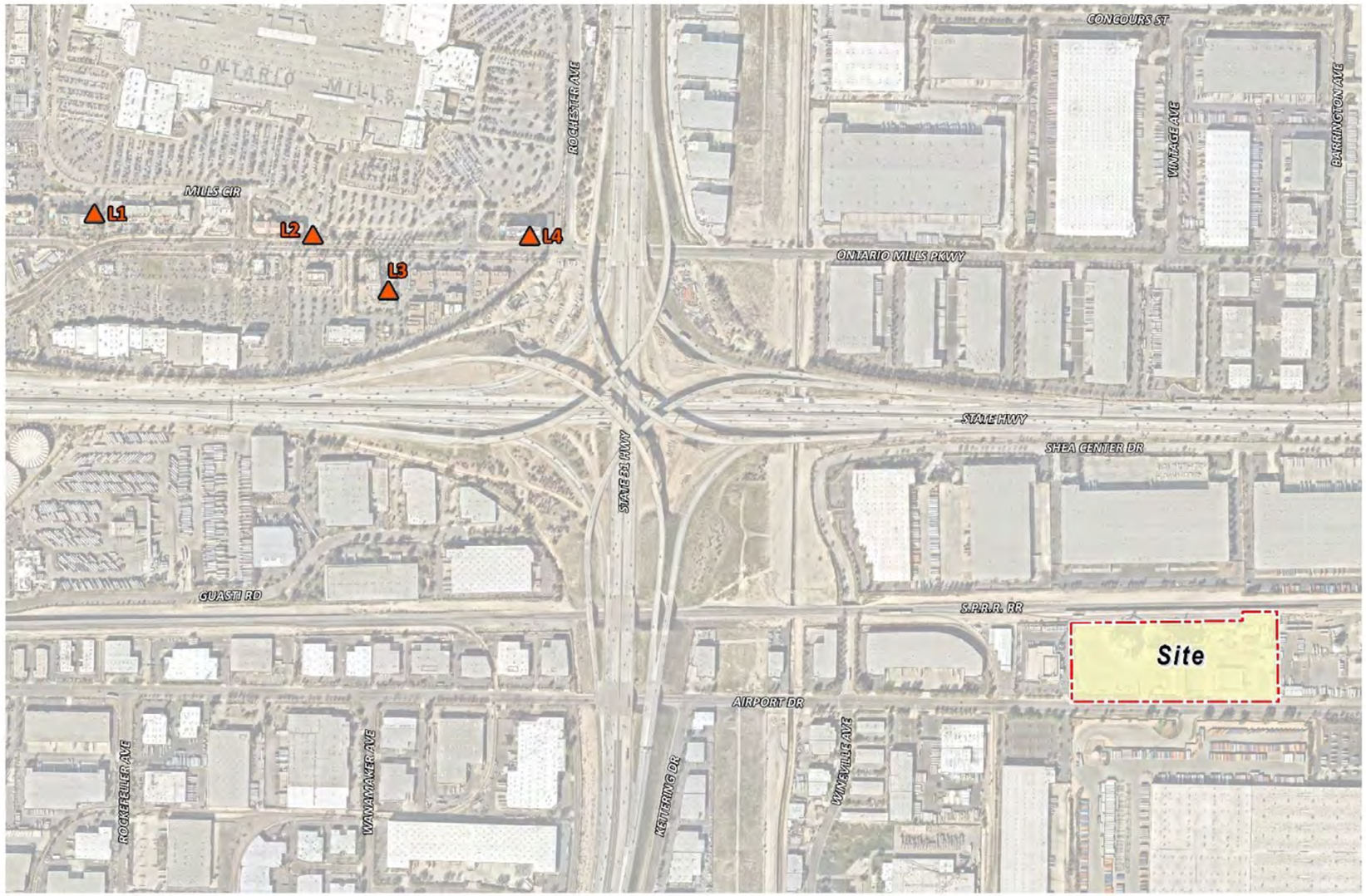
- Location L2 represents the noise levels located northwest of the Project Site near Hampton Inn & Suites Ontario at 4500 Ontario Mills Parkway. The noise level measurements collected show an average daytime noise level calculated to be 61.7 dBA L_{eq} and an average nighttime noise level calculated to be 61.3 dBA L_{eq} at Location L2.

- Location L3 represents the noise levels located northwest of the Project Site near Country Inn & Suites by Radisson, Ontario at Ontario Mills at 4674 Ontario Mills Parkway. The noise level measurements collected show an average daytime noise level calculated to be 67.1 dBA L_{eq} and an average nighttime noise level calculated to be 62.2 dBA L_{eq} at Location L3.

- Location L4 represents the noise levels located northwest of the Project Site near Hyatt Place Ontario/Rancho Cucamonga at 4760 Mills Circle. The noise level measurements collected show an average daytime noise level calculated to be 69.8 dBA L_{eq} and an average nighttime noise level calculated to be 68.2 dBA L_{eq} at Location L4. (Urban Crossroads, 2022e, p. 24)

B. Existing Airport Noise

The Project Site is located approximately 2.7 miles east of the Ontario International Airport (ONT). This places the Project Site within the ONT Airport Influence Area according to Policy Map 2-1 of the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). Within the ONT Airport Influence Area, most of the Project Site is located outside the 65 dB CNEL airport noise impact zone. (Urban Crossroads, 2022e, p. 16)



Source(s): Urban Crossroads (08-01-2022)

Figure 4.9-1

Not to Scale

Noise Measurement Locations

4.9.3 REGULATORY SETTING

The following is a brief description of the federal, state, and local environmental laws and related noise-related regulations.

A. Federal Plans, Policies, and Regulations

1. Noise Control Act of 1972

The Noise Control Act of 1972 establishes a national policy to promote an environment for all Americans free from noise that jeopardizes their health and welfare. The Act also serves to 1) establish a means for effective coordination of Federal research and activities in noise control; 2) authorize the establishment of Federal noise emission standards for products distributed in commerce; and 3) provide information to the public respecting the noise emission and noise reduction characteristics of such products. (EPA, 2021b)

While primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment. The Environmental Protection Agency (EPA) is directed by Congress to coordinate the programs of all Federal agencies relating to noise research and noise control. (EPA, 2021b)

2. Federal Transit Administration

The Federal Transit Administration (FTA) published a *Noise and Vibration Impact Assessment* (*NVIA*), which provides guidance for preparing and reviewing the noise and vibration sections of environmental documents. In the interest of promoting quality and uniformity in assessments, the manual is used by project sponsors and consultants in performing noise and vibration analyses for inclusion in environmental documents. The manual sets forth the methods and procedures for determining the level of noise and vibration impact resulting from most federally-funded transit projects and for determining what can be done to mitigate such impact. (FTA, 2006, p. 1-1)

The *NVIA* also establishes criteria for acceptable ground-borne vibration, which are expressed in terms of root mean square (rms) velocity levels in decibels and the criteria for acceptable ground-borne noise are expressed in terms of A-weighted sound levels. As shown in Table 4.9-1, *Ground-Borne Vibration and Ground-Borne Noise Impact Criteria for General Assessment*, the FTA identifies three categories of land uses and provides Ground-Based Vibration (GBV) and Ground-Based Noise (GBN) criteria for each category of land use. (FTA, 2006, pp. 8-3 and 8-4)

Table 4.9-1 Ground-Borne Vibration and Ground-Borne Noise Impact Criteria for General Assessment

Land Use Category	GBV Impact Levels (VdB re 1 micro-inch /sec)			GBN Impact Levels (dB re 20 micro Pascals)		
	Frequent Events[1]	Occasional Events[2]	Infrequent Events[3]	Frequent Events[1]	Occasional Events[2]	Infrequent Events[3]
Category 1: Buildings where vibration would interfere with interior operations.	65 VdB[4]	65 VdB[4]	65 VdB[4]	N/A[4]	N/A[4]	N/A[4]
Category 2: Residences and buildings where people normally sleep.	72 VdB	75 VdB	80 VdB	35 dBA	38 dBA	43 dBA
Category 3: Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB	40 dBA	43 dBA	48 dBA

Notes:

1. "Frequent Events" is defined as more than 70 vibration events of the same source per day. Most rapid transit projects fall into this category.
2. "Occasional Events" is defined as between 30 and 70 vibration events of the same source per day. Most commuter trunk lines have this many operations.
3. "Infrequent Events" is defined as fewer than 30 vibration events of the same kind per day. This category includes most commuter rail branch lines.
4. This criterion limit is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes. Vibration-sensitive manufacturing or research will require detailed evaluation to define the acceptable vibration levels. Ensuring lower vibration levels in a building often requires special design of the HVAC systems and stiffened floors.
5. Vibration-sensitive equipment is generally not sensitive to ground-borne noise.

Source: (FTA, 2006, Table 8-1)

3. Federal Highway Administration

The FHWA is the agency responsible for administering the Federal-aid highway program in accordance with Federal statutes and regulations. The FHWA developed the noise regulations as required by the Federal-Aid Highway Act of 1970 (Public Law 91-605, 84 Stat. 1713). The regulation, Title 23 of the United States Code of Federal Regulations Part 772 *Procedures for Abatement of Highway Traffic Noise and Construction Noise*, applies to highway construction projects where a State department of transportation has requested Federal funding for participation in the project. The regulation requires the highway agency to investigate traffic noise impacts in areas adjacent to federally-aided highways for proposed construction of a highway on a new location or the reconstruction of an existing highway to either significantly change the horizontal or vertical alignment or increase the number of through-traffic lanes. If the highway agency identifies impacts, it must consider abatement. The highway agency must incorporate all feasible and reasonable noise abatement into the project design. (FHWA, 2017)

The FHWA regulations for mitigation of highway traffic noise in the planning and design of federally aided highways are contained in 23 CFR 772. The regulations contain noise abatement criteria, which

represent the upper limit of acceptable highway traffic noise for different types of land uses and human activities. The regulations do not require meeting the abatement criteria in every instance. Rather, they require highway agencies make every reasonable and feasible effort to provide noise mitigation when the criteria are approached or exceeded. Compliance with the noise regulations is a prerequisite for the granting of Federal-aid highway funds for construction or reconstruction of a highway. (FHWA, 2017)

4. Construction-Related Hearing Conservation

The Occupational Safety and Health Administration (OSHA) hearing conservation program is designed to protect workers with significant occupational noise exposures from hearing impairment even if they are subject to such noise exposures over their entire working lifetimes. Standard 29 CFR, Part 1910 indicates the noise levels under which a hearing conservation program is required to be provided to workers exposed to high noise levels. (OSHA, 2002)

Note: This analysis does not evaluate the noise exposure of construction workers within the Project Site based on CEQA requirements, and instead, evaluates the Project-related construction noise levels at the nearby sensitive receiver locations in the Project study area. Further, periodic exposure to high noise levels in short duration, such as Project construction, is typically considered an annoyance and not impactful to human health. It would take several years of exposure to high noise levels to result in hearing impairment.

B. State Plans, Policies, and Regulations

1. State of California Noise Requirements

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city in the State adopt a General Plan that includes a Noise Element, which is to be prepared according to guidelines adopted by the Governor's Office of Planning and Research (OPR). The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels.

2. Building Standards Code

The State of California's noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, and the California Building Standards Code. These noise standards are applied to new construction in California for the purpose of controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are developed near major transportation noise sources, and where such noise sources create an exterior noise level of 60 dBA CNEL or higher. Acoustical studies that accompany building plans for noise-sensitive land uses must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL. (BSC, n.d.)

3. OPR General Plan Guidelines

Though not adopted by law, the 2017 California General Plan Guidelines, published by OPR, provides guidance for local agencies in preparing or updating General Plans. The Guidelines provide direction on the required Noise Element portion of the General Plans. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels. The OPR Guidelines state that General Plan policies and standards must be sufficient to serve as a guideline for compliance with sound transmission control requirements, and directly correlate to the Land Use, Circulation, and Housing Elements. The Guidelines also state that the Noise Element must be used to guide decisions concerning land use and the location of new roads and transit facilities since these are common sources of excessive noise levels. (OPR, 2017a, pp. 131-132) The City's General Plan (Policy Plan) addresses the topic of noise in its Safety Element. Refer below for a discussion of the City's Policy Plan.

C. Local Plans, Policies, and Regulations

1. Ontario International Airport, Airport Land Use Compatibility Plan

The Project Site is located approximately 2.7 miles west of the nearest runway at the ONT and is located within the ONT Airport Influence Area (AIA). The most recent ONT ALUCP was adopted on April 19, 2011. The ALUCP establishes safety zones, airspace protection zones, noise impact zones, and recorded overflight notification zones for areas within the ONT AIA. Most of the Project Site is located outside the 65 dB CNEL airport noise impact zone (Ontario, 2011, Map 2-3, Table 2-3). The 65 dB CNEL area does not have any restrictions for industrial or warehouse uses.

2. City of Ontario Policy Plan

The City's Policy Plan Safety Element Section S4, Noise Hazards, establishes a goal of maintaining an environment where noise does not adversely affect the public's health, safety, and welfare. To satisfy this goal, the Policy Plan identifies 6 policies related to: noise mitigation; coordination with transportation authorities; airport noise mitigation; truck traffic; roadway design; and airport noise compatibility. Noise criteria identified at Policy Plan Table LU-7 provide guidelines to evaluate land use compatibility within various noise environments (Urban Crossroads, 2022e, p. 13).

3. City of Ontario Municipal Code

- **Construction-Related Noise Standards**

Section 5-29.09 of the Ontario Municipal Code establishes the City's acceptable noise criteria for construction activities. Specifically, it states "No person, while engaged in construction, remodeling, digging, grading, demolition or any other related building activity, shall operate any tool, equipment or machine in a manner that produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a Police or Code Enforcement Officer, on any weekday except between the hours of 7:00 a.m. and 6:00 p.m. or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m" (Urban Crossroads, 2022e, p. 16).

❑ **Operational Noise Standards**

Section 5-29.04(a) of the Ontario Municipal Code identifies the allowable daytime and nighttime ambient exterior noise standards for each land use type. For Manufacturing and Industrial land uses (Noise Zone V), such as this Project, ambient exterior noise levels may not exceed 70 dBA Leq. For residential land uses (Noise Zone I), ambient exterior noise levels may not exceed 65 dBA Leq during the daytime hours (7:00 a.m. to 10:00 p.m.) and may not exceed 45 dBA Leq during the nighttime hours (10:00 p.m. to 7:00 a.m.). The lower noise level standard shall apply on the boundary between two (2) different noise zones. If the ambient noise level exceeds the resulting standard, the ambient noise level shall be the standard (Urban Crossroads, 2022e, p. 15).

4.9.4 Methodology for Calculating Project-Related Noise Impacts

A. Construction Noise Analysis Methodology

For the construction noise analysis, this construction noise analysis was prepared using reference construction equipment noise levels from the FHWA published the Roadway Construction Noise Model (RCNM), which includes a national database of construction equipment reference noise emission levels. The RCNM equipment database, provides a comprehensive list of the noise generating characteristics for specific types of construction equipment. In addition, the database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation. Table 4.9-2, *Construction Reference Noise Levels*, provides a summary of the reference noise level measurements.

Table 4.9-2 Construction Reference Noise Levels

Construction Stage	Reference Construction Activity	Reference Noise Level @ 50 Feet (dBA L_{eq})[1]	Combined Noise Level (dBA L_{eq})[2]	Combined Sound Power Level (PWL)[3]
Demolition	Demolition Equipment	82	83	115
	Backhoes	74		
	Hauling Trucks	72		
Site Preparation	Crawler Tractors	78	80	112
	Hauling Trucks	72		
	Rubber Tired Dozers	75		
Grading	Graders	81	83	115
	Excavators	77		
	Compactors	76		
Building Construction	Cranes	73	81	113
	Tractors	80		
	Welders	70		
Paving	Pavers	74	83	115
	Paving Equipment	82		
	Rollers	73		

Construction Stage	Reference Construction Activity	Reference Noise Level @ 50 Feet (dBA L_{eq})[1]	Combined Noise Level (dBA L_{eq})[2]	Combined Sound Power Level (PWL)[3]
Architectural Coating	Cranes	73	77	109
	Air Compressors	74		
	Generator Sets	70		

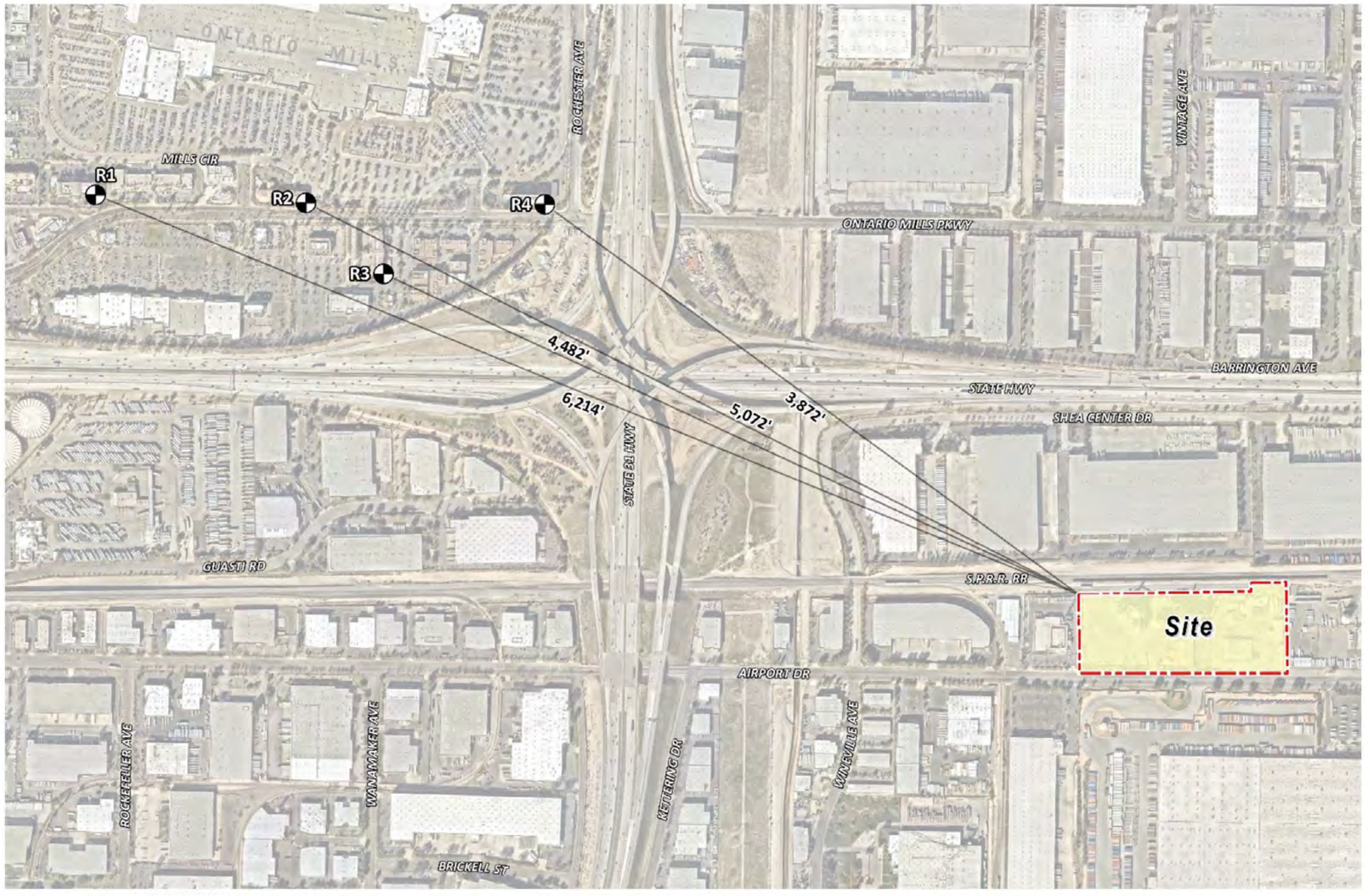
[1] FHWA Roadway Construction Noise Model (RCNM).
[2] Represents the combined noise level for all equipment assuming they operate at the same time consistent with FTA Transit Noise and Vibration Impact Assessment guidance.
[3] Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings. Sound power levels calibrated using the CadnaA noise model at the reference distance to the noise source.
Source: (Urban Crossroads, 2022e, Table 8-1)

The construction noise analysis evaluates Project construction-related noise levels at the closest nearby receiver locations in the Project study area, which are located on the opposite side of I-15 and I-10 from the Project Site. Four representative receiver locations were considered in the construction noise analysis. The receiver locations used in the construction noise analysis are shown on Figure 4.9-2, *Noise Receiver Locations*. Other sensitive land uses in the Project study area that are located at greater distances than those identified in this noise study will experience lower noise levels than those presented in this report due to the additional attenuation from distance and the shielding of intervening structures. Distance is measured in a straight line from the project boundary to each receiver location.

R1: Location R1 represents the existing noise sensitive Ayres Hotel Ontario Mills Mall at 4395 Ontario Mills Parkway, approximately 6,214 feet northwest of the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receiver R1 is placed at the building façade. A 24-hour noise measurement was taken near this location, L1, to describe the existing ambient noise environment.

R2: Location R2 represents the existing noise sensitive Hampton Inn & Suites Ontario at 4500 Ontario Mills Parkway, approximately 5,072 feet northwest of the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receiver R2 is placed at the building façade. A 24-hour noise measurement was taken near this location, L2, to describe the existing ambient noise environment.

R3: Location R3 represents the existing noise Country Inn & Suites by Radisson, Ontario at Ontario Mills at 4674 Ontario Mills Parkway, approximately 4,482 feet northwest of the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receiver R3 is placed at the building façade. A 24-hour noise measurement was taken near this location, L3, to describe the existing ambient noise environment.



Source(s): Urban Crossroads (08-01-2022)

Figure 4.9-2

Not to Scale

Noise Receiver Locations

R4: Location R4 represents the existing noise Hyatt Place Ontario/Rancho Cucamonga at 4760 Mills Circle, approximately 3,872 feet northwest of the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receiver R4 is placed at the building façade. A 24-hour noise measurement was taken near this location, L4, to describe the existing ambient noise environment.

B. Stationary Noise Analysis Methodology

For the operational stationary noise analysis, the noise impact analysis relies on reference noise level measurements collected from similar types of activities to represent the noise levels expected with the development of the Project. Consistent with similar warehouse and industrial uses, the Project business operations would primarily be conducted within the enclosed buildings, except for traffic movement, parking, as well as loading and unloading of trucks at designated loading bays. The on-site Project-related noise sources are expected to include: loading dock activity, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements.

To estimate the Project operational noise impacts, reference noise level measurements for these anticipated uses were collected by Urban Crossroads, Inc. from similar types of activities to represent the noise levels expected with the development of the proposed Project. The projected noise levels assume the worst-case noise environment with the loading dock activity, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements all operating at the same time. These sources of noise activity will likely vary throughout the day.

Table 4.9-3, *Operational Reference Noise Levels*, provides a summary of the reference noise level measurements for the types of equipment and site operations that are expected on the Project Site. All operational noise level measurements presented in Table 4.9-3 were normalized to describe a common reference distance of 50 feet. The stationary noise analysis evaluates Project-related noise levels at the nearby receiver locations in the Project study area. The receiver locations used in the stationary noise analysis are the same that are used in the construction analysis (refer to Figure 4.9-2, *Noise Receiver Locations*).

Table 4.9-3 Operational Reference Noise Levels

Noise Source[1]	Noise Source Height (Feet)	Min./ Hour[2]		Reference Noise Level (dBA L_{eq}) @ 50 Feet	Sound Power Level (dBA)[3]
		Day	Night		
Loading Dock Activity	8'	60	60	65.7	111.5
Roof-Top Air Conditioning Units	5'	39	28	57.2	88.9
Trash Enclosure Activity	5'	10	10	57.3	89.0
Parking Lot Vehicle Movements	5'	60	60	56.1	87.8
Truck Movements	8'	60	60	59.8	93.2

[1] As measured by Urban Crossroads, Inc.
[2] Anticipated duration (minutes within the hour) of noise activity during typical hourly conditions expected at the Project Site. "Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.
[3] Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings. Sound power levels calculated using the CadnaA noise model at the reference distance to the noise source.
Source: (Urban Crossroads, 2022e, Table 7-1)

C. Vibration Analysis Methodology

Vibration levels were predicted using reference vibration levels and logarithmic equations contained in the Federal Transit Administration's (FTA) 2018 publication: "Transit Noise and Vibration Impact Assessment." The vibration source levels for Project construction equipment are summarized in Table 4.9-4, *Vibration Source Levels for Construction Equipment.*

Table 4.9-4 Vibration Source Levels for Construction Equipment

Equipment	PPV (in/sec) at 25 feet
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089

Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual
Source: : (Urban Crossroads, 2022e, Table 8-5)

4.9.5 Basis for Determining Significance

According to Section XII of the CEQA Guidelines, the proposed Project would result in a significant impact to noise if the Project or any Project-related component would (OPR, 2019):

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;

b. Generation of excessive ground borne vibration or ground borne noise levels;

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

Noise level increases resulting from the Project are evaluated based on the Appendix G CEQA Guidelines. Under CEQA, consideration must be given to the magnitude of the increase, the existing baseline ambient noise levels, and the location of receivers to determine if a noise increase represents a significant adverse environmental impact. This approach recognizes that there is no single noise increase that renders the noise impact significant.

In relation to Threshold "a," Project-related construction and operational activities would be subject to the applicable noise standards established by the City's Municipal Code and Policy Plan. However, neither the Policy Plan nor the Municipal Code defines the levels at which a development project's temporary or permanent noise increases are considered substantial. Under Threshold "a," CEQA requires that consideration be given to the to the magnitude of the increase, the existing ambient noise levels, and the location of sensitive receptors in order to determine if a noise increase represents a substantial increase and thus a significant adverse environmental impact. For purposes of this EIR, the metric used to evaluate the significance of the Project's increase in ambient noise levels is adapted from the Federal Interagency Committee on Noise (FICON) and FTA. A detailed discussion of the noise exposure criteria is provided in Subsection 4.1 of the Project's noise impact analysis (refer to *Technical Appendix I*). Accordingly, in consideration of the City's Policy Plan and Municipal Code and the FICON and FTA noise exposure criteria, the Project would result in a significant noise impact during operation if any of the following conditions occur:

Project construction activities would result in a significant impact if construction noise conflicts with the City of Ontario Municipal Code (Section 5-29.09(a)) as follows:

- Project-related construction activities take place outside the permitted hours of 7:00 a.m. and 6:00 p.m. on any weekday or between the hours of 9:00 a.m. and 6:00 p.m on Saturday or Sunday.

Also, based on the FTA's Transit Noise and Vibration Impact Assessment Manual:

- Project construction noise levels would exceed the exterior 80 dBA L_{eq} daytime or nighttime noise level standards at adjacent land uses

Project operational activities would result in a significant impact if operational noise exceeds the levels allowed by the City of Ontario Municipal Code (Section 5-29.04(a)) as follows:

- If Project-related operational (stationary-source) noise levels exceed an exterior noise level of 65 dBA L_{eq}, during the daytime hours of 7:00 a.m. to 10:00 p.m., and 45 dBA L_{eq} during the nighttime hour of 10:00 p.m. to 7:00 a.m.

Also, based on FICON's noise exposure criteria:

- When the existing ambient noise levels:
  - are less than 60 dBA CNEL and the Project creates a 5 dBA CNEL or greater Project-related noise level increase; or
  - range from 60 to 65 dBA CNEL and the Project creates a 3 dBA CNEL or greater Project-related noise level increase; or
  - are greater than 65 dBA CNEL and the Project creates a 1.5 dBA CNEL or greater Project-related noise level increase; or

In relation to Threshold "b," vibration-generating activities are appropriately evaluated using the Caltrans vibration damage thresholds to assess potential temporary construction-related impacts at adjacent building locations. Accordingly, for evaluation under Threshold "b," vibration levels are considered significant if Project-related activities would:

- Create or cause to be created any vibration activity that would exceed 0.3 in/sec PPV at an adjacent land use.

Table 2-3 of the ONT ALUCP establishes noise level compatibility contour boundaries for activities on properties, like the Project Site, that are located within the ONT Noise Impact Zone. For evaluation under Threshold "c," exposure to excessive noise levels from airport operations are considered significant if:

- The Project Site is located in the 65-70 CNEL dB noise contour (or above) and indoor noise levels cannot be attenuated to a level of 50 dB CNEL.

4.9.6 Impact Analysis

Threshold a:	***Would the Project generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

The analysis presented on the following pages summarizes the Project's potential construction noise levels and operational noise levels, including operational noise that would be generated on-site as well as off-site noise that would be generated by Project-related traffic. The detailed noise calculations for the analysis presented here are provided in Appendices 7.1 and 8.1 of the Project's noise impact analysis (see *Technical Appendix I*).

A. Construction Noise Impact Analysis

Construction activities on the Project Site would proceed in 6 stages: 1) demolition; 2) site preparation; 3) grading; 4) building construction; 5) paving, and 6) application of architectural coatings. These activities would create temporary periods of noise when heavy construction equipment (i.e. trucks, concrete mixer, portable generators, power tools) is in operation and would cause a short-term increase in ambient noise levels. The Project construction noise levels at nearby receiver locations are summarized in Table 4.9-5, *Construction Equipment Noise Level Summary*.

Table 4.9-5 Construction Equipment Noise Level Summary

Receiver Location[1]	Construction Noise Levels (dBA L_{eq})						
	Demolition	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Highest Levels[2]
R1	33.6	30.6	33.6	31.6	33.6	27.6	33.6
R2	35.9	32.9	35.9	33.9	35.9	29.9	35.9
R3	37.1	34.1	37.1	35.1	37.1	31.1	37.1
R4	38.6	35.6	38.6	36.6	38.6	32.6	38.6

[1] Noise receiver locations are shown on Figure 4.9-2.
[2] Construction noise level calculations based on distance from the construction activity, which is measured from the Project Site boundary to the nearest receiver locations. CadnaA construction noise model inputs are included in Appendix 8.1.
Source: (Urban Crossroads, 2022e, Table 8-2)

To evaluate whether the Project will generate potentially significant short-term noise levels at nearest receiver locations, a construction-related daytime noise level threshold of 80 dBA L_{eq} is used as a reasonable threshold to assess the daytime construction noise level impacts. The construction noise analysis shows that the nearest receiver locations will satisfy the reasonable daytime 80 dBA Leq significance threshold during Project construction activities as shown in Table 4.9-5. Additionally, Project-related construction activities are expected to occur on weekdays (and, potentially, on Saturdays) during the hours when the City's Municipal Code does not restrict construction noise (i.e., between the hours 7:00 a.m. and 6:00 p.m. on any weekday or between the hours of 9:00 a.m. and 6:00 p.m on Saturday or Sunday). Accordingly, construction noise impacts would be less than significant.

If the Project's construction requires concrete pouring during nighttime hours, the resulting noise levels are summarized in Table 4.9-6, *Nighttime Concrete Pouring Noise Level Summary*. At all receiver locations, the Project's nighttime concrete pouring noise levels would not exceed the standards established by the City and impacts would be less than significant.

Table 4.9-6 Nighttime Concrete Pouring Noise Level Summary

Receiver Location[1]	Use	Construction Noise Levels (dBA L_{eq})		
		Paving Construction[2]	Nighttime Threshold[3]	Threshold Exceeded?[4]
R1	Residence	18.6	45	No
R2	Residence	21.2	45	No
R3	Residence	22.5	45	No
R4	Residence	24.1	45	No

[1] Noise receiver locations are shown on Figure 4.9-2.
[2] Paving construction noise level calculations based on distance from the construction noise source activity to nearby receiver locations.
[3] Exterior nighttime noise level standards as shown on Table 5-1 of the Project's noise impact analysis (refer to *Technical Appendix I*).
[4] Do the estimated Project construction noise levels exceed the nighttime construction noise level threshold?
Source: (Urban Crossroads, 2022e, Table 8-4)

B. Operational Noise Impact Analysis – Stationary Noise

Stationary (on-site) noise sources associated with long-term Project operation are expected to include idling trucks, delivery truck and automobile parking, delivery truck backup alarms, roof-top air conditioning units, loading and unloading of dry goods, and parking lot vehicle movements. The Project also is expected to generate noise during the loading and unloading of delivery trailers on-site. The daytime and nighttime Project stationary noise levels at nearby sensitive receptor locations are summarized Table 4.9-7, *Daytime Project Operational Noise Levels*, and Table 4.9-8, *Nighttime Project Operational Noise Levels*. Table 4.9-7, *Daytime Project Operational Noise Levels*, shows the Project operational noise levels during the daytime hours of 7:00 a.m. to 10:00 p.m. The daytime hourly noise levels at the off-site receiver locations are expected to range from 22.2 to 27.4 dBA L_{eq}.

Table 4.9-7 Daytime Project Operational Noise Levels

Noise Source[1]	Operational Noise Levels by Receiver Location (dBA Leq)			
	R1	R2	R3	R4
Loading Dock Activity	21.0	25.2	26.4	25.8
Roof-Top Air Conditioning Units	7.6	10.8	12.1	13.5
Trash Enclosure Activity	0.0	2.6	4.0	0.0
Parking Lot Vehicle Movements	11.5	15.6	16.9	18.5
Truck Movements	12.6	15.4	16.8	16.8
Total (All Noise Sources)	**22.2**	**26.2**	**27.4**	**27.2**

[1] See Exhibit 7-A from the Project's noise impact analysis (*Technical Appendix I*) for the noise source locations. CadnaA noise model calculations are included in Appendix 7.1.
Source: (Urban Crossroads, 2022e, Table 7-2)

Table 4.9-8, *Nighttime Project Operational Noise Levels*, shows the Project operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. The nighttime hourly noise levels at the off-site receiver locations are expected to range from 22.1 to 27.4 dBA L_{eq}.

Table 4.9-8 Nighttime Project Operational Noise Levels

Noise Source[1]	Operational Noise Levels by Receiver Location (dBA Leq)			
	R1	R2	R3	R4
Loading Dock Activity	21.0	25.2	26.4	25.8
Roof-Top Air Conditioning Units	5.2	8.4	9.7	11.0
Trash Enclosure Activity	0.0	1.7	3.0	0.0
Parking Lot Vehicle Movements	11.5	15.6	16.9	18.5
Truck Movements	12.6	15.4	16.8	16.8
Total (All Noise Sources)	**22.1**	**26.1**	**27.4**	**27.1**

[1] See Exhibit 7-A from the Project's noise impact analysis (*Technical Appendix I*) for the noise source locations. CadnaA noise model calculations are included in Appendix 7.1.
Source: (Urban Crossroads, 2022e, Table 7-3)

The daytime and nighttime Project stationary noise levels at nearby receiver locations are summarized in Table 4.9-9, *Project Operational Noise Summary – Stationary Noise*. As shown, Project stationary noise would not expose nearby receivers to unacceptable daytime or nighttime noise levels during Project operations following Project buildout. Accordingly, Project operation would not result in the exposure of receivers near the Project Site to stationary noise levels that exceed the exterior noise level standards established in the City. Impacts would be less than significant.

Table 4.9-9 Project Operational Noise Summary – Stationary Noise

Receiver Location[1]	Project Operational Noise Levels (dBA Leq)[2]		Noise Level Standards (dBA Leq)[3]		Noise Level Standards Exceeded?[4]	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	22.2	22.1	65.0	45.0	No	No
R2	26.2	26.1	65.0	45.0	No	No
R3	27.4	27.4	65.0	45.0	No	No
R4	27.2	27.1	65.0	45.0	No	No

[1] See Figure 4.9-2 for the receiver locations.
[2] Proposed Project operational noise levels as shown on Table 4.9-7 and Table 4.9-8.
[3] Exterior noise level standards, for residential land use, as shown on Table 4-1 from the Project's noise impact analysis (*Technical Appendix I*).
[4] Do the estimated Project operational noise source activities exceed the noise level standards?
"Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.
Source: (Urban Crossroads, 2022e, Table 7-4)

Noise levels that would be experienced at receiver locations when unmitigated Project-source noise is added to the ambient daytime, evening, and nighttime conditions are presented on Table 4.9-10, *Project Operational Noise Level Contributions – Daytime* and Table 4.9-11, *Project Operational Noise Level*

Contributions – Nighttime. As shown, the Project-related operational noise level increases will satisfy the operational noise level increase criteria at the nearest sensitive receiver locations. On this basis, although the Project would increase noise level in the Project vicinity, Project operational stationary-source noise would not result in a substantial temporary/periodic, or permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project. Noise impacts associated with long-term on-site operations would be less than significant.

Table 4.9-10 Project Operational Noise Level Contributions – Daytime

Receiver Location[1]	Total Project Operational Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Increase[6]	Increase Criteria[7]	Increase Criteria Exceeded?
R1	22.2	L1	58.4	58.4	0.0	5.0	No
R2	26.2	L2	61.7	61.7	0.0	5.0	No
R3	27.4	L3	67.1	67.1	0.0	1.5	No
R4	27.2	L4	69.8	69.8	0.0	1.5	No

[1] See Figure 4.9-2 for the receiver locations.
[2] Total Project daytime operational noise levels as shown on Table 4.9-7.
[3] Reference noise level measurement locations as shown on Exhibit 5-A from the Project's noise impact analysis (*Technical Appendix I*).
[4] Observed daytime ambient noise levels as shown on Table 5-1 from the Project's noise impact analysis.
[5] Represents the combined ambient conditions plus the Project activities.
[6] The noise level increase expected with the addition of the proposed Project activities.
[7] Significance increase criteria as shown on Table 4-1 from the Project's noise impact analysis.
Source: (Urban Crossroads, 2022e, Table 7-5)

Table 4.9-11 Project Operational Noise Level Contributions – Nighttime

Receiver Location[1]	Total Project Operational Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Increase[6]	Increase Criteria[7]	Increase Criteria Exceeded?
R1	22.1	L1	59.0	59.0	0.0	5.0	No
R2	26.1	L2	61.3	61.3	0.0	5.0	No
R3	27.4	L3	62.2	62.2	0.0	5.0	No
R4	27.1	L4	68.2	68.2	0.0	1.5	No

[1] See Figure 4.9-2 for the receiver locations.
[2] Total Project nighttime operational noise levels as shown on Table 4.9-8.
[3] Reference noise level measurement locations as shown on Exhibit 5-A from the Project's noise impact analysis (*Technical Appendix I*).
[4] Observed nighttime ambient noise levels as shown on Table 5-1 from the Project's noise impact analysis.
[5] Represents the combined ambient conditions plus the Project activities.
[6] The noise level increase expected with the addition of the proposed Project activities.
[7] Significance increase criteria as shown on Table 4-1 from the Project's noise impact analysis.
Source: (Urban Crossroads, 2022e, Table 7-6)

C. Off-Site Transportation Noise Impact Analysis

Traffic generated by the operation of the proposed Project will influence the traffic noise levels in surrounding off-site areas and at the Project Site. The off-site Project-related traffic represents an incremental increase to the existing roadway volumes, which is not expected to generate a barely perceptible noise level increase of 3 dBA CNEL at nearby sensitive land uses adjacent to study area roadways, since a doubling of the existing traffic volumes would be required to generate a 3 dBA CNEL increase. Due to the low traffic volumes generated by the Project, the off-site traffic noise levels generated by the Project are considered less than significant and no further analysis is required. (Urban Crossroads, 2022e, p. 36)

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

A. Construction Analysis

Construction activities on the Project Site would utilize equipment that has the potential to generate vibration. Vibration levels at sensitive receptors near the Project Site during Project construction are summarized on Table 4.9-12, *Construction Equipment Vibration Levels*. As shown, none of the receiver locations in the vicinity of the Project Site would be exposed to vibration levels that exceed the applicable significance threshold. Accordingly, Project construction would not generate excessive or substantial temporary groundborne vibration or noise levels and a less-than-significant impact would occur.

Table 4.9-12 Construction Equipment Vibration Levels

Receiver[1]	Distance to Const. Activity (Feet)[2]	Typical Construction Vibration Levels PPV (in/sec)[3]					Thresholds PPV (in/sec)[4]	Thresholds Exceeded?[5]
		Small bulldozer	Jackhammer	Loaded Trucks	Large bulldozer	Highest Vibration Level		
R1	6,214'	0.000	0.000	0.000	0.000	0.000	0.3	No
R2	5,072'	0.000	0.000	0.000	0.000	0.000	0.3	No
R3	4,482'	0.000	0.000	0.000	0.000	0.000	0.3	No
R4	3,872'	0.000	0.000	0.000	0.000	0.000	0.3	No

[1] Receiver locations are shown on Figure 4.9-2.
[2] Distance from receiver location to Project construction boundary (Project Site boundary).
[3] Based on the Vibration Source Levels of Construction Equipment (Table 4.9-4).
[4] Caltrans Transportation and Construction Vibration Guidance Manual, April 2020, Table 19, p. 38.
[5] Does the peak vibration exceed the acceptable vibration thresholds?
"PPV" = Peak Particle Velocity
Source: (Urban Crossroads, 2022e, Table 8-6)

B. Operational Analysis

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted

speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not result in the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

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

The Project Site is located approximately 2.7 miles east of ONT. The Project Site is located within the ONT Airport Influence Area but is located outside the 65 dBA CNEL airport noise impact zone. According to Table 2-3 of the ONT ALUCP, industrial land uses located outside the 65 dBA CNEL noise level contours of ONT, such as the Project, are considered *normally compatible land use.* For *normally compatible land use*, either the activities associated with the land use are inherently noisy or standard construction methods will sufficiently attenuate exterior noise to an acceptable indoor CNEL. Accordingly, the Project would be a compatible use within the ONT Noise Impact Zone and operation of the Project would not expose people working on the Project Site to excessive noise levels. The Project's impact would be less than significant.

4.9.7 Cumulative Impact Analysis

A. Construction Noise

Construction activities associated with the proposed Project, especially activities involving heavy equipment, would create intermittent periods of noise when construction equipment is in operation and cause a short-term increase in ambient noise levels. As shown in Table 4.9-5, the peak noise level anticipated during construction activities are estimated to reach a maximum noise level of 38.6 dBA L_{eq} at receiver R4 (represents the existing noise Hyatt Place Ontario/Rancho Cucamonga at 4760 Mills Circle, approximately 3,872 feet northwest of the Project Site) which does not exceed the construction noise threshold of 80 dBA Leq. Therefore, Project construction-related activities would result in less than significant noise impacts.

Because the Project's construction noise levels would be less than significant, construction noise would be temporary in nature, and the Project and other cumulative projects would not combine with Project-related construction; cumulative construction impacts would be less than significant.

B. Stationary Noise

The analysis presented for Threshold "a" addresses the Project's contribution of noise to existing cumulative noise sources (i.e., ambient noise) in the Project area. As previously shown in this Subsection, the Project's noise contribution would not be perceptible to noise-sensitive receptors in the Project area during daytime or nighttime hours. The Project's permanent stationary noise impacts would not be cumulatively-considerable.

C. *Traffic Noise*

The analysis presented under Threshold "a" evaluates the Project's traffic noise contribution along study area roadways. As summarized in that analysis, due to the low traffic volumes generated by the Project, the off-site traffic noise levels generated by the Project are considered less than significant, therefore, would not be cumulatively-considerable under near- or long-term conditions.

D. *Groundborne Vibration and Noise*

During construction, the Project's peak vibration impacts would occur during the grading phase when large pieces of equipment, like bulldozers, are operating on-site. (During the non-grading phases of Project construction, when smaller pieces of equipment are used on-site, the Project's vibration would be minimal.) Vibration effects diminish rapidly from the source; therefore, the only reasonable sources of cumulative vibration in the vicinity of the Project Site could occur on properties abutting these sites. As described above, there are no known active or pending construction projects abutting the Project Site that would overlap with the Project's proposed construction schedule. Accordingly, there is no potential for the Project to contribute to the exposure of persons to substantial temporary groundborne vibration or noise.

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not cumulatively-contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

E. *Airport Noise*

The Project would not involve the construction, operation, or use of any public airports or public use airports. There are no conditions associated with implementation of the Project that would contribute airport noise or exposure of additional people to unacceptable levels of airport noise. Accordingly, the Project would have no potential to cumulatively-contribute to impacts associated with noise from a public airport, public use airport, or private airstrip. Additionally, the Project Site and the immediately surrounding area are not subject to substantial airport- or air traffic-related noise. Accordingly, there is no potential for cumulative development to expose persons residing or working in the Project area to excessive airport-related noise levels.

4.9.8 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The Project would generate short-term construction and long-term operational noise but would not generate noise levels that exceed the threshold standards.

Threshold b: Less-than-Significant Impact. The Project's construction and operational activities would not result in a perceptible groundborne vibration or noise.

Threshold c: Less-than-Significant Impact. The proposed Project would be compatible with noise levels from the ONT and operation of the Project would not expose future employees on the Project Site to excessive noise levels.

4.9.9 MITIGATION

Project impacts would be less than significant and mitigation is not required.

4.10 TRANSPORTATION

This Subsection assesses transportation impacts resulting from implementation of the Project. In accordance with Senate Bill (SB) 743, further discussed under Subsection 4.10.2 below, the California Natural Resources Agency (CNRA) adopted changes to the CEQA Guidelines in December 2018, which identify that starting on July 1, 2020, vehicle miles traveled (VMT) is the appropriate metric to evaluate a project's transportation impacts. As of December 2018, when the revised CEQA Guidelines were adopted, automobile delay, as measured by "level of service" (LOS) and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts.

The analysis in this Subsection is based primarily on information contained in the technical report prepared by Urban Crossroads titled "5355 East Airport Drive Vehicle Miles Traveled Analysis" and dated January 3, 2023, and is provided as *Technical Appendix J* to this EIR (Urban Crossroads, 2023a). In addition, a trip generation assessment prepared by Urban Crossroads, dated January 3, 2023, was used in this analysis and is included as *Technical Appendix K* to this EIR (Urban Crossroads, 2023b).

4.10.1 EXISTING TRANSPORTATION SETTING

A. Existing Roadway System

The Project Site is located north of East Airport Drive, which is classified as a Minor Arterial under the Policy Plan (Ontario, 2022a). According to the City's Functional Roadway Classification Plan, minor arterials accommodate less traffic and are for trips of moderate length. Minor Arterials allow a greater level of access to abutting properties so speeds are lower than Other Principal Arterials. Minor Arterials connect our community but ideally should not penetrate residential neighborhoods. The roadway configuration and right-of-way width vary depending on local conditions, but typically accommodate 4 to 6 lanes of traffic and medians. Existing traffic on East Airport Drive consists of both passenger vehicles and trucks passing through the area and accessing nearby land uses.

The primary regional vehicular travel routes serving the Project area are I-10 and I-15, which are located approximately 0.2-mile north and 0.4-mile west of the Project Site, respectively. The Project Site is located approximately 0.4-mile (driving distance) west of the N. Etiwanda Avenue on/off-ramp to I-10 and 3-mile (driving distance) northeast of the Jurupa Avenue on/off-ramp to I-10.

B. Existing Vehicle Miles Traveled

Based on The Ontario Plan, average VMT in the City per service population is 27.61 miles (Urban Crossroads, 2023a).

C. Existing Trip Generation

The Project Site is currently occupied and operating as a grain processing company and corn storage and distribution facility with warehousing space totaling 41,780 square feet. In an effort to understand the existing traffic associated with the current use, traffic counts were collected at the Project Site's

driveways on Tuesday, March 1, 2022 through Thursday, March 3, 2022. Table 4.10-1, *Existing Trip Generation Summary*, summarizes the trip generation by day and the average existing trip generation based on the count data collected over two days. The existing uses on the site generate an average of 316 two-way trips per day, with 30 trips during the AM peak hour and 2 trips during the PM peak hour (in actual vehicles) (Urban Crossroads, 2023b).

Table 4.10-1 Existing Trip Generation Summary

Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Average Existing Trip Generation							
Passenger Cars:	11	7	18	0	1	1	209
2-axle Trucks:	2	2	4	0	0	0	17
3-axle Trucks:	0	0	0	0	0	0	6
4+axle Trucks:	3	4	8	1	0	1	84
Total Truck Trips:	6	6	12	1	0	1	107
Total Trips[1]	**17**	**13**	**30**	**1**	**1**	**2**	**316**

[1] Total Trips = Passenger Cars + Truck Trips.
Source: (Urban Crossroads, 2023b, Table 1)

D. Existing Truck Routes

The City designates two roadways as "truck routes" in the Project Site vicinity: East Airport Drive (which abuts the Project Site on the south) and Etiwanda Avenue (which is located approximately 0.4-mile east of the Project Site) (Ontario, 2022a).

E. Existing Transit Routes

Public transit service in the region is provided by Omnitrans, a public transit agency that serves various jurisdictions within San Bernardino County. There are no public transit routes that run adjacent to the Project Site under existing conditions. The nearest transit routes to the Project Site are Route 61 which has a stop located along Fourth Street, approximately 0.9 mile north of the Project Site and Route 82 which has a stop located at South Etiwanda and Jurupa Avenue, approximately 1.2 miles southeast of the Project Site.

F. Existing Bicycle and Pedestrian Facilities

There are no existing bicycle facilities within the vicinity of the Project Site. The closest bike route to the Project Site is a Class III bike route located along Ontario Mills Parkway, approximately 0.4 miles north of the Project Site on the opposite side of the freeway. There are no sidewalks on either side of East Airport Drive, with the exception of a small portion along the adjacent development frontage directly to the west at 5351 East Airport Drive.

4.10.2 Regulatory Setting

A. State Plan, Policies, and Regulations

1. Senate Bill 743

SB 743, which was codified in Public Resources Code Section 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to Public Resources Code Section 21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." To that end, in developing the criteria, the California Office of Planning and Research (OPR) proposed, and the CNRA certified and adopted changes to the CEQA Guidelines in December 2018, which entailed changes to the thresholds of significance for the evaluation of impacts to transportation. The updated CEQA Guidelines include the addition of CEQA Guidelines Section 15064.3, of which Subdivision b establishes criteria for evaluating a project's transportation impacts based on project type and using automobile VMT as the metric.

B. Regional Plan, Policies, and Regulations

1. SCAG Regional Transportation Plan/Sustainable Communities Strategy

On September 3, 2020, SCAG's Regional Council approved and adopted the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy ("Connect SoCal"). Connect SoCal is the applicable Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) for the Project. The goals of Connect SoCal are to: 1) Encourage regional economic prosperity and global competitiveness; 2) Improve mobility, accessibility, reliability, and travel safety for people and goods; 3) Enhance the preservation, security, and resilience of the regional transportation system; 4) Increase person and goods movement and travel choices within the transportation system; 5) Reduce greenhouse gas emissions and improve air quality; 6) Support healthy and equitable communities; 7) Adapt to a changing climate and support an integrated regional development pattern and transportation network; 8) Leverage new transportation technologies and data-driven solutions that result in more efficient travel; 9) Encourage development of diverse housing types in areas that are supported by multiple transportation options; and 10) Promote conservation of natural and agricultural lands and restoration of habitats. Performance measures and funding strategies also are included to ensure that the adopted goals are achieved through implementation of the RTP.

2. San Bernardino County Congestion Management Program

The San Bernardino County Congestion Management Program (CMP) was prepared by the San Bernardino Associated Governments (since re-named as the San Bernardino County Transportation Authority, SBCTA). The intent of the CMP is to create a link between land use, transportation, and air quality planning decisions and to prompt reasonable growth management programs that would more effectively utilize new and existing transportation funds to alleviate traffic congestion and related impacts and improve air quality. The San Bernardino CMP was first adopted in November 1992 and has since been updated 12 times, with the most recent comprehensive update in June 2016. None of

the roadways in the immediate vicinity of the Project Site are part of the San Bernardino CMP roadway network.

C. Local Plan, Policies, and Regulations

1. Policy Plan Mobility Element

The Policy Plan, part of The Ontario Plan 2050, serves as the City's General Plan. The Policy Plan Mobility Element provides overall guidance for the City's responsibility to satisfy the local and subregional mobility needs of our residents, visitors and businesses while maintaining the quality of life. The Mobility Element addresses access and connectivity among the various neighborhoods, villages and districts and a range of mobility options, including vehicular, trucking, freight and passenger rail, air, pedestrian, bicycle, and transit. The Mobility Element goals and policies applicable to the Project are addressed later in this Subsection (see analysis under Threshold "a").

2. San Bernardino County Measure "I"

Measure "I," a one-half of one percent sales tax on retail transactions, was approved by San Bernardino County voters in 1989 and extended by County voters in 2004 to remain effective through the year 2040. While Measure "I" is a self-executing sales tax, it bears discussion here because the funds raised through Measure "I" have funded in the past and will continue to fund new transportation facilities in San Bernardino County, including within the City. The revenue generated by Measure "I" is to be used to fund transportation projects including, but not limited to, roadway improvements, commuter rail, public transit, and other identified improvements. Revenues collected through local traffic impact fee programs are used in tandem with regional Measure "I" revenues to fund projects identified in the SANBAG Development Mitigation Nexus Study, which is included as Appendix G to the San Bernardino County CMP.

3. City of Ontario Development Impact Fee (DIF) Program

The City of Ontario created its Development Impact Fee (DIF) program to impose and collect fees from new residential, commercial, and industrial development for the purpose of funding local improvements necessary to accommodate the growth of new residents and businesses. The DIF program include fees for the General City and Ontario Ranch areas of the City. Fees are collected by the City's Building Department at the time of building permit issuance.

4.10.3 Basis for Determining Significance

According to Section XVI of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant transportation impact if the Project or any Project-related component would (OPR, 2019):

a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;

b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b);

c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);

d. Result in inadequate emergency access?

4.10.4 IMPACT ANALYSIS

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

This response provides an analysis of a project's potential to conflict with plans, programs, ordinances, or policies that address the circulation system, including transit, roadway, bicycle, and pedestrian facilities. A project that generally conforms with, and does not obstruct, applicable development plans, programs, ordinances, and policies is considered to be consistent. The transportation plans, policies, programs, ordinances, and standards that are relevant to the Project are identified in the analysis below. For context, the Project is expected to generate approximately 160 more vehicle trips than are being generated by the uses at the Project Site under existing conditions. (Urban Crossroads, 2023a)In order to develop the traffic characteristics of the proposed Project, trip-generation statistics published in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021) for the proposed Project's land uses was utilized. For purposes of the trip generation assessment, the following ITE land use codes were used:

- ITE land use code 150 (Warehousing)
- ITE land use code 157 (High-Cube Cold Storage Warehouse)

As shown in Table 4.10-2, *Project Trip Generation*, the proposed Project is anticipated to generate 476 vehicle trip-ends per day with 42 AM peak hour trips and 46 PM peak hour trips.

Table 4.10-2 Project Trip Generation

Land Use	Quantity Units[1]	AM Peak Hour			PM Peak Hour			Daily
		In	Out	Total	In	Out	Total	
Actual Vehicles								
Warehousing	243.339 TSF							
Passenger Cars:		29	7	36	8	28	36	270
2-axle Trucks:		0	0	0	1	0	1	24
3-axle Trucks:		0	1	1	1	1	2	30
4+axle Trucks:		2	1	3	2	2	4	92
Total Truck Trips (Actual Vehicles):		2	2	4	4	3	7	146
Warehousing Trips (Actual Vehicles)[2]								
High-Cube Cold Storage	27.038 TSF							
Passenger Cars:		2	0	2	1	2	3	38
2-axle Trucks:		0	0	0	0	0	0	8

Land Use	Quantity Units[1]	AM Peak Hour			PM Peak Hour			Daily
		In	Out	Total	In	Out	Total	
3-axle Trucks:		0	0	0	0	0	0	2
4+axle Trucks:		0	0	0	0	0	0	12
Total Truck Trips (Actual Vehicles):		0	0	0	0	0	0	22
High-Cube Cold Storage Trips (Actual Vehicles)[2]		2	0	2	1	2	3	60
Passenger Cars		31	7	38	9	30	39	308
Trucks		2	2	4	4	3	7	168
Total Trips[2]		**33**	**9**	**42**	**13**	**33**	**46**	**476**

[1] Total Trips = Passenger Cars + Truck Trips.
Source: (Urban Crossroads, 2023b, Table 3)

Taking into consideration that the existing structures proposed for demolition generate 316 daily trips (see Table 4.10-1), the net number of new trips that would be generated by the Project is 160 trips with 12 AM peak hour trips and 44 PM peak hour trips above the trips generated by existing uses. The comparison is shown below in Table 4.10-3, *Project Net New Daily Trips.*

Table 4.10-3 Project Net New Daily Trips

Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Actual Vehicles:							
Existing Use							
Passenger Cars:	11	7	18	0	1	1	209
Trucks:	6	6	12	1	0	1	107
Existing Trips (Actual Vehicles)[2]	**17**	**13**	**30**	**1**	**1**	**2**	**316**
Proposed Project							
Passenger Cars:	31	7	38	9	30	39	308
Trucks	2	2	4	4	3	7	168
High-Cube Cold Storage Trips (Actual Vehicles)[2]	33	9	42	13	33	46	476
Passenger Cars	20	0	20	9	29	38	99
Trucks	-4	-4	-8	3	3	6	61
Total Trips[2]	**16**	**-4**	**12**	**12**	**32**	**44**	**160**

[1] Total Trips = Passenger Cars + Truck Trips.
Source: (Urban Crossroads, 2023a, Table 5)

B. Connect SoCal

The fundamental goals of SCAG's Connect SoCal are to make the SCAG region a better place to live, work, and play for all residents regardless of race, ethnicity, or income class. As shown in Table 4.10-4, *SCAG's Connect SoCal Goal Consistency Analysis*, the Project would not conflict with any applicable goals and policies of SCAG's regional planning program. As such, Project impacts would be less than significant.

Table 4.10-4 SCAG's Connect SoCal Goal Consistency Analysis

Goals	Goal Statement	Project Consistency Discussion
1	Encourage regional economic prosperity and global competitiveness.	No conflict identified. This policy would be implemented by cities and the counties within the SCAG region as part of comprehensive local and regional planning efforts. The Project would improve the regional economy by redeveloping the property with a use that supports the regional supply chain, create new jobs, and creates a new regional income source that would increase the local tax base.
2	Improve mobility, accessibility, reliability, and travel safety for people and goods.	No conflict identified. The Project Applicant would improve the segment of East Airport Drive that abuts the Project Site with a new sidewalk, thereby improving local mobility and travel safety. Additionally, there are no components of the Project that would foreseeably result in substantial safety hazards to motorists or pedestrians, as discussed under threshold c below.
3	Enhance the preservation, security, and resilience of the regional transportation system.	No conflict identified. This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. The Project would have no adverse effect on such planning or maintenance efforts. This policy provides guidance to the City of Ontario to monitor the transportation network and to coordinate with other agencies as appropriate. The Project would not conflict with the City's transportation network or the City's coordination with other agencies.
4	Increase person and goods movement and travel choices within the transportation system.	No conflict identified. The Project involves development of a warehouse distribution facility within a developed industrial area, along a designated truck route, and in close proximity to the State highway system, which would avoid or shorten truck-trip lengths on other roadways. The Project would promote an improved quality of life by constructing infill redevelopment near regional transportation/transit corridors, which would reduce vehicle trips, vehicle miles traveled, and air pollution. The Project would construct roadway frontage improvements, including sidewalks which would encourage walking in the Project area.

Goals	Goal Statement	Project Consistency Discussion
5	Reduce greenhouse gas emission and improve air quality.	No conflict identified. The Project would have a less than significant impact under the topics of *Air Quality* (refer to EIR Subsection 4.2) and *Greenhouse Gas Emissions* (refer to EIR Subsection 4.6). Additionally, and as discussed in EIR Section 3.0, *Project Description*, and Subsection 4.4, *Energy*, the Project would incorporate various measures required by the California Green Building Standards Code (CALGreen) related to building design, landscaping, and energy systems to promote the efficient use of energy. The Project also would construct frontage improvements, including sidewalks which would encourage walking in the Project area.
6	Support healthy and equitable communities.	No conflict identified. The proposed building design would support the health of occupants and users by using non-toxic building materials and finishes, and by using windows to maximize natural light and ventilation.
7	Adapt to a changing climate and support an integrated regional development.	No conflict identified. *Connect SoCal* indicates that since the adoption of the *Connect SoCal*, there have been significant drivers of change in the goods movement industry including emerging and new technologies, more complex supply chain strategies, evolving consumer demands and shifts in trade policies. Warehouse distribution and e-commerce continues to be one of the most influential factors shaping goods movement. The Project involves the redevelopment of the Project Site, historically used for corn storage and grain mill with a warehouse facility that would diversify the City of Ontario's economy and bring employment opportunities closer to the local workforce. Co-locating jobs near housing reduces greenhouse gas emissions caused by long commutes and contributes to integrated development patterns.
8	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	No conflict identified. *Connect SoCal* indicates that the advancement of automation is expected to have considerable positive impacts throughout regional supply chains. Notably, warehouses, such as the building proposed with the Project, are increasingly integrating automation to improve operational efficiencies in response to the surge in direct-to-consumer e-commerce. Additionally, continued developments and demonstrations of electric-powered and automated truck technologies will

Goals	Goal Statement	Project Consistency Discussion
		alter the goods movement environment with far-reaching effects ranging from employment to highway safety. The Project would meet contemporary industry standards to support advancements in these and other transportation technologies.
9	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	Not applicable. The Project is located in an area designated for employment-generating uses and is not planned for housing.
10	Promote conservation of natural and agricultural lands and restoration of habitats.	Not applicable. The Project Site is completely disturbed and developed under existing conditions and has been so for at least 49 years. The entire Project Site is developed and there are no natural habitat or agricultural land onsite.

Source: (SCAG, 2020a, p. 9)

C. City of Ontario Policy Plan

The following provides an analysis of the Project's consistency with applicable goals and policies of the Policy Plan. As demonstrated in Table 4.10-5, *Mobility Element Policy Consistency Analysis*, the Project would not conflict with the City's Mobility Element, and impacts associated with conflict of an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities would be less than significant.

Table 4.10-5 Mobility Element Policy Consistency Analysis

Policy	Project Consistency
Goal M-1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.	
Policy M-1.1 Roadway Design and Maintenance. We require our roadways to: 1. Comply with federal, state and local design and safety standards; 2. Meet the needs of multiple transportation modes and users; 3. Handle the capacity envisioned in the Functional Roadway Classification Plan; 4. Be maintained in accordance with best practices; 5. Be compatible with the streetscape and surrounding land uses; and 6. Promote the efficient flow of all modes of traffic through the implementation of intelligent transportation systems and travel demand management strategies.	No conflict identified. As a standard condition of approval, the Project would comply with all applicable federal, State, and local design and safety standards. In addition, the Project would provide sidewalks for pedestrian access and bike racks to meet the needs of multiple transportation modes and users. The Project area is generally surrounded by industrial uses and the Project has been designed to be compatible with the streetscape and surrounding land uses.
Policy M-1.2 Mitigation of Impacts. We require development to mitigate its traffic impacts.	No conflict identified. As discussed in Threshold b, the Project would result in a significant VMT impact.

Policy	Project Consistency
	There are mitigation measures available to reduce VMT impacts; however, the effectiveness of these measures are dependent on a yet unknown building tenant(s) and reductions cannot be guaranteed. Therefore, Project's VMT impacts would remain significant and unavoidable. The State adopted VMT as a measurement of transportation impacts in compliance with SB 743, which was codified in Public Resources Code Section 21099. Pursuant to Section 21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions [GHG], the development of multimodal transportation networks, and a diversity of land uses." In other words, the significance of VMT impacts has a direct correlation to GHG impacts. As concluded in EIR Subsection 4.6, *Greenhouse Gas Emissions*, the Project would have a less than significant greenhouse gas emissions impact. Inconsistency with a goal or policy of an applicable plan is not itself an environmental impact. Such an inconsistency may indicate a likelihood of an environmental impact or to support such a conclusion, but an inconsistency is not inherently an environmental impact itself. Further, it is well-established in CEQA case law that a project does not have to be consistent with each and every goal or policy in a plan to be found consistent with the overall intent of the plan. In this case, although the Project would result in a significant VMT impact, the Project's GHG impact is less than significant. As such, no significant physical environmental effect would result from the Project exceeding the City's baseline VMT.
Goal M-2: A system of trails and corridors that facilitate and encourage active modes of transportation.	
Policy M-2.2: Bicycle System. We provide off-street multipurpose trails and Class II bikeways as our preferred paths of travel and use the Class III for connectivity in constrained circumstances. When truck routes and bicycle facilities share a right-of-way, we prefer Class I or Class IV bicycle facilities. We require new development to include bicycle facilities, such as bicycle parking and secure storage areas.	No conflict identified. The Project Site is not located along a bikeway. The closest bikeway to the Project Site is located at Ontario Mills Parkway. The Project would be confined to the Project Site and would not conflict within the existing bikeways. In addition, the Project would provide bike racks in accordance with CALGreen requirements to accommodate bicycle access to and from the Project site.
Policy M-2.3: Pedestrian Walkways. We require streets to include sidewalks and visible crosswalks at major intersections where necessary to promote safe and comfortable mobility between residential areas, businesses,	No conflict identified. The Project Site's features (buildings, parking areas, etc.) would be connected by ADA compliant sidewalks and striped crosswalks within the parking areas to the existing ensure pedestrian access throughout Project Site.

Policy	Project Consistency
schools, parks, recreation areas, and other key destination points.	Additionally, the Project would install sidewalk on East Airport Drive.
Goal M-4: An efficient flow of goods through the City that maximizes economic benefits and minimizes negative impacts.	
Policy M-4.1: We designate and maintain a network of City truck routes that provide for the safe and efficient transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses, as shown on Exhibit M-04, Truck Routes. We will minimize conflicts on truck routes through the design and implementation of buffers between travel lanes and pedestrian and bicycle facilities on designated truck routes.	No conflict identified. According to the Exhibit M-04, the closest truck route to the Project Site is East Airport Drive, which abuts the Project Site to the south. Trucks servicing the Project would reasonably not utilize City roads that prohibit truck traffic. The Project's trucks would be required to travel on designated truck routes to minimize negative impacts to local circulation and noise-sensitive land uses.
Policy M-4.4: Environmental Considerations. We support both local and regional efforts to reduce/eliminate the negative environmental impacts of goods movement through the planning and implementation of truck routing and the development of a plan to evaluate the future needs of clean fueling/recharging and electrified truck parking.	No conflict identified. The Project Site located in an area designated for industrial uses and within close proximity to I-10 and I-15, which are major transportation facilities. The proposed building would accommodate the movement of goods throughout the region, which would shorten the length of vehicular trips and increase the reliability of the movement of goods throughout the region.

Threshold b: ***Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?***

Changes to State CEQA Guidelines were adopted in December 2018, which requires all lead agencies to adopt vehicle miles traveled (VMT) as a replacement for automobile delay-based level of service (LOS) as the new measurement for identifying transportation impacts for land use projects. This statewide mandate took effect on July 1, 2020. To aid in this transition, the Governor's Office of Planning and Research (OPR) released a Technical Advisory on Evaluating Transportation Impacts in CEQA. Based on the Technical Advisory, the City of Ontario has developed and adopted their own VMT methodologies and thresholds, which were adopted by City Council in June 2020.

City Guidelines identify projects that meet certain VMT screening criteria may be presumed to result in a less than significant transportation impact. The City of Ontario utilizes the San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool. The Screening Tool allows users to select an assessor's parcel number (APN) to determine if a project's location meets one or more of the screening thresholds for land use projects identified in the City Guidelines. The City Guidelines lists the following VMT screening criteria:

- Transit Priority Area (TPA) Screening
- Low VMT Area Screening
- Project Type Screening

A land use project need only meet one of the above screening criteria to result in a less than significant impact.

A. TPA Screening

Consistent with guidance identified in the City Guidelines, projects located within a Transit Priority Area (TPA) (i.e., within ½ mile of an existing "major transit stop" or an existing stop along a "high-quality transit corridor") may be presumed to have a less than significant impact absent substantial evidence to the contrary. However, the presumption may not be appropriate if a project:

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

The Screening Tool was utilized to locate the Project Site and its proximity to a TPA. The Project Site is not located within ½ mile of an existing major transit stop, or along a high-quality transit corridor. Therefore, the Project would not meet the TPA Screening threshold.

B. Low VMT Area Screening

As noted in the Technical Advisory, "Residential and office projects that locate in areas with low VMT and that incorporate similar features (density, mix of uses, and transit accessibility) will tend to exhibit similarly low VMT." The City Guidelines state that projects may be presumed to have a less than significant VMT impact if located in an already low VMT generating traffic analysis zones (TAZs) that generates a VMT per service population (SP) that does not exceed the Citywide average under General Plan Buildout condition VMT per service population. The Screening Tool uses the sub-regional San Bernardino Transportation Analysis Model (SBTAM) to measure VMT performance within individual TAZ's within the region. The Project's physical location based on parcel number is selected in the Screening Tool to determine the TAZ in which the Project will reside. The Project's TAZs VMT per service population was compared to Citywide average buildout VMT per service population. The parcel containing the Project was selected and the Screening Tool was run for origin-destination (OD) VMT per service population, and results showed the Project is not located within a low VMT generating zone. Therefore, the Project would not meet the Low VMT Area Screening threshold.

C. Project Type Screening

The City Guidelines identify that local serving retail less than 50,000 square feet or other local serving essential services (e.g., day care centers, public schools, medical/dental office buildings, etc.) are presumed to have a less than significant impact absent substantial evidence to the contrary. The Project as intended does not contain any local serving uses. Additionally, the City Guidelines state that small projects generating fewer than 110 daily vehicle trips or less may be presumed to have a less than significant impact, subject to discretionary approval by the City. As shown in Table 4.10-1, the Project currently generates an average of 316 vehicle trips per day. Trips generated by the Project's proposed land uses have been estimated based on trip generation rates collected by the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, 2021. The Project is anticipated to generate 476 daily vehicle trip-ends per day. Therefore, the Project is anticipated to generate 160 net new average daily trips, exceeding the 110 daily vehicle trip threshold, and the Project would not meet the Project Type Screening threshold.

D. VMT Analysis

As the Project was not found to meet any of the aforementioned VMT screening criteria, a project level VMT analysis (*Technical Appendix J* to this EIR) was prepared to assess the Project's potential impact to VMT. Consistent with City Guidelines and standard VMT calculation methods, total VMT is calculated from SBTAM's OD trip matrices and then divided by a project's service population to derive the VMT efficiency metric VMT per service population. Table 4.10-6, *Total VMT*, presents Project-generated total VMT calculated as the total of passenger car, light-duty, medium-duty, and heavy-duty truck trips.

Table 4.10-6 Total VMT

	Base Year (2016)	Buildout Year (2050)	Baseline (2022)
Automobile VMT	4,337	3,939	4,299
Truck VMT	3,278	4,085	3,357
Total VMT	7,616	8,025	7,655

Source: (Urban Crossroads, 2023a, Table 8)

The City Guidelines have identified following recommended threshold: a significant impact would occur if the project VMT per Service Population exceeds the Citywide average for Service Population under General Plan Buildout Conditions. The Project's baseline and buildout VMT per service population is calculated by dividing by the total VMT the service population or in this case the number of employees generated[1]. As shown in Table 4.10-7, *Project VMT per Service Population*, the City of Ontario has identified a VMT per SP significance threshold of 27.61, which is the City of Ontario's General Plan Buildout with the TOP model. As shown below, the Project would exceed the City's VMT per SP impact threshold for both the baseline and TOP buildout conditions (Urban Crossroads, 2023a). Therefore, impacts would be significant.

[1] According to Southern California Association of Governments' (SCAG's) Employment Density Study, the Project would generate approximately 226 employees.

Table 4.10-7 Project VMT per Service Population

	Baseline	Buildout Year
Impact Threshold	27.61	27.61
Project	33.84	35.47
Percent Change	+22.56%	+28.47%
Potentially Significant?	Yes	Yes

Source: (Urban Crossroads, 2023a, Table 10)

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

The Project's potential to increase hazards as a result of a geometric design feature has been assessed to provide adequate truck access/circulation. The Project's circulation plan is designed to be compatible with all foreseeable vehicles. Vehicular access would be provided via two driveways that would connect with East Airport Drive. Both driveways would include enhanced decorative paving and would provide inbound/outbound access for passenger vehicles and trucks. The driveways are designed as 40 feet wide to accommodate the wide turning radius of the heavy trucks.

The types of traffic generated during operation of the Project (i.e., passenger cars and trucks) would be compatible with the type of traffic generated by surrounding development. All proposed improvements within the public right-of-way would be installed in conformance with City design standards. If any component of Project construction would occur in the public right-of-way and require the partial or full closure of a sidewalk and/or travel lane, all work would be required to adhere to the applicable construction control practices that are specified in the *State of California Department of Transportation Construction Manual and the California Manual on Uniform Traffic Control Devices*, to minimize potential safety hazards. The City of Ontario Engineering Department reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced within the City public right-of-way through implementation of the Project. At the time of final grading, landscape, and street improvement plans, the City will review project access points to ensure adequate sight distance. Based on the foregoing information, the Project's construction and operation would not create or substantially increase safety hazards due to a design feature or incompatible use and impacts would be less than significant.

Threshold d: ***Would the Project result in inadequate emergency access?***

The Project is designed to provide access for all emergency vehicles and meet all applicable City of Ontario Fire and Police Department access requirements to ensure that adequate access would be provided for emergency vehicles at Project build out. During construction activities that include road and sidewalk improvements, the Project would provide adequate emergency access along abutting roadways during temporary construction activities within the public right-of-way. Any Project construction activities that would occur within the East Airport Drive public right-of-way and requires a partial or full closure of a sidewalk or vehicle travel lane would require a traffic control plan that

complies with the *California Manual on Uniform Traffic Control Devices* and that must be approved by the City of Ontario to ensure that emergency response is not adversely affected. As a result, the Project would not a less than significant impact to emergency access.

4.10.5 Cumulative Impact Analysis

As described under the response to Threshold "a," the Project would not conflict with an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities and, thus, would not cumulatively contribute to a conflict or obstruction with an applicable transportation-related program.

The City Guidelines, consistent with OPR's Technical Advisory states that cumulative impacts on VMT "… metrics such as VMT per capita or VMT per employee, i.e., metrics framed in terms of efficiency (as recommended below for use on residential and office projects), cannot be summed because they employ a denominator. A project that falls below an efficiency-based threshold that is aligned with long-term goals and relevant plans has no cumulative impact distinct from the project impact. Accordingly, a finding of a less than significant project impact would imply a less than significant cumulative impact and vice versa. This is similar to the analysis typically conducted for greenhouse gas emissions, air quality impacts, and impacts that utilize plan compliance as a threshold of significance." Since the Project was found to have a significant and unavoidable impact at the project level, it is considered to be cumulatively-considerable and therefore to have a significant cumulative impact as well.

The Project would not contribute to a significant cumulative impact under the topics discussed under Thresholds "c" and "d" because the Project would not cause or exacerbate existing transportation design safety concerns or adversely affect emergency access and there are no cumulative development projects adjacent to the Project Site that could contribute additive effects that could degrade motor vehicle or pedestrian safety or emergency vehicle access in proximity to the Project Site.

4.10.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The Project would not conflict with an applicable program, plan, ordinance, or policy addressing the circulation system.

Threshold b: Significant Direct and Cumulatively-Considerable Impact. The Project's vehicle traffic would exceed the City's VMT per service population impact threshold for both the baseline and cumulative conditions.

Threshold c: Less-than-Significant Impact. The Project would not introduce any significant transportation safety hazards due to a design feature or incompatible use.

Threshold d: Less-than-Significant Impact. Adequate emergency access would be provided to the Project Site during construction and long-term operation. The Project would not result in inadequate emergency access to the Site or surrounding properties.

4.10.7 Mitigation

MM 4.10-1 Prior to the issuance of a certificate of occupancy, the building operator shall prepare and submit for approval to the City of Ontario Community Development Department a Transportation Demand Management Program (TDMP). The TDMP shall specify measures that the building operator will commit to implementing in an effort to reduce vehicle miles traveled for its on-site employees. The TDMP shall include provisions, incentives, and programs for employee ridesharing programs, carpools, vanpools, transit use, bike travel, avoidance of peak periods of traffic congestion, and on-site parking preferences for zero-emission vehicles, among other items that have reasonable potential of reducing employee reliance on single-occupant gas-powered vehicles during peak time travel periods (rush hours).

4.10.8 Significance of Impacts After Mitigation

Threshold b: Significant and Unavoidable Direct and Cumulatively-Considerable Impact. Transportation Demand Management Plan (TDMP) strategies in the form of commute trip reduction program measures were reviewed for the purpose of reducing Project related VMT impacts (i.e., commute trips). The feasibility and level of effectiveness of each trip reduction measure was determined based on the location of the Project Site and the Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (2021 Handbook). As the future building tenant(s) is not currently known for the Project, the effectiveness of commute trip reduction measures such as carpooling and vanpooling cannot be determined with certainty. In addition to specific tenancy considerations, locational context is also a major factor relevant to the potential application and effectiveness of TDMP measures. Given the Project Site's location in an industrial area with no nearby transit routes, an incomplete sidewalk and bikeway system, and a lack of nearby residential areas that made walking or biking to work easy, the Project Site location is not favorable to reduce VMT per service population to below a level of significance.

Under the most favorable circumstances and ideal conditions a project can realize a maximum reduction of 45% in commute VMT through implementation of the trip reduction program measures listed below. However, ideal conditions are rarely realized as variables such as a project's locational context limitation (i.e., non-urban areas). Additionally, to achieve ideal conditions a project must achieve one hundred percent employee participation and maximum employee eligibility, which are not generally expected. The proposed Project would require a minimum VMT per service population reduction of 25.58% to achieve a less than significant impact, which cannot be assured for the proposed Project. The 2021 Handbook lists the following possible trip reduction measures.

- T-5 – Implement Commute Trip Reduction Marketing (up to 4.0% reduction)
- T-8 – Provide Ridesharing Program (up to 8% reduction)
- T-9 – Implement Subsidized or Discounted Transit Program (up to 5.5% reduction)
- T-10 – Provide End-of-Trip Facilities (up to 4.4% reduction)
- T-11 – Provide Employer-Sponsored Vanpool (up to 20.4% reduction)

- T-12 – Price Workplace Parking (up to 20.0% reduction)
- T-13 – Implement Employee Parking Cash-Out (up to 12.0% reduction)

Mitigation measure MM 4.10-1 will reduce the Project's VMT per service population by some percentage based on the level of participation achieved, but based on the above-described factors, it is not feasible to reduce VMT to below a level of significance. However, as the Project area and surrounding communities develop as envisioned under the City of Ontario General Plan (TOP), new residential, retail, and industrial development would be implemented. These actions could collectively alter transportation patterns, improve the region's jobs/housing ratio, reduce VMT, and support implementation of new or alternative TDM measures. With the implementation of mitigation measure MM 4.10-1, VMT is expected to be reduced, but the Project's impacts related to VMT would still be significant and unavoidable.

4.11 TRIBAL CULTURAL RESOURCES

The analysis in this subsection relies on information from a cultural resources record search titled "Cultural Resources Records Search Results for the 5355 Airport Drive Project, Ontario, California", dated May 20, 2022. The report was prepared by BFSA and is included as *Technical Appendix C* to this EIR. The analysis in this subsection also contains information obtained by the City during consultation with local Native American tribal representatives. All references used in this subsection are listed in EIR Setion 7.0, *References*.

In addition, much of the written and oral communication between Native American tribes and the City, is considered confidential in respect to places that may have traditional cultural significance (Government Code Section 65352.4), and although relied upon in part to inform the preparation of this EIR subsection, those communications are treated as confidential and are not avaialble for public review. Under existing law, environmental documents must not include information about the location of archaeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code Regulations Section 15120(d)).

4.11.1 EXISTING CONDITIONS

BFSA performed an archaeological records search through the South Central Coastal Information Center (SCCIC) at California State University (CSU), Fullerton. The records search provided information regarding previous archaeological studies in the Project area and any previously recorded sites within a one-half mile radius of the Project Site. Three resources were identified within one-half mile of the Project Site; however, none were located within the Project boundaries. The resources include a historic railroad track alignment, a historic foundation, and a historic transmission line alignment. (BFSA, 2022)

4.11.2 REGULATORY SETTING

The following is a brief description of applicable State environmental laws and related regulations governing the protection of tribal cultural resources.

A. State Plan, Policies, and Regulations

1. Assembly Bill 52 (AB 52)

California AB 52 (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. The legislature added new requirements regarding tribal cultural resources in AB 52. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources (OPR, 2017b). By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The Public Resources Code now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (Pub. Resources Code, Section 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. (OPR, 2017b)

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code Section 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources

Section 21074 of the Public Resources Code defines "tribal cultural resources." In brief, in order to be considered a "tribal cultural resource," a resource must be either:

(1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or

(2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource.

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe. (OPR, 2017b)

2. State Health and Safety Code

California Health and Safety Code Section 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery…" until the coroner can determine regarding the circumstances, manner, and cause of any death (CA Legislative Info, 1987). The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. Section 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting internment" with the intent to sell them or to dissect them with "malice or wantonness" is a public offense punishable by imprisonment in a state prison. Lastly, Health and Safety Code Sections 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that "all California Indian human remains and cultural items are to be treated with dignity and respect." It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims.

California Health and Safety Code, Section 5097.98 states that whenever the commission receives notification of a discovery of Native American human remains pursuant to HSC subdivision (c) of Section 7050.5, it shall immediately notify those persons that are the most likely descendants. The descendants may inspect the site and make recommendations to the landowner as to the treatment of the human remains. The landowner shall ensure that the immediate vicinity around the remains is not damaged or disturbed by further development activity until coordination has occurred with the descendants regarding their recommendations for treatment, taking into account the possibility of multiple human remains. The descendants shall complete their inspection and make recommendations within 48 hours of being granted access to the site. (CA Legislative Info, n.d.)

4.11.3 Methodology For Evaluating Tribal Cultural Resources Impacts

The analysis of tribal cultural resources is based on a cultural resource records search through SCCIC at CSU Fullerton, historic background research, a review of historic aerial photographs, and a visit to the Project Site. In addition, this analysis is based on consultation between the City and interested Native American tribes pursuant to AB 52.

4.11.4 Basis for Determining Significance

According to Section XVII of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to tribal resources if the Project or any Project-related component would (OPR, 2019):

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

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

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

4.11.5 Impact Analysis

Threshold a:	***Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size***

and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

No prehistoric resource sites, features, places, or landscapes were identified on the Project Site that are either listed or eligible for listing in the California Register of Historic Places. To be eligible for the Register, a resource must include the following:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Is associated with the lives of persons important in our past;

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

No resources were identified on the Project Site that meet any of the four criteria listed above to be eligible for the California Register and no pre/protohistoric resource sites or isolates are known to exist on the Project Site. (BFSA, 2022) Furthermore, no substantial evidence was presented to or found by the City that led to the identification of any resources on the Project Site that in the City's discretion had the potential to be considered a tribal cultural resource.

As part of the AB 52 consultation process required by State law, the City sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area. The City consulted with each tribe that requested consultation. During the course of the tribal consultation process, tribal monitoring was requested during the Project's ground-disturbing construction activities. Due to the Project Site's location in an area where Native American tribes are known to have a cultural affiliation, there is the possibility that pre/protohistoric archaeological resources, including tribal cultural resources, could be encountered during ground-disturbing construction activities. In the event that a tribal cultural resource, as defined in Public Resources Code Section 21074, were to be found on the Project Site during construction – and not properly identified and treated – a significant impact would occur. Mitigation is required.

As discussed under EIR Subsection 4.3, the Project Site does not contain a known cemetery site and human remains have not been previously discovered on the Site. Mandatory compliance with State law (California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98) would

ensure that, in the unlikely event that human remains are discovered during Project construction, the remains would be identified in accordance with proper protocols and the remains would be treated or disposed with appropriate dignity. Accordingly, the Project would not result in a substantial adverse effect to tribal cultural resources associated with human remains.

4.11.6 Cumulative Impact Analysis

The potential for Project construction to result in cumulatively-considerable impacts to tribal, religious, and cultural resources were analyzed in conjunction with other projects located in southwestern San Bernardino County and northwestern Riverside County that occur in the same tribal influence areas as the Project Site. The other development projects within these areas would have a similar potential to uncover tribal cultural resources during construction activities. Therefore, the potential for Project construction to impact tribal cultural resources is a cumulatively-considerable impact for which mitigation is required.

4.11.7 Significance of Impacts Before Mitigation

Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project Site does not contain any recorded, significant tribal cultural resource sites; therefore, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources. Nonetheless, Project construction activities have the potential to unearth and adversely impact tribal cultural resources that may be buried at the Project Site.

4.11.8 Mitigation

MMs 4.3-1 through 4.3-3 shall apply (refer to subsection 4.3, *Cultural Resources*).

4.11.9 Significance of Impacts After Mitigation

Threshold a: Less-than-Significant with Mitigation Incorporated. Implementation of MMs 4.4-1 through 4.4-3 would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less-than-significant.

4.12 UTILITIES AND SERVICE SYSTEMS

This Subsection addresses the topics of water service and supply, wastewater collection and treatment, storm water conveyance facilities, and solid waste collection and disposal. The analysis contained in this Subsection is also based in part on information obtained from the Project's Preliminary Hydrology Report (Westland, 2022a) (*Technical Appendix H1*), the City of Ontario Policy Plan, and the City of Ontario Municipal Code.

4.12.1 EXISTING CONDITIONS

A. Water Service

The Project Site is located in the service area of the Ontario Municipal Utilities Company (OMUC). The OMUC service area encompasses the entire City of Ontario. Under existing conditions, there is an existing 12-inch water main on East Airport Drive and a 24-inch recycled water main on East Airport Drive that ends approximately west of South Wineville Avenue.

According to the OMUC's Urban Water Management Plan (UWMP), the City's water supply sources include: groundwater pumped from the Chino Basin; treated groundwater from the Chino Basin produced by the Chino Basin Desalter Authority; treated, imported water purchased from Metropolitan Water District of Southern California (MWD) through Water Facilities Authority; groundwater and/or surface water purchased from San Antonio Water Company; and recycled water purchased from Inland Empire Utilities Agency (IEUA). (OMUC, 2021)

B. Wastewater Service and Treatment

Sanitary sewage generated at the Project Site currently discharges to surface septic systems located beneath the site Two known septic systems are located on the eastern parcel and one known system is located on the western parcel. Interviews with Property personnel on the western parcel indicated they were unaware of the location of the septic systems. (Farallon, 2022, pp. 8-4)

C. Stormwater Conveyance Facilities

The natural drainage pattern for the existing condition of the Project Site is north to south. There is no existing public storm drain systems at the frontage of the Project Site. Stormwater sheet flows south and discharge onto the existing curb and gutter on Airport Drive. Runoff flows east along Airport Drive and discharge into an existing catch basin located approximately 1,500 east of the Project Site. The existing catch basin is connected to the Lower Etiwanda Creek Channel, which conveys stormwater to the Wineville Basin. (Westland, 2022a)

D. Solid Waste Collection and Disposal

The City of Ontario collects solid waste for residences and businesses within the City, including the Project Site. Based on data reported to the State Department of Resources Recycling and Recovery (CalRecycle), in 2019, the City generated 287,983 tons of solid waste requiring disposal. A majority (218,454 tons) of the City's solid waste, in 2019, was disposed at the El Sobrante Landfill, followed

by disposal of waste at the Badlands Sanitary Landfill (47,574 tons), and Mid-Valley Sanitary Landfill (14,099 tons). The remaining 7,856 tons of City waste generated in 2019 was disposed of at the following locations: Antelope Valley Public Landfill, Azusa Landfill, Blythe Sanitary Landfill, Chiquita Canyon Sanitary Landfill, Clean Harbors Buttonwillow LLC, Frank R. Bowerman Sanitary Landfill, Lamb Canyon Sanitary Landfill, Lost Hills Composting & Bioenergy, Olinda Alpha Landfill, Prima Deshecha Landfill, San Timoteo Sanitary Landfill, Simi Valley Landfill & Recycling Center, and Victorville Sanitary Landfill. (CalRecycle, 2019)

The Badlands Sanitary Landfill has a permitted disposal capacity of 4,800 tons per day with a remaining capacity of 15,748,799 cubic yards. The Badlands Sanitary Landfill is estimated to reach capacity, at the earliest time, in the year 2022. (CalRecycle, 2022a) The El Sobrante Landfill is permitted to received 16,054 tons of solid waste per day with a remaining capacity of 143,977,170 cubic yards. The El Sobrante Landfill is estimated to reach capacity, at the earliest time, in the year 2051. (CalRecycle, 2022b) The Mid-Valley Sanitary Landfill is permitted to received 7,500 tons of solid waste per day with a remaining capacity of 61,219,377 cubic yards. The El Sobrante Landfill is estimated to reach capacity, at the earliest time, in the year 2045. (CalRecycle, 2022c)

E. Dry Utilities

Southern California Edison (SCE) provides electricity services to a large majority of southern and central California, including the Project Site. SCE serves 180 cities across 50,000 square miles of service area. Existing overhead power lines occur along East Airport Drive that are aligned in an east-west direction along the southern boundary of the Project Site. (Google Earth, 2022)

The Project Site is located in the natural gas service area of Southern California Gas Company (SoCalGas), which maintains local underground service lines in the City. Under existing conditions, there is an existing 10-inch gas line on East Airport Drive.

4.12.2 Regulatory Setting

The following is a brief description of the federal, state, and local environmental laws and related regulations related to utilities and service systems.

A. State Plan, Policies, and Regulations

1. Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The UWMP Act requires water agencies to develop Urban Water Management Plans (UWMPs) over a 20-year planning horizon, and further required UWMPs to be updated every five years. UWMPs are exempt from compliance with CEQA. (DWR, 2016, p. 1-2)

The UWMPs provide a framework for long term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future

demands. This part of the California Water Code (CWC) requires urban water suppliers to report, describe, and evaluate:

- Water deliveries and uses;
- Water supply sources;
- Efficient water uses;
- Demand management measures; and
- Water shortage contingency planning. (DWR, 2016, p. 1-3)

The UWMP Act has been modified over the years in response to the State's water shortages, droughts, and other factors. A significant amendment was made in 2009, after the drought of 2007-2009 and as a result of the governor's call for a statewide 20 percent reduction in urban water use by the year 2020. This was the Water Conservation Act of 2009, also known as SB X7-7. This Act required agencies to establish water use targets for 2015 and 2020 that would result in statewide savings of 20 percent by 2020. Beginning in 2016, retail water suppliers are required to comply with the water conservation requirements in SB X7-7 in order to be eligible for State water grants or loans. Retail water agencies are required to set targets and track progress toward decreasing daily per capita urban water use in their service area, which will assist the State in meeting its 20 percent reduction goal by 2020. (DWR, 2016, p. 1-2)

2. California Senate Bill 610

The California Water Code (Water Code) §§ 10910 through 10915 were amended by the enactment of SB 610 in 2002. SB 610 requires an assessment of whether available water supplies are sufficient to serve the demand generated by a proposed project, as well as the reasonably foreseeable cumulative demand in the region over the next 20 years under average normal year, single dry year, and multiple dry year conditions. Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code 10912 [a]) subject to CEQA. (DWR, 2003; CA Legislative Info, n.d.) For the purposes of SB 610, "project" means any of the following:

(1) A proposed residential development of more than 500 dwelling units.
(2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.
(3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.
(4) A proposed hotel or motel, or both, having more than 500 rooms.
(5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.
(6) A mixed-use project that includes one or more of the projects specified in this subdivision.
(7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project. (DWR, 2003; CA Legislative Info, n.d.)

Because the Project proposes an approximately 270,337 square feet (s.f.) of industrial building, a water supply assessment was not required.

3. CA. Water Code § 10610 et seq. (Senate Bill 901)

Signed into law on October 16, 1995, Senate Bill (SB) 901 required every urban water supplier to identify as part of its urban water management plan, the existing and planned sources of water available to the supplier over a prescribed 5-year period. The code requires the water service purveyor to assess the projected water demand associated with a proposed project under environmental review. Later provisions of SB 901 required compliance in the event that the proposed Project involved the adoption of a specific plan, amendment to, or revision of the land use element of a general plan or specific plan that would result in a net increase in the state population density. Upon completion of the water assessment, cities and counties may agree or disagree with the conclusions of the water service purveyors, but cannot approve projects in the face of documented water shortfalls without first making certain findings. (CA Legislative Info, n.d.)

4. Executive Order B-29-15

Executive Order (EO) B-29-15 ordered the State Water Resources Control Board (SWRCB) to impose restrictions to achieve a 25-percent reduction in potable urban water usage through February 28, 2016; directed the California Department of Water Resources (DWR) to lead a statewide initiative, in partnership with local agencies, to collectively replace 50 million square feet of lawns and ornamental turf with drought tolerant landscapes; and directed the California Energy Commission to implement a statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices. (SWRCB, 2020)

5. Executive Order B-37-16

Signed on May 9, 2016, EO B-37-16 established a new water use efficiency framework for California. The order bolstered the state's drought resilience and preparedness by establishing longer-term water conservation measures that include permanent monthly water use reporting, new urban water use targets, reducing system leaks and eliminating clearly wasteful practices, strengthening urban drought contingency plans, and improving agricultural water management and drought plans. (SWRCB, 2020)

6. Sustainable Groundwater Management Act (SGMA)

The Sustainable Groundwater Management Act (SGMA) established a new structure for managing California's groundwater resources at a local level by local agencies. SGMA required, by June 30, 2017, the formation of locally-controlled groundwater sustainability agencies (GSAs) in the State's high- and medium-priority groundwater basins and subbasins (basins). A GSA is responsible for developing and implementing a groundwater sustainability plan (GSP) to meet the sustainability goal of the basin to ensure that it is operated within its sustainable yield, without causing undesirable results. The GSP Emergency Regulations for evaluating GSPs, the implementation of GSPs, and coordination

agreements were adopted by DWR and approved by the California Water Commission on May 18, 2016. (DWR, n.d.)

7. California Solid Waste Integrated Waste Management Act (AB 939, 1989)

The Integrated Waste Management Act (IWMA) established an integrated waste management hierarchy to guide the California Integrated Waste Management Board (CIWMB) and local agencies in implementation, in order of priority: (1) source reduction, (2) recycling and composting, and (3) environmentally safe transformation and land disposal (it should be noted that the CIWMB no longer exists, and its duties have been assumed by CalRecycle). As part of the IWMA, the CIWMB was given a purpose to mandate the reduction of disposed waste. (CalRecycle, 2018a) The IWMA also required:

- The establishment of a task force to coordinate the development of city Source Reduction and Recycling Elements (SRREs) and a countywide siting element. (CalRecycle, 2018a)

- Each city, by July 1, 1991, to prepare, adopt and submit a SRRE to the county which includes the following components: waste characterization; source reduction; recycling; composting; solid waste facility capacity; education and public information; funding; special waste (asbestos, sewage sludge, etc.); and household hazardous waste. (CalRecycle, 2018a)

- Each county, by January 1, 1991, to prepare a SRRE for its unincorporated area, with the same components described above, and a countywide siting element, specifying areas for transformation or disposal sites to provide capacity for solid waste generated in the jurisdiction which cannot be reduced or recycled for a 15-year period.

- Each county to prepare, adopt, and submit to the Board an Integrated Waste Management Plan (IWMP), which includes all of the elements described above. (CalRecycle, 2018a)

- Each city or county plan to include an implementation schedule which shows: diversion of 25 percent of all solid waste from landfill or transformation facilities by January 1, 1995 through source reduction, recycling, and composting activities; and, diversion of 50 percent of all solid waste by January 1, 2000 through source reduction, recycling, and composting activities. (CalRecycle, 2018a)

- The CIWMB to review the implementation of each SRRE at least once every two years. (CalRecycle, 2018a)

- The IWMA required the CIWMB, in conjunction with an inspection conducted by a Lead Enforcement Agency (LEA), to conduct at least one inspection per year of each solid waste facility in the state. (CalRecycle, 2018a)

Additionally, the IWMA established a comprehensive statewide system of permitting, inspections, enforcement, and maintenance for solid waste facilities. (CalRecycle, 2018a)

8. *Waste Reuse and Recycling Act (AB 1327)*

The Waste Reuse and Recycling Act (WRRA) required the CIWMB to approve a model ordinance for adoption by any local government for the transfer, receipt, storage, and loading of recyclable materials in development projects by March 1, 1993. The WRRA also required local agencies to adopt a local ordinance by September 1, 1993 or allow the model ordinance to take effect. The WRRA requires all development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded, to provide an adequate area for collecting and loading recyclable materials over the lifetime of the project. The area is required to be provided before building permits are issued. (CalRecycle, 2018b)

9. *Mandatory Commercial Recycling Program (AB 341)*

Assembly Bill (AB) 341 (Chapter 476, Statutes of 2011 (Chesbro, AB 341)) directed CalRecycle to develop and adopt regulations for mandatory commercial recycling. CalRecycle initiated formal rulemaking with a 45-day comment period beginning Oct. 28, 2011. The final regulation was approved by the Office of Administrative Law on May 7, 2012. AB-341 was designed to help meet California's recycling goal of 75% by the year 2020. AB 341 requires all commercial businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place. In addition, multi-family apartments with five or more units are also required to form a recycling program. (CalRecycle, 2020)

10. *2016 California Green Building Standards Code (CAL Green; Part 11 of Title 24, California Code of Regulations)*

California Code of Regulations, Title 24, Part 11 is referred to as the California Green Building Standards Code (CALGreen Code). CALGreen became effective January 1, 2017, and is applicable to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout the State of California (including residential structures and elementary schools). The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Section 5.408.3 of the CALGreen Code requires that 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on-site until the storage site is developed. Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code. (CEC, 2018)

11. California Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CA. Code Regs. 6)

The Building Energy Efficiency Standards were first adopted in 1976 and have been updated periodically since then as directed by statute. In 1975 the Department of Housing and Community Development adopted rudimentary energy conservation standards under their State Housing Law authority that were a precursor to the first generation of the Standards. However, the Warren-Alquist Act was passed one year earlier with explicit direction to the Energy Commission (formally titled the State Energy Resources Conservation and Development Commission) to adopt and implement the Standards. The Energy Commission's statute created separate authority and specific direction regarding what the Standards are to address, what criteria are to be met in developing the Standards, and what implementation tools, aids, and technical assistance are to be provided. (CEC, 2018)

The Standards contain energy and water efficiency requirements (and indoor air quality requirements) for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. Public Resources Code Sections 25402 subdivisions (a)-(b) and 25402.1 emphasize the importance of building design and construction flexibility by requiring the Energy Commission to establish performance standards, in the form of an "energy budget" in terms of the energy consumption per square foot of floor space. For this reason, the Standards include both a prescriptive option, allowing builders to comply by using methods known to be efficient, and a performance option, allowing builders complete freedom in their designs provided the building achieves the same overall efficiency as an equivalent building using the prescriptive option. Reference Appendices are adopted along with the Standards that contain data and other information that helps builders comply with the Standards. (CEC, 2018)

The 2019 update to the Building Energy Efficiency Standards focuses on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings. The most significant efficiency improvements to the residential Standards include the introduction of photovoltaic into the prescriptive package, improvements for attics, walls, water heating, and lighting. The most significant efficiency improvements to the nonresidential Standards include alignment with the ASHRAE 90.1 2017 national standards. The 2019 Standards also include changes made throughout all of its sections to improve the clarity, consistency, and readability of the regulatory language. (CEC, 2018)

Public Resources Code Section 25402.1 also requires the Energy Commission to support the performance standards with compliance tools for builders and building designers. The Alternative Calculation Method (ACM) Approval Manual adopted by regulation as an appendix of the Standards establishes requirements for input, output, and calculational uniformity in the computer programs used to demonstrate compliance with the Standards. From this, the Energy Commission develops and makes publicly available free, public domain building modeling software in order to enable compliance based on modeling of building efficiency and performance. The ACM Approval Manual also includes provisions for private firms seeking to develop compliance software for approval by the Energy Commission, which further encourages flexibility and innovation. (CEC, 2018)

B. Local Plan, Policies, and Regulations

1. The Policy Plan

The Policy Plan, part of The Ontario Plan, serves as the City's General Plan. The Policy Plan Environmental Resource Element has several principles, goals, and policies that are applicable to the Project pertaining to water, wastewater, solid waste, and recycling. On August 16, 2022, the City approved The Ontario Plan 2050 (TOP 2050), which include updates to the Policy Plan.

2. City of Ontario Municipal Code

The City of Ontario Municipal Code contains regulations related to utilities and service systems. The specific Municipal Code policies that are relevant to the Project are as follows:

Title 6, Sanitation and Health, Chapter 3: Integrated Solid Waste Management, sets forth uniform requirements and regulations for the direct and indirect users of the solid waste collection services of the City. It also allows for the City to comply with all applicable state and federal laws, including, but not limited to, The Integrated Waste Management Act of 1989, California Code Title 14, Division 7, and any subsequent amendments to each.

Title 6, Sanitation and Health, Chapter 6: Stormwater Drainage System. The purpose of this chapter is to ensure the health, safety and general welfare of the residents of the City of Ontario by prescribing regulations to effectively prohibit non-stormwater discharges into the City's stormwater drainage system.

Title 6, Sanitation and Health, Chapter 8A: Water Conservation Plan, The purpose of this chapter is to minimize the potential for a water shortage through the practice of water conservation, and to minimize the effect of a shortage of water supplies on the water customers of the City. It is furthermore the intent of this chapter to adopt provisions that will significantly reduce the inefficient consumption of water, thereby extending the available water resources necessary for domestic, sanitation, and fire protection of the community to the greatest extent possible.

4.12.3 Basis for Determining Significance

According to Section I of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to utilities and service systems if the Project or any Project-related component would (OPR, 2019):

a. *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;*

b. *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;*

c. *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;*

d. *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals;*

e. *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

4.12.4 IMPACT ANALYSIS

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

A. Water and Wastewater

The Project would include the installation of water lines within the Project Site. Water would be accommodated via proposed water lines that would extend from the southeastern and southwestern corners of the building to an existing 12-inch water main at East Airport Drive. Additionally, recycled water to the Project Site would be provided via a proposed 8-inch recycled water main along East Airport Drive. The proposed 8-inch recycled water main would extend from the west of South Wineville Avenue to the eastern boundary of the Project Site and connect to the existing 24-inch recycled water main.

Sanitary sewer service to the Project Site would be provided by OMUC's sanitary sewer wastewater collection system and conveyed to the Inland Empire Utilities Agency (IEUA) for wastewater treatment. Sewer would be accommodated via proposed 6-inch sewer line that would extend from the southwestern corners of the building to a proposed 8-inch OMUC sewer main on East Airport Drive. There is an existing 8-inch OMUC sewer main on East Airport Drive that ends approximately at the western boundary of the Project Site where the proposed 8-inch sewer main would connect to.

Although the Project would result in new water and wastewater line connections, these connections would be part of the Project's construction phase, which is evaluated throughout this EIR. The construction of the Project's water and wastewater lines necessary to serve the Project would not result in any significant physical effects on the environment that are not already identified and disclosed as part of this EIR. Impacts would be less than significant.

B. Stormwater Drainage

Stormwater will sheet flow from north to south and will be captured by proposed on-site catch basins. The proposed on-site storm drain system will convey the flow into a proposed underground infiltration chamber. In a large storm event, stormwater will exit the underground chamber system via pipes and

will be pumped out through a proposed parkway drain on Airport Drive. Runoff will sheet flow east along Airport Drive and discharge into the existing catch basin, located approximately 1,500 feet east of the Project Site, to maintain the same point of discharge as the existing condition.

Refer to the analysis under Section 4.8, *Hydrology and Water Quality*, Threshold c.ii. As discussed, stormwater runoff would be treated on-site and would not require relocation or construction of new or expanded storm water drainage infrastructure which could cause significant environmental effects. Therefore, impacts would be less than significant.

C. Dry Utilities

Electricity will be provided by SCE. All new dry utility infrastructure would be installed underground and within the Project Site. Connections to the existing utility networks are available in the Project area and any offsite improvements would occur within improved rights-of-way, which are inherent to the Project's construction phase and have been evaluated throughout this EIR. Because the Project Site has been previously developed with industrial uses that requires electric power and telecommunication services, implementation of the Project is not anticipated to limit the ability of service providers to provide service to Project. Therefore, the Project would not require or result in the construction or expansion of new facilities, and impacts would be less than significant.

Threshold b:	***Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?***

OMUC is responsible for supplying potable water to the Project Site. The OMUC's 2020 UWMP includes an analysis of water supply reliability projected through 2045 under normal years, single dry year, and multiple dry years. OMUC's total water demand for 2020 was approximately 32,109 AF (OMUC, 2021). OMUC's forecasts for projected water demand based on the population projections of the Southern California Associations of Governments (SCAG), which rely on the adopted land use designations contained within the general plans that cover the geographic area within OMUC's service. Because the Project Applicant would redevelop the Site with a use permitted under the Heavy Industrial land use designation, the Project would be consistent with the City's Policy Plan and, therefore, the water demand associated with the Project was considered in the demand anticipated by the 2020 UWMP and analyzed therein. As stated above, the City is anticipated to have adequate water supplies to meet all its demands until the year 2045 under a normal year, single dry year, and multiple dry years. Therefore, the City has sufficient water supplies available to serve the Project from existing entitlements/resources and no new or expanded entitlements are needed. Impacts would be less than significant.

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

IEUA is responsible for supplying wastewater treatment services to the Project Site. There are four recycling plants (RPs) within the IEUA's service area. Regional Water Recycling Plant No. 1 (RP-1) is located in the City of Ontario and has been in operation since 1948. According to IEUA's 2020 UWMP, the current wastewater treatment capacity of RP-1 is 44 MGD, although it currently treats approximately 21 MGD. (IEUA, 2021)

The Project Site is currently developed and served by septic tank systems. The Project Applicant would demolish the existing structures and redevelop the Site with an approximately 270,337 s.f. building. The Project is calculated to generate 28,776 gallons per day (gpd) of wastewater (2,200 gpd/acre × 13.08 acres = 28,776 gpd). The wastewater generated by the Project would only represent approximately 0.13 percent of the excess treatment capacity of RP-1 ([28,776 gpd ÷ 23 million gpd] × 100 = 0.13 %); therefore, it is anticipated that RP-1 have sufficient treatment capacity to provide service to the Project. The associated increase in wastewater generation would have a negligible effect on the wastewater treatment provider. As such, the IEUA's existing wastewater treatment facilities are anticipated to have adequate capacity to serve the Project's project demand in addition to its existing commitments. Impacts would be less than significant.

Threshold d: ***Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?***

Solid waste generated during the operation of the Project is anticipated to be collected by the City of Ontario and is anticipated to be hauled to either Badlands Sanitary Landfill or El Sobrante Landfill. As previously discussed, the Badlands Sanitary Landfill has a permitted disposal capacity of 4,800 tons per day with a remaining capacity of 15,748,799 cubic yards. The Badlands Sanitary Landfill is estimated to reach capacity, at the earliest time, in the year 2022 (CalRecycle, 2022a). The El Sobrante Landfill is permitted to received 16,054 tons of solid waste per day with a remaining capacity of 143,977,170 ton. The El Sobrante Landfill is estimated to reach capacity, at the earliest time, in the year 2051. (CalRecycle, 2022b; CalRecycle, 2022c)

Based on the generation rate of 1.42 pounds per 100 s.f. per day, the proposed 270,337 s.f. building would result in approximately 3,838 pounds per day (1.91 tons per day). As previously stated, the Badlands Sanitary Landfill has a permitted disposal capacity of 4,800 tons per day and the El Sobrante Landfill has a permitted disposal capacity of 16,054 tons per day. The Project generated solid waste represents a nominal portion of the landfill's capacity and would not contribute significantly to the daily landfill capacity, and the landfill facilities are sufficient. Accordingly, impacts would be less than significant

Threshold e: ***Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

The following federal and state laws and regulations govern solid waste disposal:

- AB 939 (Chapter 1095, Statutes of 1989), the California Integrated Waste Management Act of 1989 required each city, county, and regional agency to develop a source reduction and recycling element of an integrated waste management plan that contained specified components, including a source reduction component, a recycling component, and a composting component. With certain exceptions, the source reduction and recycling components were required to divert 50 percent of all solid waste from landfill disposal or transformation by January 1, 2000, through source reduction, recycling, and composting activities.

- AB 32 (Chapter 488, Statutes of 2006), the California Global Warming Solutions Act, established mandatory recycling as one of the measures to reduce GHG emissions adopted in the Scoping Plan by the California Air Resources Board.

- AB 341 (Chapter 476, Statutes of 2011) requires that all "commercial" generators of solid waste (businesses, institutions, and multifamily dwellings) establish recycling and/or composting programs. AB 341 goes beyond AB 939 and establishes the new recycling goal of 75 percent by 2020.

The Project would implement the requirements of the City's Integrated Waste Department's Refuse & Recycling Planning Manual on refuse and recycling storage and access for service, as well as addressing the City's recycling goals. The requirements of Chapter 3, Integrated Waste Management, of the Municipal Code will also be implemented to ensure that the Project complies with all applicable state and federal laws. Therefore, no impacts would occur.

4.12.5 Cumulative Impact Analysis

This cumulative impact analysis considers development of the Project Site in conjunction with other development projects and planned development within the service area for the respective utility provides or the service area for specific facilities (e.g., wastewater treatment facilities).

As with the Project, each individual related development project would require the construction of necessary infrastructure (water and wastewater lines, storm drain facilities, dry utilities, and others) to serve the project. Each individual development project is subject to review for utility capacity to avoid unanticipated interruption of service or inadequate supplies. Coordination with the utility providers would allow for the provision of utility services to the Project and other developments. The Project and other planned projects are subject to connection and service fees to offset increased demand and assist in facility expansion and service (at the time of need). Therefore, the Project impacts would not

contribute to a significant cumulative impact associated with construction of utility infrastructure or provision of utility services.

OMUC has sufficient potable water supplies to meet existing and future demands through the year 2040 under normal, single-dry, and multiple dry years. As such, the Project would not contribute to a cumulatively considerable impact on water supply.

According to IEUA's 2020 UWMP, the current wastewater treatment capacity of RP-1 is 44 MGD, although it currently treats approximately 21 MGD. As such, there is adequate existing and proposed capacity to provide wastewater treatment for the Project and cumulative development. Therefore, the Project would not result in a significant cumulative impact on wastewater treatment facilities.

The City, including the Project Site and cumulative development, are within the service area of the Badlands Sanitary Landfill or El Sobrante Landfill and a majority of the City's solid waste is disposed of at the Badlands Sanitary Landfill or El Sobrante Landfill. The remaining portions of the City's solid waste are disposed of at landfills with adequate capacity throughout the County and surrounding counties within the State. The solid waste generated by construction and operation of the Project would represent nominal portions of daily disposal capacities at existing landfill facilities. The existing landfill facilities have sufficient daily capacity to handle solid waste during the Project's construction and operation and would not directly result in the need for expanded solid waste disposal facilities. Further, the Project would adhere to applicable local and State regulations during both construction and long-term operation to reduce solid waste generation. Other cumulative development would be required to comply with such regulations. Therefore, the Project would not have a significant cumulative impact related to solid waste disposal and compliance with regulations addressing the reduction of solid waste generation and disposal.

4.12.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The physical environmental effects associated with installing the Project's proposed connections to existing utility infrastructure, as well as installation of on-site and off-site storm water management, water, and wastewater infrastructure have been evaluated throughout this EIR and no adverse impacts specific to the provision utilities services have been identified. Mitigation measures are identified, where necessary, for construction-related effects that would reduce construction-phase impacts to the maximum feasible extent. Impacts would be less than significant.

Threshold b: Less-than-Significant Impact. Based on the information provided in the OMUC's UWMP, OMUC has sufficient water supplies available to serve the Project in normal, dry, and multiple dry years and impacts would be less than significant.

Threshold c: Less-than-Significant Impact. The Project's proposed wastewater generation would not exceed the capacity of the RP-1. The Project's wastewater generation would represent a nominal increase in wastewater treatment demand and impacts would be less than significant.

Threshold d: Less-than-Significant Impact. The Project's proposed solid waste disposal needs would be adequately accommodated by existing landfills serving the City. Therefore, the Project would have less than significant impacts related to solid waste.

Threshold e: No Impact. The Project would comply with all applicable federal, State, and local statues and regulations pertaining to management and reduction of solid waste. No impacts associated with regulatory compliance would occur.

4.12.7 Mitigation

Project impacts would be less than significant and mitigation is not required.

5.0 OTHER CEQA CONSIDERATIONS

5.1 SIGNIFICANT EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

The CEQA Guidelines require that an EIR disclose the significant environmental effects of a project which cannot be avoided if the proposed project is implemented (CEQA Guidelines Section 15126(b)). As described in detail in Section 4.0, *Environmental Analysis*, of this EIR, the proposed Project is anticipated to result in impacts to the environment that cannot be reduced to below a level of significance after the consideration of Project design features, compliance with applicable federal, State and local regulations, and the application of the feasible mitigation measures identified in this EIR. The significant impacts that cannot be mitigated to a level below thresholds of significance consist of the following:

- Transportation (Vehicle Miles Traveled): After the application of feasible mitigation measures, effectiveness of the TDM strategies that have potential to reduce the Project VMT are dependent on as yet unknown Project building tenant(s); therefore, Project impacts related to VMT would be significant and unavoidable on a direct and cumulatively-considerable basis.

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE CAUSED BY THE PROJECT SHOULD IT BE IMPLEMENTED

The CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented (CEQA Guidelines Section 15126.2(c)). An environmental change would fall into this category if: a) the project would involve a large commitment of nonrenewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources are not justified (e.g., the project results in the wasteful use of energy).

Determining whether the Project may result in significant irreversible environmental changes requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. Natural resources, in the form of construction materials and energy resources, would be used in the construction of the proposed Project. The consumption of these natural resources would represent an irreversible change to the environment; however, development of the Project Site would have no measurable adverse effect on the availability of such resources, including resources that may be non-renewable (e.g., construction aggregates, fossil fuels). Additionally, the Project is required by law to comply with the California Green Building Standards Code (CALGreen), which will minimize the Project's demand for energy, including energy produced from non-renewable sources. A more detailed discussion of Project energy consumption is provided in EIR Subsection 4.4, *Energy*.

Implementation of the Project would commit the Project Site to one light industrial building. The potential warehouse land uses for the Project are compatible with the existing industrial land uses that are located east, west, and south of the Project Site and also compatible with the use of East Airport Drive (which abuts the Project Site on the south) as a City-designated truck route. Accordingly, the Project and its environmental effects would not compel or commit surrounding properties to land uses other than those that are existing today or those that are planned by the City of Ontario General Plan. For this reason, the Project would not result in a significant, irreversible change to nearby, offsite properties.

EIR Subsection 4.7, *Hazards and Hazardous Materials*, provides an analysis of the potential for hazardous materials to be transported to/from the Project Site and/or used on the Project Site during construction and operation. As concluded in Subsection 4.7, mandatory compliance with federal, State, and local regulations related to hazardous materials handling, storage, and use by all Project construction contractors (near term) and occupants (long-term) would ensure that any hazardous materials used on-site would be safely and appropriately handled to preclude any irreversible damage to the environment that could result if hazardous materials were released from the Site.

As discussed in detail under EIR Subsection 4.5, *Energy*, use of the Project for warehouse would not result in a wasteful, inefficient, or unnecessary consumption of energy. Accordingly, the Project would not result in a significant, irreversible change to the environment related to energy use.

Based on the above, Project construction and operation would require the commitment of limited, slowly renewable and non-renewable resources. This commitment of resources would not be substantial and would be consistent with regional and local growth forecasts and development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions, and such resources would not be used in an inefficient or wasteful manner. Project construction and operation would adhere to the sustainability requirements of Title 24, Green Building Code, and CALGreen. Therefore, the Project would not result in the commitment of large quantities of natural resources that would result in significant irreversible environmental changes.

5.3 GROWTH INDUCING IMPACTS

CEQA requires a discussion of the ways in which the proposed Project could be growth inducing. The CEQA Guidelines identify a project as growth inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines Section 15126.2(d)). New employees and new residential populations represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area.

A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with an increase in population or employment and thus reducing or removing the barriers to growth. This typically occurs in suburban or rural environs where population

growth results in increased demand for service and commodity markets responding to the new population of residents or employees.

According to regional population projections included in SCAG's Connect SoCal, the City of Ontario's population is projected to grow by 96,900 residents between 2016 and 2045 (approximately 1.94% annual growth). Over this same time period, employment in the City is expected to add 55,400 new jobs (approximately 1.6% annual job growth) (SCAG, 2020b) Additionally, The Ontario Plan 2050 (TOP 2050) projected a total of 129,562 dwelling units, 261,91,779 sq ft of non-residential uses, 410,492 residents and 296,002 jobs in 2050. (Ontario, 2022b) Economic growth would likely take place as a result of the Project's operation. The Project's employees (short-term construction and long-term operational) would purchase goods and services in the region, but any secondary increase in employment associated with meeting these goods and services demands is expected to be accommodated by existing goods and service providers and, based on the amount of existing and planned future commercial and retail services available in areas near the Project Site, would be highly unlikely to result in any unanticipated, adverse physical impacts to the environment. In addition, the Project would generate approximately 75 employees per shift, a majority of which would likely be filled by residents of the housing units either already built or planned for development within the City of Ontario and nearby incorporated and unincorporated areas. Accordingly, because it is anticipated that most of the Project's future employees would already be living in the City of Ontario or the larger Inland Empire area, the Project's introduction of employment opportunities on the Project Site would not induce substantial growth in the area.

Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in applicable master plans, land use plans, or in projections made by regional planning agencies such as SCAG. Significant growth impacts also could occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way.

The Project is consistent with the industrial land use designations applied to the Project Site by the Policy Plan. The area surrounding the Project Site consists of industrial warehouses to the south, east, and west and Southern Pacific railroad to the north with industrial uses beyond. Development of the Project Site is not expected to place short-term development pressure on abutting properties because these areas are already built-out. Based on the foregoing analysis, the Project would not result in substantial, adverse growth-inducing impacts.

5.4 Effects Found Not To Be Significant During The EIR Scoping Process

CEQA Guidelines Section 15128 requires that an EIR "…contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and

were therefore not discussed in detail in the EIR." The Project's Notice of Preparation for this EIR, both of which are included in *Technical Appendix A* to this EIR, determined that implementation of the Project would clearly have no potential to result in significant impacts under eight (8) environmental issue areas: agriculture and forestry resources, biological resources, land use and planning, mineral resources, population and housing, public services, recreation, and wildfire. Therefore, these issue areas were not required to be analyzed in detail in EIR Section 4.0, *Environmental Analysis*. A brief analysis of the Project's impacts to agriculture and forestry resources, biological resources, land use and planning, mineral resources, population and housing, public services, recreation, and wildfire is presented below.

5.4.1 Agriculture and Forestry Resources

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

The Project Site is presently industrial and does not contain any agricultural uses. Further, the Site is identified as Urban and Built-up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program (DOC, 2018). The Project does not have the potential to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use. As a result, no adverse environmental impacts are anticipated.

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

The Project Site is not zoned for agricultural use. The Project Site is zoned Heavy Industrial. The Project's implementation would not require a zone change and would not result in a loss of land zoned for agriculture. The Project is consistent with the development standards and allowed land uses of the proposed zone. Furthermore, there is no Williamson Act contract in effect on the subject Site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing or Williamson Act contracts.

Threshold c:	***Would the Project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?***

The Project is zoned Heavy Industrial and does not contain forest land. The Project is consistent with the development standards and allowed land uses of the Heavy Industrial zone. The City's Zoning Map does not designate any parcels of land in the Project area for forest land, timberland, or timberland zoned Timberland Production. Therefore, no adverse impacts are anticipated.

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

There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither the Policy Plan nor the City's Zoning Code provide designations for forest land. Consequently, the Project would not result in the loss or conversion of forest land.

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

The Project Site is currently zoned Heavy Industrial and is not designated as Farmland. The Project Site is currently developed with industrial uses and there are no agricultural uses occurring onsite. As a result, to the extent that the Project would result in changes to the existing environment those changes would not result in the loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither the Policy Plan nor the City's Development Code provide designations for forest land. Consequently, to the extent that the Project would result in changes to the existing environment, those changes would not impact forest land.

5.4.2 Biological Resources

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

The Project Site is currently developed with a grain processing company and a corn storage and distribution facility. The Project Site is in an urbanized and industrialized area in the City of Ontario and vegetation onsite is limited to ornamental species. The Project Site is located within an area that has not been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS). As a part of the Project, existing vegetation within the developed portion of the Project Site would be removed and replaced with a variety of trees and ornamental vegetation. The relocation and/or replacement of on-site vegetation and trees would not have a substantial adverse effect on candidate, sensitive or special-status species, as defined by the CDFW or the USFWS. Therefore, no adverse impacts are anticipated.

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

The Project Site is currently developed with industrial uses and is in a highly urbanized and industrialized area in the City. The Project Site does not contain any riparian habitat or other sensitive natural community identified by the CDFW or the USFWS (USFWS, 2020). Therefore, no adverse environmental impacts are anticipated.

Threshold c:	***Would the Project have a substantial adverse effect on federally protected wetlands [as defined by Section 404 of the Clean Water Act] (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

There are no wetlands habitat present on site (USFWS, 2020). Therefore, Project implementation would have no impact on these resources.

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

No surface water bodies, streams or waterways occur on the Project Site. The Project Site does not provide nursery sites for wildlife, nor is it conducive to function as a corridor for migratory wildlife. There are a limited number of ornamental trees on site that would be removed and replaced with new trees and landscaping. The Migratory Bird Treaty Act of 1918 (MBTA) implements the United States' commitment to four treaties with Canada, Japan, Mexico, and Russia for the protection of shared migratory bird resources. Nesting migratory birds are protected under the MBTA (United States Code, Title 16, Sections 703–712) and California Fish and Game Code Sections 3503 et seq. Compliance with federal MBTA and California Fish and Game Code would eliminate any potential impacts. The Project would not interfere with the movement of any native resident or migratory species or impede the use of native wildlife nursery sites. Therefore, no adverse environmental impacts are anticipated.

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

The City of Ontario does not have any ordinances protecting biological resources. Further, the Site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

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

The Project Site is not part of an adopted HCP, NCCP or other approved habitat conservation plan (CDFW, 2019). As a result, no adverse environmental impacts are anticipated.

5.4.3 Land Use and Planning

Threshold a:	***Would the Project physically divide an established community?***

The Project Site is located in an area that is currently developed with urban land uses. Existing industrial development borders the Site to the south, west, and east; the BNSF railroad track borders the Site to the north. The Project Applicant would redevelop the Site with another industrial use with associated parking and landscaping improvements. The Project will be of similar design and size to surrounding development. The Project would not have the potential to physically divide an established community. No adverse impacts are anticipated.

Threshold b:	***Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?***

The Project Site is designated for Industrial by the City's Policy Plan and the Heavy Industrial zoning district. The Project Applicant would redevelop the Project Site in accordance with the underlying land use designation and applicable zoning ordinance development standards. No change to the existing land use designation or zoning is required or proposed by the Project. The Project is consistent with the Policy Plan and does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

5.4.4 Mineral Resources

Threshold a:	***Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

The Project Site is located within a mostly developed area surrounded by urban land uses. As shown in Figure 5.12-1 of The Ontario Plan 2050 Final Supplemental EIR, the Project Site is designated as Mineral Resource Zone MRZ-3 (Ontario, 2022b). Areas designated by the State of California Geologist as MRZ-3 include land that the significance of mineral deposits cannot be determined from the available data. According to the Policy Plan, there are no permitted mining operations in the City. Significant mineral resources within Ontario are limited to construction aggregate. These areas have been developed with urban uses and are not suitable for mineral resource extraction (Ontario, 2022a). There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Threshold b:	***Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?***

As discussed in Response 5.4.4(a) above, there are no known mineral resources in the area. The Project would not result in the loss of availability of locally-important mineral resources. No impacts are anticipated.

5.4.5 POPULATION AND HOUSING

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

The Project would result in the development of approximately 270,337 s.f. warehouse facility, replacing an existing grain processing and corn storage and distribution facility. According to Southern California Association of Governments' (SCAG) Employment Density Study, the Project would generate approximately 226 employees (Urban Crossroads, 2022f). According to the California Employment Development Department (EDD), as of June 2022, the City of Ontario has a labor force of 92,300 persons and of that labor force, 3,200 are unemployed (unemployment rate of 3.5 percent) (EDD, 2022). According to SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, the City of Ontario is anticipated to employ approximately 169,300 persons by 2045 (SCAG, 2020b). As discussed above, TOP 2050 projected a total of 296,002 jobs in 2050. Therefore, the Project is consistent with the SCAG's 2045 and the TOP 2050 employment projections for the City. Project-generated jobs are well within the employment projections for the City of Ontario. Operation of the Project would not induce substantial unplanned population growth in the Project area, either directly or indirectly and would not exceed regional or local growth projections. Therefore, no impacts are anticipated.

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

The Project Site does not contain any housing and there are no people living at the Project Site that would be displaced by the Project. Therefore, no impacts are anticipated.

5.4.6 PUBLIC SERVICES

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

i. Fire Protection?

ii. Police Protection?

iii. Schools?

iv. Parks?

v. Other public facilities?

A. Fire Protection

Fire protection services are provided by the Ontario Fire Department (OFD). OFD serves these residents from 10 strategically located fire stations, including the Ontario International Airport fire station, with a daily staffing level of 59 sworn firefighters. These fire stations house nine 4-person paramedic engine companies, three 4-person truck companies, an 8-person Aircraft Rescue and Fire Fighting (ARFF) station, 1 fire investigation supervisor, and 2 battalion chiefs (Ontario, 2022c). The closest fire station to the Project Site is Station 7, located at 4901 Vanderbilt Street, approximately 1.3 miles to the southwest of the Project Site.

The proposed building would be in accordance with the applicable provisions of the adopted California Fire Code (CFC) and the City's Municipal Code Section 4-4.01, ordinances, and standard conditions regarding fire prevention and suppression measures related to water improvement plans, fire hydrants, fire access, and water availability. The Project Site is in a developed area currently served by OFD. The Project will not require the construction of any new fire protection facilities or alteration of any existing fire protection facilities or cause a decline in the levels of service, which could cause the need to construct new fire protection facilities. Development impact fees (DIF) would also be collected in order to build and supply necessary infrastructure for fire protection services, as necessary. No impacts are anticipated.

B. Police Protection

Police protection services are provided by the Ontario Police Department (OPD). OPD's headquarters is located at 2500 S. Archibald Avenue, approximately 4.16 miles to the southwest of the Project Site. The Project Site is in a developed area, currently served by OPD. The Project will not require the construction of any new police protection facilities or alteration of any existing police protection facilities or cause a decline in the levels of service, which could cause the need to construct new police protection facilities. DIF would also be collected in order to build and supply necessary infrastructure for police protection services, as necessary. No impacts are anticipated.

C. Schools

The Project is located within the attendance boundaries of the Cucamonga Elementary School District and Chaffey Joint Union High School District. The Project Applicant proposes to demolish the existing grain processing and corn storage and distribution facility and redevelop the Site with a single industrial building. Implementation of the Project does not have the potential to result in substantial direct growth in the population, nor an increase in student population. The Project would be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

D. Parks

The City of Ontario Recreation & Community Services Department operates and manages parks and park programs for the City. The Project would not introduce new residents to the City necessitating the need for additional parks. The Project will not require the construction of any new parks or alteration of any existing parks or cause a decline in the levels of service, which could cause the need to construct new park facilities. No impacts are anticipated.

E. Other Public Facilities

The Project would not introduce new residents to the City necessitating the need for additional public facilities. The Project will not require the construction of any new public facilities or alteration of any existing public facilities or cause a decline in the levels of service, which could cause the need to construct new public facilities. No impacts are anticipated.

5.4.7 RECREATION

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

The Project is not proposing any significant new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

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

The Project does not include recreational facilities or require the construction or expansion of recreational facilities. Implementation of the Project would not result in any adverse physical effects on the environment due to the construction of recreational facilities. No impacts are anticipated.

5.4.8 WILDFIRE

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

The State Responsibility Area (SRA) is the land where the State of California is financially responsible for the preservation and suppression of wildfires. The SRA does not include lands within City boundaries or in federal ownership; therefore, the Project Site does not have the potential to be in an SRA. According to the California Department of Forestry and Fire Protection's fire hazard map for the Local Responsibility Area (LRA), the Project Site is not within a Very High Fire Hazard Severity Zone (CAL FIRE, 2008).

The City updated the Local Hazard Mitigation Plan prepared by the Office of Emergency Management in 2018. The purpose of the Hazard Mitigation Plan (HMP) is to demonstrate the plan for reducing and/or eliminating risk in the City. The HMP process encourages communities to develop goals and projects that will reduce risk and build a more disaster resilient community by analyzing potential hazards.

Construction of the Project would be generally confined to the Project Site and would not physically impair access to the Site or Project area. During both construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles as required by the City and OFD. Because the Project is required to comply with all applicable City codes and is not located within a Very High Fire Hazard Severity Zone (VHFHSZ), any emergency evacuation or emergency response plan impacts would be reduced to a less than significant level. Therefore, impacts are less than significant.

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

As demonstrated above, the Project Site is not in or near an SRA or LRA or lands classified as VHFHSZ. Implementation of the Project would not add wildland vegetation to the Project Site or change site topography (such as adding large slopes) so as to exacerbate wildfire spread. Adjacent areas to the Project Site are also urbanized; therefore, there are no wildlands adjacent to the Site that may expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope and prevailing winds. Therefore, no impacts are anticipated.

Threshold c:	***Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?***

The Project would not require the installation of infrastructure that would exacerbate fire risk. The Project would connect to the existing Ontario Municipal Utilities Company (OMUC) 12-inch water main on East Airport Drive. Sanitary sewer service to the Project Site would be provided by Inland Empire Utilities Agency (IEUA). Sewer would be accommodated via proposed 6-inch sewer line that would extend from the southwestern corners of the building to a proposed 8-inch sewer main on East Airport Drive. The proposed 8-inch sewer main would connect to an existing 8-inch sewer main on East Airport Drive that ends approximately at the western boundary of the Project Site.

Although the Project would require the installation of utility infrastructure connection, the construction of these improvements is inherent to the Project's construction phase and impacts associated with the Project construction phase are evaluated throughout this EIR. In addition to the Project's utility infrastructure, the Project would result in the installation of on-site fire hydrants, that are designed in accordance with the OFD standards. The internal waterlines are anticipated to supply sufficient fire flows and pressure to meet the demands required for on-site fire hydrants. Therefore, the proposed connections to existing infrastructure would not be anticipated to exacerbate fire risk on or off-site or result in temporary or ongoing impacts to the environment. Impacts would be less than significant.

Threshold d:	***Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?***

As discussed above, the Project Site is not located within a landslide zone (DOC, 2021) or in a FEMA flood zone (FEMA, 2016). Regardless of the landslide susceptibility, the Project would be required by the California Building Code (CBC) and City's Building Code to comply with the recommendations identified in the Project's Preliminary Geotechnical Investigation, which would ensure that the Project is engineered and constructed to maximize stability and preclude safety hazards to on-site areas. The implementation of the Project would not increase the risk of landslides after a wildfire compared to existing conditions. Impacts would be less than significant.

Moreover, the Project would result in minor changes to the existing drainage patterns of the Project Site. However, such changes would not increase the rate or amount of surface runoff in a manner which would result in flooding or result in substantial erosion or siltation on- or off-site. The Project would replace the existing developed Site with a single industrial building and would not add wildland vegetation that would not readily transmit wildfire. Therefore, the Project would reduce the risk of wildfire spread. In the event that wildfire occurs in the Project vicinity, the Project would not result in an increased risk of downslope or downstream flooding because it is within an area of minimal flooding and Project runoff would be adequately conveyed by the existing storm drain infrastructure. Therefore, the implementation of the Project would not increase the risk of downslope or downstream flooding. Impacts would be less than significant.

6.0 ALTERNATIVES

An Environmental Impact Report (EIR) must identify ways to mitigate or avoid the significant effects that a Project may have on the environment. In compliance with CEQA Guidelines §15126.6(a), an EIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any significant effects of the project, and evaluate the comparative merits of the alternatives". Although the Project evaluated in this EIR would not result in any significant and unavoidable impacts on the environment, this Section identifies potential alternatives to the Project and evaluates them, as required by CEQA.

Key provisions of the State CEQA Guidelines on alternatives (Sections 15126.6(b)–15126.6(f)) are provided below to explain the foundation and requirements for the alternatives analysis in the EIR.

- The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objective, or would be more costly (Section 15126.6(b)).
- The specific alternative of 'no project' shall also be evaluated along with its impact (Section 15126.6(e)(1)).
- The "no project" analysis shall discuss the existing conditions at the time the Notice of Preparation is published, and at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (Section 15126.6(e)(2)).
- The range of alternatives required in an EIR is governed by the "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent) (Section 15126.6(f)).

- For alternative locations, "only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR" (Section 15126.6(f)(2)(A)).
- If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project, which must be in close proximity to natural resources at a given location (Section 15126.6(f)(2)(B)).
- An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative (Section 15126.6(f)(3)).

6.1 SUMMARY OF SIGNIFICANT AND UNAVOIDABLE IMPACTS

As demonstrated in Section 4.0 of this EIR, implementation of the Project would result in significant adverse environmental effects under one environmental issue area that cannot be mitigated to below a level of significance after the implementation of mandatory regulatory requirements and feasible mitigation measures. The unavoidable significant impact is as follows:

- Transportation (Vehicle Miles Traveled): After the application of feasible mitigation measures, effectiveness of some of the Transportation Demand Management Program (TDMP) strategies that have potential to reduce the Project Vehicle Miles Traveled (VMT) are dependent on as yet unknown Project building tenant(s). Therefore, Project impacts related to VMT would be significant and unavoidable on a direct and cumulatively-considerable basis.

6.2 PROJECT OBJECTIVES

The fundamental purpose and goal of the 5355 East Airport Drive Project is to accomplish the orderly redevelopment of the Project Site with a modern warehouse distribution facility. The Project would achieve this goal through the following objectives.

A. To expand economic development and facilitate job creation in the City of Ontario by re-developing the property with a new, in-demand industrial use adjacent to an already-established industrial area.

B. To attract employment-generating businesses to the City of Ontario to reduce the need for members of the local workforce to commute outside the area for employment.

C. To develop industrial buildings with loading bays in close proximity to designated truck routes and the State highway system to avoid or shorten heavy truck-trip lengths on City and regional roads.

D. To attract businesses that can expedite the delivery of goods to consumers and businesses in the City of Ontario and beyond.

E. To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity of the Project Site and minimize conflicts with other nearby land uses.

F. To develop a property that has access to available infrastructure, including roads and utilities.

6.3 ALTERNATIVES UNDER CONSIDERATION

CEQA Guidelines §15126.6(e) requires that an alternative be included that describes what would reasonably be expected to occur on the property in the foreseeable future if the proposed Project were not approved, based on current plans and consistent with available infrastructure and community services (i.e., "no project" alternative). For development projects that include a revision to an existing land use plan, the "no project" alternative is considered to be the continuation of the existing land use plan into the future. For projects other than a land use plan (for example, a development project on an identifiable property such as the proposed Project evaluated herein), the "no project" alternative is considered to be a circumstance under which the proposed Project does not proceed (CEQA Guidelines §15126.6(e)(3)(A-B). For the alternatives' analysis in this Draft EIR, the "No Project/No Development Alternative" was considered.

6.3.1 NO PROJECT/NO DEVELOPMENT ALTERNATIVE

The No Project/No Development Alternative considers no development on the Project site beyond what occurs on the site under existing conditions (as described in EIR Section 3.0). As such, the Alternative is considered to be the scenario where the existing grain processing company and corn storage and distribution facility are retained and the facility continues to process grain and corn into the future. Under this alternative, no improvements would be made to the Project site and none of the Project's internal parking, utility, and other infrastructure improvements would occur. This alternative was selected by the City to compare the environmental effects of the proposed Project with an alternative that would leave the Project site undeveloped in its general existing conditions.

6.3.2 REDUCED BUILDING AREA ALTERNATIVE

The Reduced Building Area Alternative considers a proposal where the Project site would be redeveloped with two uses: a light industrial building and a trailer parking lot. Under this Alternative, a 135,169 s.f. light industrial building (including related site improvements such as truck loading/unloading areas and parking, passenger vehicle parking, landscaping, signage, and public utility connections) would be developed on the eastern portion of the Project site and a trailer parking lot would be developed on the western portion of the Project site. This alternative was selected to evaluate a scenario that would reduce the total building area on the Project site relative to the Project but still allow productive industrial use of the entire Project site.

6.3.3 REDUCED INTENSITY ALTERNATIVE

The Reduced Intensity Alternative considers a proposal where a portion of the Project site would be redeveloped with an industrial building with a total square footage of 63,500 s.f. and the remainder of the site would be cleared of its existing uses but not be developed. This represents a reduced in development of 206,837 s.f. compared to the Project (an approximately 76.5 percent reduction in building space). Under this alternative, no high-cube cold storage uses would occur. Access to the site would be similar to the Project with a proportional reduction in the number of passenger vehicle parking spaces to service the building. The balance of the site would be used for trailer parking exclusively serving the 63,500 s.f. building user. Although the proposed building size would be reduced, the development impact area would generally remain the same as the Project. This alternative was selected to evaluate a scenario that would reduce the total building size on the Project site, eliminate the high-cube cold storage use, and would not take into account of existing trips generation in order to reduced vehicle and truck trips and significant impacts associated with VMT.

6.4 ALTERNATIVES CONSIDERED BUT REJECTED

An EIR is required to identify any alternatives that were considered by the Lead Agency but were rejected as infeasible. Among the factors described by CEQA Guidelines §15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR are: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the Project, CEQA Guidelines §15126.6(f)(1) notes:

> *"Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries…and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site…"*

In determining an appropriate range of alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. Alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, 2) they would not have resulted in a reduction of significant adverse environmental impacts, or 3) they were considered infeasible to construct or operate. A summary of the alternatives that were considered but rejected are described below.

6.4.1 ALTERNATIVE SITES

CEQA requires that the discussion of alternatives focus on alternatives to the Project or its location that are capable of avoiding or substantially lessening any significant effects of the Project. The key question and first step in the analysis is determining whether any of the significant effects of the project would be avoided or substantially lessened by developing the project at another location. Only

locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines §15126.6(f)(2)).

As discussed above, the Project would result in a significant and unavoidable VMT impact. Development of the Project in an alternative location in the general vicinity of the Project site would not reduce the VMT impact, as trip lengths would not substantially reduce such that the VMT impact could be relieved. Also, placing the Project in a different location would result in similar less-than-significant environmental impacts as would occur with implementation of the Project at its proposed location because the Project's environmental effects are primarily related to vehicles traveling to/from the Project site (air pollutant and greenhouse gas emissions) and not related to the presence of sensitive resources on the Project site or its location near sensitive receptors. Vehicle-related impacts are a direct reflection of the Project's expected operational characteristics, regardless of the property where the Project is located. In fact, if an alternative site were selected for the Project that was located farther from major arterial roads that are designated truck routes, like East Airport Drive for example, or regional freeways like I-15 and I-10, than the Project Site, the severity of the Project's VMT impacts would increase as miles traveled for vehicles going to/from the Project would increase.

Similarly, there are no existing, developed sites for sale that are a similar size as the Project site within close proximity to the key freeway infrastructure and that could reasonably be controlled by the Project Applicant for the purpose of developing the Project. Furthermore, the Project Applicant does not hold ownership control over any other adequately sized parcels of land in or near the Project site that could be used as an alternative location for the proposed Project. CEQA does not require sites that are not owned by the landowner or that could not be reasonably acquired by the landowner to be considered as an alternative to the Project.

Therefore, because an alternative location is not available that would avoid or substantially lessen the significant environmental effects of the Project, and because the Project Applicant does not have ownership control over, and cannot reasonably obtain ownership control over, any other parcels of land of adequate size in the jurisdiction of the City that could accommodate the Project, an alternative location alternative is not required to be analyzed. Accordingly, this alternative is not further considered in the Draft EIR.

6.5 ALTERNATIVE ANALYSIS

The City has identified the following alternatives as a range of reasonable alternatives to the Project in accordance with CEQA Guidelines §15126.6. These alternatives are described in more detail and evaluated for their level of environmental effects, compared to the Project's environmental effects.

The following discussion compares the impacts of each alternative considered by the City with the impacts of the Project, as detailed in Section 4.0, *Environmental Analysis*, of this EIR. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code §21002.1), CEQA Guidelines §15126.6(d) requires that the discussion of alternatives focus on alternatives which are capable of avoiding or substantially lessening

the significant effects of the Project. Therefore, the analysis provided herein focuses on a comparison of the Project's significant impacts to the level of impact that would occur under each evaluated alternative. The Project's significant and unavoidable impact is VMT. Although the Project's less-than-significant impacts also are compared to the alternatives evaluated herein, the emphasis of the comparative discussion in this analysis relates to the significant impacts of the Project that require mitigation as required by CEQA. A conclusion is provided for each significant impact of the Project as to whether the alternative results in one of the following: 1) reduction or elimination of the Project's impact, 2) a greater impact than would occur under the Project, 3) the same impact as the proposed Project, or 4) a new impact in addition to the Project's impacts.

Table 6-1, *Alternatives to the Project – Comparison of Environmental Impacts*, at the end of this Section compares the significant impacts of the Project with the level of impact that would be caused by the alternatives evaluated herein and identifies the ability of each alternative to meet the fundamental purpose and basic objectives of the Project, listed above under 6.2, *Project Objectives*.

6.5.1 No Project/No Development Alternative

The No Project/No Development Alternative considers no development on the Project site beyond what occurs on the site under existing conditions (as described in EIR Section 3.0). As such, the Alternative is considered to be the scenario where the existing grain processing company and corn storage and distribution facility are retained and the facility continues to its current operation into the future. It is acknowledged, however, that continuing the existing uses is a presumption for purposes of analysis herein and in reality the operator of those facilities may not continue operations and the site could become unoccupied and unused under the scenario of the No Project Alternative. Under this alternative, no improvements would be made to the Project site and none of the Project's internal parking, utility, and other infrastructure improvements would occur. This alternative was selected by the City to compare the environmental effects of the proposed Project with an alternative that would leave the Project site undeveloped in its general existing conditions.

A. Aesthetics

The No Project/No Development Alternative does not involve any new development or change in current uses. Under the No Project/No Development Alternative, the visual character and quality of the Project Site would be maintained in its existing condition. No new structures, landscaping, or lighting would be introduced on the Project Site. The No Project Alternative would not have the potential to conflict with the existing character or quality of existing and planned development surrounding the Project Site and would not create a new source of substantial light or glare that would impact nighttime views in the area. No significant aesthetic impacts related to aesthetics were identified for the Project and no significant aesthetic impacts would occur under this alternative.

B. Air Quality

The No Project/No Development Alternative would not involve construction activities. The No Project/No Development Alternative would result in less construction-related air pollutant emissions

compared to the Project; however, the Project's construction-related air quality impacts would be less than significant. Therefore, the No Project Alternative would not avoid any significant construction-related air quality impacts.

The Project Site currently contains a grain processing company and a corn storage and distribution facility that generate nominal amounts of air pollution associated with typical business operations. The No Project Alternative would leave the Project Site in its existing condition and would retain these uses (and less than significant amounts of air pollution).

C. Cultural Resources

The No Project/No Development Alternative would leave the Project Site in its existing condition; no grading would occur under this Alternative and there would be no potential impacts to subsurface archeological resources that may exist beneath the ground surface. Although there are mitigation measures identified in EIR Subsection 4.3 that would reduce the Project's direct and cumulatively considerable impacts to cultural resources to below a level of significance, implementation of the No Project/No Development Alternative would avoid potential impacts to cultural resources associated with the Project and would require no mitigation.

D. Energy

Under the No Project/No Development Alternative, the existing uses on the Project Site would continue to operate; therefore, there would be nominal demand for near-term and long-term electricity and fuel use on the Site. Selection of this Alternative would result in a less than significant impact to energy and would reduce the Project's near- and long-term energy use.

E. Geology and Soils

The No Project/No Development Alternative would leave the Project Site in its existing condition. The No Project/No Development Alternative would not construct any new structures on the Project Site; accordingly, there would be no potential for this Alternative to expose people or structures to safety risks associated with geologic hazards.

With respect to paleontological resources, the No Project Alternative would not involve any excavation or grading activities; therefore, the potential to discover previously unidentified paleontological resources is eliminated. As such, the potential for impacts to paleontological resources with the No Project/No Development Alternative would be less than with the Project; however, the Project's potential impacts would be less than significant with Project level mitigation. Therefore, the No Project Alternative would not avoid any significant impacts related to paleontological resources.

F. Greenhouse Gas Emissions

Under the No Project/No Development Alternative, no new development would occur on the Project Site and the existing facility on-site would continue to operate. With the exception of ongoing nominal

GHG emissions associated with on-site business activities, there would be no new sources of near-term or long-term GHG emissions under the No Project/No Development Alternative; however, the Project's impacts would be less than significant. Therefore, the No Project/No Development Alternative would not avoid any significant impacts related to GHG emissions.

G. Hazards and Hazardous Materials

As identified in Subsection 4.7, with adherence to applicable regulations and implementation of mitigation measures, the Project would have no impact or a less than significant impact related to hazards and hazardous materials. As with the Project, the No Project/No Development Alternative would be operated in compliance with applicable regulations and would have a less than significant impact related to transport, use and disposal of hazardous materials; and, release of hazardous materials and hazardous emissions. No mitigation measure would be required under this alternative. Additionally, consistent with the Project, the No Project/No Development Alternative would have no impact or a less than significant impact related to its location on a hazardous materials site, hazards from airport operations, emergency response/evacuation, and wildland fires.

H. Hydrology and Water Quality

No changes to the Site's existing hydrology and drainage conditions would occur under the No Project/No Development Alternative. No stormwater drainage improvements would be constructed on or adjacent to the Project Site and rainfall would continue to be discharged from the Project Site as sheet flow, as occurs under existing conditions. Under this Alternative, the stormwater leaving the Project Site would continue to flow south and discharges onto the existing curb and gutter on East Airport Drive. Runoff flows east along East Airport Drive and discharges into an existing catch basin located approximately 1,500 feet east of the Site. No drainage improvements or water quality features would be installed under this alternative. This alternative would not include the development of new source control, site design, and treatment control best management practices (BMPs) to minimize runoff and water pollutants, which would occur under the Project. The No Project/No Development Alternative would result in greater impacts to hydrology and water quality than the proposed Project; however, under this Alternative, impacts would remain less than significant.

I. Noise

The No Project/No Development Alternative would not involve construction activities; therefore, noise and vibration effects associated with construction would be less than the Project and the Project's construction-related noise impacts would be less than significant. The No Project/No Development Alternative would not avoid any significant impacts related to noise during construction.

Under the No Project/No Development Alternative, no new sources of permanent noise would be introduced on the Project Site and the noise generated by on-Site activities would continue. Additionally, because the Project Site would not be developed and no new traffic trips would be generated, the No Project/No Development Alternative would not contribute to an incremental increase

in area-wide traffic noise levels. Selection of this Alternative would avoid the Project's less-than-significant long-term noise impacts.

J. Transportation

The No Project/No Development Alternative would not generate any new daily traffic. Accordingly, this Alternative would avoid the Project's significant and unavoidable VMT impact.

K. Tribal Cultural Resources

The No Project/No Development Alternative would not involve any excavation or grading activities; therefore, the potential to discover previously unidentified tribal cultural resources is eliminated. As such, the potential for impacts to tribal cultural resources with the No Project/No Development Alternative would be less than with the Project; however, the Project potential impacts are considered less than significant with incorporation of the mitigation measures in this EIR. Therefore, the No Project/No Development Alternative would not avoid any significant impacts related to tribal cultural resources.

L. Utilities and Service Systems

No new domestic water, sewer, or stormwater drainage facilities would be needed for the No Project/No Development Alternative, and there would be no new demand for domestic water or wastewater treatment services. Also, this Alternative would not demand solid waste collection and disposal services. Neither the Project nor the No Project/No Development Alternative would result in significant or cumulatively-considerable impacts to utilities and service systems. Nonetheless, selection of this Alternative would avoid all of the Project's demand placed on utilities and service systems.

M. Conclusion

1. Avoid or Substantially Lessen the Significant Impacts of the Project

Implementation of the No Project/No Development Alternative would result in no physical environmental impacts to the Project Site beyond those that have historically occurred on the Project Site. All potentially significant effects of the Project would be avoided by the selection of this Alternative.

2. Attainment of Project Objectives

Because the No Project/No Development Alternative would not redevelop the Project Site and would not expand economic development or facilitate job creation, the No Project Alternative would fail to meet all of the Project's objectives.

6.5.2 Reduced Building Area Alternative

The Reduced Building Area Alternative considers a proposal where the Project site would be redeveloped with two uses: a light industrial building and a trailer parking lot. Under this Alternative, a 135,169 s.f. light industrial building (including related site improvements such as truck loading/unloading areas and parking, passenger vehicle parking, landscaping, signage, and public utility connections) would be developed on the eastern portion of the Project site and a trailer parking lot would be developed on the western portion of the Project site. This alternative was selected to evaluate a scenario that would reduce the total building area on the Project site relative to the Project but still allow productive industrial use of the entire Project site.

A. Aesthetics

Under the Reduced Building Area Alternative, the eastern portion of the Project site would look similar to the Project, just at a reduced scale while the western portion of the site would be used for trailer parking. It is expected that the overall visual appearance under this alternative would be similar to the Project and would not represent a significant impact. As with the Project, the development associated with the Reduced Building Area Alternative would comply with the City's Development Code. Overall, the Reduced Building Area Alternative's effect on aesthetics would be comparable the Project and would remain less than significant.

B. Air Quality

Under this Alternative, the overall duration of construction would be reduced as compared to the Project, due to the reduction of approximately 135,169 s.f. of building area (although the reduction on building area under the Reduced Building Area Alternative would be partially offset by this alternative's requirement for substantially more paving). As such, the total amount of air pollutant emissions generated during the construction phase would be reduced under this Alternative as compared to the Project. The peak daily intensity of construction activities at the Project site would be similar under both this Alternative and the Project because both would: 1) disturb the same physical area; 2) utilize the same types of construction equipment; and 3) require the same types of construction activities. Therefore, the total daily emissions during the construction phase would be less than significant and similar to the Project.

Because the Reduced Building Area Alternative would result in less building floor area than the Project, this Alternative is expected to require less energy to operate than the Project and, therefore, would result in a reduction of non-mobile source air quality emissions as compared to the Project. The Reduced Building Area Alternative would generate a reduced amount of mobile source air pollutant emissions as the Project from heavy truck traffic and would reduce mobile source air quality emissions from passenger vehicles due to a reduction in employees on-site. In total, the Reduced Building Area Alternative would reduce the Project's operational regional air quality emissions and be less than significant.

Because heavy truck trip traffic would be reduced between the Reduced Building Area Alternative and the Project, the Reduced Building Area Alternative would result in reduced – and less than significant – carcinogenic and non-carcinogenic health risk hazards as the Project.

Like the Project, the Reduced Building Area Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). Similar to the Project, these odors would occur intermittently, be of short-term duration, and would not be substantial. Long-term operation of this Alternative would not create objectionable odors affecting a substantial number of people and impacts would be less than significant with compliance with mandatory regulatory requirements.

C. Cultural Resources

The Reduced Building Area Alternative would develop the entire Project site and would result in identical impacts to cultural resources as the Project. The Reduced Building Area Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Building Area Alternative and the Project would result in less-than-significant impacts to cultural resources.

D. Energy

Because the Reduced Building Area Alternative would result in less building floor area than the Project, the Reduced Building Area Alternative is expected to require less energy to construct and operate than the Project and, therefore, would result in a reduction of energy usage as compared to the Project. Additionally, the Reduced Building Area Alternative would generate fewer daily passenger vehicle trips than the Project and would reduce transportation energy demands. The Reduced Building Area Alternative would result in a less-than-significant impact, which is the same conclusion drawn for the Project.

E. Geology and Soils

This alternative would disturb the same physical area as the Project and would, therefore, have the same potential for soil erosion during the construction phase as the Project. Soil erosion impacts would be less than significant under both the Project and this Alternative due to mandatory compliance with federal, State, and local water quality standards. The Reduced Building Area Alternative would be required to comply with the same mandatory regulatory requirements as the Project to preclude substantial hazards associated with seismic ground shaking and geologic hazards. The Reduced Building Area Alternative would result in a similar, less-than-significant impact to geology and soils as the Project.

F. Greenhouse Gas Emissions

Because the Reduced Building Area Alternative would result in less building floor area than the Project, the Reduced Building Area Alternative is expected to require less energy to construct and operate than the Project and, therefore, would result in a reduction of non-mobile source GHG

emissions as compared to the Project. Additionally, the Reduced Building Area Alternative would result in an incremental reduction in mobile source GHG emissions due to a reduction daily passenger vehicle traffic. The Reduced Building Area Alternative would result in a less-than-significant impact, which is the same conclusion drawn for the Project.

G. Hazards and Hazardous Materials

Neither implementation of the Reduced Building Area Alternative nor the Project would result in a significant impact related to hazards or hazardous materials. Land uses that would occur on-site under the Reduced Building Area Alternative would have a similar potential to handle and store hazardous materials than the Project. With mandatory regulatory compliance, both the Reduced Building Area Alternative and the Project would pose a less-than-significant hazard to the public or the environment related to the use, handling, storage, and/or transport of hazardous materials.

H. Hydrology and Water Quality

Neither the Project nor the Reduced Building Area Alternative would result in substantial alterations to the drainage pattern of the site or would result in substantial erosion effects. Accordingly, implementation of the Project and the Reduced Building Area Alternative would both result in less-than-significant impacts to existing drainage patterns.

During construction, potential hydrology and water quality effects on the Project site would be similar under both the Reduced Building Area Alternative and the Project due to this alternative and the Project both disturbing the same physical area. Like the Project, the Reduced Building Area Alternative would be required to implement a SWPPP to ensure that stormwater runoff during construction does not contain substantial pollutant concentrations. Both the Project and the Reduced Building Area Alternative would result in less than significant construction impacts to hydrology and water quality.

In the long-term, potential hydrology and water quality effects on the Project site would be similar under both the Reduced Building Area Alternative and the Project due to this alternative and the Project both providing a similar amount of non-pervious surfaces. Like the Project, the Reduced Building Area Alternative would be required to implement a drainage plan to ensure that stormwater runoff is conveyed to local and regional stormwater drainage facilities with adequate capacity to handle runoff flows from the Project site. Additionally, like the Project, the Reduced Building Area Alternative would be required to implement a long term WQMP to ensure that stormwater runoff leaving the Project site does not contain substantial pollutant concentrations. Both the Project and the Reduced Building Area Alternative would result in less than significant operational impacts to hydrology and water quality.

I. Noise

Noise associated with this Alternative would occur during short-term construction activities and under long term operation. The types of daily construction activities conducted on the Project site would be similar (and less than significant) under both the Reduced Building Area Alternative and the Project,

although the length of construction activities would be slightly decreased under this alternative as less building floor area would be constructed on-site. It is anticipated that the total duration of noise impacts during the building construction phase would be slightly decreased under this alternative as compared to the Project and impacts would be less than significant. Under long-term operational conditions, noise impacts from operations on the Project site (i.e., stationary noise) would be similar (and less than significant) relative to the Project due to relatively similar operational practices (i.e., cargo loading/unloading activities) and similar daily heavy truck traffic volumes.

J. Transportation

The Reduced Building Area Alternative and the Project would not conflict with applicable programs, plans, ordinances or policies addressing the circulation system; would not create hazards through design; and, would not result in inadequate emergency access. As with the Project, these impacts under this alternative would remain less than significant.

Construction and operation-related vehicle truck trips would be reduced under the Reduced Building Area Alternative. Trip generation is based on land uses and its associated square footage. Based on the reduced building size, daily net new vehicle trip-ends per day would be proportionally decrease by approximately 50 percent and net new average daily trips under this alternative would be less than 110 daily vehicle trips. The Reduced Building Area Alternative would meet the Project Type Screening threshold and VMT impacts would be less than significant and would eliminate the Project's significant and unavoidable VMT impact.

K. Tribal Cultural Resources

The Reduced Building Area Alternative would develop the entire Project site and would result in identical impacts to tribal cultural resources as the Project. The Reduced Building Area Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Building Area Alternative and the Project would result in less-than-significant impacts to tribal cultural resources.

L. Utilities and Service Systems

Due to a reduced building area, the Reduced Building Area Alternative is expected to have a reduced demand for utilities and services systems, including water, sewer, storm water drainage service/facilities, and solid waste collection and disposal, as compared to the Project. As with the Project, the Reduced Building Area Alternative is expected to result in a less-than-significant impact to utilities and services systems.

M. Conclusion

1. Avoid or Substantially Lessen the Significant Impacts of the Project

The Reduced Building Area Alternative would avoid the Project's significant and unavoidable VMT impacts. The Reduced Building Area Alternative would reduce the Project's less-than-significant

impacts to air quality, energy, greenhouse gas emissions, and utilities and service systems. All other impacts from the Reduced Building Alternative would be similar to the Project.

2. Attainment of Project Objectives

The Reduced Building Area Alternative would meet Project Objectives "A" and "B" less effectively than the Project due to the reduction in building area on-site. The Reduced Building Area Alternative would meet all of the Project's other objectives.

6.5.1 Reduced Intensity Alternative

The Reduced Intensity Alternative considers a proposal where the Project site would be redeveloped with an industrial building with a total square footage of 63,500 s.f. and the balance of the site would be cleared of existing uses but would not be developed. This represents a reduction in development of 206,837 s.f. compared to the Project (an approximate 76.5 percent reduction). Under this alternative, no high-cube cold storage uses would occur. Access to the site would be similar to the Project with a proportional reduction in the number of passenger vehicle and truck parking spaces. This alternative was selected to evaluate a scenario that would reduce the total building size on the Project site, eliminate the high-cube cold storage use, and would not take into account elimination of existing trips generated by the existing uses in order to achieve a less-than-significant VMT impact. With a building size of 63,500 s.f. and taking no credit for the elimination of existing vehicle trips serving the existing uses on the site, a 63,500 s.f building would generate fewer than 110 daily trips and meet the City's small project screening criteria for a less-than-significant VMT impact.

A. Aesthetics

Under the Reduced Intensity Alternative, the Project site would be replaced with a single industrial building totaling 63,500 s.f. at the same height as the Project. The overall visual appearance under this alternative on the developed portion of the site would be similar to the Project and would not represent a significant impact. As with the Project, the development associated with the Reduced Intensity Alternative would comply with the City's Development Code. Overall, the Reduced Building Intensity Alternative's effect on aesthetics would be comparable the Project and would remain less than significant.

B. Air Quality

Under this Alternative, the overall duration of construction would be reduced as compared to the Project, due to the reduction of approximately 206,837 s.f. of building area. The total amount of air pollutant emissions generated during the construction phase would be reduced under this Alternative as compared to the Project; however, the peak daily intensity of construction activities at the Project site would be similar under both this Alternative and the Project because both would: 1) disturb the same maximum physical area per day; 2) utilize the same types of construction equipment; and 3) require the same types of construction activities. Therefore, the total daily emissions during the construction phase would be less than significant and similar to the Project.

Because the Reduced Intensity Alternative would result in less building floor area than the Project, this Alternative would require less energy to operate than the Project and, therefore, would result in a reduction of non-mobile source air quality emissions as compared to the Project. The Reduced Intensity Alternative would generate a reduced amount of mobile source air pollutant emissions as the Project from heavy truck traffic and would significantly reduce mobile source air quality emissions from passenger vehicles due to a reduction in employees on-site. In total, the Reduced Intensity Alternative would reduce the Project's operational regional air quality emissions and be less than significant.

Because heavy truck trip traffic would be reduced between the Reduced Intensity Alternative and the Project, the Reduced Intensity Alternative would result in reduced – and less than significant – carcinogenic and non-carcinogenic health risk hazards as the Project.

Like the Project, the Reduced Intensity Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). Similar to the Project, these odors would occur intermittently, be of short-term duration, and would not be substantial. Long-term operation of this Alternative would not create objectionable odors affecting a substantial number of people and impacts would be less than significant with compliance with mandatory regulatory requirements.

C. Cultural Resources

The Reduced Intensity Alternative would develop a smaller portion of Project site but disturb the entire Project site for demolition. Because depth of ground disturbance on the undeveloped portion of the site would be more shallow, this Alternative has a lesser potential for impacts to cultural resources than the Project. The Reduced Intensity Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Intensity Alternative and the Project would result in less-than-significant impacts to cultural resources.

D. Energy

Because the Reduced Intensity Alternative would result in less building floor area than the Project, the Reduced Intensity Alternative would require less energy to construct and operate than the Project and, therefore, would result in a reduction of energy usage as compared to the Project. Additionally, the Reduced Intensity Alternative would generate fewer daily passenger vehicle trips than the Project and would reduce transportation energy demands. The Reduced Building Area Alternative would result in a less-than-significant impact, which is the same conclusion drawn for the Project.

E. Geology and Soils

This alternative would disturb the same physical area as the Project and would, therefore, have the same potential for soil erosion during the construction phase as the Project. Soil erosion impacts would be less than significant under both the Project and this Alternative due to mandatory compliance with federal, State, and local water quality standards. The Reduced Intensity Alternative would be required to comply with the same mandatory regulatory requirements as the Project to preclude substantial

hazards associated with seismic ground shaking and geologic hazards. The Reduced Intensity Alternative would develop a smaller portion of Project site but disturb the entire Project site for demolition. Because depth of ground disturbance on the undeveloped portion of the site would be shallower, this Alternative has a lesser potential for impacts to paleontological resources than the Project. The Reduced Intensity Alternative would result in a similar, less-than-significant impact to geology and soils as the Project.

F. Greenhouse Gas Emissions

Because the Reduced Intensity Alternative would result in less building floor area than the Project, the Reduced Intensity Alternative would require less energy to construct and operate than the Project and, therefore, would result in a reduction of non-mobile source GHG emissions as compared to the Project. Additionally, the Reduced Intensity Alternative would result in a reduction in mobile source GHG emissions due to a reduction daily passenger vehicle traffic. The Reduced Intensity Alternative would result in a less-than-significant impact, which is the same conclusion drawn for the Project.

G. Hazards and Hazardous Materials

Neither implementation of the Reduced Intensity Alternative nor the Project would result in a significant impact related to hazards or hazardous materials. Land uses that would occur on-site under the Reduced Intensity Alternative would have a similar potential to handle and store hazardous materials than the Project. With mandatory regulatory compliance, both the Reduced Intensity Alternative and the Project would pose a less-than-significant hazard to the public or the environment related to the use, handling, storage, and/or transport of hazardous materials.

H. Hydrology and Water Quality

Neither the Project nor the Reduced Intensity Alternative would result in substantial alterations to the drainage pattern of the site or would result in substantial erosion effects. Accordingly, implementation of the Project and the Reduced Intensity Alternative would both result in less-than-significant impacts to existing drainage patterns.

During construction, potential hydrology and water quality effects on the Project site would be similar under both the Reduced Intensity Alternative and the Project due to this alternative and the Project both disturbing the same physical area. Like the Project, the Reduced Intensity Alternative would be required to implement a SWPPP to ensure that stormwater runoff during construction does not contain substantial pollutant concentrations. Both the Project and the Reduced Intensity Alternative would result in less than significant construction impacts to hydrology and water quality.

In the long-term, potential hydrology and water quality effects on the Project site would be less under both the Reduced Intensity Alternative as compared to the Project due to this alternative having a lesser extent of non-pervious surfaces. Under this alternative, it is assumed that the non-developed portion of the site would be hydroseeded and left undeveloped and unutilized. Similar to the Project, the Reduced Intensity Alternative would be required to implement a drainage plan to ensure that stormwater runoff

is conveyed to local and regional stormwater drainage facilities with adequate capacity to handle runoff flows from the Project site. Additionally, like the Project, the Reduced Intensity Alternative would be required to implement a long term WQMP to ensure that stormwater runoff leaving the Project site does not contain substantial pollutant concentrations. Both the Project and the Reduced Intensity Alternative would result in less than significant operational impacts to hydrology and water quality.

I. Noise

Noise associated with this Alternative would occur during short-term construction activities and under long term operation. The types of daily construction activities conducted on the Project site would be similar (and less than significant) under both the Reduced Intensity Alternative and the Project, although the length of construction activities would be decreased under this alternative as less building floor area would be constructed on-site. The total duration of noise impacts during the building construction phase would be decreased under this alternative as compared to the Project and impacts would be less than significant. Under long-term operational conditions, noise impacts from operations on the Project site (i.e., stationary noise) would be reduced (and less than significant) relative to the Project due to relatively similar operational practices (i.e., cargo loading/unloading activities) and reduced daily heavy truck traffic volumes.

J. Transportation

The Reduced Intensity Alternative and the Project would not conflict with applicable programs, plans, ordinances or policies addressing the circulation system; would not create hazards through design; and, would not result in inadequate emergency access. As with the Project, these impacts under this alternative would remain less than significant.

Construction and operational-related vehicle truck trips would be reduced under the Reduced Intensity Alternative. Trip generation is based on land uses and its associated square footage. As shown in Table 6-1, *Trip Generation under the Reduced Building Intensity Alternative*, based on the reduced building size, the Reduced Intensity Alternative is calculated to generate 108 daily vehicle trip-ends per day; therefore, net new average daily trips under this alternative would be less than 110 daily vehicle trips. The Reduced Intensity Alternative would meet the Project Type Screening threshold and VMT impacts would be less than significant. The Reduced Intensity Alternative would eliminate the Project's significant and unavoidable VMT impacts.

Table 6-1 Trip Generation under the Reduced Building Intensity Alternative

Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Warehousing (Actual vehicles)							
Passenger Cars:	8	2	10	2	7	9	70
2-axle Trucks:	0	0	0	0	0	0	6
3-axle Trucks:	0	0	0	0	0	0	8
4+axle Trucks:	0	0	0	1	1	2	24
Total Truck Trips:	0	0	0	1	1	2	38

Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Total Trips[1]	**8**	**2**	**10**	**3**	**8**	**11**	**108**

[1] Total Trips = Passenger Cars + Truck Trips.

K. Tribal Cultural Resources

The Reduced Intensity Alternative would develop a smaller portion of Project site, but disturb the entire Project site for demolition. Because depth of ground disturbance on the undeveloped portion of the site would be shallower, this Alternative has a lesser potential for impacts to Tribal Cultural Resources than the Project. The Reduced Intensity Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Intensity Alternative and the Project would result in less-than-significant impacts to Tribal Cultural Resources.

L. Utilities and Service Systems

Due to a reduced building area, the Reduced Intensity Alternative is expected to have a reduced demand for utilities and services systems, including water, sewer, storm water drainage service/facilities, and solid waste collection and disposal, as compared to the Project. Similar to the Project, the Reduced Intensity Alternative is expected to result in a less-than-significant impact to utilities and services systems.

M. Conclusion

1. Avoid or Substantially Lessen the Significant Impacts of the Project

The Reduced Intensity Alternative would avoid the Project's significant and unavoidable VMT impact. The Reduced Intensity Area Alternative would reduce the Project's less-than-significant impacts to air quality, energy, greenhouse gas emissions, noise, and utilities and service systems and reduce the potential for impacts to cultural, paleontological, and tribal cultural resources. All other impacts from the Reduced Intensity Alternative would be similar to the Project.

2. Attainment of Project Objectives

The Reduced Intensity Alternative would meet Project Objectives "A" and "B" less effectively than the Project due to the reduction in building area on-site and employees compared to the Project. The Reduced Intensity Alternative would meet all of the Project's other objectives.

6.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives shall identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative as defined by CEQA should minimize adverse impacts to the Project site and its surrounding environment.

The No Project/No Development Alternative has the least impact to the environment because it would not involve any construction activities or warehouse operations. There would be no impacts associated with a cumulatively considerable VMT impact. This impact is considered significant and unavoidable for the Project. While this alternative would avoid the significant effect of the Project, it would not receive any benefits from the drainage improvements or water quality features that would be constructed by the Project. Additionally, none of the Project objectives would be met.

If a "no project" alternative is identified as the environmentally superior alternative then the EIR shall also identify an environmentally superior alternative among the other alternatives (see CEQA Guidelines Section 15126.6(e)(2)). The Reduced Building Area Alternative, as described in Subsection 6.5.2, is identified as the environmentally superior alternative, because the Reduced Building Area Alternative would result in the greatest reduction of environmental impacts among the remaining alternatives as summarized in Table 6-1. The reduction in impacts is due to the fact that the use would have reduced vehicular trips, which would result in a reduction in VMT impacts; however, the Reduced Building Area Alternative would only partially meet two of the Project's objectives.

Table 6-2 Alternatives to the Project – Comparison of Environmental Impacts

Impact Area	Project	No Project/ No Development	Reduced Building Area	Reduced Intensity
Aesthetics	LTS	Reduced	Similar	Similar
Air Quality	LTS	Reduced	Reduced	Reduced
Cultural Resources	LTS/M	Reduced	Similar	Reduced
Energy	LTS	Reduced	Reduced	Reduced
Geology and Soils	LTS/M	Reduced	Similar	Reduced
Greenhouse Gas Emissions	LTS	Reduced	Reduced	Reduced
Hazards and Hazardous Materials	LTS/M	Reduced	Similar	Similar
Hydrology and Water Quality	LTS	Increase	Similar	Similar
Noise	LTS	Reduced	Similar	Reduced
Transportation	SU	Reduced*	Reduced*	Reduced*
Tribal Cultural Resources	LTS/M	Reduced	Similar	Reduced
Utilities and Service Systems	LTS	Reduced	Reduced	Reduced

LTS = Less than Significant; LTS/M = Less than Significant with Mitigation; SU = Significant and Unavoidable
* = Eliminates SU impact.

Table 6-1 Alternatives to the Project – Comparison of Environmental Impacts (Cont.)

Project Objectives	No Project/ No Development	Reduced Building Area	Reduced Intensity
A. To expand economic development and facilitate job creation in the City of Ontario by re-developing the property with a new, in-demand industrial use adjacent to an already-established industrial area.	No	Yes, but less effectively than the Project	Yes, but less effectively than the Project

Project Objectives	No Project/ No Development	Reduced Building Area	Reduced Intensity
B. To attract employment-generating businesses to the City of Ontario to reduce the need for members of the local workforce to commute outside the area for employment.	No	Yes, but less effectively than the Project	Yes, but less effectively than the Project
C. To develop industrial buildings with loading bays in close proximity to designated truck routes and the State highway system to avoid or shorten heavy truck-trip lengths on City and regional roads.	No	Yes	Yes
D. To attract businesses that can expedite the delivery of goods to consumers and businesses in the City of Ontario and beyond.	No	Yes	Yes
E. To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity of the Project Site and minimize conflicts with other nearby land uses.	No	Yes	Yes
F. To develop a property that has access to available infrastructure, including roads and utilities.	No	Yes	Yes

7.0 REFERENCES

7.1 PERSONS CONTRIBUTING TO EIR PREPARATION

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B.A. Environmental Studies

Rhea Smith, GIS/Graphics Technician
B.A. History

7.2 DOCUMENTS APPENDED TO THIS EIR

The following reports, studies, and supporting documentation were used in preparing the 5355 East Airport Drive EIR and are bound separately as Technical Appendices. A copy of the Technical Appendices is available for review at the City of Ontario Planning Department at 303 East B Street, Ontario, CA 91764.

Appendix A: 5355 East Airport Drive Notice of Preparation (NOP), and Written Comments on the NOP.

Appendix B1: Urban Crossroads, 2022a. *5355 East Airport Drive Air Quality Impact Analysis.* August 30, 2022.

Appendix B2: Urban Crossroads, 2022b. *5355 East Airport Drive Mobile Source Health Risk Assessment.* August 30, 2022.

Appendix C: Brian F. Smith and Associates, Inc. (BFSA), 2022. *Cultural Resources Records Search Results for the 5355 Airport Drive Project, Ontario, California*. May 20, 2022.

Appendix D: Urban Crossroads, 2022c. *5355 East Airport Drive Energy Analysis*. August 30, 2022.

Appendix E1: Southern California Geotechnical (SCG), 2022a. *Geotechnical Investigation Proposed Warehouse 5355 East Airport Drive Ontario, California.* March 9, 2022.

Appendix E2: Southern California Geotechnical, 2022b. *Infiltration Report.* March 9, 2022.

Appendix F: Urban Crossroads, 2022d. *5355 East Airport Drive Greenhouse Gas Analysis*. August 30, 2022.

Appendix G: Farallon Consulting, L.L.C. (Farallon), 2022. *Phase I/II Environmental Site Assessment*. March 31, 2022.

Appendix H1: Westland Group, Inc. (Westland), 2022a. *Preliminary Hydrology Report.* March 2022.

Appendix H2: Westland, 2022b. *Preliminary Water Quality Management Plan*. March 2022.

Appendix I: Urban Crossroads, 2022e. *5355 East Airport Drive Noise Impact Analysis*. August 3, 2022.

Appendix J: Urban Crossroads, 2023a. *5355 East Airport Drive Vehicle Miles Traveled Analysis*. January 3, 2023.

Appendix K: Urban Crossroads, 2023b. *5355 East Airport Drive Trip Generation Assessment*. January 3, 2023.

7.3 DOCUMENTS INCORPORATED BY REFERENCE

The following reports, studies, and supporting documentation were used in the preparation of this EIR and are incorporated by reference within this EIR. A copy of the following reports, studies, and supporting documentation is a matter of public record and is generally available to the public at the location listed.

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SWRCB, 2022	SWRCB, 2022. Statewide Water Quality Control Plans for Trash. May 17, 2022. Available on-line: https://www.waterboards.ca.gov/water_issues/programs/trash_control/documentation.html
UNFCCC, n.d.	United Nations Framework Convention on Climate Change (UNFCCC), n.d. What is the Kyoto Protocol?. Available on-line: https://unfccc.int/kyoto_protocol
UNFCCC, n.d.	UNFCCC, n.d. The Paris Agreement. Available on-line: https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement
USFWS, 2020	U.S. Fish and Wildlife Service (USFWS), 2020. National Wetlands Inventory. October 1, 2020. Available on-line: https://www.fws.gov/wetlands/data/mapper.html
US Census, 2012	United States Census Bureau (US Census), 2012. 2010 Census Urbanized Area Reference Map. Available on-line: https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua75340_riverside--san_bernardino_ca/DC10UA75340.pdf

7.5 Persons Consulted/Written or Verbal Communication

7.5.1 Tribal Consultation

Gabrieleno Band of Mission Indians – Kizh Nation
Andrew Salas, Chairperson

San Gabriel Band of Mission Indians
Anthony Morales, Chairperson

San Manuel Band of Mission Indians
Stephanie Guerrero, Cultural Resources Management Department

Soboba Band of Luiseno Indians
Joseph Ontiveros, Cultural Resource Department

Notice of Preparation

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

TO: Property Owners, Responsible Agencies & Interested Parties

FROM: City of Ontario, Planning Department, 303 East "B" Street, Ontario, CA 91764

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report

NOTICE IS HEREBY GIVEN that pursuant to the California Environmental Quality Act (CEQA), the City of Ontario will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the project identified below. For regulatory agencies, we need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering a permit or other approval for the project.

Project Title/File No.: 5355 East Airport Drive (PDEV22-017)

Project Location: The Project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1, 2, and 3 attached, the 13.08-acre Project site is located at 5355 East Airport Drive (APN: 0238-052-29 and 0238-052-20). The Project site is bordered by East Airport Drive to the south, industrial uses to the east and west, and railroad tracks to the north.

Project Description: The Project Applicant seeks to demolish all existing on-site structures and re-develop the site as a warehouse distribution facility with approximately 270,337 square feet (s.f.) of building area as shown on Figure 4, *Site Plan*. Of the total building square footage, the Project would allocate 255,337 s.f. for ground floor space and 15,000 s.f. for mezzanine space. Development of the Project site would require demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The proposed building would be a one-story, 48-foot-tall speculative warehouse/ distribution facility with office. The Project includes surface parking with 251 parking spaces including 135 standard automobile parking stalls, 7 accessible parking stalls, 25 electric vehicle parking stalls, and 84 additional standard stalls within the truck court. The Project would further include 48 truck trailer parking spaces located south of the building near the building's 54 proposed dock doors. A new 5' sidewalk would be constructed along East Airport Drive to provide pedestrian access from the public street to the primary building entrances. Bike racks also would be provided near the building entrance and electrical room. Ornamental landscaping, lighting, walls, and utility infrastructure improvements/connections would be installed per compliance with the City's Municipal Code. Vehicular access would be provided via 2 driveways connecting with East Airport Drive. A 14-foot-high concrete screen wall would border the Project site's southern boundary along the trailer parking spaces, which would transition to an 8-foot-high black tube steel gate from the gate entry to the truck driveways connecting with East Airport Drive. An 8-foot-high painted tube steel fence would border the Project's eastern and western boundaries. Although the future building user is not presently known, the proposed building is assumed to operate 24 hours a day, 7 days a week.

An Initial Study has not been prepared for the Project as the City has determined that an EIR will be required for the Project, which is in the discretion of the Lead Agency as set forth in State CEQA Guidelines Section 15063(a). The following environmental topics will be analyzed within the forthcoming Draft EIR:

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

Public Review Period: The City welcomes input and comments regarding preparation of the EIR. In accordance with CEQA, the NOP will be circulated for a 30-day public review period. Should you have any comments, please provide a written response to this NOP within the 30-day NOP public review period, which extends from September 1, 2022 to September 30, 2022. Pursuant to CEQA Guidelines Section 15082, responsible and trustee agencies and other interested parties, including members of the public, must submit any comments in response to this notice no later than 30 days after receipt of the notice. Please send your response to the contact person identified below. We will need the name and contact information for a contact person in your agency.

Thomas Grahn
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764
Phone: (909) 395-2413
Email: TGrahn@ontarioca.gov

Scoping Meeting: The proposed project ☒ is, ☐ is not, considered a project of statewide, regional, or area-wide significance. The proposed project ☐ will, ☒ will not, affect highways or other facilities under the jurisdiction of the State Department of Transportation. A scoping meeting ☒ will, ☐ will not, be held by the lead agency.

If the project meets the criteria requiring the scoping meeting, or if the agency voluntarily elects to hold such a meeting, the date, time, and location of the scoping meeting are as follows:

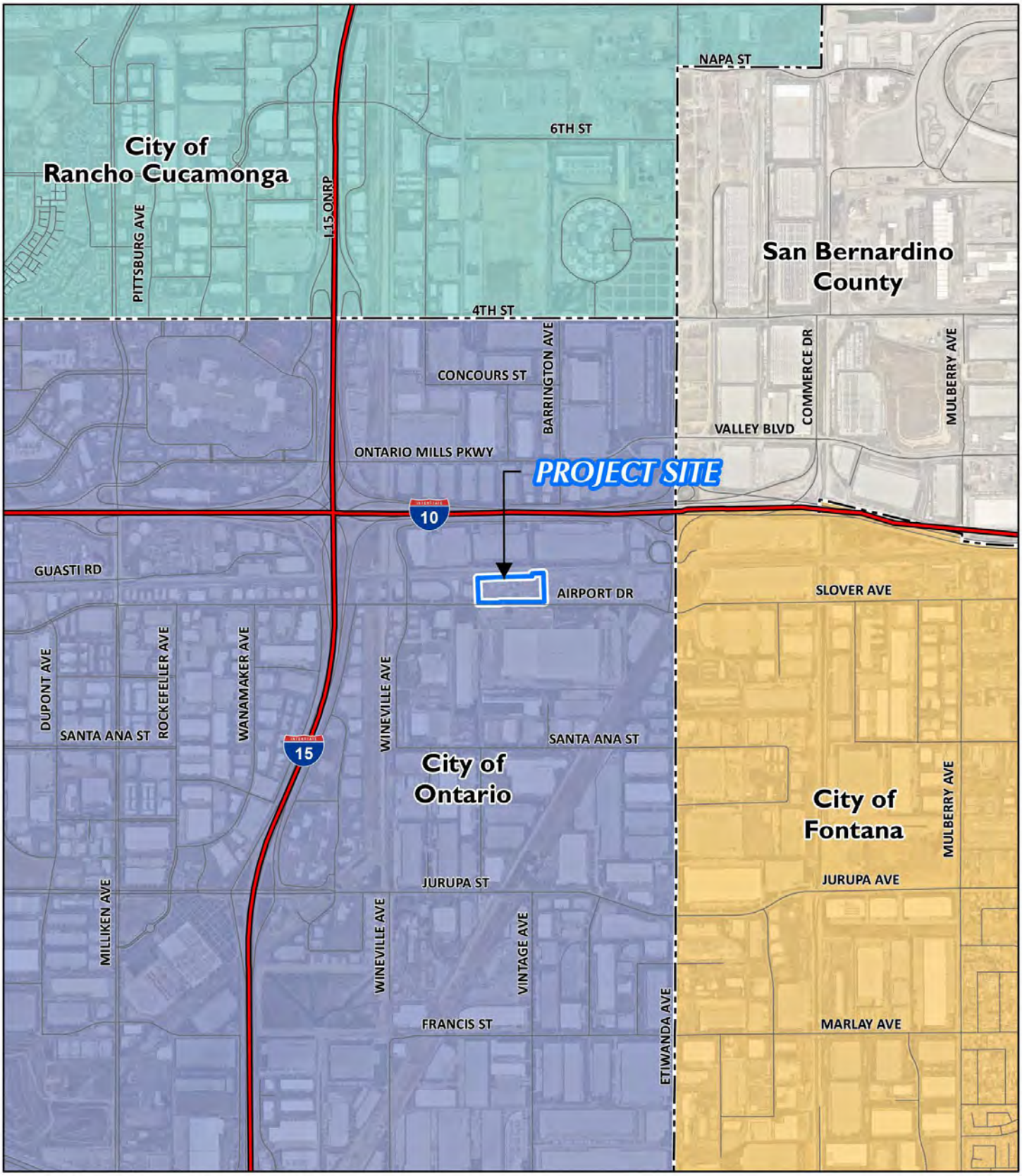
Meeting Date and Time: September 13, 2022, at 6 PM
Meeting Location (Via Zoom): https://us02web.zoom.us/j/83565725981; Webinar ID: 835 6572 5981
By Phone: +1(669)900-9128,,83565725981# or +1(669)444-9171,,83565725981#

Project Applicant: Prologis, Inc.; 17777 Center Court Dr N, Suite 100, Cerritos, CA 90703

Consulting firm retained to prepare draft EIR: T&B Planning, Inc.; 3200 El Camino Real, Suite 100, Irvine, CA 92602

Signature:	**Date:** 8/31/2022
Name: Thomas Grahn	**Title:** Senior Planner

Reference: California Code of Regulations, Title 14 (CEQA Guidelines) Sections 15082(a), 15103, and 15375.



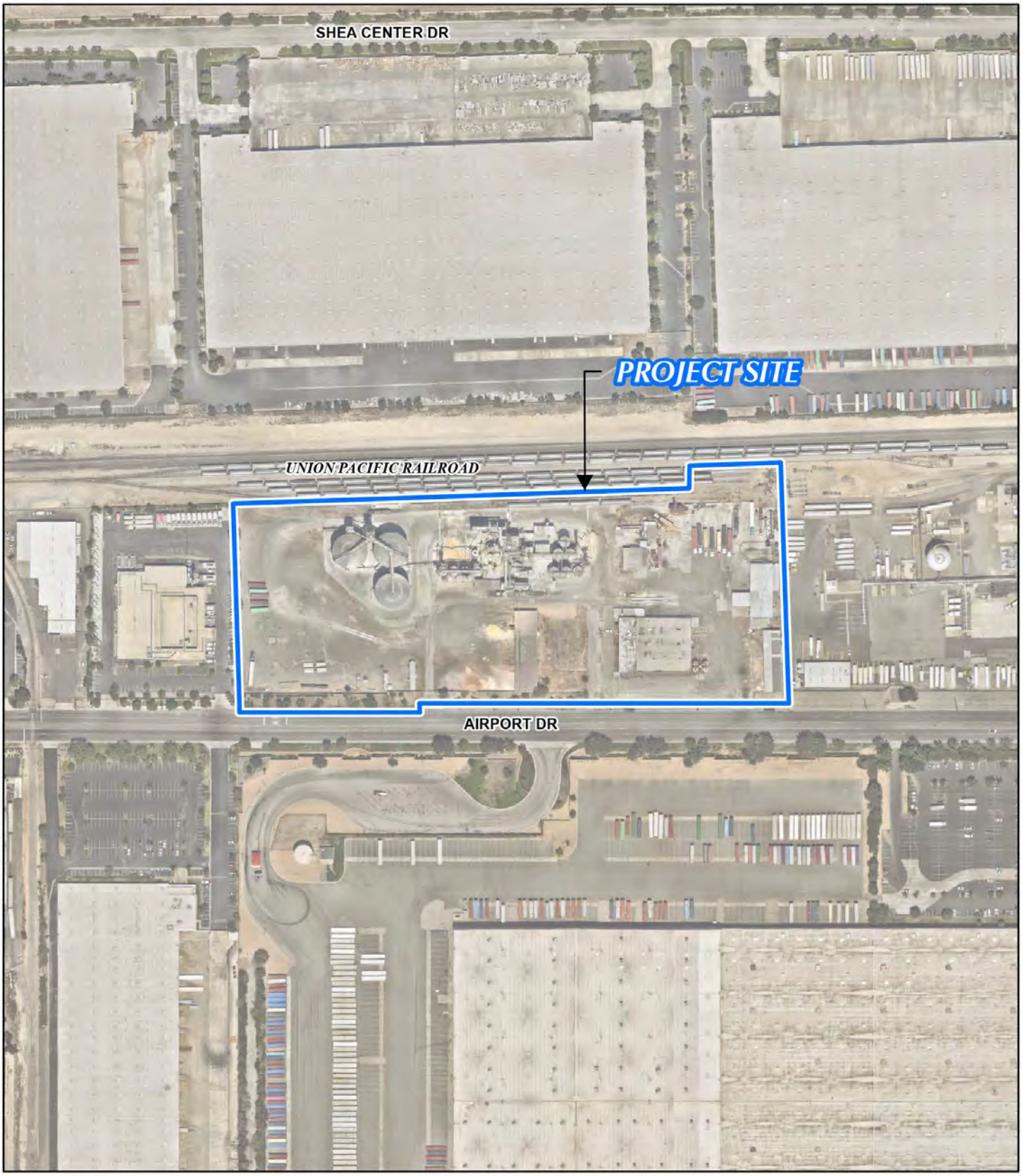
Source(s): ESRI, Nearmap Imagery (2022), SB County (2022)

Figure 1

0 625 1,250 2,500
Feet

Vicinity Map

5355 East Airport Drive



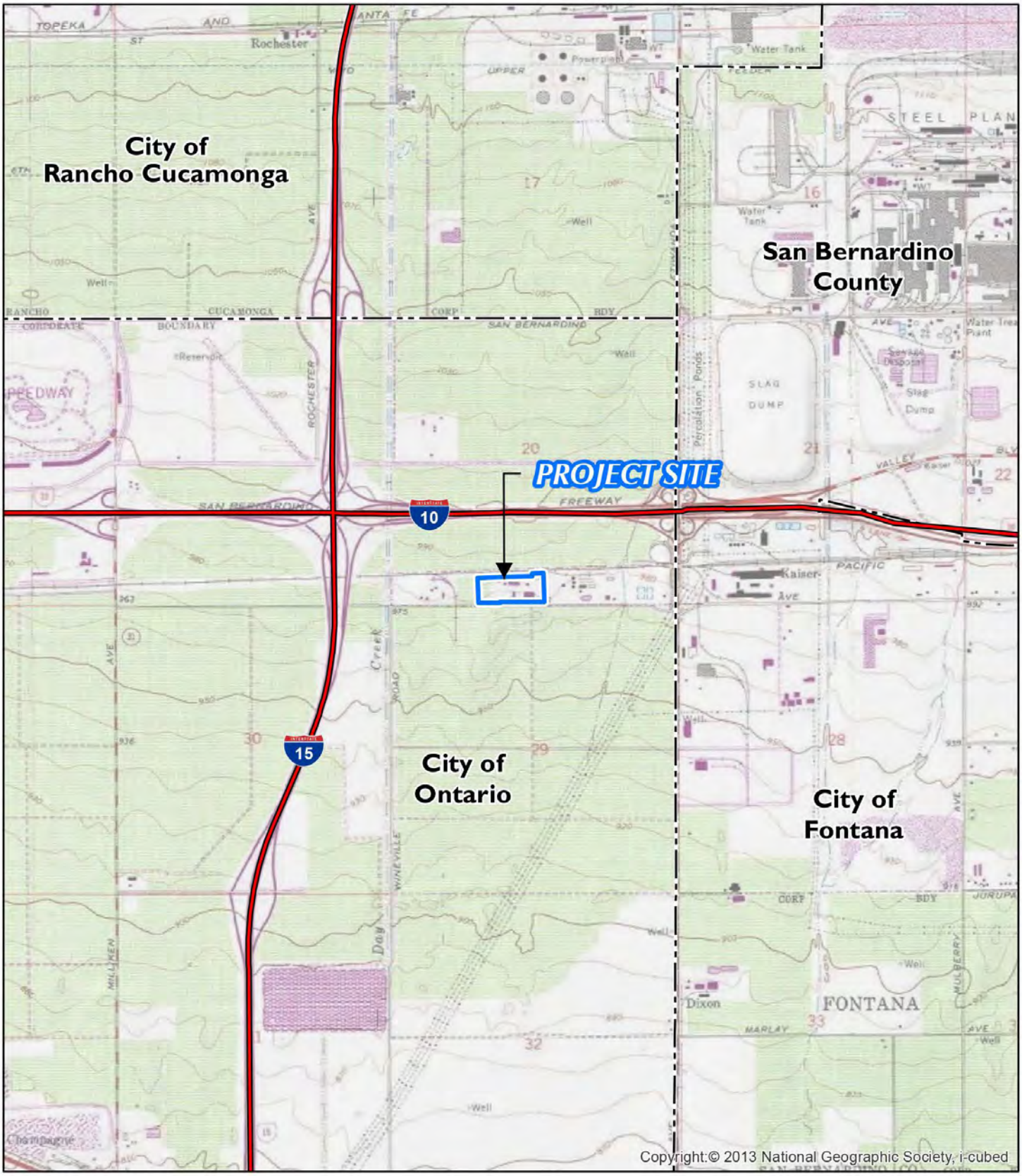
Source(s): ESRI, Nearmap Imagery (2022), SB County (2022)

Figure 2

0 75 150 300
Feet

Aerial Photograph

5355 East Airport Drive



Source(s): ESRI, USGS (2013)

Figure 3

0 625 1,250 2,500
Feet

USGS Topographic Map

5355 East Airport Drive

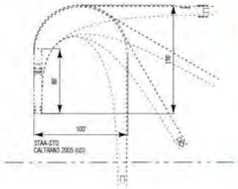
VICINITY MAP



GENERAL NOTES:

1. EXISTING CONSTRUCTION SITE DEBRIS TO BE REMOVED.
2. THE SITE CURRENTLY SLOPES +/- 2%.
3. NO SIGNS ARE PROPOSED WITH THIS APPLICATION PACKAGE.
4. ALL PROPOSED NEW ON-SITE UTILITY SERVICES SHALL BE UNDERGROUNDED.
5. DRIVEWAYS SHALL BE CONSTRUCTED PER CITY STANDARD PLAN.
6. DAMAGED SECTIONS OF CURB & GUTTER ALONG PUBLIC RIGHT OF WAY SHALL BE REPAIRED.
7. "SITE PLAN SHALL MEET ALL ENGINEERING AND NPDES REQUIREMENTS".
8. ALL EXTERIOR LIGHT SHALL BE A 1 FC MIN.
9. ALL BACKFLOW DEVICES SHALL HAVE A SECURE LOCKABLE CAGE AROUND IT.
10. SLOPES GREATER THAN 3:1 WILL REQUIRE JUTE NETTING WITH GROUNDCOVER.
11. ALL CUT SWINGING DOORS TO HAVE NON-REMOVABLE HINGE PINS.
12. ALL NET LANDSCAPE PARKING FINGERS SHALL BE 5'-0" WIDE. EACH FINGER WILL HAVE A 12" WIDE STEP OUT ADJACENT TO CAR PARKING AND ALL LANDSCAPE CURBS TO BE 6" HIGH.
13. ALL GROUND MOUNTED UTILITY STRUCTURES SHALL BE LOCATED OUT OF VIEW AS BEST AS POSSIBLE FROM PUBLIC VIEW. PROVIDE ADDITIONAL LANDSCAPE SCREENING AROUND STRUCTURES.

TRUCK TURNING DIAGRAM



KEYNOTES: (XX)

1. PROPOSED PAINTED CONCRETE TILT-UP 40' CLEAR INDUSTRIAL BUILDING.
2. TYPICAL PARKING STALL - 9' X 18'. MAY BE REDUCED TO 8' X 16 W/ 2'-0" OVERHANG. STRIPING PER CITY STANDARDS.
3. TYPICAL CARPOOL/VANPOOL PARKING STALL - 9' X 18'. MAY BE REDUCED TO 8' X 16 W/ 2'-0" OVERHANG. STRIPING PER CITY STANDARDS.
4. CONCRETE PAVED TRUCK COURT.
5. FULLY IRRIGATED LANDSCAPE AREA BOUNDED BY 6" CONCRETE CURB - SEE CONCEPT LANDSCAPE PLAN.
6. PRIMARY BUILDING ENTRANCE W/ DECORATIVE CONCRETE ENTRY WALK.
7. LOCATION OF TRASH ENCLOSURE, SEE SHEET A2-1F
8. NEW 14'-0" HIGH CONCRETE SCREENWALL, PAINTED AND CONSTRUCTED TO MATCH THE BUILDING. PROVIDE WATTS-PROOF PAINT FOR THE BOTTOM 12'-0". SEE ELEVATIONS SHEET A3-1F FOR ELEVATIONS.
9. PROPERTY LINES.
10. PROPOSED TRANSFORMER LOCATION.
11. 12' X 53' TRUCK TRAILER PARKING AREA.
12. NEW ADA ACCESSIBLE PARKING STALLS: 9' X 18'-0".
13. DASHED LINE INDICATES: NEW 5'-0" WIDE SURFACE WALK. ACCESSIBLE PATH OF TRAVEL FROM PUBLIC SIDEWALK & PARKING STALLS TO PRIMARY BUILDING ENTRANCE - CONSTRUCT NEW CONCRETE SIDEWALK. MAX SLOPE OF 2.00 AT ACC WALK IN THE DIRECTION OF TRAVEL 4.0%, MAX CROSS SLOPE 2%.
14. PROVIDE ENHANCED DECORATIVE PAVING AT DRIVEWAY APPROACH WITH 2'-0" WIDE SMOOTH CONCRETE BAND.
15. PROPOSED DRIVEWAYS PER CITY STANDARDS.
16. PROPOSED CURB GUTTER PER CITY STANDARD.
17. PROPOSED ONSITE FIRE HYDRANT LOCATIONS.
18. PATIO AREA WITH SEATING.
19. CONCRETE LANDING AND BICYCLE RACK FOR BIKES. SEE PROJECT DATA FOR SPACES REQUIRED.
20. LONG TERM MOUNTED BICYCLE RACK. (NOTE LONG TERM RACK TO BE INSTALL ADJACENT TO ELECTRICAL ROOM TO COMPLY WITH CALGREEN). SEE PROJECT DATA FOR SPACES REQUIRED.
21. OWNER TO COORDINATE WITH THE RAIL COMPANY ON ITEM STATUS OF THE RAIL SPURS. CURRENT PLAN IS TO REMOVE THE RAIL SPURS.

ZONING INFORMATION

OFFICE / WAREHOUSE CONSTRUCTION TYPE	III-B
OCCUPANCY	B/S-1/F-1
ZONE	IH (HEAVY INDUSTRIAL)
AIRPORT INFLUENCE AREA	ZONE D

DEVELOPER / OWNER:
PROLOGIS LP
3546 CONCOURS STREET, SUITE 100
ONTARIO, CA 91764
CONTACT: JOHN CATER
EMAIL: jcarter@prologis.com

PREPARED BY:
RGA, OFFICE OF ARCHITECTURAL DESIGN
15231 ALTON PARKWAY, SUITE 100
IRVINE, CA. 92618
CONTACT: MIKE GILL
EMAIL: mike@rga-architects.com

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

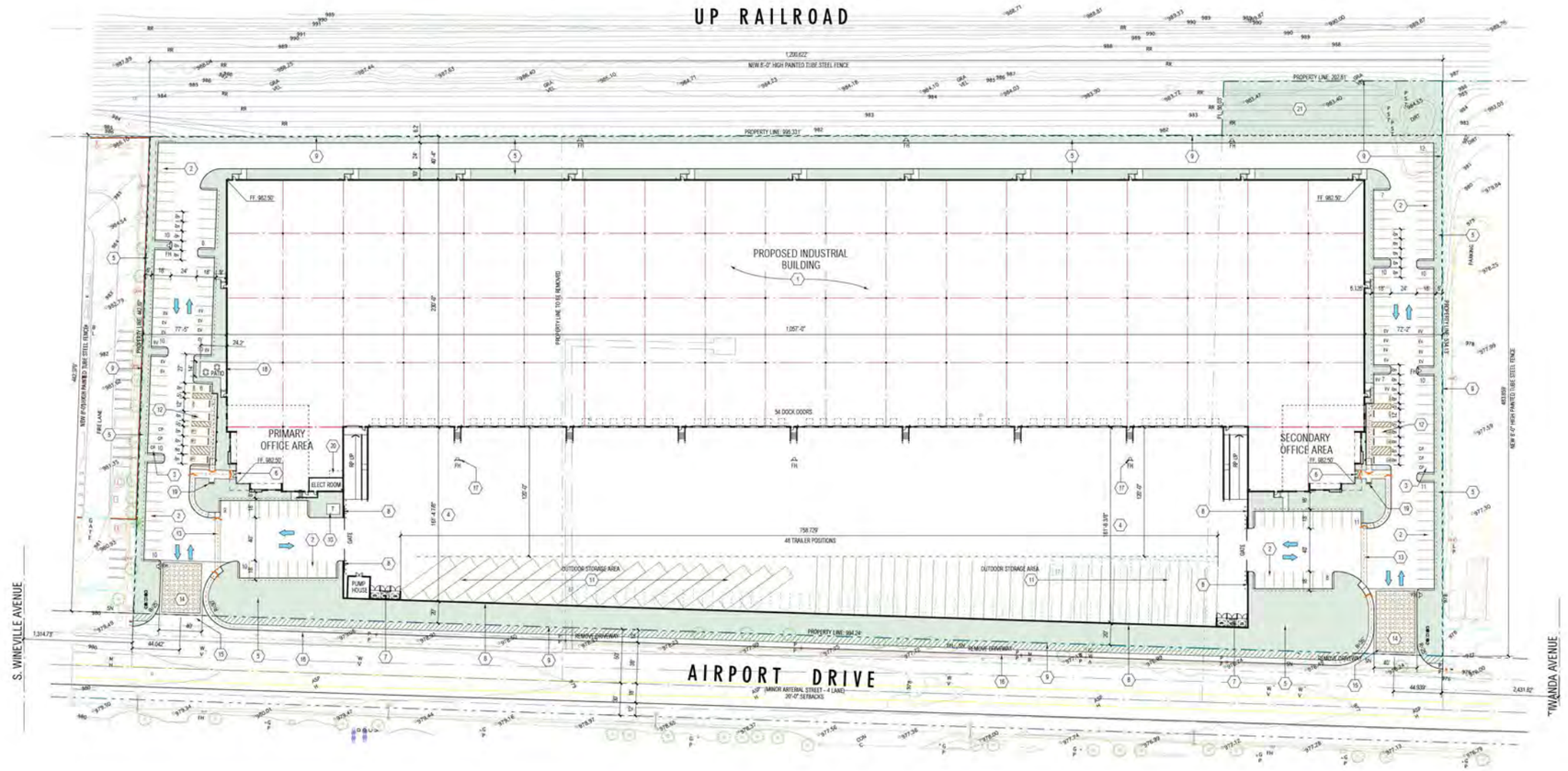
PARCEL 1:
THAT PORTION OF LOT 3, BLOCK 26, TRACT NO. 2244, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 35 OF MAPS, PAGES 50 TO 56, INCLUSIVE, RECORDS OF SAID COUNTY.

PARCEL 2:
THAT PORTION OF LOT 3, BLOCK 26, TRACT NO. 2244, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 35 OF MAPS, PAGES 50 TO 56, INCLUSIVE, RECORDS OF SAID COUNTY.

APN: 0238-252-29-0-000 AND 0238-252-20-0-000

PROJECT DATA

PROJECT ZONING	IG (GENERAL INDUSTRIAL)
PROJECT SITE AREA:	569,954 SF 13.08 AC
BUILDING AREA WAREHOUSE AREA MEZZANINE TOTAL BUILDING AREA	256,337 SF 15,000 SF 271,337 SF
TOTAL PROJECT LOT COVERAGE: TOTAL PROJECT F.A.R.	46.76 % 47.43 %
PARKING REQUIRED 30,000 SF OFFICE @ 1/250 SF 1 TO 20,000 SF (1/1,000 SF) 20,000 SF AND ABOVE (1/2,000 SF) TOTAL STALLS REQUIRED	120 STALLS 20 STALLS 111 STALLS 251 STALLS
PARKING PROVIDED: STANDARD STALLS DISABLED ACCESS STALLS EV PARKING STALLS FUTURE STALLS WITHIN TRUCK COURT TOTAL STALLS PROVIDED	135 STALLS 7 STALLS 25 STALLS 84 STALLS 251 STALLS
BICYCLE PARKING BICYCLE PARKING STALLS 3% OF MOTORIZED VEHICLES (CALGREEN) 1 BICYCLE STALL SHALL BE DESIGNATED FOR LONG TERM PARKING TOTAL BICYCLE STALLS REQUIRED	13 STALLS 1 STALLS 14 STALLS
TOTAL BICYCLE STALLS PROVIDED	8 STALLS
REQUIRED TRAILER PARKING: (1 TRAILER PER 4 DOCK DOORS)	14 TRAILERS
PROVIDED TRAILER PARKING:	48 TRAILERS
REQUIRED SITE LANDSCAPE AREA:	56,995 SF / 10.0 %
PROVIDED SITE LANDSCAPE AREA:	72,527 SF OR 12.72 %



Source(s): RGA (08-10-2022)

Figure 4

Not to Scale

Site Plan

NATIVE AMERICAN HERITAGE COMMISSION

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
Sep 09 2022
STATE OF CALIFORNIA

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

PARLIAMENTARIAN
Russell Attebery
Karuk

SECRETARY
Sara Dutschke
Miwok

COMMISSIONER
William Mungary
Paiute/White Mountain Apache

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

September 8, 2022

Thomas Grahn
City of Ontario
303 East B Street
Ontario, CA 91764

Re: 2022090006, 5355 East Airport Drive Project, San Bernardino County

Dear Mr. Grahn:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements**. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project**.**
- **b.** Recommended mitigation measures**.**
- **c.** Significant effects**.** (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Cameron.Vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

cc: State Clearinghouse

South Coast
Air Quality Management District
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SENT VIA E-MAIL:
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September 30, 2022

Notice of Preparation of a Draft Environmental Impact Report for the 5355 East Airport Drive (PDEV22-017) (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website[1] as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod[2] land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds[3] and localized significance thresholds (LSTs)[4] to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of

[1] South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook.
[2] CalEEMod is available free of charge at: www.caleemod.com.
[3] South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf.
[4] South Coast AQMD's guidance for performing a localized air quality analysis can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds.

heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA ***operational*** thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment[5].

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft EIR. The assumptions in the air quality analysis in the EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

South Coast AQMD staff is concerned about potential public health impacts of siting warehouses within close proximity of sensitive land uses, especially in communities that are already heavily affected by the existing warehouse and truck activities. The South Coast AQMD's Multiple Air Toxics Exposure Study (MATES V), completed in August 2021, concluded that the largest contributor to cancer risk from air pollution is diesel particulate matter (DPM) emissions[6]. According to the MATES V Carcinogenic Risk interactive Map, the area surrounding the Proposed Project has an estimated cancer risk over 600 in one million[7]. Operation of warehouses generates and attracts heavy-duty diesel-fueled trucks that emit DPM. When the health impacts from the Proposed Project are added to those existing impacts, residents living in the communities surrounding the Proposed Project will possibly face an even greater exposure to air pollution and bear a disproportionate burden of increasing health risks.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook[1], South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan[8], and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy[9].

[5] South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis.
[6] South Coast AQMD. August 2021. *Multiple Air Toxics Exposure Study in the South Coast Air Basin V*. Available at: http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v.
[7] South Coast AQMD. MATES V Data Visualization Tool. Accessed at: MATES Data Visualization (arcgis.com).
[8] South Coast AQMD's 2016 Air Quality Management Plan can be found at: http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf (starting on page 86).
[9] Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft EIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule[10] and the Heavy-Duty Low NOx Omnibus Regulation[11], ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of 2010 model year[12] that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or at a minimum, provide the electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft EIR may include the following:

- Maximize use of solar energy by installing solar energy arrays.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

[10] CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks.

[11] CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox.

[12] CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any check-in point for trucks is inside the Proposed Project site to ensure that there are no trucks queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NOx) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 270,337 square foot warehouse, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation[13]. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage[14].

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at swang1@aqmd.gov.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

[13] South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf.
[14] South Coast AQMD WAIRE Program. Accessed at: http://www.aqmd.gov/waire.

SW
SBC220906-09
Control Number

09/29/2022

VIA EMAIL ONLY

Thomas Grahn
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764
Email: TGrahn@ontarioca.gov

RE: NOP Comments for 5355 East Airport Drive Project

Dear Mr. Grahn,

Thank you for providing Californians Allied for a Responsible Economy ("CARE CA") with the opportunity to comment on the Notice of Preparation ("NOP") for the 5355 East Airport Drive Project (the "Project") Draft Environmental Impact Report (DEIR). The Project proposes to demolish all existing on-site structures and construct an approximately 270,337 square foot warehouse facility.

I. Background on CEQA EIRs

CEQA advances three related purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. 14 Cal. Code Regs. ("Guidelines") § 15002(a)(1). "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'" *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564.

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring implementation of "environmentally superior" alternatives and all feasible mitigation measures. Guidelines § 15002(a)(2) and (3); *Citizens of Goleta Valley*, 52 Cal.3d at 564. If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns." Pub. Res. Code § 21081; Guidelines § 15092(b)(2)(A) and (B).

Third, CEQA compels disclosing "to the public the rationale for governmental approval of a project that may significantly impact the environment*." California Building Industry Assn. v. Bay Area Air Quality Management Dist*. (2015) 62 Cal.4th 369, 382.

Although the courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position.' A 'clearly inadequate or unsupported study is entitled to no judicial deference.'" *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs*. (2001) 91 Cal.App.4th 1344, 1355 (quoting *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal*., 47 Cal.3d 376, 409 n. 12 (1988)). Substantial evidence in the record must support any foundational assumptions used for the impact analyses in the EIR. *Citizens of Goleta Valley*, 52 Cal.3d at 568 (EIR must contain facts and analysis, not just bare conclusions); *Laurel Heights*, 47 Cal.3d at 392-93 (agency's conclusions must be supported with substantial evidence).

II. General Comments

After reviewing the documents and information provided, the following comments are being submitted for consideration as part of the EIR process.

1. **Project Alternatives:** The DEIR should study a reasonable range of alternatives. Please include at least two environmentally superior alternatives to the Project, including an Alternative that restricts operations to fewer hours than the expected 24 hours a day, 7 days a week.

2. **Industrial Use**: The DEIR should provide details of any and all proposed future uses of the Project, clearly articulated and quantified. If planned operations are unknown, the DEIR must consider all reasonably foreseeable uses including higher intensity uses such as cold storage and subsequent potential use of transportation refrigeration units (TRUs) during Project operation.

Therefore, the DEIR should study a combination of the five primary logistics-type uses at the site,[1] including providing justification and square footage assumed for each use analyzed to ensure that the unique impacts of each use (i.e., both truck and vehicular trips, air quality, GHG emissions, public health risk and other environmental effects) are comprehensively evaluated.

If the Project will not include cold storage, then the City must include California Air Resources Board (CARB) recommended design measures in the DEIR. CARB recommends requiring contractual language in tenant lease agreements or restrictive covenant over parcel to prohibit use of TRUs.

3. **Air Quality**: The DEIR should study full mitigation of all air quality and GHG impacts that will be caused by the Project. Industrial projects of the proposed size in the region are known to exceed the limits set by SCAQMD's Air Quality Management Plan. The Project will have high daily volumes of heavy-duty diesel truck traffic and on-site equipment (e.g., backup generators, forklifts and yard tractors) that will pollute the air with toxic diesel emissions and expose the already distressed nearby communities to further air pollution and global climate change. The DEIR should include a mobile source Health Risk Assessment and provide impacts from particulate matter from the diesel trucks on the health of those living, working, and recreating nearby including expected increases in respiratory illnesses, cardiovascular disease, and cancers.

[1] South Coast Air Quality Management District [SCAQMD], High Cube Warehouse Vehicle Trip Generation Analysis, prepared by Institute of Transportation Engineers, October 2016, p. 3.

If, as expected, the air quality impacts are significant, the DEIR must fully mitigate the impacts to ensure that the Project is in compliance with AQMP in both construction and operational phases. This includes adopting mitigation measures from other jurisdictions such as the Fontana Warehouse Ordinance. A Statement of Overriding Considerations should be considered only after ALL feasible mitigation measures are included in the MMRP.

4. **Mitigation measures**: Mitigation measures must be effective and enforceable. Every effort must be made to incorporate modern technology in the mitigation measures and MMRP. For example, a requirement that all off-road equipment and trucks using the site during construction and operations be zero emission, near-zero emissions or alternative-fueled vehicle would both reduce and/or eliminate air pollution impacts and CO2 emissions.

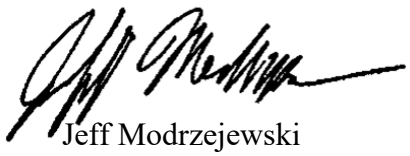
Mitigation measures can also include requirements to install cool roofs to reduce operational energy demand and solar canopies on the parking lot to generate energy, electrification of loading docks and provision of EV charging infrastructure, and measures to reduce urban heat island effect impacts.

III. Conclusion

Thank you for the opportunity to submit NOP comments. CARE CA respectfully requests under CEQA full analysis of all environmental impacts, feasible mitigation, and reasonable alternatives to the Project.

We look forward to reviewing and commenting on subsequent environmental review documents when these documents are released for public review. Please provide all sources and referenced materials when the documents are made available.

Sincerely,



Jeff Modrzejewski
Executive Director

5355 East Airport Drive

AIR QUALITY IMPACT ANALYSIS

CITY OF ONTARIO

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AUGUST 30, 2022

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LIST OF ABBREVIATED TERMS

%	Percent
°F	Degrees Fahrenheit
(1)	Reference
µg/m^3	Microgram per Cubic Meter
1992 CO Plan	*1992 Federal Attainment Plan for Carbon Monoxide*
1993 CEQA Handbook	*SCAQMD's CEQA Air Quality Handbook (1993)*
2016-2040 RTP/SCS	*2016-2040 Regional Transportation Plan/Sustainable Communities Strategy*
AB 2595	California Clean Air Act
AQIA	Air Quality Impact Analysis
AQMP	Air Quality Management Plan
BACT	Best Available Control Technology
BC	Black Carbon
Brief	*Brief of Amicus Curiae by the SCAQMD in the Friant Ranch Case*
C_2Cl_4	Perchloroethylene
C_4H_6	1,3-butadiene
C_6H_6	Benzene
C_2H_3Cl	Vinyl Chloride
C_2H_4O	Acetaldehyde
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards Code
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CCR	California Code of Regulations
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CEQA Guidelines	*2019 CEQA Statute and Guidelines*
CH_2O	Formaldehyde
City	City of Ontario
CO	Carbon Monoxide
COH	Coefficient of Haze

COHb	Carboxyhemoglobin
Cr(VI)	Chromium
CTP	Clean Truck Program
DPM	Diesel Particulate Matter
DRRP	Diesel Risk Reduction Plan
EC	Elemental Carbon
EIR	Environmental Impact Report
EMFAC	Emissions FACtor Model
EPA	Environmental Protection Agency
ETW	Equivalent Test Weight
EV	Electric Vehicle
GHG	Greenhouse Gas
GVWR	Gross Vehicle Weight Rating
H_2S	Hydrogen Sulfide
HDT	Heavy-Duty Trucks
HHDT	Heavy-Heavy-Duty Trucks
HI	Hazard Index
I-10	Interstate 10
hp	Horsepower
lbs	Pounds
lbs/day	Pounds Per Day
LDA	Light Duty Auto
LDT1/LDT2	Light-Duty Trucks
LHDT1/LHDT2	Light-Heavy-Duty Trucks
LST	Localized Significance Threshold
LST Methodology	*Final Localized Significance Threshold Methodology*
MATES	Multiple Air Toxics Exposure Study
MCY	Motorcycles
MDV	Medium-Duty Vehicles
MHDT	Medium-Heavy-Duty Trucks
MICR	Maximum Individual Cancer Risk
MM	Mitigation Measures
mph	Miles Per Hour
MWELO	California Department of Water Resources' Model Water Efficient
N_2	Nitrogen
N_2O	Nitrous Oxide
NAAQS	National Ambient Air Quality Standards

NO	Nitric Oxide
NO_2	Nitrogen Dioxide
NO_X	Nitrogen Oxides
O_2	Oxygen
O_3	Ozone
O_2 Deficiency	Chronic Hypoxemia
OBD-II	On-Board Diagnostic
ODC	Ozone Depleting Compounds
ONT	Ontario International Airport
Pb	Lead
PM	Particulate Matter
PM_{10}	Particulate Matter 10 microns in diameter or less
$PM_{2.5}$	Particulate Matter 2.5 microns in diameter or less
POLA	Port of Los Angeles
POLB	Port of Long Beach
ppm	Parts Per Million
Project	5355 East Airport Drive
RECLAIM	Regional Clean Air Incentives Market
RFG-2	Reformulated Gasoline Regulation
ROG	Reactive Organic Gases
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
sf	Square Feet
SIPs	State Implementation Plans
SO_2	Sulfur Dioxide
SO_4	Sulfates
SO_X	Sulfur Oxides
CA-60	California State Route 60
SRA	Source Receptor Area
TAC	Toxic Air Contaminant
Title 24	California Building Code
TITLE I	Non-Attainment Provisions
TITLE II	Mobile Sources Provisions
UFP	Ultrafine Particles
URBEMIS	URBan EMISsions
VMT	Vehicle Miles Traveled

VOC	Volatile Organic Compounds
vph	Vehicles Per Hour

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EXECUTIVE SUMMARY

ES.1 SUMMARY OF FINDINGS

The results of this *5355 East Airport Drive Air Quality Impact Analysis* (AQIA) are summarized below based on the significance criteria in Section 4 of this report consistent with Appendix G of the *California Environmental Quality Act (CEQA) Guidelines* (*CEQA Guidelines*) (1). Table ES-1 shows the findings of significance for each potential air quality impact under CEQA before and after any required mitigation measures (MM) described below.

TABLE ES-1: SUMMARY OF CEQA SIGNIFICANCE FINDINGS

Analysis	Report Section	Significance Findings	
		Unmitigated	Mitigated
Regional Construction Emissions	4.4	*Less Than Significant*	*n/a*
Localized Construction Emissions	4.7	*Less Than Significant*	*n/a*
Regional Operational Emissions	4.5	*Less Than Significant*	*n/a*
Localized Operational Emissions	4.8	*Less Than Significant*	*n/a*
CO "Hot Spot" Analysis	4.9	*Less Than Significant*	*n/a*
Air Quality Management Plan	4.10	*Less Than Significant*	*n/a*
Sensitive Receptors	4.11	*Less Than Significant*	*n/a*
Odors	4.12	*Less Than Significant*	*n/a*
Cumulative Impacts	4.13	*Less Than Significant*	*n/a*

ES.2 REGULATORY REQUIREMENTS

There are numerous requirements that development projects must comply with by law, and that were put in place by federal, State, and local regulatory agencies for the improvement of air quality.

Any operation or activity that might cause the emission of any smoke, fly ash, dust, fumes, vapors, gases, or other forms of air pollution, which can cause damage to human health, vegetation, or

other forms of property, or can cause excessive soiling on any other parcel shall conform to the requirements of the South Coast Air Quality Management District (SCAQMD).

SCAQMD RULES

SCAQMD Rules that are currently applicable during construction activity for this Project are described below.

SCAQMD RULE 402

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule do not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

Odor Emissions. All uses shall be operated in a manner such that no offensive odor is perceptible at or beyond the property line of that use.

SCAQMD RULE 403

This rule is intended to reduce the amount of particulate matter (PM) entrained in the ambient air as a result of anthropogenic (human-made) fugitive dust sources by requiring actions to prevent and reduce fugitive dust emissions. Rule 403 applies to any activity or human-made condition capable of generating fugitive dust and requires best available control measures to be applied to earth moving and grading activities.

Dust Control, Operations. Any operation or activity that might cause the emission of any smoke, fly ash, dust, fumes, vapors, gases, or other forms of air pollution, which can cause damage to human health, vegetation, or other forms of property, or can cause excessive soiling on any other parcel, shall conform to the requirements of the SCAQMD.

SCAQMD RULE 1113

This rule serves to limit the Volatile Organic Compound (VOC) content of architectural coatings used on projects in the SCAQMD. Any person who supplies, sells, offers for sale, or manufactures any architectural coating for use on projects.

SCAQMD RULE 1301

This rule is intended to provide that pre-construction review requirements to ensure that new or relocated facilities do not interfere with progress in attainment of the National Ambient Air Quality Standards (NAAQS), while future economic growth within the SCAQMD is not unnecessarily restricted. The specific air quality goal is to achieve no net increases from new or modified permitted sources of nonattainment air contaminants or their precursors. Rule 1301 also limits emission increases of ammonia, and Ozone Depleting Compounds (ODCs) from new, modified or relocated facilities by requiring the use of Best Available Control Technology (BACT).

SCAQMD RULE 1401

A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any 1 hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States (U.S.) Bureau of Mines.

SCAQMD RULE 2305

The SCAQMD adopted Rule 2305, the Warehouse Indirect Source Rule, on May 7, 2021. Owners and operators associated with warehouses 100,000 square feet (sf) or larger are required to directly reduce nitrogen oxides (NO_X) and particulate matter emissions, or to otherwise facilitate emission and exposure reductions of these pollutants in nearby communities.

Although the Project would comply with the above regulatory requirements, it should be noted that there is no way to quantify these reductions in the California Emissions Estimator Model (CalEEMod). The two most pertinent regulatory requirements that could be modeled, are Rule 403 (Fugitive Dust) (2) and Rule 1113 (Architectural Coatings) (3). Because they are required by law, credit for Rule 403 and Rule 1113 have been taken in the analysis.

CITY OF ONTARIO GENERAL PLAN

Under the draft City of Ontario General Plan Update, construction activities associated with future developments accommodated under the general plan would require the use of construction equipment meeting at least Tier 4 Interim exhaust emission limits. As such, the proposed Project will utilize equipment meeting at least Tier 4 Interim standards.

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1 INTRODUCTION

This report presents the results of the AQIA prepared by Urban Crossroads, Inc., for the proposed 5355 East Airport Drive (Project). The purpose of this AQIA is to evaluate the potential impacts to air quality associated with construction and operation of the Project and recommend measures to mitigate impacts considered potentially significant in comparison to thresholds established by the SCAQMD.

1.1 SITE LOCATION

The proposed Project is located at 5355 East Airport Drive in the City of Ontario as shown on Exhibit 1-A. The Project is located approximately 2.7 miles east of the Ontario International Airport (ONT).

1.2 PROJECT DESCRIPTION

The Project is proposed to consist of a single 270,337-square-feet (sf) industrial building. This analysis assumes up to 27,034-sf high-cube cold storage use (10% of the total industrial building sf) and 243,303-sf of warehouse use (90% of total industrial building). The site plan for the proposed Project is shown on Exhibit 1-B.

EXHIBIT 1-A: LOCATION MAP

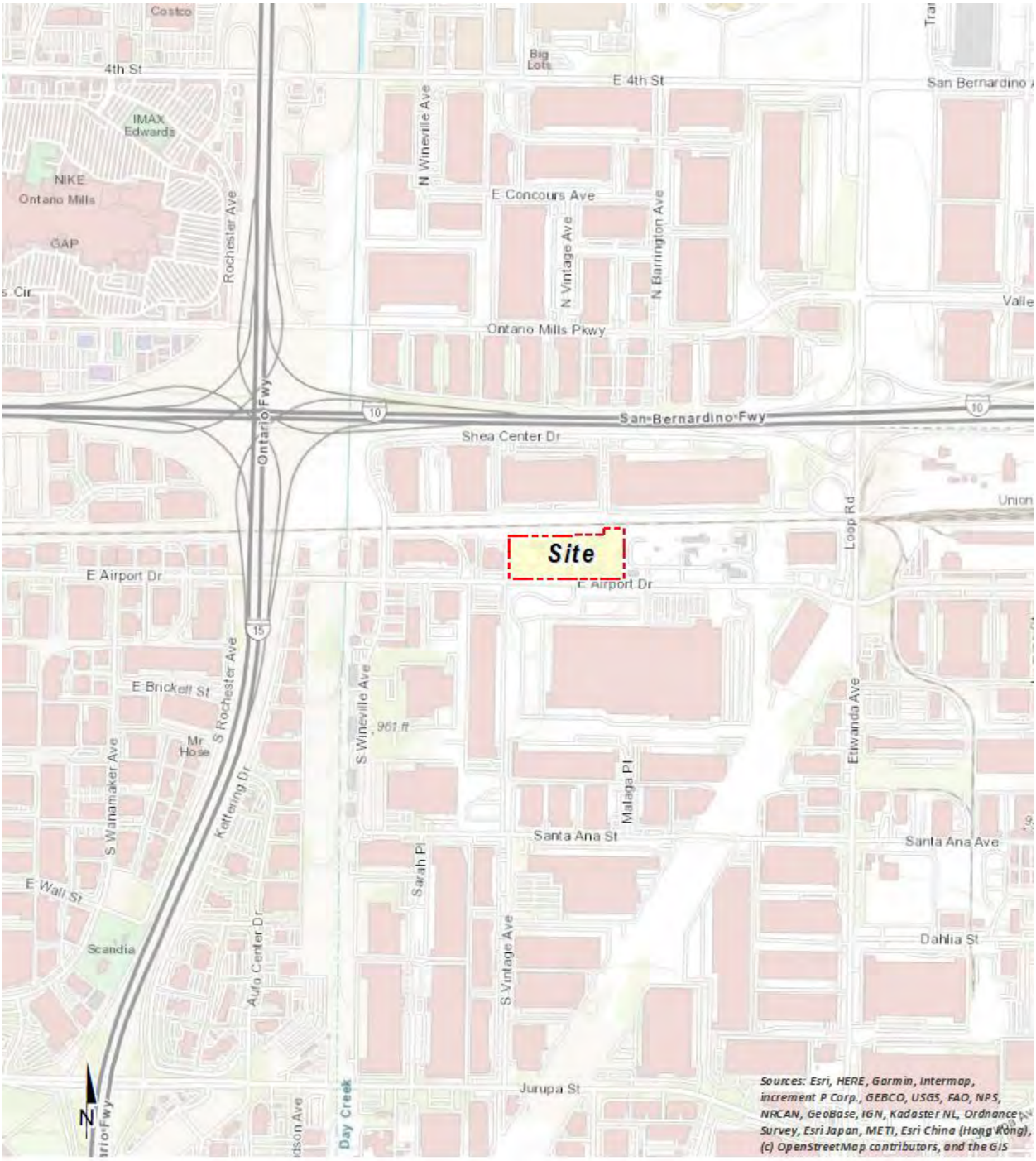
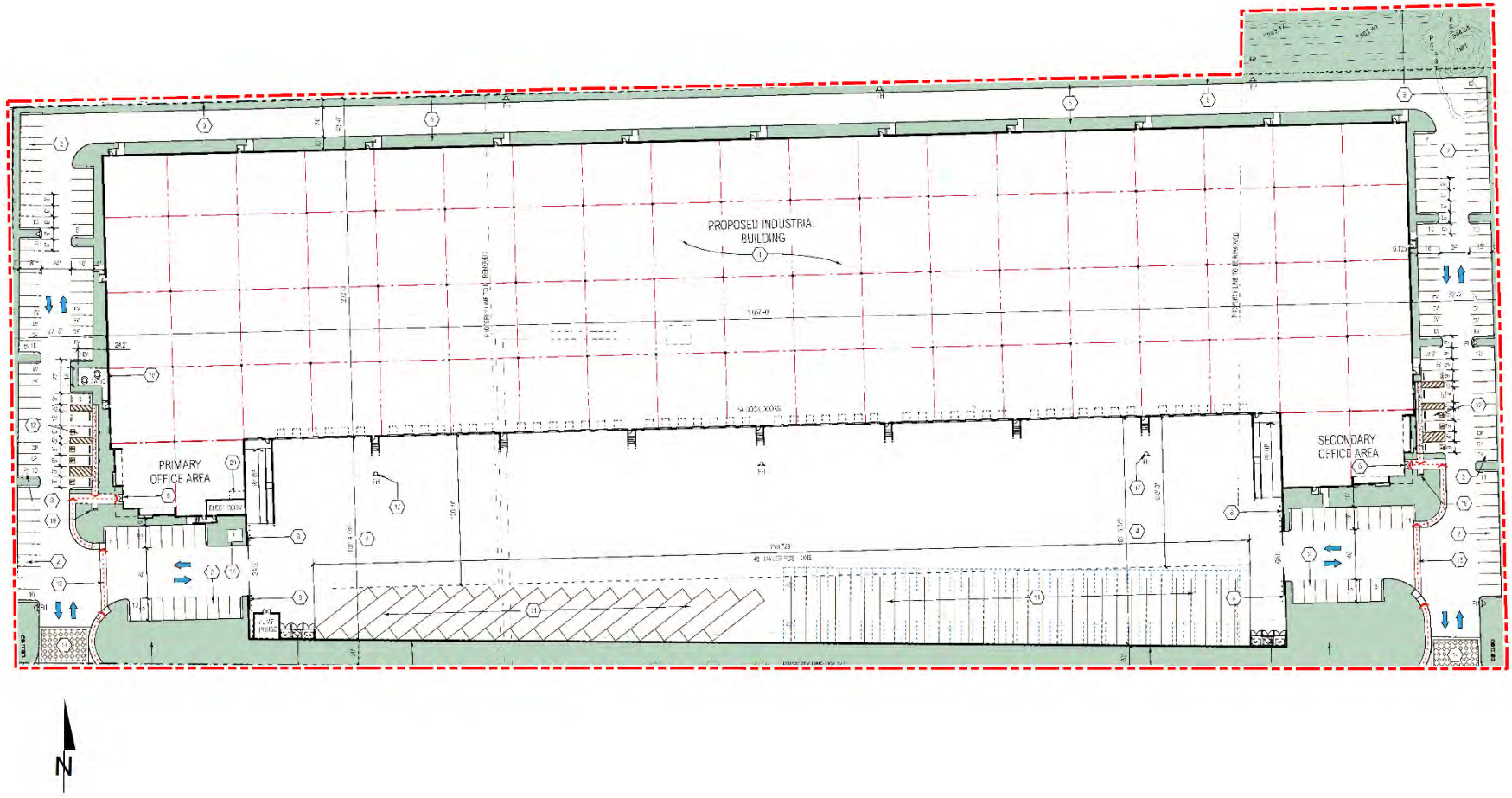


EXHIBIT 1-B: SITE PLAN



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2 AIR QUALITY SETTING

This section provides an overview of the existing air quality conditions in the Project area and region.

2.1 SOUTH COAST AIR BASIN

The Project site is located in the South Coast Air Basin (SCAB) within the jurisdiction of SCAQMD (4). The SCAQMD was created by the 1977 Lewis-Presley Air Quality Management Act, which merged four county air pollution control bodies into one regional district. Under the Act, the SCAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards. As previously stated, the Project site is located within the SCAB, a 6,745-square mile subregion of the SCAQMD, which includes the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County.

The SCAB is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, and the San Diego Air Basin to the south.

2.2 REGIONAL CLIMATE

The regional climate has a substantial influence on air quality in the SCAB. In addition, the temperature, wind, humidity, precipitation, and amount of sunshine influence the air quality.

The annual average temperatures throughout the SCAB vary from the low to middle 60s degrees Fahrenheit (°F). Due to a decreased marine influence, the eastern portion of the SCAB shows greater variability in average annual minimum and maximum temperatures. January is the coldest month throughout the SCAB, with average minimum temperatures of 47°F in downtown Los Angeles and 36°F in San Bernardino. All portions of the SCAB have recorded maximum temperatures above 100°F.

Although the climate of the SCAB can be characterized as semi-arid, the air near the land surface is quite moist on most days because of the presence of a marine layer. This shallow layer of sea air is an important modifier of SCAB climate. Humidity restricts visibility in the SCAB, and the conversion of sulfur dioxide (SO_2) to sulfates (SO_4) is heightened in air with high relative humidity. The marine layer provides an environment for that conversion process, especially during the spring and summer months. The annual average relative humidity within the SCAB is 71 percent (%) along the coast and 59% inland. Since the ocean effect is dominant, periods of heavy early morning fog are frequent and low stratus clouds are a characteristic feature. These effects decrease with distance from the coast.

More than 90% of the SCAB's rainfall occurs from November through April. The annual average rainfall varies from approximately nine inches in Riverside to fourteen inches in downtown Los Angeles. Monthly and yearly rainfall totals are extremely variable. Summer rainfall usually consists of widely scattered thunderstorms near the coast and slightly heavier shower activity in the eastern portion of the SCAB with frequency being higher near the coast.

Due to its generally clear weather, about three-quarters of available sunshine is received in the SCAB. The remaining one-quarter is absorbed by clouds. The ultraviolet portion of this abundant radiation is a key factor in photochemical reactions. On the shortest day of the year, there are approximately 10 hours of possible sunshine, and on the longest day of the year, there are approximately 14½ hours of possible sunshine.

The importance of wind to air pollution is considerable. The direction and speed of the wind determines the horizontal dispersion and transport of the air pollutants. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with the traveling storms moving through the region from the northwest. This period also brings five to ten periods of strong, dry offshore winds, locally termed "Santa Anas" each year. During the dry season, which coincides with the months of maximum photochemical smog concentrations, the wind flow is bimodal, typified by a daytime onshore sea breeze and a nighttime offshore drainage wind. Summer wind flows are created by the pressure differences between the relatively cold ocean and the unevenly heated and cooled land surfaces that modify the general northwesterly wind circulation over southern California. Nighttime drainage begins with the radiational cooling of the mountain slopes. Heavy, cool air descends the slopes and flows through the mountain passes and canyons as it follows the lowering terrain toward the ocean. Another characteristic wind regime in the SCAB is the "Catalina Eddy," a low level cyclonic (counterclockwise) flow centered over Santa Catalina Island which results in an offshore flow to the southwest. On most spring and summer days, some indication of an eddy is apparent in coastal sections.

In the SCAB, there are two distinct temperature inversion structures that control vertical mixing of air pollution. During the summer, warm high-pressure descending (subsiding) air is undercut by a shallow layer of cool marine air. The boundary between these two layers of air is a persistent marine subsidence/inversion. This boundary prevents vertical mixing which effectively acts as an impervious lid to pollutants over the entire SCAB. The mixing height for the inversion structure is normally situated 1,000 to 1,500 feet above mean sea level.

A second inversion-type forms in conjunction with the drainage of cool air off the surrounding mountains at night followed by the seaward drift of this pool of cool air. The top of this layer forms a sharp boundary with the warmer air aloft and creates nocturnal radiation inversions. These inversions occur primarily in the winter, when nights are longer and onshore flow is weakest. They are typically only a few hundred feet above mean sea level. These inversions effectively trap pollutants, such as nitrogen oxides (NO_X) and carbon monoxide (CO) from vehicles, as the pool of cool air drifts seaward. Winter is therefore a period of high levels of primary pollutants along the coastline.

2.3 WIND PATTERNS AND PROJECT LOCATION

The distinctive climate of the Project area and the SCAB is determined by its terrain and geographical location. The SCAB is located in a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter.

Wind patterns across the south coastal region are characterized by westerly and southwesterly onshore winds during the day and easterly or northeasterly breezes at night. Winds are characteristically light although the speed is somewhat greater during the dry summer months than during the rainy winter season.

2.4 CRITERIA POLLUTANTS

Criteria pollutants are pollutants that are regulated through the development of human health based and/or environmentally based criteria for setting permissible levels. Criteria pollutants, their typical sources, and health effects are identified below (5):

TABLE 2-1: CRITERIA POLLUTANTS

Criteria Pollutant	Description	Sources	Health Effects
CO	CO is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest during the winter morning, when little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike ozone (O_3), motor vehicles operating at slow speeds are the primary source of CO in the SCAB. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections.	Any source that burns fuel such as automobiles, trucks, heavy construction equipment, farming equipment and residential heating.	Individuals with a deficient blood supply to the heart are the most susceptible to the adverse effects of CO exposure. The effects observed include earlier onset of chest pain with exercise, and electrocardiograph changes indicative of decreased oxygen (O_2) supply to the heart. Inhaled CO has no direct toxic effect on the lungs but exerts its effect on tissues by interfering with O_2 transport and competing with O_2 to combine with hemoglobin present in the blood to form carboxyhemoglobin (COHb). Hence, conditions with an increased demand for O_2 supply can be adversely affected by exposure to CO. Individuals most at risk include fetuses, patients with diseases involving heart and blood vessels, and patients with chronic hypoxemia (O_2 deficiency) as seen at high altitudes.
SO_2	SO_2 is a colorless, extremely irritating gas or liquid. It enters the atmosphere as a pollutant	Coal or oil burning power plants and industries,	A few minutes of exposure to low levels of SO_2 can result in airway constriction in some

Criteria Pollutant	Description	Sources	Health Effects
	mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO_2 oxidizes in the atmosphere, it forms SO_4. Collectively, these pollutants are referred to as sulfur oxides (SO_X).	refineries, diesel engines	asthmatics, all of whom are sensitive to its effects. In asthmatics, increase in resistance to air flow, as well as reduction in breathing capacity leading to severe breathing difficulties, are observed after acute exposure to SO_2. In contrast, healthy individuals do not exhibit similar acute responses even after exposure to higher concentrations of SO_2. Animal studies suggest that despite SO_2 being a respiratory irritant, it does not cause substantial lung injury at ambient concentrations. However, very high levels of exposure can cause lung edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract. Some population-based studies indicate that the mortality and morbidity effects associated with fine particles show a similar association with ambient SO_2 levels. In these studies, efforts to separate the effects of SO_2 from those of fine particles have not been successful. It is not clear whether the two pollutants act synergistically, or one pollutant alone is the predominant factor.
NO_X	NO_X consist of nitric oxide (NO), nitrogen dioxide (NO_2) and nitrous oxide (N_2O) and are formed when nitrogen (N_2) combines with O_2. Their lifespan in the atmosphere ranges from	Any source that burns fuel such as automobiles, trucks, heavy construction equipment, farming	Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is

Criteria Pollutant	Description	Sources	Health Effects
	one to seven days for nitric oxide and nitrogen dioxide, to 170 years for nitrous oxide. NO_X is typically created during combustion processes and are major contributors to smog formation and acid deposition. NO_2 is a criteria air pollutant and may result in numerous adverse health effects; it absorbs blue light, resulting in a brownish-red cast to the atmosphere and reduced visibility. Of the seven types of nitrogen oxide compounds, NO_2 is the most abundant in the atmosphere. As ambient concentrations of NO_2 are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO_2 than those indicated by regional monitoring station.	equipment and residential heating.	associated with long-term exposure to NO_2 at levels found in homes with gas stoves, which are higher than ambient levels found in Southern California. Increase in resistance to air flow and airway contraction is observed after short-term exposure to NO_2 in healthy subjects. Larger decreases in lung functions are observed in individuals with asthma or chronic obstructive pulmonary disease (e.g., chronic bronchitis, emphysema) than in healthy individuals, indicating a greater susceptibility of these sub-groups. In animals, exposure to levels of NO_2 considerably higher than ambient concentrations result in increased susceptibility to infections, possibly due to the observed changes in cells involved in maintaining immune functions. The severity of lung tissue damage associated with high levels of O_3 exposure increases when animals are exposed to a combination of O_3 and NO_2.
O_3	O_3 is a highly reactive and unstable gas that is formed when VOCs and NO_X, both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. O_3 concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant.	Formed when reactive organic gases (ROG) and NO_X react in the presence of sunlight. ROG sources include any source that burns fuels, (e.g., gasoline, natural gas, wood, oil) solvents, petroleum processing and	Individuals exercising outdoors, children, and people with preexisting lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for O_3 effects. Short-term exposure (lasting for a few hours) to O_3 at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased

Criteria Pollutant	Description	Sources	Health Effects
		storage and pesticides.	susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Elevated O_3 levels are associated with increased school absences. In recent years, a correlation between elevated ambient O_3 levels and increases in daily hospital admission rates, as well as mortality, has also been reported. An increased risk for asthma has been found in children who participate in multiple outdoor sports and live in communities with high O_3 levels. O_3 exposure under exercising conditions is known to increase the severity of the responses described above. Animal studies suggest that exposure to a combination of pollutants that includes O_3 may be more toxic than exposure to O_3 alone. Although lung volume and resistance changes observed after a single exposure diminish with repeated exposures, biochemical and cellular changes appear to persist, which can lead to subsequent lung structural changes.
Particulate Matter	PM_{10}: A major air pollutant consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols. Particulate matter pollution is a major cause of reduce visibility (haze) which is caused by the scattering of light and consequently the significant reduction air clarity. The size of the particles (10 microns or smaller, about 0.0004 inches or less) allows them to easily enter the lungs where they may be	Sources of PM_{10} include road dust, windblown dust and construction. Also formed from other pollutants (acid rain, NO_X, SO_X, organics). Incomplete combustion of any fuel. $PM_{2.5}$ comes from	A consistent correlation between elevated ambient fine particulate matter (PM_{10} and $PM_{2.5}$) levels and an increase in mortality rates, respiratory infections, number and severity of asthma attacks and the number of hospital admissions has been observed in different parts of the United States and various areas around the world. In

Criteria Pollutant	Description	Sources	Health Effects
	deposited, resulting in adverse health effects. Additionally, it should be noted that PM_{10} is considered a criteria air pollutant. $PM_{2.5}$: A similar air pollutant to PM_{10} consisting of tiny solid or liquid particles which are 2.5 microns or smaller (which is often referred to as fine particles). These particles are formed in the atmosphere from primary gaseous emissions that include SO_4 formed from SO_2 release from power plants and industrial facilities and nitrates that are formed from NO_X release from power plants, automobiles, and other types of combustion sources. The chemical composition of fine particles highly depends on location, time of year, and weather conditions. $PM_{2.5}$ is a criteria air pollutant.	fuel combustion in motor vehicles, equipment, and industrial sources, residential and agricultural burning. Also formed from reaction of other pollutants (acid rain, NO_X, SO_X, organics).	recent years, some studies have reported an association between long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in lifespan, and an increased mortality from lung cancer. Daily fluctuations in $PM_{2.5}$ concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to school and kindergarten absences, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma. Recent studies show lung function growth in children is reduced with long term exposure to particulate matter. The elderly, people with pre-existing respiratory or cardiovascular disease, and children appear to be more susceptible to the effects of high levels of PM_{10} and $PM_{2.5}$.
VOC	VOCs are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. VOCs contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. Compounds of carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form O_3 to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and the	Organic chemicals are widely used as ingredients in household products. Paints, varnishes, and wax all contain organic solvents, as do many cleaning, disinfecting, cosmetic, degreasing and hobby products. Fuels are made up of organic chemicals. All of these products can release organic	Breathing VOCs can irritate the eyes, nose, and throat, can cause difficulty breathing and nausea, and can damage the central nervous system as well as other organs. Some VOCs can cause cancer. Not all VOCs have all these health effects, though many have several.

Criteria Pollutant	Description	Sources	Health Effects
	solvents used in paints. Exceptions to the VOC designation include CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant. The terms VOC and ROG (see below) interchangeably.	compounds while you are using them, and, to some degree, when they are stored.	
ROG	Similar to VOC, ROGs are also precursors in forming O_3 and consist of compounds containing methane, ethane, propane, butane, and longer chain hydrocarbons, which are typically the result of some type of combustion/decomposition process. Smog is formed when ROG and NO_X react in the presence of sunlight. ROGs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant. The terms ROG and VOC (see previous) interchangeably.	Sources similar to VOCs.	Health effects similar to VOCs.
Lead (Pb)	Pb is a heavy metal that is highly persistent in the environment and is considered a criteria pollutant. In the past, the primary source of Pb in the air was emissions from vehicles burning leaded gasoline. The major sources of Pb emissions are ore and metals processing, particularly Pb smelters, and piston-engine aircraft operating on leaded aviation gasoline. Other stationary sources include waste incinerators, utilities, and lead-acid battery manufacturers. It should be noted that the Project does not include operational activities such as metal processing or Pb acid battery manufacturing. As such, the Project is not anticipated to	Metal smelters, resource recovery, leaded gasoline, deterioration of Pb paint.	Fetuses, infants, and children are more sensitive than others to the adverse effects of Pb exposure. Exposure to low levels of Pb can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased Pb levels are associated with increased blood pressure. Pb poisoning can cause anemia, lethargy, seizures, and death; although it appears that there are no direct effects of Pb on the respiratory system. Pb can be

Criteria Pollutant	Description	Sources	Health Effects
	generate a quantifiable amount of Pb emissions.		stored in the bone from early age environmental exposure, and elevated blood Pb levels can occur due to breakdown of bone tissue during pregnancy, hyperthyroidism (increased secretion of hormones from the thyroid gland) and osteoporosis (breakdown of bony tissue). Fetuses and breast-fed babies can be exposed to higher levels of Pb because of previous environmental Pb exposure of their mothers.
Odor	Odor means the perception experienced by a person when one or more chemical substances in the air come into contact with the human olfactory nerves (6).	Odors can come from many sources including animals, human activities, industry, natures, and vehicles.	Offensive odors can potentially affect human health in several ways. First, odorant compounds can irritate the eye, nose, and throat, which can reduce respiratory volume. Second, studies have shown that the VOCs that cause odors can stimulate sensory nerves to cause neurochemical changes that might influence health, for instance, by compromising the immune system. Finally, unpleasant odors can trigger memories or attitudes linked to unpleasant odors, causing cognitive and emotional effects such as stress.

2.5 EXISTING AIR QUALITY

Existing air quality is measured at established SCAQMD air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect are shown in Table 2-2 (7).

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the state and federal standards. At the time of this AQIA, the most recent state and federal standards were updated by CARB on May ,4 2016 and are presented in Table 2-2. The air quality in a region is considered to be in attainment by the state if the measured ambient air pollutant levels for O_3, CO (except 8-hour Lake Tahoe), SO_2 (1 and 24 hour), NO_2, PM_{10}, and $PM_{2.5}$ are not to be exceeded. All others are not to be equaled or exceeded. It should be noted that the three-year period is presented for informational purposes and is not the basis for how the State assigns attainment status. Attainment status for a pollutant means that the SCAQMD meets the standards set by the EPA or the California EPA (CalEPA). Conversely, nonattainment means that an area has monitored air quality that does not meet the NAAQS or CAAQS standards. In order to improve air quality in nonattainment areas, a State Implementation Plan (SIP) is drafted by CARB. The SIP outlines the measures that the state will take to improve air quality. Once nonattainment areas meet the standards and additional redesignation requirements, the EPA will designate the area as a maintenance area (8).

TABLE 2-2: AMBIENT AIR QUALITY STANDARDS (1 OF 2)

Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards [1]		National Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m^3)		0.070 ppm (137 µg/m^3)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter (PM2.5)[9]	24 Hour	—	—	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	12.0 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m^3)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m^3)		9 ppm (10 mg/m^3)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemiluminescence	100 ppb (188 µg/m^3)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		0.053 ppm (100 µg/m^3)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	—	Ultraviolet Flourescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (for certain areas)[11]	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas)[11]	—	
Lead[12,13]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3 (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m^3		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

See footnotes on next page …

For more information please call ARB-PIO at (916) 322-2990

California Air Resources Board (5/4/16)

TABLE 2-2: AMBIENT AIR QUALITY STANDARDS (2 OF 2)

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 $\mu g/m^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 $\mu g/m^3$ to 12.0 $\mu g/m^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 $\mu g/m^3$, as was the annual secondary standard of 15 $\mu g/m^3$. The existing 24-hour PM10 standards (primary and secondary) of 150 $\mu g/m^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

    Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 $\mu g/m^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

For more information please call ARB-PIO at (916) 322-2990 **California Air Resources Board (5/4/16)**

2.6 REGIONAL AIR QUALITY

Air pollution contributes to a wide variety of adverse health effects. The EPA has established NAAQS for six of the most common air pollutants: CO, Pb, O_3, particulate matter (PM_{10} and $PM_{2.5}$), NO_2, and SO_2 which are known as criteria pollutants. The SCAQMD monitors levels of various criteria pollutants at 37 permanent monitoring stations and 5 single-pollutant source Pb air monitoring sites throughout the air district (9). On January 5, 2021, CARB posted the 2020 amendments to the state and national area designations. See Table 2-3 for attainment designations for the SCAB (10). Appendix 2.1 provides geographic representation of the state and federal attainment status for applicable criteria pollutants within the SCAB.

TABLE 2-3: ATTAINMENT STATUS OF CRITERIA POLLUTANTS IN THE SCAB

Criteria Pollutant	State Designation	Federal Designation
O_3 – 1-hour standard	Nonattainment	--
O_3 – 8-hour standard	Nonattainment	Nonattainment
PM_{10}	Nonattainment	Attainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO_2	Attainment	Unclassifiable/Attainment
SO_2	Attainment	Unclassifiable/Attainment
Pb[1]	Attainment	Unclassifiable/Attainment

Note: See Appendix 2.1 for a detailed map of State/National Area Designations within the SCAB
"-" = The national 1-hour O_3 standard was revoked effective June 15, 2005.

2.7 LOCAL AIR QUALITY

The SCAQMD has designated general forecast areas and air monitoring areas (referred to as Source Receptor Areas [SRA]) throughout the district in order to provide Southern California residents about the air quality conditions. The Project site is located within SRA 33. Within SRA 33, the Interstate 10 (I-10) Near Road and California State Route (CA-60) Near Road monitoring stations are located approximately 0.6 miles northeast and 5.3 miles southwest of the Project site, respectively. These stations report air quality statistics for CO, NO_2, and $PM_{2.5}$. It should be noted that these monitoring station do not provide data for O_3 or PM_{10}. As such, the next nearest monitoring station will be utilized. Data for O_3 or PM_{10} was obtained from the Central San Bernardino Valley 1 monitoring station, located in SRA 34, approximately 3.5 miles northeast of the Project site. It should be noted that data from Central San Bernardino Valley 1 monitoring station were utilized in lieu of the I-10 Near Road and CA-60 Near Road monitoring stations only in instances where data was not available.

The most recent three (3) years of data available is shown on Table 2-4 and identifies the number of days ambient air quality standards were exceeded for the study area, which is considered to

[1] The Federal nonattainment designation for lead is only applicable towards the Los Angeles County portion of the SCAB.

be representative of the local air quality at the Project site. Data for O_3, CO, NO_2, PM_{10}, and $PM_{2.5}$ for 2018 through 2020 was obtained from the SCAQMD Air Quality Data Tables (11). Additionally, data for SO_2 has been omitted as attainment is regularly met in the SCAB and few monitoring stations measure SO_2 concentrations.

TABLE 2-4: PROJECT AREA AIR QUALITY MONITORING SUMMARY 2018-2020

Pollutant	Standard	Year		
		2018	2019	2020
O_3				
Maximum Federal 1-Hour Concentration (ppm)		0.141	0.124	0.151
Maximum Federal 8-Hour Concentration (ppm)		0.111	0.109	0.111
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	38	41	56
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	69	67	89
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	1.6	1.5	1.5
Maximum Federal 8-Hour Concentration	> 20 ppm	1.3	1.1	1.2
NO_2				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.088	0.086	0.094
Annual Federal Standard Design Value		0.027	0.028	0.029
PM_{10}				
Maximum Federal 24-Hour Concentration ($\mu g/m^3$)	> 150 $\mu g/m^3$	64	88	61
Annual Federal Arithmetic Mean ($\mu g/m^3$)		34.1	34.8	35.8
Number of Days Exceeding Federal 24-Hour Standard	> 150 $\mu g/m^3$	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 $\mu g/m^3$	9	12	6
$PM_{2.5}$				
Maximum Federal 24-Hour Concentration ($\mu g/m^3$)	> 35 $\mu g/m^3$	47.90	41.30	53.10
Annual Federal Arithmetic Mean ($\mu g/m^3$)	> 12 $\mu g/m^3$	14.31	12.70	14.36
Number of Days Exceeding Federal 24-Hour Standard	> 35 $\mu g/m^3$	5	5	4

ppm = Parts Per Million
$\mu g/m^3$ = Microgram per Cubic Meter
Source: Data for O_3, CO, NO_2, PM_{10}, and $PM_{2.5}$ was obtained from SCAQMD Air Quality Data Tables.

2.8 REGULATORY BACKGROUND

2.8.1 FEDERAL REGULATIONS

The EPA is responsible for setting and enforcing the NAAQS for O_3, CO, NO_X, SO_2, PM_{10}, and Pb (12). The EPA has jurisdiction over emissions sources that are under the authority of the federal government including aircraft, locomotives, and emissions sources outside state waters (Outer Continental Shelf). The EPA also establishes emission standards for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission requirements of CARB.

The Federal Clean Air Act (CAA) was first enacted in 1955 and has been amended numerous times in subsequent years (1963, 1965, 1967, 1970, 1977, and 1990). The CAA establishes the federal air quality standards, the NAAQS, and specifies future dates for achieving compliance (13). The CAA also mandates that states submit and implement SIPs for local areas not meeting these standards. These plans must include pollution control measures that demonstrate how the standards will be met.

The 1990 amendments to the CAA that identify specific emission reduction goals for areas not meeting the NAAQS require a demonstration of reasonable further progress toward attainment and incorporate additional sanctions for failure to attain or to meet interim milestones. The sections of the CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions) (14) (15). Title I provisions were established with the goal of attaining the NAAQS for the following criteria pollutants O_3, NO_2, SO_2, PM_{10}, CO, $PM_{2.5}$, and Pb. The NAAQS were amended in July 1997 to include an additional standard for O_3 and to adopt a NAAQS for $PM_{2.5}$. Table 2-3 (previously presented) provides the NAAQS within the SCAB.

Mobile source emissions are regulated in accordance with Title II provisions. These provisions require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas. Automobile manufacturers are also required to reduce tailpipe emissions of hydrocarbons and NO_X. NO_X is a collective term that includes all forms of NO_X which are emitted as byproducts of the combustion process.

2.8.2 CALIFORNIA REGULATIONS

CARB

CARB, which became part of CalEPA in 1991, is responsible for ensuring implementation of the California Clean Air Act (AB 2595), responding to the federal CAA, and for regulating emissions from consumer products and motor vehicles. AB 2595 mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the state ambient air quality standards by the earliest practical date. CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, establishes standards for SO_4, visibility, hydrogen sulfide (H_2S), and vinyl chloride (C_2H_3Cl). However, at this time, H_2S and C_2H_3Cl are not measured at any monitoring stations in the SCAB because they are not considered to be a regional air quality problem. Generally, the CAAQS are more stringent than the NAAQS (16) (12).

Local air quality management districts, such as the SCAQMD, regulate air emissions from stationary sources such as commercial and industrial facilities. All air pollution control districts have been formally designated as attainment or non-attainment for each CAAQS.

Serious non-attainment areas are required to prepare Air Quality Management Plans (AQMP) that include specified emission reduction strategies in an effort to meet clean air goals. These plans are required to include:

- Application of Best Available Retrofit Control Technology to existing sources;

- Developing control programs for area sources (e.g., architectural coatings and solvents) and indirect sources (e.g. motor vehicle use generated by residential and commercial development);
- A District permitting system designed to allow no net increase in emissions from any new or modified permitted sources of emissions;
- Implementing reasonably available transportation control measures and assuring a substantial reduction in growth rate of vehicle trips and miles traveled;
- Significant use of low emissions vehicles by fleet operators;
- Sufficient control strategies to achieve a 5% or more annual reduction in emissions or 15% or more in a period of three years for ROGs, NO_X, CO and PM_{10}. However, air basins may use alternative emission reduction strategy that achieves a reduction of less than 5% per year under certain circumstances.

TITLE 24 ENERGY EFFICIENCY STANDARDS AND CALIFORNIA GREEN BUILDING STANDARDS

California Code of Regulations (CCR) Title 24 Part 6: The California Energy Code was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption.

The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on August 1, 2009, and is administered by the California Building Standards Commission.

CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards that will be effective on January 1, 2023. The CEC anticipates that the 2022 energy code will provide $1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons (17). The Project would be required to comply with the applicable standards in place at the time plan check submittals are made. These require, among other items (18):

NONRESIDENTIAL MANDATORY MEASURES

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).
- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).

- EV charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106. 5.3.3 (5.106.5.3). Additionally, Table 5.106.5.4.1 specifies requirements for the installation of raceway conduit and panel power requirements for medium- and heavy-duty electric vehicle supply equipment for warehouses, grocery stores, and retail stores.
- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8).
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reuse or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
  - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
  - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor- mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
  - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
  - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).
- Outdoor potable water uses in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).

- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gallons per day (GPD) (5.303.1.1 and 5.303.1.2).
- Outdoor water uses in rehabilitated landscape projects equal or greater than 2,500 sf. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

2.8.3 AQMP

Currently, the NAAQS and CAAQS are exceeded in most parts of the SCAB. In response, the SCAQMD has adopted a series of AQMP to meet the state and federal ambient air quality standards (19). AQMPs are updated regularly to ensure an effective reduction in emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy. A detailed discussion on the AQMP and Project consistency with the AQMP is provided in Section 4.10.

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3 EXISTING PROJECT SITE AIR QUALITY CONDITIONS

The Project site is currently occupied and operating as a grain processing company and a corn storage and distribution facility. The estimated operation-source emissions from the existing development are summarized on Table 3-1. Detailed operation model outputs are presented in Appendix 3.1.

TABLE 3-1: EMISSIONS FROM EXISTING DEVELOPMENT

Source	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
Mobile Source	1.03	9.24	15.78	0.08	2.04	0.53
Area Source	1.30	0.02	1.82	0.00	0.00	0.00
Energy Source	0.02	0.43	0.36	0.00	0.03	0.03
Total Maximum Daily Emissions	**2.35**	**9.69**	**17.96**	**0.08**	**2.07**	**0.56**
Winter						
Mobile Source	0.97	9.68	13.68	0.08	2.04	0.53
Area Source	1.00	0.00	0.00	0.00	0.00	0.00
Energy Source	0.02	0.43	0.36	0.00	0.03	0.03
Total Maximum Daily Emissions	**1.99**	**10.11**	**14.04**	**0.08**	**2.07**	**0.56**

Source: CalEEMod existing operational-source emissions are presented in Appendix 3.1.

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4 PROJECT AIR QUALITY IMPACT

4.1 INTRODUCTION

This study quantifies air quality emissions generated by construction and operation of the Project and addresses whether the Project conflicts with implementation of the SCAQMD's AQMP and Lead Agency planning regulations. The analysis of Project-generated air emissions determines whether the Project would result in a cumulatively considerable net increase of any criteria pollutant for which the SCAB is in non-attainment under an applicable NAAQS and CAAQS. Additionally, the Project has been evaluated to determine whether the Project would expose sensitive receptors to substantial pollutant concentrations and the impacts of odors. The significance of these potential impacts is described in the following sections.

4.2 STANDARDS OF SIGNIFICANCE

The criteria used to determine the significance of potential Project-related air quality impacts are taken from the *CEQA Guidelines* (14 CCR §§15000, et seq.). Based on these thresholds, a project would result in a significant impact related to air quality if it would (1):

- Conflict with or obstruct implementation of the applicable air quality plan.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard.
- Expose sensitive receptors to substantial pollutant concentrations.
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The SCAQMD has also developed regional significance thresholds for other regulated pollutants, as summarized at Table 4-1 (20). The SCAQMD's *CEQA Air Quality Significance Thresholds* (April 2019) indicate that any projects in the SCAB with daily emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

TABLE 4-1: MAXIMUM DAILY REGIONAL EMISSIONS THRESHOLDS

Pollutant	Regional Construction Threshold	Regional Operational Thresholds
NO_X	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SO_X	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Pb	3 lbs/day	3 lbs/day

lbs/day = Pounds Per Day

4.3 MODELS EMPLOYED TO ANALYZE AIR QUALITY

4.3.1 CALEEMOD

Land uses such as the Project affect air quality through construction-source and operational-source emissions.

In May 2022 the California Air Pollution Control Officers Association (CAPCOA) in conjunction with other California air districts, including SCAQMD, released the latest version of CalEEMod version 2022.1. The purpose of this model is to calculate construction-source and operational-source criteria pollutant (VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$) and GHG emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from mitigation measures (21). Accordingly, the latest version of CalEEMod has been used for this Project to determine construction and operational air quality emissions. Output from the model runs for both construction and operational activity are provided in Appendices 4.1 through 4.3.

4.4 CONSTRUCTION EMISSIONS

4.4.1 CONSTRUCTION ACTIVITIES

Construction activities associated with the Project would result in emissions of VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$. Construction related emissions are expected from the following construction activities:

- Demolition/Crushing
- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating/Landscaping

DEMOLITION ACTIVITIES

The site is currently developed with existing buildings that will be demolished. Approximately 1,922 tons of the demolished material will be crushed onsite, and 50 tons of the demolished material will be hauled off-site.

CRUSHING ACTIVITIES

The Project activities would include on-site crushing of concrete and asphalt pulverizing during demolition activity. Fugitive dust emissions would also be generated through the crushing debris on-site. The U.S. EPA's AP-42 compilation of emission factors available in Chapter 11.19.2-2 were used to estimate fugitive dust from crushing activities. As noted above, it is estimated that approximately 1,922 tons of debris would be crushed (approximately 32.03 tons per day).

GRADING ACTIVITIES

Dust is typically a major concern during grading activities. Because such emissions are not amenable to collection and discharge through a controlled source, they are called "fugitive emissions". Fugitive dust emissions rates vary as a function of many parameters (soil silt, soil moisture, wind speed, area disturbed, number of vehicles, depth of disturbance or excavation, etc.). CalEEMod was utilized to calculate fugitive dust emissions resulting from this phase of activity. The Project is anticipated to required approximately 9,000 cubic yards of export.

OFF-SITE UTILITY AND INFRASTRUCTURE IMPROVEMENTS

In addition, to support the Project development, there may be paving for off-site improvements associated with roadway construction and utility installation for the Project. It is expected that the off-site construction activities would not take place at one location for the entire duration of construction. Impacts associated with these activities are not expected to exceed the emissions identified for Project-related construction activities since the off-site construction areas would have physical constraints on the amount of daily activity that could occur. The physical constraints would limit the amount of construction equipment that could be used, and any off-site and utility infrastructure construction would not use equipment totals that would exceed the equipment totals on Table 4-5. As such, no impacts beyond what has already been identified in this report are expected to occur.

ON-ROAD TRIPS

Construction generates on-road vehicle emissions from vehicle usage for workers, vendors, and haul trucks commuting to and from the site. The number of worker, vendor, and hauling trips are presented below in Table 4-2. Worker and hauling trips are based on CalEEMod defaults. It should be noted that for vendor trips, specifically, CalEEMod only assigns vendor trips to the Building Construction phase. Vendor trips would likely occur during all phases of construction. As such, the CalEEMod defaults for vendor trips have been adjusted based on a ratio of the total vendor trips to the number of days of each subphase of activity.

TABLE 4-2: CONSTRUCTION TRIP ASSUMPTIONS

Construction Activity	Worker Trips Per Day	Vendor Trips Per Day	Hauling Trips Per Day
Demolition/Crushing	18	10	3
Site Preparation	18	5	0
Grading	20	5	38
Building Construction	114	25	0
Paving	15	0	0
Architectural Coating/Landscaping	23	0	0

4.4.2 CONSTRUCTION DURATION

For purposes of analysis, construction of Project is expected to commence in May 2023 and would last through April 2024. The construction schedule utilized in the analysis, shown in Table 4-3, represents a "worst-case" analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent[2]. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per *CEQA Guidelines* (1).

TABLE 4-3: CONSTRUCTION DURATION

Construction Activity	Start Date	End Date	Days
Demolition/Crushing	05/02/2023	07/24/2023	60
Site Preparation	07/25/2023	09/04/2023	30
Grading	07/25/2023	09/04/2023	30
Building Construction	09/05/2023	04/15/2024	160
Paving	02/13/2024	04/15/2024	45
Architectural Coating/Landscaping	03/05/2024	04/15/2024	30

4.4.3 CONSTRUCTION EQUIPMENT

A summary of construction equipment assumptions by phase is provided at Table 4-4. In accordance the City of Ontario General Plan Update, this analysis assumed the use of CARB Tier 4 Interim equipment during Project construction.

TABLE 4-4: CONSTRUCTION EQUIPMENT ASSUMPTIONS (1 OF 2)

Construction Activity	Equipment[1]	Amount	Hours Per Day
Demolition/Crushing	Rubber Tired Dozers	2	8
	Excavators	3	8
	Concrete/Industrial Saws	1	8
	Crushing/Proc. Equipment[2]	1	8
Site Preparation	Rubber Tired Dozers	3	8
	Crawler Tractors	4	8

[2] As shown in the CalEEMod User's Guide Version 2022.1, Section 4.3 "Off-Road Equipment" as the analysis year increases, emission factors for the same equipment pieces decrease due to the natural turnover of older equipment being replaced by newer less polluting equipment and new regulatory requirements.

TABLE 4-4: CONSTRUCTION EQUIPMENT ASSUMPTIONS (2 OF 2)

Construction Activity	Equipment[1]	Amount	Hours Per Day
Grading	Graders	1	8
	Excavators	2	8
	Scrapers	2	8
	Rubber Tired Dozers	1	8
	Crawler Tractors	2	8
Building Construction	Forklifts	5	8
	Generator Sets	2	8
	Cranes	2	8
	Welders	2	8
	Crawler Tractors	5	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8

[1] In order to account for fugitive dust emissions, Crawler Tractors were used in lieu of Tractors/Loaders/Backhoes during the site preparation and grading phases of Project construction.
[2] The Project will use an electric-powered crusher which will be powered by a diesel generator. As a conservative measure, this analysis models a single diesel-powered generator set.

4.4.4 CONSTRUCTION EMISSIONS SUMMARY

IMPACTS WITHOUT MITIGATION

The estimated maximum daily construction emissions without mitigation are summarized on Table 4-5. Detailed construction model outputs are presented in Appendix 4.1. Under the assumed scenarios, emissions resulting from the Project construction will not exceed the thresholds established by the SCAQMD for emissions of any criteria pollutant.

TABLE 4-5: OVERALL CONSTRUCTION EMISSIONS SUMMARY – WITHOUT MITIGATION

Year	Emissions (lbs/day)[1]					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
2023	1.77	39.60	71.80	0.13	9.9	4.32
2024	47.20	30.20	56.60	0.07	2.58	0.89
Winter						
2023	1.48	21.70	39.80	0.06	1.98	0.65
2024	47.10	30.40	53.50	0.07	2.58	0.89
Maximum Daily Emissions	**47.20**	**39.60**	**71.80**	**0.13**	**9.97**	**4.32**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

[1] PM_{10} and $PM_{2.5}$ emissions include fugitive dust from Crushing activities
Source: CalEEMod construction-source (unmitigated) emissions are presented in Appendix 4.1.

4.5 OPERATIONAL EMISSIONS

Operational activities associated with the Project would result in emissions of VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$. Operational emissions are expected from the following primary sources:

- Area Source Emissions
- Energy Source Emissions
- Mobile Source Emissions
- Transportation Refrigeration Units (TRUs)
- On-Site Cargo Handling Equipment Emissions
- Stationary Source Emissions

4.5.1 AREA SOURCE EMISSIONS

ARCHITECTURAL COATINGS

Over a period of time the buildings that are part of this Project would require maintenance and would therefore produce emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings. The emissions associated with architectural coatings were calculated using CalEEMod.

CONSUMER PRODUCTS

Consumer products include, but are not limited to detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. Many of these products contain organic compounds which when released in the atmosphere can react to form ozone and other photochemically reactive pollutants. The emissions associated with use of consumer products were calculated based on defaults provided within CalEEMod.

LANDSCAPE MAINTENANCE EQUIPMENT

Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. It should be noted that as October 9, 2021, Governor Gavin Newsom signed AB 1346. The bill aims to ban the sale of new gasoline-powered equipment under 25 gross horsepower (known as small off-road engines [SOREs]) by 2024. For purposes of analysis, the emissions associated with landscape maintenance equipment were calculated based on assumptions provided in CalEEMod.

4.5.2 ENERGY SOURCE EMISSIONS

COMBUSTION EMISSIONS ASSOCIATED WITH NATURAL GAS AND ELECTRICITY

Electricity and natural gas are used by almost every project. Criteria pollutant emissions are emitted through the generation of electricity and consumption of natural gas. However, because electrical generating facilities for the Project area are located either outside the region (state) or offset through the use of pollution credits (RECLAIM) for generation within the SCAB, criteria pollutant emissions from offsite generation of electricity are generally excluded from the evaluation of significance and only natural gas use is considered. The emissions associated with natural gas use were calculated using CalEEMod.

4.5.3 MOBILE SOURCE EMISSIONS

The Project related operational air quality emissions derive primarily from vehicle trips generated by the Project, including employee trips to and from the site and truck trips associated with the proposed uses.

It should be noted that CalEEMod has different trip rates for different days of the week. In order to accurately determine mobile-source emission from vehicle activity generated by the proposed Project, the CalEEMod default trip rates were adjusted for weekday, Saturday, and Sunday utilizing the trip rates based on trip-generation statistics published in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021) (22). The following trip generation rates and vehicle mix were utilized for calculating the trip generation for the proposed Project:

- High-Cube Cold Storage Warehouse (ITE land use code 157) has been used to derive site specific trip generation estimates for the 27,034-sf building of the proposed Project. High-cube warehouses include warehouses characterized by the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. High-cube cold storage warehouses are facilities typified by temperature-controlled environments for frozen food or other perishable products. The High-Cube Cold Storage Warehouse vehicle mix (passenger cars versus trucks) has been obtained from the ITE's Trip Generation Manual. The truck percentages were further broken down by axle type per the following SCAQMD recommended truck mix: 2-Axle = 36.4%; 3-Axle = 9.09%; 4+-Axle = 54.6%.

- ITE Land Use Code 150 has been used to derive site specific trip generation estimates for the 243,303-sf building of the proposed Project. The vehicle mix has been obtained from the ITE's Trip Generation Manual Supplement (dated February 2020). The truck percentages were further broken down by axle type per the following SCAQMD recommended truck mix: 2-Axle = 16.4%; 3-Axle = 20.6%; 4+-Axle = 63.0%.

APPROACH FOR ANALYSIS OF THE PROJECT

In order to determine emissions from passenger car vehicles, CalEEMod defaults for trip length and trip purpose were utilized. Default vehicle trip lengths for primary trips will be populated using data from the local metropolitan planning organizations/Regional Transportation Planning Agencies (MPO/RTPA). Trip type percentages and trip lengths provided by MPO/RTPAs truncate data at their demonstrative borders. This analysis assumes that passenger cars include Light-Duty-Auto vehicles (LDA), Light-Duty-Trucks (LDT1[3] & LDT2[4]), Medium-Duty-Vehicles (MDV), and Motorcycles (MCY) vehicle types. In order to account for emissions generated by passenger cars, the fleet mix in Table 4-6 was utilized.

TABLE 4-6: PASSENGER CAR FLEET MIX

Land Use	% Vehicle Type				
	LDA	LDT1	LDT2	MDV	MCY
High-Cube Cold Storage	56.23%	4.67%	22.39%	14.70%	2.01%
Warehouse					

Note: The Project-specific passenger car fleet mix used in this analysis is based on a proportional split utilizing the default CalEEMod percentages assigned to LDA, LDT1, LDT2, and MDV vehicle types.

To determine emissions from trucks for the proposed industrial uses, the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages. The trip length function for the general light industrial use has been revised to 30.58 miles and 28.62 miles for the high-cube cold storage and warehouse uses, respectively, an assumption of 100% primary trips for the proposed industrial land uses. Trucks are broken down by truck type. The truck fleet mix is estimated by rationing the trip rates for each truck type based on information provided by the SCAQMD recommended truck mix, by axle type. Heavy trucks are broken down by truck type (or axle type) and are categorized as either Light-Heavy-Duty Trucks (LHDT1[5] & LHDT2 [6])/2-axle, Medium-Heavy-Duty Trucks (MHDT)/3-axle, and Heavy-Heavy-Duty Trucks (HHDT)/4+-axle. To account for emissions generated by trucks, the fleet mix in Table 4-7 was utilized.

[3] Vehicles under the LDT1 category have a gross vehicle weight rating (GVWR) of less than 6,000 lbs. and equivalent test weight (ETW) of less than or equal to 3,750 lbs.

[4] Vehicles under the LDT2 category have a GVWR of less than 6,000 lbs. and ETW between 3,751 lbs. and 5,750 lbs.

[5] Vehicles under the LHDT1 category have a GVWR of 8,501 to 10,000 lbs.

[6] Vehicles under the LHDT2 category have a GVWR of 10,001 to 14,000 lbs.

TABLE 4-7: TRUCK FLEET MIX

Land Use	% Vehicle Type			
	LHDT1	LHDT2	MHDT	HHDT
High-Cube Cold Storage	12.94%	3.49%	20.55%	63.01%
Warehouse	28.64%	7.73%	9.09%	54.55%

Note: Project-specific truck fleet mix is based on the number of trips generated by each truck type (LHDT1, LHDT2, MHDT, and HHDT) relative to the total number of truck trips.

FUGITIVE DUST RELATED TO VEHICULAR TRAVEL

Vehicles traveling on paved roads would be a source of fugitive emissions due to the generation of road dust inclusive of brake and tire wear particulates. The emissions estimate for travel on paved roads were calculated using CalEEMod.

4.5.4 TRU SOURCE EMISSIONS

In order to account for the possibility of refrigerated uses, trucks associated with the cold-storage land use are assumed to also have TRUs. Therefore, for modeling purposes 11 trucks (22 truck trips per day) have the potential to include TRUs. TRUs are accounted for during on-site and off-site travel. The TRU calculations are based on EMissions FACtor Model version 2021 (EMFAC2021), developed by the CARB. EMFAC2021 does not provide emission rates per hour or mile as with the on-road emission model and only provides emission inventories. Emission results are produced in tons per day while all activity, fuel consumption and horsepower hours were reported at annual levels. The emission inventory is based on specific assumptions including the average horsepower rating of specific types of equipment and the hours of operation annually. These assumptions are not always consistent with assumptions used in the modeling of project level emissions. Therefore, the emissions inventory was converted into emission rates to accurately calculate emissions from TRU operation associated with project level details. This was accomplished by converting the annual horsepower hours to daily operational characteristics and converting the daily emission levels into hourly emission rates based on the total emission of each criteria pollutant by equipment type and the average daily hours of operation.

4.5.5 ON-SITE CARGO HANDLING EQUIPMENT SOURCE EMISSIONS

It is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For this particular Project, on-site modeled operational equipment includes up to one (1) 175 horsepower (hp), natural gas-powered cargo handling equipment – port tractor operating 4 hours a day[7] for 365 days of the year.

[7] Based on Table II-3, Port and Rail Cargo Handling Equipment Demographics by Type, from CARB's Technology Assessment: Mobile Cargo Handling Equipment document, a single piece of equipment could operate up to 2 hours per day (Total Average Annual Activity divided by Total Number Pieces of Equipment). As such, the analysis conservatively assumes that the tractor/loader/backhoe would operate up to 4 hours per day.

4.5.6 OPERATIONAL EMISSIONS SUMMARY

As previously stated, CalEEMod utilizes summer and winter EMFAC2021 emission factors in order to derive vehicle emissions associated with Project operational activities, which vary by season. The estimated operational-source emissions are summarized on Table 4-8. It should be noted that the existing development emissions were subtracted from the Project operational emissions to determine the new emissions from the proposed Project. Detailed operation model outputs for the Project are presented in Appendices 4.2 and 4.3. As shown on Table 4-8, the Project's daily regional emissions from on-going operations would not exceed the thresholds of significance for emissions of any criteria pollutant.

TABLE 4-8: SUMMARY OF PEAK OPERATIONAL EMISSIONS

Source	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
Mobile Source	1.51	11.90	22.21	0.12	2.84	0.70
Area Source	8.45	0.10	11.80	0.00	0.02	0.02
Energy Source	0.16	2.87	2.41	0.02	0.22	0.22
TRU Source	0.79	0.87	0.10	0.00	0.04	0.03
On-Site Equipment Source	0.12	0.38	16.44	0.00	0.03	0.03
Project Maximum Daily Emissions	**11.02**	**16.12**	**52.96**	**0.14**	**3.15**	**1.00**
Existing	*2.35*	*9.69*	*17.96*	*0.08*	*2.07*	*0.56*
Total Maximum Daily Emissions	**8.67**	**6.43**	**35.00**	**0.06**	**1.08**	**0.44**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
Winter						
Mobile Source	1.43	12.49	19.13	0.12	2.84	0.70
Area Source	6.52	0.00	0.00	0.00	0.00	0.00
Energy Source	0.16	2.87	2.41	0.02	0.22	0.22
TRU Source	0.79	0.87	0.10	0.00	0.04	0.03
On-Site Equipment Source	0.12	0.38	16.44	0.00	0.03	0.03
Project Maximum Daily Emissions	**9.01**	**16.61**	**38.08**	**0.14**	**3.13**	**0.98**
Existing	*1.99*	*10.11*	*14.04*	*0.08*	*2.07*	*0.56*
Total Maximum Daily Emissions	**7.02**	**6.50**	**24.04**	**0.06**	**1.06**	**0.42**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: CalEEMod operational-source emissions are presented in Appendices 4.2 and 4.3.

4.6 LOCALIZED SIGNIFICANCE

BACKGROUND ON LST DEVELOPMENT

The analysis makes use of methodology included in the SCAQMD *Final Localized Significance Threshold Methodology* (LST Methodology). The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards (NAAQS/CAAQS). Collectively, these are referred to as Localized Significance Thresholds (LSTs).

The SCAQMD established LSTs in response to the SCAQMD Governing Board's Environmental Justice Initiative I-4[8]. LSTs represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest residence or sensitive receptor. The SCAQMD states that lead agencies can use the LSTs as another indicator of significance in its air quality impact analyses.

LSTs were developed in response to environmental justice and health concerns raised by the public regarding exposure of individuals to criteria pollutants in local communities. To address the issue of localized significance, the SCAQMD adopted LSTs that show whether a project would cause or contribute to localized air quality impacts and thereby cause or contribute to potential localized adverse health effects. The analysis makes use of methodology included in the *LST Methodology* (23).

APPLICABILITY OF LSTS FOR THE PROJECT

For this Project, the appropriate SRA for the LST analysis is the SCAQMD I-10 Near Road (SRA 33). LSTs apply to CO, NO_2, PM_{10}, and $PM_{2.5}$. The SCAQMD produced look-up tables for projects less than or equal to 5 acres in size.

In order to determine the appropriate methodology for determining localized impacts that could occur as a result of Project-related construction, the following process is undertaken:

- Identify the maximum daily on-site emissions that would occur during construction activity:
    - The maximum daily on-site emissions could be based on information provided by the Project Applicant; or
    - The SCAQMD's *Fact Sheet for Applying CalEEMod to Localized Significance Thresholds* and CalEEMod User's Guide *Appendix A: Calculation Details for CalEEMod* can be used to determine the maximum site acreage that is actively disturbed based on the construction equipment fleet and equipment hours as estimated in CalEEMod (24) (25).
- If the total acreage disturbed is less than or equal to 5 acres per day, then the SCAQMD's screening look-up tables are utilized to determine if a Project has the potential to result in a significant

[8] The purpose of SCAQMD's Environmental Justice program is to ensure that everyone has the right to equal protection from air pollution and fair access to the decision-making process that works to improve the quality of air within their communities. Further, the SCAQMD defines Environmental Justice as "…equitable environmental policymaking and enforcement to protect the health of all residents, regardless of age, culture, ethnicity, gender, race, socioeconomic status, or geographic location, from the health effects of air pollution."

impact. The look-up tables establish a maximum daily emissions threshold in lbs/day that can be compared to CalEEMod outputs.

- If the total acreage disturbed is greater than 5 acres per day, then LST impacts may still be conservatively evaluated using the LST look-up tables for a 5-acre disturbance area. Use of the 5-acre disturbance area thresholds can be used to show that even if the daily emissions from all construction activity were emitted within a 5-acre area, and therefore concentrated over a smaller area which would result in greater site adjacent concentrations, the impacts would still be less than significant if the applicable 5-acre thresholds are utilized.
- The *LST Methodology* presents mass emission rates for each SRA, project sizes of 1, 2, and 5 acres, and nearest receptor distances of 25, 50, 100, 200, and 500 meters. For project sizes between the values given, or with receptors at distances between the given receptors, the methodology uses linear interpolation to determine the thresholds.

EMISSIONS CONSIDERED

Based on SCAQMD's *LST Methodology*, emissions for concern during construction activities are on-site NO_X, CO, $PM_{2.5}$, and PM_{10}. The *LST Methodology* clearly states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs (26)." As such, for purposes of the construction LST analysis, only emissions included in the CalEEMod "on-site" emissions outputs were considered.

MAXIMUM DAILY DISTURBED-ACREAGE

The "acres disturbed" for analytical purposes are based on specific equipment type for each subcategory of construction activity and the estimated maximum area a given piece of equipment can pass over in an 8-hour workday (as shown on Table 4-9). The equipment-specific grading rates are summarized in the SCAQMD's *Fact Sheet for Applying CalEEMod to Localized Significance Thresholds* and CalEEMod User's Guide *Appendix C: Emission Calculation Details for CalEEMod* (24) (27). It The disturbed area per day is representative of a piece of equipment making multiple passes over the same land area. In other words, one Rubber Tired Dozer can make multiple passes over the same land area totaling 0.5 acres in a given 8-hour day. Based on Table 4-9, the Project's construction activities could actively disturb approximately 1.0 acre per day during demolition/crushing, 3.5 acres per day during site preparation, and 4.0 acres per day during grading activities. For purposes of analysis and in order to use linear regression, this analysis conservatively assumes that 5 acres can be disturbed during site preparation activities.

TABLE 4-9: MAXIMUM DAILY DISTURBED-ACREAGE

Construction Activity	Equipment Type	Equipment Quantity	Acres graded per 8-hour day	Operating Hours per Day	Acres graded per day
Demolition	Rubber Tired Dozers	2	0.5	8	1.0
Total acres disturbed per day during Demolition					1.0
Site Preparation	Crawler Tractors	4	0.5	8	2.0
	Rubber Tired Dozers	3	0.5	8	1.5
Total acres disturbed per day during Site Preparation					3.5
Grading	Crawler Tractors	2	0.5	8	1.0
	Graders	1	0.5	8	0.5
	Rubber Tired Dozers	1	0.5	8	0.5
	Scrapers	2	1.0	8	2.0
Total acres disturbed per day during Grading					4.0

Source: Maximum daily disturbed acreage based on equipment list presented in Appendix 4.1.

RECEPTORS

As previously stated, LSTs represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable NAAQS and CAAQS at the nearest residence or sensitive receptor. Receptor locations are off-site locations where individuals may be exposed to emissions from Project activities.

Some people are especially sensitive to air pollution and are given special consideration when evaluating air quality impacts from projects. These groups of people include children, the elderly, and individuals with pre-existing respiratory or cardiovascular illness. Structures that house these persons or places where they gather are defined as "sensitive receptors". These structures typically include uses such as residences, hotels, and hospitals where an individual can remain for 24 hours. Consistent with the LST Methodology, the nearest land use where an individual could remain for 24 hours to the Project site has been used to determine construction and operational air quality impacts for emissions of PM_{10} and $PM_{2.5}$, since PM_{10} and $PM_{2.5}$ thresholds are based on a 24-hour averaging time.

LSTs apply, even for non-sensitive land uses, consistent with *LST Methodology* and SCAQMD guidance. Per the *LST Methodology*, commercial and industrial facilities are not included in the definition of sensitive receptor because employees and patrons do not typically remain onsite for a full 24 hours but are typically onsite for 8 hours or less. However, *LST Methodology* explicitly states that "*LSTs based on shorter averaging periods, such as the NO_2 and CO LSTs, could also be applied to receptors such as industrial or commercial facilities since it is reasonable to assume that a worker at these sites could be present for periods of one to eight hours* (26)." Therefore, any adjacent land use where an individual could remain for 1 or 8-hours, that is located at a closer distance to the Project site than the receptor used for PM_{10} and $PM_{2.5}$ analysis, must be

considered to determine construction and operational LST air impacts for emissions of NO_2 and CO since these pollutants have an averaging time of 1 and 8-hours.

PROJECT-RELATED RECEPTORS

Receptors in the Project study area are described below and shown on Exhibit 4-A. Localized air quality impacts were evaluated at sensitive receptor land uses nearest the Project site. All distances are measured from the Project site boundary to the outdoor living areas (e.g., backyards) or at the building façade, whichever is closer to the Project site. The selection of receptor locations is based on Federal Highway Administration (FHWA) guidelines and is consistent with additional guidance provided by Caltrans and the Federal Transit Administration (FTA).

R1: Location R1 represents the Ayres Hotel Ontario Mills Mall at 4395 Ontario Mills Parkway, approximately 6,214 feet northwest of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R1 is placed at the building façade.

R2: Location R2 represents the Hampton Inn & Suites Ontario at 4500 Ontario Mills Parkway, approximately 5,072 feet northwest of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R2 is placed at the building façade.

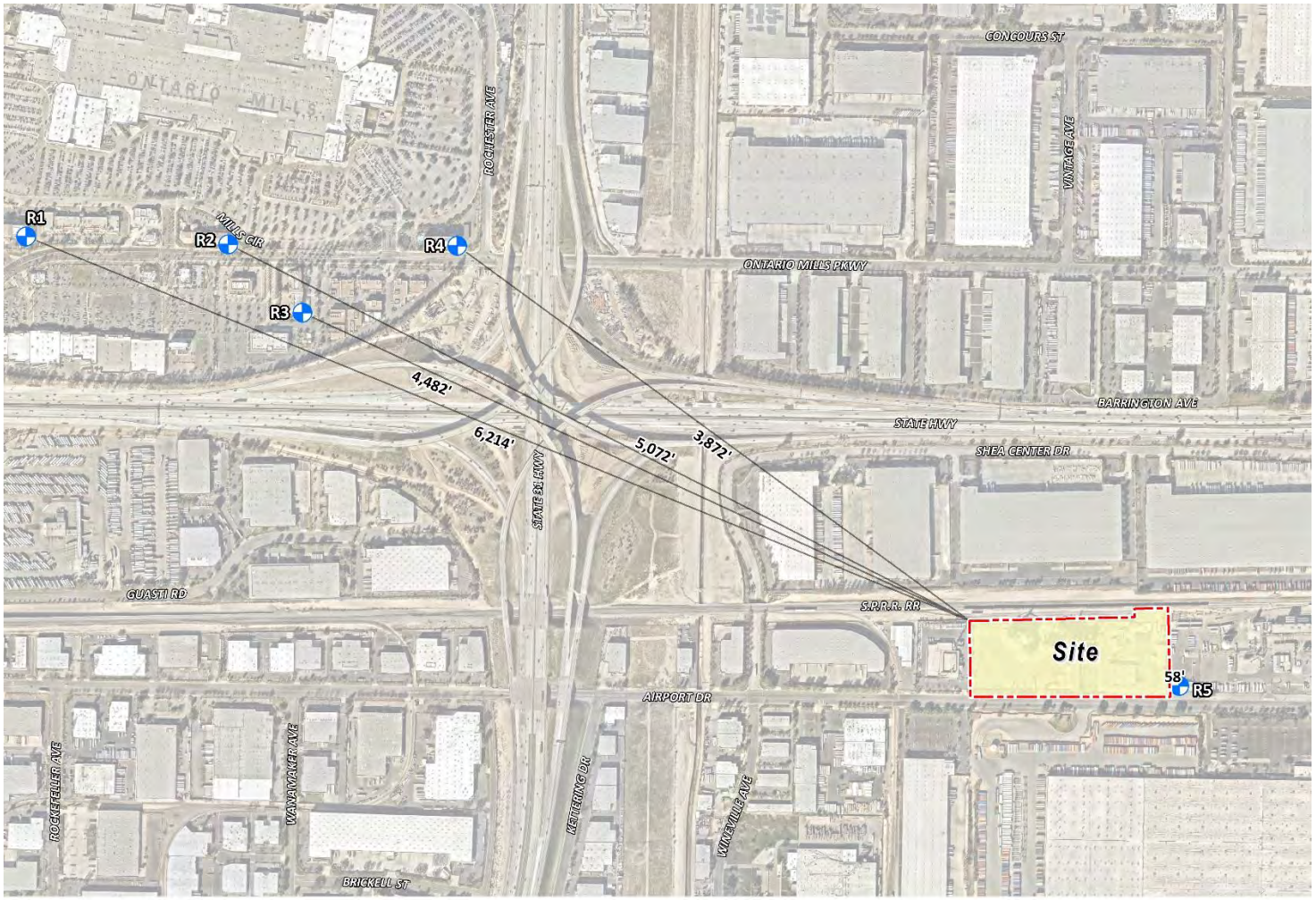
R3: Location R3 represents the Country Inn & Suites by Radisson, Ontario at Ontario Mills at 4674 Ontario Mills Parkway, approximately 4,482 feet northwest of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R3 is placed at the building façade.

R4: Location R4 represents the Hyatt Place Ontario/Rancho Cucamonga at 4760 Mills Circle, approximately 3,872 feet northwest of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R4 is placed at the building façade.

R5: Location R5 represents Linde Industrial Gas Supplier facility at 5735 East Airport Drive, approximately 58 feet east of the Project site.

The SCAQMD recommends that the nearest sensitive receptor be considered when determining the Project's potential to cause an individual a cumulatively significant impact. The nearest land use where an individual could remain for 24 hours to the Project site has been used to determine localized construction and operational air quality impacts for emissions of PM_{10} and $PM_{2.5}$ (since PM_{10} and $PM_{2.5}$ thresholds are based on a 24-hour averaging time). The nearest receptor used for evaluation of localized impacts of PM_{10} and $PM_{2.5}$ is the Hyatt Place Ontario/Rancho Cucamonga at 4760 Mills Circle, approximately 3,872 feet northwest of the Project site, represented by R4, approximately 3,872 feet (1,180 meters) north of the Project site. It should be noted that the look-up tables only identify thresholds up to a 500-meter distance. As a conservative measure, the 500-meter distance will be used in lieu of the 1,180-meters.

EXHIBIT 4-A: RECEPTOR LOCATIONS



As previously stated, and consistent with *LST Methodology*, the nearest commercial/industrial use to the Project site is used to determine construction and operational LST air impacts for emissions of NO_X and CO as the averaging periods for these pollutants are shorter (8 hours or less) and it is reasonable to assumed that an individual could be present at these sites for periods of one to 8 hours. The nearest receptor used for evaluation of localized impacts of NO_X and CO is the Linde Industrial Gas Supplier facility at 5735 East Airport Drive, represented by R5, approximately 58 feet (18 meters) west of the Project site. It should be noted that the *LST Methodology* explicitly states that "*It is possible that a project may have receptors closer than 25 meters. Projects with boundaries located closer than 25 meters to the nearest receptor should use the LSTs for receptors located at 25 meters* (28)." As such a 25-meter receptor distance will be used for evaluation of localized NO_X and CO.

4.7 CONSTRUCTION-SOURCE EMISSIONS LST ANALYSIS

4.7.1 LOCALIZED THRESHOLDS FOR CONSTRUCTION ACTIVITY

Since the total acreage disturbed is less than five acres per day for demolition/crushing, site preparation, and grading activities, the SCAQMD's screening look-up tables are utilized in determining impacts. Consistent with SCAQMD guidance, the thresholds presented in Table 4-10 were calculated by interpolating the threshold values for the Project's disturbed acreage.

TABLE 4-10: MAXIMUM DAILY LOCALIZED CONSTRUCTION EMISSIONS THRESHOLDS

Construction Activity	Construction Localized Thresholds			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Demolition/Crushing	118 lbs/day	863 lbs/day	280 lbs/day	141 lbs/day
Site Preparation	220 lbs/day	1,713 lbs/day	241 lbs/day	160 lbs/day
Grading	237 lbs/day	1,873 lbs/day	268 lbs/day	163 lbs/day

Source: Localized Thresholds presented in this table are based on the SCAQMD Final LST Methodology, July 2008

4.7.2 CONSTRUCTION-SOURCE LOCALIZED EMISSIONS

IMPACTS WITHOUT MITIGATION

Table 4-11 identifies the localized impacts at the nearest receptor location in the vicinity of the Project. Without mitigation, localized construction emissions would not exceed the applicable SCAQMD LSTs for emissions of any criterial pollutant. Outputs from the model runs for unmitigated construction LSTs are provided in Appendix 4.1.

TABLE 4-11: LOCALIZED CONSTRUCTION-SOURCE EMISSIONS – WITHOUT MITIGATION

Construction Activity	Year	Scenario	Emissions (lbs/day)			
			NO_X	CO	PM_{10}	$PM_{2.5}$
Demolition/ Crushing	2023	Summer	12.70	18.70	0.70	0.29
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**12.70**	**18.70**	**0.70**	**0.29**
		SCAQMD Localized Threshold	118	863	280	141
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Site Preparation	2023	Summer	15.70	30.00	5.76	2.79
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**15.70**	**30.00**	**5.76**	**2.79**
		SCAQMD Localized Threshold	220	1,713	241	160
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Grading	2023	Summer	19.90	36.20	2.85	1.16
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**19.90**	**36.20**	**2.85**	**1.16**
		SCAQMD Localized Threshold	237	1,873	268	163
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Source: CalEEMod unmitigated localized construction-source emissions are presented in Appendix 4.1.

4.8 OPERATIONAL-SOURCE EMISSIONS LST ANALYSIS

As previously stated, the Project is located on an approximately 13.08-acre parcel. As noted previously, the *LST Methodology* provides look-up tables for sites with an area with daily disturbance of 5 acres or less. For projects that exceed 5 acres, the 5-acre LST look-up tables can be used as a screening tool to determine whether pollutants require additional detailed analysis. This approach is conservative as it assumes that all on-site emissions associated with the Project would occur within a concentrated 5-acre area. This screening method would therefore over-predict potential localized impacts, because by assuming that on-site operational activities are occurring over a smaller area, the resulting concentrations of air pollutants are more highly concentrated once they reach the smaller site boundary than they would be for activities if they were spread out over a larger surface area. On a larger site, the same amount of air pollutants generated would disperse over a larger surface area and would result in a lower concentration once emissions reach the project-site boundary. As such, LSTs for a 5-acre site during operations are used as a screening tool to determine if further detailed analysis is required. The LST analysis generally includes on-site sources (area, energy, mobile, on-site cargo handling equipment, and stationary equipment – are previously discussed in Section 4.5 of this report). However, it should be noted that the CalEEMod outputs do not separate on-site and off-site emissions from mobile sources. As such, in an effort to establish a maximum potential impact scenario for analytic purposes, the emissions shown on Table 4-13 represent all on-site Project-related stationary

(area) sources and Project-related mobile sources. It should be noted that the longest on-site distance is roughly 0.40 mile for both trucks and passenger cars. Modeling based on these assumptions demonstrates that even within broad encompassing parameters, Project operational-source emissions would not exceed applicable LSTs.

4.8.1 LOCALIZED THRESHOLDS FOR OPERATIONAL ACTIVITY

As previously stated, LSTs for a 5-acre site during operations are used as a screening tool to determine if further detailed analysis is required.

TABLE 4-12: MAXIMUM DAILY LOCALIZED OPERATIONAL EMISSIONS THRESHOLDS

Operational Localized Thresholds			
NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
270 lbs/day	2,193 lbs/day	78 lbs/day	41 lbs/day

Source: Localized Thresholds presented in this table are based on the SCAQMD Final LST Methodology, July 2008

4.8.2 OPERATIONAL-SOURCE LOCALIZED EMISSIONS

IMPACTS WITHOUT MITIGATION

As shown on Table 4-13 operational emissions would not exceed the LST thresholds for the nearest sensitive receptor. Therefore, the Project would have a less than significant localized impact during operational activity.

TABLE 4-13: LOCALIZED SIGNIFICANCE SUMMARY OF OPERATIONS

Scenario	Emissions (lbs/day)			
	NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
Summer	6.23	34.57	0.37	0.32
Winter	6.22	23.08	0.35	0.30
Maximum Daily Emissions	**6.23**	**34.57**	**0.37**	**0.32**
SCAQMD Localized Threshold	270	2,193	78	41
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Source: CalEEMod localized operational-source emissions are presented in Appendix 4.3.

4.9 CO "HOT SPOT" ANALYSIS

As discussed below, the Project would not result in potentially adverse CO concentrations or "hot spots." Further, detailed modeling of Project-specific CO "hot spots" is not needed to reach this conclusion. An adverse CO concentration, known as a "hot spot", would occur if an exceedance of the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur.

It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become

increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the SCAB is now designated as attainment. To establish a more accurate record of baseline CO concentrations affecting the SCAB, a CO "hot spot" analysis was conducted in 2003 for four busy intersections in Los Angeles at the peak morning and afternoon time periods. This "hot spot" analysis did not predict any violation of CO standards, as shown on Table 4-14.

TABLE 4-14: CO MODEL RESULTS

Intersection Location	CO Concentrations (ppm)		
	Morning 1-hour	Afternoon 1-hour	8-hour
Wilshire Boulevard/Veteran Avenue	4.6	3.5	3.7
Sunset Boulevard/Highland Avenue	4	4.5	3.5
La Cienega Boulevard/Century Boulevard	3.7	3.1	5.2
Long Beach Boulevard/Imperial Highway	3	3.1	8.4

Source: 2003 AQMP, Appendix V: Modeling and Attainment Demonstrations
Notes: Federal 1-hour standard is 35 ppm and the deferral 8-hour standard is 9.0 ppm.

Based on the SCAQMD's 2003 AQMP and the 1992 Federal Attainment Plan for Carbon Monoxide (*1992 CO Plan*), peak carbon monoxide concentrations in the SCAB were a result of unusual meteorological and topographical conditions and not a result of traffic volumes and congestion at a particular intersection. As evidence of this, for example, 8.4 ppm 8-hr CO concentration measured at the Long Beach Blvd. and Imperial Hwy. intersection (highest CO generating intersection within the "hot spot" analysis), only 0.7 ppm was attributable to the traffic volumes and congestion at this intersection; the remaining 7.7 ppm were due to the ambient air measurements at the time the 2003 AQMP was prepared (29). In contrast, an adverse CO concentration, known as a "hot spot", would occur if an exceedance of the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm were to occur.

The ambient 1-hr and 8-hr CO concentration within the Project study area is estimated to be 1.6 ppm and 1.3 ppm, respectively (data from I-10 Near Road monitoring station for 2020). Therefore, even if the traffic volumes for the proposed Project were double or even triple of the traffic volumes generated at the Long Beach Blvd. and Imperial Hwy. intersection, coupled with the on-going improvements in ambient air quality, the Project would not be capable of resulting in a CO "hot spot" at any study area intersections.

Similar considerations are also employed by other Air Districts when evaluating potential CO concentration impacts. More specifically, the Bay Area Air Quality Management District (BAAQMD) concludes that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour (vph)—or 24,000 vph where vertical and/or horizontal air does not mix—in order to generate a

significant CO impact (30). Traffic volumes generating the CO concentrations for the "hot spot" analysis is shown on Table 4-15. The busiest intersection evaluated was that at Wilshire Boulevard and Veteran Avenue, which has a daily traffic volume of approximately 100,000 vph and AM/PM traffic volumes of 8,062 vph and 7,719 vph respectively (29). The *2003 AQMP* estimated that the 1-hour concentration for this intersection was 4.6 ppm; this indicates that, should the daily traffic volume increase four times to 400,000 vehicles per day, CO concentrations (4.6 ppm x 4= 18.4 ppm) would still not likely exceed the most stringent 1-hour CO standard (20.0 ppm)[9].

TABLE 4-15: TRAFFIC VOLUMES

Intersection Location	Peak Traffic Volumes (vph)				
	Eastbound (AM/PM)	Westbound (AM/PM)	Southbound (AM/PM)	Northbound (AM/PM)	Total (AM/PM)
Wilshire Boulevard/Veteran Avenue	4,954/2,069	1,830/3,317	721/1,400	560/933	8,062/7,719
Sunset Boulevard/Highland Avenue	1,417/1,764	1,342/1,540	2,304/1,832	1,551/2,238	6,614/5,374
La Cienega Boulevard/Century Boulevard	2,540/2,243	1,890/2,728	1,384/2,029	821/1,674	6,634/8,674
Long Beach Boulevard/Imperial Highway	1,217/2,020	1,760/1,400	479/944	756/1,150	4,212/5,514

Source: 2003 AQMP

4.10 AQMP

The Project site is located within the SCAB, which is characterized by relatively poor air quality. The SCAQMD has jurisdiction over an approximately 10,743 square-mile area consisting of the four-county Basin and the Los Angeles County and Riverside County portions of what use to be referred to as the Southeast Desert Air Basin. In these areas, the SCAQMD is principally responsible for air pollution control, and works directly with the SCAG, county transportation commissions, local governments, as well as state and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet state and federal ambient air quality standards.

Currently, these state and federal air quality standards are exceeded in most parts of the SCAB. In response, the SCAQMD has adopted a series of AQMPs to meet the state and federal ambient air quality standards. AQMPs are updated regularly in order to more effectively reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy.

In March 2017, the SCAQMD released the *Final 2016 AQMP* (*2016 AQMP*). The *2016 AQMP* continues to evaluate current integrated strategies and control measures to meet the NAAQS, as well as explore new and innovative methods to reach its goals. Some of these approaches include utilizing incentive programs, recognizing existing co-benefit programs from other sectors, and developing a strategy with fair-share reductions at the federal, state, and local levels (31). Similar to the 2012 AQMP, the *2016 AQMP* incorporates scientific and technological information and

[9] Based on the ratio of the CO standard (20.0 ppm) and the modeled value (4.6 ppm)

planning assumptions, including the *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy* (*2016-2040 RTP/SCS*), a planning document that supports the integration of land use and transportation to help the region meet the federal CAA requirements (19). The Project's consistency with the AQMP will be determined using the *2016 AQMP* as discussed below.

The 2022 AQMP is currently being developed by SCAQMD to address the EPA's strengthened ozone standard. Development of the 2022 AQMP is in its early stages and no formal timeline for completion and adoption is currently known.

Criteria for determining consistency with the AQMP are defined in Chapter 12, Section 12.2 and Section 12.3 of the *1993 CEQA Handbook* (32). These indicators are discussed below:

4.10.1 CONSISTENCY CRITERION NO. 1

The proposed Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

The violations that Consistency Criterion No. 1 refer to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if regional or localized significance thresholds were exceeded.

Construction Impacts – Consistency Criterion 1

Consistency Criterion No. 1 refers to violations of the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if localized or regional significance thresholds were exceeded. As evaluated, the Project's localized and regional construction-source emissions would not exceed applicable regional significance threshold and LST thresholds. As such, a less than significant impact is expected.

Operational Impacts – Consistency Criterion 1

As evaluated, the Project's localized and regional operation-source emissions would not exceed applicable regional significance threshold and LST thresholds. As such, a less than significant impact is expected.

On the basis of the preceding discussion, the Project is determined to be consistent with the first criterion.

4.10.2 CONSISTENCY CRITERION NO. 2

The Project will not exceed the assumptions in the AQMP based on the years of Project build-out phase.

The *2016 AQMP* demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development

consistent with the growth projections in City of Ontario General Plan is considered to be consistent with the AQMP**.**

Construction Impacts – Consistency Criterion 2

Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and maximum area of disturbance. Irrespective of the site's land use designation, development of the site to its maximum potential would likely occur, with disturbance of the entire site occurring during construction activities. As such, when considering that no emissions thresholds will be exceeded, a less than significant impact would result.

Operational Impacts – Consistency Criterion 2

The Project is designated for Industrial uses within the Ontario General Plan. The Project site is designated for Industrial uses. The Industrial designation allows for a variety of light industrial uses, including warehousing/distribution, assembly, light manufacturing, research and development, storage, repair facilities, and supporting retail and professional office uses. This designation also accommodates activities that could potentially generate impacts, such as noise, dust, and other nuisances (33). The Project consist of a single 270,337-sf industrial building. As previously stated, this analysis assumes up to 27,034-sf high-cube cold storage use (10% of the total industrial building sf) and 243,303-sf of warehouse use (90% of total industrial building) which is consistent with the proposed Industrial designation and therefore, the Project does not propose or require amendment of the site's underlying land use designation.

Furthermore, the Project, as evaluated herein would not result in or cause exceedances of regional or localized air quality significance thresholds. Emissions generated by the Project are accurately represented in the AQMP emissions modeling, air pollution control strategies, and associated assumptions for emissions affecting the SCAB.

On the basis of the preceding discussion, the Project would not exceed the assumptions in the AQMP based on the years of Project build-out phase. The Project is therefore determined to be consistent with the second criterion.

AQMP CONSISTENCY CONCLUSION

The Project would not result in or cause NAAQS or CAAQS violations. Additionally, the proposed Project is consistent with the land use and growth intensities reflected in the adopted General Plan. Furthermore, the Project would not exceed any applicable regional or local thresholds. As such, the Project is therefore considered to be consistent with the AQMP.

4.11 POTENTIAL IMPACTS TO SENSITIVE RECEPTORS

The potential impact of Project-generated air pollutant emissions at sensitive receptors has also been considered. Results of the LST analysis indicate that the Project would not exceed the SCAQMD localized significance thresholds during construction. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations during Project construction.

Additionally, the Project would not exceed the SCAQMD localized significance thresholds during operational activity. Further Project traffic would not create or result in a CO "hotspot." Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations as the result of Project operations.

4.11.1 FRIANT RANCH CASE

In December 2018, in the case of *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, the California Supreme Court held that an Environmental Impact Report's (EIR) air quality analysis must meaningfully connect the identified air quality impacts to the human health consequences of those impacts, or meaningfully explain why that analysis cannot be provided.

Most local agencies, including the City of Ontario, lack the data to do their own assessment of potential health impacts from criteria air pollutant emissions, as would be required to establish customized, locally-specific thresholds of significance based on potential health impacts from an individual development project. The use of national or "generic" data to fill the gap of missing local data would not yield accurate results because such data does not capture local air patterns, local background conditions, or local population characteristics, all of which play a role in how a population experiences air pollution. Because it is impracticable to accurately isolate the exact cause of a human disease (for example, the role a particular air pollutant plays compared to the role of other allergens and genetics in causing asthma), existing scientific tools cannot accurately estimate health impacts of the Project's air emissions without undue speculation. Instead, readers are directed to the Project's air quality impact analysis above, which provides extensive information concerning the quantifiable and non-quantifiable health risks related to the Project's construction and long-term operation.

Notwithstanding, this AQIA does evaluate the proposed Project's localized impact to air quality for emissions of CO, NO_X, PM_{10}, and $PM_{2.5}$ by comparing the proposed project's on-site emissions to the SCAQMD's applicable LST thresholds. The LST analysis above determined that the Project would not result in emissions exceeding SCAQMD's LSTs. Therefore, the proposed Project would not be expected to exceed the most stringent applicable federal or state ambient air quality standards for emissions of CO, NO_X, PM_{10}, and $PM_{2.5}$.

As the Project's emissions would comply with federal, state, and local air quality standards, the proposed Project's emissions are not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level and would not provide a reliable indicator of health effects if modeled.

4.12 ODORS

The potential for the Project to generate objectionable odors has also been considered. Land uses generally associated with odor complaints include:

- Agricultural uses (livestock and farming)
- Wastewater treatment plants
- Food processing plants

- Chemical plants
- Composting operations
- Refineries
- Landfills
- Dairies
- Fiberglass molding facilities

The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with current solid waste regulations. The proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors and other emissions (such as those leading to odors) associated with construction and operations activities of the proposed Project would be less than significant and no mitigation is required (34).

4.13 CUMULATIVE IMPACTS

As previously shown in Table 2-3, the CAAQS designate the Project site as nonattainment for O_3 PM_{10}, and $PM_{2.5}$ while the NAAQS designates the Project site as nonattainment for O_3 and $PM_{2.5}$.

The SCAQMD has published a report on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (35). In this report the SCAQMD clearly states (Page D-3):

> *"…the SCAQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for TAC emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.*
>
> *Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and*

> *cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant."*

Therefore, this analysis assumes that individual projects that do not generate operational or construction emissions that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which SCAB is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Alternatively, individual project-related construction and operational emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable.

CONSTRUCTION IMPACTS

The Project-specific evaluation of emissions presented in the preceding analysis demonstrates that proposed Project construction-source air pollutant emissions would not result in exceedances of regional thresholds. Therefore, proposed Project construction-source emissions would be considered less than significant on a Project-specific and cumulative basis.

OPERATIONAL IMPACTS

The Project-specific evaluation of emissions presented in the preceding analysis demonstrates that proposed Project operation-source air pollutant emissions would not result in exceedances of regional thresholds. Therefore, proposed Project operation-source emissions would be considered less than significant on a project-specific and cumulative basis.

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5 CERTIFICATIONS

The contents of this air study report represent an accurate depiction of the environmental impacts associated with the proposed 5355 East Airport Drive. The information contained in this air quality impact assessment report is based on the best available data at the time of preparation. If you have any questions, please contact me directly at hqureshi@urbanxroads.com

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Master of Science in Environmental Studies
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AEP – Association of Environmental Planners
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PROFESSIONAL CERTIFICATIONS

Planned Communities and Urban Infill – Urban Land Institute • June 2011
Indoor Air Quality and Industrial Hygiene – EMSL Analytical • April 2008
Principles of Ambient Air Monitoring – CARB • August 2007
AB2588 Regulatory Standards – Trinity Consultants • November 2006
Air Dispersion Modeling – Lakes Environmental • June 2006

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APPENDIX 2.1:

STATE/FEDERAL ATTAINMENT STATUS OF CRITERIA POLLUTANTS

APPENDIX C

MAPS AND TABLES OF AREA DESIGNATIONS FOR STATE AND NATIONAL AMBIENT AIR QUALITY STANDARDS

APPENDIX C

MAPS AND TABLES OF AREA DESIGNATIONS FOR STATE AND NATIONAL AMBIENT AIR QUALITY STANDARDS

This attachment fulfills the requirement of Health and Safety Code section 40718 for CARB to publish maps that identify areas where one or more violations of any State ambient air quality standard (State standard) or national ambient air quality standard (national standard) have been measured. The national standards are those promulgated under section 109 of the federal Clean Air Act (42 U.S.C. 7409).

This attachment is divided into three parts. The first part comprises a table showing the levels, averaging times, and measurement methods for each of the State and national standards. This is followed by a section containing maps and tables showing the area designations for each pollutant for which there is a State standard in the California Code of Regulations, title 17, section 70200. The last section contains maps and tables showing the most current area designations for the national standards.

Ambient Air Quality Standards

(Updated 5/4/16)

Pollutant	Averaging Time	California Standards [1]		National Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m³)		0.070 ppm (137 µg/m³)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m³	Gravimetric or Beta Attenuation	150 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m³		—		
Fine Particulate Matter (PM2.5)[9]	24 Hour	—	—	35 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m³	Gravimetric or Beta Attenuation	12.0 µg/m³	15 µg/m³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m³)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m³)		9 ppm (10 mg/m³)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m³)		—	—	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m³)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m³)		0.053 ppm (100 µg/m³)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m³)	Ultraviolet Fluorescence	75 ppb (196 µg/m³)	—	Ultraviolet Flourescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m³)	
	24 Hour	0.04 ppm (105 µg/m³)		0.14 ppm (for certain areas)[11]	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas)[11]	—	
Lead[12,13]	30 Day Average	1.5 µg/m³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m³ (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m³		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	**No National Standards**		
Sulfates	24 Hour	25 µg/m³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m³)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m³)	Gas Chromatography			

See footnotes on next page ...

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1- and 24-hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 $\mu g/m^3$ is equal to or less than one. For PM2.5, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent measurement method which can be shown to the satisfaction of the CARB to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.

8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.

9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 $\mu g/m^3$ to 12.0 $\mu g/m^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 $\mu g/m^3$, as was the annual secondary standard of 15 $\mu g/m^3$. The existing 24-hour PM10 standards (primary and secondary) of 150 $\mu g/m^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.

11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

    Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

12. The CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 $\mu g/m^3$)as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

14. In 1989, the CARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

Area Designations for the State Ambient Air Quality Standards

The following maps and tables show the area designations for each pollutant with a State standard set forth in the California Code of Regulations, title 17, section 60200. Each area is identified as attainment, nonattainment, nonattainment-transitional, or unclassified for each pollutant, as shown below:

Attainment	A
Nonattainment	N
Nonattainment-Transitional	NA-T
Unclassified	U

In general, CARB designates areas by air basin for pollutants with a regional impact and by county for pollutants with a more local impact. However, when there are areas within an air basin or county with distinctly different air quality deriving from sources and conditions not affecting the entire air basin or county, CARB may designate a smaller area. Generally, when boundaries of the designated area differ from the air basin or county boundaries, the description of the specific area is referenced at the bottom of the summary table.

FIGURE 1


2020
Area Designations for State
Ambient Air Quality Standards
OZONE
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Sutter Buttes
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
LAKE COUNTY
Lake
Colusa
Yuba
Sutter
Placer
LAKE TAHOE
Yolo
El Dorado
Sonoma
Napa
Sac
Amador
Alpine
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Madera
Santa Cruz
SAN JOAQUIN VALLEY
San Benito
Fresno
NORTH CENTRAL COAST
Kings
Tulare
Inyo
Monterey
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
MOJAVE DESERT
Riverside
Orange
SOUTH COAST
SALTON SEA
San Diego
Imperial
SAN DIEGO
Unclassified
Attainment
Nonattainment-Transitional
Nonattainment
Air Basin
County
Last Updated: October 2020
Air Quality Planning and Science Division, CARB

TABLE 1

California Ambient Air Quality Standards
Area Designations for Ozone [1]

	N	NA-T	U	A
GREAT BASIN VALLEYS AIR BASIN				
Alpine County			X	
Inyo County	X			
Mono County	X			
LAKE COUNTY AIR BASIN				X
LAKE TAHOE AIR BASIN				X
MOJAVE DESERT AIR BASIN	X			
MOUNTAIN COUNTIES AIR BASIN				
Amador County		X		
Calaveras County	X			
El Dorado County (portion)	X			
Mariposa County	X			
Nevada County	X			
Placer County (portion)	X			
Plumas County			X	
Sierra County			X	
Tuolumne County	X			
NORTH CENTRAL COAST AIR BASIN				X
NORTH COAST AIR BASIN				X

	N	NA-T	U	A
NORTHEAST PLATEAU AIR BASIN				X
SACRAMENTO VALLEY AIR BASIN				
Colusa and Glenn Counties				X
Shasta County		X		
Sutter/Yuba Counties				
Sutter Buttes	X			
Remainder of Sutter County	X			
Yuba County	X			
Yolo/Solano Counties		X		
Remainder of Air Basin	X			
SALTON SEA AIR BASIN	X			
SAN DIEGO AIR BASIN	X			
SAN FRANCISCO BAY AREA AIR BASIN	X			
SAN JOAQUIN VALLEY AIR BASIN	X			
SOUTH CENTRAL COAST AIR BASIN				
San Luis Obispo County	X			
Santa Barbara County	X			
Ventura County	X			
SOUTH COAST AIR BASIN	X			

[1] AB 3048 (Olberg) and AB 2525 (Miller) signed into law in 1996, made changes to Health and Safety Code, section 40925.5. One of the changes allows nonattainment districts to become nonattainment-transitional for ozone by operation of law.

FIGURE 2


2020
Area Designations for State
Ambient Air Quality Standards
PM10
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
LAKE COUNTY
Lake
Colusa
Sutter
Yuba
Placer
LAKE TAHOE
Yolo
El Dorado
Sonoma
Napa
Sac
Amador
Alpine
Yosemite NP
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Madera
Santa Cruz
SAN JOAQUIN VALLEY
San Benito
Fresno
Inyo
NORTH CENTRAL COAST
Kings
Tulare
Monterey
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
MOJAVE DESERT
Riverside
Orange
SOUTH COAST
SALTON SEA
Imperial
San Diego
SAN DIEGO
Unclassified
Attainment
Nonattainment
Air Basin
County
Last Updated: October 2020
Air Quality Planning and Science Division, CARB

TABLE 2

California Ambient Air Quality Standards
Area Designation for Suspended Particulate Matter (PM_{10})

	N	U	A
GREAT BASIN VALLEYS AIR BASIN	X		
LAKE COUNTY AIR BASIN			X
LAKE TAHOE AIR BASIN	X		
MOJAVE DESERT AIR BASIN	X		
MOUNTAIN COUNTIES AIR BASIN			
Amador County		X	
Calaveras County	X		
El Dorado County (portion)	X		
Mariposa County			
- Yosemite National Park	X		
- Remainder of County		X	
Nevada County	X		
Placer County (portion)	X		
Plumas County	X		
Sierra County	X		
Tuolumne County		X	

	N	U	A
NORTH CENTRAL COAST AIR BASIN	X		
NORTH COAST AIR BASIN			
Del Norte, Sonoma (portion) and Trinity Counties			X
Remainder of Air Basin	X		
NORTHEAST PLATEAU AIR BASIN			
Siskiyou County			X
Remainder of Air Basin		X	
SACRAMENTO VALLEY AIR BASIN			
Shasta County			X
Remainder of Air Basin	X		
SALTON SEA AIR BASIN	X		
SAN DIEGO AIR BASIN	X		
SAN FRANCISCO BAY AREA AIR BASIN	X		
SAN JOAQUIN VALLEY AIR BASIN	X		
SOUTH CENTRAL COAST AIR BASIN	X		
SOUTH COAST AIR BASIN	X		

FIGURE 3


2020
Area Designations for State
Ambient Air Quality Standards
PM2.5
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
Portola Valley
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
LAKE COUNTY
Lake
Colusa
Yuba
Sutter
Placer
LAKE TAHOE
Yolo
El Dorado
Sonoma
Napa
Sac
Amador
Alpine
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Madera
Santa Cruz
SAN JOAQUIN VALLEY
San Benito
Fresno
Inyo
NORTH CENTRAL COAST
Kings
Tulare
Monterey
County Portion of Federal Ozone AQMA
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
MOJAVE DESERT
Riverside
Orange
SOUTH COAST
SALTON SEA
San Diego
Imperial
SAN DIEGO
Calexico
Unclassified
Attainment
Nonattainment
Air Basin
County
Last Updated: October 2020
Air Quality Planning and Science Division, CARB

TABLE 3

California Ambient Air Quality Standards
Area Designations for Fine Particulate Matter ($PM_{2.5}$)

	N	U	A
GREAT BASIN VALLEYS AIR BASIN			X
LAKE COUNTY AIR BASIN			X
LAKE TAHOE AIR BASIN			X
MOJAVE DESERT AIR BASIN			
San Bernardino County			
- County portion of federal Southeast Desert Modified AQMA for Ozone[1]			X
Remainder of Air Basin			X
MOUNTAIN COUNTIES AIR BASIN			
Plumas County			
- Portola Valley[2]	X		
Remainder of Air Basin		X	
NORTH CENTRAL COAST AIR BASIN			X
NORTH COAST AIR BASIN			X
NORTHEAST PLATEAU AIR BASIN			X
SACRAMENTO VALLEY AIR BASIN			
Butte County	X		
Colusa County			X
Glenn County			X
Placer County (portion)			X
Sacramento County			X
Shasta County			X
Sutter and Yuba Counties			X
Remainder of Air Basin		X	

	N	U	A
SALTON SEA AIR BASIN			
Imperial County			
- City of Calexico[3]	X		
Remainder of Air Basin			X
SAN DIEGO AIR BASIN	X		
SAN FRANCISCO BAY AREA AIR BASIN	X		
SAN JOAQUIN VALLEY AIR BASIN	X		
SOUTH CENTRAL COAST AIR BASIN			
San Luis Obispo County			X
Santa Barbara County		X	
Ventura County			X
SOUTH COAST AIR BASIN	X		

[1] California Code of Regulations, title 17, section 60200(b)
[2] California Code of Regulations, title 17, section 60200(c)
[3] California Code of Regulations, title 17, section 60200(a)

FIGURE 4

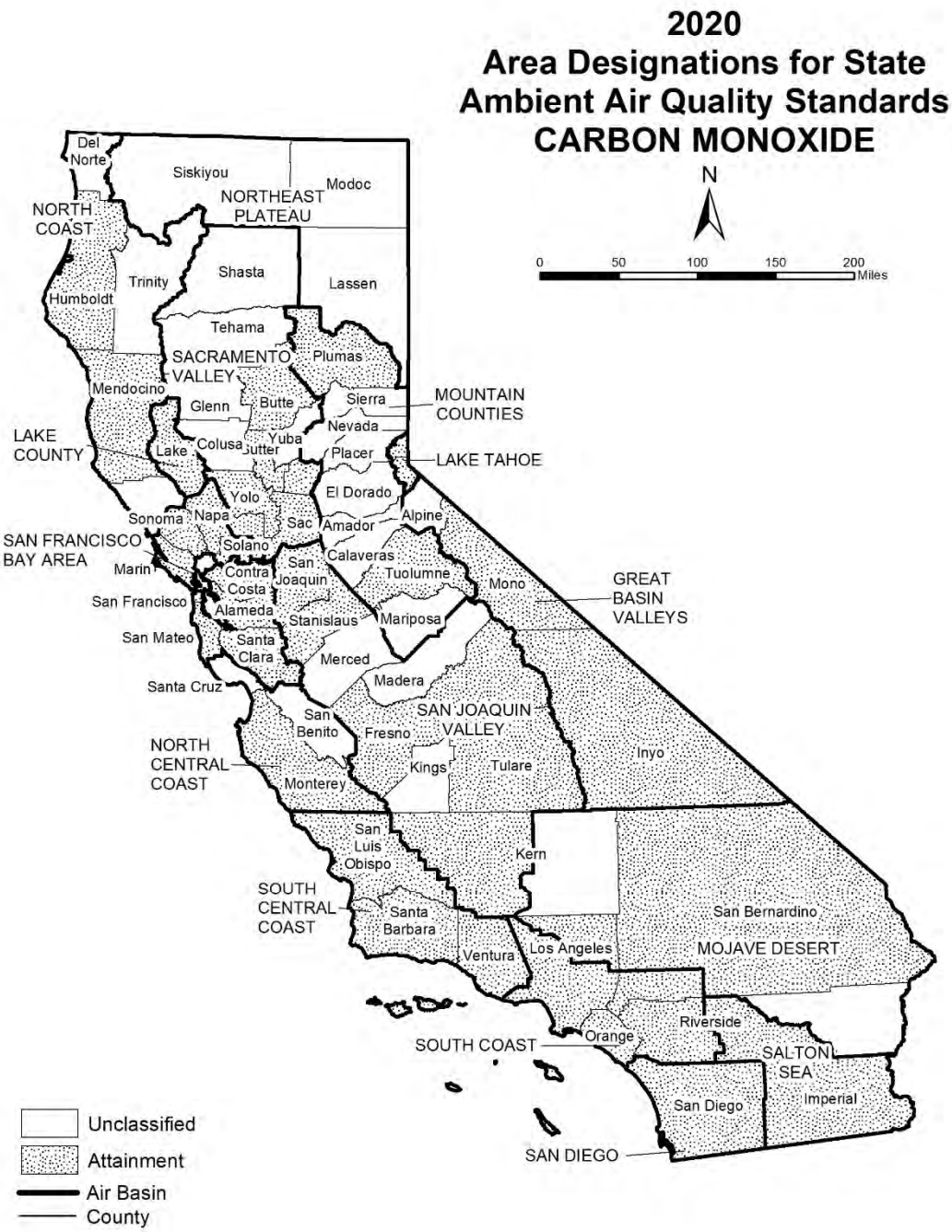

2020
Area Designations for State
Ambient Air Quality Standards
CARBON MONOXIDE
N
0 50 100 150 200
Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
LAKE COUNTY
Lake
Colusa
Sutter
Yuba
Placer
LAKE TAHOE
Yolo
El Dorado
Sonoma
Napa
Sac
Amador
Alpine
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Madera
Santa Cruz
San Benito
Fresno
SAN JOAQUIN VALLEY
Inyo
NORTH CENTRAL COAST
Kings
Tulare
Monterey
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
MOJAVE DESERT
Riverside
Orange
SOUTH COAST
SALTON SEA
San Diego
Imperial
SAN DIEGO
Unclassified
Attainment
Air Basin
County
Last Updated: October 2020
Air Quality Planning and Science Division, CARB

TABLE 4

California Ambient Air Quality Standards
Area Designation for Carbon Monoxide*

	N	NA-T	U	A
GREAT BASIN VALLEYS AIR BASIN				
Alpine County			X	
Inyo County				X
Mono County				X
LAKE COUNTY AIR BASIN				X
LAKE TAHOE AIR BASIN				X
MOJAVE DESERT AIR BASIN				
Kern County (portion)			X	
Los Angeles County (portion)				X
Riverside County (portion)			X	
San Bernardino County (portion)				X
MOUNTAIN COUNTIES AIR BASIN				
Amador County			X	
Calaveras County			X	
El Dorado County (portion)			X	
Mariposa County			X	
Nevada County			X	
Placer County (portion)			X	
Plumas County				X
Sierra County			X	
Tuolumne County				X
NORTH CENTRAL COAST AIR BASIN				
Monterey County				X
San Benito County			X	
Santa Cruz County			X	
NORTH COAST AIR BASIN				
Del Norte County			X	
Humboldt County				X
Mendocino County				X
Sonoma County (portion)			X	
Trinity County			X	
NORTHEAST PLATEAU AIR BASIN			X	

	N	NA-T	U	A
SACRAMENTO VALLEY AIR BASIN				
Butte County				X
Colusa County			X	
Glenn County			X	
Placer County (portion)				X
Sacramento County				X
Shasta County			X	
Solano County (portion)				X
Sutter County				X
Tehama County			X	
Yolo County				X
Yuba County			X	
SALTON SEA AIR BASIN				X
SAN DIEGO AIR BASIN				X
SAN FRANCISCO BAY AREA AIR BASIN				X
SAN JOAQUIN VALLEY AIR BASIN				
Fresno County				X
Kern County (portion)				X
Kings County			X	
Madera County			X	
Merced County			X	
San Joaquin County				X
Stanislaus County				X
Tulare County				X
SOUTH CENTRAL COAST AIR BASIN				X
SOUTH COAST AIR BASIN				X

* The area designated for carbon monoxide is a county or portion of a county

FIGURE 5


2020
Area Designations for State
Ambient Air Quality Standards
NITROGEN DIOXIDE
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
LAKE COUNTY
Lake
Colusa
Yuba
Sutter
Placer
LAKE TAHOE
Yolo
El Dorado
Sonoma
Napa
Sac
Amador
Alpine
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Santa Cruz
Madera
SAN JOAQUIN VALLEY
San Benito
Fresno
NORTH CENTRAL COAST
Kings
Tulare
Inyo
Monterey
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
MOJAVE DESERT
CA 60 (Portion)
Riverside
Orange
SOUTH COAST
SALTON SEA
San Diego
Imperial
SAN DIEGO
Calexico
Los Angeles
San Bernardino
CA 60 (Portion)
Riverside
Orange
Attainment
Nonattainment
Air Basin
County
Last Updated: October 2020
Air Quality Planning and Science Division, CARB

TABLE 5

California Ambient Air Quality Standards
Area Designations for Nitrogen Dioxide

	N	U	A
GREAT BASIN VALLEYS AIR BASIN			X
LAKE COUNTY AIR BASIN			X
LAKE TAHOE AIR BASIN			X
MOJAVE DESERT AIR BASIN			X
MOUNTAIN COUNTIES AIR BASIN			X
NORTH CENTRAL COAST AIR BASIN			X
NORTH COAST AIR BASIN			X
NORTHEAST PLATEAU AIR BASIN			X

	N	U	A
SACRAMENTO VALLEY AIR BASIN			X
SALTON SEA AIR BASIN			X
SAN DIEGO AIR BASIN			X
SAN FRANCISCO BAY AREA AIR BASIN			X
SAN JOAQUIN VALLEY AIR BASIN			X
SOUTH CENTRAL COAST AIR BASIN			X
SOUTH COAST AIR BASIN			
CA 60 Near-road Portion of San Bernardino, Riverside, and Los Angeles Counties	X		
Remainder of Air Basin			X

FIGURE 6


2020
Area Designations for State
Ambient Air Quality Standards
SULFUR DIOXIDE
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
Nevada
MOUNTAIN COUNTIES
LAKE COUNTY
Lake
Colusa
Sutter
Yuba
Placer
LAKE TAHOE
Yolo
El Dorado
Sonoma
Napa
Sac
Amador
Alpine
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Madera
Santa Cruz
SAN JOAQUIN VALLEY
San Benito
Fresno
Inyo
NORTH CENTRAL COAST
Kings
Tulare
Monterey
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
MOJAVE DESERT
Riverside
Orange
SOUTH COAST
SALTON SEA
San Diego
Imperial
SAN DIEGO
Attainment
Air Basin
County
Last Updated: October 2020
Air Quality Planning and Science Division, CARB

TABLE 6

California Ambient Air Quality Standards
Area Designation for Sulfur Dioxide*

	N	A
GREAT BASIN VALLEYS AIR BASIN		X
LAKE COUNTY AIR BASIN		X
LAKE TAHOE AIR BASIN		X
MOJAVE DESERT AIR BASIN		X
MOUNTAIN COUNTIES AIR BASIN		X
NORTH CENTRAL COAST AIR BASIN		X
NORTH COAST AIR BASIN		X
NORTHEAST PLATEAU AIR BASIN		X

	N	A
SACRAMENTO VALLEY AIR BASIN		X
SALTON SEA AIR BASIN		X
SAN DIEGO AIR BASIN		X
SAN FRANCISCO BAY AREA AIR BASIN		X
SAN JOAQUIN VALLEY AIR BASIN		X
SOUTH CENTRAL COAST AIR BASIN		X
SOUTH COAST AIR BASIN		X

* The area designated for sulfur dioxide is a county or portion of a county. Since all areas in the State are in attainment for this standard, air basins are indicated here for simplicity.

FIGURE 7


2020
Area Designations for State
Ambient Air Quality Standards
SULFATES
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
Nevada
MOUNTAIN COUNTIES
LAKE COUNTY
Lake
Colusa
Sutter
Yuba
Placer
LAKE TAHOE
Yolo
El Dorado
Sonoma
Napa
Sac
Amador
Alpine
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Madera
Santa Cruz
SAN JOAQUIN VALLEY
San Benito
Fresno
Inyo
NORTH CENTRAL COAST
Kings
Tulare
Monterey
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
MOJAVE DESERT
Riverside
Orange
SOUTH COAST
SALTON SEA
San Diego
Imperial
SAN DIEGO
Attainment
Air Basin
County
Last Updated: October 2020
Air Quality Planning and Science Division, CARB

TABLE 7

California Ambient Air Quality Standards
Area Designation for Sulfates

	N	U	A
GREAT BASIN VALLEYS AIR BASIN			X
LAKE COUNTY AIR BASIN			X
LAKE TAHOE AIR BASIN			X
MOJAVE DESERT AIR BASIN			X
MOUNTAIN COUNTIES AIR BASIN			X
NORTH CENTRAL COAST AIR BASIN			X
NORTH COAST AIR BASIN			X
NORTHEAST PLATEAU AIR BASIN			X

	N	U	A
SACRAMENTO VALLEY AIR BASIN			X
SALTON SEA AIR BASIN			X
SAN DIEGO AIR BASIN			X
SAN FRANCISCO BAY AREA AIR BASIN			X
SAN JOAQUIN VALLEY AIR BASIN			X
SOUTH CENTRAL COAST AIR BASIN			X
SOUTH COAST AIR BASIN			X

FIGURE 8


2020
Area Designations for State
Ambient Air Quality Standards
LEAD
N
0 50 100 150 200
Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
Nevada
MOUNTAIN COUNTIES
LAKE COUNTY
Lake
Colusa
Sutter
Yuba
Placer
LAKE TAHOE
Yolo
El Dorado
Sonoma
Napa
Sac
Amador
Alpine
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Santa Cruz
Madera
San Benito
Fresno
SAN JOAQUIN VALLEY
Inyo
NORTH CENTRAL COAST
Kings
Tulare
Monterey
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
MOJAVE DESERT
Riverside
Orange
SOUTH COAST
SALTON SEA
San Diego
Imperial
SAN DIEGO
Attainment
Air Basin
County
Last Updated: October 2020
Air Quality Planning and Science Division, CARB

TABLE 8

California Ambient Air Quality Standards
Area Designations for Lead (particulate)*

	N	U	A
GREAT BASIN VALLEYS AIR BASIN			X
LAKE COUNTY AIR BASIN			X
LAKE TAHOE AIR BASIN			X
MOJAVE DESERT AIR BASIN			X
MOUNTAIN COUNTIES AIR BASIN			X
NORTH CENTRAL COAST AIR BASIN			X
NORTH COAST AIR BASIN			X
NORTHEAST PLATEAU AIR BASIN			X
SACRAMENTO VALLEY AIR BASIN			X

	N	U	A
SALTON SEA AIR BASIN			X
SAN DIEGO AIR BASIN			X
SAN FRANCISCO BAY AREA AIR BASIN			X
SAN JOAQUIN VALLEY AIR BASIN			X
SOUTH CENTRAL COAST AIR BASIN			X
SOUTH COAST AIR BASIN			X

* The area designated for lead is a county or portion of a county. Since all areas in the State are in attainment for this standard, air basins are indicated here for simplicity.

FIGURE 9

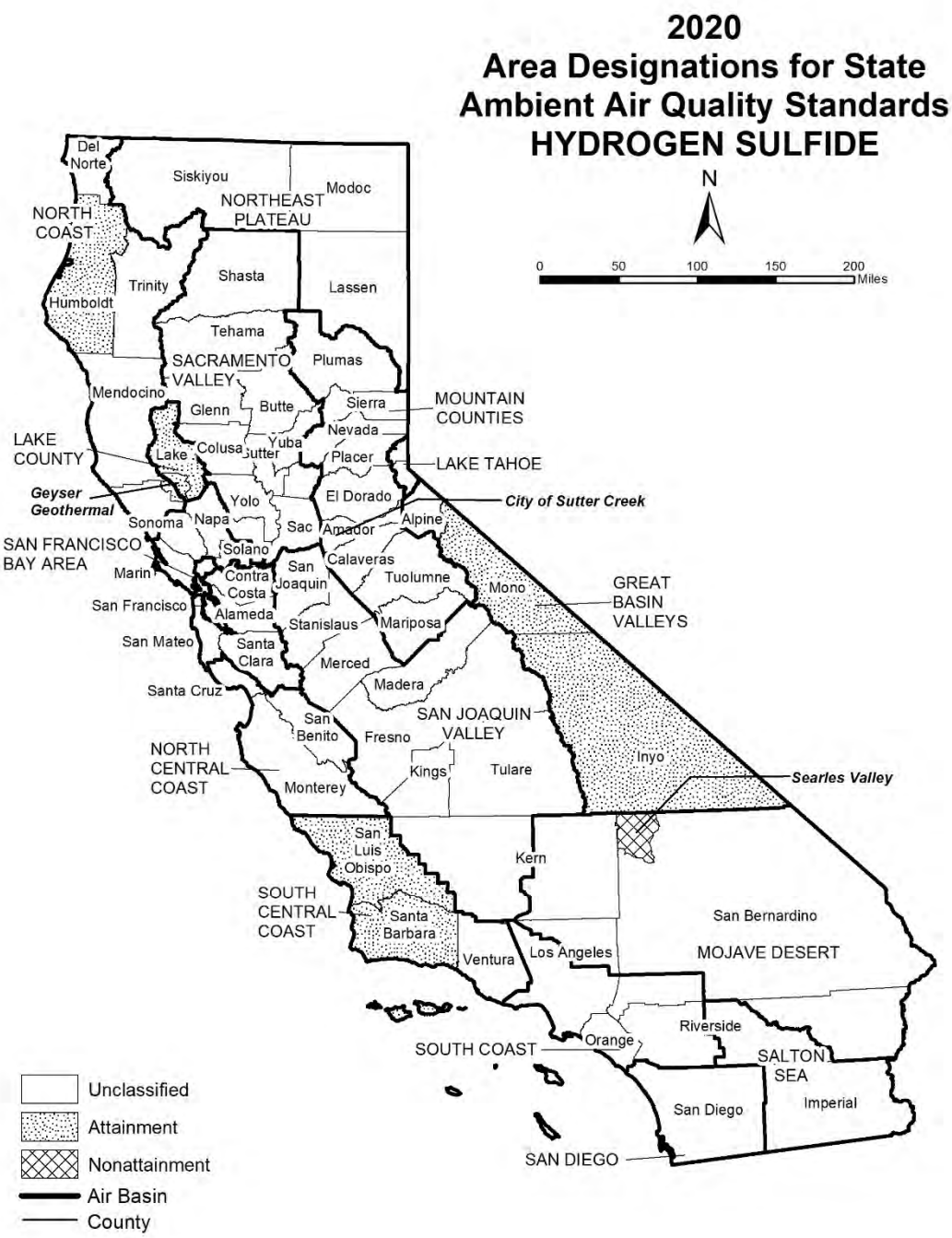

2020
Area Designations for State
Ambient Air Quality Standards
HYDROGEN SULFIDE
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
LAKE COUNTY
Lake
Colusa
Sutter
Yuba
Placer
LAKE TAHOE
Geyser Geothermal
Yolo
El Dorado
City of Sutter Creek
Sonoma
Napa
Sac
Amador
Alpine
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Madera
Santa Cruz
San Benito
Fresno
SAN JOAQUIN VALLEY
Inyo
NORTH CENTRAL COAST
Kings
Tulare
Searles Valley
Monterey
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
MOJAVE DESERT
Riverside
Orange
SOUTH COAST
SALTON SEA
San Diego
Imperial
SAN DIEGO
Unclassified
Attainment
Nonattainment
Air Basin
County
Last Updated: October 2020
Air Quality Planning and Science Division, CARB

TABLE 9

California Ambient Air Quality Standards
Area Designation for Hydrogen Sulfide*

	N	NA-T	U	A
GREAT BASIN VALLEYS AIR BASIN				
Alpine County			X	
Inyo County				X
Mono County				X
LAKE COUNTY AIR BASIN				X
LAKE TAHOE AIR BASIN			X	
MOJAVE DESERT AIR BASIN				
Kern County (portion)			X	
Los Angeles County (portion)			X	
Riverside County (portion)			X	
San Bernardino County (portion)				
- Searles Valley Planning Area[1]	X			
- Remainder of County			X	
MOUNTAIN COUNTIES AIR BASIN				
Amador County				
- City of Sutter Creek	X			
- Remainder of County			X	
Calaveras County			X	
El Dorado County (portion)			X	
Mariposa County			X	
Nevada County			X	
Placer County (portion)			X	
Plumas County			X	
Sierra County			X	
Tuolumne County			X	

	N	NA-T	U	A
NORTH CENTRAL COAST AIR BASIN			X	
NORTH COAST AIR BASIN				
Del Norte County			X	
Humboldt County				X
Mendocino County			X	
Sonoma County (portion)				
- Geyser Geothermal Area[2]				X
- Remainder of County			X	
Trinity County			X	
NORTHEAST PLATEAU AIR BASIN			X	
SACRAMENTO VALLEY AIR BASIN			X	
SALTON SEA AIR BASIN			X	
SAN DIEGO AIR BASIN			X	
SAN FRANCISCO BAY AREA AIR BASIN			X	
SAN JOAQUIN VALLEY AIR BASIN			X	
SOUTH CENTRAL COAST AIR BASIN				
San Luis Obispo County				X
Santa Barbara County				X
Ventura County			X	
SOUTH COAST AIR BASIN			X	

* The area designated for hydrogen sulfide is a county or portion of a county

[1] 52 Federal Register 29384 (August 7, 1987)

[2] California Code of Regulations, title 17, section 60200(d)

FIGURE 10

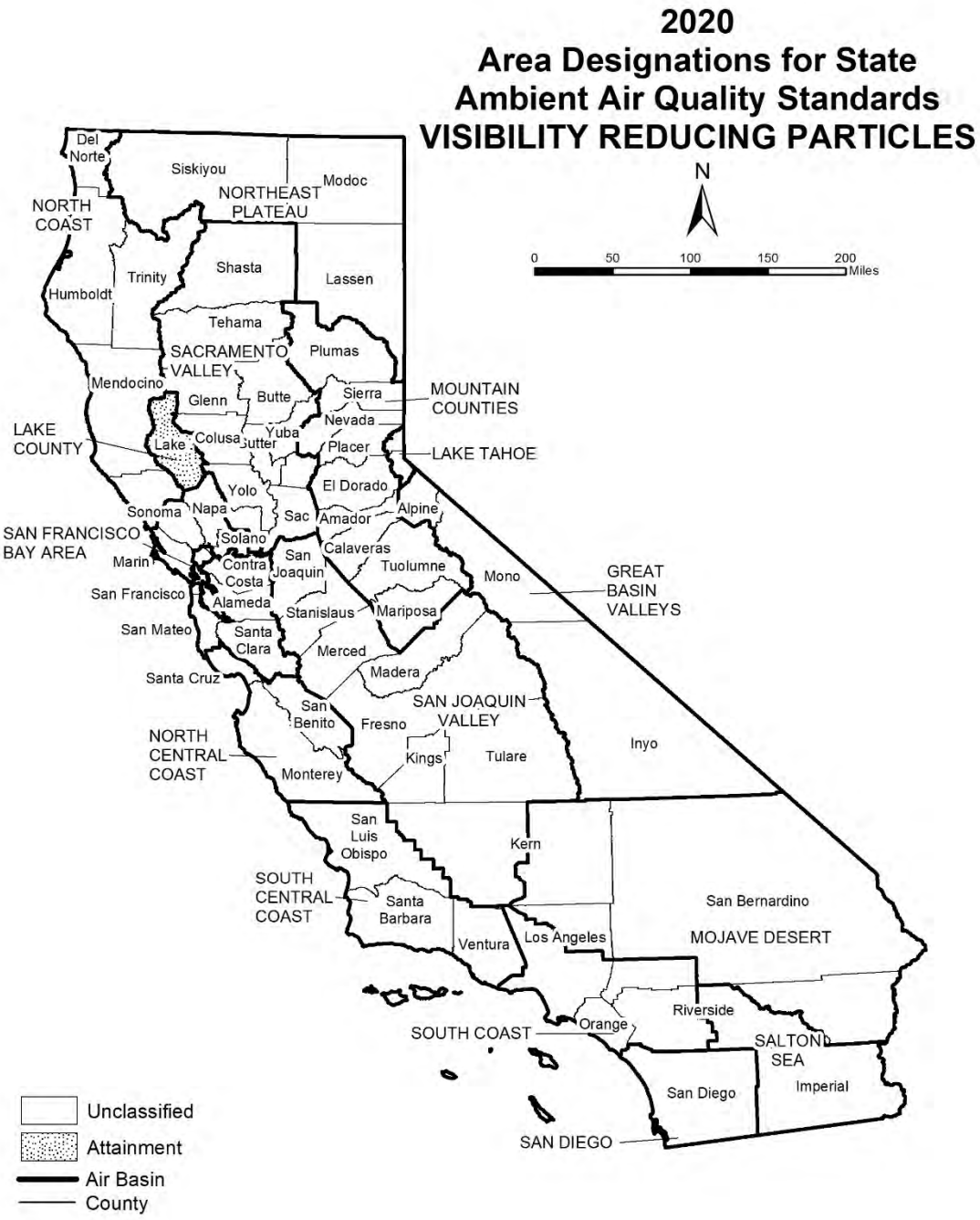

2020
Area Designations for State
Ambient Air Quality Standards
VISIBILITY REDUCING PARTICLES
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
LAKE COUNTY
Lake
Colusa
Sutter
Yuba
Placer
LAKE TAHOE
Yolo
El Dorado
Sonoma
Napa
Sac
Amador
Alpine
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Madera
Santa Cruz
San Benito
Fresno
SAN JOAQUIN VALLEY
NORTH CENTRAL COAST
Kings
Tulare
Inyo
Monterey
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
MOJAVE DESERT
Riverside
Orange
SOUTH COAST
SALTON SEA
San Diego
Imperial
SAN DIEGO
Unclassified
Attainment
Air Basin
County
Last Updated: October 2020
Air Quality Planning and Science Division, CARB

TABLE 10

California Ambient Air Quality Standards
Area Designation for Visibility Reducing Particles

	N	NA-T	U	A
GREAT BASIN VALLEYS AIR BASIN			X	
LAKE COUNTY AIR BASIN				X
LAKE TAHOE AIR BASIN			X	
MOJAVE DESERT AIR BASIN			X	
MOUNTAIN COUNTIES AIR BASIN			X	
NORTH CENTRAL COAST AIR BASIN			X	
NORTH COAST AIR BASIN			X	
NORTHEAST PLATEAU AIR BASIN			X	

	N	NA-T	U	A
SACRAMENTO VALLEY AIR BASIN			X	
SALTON SEA AIR BASIN			X	
SAN DIEGO AIR BASIN			X	
SAN FRANCISCO BAY AREA AIR BASIN			X	
SAN JOAQUIN VALLEY AIR BASIN			X	
SOUTH CENTRAL COAST AIR BASIN			X	
SOUTH COAST AIR BASIN			X	

Area Designations for the National Ambient Air Quality Standards

The following maps and tables show the area designations for each pollutant with a national ambient air quality standard. Additional information about the federal area designations is available on the U.S. EPA website:

https://www.epa.gov/green-book

Over the last several years, U.S. EPA has been reviewing the levels of the various national standards. The agency has already promulgated new standard levels for some pollutants and is considering revising the levels for others. Information about the status of these reviews is available on the U.S. EPA website:

https://www.epa.gov/criteria-air-pollutants

Designation Categories

Suspended Particulate Matter (PM_{10}). The U.S. EPA uses three categories to designate areas with respect to PM_{10}:

- Attainment (A)
- Nonattainment (N)
- Unclassifiable (U)

Ozone, Fine Suspended Particulate Matter ($PM_{2.5}$), Carbon Monoxide (CO), and Nitrogen Dioxide (NO_2). The U.S. EPA uses two categories to designate areas with respect to these standards:

- Nonattainment (N)
- Unclassifiable/Attainment (U/A)

The national 1-hour ozone standard was revoked effective June 15, 2005, and the area designations map reflects the 2015 national 8-hour ozone standard of 0.070 ppm. Area designations were finalized on August 3, 2018.

On December 14, 2012, the U.S. EPA established a new national annual primary $PM_{2.5}$ standard of 12.0 µg/m^3. Area designations were finalized in December 2014. The current designation map reflects the most recently revised (2012) annual average standard of 12.0 µg/m^3 as well as the 24-hour standard of 35 µg/m^3, revised in 2006.

On January 22, 2010, the U.S. EPA established a new national 1-hour NO_2 standard of 100 parts per billion (ppb) and retained the annual average standard of 53 ppb. Designations for the primary NO_2 standard became effective on February 29, 2012. All areas of California meet this standard.

Sulfur Dioxide (SO_2). The U.S. EPA uses three categories to designate areas with respect to the 24-hour and annual average sulfur dioxide standards. These designation categories are:

- Nonattainment (N),
- Unclassifiable (U), and
- Unclassifiable/Attainment (U/A).

On June 2, 2010, the U.S. EPA established a new primary 1-hour SO_2 standard of 75 parts per billion (ppb). At the same time, U.S. EPA revoked the 24-hour and annual

average standards. Area designations for the 1-hour SO_2 standard were finalized on December 21, 2017 and are reflected in the area designations map.

Lead (particulate). The U.S. EPA promulgated a new rolling 3-month average lead standard in October 2008 of 0.15 µg/m^3. Designations were made for this standard in November 2010.

Designation Areas

From time to time, the boundaries of the California air basins have been changed to facilitate the planning process. CARB generally initiates these changes, and they are not always reflected in the U.S. EPA's area designations. For purposes of consistency, the maps in this attachment reflect area designation boundaries and nomenclature as promulgated by the U.S. EPA. In some cases, these may not be the same as those adopted by CARB. For example, the national area designations reflect the former Southeast Desert Air Basin. In accordance with Health and Safety Code section 39606.1, CARB redefined this area in 1996 to be the Mojave Desert Air Basin and Salton Sea Air Basin. The definitions and boundaries for all areas designated for the national standards can be found in Title 40, Code of Federal Regulations (CFR), Chapter I, Subchapter C, Part 81.305. They are available on the web at:

https://ecfr.io/Title-40/se40.20.81_1305

FIGURE 11

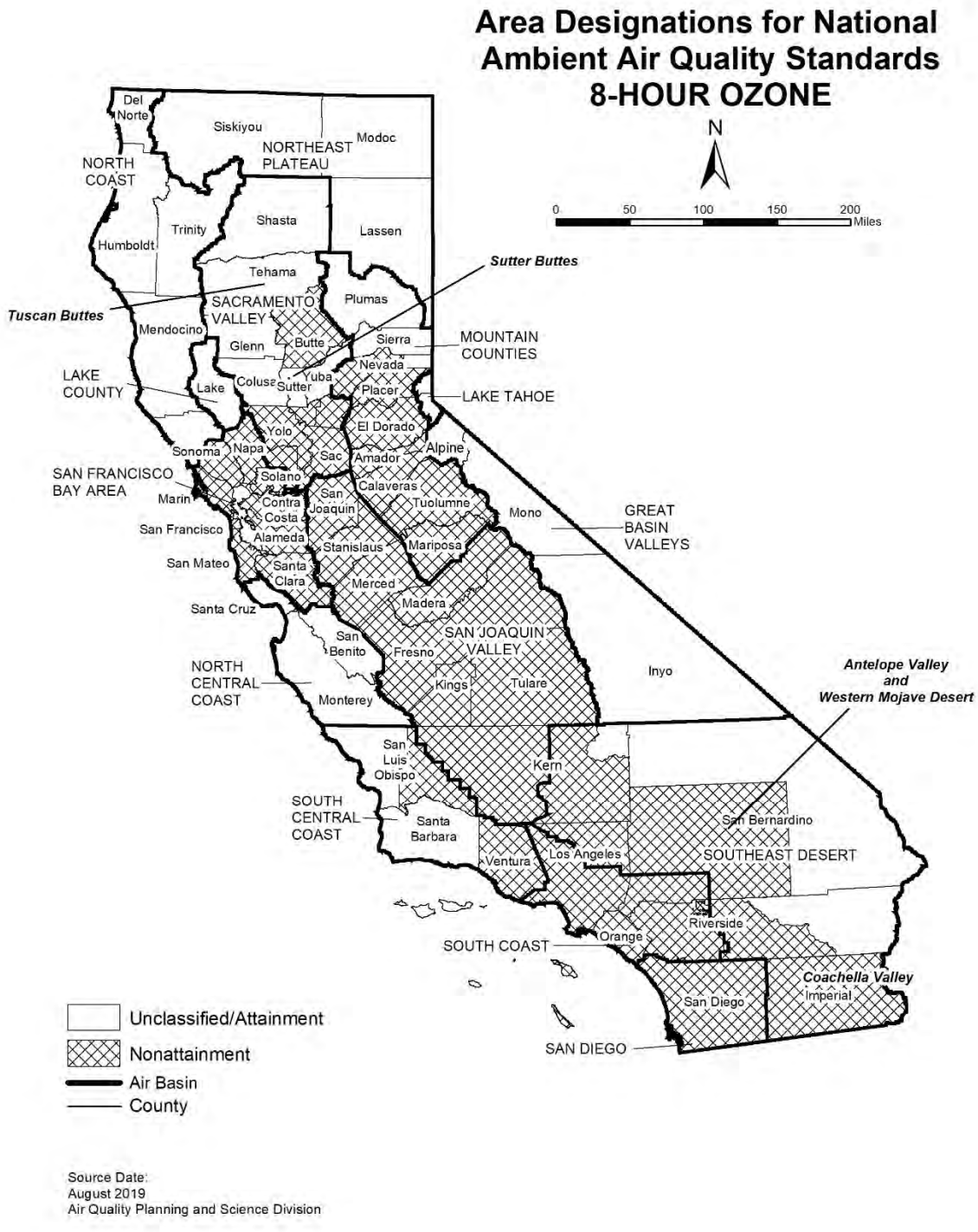

Area Designations for National Ambient Air Quality Standards
8-HOUR OZONE
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
Sutter Buttes
Tuscan Buttes
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
LAKE COUNTY
Colusa
Yuba
Sutter
Lake
Placer
LAKE TAHOE
El Dorado
Yolo
Napa
Sonoma
Sac
Amador
Alpine
SAN FRANCISCO BAY AREA
Solano
Marin
Contra Costa
San Joaquin
Calaveras
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Madera
Santa Cruz
San Benito
SAN JOAQUIN VALLEY
Fresno
Inyo
Antelope Valley and Western Mojave Desert
NORTH CENTRAL COAST
Monterey
Kings
Tulare
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
Ventura
Los Angeles
SOUTHEAST DESERT
Riverside
Orange
SOUTH COAST
Coachella Valley
Imperial
San Diego
SAN DIEGO
Unclassified/Attainment
Nonattainment
Air Basin
County
Source Date:
August 2019
Air Quality Planning and Science Division

TABLE 11

National Ambient Air Quality Standards
Area Designations for 8-Hour Ozone*

	N	U/A
GREAT BASIN VALLEYS AIR BASIN		X
LAKE COUNTY AIR BASIN		X
LAKE TAHOE AIR BASIN		X
MOUNTAIN COUNTIES AIR BASIN		
Amador County	X	
Calaveras County	X	
El Dorado County (portion)[1]	X	
Mariposa County	X	
Nevada County		
- Western Nevada County	X	
- Remainder of County		X
Placer County (portion)[1]	X	
Plumas County		X
Sierra County		X
Tuolumne County	X	
NORTH CENTRAL COAST AIR BASIN		X
NORTH COAST AIR BASIN		X
NORTHEAST PLATEAU AIR BASIN		X
SACRAMENTO VALLEY AIR BASIN		
Butte County	X	
Colusa County		X
Glenn County		X
Sacramento Metro Area[1]	X	
Shasta County		X
Sutter County		
- Sutter Buttes	X	
- Southern portion of Sutter County[1]	X	
- Remainder of Sutter County		X
Tehama County		
- Tuscan Buttes	X	
- Remainder of Tehama County		X

	N	U/A
SACRAMENTO VALLEY AIR BASIN (cont.)		
Yolo County[1]	X	
Yuba County		X
SAN DIEGO COUNTY	X	
SAN FRANCISCO BAY AREA AIR BASIN	X	
SAN JOAQUIN VALLEY AIR BASIN	X	
SOUTH CENTRAL COAST AIR BASIN[2]		
San Luis Obispo County		
- Eastern San Luis Obispo County	X	
- Remainder of County		X
Santa Barbara County		X
Ventura County		
- Area excluding Anacapa and San Nicolas Islands	X	
- Channel Islands[2]		X
SOUTH COAST AIR BASIN[2]	X	
SOUTHEAST DESERT AIR BASIN		
Kern County (portion)	X	
- Indian Wells Valley		X
Imperial County	X	
Los Angeles County (portion)	X	
Riverside County (portion)		
- Coachella Valley	X	
- Non-AQMA portion		X
San Bernardino County		
- Western portion (AQMA)	X	
- Eastern portion (non-AQMA)		X

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.
NOTE: This map and table reflect the 2015 8-hour ozone standard of 0.070 ppm.

[1] For this purpose, the Sacramento Metro Area comprises all of Sacramento and Yolo Counties, the Sacramento Valley Air Basin portion of Solano County, the southern portion of Sutter County, and the Sacramento Valley and Mountain Counties Air Basins portions of Placer and El Dorado counties.

[2] South Central Coast Air Basin Channel Islands:
Santa Barbara County includes Santa Cruz, San Miguel, Santa Rosa, and Santa Barbara Islands.
Ventura County includes Anacapa and San Nicolas Islands.
South Coast Air Basin:
Los Angeles County includes San Clemente and Santa Catalina Islands.

FIGURE 12


Area Designations for National Ambient Air Quality Standards PM10
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Shasta
Lassen
Trinity
Humboldt
Tehema
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
LAKE COUNTY
Colusa
Yuba
Lake
Sutter
Placer
LAKE TAHOE
Yolo
El Dorado
Alpine
Sacramento County
Sonoma
Napa
Sac
Amador
SAN FRANCISCO BAY AREA
Marin
Solano
Calaveras
Mono
Mono Basin
San Joaquin
Contra Costa
Tuolumne
Mammoth Lake
San Francisco
Alameda
Stanislaus
Mariposa
GREAT BASIN VALLEYS
San Mateo
Santa Clara
Merced
Madera
Inyo
Santa Cruz
San Benito
Fresno
SAN JOAQUIN VALLEY
Owens Valley
Coso Junction
Trona
NORTH CENTRAL COAST
Monterey
Kings
Tulare
San Luis Obispo
Kern
Indian Wells Valley
San Bernardino
SOUTH CENTRAL COAST
Santa Barbara
Ventura
Los Angeles
SOUTHEAST DESERT
Riverside
Coachella Valley
Orange
SOUTH COAST
Imperial
San Diego
SAN DIEGO COUNTY
Unclassified
Attainment
Nonattainment
Air Basin
County
Source Date:
October 2020
Air Quality Planning and Science Division

TABLE 12

National Ambient Air Quality Standards
Area Designations for Suspended Particulate Matter (PM_{10})*

	N	U	A
GREAT BASIN VALLEYS AIR BASIN			
Alpine County		X	
Inyo County			
- Owens Valley Planning Area	X		
- Coso Junction			X
- Remainder of County		X	
Mono County			
- Mammoth Lake Planning Area			X
- Mono Lake Basin	X		
- Remainder of County		X	
LAKE COUNTY AIR BASIN		X	
LAKE TAHOE AIR BASIN		X	
MOUNTAIN COUNTIES AIR BASIN			
Placer County (portion)[1]		X	
Remainder of Air Basin		X	
NORTH CENTRAL COAST AIR BASIN		X	
NORTH COAST AIR BASIN		X	
NORTHEAST PLATEAU AIR BASIN		X	
SACRAMENTO VALLEY AIR BASIN			
Butte County		X	
Colusa County		X	
Glenn County		X	
Placer County (portion)[1]		X	
Sacramento County[2]			X
Shasta County		X	
Solano County (portion)		X	
Sutter County		X	
Tehama County		X	
Yolo County		X	
Yuba County		X	

	N	U	A
SAN DIEGO COUNTY		X	
SAN FRANCISCO BAY AREA AIR BASIN		X	
SAN JOAQUIN VALLEY AIR BASIN			X
SOUTH CENTRAL COAST AIR BASIN		X	
SOUTH COAST AIR BASIN			X
SOUTHEAST DESERT AIR BASIN			
Eastern Kern County			
- Indian Wells Valley			X
- Portion within San Joaquin Valley Planning Area	X		
- Remainder of County		X	
Imperial County			
- Imperial Valley Planning Area[3]			X
- Remainder of County		X	
Los Angeles County (portion)		X	
Riverside County (portion)			
- Coachella Valley[4]	X		
- Non-AQMA portion		X	
San Bernardino County			
- Trona	X		
- Remainder of County	X		

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.

[1] U.S. EPA designation puts the Sacramento Valley Air Basin portion of Placer County in the Mountain Counties Air Basin.

[2] Air quality in Sacramento County meets the national PM_{10} standards. The request for redesignation to attainment was approved by U.S. EPA in September 2013.

[3] The request for redesignation to attainment for the Imperial Valley Planning Area was approved by U.S. EPA and in September 2020, effective October 2020.

[4] Air quality in Coachella Valley meets the national PM_{10} standards. A request for redesignation to attainment has been submitted to U.S. EPA.

FIGURE 13


Area Designations for National Ambient Air Quality Standards PM2.5
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTH COAST
NORTHEAST PLATEAU
Humboldt
Trinity
Shasta
Lassen
Tehama
SACRAMENTO VALLEY
Plumas
Butte
Glenn
Sierra
MOUNTAIN COUNTIES
Mendocino
Nevada
LAKE COUNTY
Colusa
Yuba
Placer
Lake
Sutter
LAKE TAHOE
Yolo
El Dorado
Sonoma
Napa
Sacramento
Alpine
Amador
Solano
Calaveras
SAN FRANCISCO BAY AREA
Marin
Tuolumne
GREAT BASIN VALLEYS
Contra Costa
San Joaquin
Mono
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Madera
Santa Cruz
Fresno
NORTH CENTRAL COAST
San Benito
SAN JOAQUIN VALLEY
Inyo
Tulare
Monterey
Kings
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
San Bernardino
SOUTHEAST DESERT
Ventura
Los Angeles
Riverside
Orange
SOUTH COAST
San Diego
Imperial
SAN DIEGO COUNTY
Unclassified/Attainment
Nonattainment
Air Basin
County
Source Date:
August 2019
Air Quality Planning and Science Division

TABLE 13

National Ambient Air Quality Standards
Area Designations for Fine Particulate Matter ($PM_{2.5}$)

	N	U/A
GREAT BASIN VALLEYS AIR BASIN		X
LAKE COUNTY AIR BASIN		X
LAKE TAHOE AIR BASIN		X
MOUNTAIN COUNTIES AIR BASIN		
Plumas County		
- Portola Valley Portion of Plumas	X	
- Remainder of Plumas County		X
Remainder of Air Basin		X
NORTH CENTRAL COAST AIR BASIN		X
NORTH COAST AIR BASIN		X
NORTHEAST PLATEAU AIR BASIN		X
SACRAMENTO VALLEY AIR BASIN		
Sacramento Metro Area[1]	X	
Sutter County		X
Yuba County (portion)		X
Remainder of Air Basin		X

	N	U/A
SAN DIEGO COUNTY		X
SAN FRANCISCO BAY AREA AIR BASIN[2]	X	
SAN JOAQUIN VALLEY AIR BASIN	X	
SOUTH CENTRAL COAST AIR BASIN		X
SOUTH COAST AIR BASIN[3]	X	
SOUTHEAST DESERT AIR BASIN		
Imperial County (portion)[4]	X	
Remainder of Air Basin		X

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305. This map reflects the 2006 24-hour $PM_{2.5}$ standard as well as the 1997 and 2012 $PM_{2.5}$ annual standards.

[1] For this purpose, Sacramento Metro Area comprises all of Sacramento and portions of El Dorado, Placer, Solano, and Yolo Counties. Air quality in this area meets the national $PM_{2.5}$ standards. A Determination of Attainment for the 2006 24-hour $PM_{2.5}$ standard was made by U.S. EPA in June 2017.

[2] Air quality in this area meets the national $PM_{2.5}$ standards. A Determination of Attainment for the 2006 24-hour $PM_{2.5}$ standard was made by U.S. EPA in June 2017.

[3] Those lands of the Santa Rosa Band of Cahulla Mission Indians in Riverside County are designated Unclassifiable/Attainment.

[4] That portion of Imperial County encompassing the urban and surrounding areas of Brawley, Calexico, El Centro, Heber, Holtville, Imperial, Seeley, and Westmorland. Air quality in this area meets the national $PM_{2.5}$ standards. A Determination of Attainment for the 2006 24-hour $PM_{2.5}$ standard was made by U.S. EPA in June 2017.

FIGURE 14


Area Designations for National Ambient Air Quality Standards
CARBON MONOXIDE
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
Colusa
Lake
Sutter
Yuba
Placer
LAKE TAHOE
LAKE COUNTY
Yolo
El Dorado
Napa
Alpine
Sonoma
Sac
Amador
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
Contra Costa
San Joaquin
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Santa Cruz
Madera
SAN JOAQUIN VALLEY
San Benito
Fresno
NORTH CENTRAL COAST
Inyo
Tulare
Monterey
Kings
San Luis Obispo
Kern
SOUTH CENTRAL COAST
SOUTHEAST DESERT
Santa Barbara
Ventura
Los Angeles
San Bernardino
Riverside
Orange
SOUTH COAST
San Diego
Imperial
SAN DIEGO COUNTY
Unclassified/Attainment
Air Basin
County
Source Date:
August 2019
Air Quality Planning and Science Division

TABLE 14

National Ambient Air Quality Standards
Area Designations for Carbon Monoxide*

	N	U/A
GREAT BASIN VALLEYS AIR BASIN		X
LAKE COUNTY AIR BASIN		X
LAKE TAHOE AIR BASIN		X
MOUNTAIN COUNTIES AIR BASIN		X
NORTH CENTRAL COAST AIR BASIN		X
NORTH COAST AIR BASIN		X
NORTHEAST PLATEAU AIR BASIN		X

	N	U/A
SACRAMENTO VALLEY AIR BASIN		X
SAN DIEGO COUNTY		X
SAN FRANCISCO BAY AREA AIR BASIN		X
SAN JOAQUIN VALLEY AIR BASIN		X
SOUTH CENTRAL COAST AIR BASIN		X
SOUTH COAST AIR BASIN		X
SOUTHEAST DESERT AIR BASIN		X

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.

FIGURE 15


Area Designations for National Ambient Air Quality Standards
NITROGEN DIOXIDE
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehema
Plumas
SACRAMENTO VALLEY
Mendocino
Glenn
Butte
Sierra
Nevada
MOUNTAIN COUNTIES
Colusa
Yuba
Placer
LAKE COUNTY
Lake
Sutter
LAKE TAHOE
Yolo
El Dorado
Napa
Alpine
Sonoma
Sac
Amador
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
San Joaquin
Contra Costa
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Santa Cruz
Madera
SAN JOAQUIN VALLEY
San Benito
Fresno
NORTH CENTRAL COAST
Inyo
Tulare
Monterey
Kings
San Luis Obispo
Kern
SOUTH CENTRAL COAST
Santa Barbara
SOUTHEAST DESERT
Los Angeles
San Bernardino
Ventura
Riverside
Orange
SOUTH COAST
San Diego
Imperial
SAN DIEGO COUNTY
Unclassified/Attainment
Air Basin
County
Source Date:
August 2019
Air Quality Planning and Science Division

TABLE 15

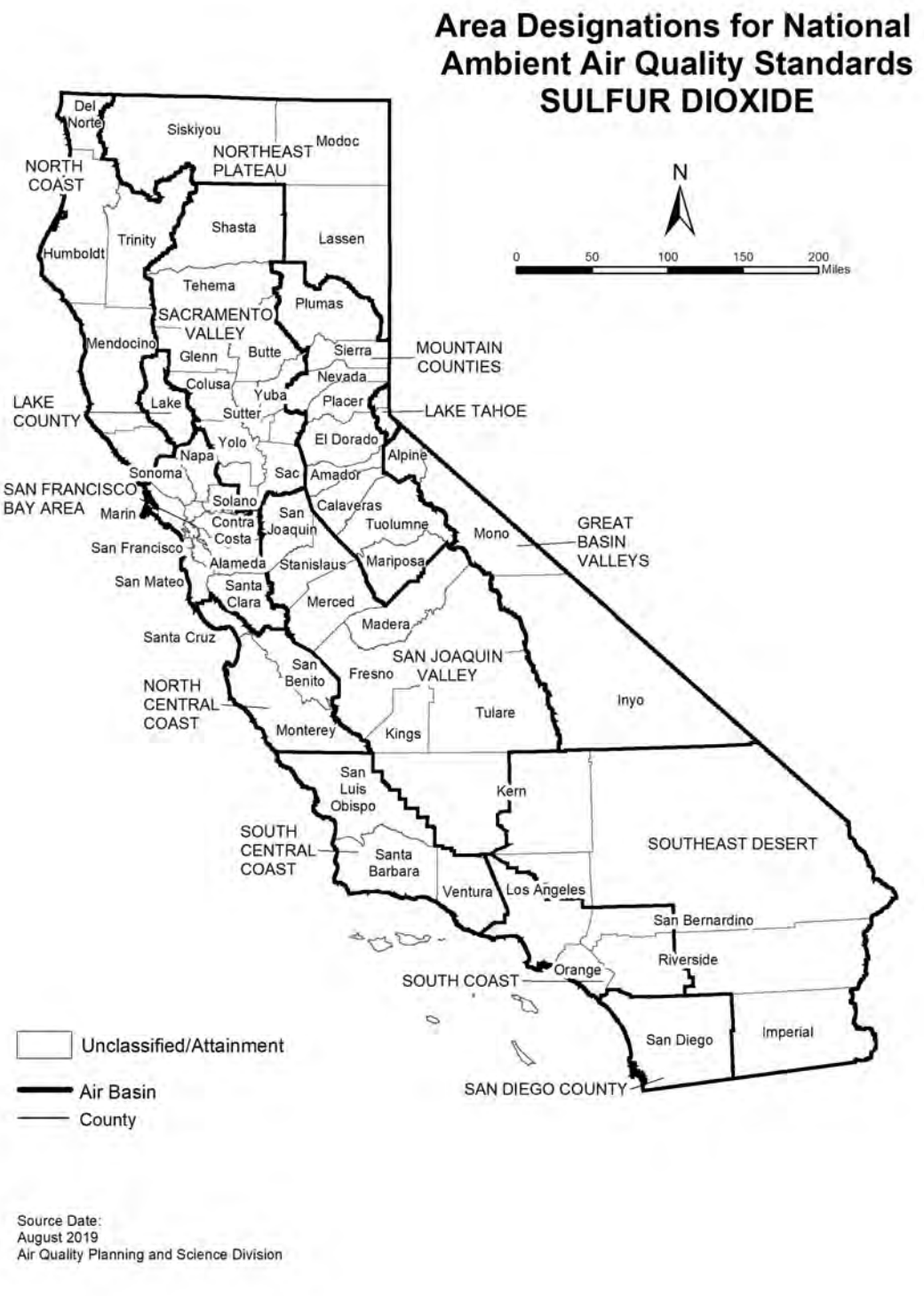
National Ambient Air Quality Standards
Area Designations for Nitrogen Dioxide*

	N	U/A
GREAT BASIN VALLEYS AIR BASIN		X
LAKE COUNTY AIR BASIN		X
LAKE TAHOE AIR BASIN		X
MOUNTAIN COUNTIES AIR BASIN		X
NORTH CENTRAL COAST AIR BASIN		X
NORTH COAST AIR BASIN		X
NORTHEAST PLATEAU AIR BASIN		X

	N	U/A
SACRAMENTO VALLEY AIR BASIN		X
SAN DIEGO COUNTY		X
SAN FRANCISCO BAY AREA AIR BASIN		X
SAN JOAQUIN VALLEY AIR BASIN		X
SOUTH CENTRAL COAST AIR BASIN		X
SOUTH COAST AIR BASIN		X
SOUTHEAST DESERT AIR BASIN		X

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.

FIGURE 16



Source Date:
August 2019
Air Quality Planning and Science Division

TABLE 16

National Ambient Air Quality Standards
Area Designations for Sulfur Dioxide*

	N	U/A
GREAT BASIN VALLEYS AIR BASIN		X
LAKE COUNTY AIR BASIN		X
LAKE TAHOE AIR BASIN		X
MOUNTAIN COUNTIES AIR BASIN		X
NORTH CENTRAL COAST AIR BASIN		X
NORTH COAST AIR BASIN		X
NORTHEAST PLATEAU AIR BASIN		X
SACRAMENTO VALLEY AIR BASIN		X
SAN DIEGO COUNTY		X
SAN FRANCISCO BAY AREA AIR BASIN		X
SAN JOAQUIN VALLEY AIR BASIN		
Fresno County		X
Kern County (portion)		X
Kings County		X
Madera County		X
Merced County		X
San Joaquin County		X
Stanislaus County		X
Tulare County		X

	N	U/A
SOUTH CENTRAL COAST AIR BASIN		
San Luis Obispo County		X
Santa Barbara County		X
Ventura County		X
Channel Islands[1]		X
SOUTH COAST AIR BASIN		X
SOUTHEAST DESERT AIR BASIN		
Imperial County		X
Remainder of Air Basin		X

* Definitions and references for all areas can be found in 40 CFR, Chapter I, Part 81.305.
NOTE: This map and table reflect the 2010 1-hour SO_2 standard of 75 ppb.

[1] South Central Coast Air Basin Channel Islands:
Santa Barbara County includes Santa Cruz, San Miguel, Santa Rosa, and Santa Barbara Islands.
Ventura County includes Anacapa and San Nicolas Islands.
Note that the San Clemente and Santa Catalina Islands are considered part of Los Angeles County, and therefore, are included as part of the South Coast Air Basin.

FIGURE 17


Area Designations for National Ambient Air Quality Standards LEAD
N
0 50 100 150 200 Miles
Del Norte
Siskiyou
Modoc
NORTHEAST PLATEAU
NORTH COAST
Trinity
Shasta
Lassen
Humboldt
Tehama
SACRAMENTO VALLEY
Plumas
Mendocino
Glenn
Butte
Sierra
MOUNTAIN COUNTIES
Nevada
Colusa
Lake
Sutter
Yuba
Placer
LAKE TAHOE
LAKE COUNTY
Yolo
El Dorado
Napa
Alpine
Sonoma
Sac
Amador
SAN FRANCISCO BAY AREA
Solano
Calaveras
Marin
San Joaquin
Contra Costa
Tuolumne
Mono
GREAT BASIN VALLEYS
San Francisco
Alameda
Stanislaus
Mariposa
San Mateo
Santa Clara
Merced
Santa Cruz
Madera
SAN JOAQUIN VALLEY
San Benito
Fresno
NORTH CENTRAL COAST
Inyo
Tulare
Monterey
Kings
San Luis Obispo
Kern
SOUTH CENTRAL COAST
SOUTHEAST DESERT
Santa Barbara
Ventura
Los Angeles
San Bernardino
Riverside
Orange
SOUTH COAST
San Diego
Imperial
SAN DIEGO COUNTY
Unclassified/Attainment
Nonattainment
Air Basin
County
Source Date:
August 2019
Air Quality Planning and Science Division

TABLE 17

National Ambient Air Quality Standards
Area Designations for Lead (particulate)

	N	U/A
GREAT BASIN VALLEYS AIR BASIN		X
LAKE COUNTY AIR BASIN		X
LAKE TAHOE AIR BASIN		X
MOUNTAIN COUNTIES AIR BASIN		X
NORTH CENTRAL COAST AIR BASIN		X
NORTH COAST AIR BASIN		X
NORTHEAST PLATEAU AIR BASIN		X
SACRAMENTO VALLEY AIR BASIN		X

	N	U/A
SAN DIEGO COUNTY		X
SAN FRANCISCO BAY AREA AIR BASIN		X
SAN JOAQUIN VALLEY AIR BASIN		X
SOUTH CENTRAL COAST AIR BASIN		X
SOUTH COAST AIR BASIN		
Los Angeles County (portion)[1]	X	
Remainder of Air Basin		X
SOUTHEAST DESERT AIR BASIN		X

[1] Portion of County in Air Basin, not including Channel Islands

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APPENDIX 3.1:

CALEEMOD EXISTING OPERATIONAL EMISSIONS MODEL OUTPUTS

IE Distribution Center #14 (Existing Passenger Car Operations) Detailed Report

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1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Existing Passenger Car Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	41.8	1000sqft	0.96	41,780	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.29	2.16	0.98	12.8	0.02	0.04	0.80	0.85	0.04	0.14	0.18	39.7	3,803	3,842	4.23	0.11	1,122	5,104
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.92	1.82	1.03	8.94	0.02	0.04	0.80	0.84	0.04	0.14	0.18	39.7	3,615	3,655	4.24	0.12	1,114	4,909
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.90	1.80	0.89	8.16	0.02	0.04	0.59	0.63	0.04	0.10	0.14	39.7	3,086	3,126	4.22	0.10	1,116	4,378
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.16	0.33	0.16	1.49	< 0.005	0.01	0.11	0.11	0.01	0.02	0.03	6.57	511	518	0.70	0.02	185	725

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Mobile	0.92	0.84	0.54	10.7	0.02	0.01	0.80	0.81	0.01	0.14	0.15	—	2,242	2,242	0.08	0.05	8.87	2,269
Area	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	1.29	2.16	0.98	12.8	0.02	0.04	0.80	0.85	0.04	0.14	0.18	39.7	3,803	3,842	4.23	0.11	1,122	5,104
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.87	0.79	0.60	8.58	0.02	0.01	0.80	0.81	0.01	0.14	0.15	—	2,062	2,062	0.08	0.06	0.23	2,081
Area	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.92	1.82	1.03	8.94	0.02	0.04	0.80	0.84	0.04	0.14	0.18	39.7	3,615	3,655	4.24	0.12	1,114	4,909
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.63	0.57	0.45	6.56	0.02	0.01	0.59	0.59	0.01	0.10	0.11	—	1,528	1,528	0.06	0.04	2.80	1,545
Area	0.22	1.20	0.01	1.24	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.12	5.12	< 0.005	< 0.005	—	5.27
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.90	1.80	0.89	8.16	0.02	0.04	0.59	0.63	0.04	0.10	0.14	39.7	3,086	3,126	4.22	0.10	1,116	4,378
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.12	0.10	0.08	1.20	< 0.005	< 0.005	0.11	0.11	< 0.005	0.02	0.02	—	253	253	0.01	0.01	0.46	256
Area	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.8

Energy	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	247	247	0.02	< 0.005	—	248
Water	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Waste	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	0.16	0.33	0.16	1.49	< 0.005	0.01	0.11	0.11	0.01	0.02	0.03	6.57	511	518	0.70	0.02	185	725

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.92	0.84	0.54	10.7	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,242	2,242	0.08	0.05	8.87	2,269
Total	0.92	0.84	0.54	10.7	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,242	2,242	0.08	0.05	8.87	2,269
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.87	0.79	0.60	8.58	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,062	2,062	0.08	0.06	0.23	2,081
Total	0.87	0.79	0.60	8.58	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,062	2,062	0.08	0.06	0.23	2,081

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.12	0.10	0.08	1.20	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	—	253	253	0.01	0.01	0.46	256
Total	0.12	0.10	0.08	1.20	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	—	253	253	0.01	0.01	0.46	256

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163
Total	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5
Total	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.32	0.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Total	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architectural	—	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.04	0.04	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87
Total	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Total	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

Total	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	207	17.5	7.02	55,311	3,007	254	102	802,453

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	62,670	20,890	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,027,373	349	0.0330	0.0040	794,266

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	9,661,625	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	39.3	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A

Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9

Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965

Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3

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Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification
Operations: Vehicle Data	Trip rates based on existing activities
Operations: Fleet Mix	Passenger Car Mix estimated based on the CalEEMod default fleet mix and the ratio of the vehicle classes (LDA, LDT1, LDT2, MDV, & MCY)
Operations: Energy Use	Electricity usage based on electricity bills provided by Applicant

IE Distribution Center #14 (Existing Truck Operations) Detailed Report

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1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Existing Truck Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	41.8	1000sqft	0.96	41,780	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.30	1.51	9.14	7.26	0.07	0.15	1.11	1.27	0.15	0.27	0.41	39.7	8,807	8,847	4.87	1.17	1,133	10,451
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.96	1.20	9.51	5.46	0.07	0.15	1.11	1.26	0.14	0.27	0.41	39.7	8,802	8,842	4.87	1.17	1,114	10,427
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.94	1.36	7.14	5.32	0.05	0.12	0.81	0.93	0.12	0.20	0.31	39.7	6,858	6,897	4.68	0.87	1,120	8,395
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.17	0.25	1.30	0.97	0.01	0.02	0.15	0.17	0.02	0.04	0.06	6.57	1,135	1,142	0.78	0.14	185	1,390

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Mobile	0.93	0.19	8.70	5.08	0.06	0.12	1.11	1.23	0.11	0.27	0.38	—	7,247	7,247	0.72	1.11	19.2	7,616
Area	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	1.30	1.51	9.14	7.26	0.07	0.15	1.11	1.27	0.15	0.27	0.41	39.7	8,807	8,847	4.87	1.17	1,133	10,451
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.92	0.18	9.08	5.10	0.06	0.12	1.11	1.23	0.11	0.27	0.38	—	7,249	7,249	0.72	1.12	0.50	7,600
Area	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.96	1.20	9.51	5.46	0.07	0.15	1.11	1.26	0.14	0.27	0.41	39.7	8,802	8,842	4.87	1.17	1,114	10,427
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.67	0.13	6.71	3.72	0.05	0.08	0.81	0.90	0.08	0.20	0.28	—	5,299	5,299	0.52	0.82	6.07	5,562
Area	0.22	1.20	0.01	1.24	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.12	5.12	< 0.005	< 0.005	—	5.27
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.94	1.36	7.14	5.32	0.05	0.12	0.81	0.93	0.12	0.20	0.31	39.7	6,858	6,897	4.68	0.87	1,120	8,395
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.12	0.02	1.22	0.68	0.01	0.02	0.15	0.16	0.01	0.04	0.05	—	877	877	0.09	0.14	1.01	921
Area	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.8

Energy	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	247	247	0.02	< 0.005	—	248
Water	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Waste	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	0.17	0.25	1.30	0.97	0.01	0.02	0.15	0.17	0.02	0.04	0.06	6.57	1,135	1,142	0.78	0.14	185	1,390

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.93	0.19	8.70	5.08	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,247	7,247	0.72	1.11	19.2	7,616
Total	0.93	0.19	8.70	5.08	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,247	7,247	0.72	1.11	19.2	7,616
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.92	0.18	9.08	5.10	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,249	7,249	0.72	1.12	0.50	7,600
Total	0.92	0.18	9.08	5.10	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,249	7,249	0.72	1.12	0.50	7,600

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.12	0.02	1.22	0.68	0.01	0.02	0.08	0.09	0.01	0.02	0.04	—	877	877	0.09	0.14	1.01	921
Total	0.12	0.02	1.22	0.68	0.01	0.02	0.08	0.09	0.01	0.02	0.04	—	877	877	0.09	0.14	1.01	921

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163
Total	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5
Total	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.32	0.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Total	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architectural	—	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.04	0.04	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87
Total	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Total	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

Total	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	106	8.93	3.57	28,184	2,337	198	79.1	623,606

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	62,670	20,890	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,027,373	349	0.0330	0.0040	794,266

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	9,661,625	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	39.3	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A

Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9

Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965

Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3

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Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification
Operations: Vehicle Data	Trip rates based on existing activities
Operations: Fleet Mix	Truck Mix based on SCAQMD recommended truck mix
Operations: Energy Use	Electricity usage based on bills provided by the Applicant

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APPENDIX 4.1:

CALEEMOD PROJECT CONSTRUCTION EMISSIONS MODEL OUTPUTS

IE Distribution Center #14 (Construction) Detailed Report

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5.5. Architectural Coatings

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

5.6.2. Construction Earthmoving Control Strategies

5.7. Construction Paving

5.8. Construction Electricity Consumption and Emissions Factors

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

5.18.2. Sequestration

5.18.2.1. Unmitigated

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

6.2. Initial Climate Risk Scores

6.3. Adjusted Climate Risk Scores

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

7.2. Healthy Places Index Scores

7.3. Overall Health & Equity Scores

7.4. Health & Equity Measures

7.5. Evaluation Scorecard

8. User Changes to Default Data

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Construction)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

Parking Lot	299	Space	1.53	0.00	0.00	0.00	—	—
Other Asphalt Surfaces	161	1000sqft	3.68	0.00	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.13	47.2	39.6	71.8	0.13	0.38	9.62	9.95	0.36	4.00	4.32	—	15,836	15,836	0.86	0.60	10.9	16,044
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.08	47.1	30.4	53.5	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,589	9,589	0.43	0.25	0.28	9,674
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.67	4.08	10.5	18.5	0.03	0.13	1.31	1.44	0.12	0.45	0.57	—	3,729	3,729	0.19	0.12	1.43	3,770
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.12	0.74	1.92	3.37	0.01	0.02	0.24	0.26	0.02	0.08	0.10	—	617	617	0.03	0.02	0.24	624

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	2.13	1.77	39.6	71.8	0.13	0.33	9.62	9.95	0.32	4.00	4.32	—	15,836	15,836	0.86	0.60	9.37	16,044
2024	2.12	47.2	30.2	56.6	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,771	9,771	0.43	0.25	10.9	9,867
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	1.65	1.48	21.7	39.8	0.06	0.26	1.70	1.96	0.25	0.41	0.65	—	7,437	7,437	0.35	0.22	0.24	7,510
2024	2.08	47.1	30.4	53.5	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,589	9,589	0.43	0.25	0.28	9,674
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	0.67	0.59	10.5	18.5	0.03	0.13	1.31	1.44	0.12	0.45	0.57	—	3,729	3,729	0.19	0.12	1.43	3,770
2024	0.38	4.08	5.50	9.86	0.01	0.07	0.40	0.46	0.06	0.09	0.16	—	1,790	1,790	0.08	0.05	0.88	1,807
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	0.12	0.11	1.92	3.37	0.01	0.02	0.24	0.26	0.02	0.08	0.10	—	617	617	0.03	0.02	0.24	624
2024	0.07	0.74	1.00	1.80	< 0.005	0.01	0.07	0.08	0.01	0.02	0.03	—	296	296	0.01	0.01	0.14	299

3. Construction Emissions Details

3.1. Demolition (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.54	0.51	12.7	18.7	0.03	0.23	—	0.23	0.22	—	0.22	—	3,529	3,529	0.14	0.03	—	3,541

Demolitio	—	—	—	—	—	—	0.45	0.45	—	0.07	0.07	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.09	0.08	2.09	3.07	0.01	0.04	—	0.04	0.04	—	0.04	—	580	580	0.02	< 0.005	—	582
Demolitio n	—	—	—	—	—	—	0.07	0.07	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.02	0.38	0.56	< 0.005	0.01	—	0.01	0.01	—	0.01	—	96.0	96.0	< 0.005	< 0.005	—	96.4
Demolitio n	—	—	—	—	—	—	0.01	0.01	—	< 0.005	< 0.005	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.10	1.67	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	264	264	0.01	0.01	1.13	268
Vendor	0.04	0.01	0.38	0.20	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	317	317	0.03	0.05	0.87	332
Hauling	0.03	< 0.005	0.27	0.15	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	214	214	0.02	0.03	0.45	226
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Worker	0.02	0.02	0.02	0.22	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	40.4	40.4	< 0.005	< 0.005	0.08	41.0
Vendor	0.01	< 0.005	0.06	0.03	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	52.1	52.1	< 0.005	0.01	0.06	54.6
Hauling	< 0.005	< 0.005	0.05	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	35.2	35.2	< 0.005	0.01	0.03	37.0
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.04	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	6.69	6.69	< 0.005	< 0.005	0.01	6.78
Vendor	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	8.63	8.63	< 0.005	< 0.005	0.01	9.03
Hauling	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	5.84	5.84	< 0.005	< 0.005	0.01	6.13

3.3. Site Preparation (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.68	0.68	15.7	30.0	0.05	0.10	—	0.10	0.10	—	0.10	—	5,530	5,530	0.22	0.04	—	5,549
Dust From Material Movement	—	—	—	—	—	—	5.66	5.66	—	2.69	2.69	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.06	0.06	1.29	2.46	< 0.005	0.01	—	0.01	0.01	—	0.01	—	455	455	0.02	< 0.005	—	456

Dust From Material Movement	—	—	—	—	—	—	0.47	0.47	—	0.22	0.22	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.24	0.45	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	75.2	75.2	< 0.005	< 0.005	—	75.5
Dust From Material Movement	—	—	—	—	—	—	0.08	0.08	—	0.04	0.04	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.10	1.67	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	264	264	0.01	0.01	1.13	268
Vendor	0.02	< 0.005	0.19	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	158	158	0.01	0.02	0.44	166
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.11	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	20.2	20.2	< 0.005	< 0.005	0.04	20.5
Vendor	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	13.0	13.0	< 0.005	< 0.005	0.02	13.6
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	3.34	3.34	< 0.005	< 0.005	0.01	3.39
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.16	2.16	< 0.005	< 0.005	< 0.005	2.2

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Grading (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.82	0.82	19.9	36.2	0.06	0.18	—	0.18	0.18	—	0.18	—	6,715	6,715	0.27	0.05	—	6,738
Dust From Material Movement	—	—	—	—	—	—	2.67	2.67	—	0.98	0.98	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.07	0.07	1.64	2.97	0.01	0.02	—	0.02	0.01	—	0.01	—	552	552	0.02	< 0.005	—	554
Dust From Material Movement	—	—	—	—	—	—	0.22	0.22	—	0.08	0.08	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.30	0.54	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	91.4	91.4	< 0.005	< 0.005	—	91.7

Dust From Material Movement	—	—	—	—	—	—	0.04	0.04	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.12	0.11	0.11	1.85	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	294	294	0.01	0.01	1.26	298
Vendor	0.02	< 0.005	0.19	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	158	158	0.01	0.02	0.44	166
Hauling	0.37	0.06	3.43	1.91	0.02	0.03	0.20	0.23	0.03	0.07	0.10	—	2,716	2,716	0.31	0.43	5.65	2,857
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.12	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	22.4	22.4	< 0.005	< 0.005	0.04	22.8
Vendor	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	13.0	13.0	< 0.005	< 0.005	0.02	13.6
Hauling	0.03	< 0.005	0.30	0.16	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	223	223	0.03	0.04	0.20	235
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	3.72	3.72	< 0.005	< 0.005	0.01	3.77
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.16	2.16	< 0.005	< 0.005	< 0.005	2.26
Hauling	0.01	< 0.005	0.05	0.03	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	37.0	37.0	< 0.005	0.01	0.03	38.8

3.7. Building Construction (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,128
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,128
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.21	0.20	4.61	7.24	0.01	0.06	—	0.06	0.05	—	0.05	—	1,180	1,180	0.05	0.01	—	1,184
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.04	0.04	0.84	1.32	< 0.005	0.01	—	0.01	0.01	—	0.01	—	195	195	0.01	< 0.005	—	196
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.69	0.63	0.60	10.6	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,675	1,675	0.07	0.06	7.18	1,700
Vendor	0.09	0.02	0.94	0.51	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	792	792	0.07	0.12	2.19	831
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.65	0.59	0.70	7.94	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,534	1,534	0.07	0.06	0.19	1,553
Vendor	0.09	0.02	0.98	0.51	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	793	793	0.07	0.12	0.06	829
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.15	0.13	0.16	1.94	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	359	359	0.02	0.01	0.72	364
Vendor	0.02	< 0.005	0.23	0.12	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	183	183	0.02	0.03	0.22	192
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.03	0.02	0.03	0.35	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	59.5	59.5	< 0.005	< 0.005	0.12	60.3
Vendor	< 0.005	< 0.005	0.04	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	30.3	30.3	< 0.005	< 0.005	0.04	31.7
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.9. Building Construction (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,127
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,127
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.19	0.18	4.14	6.51	0.01	0.05	—	0.05	0.05	—	0.05	—	1,060	1,060	0.04	0.01	—	1,064
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	0.76	1.19	< 0.005	0.01	—	0.01	0.01	—	0.01	—	175	175	0.01	< 0.005	—	176
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.65	0.60	0.55	9.64	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,641	1,641	0.07	0.06	6.56	1,666
Vendor	0.08	0.02	0.90	0.48	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	784	784	0.06	0.12	2.19	822
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.62	0.56	0.65	7.29	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,504	1,504	0.07	0.06	0.17	1,523
Vendor	0.08	0.02	0.94	0.49	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	784	784	0.06	0.12	0.06	821
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.12	0.14	1.59	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	316	316	0.01	0.01	0.59	321
Vendor	0.02	< 0.005	0.20	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	163	163	0.01	0.02	0.20	170

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.29	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	52.4	52.4	< 0.005	< 0.005	0.10	53.1
Vendor	< 0.005	< 0.005	0.04	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	26.9	26.9	< 0.005	< 0.005	0.03	28.2
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.11. Paving (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.23	0.23	7.21	10.6	0.01	0.09	—	0.09	0.08	—	0.08	—	1,512	1,512	0.06	0.01	—	1,517
Paving	—	0.30	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.23	0.23	7.21	10.6	0.01	0.09	—	0.09	0.08	—	0.08	—	1,512	1,512	0.06	0.01	—	1,517
Paving	—	0.30	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	0.89	1.31	< 0.005	0.01	—	0.01	0.01	—	0.01	—	186	186	0.01	< 0.005	—	187
Paving	—	0.04	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.16	0.24	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	30.9	30.9	< 0.005	< 0.005	—	31.0
Paving	—	0.01	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.09	0.08	0.07	1.27	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	216	216	0.01	0.01	0.86	219
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.09	0.96	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	198	198	0.01	0.01	0.02	200
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.12	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	24.7	24.7	< 0.005	< 0.005	0.05	25.1
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	4.10	4.10	< 0.005	< 0.005	0.01	4.15
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.13. Architectural Coating (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	1.43	1.28	< 0.005	0.04	—	0.04	0.04	—	0.04	—	178	178	0.01	< 0.005	—	179
Architectural Coatings	—	44.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	1.43	1.28	< 0.005	0.04	—	0.04	0.04	—	0.04	—	178	178	0.01	< 0.005	—	179
Architectural Coatings	—	44.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.12	0.11	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	14.6	14.6	< 0.005	< 0.005	—	14.7
Architectural Coatings	—	3.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.02	0.02	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	2.42	2.42	< 0.005	< 0.005	—	2.43
Architectural Coatings	—	0.67	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.12	0.11	1.95	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	331	331	0.01	0.01	1.32	336
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.11	0.13	1.47	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	303	303	0.01	0.01	0.03	307
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.13	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	25.3	25.3	< 0.005	< 0.005	0.05	25.7
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	4.19	4.19	< 0.005	< 0.005	0.01	4.25
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

4. Operations Emissions Details

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Demolition	Demolition	5/2/2023	7/24/2023	5.00	60.0	—
Site Preparation	Site Preparation	7/25/2023	9/4/2023	5.00	30.0	—
Grading	Grading	7/25/2023	9/4/2023	5.00	30.0	—
Building Construction	Building Construction	9/5/2023	4/15/2024	5.00	160	—
Paving	Paving	2/13/2024	4/15/2024	5.00	45.0	—
Architectural Coating	Architectural Coating	3/5/2024	4/15/2024	5.00	30.0	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Demolition	Rubber Tired Dozers	Diesel	Tier 4 Interim	2.00	8.00	367	0.40

Demolition	Excavators	Diesel	Tier 4 Interim	3.00	8.00	36.0	0.38
Demolition	Concrete/Industrial Saws	Diesel	Tier 4 Interim	1.00	8.00	33.0	0.73
Site Preparation	Rubber Tired Dozers	Diesel	Tier 4 Interim	3.00	8.00	367	0.40
Grading	Graders	Diesel	Tier 4 Interim	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Grading	Scrapers	Diesel	Tier 4 Interim	2.00	8.00	423	0.48
Grading	Rubber Tired Dozers	Diesel	Tier 4 Interim	1.00	8.00	367	0.40
Building Construction	Forklifts	Diesel	Tier 4 Interim	5.00	8.00	82.0	0.20
Building Construction	Generator Sets	Diesel	Tier 4 Interim	2.00	8.00	14.0	0.74
Building Construction	Cranes	Diesel	Tier 4 Interim	2.00	8.00	367	0.29
Building Construction	Welders	Diesel	Tier 4 Interim	2.00	8.00	46.0	0.45
Paving	Pavers	Diesel	Tier 4 Interim	2.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Tier 4 Interim	2.00	8.00	89.0	0.36
Paving	Rollers	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Tier 4 Interim	1.00	8.00	37.0	0.48
Site Preparation	Crawler Tractors	Diesel	Tier 4 Interim	4.00	8.00	87.0	0.43
Grading	Crawler Tractors	Diesel	Tier 4 Interim	2.00	8.00	87.0	0.43
Building Construction	Crawler Tractors	Diesel	Tier 4 Interim	5.00	8.00	87.0	0.43
Demolition	Generator Sets	Diesel	Tier 4 Interim	1.00	8.00	14.0	0.74

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Demolition	—	—	—	—
Demolition	Worker	18.0	18.5	LDA,LDT1,LDT2
Demolition	Vendor	10.0	10.2	HHDT,MHDT

Demolition	Hauling	3.00	20.0	HHDT
Demolition	Onsite truck	0.00	0.00	HHDT
Site Preparation	—	—	—	—
Site Preparation	Worker	18.0	18.5	LDA,LDT1,LDT2
Site Preparation	Vendor	5.00	10.2	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	0.00	0.00	HHDT
Grading	—	—	—	—
Grading	Worker	20.0	18.5	LDA,LDT1,LDT2
Grading	Vendor	5.00	10.2	HHDT,MHDT
Grading	Hauling	38.0	20.0	HHDT
Grading	Onsite truck	0.00	0.00	HHDT
Building Construction	—	—	—	—
Building Construction	Worker	114	18.5	LDA,LDT1,LDT2
Building Construction	Vendor	25.0	10.2	HHDT,MHDT
Building Construction	Hauling	0.00	20.0	HHDT
Building Construction	Onsite truck	0.00	0.00	HHDT
Paving	—	—	—	—
Paving	Worker	15.0	18.5	LDA,LDT1,LDT2
Paving	Vendor	0.00	10.2	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	0.00	0.00	HHDT
Architectural Coating	—	—	—	—
Architectural Coating	Worker	23.0	18.5	LDA,LDT1,LDT2
Architectural Coating	Vendor	0.00	10.2	HHDT,MHDT
Architectural Coating	Hauling	0.00	20.0	HHDT
Architectural Coating	Onsite truck	0.00	0.00	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	415,727	138,576	13,629

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (Cubic Yards)	Material Exported (Cubic Yards)	Acres Graded (acres)	Material Demolished (Ton of Debris)	Acres Paved (acres)
Demolition	0.00	0.00	0.00	1,922	—
Site Preparation	0.00	0.00	105	0.00	—
Grading	0.00	9,000	120	0.00	—
Paving	0.00	0.00	0.00	0.00	5.21

5.6.2. Construction Earthmoving Control Strategies

Control Strategies Applied	Frequency (per day)	PM10 Reduction	PM2.5 Reduction
Water Exposed Area	3	74%	74%
Water Demolished Area	2	36%	36%

5.7. Construction Paving

Land Use	Area Paved (acres)	% Asphalt

Unrefrigerated Warehouse-No Rail	0.00	0%
Refrigerated Warehouse-No Rail	0.00	0%
Parking Lot	1.53	100%
Other Asphalt Surfaces	3.68	100%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2023	0.00	532	0.03	< 0.005
2024	0.00	532	0.03	< 0.005

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A

Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
	922

Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

923

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—

Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5

925

Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

926

8. User Changes to Default Data

Screen	Justification
Land Use	Total Project Site is 13.08 acres
Construction: Construction Phases	Construction anticipated to end in April 2024
Construction: Off-Road Equipment	Construction equipment based on equipment needed for other industrial projects within the area
Construction: Trips and VMT	Vendor Trips adjusted based on CalEEMod defaults for Building Construction and number of days for Demolition, Site Preparation, Grading, and Building Construction
Construction: Architectural Coatings	Rule 1113

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APPENDIX 4.2:

CALEEMOD PROJECT REGIONAL OPERATIONAL EMISSIONS MODEL OUTPUTS

IE Distribution Center #14 (Passenger Car Operations) Detailed Report

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1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Passenger Car Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

Parking Lot	299	Space	1.53	0.00	0.00	0.00	—	—
Other Asphalt Surfaces	161	1000sqft	3.68	0.00	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.75	9.84	3.77	29.9	0.05	0.25	1.18	1.43	0.25	0.20	0.45	257	8,875	9,132	26.6	0.41	6,525	16,442
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.60	7.85	3.76	15.0	0.05	0.23	1.18	1.41	0.23	0.20	0.43	257	8,562	8,818	26.6	0.41	6,512	16,117
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.68	8.85	3.60	20.1	0.04	0.24	0.86	1.10	0.24	0.15	0.39	257	7,811	8,068	26.6	0.39	6,516	15,364
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.49	1.61	0.66	3.67	0.01	0.04	0.16	0.20	0.04	0.03	0.07	42.5	1,293	1,336	4.40	0.06	1,079	2,544

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.35	1.23	0.80	15.7	0.03	0.01	1.18	1.19	0.01	0.20	0.21	—	3,299	3,299	0.11	0.08	13.1	3,338
Area	2.09	8.45	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	3.75	9.84	3.77	29.9	0.05	0.25	1.18	1.43	0.25	0.20	0.45	257	8,875	9,132	26.6	0.41	6,525	16,442
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.28	1.16	0.89	12.6	0.03	0.01	1.18	1.19	0.01	0.20	0.21	—	3,033	3,033	0.12	0.09	0.34	3,062
Area	—	6.52	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	1.60	7.85	3.76	15.0	0.05	0.23	1.18	1.41	0.23	0.20	0.43	257	8,562	8,818	26.6	0.41	6,512	16,117
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.93	0.85	0.67	9.65	0.02	0.01	0.86	0.87	0.01	0.15	0.16	—	2,250	2,250	0.08	0.06	4.12	2,275
Area	1.43	7.84	0.07	8.05	< 0.005	0.01	—	0.01	0.01	—	0.01	—	33.1	33.1	< 0.005	< 0.005	—	34.1
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512

Total	2.68	8.85	3.60	20.1	0.04	0.24	0.86	1.10	0.24	0.15	0.39	257	7,811	8,068	26.6	0.39	6,516	15,364
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.17	0.15	0.12	1.76	< 0.005	< 0.005	0.16	0.16	< 0.005	0.03	0.03	—	373	373	0.01	0.01	0.68	377
Area	0.26	1.43	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Energy	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	847	847	0.08	< 0.005	—	850
Water	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154
Waste	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078
Total	0.49	1.61	0.66	3.67	0.01	0.04	0.16	0.20	0.04	0.03	0.07	42.5	1,293	1,336	4.40	0.06	1,079	2,544

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	1.18	1.08	0.70	13.8	0.03	0.01	0.13	0.15	0.01	0.04	0.05	—	2,892	2,892	0.10	0.07	11.4	2,926
Refrigerated Warehouse-No Rail	0.17	0.15	0.10	1.94	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	407	407	0.01	0.01	1.61	412

Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	1.35	1.23	0.80	15.7	0.03	0.01	0.15	0.17	0.01	0.05	0.06	—	3,299	3,299	0.11	0.08	13.1	3,338
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	1.13	1.02	0.78	11.1	0.03	0.01	0.13	0.15	0.01	0.04	0.05	—	2,659	2,659	0.10	0.07	0.30	2,684
Refrigerated Warehouse-No Rail	0.16	0.14	0.11	1.56	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	374	374	0.01	0.01	0.04	378
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	1.28	1.16	0.89	12.6	0.03	0.01	0.15	0.17	0.01	0.05	0.06	—	3,033	3,033	0.12	0.09	0.34	3,062
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.15	0.14	0.11	1.54	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	327	327	0.01	0.01	0.60	330
Refrigerated Warehouse-No Rail	0.02	0.02	0.02	0.22	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	45.9	45.9	< 0.005	< 0.005	0.08	46.4

Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.17	0.15	0.12	1.76	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	373	373	0.01	0.01	0.68	377

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	55.8	55.8	0.01	< 0.005	—	56.1
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,695	1,695	0.16	0.02	—	1,704
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrige Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	55.8	55.8	0.01	< 0.005	—	56.1
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,695	1,695	0.16	0.02	—	1,704
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	178	178	0.02	< 0.005	—	179
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	93.6	93.6	0.01	< 0.005	—	94.1
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	9.23	9.23	< 0.005	< 0.005	—	9.29
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	281	281	0.03	< 0.005	—	282

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.45	0.38	< 0.005	0.03	—	0.03	0.03	—	0.03	—	491	491	0.04	< 0.005	—	492
Refrigerated Warehouse-No Rail	0.01	< 0.005	0.07	0.06	< 0.005	0.01	—	0.01	0.01	—	0.01	—	75.6	75.6	0.01	< 0.005	—	75.8
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	566	566	0.05	< 0.005	—	568

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.80	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architectural	—	0.72	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	2.09	1.93	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Total	2.09	8.45	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.80	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.72	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	6.52	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	1.06	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.26	0.24	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Total	0.26	1.43	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00

Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	17.8	61.4	79.3	1.84	0.04	—	138
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	1.98	6.83	8.81	0.20	< 0.005	—	15.4
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Unrefrige Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	20.4	0.00	20.4	2.04	0.00	—	71.4
Refrigera ted Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	2.27	0.00	2.27	0.23	0.00	—	7.93
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrige rated Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigera ted Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,074	1,074
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.56	4.56
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	267	23.5	9.37	71,399	3,878	340	136	1,035,864
Refrigerated Warehouse-No Rail	37.6	3.18	1.27	10,041	546	46.2	18.5	145,674
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	415,727	138,576	13,629

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,123,744	349	0.0330	0.0040	4,625,355
Refrigerated Warehouse-No Rail	591,921	349	0.0330	0.0040	712,190
Parking Lot	58,383	349	0.0330	0.0040	0.00
Other Asphalt Surfaces	0.00	349	0.0330	0.0040	0.00

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	56,263,819	1,048,248
Refrigerated Warehouse-No Rail	6,251,613	116,472
Parking Lot	0.00	0.00
Other Asphalt Surfaces	0.00	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	229	0.00
Refrigerated Warehouse-No Rail	25.4	0.00
Parking Lot	0.00	0.00
Other Asphalt Surfaces	0.00	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0
Refrigerated Warehouse-No Rail	Cold storage	User Defined	150	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A

Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9

Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865

Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2

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Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—

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2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification
Land Use	Total Project Area is 13.08 acres
Operations: Vehicle Data	Trip rates based on information provided in ITE 11th Edition
Operations: Fleet Mix	Passenger Car Mix estimated based on the CalEEMod default fleet mix and the ratio of the vehicle classes (LDA, LDT1, LDT2, MDV, & MCY)
Operations: Refrigerants	As of 1 January 2022, new commercial refrigeration equipment may not use refrigerants with a GWP of 150 or greater.

IE Distribution Center #14 (Truck Operations) Detailed Report

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1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Truck Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.54	8.84	14.1	20.7	0.10	0.38	1.51	1.88	0.38	0.36	0.73	257	15,122	15,379	27.3	1.76	6,540	23,126
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.44	6.90	14.5	8.94	0.10	0.36	1.51	1.87	0.36	0.36	0.71	257	15,077	15,333	27.3	1.76	6,512	23,052
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.57	8.15	11.5	15.2	0.08	0.34	1.10	1.44	0.33	0.26	0.59	257	12,532	12,789	27.1	1.38	6,521	20,397
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.47	1.49	2.10	2.78	0.01	0.06	0.20	0.26	0.06	0.05	0.11	42.5	2,075	2,117	4.48	0.23	1,080	3,377

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Mobile	1.14	0.28	11.1	6.51	0.09	0.15	1.51	1.65	0.14	0.36	0.49	—	9,602	9,602	0.83	1.43	28.2	10,078
Area	2.09	8.40	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	3.54	8.84	14.1	20.7	0.10	0.38	1.51	1.88	0.38	0.36	0.73	257	15,122	15,379	27.3	1.76	6,540	23,126
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.13	0.27	11.6	6.53	0.09	0.15	1.51	1.65	0.14	0.36	0.49	—	9,604	9,604	0.83	1.44	0.73	10,054
Area	—	6.47	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	1.44	6.90	14.5	8.94	0.10	0.36	1.51	1.87	0.36	0.36	0.71	257	15,077	15,333	27.3	1.76	6,512	23,052
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.83	0.20	8.57	4.76	0.06	0.11	1.10	1.21	0.10	0.26	0.36	—	7,027	7,027	0.60	1.05	8.91	7,364
Area	1.43	7.79	0.07	8.05	< 0.005	0.01	—	0.01	0.01	—	0.01	—	33.1	33.1	< 0.005	< 0.005	—	34.1
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	2.57	8.15	11.5	15.2	0.08	0.34	1.10	1.44	0.33	0.26	0.59	257	12,532	12,789	27.1	1.38	6,521	20,397
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.15	0.04	1.56	0.87	0.01	0.02	0.20	0.22	0.02	0.05	0.07	—	1,163	1,163	0.10	0.17	1.47	1,219
Area	0.26	1.42	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.6

Energy	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	838	838	0.08	< 0.005	—	841
Water	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154
Waste	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078
Total	0.47	1.49	2.10	2.78	0.01	0.06	0.20	0.26	0.06	0.05	0.11	42.5	2,075	2,117	4.48	0.23	1,080	3,377

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	1.00	0.24	9.79	5.66	0.08	0.13	0.65	0.77	0.12	0.21	0.33	—	8,521	8,521	0.73	1.28	24.4	8,945
Refrigerated Warehouse-No Rail	0.14	0.05	1.32	0.85	0.01	0.02	0.09	0.11	0.02	0.03	0.05	—	1,080	1,080	0.09	0.15	3.82	1,133
Total	1.14	0.28	11.1	6.51	0.09	0.15	0.74	0.88	0.14	0.24	0.38	—	9,602	9,602	0.83	1.43	28.2	10,078
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehou Rail	0.99	0.23	10.2	5.68	0.08	0.13	0.65	0.77	0.12	0.21	0.33	—	8,523	8,523	0.73	1.28	0.63	8,924
Refrigerated Warehouse-No Rail	0.14	0.04	1.38	0.85	0.01	0.02	0.09	0.11	0.02	0.03	0.05	—	1,081	1,081	0.09	0.16	0.10	1,129
Total	1.13	0.27	11.6	6.53	0.09	0.15	0.74	0.88	0.14	0.24	0.38	—	9,604	9,604	0.83	1.44	0.73	10,054
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.13	0.03	1.38	0.76	0.01	0.02	0.09	0.10	0.02	0.03	0.04	—	1,033	1,033	0.09	0.16	1.28	1,082
Refrigerated Warehouse-No Rail	0.02	0.01	0.19	0.11	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	131	131	0.01	0.02	0.20	137
Total	0.15	0.04	1.56	0.87	0.01	0.02	0.10	0.12	0.02	0.03	0.05	—	1,163	1,163	0.10	0.17	1.47	1,219

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,639	1,639	0.16	0.02	—	1,648
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,639	1,639	0.16	0.02	—	1,648
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	178	178	0.02	< 0.005	—	179
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	93.6	93.6	0.01	< 0.005	—	94.1
Total	—	—	—	—	—	—	—	—	—	—	—	—	271	271	0.03	< 0.005	—	273

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No	0.05	0.02	0.45	0.38	< 0.005	0.03	—	0.03	0.03	—	0.03	—	491	491	0.04	< 0.005	—	492
Refrigerated Warehouse-No Rail	0.01	< 0.005	0.07	0.06	< 0.005	0.01	—	0.01	0.01	—	0.01	—	75.6	75.6	0.01	< 0.005	—	75.8
Total	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	566	566	0.05	< 0.005	—	568

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.79	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	2.09	1.93	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Total	2.09	8.40	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Consumer Products	—	5.79	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	6.47	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	1.06	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.26	0.24	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Total	0.26	1.42	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836

Refrigera Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	17.8	61.4	79.3	1.84	0.04	—	138
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	1.98	6.83	8.81	0.20	< 0.005	—	15.4
Total	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	20.4	0.00	20.4	2.04	0.00	—	71.4

979

Refrigerated	—	—	—	—	—	—	—	—	—	—	—	2.27	0.00	2.27	0.23	0.00	—	7.93
Total	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484

Refrigerated Warehouse-No	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,074	1,074
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.56	4.56
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Remove	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	145	12.7	5.08	38,611	2,893	254	102	772,662
Refrigerated Warehouse-No Rail	21.8	1.84	0.74	5,813	413	34.9	14.0	110,224

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	405,506	135,169	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,123,744	349	0.0330	0.0040	4,625,355
Refrigerated Warehouse-No Rail	591,921	349	0.0330	0.0040	712,190

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	56,263,819	1,048,248
Refrigerated Warehouse-No Rail	6,251,613	116,472

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	229	0.00
Refrigerated Warehouse-No Rail	25.4	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0
Refrigerated Warehouse-No Rail	Cold storage	User Defined	150	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6

Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686

991

Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3

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High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9

993

Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification

Land Use	Total Project Area (without Parking and Other Asphalt Surfaces) is 7.87 acres
Operations: Vehicle Data	Trip rates based on information provided in ITE 11th Edition
Operations: Fleet Mix	Truck Mix based on SCAQMD recommended truck mix
Operations: Refrigerants	As of 1 January 2022, new commercial refrigeration equipment may not use refrigerants with a GWP of 150 or greater.

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APPENDIX 4.3:

CALEEMOD PROJECT LOCALIZED OPERATIONAL EMISSIONS MODEL OUTPUTS

IE Distribution Center #14 (Passenger Car Lcoalized Operations) Detailed Report

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8. User Changes to Default Data

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Passenger Car Lcoalized Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

Parking Lot	299	Space	1.53	0.00	0.00	0.00	—	—
Other Asphalt Surfaces	161	1000sqft	3.68	0.00	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.33	9.51	3.17	16.4	0.02	0.24	0.03	0.27	0.24	0.01	0.25	257	5,718	5,974	26.5	0.35	6,512	13,254
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.18	7.52	3.08	4.95	0.02	0.22	0.03	0.25	0.22	0.01	0.23	257	5,663	5,919	26.5	0.35	6,512	13,198
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.37	8.61	3.09	12.3	0.02	0.23	0.02	0.25	0.23	< 0.005	0.24	257	5,660	5,917	26.5	0.34	6,512	13,194
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.43	1.57	0.56	2.25	< 0.005	0.04	< 0.005	0.05	0.04	< 0.005	0.04	42.5	937	980	4.39	0.06	1,078	2,184

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.92	0.90	0.20	2.28	< 0.005	< 0.005	0.03	0.03	< 0.005	0.01	0.01	—	141	141	0.05	0.02	0.36	150
Area	2.09	8.45	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	3.33	9.51	3.17	16.4	0.02	0.24	0.03	0.27	0.24	0.01	0.25	257	5,718	5,974	26.5	0.35	6,512	13,254
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.87	0.84	0.21	2.55	< 0.005	< 0.005	0.03	0.03	< 0.005	0.01	0.01	—	135	135	0.06	0.02	0.01	143
Area	—	6.52	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	1.18	7.52	3.08	4.95	0.02	0.22	0.03	0.25	0.22	0.01	0.23	257	5,663	5,919	26.5	0.35	6,512	13,198
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.63	0.61	0.16	1.87	< 0.005	< 0.005	0.02	0.03	< 0.005	< 0.005	0.01	—	99.3	99.3	0.04	0.02	0.11	106
Area	1.43	7.84	0.07	8.05	< 0.005	0.01	—	0.01	0.01	—	0.01	—	33.1	33.1	< 0.005	< 0.005	—	34.1
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512

Total	2.37	8.61	3.09	12.3	0.02	0.23	0.02	0.25	0.23	< 0.005	0.24	257	5,660	5,917	26.5	0.34	6,512	13,194
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.11	0.11	0.03	0.34	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	16.4	16.4	0.01	< 0.005	0.02	17.5
Area	0.26	1.43	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Energy	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	847	847	0.08	< 0.005	—	850
Water	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154
Waste	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078
Total	0.43	1.57	0.56	2.25	< 0.005	0.04	< 0.005	0.05	0.04	< 0.005	0.04	42.5	937	980	4.39	0.06	1,078	2,184

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.81	0.79	0.18	2.00	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	—	124	124	0.04	0.02	0.32	131
Refrigerated Warehouse-No Rail	0.11	0.11	0.02	0.28	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	17.4	17.4	0.01	< 0.005	0.04	18.5

Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.92	0.90	0.20	2.28	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	—	141	141	0.05	0.02	0.36	150
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.76	0.74	0.19	2.23	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	—	118	118	0.05	0.02	0.01	126
Refrigerated Warehouse-No Rail	0.11	0.10	0.03	0.31	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	16.6	16.6	0.01	< 0.005	< 0.005	17.7
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.87	0.84	0.21	2.55	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	—	135	135	0.06	0.02	0.01	143
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.10	0.10	0.03	0.30	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	14.4	14.4	0.01	< 0.005	0.02	15.3
Refrigerated Warehouse-No Rail	0.01	0.01	< 0.005	0.04	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.03	2.03	< 0.005	< 0.005	< 0.005	2.16

Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.11	0.11	0.03	0.34	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	16.4	16.4	0.01	< 0.005	0.02	17.5

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	55.8	55.8	0.01	< 0.005	—	56.1
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,695	1,695	0.16	0.02	—	1,704
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrige Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigera ted Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	55.8	55.8	0.01	< 0.005	—	56.1
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,695	1,695	0.16	0.02	—	1,704
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrige rated Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	178	178	0.02	< 0.005	—	179
Refrigera ted Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	93.6	93.6	0.01	< 0.005	—	94.1
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	9.23	9.23	< 0.005	< 0.005	—	9.29
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	281	281	0.03	< 0.005	—	282

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.45	0.38	< 0.005	0.03	—	0.03	0.03	—	0.03	—	491	491	0.04	< 0.005	—	492
Refrigerated Warehouse-No Rail	0.01	< 0.005	0.07	0.06	< 0.005	0.01	—	0.01	0.01	—	0.01	—	75.6	75.6	0.01	< 0.005	—	75.8
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	566	566	0.05	< 0.005	—	568

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.80	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architectural	—	0.72	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	2.09	1.93	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Total	2.09	8.45	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.80	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.72	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	6.52	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	1.06	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.26	0.24	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Total	0.26	1.43	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00

Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	17.8	61.4	79.3	1.84	0.04	—	138
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	1.98	6.83	8.81	0.20	< 0.005	—	15.4
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

1015

Unrefrige Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	20.4	0.00	20.4	2.04	0.00	—	71.4
Refrigera ted Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	2.27	0.00	2.27	0.23	0.00	—	7.93
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrige rated Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigera ted Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,074	1,074
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.56	4.56
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	267	23.5	9.37	71,399	107	9.38	3.75	28,560
Refrigerated Warehouse-No Rail	37.6	3.18	1.27	10,041	15.0	1.27	0.51	4,016
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	415,727	138,576	13,629

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,123,744	349	0.0330	0.0040	4,625,355
Refrigerated Warehouse-No Rail	591,921	349	0.0330	0.0040	712,190
Parking Lot	58,383	349	0.0330	0.0040	0.00
Other Asphalt Surfaces	0.00	349	0.0330	0.0040	0.00

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	56,263,819	1,048,248
Refrigerated Warehouse-No Rail	6,251,613	116,472
Parking Lot	0.00	0.00
Other Asphalt Surfaces	0.00	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	229	0.00
Refrigerated Warehouse-No Rail	25.4	0.00
Parking Lot	0.00	0.00
Other Asphalt Surfaces	0.00	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0
Refrigerated Warehouse-No Rail	Cold storage	User Defined	150	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

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Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A

Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9

Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865

Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2

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Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—

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2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification
Land Use	Total Project Area is 13.08 acres
Operations: Vehicle Data	Trip rates based on information provided in ITE 11th Edition
Operations: Fleet Mix	Passenger Car Mix estimated based on the CalEEMod default fleet mix and the ratio of the vehicle classes (LDA, LDT1, LDT2, MDV, & MCY)
Operations: Refrigerants	As of 1 January 2022, new commercial refrigeration equipment may not use refrigerants with a GWP of 150 or greater.

IE Distribution Center #14 (Truck Localized Operations) Detailed Report

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1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Truck Localized Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.65	8.66	4.78	15.7	0.02	0.24	0.03	0.27	0.24	0.01	0.25	257	5,909	6,165	26.6	0.39	6,512	13,459
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.55	6.72	4.76	3.99	0.02	0.22	0.03	0.25	0.22	0.01	0.23	257	5,863	6,120	26.6	0.39	6,512	13,412
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.92	8.02	4.29	11.6	0.02	0.23	0.02	0.25	0.23	0.01	0.24	257	5,790	6,047	26.6	0.37	6,512	13,334
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.35	1.46	0.78	2.12	< 0.005	0.04	< 0.005	0.05	0.04	< 0.005	0.04	42.5	959	1,001	4.40	0.06	1,078	2,208

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Mobile	0.25	0.10	1.81	1.54	< 0.005	< 0.005	0.03	0.03	< 0.005	0.01	0.01	—	388	388	0.14	0.06	0.57	411
Area	2.09	8.40	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	2.65	8.66	4.78	15.7	0.02	0.24	0.03	0.27	0.24	0.01	0.25	257	5,909	6,165	26.6	0.39	6,512	13,459
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.23	0.09	1.89	1.58	< 0.005	< 0.005	0.03	0.03	< 0.005	0.01	0.01	—	391	391	0.14	0.06	0.01	413
Area	—	6.47	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	0.55	6.72	4.76	3.99	0.02	0.22	0.03	0.25	0.22	0.01	0.23	257	5,863	6,120	26.6	0.39	6,512	13,412
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.18	0.07	1.36	1.14	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	285	285	0.10	0.05	0.18	301
Area	1.43	7.79	0.07	8.05	< 0.005	0.01	—	0.01	0.01	—	0.01	—	33.1	33.1	< 0.005	< 0.005	—	34.1
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	1.92	8.02	4.29	11.6	0.02	0.23	0.02	0.25	0.23	0.01	0.24	257	5,790	6,047	26.6	0.37	6,512	13,334
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.03	0.01	0.25	0.21	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	47.1	47.1	0.02	0.01	0.03	49.9
Area	0.26	1.42	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5

Energy	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	838	838	0.08	< 0.005	—	841
Water	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154
Waste	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078
Total	0.35	1.46	0.78	2.12	< 0.005	0.04	< 0.005	0.05	0.04	< 0.005	0.04	42.5	959	1,001	4.40	0.06	1,078	2,208

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.21	0.09	1.61	1.34	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	—	343	343	0.12	0.06	0.49	363
Refrigerated Warehouse-No Rail	0.03	0.02	0.21	0.19	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	44.8	44.8	0.02	0.01	0.08	47.5
Total	0.25	0.10	1.81	1.54	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	—	388	388	0.14	0.06	0.57	411
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehou Rail	0.20	0.08	1.67	1.39	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	—	346	346	0.12	0.06	0.01	365
Refrigerated Warehouse-No Rail	0.03	0.01	0.21	0.20	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	45.1	45.1	0.02	0.01	< 0.005	47.7
Total	0.23	0.09	1.89	1.58	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	—	391	391	0.14	0.06	0.01	413
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.03	0.01	0.22	0.18	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	41.7	41.7	0.01	0.01	0.03	44.1
Refrigerated Warehouse-No Rail	< 0.005	< 0.005	0.03	0.03	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	5.44	5.44	< 0.005	< 0.005	< 0.005	5.76
Total	0.03	0.01	0.25	0.21	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	47.1	47.1	0.02	0.01	0.03	49.9

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,639	1,639	0.16	0.02	—	1,648
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,639	1,639	0.16	0.02	—	1,648
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	178	178	0.02	< 0.005	—	179
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	93.6	93.6	0.01	< 0.005	—	94.1
Total	—	—	—	—	—	—	—	—	—	—	—	—	271	271	0.03	< 0.005	—	273

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No	0.05	0.02	0.45	0.38	< 0.005	0.03	—	0.03	0.03	—	0.03	—	491	491	0.04	< 0.005	—	492
Refrigerated Warehouse-No Rail	0.01	< 0.005	0.07	0.06	< 0.005	0.01	—	0.01	0.01	—	0.01	—	75.6	75.6	0.01	< 0.005	—	75.8
Total	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	566	566	0.05	< 0.005	—	568

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.79	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	2.09	1.93	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Total	2.09	8.40	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Consumer Products	—	5.79	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	6.47	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	1.06	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.26	0.24	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Total	0.26	1.42	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836

Refrigera Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	17.8	61.4	79.3	1.84	0.04	—	138
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	1.98	6.83	8.81	0.20	< 0.005	—	15.4
Total	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	20.4	0.00	20.4	2.04	0.00	—	71.4

Refrigerated	—	—	—	—	—	—	—	—	—	—	—	2.27	0.00	2.27	0.23	0.00	—	7.93
Total	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484

Refrigerated Warehouse-No	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,074	1,074
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.56	4.56
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	**1052**

Remove	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	145	12.7	5.08	38,611	57.8	5.07	2.03	15,444
Refrigerated Warehouse-No Rail	21.8	1.84	0.74	5,813	8.71	0.74	0.29	2,325

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	405,506	135,169	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,123,744	349	0.0330	0.0040	4,625,355
Refrigerated Warehouse-No Rail	591,921	349	0.0330	0.0040	712,190

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	56,263,819	1,048,248
Refrigerated Warehouse-No Rail	6,251,613	116,472

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	229	0.00
Refrigerated Warehouse-No Rail	25.4	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0
Refrigerated Warehouse-No Rail	Cold storage	User Defined	150	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

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The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6

Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686

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Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3

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High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9

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Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification

Land Use	Total Project Area (without Parking and Other Asphalt Surfaces) is 7.87 acres
Operations: Vehicle Data	Trip rates based on information provided in ITE 11th Edition
Operations: Fleet Mix	Truck Mix based on SCAQMD recommended truck mix
Operations: Refrigerants	As of 1 January 2022, new commercial refrigeration equipment may not use refrigerants with a GWP of 150 or greater.

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5355 East Airport Drive

MOBILE SOURCE HEALTH RISK ASSESSMENT

CITY OF ONTARIO

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AUGUST 30, 2022

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LIST OF ABBREVIATED TERMS

(1)	Reference
µg	Microgram
AERMOD	American Meteorological Society/Environmental Protection Agency Regulatory Model
APS	Auxiliary Power System
AQMD	Air Quality Management District
ARB	Air Resources Board
CEQA	California Environmental Quality Act
CPF	Cancer Potency Factor
DPM	Diesel Particulate Matter
EMFAC	Emission Factor Model
EPA	Environmental Protection Agency
HHD	Heavy Heavy-Duty
HI	Hazard Index
HRA	Health Risk Assessment
LHD	Light Heavy-Duty
MATES	Multiple Air Toxics Exposure Study
MEIR	Maximally Exposed Individual Receptor
MEIW	Maximally Exposed Individual Worker
MHD	Medium Heavy-Duty
NAD	North American Datum
OEHHA	Office of Environmental Health Hazard Assessment
PM10	Particulate Matter 10 microns in diameter or less
Project	5355 East Airport Drive
REL	Reference Exposure Level
RM	Recommended Measures
SCAQMD	South Coast Air Quality Management District
SRA	Source Receptor Area
TAC	Toxic Air Contaminant
TA	Traffic Analysis
URF	Unit Risk Factor
UTM	Universal Transverse Mercator
VMT	Vehicle Miles Traveled

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EXECUTIVE SUMMARY

This report evaluates the potential mobile-source emissions health risk impacts associated with the development of the proposed Project. More specifically, this report evaluates potential health risk impacts that could result from exposure to Toxic Air Contaminants (TACs), in this case, diesel particulate matter (DPM) generated by heavy-duty diesel trucks accessing the site. This section summarizes the significance criteria and Project health risks.

The results of the health risk assessment from Project-generated DPM emissions are provided in Table ES-1, ES-2, and ES-3, presented subsequently.

CONSTRUCTION IMPACTS

The land use with the greatest potential exposure to Project construction-source DPM emissions is Location R6 which is located approximately 8,840 feet northwest of the Project site at an existing residence located at 11210 Fourth Street. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R6 is placed at the building façade facing the Project site. At the Maximally Exposed Individual Resident (MEIR), the maximum incremental cancer risk attributable to Project construction-source DPM emissions is estimated at <0.01 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity. All other receptors during construction activity would experience less risk than what is identified for this location. The nearest modeled receptors are illustrated on Exhibit 2-D.

OPERATIONAL IMPACTS

Residential Exposure Scenario:

The residential land use with the greatest potential exposure to Project operational-source DPM emissions is Location R6 which is located approximately 8,840 feet northwest of the Project site at an existing residence located at 11210 Fourth Street. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R6 is placed at the building façade facing the Project site. At the MEIR, the maximum incremental cancer risk attributable to Project operational-source DPM emissions is estimated at <0.01 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled residential receptors are exposed to lesser concentrations and are located at a greater distance from the Project site than the MEIR analyzed herein, and TACs generally dissipates with distance from the source, all other residential receptors in the vicinity of the Project site would be exposed to less emissions and therefore less risk than the MEIR identified herein. As such, the Project will not cause a significant human health or cancer risk to nearby residences. The nearest modeled receptors are illustrated on Exhibit 2-D.

Worker Exposure Scenario[1]*:*

The worker receptor land use with the greatest potential exposure to Project operational-source DPM emissions is Location R5, which represents the adjacent potential worker receptor approximately 58 feet east of the Project site. At the Maximally Exposed Individual Worker (MEIW), the maximum incremental cancer risk impact is 0.25 in one million which is less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled worker receptors are located at a greater distance than the MEIW analyzed herein, and DPM dissipates with distance from the source, all other worker receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project will not cause a significant human health or cancer risk to adjacent workers. The nearest modeled receptors are illustrated on Exhibit 2-D.

School Child Exposure Scenario:

Proximity to sources of toxics is critical to determining the impact. In traffic-related studies, the additional non-cancer health risk attributable to proximity was seen within 1,000 feet and was strongest within 300 feet. California freeway studies show about a 70-percent drop-off in particulate pollution levels at 500 feet. Based on California Air Resources Board (CARB) and SCAQMD emissions and modeling analyses, an 80-percent drop-off in pollutant concentrations is expected at approximately 1,000 feet from a distribution center (1).

The 1,000-foot evaluation distance is supported by research-based findings concerning TAC emission dispersion rates from roadways and large sources showing that emissions diminish substantially between 500 and 1,000 feet from emission sources.

A one-quarter mile radius, or 1,320 feet, is commonly utilized for identifying sensitive receptors, such as schools, that may be impacted by a proposed project. This radius is more robust than, and therefore provides a more health protective scenario for evaluation than the 1,000-foot impact radius identified above.

There are no schools within ¼ mile of the Project site. The nearest school is Chaparral Elementary School, which is located approximately 11,200 feet southeast of the Project site. Because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than ¼ mile from the air pollution source, there would be no significant impacts that would occur to any schools in the vicinity of the Project.

CONSTRUCTION AND OPERATIONAL IMPACTS

The land use with the greatest potential increased cancer risk due to exposure to Project construction-source and operational-source DPM emissions is Location R6. As shown in Table ES-3, at this location, the maximum incremental cancer risk attributable to Project construction and

1 SCAQMD guidance does not require assessment of the potential health risk to on-site workers. Excerpts from the document OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines—The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act) / CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

operational DPM source emissions is estimated at <0.01 in one million, which is less than the threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction and operational activity. All other receptors during construction and operational activity would experience less risk than what is identified for this location. The nearest modeled receptors are illustrated on Exhibit 2-D.

TABLE ES-1: SUMMARY OF CONSTRUCTION CANCER AND NON-CANCER RISKS

Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Exceeds Significance Threshold
0.96 Year Exposure	Maximum Exposed Sensitive Receptor	<0.01	10	NO
Time Period	**Location**	**Maximum Hazard Index**	**Significance Threshold**	**Exceeds Significance Threshold**
Annual Average	Maximum Exposed Sensitive Receptor	≤0.01	1.0	NO

TABLE ES-2: SUMMARY OF OPERATIONAL CANCER AND NON-CANCER RISKS

Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Exceeds Significance Threshold
30 Year Exposure	Maximum Exposed Sensitive Receptor	<0.01	10	NO
25 Year Exposure	Maximum Exposed Worker Receptor	0.25	10	NO
Time Period	**Location**	**Maximum Hazard Index**	**Significance Threshold**	**Exceeds Significance Threshold**
Annual Average	Maximum Exposed Sensitive Receptor	≤0.01	1.0	NO
Annual Average	Maximum Exposed Worker Receptor	≤0.01	1.0	NO

TABLE ES-3: SUMMARY OF CONSTRUCTION AND OPERATIONAL CANCER AND NON-CANCER RISKS

Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Exceeds Significance Threshold
30 Year Exposure	Maximum Exposed Sensitive Receptor	<0.01	10	NO
Time Period	**Location**	**Maximum Hazard Index**	**Significance Threshold**	**Exceeds Significance Threshold**
Annual Average	Maximum Exposed Sensitive Receptor	≤0.01	1.0	NO

1 INTRODUCTION

The South Coast Air Quality Management District (SCAQMD) typically issues a comment letter on the Notice of Preparation of a CEQA Document. Per the SCAQMD's typical comment letter, if a proposed Project is expected to generate/attract diesel trucks, which emit diesel particulate matter (DPM) or other Toxic Air Contaminants (TACs), preparation of a HRA is necessary. This document serves to meet the SCAQMD's request for preparation of an HRA. This HRA has been prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (2) and is comprised of all relevant and appropriate procedures presented by the United States Environmental Protection Agency (U.S. EPA), California EPA and SCAQMD. Cancer risk is expressed in terms of expected incremental incidence per million population. The SCAQMD has established an incidence rate of ten (10) persons per million as the maximum acceptable incremental cancer risk due to TAC exposure from a project such as the proposed Project. This threshold serves to determine whether or not a given project has a potentially significant development-specific and cumulatively considerable impact.

The AQMD has published a report on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (3). In this report the AQMD states (Page D-3):

"…the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.

Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant."

The SCAQMD has also established non-carcinogenic risk parameters for use in HRAs. Non-carcinogenic risks are quantified by calculating a "hazard index," expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A hazard index less of than one (1.0) means that adverse health effects are not expected. In this HRA, non-carcinogenic exposures of less than 1.0 are considered less-than-significant. Both the cancer risk and non-carcinogenic risk thresholds are applied to the nearest sensitive receptors below.

1.1 SITE LOCATION

The proposed Project is located at 5355 East Airport Drive in the City of Ontario as shown on Exhibit 1-A. The Project is located approximately 2.7 miles east of the Ontario International Airport (ONT).

1.2 PROJECT DESCRIPTION

The Project is proposed to consist of a single 270,337-square-feet (sf) industrial building. This analysis assumes up to 27,034-sf high-cube cold storage use (10% of the total industrial building sf) and 243,303-sf of warehouse use (90% of total industrial building). The site plan for the proposed Project is shown on Exhibit 1-B. The Project is anticipated to be developed within a single phase with an Opening Year of 2024. Per the *5355 East Airport Drive Vehicle Miles Traveled Analysis* prepared by Urban Crossroads, Inc., the proposed Project is expected to generate approximately 476 total trips per day (238 vehicles inbound + 238 vehicles outbound) which include 308 total passenger vehicle trips per day (154 passenger vehicles inbound + 154 passenger vehicles outbound) and 168 total truck trips per day (84 trucks inbound + 84 trucks outbound) (4).

EXHIBIT 1-A: LOCATION MAP

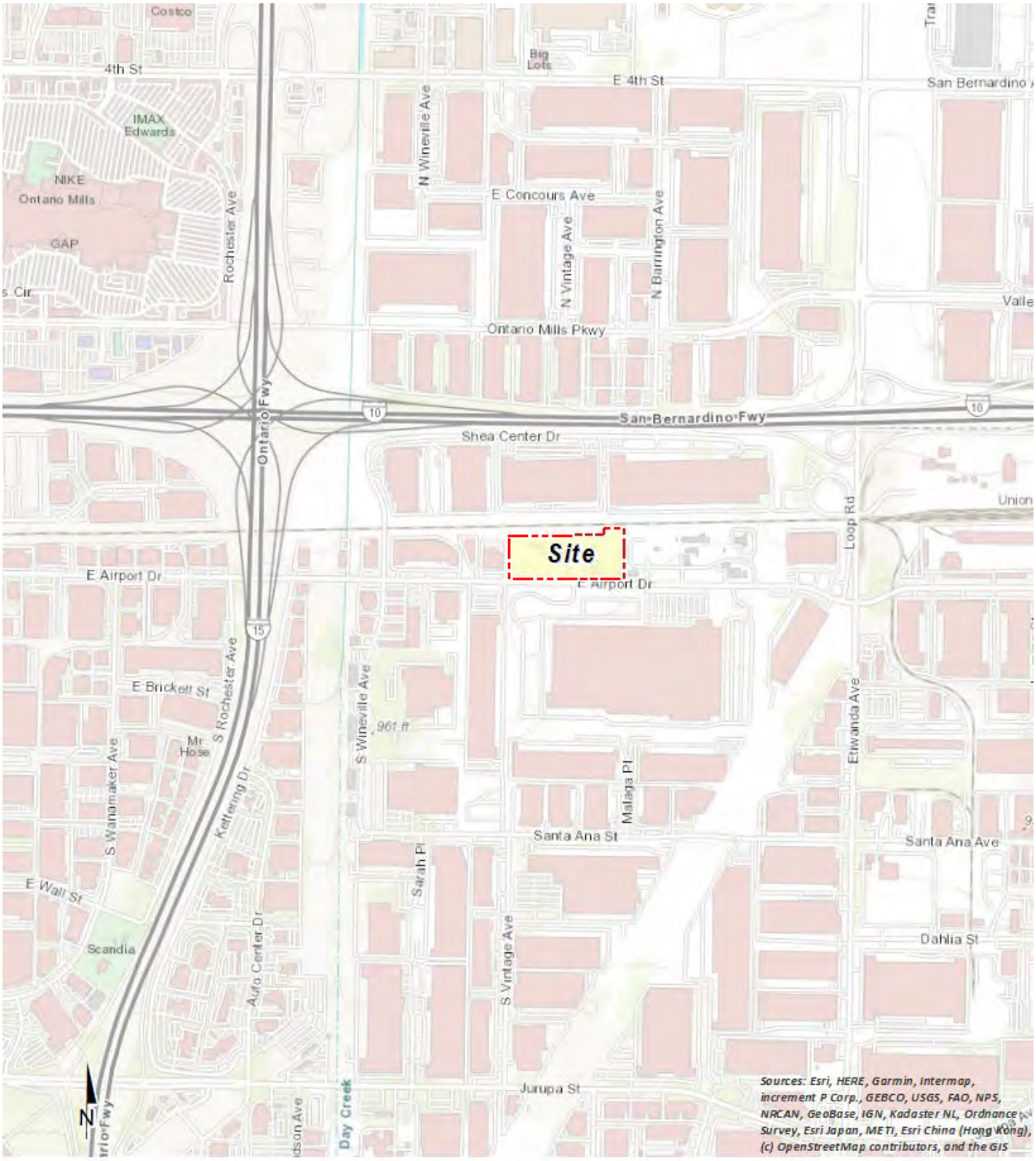
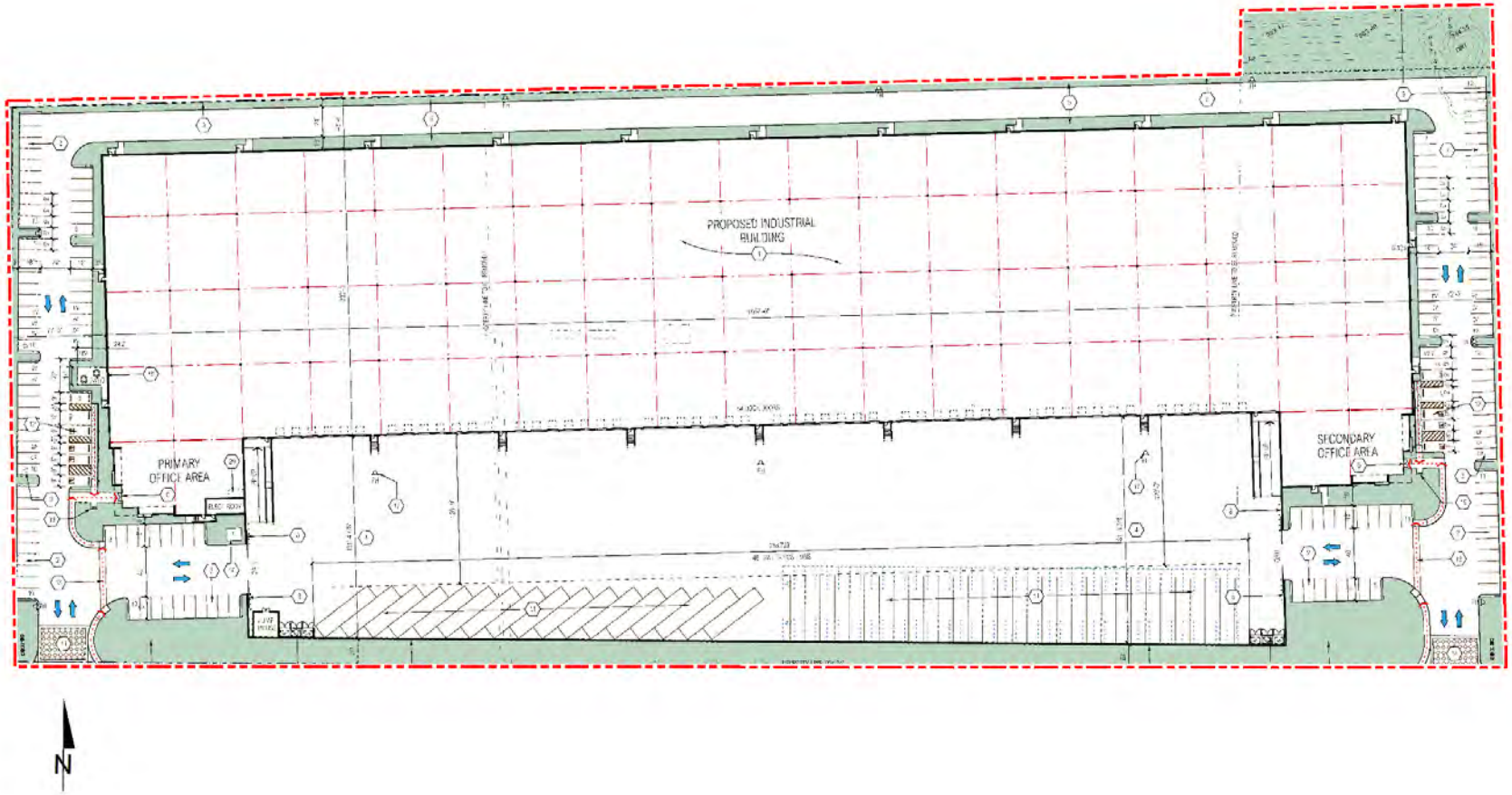


EXHIBIT 1-B: SITE PLAN



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2 BACKGROUND

2.1 BACKGROUND ON RECOMMENDED METHODOLOGY

This HRA is based on SCAQMD guidelines to produce conservative estimates of human health risk posed by exposure to DPM. The conservative nature of this analysis is due primarily to the following factors:

- The ARB-adopted diesel exhaust Unit Risk Factor (URF) of 300 in one million per µg/m3 is based upon the upper 95 percentile of estimated risk for each of the epidemiological studies utilized to develop the URF. Using the 95th percentile URF represents a very conservative (health-protective) risk posed by DPM because it represents breathing rates that are high for the human body (95% higher than the average population).
- The emissions derived assume that every truck accessing the Project site will idle for 15 minutes under the unmitigated scenario, and this is an overestimation of actual idling times and thus conservative.[2] CARB's anti-idling requirements impose a 5-minute maximum idling time and therefore the analysis conservatively overestimates DPM emissions from idling by a factor of 3.

2.2 CONSTRUCTION HEALTH RISK ASSESSMENT

2.2.1 EMISSIONS CALCULATIONS

The emissions calculations for the construction HRA component are based on an assumed mix of construction equipment and hauling activity as presented in the *5355 East Airport Drive Air Quality Impact Analysis* ("technical study") prepared by Urban Crossroads, Inc. (5)

Construction related DPM emissions are expected to occur primarily as a function of heavy-duty construction equipment that would be operating on-site.

As discussed in the technical study, the Project would result in approximately 250 total working-days of construction activity. The construction duration by phase is shown on Table 2-1. A detailed summary of construction equipment assumptions by phase is provided at Table 2-2. The CalEEMod emissions outputs are presented in Appendix 2.1. The modeled emission sources for construction activity are illustrated on Exhibit 2-A.

[2] Although the Project is required to comply with ARB's idling limit of 5 minutes, staff at SCAQMD recommends that the on-site idling emissions should be estimated for 15 minutes of truck idling (personal communication, in person, with Jillian Wong, December 22, 2016), which would take into account on-site idling which occurs while the trucks are waiting to pull up to the truck bays, idling at the bays, idling at check-in and check-out, etc.

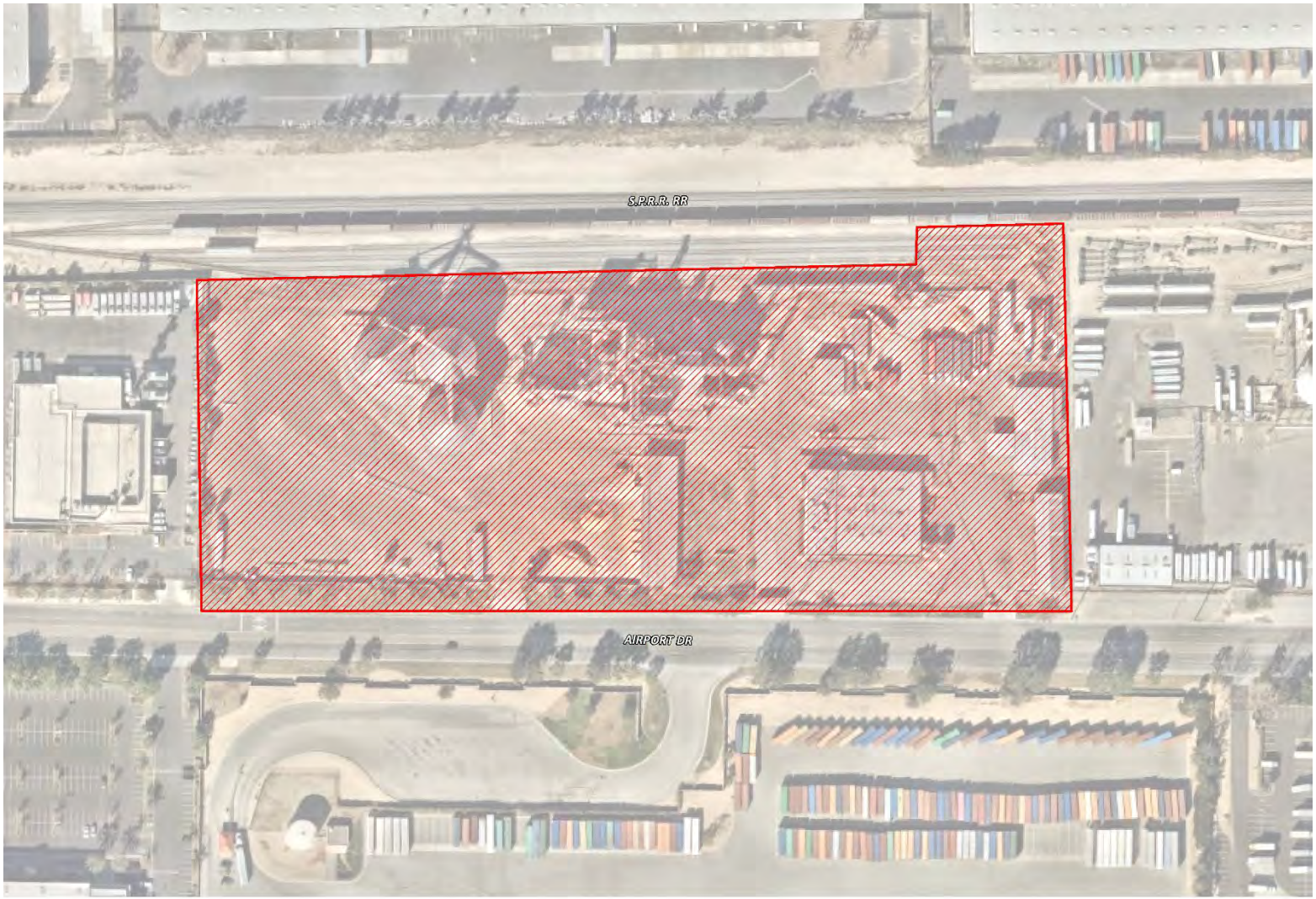
TABLE 2-1: CONSTRUCTION DURATION

Construction Activity	Start Date	End Date	Days
Demolition/Crushing	05/02/2023	07/24/2023	60
Site Preparation	07/25/2023	09/04/2023	30
Grading	07/25/2023	09/04/2023	30
Building Construction	09/05/2023	04/15/2024	160
Paving	02/13/2024	04/15/2024	45
Architectural Coating/Landscaping	03/05/2024	04/15/2024	30

TABLE 2-2: CONSTRUCTION EQUIPMENT ASSUMPTIONS

Construction Activity	Equipment	Amount	Hours Per Day
Demolition/Crushing	Rubber Tired Dozers	2	8
	Excavators	3	8
	Concrete/Industrial Saws	1	8
	Crushing/Proc. Equipment[2]	1	8
Site Preparation	Rubber Tired Dozers	3	8
	Crawler Tractors	4	8
Grading	Graders	1	8
	Excavators	2	8
	Scrapers	2	8
	Rubber Tired Dozers	1	8
	Crawler Tractors	2	8
Building Construction	Forklifts	5	8
	Generator Sets	2	8
	Cranes	2	8
	Welders	2	8
	Crawler Tractors	5	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8

EXHIBIT 2-A: MODELED CONSTRUCTION EMISSION SOURCES



2.3 OPERATIONAL HEALTH RISK ASSESSMENT

2.3.1 ON-SITE AND OFF-SITE TRUCK ACTIVITY

Vehicle DPM emissions were calculated using emission factors for particulate matter less than 10µm in diameter (PM_{10}) generated with the 2021 version of the EMission FACtor model (EMFAC) developed by the CARB. EMFAC 2021 is a mathematical model that CARB developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by the ARB to project changes in future emissions from on-road mobile sources (6). The most recent version of this model, EMFAC 2021, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled (VMT) by speed, and number of starts per day.

Several distinct emission processes are included in EMFAC 2021. Emission factors calculated using EMFAC 2021 are expressed in units of grams per vehicle miles traveled (g/VMT) or grams per idle-hour (g/idle-hr), depending on the emission process. The emission processes and corresponding emission factor units associated with diesel particulate exhaust for this Project are presented below.

For this Project, annual average PM_{10} emission factors were generated by running EMFAC 2021 in EMFAC Mode for vehicles in the San Bernardino County jurisdiction. The EMFAC Mode generates emission factors in terms of grams of pollutant emitted per vehicle activity and can calculate a matrix of emission factors at specific values of temperature, relative humidity, and vehicle speed. The model was run for speeds traveled in the vicinity of the Project. The vehicle travel speeds for each segment modeled are summarized below.

- Idling – on-site loading/unloading and truck gate
- 5 miles per hour – on-site vehicle movement including driving and maneuvering
- 25 miles per hour – off-site vehicle movement including driving and maneuvering.

Calculated emission factors are shown at Table 2-3. As a conservative measure, a 2024 EMFAC 2021 run was conducted and a static 2024 emissions factor data set was used for the entire duration of analysis herein (e.g., 30 years). Use of 2024 emission factors would overstate potential impacts since this approach assumes that emission factors remain “static” and do not change over time due to fleet turnover or cleaner technology with lower emissions that would be incorporated into vehicles after 2024. Additionally, based on EMFAC 2021, Light-Heavy-Duty Trucks are comprised of 51.2% diesel, Medium-Heavy-Duty Trucks are comprised of 91.1% diesel, and Heavy-Heavy-Duty Trucks are comprised of 85.2% diesel. Trucks fueled by diesel are accounted for by these percentages accordingly in the emissions factor generation. Appendix 2.2 includes additional details on the emissions estimates from EMFAC.

The vehicle DPM exhaust emissions were calculated for running exhaust emissions. The running exhaust emissions were calculated by applying the running exhaust PM_{10} emission factor (g/VMT) from EMFAC over the total distance traveled. The following equation was used to estimate off-site emissions for each of the different vehicle classes comprising the mobile sources (7):

$Emissions_{speedA}$ (g/s) = $EF_{RunExhaust}$ (g/VMT) * Distance (VMT/trip) * Number of Trips (trips/day) / seconds per day

Where:

$Emissions_{speedA}$ (g/s): Vehicle emissions at a given speed A;

$EF_{RunExhaust}$ (g/VMT): EMFAC running exhaust PM_{10} emission factor at speed A;

Distance (VMT/trip): Total distance traveled per trip.

Similar to off-site traffic, on-site vehicle running emissions were calculated by applying the running exhaust PM_{10} emission factor (g/VMT) from EMFAC and the total vehicle trip number over the length of the driving path using the same formula presented above for on-site emissions. In addition, on-site vehicle idling exhaust emissions were calculated by applying the idle exhaust PM_{10} emission factor (g/idle-hr) from EMFAC and the total truck trip over the total assumed idle time (15 minutes). The following equation was used to estimate the on-site vehicle idling emissions for each of the different vehicle classes (7):

$Emissions_{idle}$ (g/s) = EF_{idle} (g/hr) * Number of Trips (trips/day) * Idling Time (min/trip) *

60 minutes per hour / seconds per day

Where:

$Emissions_{idle}$ (g/s): Vehicle emissions during idling;

EF_{idle}(g/s): EMFAC idle exhaust PM_{10} emission factor.

TABLE 2-3: 2024 WEIGHTED AVERAGE DPM EMISSIONS FACTORS

Speed	Weighted Average
0 (idling)	0.08568 (g/idle-hr)
5	0.02107 (g/s)
25	0.00889 (g/s)

Each roadway was modeled as a line source (made up of multiple adjacent volume sources). Due to the large number of volume sources modeled for this analysis, the corresponding coordinates of each volume source have not been included in this report but are included in Appendix 2.3. The DPM emission rate for each volume source was calculated by multiplying the emission factor (based on the average travel speed along the roadway) by the number of trips and the distance traveled along each roadway segment and dividing the result by the number of volume sources along that roadway, as illustrated on Table 2-4. The modeled emission sources are illustrated on Exhibit 2-B for on-site sources and Exhibit 2-C for off-site sources. The modeling domain is limited to the Project's primary truck route and includes off-site sources in the study area for more than ¾ mile. This modeling domain is more inclusive and conservative than using only a ¼ mile modeling domain which is the distance supported by several reputable studies which conclude that the greatest potential risks occur within a ¼ mile of the primary source of emissions (1) (in the case of the Project, the primary source of emissions is the on-site idling and on-site travel).

EXHIBIT 2-B: MODELED ON-SITE EMISSION SOURCES

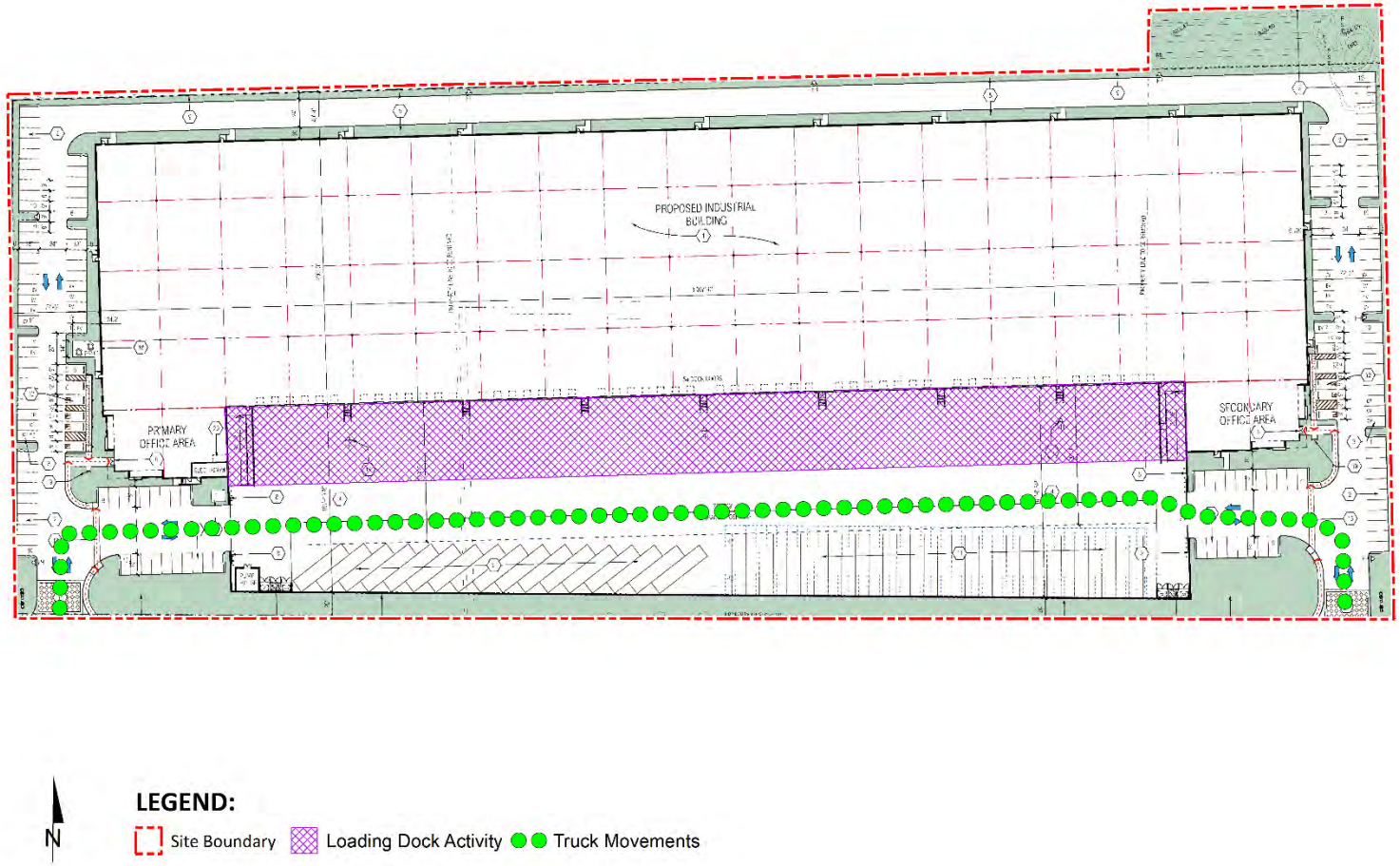


EXHIBIT 2-C: MODELED OFF-SITE EMISSION SOURCES

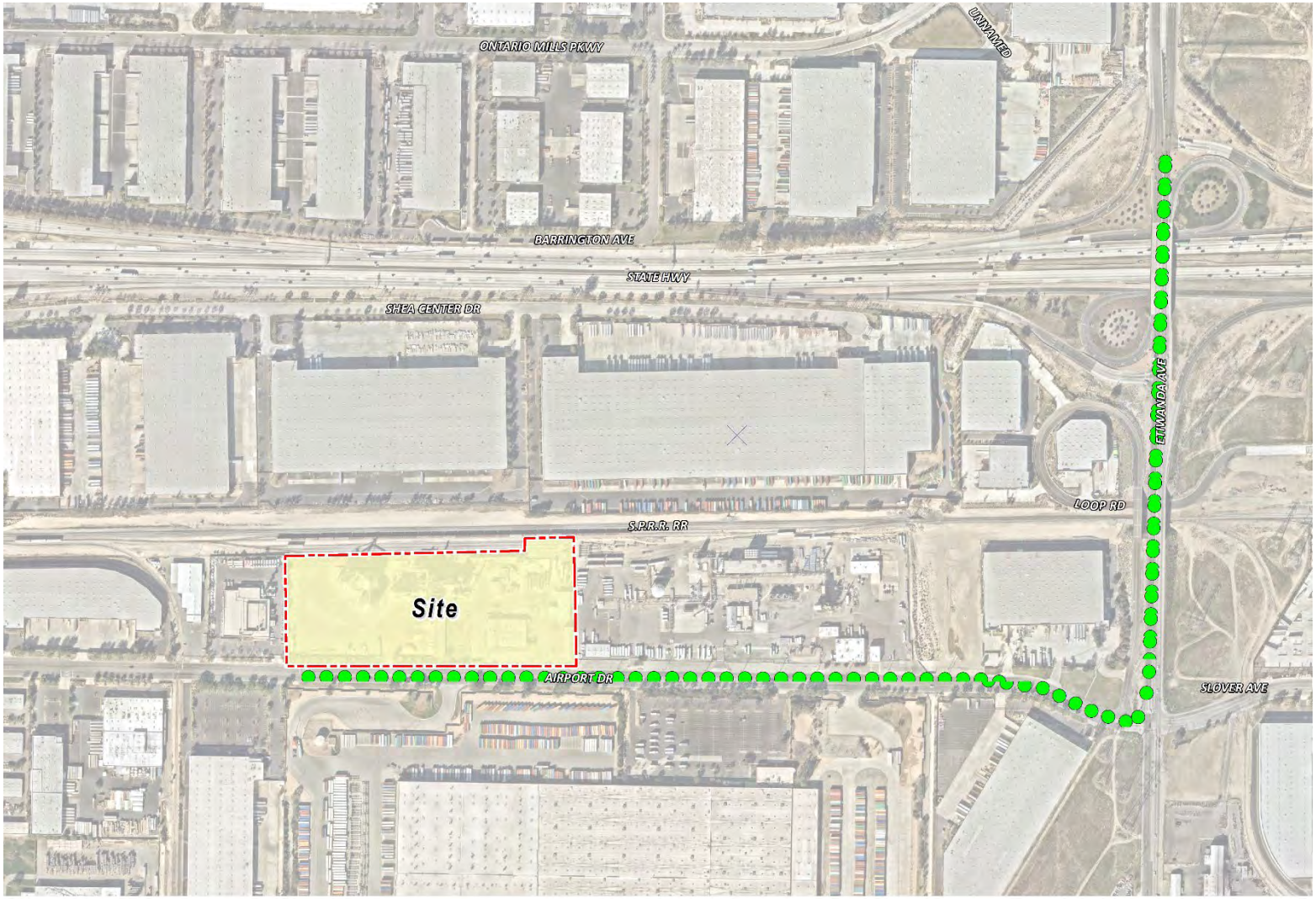


TABLE 2-4: DPM EMISSIONS FROM PROJECT TRUCKS (2024 ANALYSIS YEAR)

Truck Emission Rates						
Source	Trucks Per Day	VMT [a] (miles/day)	Truck Emission Rate [b] (grams/mile)	Truck Emission Rate [b] (grams/idle-hour)	Daily Truck Emissions [c] (grams/day)	Modeled Emission Rates (g/second)
On-Site Idling	84			0.0857	3.90	4.517E-05
On-Site Travel	168	41.19	0.0211		1.28	1.482E-05
Off-Site Travel - E. Airport Dr./S. Etiwanda Ave. 100% Inbound/Outbound	168	193.05	0.0089		2.10	2.434E-05

[a] Vehicle miles traveled are for modeled truck route only.

[b] Emission rates determined using EMFAC 2021. Idle emission rates are expressed in grams per idle hour rather than grams per mile.

[c] This column includes the total truck travel and truck idle emissions. For idle emissions this column includes emissions based on the assumption that each truck idles for 15 minutes.

On-site truck idling was estimated to occur as trucks enter and travel through the Project site. Although the Project's diesel-fueled truck and equipment operators will be required by State law to comply with CARB's idling limit of 5 minutes, SCAQMD recommends that the on-site idling emissions be calculated assuming 15 minutes of truck idling (8), which would take into account on-site idling which occurs while the trucks are waiting to pull up to the truck bays, idling at the bays, idling at check-in and check-out, etc. As such, this analysis calculates truck idling at 15 minutes, consistent with SCAQMD's recommendation.

As summarized in the *5355 East Airport Drive Traffic Analysis*, the proposed Project is expected to generate a total of approximately 476 trip-ends per day with 168 truck trip-ends per day (in actual vehicles) (4).

2.3 EXPOSURE QUANTIFICATION

The analysis herein has been conducted in accordance with the guidelines in the Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (2). SCAQMD recommends using the Environmental Protection Agency's (U.S. EPA's) AERMOD model. For purposes of this analysis, the Lakes AERMOD View (Version 10.2.1) was used to calculate annual average particulate concentrations associated with site operations. Lakes AERMOD View was utilized to incorporate the U.S. EPA's latest AERMOD Version 21112 (9).

The model offers additional flexibility by allowing the user to assign an initial release height and vertical dispersion parameters for mobile sources representative of a roadway. For this HRA, the roadways were modeled as adjacent volume sources. Roadways were modeled using the U.S. EPA's haul route methodology for modeling of on-site and off-site truck movement. More specifically, the Haul Road Volume Source Calculator in Lakes AERMOD View has been utilized to determine the release height parameters. Based on the U.S. EPA methodology, the Project's modeled sources would result in a release height of 3.49 meters, and an initial lateral dimension of 4.0 meters, and an initial vertical dimension of 3.25 meters.

SCAQMD-recommended model parameters are presented in Table 2-5 (10). The model requires additional input parameters including emission data and local meteorology. Meteorological data from the SCAQMD's Ontario Airport monitoring station was used to represent local weather conditions and prevailing winds (10).

TABLE 2-5: AERMOD MODEL PARAMETERS

Dispersion Coefficient (Urban/Rural)	Urban (Population 2,035,210)
Terrain (Flat/Elevated)	Elevated (Regulatory Default)
Averaging Time	1 year (5-year Meteorological Data Set)
Receptor Height	0 meters (Regulatory Default)

Universal Transverse Mercator (UTM) coordinates for World Geodetic System (WGS) 84 were used to locate the Project site boundaries, each volume source location, and receptor locations in the Project site's vicinity. The AERMOD dispersion model summary output files for the

proposed Project are presented in Appendix 2.3. Modeled sensitive receptors were placed at residential and non-residential locations.

Receptors may be placed at applicable structure locations for residential and worker property and not necessarily the boundaries of the properties containing these uses because the human receptors (residents and workers) spend a majority of their time at the residence or in the workplace's building, and not on the property line. It should be noted that the primary purpose of receptor placement is focused on long-term exposure. For example, the HRA evaluates the potential health risks to residents and workers over a period of 30 or 25 years of exposure, respectively. Notwithstanding, as a conservative measure, receptors were placed at either the outdoor living area or the building façade, whichever is closer to the Project site.

For purposes of this HRA, receptors include both residential and non-residential (worker) land uses in the vicinity of the Project. These receptors are included in the HRA since residents and workers may be exposed at these locations over a long-term duration of 30 and 25 years, respectively. This methodology is consistent with SCAQMD and the California Environmental Protection Agency, Office of Environmental Health Hazard Assessment (OEHHA) recommended guidance.

Any impacts to residents or workers located further away from the Project site than the modeled residential and workers would have a lesser impact than what has already been disclosed in the HRA at the MEIR and MEIW because concentrations dissipate with distance.

Consistent with SCAQMD modeling guidance, all receptors were set to existing elevation height so that only ground-level concentrations are analyzed (11). United States Geological Survey (USGS) Digital Elevation Model (DEM) terrain data based on a 7.5-minute topographic quadrangle map series using AERMAP was utilized in the HRA modeling to set elevations (12).

Discrete variants for daily breathing rates, exposure frequency, and exposure duration were obtained from relevant distribution profiles presented in the 2015 OEHHA Guidelines. Tables 2-6 through 2-8 summarize the Exposure Parameters for Residents and Workers based on 2015 OEHHA Guidelines. Appendix 2.4 includes the detailed risk calculation.

TABLE 2-6: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (CONSTRUCTION ACTIVITY)

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
0 to 2	1,090	10	0.96	1.0	260	8

TABLE 2-7: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (30 YEAR RESIDENTIAL)

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	24
0 to 2	1,090	10	2	0.85	350	24
2 to 16	572	3	14	0.72	350	24
16 to 30	261	1	14	0.73	350	24

TABLE 2-8: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (25 YEAR WORKER)

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Exposure Frequency (days/year)	Exposure Time (hours/day)
16 to 41	230	1	25	250	12

2.4 CARCINOGENIC CHEMICAL RISK

The SCAQMD CEQA Air Quality Handbook (1993) states that TAC emissions are considered significant if a HRA shows an increased risk of greater than 10 in one million. Based on guidance from the SCAQMD in the document Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (2), for purposes of this analysis, 10 in one million is used as the cancer risk threshold for the proposed Project.

Excess cancer risks are estimated as the upper-bound incremental probability that an individual will develop cancer over a lifetime as a direct result of exposure to potential carcinogens over a specified exposure duration. The estimated risk is expressed as a unitless probability. The cancer risk attributed to a chemical is calculated by multiplying the chemical intake or dose at the human exchange boundaries (e.g., lungs) by the chemical-specific cancer potency factor (CPF). A risk level of 10 in one million implies a likelihood that up to 10 people, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the levels of toxic air contaminants over a specified duration of time.

Guidance from CARB and OEHHA recommends a refinement to the standard point estimate approach when alternate human body weights and breathing rates are utilized to assess risk for susceptible subpopulations such as children. For the inhalation pathway, the procedure requires the incorporation of several discrete variates to effectively quantify dose. Once determined, contaminant dose is multiplied by the cancer potency factor (CPF) in units of inverse dose expressed in milligrams per kilogram per day (mg/kg/day)-1 to derive the cancer risk estimate. Therefore, to assess exposures, the following dose algorithm was utilized.

$$DOSEair = (Cair \times [BR/BW] \times A \times EF) \times (1 \times 10^{-6})$$

Where:

DOSEair = chronic daily intake (mg/kg/day)

Cair = concentration of contaminant in air (ug/m3)

[BR/BW] = daily breathing rate normalized to body weight (L/kg BW-day)

A = inhalation absorption factor

EF = exposure frequency (days/365 days)

BW = body weight (kg)

1 x 10 -6 = conversion factors (ug to mg, L to m3)

$$RISKair = DOSEair \times CPF \times ED/AT$$

Where:

DOSEair = chronic daily intake (mg/kg/day)

CPF = cancer potency factor

ED = number of years within particular age group

AT = averaging time

2.5 NON-CARCINOGENIC EXPOSURES

An evaluation of the potential noncarcinogenic effects of chronic exposures was also conducted. Adverse health effects are evaluated by comparing a compound's annual concentration with its toxicity factor or Reference Exposure Level (REL). The REL for diesel particulates was obtained from OEHHA for this analysis. The chronic reference exposure level (REL) for DPM was established by OEHHA as 5 $\mu g/m^3$ (13).

The non-cancer hazard index was calculated (consistent with SCAQMD methodology) as follows:

The relationship for the non-cancer health effects of DPM is given by the following equation:

$$HI_{DPM} = C_{DPM}/REL_{DPM}$$

Where:

HI_{DPM} = Hazard Index; an expression of the potential for non-cancer health effects.

C_{DPM} = Annual average DPM concentration ($\mu g/m^3$).

REL_{DPM} = Reference exposure level (REL) for DPM; the DPM concentration at which no adverse health effects are anticipated.

2.6 POTENTIAL PROJECT-RELATED DPM SOURCE CANCER AND NON-CANCER RISKS

CONSTRUCTION IMPACTS

The land use with the greatest potential exposure to Project construction-source DPM emissions is Location R6 which is located approximately 8,840 feet northwest of the Project site at an existing residence located at 11210 Fourth Street. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R6 is placed at the building façade facing the Project site. At the Maximally Exposed Individual Resident (MEIR), the maximum incremental cancer risk attributable to Project construction-source DPM emissions is estimated at <0.01 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity. All other receptors during construction activity would experience less risk than what is identified for this location. The nearest modeled receptors are illustrated on Exhibit 2-D.

OPERATIONAL IMPACTS

Residential Exposure Scenario:

The residential land use with the greatest potential exposure to Project operational-source DPM emissions is Location R6 which is located approximately 8,840 feet northwest of the Project site at an existing residence located at 11210 Fourth Street. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R6 is placed at the building façade facing the Project site. At the MEIR, the maximum incremental cancer risk attributable to Project operational-source DPM emissions is estimated at <0.01 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled residential receptors are exposed to lesser concentrations and are located at a greater distance from the Project site than the MEIR analyzed herein, and TACs generally dissipates with distance from the source, all other residential receptors in the vicinity of the Project site would be exposed to less emissions and therefore less risk than the MEIR identified herein. As such, the Project will not cause a significant human health or cancer risk to nearby residences. The nearest modeled receptors are illustrated on Exhibit 2-D.

Worker Exposure Scenario[3]*:*

The worker receptor land use with the greatest potential exposure to Project operational-source DPM emissions is Location R5, which represents the adjacent potential worker receptor approximately 58 feet east of the Project site. At the Maximally Exposed Individual Worker

3 SCAQMD guidance does not require assessment of the potential health risk to on-site workers. Excerpts from the document OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines—The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act) / CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

(MEIW), the maximum incremental cancer risk impact is 0.25 in one million which is less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled worker receptors are located at a greater distance than the MEIW analyzed herein, and DPM dissipates with distance from the source, all other worker receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project will not cause a significant human health or cancer risk to adjacent workers. The nearest modeled receptors are illustrated on Exhibit 2-D.

School Child Exposure Scenario:

Proximity to sources of toxics is critical to determining the impact. In traffic-related studies, the additional non-cancer health risk attributable to proximity was seen within 1,000 feet and was strongest within 300 feet. California freeway studies show about a 70-percent drop-off in particulate pollution levels at 500 feet. Based on California Air Resources Board (CARB) and SCAQMD emissions and modeling analyses, an 80-percent drop-off in pollutant concentrations is expected at approximately 1,000 feet from a distribution center (1).

The 1,000-foot evaluation distance is supported by research-based findings concerning TAC emission dispersion rates from roadways and large sources showing that emissions diminish substantially between 500 and 1,000 feet from emission sources.

A one-quarter mile radius, or 1,320 feet, is commonly utilized for identifying sensitive receptors, such as schools, that may be impacted by a proposed project. This radius is more robust than, and therefore provides a more health protective scenario for evaluation than the 1,000-foot impact radius identified above.

There are no schools within ¼ mile of the Project site. The nearest school is Chaparral Elementary School, which is located approximately 11,200 feet southeast of the Project site. Because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than ¼ mile from the air pollution source, there would be no significant impacts that would occur to any schools in the vicinity of the Project.

CONSTRUCTION AND OPERATIONAL IMPACTS

The land use with the greatest potential increased cancer risk due to exposure to Project construction-source and operational-source DPM emissions is Location R6. As shown in Table ES-3, at this location, the maximum incremental cancer risk attributable to Project construction and operational DPM source emissions is estimated at <0.01 in one million, which is less than the threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction and operational activity. All other receptors during construction and operational activity would experience less risk than what is identified for this location. The nearest modeled receptors are illustrated on Exhibit 2-D.

EXHIBIT 2-D: RECEPTOR LOCATIONS



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3 REFERENCES

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4 CERTIFICATIONS

The contents of this health risk assessment represent an accurate depiction of the impacts to sensitive receptors associated with the proposed 5355 East Airport Drive Project. The information contained in this health risk assessment report is based on the best available data at the time of preparation. If you have any questions, please contact me at (949) 660-1994.

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PROFESSIONAL AFFILIATIONS

AEP – Association of Environmental Planners
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ASTM – American Society for Testing and Materials

PROFESSIONAL CERTIFICATIONS

Environmental Site Assessment – American Society for Testing and Materials • June 2013
Planned Communities and Urban Infill – Urban Land Institute • June 2011
Indoor Air Quality and Industrial Hygiene – EMSL Analytical • April 2008
Principles of Ambient Air Monitoring – California Air Resources Board • August 2007
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APPENDIX 2.1:

CALEEMOD OUTPUTS

IE Distribution Center #14 (Construction) Detailed Report

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7.1. CalEnviroScreen 4.0 Scores

7.2. Healthy Places Index Scores

7.3. Overall Health & Equity Scores

7.4. Health & Equity Measures

7.5. Evaluation Scorecard

8. User Changes to Default Data

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Construction)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

Parking Lot	299	Space	1.53	0.00	0.00	0.00	—	—
Other Asphalt Surfaces	161	1000sqft	3.68	0.00	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.13	47.2	39.6	71.8	0.13	0.38	9.62	9.95	0.36	4.00	4.32	—	15,836	15,836	0.86	0.60	10.9	16,044
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.08	47.1	30.4	53.5	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,589	9,589	0.43	0.25	0.28	9,674
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.67	4.08	10.5	18.5	0.03	0.13	1.31	1.44	0.12	0.45	0.57	—	3,729	3,729	0.19	0.12	1.43	3,770
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.12	0.74	1.92	3.37	0.01	0.02	0.24	0.26	0.02	0.08	0.10	—	617	617	0.03	0.02	0.24	624

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	2.13	1.77	39.6	71.8	0.13	0.33	9.62	9.95	0.32	4.00	4.32	—	15,836	15,836	0.86	0.60	9.37	16,044
2024	2.12	47.2	30.2	56.6	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,771	9,771	0.43	0.25	10.9	9,867
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	1.65	1.48	21.7	39.8	0.06	0.26	1.70	1.96	0.25	0.41	0.65	—	7,437	7,437	0.35	0.22	0.24	7,510
2024	2.08	47.1	30.4	53.5	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,589	9,589	0.43	0.25	0.28	9,674
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	0.67	0.59	10.5	18.5	0.03	0.13	1.31	1.44	0.12	0.45	0.57	—	3,729	3,729	0.19	0.12	1.43	3,770
2024	0.38	4.08	5.50	9.86	0.01	0.07	0.40	0.46	0.06	0.09	0.16	—	1,790	1,790	0.08	0.05	0.88	1,807
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	0.12	0.11	1.92	3.37	0.01	0.02	0.24	0.26	0.02	0.08	0.10	—	617	617	0.03	0.02	0.24	624
2024	0.07	0.74	1.00	1.80	< 0.005	0.01	0.07	0.08	0.01	0.02	0.03	—	296	296	0.01	0.01	0.14	299

3. Construction Emissions Details

3.1. Demolition (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.54	0.51	12.7	18.7	0.03	0.23	—	0.23	0.22	—	0.22	—	3,529	3,529	0.14	0.03	—	3,541

Demolitio	—	—	—	—	—	—	0.45	0.45	—	0.07	0.07	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.09	0.08	2.09	3.07	0.01	0.04	—	0.04	0.04	—	0.04	—	580	580	0.02	< 0.005	—	582
Demolitio n	—	—	—	—	—	—	0.07	0.07	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.02	0.38	0.56	< 0.005	0.01	—	0.01	0.01	—	0.01	—	96.0	96.0	< 0.005	< 0.005	—	96.4
Demolitio n	—	—	—	—	—	—	0.01	0.01	—	< 0.005	< 0.005	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.10	1.67	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	264	264	0.01	0.01	1.13	268
Vendor	0.04	0.01	0.38	0.20	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	317	317	0.03	0.05	0.87	332
Hauling	0.03	< 0.005	0.27	0.15	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	214	214	0.02	0.03	0.45	226
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Worker	0.02	0.02	0.02	0.22	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	40.4	40.4	< 0.005	< 0.005	0.08	41.0
Vendor	0.01	< 0.005	0.06	0.03	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	52.1	52.1	< 0.005	0.01	0.06	54.6
Hauling	< 0.005	< 0.005	0.05	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	35.2	35.2	< 0.005	0.01	0.03	37.0
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.04	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	6.69	6.69	< 0.005	< 0.005	0.01	6.78
Vendor	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	8.63	8.63	< 0.005	< 0.005	0.01	9.03
Hauling	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	5.84	5.84	< 0.005	< 0.005	0.01	6.13

3.3. Site Preparation (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.68	0.68	15.7	30.0	0.05	0.10	—	0.10	0.10	—	0.10	—	5,530	5,530	0.22	0.04	—	5,549
Dust From Material Movement	—	—	—	—	—	—	5.66	5.66	—	2.69	2.69	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.06	0.06	1.29	2.46	< 0.005	0.01	—	0.01	0.01	—	0.01	—	455	455	0.02	< 0.005	—	456

Dust From Material Movement	—	—	—	—	—	—	0.47	0.47	—	0.22	0.22	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.24	0.45	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	75.2	75.2	< 0.005	< 0.005	—	75.5
Dust From Material Movement	—	—	—	—	—	—	0.08	0.08	—	0.04	0.04	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.10	1.67	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	264	264	0.01	0.01	1.13	268
Vendor	0.02	< 0.005	0.19	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	158	158	0.01	0.02	0.44	166
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.11	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	20.2	20.2	< 0.005	< 0.005	0.04	20.5
Vendor	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	13.0	13.0	< 0.005	< 0.005	0.02	13.6
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	3.34	3.34	< 0.005	< 0.005	0.01	3.39
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.16	2.16	< 0.005	< 0.005	< 0.005	2

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Grading (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.82	0.82	19.9	36.2	0.06	0.18	—	0.18	0.18	—	0.18	—	6,715	6,715	0.27	0.05	—	6,738
Dust From Material Movement	—	—	—	—	—	—	2.67	2.67	—	0.98	0.98	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.07	0.07	1.64	2.97	0.01	0.02	—	0.02	0.01	—	0.01	—	552	552	0.02	< 0.005	—	554
Dust From Material Movement	—	—	—	—	—	—	0.22	0.22	—	0.08	0.08	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.30	0.54	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	91.4	91.4	< 0.005	< 0.005	—	91.7

Dust From Material Movement	—	—	—	—	—	—	0.04	0.04	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.12	0.11	0.11	1.85	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	294	294	0.01	0.01	1.26	298
Vendor	0.02	< 0.005	0.19	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	158	158	0.01	0.02	0.44	166
Hauling	0.37	0.06	3.43	1.91	0.02	0.03	0.20	0.23	0.03	0.07	0.10	—	2,716	2,716	0.31	0.43	5.65	2,857
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.12	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	22.4	22.4	< 0.005	< 0.005	0.04	22.8
Vendor	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	13.0	13.0	< 0.005	< 0.005	0.02	13.6
Hauling	0.03	< 0.005	0.30	0.16	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	223	223	0.03	0.04	0.20	235
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	3.72	3.72	< 0.005	< 0.005	0.01	3.77
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.16	2.16	< 0.005	< 0.005	< 0.005	2.26
Hauling	0.01	< 0.005	0.05	0.03	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	37.0	37.0	< 0.005	0.01	0.03	38.8

3.7. Building Construction (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,128
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,128
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.21	0.20	4.61	7.24	0.01	0.06	—	0.06	0.05	—	0.05	—	1,180	1,180	0.05	0.01	—	1,184
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.04	0.04	0.84	1.32	< 0.005	0.01	—	0.01	0.01	—	0.01	—	195	195	0.01	< 0.005	—	196
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.69	0.63	0.60	10.6	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,675	1,675	0.07	0.06	7.18	1,700
Vendor	0.09	0.02	0.94	0.51	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	792	792	0.07	0.12	2.19	831
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.65	0.59	0.70	7.94	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,534	1,534	0.07	0.06	0.19	1,553
Vendor	0.09	0.02	0.98	0.51	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	793	793	0.07	0.12	0.06	829
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.15	0.13	0.16	1.94	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	359	359	0.02	0.01	0.72	364
Vendor	0.02	< 0.005	0.23	0.12	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	183	183	0.02	0.03	0.22	192
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.03	0.02	0.03	0.35	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	59.5	59.5	< 0.005	< 0.005	0.12	60.3
Vendor	< 0.005	< 0.005	0.04	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	30.3	30.3	< 0.005	< 0.005	0.04	31.7
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.9. Building Construction (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,127
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,127
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.19	0.18	4.14	6.51	0.01	0.05	—	0.05	0.05	—	0.05	—	1,060	1,060	0.04	0.01	—	1,064
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	0.76	1.19	< 0.005	0.01	—	0.01	0.01	—	0.01	—	175	175	0.01	< 0.005	—	176
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.65	0.60	0.55	9.64	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,641	1,641	0.07	0.06	6.56	1,666
Vendor	0.08	0.02	0.90	0.48	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	784	784	0.06	0.12	2.19	822
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.62	0.56	0.65	7.29	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,504	1,504	0.07	0.06	0.17	1,523
Vendor	0.08	0.02	0.94	0.49	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	784	784	0.06	0.12	0.06	821
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.12	0.14	1.59	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	316	316	0.01	0.01	0.59	321
Vendor	0.02	< 0.005	0.20	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	163	163	0.01	0.02	0.20	170

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.29	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	52.4	52.4	< 0.005	< 0.005	0.10	53.1
Vendor	< 0.005	< 0.005	0.04	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	26.9	26.9	< 0.005	< 0.005	0.03	28.2
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.11. Paving (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.23	0.23	7.21	10.6	0.01	0.09	—	0.09	0.08	—	0.08	—	1,512	1,512	0.06	0.01	—	1,517
Paving	—	0.30	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.23	0.23	7.21	10.6	0.01	0.09	—	0.09	0.08	—	0.08	—	1,512	1,512	0.06	0.01	—	1,517
Paving	—	0.30	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	0.89	1.31	< 0.005	0.01	—	0.01	0.01	—	0.01	—	186	186	0.01	< 0.005	—	187
Paving	—	0.04	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.16	0.24	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	30.9	30.9	< 0.005	< 0.005	—	31.0
Paving	—	0.01	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.09	0.08	0.07	1.27	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	216	216	0.01	0.01	0.86	219
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.09	0.96	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	198	198	0.01	0.01	0.02	200
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.12	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	24.7	24.7	< 0.005	< 0.005	0.05	25.1
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	4.10	4.10	< 0.005	< 0.005	0.01	4.15
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.13. Architectural Coating (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	1.43	1.28	< 0.005	0.04	—	0.04	0.04	—	0.04	—	178	178	0.01	< 0.005	—	179
Architectural Coatings	—	44.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	1.43	1.28	< 0.005	0.04	—	0.04	0.04	—	0.04	—	178	178	0.01	< 0.005	—	179
Architectural Coatings	—	44.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.12	0.11	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	14.6	14.6	< 0.005	< 0.005	—	14.7
Architectural Coatings	—	3.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.02	0.02	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	2.42	2.42	< 0.005	< 0.005	—	2.43
Architectural Coatings	—	0.67	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.12	0.11	1.95	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	331	331	0.01	0.01	1.32	336
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.11	0.13	1.47	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	303	303	0.01	0.01	0.03	307
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.13	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	25.3	25.3	< 0.005	< 0.005	0.05	25.7
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	4.19	4.19	< 0.005	< 0.005	0.01	4.25
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

4. Operations Emissions Details

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Demolition	Demolition	5/2/2023	7/24/2023	5.00	60.0	—
Site Preparation	Site Preparation	7/25/2023	9/4/2023	5.00	30.0	—
Grading	Grading	7/25/2023	9/4/2023	5.00	30.0	—
Building Construction	Building Construction	9/5/2023	4/15/2024	5.00	160	—
Paving	Paving	2/13/2024	4/15/2024	5.00	45.0	—
Architectural Coating	Architectural Coating	3/5/2024	4/15/2024	5.00	30.0	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Demolition	Rubber Tired Dozers	Diesel	Tier 4 Interim	2.00	8.00	367	0.40

Demolition	Excavators	Diesel	Tier 4 Interim	3.00	8.00	36.0	0.38
Demolition	Concrete/Industrial Saws	Diesel	Tier 4 Interim	1.00	8.00	33.0	0.73
Site Preparation	Rubber Tired Dozers	Diesel	Tier 4 Interim	3.00	8.00	367	0.40
Grading	Graders	Diesel	Tier 4 Interim	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Grading	Scrapers	Diesel	Tier 4 Interim	2.00	8.00	423	0.48
Grading	Rubber Tired Dozers	Diesel	Tier 4 Interim	1.00	8.00	367	0.40
Building Construction	Forklifts	Diesel	Tier 4 Interim	5.00	8.00	82.0	0.20
Building Construction	Generator Sets	Diesel	Tier 4 Interim	2.00	8.00	14.0	0.74
Building Construction	Cranes	Diesel	Tier 4 Interim	2.00	8.00	367	0.29
Building Construction	Welders	Diesel	Tier 4 Interim	2.00	8.00	46.0	0.45
Paving	Pavers	Diesel	Tier 4 Interim	2.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Tier 4 Interim	2.00	8.00	89.0	0.36
Paving	Rollers	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Tier 4 Interim	1.00	8.00	37.0	0.48
Site Preparation	Crawler Tractors	Diesel	Tier 4 Interim	4.00	8.00	87.0	0.43
Grading	Crawler Tractors	Diesel	Tier 4 Interim	2.00	8.00	87.0	0.43
Building Construction	Crawler Tractors	Diesel	Tier 4 Interim	5.00	8.00	87.0	0.43
Demolition	Generator Sets	Diesel	Tier 4 Interim	1.00	8.00	14.0	0.74

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Demolition	—	—	—	—
Demolition	Worker	18.0	18.5	LDA,LDT1,LDT2
Demolition	Vendor	10.0	10.2	HHDT,MHDT

Demolition	Hauling	3.00	20.0	HHDT
Demolition	Onsite truck	0.00	0.00	HHDT
Site Preparation	—	—	—	—
Site Preparation	Worker	18.0	18.5	LDA,LDT1,LDT2
Site Preparation	Vendor	5.00	10.2	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	0.00	0.00	HHDT
Grading	—	—	—	—
Grading	Worker	20.0	18.5	LDA,LDT1,LDT2
Grading	Vendor	5.00	10.2	HHDT,MHDT
Grading	Hauling	38.0	20.0	HHDT
Grading	Onsite truck	0.00	0.00	HHDT
Building Construction	—	—	—	—
Building Construction	Worker	114	18.5	LDA,LDT1,LDT2
Building Construction	Vendor	25.0	10.2	HHDT,MHDT
Building Construction	Hauling	0.00	20.0	HHDT
Building Construction	Onsite truck	0.00	0.00	HHDT
Paving	—	—	—	—
Paving	Worker	15.0	18.5	LDA,LDT1,LDT2
Paving	Vendor	0.00	10.2	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	0.00	0.00	HHDT
Architectural Coating	—	—	—	—
Architectural Coating	Worker	23.0	18.5	LDA,LDT1,LDT2
Architectural Coating	Vendor	0.00	10.2	HHDT,MHDT
Architectural Coating	Hauling	0.00	20.0	HHDT
Architectural Coating	Onsite truck	0.00	0.00	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	415,727	138,576	13,629

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (Cubic Yards)	Material Exported (Cubic Yards)	Acres Graded (acres)	Material Demolished (Ton of Debris)	Acres Paved (acres)
Demolition	0.00	0.00	0.00	1,922	—
Site Preparation	0.00	0.00	105	0.00	—
Grading	0.00	9,000	120	0.00	—
Paving	0.00	0.00	0.00	0.00	5.21

5.6.2. Construction Earthmoving Control Strategies

Control Strategies Applied	Frequency (per day)	PM10 Reduction	PM2.5 Reduction
Water Exposed Area	3	74%	74%
Water Demolished Area	2	36%	36%

5.7. Construction Paving

Land Use	Area Paved (acres)	% Asphalt

Unrefrigerated Warehouse-No Rail	0.00	0%
Refrigerated Warehouse-No Rail	0.00	0%
Parking Lot	1.53	100%
Other Asphalt Surfaces	3.68	100%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2023	0.00	532	0.03	< 0.005
2024	0.00	532	0.03	< 0.005

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A

Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
	1128

Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

1129

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—

Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5

1131

Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

1132

8. User Changes to Default Data

Screen	Justification
Land Use	Total Project Site is 13.08 acres
Construction: Construction Phases	Construction anticipated to end in April 2024
Construction: Off-Road Equipment	Construction equipment based on equipment needed for other industrial projects within the area
Construction: Trips and VMT	Vendor Trips adjusted based on CalEEMod defaults for Building Construction and number of days for Demolition, Site Preparation, Grading, and Building Construction
Construction: Architectural Coatings	Rule 1113

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APPENDIX 2.2:

EMFAC EMISSIONS SUMMARY

Emissions	Phase	Lb/Day	# Days	Emissions	Avg/Lb Day	Avg/Hourly
	Demolition	0.23	60	13.8	0.23	0.02875
On-Site	Site Preparation	0.10	30	3	0.1	0.0125
Exhaust PM-10	Grading	0.18	30	5.4	0.18	0.0225
	Building Construction	0.25	160	40	0.25	0.03125
	Paving	0.09	45	4.05	0.09	0.01125
	Architectural Coatings	0.04	30	1.2	0.04	0.005
		0.89	250	67.45	0.2698	0.033725
	Demolition	1.00E-02	60	0.6	0.01	0.00125
Off-Site	Site Preparation	5.00E-03	30	0.15	0.005	0.000625
Exhaust PM-10	Grading	3.50E-02	30	1.05	0.035	0.004375
	Building Construction	1.00E-02	160	1.6	0.01	0.00125
	Paving	0.00E+00	45	0	0	0
	Architectural Coatings	0.00E+00	30	0	0	0
		6.00E-02	250	3.4	0.0136	0.0017

Phase	Start Date	End Date	No. Days
Demolition	5/2/2023	7/24/2023	60
Site Preparation	7/25/2023	9/4/2023	30
Grading	7/25/2023	9/4/2023	30
Building Construction	9/5/2023	4/15/2024	160
Paving	2/13/2024	4/15/2024	45
Arch Coatings	3/5/2024	4/15/2024	30
		Total Days of Construction	**250**

AVERAGE EMISSION FACTOR
SAN BERNARDINO COUNTY 2024

Speed	LHD1	LHD2	MHD	HHD
0	0.316954	0.498613	0.051812	0.01310
5	0.039143	0.05572	0.030547	0.01151
25	0.01796	0.026556	0.00817	0.00576

Speed	**Weighted Average Emissions**
0	**0.08568**
5	**0.02107**
25	**0.00889**

Truck Emission Rates						
Source	Trucks Per Day	VMT [a] (miles/day)	Truck Emission Rate [b] (grams/mile)	Truck Emission Rate [b] (grams/idle-hour)	Daily Truck Emissions [c] (grams/day)	Modeled Emission Rates (g/second)
On-Site Idling	84			0.0857	3.90	4.517E-05
On-Site Travel	168	41.19	0.0211		1.28	1.482E-05
Off-Site Travel - E. Airport Dr./S. Etiwanda Ave. 100% Inbound/Outbound	168	193.05	0.0089		2.10	2.434E-05

[a] Vehicle miles traveled are for modeled truck route only.

[b] Emission rates determined using EMFAC 2021. Idle emission rates are expressed in grams per idle hour rather than grams per mile.

[c] This column includes the total truck travel and truck idle emissions. For idle emissions this column includes emissions based on the assumption that each truck idles for 15 minutes.

calendar_y	season_m	sub_area	vehicle_class	fuel	temperatu	relative_hu	process	speed_tim	pollutant	emission_rate
2024	Annual	San Berna	HHDT	Dsl	60	70	RUNEX	5	PM10	0.01351
2024	Annual	San Berna	HHDT	Dsl	60	70	RUNEX	25	PM10	0.006762
2024	Annual	San Berna	LHDT1	Dsl	60	70	RUNEX	5	PM10	0.098223
2024	Annual	San Berna	LHDT1	Dsl	60	70	RUNEX	25	PM10	0.045069
2024	Annual	San Berna	LHDT2	Dsl	60	70	RUNEX	5	PM10	0.089018
2024	Annual	San Berna	LHDT2	Dsl	60	70	RUNEX	25	PM10	0.042425
2024	Annual	San Berna	MHDT	Dsl	60	70	RUNEX	5	PM10	0.033532
2024	Annual	San Berna	MHDT	Dsl	60	70	RUNEX	25	PM10	0.008968

Source: EMFAC2021 (v1.0.2) Emissions Inventory
Region Type: Sub-Area
Region: San Bernardino (SC)
Calendar Year: 2024
Season: Annual
Vehicle Classification: EMFAC2007 Categories
Units: miles/day for CVMT and EVMT, trips/day for Trips, kWh/day for Energy Consumption, tons/day for Emissions, 1000 gallons/day for Fuel Consumption

Region	Calendar `	Vehicle Ca	Model Yea	Speed	Fuel	Population
San Berna	2024	HHDT	Aggregate	Aggregate	Gasoline	5.56599
San Berna	2024	HHDT	Aggregate	Aggregate	Diesel	14232
San Berna	2024	HHDT	Aggregate	Aggregate	Natural Ga	2469.47
San Berna	2024	LHDT1	Aggregate	Aggregate	Gasoline	17179.5
San Berna	2024	LHDT1	Aggregate	Aggregate	Diesel	11382.1
San Berna	2024	LHDT2	Aggregate	Aggregate	Gasoline	2883.7
San Berna	2024	LHDT2	Aggregate	Aggregate	Diesel	4825.53
San Berna	2024	MHDT	Aggregate	Aggregate	Gasoline	1460.6
San Berna	2024	MHDT	Aggregate	Aggregate	Diesel	14946.5
San Berna	2024	MHDT	Aggregate	Aggregate	Natural Ga	195.676

HHDT% GAS/NG	0.14814
HHDT% DSL	0.85186
LHDT1% GAS	0.60149
LHDT1% DSL	0.39851
LHDT2% GAS	0.37406
LHDT2% DSL	0.62594
MHDT% GAS	0.08902
MHDT% DSL	0.91098

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APPENDIX 2.3:

AERMOD MODEL INPUT/OUTPUT

```
**
**************************************
**
** AERMOD Input Produced by:
** AERMOD View Ver. 10.2.1
** Lakes Environmental Software Inc.
** Date: 8/23/2022
** File: C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops\14539 Ops.ADI
**
**************************************
**
**
**************************************
** AERMOD Control Pathway
**************************************
**
**
CO STARTING
   TITLEONE C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops
   MODELOPT DFAULT CONC
   AVERTIME ANNUAL
   URBANOPT 2035210 San_Bernadino_County
   POLLUTID DPM
   RUNORNOT RUN
   ERRORFIL "14539 Ops.err"
CO FINISHED
**
**************************************
** AERMOD Source Pathway
**************************************
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
** ----------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE1
** DESCRSRC Idling
** PREFIX
** Length of Side = 8.59
** Configuration = Adjacent
** Emission Rate = 0.00004517
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 2
** 450584.276, 3769293.332, 298.63, 3.49, 4.00
** 450819.830, 3769300.271, 298.67, 3.49, 4.00
** ----------------------------------------------------------------------
   LOCATION L0000338     VOLUME   450588.570 3769293.458 298.57
   LOCATION L0000339     VOLUME   450597.156 3769293.711 298.58
   LOCATION L0000340     VOLUME   450605.742 3769293.964 298.58
   LOCATION L0000341     VOLUME   450614.328 3769294.217 298.60
   LOCATION L0000342     VOLUME   450622.915 3769294.470 298.64
   LOCATION L0000343     VOLUME   450631.501 3769294.723 298.67
   LOCATION L0000344     VOLUME   450640.087 3769294.976 298.70
   LOCATION L0000345     VOLUME   450648.673 3769295.229 298.70
   LOCATION L0000346     VOLUME   450657.260 3769295.482 298.70
   LOCATION L0000347     VOLUME   450665.846 3769295.735 298.70
   LOCATION L0000348     VOLUME   450674.432 3769295.988 298.70
   LOCATION L0000349     VOLUME   450683.019 3769296.241 298.70
   LOCATION L0000350     VOLUME   450691.605 3769296.494 298.70
   LOCATION L0000351     VOLUME   450700.191 3769296.746 298.70
   LOCATION L0000352     VOLUME   450708.777 3769296.999 298.67
   LOCATION L0000353     VOLUME   450717.364 3769297.252 298.65
   LOCATION L0000354     VOLUME   450725.950 3769297.505 298.62
```

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   LOCATION L0000355     VOLUME   450734.536 3769297.758 298.62
   LOCATION L0000356     VOLUME   450743.122 3769298.011 298.62
   LOCATION L0000357     VOLUME   450751.709 3769298.264 298.62
   LOCATION L0000358     VOLUME   450760.295 3769298.517 298.62
   LOCATION L0000359     VOLUME   450768.881 3769298.770 298.60
   LOCATION L0000360     VOLUME   450777.468 3769299.023 298.59
   LOCATION L0000361     VOLUME   450786.054 3769299.276 298.57
   LOCATION L0000362     VOLUME   450794.640 3769299.529 298.57
   LOCATION L0000363     VOLUME   450803.226 3769299.782 298.57
   LOCATION L0000364     VOLUME   450811.813 3769300.035 298.58
** End of LINE VOLUME Source ID = SLINE1
** ----------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE2
** DESCRSRC Onsite
** PREFIX
** Length of Side = 8.59
** Configuration = Adjacent
** Emission Rate = 0.00001482
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 8
** 450532.053, 3769244.030, 298.41, 3.49, 4.00
** 450532.053, 3769261.560, 298.60, 3.49, 4.00
** 450581.355, 3769261.925, 298.54, 3.49, 4.00
** 450593.772, 3769274.707, 298.44, 3.49, 4.00
** 450781.484, 3769278.359, 298.14, 3.49, 4.00
** 450819.830, 3769274.342, 298.10, 3.49, 4.00
** 450875.340, 3769273.976, 298.68, 3.49, 4.00
** 450876.071, 3769245.856, 298.09, 3.49, 4.00
** ----------------------------------------------------------------
   LOCATION L0000365     VOLUME   450532.053 3769248.325 298.42
   LOCATION L0000366     VOLUME   450532.053 3769256.915 298.51
   LOCATION L0000367     VOLUME   450535.998 3769261.589 298.55
   LOCATION L0000368     VOLUME   450544.588 3769261.652 298.55
   LOCATION L0000369     VOLUME   450553.178 3769261.716 298.55
   LOCATION L0000370     VOLUME   450561.767 3769261.780 298.55
   LOCATION L0000371     VOLUME   450570.357 3769261.843 298.55
   LOCATION L0000372     VOLUME   450578.947 3769261.907 298.55
   LOCATION L0000373     VOLUME   450585.662 3769266.359 298.50
   LOCATION L0000374     VOLUME   450591.648 3769272.520 298.44
   LOCATION L0000375     VOLUME   450599.313 3769274.815 298.41
   LOCATION L0000376     VOLUME   450607.901 3769274.982 298.41
   LOCATION L0000377     VOLUME   450616.489 3769275.149 298.48
   LOCATION L0000378     VOLUME   450625.078 3769275.316 298.56
   LOCATION L0000379     VOLUME   450633.666 3769275.483 298.65
   LOCATION L0000380     VOLUME   450642.254 3769275.650 298.70
   LOCATION L0000381     VOLUME   450650.843 3769275.817 298.70
   LOCATION L0000382     VOLUME   450659.431 3769275.984 298.70
   LOCATION L0000383     VOLUME   450668.020 3769276.151 298.70
   LOCATION L0000384     VOLUME   450676.608 3769276.318 298.70
   LOCATION L0000385     VOLUME   450685.196 3769276.485 298.70
   LOCATION L0000386     VOLUME   450693.785 3769276.652 298.70
   LOCATION L0000387     VOLUME   450702.373 3769276.820 298.68
   LOCATION L0000388     VOLUME   450710.961 3769276.987 298.59
   LOCATION L0000389     VOLUME   450719.550 3769277.154 298.51
   LOCATION L0000390     VOLUME   450728.138 3769277.321 298.42
   LOCATION L0000391     VOLUME   450736.727 3769277.488 298.41
   LOCATION L0000392     VOLUME   450745.315 3769277.655 298.41
   LOCATION L0000393     VOLUME   450753.903 3769277.822 298.41
   LOCATION L0000394     VOLUME   450762.492 3769277.989 298.39
   LOCATION L0000395     VOLUME   450771.080 3769278.156 298.31
   LOCATION L0000396     VOLUME   450779.668 3769278.323 298.23
   LOCATION L0000397     VOLUME   450788.221 3769277.653 298.13
   LOCATION L0000398     VOLUME   450796.764 3769276.758 298.10
   LOCATION L0000399     VOLUME   450805.308 3769275.863 298.10
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   LOCATION L0000400     VOLUME   450813.851 3769274.968 298.11
   LOCATION L0000401     VOLUME   450822.408 3769274.325 298.14
   LOCATION L0000402     VOLUME   450830.998 3769274.268 298.22
   LOCATION L0000403     VOLUME   450839.588 3769274.212 298.29
   LOCATION L0000404     VOLUME   450848.178 3769274.155 298.37
   LOCATION L0000405     VOLUME   450856.767 3769274.099 298.44
   LOCATION L0000406     VOLUME   450865.357 3769274.042 298.52
   LOCATION L0000407     VOLUME   450873.947 3769273.985 298.60
   LOCATION L0000408     VOLUME   450875.527 3769266.782 298.48
   LOCATION L0000409     VOLUME   450875.750 3769258.195 298.32
   LOCATION L0000410     VOLUME   450875.973 3769249.608 298.16
** End of LINE VOLUME Source ID = SLINE2
** ----------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE3
** DESCRSRC Offsite
** PREFIX
** Length of Side = 14.00
** Configuration = Adjacent
** Emission Rate = 0.00002434
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 14
** 450531.488, 3769231.780, 298.42, 3.49, 6.51
** 451458.160, 3769224.475, 296.68, 3.49, 6.51
** 451477.884, 3769223.014, 297.16, 3.49, 6.51
** 451508.566, 3769211.326, 297.73, 3.49, 6.51
** 451579.062, 3769183.931, 297.18, 3.49, 6.51
** 451600.612, 3769178.452, 297.61, 3.49, 6.51
** 451630.198, 3769176.626, 297.58, 3.49, 6.51
** 451633.851, 3769205.116, 298.46, 3.49, 6.51
** 451632.755, 3769377.520, 307.01, 3.49, 6.51
** 451633.851, 3769443.268, 304.95, 3.49, 6.51
** 451634.581, 3769487.099, 305.91, 3.49, 6.51
** 451637.869, 3769611.288, 307.59, 3.49, 6.51
** 451637.869, 3769784.058, 305.17, 3.49, 6.51
** 451642.335, 3769918.705, 307.93, 3.49, 6.51
** ----------------------------------------------------------------------
   LOCATION L0000411     VOLUME   450538.488 3769231.725 298.40
   LOCATION L0000412     VOLUME   450552.488 3769231.615 298.43
   LOCATION L0000413     VOLUME   450566.487 3769231.505 298.57
   LOCATION L0000414     VOLUME   450580.487 3769231.394 298.70
   LOCATION L0000415     VOLUME   450594.486 3769231.284 298.70
   LOCATION L0000416     VOLUME   450608.486 3769231.173 298.70
   LOCATION L0000417     VOLUME   450622.485 3769231.063 298.70
   LOCATION L0000418     VOLUME   450636.485 3769230.953 298.70
   LOCATION L0000419     VOLUME   450650.485 3769230.842 298.70
   LOCATION L0000420     VOLUME   450664.484 3769230.732 298.70
   LOCATION L0000421     VOLUME   450678.484 3769230.622 298.61
   LOCATION L0000422     VOLUME   450692.483 3769230.511 298.47
   LOCATION L0000423     VOLUME   450706.483 3769230.401 298.40
   LOCATION L0000424     VOLUME   450720.482 3769230.291 298.40
   LOCATION L0000425     VOLUME   450734.482 3769230.180 298.40
   LOCATION L0000426     VOLUME   450748.481 3769230.070 298.40
   LOCATION L0000427     VOLUME   450762.481 3769229.959 298.40
   LOCATION L0000428     VOLUME   450776.481 3769229.849 298.40
   LOCATION L0000429     VOLUME   450790.480 3769229.739 298.40
   LOCATION L0000430     VOLUME   450804.480 3769229.628 298.40
   LOCATION L0000431     VOLUME   450818.479 3769229.518 298.40
   LOCATION L0000432     VOLUME   450832.479 3769229.408 298.34
   LOCATION L0000433     VOLUME   450846.478 3769229.297 298.28
   LOCATION L0000434     VOLUME   450860.478 3769229.187 298.08
   LOCATION L0000435     VOLUME   450874.478 3769229.077 297.83
   LOCATION L0000436     VOLUME   450888.477 3769228.966 297.74
   LOCATION L0000437     VOLUME   450902.477 3769228.856 297.74
   LOCATION L0000438     VOLUME   450916.476 3769228.745 297.70
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LOCATION L0000439 VOLUME 450930.476 3769228.635 297.61
LOCATION L0000440 VOLUME 450944.475 3769228.525 297.50
LOCATION L0000441 VOLUME 450958.475 3769228.414 297.36
LOCATION L0000442 VOLUME 450972.475 3769228.304 297.23
LOCATION L0000443 VOLUME 450986.474 3769228.194 297.17
LOCATION L0000444 VOLUME 451000.474 3769228.083 297.11
LOCATION L0000445 VOLUME 451014.473 3769227.973 297.05
LOCATION L0000446 VOLUME 451028.473 3769227.863 297.00
LOCATION L0000447 VOLUME 451042.472 3769227.752 296.91
LOCATION L0000448 VOLUME 451056.472 3769227.642 296.82
LOCATION L0000449 VOLUME 451070.471 3769227.531 296.76
LOCATION L0000450 VOLUME 451084.471 3769227.421 296.70
LOCATION L0000451 VOLUME 451098.471 3769227.311 296.68
LOCATION L0000452 VOLUME 451112.470 3769227.200 296.68
LOCATION L0000453 VOLUME 451126.470 3769227.090 296.63
LOCATION L0000454 VOLUME 451140.469 3769226.980 296.54
LOCATION L0000455 VOLUME 451154.469 3769226.869 296.46
LOCATION L0000456 VOLUME 451168.468 3769226.759 296.41
LOCATION L0000457 VOLUME 451182.468 3769226.649 296.37
LOCATION L0000458 VOLUME 451196.468 3769226.538 296.37
LOCATION L0000459 VOLUME 451210.467 3769226.428 296.36
LOCATION L0000460 VOLUME 451224.467 3769226.317 296.32
LOCATION L0000461 VOLUME 451238.466 3769226.207 296.27
LOCATION L0000462 VOLUME 451252.466 3769226.097 296.18
LOCATION L0000463 VOLUME 451266.465 3769225.986 296.08
LOCATION L0000464 VOLUME 451280.465 3769225.876 295.95
LOCATION L0000465 VOLUME 451294.465 3769225.766 295.80
LOCATION L0000466 VOLUME 451308.464 3769225.655 295.66
LOCATION L0000467 VOLUME 451322.464 3769225.545 295.52
LOCATION L0000468 VOLUME 451336.463 3769225.435 295.51
LOCATION L0000469 VOLUME 451350.463 3769225.324 295.66
LOCATION L0000470 VOLUME 451364.462 3769225.214 295.85
LOCATION L0000471 VOLUME 451378.462 3769225.103 296.13
LOCATION L0000472 VOLUME 451392.461 3769224.993 296.37
LOCATION L0000473 VOLUME 451406.461 3769224.883 296.48
LOCATION L0000474 VOLUME 451420.461 3769224.772 296.58
LOCATION L0000475 VOLUME 451434.460 3769224.662 296.65
LOCATION L0000476 VOLUME 451448.460 3769224.552 296.73
LOCATION L0000477 VOLUME 451462.448 3769224.158 296.96
LOCATION L0000478 VOLUME 451476.409 3769223.123 297.19
LOCATION L0000479 VOLUME 451489.585 3769218.556 297.41
LOCATION L0000480 VOLUME 451502.668 3769213.573 297.56
LOCATION L0000481 VOLUME 451515.732 3769208.541 297.47
LOCATION L0000482 VOLUME 451528.782 3769203.470 297.27
LOCATION L0000483 VOLUME 451541.831 3769198.399 297.11
LOCATION L0000484 VOLUME 451554.880 3769193.328 297.17
LOCATION L0000485 VOLUME 451567.930 3769188.257 297.23
LOCATION L0000486 VOLUME 451581.055 3769183.424 297.30
LOCATION L0000487 VOLUME 451594.624 3769179.975 297.39
LOCATION L0000488 VOLUME 451608.418 3769177.970 297.39
LOCATION L0000489 VOLUME 451622.392 3769177.108 297.39
LOCATION L0000490 VOLUME 451630.984 3769182.754 297.63
LOCATION L0000491 VOLUME 451632.764 3769196.640 298.07
LOCATION L0000492 VOLUME 451633.816 3769210.571 298.48
LOCATION L0000493 VOLUME 451633.727 3769224.571 298.95
LOCATION L0000494 VOLUME 451633.638 3769238.570 299.44
LOCATION L0000495 VOLUME 451633.549 3769252.570 299.94
LOCATION L0000496 VOLUME 451633.460 3769266.570 300.44
LOCATION L0000497 VOLUME 451633.371 3769280.570 301.02
LOCATION L0000498 VOLUME 451633.282 3769294.569 301.79
LOCATION L0000499 VOLUME 451633.193 3769308.569 302.60
LOCATION L0000500 VOLUME 451633.104 3769322.569 303.59
LOCATION L0000501 VOLUME 451633.015 3769336.568 304.59
LOCATION L0000502 VOLUME 451632.926 3769350.568 305.92
LOCATION L0000503 VOLUME 451632.837 3769364.568 307.24
LOCATION L0000504 VOLUME 451632.773 3769378.567 307.33

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   LOCATION L0000505     VOLUME   451633.006 3769392.566 307.21
   LOCATION L0000506     VOLUME   451633.239 3769406.564 306.54
   LOCATION L0000507     VOLUME   451633.472 3769420.562 305.68
   LOCATION L0000508     VOLUME   451633.706 3769434.560 305.17
   LOCATION L0000509     VOLUME   451633.939 3769448.558 304.90
   LOCATION L0000510     VOLUME   451634.172 3769462.556 304.97
   LOCATION L0000511     VOLUME   451634.406 3769476.554 305.44
   LOCATION L0000512     VOLUME   451634.673 3769490.551 305.91
   LOCATION L0000513     VOLUME   451635.043 3769504.546 306.38
   LOCATION L0000514     VOLUME   451635.414 3769518.541 306.72
   LOCATION L0000515     VOLUME   451635.784 3769532.536 306.47
   LOCATION L0000516     VOLUME   451636.155 3769546.532 306.23
   LOCATION L0000517     VOLUME   451636.525 3769560.527 306.34
   LOCATION L0000518     VOLUME   451636.896 3769574.522 306.46
   LOCATION L0000519     VOLUME   451637.266 3769588.517 306.97
   LOCATION L0000520     VOLUME   451637.636 3769602.512 307.53
   LOCATION L0000521     VOLUME   451637.869 3769616.509 307.71
   LOCATION L0000522     VOLUME   451637.869 3769630.509 307.75
   LOCATION L0000523     VOLUME   451637.869 3769644.509 307.23
   LOCATION L0000524     VOLUME   451637.869 3769658.509 306.32
   LOCATION L0000525     VOLUME   451637.869 3769672.509 305.61
   LOCATION L0000526     VOLUME   451637.869 3769686.509 305.13
   LOCATION L0000527     VOLUME   451637.869 3769700.509 304.74
   LOCATION L0000528     VOLUME   451637.869 3769714.509 304.53
   LOCATION L0000529     VOLUME   451637.869 3769728.509 304.39
   LOCATION L0000530     VOLUME   451637.869 3769742.509 304.60
   LOCATION L0000531     VOLUME   451637.869 3769756.509 304.80
   LOCATION L0000532     VOLUME   451637.869 3769770.509 305.06
   LOCATION L0000533     VOLUME   451637.884 3769784.509 305.33
   LOCATION L0000534     VOLUME   451638.348 3769798.501 306.17
   LOCATION L0000535     VOLUME   451638.812 3769812.493 307.08
   LOCATION L0000536     VOLUME   451639.276 3769826.486 307.41
   LOCATION L0000537     VOLUME   451639.740 3769840.478 307.50
   LOCATION L0000538     VOLUME   451640.205 3769854.470 307.84
   LOCATION L0000539     VOLUME   451640.669 3769868.462 308.36
   LOCATION L0000540     VOLUME   451641.133 3769882.455 308.51
   LOCATION L0000541     VOLUME   451641.597 3769896.447 308.19
   LOCATION L0000542     VOLUME   451642.061 3769910.439 307.84
** End of LINE VOLUME Source ID = SLINE3
** Source Parameters **
** LINE VOLUME Source ID = SLINE1
   SRCPARAM L0000338     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000339     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000340     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000341     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000342     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000343     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000344     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000345     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000346     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000347     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000348     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000349     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000350     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000351     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000352     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000353     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000354     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000355     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000356     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000357     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000358     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000359     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000360     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000361     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000362     0.000001673      3.49      4.00      3.25
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   SRCPARAM L0000363     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000364     0.000001673      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME Source ID = SLINE2
   SRCPARAM L0000365     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000366     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000367     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000368     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000369     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000370     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000371     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000372     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000373     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000374     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000375     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000376     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000377     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000378     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000379     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000380     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000381     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000382     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000383     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000384     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000385     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000386     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000387     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000388     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000389     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000390     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000391     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000392     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000393     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000394     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000395     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000396     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000397     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000398     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000399     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000400     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000401     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000402     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000403     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000404     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000405     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000406     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000407     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000408     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000409     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000410     0.0000003222      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME Source ID = SLINE3
   SRCPARAM L0000411     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000412     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000413     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000414     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000415     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000416     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000417     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000418     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000419     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000420     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000421     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000422     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000423     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000424     0.0000001844      3.49      6.51      3.25
```

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SRCPARAM L0000425     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000426     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000427     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000428     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000429     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000430     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000431     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000432     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000433     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000434     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000435     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000436     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000437     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000438     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000439     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000440     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000441     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000442     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000443     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000444     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000445     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000446     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000447     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000448     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000449     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000450     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000451     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000452     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000453     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000454     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000455     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000456     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000457     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000458     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000459     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000460     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000461     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000462     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000463     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000464     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000465     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000466     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000467     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000468     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000469     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000470     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000471     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000472     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000473     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000474     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000475     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000476     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000477     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000478     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000479     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000480     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000481     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000482     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000483     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000484     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000485     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000486     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000487     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000488     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000489     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000490     0.0000001844      3.49      6.51      3.25
```

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   SRCPARAM L0000491     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000492     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000493     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000494     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000495     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000496     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000497     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000498     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000499     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000500     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000501     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000502     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000503     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000504     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000505     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000506     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000507     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000508     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000509     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000510     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000511     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000512     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000513     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000514     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000515     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000516     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000517     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000518     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000519     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000520     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000521     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000522     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000523     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000524     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000525     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000526     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000527     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000528     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000529     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000530     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000531     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000532     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000533     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000534     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000535     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000536     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000537     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000538     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000539     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000540     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000541     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000542     0.0000001844      3.49      6.51      3.25
** ------------------------------------------------------------------
   URBANSRC ALL
   SRCGROUP ALL
SO FINISHED
**
**************************************
** AERMOD Receptor Pathway
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**
**
RE STARTING
   INCLUDED "14539 Ops.rou"
RE FINISHED
**
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**************************************
** AERMOD Meteorology Pathway
**************************************
**
**
ME STARTING
   SURFFILE KONT_V9_ADJU\KONT_v9.SFC
   PROFFILE KONT_V9_ADJU\KONT_v9.PFL
   SURFDATA 3102 2012
   UAIRDATA 3190 2012
   PROFBASE 289.0 METERS
ME FINISHED
**
**************************************
** AERMOD Output Pathway
**************************************
**
**
OU STARTING
** Auto-Generated Plotfiles
   PLOTFILE ANNUAL ALL "14539 Ops.AD\AN00GALL.PLT" 31
   SUMMFILE "14539 Ops.sum"
OU FINISHED
**
**************************************
** Project Parameters
**************************************
** PROJCTN  CoordinateSystemUTM
** DESCPTN  UTM: Universal Transverse Mercator
** DATUM    North American Datum 1983
** DTMRGN   CONUS
** UNITS    m
** ZONE     11
** ZONEINX  0
**
```

```
** Lakes Environmental AERMOD MPI
**
**************************************
**
** AERMOD Input Produced by:
** AERMOD View Ver. 10.2.1
** Lakes Environmental Software Inc.
** Date: 8/23/2022
** File: C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops\14539 Ops.ADI
**
**************************************
**
**
**************************************
** AERMOD Control Pathway
**************************************
**
**
CO STARTING
   TITLEONE C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops
   MODELOPT DFAULT CONC
   AVERTIME ANNUAL
   URBANOPT 2035210 San_Bernadino_County
   POLLUTID DPM
   RUNORNOT RUN
   ERRORFIL "14539 Ops.err"
CO FINISHED
**
**************************************
** AERMOD Source Pathway
**************************************
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
** ------------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE1
** DESCRSRC Idling
** PREFIX
** Length of Side = 8.59
** Configuration = Adjacent
** Emission Rate = 0.00004517
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 2
** 450584.276, 3769293.332, 298.63, 3.49, 4.00
** 450819.830, 3769300.271, 298.67, 3.49, 4.00
** ------------------------------------------------------------------------
   LOCATION L0000338     VOLUME   450588.570 3769293.458 298.57
   LOCATION L0000339     VOLUME   450597.156 3769293.711 298.58
   LOCATION L0000340     VOLUME   450605.742 3769293.964 298.58
   LOCATION L0000341     VOLUME   450614.328 3769294.217 298.60
   LOCATION L0000342     VOLUME   450622.915 3769294.470 298.64
   LOCATION L0000343     VOLUME   450631.501 3769294.723 298.67
   LOCATION L0000344     VOLUME   450640.087 3769294.976 298.70
   LOCATION L0000345     VOLUME   450648.673 3769295.229 298.70
   LOCATION L0000346     VOLUME   450657.260 3769295.482 298.70
   LOCATION L0000347     VOLUME   450665.846 3769295.735 298.70
   LOCATION L0000348     VOLUME   450674.432 3769295.988 298.70
   LOCATION L0000349     VOLUME   450683.019 3769296.241 298.70
   LOCATION L0000350     VOLUME   450691.605 3769296.494 298.70
   LOCATION L0000351     VOLUME   450700.191 3769296.746 298.70
   LOCATION L0000352     VOLUME   450708.777 3769296.999 298.67
   LOCATION L0000353     VOLUME   450717.364 3769297.252 298.65
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   LOCATION L0000354     VOLUME   450725.950 3769297.505 298.62
   LOCATION L0000355     VOLUME   450734.536 3769297.758 298.62
   LOCATION L0000356     VOLUME   450743.122 3769298.011 298.62
   LOCATION L0000357     VOLUME   450751.709 3769298.264 298.62
   LOCATION L0000358     VOLUME   450760.295 3769298.517 298.62
   LOCATION L0000359     VOLUME   450768.881 3769298.770 298.60
   LOCATION L0000360     VOLUME   450777.468 3769299.023 298.59
   LOCATION L0000361     VOLUME   450786.054 3769299.276 298.57
   LOCATION L0000362     VOLUME   450794.640 3769299.529 298.57
   LOCATION L0000363     VOLUME   450803.226 3769299.782 298.57
   LOCATION L0000364     VOLUME   450811.813 3769300.035 298.58
** End of LINE VOLUME Source ID = SLINE1
** ----------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE2
** DESCRSRC Onsite
** PREFIX
** Length of Side = 8.59
** Configuration = Adjacent
** Emission Rate = 0.00001482
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 8
** 450532.053, 3769244.030, 298.41, 3.49, 4.00
** 450532.053, 3769261.560, 298.60, 3.49, 4.00
** 450581.355, 3769261.925, 298.54, 3.49, 4.00
** 450593.772, 3769274.707, 298.44, 3.49, 4.00
** 450781.484, 3769278.359, 298.14, 3.49, 4.00
** 450819.830, 3769274.342, 298.10, 3.49, 4.00
** 450875.340, 3769273.976, 298.68, 3.49, 4.00
** 450876.071, 3769245.856, 298.09, 3.49, 4.00
** ----------------------------------------------------------------------
   LOCATION L0000365     VOLUME   450532.053 3769248.325 298.42
   LOCATION L0000366     VOLUME   450532.053 3769256.915 298.51
   LOCATION L0000367     VOLUME   450535.998 3769261.589 298.55
   LOCATION L0000368     VOLUME   450544.588 3769261.652 298.55
   LOCATION L0000369     VOLUME   450553.178 3769261.716 298.55
   LOCATION L0000370     VOLUME   450561.767 3769261.780 298.55
   LOCATION L0000371     VOLUME   450570.357 3769261.843 298.55
   LOCATION L0000372     VOLUME   450578.947 3769261.907 298.55
   LOCATION L0000373     VOLUME   450585.662 3769266.359 298.50
   LOCATION L0000374     VOLUME   450591.648 3769272.520 298.44
   LOCATION L0000375     VOLUME   450599.313 3769274.815 298.41
   LOCATION L0000376     VOLUME   450607.901 3769274.982 298.41
   LOCATION L0000377     VOLUME   450616.489 3769275.149 298.48
   LOCATION L0000378     VOLUME   450625.078 3769275.316 298.56
   LOCATION L0000379     VOLUME   450633.666 3769275.483 298.65
   LOCATION L0000380     VOLUME   450642.254 3769275.650 298.70
   LOCATION L0000381     VOLUME   450650.843 3769275.817 298.70
   LOCATION L0000382     VOLUME   450659.431 3769275.984 298.70
   LOCATION L0000383     VOLUME   450668.020 3769276.151 298.70
   LOCATION L0000384     VOLUME   450676.608 3769276.318 298.70
   LOCATION L0000385     VOLUME   450685.196 3769276.485 298.70
   LOCATION L0000386     VOLUME   450693.785 3769276.652 298.70
   LOCATION L0000387     VOLUME   450702.373 3769276.820 298.68
   LOCATION L0000388     VOLUME   450710.961 3769276.987 298.59
   LOCATION L0000389     VOLUME   450719.550 3769277.154 298.51
   LOCATION L0000390     VOLUME   450728.138 3769277.321 298.42
   LOCATION L0000391     VOLUME   450736.727 3769277.488 298.41
   LOCATION L0000392     VOLUME   450745.315 3769277.655 298.41
   LOCATION L0000393     VOLUME   450753.903 3769277.822 298.41
   LOCATION L0000394     VOLUME   450762.492 3769277.989 298.39
   LOCATION L0000395     VOLUME   450771.080 3769278.156 298.31
   LOCATION L0000396     VOLUME   450779.668 3769278.323 298.23
   LOCATION L0000397     VOLUME   450788.221 3769277.653 298.13
   LOCATION L0000398     VOLUME   450796.764 3769276.758 298.10
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   LOCATION L0000399     VOLUME   450805.308 3769275.863 298.10
   LOCATION L0000400     VOLUME   450813.851 3769274.968 298.11
   LOCATION L0000401     VOLUME   450822.408 3769274.325 298.14
   LOCATION L0000402     VOLUME   450830.998 3769274.268 298.22
   LOCATION L0000403     VOLUME   450839.588 3769274.212 298.29
   LOCATION L0000404     VOLUME   450848.178 3769274.155 298.37
   LOCATION L0000405     VOLUME   450856.767 3769274.099 298.44
   LOCATION L0000406     VOLUME   450865.357 3769274.042 298.52
   LOCATION L0000407     VOLUME   450873.947 3769273.985 298.60
   LOCATION L0000408     VOLUME   450875.527 3769266.782 298.48
   LOCATION L0000409     VOLUME   450875.750 3769258.195 298.32
   LOCATION L0000410     VOLUME   450875.973 3769249.608 298.16
** End of LINE VOLUME Source ID = SLINE2
** ----------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE3
** DESCRSRC Offsite
** PREFIX
** Length of Side = 14.00
** Configuration = Adjacent
** Emission Rate = 0.00002434
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 14
** 450531.488, 3769231.780, 298.42, 3.49, 6.51
** 451458.160, 3769224.475, 296.68, 3.49, 6.51
** 451477.884, 3769223.014, 297.16, 3.49, 6.51
** 451508.566, 3769211.326, 297.73, 3.49, 6.51
** 451579.062, 3769183.931, 297.18, 3.49, 6.51
** 451600.612, 3769178.452, 297.61, 3.49, 6.51
** 451630.198, 3769176.626, 297.58, 3.49, 6.51
** 451633.851, 3769205.116, 298.46, 3.49, 6.51
** 451632.755, 3769377.520, 307.01, 3.49, 6.51
** 451633.851, 3769443.268, 304.95, 3.49, 6.51
** 451634.581, 3769487.099, 305.91, 3.49, 6.51
** 451637.869, 3769611.288, 307.59, 3.49, 6.51
** 451637.869, 3769784.058, 305.17, 3.49, 6.51
** 451642.335, 3769918.705, 307.93, 3.49, 6.51
** ----------------------------------------------------------------------
   LOCATION L0000411     VOLUME   450538.488 3769231.725 298.40
   LOCATION L0000412     VOLUME   450552.488 3769231.615 298.43
   LOCATION L0000413     VOLUME   450566.487 3769231.505 298.57
   LOCATION L0000414     VOLUME   450580.487 3769231.394 298.70
   LOCATION L0000415     VOLUME   450594.486 3769231.284 298.70
   LOCATION L0000416     VOLUME   450608.486 3769231.173 298.70
   LOCATION L0000417     VOLUME   450622.485 3769231.063 298.70
   LOCATION L0000418     VOLUME   450636.485 3769230.953 298.70
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LOCATION L0000498     VOLUME   451633.282 3769294.569 301.79
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** Source Parameters **
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   SRCPARAM L0000512     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000513     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000514     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000515     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000516     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000517     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000518     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000519     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000520     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000521     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000522     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000523     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000524     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000525     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000526     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000527     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000528     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000529     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000530     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000531     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000532     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000533     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000534     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000535     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000536     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000537     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000538     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000539     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000540     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000541     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000542     0.0000001844      3.49      6.51      3.25
** ------------------------------------------------------------------
   URBANSRC ALL
   SRCGROUP ALL
SO FINISHED
**
**************************************
** AERMOD Receptor Pathway
**************************************
**
**
RE STARTING
   INCLUDED "14539 Ops.rou"
RE FINISHED
```

```
**
**************************************
** AERMOD Meteorology Pathway
**************************************
**
**
ME STARTING
   SURFFILE KONT_V9_ADJU\KONT_v9.SFC
   PROFFILE KONT_V9_ADJU\KONT_v9.PFL
   SURFDATA 3102 2012
   UAIRDATA 3190 2012
   PROFBASE 289.0 METERS
ME FINISHED
**
**************************************
** AERMOD Output Pathway
**************************************
**
**
OU STARTING
** Auto-Generated Plotfiles
   PLOTFILE ANNUAL ALL "14539 Ops.AD\AN00GALL.PLT" 31
   SUMMFILE "14539 Ops.sum"
OU FINISHED


  *** Message Summary For AERMOD Model Setup ***

  --------- Summary of Total Messages --------

 A Total of            0 Fatal Error Message(s)
 A Total of            2 Warning Message(s)
 A Total of            0 Informational Message(s)


    ******** FATAL ERROR MESSAGES ********
               ***  NONE  ***


    ********   WARNING MESSAGES   ********
 ME W186     540       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used          0.50
 ME W187     540       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

 **********************************
 *** SETUP Finishes Successfully ***
 **********************************

 *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       11:35:02

                      PAGE   1
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                                          ***     MODEL SETUP OPTIONS SUMMARY       ***
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - - - -

 **Model Is Setup For Calculation of Average CONCentration Values.

   --  DEPOSITION LOGIC  --
 **NO GAS DEPOSITION Data Provided.
 **NO PARTICLE DEPOSITION Data Provided.
 **Model Uses NO DRY DEPLETION.  DRYDPLT  =  F
 **Model Uses NO WET DEPLETION.  WETDPLT  =  F
```

```
**Model Uses URBAN Dispersion Algorithm for the SBL for   205 Source(s),
  for Total of    1 Urban Area(s):
  Urban Population =   2035210.0 ;  Urban Roughness Length =  1.000 m

**Model Uses Regulatory DEFAULT Options:
        1. Stack-tip Downwash.
        2. Model Accounts for ELEVated Terrain Effects.
        3. Use Calms Processing Routine.
        4. Use Missing Data Processing Routine.
        5. No Exponential Decay.
        6. Urban Roughness Length of 1.0 Meter Assumed.

**Other Options Specified:
        ADJ_U*   - Use ADJ_U* option for SBL in AERMET
        CCVR_Sub - Meteorological data includes CCVR substitutions
        TEMP_Sub - Meteorological data includes TEMP substitutions

**Model Assumes No FLAGPOLE Receptor Heights.

**The User Specified a Pollutant Type of:  DPM

**Model Calculates ANNUAL Averages Only

**This Run Includes:    205 Source(s);       1 Source Group(s); and      47 Receptor(s)

               with:      0 POINT(s), including
                          0 POINTCAP(s) and      0 POINTHOR(s)
                and:    205 VOLUME source(s)
                and:      0 AREA type source(s)
                and:      0 LINE source(s)
                and:      0 RLINE/RLINEXT source(s)
                and:      0 OPENPIT source(s)
                and:      0 BUOYANT LINE source(s) with a total of     0 line(s)


**Model Set To Continue RUNning After the Setup Testing.

**The AERMET Input Meteorological Data Version Date:  16216

**Output Options Selected:
         Model Outputs Tables of ANNUAL Averages by Receptor
         Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)
         Model Outputs Separate Summary File of High Ranked Values (SUMMFILE Keyword)

**NOTE:  The Following Flags May Appear Following CONC Values:  c for Calm Hours
                                                                m for Missing Hours
                                                                b for Both Calm and Missing
                                                                Hours

**Misc. Inputs:  Base Elev. for Pot. Temp. Profile (m MSL) =   289.00 ;  Decay Coef. =
0.000     ;  Rot. Angle =     0.0
                Emission Units = GRAMS/SEC                                ;  Emission Rate
                Unit Factor =   0.10000E+07
                Output Units   = MICROGRAMS/M**3

**Approximate Storage Requirements of Model =      3.6 MB of RAM.

**Input Runstream File:
aermod.inp
**Output Print File:
aermod.out

**Detailed Error/Message File:   14539
Ops.err
**File for Summary of Results:   14539
```

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC) SCALAR VARY BY	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	
L0000338	0	0.16730E-05	450588.6	3769293.5	298.6	3.49	4.00	3.25	YES
L0000339	0	0.16730E-05	450597.2	3769293.7	298.6	3.49	4.00	3.25	YES
L0000340	0	0.16730E-05	450605.7	3769294.0	298.6	3.49	4.00	3.25	YES
L0000341	0	0.16730E-05	450614.3	3769294.2	298.6	3.49	4.00	3.25	YES
L0000342	0	0.16730E-05	450622.9	3769294.5	298.6	3.49	4.00	3.25	YES
L0000343	0	0.16730E-05	450631.5	3769294.7	298.7	3.49	4.00	3.25	YES
L0000344	0	0.16730E-05	450640.1	3769295.0	298.7	3.49	4.00	3.25	YES
L0000345	0	0.16730E-05	450648.7	3769295.2	298.7	3.49	4.00	3.25	YES
L0000346	0	0.16730E-05	450657.3	3769295.5	298.7	3.49	4.00	3.25	YES
L0000347	0	0.16730E-05	450665.8	3769295.7	298.7	3.49	4.00	3.25	YES
L0000348	0	0.16730E-05	450674.4	3769296.0	298.7	3.49	4.00	3.25	YES
L0000349	0	0.16730E-05	450683.0	3769296.2	298.7	3.49	4.00	3.25	YES
L0000350	0	0.16730E-05	450691.6	3769296.5	298.7	3.49	4.00	3.25	YES
L0000351	0	0.16730E-05	450700.2	3769296.7	298.7	3.49	4.00	3.25	YES
L0000352	0	0.16730E-05	450708.8	3769297.0	298.7	3.49	4.00	3.25	YES
L0000353	0	0.16730E-05	450717.4	3769297.3	298.7	3.49	4.00	3.25	YES
L0000354	0	0.16730E-05	450726.0	3769297.5	298.6	3.49	4.00	3.25	YES
L0000355	0	0.16730E-05	450734.5	3769297.8	298.6	3.49	4.00	3.25	YES
L0000356	0	0.16730E-05	450743.1	3769298.0	298.6	3.49	4.00	3.25	YES
L0000357	0	0.16730E-05	450751.7	3769298.3	298.6	3.49	4.00	3.25	YES
L0000358	0	0.16730E-05	450760.3	3769298.5	298.6	3.49	4.00	3.25	YES
L0000359	0	0.16730E-05	450768.9	3769298.8	298.6	3.49	4.00	3.25	YES
L0000360	0	0.16730E-05	450777.5	3769299.0	298.6	3.49	4.00	3.25	

```
 YES
 L0000361         0   0.16730E-05  450786.1 3769299.3   298.6     3.49     4.00     3.25
 YES
 L0000362         0   0.16730E-05  450794.6 3769299.5   298.6     3.49     4.00     3.25
 YES
 L0000363         0   0.16730E-05  450803.2 3769299.8   298.6     3.49     4.00     3.25
 YES
 L0000364         0   0.16730E-05  450811.8 3769300.0   298.6     3.49     4.00     3.25
 YES
 L0000365         0   0.32220E-06  450532.1 3769248.3   298.4     3.49     4.00     3.25
 YES
 L0000366         0   0.32220E-06  450532.1 3769256.9   298.5     3.49     4.00     3.25
 YES
 L0000367         0   0.32220E-06  450536.0 3769261.6   298.6     3.49     4.00     3.25
 YES
 L0000368         0   0.32220E-06  450544.6 3769261.7   298.6     3.49     4.00     3.25
 YES
 L0000369         0   0.32220E-06  450553.2 3769261.7   298.6     3.49     4.00     3.25
 YES
 L0000370         0   0.32220E-06  450561.8 3769261.8   298.6     3.49     4.00     3.25
 YES
 L0000371         0   0.32220E-06  450570.4 3769261.8   298.6     3.49     4.00     3.25
 YES
 L0000372         0   0.32220E-06  450578.9 3769261.9   298.6     3.49     4.00     3.25
 YES
 L0000373         0   0.32220E-06  450585.7 3769266.4   298.5     3.49     4.00     3.25
 YES
 L0000374         0   0.32220E-06  450591.6 3769272.5   298.4     3.49     4.00     3.25
 YES
 L0000375         0   0.32220E-06  450599.3 3769274.8   298.4     3.49     4.00     3.25
 YES
 L0000376         0   0.32220E-06  450607.9 3769275.0   298.4     3.49     4.00     3.25
 YES
 L0000377         0   0.32220E-06  450616.5 3769275.1   298.5     3.49     4.00     3.25
 YES
FF *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       11:35:02

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE
   SOURCE      PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
     (METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - - -

 L0000378         0   0.32220E-06  450625.1 3769275.3   298.6     3.49     4.00     3.25
 YES
 L0000379         0   0.32220E-06  450633.7 3769275.5   298.7     3.49     4.00     3.25
 YES
 L0000380         0   0.32220E-06  450642.3 3769275.6   298.7     3.49     4.00     3.25
 YES
 L0000381         0   0.32220E-06  450650.8 3769275.8   298.7     3.49     4.00     3.25
 YES
 L0000382         0   0.32220E-06  450659.4 3769276.0   298.7     3.49     4.00     3.25
 YES
 L0000383         0   0.32220E-06  450668.0 3769276.2   298.7     3.49     4.00     3.25
```

YES
L0000384 0 0.32220E-06 450676.6 3769276.3 298.7 3.49 4.00 3.25
YES
L0000385 0 0.32220E-06 450685.2 3769276.5 298.7 3.49 4.00 3.25
YES
L0000386 0 0.32220E-06 450693.8 3769276.7 298.7 3.49 4.00 3.25
YES
L0000387 0 0.32220E-06 450702.4 3769276.8 298.7 3.49 4.00 3.25
YES
L0000388 0 0.32220E-06 450711.0 3769277.0 298.6 3.49 4.00 3.25
YES
L0000389 0 0.32220E-06 450719.5 3769277.2 298.5 3.49 4.00 3.25
YES
L0000390 0 0.32220E-06 450728.1 3769277.3 298.4 3.49 4.00 3.25
YES
L0000391 0 0.32220E-06 450736.7 3769277.5 298.4 3.49 4.00 3.25
YES
L0000392 0 0.32220E-06 450745.3 3769277.7 298.4 3.49 4.00 3.25
YES
L0000393 0 0.32220E-06 450753.9 3769277.8 298.4 3.49 4.00 3.25
YES
L0000394 0 0.32220E-06 450762.5 3769278.0 298.4 3.49 4.00 3.25
YES
L0000395 0 0.32220E-06 450771.1 3769278.2 298.3 3.49 4.00 3.25
YES
L0000396 0 0.32220E-06 450779.7 3769278.3 298.2 3.49 4.00 3.25
YES
L0000397 0 0.32220E-06 450788.2 3769277.7 298.1 3.49 4.00 3.25
YES
L0000398 0 0.32220E-06 450796.8 3769276.8 298.1 3.49 4.00 3.25
YES
L0000399 0 0.32220E-06 450805.3 3769275.9 298.1 3.49 4.00 3.25
YES
L0000400 0 0.32220E-06 450813.9 3769275.0 298.1 3.49 4.00 3.25
YES
L0000401 0 0.32220E-06 450822.4 3769274.3 298.1 3.49 4.00 3.25
YES
L0000402 0 0.32220E-06 450831.0 3769274.3 298.2 3.49 4.00 3.25
YES
L0000403 0 0.32220E-06 450839.6 3769274.2 298.3 3.49 4.00 3.25
YES
L0000404 0 0.32220E-06 450848.2 3769274.2 298.4 3.49 4.00 3.25
YES
L0000405 0 0.32220E-06 450856.8 3769274.1 298.4 3.49 4.00 3.25
YES
L0000406 0 0.32220E-06 450865.4 3769274.0 298.5 3.49 4.00 3.25
YES
L0000407 0 0.32220E-06 450873.9 3769274.0 298.6 3.49 4.00 3.25
YES
L0000408 0 0.32220E-06 450875.5 3769266.8 298.5 3.49 4.00 3.25
YES
L0000409 0 0.32220E-06 450875.8 3769258.2 298.3 3.49 4.00 3.25
YES
L0000410 0 0.32220E-06 450876.0 3769249.6 298.2 3.49 4.00 3.25
YES
L0000411 0 0.18440E-06 450538.5 3769231.7 298.4 3.49 6.51 3.25
YES
L0000412 0 0.18440E-06 450552.5 3769231.6 298.4 3.49 6.51 3.25
YES
L0000413 0 0.18440E-06 450566.5 3769231.5 298.6 3.49 6.51 3.25
YES
L0000414 0 0.18440E-06 450580.5 3769231.4 298.7 3.49 6.51 3.25
YES
L0000415 0 0.18440E-06 450594.5 3769231.3 298.7 3.49 6.51 3.25
YES
L0000416 0 0.18440E-06 450608.5 3769231.2 298.7 3.49 6.51 3.25

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	SCALAR VARY BY
L0000418	0	0.18440E-06	450636.5	3769231.0	298.7	3.49	6.51	3.25	YES
L0000419	0	0.18440E-06	450650.5	3769230.8	298.7	3.49	6.51	3.25	YES
L0000420	0	0.18440E-06	450664.5	3769230.7	298.7	3.49	6.51	3.25	YES
L0000421	0	0.18440E-06	450678.5	3769230.6	298.6	3.49	6.51	3.25	YES
L0000422	0	0.18440E-06	450692.5	3769230.5	298.5	3.49	6.51	3.25	YES
L0000423	0	0.18440E-06	450706.5	3769230.4	298.4	3.49	6.51	3.25	YES
L0000424	0	0.18440E-06	450720.5	3769230.3	298.4	3.49	6.51	3.25	YES
L0000425	0	0.18440E-06	450734.5	3769230.2	298.4	3.49	6.51	3.25	YES
L0000426	0	0.18440E-06	450748.5	3769230.1	298.4	3.49	6.51	3.25	YES
L0000427	0	0.18440E-06	450762.5	3769230.0	298.4	3.49	6.51	3.25	YES
L0000428	0	0.18440E-06	450776.5	3769229.8	298.4	3.49	6.51	3.25	YES
L0000429	0	0.18440E-06	450790.5	3769229.7	298.4	3.49	6.51	3.25	YES
L0000430	0	0.18440E-06	450804.5	3769229.6	298.4	3.49	6.51	3.25	YES
L0000431	0	0.18440E-06	450818.5	3769229.5	298.4	3.49	6.51	3.25	YES
L0000432	0	0.18440E-06	450832.5	3769229.4	298.3	3.49	6.51	3.25	YES
L0000433	0	0.18440E-06	450846.5	3769229.3	298.3	3.49	6.51	3.25	YES
L0000434	0	0.18440E-06	450860.5	3769229.2	298.1	3.49	6.51	3.25	YES
L0000435	0	0.18440E-06	450874.5	3769229.1	297.8	3.49	6.51	3.25	YES
L0000436	0	0.18440E-06	450888.5	3769229.0	297.7	3.49	6.51	3.25	YES
L0000437	0	0.18440E-06	450902.5	3769228.9	297.7	3.49	6.51	3.25	YES
L0000438	0	0.18440E-06	450916.5	3769228.7	297.7	3.49	6.51	3.25	YES
L0000439	0	0.18440E-06	450930.5	3769228.6	297.6	3.49	6.51	3.25	

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 YES
 L0000440         0   0.18440E-06  450944.5 3769228.5   297.5     3.49     6.51     3.25
 YES
 L0000441         0   0.18440E-06  450958.5 3769228.4   297.4     3.49     6.51     3.25
 YES
 L0000442         0   0.18440E-06  450972.5 3769228.3   297.2     3.49     6.51     3.25
 YES
 L0000443         0   0.18440E-06  450986.5 3769228.2   297.2     3.49     6.51     3.25
 YES
 L0000444         0   0.18440E-06  451000.5 3769228.1   297.1     3.49     6.51     3.25
 YES
 L0000445         0   0.18440E-06  451014.5 3769228.0   297.1     3.49     6.51     3.25
 YES
 L0000446         0   0.18440E-06  451028.5 3769227.9   297.0     3.49     6.51     3.25
 YES
 L0000447         0   0.18440E-06  451042.5 3769227.8   296.9     3.49     6.51     3.25
 YES
 L0000448         0   0.18440E-06  451056.5 3769227.6   296.8     3.49     6.51     3.25
 YES
 L0000449         0   0.18440E-06  451070.5 3769227.5   296.8     3.49     6.51     3.25
 YES
 L0000450         0   0.18440E-06  451084.5 3769227.4   296.7     3.49     6.51     3.25
 YES
 L0000451         0   0.18440E-06  451098.5 3769227.3   296.7     3.49     6.51     3.25
 YES
 L0000452         0   0.18440E-06  451112.5 3769227.2   296.7     3.49     6.51     3.25
 YES
 L0000453         0   0.18440E-06  451126.5 3769227.1   296.6     3.49     6.51     3.25
 YES
 L0000454         0   0.18440E-06  451140.5 3769227.0   296.5     3.49     6.51     3.25
 YES
 L0000455         0   0.18440E-06  451154.5 3769226.9   296.5     3.49     6.51     3.25
 YES
 L0000456         0   0.18440E-06  451168.5 3769226.8   296.4     3.49     6.51     3.25
 YES
 L0000457         0   0.18440E-06  451182.5 3769226.6   296.4     3.49     6.51     3.25
 YES
FF *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                  ***       11:35:02

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE
   SOURCE      PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
     (METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - -

 L0000458         0   0.18440E-06  451196.5 3769226.5   296.4     3.49     6.51     3.25
 YES
 L0000459         0   0.18440E-06  451210.5 3769226.4   296.4     3.49     6.51     3.25
 YES
 L0000460         0   0.18440E-06  451224.5 3769226.3   296.3     3.49     6.51     3.25
 YES
 L0000461         0   0.18440E-06  451238.5 3769226.2   296.3     3.49     6.51     3.25
 YES
 L0000462         0   0.18440E-06  451252.5 3769226.1   296.2     3.49     6.51     3.25
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YES
L0000463 0 0.18440E-06 451266.5 3769226.0 296.1 3.49 6.51 3.25
YES
L0000464 0 0.18440E-06 451280.5 3769225.9 295.9 3.49 6.51 3.25
YES
L0000465 0 0.18440E-06 451294.5 3769225.8 295.8 3.49 6.51 3.25
YES
L0000466 0 0.18440E-06 451308.5 3769225.7 295.7 3.49 6.51 3.25
YES
L0000467 0 0.18440E-06 451322.5 3769225.5 295.5 3.49 6.51 3.25
YES
L0000468 0 0.18440E-06 451336.5 3769225.4 295.5 3.49 6.51 3.25
YES
L0000469 0 0.18440E-06 451350.5 3769225.3 295.7 3.49 6.51 3.25
YES
L0000470 0 0.18440E-06 451364.5 3769225.2 295.9 3.49 6.51 3.25
YES
L0000471 0 0.18440E-06 451378.5 3769225.1 296.1 3.49 6.51 3.25
YES
L0000472 0 0.18440E-06 451392.5 3769225.0 296.4 3.49 6.51 3.25
YES
L0000473 0 0.18440E-06 451406.5 3769224.9 296.5 3.49 6.51 3.25
YES
L0000474 0 0.18440E-06 451420.5 3769224.8 296.6 3.49 6.51 3.25
YES
L0000475 0 0.18440E-06 451434.5 3769224.7 296.7 3.49 6.51 3.25
YES
L0000476 0 0.18440E-06 451448.5 3769224.6 296.7 3.49 6.51 3.25
YES
L0000477 0 0.18440E-06 451462.4 3769224.2 297.0 3.49 6.51 3.25
YES
L0000478 0 0.18440E-06 451476.4 3769223.1 297.2 3.49 6.51 3.25
YES
L0000479 0 0.18440E-06 451489.6 3769218.6 297.4 3.49 6.51 3.25
YES
L0000480 0 0.18440E-06 451502.7 3769213.6 297.6 3.49 6.51 3.25
YES
L0000481 0 0.18440E-06 451515.7 3769208.5 297.5 3.49 6.51 3.25
YES
L0000482 0 0.18440E-06 451528.8 3769203.5 297.3 3.49 6.51 3.25
YES
L0000483 0 0.18440E-06 451541.8 3769198.4 297.1 3.49 6.51 3.25
YES
L0000484 0 0.18440E-06 451554.9 3769193.3 297.2 3.49 6.51 3.25
YES
L0000485 0 0.18440E-06 451567.9 3769188.3 297.2 3.49 6.51 3.25
YES
L0000486 0 0.18440E-06 451581.1 3769183.4 297.3 3.49 6.51 3.25
YES
L0000487 0 0.18440E-06 451594.6 3769180.0 297.4 3.49 6.51 3.25
YES
L0000488 0 0.18440E-06 451608.4 3769178.0 297.4 3.49 6.51 3.25
YES
L0000489 0 0.18440E-06 451622.4 3769177.1 297.4 3.49 6.51 3.25
YES
L0000490 0 0.18440E-06 451631.0 3769182.8 297.6 3.49 6.51 3.25
YES
L0000491 0 0.18440E-06 451632.8 3769196.6 298.1 3.49 6.51 3.25
YES
L0000492 0 0.18440E-06 451633.8 3769210.6 298.5 3.49 6.51 3.25
YES
L0000493 0 0.18440E-06 451633.7 3769224.6 298.9 3.49 6.51 3.25
YES
L0000494 0 0.18440E-06 451633.6 3769238.6 299.4 3.49 6.51 3.25
YES
L0000495 0 0.18440E-06 451633.5 3769252.6 299.9 3.49 6.51 3.25

YES
L0000496 0 0.18440E-06 451633.5 3769266.6 300.4 3.49 6.51 3.25
YES
L0000497 0 0.18440E-06 451633.4 3769280.6 301.0 3.49 6.51 3.25
YES
FF *** AERMOD - VERSION 21112 *** *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops *** 08/23/22
*** AERMET - VERSION 16216 ***
*** *** 11:35:02

PAGE 6
*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	SCALAR VARY BY
L0000498	0	0.18440E-06	451633.3	3769294.6	301.8	3.49	6.51	3.25	YES
L0000499	0	0.18440E-06	451633.2	3769308.6	302.6	3.49	6.51	3.25	YES
L0000500	0	0.18440E-06	451633.1	3769322.6	303.6	3.49	6.51	3.25	YES
L0000501	0	0.18440E-06	451633.0	3769336.6	304.6	3.49	6.51	3.25	YES
L0000502	0	0.18440E-06	451632.9	3769350.6	305.9	3.49	6.51	3.25	YES
L0000503	0	0.18440E-06	451632.8	3769364.6	307.2	3.49	6.51	3.25	YES
L0000504	0	0.18440E-06	451632.8	3769378.6	307.3	3.49	6.51	3.25	YES
L0000505	0	0.18440E-06	451633.0	3769392.6	307.2	3.49	6.51	3.25	YES
L0000506	0	0.18440E-06	451633.2	3769406.6	306.5	3.49	6.51	3.25	YES
L0000507	0	0.18440E-06	451633.5	3769420.6	305.7	3.49	6.51	3.25	YES
L0000508	0	0.18440E-06	451633.7	3769434.6	305.2	3.49	6.51	3.25	YES
L0000509	0	0.18440E-06	451633.9	3769448.6	304.9	3.49	6.51	3.25	YES
L0000510	0	0.18440E-06	451634.2	3769462.6	305.0	3.49	6.51	3.25	YES
L0000511	0	0.18440E-06	451634.4	3769476.6	305.4	3.49	6.51	3.25	YES
L0000512	0	0.18440E-06	451634.7	3769490.6	305.9	3.49	6.51	3.25	YES
L0000513	0	0.18440E-06	451635.0	3769504.5	306.4	3.49	6.51	3.25	YES
L0000514	0	0.18440E-06	451635.4	3769518.5	306.7	3.49	6.51	3.25	YES
L0000515	0	0.18440E-06	451635.8	3769532.5	306.5	3.49	6.51	3.25	YES
L0000516	0	0.18440E-06	451636.2	3769546.5	306.2	3.49	6.51	3.25	YES
L0000517	0	0.18440E-06	451636.5	3769560.5	306.3	3.49	6.51	3.25	YES
L0000518	0	0.18440E-06	451636.9	3769574.5	306.5	3.49	6.51	3.25	

```
 YES
 L0000519         0   0.18440E-06  451637.3 3769588.5   307.0     3.49     6.51     3.25
 YES
 L0000520         0   0.18440E-06  451637.6 3769602.5   307.5     3.49     6.51     3.25
 YES
 L0000521         0   0.18440E-06  451637.9 3769616.5   307.7     3.49     6.51     3.25
 YES
 L0000522         0   0.18440E-06  451637.9 3769630.5   307.8     3.49     6.51     3.25
 YES
 L0000523         0   0.18440E-06  451637.9 3769644.5   307.2     3.49     6.51     3.25
 YES
 L0000524         0   0.18440E-06  451637.9 3769658.5   306.3     3.49     6.51     3.25
 YES
 L0000525         0   0.18440E-06  451637.9 3769672.5   305.6     3.49     6.51     3.25
 YES
 L0000526         0   0.18440E-06  451637.9 3769686.5   305.1     3.49     6.51     3.25
 YES
 L0000527         0   0.18440E-06  451637.9 3769700.5   304.7     3.49     6.51     3.25
 YES
 L0000528         0   0.18440E-06  451637.9 3769714.5   304.5     3.49     6.51     3.25
 YES
 L0000529         0   0.18440E-06  451637.9 3769728.5   304.4     3.49     6.51     3.25
 YES
 L0000530         0   0.18440E-06  451637.9 3769742.5   304.6     3.49     6.51     3.25
 YES
 L0000531         0   0.18440E-06  451637.9 3769756.5   304.8     3.49     6.51     3.25
 YES
 L0000532         0   0.18440E-06  451637.9 3769770.5   305.1     3.49     6.51     3.25
 YES
 L0000533         0   0.18440E-06  451637.9 3769784.5   305.3     3.49     6.51     3.25
 YES
 L0000534         0   0.18440E-06  451638.3 3769798.5   306.2     3.49     6.51     3.25
 YES
 L0000535         0   0.18440E-06  451638.8 3769812.5   307.1     3.49     6.51     3.25
 YES
 L0000536         0   0.18440E-06  451639.3 3769826.5   307.4     3.49     6.51     3.25
 YES
 L0000537         0   0.18440E-06  451639.7 3769840.5   307.5     3.49     6.51     3.25
 YES
FF *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       11:35:02

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE
   SOURCE      PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
     (METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - - -

 L0000538         0   0.18440E-06  451640.2 3769854.5   307.8     3.49     6.51     3.25
 YES
 L0000539         0   0.18440E-06  451640.7 3769868.5   308.4     3.49     6.51     3.25
 YES
 L0000540         0   0.18440E-06  451641.1 3769882.5   308.5     3.49     6.51     3.25
 YES
 L0000541         0   0.18440E-06  451641.6 3769896.4   308.2     3.49     6.51     3.25
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*** SOURCE IDs DEFINING SOURCE GROUPS ***

SRCGROUP ID	SOURCE IDs
ALL	L0000338 , L0000339 , L0000340 , L0000341 , L0000342 , L0000343 , L0000344 , L0000345 ,
	L0000346 , L0000347 , L0000348 , L0000349 , L0000350 , L0000351 , L0000352 , L0000353 ,
	L0000354 , L0000355 , L0000356 , L0000357 , L0000358 , L0000359 , L0000360 , L0000361 ,
	L0000362 , L0000363 , L0000364 , L0000365 , L0000366 , L0000367 , L0000368 , L0000369 ,
	L0000370 , L0000371 , L0000372 , L0000373 , L0000374 , L0000375 , L0000376 , L0000377 ,
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L0000490 , L0000491 , L0000492 , L0000493 , L0000494 , L0000495 ,
L0000496 , L0000497 ,

*** SOURCE IDs DEFINING SOURCE GROUPS ***

SRCGROUP ID SOURCE IDs

L0000498 , L0000499 , L0000500 , L0000501 , L0000502 , L0000503 ,
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L0000538 , L0000539 , L0000540 , L0000541 , L0000542 ,

*** SOURCE IDs DEFINED AS URBAN SOURCES ***

URBAN ID URBAN POP SOURCE IDs

2035210. L0000338 , L0000339 , L0000340 , L0000341 , L0000342 ,
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            L0000496    , L0000497    ,
FF *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                  ***       11:35:02

                    PAGE  11
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                      *** SOURCE IDs DEFINED AS URBAN SOURCES ***

  URBAN ID   URBAN POP                                  SOURCE IDs
  --------   ---------                                  ----------
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```
           L0000498    , L0000499    , L0000500    , L0000501    , L0000502    , L0000503    ,
           L0000504    , L0000505    ,

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           L0000528    , L0000529    ,

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           L0000536    , L0000537    ,

           L0000538    , L0000539    , L0000540    , L0000541    , L0000542    ,
FF *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                  ***       11:35:02

                     PAGE  12
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                                        *** DISCRETE CARTESIAN RECEPTORS ***
                                      (X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)
                                                (METERS)

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    301.2,     301.2,       0.0);
    ( 450844.7, 3769482.7,     300.8,     300.8,       0.0);        ( 450443.3, 3769464.3,
    300.9,     300.9,       0.0);
    ( 450501.5, 3769327.5,     299.2,     299.2,       0.0);        ( 450500.6, 3769279.8,
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    ( 450904.5, 3769273.6,     298.7,     298.7,       0.0);        ( 450904.5, 3769256.7,
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    ( 451224.7, 3769252.7,     296.5,     296.5,       0.0);        ( 451223.3, 3769282.5,
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    ( 451085.8, 3769299.7,     297.7,     297.7,       0.0);        ( 451203.8, 3769285.4,
    297.1,     297.1,       0.0);
    ( 450660.4, 3769097.0,     298.3,     298.3,       0.0);        ( 451202.0, 3769091.5,
    294.3,     294.3,       0.0);
    ( 450843.3, 3769093.9,     296.0,     296.0,       0.0);        ( 451065.3, 3769091.5,
    295.0,     295.0,       0.0);
    ( 450488.4, 3769125.6,     297.5,     297.5,       0.0);        ( 450365.0, 3769200.8,
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    ( 449491.0, 3769987.6,     306.4,     306.4,       0.0);        ( 451310.5, 3769494.7,
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    ( 451571.6, 3769299.6,     300.9,     300.9,       0.0);        ( 451412.2, 3769298.4,
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    ( 451467.2, 3769186.0,     296.7,     296.7,       0.0);        ( 449272.9, 3769950.8,
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    ( 449134.5, 3770074.5,     305.9,     305.9,       0.0);        ( 448757.9, 3770086.1,
    305.4,     305.4,       0.0);
    ( 451123.0, 3769118.2,     295.2,     295.2,       0.0);        ( 453236.6, 3767558.9,
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    ( 453308.3, 3767535.1,     279.2,     279.2,       0.0);        ( 453281.0, 3767662.3,
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    ( 453784.7, 3767275.2,     274.3,     274.3,       0.0);        ( 453764.7, 3767244.9,
    273.9,     273.9,       0.0);
    ( 448293.4, 3770898.6,     316.0,     316.0,       0.0);        ( 448374.2, 3771008.4,
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    ( 448407.8, 3771051.1,     318.9,     318.9,       0.0);        ( 451567.7, 3769513.9,
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(451083.4, 3769345.3, 298.2, 298.2, 0.0); (451855.6, 3769413.3,
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(451858.8, 3769297.5, 299.2, 299.2, 0.0); (451877.2, 3769588.2,
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(451769.8, 3769173.3, 296.9, 296.9,
0.0);

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

1 1 1

FREE

Surface station no.: 3102 Upper air station no.: 3190
Name: UNKNOWN Name:
UNKNOWN
Year: 2012 Year: 2012

First 24 hours of scalar data

YR	MO	DY	JDY	HR	H0	U*	W*	DT/DZ	ZICNV	ZIMCH	M-O LEN	Z0	BOWEN	ALBEDO	REF WS	WD	HT	REF TA	HT
12	01	01	1	01	-16.4	0.171	-9.000	-9.000	-999.	170.	32.3	0.09	1.12	1.00	2.03	43.	7.9	285.9	2.0
12	01	01	1	02	-18.8	0.194	-9.000	-9.000	-999.	205.	41.3	0.09	1.12	1.00	2.28	34.	7.9	285.4	2.0
12	01	01	1	03	-17.8	0.182	-9.000	-9.000	-999.	187.	36.5	0.09	1.12	1.00	2.15	24.	7.9	282.0	2.0
12	01	01	1	04	-9.4	0.128	-9.000	-9.000	-999.	110.	19.6	0.09	1.12	1.00	1.55	41.	7.9	283.1	2.0
12	01	01	1	05	-16.9	0.173	-9.000	-9.000	-999.	173.	33.0	0.09	1.12	1.00	2.05	39.	7.9	280.4	2.0
12	01	01	1	06	-8.0	0.117	-9.000	-9.000	-999.	97.	17.8	0.09	1.12	1.00	1.43	21.	7.9	282.0	2.0
12	01	01	1	07	-7.6	0.115	-9.000	-9.000	-999.	93.	17.4	0.09	1.12	1.00	1.40	31.	7.9	282.5	2.0
12	01	01	1	08	-13.6	0.184	-9.000	-9.000	-999.	190.	40.5	0.09	1.12	0.54	2.16	34.	7.9	284.2	2.0
12	01	01	1	09	28.4	0.126	0.300	0.011	33.	108.	-6.2	0.09	1.12	0.32	1.03	29.	7.9	289.2	2.0
12	01	01	1	10	79.8	0.133	0.607	0.010	99.	116.	-2.6	0.09	1.12	0.25	0.94	173.	7.9	292.5	2.0
12	01	01	1	11	115.8	0.137	0.932	0.006	246.	121.	-2.0	0.09	1.12	0.22	0.92	172.	7.9	295.4	2.0
12	01	01	1	12	133.7	0.139	1.197	0.005	453.	125.	-1.8	0.09	1.12	0.21	0.92	146.	7.9	297.5	2.0
12	01	01	1	13	133.2	0.160	1.354	0.005	657.	153.	-2.7	0.09	1.12	0.21	1.14	117.	7.9	299.9	2.0
12	01	01	1	14	113.5	0.159	1.454	0.005	955.	151.	-3.1	0.09	1.12	0.23	1.16	285.	7.9	300.9	2.0
12	01	01	1	15	76.2	0.166	1.350	0.005	1138.	163.	-5.3	0.09	1.12	0.26	1.33	72.	7.9	302.0	2.0
12	01	01	1	16	23.5	0.175	0.925	0.005	1183.	175.	-19.9	0.09	1.12	0.35	1.65	107.	7.9	301.4	2.0
12	01	01	1	17	-6.1	0.107	-9.000	-9.000	-999.	86.	18.0	0.09	1.12	0.63	1.31	107.	7.9	298.1	2.0
12	01	01	1	18	-11.1	0.141	-9.000	-9.000	-999.	127.	22.1	0.09	1.12	1.00	1.69	86.	7.9	293.1	2.0
12	01	01	1	19	-3.2	0.076	-9.000	-9.000	-999.	51.	11.8	0.09	1.12	1.00	0.91	64.	7.9	292.0	2.0
12	01	01	1	20	-2.3	0.066	-9.000	-9.000	-999.	41.	11.2	0.09	1.12	1.00	0.74	73.	7.9	288.8	2.0
12	01	01	1	21	-10.0	0.133	-9.000	-9.000	-999.	116.	20.5	0.09	1.12	1.00	1.60	14.	7.9	288.1	2.0
12	01	01	1	22	-19.4	0.201	-9.000	-9.000	-999.	216.	44.5	0.09	1.12	1.00	2.36	22.	7.9	287.5	2.0
12	01	01	1	23	-23.7	0.246	-9.000	-9.000	-999.	293.	66.5	0.09	1.12	1.00	2.86	40.	7.9	287.0	2.0
12	01	01	1	24	-12.3	0.147	-9.000	-9.000	-999.	139.	23.8	0.09	1.12	1.00	1.76	40.	7.9	283.8	2.0

First hour of profile data

YR	MO	DY	HR	HEIGHT	F	WDIR	WSPD	AMB_TMP	sigmaA	sigmaW	sigmaV
12	01	01	01	7.9	1	43.	2.03	286.0	99.0	-99.00	-99.00

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** THE ANNUAL AVERAGE CONCENTRATION VALUES AVERAGED OVER 5 YEARS FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): L0000338 , L0000339 , L0000340 , L0000341 , L0000342 , L0000343 , L0000344 , L0000345 , L0000346 , L0000347 , L0000348 , L0000349 , L0000350 , L0000351 , L0000352 , L0000353 , L0000354 , L0000355 , L0000356 , L0000357 , L0000358 , L0000359 , L0000360 , L0000361 , L0000362 , L0000363 , L0000364 , L0000365 , . . . ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF DPM IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
450497.39	3769490.46	0.00050	450800.72	3769496.41	0.00096
450844.74	3769482.73	0.00110	450443.26	3769464.29	0.00045
450501.53	3769327.46	0.00126	450500.56	3769279.81	0.00163
450904.52	3769273.57	0.00417	450904.52	3769256.68	0.00368
451224.66	3769252.72	0.00132	451223.34	3769282.54	0.00101
451085.83	3769299.70	0.00132	451203.81	3769285.44	0.00103
450660.39	3769097.00	0.00113	451201.96	3769091.46	0.00042
450843.34	3769093.95	0.00086	451065.35	3769091.46	0.00051
450488.39	3769125.56	0.00087	450365.04	3769200.78	0.00048
449490.95	3769987.56	0.00003	451310.46	3769494.69	0.00061
451571.63	3769299.56	0.00077	451412.20	3769298.37	0.00076
451467.16	3769185.97	0.00080	449272.92	3769950.83	0.00003
449463.32	3769963.25	0.00003	449418.90	3769937.78	0.00003
449134.45	3770074.53	0.00002	448757.86	3770086.14	0.00002
451123.04	3769118.25	0.00054	453236.59	3767558.94	0.00001
453308.35	3767535.11	0.00001	453281.04	3767662.29	0.00001
453784.70	3767275.20	0.00001	453764.70	3767244.94	0.00001
448293.38	3770898.58	0.00001	448374.25	3771008.42	0.00001
448407.77	3771051.14	0.00001	451567.70		

*** THE SUMMARY OF MAXIMUM ANNUAL RESULTS AVERAGED OVER 5 YEARS ***

** CONC OF DPM IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZHILL, ZFLAG)	OF TYPE	GRID-ID
ALL	1ST HIGHEST VALUE IS	0.00417	AT (450904.52, 3769273.57, 298.65, 298.65, 0.00)	DC	
	2ND HIGHEST VALUE IS	0.00368	AT (450904.52, 3769256.68, 298.30, 298.30, 0.00)	DC	
	3RD HIGHEST VALUE IS	0.00163	AT (450500.56, 3769279.81, 298.74, 298.74, 0.00)	DC	
	4TH HIGHEST VALUE IS	0.00132	AT (451085.83, 3769299.70, 297.72, 297.72, 0.00)	DC	
	5TH HIGHEST VALUE IS	0.00132	AT (451083.41, 3769345.35, 298.25, 298.25, 0.00)	DC	
	6TH HIGHEST VALUE IS	0.00132	AT (451224.66, 3769252.72, 296.51, 296.51, 0.00)	DC	
	7TH HIGHEST VALUE IS	0.00131	AT (451080.25, 3769366.84, 298.50, 298.50, 0.00)	DC	
	8TH HIGHEST VALUE IS	0.00126	AT (450501.53, 3769327.46, 299.22, 299.22, 0.00)	DC	
	9TH HIGHEST VALUE IS	0.00113	AT (450660.39, 3769097.00, 298.29, 298.29, 0.00)	DC	
	10TH HIGHEST VALUE IS	0.00110	AT (450844.74, 3769482.73, 300.84, 300.84, 0.00)	DC	

```
*** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

*** Message Summary : AERMOD Model Execution ***

 --------- Summary of Total Messages --------

A Total of            0 Fatal Error Message(s)
A Total of            2 Warning Message(s)
A Total of         1628 Informational Message(s)

A Total of        43848 Hours Were Processed

A Total of         1278 Calm Hours Identified

A Total of          350 Missing Hours Identified (  0.80 Percent)


   ******** FATAL ERROR MESSAGES ********
              ***  NONE  ***


   ********   WARNING MESSAGES   ********
ME W186     540       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used          0.50
ME W187     540       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

   ***********************************
   *** AERMOD Finishes Successfully ***
   ***********************************
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**
**************************************
**
** AERMOD Input Produced by:
** AERMOD View Ver. 10.2.1
** Lakes Environmental Software Inc.
** Date: 8/23/2022
** File: C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops\14539 Ops.ADI
**
**************************************
**
**
**************************************
** AERMOD Control Pathway
**************************************
**
**
CO STARTING
   TITLEONE C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops
   MODELOPT DFAULT CONC
   AVERTIME ANNUAL
   URBANOPT 2035210 San_Bernadino_County
   POLLUTID DPM
   RUNORNOT RUN
   ERRORFIL "14539 Ops.err"
CO FINISHED
**
**************************************
** AERMOD Source Pathway
**************************************
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
** ----------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE1
** DESCRSRC Idling
** PREFIX
** Length of Side = 8.59
** Configuration = Adjacent
** Emission Rate = 0.00004517
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 2
** 450584.276, 3769293.332, 298.63, 3.49, 4.00
** 450819.830, 3769300.271, 298.67, 3.49, 4.00
** ----------------------------------------------------------------------
   LOCATION L0000338     VOLUME   450588.570 3769293.458 298.57
   LOCATION L0000339     VOLUME   450597.156 3769293.711 298.58
   LOCATION L0000340     VOLUME   450605.742 3769293.964 298.58
   LOCATION L0000341     VOLUME   450614.328 3769294.217 298.60
   LOCATION L0000342     VOLUME   450622.915 3769294.470 298.64
   LOCATION L0000343     VOLUME   450631.501 3769294.723 298.67
   LOCATION L0000344     VOLUME   450640.087 3769294.976 298.70
   LOCATION L0000345     VOLUME   450648.673 3769295.229 298.70
   LOCATION L0000346     VOLUME   450657.260 3769295.482 298.70
   LOCATION L0000347     VOLUME   450665.846 3769295.735 298.70
   LOCATION L0000348     VOLUME   450674.432 3769295.988 298.70
   LOCATION L0000349     VOLUME   450683.019 3769296.241 298.70
   LOCATION L0000350     VOLUME   450691.605 3769296.494 298.70
   LOCATION L0000351     VOLUME   450700.191 3769296.746 298.70
   LOCATION L0000352     VOLUME   450708.777 3769296.999 298.67
   LOCATION L0000353     VOLUME   450717.364 3769297.252 298.65
   LOCATION L0000354     VOLUME   450725.950 3769297.505 298.62
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   LOCATION L0000355     VOLUME   450734.536 3769297.758 298.62
   LOCATION L0000356     VOLUME   450743.122 3769298.011 298.62
   LOCATION L0000357     VOLUME   450751.709 3769298.264 298.62
   LOCATION L0000358     VOLUME   450760.295 3769298.517 298.62
   LOCATION L0000359     VOLUME   450768.881 3769298.770 298.60
   LOCATION L0000360     VOLUME   450777.468 3769299.023 298.59
   LOCATION L0000361     VOLUME   450786.054 3769299.276 298.57
   LOCATION L0000362     VOLUME   450794.640 3769299.529 298.57
   LOCATION L0000363     VOLUME   450803.226 3769299.782 298.57
   LOCATION L0000364     VOLUME   450811.813 3769300.035 298.58
** End of LINE VOLUME Source ID = SLINE1
** ----------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE2
** DESCRSRC Onsite
** PREFIX
** Length of Side = 8.59
** Configuration = Adjacent
** Emission Rate = 0.00001482
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 8
** 450532.053, 3769244.030, 298.41, 3.49, 4.00
** 450532.053, 3769261.560, 298.60, 3.49, 4.00
** 450581.355, 3769261.925, 298.54, 3.49, 4.00
** 450593.772, 3769274.707, 298.44, 3.49, 4.00
** 450781.484, 3769278.359, 298.14, 3.49, 4.00
** 450819.830, 3769274.342, 298.10, 3.49, 4.00
** 450875.340, 3769273.976, 298.68, 3.49, 4.00
** 450876.071, 3769245.856, 298.09, 3.49, 4.00
** ----------------------------------------------------------------
   LOCATION L0000365     VOLUME   450532.053 3769248.325 298.42
   LOCATION L0000366     VOLUME   450532.053 3769256.915 298.51
   LOCATION L0000367     VOLUME   450535.998 3769261.589 298.55
   LOCATION L0000368     VOLUME   450544.588 3769261.652 298.55
   LOCATION L0000369     VOLUME   450553.178 3769261.716 298.55
   LOCATION L0000370     VOLUME   450561.767 3769261.780 298.55
   LOCATION L0000371     VOLUME   450570.357 3769261.843 298.55
   LOCATION L0000372     VOLUME   450578.947 3769261.907 298.55
   LOCATION L0000373     VOLUME   450585.662 3769266.359 298.50
   LOCATION L0000374     VOLUME   450591.648 3769272.520 298.44
   LOCATION L0000375     VOLUME   450599.313 3769274.815 298.41
   LOCATION L0000376     VOLUME   450607.901 3769274.982 298.41
   LOCATION L0000377     VOLUME   450616.489 3769275.149 298.48
   LOCATION L0000378     VOLUME   450625.078 3769275.316 298.56
   LOCATION L0000379     VOLUME   450633.666 3769275.483 298.65
   LOCATION L0000380     VOLUME   450642.254 3769275.650 298.70
   LOCATION L0000381     VOLUME   450650.843 3769275.817 298.70
   LOCATION L0000382     VOLUME   450659.431 3769275.984 298.70
   LOCATION L0000383     VOLUME   450668.020 3769276.151 298.70
   LOCATION L0000384     VOLUME   450676.608 3769276.318 298.70
   LOCATION L0000385     VOLUME   450685.196 3769276.485 298.70
   LOCATION L0000386     VOLUME   450693.785 3769276.652 298.70
   LOCATION L0000387     VOLUME   450702.373 3769276.820 298.68
   LOCATION L0000388     VOLUME   450710.961 3769276.987 298.59
   LOCATION L0000389     VOLUME   450719.550 3769277.154 298.51
   LOCATION L0000390     VOLUME   450728.138 3769277.321 298.42
   LOCATION L0000391     VOLUME   450736.727 3769277.488 298.41
   LOCATION L0000392     VOLUME   450745.315 3769277.655 298.41
   LOCATION L0000393     VOLUME   450753.903 3769277.822 298.41
   LOCATION L0000394     VOLUME   450762.492 3769277.989 298.39
   LOCATION L0000395     VOLUME   450771.080 3769278.156 298.31
   LOCATION L0000396     VOLUME   450779.668 3769278.323 298.23
   LOCATION L0000397     VOLUME   450788.221 3769277.653 298.13
   LOCATION L0000398     VOLUME   450796.764 3769276.758 298.10
   LOCATION L0000399     VOLUME   450805.308 3769275.863 298.10
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   LOCATION L0000400     VOLUME   450813.851 3769274.968 298.11
   LOCATION L0000401     VOLUME   450822.408 3769274.325 298.14
   LOCATION L0000402     VOLUME   450830.998 3769274.268 298.22
   LOCATION L0000403     VOLUME   450839.588 3769274.212 298.29
   LOCATION L0000404     VOLUME   450848.178 3769274.155 298.37
   LOCATION L0000405     VOLUME   450856.767 3769274.099 298.44
   LOCATION L0000406     VOLUME   450865.357 3769274.042 298.52
   LOCATION L0000407     VOLUME   450873.947 3769273.985 298.60
   LOCATION L0000408     VOLUME   450875.527 3769266.782 298.48
   LOCATION L0000409     VOLUME   450875.750 3769258.195 298.32
   LOCATION L0000410     VOLUME   450875.973 3769249.608 298.16
** End of LINE VOLUME Source ID = SLINE2
** ----------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE3
** DESCRSRC Offsite
** PREFIX
** Length of Side = 14.00
** Configuration = Adjacent
** Emission Rate = 0.00002434
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 14
** 450531.488, 3769231.780, 298.42, 3.49, 6.51
** 451458.160, 3769224.475, 296.68, 3.49, 6.51
** 451477.884, 3769223.014, 297.16, 3.49, 6.51
** 451508.566, 3769211.326, 297.73, 3.49, 6.51
** 451579.062, 3769183.931, 297.18, 3.49, 6.51
** 451600.612, 3769178.452, 297.61, 3.49, 6.51
** 451630.198, 3769176.626, 297.58, 3.49, 6.51
** 451633.851, 3769205.116, 298.46, 3.49, 6.51
** 451632.755, 3769377.520, 307.01, 3.49, 6.51
** 451633.851, 3769443.268, 304.95, 3.49, 6.51
** 451634.581, 3769487.099, 305.91, 3.49, 6.51
** 451637.869, 3769611.288, 307.59, 3.49, 6.51
** 451637.869, 3769784.058, 305.17, 3.49, 6.51
** 451642.335, 3769918.705, 307.93, 3.49, 6.51
** ----------------------------------------------------------------------
   LOCATION L0000411     VOLUME   450538.488 3769231.725 298.40
   LOCATION L0000412     VOLUME   450552.488 3769231.615 298.43
   LOCATION L0000413     VOLUME   450566.487 3769231.505 298.57
   LOCATION L0000414     VOLUME   450580.487 3769231.394 298.70
   LOCATION L0000415     VOLUME   450594.486 3769231.284 298.70
   LOCATION L0000416     VOLUME   450608.486 3769231.173 298.70
   LOCATION L0000417     VOLUME   450622.485 3769231.063 298.70
   LOCATION L0000418     VOLUME   450636.485 3769230.953 298.70
   LOCATION L0000419     VOLUME   450650.485 3769230.842 298.70
   LOCATION L0000420     VOLUME   450664.484 3769230.732 298.70
   LOCATION L0000421     VOLUME   450678.484 3769230.622 298.61
   LOCATION L0000422     VOLUME   450692.483 3769230.511 298.47
   LOCATION L0000423     VOLUME   450706.483 3769230.401 298.40
   LOCATION L0000424     VOLUME   450720.482 3769230.291 298.40
   LOCATION L0000425     VOLUME   450734.482 3769230.180 298.40
   LOCATION L0000426     VOLUME   450748.481 3769230.070 298.40
   LOCATION L0000427     VOLUME   450762.481 3769229.959 298.40
   LOCATION L0000428     VOLUME   450776.481 3769229.849 298.40
   LOCATION L0000429     VOLUME   450790.480 3769229.739 298.40
   LOCATION L0000430     VOLUME   450804.480 3769229.628 298.40
   LOCATION L0000431     VOLUME   450818.479 3769229.518 298.40
   LOCATION L0000432     VOLUME   450832.479 3769229.408 298.34
   LOCATION L0000433     VOLUME   450846.478 3769229.297 298.28
   LOCATION L0000434     VOLUME   450860.478 3769229.187 298.08
   LOCATION L0000435     VOLUME   450874.478 3769229.077 297.83
   LOCATION L0000436     VOLUME   450888.477 3769228.966 297.74
   LOCATION L0000437     VOLUME   450902.477 3769228.856 297.74
   LOCATION L0000438     VOLUME   450916.476 3769228.745 297.70
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LOCATION L0000439     VOLUME   450930.476 3769228.635 297.61
LOCATION L0000440     VOLUME   450944.475 3769228.525 297.50
LOCATION L0000441     VOLUME   450958.475 3769228.414 297.36
LOCATION L0000442     VOLUME   450972.475 3769228.304 297.23
LOCATION L0000443     VOLUME   450986.474 3769228.194 297.17
LOCATION L0000444     VOLUME   451000.474 3769228.083 297.11
LOCATION L0000445     VOLUME   451014.473 3769227.973 297.05
LOCATION L0000446     VOLUME   451028.473 3769227.863 297.00
LOCATION L0000447     VOLUME   451042.472 3769227.752 296.91
LOCATION L0000448     VOLUME   451056.472 3769227.642 296.82
LOCATION L0000449     VOLUME   451070.471 3769227.531 296.76
LOCATION L0000450     VOLUME   451084.471 3769227.421 296.70
LOCATION L0000451     VOLUME   451098.471 3769227.311 296.68
LOCATION L0000452     VOLUME   451112.470 3769227.200 296.68
LOCATION L0000453     VOLUME   451126.470 3769227.090 296.63
LOCATION L0000454     VOLUME   451140.469 3769226.980 296.54
LOCATION L0000455     VOLUME   451154.469 3769226.869 296.46
LOCATION L0000456     VOLUME   451168.468 3769226.759 296.41
LOCATION L0000457     VOLUME   451182.468 3769226.649 296.37
LOCATION L0000458     VOLUME   451196.468 3769226.538 296.37
LOCATION L0000459     VOLUME   451210.467 3769226.428 296.36
LOCATION L0000460     VOLUME   451224.467 3769226.317 296.32
LOCATION L0000461     VOLUME   451238.466 3769226.207 296.27
LOCATION L0000462     VOLUME   451252.466 3769226.097 296.18
LOCATION L0000463     VOLUME   451266.465 3769225.986 296.08
LOCATION L0000464     VOLUME   451280.465 3769225.876 295.95
LOCATION L0000465     VOLUME   451294.465 3769225.766 295.80
LOCATION L0000466     VOLUME   451308.464 3769225.655 295.66
LOCATION L0000467     VOLUME   451322.464 3769225.545 295.52
LOCATION L0000468     VOLUME   451336.463 3769225.435 295.51
LOCATION L0000469     VOLUME   451350.463 3769225.324 295.66
LOCATION L0000470     VOLUME   451364.462 3769225.214 295.85
LOCATION L0000471     VOLUME   451378.462 3769225.103 296.13
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LOCATION L0000475     VOLUME   451434.460 3769224.662 296.65
LOCATION L0000476     VOLUME   451448.460 3769224.552 296.73
LOCATION L0000477     VOLUME   451462.448 3769224.158 296.96
LOCATION L0000478     VOLUME   451476.409 3769223.123 297.19
LOCATION L0000479     VOLUME   451489.585 3769218.556 297.41
LOCATION L0000480     VOLUME   451502.668 3769213.573 297.56
LOCATION L0000481     VOLUME   451515.732 3769208.541 297.47
LOCATION L0000482     VOLUME   451528.782 3769203.470 297.27
LOCATION L0000483     VOLUME   451541.831 3769198.399 297.11
LOCATION L0000484     VOLUME   451554.880 3769193.328 297.17
LOCATION L0000485     VOLUME   451567.930 3769188.257 297.23
LOCATION L0000486     VOLUME   451581.055 3769183.424 297.30
LOCATION L0000487     VOLUME   451594.624 3769179.975 297.39
LOCATION L0000488     VOLUME   451608.418 3769177.970 297.39
LOCATION L0000489     VOLUME   451622.392 3769177.108 297.39
LOCATION L0000490     VOLUME   451630.984 3769182.754 297.63
LOCATION L0000491     VOLUME   451632.764 3769196.640 298.07
LOCATION L0000492     VOLUME   451633.816 3769210.571 298.48
LOCATION L0000493     VOLUME   451633.727 3769224.571 298.95
LOCATION L0000494     VOLUME   451633.638 3769238.570 299.44
LOCATION L0000495     VOLUME   451633.549 3769252.570 299.94
LOCATION L0000496     VOLUME   451633.460 3769266.570 300.44
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LOCATION L0000499     VOLUME   451633.193 3769308.569 302.60
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LOCATION L0000502     VOLUME   451632.926 3769350.568 305.92
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   LOCATION L0000516     VOLUME   451636.155 3769546.532 306.23
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   LOCATION L0000531     VOLUME   451637.869 3769756.509 304.80
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   LOCATION L0000536     VOLUME   451639.276 3769826.486 307.41
   LOCATION L0000537     VOLUME   451639.740 3769840.478 307.50
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** Source Parameters **
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   SRCPARAM L0000364     0.000001673      3.49      4.00      3.25
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** DTMRGN   CONUS
** UNITS    m
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** AERMOD View Ver. 10.2.1
** Lakes Environmental Software Inc.
** Date: 8/23/2022
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** AERMOD Control Pathway
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**
CO STARTING
   TITLEONE C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops
   MODELOPT DFAULT CONC
   AVERTIME ANNUAL
   URBANOPT 2035210 San_Bernadino_County
   POLLUTID DPM
   RUNORNOT RUN
   ERRORFIL "14539 Ops.err"
CO FINISHED
**
**************************************
** AERMOD Source Pathway
**************************************
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
** ------------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE1
** DESCRSRC Idling
** PREFIX
** Length of Side = 8.59
** Configuration = Adjacent
** Emission Rate = 0.00004517
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 2
** 450584.276, 3769293.332, 298.63, 3.49, 4.00
** 450819.830, 3769300.271, 298.67, 3.49, 4.00
** ------------------------------------------------------------------------
   LOCATION L0000338     VOLUME   450588.570 3769293.458 298.57
   LOCATION L0000339     VOLUME   450597.156 3769293.711 298.58
   LOCATION L0000340     VOLUME   450605.742 3769293.964 298.58
   LOCATION L0000341     VOLUME   450614.328 3769294.217 298.60
   LOCATION L0000342     VOLUME   450622.915 3769294.470 298.64
   LOCATION L0000343     VOLUME   450631.501 3769294.723 298.67
   LOCATION L0000344     VOLUME   450640.087 3769294.976 298.70
   LOCATION L0000345     VOLUME   450648.673 3769295.229 298.70
   LOCATION L0000346     VOLUME   450657.260 3769295.482 298.70
   LOCATION L0000347     VOLUME   450665.846 3769295.735 298.70
   LOCATION L0000348     VOLUME   450674.432 3769295.988 298.70
   LOCATION L0000349     VOLUME   450683.019 3769296.241 298.70
   LOCATION L0000350     VOLUME   450691.605 3769296.494 298.70
   LOCATION L0000351     VOLUME   450700.191 3769296.746 298.70
   LOCATION L0000352     VOLUME   450708.777 3769296.999 298.67
   LOCATION L0000353     VOLUME   450717.364 3769297.252 298.65
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   LOCATION L0000354     VOLUME   450725.950 3769297.505 298.62
   LOCATION L0000355     VOLUME   450734.536 3769297.758 298.62
   LOCATION L0000356     VOLUME   450743.122 3769298.011 298.62
   LOCATION L0000357     VOLUME   450751.709 3769298.264 298.62
   LOCATION L0000358     VOLUME   450760.295 3769298.517 298.62
   LOCATION L0000359     VOLUME   450768.881 3769298.770 298.60
   LOCATION L0000360     VOLUME   450777.468 3769299.023 298.59
   LOCATION L0000361     VOLUME   450786.054 3769299.276 298.57
   LOCATION L0000362     VOLUME   450794.640 3769299.529 298.57
   LOCATION L0000363     VOLUME   450803.226 3769299.782 298.57
   LOCATION L0000364     VOLUME   450811.813 3769300.035 298.58
** End of LINE VOLUME Source ID = SLINE1
** ----------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE2
** DESCRSRC Onsite
** PREFIX
** Length of Side = 8.59
** Configuration = Adjacent
** Emission Rate = 0.00001482
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 8
** 450532.053, 3769244.030, 298.41, 3.49, 4.00
** 450532.053, 3769261.560, 298.60, 3.49, 4.00
** 450581.355, 3769261.925, 298.54, 3.49, 4.00
** 450593.772, 3769274.707, 298.44, 3.49, 4.00
** 450781.484, 3769278.359, 298.14, 3.49, 4.00
** 450819.830, 3769274.342, 298.10, 3.49, 4.00
** 450875.340, 3769273.976, 298.68, 3.49, 4.00
** 450876.071, 3769245.856, 298.09, 3.49, 4.00
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   LOCATION L0000365     VOLUME   450532.053 3769248.325 298.42
   LOCATION L0000366     VOLUME   450532.053 3769256.915 298.51
   LOCATION L0000367     VOLUME   450535.998 3769261.589 298.55
   LOCATION L0000368     VOLUME   450544.588 3769261.652 298.55
   LOCATION L0000369     VOLUME   450553.178 3769261.716 298.55
   LOCATION L0000370     VOLUME   450561.767 3769261.780 298.55
   LOCATION L0000371     VOLUME   450570.357 3769261.843 298.55
   LOCATION L0000372     VOLUME   450578.947 3769261.907 298.55
   LOCATION L0000373     VOLUME   450585.662 3769266.359 298.50
   LOCATION L0000374     VOLUME   450591.648 3769272.520 298.44
   LOCATION L0000375     VOLUME   450599.313 3769274.815 298.41
   LOCATION L0000376     VOLUME   450607.901 3769274.982 298.41
   LOCATION L0000377     VOLUME   450616.489 3769275.149 298.48
   LOCATION L0000378     VOLUME   450625.078 3769275.316 298.56
   LOCATION L0000379     VOLUME   450633.666 3769275.483 298.65
   LOCATION L0000380     VOLUME   450642.254 3769275.650 298.70
   LOCATION L0000381     VOLUME   450650.843 3769275.817 298.70
   LOCATION L0000382     VOLUME   450659.431 3769275.984 298.70
   LOCATION L0000383     VOLUME   450668.020 3769276.151 298.70
   LOCATION L0000384     VOLUME   450676.608 3769276.318 298.70
   LOCATION L0000385     VOLUME   450685.196 3769276.485 298.70
   LOCATION L0000386     VOLUME   450693.785 3769276.652 298.70
   LOCATION L0000387     VOLUME   450702.373 3769276.820 298.68
   LOCATION L0000388     VOLUME   450710.961 3769276.987 298.59
   LOCATION L0000389     VOLUME   450719.550 3769277.154 298.51
   LOCATION L0000390     VOLUME   450728.138 3769277.321 298.42
   LOCATION L0000391     VOLUME   450736.727 3769277.488 298.41
   LOCATION L0000392     VOLUME   450745.315 3769277.655 298.41
   LOCATION L0000393     VOLUME   450753.903 3769277.822 298.41
   LOCATION L0000394     VOLUME   450762.492 3769277.989 298.39
   LOCATION L0000395     VOLUME   450771.080 3769278.156 298.31
   LOCATION L0000396     VOLUME   450779.668 3769278.323 298.23
   LOCATION L0000397     VOLUME   450788.221 3769277.653 298.13
   LOCATION L0000398     VOLUME   450796.764 3769276.758 298.10
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   LOCATION L0000399     VOLUME   450805.308 3769275.863 298.10
   LOCATION L0000400     VOLUME   450813.851 3769274.968 298.11
   LOCATION L0000401     VOLUME   450822.408 3769274.325 298.14
   LOCATION L0000402     VOLUME   450830.998 3769274.268 298.22
   LOCATION L0000403     VOLUME   450839.588 3769274.212 298.29
   LOCATION L0000404     VOLUME   450848.178 3769274.155 298.37
   LOCATION L0000405     VOLUME   450856.767 3769274.099 298.44
   LOCATION L0000406     VOLUME   450865.357 3769274.042 298.52
   LOCATION L0000407     VOLUME   450873.947 3769273.985 298.60
   LOCATION L0000408     VOLUME   450875.527 3769266.782 298.48
   LOCATION L0000409     VOLUME   450875.750 3769258.195 298.32
   LOCATION L0000410     VOLUME   450875.973 3769249.608 298.16
** End of LINE VOLUME Source ID = SLINE2
** ----------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE3
** DESCRSRC Offsite
** PREFIX
** Length of Side = 14.00
** Configuration = Adjacent
** Emission Rate = 0.00002434
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 14
** 450531.488, 3769231.780, 298.42, 3.49, 6.51
** 451458.160, 3769224.475, 296.68, 3.49, 6.51
** 451477.884, 3769223.014, 297.16, 3.49, 6.51
** 451508.566, 3769211.326, 297.73, 3.49, 6.51
** 451579.062, 3769183.931, 297.18, 3.49, 6.51
** 451600.612, 3769178.452, 297.61, 3.49, 6.51
** 451630.198, 3769176.626, 297.58, 3.49, 6.51
** 451633.851, 3769205.116, 298.46, 3.49, 6.51
** 451632.755, 3769377.520, 307.01, 3.49, 6.51
** 451633.851, 3769443.268, 304.95, 3.49, 6.51
** 451634.581, 3769487.099, 305.91, 3.49, 6.51
** 451637.869, 3769611.288, 307.59, 3.49, 6.51
** 451637.869, 3769784.058, 305.17, 3.49, 6.51
** 451642.335, 3769918.705, 307.93, 3.49, 6.51
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   LOCATION L0000412     VOLUME   450552.488 3769231.615 298.43
   LOCATION L0000413     VOLUME   450566.487 3769231.505 298.57
   LOCATION L0000414     VOLUME   450580.487 3769231.394 298.70
   LOCATION L0000415     VOLUME   450594.486 3769231.284 298.70
   LOCATION L0000416     VOLUME   450608.486 3769231.173 298.70
   LOCATION L0000417     VOLUME   450622.485 3769231.063 298.70
   LOCATION L0000418     VOLUME   450636.485 3769230.953 298.70
   LOCATION L0000419     VOLUME   450650.485 3769230.842 298.70
   LOCATION L0000420     VOLUME   450664.484 3769230.732 298.70
   LOCATION L0000421     VOLUME   450678.484 3769230.622 298.61
   LOCATION L0000422     VOLUME   450692.483 3769230.511 298.47
   LOCATION L0000423     VOLUME   450706.483 3769230.401 298.40
   LOCATION L0000424     VOLUME   450720.482 3769230.291 298.40
   LOCATION L0000425     VOLUME   450734.482 3769230.180 298.40
   LOCATION L0000426     VOLUME   450748.481 3769230.070 298.40
   LOCATION L0000427     VOLUME   450762.481 3769229.959 298.40
   LOCATION L0000428     VOLUME   450776.481 3769229.849 298.40
   LOCATION L0000429     VOLUME   450790.480 3769229.739 298.40
   LOCATION L0000430     VOLUME   450804.480 3769229.628 298.40
   LOCATION L0000431     VOLUME   450818.479 3769229.518 298.40
   LOCATION L0000432     VOLUME   450832.479 3769229.408 298.34
   LOCATION L0000433     VOLUME   450846.478 3769229.297 298.28
   LOCATION L0000434     VOLUME   450860.478 3769229.187 298.08
   LOCATION L0000435     VOLUME   450874.478 3769229.077 297.83
   LOCATION L0000436     VOLUME   450888.477 3769228.966 297.74
   LOCATION L0000437     VOLUME   450902.477 3769228.856 297.74
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LOCATION L0000438     VOLUME   450916.476 3769228.745 297.70
LOCATION L0000439     VOLUME   450930.476 3769228.635 297.61
LOCATION L0000440     VOLUME   450944.475 3769228.525 297.50
LOCATION L0000441     VOLUME   450958.475 3769228.414 297.36
LOCATION L0000442     VOLUME   450972.475 3769228.304 297.23
LOCATION L0000443     VOLUME   450986.474 3769228.194 297.17
LOCATION L0000444     VOLUME   451000.474 3769228.083 297.11
LOCATION L0000445     VOLUME   451014.473 3769227.973 297.05
LOCATION L0000446     VOLUME   451028.473 3769227.863 297.00
LOCATION L0000447     VOLUME   451042.472 3769227.752 296.91
LOCATION L0000448     VOLUME   451056.472 3769227.642 296.82
LOCATION L0000449     VOLUME   451070.471 3769227.531 296.76
LOCATION L0000450     VOLUME   451084.471 3769227.421 296.70
LOCATION L0000451     VOLUME   451098.471 3769227.311 296.68
LOCATION L0000452     VOLUME   451112.470 3769227.200 296.68
LOCATION L0000453     VOLUME   451126.470 3769227.090 296.63
LOCATION L0000454     VOLUME   451140.469 3769226.980 296.54
LOCATION L0000455     VOLUME   451154.469 3769226.869 296.46
LOCATION L0000456     VOLUME   451168.468 3769226.759 296.41
LOCATION L0000457     VOLUME   451182.468 3769226.649 296.37
LOCATION L0000458     VOLUME   451196.468 3769226.538 296.37
LOCATION L0000459     VOLUME   451210.467 3769226.428 296.36
LOCATION L0000460     VOLUME   451224.467 3769226.317 296.32
LOCATION L0000461     VOLUME   451238.466 3769226.207 296.27
LOCATION L0000462     VOLUME   451252.466 3769226.097 296.18
LOCATION L0000463     VOLUME   451266.465 3769225.986 296.08
LOCATION L0000464     VOLUME   451280.465 3769225.876 295.95
LOCATION L0000465     VOLUME   451294.465 3769225.766 295.80
LOCATION L0000466     VOLUME   451308.464 3769225.655 295.66
LOCATION L0000467     VOLUME   451322.464 3769225.545 295.52
LOCATION L0000468     VOLUME   451336.463 3769225.435 295.51
LOCATION L0000469     VOLUME   451350.463 3769225.324 295.66
LOCATION L0000470     VOLUME   451364.462 3769225.214 295.85
LOCATION L0000471     VOLUME   451378.462 3769225.103 296.13
LOCATION L0000472     VOLUME   451392.461 3769224.993 296.37
LOCATION L0000473     VOLUME   451406.461 3769224.883 296.48
LOCATION L0000474     VOLUME   451420.461 3769224.772 296.58
LOCATION L0000475     VOLUME   451434.460 3769224.662 296.65
LOCATION L0000476     VOLUME   451448.460 3769224.552 296.73
LOCATION L0000477     VOLUME   451462.448 3769224.158 296.96
LOCATION L0000478     VOLUME   451476.409 3769223.123 297.19
LOCATION L0000479     VOLUME   451489.585 3769218.556 297.41
LOCATION L0000480     VOLUME   451502.668 3769213.573 297.56
LOCATION L0000481     VOLUME   451515.732 3769208.541 297.47
LOCATION L0000482     VOLUME   451528.782 3769203.470 297.27
LOCATION L0000483     VOLUME   451541.831 3769198.399 297.11
LOCATION L0000484     VOLUME   451554.880 3769193.328 297.17
LOCATION L0000485     VOLUME   451567.930 3769188.257 297.23
LOCATION L0000486     VOLUME   451581.055 3769183.424 297.30
LOCATION L0000487     VOLUME   451594.624 3769179.975 297.39
LOCATION L0000488     VOLUME   451608.418 3769177.970 297.39
LOCATION L0000489     VOLUME   451622.392 3769177.108 297.39
LOCATION L0000490     VOLUME   451630.984 3769182.754 297.63
LOCATION L0000491     VOLUME   451632.764 3769196.640 298.07
LOCATION L0000492     VOLUME   451633.816 3769210.571 298.48
LOCATION L0000493     VOLUME   451633.727 3769224.571 298.95
LOCATION L0000494     VOLUME   451633.638 3769238.570 299.44
LOCATION L0000495     VOLUME   451633.549 3769252.570 299.94
LOCATION L0000496     VOLUME   451633.460 3769266.570 300.44
LOCATION L0000497     VOLUME   451633.371 3769280.570 301.02
LOCATION L0000498     VOLUME   451633.282 3769294.569 301.79
LOCATION L0000499     VOLUME   451633.193 3769308.569 302.60
LOCATION L0000500     VOLUME   451633.104 3769322.569 303.59
LOCATION L0000501     VOLUME   451633.015 3769336.568 304.59
LOCATION L0000502     VOLUME   451632.926 3769350.568 305.92
LOCATION L0000503     VOLUME   451632.837 3769364.568 307.24
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   LOCATION L0000504     VOLUME   451632.773 3769378.567 307.33
   LOCATION L0000505     VOLUME   451633.006 3769392.566 307.21
   LOCATION L0000506     VOLUME   451633.239 3769406.564 306.54
   LOCATION L0000507     VOLUME   451633.472 3769420.562 305.68
   LOCATION L0000508     VOLUME   451633.706 3769434.560 305.17
   LOCATION L0000509     VOLUME   451633.939 3769448.558 304.90
   LOCATION L0000510     VOLUME   451634.172 3769462.556 304.97
   LOCATION L0000511     VOLUME   451634.406 3769476.554 305.44
   LOCATION L0000512     VOLUME   451634.673 3769490.551 305.91
   LOCATION L0000513     VOLUME   451635.043 3769504.546 306.38
   LOCATION L0000514     VOLUME   451635.414 3769518.541 306.72
   LOCATION L0000515     VOLUME   451635.784 3769532.536 306.47
   LOCATION L0000516     VOLUME   451636.155 3769546.532 306.23
   LOCATION L0000517     VOLUME   451636.525 3769560.527 306.34
   LOCATION L0000518     VOLUME   451636.896 3769574.522 306.46
   LOCATION L0000519     VOLUME   451637.266 3769588.517 306.97
   LOCATION L0000520     VOLUME   451637.636 3769602.512 307.53
   LOCATION L0000521     VOLUME   451637.869 3769616.509 307.71
   LOCATION L0000522     VOLUME   451637.869 3769630.509 307.75
   LOCATION L0000523     VOLUME   451637.869 3769644.509 307.23
   LOCATION L0000524     VOLUME   451637.869 3769658.509 306.32
   LOCATION L0000525     VOLUME   451637.869 3769672.509 305.61
   LOCATION L0000526     VOLUME   451637.869 3769686.509 305.13
   LOCATION L0000527     VOLUME   451637.869 3769700.509 304.74
   LOCATION L0000528     VOLUME   451637.869 3769714.509 304.53
   LOCATION L0000529     VOLUME   451637.869 3769728.509 304.39
   LOCATION L0000530     VOLUME   451637.869 3769742.509 304.60
   LOCATION L0000531     VOLUME   451637.869 3769756.509 304.80
   LOCATION L0000532     VOLUME   451637.869 3769770.509 305.06
   LOCATION L0000533     VOLUME   451637.884 3769784.509 305.33
   LOCATION L0000534     VOLUME   451638.348 3769798.501 306.17
   LOCATION L0000535     VOLUME   451638.812 3769812.493 307.08
   LOCATION L0000536     VOLUME   451639.276 3769826.486 307.41
   LOCATION L0000537     VOLUME   451639.740 3769840.478 307.50
   LOCATION L0000538     VOLUME   451640.205 3769854.470 307.84
   LOCATION L0000539     VOLUME   451640.669 3769868.462 308.36
   LOCATION L0000540     VOLUME   451641.133 3769882.455 308.51
   LOCATION L0000541     VOLUME   451641.597 3769896.447 308.19
   LOCATION L0000542     VOLUME   451642.061 3769910.439 307.84
** End of LINE VOLUME Source ID = SLINE3
** Source Parameters **
** LINE VOLUME Source ID = SLINE1
   SRCPARAM L0000338     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000339     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000340     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000341     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000342     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000343     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000344     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000345     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000346     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000347     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000348     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000349     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000350     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000351     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000352     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000353     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000354     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000355     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000356     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000357     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000358     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000359     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000360     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000361     0.000001673      3.49      4.00      3.25
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   SRCPARAM L0000362     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000363     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000364     0.000001673      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME Source ID = SLINE2
   SRCPARAM L0000365     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000366     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000367     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000368     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000369     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000370     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000371     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000372     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000373     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000374     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000375     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000376     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000377     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000378     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000379     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000380     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000381     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000382     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000383     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000384     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000385     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000386     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000387     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000388     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000389     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000390     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000391     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000392     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000393     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000394     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000395     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000396     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000397     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000398     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000399     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000400     0.0000003222      3.49      4.00      3.25
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   SRCPARAM L0000407     0.0000003222      3.49      4.00      3.25
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   SRCPARAM L0000409     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000410     0.0000003222      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME Source ID = SLINE3
   SRCPARAM L0000411     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000412     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000413     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000414     0.0000001844      3.49      6.51      3.25
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   SRCPARAM L0000419     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000420     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000421     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000422     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000423     0.0000001844      3.49      6.51      3.25
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SRCPARAM L0000424     0.0000001844      3.49      6.51      3.25
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SRCPARAM L0000432     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000433     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000434     0.0000001844      3.49      6.51      3.25
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SRCPARAM L0000487     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000488     0.0000001844      3.49      6.51      3.25
SRCPARAM L0000489     0.0000001844      3.49      6.51      3.25
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   SRCPARAM L0000490     0.0000001844      3.49      6.51      3.25
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   SRCPARAM L0000506     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000507     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000508     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000509     0.0000001844      3.49      6.51      3.25
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   SRCPARAM L0000511     0.0000001844      3.49      6.51      3.25
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   SRCPARAM L0000520     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000521     0.0000001844      3.49      6.51      3.25
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   SRCPARAM L0000531     0.0000001844      3.49      6.51      3.25
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   SRCPARAM L0000538     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000539     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000540     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000541     0.0000001844      3.49      6.51      3.25
   SRCPARAM L0000542     0.0000001844      3.49      6.51      3.25
** ------------------------------------------------------------------
   URBANSRC ALL
   SRCGROUP ALL
SO FINISHED
**
**************************************
** AERMOD Receptor Pathway
**************************************
**
**
RE STARTING
   INCLUDED "14539 Ops.rou"
RE FINISHED
```

```
**
**************************************
** AERMOD Meteorology Pathway
**************************************
**
**
ME STARTING
   SURFFILE KONT_V9_ADJU\KONT_v9.SFC
   PROFFILE KONT_V9_ADJU\KONT_v9.PFL
   SURFDATA 3102 2012
   UAIRDATA 3190 2012
   PROFBASE 289.0 METERS
ME FINISHED
**
**************************************
** AERMOD Output Pathway
**************************************
**
**
OU STARTING
** Auto-Generated Plotfiles
   PLOTFILE ANNUAL ALL "14539 Ops.AD\AN00GALL.PLT" 31
   SUMMFILE "14539 Ops.sum"
OU FINISHED


  *** Message Summary For AERMOD Model Setup ***

  --------- Summary of Total Messages --------

 A Total of            0 Fatal Error Message(s)
 A Total of            2 Warning Message(s)
 A Total of            0 Informational Message(s)


    ******** FATAL ERROR MESSAGES ********
               ***  NONE  ***


    ********   WARNING MESSAGES   ********
 ME W186     540       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used          0.50
 ME W187     540       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

 **********************************
 *** SETUP Finishes Successfully ***
 **********************************

FF *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       11:35:02

                      PAGE   1
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                                          ***     MODEL SETUP OPTIONS SUMMARY       ***
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - - - -

 **Model Is Setup For Calculation of Average CONCentration Values.

   --  DEPOSITION LOGIC  --
 **NO GAS DEPOSITION Data Provided.
 **NO PARTICLE DEPOSITION Data Provided.
 **Model Uses NO DRY DEPLETION.  DRYDPLT  =  F
 **Model Uses NO WET DEPLETION.  WETDPLT  =  F
```

```
**Model Uses URBAN Dispersion Algorithm for the SBL for   205 Source(s),
  for Total of    1 Urban Area(s):
  Urban Population =   2035210.0 ;  Urban Roughness Length =  1.000 m

**Model Uses Regulatory DEFAULT Options:
        1. Stack-tip Downwash.
        2. Model Accounts for ELEVated Terrain Effects.
        3. Use Calms Processing Routine.
        4. Use Missing Data Processing Routine.
        5. No Exponential Decay.
        6. Urban Roughness Length of 1.0 Meter Assumed.

**Other Options Specified:
        ADJ_U*   - Use ADJ_U* option for SBL in AERMET
        CCVR_Sub - Meteorological data includes CCVR substitutions
        TEMP_Sub - Meteorological data includes TEMP substitutions

**Model Assumes No FLAGPOLE Receptor Heights.

**The User Specified a Pollutant Type of:  DPM

**Model Calculates ANNUAL Averages Only

**This Run Includes:    205 Source(s);       1 Source Group(s); and      47 Receptor(s)

               with:      0 POINT(s), including
                          0 POINTCAP(s) and      0 POINTHOR(s)
                and:    205 VOLUME source(s)
                and:      0 AREA type source(s)
                and:      0 LINE source(s)
                and:      0 RLINE/RLINEXT source(s)
                and:      0 OPENPIT source(s)
                and:      0 BUOYANT LINE source(s) with a total of     0 line(s)


**Model Set To Continue RUNning After the Setup Testing.

**The AERMET Input Meteorological Data Version Date:  16216

**Output Options Selected:
         Model Outputs Tables of ANNUAL Averages by Receptor
         Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)
         Model Outputs Separate Summary File of High Ranked Values (SUMMFILE Keyword)

**NOTE:  The Following Flags May Appear Following CONC Values:  c for Calm Hours
                                                                m for Missing Hours
                                                                b for Both Calm and Missing
                                                                Hours

**Misc. Inputs:  Base Elev. for Pot. Temp. Profile (m MSL) =   289.00 ;  Decay Coef. =
0.000     ;  Rot. Angle =     0.0
                Emission Units = GRAMS/SEC                                ;  Emission Rate
                Unit Factor =   0.10000E+07
                Output Units   = MICROGRAMS/M**3

**Approximate Storage Requirements of Model =      3.6 MB of RAM.

**Input Runstream File:
aermod.inp
**Output Print File:
aermod.out

**Detailed Error/Message File:   14539
Ops.err
**File for Summary of Results:   14539
```

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC) SCALAR VARY BY	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	
L0000338	0	0.16730E-05	450588.6	3769293.5	298.6	3.49	4.00	3.25	YES
L0000339	0	0.16730E-05	450597.2	3769293.7	298.6	3.49	4.00	3.25	YES
L0000340	0	0.16730E-05	450605.7	3769294.0	298.6	3.49	4.00	3.25	YES
L0000341	0	0.16730E-05	450614.3	3769294.2	298.6	3.49	4.00	3.25	YES
L0000342	0	0.16730E-05	450622.9	3769294.5	298.6	3.49	4.00	3.25	YES
L0000343	0	0.16730E-05	450631.5	3769294.7	298.7	3.49	4.00	3.25	YES
L0000344	0	0.16730E-05	450640.1	3769295.0	298.7	3.49	4.00	3.25	YES
L0000345	0	0.16730E-05	450648.7	3769295.2	298.7	3.49	4.00	3.25	YES
L0000346	0	0.16730E-05	450657.3	3769295.5	298.7	3.49	4.00	3.25	YES
L0000347	0	0.16730E-05	450665.8	3769295.7	298.7	3.49	4.00	3.25	YES
L0000348	0	0.16730E-05	450674.4	3769296.0	298.7	3.49	4.00	3.25	YES
L0000349	0	0.16730E-05	450683.0	3769296.2	298.7	3.49	4.00	3.25	YES
L0000350	0	0.16730E-05	450691.6	3769296.5	298.7	3.49	4.00	3.25	YES
L0000351	0	0.16730E-05	450700.2	3769296.7	298.7	3.49	4.00	3.25	YES
L0000352	0	0.16730E-05	450708.8	3769297.0	298.7	3.49	4.00	3.25	YES
L0000353	0	0.16730E-05	450717.4	3769297.3	298.7	3.49	4.00	3.25	YES
L0000354	0	0.16730E-05	450726.0	3769297.5	298.6	3.49	4.00	3.25	YES
L0000355	0	0.16730E-05	450734.5	3769297.8	298.6	3.49	4.00	3.25	YES
L0000356	0	0.16730E-05	450743.1	3769298.0	298.6	3.49	4.00	3.25	YES
L0000357	0	0.16730E-05	450751.7	3769298.3	298.6	3.49	4.00	3.25	YES
L0000358	0	0.16730E-05	450760.3	3769298.5	298.6	3.49	4.00	3.25	YES
L0000359	0	0.16730E-05	450768.9	3769298.8	298.6	3.49	4.00	3.25	YES
L0000360	0	0.16730E-05	450777.5	3769299.0	298.6	3.49	4.00	3.25	

```
 YES
 L0000361         0   0.16730E-05  450786.1 3769299.3   298.6     3.49     4.00     3.25
 YES
 L0000362         0   0.16730E-05  450794.6 3769299.5   298.6     3.49     4.00     3.25
 YES
 L0000363         0   0.16730E-05  450803.2 3769299.8   298.6     3.49     4.00     3.25
 YES
 L0000364         0   0.16730E-05  450811.8 3769300.0   298.6     3.49     4.00     3.25
 YES
 L0000365         0   0.32220E-06  450532.1 3769248.3   298.4     3.49     4.00     3.25
 YES
 L0000366         0   0.32220E-06  450532.1 3769256.9   298.5     3.49     4.00     3.25
 YES
 L0000367         0   0.32220E-06  450536.0 3769261.6   298.6     3.49     4.00     3.25
 YES
 L0000368         0   0.32220E-06  450544.6 3769261.7   298.6     3.49     4.00     3.25
 YES
 L0000369         0   0.32220E-06  450553.2 3769261.7   298.6     3.49     4.00     3.25
 YES
 L0000370         0   0.32220E-06  450561.8 3769261.8   298.6     3.49     4.00     3.25
 YES
 L0000371         0   0.32220E-06  450570.4 3769261.8   298.6     3.49     4.00     3.25
 YES
 L0000372         0   0.32220E-06  450578.9 3769261.9   298.6     3.49     4.00     3.25
 YES
 L0000373         0   0.32220E-06  450585.7 3769266.4   298.5     3.49     4.00     3.25
 YES
 L0000374         0   0.32220E-06  450591.6 3769272.5   298.4     3.49     4.00     3.25
 YES
 L0000375         0   0.32220E-06  450599.3 3769274.8   298.4     3.49     4.00     3.25
 YES
 L0000376         0   0.32220E-06  450607.9 3769275.0   298.4     3.49     4.00     3.25
 YES
 L0000377         0   0.32220E-06  450616.5 3769275.1   298.5     3.49     4.00     3.25
 YES
FF *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       11:35:02

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE
   SOURCE      PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
     (METERS)             BY
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 - - - - - - - - - - - - -

 L0000378         0   0.32220E-06  450625.1 3769275.3   298.6     3.49     4.00     3.25
 YES
 L0000379         0   0.32220E-06  450633.7 3769275.5   298.7     3.49     4.00     3.25
 YES
 L0000380         0   0.32220E-06  450642.3 3769275.6   298.7     3.49     4.00     3.25
 YES
 L0000381         0   0.32220E-06  450650.8 3769275.8   298.7     3.49     4.00     3.25
 YES
 L0000382         0   0.32220E-06  450659.4 3769276.0   298.7     3.49     4.00     3.25
 YES
 L0000383         0   0.32220E-06  450668.0 3769276.2   298.7     3.49     4.00     3.25
```

YES
L0000384 0 0.32220E-06 450676.6 3769276.3 298.7 3.49 4.00 3.25
YES
L0000385 0 0.32220E-06 450685.2 3769276.5 298.7 3.49 4.00 3.25
YES
L0000386 0 0.32220E-06 450693.8 3769276.7 298.7 3.49 4.00 3.25
YES
L0000387 0 0.32220E-06 450702.4 3769276.8 298.7 3.49 4.00 3.25
YES
L0000388 0 0.32220E-06 450711.0 3769277.0 298.6 3.49 4.00 3.25
YES
L0000389 0 0.32220E-06 450719.5 3769277.2 298.5 3.49 4.00 3.25
YES
L0000390 0 0.32220E-06 450728.1 3769277.3 298.4 3.49 4.00 3.25
YES
L0000391 0 0.32220E-06 450736.7 3769277.5 298.4 3.49 4.00 3.25
YES
L0000392 0 0.32220E-06 450745.3 3769277.7 298.4 3.49 4.00 3.25
YES
L0000393 0 0.32220E-06 450753.9 3769277.8 298.4 3.49 4.00 3.25
YES
L0000394 0 0.32220E-06 450762.5 3769278.0 298.4 3.49 4.00 3.25
YES
L0000395 0 0.32220E-06 450771.1 3769278.2 298.3 3.49 4.00 3.25
YES
L0000396 0 0.32220E-06 450779.7 3769278.3 298.2 3.49 4.00 3.25
YES
L0000397 0 0.32220E-06 450788.2 3769277.7 298.1 3.49 4.00 3.25
YES
L0000398 0 0.32220E-06 450796.8 3769276.8 298.1 3.49 4.00 3.25
YES
L0000399 0 0.32220E-06 450805.3 3769275.9 298.1 3.49 4.00 3.25
YES
L0000400 0 0.32220E-06 450813.9 3769275.0 298.1 3.49 4.00 3.25
YES
L0000401 0 0.32220E-06 450822.4 3769274.3 298.1 3.49 4.00 3.25
YES
L0000402 0 0.32220E-06 450831.0 3769274.3 298.2 3.49 4.00 3.25
YES
L0000403 0 0.32220E-06 450839.6 3769274.2 298.3 3.49 4.00 3.25
YES
L0000404 0 0.32220E-06 450848.2 3769274.2 298.4 3.49 4.00 3.25
YES
L0000405 0 0.32220E-06 450856.8 3769274.1 298.4 3.49 4.00 3.25
YES
L0000406 0 0.32220E-06 450865.4 3769274.0 298.5 3.49 4.00 3.25
YES
L0000407 0 0.32220E-06 450873.9 3769274.0 298.6 3.49 4.00 3.25
YES
L0000408 0 0.32220E-06 450875.5 3769266.8 298.5 3.49 4.00 3.25
YES
L0000409 0 0.32220E-06 450875.8 3769258.2 298.3 3.49 4.00 3.25
YES
L0000410 0 0.32220E-06 450876.0 3769249.6 298.2 3.49 4.00 3.25
YES
L0000411 0 0.18440E-06 450538.5 3769231.7 298.4 3.49 6.51 3.25
YES
L0000412 0 0.18440E-06 450552.5 3769231.6 298.4 3.49 6.51 3.25
YES
L0000413 0 0.18440E-06 450566.5 3769231.5 298.6 3.49 6.51 3.25
YES
L0000414 0 0.18440E-06 450580.5 3769231.4 298.7 3.49 6.51 3.25
YES
L0000415 0 0.18440E-06 450594.5 3769231.3 298.7 3.49 6.51 3.25
YES
L0000416 0 0.18440E-06 450608.5 3769231.2 298.7 3.49 6.51 3.25

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	SCALAR VARY BY
L0000418	0	0.18440E-06	450636.5	3769231.0	298.7	3.49	6.51	3.25	YES
L0000419	0	0.18440E-06	450650.5	3769230.8	298.7	3.49	6.51	3.25	YES
L0000420	0	0.18440E-06	450664.5	3769230.7	298.7	3.49	6.51	3.25	YES
L0000421	0	0.18440E-06	450678.5	3769230.6	298.6	3.49	6.51	3.25	YES
L0000422	0	0.18440E-06	450692.5	3769230.5	298.5	3.49	6.51	3.25	YES
L0000423	0	0.18440E-06	450706.5	3769230.4	298.4	3.49	6.51	3.25	YES
L0000424	0	0.18440E-06	450720.5	3769230.3	298.4	3.49	6.51	3.25	YES
L0000425	0	0.18440E-06	450734.5	3769230.2	298.4	3.49	6.51	3.25	YES
L0000426	0	0.18440E-06	450748.5	3769230.1	298.4	3.49	6.51	3.25	YES
L0000427	0	0.18440E-06	450762.5	3769230.0	298.4	3.49	6.51	3.25	YES
L0000428	0	0.18440E-06	450776.5	3769229.8	298.4	3.49	6.51	3.25	YES
L0000429	0	0.18440E-06	450790.5	3769229.7	298.4	3.49	6.51	3.25	YES
L0000430	0	0.18440E-06	450804.5	3769229.6	298.4	3.49	6.51	3.25	YES
L0000431	0	0.18440E-06	450818.5	3769229.5	298.4	3.49	6.51	3.25	YES
L0000432	0	0.18440E-06	450832.5	3769229.4	298.3	3.49	6.51	3.25	YES
L0000433	0	0.18440E-06	450846.5	3769229.3	298.3	3.49	6.51	3.25	YES
L0000434	0	0.18440E-06	450860.5	3769229.2	298.1	3.49	6.51	3.25	YES
L0000435	0	0.18440E-06	450874.5	3769229.1	297.8	3.49	6.51	3.25	YES
L0000436	0	0.18440E-06	450888.5	3769229.0	297.7	3.49	6.51	3.25	YES
L0000437	0	0.18440E-06	450902.5	3769228.9	297.7	3.49	6.51	3.25	YES
L0000438	0	0.18440E-06	450916.5	3769228.7	297.7	3.49	6.51	3.25	YES
L0000439	0	0.18440E-06	450930.5	3769228.6	297.6	3.49	6.51	3.25	

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 YES
 L0000440         0   0.18440E-06  450944.5 3769228.5   297.5     3.49     6.51     3.25
 YES
 L0000441         0   0.18440E-06  450958.5 3769228.4   297.4     3.49     6.51     3.25
 YES
 L0000442         0   0.18440E-06  450972.5 3769228.3   297.2     3.49     6.51     3.25
 YES
 L0000443         0   0.18440E-06  450986.5 3769228.2   297.2     3.49     6.51     3.25
 YES
 L0000444         0   0.18440E-06  451000.5 3769228.1   297.1     3.49     6.51     3.25
 YES
 L0000445         0   0.18440E-06  451014.5 3769228.0   297.1     3.49     6.51     3.25
 YES
 L0000446         0   0.18440E-06  451028.5 3769227.9   297.0     3.49     6.51     3.25
 YES
 L0000447         0   0.18440E-06  451042.5 3769227.8   296.9     3.49     6.51     3.25
 YES
 L0000448         0   0.18440E-06  451056.5 3769227.6   296.8     3.49     6.51     3.25
 YES
 L0000449         0   0.18440E-06  451070.5 3769227.5   296.8     3.49     6.51     3.25
 YES
 L0000450         0   0.18440E-06  451084.5 3769227.4   296.7     3.49     6.51     3.25
 YES
 L0000451         0   0.18440E-06  451098.5 3769227.3   296.7     3.49     6.51     3.25
 YES
 L0000452         0   0.18440E-06  451112.5 3769227.2   296.7     3.49     6.51     3.25
 YES
 L0000453         0   0.18440E-06  451126.5 3769227.1   296.6     3.49     6.51     3.25
 YES
 L0000454         0   0.18440E-06  451140.5 3769227.0   296.5     3.49     6.51     3.25
 YES
 L0000455         0   0.18440E-06  451154.5 3769226.9   296.5     3.49     6.51     3.25
 YES
 L0000456         0   0.18440E-06  451168.5 3769226.8   296.4     3.49     6.51     3.25
 YES
 L0000457         0   0.18440E-06  451182.5 3769226.6   296.4     3.49     6.51     3.25
 YES
FF *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                  ***       11:35:02

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE
  SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
  SOURCE  SCALAR VARY
    ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
    (METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - - -

 L0000458         0   0.18440E-06  451196.5 3769226.5   296.4     3.49     6.51     3.25
 YES
 L0000459         0   0.18440E-06  451210.5 3769226.4   296.4     3.49     6.51     3.25
 YES
 L0000460         0   0.18440E-06  451224.5 3769226.3   296.3     3.49     6.51     3.25
 YES
 L0000461         0   0.18440E-06  451238.5 3769226.2   296.3     3.49     6.51     3.25
 YES
 L0000462         0   0.18440E-06  451252.5 3769226.1   296.2     3.49     6.51     3.25
```

YES
L0000463 0 0.18440E-06 451266.5 3769226.0 296.1 3.49 6.51 3.25
YES
L0000464 0 0.18440E-06 451280.5 3769225.9 295.9 3.49 6.51 3.25
YES
L0000465 0 0.18440E-06 451294.5 3769225.8 295.8 3.49 6.51 3.25
YES
L0000466 0 0.18440E-06 451308.5 3769225.7 295.7 3.49 6.51 3.25
YES
L0000467 0 0.18440E-06 451322.5 3769225.5 295.5 3.49 6.51 3.25
YES
L0000468 0 0.18440E-06 451336.5 3769225.4 295.5 3.49 6.51 3.25
YES
L0000469 0 0.18440E-06 451350.5 3769225.3 295.7 3.49 6.51 3.25
YES
L0000470 0 0.18440E-06 451364.5 3769225.2 295.9 3.49 6.51 3.25
YES
L0000471 0 0.18440E-06 451378.5 3769225.1 296.1 3.49 6.51 3.25
YES
L0000472 0 0.18440E-06 451392.5 3769225.0 296.4 3.49 6.51 3.25
YES
L0000473 0 0.18440E-06 451406.5 3769224.9 296.5 3.49 6.51 3.25
YES
L0000474 0 0.18440E-06 451420.5 3769224.8 296.6 3.49 6.51 3.25
YES
L0000475 0 0.18440E-06 451434.5 3769224.7 296.7 3.49 6.51 3.25
YES
L0000476 0 0.18440E-06 451448.5 3769224.6 296.7 3.49 6.51 3.25
YES
L0000477 0 0.18440E-06 451462.4 3769224.2 297.0 3.49 6.51 3.25
YES
L0000478 0 0.18440E-06 451476.4 3769223.1 297.2 3.49 6.51 3.25
YES
L0000479 0 0.18440E-06 451489.6 3769218.6 297.4 3.49 6.51 3.25
YES
L0000480 0 0.18440E-06 451502.7 3769213.6 297.6 3.49 6.51 3.25
YES
L0000481 0 0.18440E-06 451515.7 3769208.5 297.5 3.49 6.51 3.25
YES
L0000482 0 0.18440E-06 451528.8 3769203.5 297.3 3.49 6.51 3.25
YES
L0000483 0 0.18440E-06 451541.8 3769198.4 297.1 3.49 6.51 3.25
YES
L0000484 0 0.18440E-06 451554.9 3769193.3 297.2 3.49 6.51 3.25
YES
L0000485 0 0.18440E-06 451567.9 3769188.3 297.2 3.49 6.51 3.25
YES
L0000486 0 0.18440E-06 451581.1 3769183.4 297.3 3.49 6.51 3.25
YES
L0000487 0 0.18440E-06 451594.6 3769180.0 297.4 3.49 6.51 3.25
YES
L0000488 0 0.18440E-06 451608.4 3769178.0 297.4 3.49 6.51 3.25
YES
L0000489 0 0.18440E-06 451622.4 3769177.1 297.4 3.49 6.51 3.25
YES
L0000490 0 0.18440E-06 451631.0 3769182.8 297.6 3.49 6.51 3.25
YES
L0000491 0 0.18440E-06 451632.8 3769196.6 298.1 3.49 6.51 3.25
YES
L0000492 0 0.18440E-06 451633.8 3769210.6 298.5 3.49 6.51 3.25
YES
L0000493 0 0.18440E-06 451633.7 3769224.6 298.9 3.49 6.51 3.25
YES
L0000494 0 0.18440E-06 451633.6 3769238.6 299.4 3.49 6.51 3.25
YES
L0000495 0 0.18440E-06 451633.5 3769252.6 299.9 3.49 6.51 3.25

YES
L0000496 0 0.18440E-06 451633.5 3769266.6 300.4 3.49 6.51 3.25
YES
L0000497 0 0.18440E-06 451633.4 3769280.6 301.0 3.49 6.51 3.25
YES
FF *** AERMOD - VERSION 21112 *** *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops *** 08/23/22
*** AERMET - VERSION 16216 ***
*** *** 11:35:02

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*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	SCALAR VARY BY
L0000498	0	0.18440E-06	451633.3	3769294.6	301.8	3.49	6.51	3.25	YES
L0000499	0	0.18440E-06	451633.2	3769308.6	302.6	3.49	6.51	3.25	YES
L0000500	0	0.18440E-06	451633.1	3769322.6	303.6	3.49	6.51	3.25	YES
L0000501	0	0.18440E-06	451633.0	3769336.6	304.6	3.49	6.51	3.25	YES
L0000502	0	0.18440E-06	451632.9	3769350.6	305.9	3.49	6.51	3.25	YES
L0000503	0	0.18440E-06	451632.8	3769364.6	307.2	3.49	6.51	3.25	YES
L0000504	0	0.18440E-06	451632.8	3769378.6	307.3	3.49	6.51	3.25	YES
L0000505	0	0.18440E-06	451633.0	3769392.6	307.2	3.49	6.51	3.25	YES
L0000506	0	0.18440E-06	451633.2	3769406.6	306.5	3.49	6.51	3.25	YES
L0000507	0	0.18440E-06	451633.5	3769420.6	305.7	3.49	6.51	3.25	YES
L0000508	0	0.18440E-06	451633.7	3769434.6	305.2	3.49	6.51	3.25	YES
L0000509	0	0.18440E-06	451633.9	3769448.6	304.9	3.49	6.51	3.25	YES
L0000510	0	0.18440E-06	451634.2	3769462.6	305.0	3.49	6.51	3.25	YES
L0000511	0	0.18440E-06	451634.4	3769476.6	305.4	3.49	6.51	3.25	YES
L0000512	0	0.18440E-06	451634.7	3769490.6	305.9	3.49	6.51	3.25	YES
L0000513	0	0.18440E-06	451635.0	3769504.5	306.4	3.49	6.51	3.25	YES
L0000514	0	0.18440E-06	451635.4	3769518.5	306.7	3.49	6.51	3.25	YES
L0000515	0	0.18440E-06	451635.8	3769532.5	306.5	3.49	6.51	3.25	YES
L0000516	0	0.18440E-06	451636.2	3769546.5	306.2	3.49	6.51	3.25	YES
L0000517	0	0.18440E-06	451636.5	3769560.5	306.3	3.49	6.51	3.25	YES
L0000518	0	0.18440E-06	451636.9	3769574.5	306.5	3.49	6.51	3.25	

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 YES
 L0000519         0   0.18440E-06  451637.3 3769588.5   307.0     3.49     6.51     3.25
 YES
 L0000520         0   0.18440E-06  451637.6 3769602.5   307.5     3.49     6.51     3.25
 YES
 L0000521         0   0.18440E-06  451637.9 3769616.5   307.7     3.49     6.51     3.25
 YES
 L0000522         0   0.18440E-06  451637.9 3769630.5   307.8     3.49     6.51     3.25
 YES
 L0000523         0   0.18440E-06  451637.9 3769644.5   307.2     3.49     6.51     3.25
 YES
 L0000524         0   0.18440E-06  451637.9 3769658.5   306.3     3.49     6.51     3.25
 YES
 L0000525         0   0.18440E-06  451637.9 3769672.5   305.6     3.49     6.51     3.25
 YES
 L0000526         0   0.18440E-06  451637.9 3769686.5   305.1     3.49     6.51     3.25
 YES
 L0000527         0   0.18440E-06  451637.9 3769700.5   304.7     3.49     6.51     3.25
 YES
 L0000528         0   0.18440E-06  451637.9 3769714.5   304.5     3.49     6.51     3.25
 YES
 L0000529         0   0.18440E-06  451637.9 3769728.5   304.4     3.49     6.51     3.25
 YES
 L0000530         0   0.18440E-06  451637.9 3769742.5   304.6     3.49     6.51     3.25
 YES
 L0000531         0   0.18440E-06  451637.9 3769756.5   304.8     3.49     6.51     3.25
 YES
 L0000532         0   0.18440E-06  451637.9 3769770.5   305.1     3.49     6.51     3.25
 YES
 L0000533         0   0.18440E-06  451637.9 3769784.5   305.3     3.49     6.51     3.25
 YES
 L0000534         0   0.18440E-06  451638.3 3769798.5   306.2     3.49     6.51     3.25
 YES
 L0000535         0   0.18440E-06  451638.8 3769812.5   307.1     3.49     6.51     3.25
 YES
 L0000536         0   0.18440E-06  451639.3 3769826.5   307.4     3.49     6.51     3.25
 YES
 L0000537         0   0.18440E-06  451639.7 3769840.5   307.5     3.49     6.51     3.25
 YES
FF *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       11:35:02

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE
   SOURCE      PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
     (METERS)              BY
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 - - - - - - - - - - - - -

 L0000538         0   0.18440E-06  451640.2 3769854.5   307.8     3.49     6.51     3.25
 YES
 L0000539         0   0.18440E-06  451640.7 3769868.5   308.4     3.49     6.51     3.25
 YES
 L0000540         0   0.18440E-06  451641.1 3769882.5   308.5     3.49     6.51     3.25
 YES
 L0000541         0   0.18440E-06  451641.6 3769896.4   308.2     3.49     6.51     3.25
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*** SOURCE IDs DEFINING SOURCE GROUPS ***

SRCGROUP ID	SOURCE IDs
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*** SOURCE IDs DEFINING SOURCE GROUPS ***

SRCGROUP ID SOURCE IDs

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L0000536 , L0000537 ,

L0000538 , L0000539 , L0000540 , L0000541 , L0000542 ,

*** SOURCE IDs DEFINED AS URBAN SOURCES ***

URBAN ID URBAN POP SOURCE IDs

2035210. L0000338 , L0000339 , L0000340 , L0000341 , L0000342 ,
L0000343 , L0000344 ,
L0000345 ,

L0000346 , L0000347 , L0000348 , L0000349 , L0000350 , L0000351 ,
L0000352 , L0000353 ,

L0000354 , L0000355 , L0000356 , L0000357 , L0000358 , L0000359 ,
L0000360 , L0000361 ,

```
            L0000362    , L0000363    , L0000364    , L0000365    , L0000366    , L0000367    ,
            L0000368    , L0000369    ,

            L0000370    , L0000371    , L0000372    , L0000373    , L0000374    , L0000375    ,
            L0000376    , L0000377    ,

            L0000378    , L0000379    , L0000380    , L0000381    , L0000382    , L0000383    ,
            L0000384    , L0000385    ,

            L0000386    , L0000387    , L0000388    , L0000389    , L0000390    , L0000391    ,
            L0000392    , L0000393    ,

            L0000394    , L0000395    , L0000396    , L0000397    , L0000398    , L0000399    ,
            L0000400    , L0000401    ,

            L0000402    , L0000403    , L0000404    , L0000405    , L0000406    , L0000407    ,
            L0000408    , L0000409    ,

            L0000410    , L0000411    , L0000412    , L0000413    , L0000414    , L0000415    ,
            L0000416    , L0000417    ,

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            L0000424    , L0000425    ,

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            L0000456    , L0000457    ,

            L0000458    , L0000459    , L0000460    , L0000461    , L0000462    , L0000463    ,
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            L0000474    , L0000475    , L0000476    , L0000477    , L0000478    , L0000479    ,
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            L0000482    , L0000483    , L0000484    , L0000485    , L0000486    , L0000487    ,
            L0000488    , L0000489    ,

            L0000490    , L0000491    , L0000492    , L0000493    , L0000494    , L0000495    ,
            L0000496    , L0000497    ,
FF *** AERMOD - VERSION 21112  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        08/23/22
 *** AERMET - VERSION  16216 ***
 ***                                                                  ***       11:35:02

                    PAGE  11
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                      *** SOURCE IDs DEFINED AS URBAN SOURCES ***

  URBAN ID   URBAN POP                                  SOURCE IDs
  --------   ---------                                  ----------
```

L0000498 , L0000499 , L0000500 , L0000501 , L0000502 , L0000503 ,
L0000504 , L0000505 ,

L0000506 , L0000507 , L0000508 , L0000509 , L0000510 , L0000511 ,
L0000512 , L0000513 ,

L0000514 , L0000515 , L0000516 , L0000517 , L0000518 , L0000519 ,
L0000520 , L0000521 ,

L0000522 , L0000523 , L0000524 , L0000525 , L0000526 , L0000527 ,
L0000528 , L0000529 ,

L0000530 , L0000531 , L0000532 , L0000533 , L0000534 , L0000535 ,
L0000536 , L0000537 ,

L0000538 , L0000539 , L0000540 , L0000541 , L0000542 ,

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)
(METERS)

(450497.4, 3769490.5, 301.2, 301.2, 0.0); (450800.7, 3769496.4, 301.2, 301.2, 0.0);
(450844.7, 3769482.7, 300.8, 300.8, 0.0); (450443.3, 3769464.3, 300.9, 300.9, 0.0);
(450501.5, 3769327.5, 299.2, 299.2, 0.0); (450500.6, 3769279.8, 298.7, 298.7, 0.0);
(450904.5, 3769273.6, 298.7, 298.7, 0.0); (450904.5, 3769256.7, 298.3, 298.3, 0.0);
(451224.7, 3769252.7, 296.5, 296.5, 0.0); (451223.3, 3769282.5, 297.0, 297.0, 0.0);
(451085.8, 3769299.7, 297.7, 297.7, 0.0); (451203.8, 3769285.4, 297.1, 297.1, 0.0);
(450660.4, 3769097.0, 298.3, 298.3, 0.0); (451202.0, 3769091.5, 294.3, 294.3, 0.0);
(450843.3, 3769093.9, 296.0, 296.0, 0.0); (451065.3, 3769091.5, 295.0, 295.0, 0.0);
(450488.4, 3769125.6, 297.5, 297.5, 0.0); (450365.0, 3769200.8, 297.4, 297.4, 0.0);
(449491.0, 3769987.6, 306.4, 306.4, 0.0); (451310.5, 3769494.7, 298.9, 298.9, 0.0);
(451571.6, 3769299.6, 300.9, 300.9, 0.0); (451412.2, 3769298.4, 297.6, 297.6, 0.0);
(451467.2, 3769186.0, 296.7, 296.7, 0.0); (449272.9, 3769950.8, 304.9, 304.9, 0.0);
(449463.3, 3769963.2, 305.9, 305.9, 0.0); (449418.9, 3769937.8, 305.4, 305.4, 0.0);
(449134.5, 3770074.5, 305.9, 305.9, 0.0); (448757.9, 3770086.1, 305.4, 305.4, 0.0);
(451123.0, 3769118.2, 295.2, 295.2, 0.0); (453236.6, 3767558.9, 279.1, 279.1, 0.0);
(453308.3, 3767535.1, 279.2, 279.2, 0.0); (453281.0, 3767662.3, 280.5, 280.5, 0.0);
(453784.7, 3767275.2, 274.3, 274.3, 0.0); (453764.7, 3767244.9, 273.9, 273.9, 0.0);
(448293.4, 3770898.6, 316.0, 316.0, 0.0); (448374.2, 3771008.4, 318.1, 318.1, 0.0);
(448407.8, 3771051.1, 318.9, 318.9, 0.0); (451567.7, 3769513.9, 304.1, 304.1, 0.0);

(451567.3, 3769558.7, 304.5, 304.5, 0.0); (451504.3, 3769499.8, 301.8, 301.8, 0.0);
(451404.2, 3769478.0, 299.6, 299.6, 0.0); (451080.2, 3769366.8, 298.5, 298.5, 0.0);
(451083.4, 3769345.3, 298.2, 298.2, 0.0); (451855.6, 3769413.3, 300.9, 300.9, 0.0);
(451858.8, 3769297.5, 299.2, 299.2, 0.0); (451877.2, 3769588.2, 303.3, 303.3, 0.0);
(451769.8, 3769173.3, 296.9, 296.9, 0.0);

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

1 1 1

FREE

Surface station no.: 3102 Upper air station no.: 3190
Name: UNKNOWN Name:
UNKNOWN
Year: 2012 Year: 2012

First 24 hours of scalar data

YR	MO	DY	JDY	HR	H0	U*	W*	DT/DZ	ZICNV	ZIMCH	M-O LEN	Z0	BOWEN	ALBEDO	REF WS	WD	HT	REF TA	HT
12	01	01	1	01	-16.4	0.171	-9.000	-9.000	-999.	170.	32.3	0.09	1.12	1.00	2.03	43.	7.9	285.9	2.0
12	01	01	1	02	-18.8	0.194	-9.000	-9.000	-999.	205.	41.3	0.09	1.12	1.00	2.28	34.	7.9	285.4	2.0
12	01	01	1	03	-17.8	0.182	-9.000	-9.000	-999.	187.	36.5	0.09	1.12	1.00	2.15	24.	7.9	282.0	2.0
12	01	01	1	04	-9.4	0.128	-9.000	-9.000	-999.	110.	19.6	0.09	1.12	1.00	1.55	41.	7.9	283.1	2.0
12	01	01	1	05	-16.9	0.173	-9.000	-9.000	-999.	173.	33.0	0.09	1.12	1.00	2.05	39.	7.9	280.4	2.0
12	01	01	1	06	-8.0	0.117	-9.000	-9.000	-999.	97.	17.8	0.09	1.12	1.00	1.43	21.	7.9	282.0	2.0
12	01	01	1	07	-7.6	0.115	-9.000	-9.000	-999.	93.	17.4	0.09	1.12	1.00	1.40	31.	7.9	282.5	2.0
12	01	01	1	08	-13.6	0.184	-9.000	-9.000	-999.	190.	40.5	0.09	1.12	0.54	2.16	34.	7.9	284.2	2.0
12	01	01	1	09	28.4	0.126	0.300	0.011	33.	108.	-6.2	0.09	1.12	0.32	1.03	29.	7.9	289.2	2.0
12	01	01	1	10	79.8	0.133	0.607	0.010	99.	116.	-2.6	0.09	1.12	0.25	0.94	173.	7.9	292.5	2.0
12	01	01	1	11	115.8	0.137	0.932	0.006	246.	121.	-2.0	0.09	1.12	0.22	0.92	172.	7.9	295.4	2.0
12	01	01	1	12	133.7	0.139	1.197	0.005	453.	125.	-1.8	0.09	1.12	0.21	0.92	146.	7.9	297.5	2.0
12	01	01	1	13	133.2	0.160	1.354	0.005	657.	153.	-2.7	0.09	1.12	0.21	1.14	117.	7.9	299.9	2.0
12	01	01	1	14	113.5	0.159	1.454	0.005	955.	151.	-3.1	0.09	1.12	0.23	1.16	285.	7.9	300.9	2.0
12	01	01	1	15	76.2	0.166	1.350	0.005	1138.	163.	-5.3	0.09	1.12	0.26	1.33	72.	7.9	302.0	2.0
12	01	01	1	16	23.5	0.175	0.925	0.005	1183.	175.	-19.9	0.09	1.12	0.35	1.65	107.	7.9	301.4	2.0
12	01	01	1	17	-6.1	0.107	-9.000	-9.000	-999.	86.	18.0	0.09	1.12	0.63	1.31	107.	7.9	298.1	2.0
12	01	01	1	18	-11.1	0.141	-9.000	-9.000	-999.	127.	22.1	0.09	1.12	1.00	1.69	86.	7.9	293.1	2.0
12	01	01	1	19	-3.2	0.076	-9.000	-9.000	-999.	51.	11.8	0.09	1.12	1.00	0.91	64.	7.9	292.0	2.0
12	01	01	1	20	-2.3	0.066	-9.000	-9.000	-999.	41.	11.2	0.09	1.12	1.00	0.74	73.	7.9	288.8	2.0
12	01	01	1	21	-10.0	0.133	-9.000	-9.000	-999.	116.	20.5	0.09	1.12	1.00	1.60	14.	7.9	288.1	2.0
12	01	01	1	22	-19.4	0.201	-9.000	-9.000	-999.	216.	44.5	0.09	1.12	1.00	2.36	22.	7.9	287.5	2.0
12	01	01	1	23	-23.7	0.246	-9.000	-9.000	-999.	293.	66.5	0.09	1.12	1.00	2.86	40.	7.9	287.0	2.0
12	01	01	1	24	-12.3	0.147	-9.000	-9.000	-999.	139.	23.8	0.09	1.12	1.00	1.76	40.	7.9	283.8	2.0

First hour of profile data

YR	MO	DY	HR	HEIGHT	F	WDIR	WSPD	AMB_TMP	sigmaA	sigmaW	sigmaV
12	01	01	01	7.9	1	43.	2.03	286.0	99.0	-99.00	-99.00

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** THE ANNUAL AVERAGE CONCENTRATION VALUES AVERAGED OVER 5 YEARS FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): L0000338 , L0000339 , L0000340 , L0000341 , L0000342 , L0000343 , L0000344 , L0000345 , L0000346 , L0000347 , L0000348 , L0000349 , L0000350 , L0000351 , L0000352 , L0000353 , L0000354 , L0000355 , L0000356 , L0000357 , L0000358 , L0000359 , L0000360 , L0000361 , L0000362 , L0000363 , L0000364 , L0000365 , . . . ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF DPM IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
450497.39	3769490.46	0.00050	450800.72	3769496.41	0.00096
450844.74	3769482.73	0.00110	450443.26	3769464.29	0.00045
450501.53	3769327.46	0.00126	450500.56	3769279.81	0.00163
450904.52	3769273.57	0.00417	450904.52	3769256.68	0.00368
451224.66	3769252.72	0.00132	451223.34	3769282.54	0.00101
451085.83	3769299.70	0.00132	451203.81	3769285.44	0.00103
450660.39	3769097.00	0.00113	451201.96	3769091.46	0.00042
450843.34	3769093.95	0.00086	451065.35	3769091.46	0.00051
450488.39	3769125.56	0.00087	450365.04	3769200.78	0.00048
449490.95	3769987.56	0.00003	451310.46	3769494.69	0.00061
451571.63	3769299.56	0.00077	451412.20	3769298.37	0.00076
451467.16	3769185.97	0.00080	449272.92	3769950.83	0.00003
449463.32	3769963.25	0.00003	449418.90	3769937.78	0.00003
449134.45	3770074.53	0.00002	448757.86	3770086.14	0.00002
451123.04	3769118.25	0.00054	453236.59	3767558.94	0.00001
453308.35	3767535.11	0.00001	453281.04	3767662.29	0.00001
453784.70	3767275.20	0.00001	453764.70	3767244.94	0.00001
448293.38	3770898.58	0.00001	448374.25	3771008.42	0.00001
448407.77	3771051.14	0.00001	451567.70		

*** THE SUMMARY OF MAXIMUM ANNUAL RESULTS AVERAGED OVER 5 YEARS ***

** CONC OF DPM IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZHILL, ZFLAG)	OF TYPE	GRID-ID
ALL	1ST HIGHEST VALUE IS	0.00417	AT (450904.52, 3769273.57, 298.65, 298.65, 0.00)	DC	
	2ND HIGHEST VALUE IS	0.00368	AT (450904.52, 3769256.68, 298.30, 298.30, 0.00)	DC	
	3RD HIGHEST VALUE IS	0.00163	AT (450500.56, 3769279.81, 298.74, 298.74, 0.00)	DC	
	4TH HIGHEST VALUE IS	0.00132	AT (451085.83, 3769299.70, 297.72, 297.72, 0.00)	DC	
	5TH HIGHEST VALUE IS	0.00132	AT (451083.41, 3769345.35, 298.25, 298.25, 0.00)	DC	
	6TH HIGHEST VALUE IS	0.00132	AT (451224.66, 3769252.72, 296.51, 296.51, 0.00)	DC	
	7TH HIGHEST VALUE IS	0.00131	AT (451080.25, 3769366.84, 298.50, 298.50, 0.00)	DC	
	8TH HIGHEST VALUE IS	0.00126	AT (450501.53, 3769327.46, 299.22, 299.22, 0.00)	DC	
	9TH HIGHEST VALUE IS	0.00113	AT (450660.39, 3769097.00, 298.29, 298.29, 0.00)	DC	
	10TH HIGHEST VALUE IS	0.00110	AT (450844.74, 3769482.73, 300.84, 300.84, 0.00)	DC	

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR

```
*** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

*** Message Summary : AERMOD Model Execution ***

 --------- Summary of Total Messages --------

A Total of            0 Fatal Error Message(s)
A Total of            2 Warning Message(s)
A Total of         1628 Informational Message(s)

A Total of        43848 Hours Were Processed

A Total of         1278 Calm Hours Identified

A Total of          350 Missing Hours Identified (  0.80 Percent)


   ******** FATAL ERROR MESSAGES ********
              ***  NONE  ***


   ********   WARNING MESSAGES   ********
ME W186     540       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used          0.50
ME W187     540       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

   ***********************************
   *** AERMOD Finishes Successfully ***
   ***********************************
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APPENDIX 2.4:

RISK CALCULATIONS

Table 1
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
0-2 Age Bin Exposure Scenario - Construction Activity

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			$(ug/m^3)^{-1}$	$(mg/kg/day)^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	7.5E-09	9.1E-10	5.0E+00	1.4E-03	2.0E-06							
TOTAL								9.1E-10			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

0.00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	250
exposure duration (years)	0.96
inhalation rate (L/kg-day))	1090
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.85
age sensitivity factor (0 to 2 years old)	10

Table 3
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
2-16 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			$(ug/m^3)^{-1}$	$(mg/kg/day)^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	5.5E-09	2.4E-09	5.0E+00	1.4E-03	2.0E-06							
TOTAL								2.4E-09			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

0.00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	13.23
inhalation rate (L/kg-day))	572
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.72
age sensitivity factor (ages 2 to 16 years	3

Table 4
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
16-30 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	2.5E-09	3.8E-10	5.0E+00	1.4E-03	2.0E-06							
TOTAL								3.8E-10			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00
								0.00										

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	14
inhalation rate (L/kg-day))	261
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.73
age sensitivity factor (ages 16 to 30 years old)	1

Total Risk for All Age Bins (per million) **0.004**

Table 1
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
-0.25 to 0 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			$(ug/m^3)^{-1}$	$(mg/kg/day)^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	3.5E-09	1.1E-10	5.0E+00	1.4E-03	2.0E-06							
TOTAL								1.1E-10			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	0.25
inhalation rate (L/kg-day))	361
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.85
age sensitivity factor (age third trimester	10

Table 2
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
0-2 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			$(ug/m^3)^{-1}$	$(mg/kg/day)^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	1.0E-08	2.7E-09	5.0E+00	1.4E-03	2.0E-06							
TOTAL								2.7E-09			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	2
inhalation rate (L/kg-day))	1090
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.85
age sensitivity factor (0 to 2 years old)	10

Table 3
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
2-16 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			$(ug/m^3)^{-1}$	$(mg/kg/day)^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	5.5E-09	2.5E-09	5.0E+00	1.4E-03	2.0E-06							
TOTAL								2.5E-09			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	14
inhalation rate (L/kg-day))	572
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.72
age sensitivity factor (ages 2 to 16 years	3

Table 4
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
16-30 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	2.5E-09	3.8E-10	5.0E+00	1.4E-03	2.0E-06							
TOTAL								3.8E-10			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00
								0.00										

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	14
inhalation rate (L/kg-day))	261
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.73
age sensitivity factor (ages 16 to 30 years old)	1

Total Risk for All Age Bins (per million) 0.006

Table 5
Quantification of Carcinogenic Risks and Noncarcinogenic Risks
25-Year Worker Exposure Scenario

	Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**									
						URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
		(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
1	Diesel Particulates	4.17E-03	4.17E-06	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	6.6E-07	2.5E-07	5.0E+00	1.4E-03	8.3E-04							
	TOTAL								2.5E-07 0.25			8.3E-04	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	250
exposure duration (years)	25
inhalation rate (L/kg-day))	230
inhalation absorption factor	1
averaging time (years)	70

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May 20, 2022

Tracy Chu
T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, California 92602

RE: Cultural Resources Records Search Results for the 5355 Airport Drive Project, Ontario, California

Dear Ms. Chu:

An archaeological records search has been completed for the 5355 Airport Drive Project located at 5355 Airport Drive in the city of Ontario, San Bernardino County, California. As part of the environmental review process, Brian F. Smith and Associates, Inc. reviewed the results of the records search from the South Central Coastal Information Center at California State University, Fullerton. The records search encompassed an area of one-half mile surrounding the project.

Based upon the records search results, three resources have been recorded within one-half mile of the project, none of which are within the project boundaries. The resources include a historic railroad track alignment, a historic foundation, and a historic transmission line alignment.

The records search results also indicate that six previous studies have been conducted within one-half mile of the project, one of which (Taylor 1993) overlaps the western third of the subject property. The study, entitled "Archaeological Reconnaissance Survey Report, Middle Lugo-Mira Loma 500KV T/L Right-Of-Way Between Concours and Jurupa Avenue, Ontario, California," did not result in the identification of any cultural resources within the subject property.

The full results of the completed records search are attached to this letter report (Attachment A). Please contact us should you have any questions or require additional study for this project.

Regards,

Brian F. Smith
BFS:ag

Attachment:

Attachment A – Archeological Records Search Results

ATTACHMENT A

Archaeological Records Search Results

BRIAN F. SMITH and ASSOCIATES

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEMS

RECORDS SEARCH

Company:	Brian F. Smith and Associates
Processed By:	Andrew Garrison
Date Processed:	April 21, 2022
Project Identification:	5355 Airport Dr 22-144
Information Center:	South Central Coastal Information Center
Search Radius:	One-Half Mile

Historical Resources:

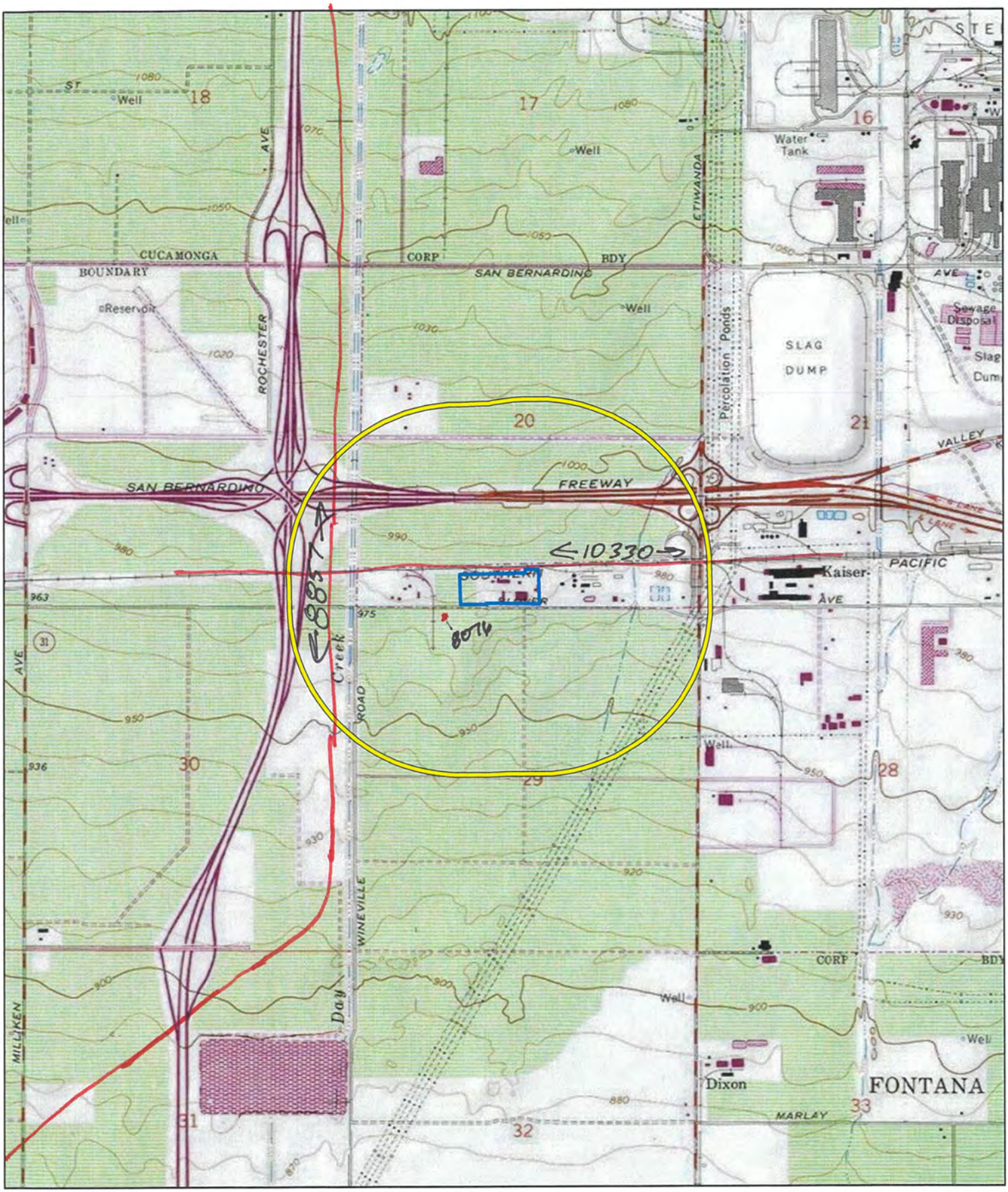
Trinomial and Primary site maps have been reviewed. All sites within the project boundaries and the specified radius of the project area have been reviewed. Copies of the site record forms have been reviewed for all recorded sites.

There are three resources located within one-half-mile of the current project area, none of which are located within the subject property.

Previous Survey Report Boundaries:

Project boundary maps have been reviewed. National Archaeological Database (NADB) citations for reports within the project boundaries and within the specified radius of the project area have been reviewed.

There are six reports within one-half-mile of the current project area, one of which (NADB 1062979) overlaps the current project.



Project

Half Mile Radius

5355 Airport Drive (22-144)
USGS *Guasti* Quadrangle
(7.5-minute series)

Resources
1 of 1

N

1:24,000

AJG BFSA: 4/18/

Resource List

5355 Airport Dr 22-144

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-36-008076	CA-SBR-008076H	Resource Name - LML-1	Structure	Historic	AH02	1993 (TAYLOR,THOMAS, Southern California Edison)	SB-02979
P-36-008857	CA-SBR-008857H	Resource Name - So. Sierras Power Line; Resource Name - Lytle Canyon Transmission Lines; PSBR-37H; SRI-1607 (Update)	Site	Historic	HP16	1986 (John F. Elliott, ECOS); 1997 (Philip de Barros and Joel Paulson, Professional Archaeological Services); 2010 (J. Coleman, Solano Archaeological Services); 2011 (Joshua TramPier, SRI); 2016 (Audry Williams, SCE)	SB-03418, SB-03530, SB-07960
P-36-010330	CA-SBR-010330H	Resource Name - Union Pacific Railroad; Other - Southern Pacific Railroad; Other - West Line Basin Alignment; Other - Union Pacific Railroad Crossing at Anderson Street; Other - 19-186112	Structure, Object	Historic	AH07; HP39	1999 (S. Ashkar, Jones & Stokes Associates, Inc.); 2002 (Goodwin, R., LSA Associates, Inc.); 2008 (Harper, C.D., SWCA); 2010 (Tibbet, C., LSA Associates, Inc.); 2012 (Paul, Daniel D., ICF International)	SB-04335, SB-05495, SB-05614, SB-06720, SB-07451, SB-07666, SB-07955

P36-008076 2/95

ARCHAEOLOGICAL SITE RECORD

Permanent Trinomial: CA-SBR-8076H
Other Designation: LML-1
PRIMARY # P36-008076

1. County: San Bernardino

2. USGS Quad: Guasti (7.5) X (15)___Photorevised 1973

3. UTM Coordinates: Zone 11 M Easting 450504 M Northing 3769040

4. Township 1 S. Range 6 W.; NW 1/4 of NE 1/4 of NW of Section 29
Base Meridian San Bernardino 5. Elevation 980'

6. Map Coordinates: 450507 mmS 3769018 mmE (from NW map corner)

7. Location: Site is located about 40 meters south of Airport Dr. (Slover Ave.) and 7/10 mile west of Etiwanda Ave. A N/S industrial railroad siding runs about 20 meters west of site.

8. Prehistoric___Historic X Protohistoric_____

9. Site Description: 12 foot square structural foundation of parent rock and concrete. Two mounds of asphalt also present. Site is on margin of abandoned vinyard and is overlooked by 4 large eucalyptus trees.

10. Area 20 M(length)x 20 M(width) 400 M^2
Method of determination: Paced

11. Depth: Unknown Method of Determination Surface observation.

12. Features: Partially buried structural foundation of parent rock and concrete. Foundation is raised-side footing 12" wide x 15" to 24" high above ground. Possible 3' wide porch on south side; 3' wide door entrance on north side. 8" x 10" wood post remnants at mid-point on east and west sides in footing. Asphalt mounds are on north side of structure.

13. Artifacts: None observed.

14. Non-artifactual Constituents and Faunal Remains: None observed.

15. Date Recorded: 23 July 1993 16. Recorder: Thomas T. Taylor

P36-008076/95

ARCHAEOLOGICAL SITE RECORD

Date: 23 Mo. 07 Yr. 93
Permanent Trinomial: SBR-8076H
Other Designation: LML-1
PRIMARY# P36-008076

17. Affiliation and Address: Southern California Edison Company, Environmental Affairs Division, P.O. Box 800, Rosemead, CA 91770.

18. Human Remains: None observed.

19. Site Disturbances: Erosion.

20. Nearest Water
(type, distance and direction) Ephemeral creeks within about 1 to 1/2 mile east or west.

21. Vetetation Community (site vicinity): Vinyard, domestic grapes.

22. Vegetation (on site): European grasses (weeds).

23. Site Soil: Light brown silty loam. 24. Surrounding Soil: Same

25. Geology: Alluvium, coalluvium. 26. Landform: Level

27. Slope: Very gradual to south 28. Exposure: Open

29. Landowner &/or Tenants (incl. address): Southern California Edison Company Real Properties and Administrative Services Department, Ontario, California.

30. Remarks: Records search by San Bernardino County Information Center did not show any historic structures in this location on any of the old U.S.G.S. sheets or survey plats.

31. References: _____

32. Name of Project: Middle Lugo-Mira Loma 500 Kv T/L ROW alternate use evaluation.

33. Type of Investigation: Reconnaissance (partial) pedestrian survey.

34. Site Accession Number: N/A Curated at: N/A

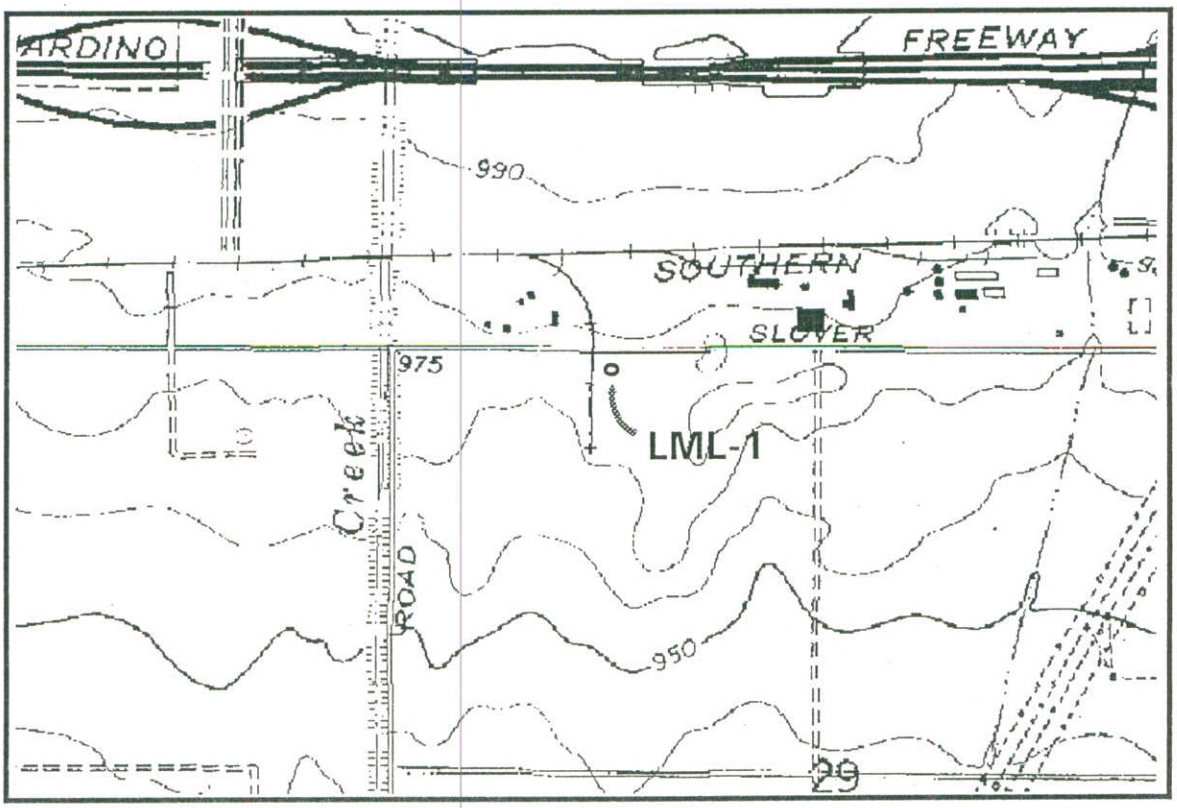
35. Photos: None

P36-008076 2/95

ARCHAEOLOGICAL SITE LOCATION MAP

Date: 23 Mo. 07 Yr. 93
Permanent Trinomial: CA-SBr-H 8076H
Other Designation: LML-1
PRIMARY# P36-008076

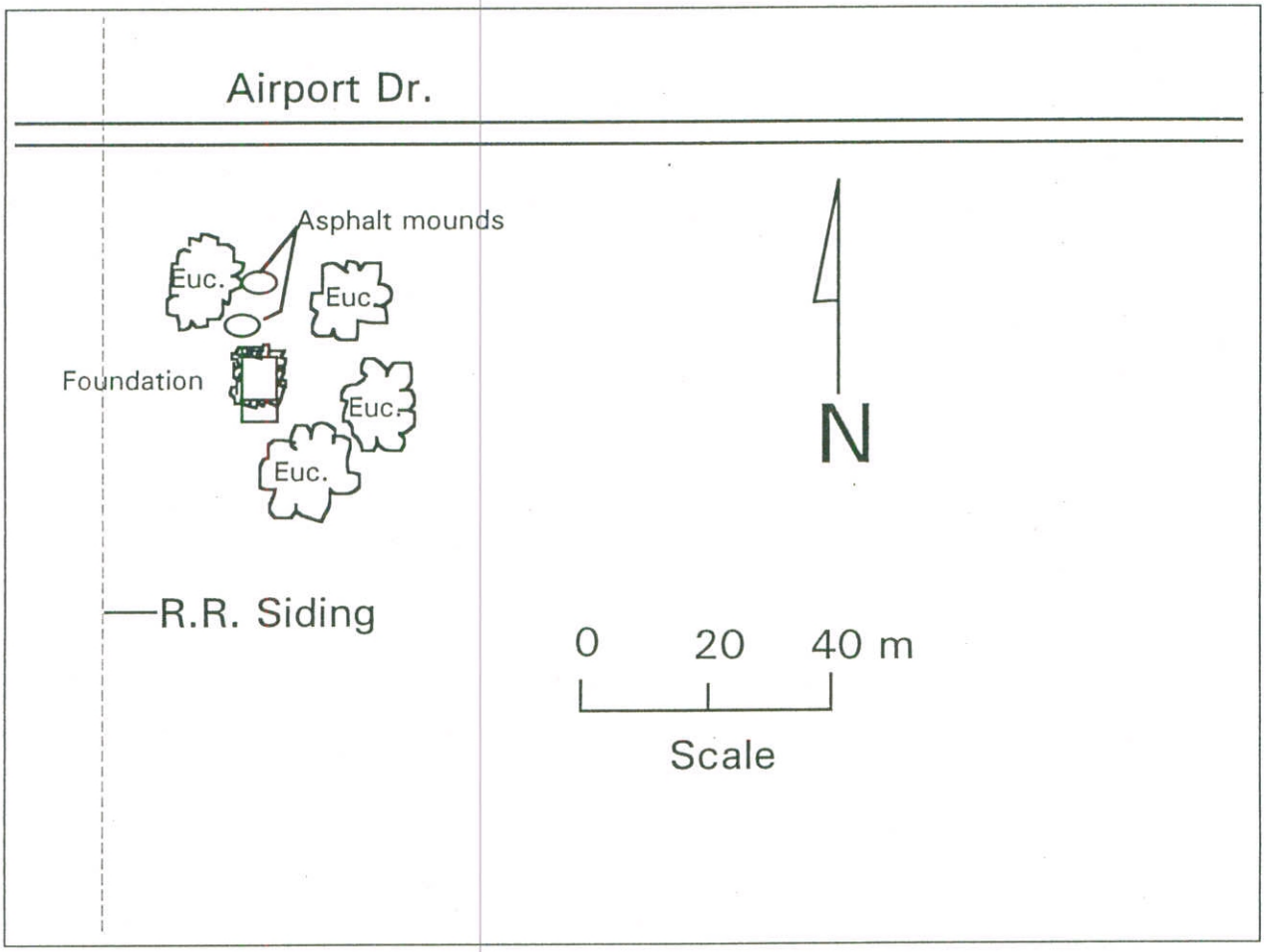
PORTION OF GUASTI '7.5, PHOTOREVISED 1973



P36-008076 2/95

ARCHAEOLOGICAL SITE MAP

Date: 23 Mo. 07 Yr. 93
Permanent Trinomial: SBR-8076H
Other Designation: LML-1
PRIMARY # P36-008076



State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary#: P-36-008857 UPDATE
HRI #:
Trinomial: CA-SBR-8857H
NRHP Status Code: 3S
Other Listings:

Review Code _____ Reviewer _____ Date _____

Page 1 of 16 *Resource Name or # Southern California Edison Company's Lugo-Mira Loma No. 1 500kV Transmission Line P1. Other Identifier: Lugo-Rancho Vista 500kV and Rancho Vista-Mira Loma 500kV Transmission Line

*P2. Location: ☐ Not for Publication ☑ Unrestricted

*a. County San Bernardino County

*b. USGS 7.5' Quad: Silverwood Lake (1996), Cajon (1996), Devor (1996), Cucamonga Peak (1996), Guasti (1978) Date: Various T3N; R5W; Sec 9, 10, 11, 16, 17, 19; T3N; R6W; Sec 1, 12, 13, 24, 25, 36; T1N; R6W; Sec 6, 7, 17, 18, 19, 20, 21, 22, 23, 24, 30, 31; T1N; R7W; Sec 36; T2N; R7W; Sec 1, 2; T2S; R7W; Sec 11, 12; S.B.B.M.

c. Address: n/a City: n/a Zip: n/a

d. UTM: Zone 11S; 466081 mE/ 3802847 mN at Lugo Substation; 459225 mE/ 3781869 mN at HWY 15 Crossing; 450043 mE/ 3777419 mN at HWY 210 Crossing; 450869 mE/ 3771942 mN at Rancho Vista Substation; 447814 mE/ 3763193 mN at Mira Loma Substation;

e. Other Locational Data: The Lugo-Mira Loma 500kV Transmission Line begins at the Lugo Substation located at 6655 Escodido Street, Hesperia, CA 92345 and travels 35 miles southwest to Mira Loma Substation located at 13568 Milliken Avenue, Ontario, CA 91761.

*P3a. Description: The 1986 DPR describes this resources as the Lytle Canyon Transmission Lines and discusses three separate transmission lines. Two of the lines are Los Angeles Department of Water and Power (LADWP) Boulder–Los Angeles 287.5 kV Transmission Lines constructed in 1936 to bring power from Boulder Dam in Clark County, Nevada to Los Angeles. The same 1986 DPR is also listed at the Information Center under P-36-007694. The LADWP lines are no longer part of 36-008857. The LADWP Boulder Lines have been nominated to the NRHP under criteria A and B.

The 1986 record also states the third Lytle Creek transmission line is a Southern California Edison (SCE) transmission line associated with the Lytle Creek Hydroelectric System. The 1997 updated DPR states this information is incorrect and that the Lytle Creek transmission line was removed and the Mira Loma No. 1 transmission line constructed in the same ROW in the early 1960s. This information is also incorrect.

Lugo-Mira Loma No. 1 500kV transmission line, P36-0008857, was constructed in 1969 by SCE as part of the Pacific Northwest–Pacific Southwest Intertie Project (Intertie). Please see the BSO record for additional details

*P3b. Resource Attributes: HP11: Engineering Structure (Transmission Line)

*P4. Resources Present: ☐Building ■Structure ☐Object ☐Site ☐District ☐Element of District ☐Other (Isolates, etc.)



*P5b. Description of Photo: 1973 view of a dead-end tower in Cajon Pass on the Mira Loma-Lugo No. 1 500kV Transmission Line. Source: SCE Photographs and Negatives collection of The Huntington Library (Call No. 11-00457 / Image No. SCE_11_00457). © The Huntington Library, San Marino, California.

*P6. Date Constructed/Age and Source: ■Historic, 1979. SCE Corporate Records

*P7. Owner and Address: Southern California Edison Company, 2244 Walnut Grove Avenue, Rosemead, CA 91770

*P8. Recorded by: Audry Williams, SCE Archaeologist and Historic-era Electrical Infrastructure Specialist

*P9. Date Recorded: December 2016

*P10. Survey Type: Reconnaissance

*P10. Survey Type: Reconnaissance

*P11. Report Citation: ICF. 2016. Cultural Resources Inventory Report for the Lugo-Mira Loma No. 3 and Lugo-Rancho Vista 500kV Transmission Line Rating Remediation Project, San Bernardino County, California. Prepared for Southern California Edison

*Attachments: ☐NONE ■Location Map ■Continuation Sheet ■Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Primary #: P-36-008857 UPDATE
HRI #:

BUILDING, STRUCTURE, OBJECT RECORD

*Resource Name or # SCE Lugo-Mira Loma No. 1 500kV Transmission Line *NRHP Status Code: 3S

B1. Historic Name: Southern California Edison Company's Lugo-Mira Loma No. 1 500kV Transmission Line

B2. Common Name: Lugo-Rancho Vista 500kV Transmission Line and Rancho Vista-Mira Loma 500kV Transmission Line

B3. Original Use: Electric Power Conveyance System / Transmission Line

B4. Present Use: Electric Power Conveyance System / Transmission Line

*B5. Architectural Style: N /A – Utilitarian Electrical Engineering Structures of Lattice Steel Tower Construction

*B6. Construction History: Constructed 1968-1969. Segmented and renamed with the construction of Rancho Vista Substation in 2007 and renamed based on the connection to new substation.

The Mira Loma-Lugo No 1. 500kV Transmission Line was constructed by SCE as part of the Intertie Project. The construction of the Intertie involved multiple companies including the Bonneville Power Administration, Portland General Electric, Pacific Gas & Electric (PG&E) and SCE. These companies together built two 500kV interconnecting high-voltage long distance transmission lines from the Columbia River to southern California. SCE's initial portion of the two parallel 500kV lines consisted of a 114-mile line between the PG&E's Midway substation (approximately 30 miles west of Bakersfield) and the SCE's Vincent substation (approximately 30 miles north of Los Angeles). SCE shortly thereafter built additional 500kV transmission lines to interconnect to newly constructed 500kV substations including the Vincent, Lugo and Mira Loma Substation. The Southwest phase of the Intertie Project expanded the 500kV system across the desert to Eldorado and Mojave Substations, and the Four Corners Area (Maneatis et al. 1970, Myers 1986).

The Lugo-Mira Loma 500kV transmission lines were built in the preexisting Right-of Way (ROW) of SCE's Boulder-Chino 220kV Nos. 1 and 2 Transmission Lines. SCE's 220kV Boulder lines were constructed in 1938-40, the portion of these lines between Lugo and Mira Loma Substations were removed and the Lugo-Mira Loma Nos. 1 and 2 500kV were constructed in the ROW. The original SCE Boulder-Chino 220kV Nos. 1 and 2 transmission lines located between Lugo Substation and Boulder Dam are still standing and have been recorded as P-36-014876. In 2007, SCE constructed the Rancho Vista Substation in Rancho Cucamonga and at that time looped the Lugo-Mira Loma No. 1 into the Rancho Vista Substation and the line name changed to Lugo-Rancho Vista 500kV and Rancho Vista-Mira Loma 500kV.

*B7. Moved? ■ No ☐ Yes ☐ Unknown Date: Original Location: N/A

*B8. Related Features: Pacific Northwest-Pacific Southwest Intertie System

B9a. Architect: Southern California Edison Company b. Builder: Southern California Edison Company

*B10. Significance: Theme: None. Area: None Period of Significance: 1968-1969
Property Type: Engineering Structure – Electric Power Conveyance System Applicable Criteria: NRHP/CRHR Eligible
Extra High Voltage (EHV) Transmission Lines in the Western United States are defined as 300 to 750kV. EHV transmission lines were first constructed in the western United States in the mid-to-late 1960s to supply energy to western United States. The federal government led the planning of the Intertie and construction was split among a number of power agencies. The Intertie System is an EHV, long-distance interconnected transmission line system built to convey electricity from the Pacific Northwest to the Pacific Southwest. The Intertie allowed excess hydroelectric power from the Northwest to be sold to California by interconnecting resources between a number of public and private power agencies. Extra thermal power in Southern California could also be sent to the Northwest in the late fall and winters to supply energy there for lighting and heating. The Intertie extends from Vancouver, British Columbia, though Seattle, Washington, to Phoenix, Arizona. The first lines built as part of the Intertie system consists of two Alternate Current (AC) 500kV lines and a Direct Current (DC) 775kV line from the Pacific Northwest to California, and a 345kV line from Mead Substation to Liberty Substation near Phoenix, Arizona. See Continuation Sheet

B11. Additional Resource Attributes: None.

*B12. References: Maneatis, J. A., E. J. Hubacher, W.N. Rothenbuhler, and J. Sabath. 1970. *500kV Series Capacitor Installations in California.* Paper 70 TP 580-PWR at the IEEE Summer Power Meeting and EHV Conference.

Myers, William A. 1986. Iron Men and Copper Wires: A Centennial History of the Southern California Edison Company. Glendale: Trans-Anglo Books.

Tinsley Becker, Wendy L., Audry Williams, Thomas L. Jackson, and Adam Sriro. 2015. Historic-Era Electrical Infrastructure Management Program: A Program for the Identification, Review, Exemption, and Treatment of Generating Facilities, Transmission Lines, Subtransmission Lines, Distribution Lines, and Substations within the Southern California Edison Company's Service Territory. On file at Southern California Edison.

B13. Remarks: None.

*B14. Evaluator: Audry Williams, SCE Senior Archaeologist and Historic-era Electrical Infrastructure Specialist

*Date of Evaluation: December 2016

See Continuation Sheet and Sketch Map

Official Comments:

*B10. Significance: (Continued)

Three political agreements approved in 1964 provided for the construction of the Intertie: the Columbia River Treaty, the Pacific Northwest Coordination Agreement, and the Pacific Northwest Consumer Power Preference Act. The United States Congress ratified the Columbia River Treaty, authorizing construction of three dams in the Canadian Columbia River Basin, which would generate additional hydropower downstream in the American Northwest. As a result of the treaty, the Pacific Northwest Coordination Agreement was also negotiated to establish rules for the coordination of the Columbia River Power System. The United States Congress additionally approved the Pacific Northwest Consumer Power Preference Act that authorized sales over the Intertie of power surplus to the Northwest utilities, so that the Northwest utilities would be guaranteed power ahead of the Southwest ones. Through these agreements, excess power from the Northwest utilities, in addition to year-round power allotted to Canada from the dams, could be sold to utilities in the American Southwest.

Preceding the 1964 agreements, the United States Secretary of the Interior, Stewart Udall, appointed a Special Task Force to study the idea of the Intertie in 1960. At this time, direct current (DC), or electric current travelling in one direction on two conductors, was considered the best way to transmit electricity over long distances. DC transmission lines allow high voltage transmission over smaller conductors and lower voltage loss than in similar alternating current (AC) lines, but no utility in the world had used high voltage direct current (HVDC) transmission for the distance planned in the Intertie.

The Lugo-Mira Loma No. 1 500kV Transmission Line may be regarded as eligible for listing to the National Register under *National Register/California Register Criteria A*/1 (events/patterns of events) for an association with SCE's 500kV system within the period of significance (POS). SCE's established a POS for 500kV transmission line technology as 1965-1970, which covers its participation in the Intertie System (Tinsley-Becker et al. 2015). The system is one of the earliest 500kV transmission Line systems built to convey power to SCE's service territory in the Southern California region, and at the time of construction, was considered part of the Intertie system that formed the early EHV grid in California, the Pacific Northwest, and the Southwestern United States. The POS for the Lugo-Mira Loma No. 1 500kV transmission line is circa 1968-1969.

No information was identified for the Lugo-Mira Loma No. 1 500kV Transmission Line to support a positive eligibility conclusion under *National Register/California Register Criterion B*/1 (important persons).

The Lugo-Mira Loma No. 1 500kV Transmission Line is eligible under *National Register/California Register Criteria C/1* (Design/Construction) for representing an important, innovative, or masterfully designed of 500kV transmission line. The EHV Intertie system was planned and constructed in in less than 10 years and included the first EHVAC and EHVDC transmission lines in the United States as well as the first 500kV Substations. The Lugo-Mira Loma No. 1 500kV transmission line was constructed as part of this effort important and innovating design of an EHV transmission system in the United States.

No information was identified as part of this documentation and evaluation effort to indicate that the Lugo-Mira Loma No. 1 500kV Transmission Line would have the potential to yield additional information which could be considered important to local, state, or national history. Therefore, the line is not eligible under *National Register/California Register Criteria D/4* (Information Potential).

NRHP Criteria Consideration G

In December 2016, at the initial evaluation of the Lugo-Mira Loma No. 1 500kV Transmission Line it is two years away from becoming 50 years old, the age of eligibility set by the NRHP, yet it is within the same historical context as the Intertie, which has already passed the 50-year mark. The Lugo-Mira Loma No. 1 500kV Transmission Line is a significant example of interconnection using 500kV lines that achieved engineering feats of transmitting EHV over longer distances than SCE's previously established 220kV system. The Intertie connected the SCE grid north to the Pacific Northwest utilities and their hydroelectric sources of power. Within the established historical context the Lugo-Mira Loma No. 1 500kV Transmission Line meets NRHP Criteria Consideration G. It has achieved significance within 50 years as an EHV transmission line and interconnection system that helped SCE meet the demand for electricity in the late 1960s to 1970s, and contributed to the further industrialization of the Southern California region and the development of the power grid in the Southwestern United States.

1970 Diagram Map showing the general arrangement and location of 500kV transmission lines and substations of the Pacific Intertie and Adjacent Systems. Source: "500kV Series Capacitor Installations in California" *IEEE* December 1970.

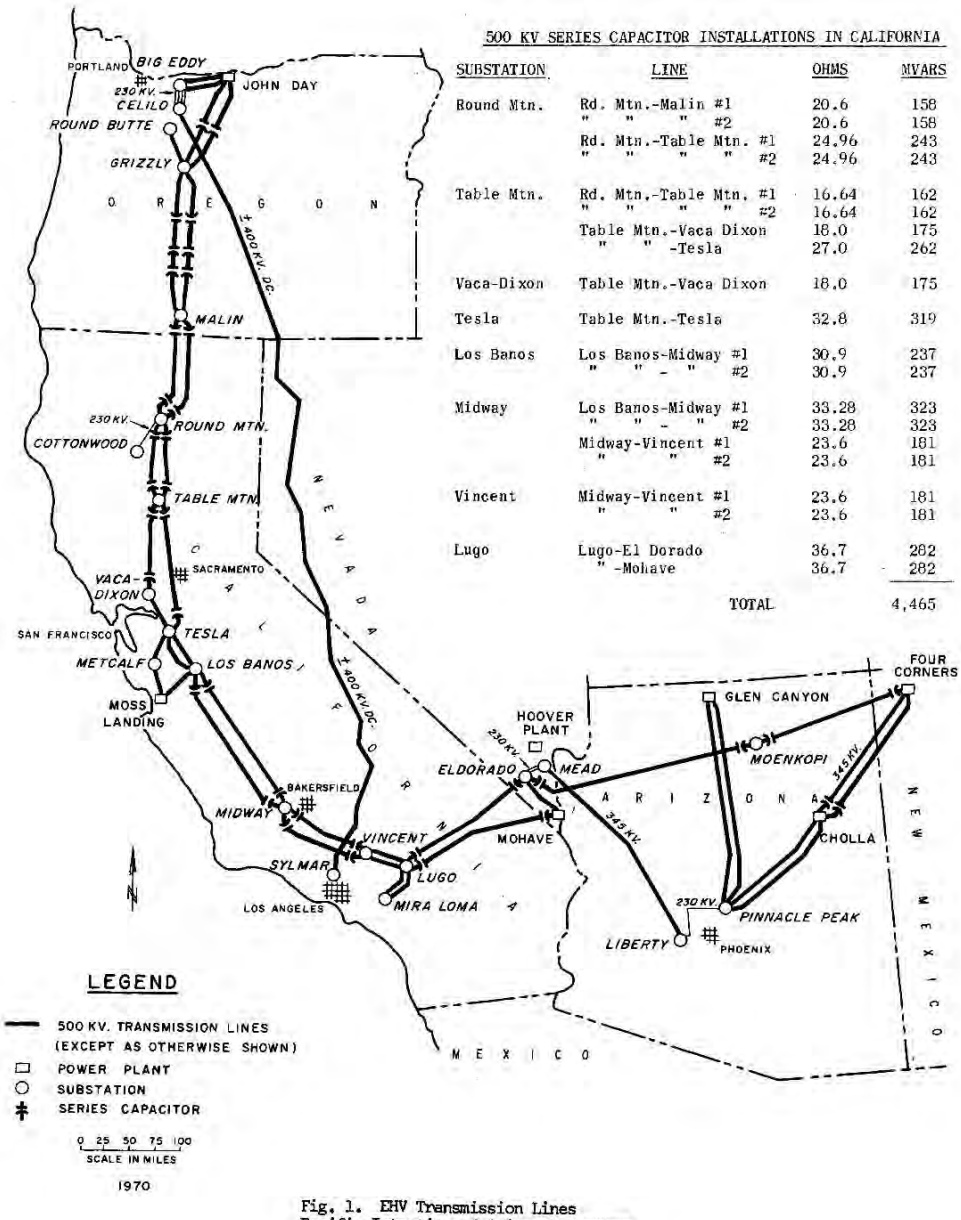


Fig. 1. EHV Transmission Lines
Pacific Intertie and Adjacent Systems.

1139

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

SKETCH MAP

Primary # P-36-008857 UPDATE
HRI #
Trinomial CA-SBR-8857

*Drawn By: Audry Williams

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Date of Map: December 2016



SOUTHERN CALIFORNIA EDISON
An EDISON INTERNATIONAL™ Company

N

0 2.5 5 10 Miles

Projection: NAD 83 UTM Zone 11



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DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

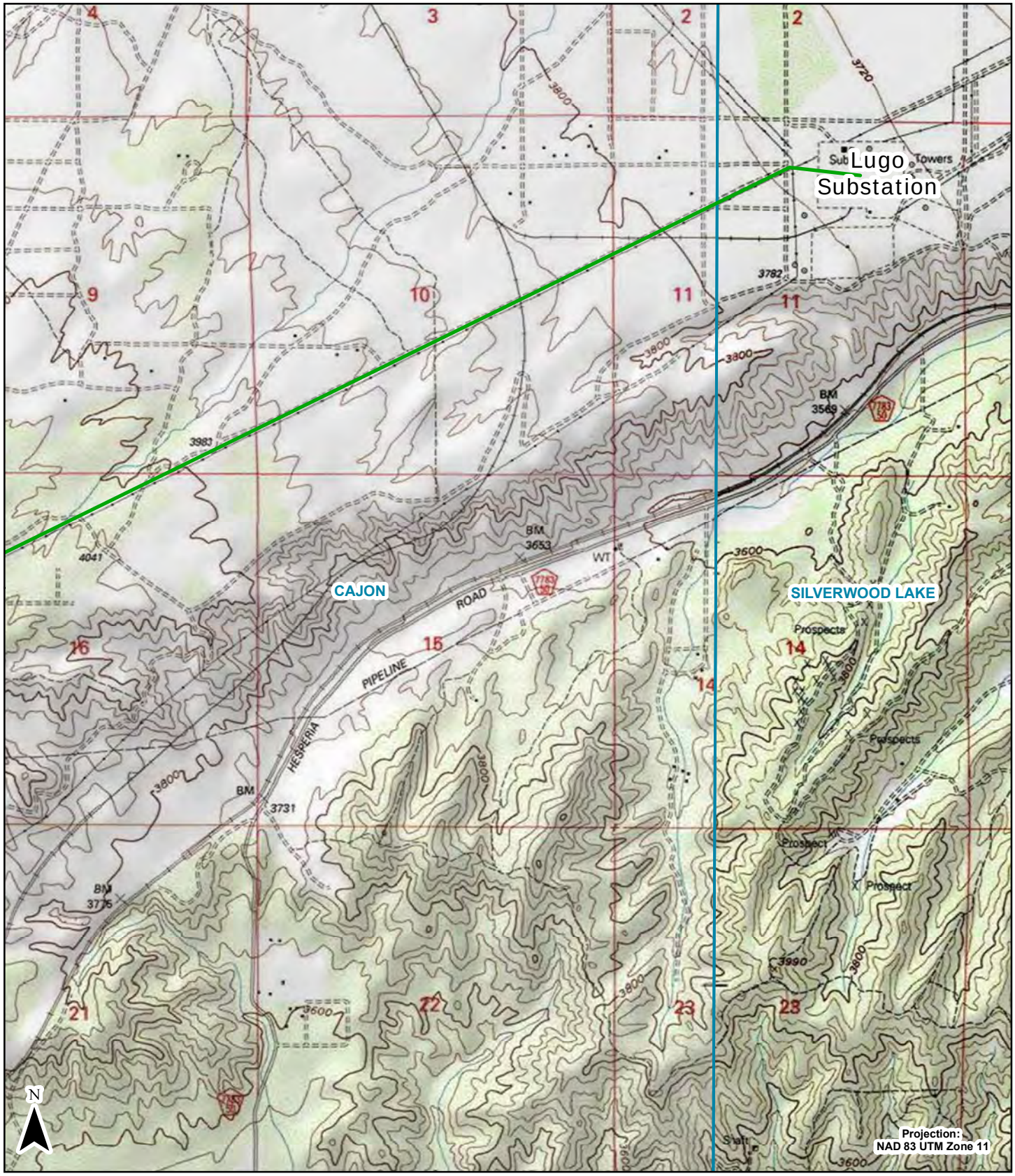
Primary # P-36-008857 UPDATE
HRI#
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Silverwood Lake, Cajon

*Scale: 1:24,000

*Date of Map: 1996, 1996



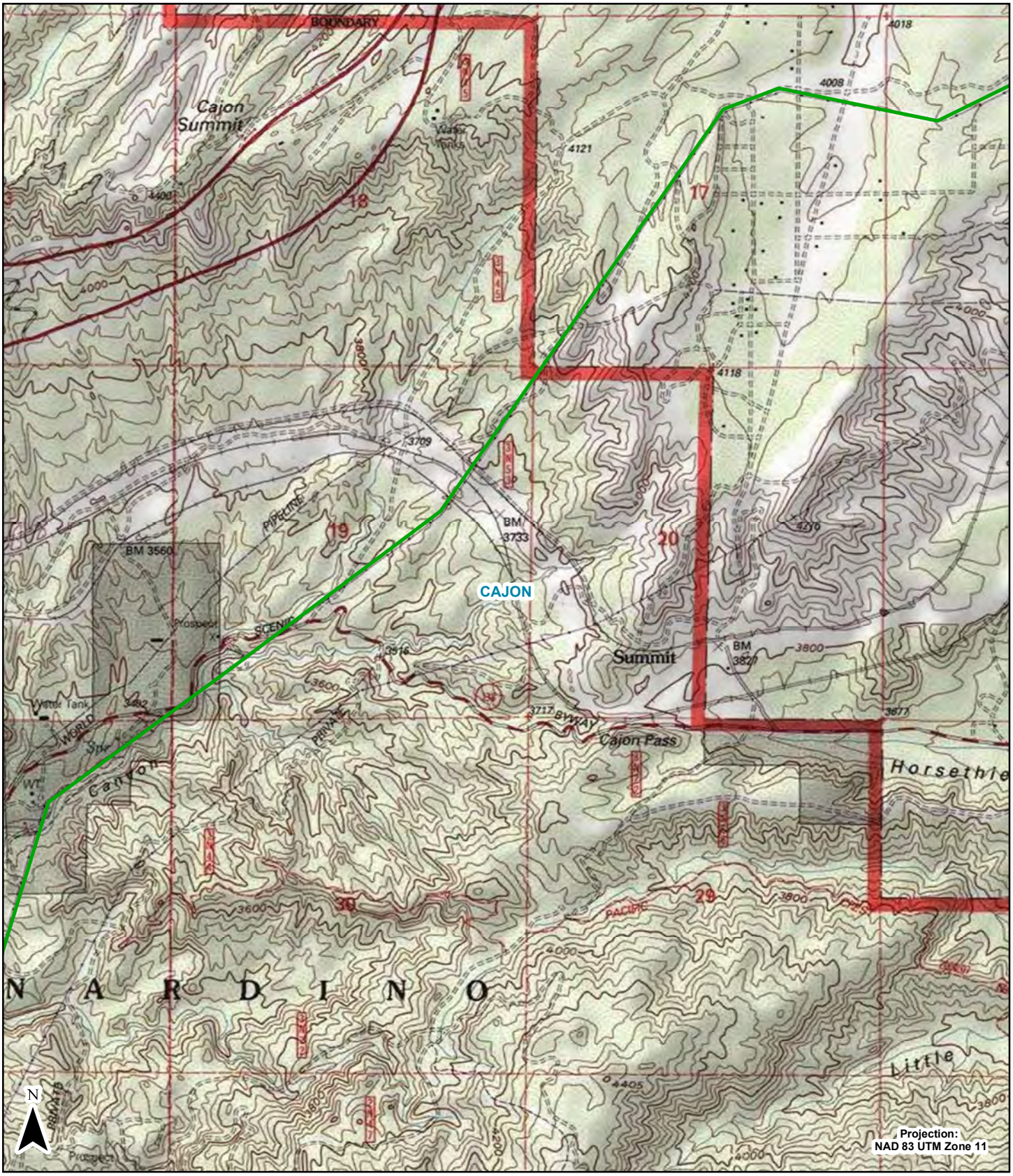
State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

Primary # P-36-008857 UPDATE
HRI#
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Cajon *Scale: 1:24,000 *Date of Map: 1996



*Required Informati

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DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

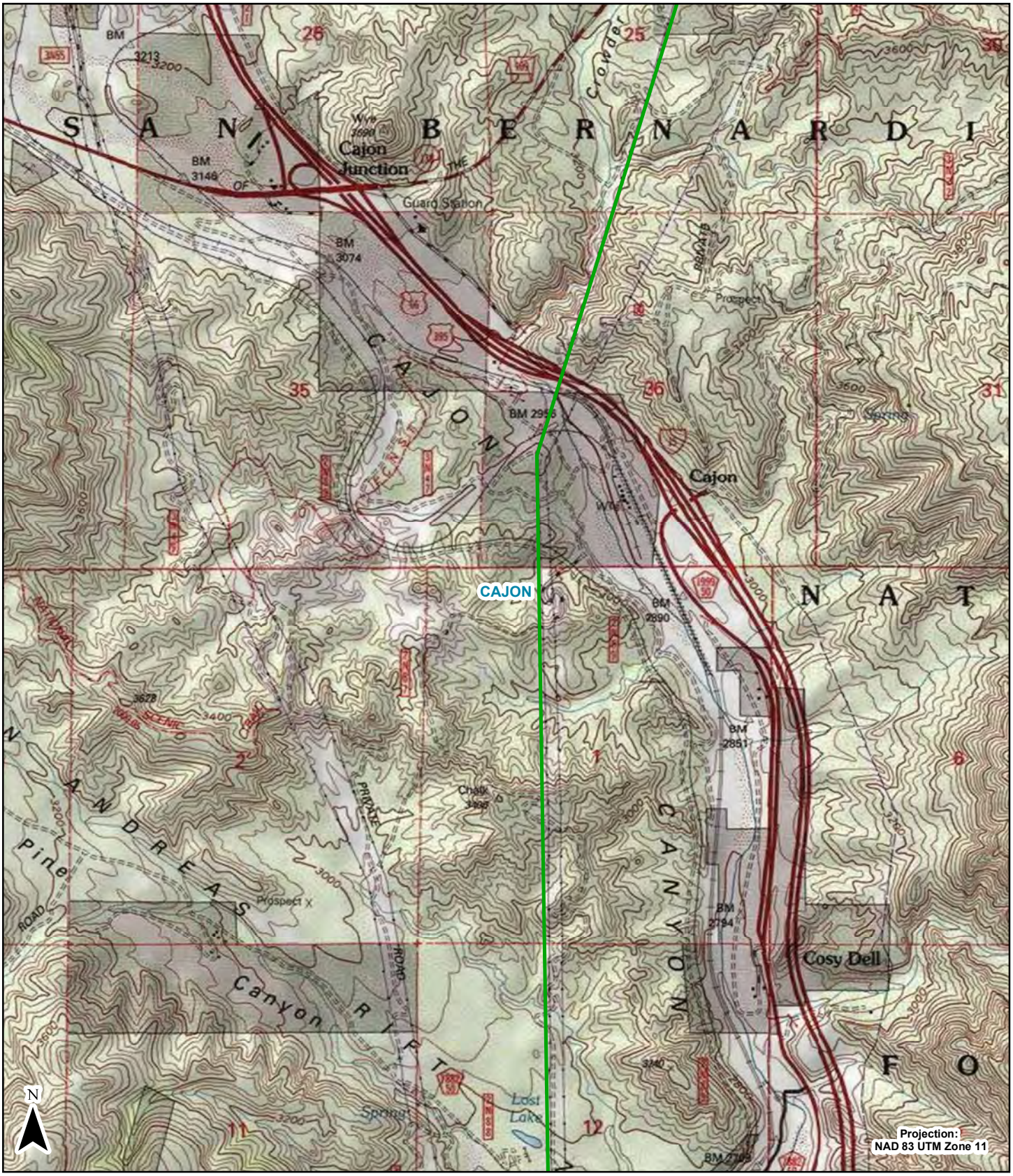
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HRI#
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Cajon

*Scale: 1:24,000

*Date of Map: 1996



State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

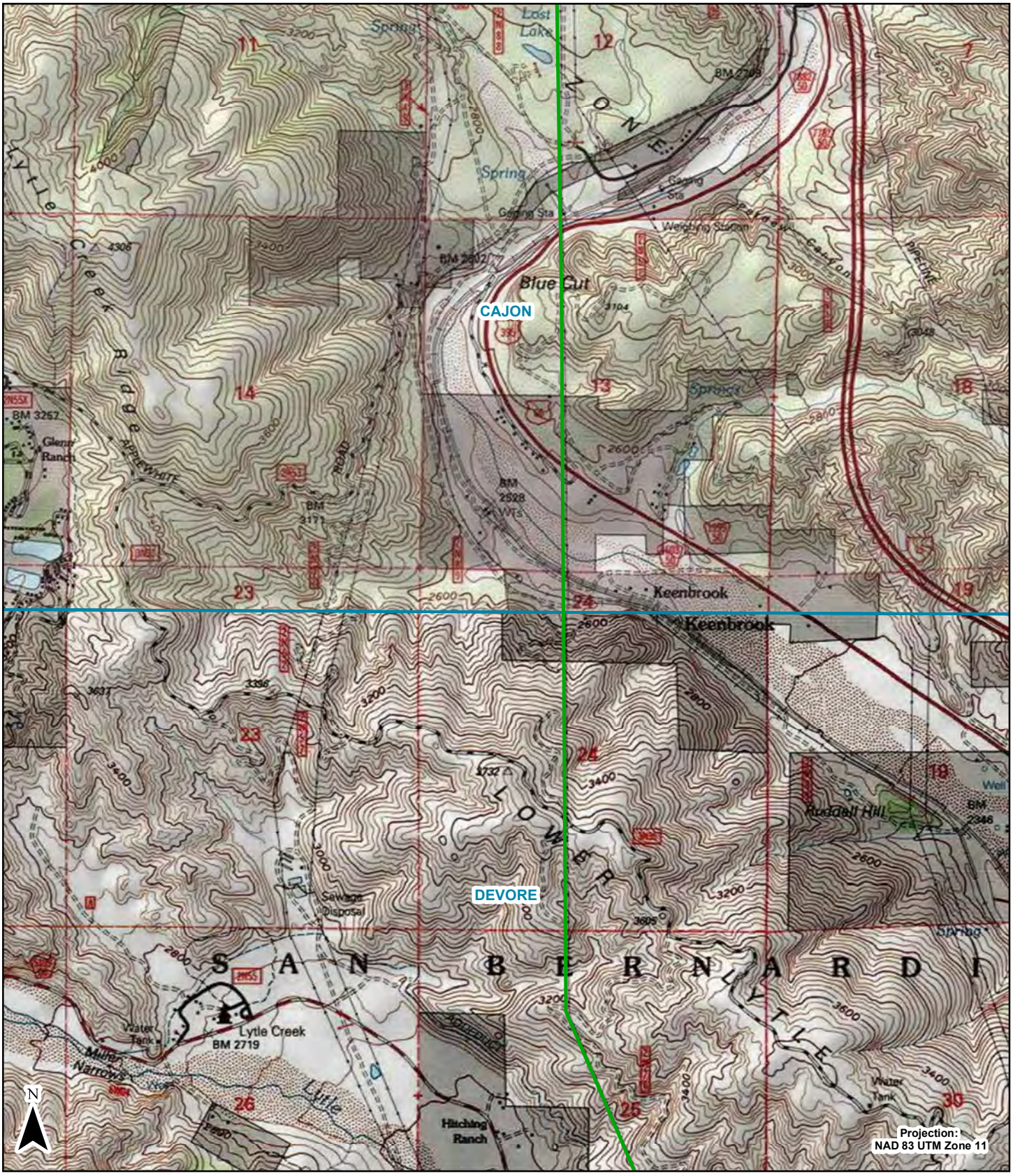
Primary # P-36-008857 UPDATE
HRI #
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Cajon, Devor

*Scale: 1:24,000

*Date of Map: 1996, 1996



State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

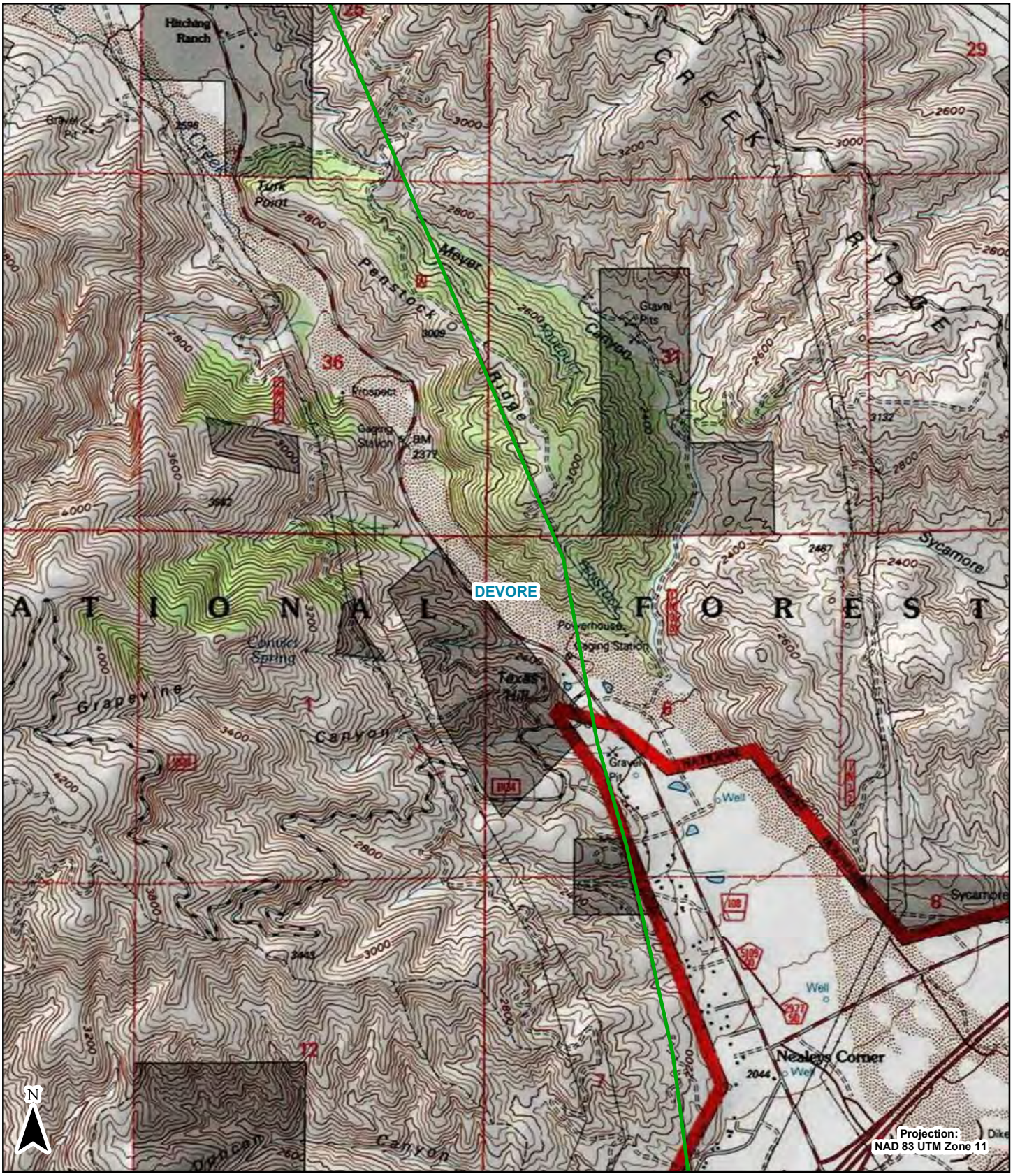
Primary # P-36-008857 UPDATE
HRI#
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Devor

*Scale: 1:24,000

*Date of Map: 1996



State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

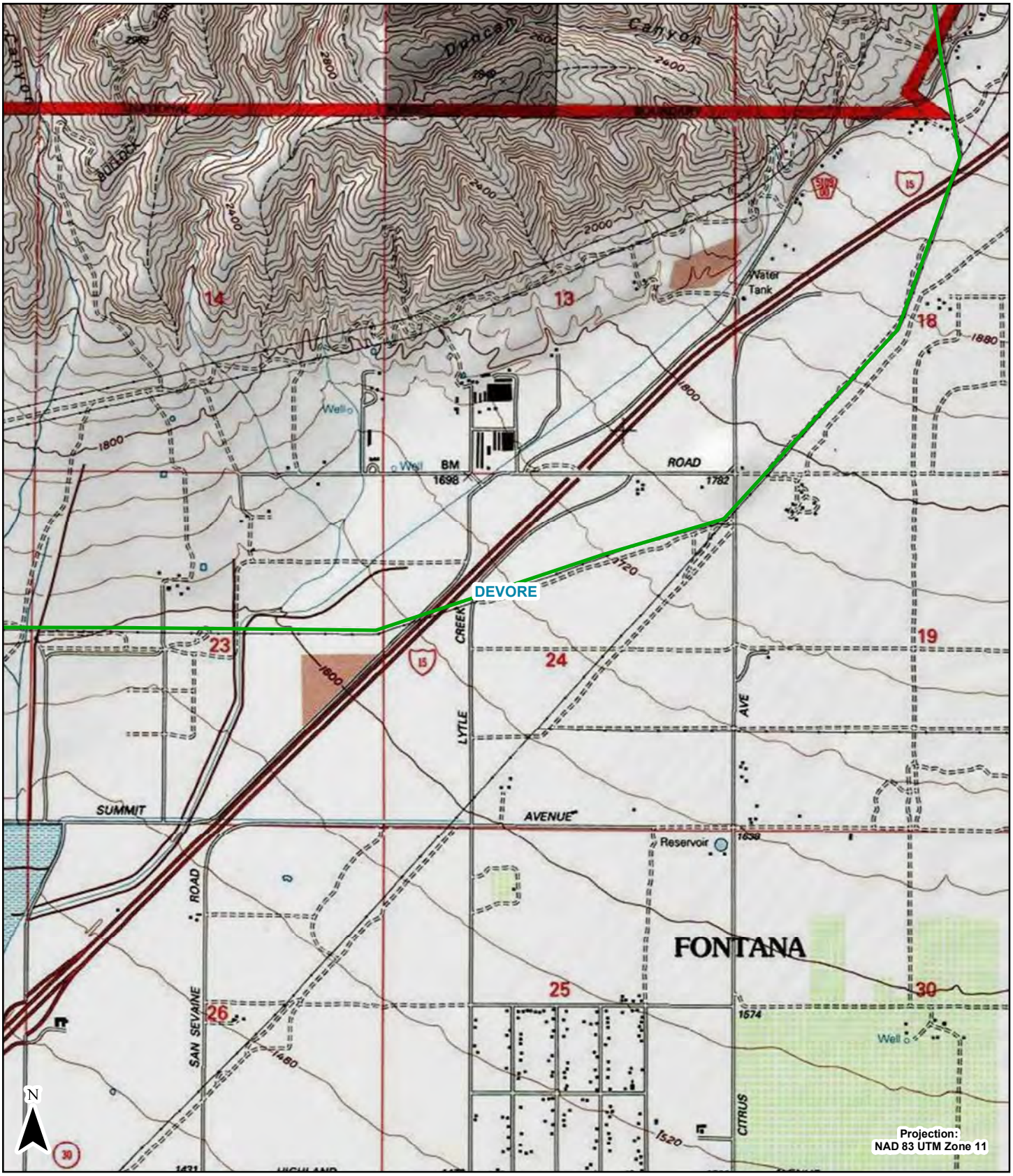
Primary # P-36-008857 UPDATE
HRI#
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Devor

*Scale: 1:24,000

*Date of Map: 1996



State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

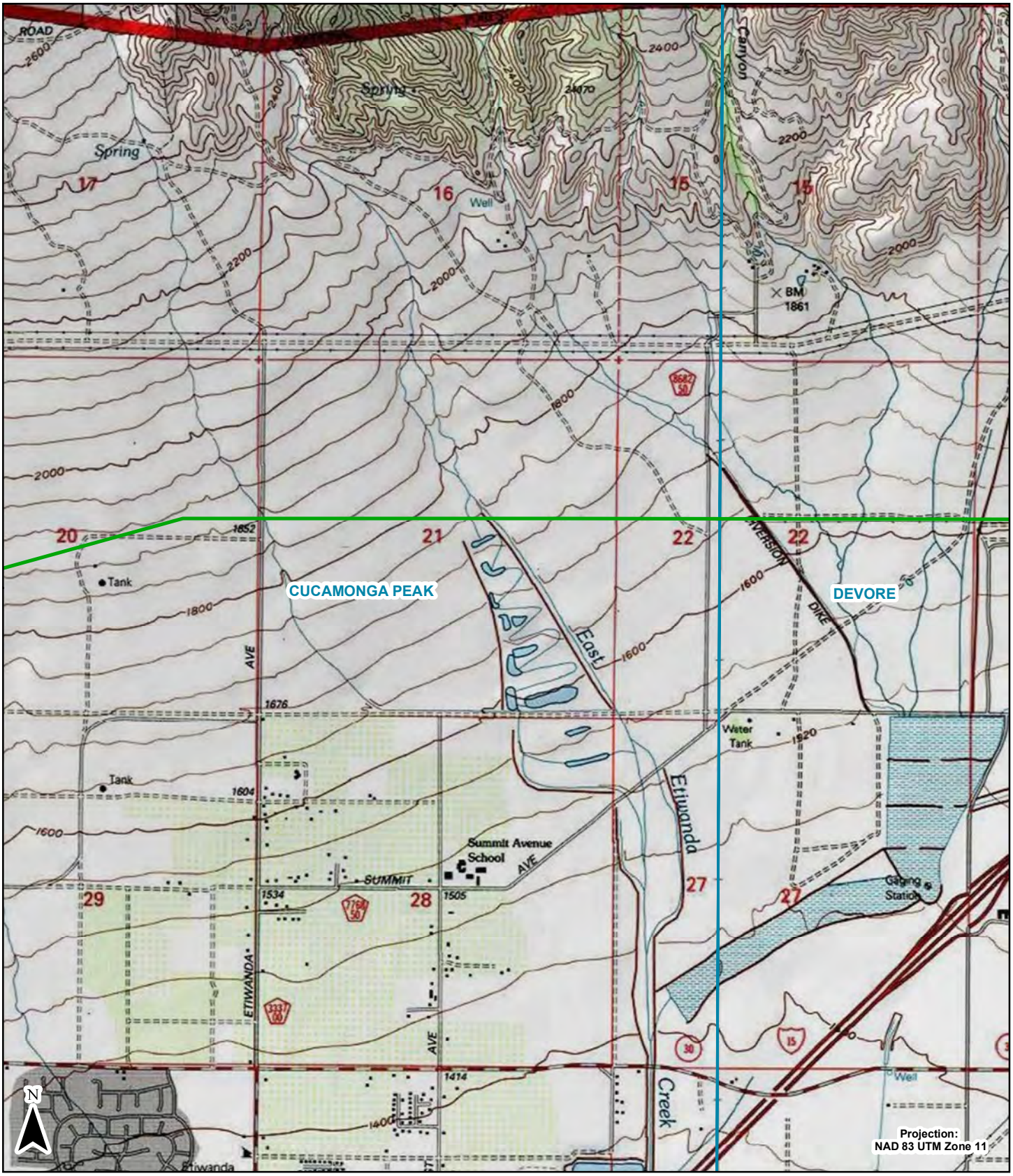
Primary # P-36-008857 UPDATE
HRI#
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Cucamonga Peak, Devor

*Scale: 1:24,000

*Date of Map: 1996, 1996



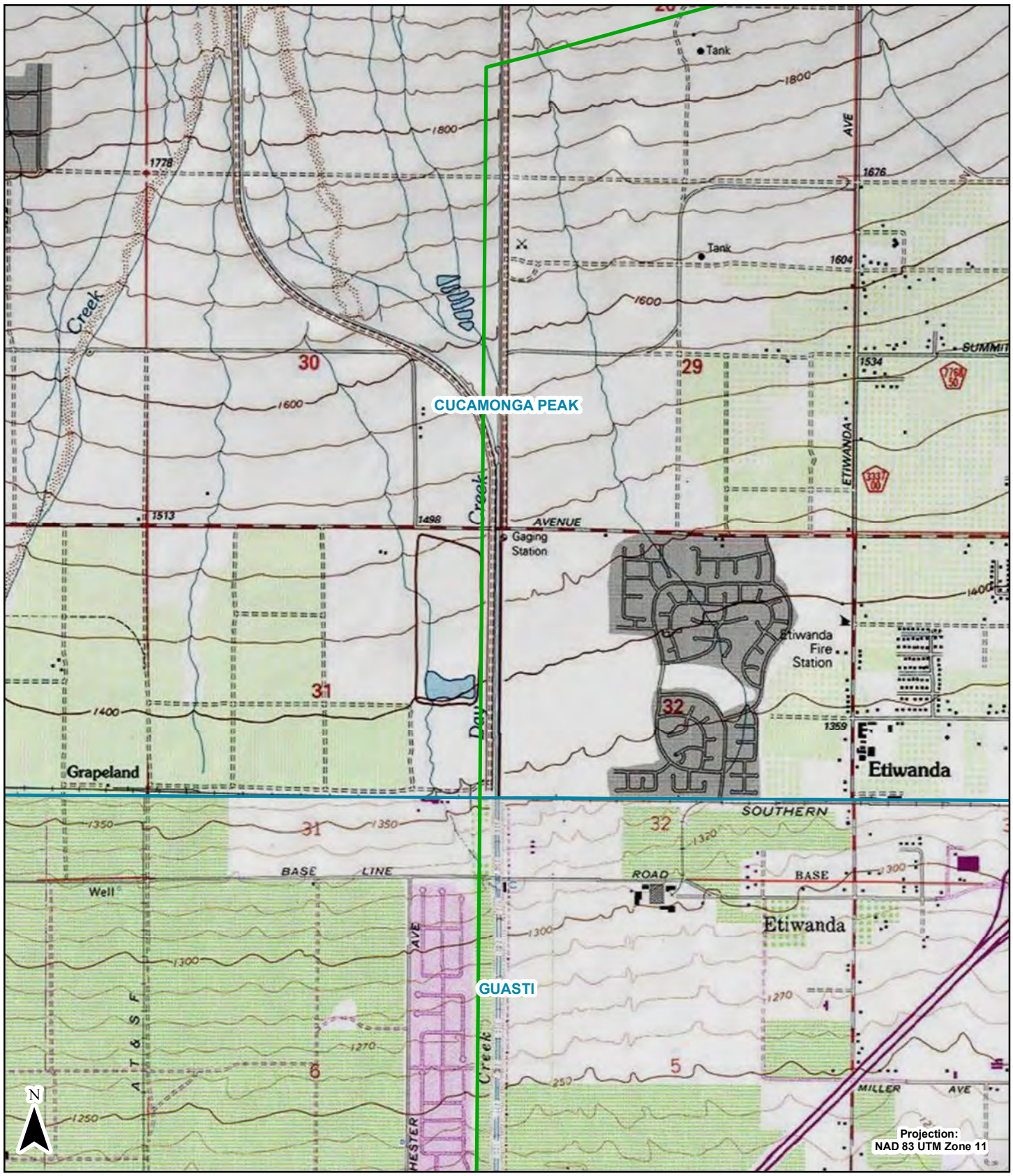
State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

Primary # P-36-008857 UPDATE
HRI #
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Guasti *Scale: 1:24,000 *Date of Map: 1978



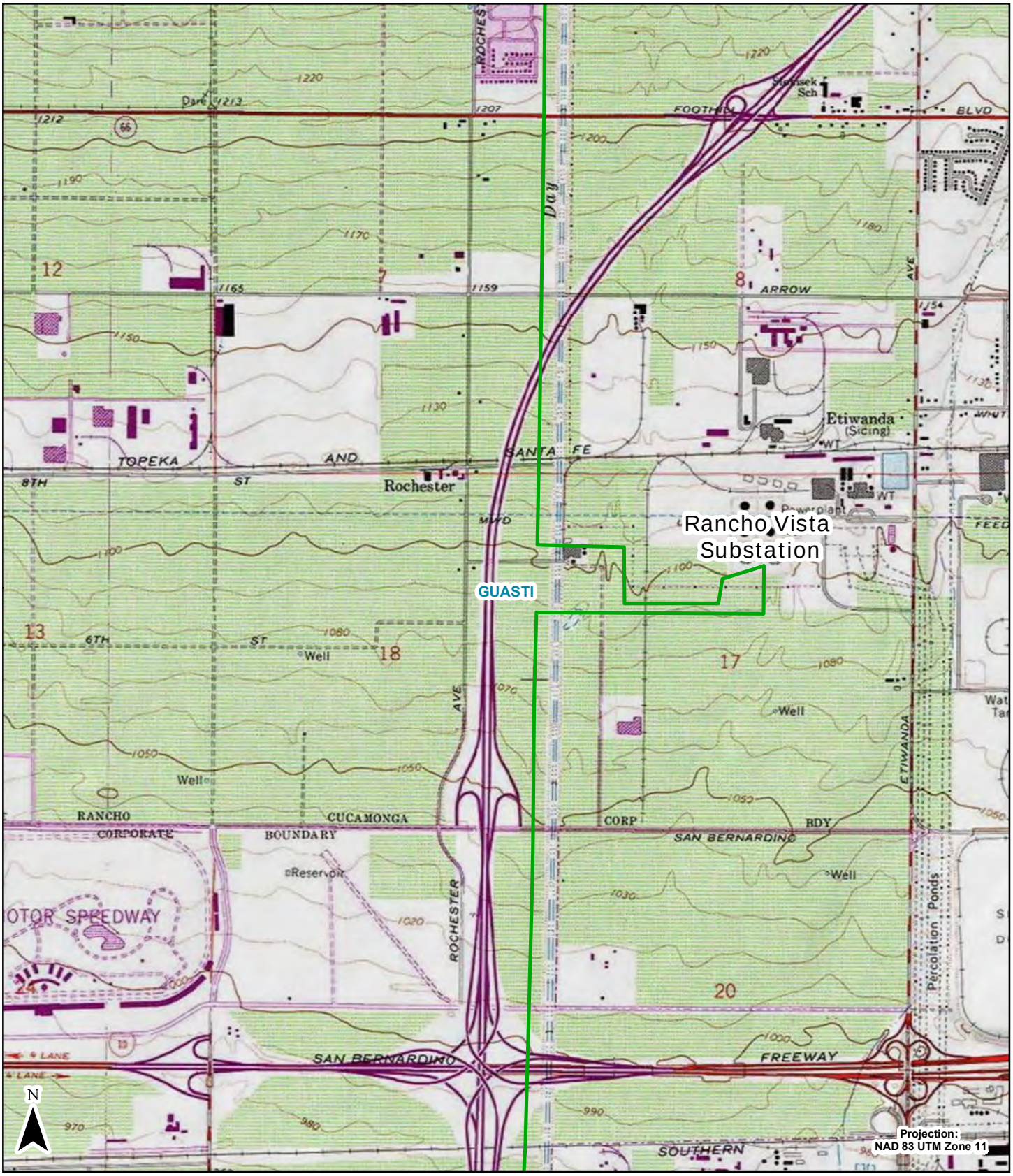
State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

Primary # P-36-008857 UPDATE
HRI#
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Guasti *Scale: 1:24,000 *Date of Map: 1978



State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

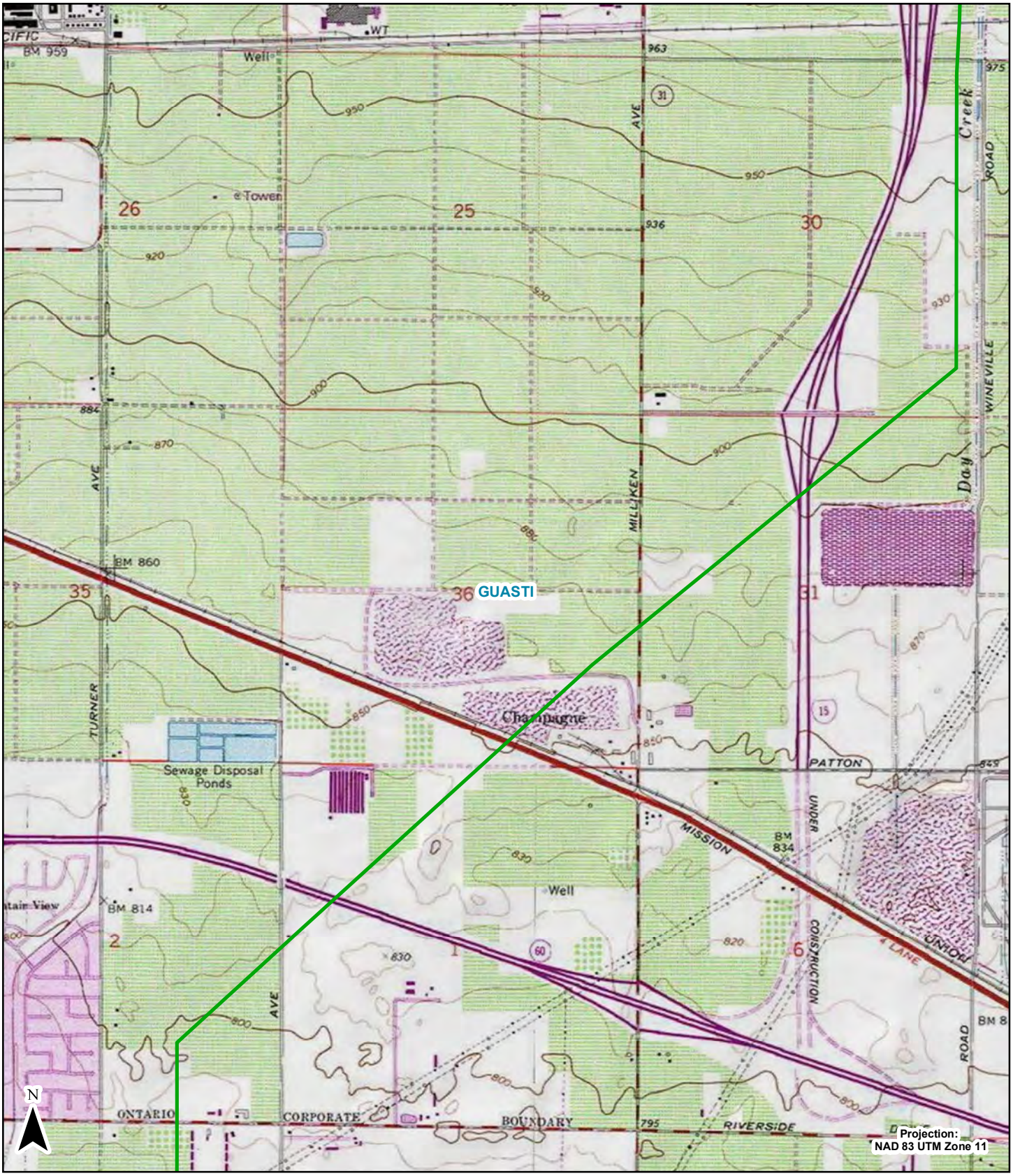
Primary # P-36-008857 UPDATE
HRI #
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Guasti

*Scale: 1:24,000

*Date of Map: 1978



State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

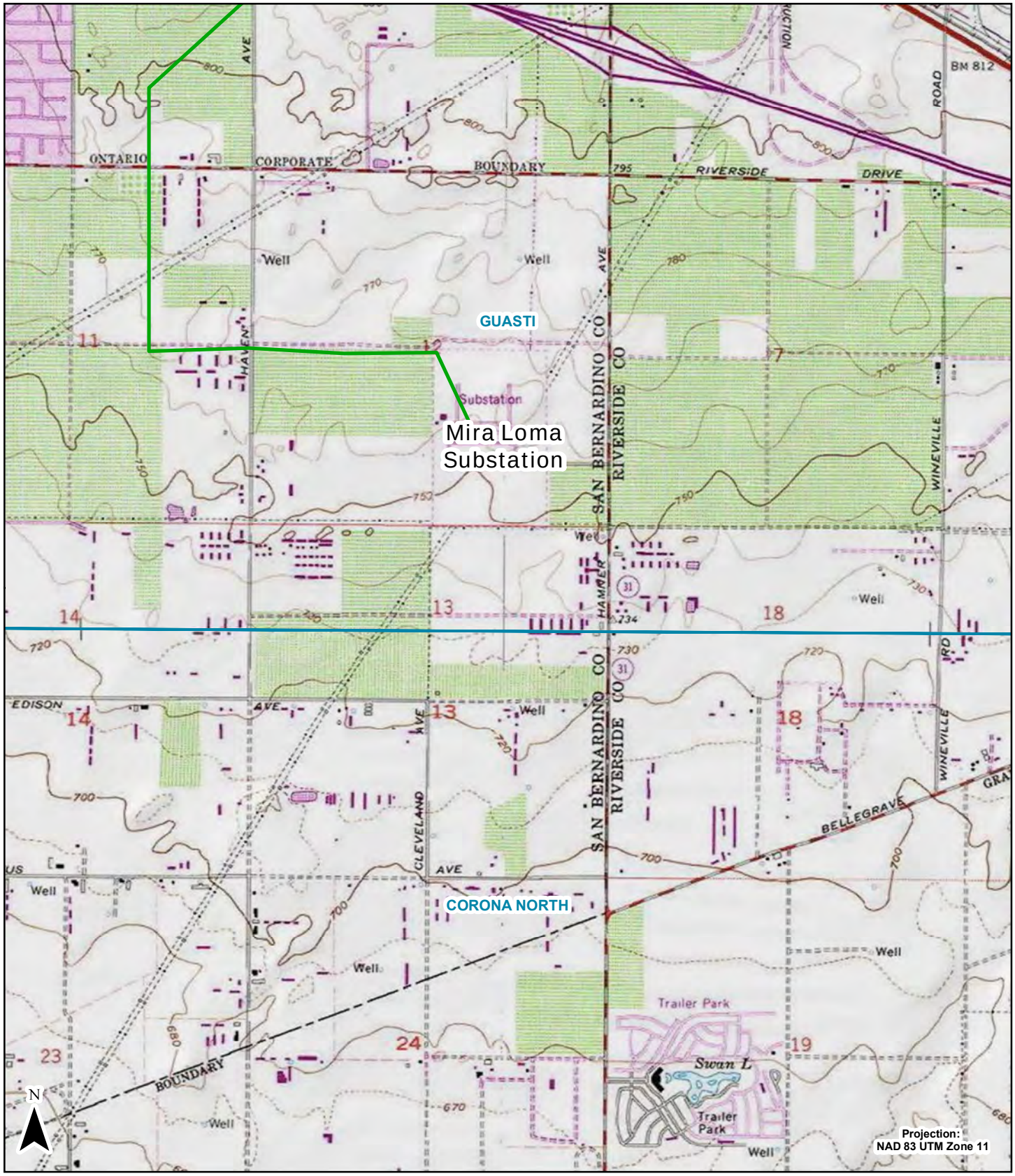
Primary # P-36-008857 UPDATE
HRI #
Trinomial CA-SBR-8857

*Resource Name or # Lugo-Mira Loma 500kV No. 1 Transmission Line

*Map Name: Guasti

*Scale: 1:24,000

*Date of Map: 1978



*Required Informati

Update 7/12

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

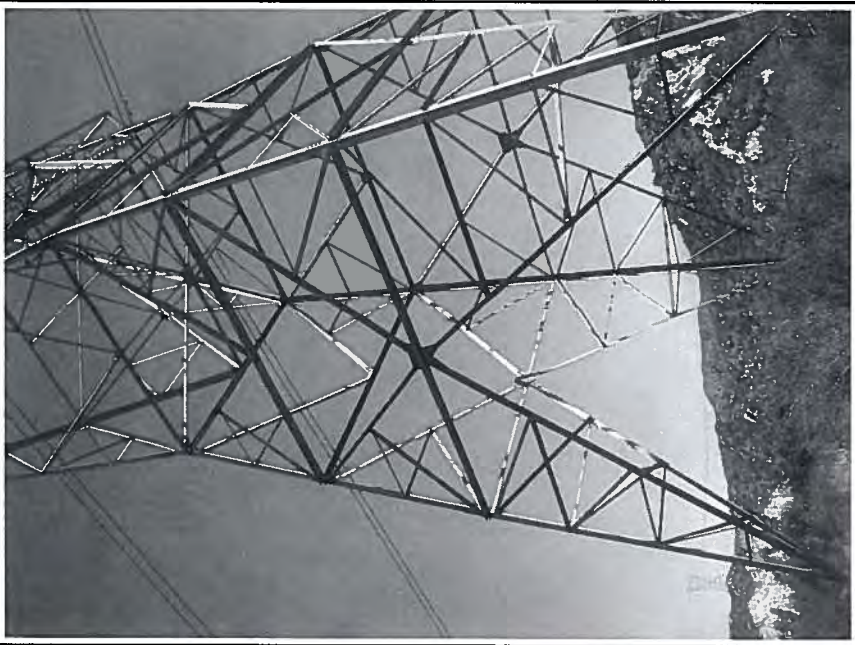
Primary # P-36-008857
HRI #
Trinomial CA-SBR-8857H
NRHP Status Code
Other Listings
Review Code Reviewer Date

*Resource Name or #: SRI-1607 (UPDATE)

P1. Other Identifier: SRI-1607
*P2. Location: ☑ Not for Publication ☐ Unrestricted *a. County: San Bernardino
*b. USGS Quad: 7.5' CAJON (2009); T 3N R 5W, SW¼ of SW¼ of Sec. 19; SBBM
c. Address:
d. UTM: Zone 11; 458625 mE/ 3798207 mN NAD27 GPS
e. Other Locational Data:
The site is crosses Highway 138 at postmiles 17.3 to 17.5, southwest of Hesperia.

*P3a. Description:
This site consists of a historical power transmission line. The transmission line as it exists today consists of five, 500 kV transmission wires strung between steel pylons measuring about 80 feet high. Within the right-of-way, the length of the line recorded on the north and south sides of Highway 138 is 464 feet. The site was previously recorded as P-36-008857. In that site record, it was indicated that the transmission lines were originally constructed in 1915 but was replaced in the early 1960s. The current project only examines the first 15 meters from the edge of pavement corresponding to the Caltrans right-of-way. The site continues beyond the right-of-way, but these portions were not recorded. No cultural material is associated with this site.

*P3b. Resource Attributes: HP 39 Other-electric power transmission line, AH16 Other-electric power transmission line
*P4. Resources Present: ☐ Building ☐ Structure ☐ Object ☑ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)



*P5b. Description of Photo:
Facing E; 4/5/2011; Transmission line and tower

*P6. Date Constructed/Age & Sources:
☑ Historic ☐ Prehistoric ☐ Both

*P7. Owner and Address:
NGUYEN, THAI D, 13666 EASTBRIDGE STREET WESTMINSTER, CA

*P8. Recorded by:
Joshua Trampier, SRI

*P9. Date Recorded: 5/16/2011

*P10. Survey Type:
Reconnaissance survey of highway right-of-way

*P11. Citation: Report forthcoming

*Attachments: ☐ None ☑ Location Map ☑ Sketch Map ☑ Continuation Sheet ☐ Building, Structure, and Object Record
☑ Archaeological Record ☐ District Record ☑ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record
☐ Artifact Record ☑ Photograph Record ☐ Other:

*A1. Dimensions: a. Length 223 m (NE/SW) x b. Width 39 m (NW/SE)
Method of Measurement: ☐ Paced ☐ Taped ☐ Visual estimate ☑ GPS ☐ Other:
Method of Determination: ☐ Artifacts ☑ Features ☐ Soil ☐ Vegetation ☐ Topography ☐ Cut bank ☐ Animal burrow ☐ Excavation ☐ Property boundary ☑ Other: The site boundary is determined in part by the right-of-way established ...
Reliability of determination: ☑ High ☐ Medium ☐ Low
Explain: The transmission line is clearly distinguishable from surrounding vegetation and topography.
Limitations: ☐ Restricted access ☐ Paved/built over ☑ Site limits incompletely defined ☐ Disturbances ☐ Vegetation ☐ Other:

A2. Depth: None ☑ None ☐ Unknown Method of determination: None

*A3. Human Remains: ☐ Present ☑ Absent ☐ Possible ☐ Unknown

*A4. Features:

The only feature associated with this site consists of a historical power transmission line (Feature 6286). As the lines are suspended roughly 70 feet off the ground, all observations and mapping are limited to what can be estimated from the ground. The transmission line as it exists today consists of five, 500 kV transmission wires strung between steel pylons measuring about 80 feet high. Three transmission wires are suspended from insulating coils hung from the top of the pylon; these coils are about 5 feet high. Relative to the body of the pylon, these three coils are located on the two outer edges and the center of it. The other two transmission wires are attached to the top of the pylon. The thickness of the transmission wires is unknown, perhaps 1 inch thick. The five transmission wires are evenly spaced and span a distance of 86 feet. Within the right-of-way, the length of the line recorded on the north and south sides of Highway 138 is 464 feet.

The site was previously recorded as P-36-008857. In that site record, it was indicated that the transmission lines were originally constructed in 1915 but was replaced in the early 1960s.

The current project only examines the first 15 meters from the edge of pavement corresponding to the Caltrans right-of-way. The site continues beyond the right-of-way, but these portions were not recorded. No cultural material is associated with this feature.

*A5. Cultural Constituents:
No artifacts were located.

*A6. Were Specimens Collected? ☑ No ☐ Yes

*A7. Site Condition ☑ Good ☐ Fair ☐ Poor
No disturbances noted.

*A8. Nearest Water: Crowder Creek is located 50 m to the south of the electrical pylon.

*A9. Elevation: 1040 m amsl

A10. Environmental Setting:
Soil is a moderately sorted, loosely compacted, gravelly sand. Vegetation includes grasses and Coastal Sage Scrub community plants. The site is located on a slope that slopes downward at an angle of 5 degrees to the east.

A11. Historical Information:
Previous site records indicate the original transmission lines were replaced in the 1960s.

*A12. Age: ☐ Prehistoric ☐ Protohistoric ☐ 1542-1769 ☐ 1769-1848 ☐ 1848-1880 ☐ 1880-1914 ☐ 1914-1945 ☑ Post-1945 ☐ Undetermined

A13. Interpretations:
None

A14. Remarks:
The site has not changed from previous site records.

A15. References:
None

A16. Photographs: See photograph record
Original Media/Negatives Kept At: 21 W. Stuart Ave, Redlands, CA 92373

*A17. Form Prepared By: Joshua Trampier Date: 5/16/2011
Affiliation and Address: Statistical Research, Inc., 21 W. Stuart Ave, Redlands, CA 92373

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LINEAR FEATURE RECORD

Primary # P-36-008857
HRI #
Trinomial

*Resource Name or #: SRI-1607 (UPDATE)

L1. Historic and/or Common Name: None

L2a. Portion Described: ☐ Entire Resource ☑ Segment ☐ Point Observation **Designation:** Feature 6286

L2b. Location of Point or Segment:
Zone 11; 458564 mE/ 3798164 mN NAD27 GPS
Zone 11; 458701 mE/ 3798259 mN NAD27 GPS

L3. Description:
The only feature associated with this site consists of a historical power transmission line (Feature 6286). As the lines are suspended roughly 70 feet off the ground, all observations and mapping are limited to what can be estimated from the ground. The transmission line as it exists today consists of five, 500 kV transmission wires strung between steel pylons measuring about 80 feet high. Three transmission wires are suspended from insulating coils hung from the top of the pylon; these coils are about 5 feet high. Relative to the body of the pylon, these three coils are located on the two outer edges and the center of it. The other two transmission wires are attached to the top of the pylon. The thickness of the transmission wires is ...

L4. Dimensions:
a. Top Width: 29.00 m
b. Bottom Width: N/A
c. Height or Depth: None
d. Length of Segment: 145.00 m

L5. Associated Resources:
None

L4e. Sketch of Cross-Section: **Facing:**

L6. Setting:
Soil is a moderately sorted, loosely compacted, gravelly sand. Vegetation includes grasses and Coastal Sage Scrub community plants. The site is located on a slope that slopes downward at an angle of 5 degrees to the east.

L7. Integrity Considerations:
No disturbances noted.

L8b. Description of Photo, Map, or Drawing
See sketch map

L9. Remarks:
The site has not changed from previous site records.

L10. Form Prepared By:
Joshua Trampier

L11. Date: 5/16/2011

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PHOTOGRAPH RECORD

Primary # P-36-008857
HRI #
Trinomial

***Resource Name or #:** SRI-1607 (UPDATE)

Camera Format:
Lens Size:
Film Type and Speed: Digital
Negatives Kept At: 21 W. Stuart Ave, Redlands, CA 92373

Date	Time	Exp/ Frame	Subject/Description	View Toward	Accession #
4/5/2011		3141	Transmission line and tower	E	
5/13/2011		65	Transmission line	W	

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

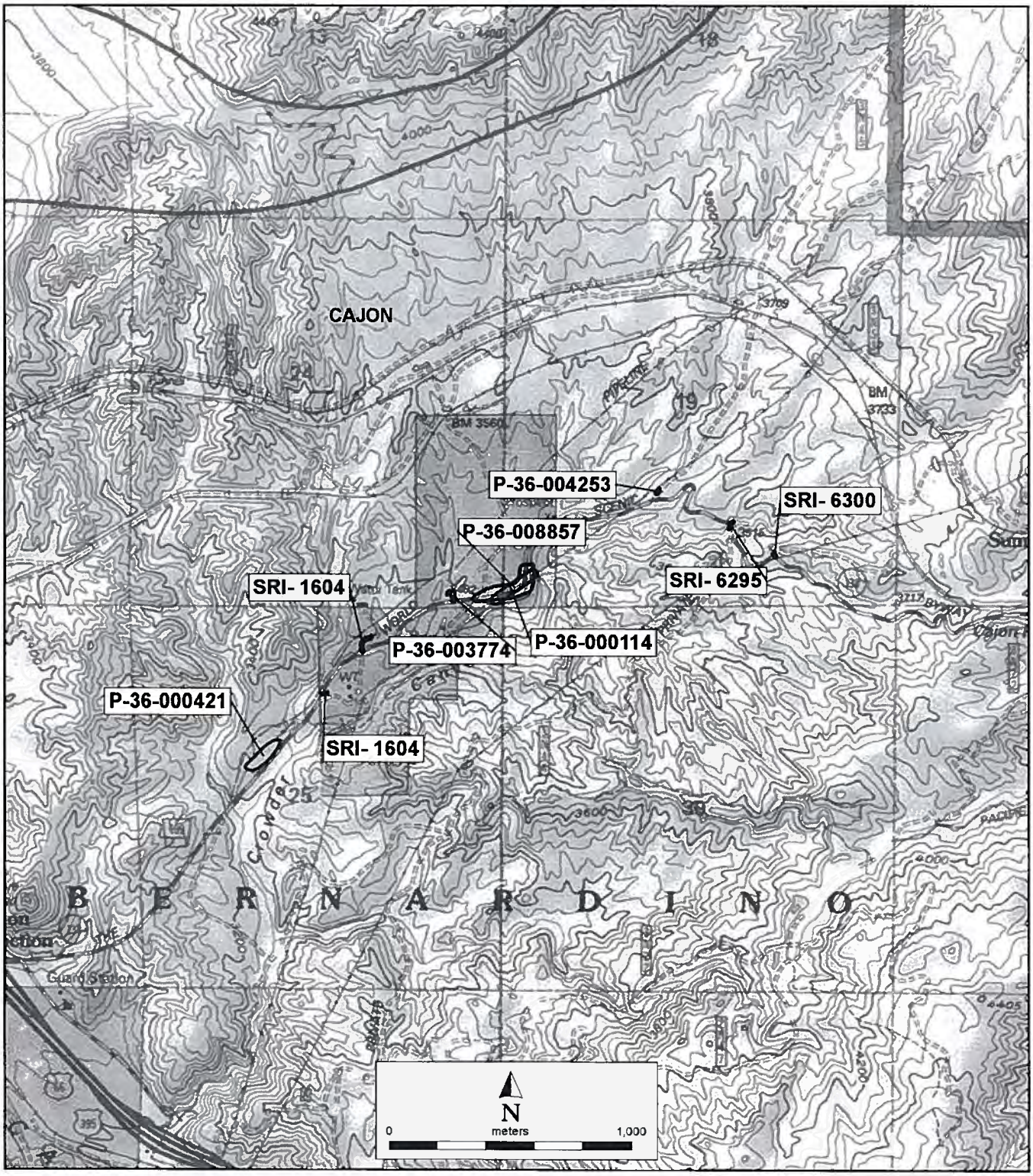
LOCATION MAP

Primary # P-36-008857
HRI #
Trinomial

*Resource Name or #: SRI-1607 (UPDATE)

*Map Name: 7.5' CAJON USGS Topographic Quad Scale: 1:24,000

*Year: 2009



State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

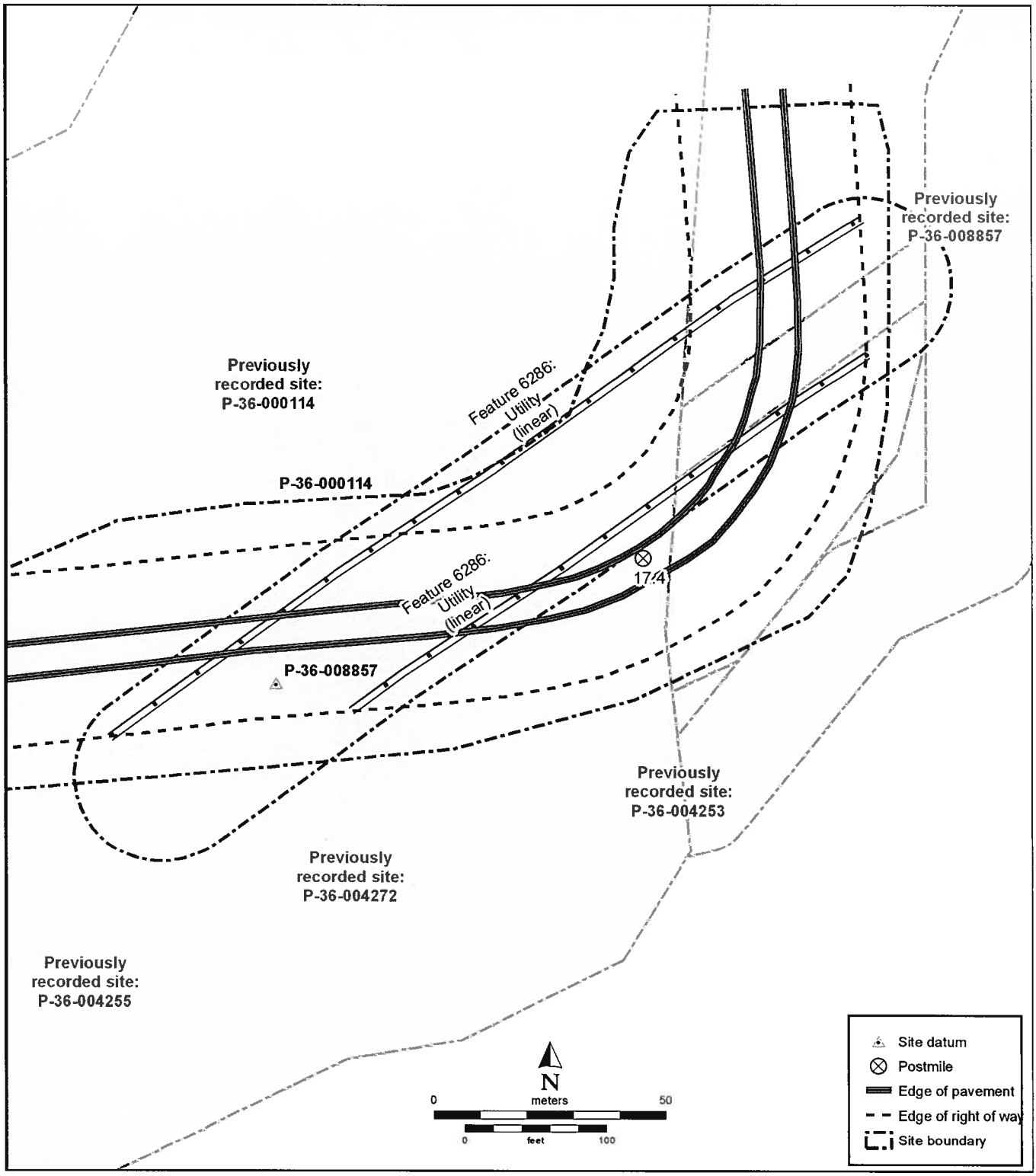
SKETCH MAP

Primary # P-36-008857
HRI #
Trinomial

*Resource Name or #: SRI-1607 (UPDATE)

*Drawn By: Joshua Trampier

*Date: 05/16/2011



*Required Information

P2b. Legal description
T 3N R 6W; NE¼ of NE¼ of Sec 25; SBBM
T 3N R 6W; SE¼ of SE¼ of Sec 24; SBBM

P2d. UTM
Zone 11; 458701 mE/ 3798259 mN NAD27 GPS

P4. Resources Present
[X] Other (linear)

P7. Owner and Address

PARKER, WILLIAM FAM TR 5-3-91 -EST
PO BOX 63700-TREO
SAN FRANCISCO CA

PRESIDENT AND FELLOWS OF HARVARD
600 ATLANTIC AVE
BOSTON MA 02210

A1. Method of determination
by Caltrans. The right-of-way extends 15 m from the edge of the pavement. The site continues beyond the right-of-way, but these portions were not recorded.

L3. Description
unknown, perhaps 1 inch thick. The five transmission wires are evenly spaced and span a distance of 86 feet. Within the right-of-way, the length of the line recorded on the north and south sides of Highway 138 is 464 feet.

The site was previously recorded as P-36-008857. In that site record, it was indicated that the transmission lines were originally constructed in 1915 but was replaced in the early 1960s.

The current project only examines the first 15 meters from the edge of pavement corresponding to the Caltrans right-of-way. The site continues beyond the right-of-way, but these portions were not recorded. No cultural material is associated with this feature.

Update 6/11

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # 36-008857
HRI#
Trinomial: CA-SBR-8857H

Page 1 of 2
*Recorded by: J. Coleman
Date: 12/12/10
*Resource Name or # Lytle Canyon Transmission Lines
☐ Continuation ☒ Update

During a survey for the Oak Hills Fuel Modification Project for the Natural Resources Conservation Service in cooperation with the United States Forest Service the transmission line was relocated and found to be in good condition. There are no changes to its status since its last update. The field crew concurs with the previous recorder's assessment that the resource does not meet National Register criteria, and therefore recommends CA-SBR-8857H as not eligible for listing in the NRHP.

Condition: Good

Crew: J. Coleman, G. Bergman-Hutson, R. Kast, and A. Boltz.

Affiliation:

Solano Archaeological Services
131 Sunset Avenue, Ste. E 120
Suisun, CA 94585

Date: December 12, 2010



CA-SBR-8857H facing northeast.

State of California The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
LOCATION MAP

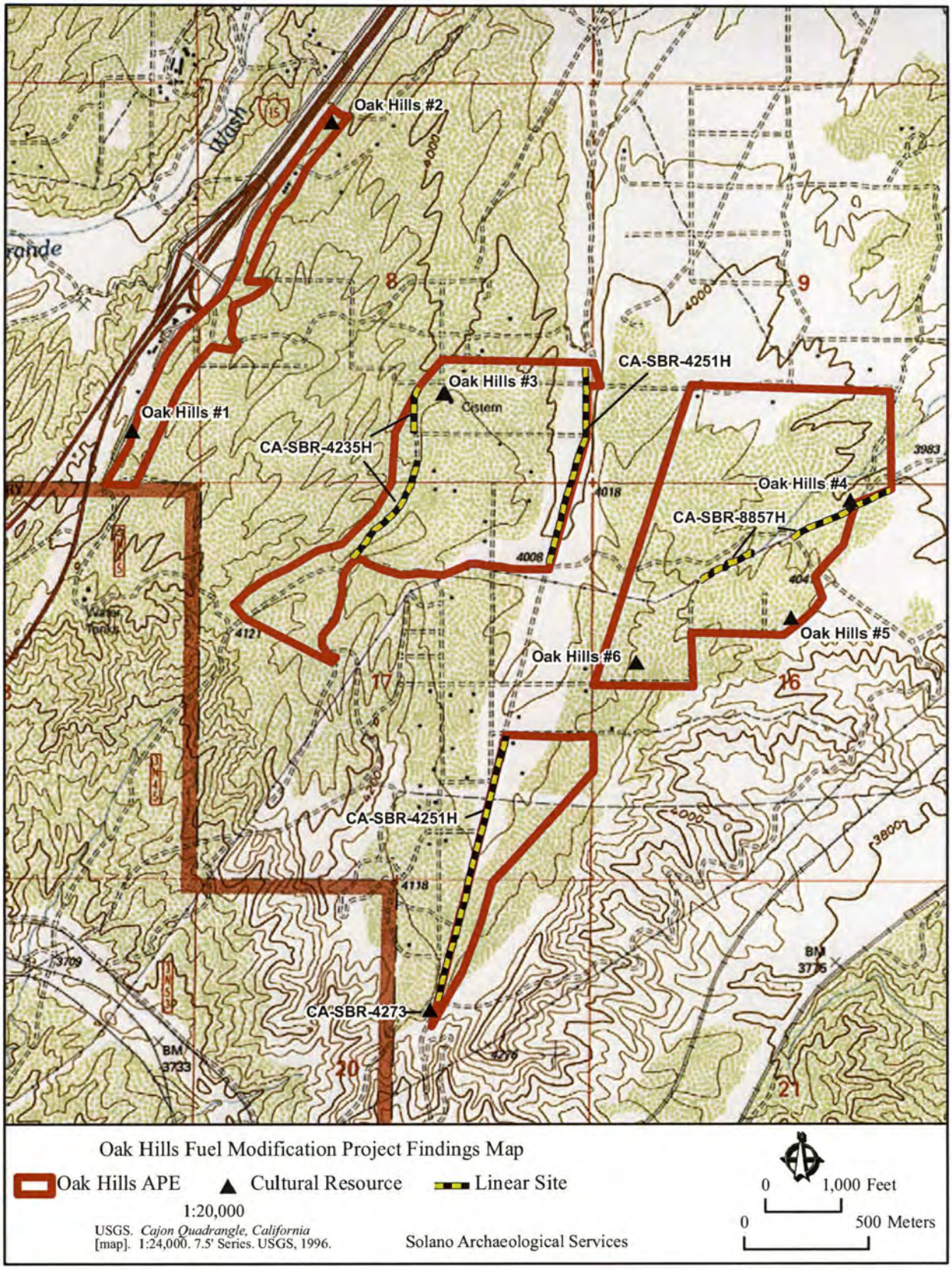
Primary #
HRI#
Trinomial CA-SBR-8857H

*Resource Name or #: Lytle Canyon Transmission Line

*Map Name: Cajon

*Scale: 1:24,000

*Date of Map: 1996



Oak Hills Fuel Modification Project Findings Map

Oak Hills APE ▲ Cultural Resource Linear Site

1:20,000

USGS. *Cajon Quadrangle, California* [map]. 1:24,000. 7.5' Series. USGS, 1996.

Solano Archaeological Services

0 1,000 Feet

0 500 Meters

*Required information

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # P36-008857
HRI #
Trinomial SBR-8857H
NRHP Status Code
Other Listings
Review Code Reviewer Date

Page 1 of 3 *Resource Name or #: (Assigned by recorder)

P1. Other Identifier: previously listed as part of PSBR-37H

*P2. Location: ☒ Not for Publication ☐ Unrestricted *a. County San Bernardino

and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad see below Date T ; R ; ¼ of ¼ of Sec ; SBd B.M.

d. UTM: (Give more than one for large and/or linear resources) Zone 11, see below mE/ mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

Power line shown on 1942 Corps of Engineers 15' *Hesperia* quadrangle (see segment of line on Location Map). Its route on *Hesperia* quad corresponds to Sections 1, 12, 13 and 24 of T2N, R6W; Sections 24, 25 and 36 of T3N, R6W; and Sections 9-11, 16, 17, 19, and 20 of T3N, R5W of the present-day USGS 7.5' *Cajon* quad. The line continues NE onto the 1942 15' *Deep Creek* quad and S and SW onto 1942 15' *San Bernardino* and *Cucamonga* quads providing electric power for the Los Angeles Basin from the southern Sierras.
UTMs (segment on 7.5' 1956 [1988] *Cajon* quad: south end: 457680 mE/ 3789790;
north end: 465500 mE/ 3802520.
Elevation (segment on *Cajon* quad): 2,560 feet (south end); 3,780 feet (north end).

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

Southern Sierras Power Co. branch power line built ca. 1915. Mistakenly recorded by Brock (1986) as part of Lytle Canyon Transmission Lines. Line and towers were completely removed and replaced by the Mira Loma I line in the early 1960s following a slightly different route (Myers 1983:222-226). Resource destroyed.

*P3b. Resource Attributes: (List attributes and codes) HP39 - Electric Power Transmission Line

*P4. Resources Present: ☐ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)

P5b. Description of Photo: (view, date, accession #)

*P6. Date Constructed/Age and Source: ☒ Historic ☐ Prehistoric ☐ Both
ca. 1915 to early 1960s

*P7. Owner and Address:
once crossed lands owned by multiple private landowners and government agencies

*P8. Recorded by: (Name, affiliation, and address) Philip de Barros and Joel Paulson, Professional Archaeological Services, 13730 Via Cima Bella, San Diego, CA 92129

*P9. Date Recorded: 6/8/97

*P10. Survey Type: (Describe) Reconnaissance survey

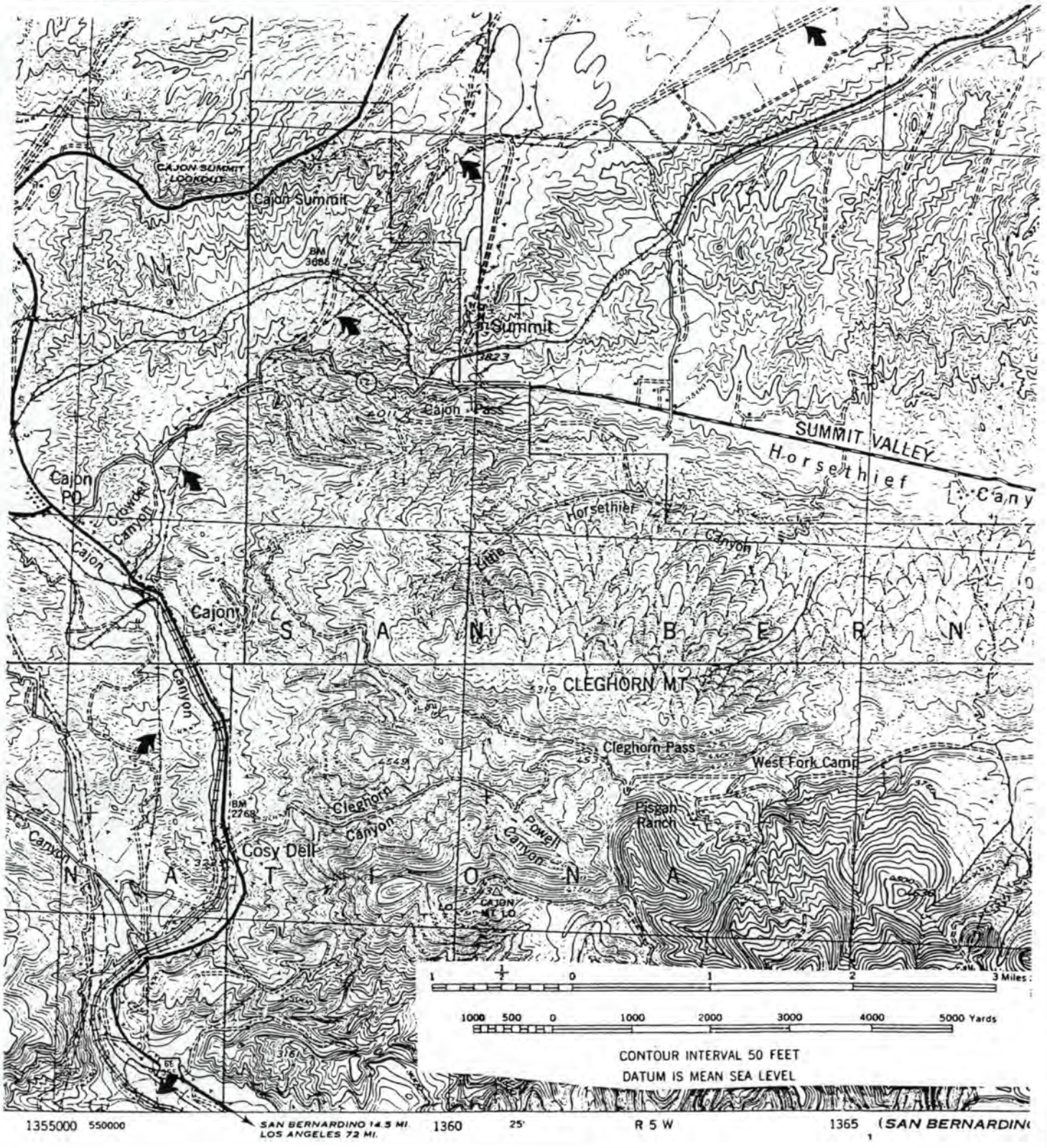
*P11. Report Citation: (Cite survey report and other sources, or enter "none.")
Addendum Archaeological Survey Report, Route 138 Improvement Project, 08-SBd-138, PM 16.5/19.7. Professional Archaeological Services, San Diego, by Philip de Barros, 1997. Submitted to Rancho Las Flores Ltd. Partnership, Dana Point. See also W.A. Myers (1983). Iron Men and Copper Wires: A Centennial History of the Southern California Edison Company. Trans-Anglo Books, Glendale.

*Attachments: ☐NONE ☒Location Map ☐Sketch Map ☐Continuation Sheet ☐Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
LOCATION MAP

Primary # P36-008857
HRI#
Trinomial SBR-8857H

Page 2 of 3 *Resource Name or # (Assigned by recorder)
*Map Name: Corps of Engineers 15' Hesperia *Scale: 1:62,500 *Date of map: 1942

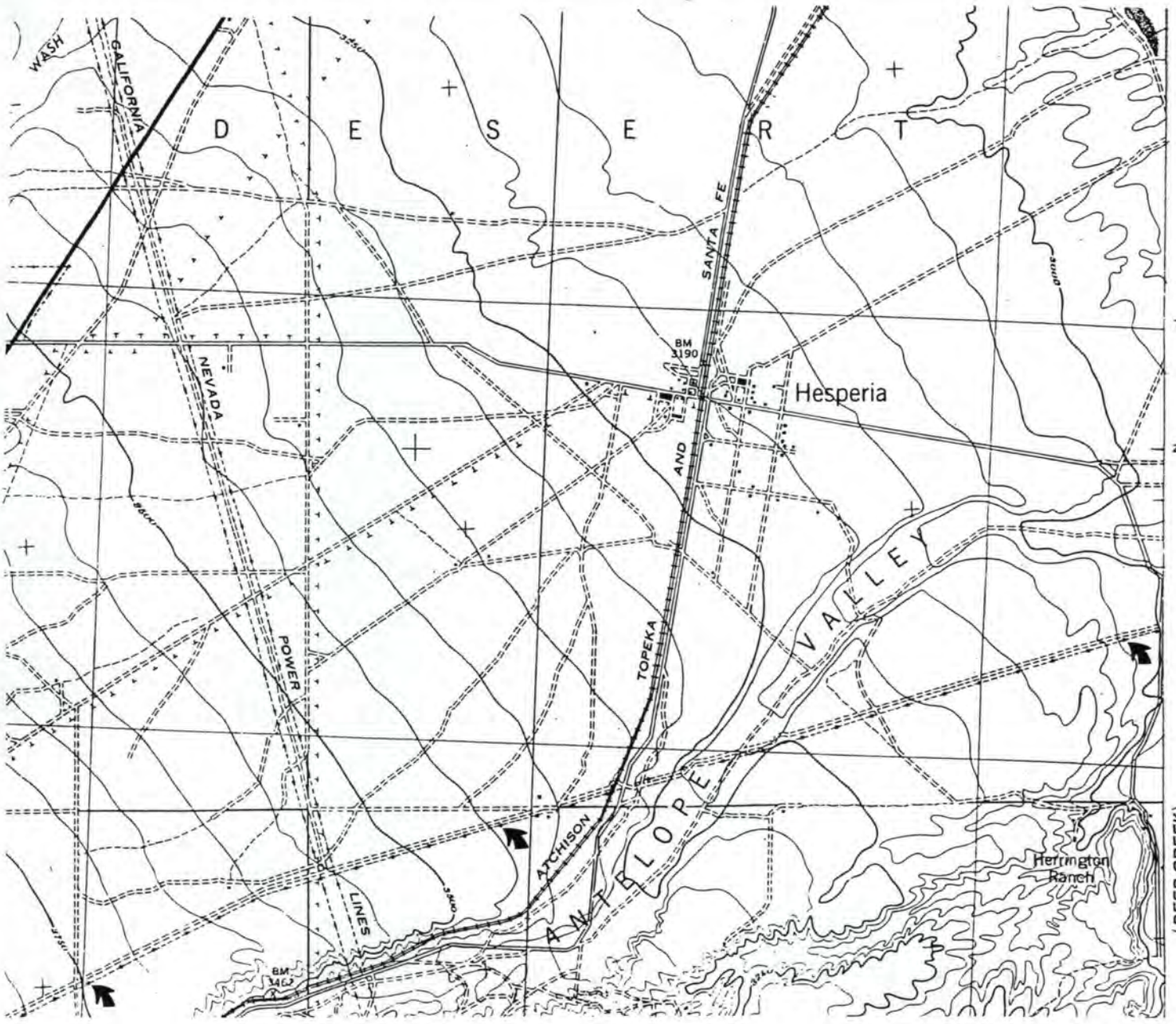


State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

Primary # P36-008857
HRI#
Trinomial SBR-8857H

Page 3 of 3 *Resource Name or # (Assigned by recorder)
*Map Name: Corps of Engineers 15' Hesperia *Scale: 1:62,500 *Date of map: 1942



1 0 1 2 3 Miles

1000 500 0 1000 2000 3000 4000 5000 Yards

CONTOUR INTERVAL 50 FEET
DATUM IS MEAN SEA LEVEL

PSBR-37-H
P36-008857
NADB1061566 CA-SBR-8857H

ARCHITECTURAL INVENTORY/EVALUATION FORM

LC-20 LYTLE CANYON TRANSMISSION LINES

___LISTED ___DETERMINED ELIGIBLE
___APPEARS ELIGIBLE ___APPEARS INELIGIBLE

IDENTIFICATION

1. Common name: LYTLE CANYON TRANSMISSION LINES
2. Historic name: Same
3. Street or rural address: _____

   City _____ Zip _____ County San Bernardino
4. Parcel number: _____
5. Present Owner: LADWP/SCE Address: P.O. Box 600

   City Rosemead, CA Zip 91771 Ownership is: Public _____ Private X
6. Present Use: Hydroelectric transmission Original use: Same

DESCRIPTION

7a. Architectural style:

7b. Briefly describe the present *physical description* of the site or structure and describe any major alterations from its original condition:

This site consists of three sets of electrical transmission lines mounted on metal towers; two of these lines are owned and maintained by Los Angeles Department of Water and Power and one line forms a part of the connector system of Lytle Creek Powerhouse No. 1 (LC-16a), owned by the Southern California Edison Company.

USGS Devore
Cajon
Silverwood Lake

Attach Photo(s) Here

8. Construction date: Estimated 1912, 1936 Factual _____
9. Architect _____
10. Builder _____
11. Approx. property size (in feet) Frontage _____ Depth _____ or approx. acreage _____
12. Date(s) of enclosed photograph(s)

1/8/86
ELLIOTT

Jan. 11263

13. Condition: Excellent ___ Good X Fair ___ Deteriorated ___ No longer in existence ___

14. Alterations: Unknown

15. Surroundings: (Check more than one if necessary) Open land ___ Scattered buildings X Densely built-up ___
Residential ___ Industrial ___ Commercial ___ Other: ___

16. Threats to site: None known ___ Private development ___ Zoning ___ Vandalism ___
Public Works project X Other: ___

17. Is the structure: On its original site? X Moved? ___ Unknown? ___

18. Related features: Lytle Creek Powerhouse No. 1 (LC-16a)

SIGNIFICANCE

19. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site.)

LC-20a
Land was acquired for a right-of-way (450 ft.) for these transmission lines in 1928 (BLM Sacramento). The completion of the lines ca. 1936 marked the entry of Boulder Dam hydroelectric power to the Los Angeles Basin.

LC-20b
Land was granted for right-of-way to extend Edison Company power lines from Lytle Creek Powerhouse No. 1 (LC-16) up ~~the canyon to Miller Narrows and Scotland in 1912~~ (BLM Sacramento). WRONG DATA
20b DOES NOT GO UP THE CAN, ONLY CROSSES THE RIDGE AT THEIR CROSSING.

20. Main theme of the historic resource: (If more than one is checked, number in order of importance.)
Architecture ___ Arts & Leisure ___
Economic/Industrial X Exploration/Settlement ___
Government ___ Military ___
Religion ___ Social/Education ___

21. Sources (List books, documents, surveys, personal interviews and their dates).
Myers 1985
Foreman 1985
BLM Sacramento

22. Date form prepared January 8, 1986
By (name) John F. Elliott
Organization ECOS
Address: 5300 Orange Ave., Suite 220
City 714/827-1180 Zip ___
Phone: ___

Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):

NORTH



1067666 Update 6/14

1265

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary # P36-010330
HRI #
Trinomial CA-SBR-10, 330 H Upper Track
NRHP Status Code 6Y

Other Listings
Review Code Reviewer Date

*Resource Name or #: Southern Pacific Railroad at Monte Vista Avenue

P1. Other Identifier: Southern Pacific Railroad; SP; SPRR; West Line Basin Alignment; Alternate Sunset Route, Union Pacific Railroad; UPRR M.P. 517.37.

***P2. Location:** ☐ **Not for Publication** ☐ **Unrestricted** ***a. County:** San Bernardino
and (P2b and P2c or P2d. Attach a Location Map as necessary.)
***b. USGS 7.5' Quad:** Ontario, Calif. **Date:** 1981 **T** 1S ; **R** 8W ; ¼ **of** ¼ **of Sec** 26 ; ~~M.D.~~**B.M.** SB
c. Address: N/A **City:** Montclair **Zip:** 91762
d. UTM: Segment 11S 435394.35mE, 3769049.00mN to 11S 435654.88mE, 3769057.90mN
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation:

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The Southern Pacific Railroad at Monte Vista Avenue is a parallel set of standard gauge railroad tracks, running east-west and bisecting Monte Vista Avenue in Montclair, CA. The northern-most set of tracks within this segment feature rails, pandrol clips and concrete ties that appear to date from c.2003. The southern set of tracks has wood ties with a slightly different version of pandrol clip. The estimated replacement span of ties for active track is approximately 30 years, and this segment is believed to be less than 50 years old. The two alignments are set upon a slightly elevated ballast-covered berm. The alignment features a set of recent crossbars located at either side of Monte Vista Avenue. Concrete plates at either side of the rail are present where it traverses the paved Monte Vista Avenue. Just south of the alignments due east of Monte Vista Avenue is a wide, paved driveway that leads to the "Montclair Yard," which itself is outside of the project area. A metal call box, which appears to be less than 50 years old, is present just west of Monte Vista Avenue and south of the alignments. A standard crossing bar and signal is present at either end of Monte Vista Avenue, and they too appear to be recent.

***P3b. Resource Attributes:** (List attributes and codes) AH7. Roads/trails/railroad grades
***P4. Resources Present:** ☐Building ☐Structure **X**Object ☐Site ☐District ☐Element of District ☐Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, date, accession #) Southern Pacific Railroad at Monte Vista Avenue. View: SW. Photo: Daniel Paul, ICF International. November, 18, 2012.

***P6. Date Constructed/Age and Sources:** **X**Historic
☐Prehistoric ☐Both
c.1883-2010

***P7. Owner and Address:**
Union Pacific Railroad
1400 Douglas St.
Omaha, NE
68179

***P8. Recorded by:** (Name, affiliation, and address)
Daniel D. Paul,
Architectural Historian
ICF International
811 West 7th Street, Suite 800
Los Angeles, CA 90017

***P9. Date Recorded:** November 26, 2012

***P10. Survey Type:** Intensive Level, Section 106 Compliance

***P11. Report Citation:** Monte Vista Grade Separation Project, Caltrans District 8, Historic Resources and Evaluation Report, November 2012.

***Attachments:** ☐NONE ☐Location Map ☐Sketch Map **X**Continuation Sheet **X**Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Primary #
HRI#

BUILDING, STRUCTURE, AND OBJECT RECORD

*NRHP Status Code 6Y

*Resource Name or # Southern Pacific Railroad at Monte Vista Avenue

B1. Historic Name: Southern Pacific Railroad; SP; SPRR; West Line Basin Alignment; Alternate Sunset Route, Union Pacific Railroad; UPRR M.P. 517.37.

B2. Common Name: Union Pacific Railroad

B3. Original Use: transportation: railroad **B4. Present Use:** transportation: railroad

***B5. Architectural Style:** N/A

***B6. Construction History:** (Construction date, alterations, and date of alterations) originaly constructed in 1883; all rail related material appears to date from within the last 30-50 years.

***B7. Moved?** XNo ☐Yes ☐Unknown **Date:** **Original Location:**

***B8. Related Features:** Signal box, mile post, call box, storage yard access, cross bars, light signals, creek underpass.

B9a. Architect: N/A **b. Builder:** Southern Pacific Railroad

***B10. Significance: Theme:** Transportation **Area:** Southern California

Period of Significance: 1883-c.1930 **Property Type:** Object: railroad alignment **Applicable Criteria:** N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

In 1999, the entirety of the Union Pacific Railroad (UP/ UPRR) was found eligible across Southern California. The DPR that argued this determination was never submitted to the State Office of Historic Preservation, and there is no record in the Sta te Historic Resources Inventory that formalized this finding. Within the proposed project area, the entirety of both SP lines is wholly reconstructed with new materials. The Southern Pacific Railroad, as a railroad that opened up the southwest, is incredibly historically significant. However this segment retains only its integrity of location and associati on. Historically the setting was primarily citrus agriculture by the time the railroad arrived in 1883. This setting has been replaced by light industrial use, suburban development, and the wholesale loss of citrus within the project area. The feeling of a railroad penetrating the open West has likewise been lost with the advent of local cityhood and post-war development within the vicinity. The design of the alignment and its components are similar. However, in detail many of these components are new, particularly the use of concrete ties and pandrol clips. With these changes have come a loss of integrity of materials and workmanship. The Southern Pacific Railroad where it crosses Monte Vista Avenue in Montclair, CA, does not appear to retain eligibility under National register of Historic Places Criteria A, B, or C, or California Register of Historical Resources Criteria 1, 2, or 3. This resource was not analyzed at the municipal level as part of this evaluation.

B11. Additional Resource Attributes: moved to 523A form

***B12. References:**

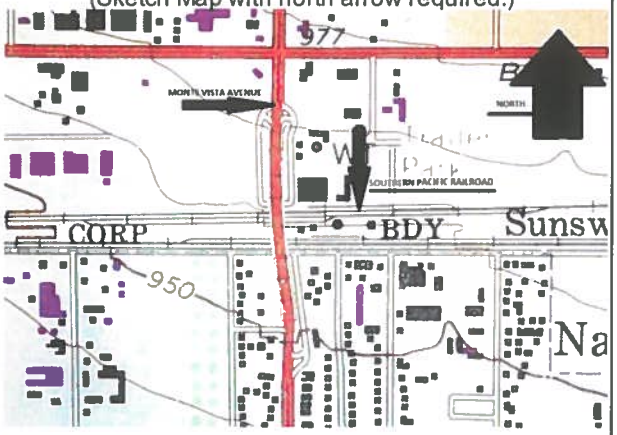
Orsi, Raymond J. 2005. Sunset Limited: The Southern Pacific Railroad and the Development of the American West, 1850-1930. Berkeley and Los Angeles, CA: University of California Press; Conley, Bernice Bedford. *The Beginnings of Montclair's Development*. The Daily Report. January 11, 1981.
Trains.com online community

B13. Remarks:

***B14. Evaluator:** Daniel D. Paul, Architectural Historian, ICF International

***Date of Evaluation:** November 27, 2012

(Sketch Map with north arrow required.)



(This space reserved for official comments.)

*Required information

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # P36-010330
HRI#
Trinomial CA-SBR-10, 330 H

 *Resource Name or # Southern Pacific Railroad at Monte Vista Avenue

*Recorded by: Daniel Paul, ICF International *Date: November 16, 2012 ☐Continuation ■ Update



Southern Pacific Railroad at Monte Vista Avenue: signal box. View: W. November, 2012.



Southern Pacific Railroad at Monte Vista Avenue. From Monte Vista Avenue looking south. November, 2012.



Southern Pacific Railroad at Monte Vista Avenue: Access road to Montclair Yard. SPRR alignments are at the left, SP,LA&SL alignment is at the right. View: E. November, 2012.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary # ~~P36-010330~~
HRI # 36-002157
Trinomial ~~CA-SBR-10,330 H~~
NRHP Status Code 6Y

Other Listings
Review Code | Reviewer | Date

***Resource Name or #:** San Pedro, Los Angeles and Salt Lake Railroad at Monte Vista Avenue

P1. Other Identifier: San Pedro, Los Angeles and Salt lake Railroad; Los Angeles and Salt Lake Railroad; Union Pacific Railroad; SP,LA&SL, LA&SL, SLR; UPRR MP 517.37.

***P2. Location:** ☐ **Not for Publication** ☐ **Unrestricted** ***a. County:** San Bernardino

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

***b. USGS 7.5' Quad:** Ontario, Calif. **Date:** 1981 **T** 1S ; **R** 8W ; ¼ of ¼ of Sec 26 ; ~~M.D.~~B.M.

c. Address: N/A **City:** Montclair **Zip:** 91762

d. UTM: 11S 435696.87mE, 3769019.65mN to 11S 435654.68mE, 3769019.23mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation: Approximately 800 foot long segment of alignment bisected by Monte Vista Avenue in Montclair, CA.

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries) The San Pedro, Los Angeles and Salt Lake Railroad at Monte Vista Avenue is a standard guage railroad, running east to west, with concrete ties, pandrol clips, and rail itself that appear to be less than 50 years old. The alignment is elevated upon a low berm that is covered with ballast. To the east of Monte Vista Avenue, just south of the alignment, is a wood post with the marker "35." A wide, paved service road that leads to the UPRR "Montclair Yard" is present just north of the alignment. West of the Avenue and south of the alignment is a metal, shed-like call-in box that appears to be less than 50 years old. A pair of recent crossing bars are present just south of the alignment at either end of Monte Vista Avenue.

***P3b. Resource Attributes:** AH7. Roads/trails/railroad grades

***P4. Resources Present:** ☐Building ☐Structure **X**Object ☐Site ☐District ☐Element of District ☐Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, date, accession #) San Pedro Los Angeles and Salt Lake Railroad at Monte Vista Avenue. View: E. Photo: Daniel Paul, ICF International. November, 18, 2012.

***P6. Date Constructed/Age and Sources:** **X**Historic ☐Prehistoric ☐Both 1905-2010.

***P7. Owner and Address:** Union Pacific Railroad 1400 Douglas St. Omaha, NE 68179

***P8. Recorded by:** (Name, affiliation, and address) Daniel D. Paul, Architectural Historian

ICF International
811 West 7th Street, Suite 800
Los Angeles, CA 90017

***P9. Date Recorded:** November 26, 2012

***P10. Survey Type:** Intensive Level Survey, Section 106 Compliance

***P11. Report Citation:** Monte Vista Grade Separation Project, Caltrans District 8, Historic Resources and Evaluation Report, November 2012.

***Attachments:** ☐NONE ☐Location Map ☐Sketch Map **X**Continuation Sheet **X**Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Primary # ~~P36-010330~~
HRI# 36-

BUILDING, STRUCTURE, AND OBJECT RECORD

*NRHP Status Code 6Y

*Resource Name or # San Pedro, Los Angeles and Salt Lake Railroad at Monte Vista Avenue

B1. Historic Name: San Pedro Los Angeles and Salt Lake Railroad; Los Angeles and Salt Lake Railroad; Union Pacific Railroad; SP,LA&SL, LA&SL, SLR.

B2. Common Name: Union Pacific Railroad

B3. Original Use: transportation: railroad **B4. Present Use:** transportation: railroad

***B5. Architectural Style:** N/A

***B6. Construction History:** (Construction date, alterations, and date of alterations) originaly constructed in 1905; all rail alignment materials appear to be recent.

***B7. Moved?** XNo ☐Yes ☐Unknown **Date:** **Original Location:**

***B8. Related Features:** wood post with marker; underpass, signal lights, signal box, crossing bars

B9a. Architect: N/A **b. Builder:** The San Pedro, Los Angeles and Salt Lake Railroad

***B10. Significance: Theme:** Transportation **Area:** Southern California

Period of Significance: 1905-c.1930 **Property Type:** Object: railroad alignment **Applicable Criteria:** N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

In 1999, the entirety of the Union Pacific Railroad was found eligible across Southern California. The DPR making this determination was never submitted to the State Office of Historic Preservation, and there is no record in the State Historic Resources Inventory that formalized this finding. The SP,LA&SL was founded by former Montana Senator William Andrews Clark, and integrated with pre-existing Utah railroads that date back to approximately 1871. Intended to connect the bourgeoning San Pedro Harbor (later Port of Los Angeles) with points west, the SP, LA&SL was one of three major Southern California railroads responsible for greatly connecting Southern California to the rest of the United States before the automobile age. Within the project area, the SP,LA&SL was constructed in 1905 and unlike the parallel SP lines due immediately north, the SP,LA&SL provided passenger service to the vicinity. The subject SP,LA&SL segment within the project area appears to be completely reconstructed with recent rails, ties, pandrol clips, and ballast. Historically the setting was primarily citrus agriculture and had a small vicinity called Fremont located about a quarter mile north of the alignment. This setting has been replaced by light industrial use, suburban development, and the complete loss of citrus agriculture within the project area. The integrity of feeling: of a railroad opening up the West, servicing the agricultural industry and a nearby small town is also completely lost. The design of the alignment and its features is highly similar to the historic period, both in the gauge and the fundamental components of the alignment. But in detail many of these components are new, particularly the use of concrete ties and pandrol clips. With these changes has come a loss of integrity of materials and workmanship. The SP,LA&SL at Monte Vista Avenue in Montclair, CA, does not appear to retain eligibility under National Register of Historic Places Criteria A, B, or C, or California Register of Historical Resources Criteria 1, 2, or 3. This resource was not analyzed at the municipal level as part of this evaluation.

B11. Additional Resource Attributes:

***B12. References:**

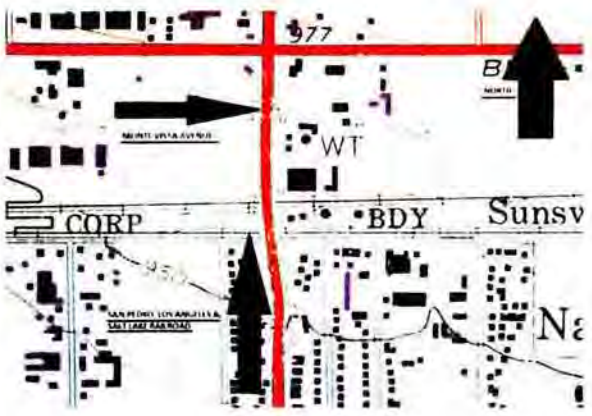
Conley, Bernice Bedford:
The Beginnings of Montclair's Development. The Daily Report. Jan. 11, 1981; *Monte Vista Sign comes down and Narod sign is put back up*. The Daily Report, Feb. 15, 1981: 17; *Citrus Developed Rapidly at Narod*. The Daily Report. Jan. 18, 1981;
City of Montclair, *Images of America: Montclair*. Charleston, SC: Arcadia Publishing, 2005: 88.

B13. Remarks:

***B14. Evaluator:** Daniel D. Paul, Architectural Historian, ICF

***Date of Evaluation:** November 27, 2012

(Sketch Map with north arrow required.)



(This space reserved for official comments.)



San Pedro, Los Angeles and Salt Lake Railroad at Monte Vista Avenue. Alignment looking west from Monte Vista Avenue with call in booth. November, 2012.



San Pedro, Los Angeles and Salt Lake Railroad at Monte Vista Avenue. Setting looking north toward alignment from Monte Vista Avenue. November, 2012.



San Pedro, Los Angeles and Salt Lake Railroad at Monte Vista Avenue. Alignment in foreground, SPRR alignment in background. View: NE. November, 2012.

1067377 9/12 1271

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # 36-010330 (Update)
HRI #
Trinomial CA-SBR-10330H
NRHP Status Code 6Z
Other Listings
Review Code Reviewer Date

Page 1 of 5 Resource Name or #: Southern Pacific Railroad segment

P1. Other Identifier: Union Pacific Railroad; APE Map Reference #1

*P2. Location: ☐ Not for Publication ☒ Unrestricted *a. County: San Bernardino and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad: *San Bernardino South, CA* Date: 1967 PR 1980 T 1S ; R 4W; S.B.B.M.

c. Address: City: Colton, CA Zip:

d. UTM: Zone: 11; mE/ mN (G.P.S.)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate): This approximately 1.85-mile long segment is located south of Interstate 10 (I-10) generally between North Cypress Avenue (north of I-10) and Mt. Vernon Avenue.

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

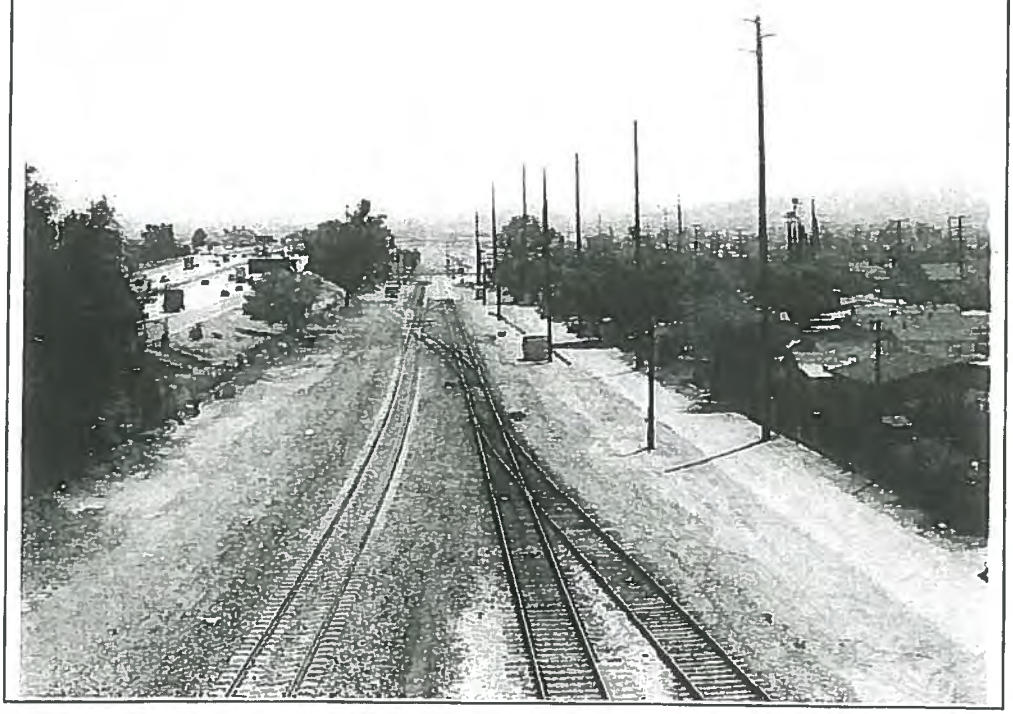
This segment of the railroad consists of the Union Pacific Railroad (UPRR; formerly Southern Pacific Railroad [SPRR]) mainline tracks, as well as various spurs, sidings, and wyes. Sets of railroad ties support pairs of rails and a layer of volcanic rocks lines the rail bed. I-10 is adjacent to the north. At 9th Street, on the north side of the tracks, there are two altered historic-period buildings: a former Southern Pacific depot and a former American Railway Express Company building. To the south of the tracks are wooden utility poles, Slover Mountain, and the historic-period South Colton neighborhood. Crossing the UPRR approximately where South 6th Street would have been are two north-south Burlington Northern Santa Fe (BNSF, formerly California Southern and Atchison, Topeka & Santa Fe [ATSF]) tracks. This extant, but modernized crossing is known as the Colton Crossing and is one of numerous rail-to-rail crossings in California.

The tracks appear to retain integrity of location, design, and association, but integrity of setting, materials, workmanship, and feeling have been compromised by the addition and realignment of tracks, routine maintenance and modifications, construction of I-10, and alterations to the surrounding buildings and streets.

*P3b. Resource Attributes: (List attributes and codes) HP39 Other (railroad)

*P4. Resources Present: ☐Building ☒Structure ☐Object ☐Site ☐District ☐Element of District ☐Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, date, accession #) Union Pacific tracks, view east from South Rancho Avenue overpass on April 23, 2010. (Also see Linear Feature Record, page 3)

*P6. Date Constructed/Age and Sources: ☒Historic ☐Prehistoric ☐Both
1875

*P7. Owner and Address:
Union Pacific Railroad
1400 Douglas Street
Omaha, NE 68179

*P8. Recorded by: (Name, affiliation, and address)
Casey Tibbet, M.A.
LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, CA 92507

*P9. Date Recorded:
May 2010

*P10. Survey Type: (Describe)
Intensive-level Section 106 and CEQA compliance

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") Historic Property Survey Report for the Colton Crossing Rail-to-Rail Grade Separation, Attachment B, Historic Resources Evaluation Report, 2011.

*Attachments: ☐NONE ☐Location Map ☐Sketch Map ☒Continuation Sheet ☒Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☒Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
Primary # 36-010330 (Update)
HRI# _____

BUILDING, STRUCTURE, AND OBJECT RECORD

*NRHP Status Code 6Z
*Resource Name or # (Assigned by recorder) Southern Pacific Railroad segment

B1. Historic Name: Southern Pacific Railroad
B2. Common Name: Union Pacific Railroad
B3. Original Use: Railroad B4. Present Use: Railroad
*B5. Architectural Style: NA
*B6. Construction History: (Construction date, alterations, and date of alterations)
1875 railroad segment constructed
*B7. Moved? ☒No ☐Yes ☐Unknown Date: _____ Original Location: _____
*B8. Related Features:
B9a. Architect: Unknown b. Builder: Unknown
*B10. Significance: Theme: Transportation Area: City of Colton
Period of Significance: 1875–1960 Property Type: Railroad Applicable Criteria: NA
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

This approximately 1.85-mile long railroad segment does not appear to meet any of the criteria for listing in the National Register of Historic Places (National Register). The SPRR (now UPRR) was constructed in Colton in 1875. Since then, the setting has been extensively altered: buildings were removed in conjunction with construction of I-10 adjacent to the north; grade separations (South Rancho Avenue, La Cadena Drive, and Mt. Vernon Avenue) have been constructed; tracks have been added, realigned, and otherwise modified; the tower at the crossing has been removed; and most of the nearby historic-period buildings, which were constructed after the railroad was in place, have been removed or significantly altered.

Historical Background. The Southern Pacific Railroad was founded in 1865 by a group of businessmen led by Timothy Phelps (American Public University n.d.). In May 1869, the first transcontinental railroad was completed when the Central Pacific joined the Union Pacific at Promontory, Utah. The Central Pacific was financed by Collis P. Huntington, Charles (*See Continuation Sheet*)

B11. Additional Resource Attributes: (List attributes and codes)

*B12. References:

Aerial Photographs
1938, 1959, 1968 Provided by GeoSearch from the ASCS collection.
American Public University
n.d. Railroads, the Gilded Age. Accessed online in June 2010 at: http://www.u-s-history.com/pages/h1817.html.
American-rails.com
2007–2010 The Espee, The Friendly Southern Pacific. Accessed online in June 2010 at: http://www.american-rails.com/southern-pacific.html.
Cataldo, Nicholas
2006 The Earp Clan: the Southern California Years. Black Roads Press, San Bernardino.
Ingersoll, L.A.
1904 *Ingersoll's Century Annals of San Bernardino County, 1769 to 1904. Volume One and Two.* Published by the author, Los Angeles, California.
(*See Continuation Sheet*)

B13. Remarks:

*B14. Evaluator: Casey Tibbet, M.A., LSA Associates, Inc., 1500 Iowa Avenue, Suite 200, Riverside, CA 92507

*Date of Evaluation: May 2010

(Sketch Map with north arrow required.)



(This space reserved for official comments.)

*Required Information

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LINEAR FEATURE RECORD

Primary # 36-010330 (Update)
HRI #
Trinomial CA-SBR-10330H
NRHP Status Code 6Z
Other Listings
Review Code Reviewer Date

Resource Name or #: Southern Pacific Railroad segment

L1. Historic and/or Common Name: Union Pacific Railroad

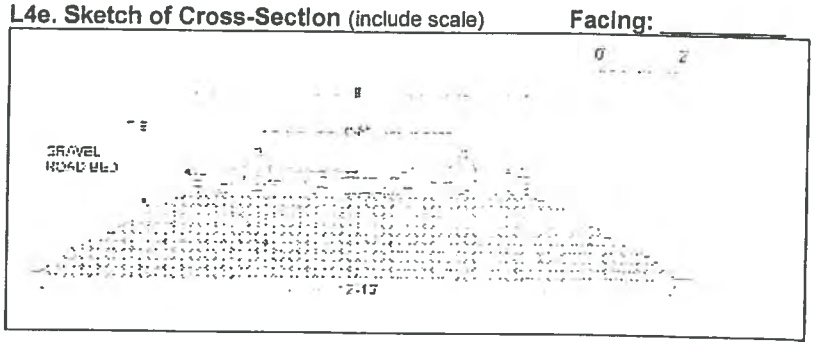
L2a. Portion Described: ☐ Entire Resource ☒ Segment ☐ Point Observation **Designation:**

b. Location of point or segment: (Provide UTM coordinates, legal description, and any other useful locational data. Show the area that has been field inspected on a Location Map)
This segment runs through the City of Colton and is approximately 1.85 miles long. It extends generally from South Rancho Avenue on the west to South Mt. Vernon Avenue on the east.

L3. Description: (Describe construction details, materials, and artifacts found at this segment/point. Provide plans/sections as appropriate.)
The segment consists of two sets of railroad ties that each support a pair of rails. A layer of volcanic rocks lines the rail bed. In some areas there are multiple tracks. (Refer to description in Primary Record, page 1)

L4. Dimensions: (In feet for historic features and meters for prehistoric features)
a. Top Width 4' 8.5"
b. Bottom Width 12'–15'
c. Height or Depth Approx. 2'
d. Length of Segment Approx. 1.85 miles

L4e. Sketch of Cross-Section (include scale) **Facing:**

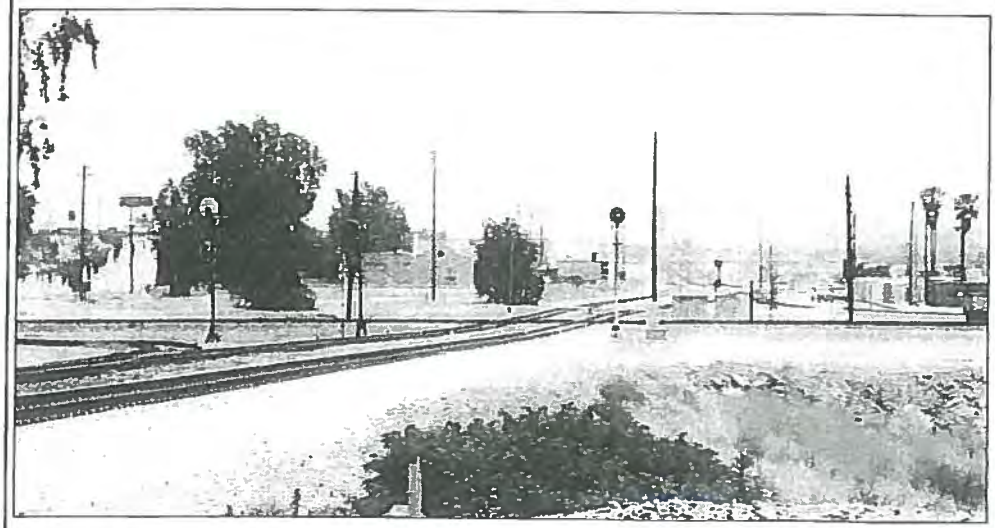


L5. Associated Resources: Various sidings, wyes, and spurs, as well as the former SP depot (extensively altered and currently vacant), the former American Railway Express Company building (altered and vacant), a large metal warehouse, and various sheds and trailers.

L6. Setting: (Describe natural features, landscape characteristics, slope, etc., as appropriate.)
The setting includes I-10 to the north, a historic-period neighborhood (most buildings extensively altered) to the south, and between 9th Street and Mount Vernon Avenue is the Colton Rail Yard. (Refer to discussions in Primary Record and BSO Record, pages 1, 2, and 4).

L7. Integrity Considerations:
Although this segment retains integrity of location and design, its integrity of setting and feeling have been significantly compromised. (Refer to discussion in BSO Record, pages 2 and 4)

L8a. Photograph, Map, or Drawing



L8b. Description of Photo, Map, or Drawing: (View, scale, etc.)
Colton Crossing (SPRR tracks in foreground), view to the east-northeast on May 14, 2010. (Also see Primary Record, page 1)

L9. Remarks:

L10. Form Prepared by: (Name, affiliation, and address)
Casey Tibbet, M.A.
LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, CA 92507

L11. Date: May 2010

*Required information

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # 36-010330 (Update)
HRI #
Trinomial CA-SBR-10330H

Page 4 of 5 *Resource Name or #: (Assigned by recorder) Southern Pacific Railroad segment
*Recorded by LSA Associates, Inc. *Date: May 2010 X Continuation Update

***B10. Significance** (Continued from page 2)
Crocker, Mark Hopkins, and Leland Stanford, the so-called Big Four. In 1868, the Big Four purchased the Southern Pacific and merged it with the Central Pacific in 1870 (American Public University n.d.). SPRR tracks soon sprawled across Southern California and between 1874 and 1881, tracks were built all across the country (ibid.). From its inception, the SPRR encouraged development of small family farms along its routes (Orsi 2005:106). In the 1860s through the mid-1870s, the SPRR published simple flyers advertising their lands (ibid.). These promotional endeavors increased in the late 1870s and into the 1880s with the publication of detailed brochures that often included maps and were the precursors to the elaborate advertising for which the railroad would become famous (ibid.). These concentrated marketing efforts greatly enhanced the role the SP played in the settlement and development of numerous communities along its routes, including Colton. In some places, such as Modesto, Turlock, Tulare, Delano, and Colton, the SPRR took things a step further and became involved in the development of hotels, hospitals, churches, schools, and parks and aggressively promoted settlement (ibid.:109 and 111).

In 1875, the subject railroad segment was completed through Colton, helping the fledgling community get off the ground. In the 1880s, the SPRR served the Southwest, including El Paso, Texas, and extended into northern Oregon (American-rails.com 2007–2010). During this period, at least in the Riverside-San Bernardino area, SPRR had a virtual monopoly and charged exorbitant rates for freight. This made construction of the California Southern from San Diego, through Colton, to San Bernardino in 1883, an attractive alterative to local residents. The California Southern (later the Atchison, Topeka and Santa Fe [ATSF] and now the Burlington Northern Santa Fe [BNSF]) crosses the SPRR at Colton Crossing, where there was a standoff led by the SPRR and Virgil Earp, prohibiting construction of the crossing. Standoffs, such as the one at Colton Crossing, were a fairly common occurrence in California and the country in the late 19th century. There are several instances in United States history where a private railroad attempted to cross the tracks of another, resulting in lawsuits or even violence. These standoffs are known as "frog wars," named after the component of a railway switch that allows two tracks to join or cross. A particularly famous frog war happened in Hopewell, New Jersey, in 1876 between the Pennsylvania Railroad and the Delaware and Bound Brook Railroad. In that instance, trains blocked the tracks and an armed fight broke out that included more than 100 people and required military involvement. Other examples of well-known frog wars include the Greater Grand Crossing feud in Chicago in 1853; Denver and Rio Grande Western Railroad vs. Atchison, Topeka & Santa Fe Railroad vs. Union Pacific Railroad all vying for mountain passes in Colorado in the 1870s; and the Pennsylvania Railroad vs. the New Jersey Junction Connecting Railway (Lehigh Valley Railroad) in New Jersey in 1897. Ultimately, the California Southern crossed the SPRR in Colton, increasing competition and improving Colton's situation as a shipping center (Jones 1951).

In 1886, the first refrigerated cars were introduced contributing to the economic boom of the Southern California citrus industry and in 1906, SPRR and UPRR formed the Pacific Fruit Express, dedicated to transporting goods that needed refrigeration (American Public University n.d.). The SPRR continued to grow throughout the early part of the 20th century and by the 1950s, it owned 15,000 miles of track, predominantly in the Southwest. Among its many achievements are three important main lines which remain important arteries today: "the *Overland Route* (San Francisco to the Midwest), the *Golden State Route* (the Southwest to Kansas City), and the *Sunset Route* (the Pacific Coast to the Gulf Coast). In addition, SPRR had numerous famous passenger trains bedecked in its celebrated "Daylight" livery of bright red and orange (with black and white trim)..." (American-rails.com 2007–2010). Despite the railroad's success, in the 1970s, SPRR suffered and in the late 1980s, it was purchased by the Denver and Rio Grande Western, which made the unusual decision to keep the SPRR name (ibid.). In 1996, SPRR merged with the smaller UPRR, a move that proved quite difficult for UPRR as it was not equipped to handle the increased operations (ibid.). However, by the end of the 1990s, UPRR was once again running smoothly (ibid.).

Significance Evaluation.
Under National Register criterion A and California Register criterion 1, the railroad as a whole played an important role in the history of California and in the early development and success of the City of Colton. The City is named for a former SPRR Vice President and the SPRR was apparently involved in the construction of various commercial and civic buildings, as well as the marketing of the town. In addition, the large rail yard that was once located in the project APE and along a portion of the subject rail segment, contributed greatly to the area's early economic success. However, the SPRR monopoly did not always work to the advantage of Colton. In 1883, a portion of this segment known as Colton Crossing was the location of a standoff with the California Southern, a competing railroad associated with the Atchison, Topeka & Santa Fe (ATSF). As discussed above, this type of standoff or frog war was a fairly common occurrence in the late 19th and early 20th centuries throughout California and the country and, in this case, was one of a series of events that led to the inevitable breaking of the SPRR monopoly. Ultimately, the California Southern crossed the SPRR in Colton increasing competition and improving Colton's situation as a shipping center (Jones 1951). However, after just two years, the ATSF built its mainline from San Bernardino to Los Angeles and Colton was relegated to branch status; thus, the real benefit of the crossing was reaped by San Bernardino, which transformed from a stage station to a railroad center (Jones 1951:25; Ingersoll 1904:377).

The SPRR benefited many communities along its route, some of which it founded and others that simply prospered because of it. The City of Colton is one of those cities that benefited greatly from the attention it received from the SPRR, especially during the community's early history. However, this segment of the SPRR and its setting have experienced numerous alterations which have severely compromised its integrity of setting, feeling, and association. For example, the vast majority of the (*See Continuation Sheet*)

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

CONTINUATION SHEET

Primary # 36-010330 (Update)
HRI #
Trinomial CA-SBR-10330H

Page 5 of 5 *Resource Name or #: (Assigned by recorder) Southern Pacific Railroad segment

*Recorded by LSA Associates, Inc. *Date: May 2010 X Continuation Update

***B10. Significance** (Continued from page 4)

rail yard buildings, features, and tracks, as well as all but two historic-period railroad related buildings have been removed. In addition, construction of I-10, the La Cadena underpass, and the Rancho Avenue overpass, along with alterations to the two remaining historic-period buildings (the former SPRR depot and the former American Railway Express Company building) have severely compromised the historic setting and diminished the historic character of the area as a whole. As a result of all of these changes, there is nothing physical at the crossing or along this segment of the SPRR that demonstrates or conveys any significance under this criterion. Therefore, it is not eligible for listing in the National Register under this criterion.

Under National Register criterion B and California Register criterion 2, the railroad as a whole is associated with persons important in history, but this segment does not appear to be more closely associated with those people than any other part of the railroad. As discussed above, Colton Crossing has a minor association with Virgil Earp in his capacity as a law enforcement officer. In 1881, Virgil was Chief of Police in Tombstone, Arizona when the famed shootout at the O.K. Corral occurred. Shortly thereafter, to recuperate, he moved to Colton where his parents lived. In 1883, acting on behalf of the SPRR, Virgil stood guard against the construction of the railroad crossing by California Southern until a court order was produced allowing construction to proceed. In 1887, Virgil became the City's first Marshall and he lived in a home that still stands just north of I-10. He remained in Colton until 1893 when he moved to Vanderbilt. He returned to Colton for a short time in 1904 before moving to Goldfield where he died in 1905. Although Virgil Earp is a known figure in history, he is most famous as the brother of Wyatt Earp and for his involvement in the O.K. Corral shootout, rather than for his individual accomplishments as a lawman or any historically important contributions to the field of law enforcement. While he may have gained some importance in local history as the City's first Marshall, he was not elected to this position until four years after the Colton Crossing dispute. Further, the crossing incident was just one of numerous law enforcement situations in which Virgil was involved during his long career. For these reasons, this segment of railroad does not appear to be significant for its association with Virgil Earp.

Under National Register criterion C and California Register criterion 3, although it has necessarily been modernized over time, this segment embodies the typical characteristics of railroad construction and is representative of thousands of miles of other track in the region. Neither the tracks nor the few related features appear to be the work of a master and neither possesses high artistic value. As discussed above, the crossing itself is not particularly unique as there are numerous at-grade rail-to-rail crossings in California and throughout the country. Therefore, neither this segment nor the crossing appears to be significant under this criterion. Under National Register criterion D and California Register criterion 4, which is usually associated with archaeological resources, this segment of the railroad has not yielded, nor is it likely to yield, information important in history or prehistory. In rare instances, structures can serve as sources of important information about historic construction materials or technologies under criteria D/4. However, this type of property is otherwise well-documented; it is well represented locally and on a statewide level, both in written and visual materials and there are better examples of railroads elsewhere in the area/region/state. It does not appear to be an important source of primary information.

For these reasons, this segment of the railroad does not appear to meet the criteria for listing in the National Register or the California Register. It would also not be a contributing segment to the historical significance of the overall railroad, should the railroad as a whole be determined significant. Although the railroad segment was not evaluated under the local preservation ordinance, research indicates that it is not currently listed in the City's register of historic resources or districts.

It should be noted that the larger area within which this segment is located was considered for potential as a historic district since it is the location of the original the Southern Pacific rail yard in Colton. However, most of the rail yard buildings have been demolished and tracks have been removed/realigned. Therefore, the area appears to lack the integrity necessary to qualify as a historic district.

***B12. References:** (Continued from page 2)

Jones, Clark Harding
1951 A History of the Development and Progress of Colton, California 1873-1900. A Masters thesis on file at the Colton Public Library.

Orsi, Richard J.
2005 Sunset Limited, The Southern Pacific Railroad and the Development of the American West 1850-1930. University of California Press, Berkeley, California.

Sanborn Fire Insurance Maps
1885, 1887, 1888, 1891, 1894, 1907, and 1950 Accessed online through the Los Angeles Public Library at: http://www.lapl.org/.

The Press and Horticulturist
1883 Railroad War, C.S.R.R. vs. S.P.R.R. August 11, page 2. On file at the University of California, Riverside, Rivera Library.

Union Pacific Railroad
1895 Map of the Southern Pacific Railroad through Colton. Obtained from John Bromley, Director of Historic Programs, Union Pacific Railroad.

10/6291 10/09

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # P-36-010330 (update)
HRI #
Trinomial CA-SBR-10330H (update)
NRHP Status Code

Other Listings
Review Code Reviewer Date

 *Resource Name or #: Union Pacific Railroad Crossing at Anderson Street

P1. Other Identifier: Southern Pacific Railroad
*P2. Location: ■ Not for Publication ☐ Unrestricted *a. County: San Bernardino
and (P2b and P2c or P2d. Attach a Location Map as necessary.)
*b. USGS 7.5' Quad: San Bernardino South Date: 1967 (PR 1988) T 1S ;R 4W; unsectioned ¼ of ¼ of Sec ; S.B B.M.
c. Address: City: San Bernardino Zip:
d. UTM: Zone: 11 ; mE/ mN (G.P.S.)
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation: approx. 1,078 feet amsl
This segment is located in the City of Loma Linda, at Anderson Street.

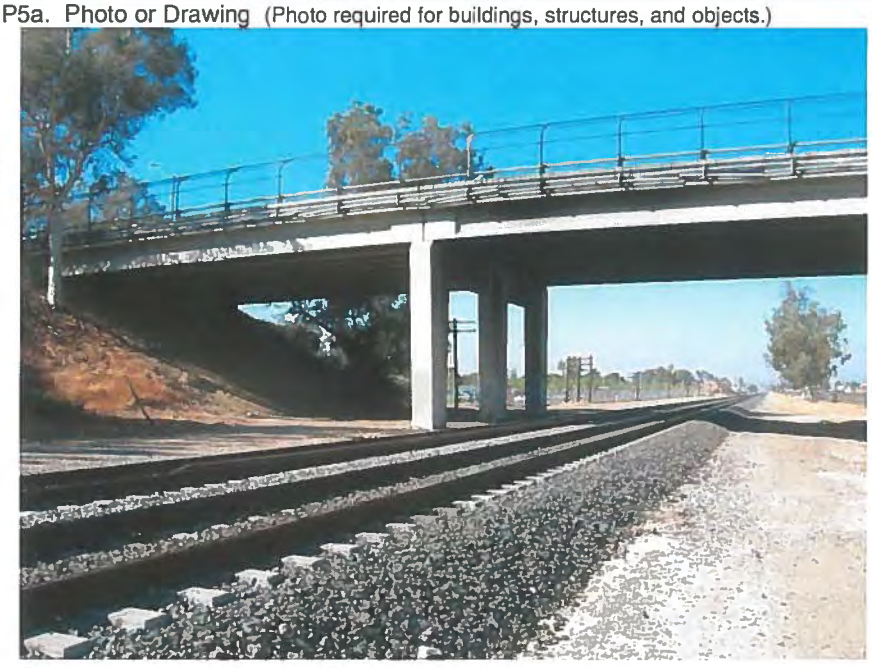
*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

This segment of the Union Pacific Railroad (formerly the Southern Pacific Railroad) is located in the City of Loma Linda, at Anderson Street. This area is urbanized. The railroad appears to be subject to ongoing routine maintenance, which would include replacement of tracks and associated materials as needed. The track bed is ballast and ties have been replaced by concrete.

Because of the alterations to the railroad tracks and the alternation of setting over the past 100 years since the inception of the railroad, this segment does not retain requisite integrity to qualify for listing in the National or California registers.

*P3b. Resource Attributes: (List attributes and codes) AH7- Railroad Grade
*P4. Resources Present: ☐Building ■ Structure ☐Object ☐Site ☐District ☐Element of District ☐Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)
P5b. Description of Photo: (View, date, accession #)
Photograph of the railroad crossing at Anderson Street, view to west, Photo #4513.

*P6. Date Constructed/Age and Sources:
■Historic
☐Prehistoric ☐Both
circa 1882

*P7. Owner and Address:
Union Pacific Railroad
1400 Douglas Street
Omaha, NE 68179

*P8. Recorded by: (Name, affiliation, and address)
Caprice D. (Kip) Harper
SWCA Environmental Consultants
625 Fair Oaks Avenue, Suite 190
South Pasadena, CA 91030

*P9. Date Recorded:
October 7, 2008

*P10. Survey Type: (Describe) Intensive

*P11. Report Citation: (Cite survey report and other sources, or enter "none.")
Cultural Resources Technical Report *sbX* E Street Corridor BRT Project, Cities of San Bernardino and Loma Linda, San Bernardino County, California (SWCA Environmental Consultants 2008).

Primary Record for P-36-010330 (Askar 1999)

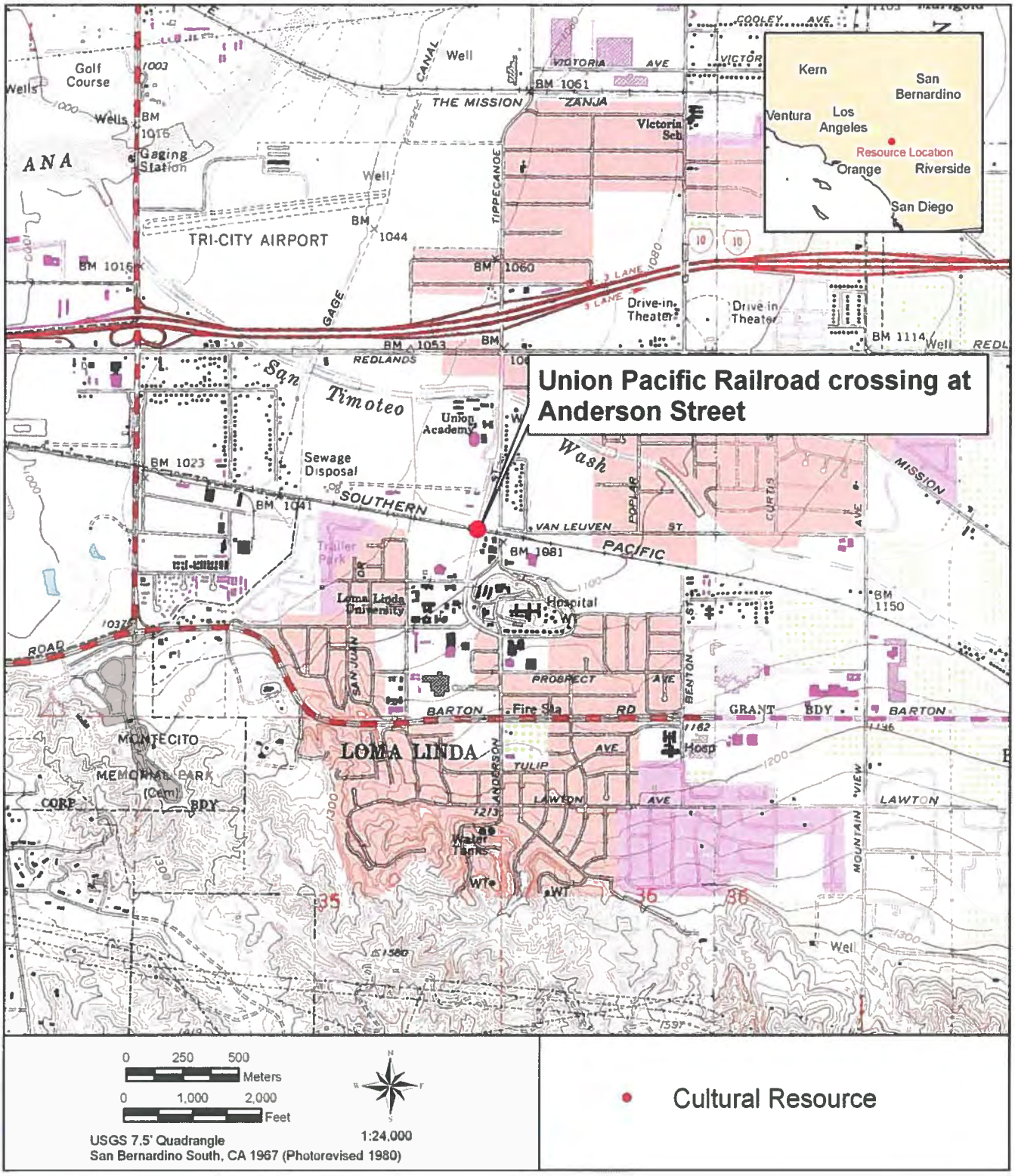
*Attachments: ☐NONE ■Location Map ☐Sketch Map ☐Continuation Sheet ☐Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
LOCATION MAP

Primary # P-36-010330 (update)
HRI#
Trinomial CA-SBR-10330H (update)

Page 2 **of** 2 ***Resource Name or #:** Union Pacific Railroad Crossing at Anderson Street

***Map Name:** San Bernardino South, CA ***Scale:** 1:24,000 ***Date of Map:** 1967 (Photorevised 1980)



DPR 523J (1/95)

*Required information

1065614 10/04 1278

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # P-36-010330
HRI #
Trinomial CA-SBR-10330/H
NRHP Status Code
Other Listings
Review Code ____ Reviewer ____ Date ____

Page 1 of 3 *Resource Name or #: (Assigned by recorder) Southern Pacific Railroad -Hunts Lane Crossing

P1. Other Identifier:

***P2.** Location: ☐ Not for Publication ☒ Unrestricted ***a. County** San Bernardino
and (P2b and P2c or P2d. Attach a Location Map as necessary.)

***b.** USGS 7.5' Quad *San Bernardino South* Date 1967 PR 1980 T 1S ; R 4W ; unsectioned portion; SB B.M.

c. Address Hunt's Lane South City San Bernardino and Colton Zip

d. UTM: (Give more than one for large and/or linear resources) Zone 11 ; East end: 474310 mE / 3768440 mN
West end: 472640 mE / 3768790 mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)
From Interstate 10, exit Waterman Avenue south; turn right on Redlands Boulevard and proceed west for approximately one-half mile. Turn left on Hunts Lane and proceed south for approximately one-quarter mile. Hunts Lane crosses the railroad at the midpoint of this segment. This segment of railroad extends from Interstate 215 on the west to Waterman Avenue on the east.

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)
This one-mile segment of line is a portion of the Southern Pacific Railroad (SPRR). The SPRR was constructed in 1876 as part of the transcontinental route from Los Angeles to Texas. The line from Los Angeles to the cities of San Bernardino and Colton (Hunts Lane) was completed the previous year. This segment is in good condition and is still in use.

***P3b. Resource Attributes:** (List attributes and codes) Railroad route/line (AH7)

***P4. Resources Present:** ☐ Building ☒ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5a. Photograph or Drawing: (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, data, accession #)
CA-SBR-10330 ph. View west of Southern Pacific line crossing South Hunts Lane .

***P6. Date Constructed/Age and Sources:** ☒ Historic ☐ Prehistoric ☐ Both
1875; Gudde, Erwin G. 1969 California Place Names

***P7. Owner and Address:**
Southern Pacific Railroad

***P8. Recorded by:** (Name, affiliation, and address): Riordan Goodwin
LSA Associates., Inc.
1650 Spruce Street, 5th Floor
Riverside, CA 92507

***P9. Date recorded:** 6/6/02

***P10. Survey Type:** (Describe)
Road

*** P11. Report citation:** (Cite survey report and other sources or enter "none.") LSA Associates, Inc. 2002 *Cultural Resources Assessment, Hunts Grade Separation Project, San Bernardino, California.*

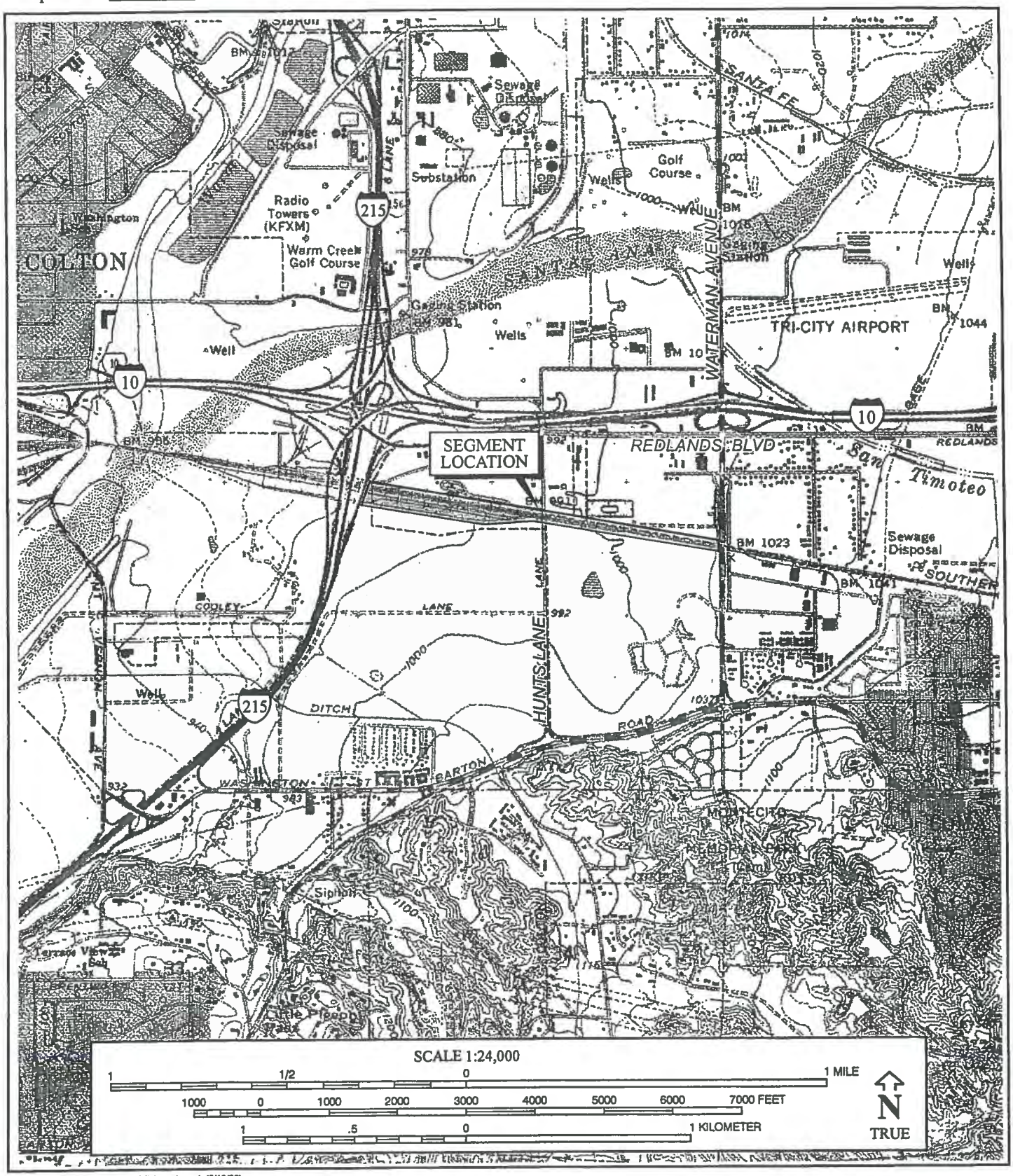
Attachments: None ☒Location Map ☐Sketch Map ☐Continuation Sheet ☐Building, Structure, and Object Record
☐Archaeological Record ☐District Record ☒Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record
☐Photograph Record ☐Other (List)

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
LOCATION MAP

Primary # P-36-010330
HRI #
Trinomial CA-SBR-10330/H

Page 2 of 3 *Resource Name or # (Assigned by recorder) Southern Pacific Railroad - Hunts Lane Crossing

*Map Name: USGS 7.5' Quad: San Bernardino South, CA. *Scale: 1:24,000 *Date of Map: 1967, rev. 1980



R:\MAN130\Graphics\Cultural\DPR Location.cdr (6/13/02)

DPR 523J (1/95)

*Required Information

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
LINEAR FEATURE RECORD

Primary # P-36-010330
HRI #
Trinomial CA-SBR-10330/H

*Resource Name or #: (Assigned by recorder) Southern Pacific Railroad -Hunts Lane Crossing

L1. Historic and/or Common Name:

L2a. Portion Described: ☐ Entire Resource ☒ Segment ☐ Point Observation Designation:

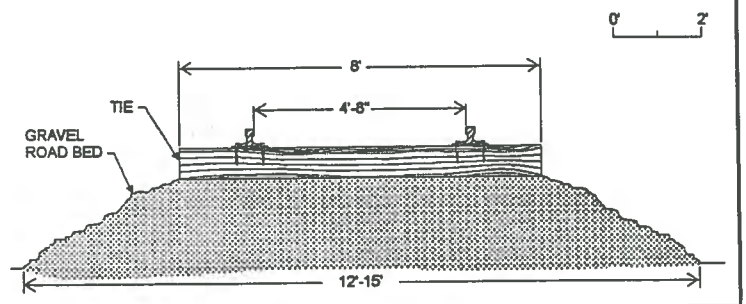
b. Location of point or segment: (Provide UTM coordinates, legal description, and any other useful locational data. Show the area that has been field inspected on a Location Map) East end: 474310 mE / 3768440 mN; West end: 472640 mE / 3768790 mN

L3. Description: (Describe construction details, materials, and artifacts found at this segment/point. Provide plans/sections as appropriate.)
This is a segment of standard gauge line with multiple sidings west of Hunts Lane

L4. Dimensions: (In feet for historic features and meters for prehistoric features)
- a. Top Width standard railroad gauge (~4'-8")
- b. Bottom Width ~12' to 15'
- c. Height or Depth ~2'-6"
- d. Length of Segment ~1/2 mile

L5. Associated Resources:
Con-Agra grain mill with multiple sidings on north side of Southern Pacific Line.

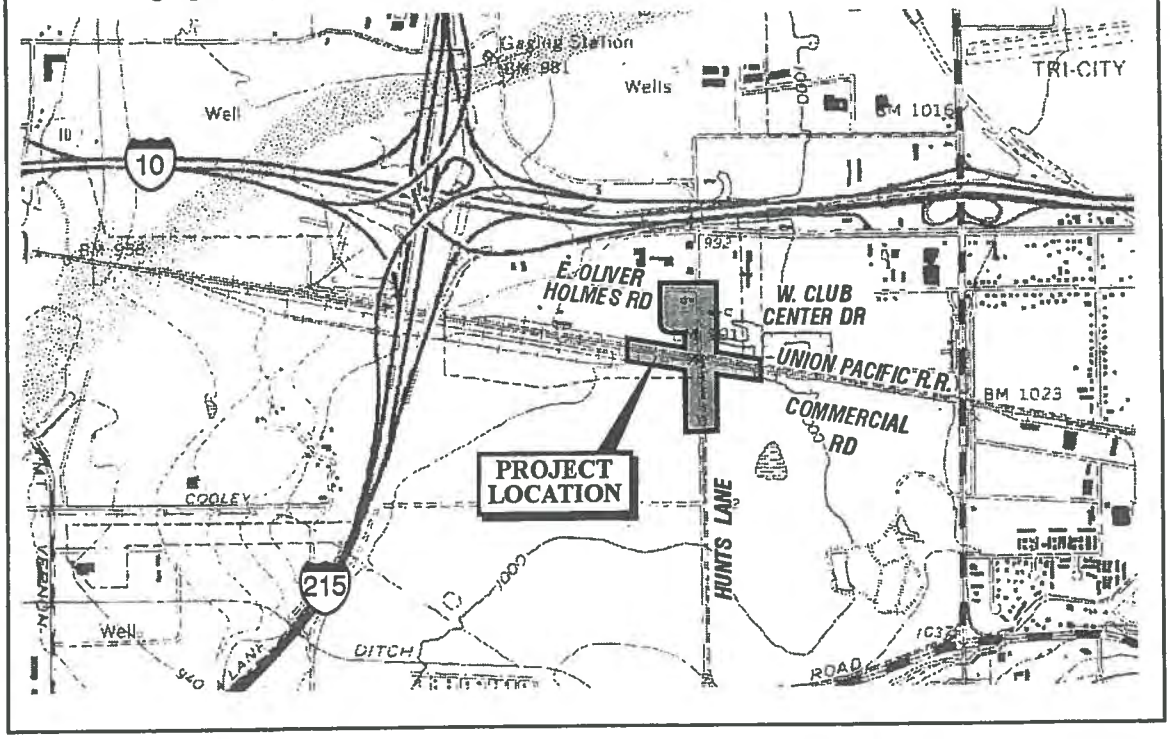
L4e. Sketch of Cross Section (include scale) Facing: west



L6. Setting: (Describe natural features, landscape characteristics, slope, etc., as appropriate.)
This segment of line is in a built-up urban environment, has virtually no slope and runs across Hunts Lane. The city limits between San Bernardino and Colton run along this portion of Hunts Lane.

L7. Integrity Considerations: This segment of the railroad line is currently in good condition and still in use.

L8a. Photograph, Map or Drawing



L8b. Description of Photo, Map, or Drawing (view, scale, etc.)
View from San Bernardino South USGS quad 1:12000

L9. Remarks:

L10 Form Prepared by:
Riordan Goodwin
LSA Associates., Inc.

L11. Date: 6/12/02

4/01

1281

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary # P36 010-330
HRI #
Trinomial CA-SBR-10,330 H
NRHP Status Code
Other Listings
Review Code _____ Reviewer _____ Date _____

Page 1 of 12 *Resource Name or #: (Assigned by Recorder) C-Los Angeles-A-1

P1. Other Identifier: Union Pacific Railroad, Southern Pacific Railroad

*P2. Location: ☐ Not for Publication ☒ Unrestricted *a. County Los Angeles and ~~Orange~~ Riverside, San Bernardino

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad see below Date _____ T _____; R _____; ___ ¼ of ___ ¼ of Sec ___; _____ B.M.

c. Address _____ City _____ Zip _____

d. UTM: (Give more than one for large and/or linear resources) Zone: _____; _____ mE/ _____ mN

e. Other Locational Data: (e.g. parcel #, directions to resource, elevation, etc., as appropriate)

This segment of the railroad is located on the following USGS quads: Los Angeles (1966, PR 1981), El Monte (PR 1994), Baldwin Park (PR 1981), La Habra (PR 1981), San Dimas (PR 1981), Ontario (PR 1981), Guasti (PR 1981), Fontana (PR 1980), and San Bernardino South (PR 1980).

*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

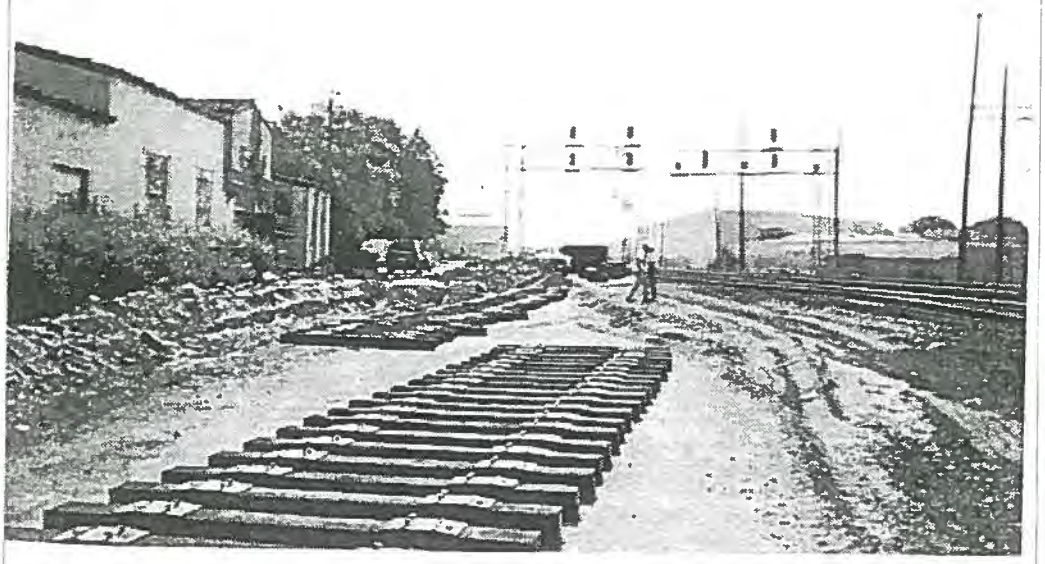
The Union Pacific Railroad (hsitorically the Southern Pacific Railroad) is a standard gauge railroad which runs through the Los Angeles area. It is part of a larger resource, the Union Pacific Railroad line. Numerous associated features include railroad stations, sidings, spurs, and railyards.

The rail lines that were included in our survey areas were all acquired by Union Pacific, but were originally other railroad lines. These include the Southern Pacific, and the Los Angeles and Salt Lake Railroad. The Southern Pacific through Los Angeles area was constructed in the 1870s, and originally ran south from Los Angeles through Watts and Compton to Willmington, and east from Los Angeles through Alhambra, San Gabriel, Puente, Pomona and on through Colton before heading toward Yuma. (See continuation sheet.)

*P3b. Resource Attributes: (List attributes and codes) HP39. Other - Railroad

*P4. Resources present: ☐ Building ☒ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects)



P5b. Description of Photo: (View, date, accession #) _____

*P6. Date Constructed/Age and Sources: ☒ Historic ☐ Prehistoric ☐ Both
1870s - present

*P7. Owner and Address:
Union Pacific Railroad

*P8. Recorded by: (Name, affiliation, and address) S. Ashkar
Jone s & Stokes Associates, Inc.
2600 V Street, Suite 100
Sacramento, CA 95818

*P9. Date Recorded: 6/22/99

*P10. Survey Type: (Describe)
Cursory and Intensive pedestrian surveys

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") Jones & Stokes. 1999. Cultural Resources Inventory for the Williams Communication Fiber Optic alignment between Los Angeles and Riverside. Los Angeles and Riverside Counties, California.

*Attachments: NONE ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record
☐ Artifact Record ☐ Photograph Record ☐ Other (List): _____

DPR 523A (1/95) *Required Information

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
Primary # P36-010330
HRI #
BUILDING, STRUCTURE, AND OBJECT RECORD SBR-10,330H

*NRHP Status Code

*Resource Name or # (Assigned by recorder) C-Los Angeles-A-1

B1. Historic Name: Southern Pacific Railroad

B2. Common Name: Union Pacific Railroad

B3. Original Use: railroad B4. Present Use: railroad

*B5. Architectural Style:

*B6. Construction History: (Construction date, alterations, and date of alterations)

Major portion of track and associated spurs, sidings, and station were constructed between 1869 and 1905. The tracks are currently in use and maintenance and replacement continue.

*B7. Moved? [X] No [ ] Yes [ ] Unknown Date: Original Location:

*B8. Related Features:

Numerous sidings, spurs, stations and railyards

B9a. Architect: b. Builder:

*B10. Significance: Theme: Railroad Area: California, U.S.

Period of Significance: 1869 to present Property Type: railroad Applicable Criteria: A, B

(Discuss imporance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

Portions of this railroad are additions to the first transcontinental railroad. Other portions were instrumental in the development of Los Angeles and other communities as business centers. The modern Union Pacific Railroad system is made up of other, often smaller historic railroads that helped to form the economy and population of Southern California. The rail system enabled the transportation of goods to ports and the emmigration of large numbers of people. The railroad is also associated with a number of important historical figures, including the Big Four (Mark Hopkins, Collis P. Huntington, Leland Stanford, and Charles Crocker). Therefore, the historic railroad is eligible for NRHP listing under Criteria A and B.

B11. Additional Resource Attributes: (List attributes and codes)

*B12. References:

B13. Remarks:

(Sketch Map with north arrow required.)

*B14.Evaluator: S. Ashkar Jones & Stokes

2600 V Street, Suite 100 Sacramento, CA 95818-1914

*Date of Evaluation: 6/22/99

(This space reserved for official comments.)

*Required Information

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # P36-010330
HRI #
Trinomial SBR-10,330H

Page 3 of 12 *Resource Name or # (Assigned by recorder) C-Los Angeles-A-1

*Recorded by S. Ashkar, M. Avina, E. Prendergast, J. Doty *Date 6/22/99 [X] Continuation [ ] Update

P3a. Description

Another Southern Pacific Line headed southeast from Watts through Norwalk and Buena Park to Santa Ana.

The San Pedro, Los Angeles and Salt Lake Railroad Company was formed in 1901 for the purpose of constructing a rail line between Los Angeles and Salt Lake City. The line formally opened on May 1, 1905. The line extended north from Los Angeles to Las Vegas and on to Salt Lake City. Other lines ran from Los Angeles south to Wilmington via Bells and Workman, and east from Los Angeles through Pico, Clayton, paralleling the Southern Pacific line through Walnut, Sprada and Ontario and dipping south from there towards Riverside. The name was shortened to the Los Angeles and Salt Lake in 1916. In 1921, the line became the southwestern arm of the Union Pacific. (Fickewirth 1992; Hofsommer 1986; Myrick 1992.)

The Southern Pacific eventually absorbed the smaller rail lines and the Southern Pacific emerged as the name for the system in 1884 when the Southern Pacific Company of Kentucky was incorporated.

References:

Fickewirth, A. A. 1992. *California Railroads*. Golden West Books. San Marino, California

Hofsommer, Don L. 1986. *The Southern Pacific, 1901-1985*. Texas A & M University Press. College Station, Texas.

Myrick, D. F. 1992. *Railroads of Nevada and Eastern California. Volume II. Southern Roads*. University of Nevada Press. Reno, Nevada.

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

Primary # P36-010 330
HRI #
Trinomial SBR-10,330H

*Resource Name or #: C-Los Angeles - A-1; Southern Pacific Railroad

*Map Name: Los Angeles, California *Scale: 1:80,000 (1"=6,666') *Date of Map: MR 1994





0 5,000
feet
Scale = 1.80,000
Base map: USGS 7 5 -series Los Angeles, California, quadrangle (1966, MR 1994)



*Required Information

1285

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

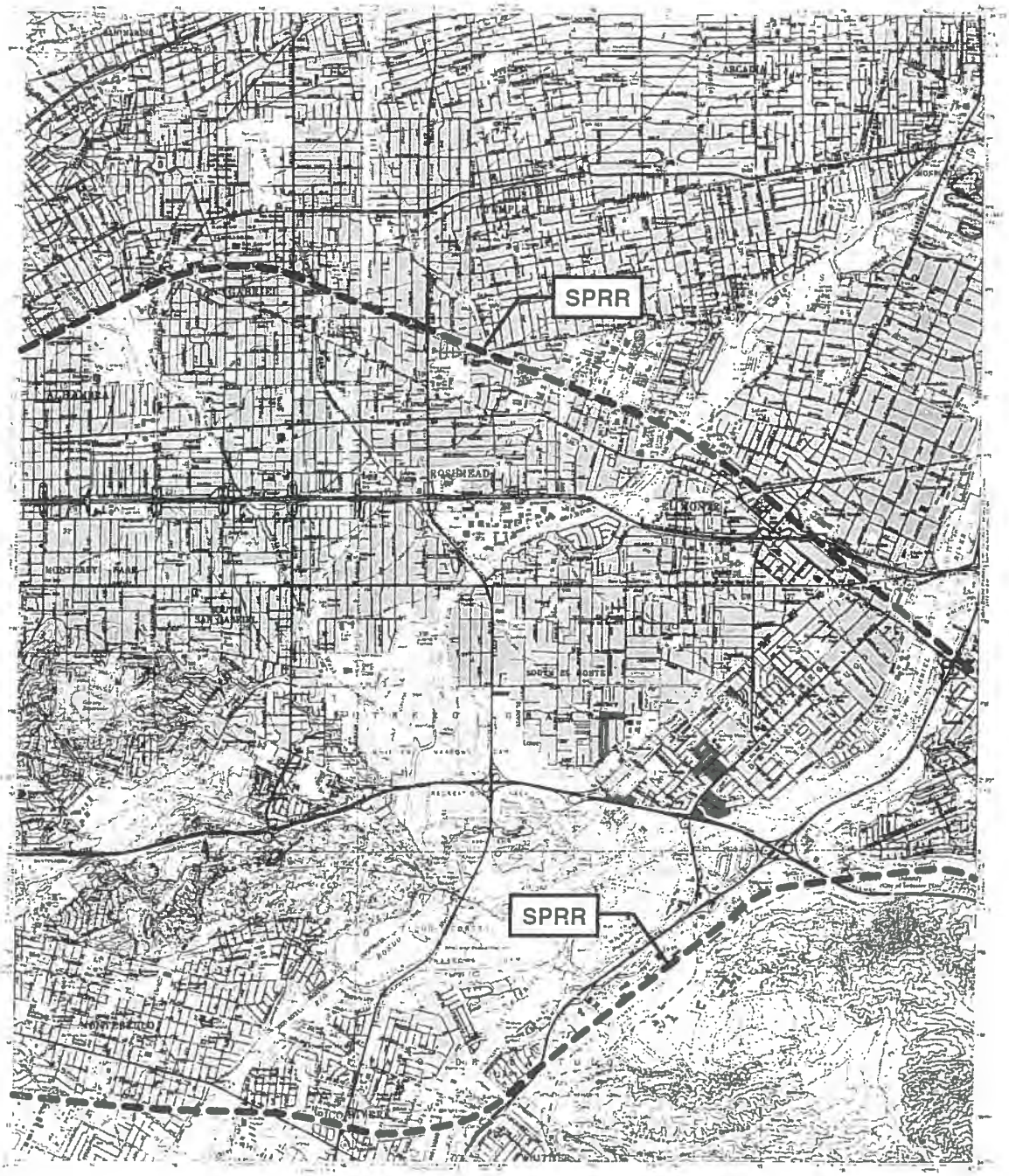
LOCATION MAP

Primary # P36-010330
HRI #
Trinomial SBR-10,3304

Page 5 of 12

*Resource Name or #: C-Los Angeles - A-1; Southern Pacific Railroad

*Map Name: El Monte, California *Scale: 1:80,000 (1"=6,666') *Date of Map: MR 1994





0 5,000
feet
Scale = 1:80,000
Base map: USGS 7.5-series El Monte, California, quadrangle (1966 MR 1994)



*Required Information

1286

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

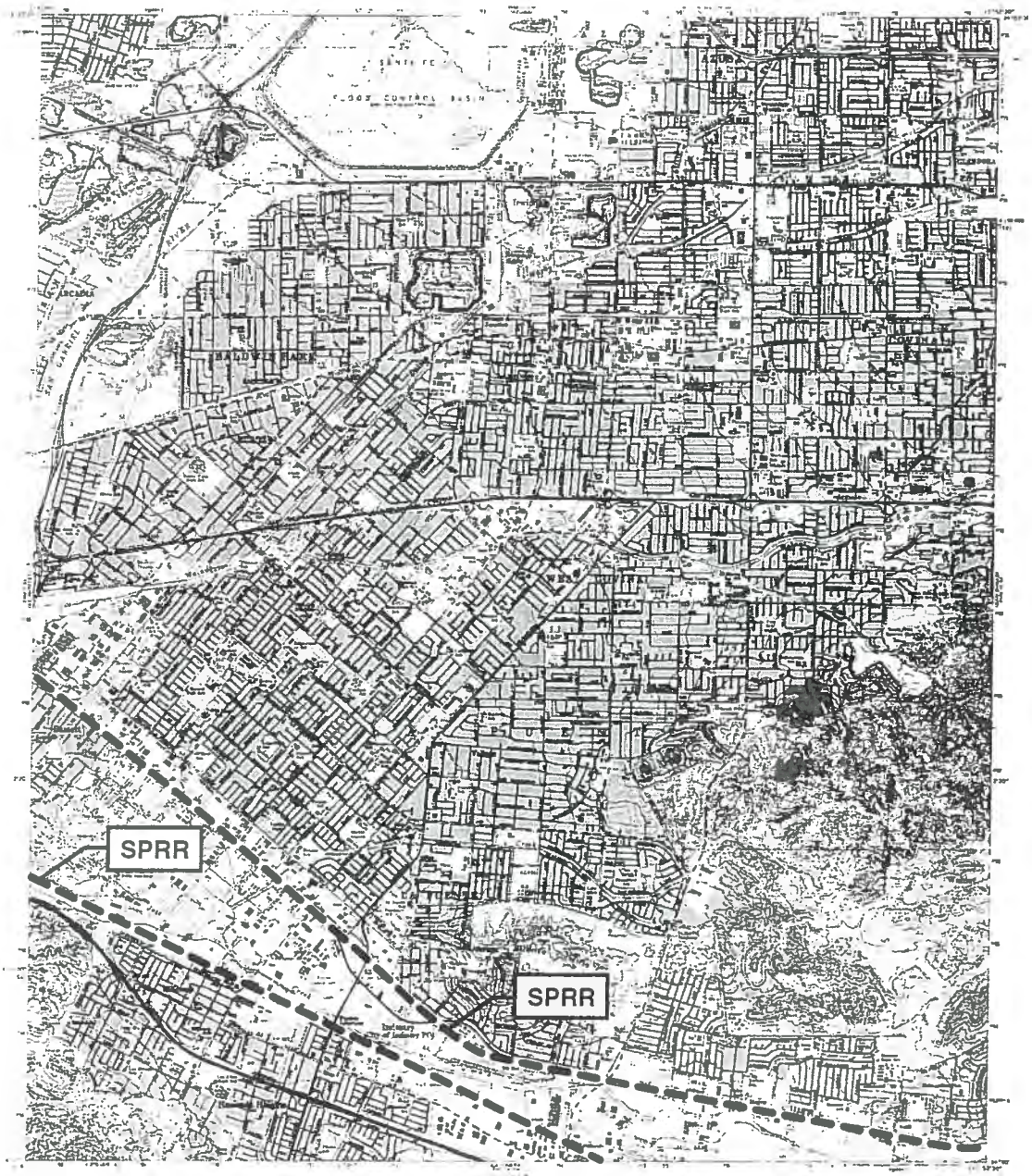
LOCATION MAP

Primary # P36-010330
HRI #
Trinomial SBR-10,330H

Page 6 of 12

*Resource Name or #: C-Los Angeles - A-1; Southern Pacific Railroad

*Map Name: Baldwin Park, California *Scale: 1:80,000 (1"=6,666') *Date of Map: PR 1981





0 5,000
feet
Scale = 1:80,000
Base map: USGS 7.5-series Baldwin Park, California, quadrangle (1966, PR 1981)



*Required Information

1287

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

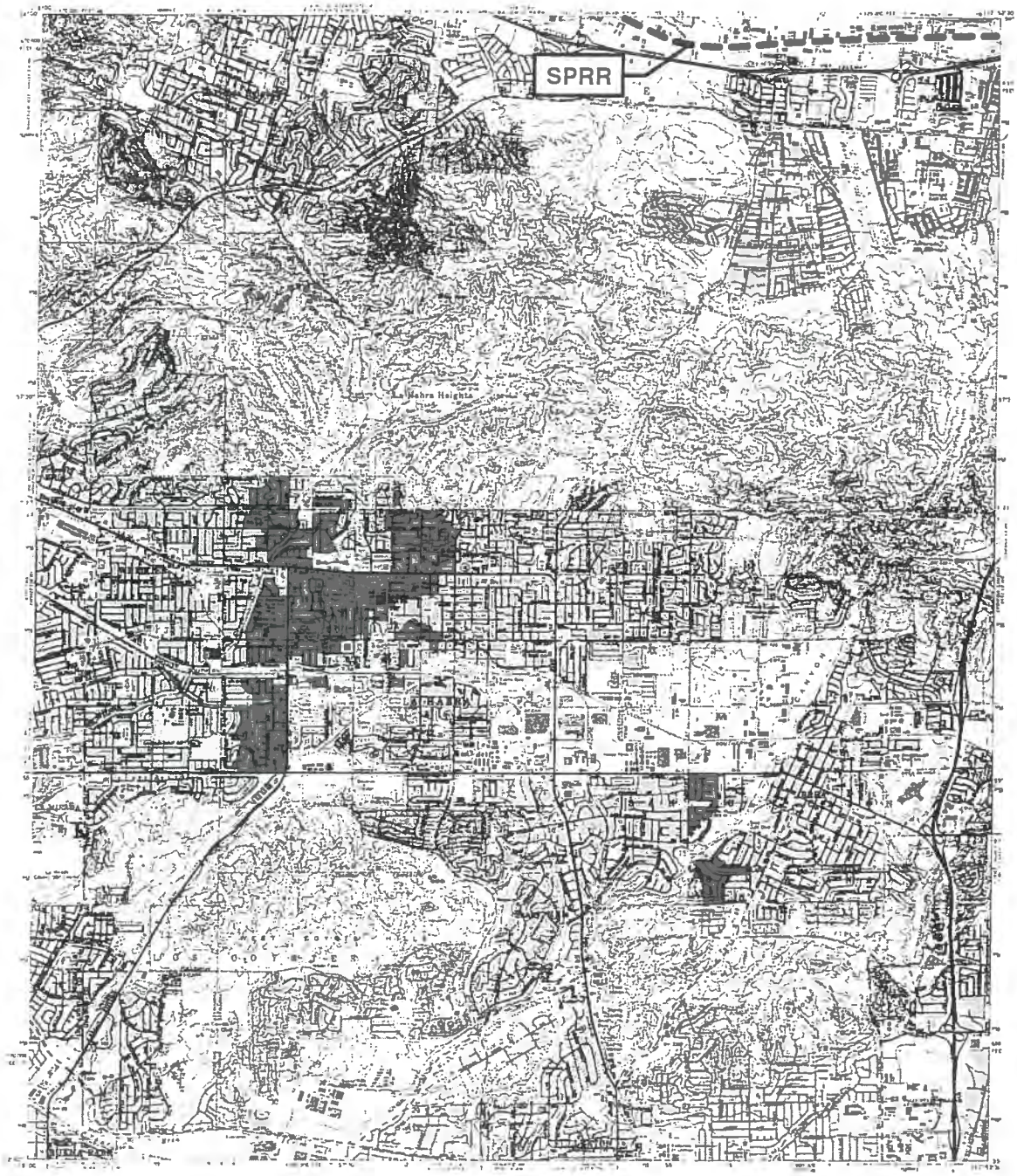
LOCATION MAP

Primary # P36-010330
HRI #
Trinomial SBR-10,330H

Page 7 of 12

*Resource Name or #: C-Los Angeles - A-1; Southern Pacific Railroad

*Map Name: La Habra, California *Scale: 1:80,000 (1"=6,666') *Date of Map: PR 1981





0 5,000
feet
Scale = 1:80,000

Base map: USGS 7.5-series La Habra, California, quadrangle (1964, PR 1981)



DPR 523J (1/95)

*Required Information

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

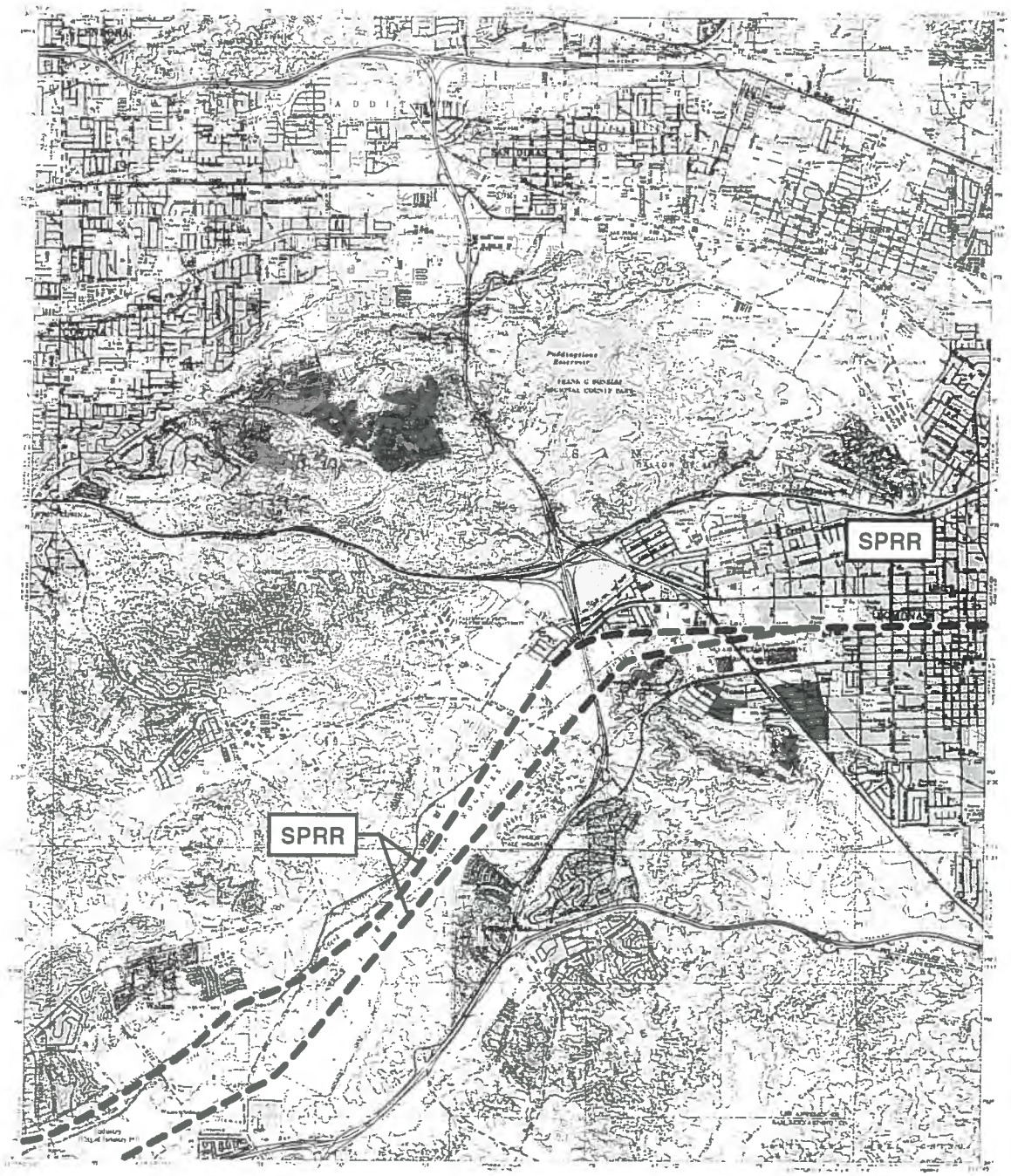
LOCATION MAP

Primary # P36-010330
HRI #
Trinomial SBR-10, 3304

Page 8 of 12

*Resource Name or #: C-Los Angeles - A-1; Southern Pacific Railroad

*Map Name: San Dimas, California *Scale: 1:80,000 (1"=6,666') *Date of Map: PR 1981





0 5,000
feet
Scale = 1:80,000
Base map: USGS 7.5-series San Dimas, California, quadrangle (1966, PR 1981)

TN mN

DPR 523J (1/95)

*Required Information

1289

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

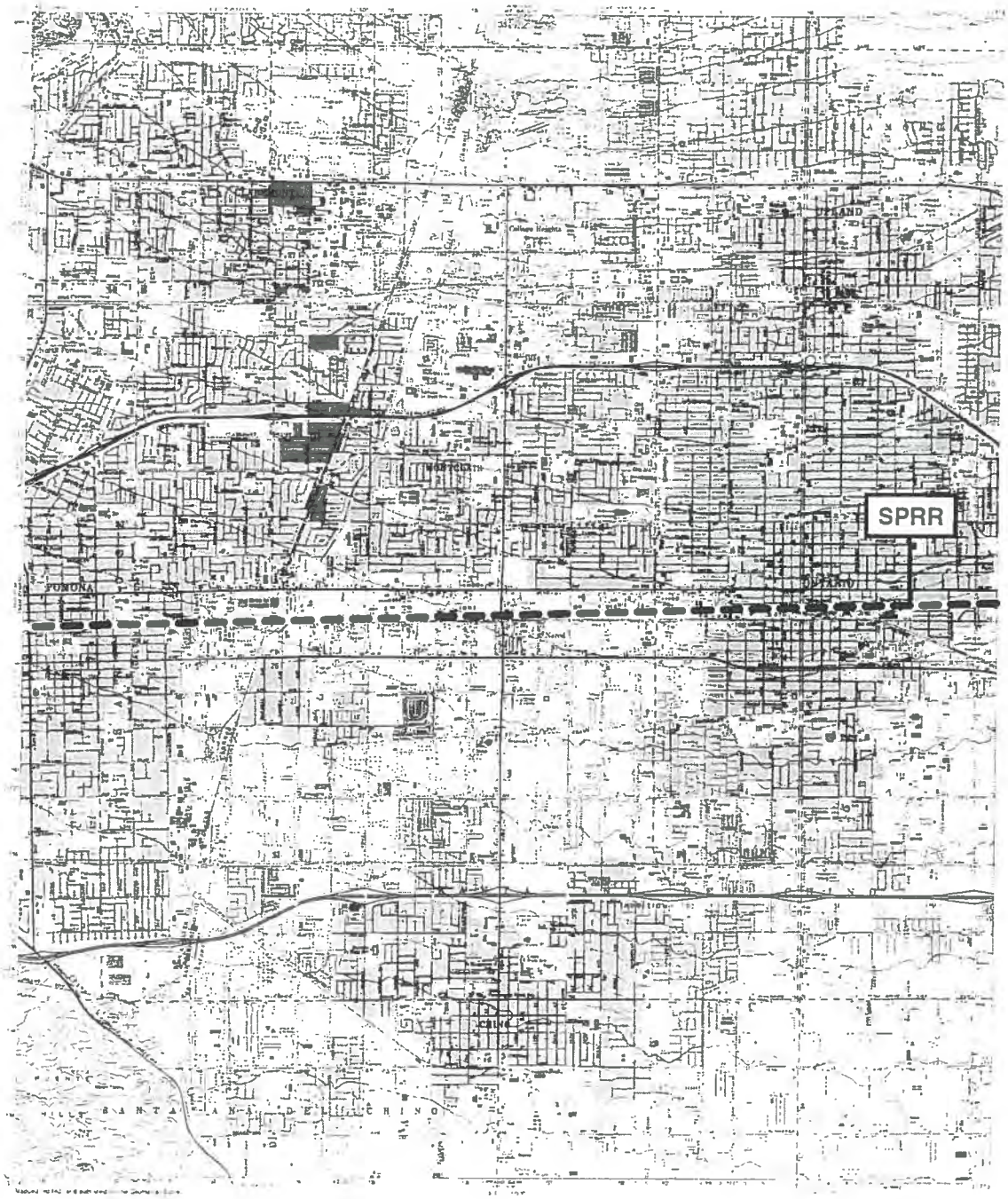
LOCATION MAP

Primary # P36-010330
HRI #
Trinomial CA-SBR-10,3304

Page 9 of 12

*Resource Name or #: C-Los Angeles - A-1; Southern Pacific Railroad

*Map Name: Ontario, California *Scale: 1:80,000 (1"=6,666') *Date of Map: PR 1981





0 5,000
feet
Scale = 1 80,000
Base map: USGS 7.5-series Ontario, California, quadrangle (1967, PR 1981)



DPR 523J (1/95)

*Required Information

1290

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

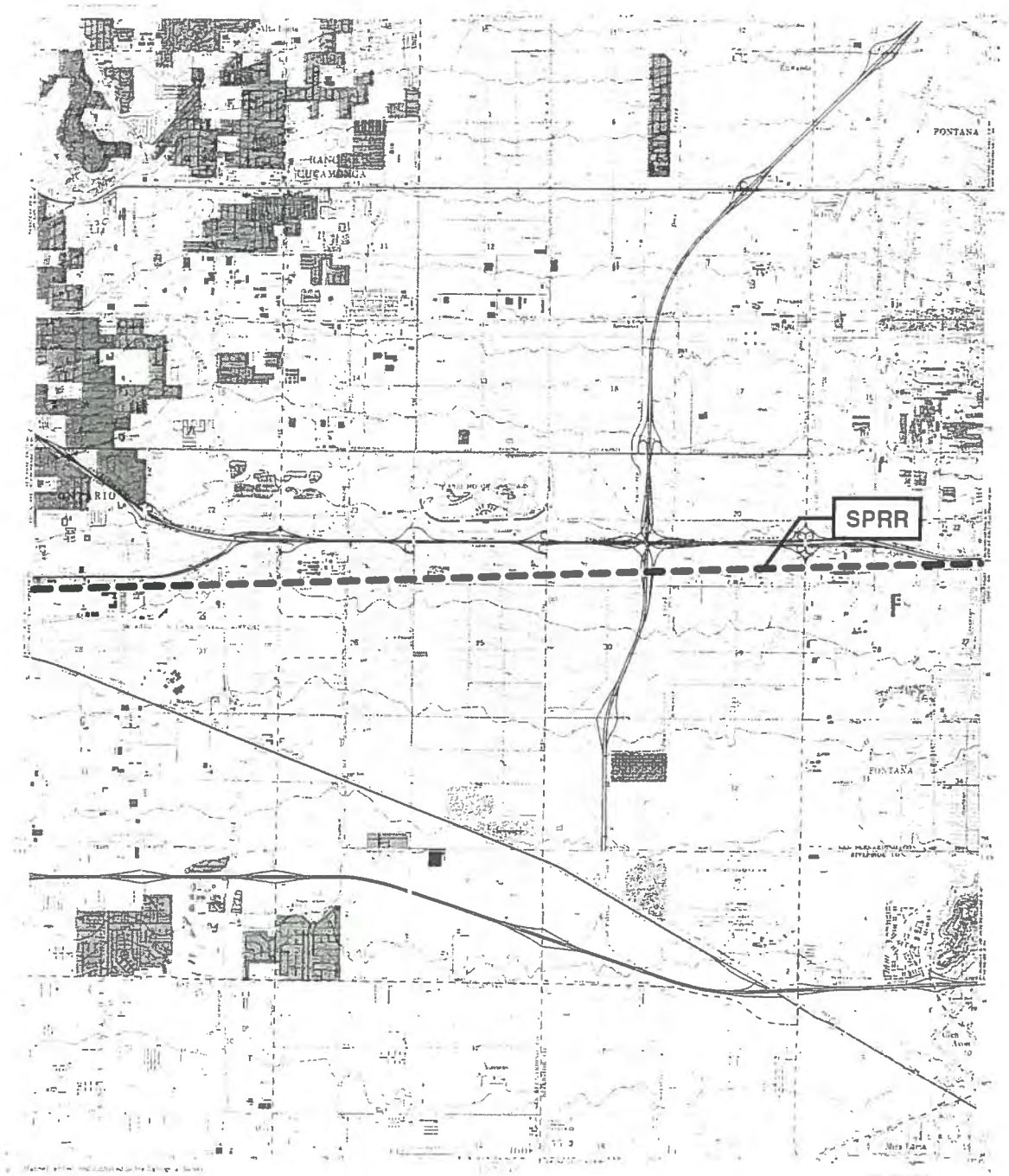
LOCATION MAP

Primary # P36-010330
HRI #
Trinomial SBR-10,330H

Page 10 of 12

*Resource Name or #: C-Los Angeles - A-1; Southern Pacific Railroad

*Map Name: Guasti, California *Scale: 1:80,000 (1"=6,666') *Date of Map: PR 1981





0 5,000
feet
Scale = 1:80,000

Base map: USGS 7.5'-series Guasti, California, quadrangle (1966, PR 1981)



DPR 523J (1/95)

*Required Information

1291

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

Primary # P36-010330
HRI #
Trinomial 3BR-10,330H

Page 11 of 12

*Resource Name or #: C-Los Angeles - A-1; Southern Pacific Railroad

*Map Name: Fontana, California *Scale: 1:80,000 (1"=6,666') *Date of Map: PR 1980





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feet
Scale = 1:80,000
Base map: USGS 7.5'-series Fontana, California, quadrangle (1967, PR 1980)



DPR 523J (1/95)

*Required Information

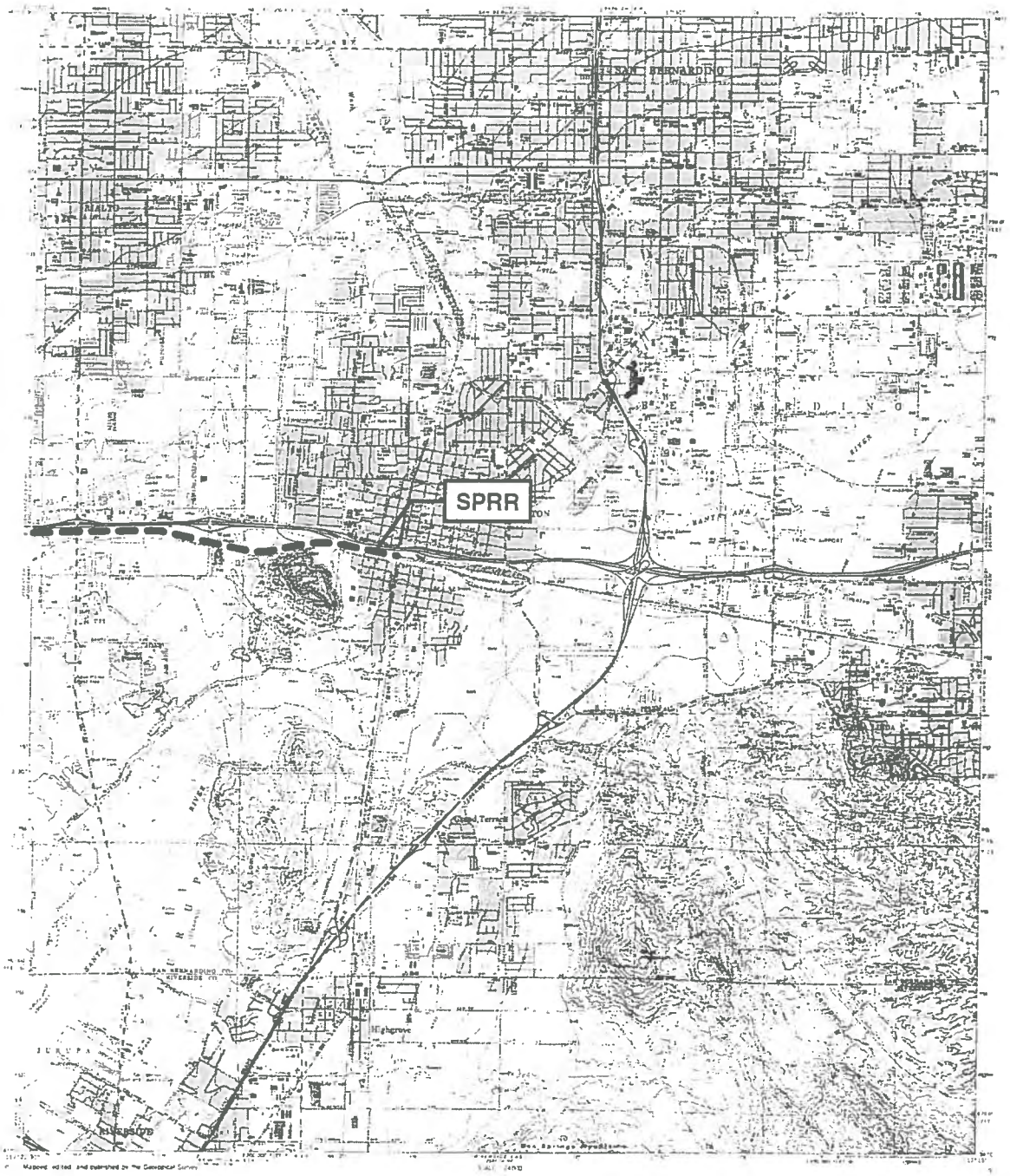
1292

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

Primary # P36-010330
HRI #
Trinomial SBR-10,330H

Page 12 of 12
*Resource Name or #: C-Los Angeles - A-1; Southern Pacific Railroad
*Map Name: San Bernardino South, California *Scale: 1:80,000 (1"=6,666') *Date of Map: PR 1980



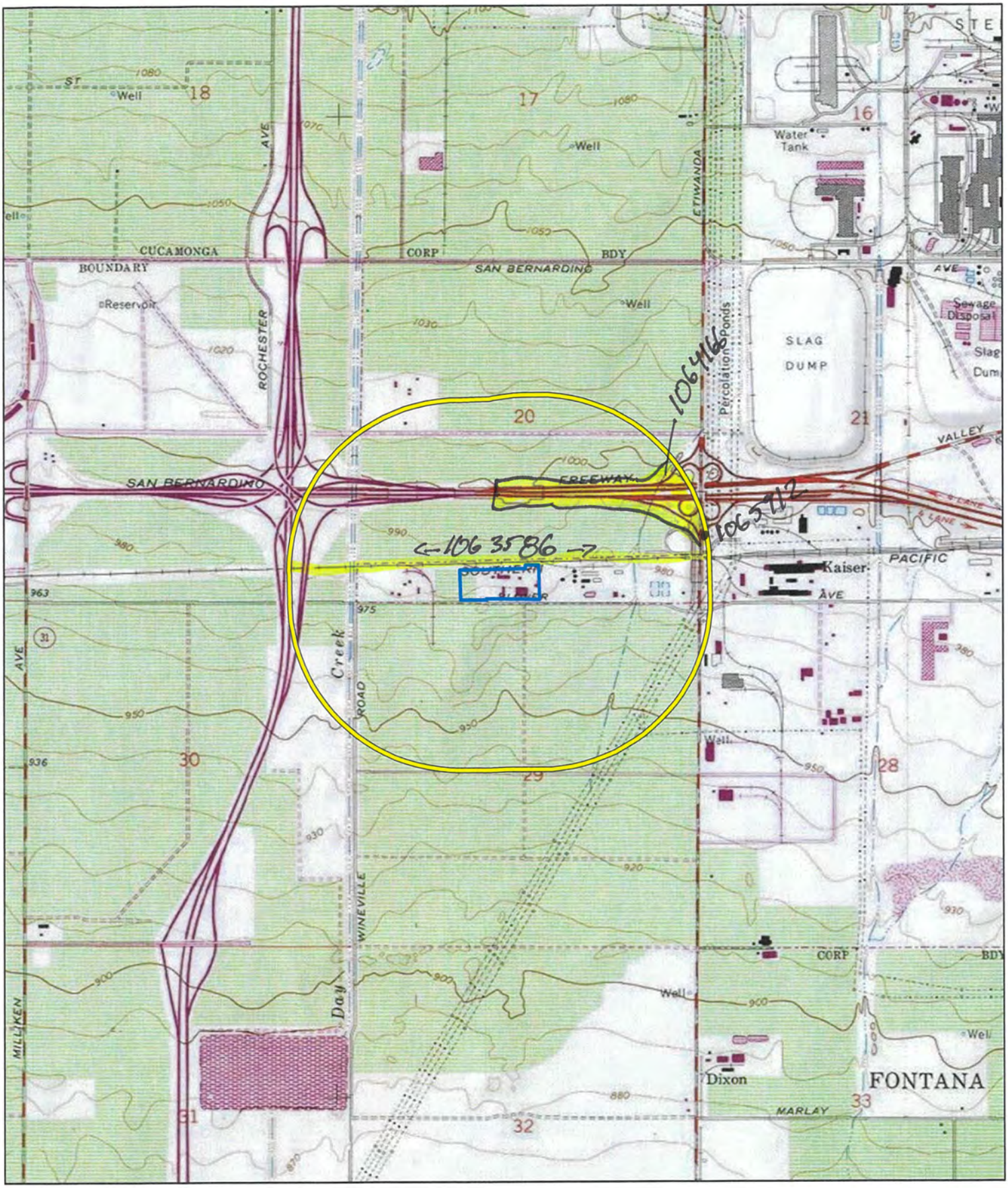


0 5,000
feet
Scale = 1:80,000
Base map: USGS 7.5'-series San Bernardino, California, quadrangle (1967, PR 1980)



DPR 523J (1/95)

*Required Information



Project

Half Mile Radius

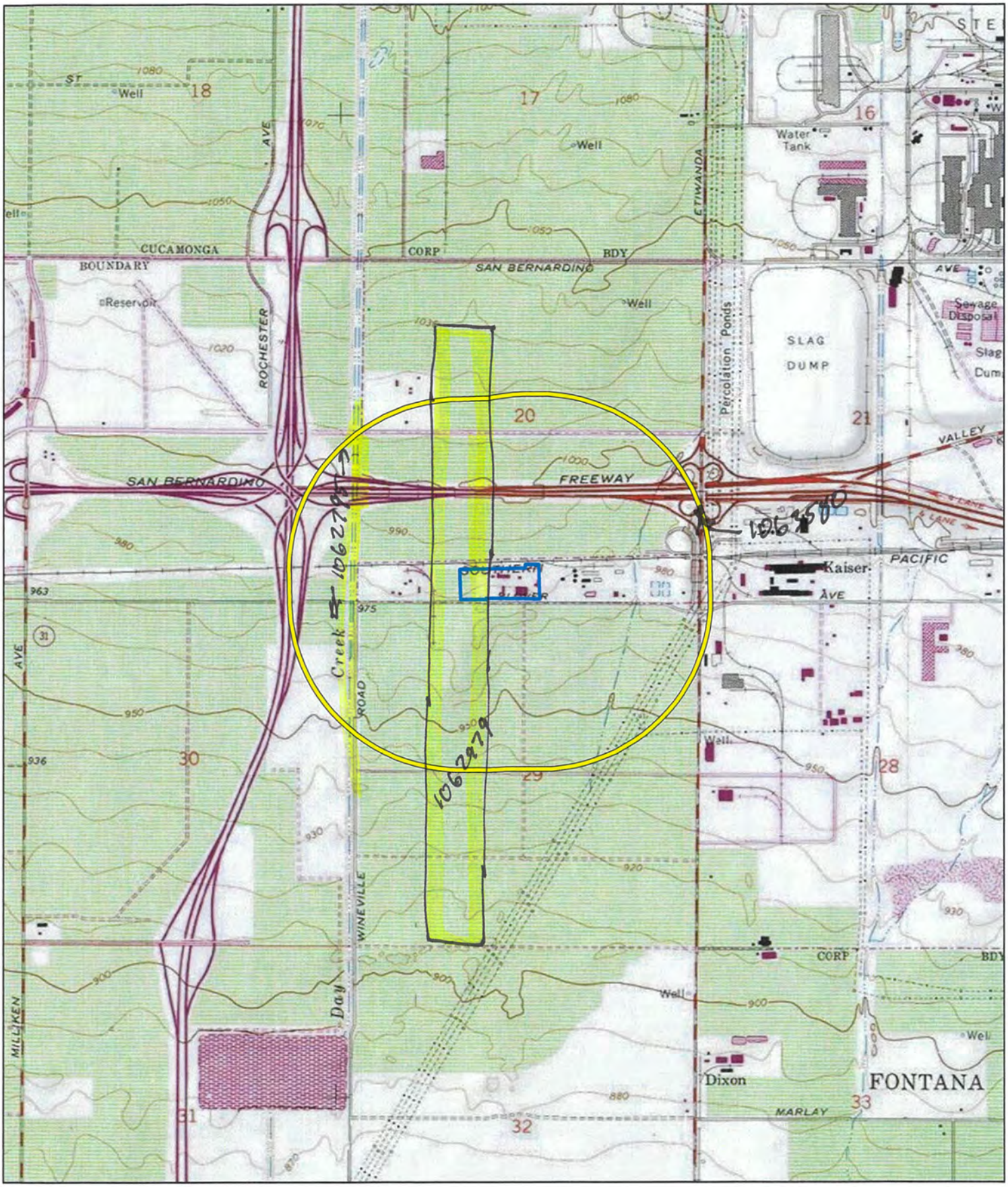
5355 Airport Drive (22-144)
USGS *Guasti* Quadrangle
(7.5-minute series)

Reports
1 of 2

N

1:24,000

AJG BFSA: 4/18/



Project

Half Mile Radius

5355 Airport Drive (22-144)
USGS *Guasti* Quadrangle
(7.5-minute series)

Reports 2082

N

1:24,000

AJG BFSA: 4/18/

Report List

5355 Airport Dr 22-144

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SB-02795	NADB-R - 1062795	1991	HAMPSON, R. PAUL, JAMES J. SCHMIDT, AND JUNE A. SCHMIDT	CULTURAL RESOURCE INVESTIGATION: CAJON PIPELINE PROJECT	GREENWOOD & ASSOCIATES	36-002910, 36-004252, 36-004253, 36-004255, 36-004268, 36-004271, 36-004272, 36-004411, 36-004418, 36-005361, 36-005362, 36-005568, 36-006793, 36-007076, 36-007077, 36-007078, 36-007079, 36-007080, 36-007081, 36-007082, 36-007084, 36-007085, 36-007086, 36-007087, 36-007088, 36-007089, 36-007090, 36-007091, 36-007092, 36-007093, 36-007094, 36-007095, 36-007096
SB-02979	NADB-R - 1062979	1993	TAYLOR, THOMAS T.	ARCHAEOLOGICAL RECONNAISSANCE SURVEY REPORT MIDDLE LUGO-MIRA LOMA 500KV T/L RIGHT-OF-WAY BETWEEN CONCOURS AND JURUPA AVE., ONTARIO, CA	Southern California Edison Company	36-008076
SB-03580	NADB-R - 1063580	2000	DUKE, CURT	CULTURAL RESOURCE ASSESSMENT FROM PBW FACILITY CM 359-07, COUNTY OF SAN BERNARDINO, CA. 5PP	LSA	
SB-03586	NADB-R - 1063586	2000	LOVE, BRUCE	ONTARIO TO COLTON PIPELINE, SAN BERNARDINO COUNTY, CA. 26PP	CRM TECH	36-006859
SB-04166	NADB-R - 1064166	1999	MCLEAN, DEBORAH	I-10 INTERCHANGE AT ETIWANDA AVE. 5PP	LSA	
SB-05912	NADB-R - 1065912	2008	Ahmet, Koral	Results of a Cultural Resources Assessment for the Southern California Edison Replacement of Deteriorated Pole No. 1504970E located on the Hygen-Linde 66kV Line near Fontana, San Bernardino County, California.	Southern California Edison	

5355 East Airport Drive

ENERGY ANALYSIS

CITY OF ONTARIO

PREPARED BY:

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hqureshi@urbanxroads.com

Alyssa Barnett
abarnett@urbanxroads.com

AUGUST 30, 2022

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LIST OF ABBREVIATED TERMS

%	Percent
(1)	Reference
AGSP	Airport Gateway Specific Plan
AQIA	*5355 East Airport Drive Air Quality Impact Analysis*
BACM	Best Available Control Measures
BTU	British Thermal Units
CalEEMod	California Emissions Estimator Model
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CCAP	Community Climate Action Plan
CCR	California Code of Regulations
CEC	California Energy Commission
CEQA	California Environmental Quality Act
City	City of Ontario
CPEP	Clean Power and Electrification Pathway
CPUC	California Public Utilities Commission
DMV	Department of Motor Vehicles
EIA	Energy Information Administration
EPA	Environmental Protection Agency
EMFAC	EMissions FACtor
FERC	Federal Energy Regulatory Commission
GHG	Greenhouse Gas
GWh	Gigawatt Hour
HHD	Heavy-Heavy Duty Trucks
hp-hr-gal	Horsepower Hours Per Gallon
IEPR	Integrated Energy Policy Report
ISO	Independent Service Operator
ISTEA	Intermodal Surface Transportation Efficiency Act
ITE	Institute of Transportation Engineers
kBTU	Thousand-British Thermal Units
kWh	Kilowatt Hour
LDA	Light Duty Auto
LDT1/LDT2	Light-Duty Trucks
LHD1/LHD2	Light-Heavy Duty Trucks
MDV	Medium Duty Trucks
MHD	Medium-Heavy Duty Trucks

MMcfd	Million Cubic Feet Per Day
mpg	Miles Per Gallon
MPO	Metropolitan Planning Organization
PG&E	Pacific Gas and Electric
Project	5355 East Airport Drive
PV	Photovoltaic
SCAB	South Coast Air Basin
SCE	Southern California Edison
SDAB	San Diego Air Basin
SEIR	The Ontario Plan 2050 Draft Supplemental Environmental Impact Report
sf	Square Feet
SoCalGas	Southern California Gas
TEA-21	Transportation Equity Act for the 21st Century
U.S.	United States
VMT	Vehicle Miles Traveled

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EXECUTIVE SUMMARY

ES.1 SUMMARY OF FINDINGS

The results of this *5355 East Airport Drive Energy Analysis* is summarized below based on the significance criteria in Section 6 of this report consistent with Appendix G of the California Environmental Quality Act (CEQA) Statute and Guidelines (*CEQA Guidelines*) (1). Table ES-1 shows the findings of significance for potential energy impacts under CEQA.

TABLE ES-1: SUMMARY OF CEQA SIGNIFICANCE FINDINGS

Analysis	Report Section	Significance Findings	
		Unmitigated	Mitigated
Energy Impact #1: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	6.0	*Less Than Significant*	*n/a*
Energy Impact #2: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	6.0	*Less Than Significant*	*n/a*

ES.2 PROJECT REQUIREMENTS

The Project would be required to comply with regulations imposed by the federal and state agencies that regulate energy use and consumption through various means and programs. Those that are directly and indirectly applicable to the Project and that would assist in the reduction of energy usage include:

- Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)
- The Transportation Equity Act for the 21st Century (TEA-21
- Integrated Energy Policy Report (IEPR)
- State of California Energy Plan
- California Code Title 24, Part 6, Energy Efficiency Standards
- California Code Title 24, Part 11, California Green Building Standards Code (CALGreen)
- AB 1493 Pavley Regulations and Fuel Efficiency Standards
- California's Renewable Portfolio Standard (RPS)
- Clean Energy and Pollution Reduction Act of 2015 (SB 350)

Consistency with the above regulations is discussed in detail in section 6 of this report.

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1 INTRODUCTION

This report presents the results of the energy analysis prepared by Urban Crossroads, Inc., for the proposed 5355 East Airport Drive Project (Project). The purpose of this report is to ensure that energy implication is considered by the City of Ontario (Lead Agency), as the lead agency, and to quantify anticipated energy usage associated with construction and operation of the proposed Project, determine if the usage amounts are efficient, typical, or wasteful for the land use type, and to emphasize avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy.

1.1 SITE LOCATION

The proposed Project is located at 5355 East Airport Drive in the City of Ontario as shown on Exhibit 1-A. The Project is located approximately 2.7 miles east of the Ontario International Airport (ONT).

1.2 PROJECT DESCRIPTION

The Project is proposed to consist of a single 270,337-square-feet (sf) industrial building. This analysis assumes up to 27,034-sf high-cube cold storage use (10 percent [%] of the total industrial building sf) and 243,303-sf of warehouse use (90% of total industrial building). The site plan for the proposed Project is shown on Exhibit 1-B.

EXHIBIT 1-A: LOCATION MAP

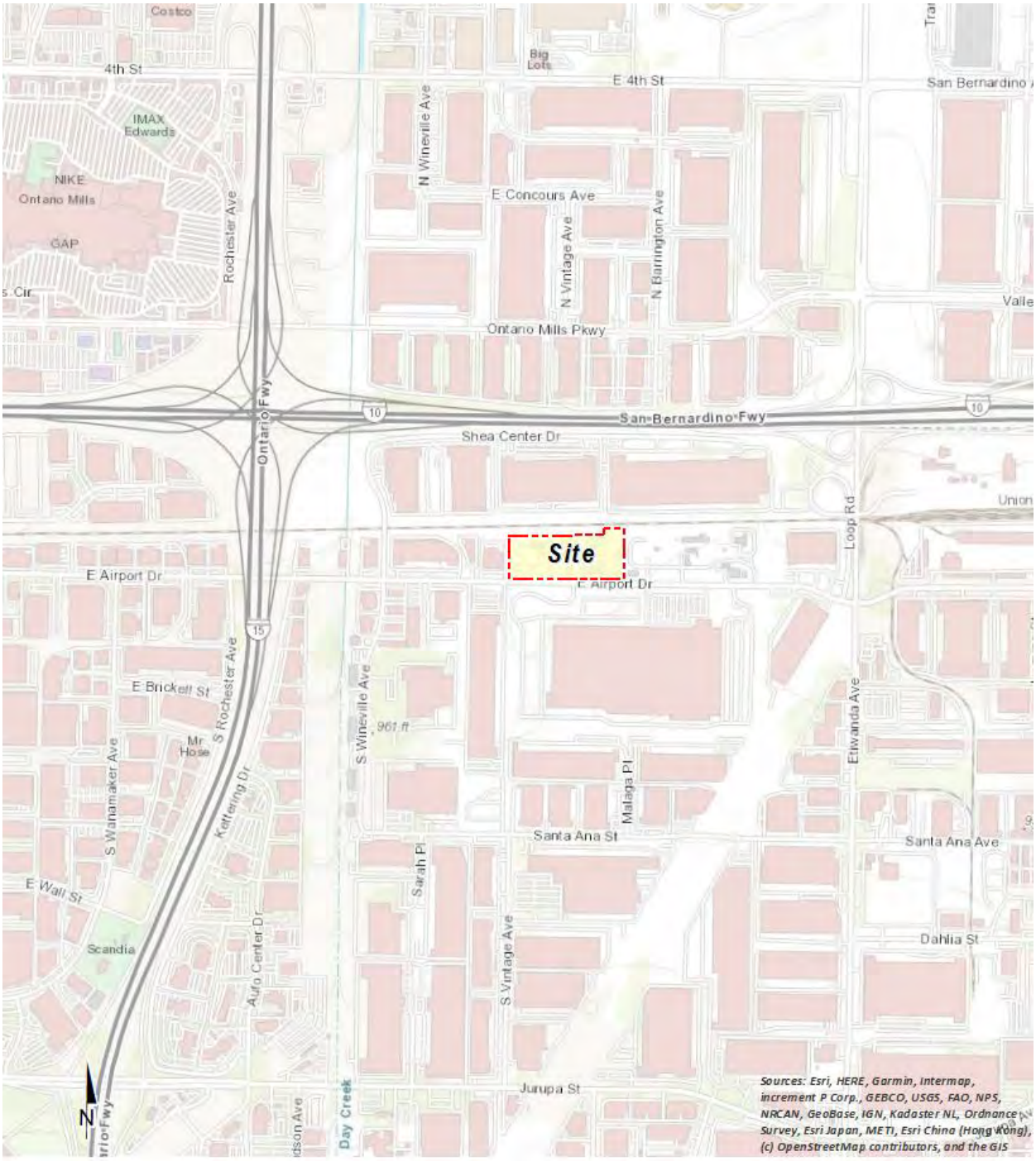
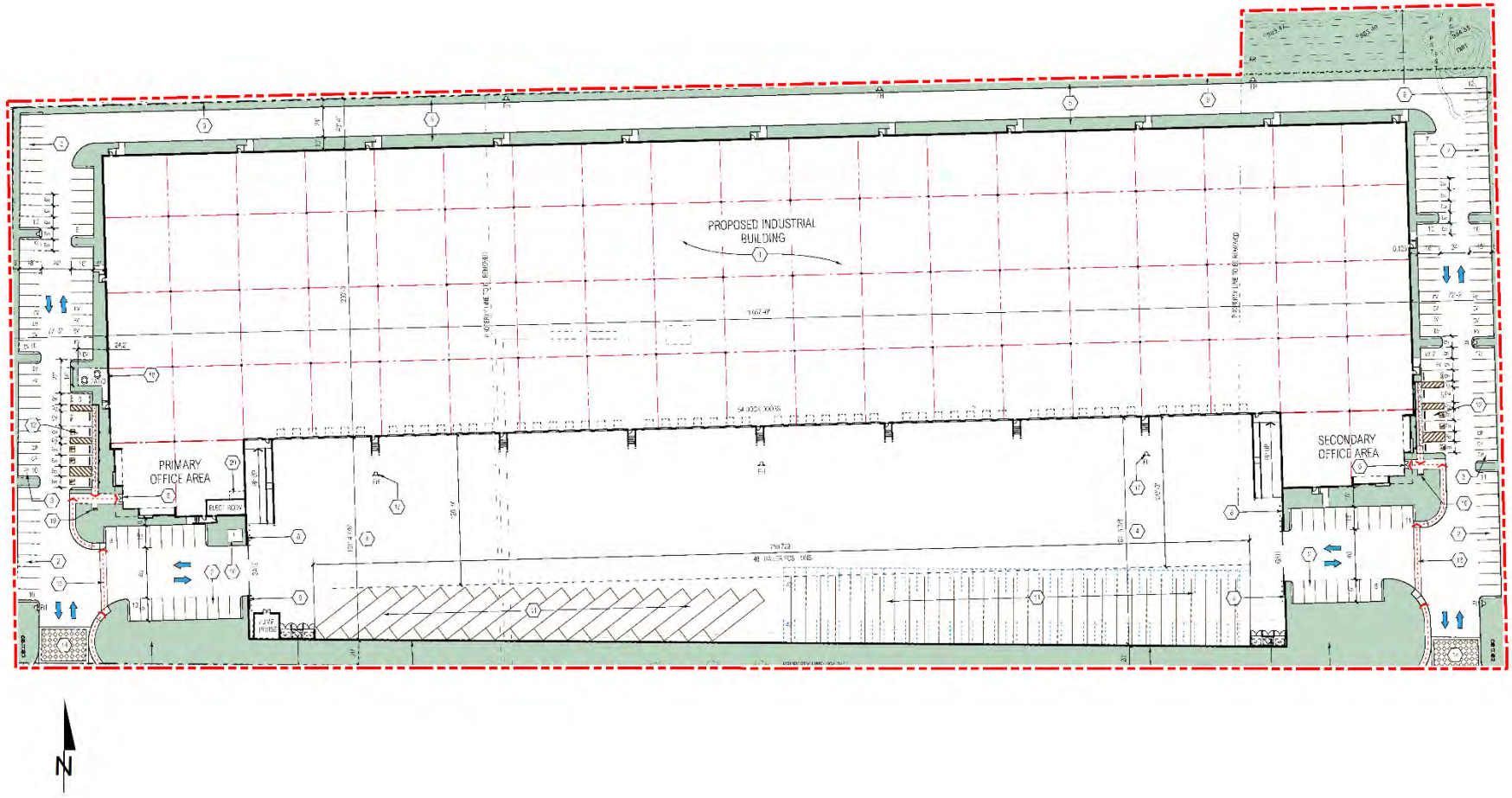


EXHIBIT 1-B: SITE PLAN



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2 EXISTING CONDITIONS

This section provides an overview of the existing energy conditions in the Project region.

2.1 OVERVIEW

The most recent data for California's estimated total energy consumption and natural gas consumption is from 2020, released by the United States (U.S.) Energy Information Administration's (EIA) California State Profile and Energy Estimates in 2021 and included (2):

- As of 2020, approximately 6,923 trillion British Thermal Unit (BTU) of energy was consumed
- As of 2020, approximately 524 million barrels of petroleum
- As of 2020, approximately 2,075 billion cubic feet of natural gas
- As of 2020, approximately 1 million short tons of coal

The California Energy Commission's (CEC) Transportation Energy Demand Forecast released the 2018-2030 was released in order to support the 2017 Integrated Energy Policy Report. The Transportation energy Demand Forecast 2018-2030 lays out graphs and data supporting CEC's projections of California's future transportation energy demand. The projected inputs consider expected variable changes in fuel prices, income, population, and other variables. Predictions regarding fuel demand included:

- Gasoline demand in the transportation sector is expected to decline from approximately 15.8 billion gallons in 2017 to between 12.3 billion and 12.7 billion gallons in 2030 (3)
- Diesel demand in the transportation sector is expected to rise, increasing from approximately 3.7 billion diesel gallons in 2015 to approximately 4.7 billion in 2030 (3)
- Data from the Department of Energy states that approximately 3.9 billion gallons of diesel fuel were consumed in 2019 (4)

The most recent data provided by the EIA for energy use in California by demand sector is from 2020 and is reported as follows:

- Approximately 34.0% transportation
- Approximately 24.6% industrial
- Approximately 21.8% residential
- Approximately 19.6% commercial (5)

In 2021, total system electric generation for California was 277,764 gigawatt hours (GWh). California's massive electricity in-state generation system generated approximately 194,127 GWh which accounted for approximately 70% of the electricity it uses; the rest was imported from the Pacific Northwest (12%) and the U.S. Southwest (18%) (6). Natural gas is the main source for electricity generation at 50.19% of the total in-state electric generation system power as shown in Table 2-1.

TABLE 2-1: TOTAL ELECRICITY SYSTEM POWER (CALIFORNIA 2021)

Fuel Type	California In-State Generation (GWh)	% of California In-State Generation	Northwest Imports (GWh)	Southwest Imports (GWh)	Total Imports (GWh)	% of Imports	Total California Energy Mix	Total California Power Mix
Coal	303	0.2%	181	7,788	7,969	9.5%	8,272	3.0%
Natural Gas	97,431	50.2%	45	7,880	7,925	9.5%	105,356	379.0%
Oil	37	0.0%	-	-	-	0.0%	37	0.0%
Other (Waste Heat/Petroleum Coke)	382	0.2%	68	15	83	0.1%	465	0.2%
Nuclear	16,477	8.5%	524	8,756	9,281	11.1%	25,758	9.3%
Large Hydro	12,036	6.2%	12,042	1,578	13,620	16.3%	25,656	9.2%
Unspecified	-	0.0%	8,156	10,731	18,887	22.6%	18,887	6.8%
Total Thermal and Non-Renewables	**126,666**	**65.2%**	**21,017**	**36,748**	**57,764**	**6910.0%**	**184,431**	**66.4%**
Biomass	5,381	2.8%	864	26	890	1.1%	6,271	2.3%
Geothermal	11,116	5.7%	192	1,906	2,098	2.5%	13,214	4.8%
Small Hydro	2,531	1.3%	304	1	304	0.4%	2,835	1.0%
Solar	33,260	17.1%	220	5,979	6,199	7.4%	39,458	14.2%
Wind	15,173	7.8%	9,976	6,405	16,381	19.6%	31,555	11.4%
Total Renewables	**67,461**	**34.8%**	**11,555**	**14,317**	**25,872**	**3090.0%**	**93,333**	**33.6%**
SYSTEM TOTALS	***194,127***	***100.0%***	***32,572***	***51,064***	***83,636***	***100.0%***	***277,764***	***100.0%***

Source: CECs 2021 Total System Electric Generation

An updated summary of, and context for energy consumption and energy demands within the State is presented in "U.S. Energy Information Administration, California State Profile and Energy Estimates, Quick Facts" excerpted below (7):

- In 2021, California was the seventh-largest producer of crude oil among the 50 states, and, as of January 2021, it ranked third in crude oil refining capacity.
- California is the largest consumer of jet fuel and second-largest consumer of motor gasoline among the 50 states and, the state accounted for 15% of the nation's jet fuel consumption and 10% of motor gasoline consumption in 2020.
- In 2019, California was the second-largest total energy consumer among the states, but its per capita energy consumption was less than in all other states except Rhode Island, due in part to its mild climate and its energy efficiency programs.
- In 2021, California was the nation's top producer of electricity from solar, geothermal, and biomass energy. The state was fourth in the nation in conventional hydroelectric power generation, down from second in 2019, in part because of drought and increased water demand.
- In 2021, California was the fourth-largest electricity producer in the nation, but the state was also the nation's second-largest consumer of electricity, and in 2020, it received about 30% of its electricity supply from generating facilities outside of California, including imports from Mexico.

As indicated above, California is one of the nation's leading energy-producing states, and California's per capita energy use is among the nation's most efficient. Given the nature of the Project, the remainder of this discussion will focus on the three sources of energy that are most relevant to the Project—namely, electricity, natural gas, and transportation fuel for vehicle trips associated with the uses planned for the Project.

2.2 ELECTRICITY

The usage associated with electricity use were calculated using CalEEMod Version 2022.1. The Southern California region's electricity reliability has been of concern for the past several years due to the planned retirement of aging facilities that depend upon once-through cooling technologies, as well as the June 2013 retirement of the San Onofre Nuclear Generating Station (San Onofre). While the once-through cooling phase-out has been ongoing since the May 2010 adoption of the State Water Resources Control Board's once-through cooling policy, the retirement of San Onofre complicated the situation. California Independent Service Operator (ISO) studies revealed the extent to which the South Coast Air Basin (SCAB) and the San Diego Air Basin (SDAB) region were vulnerable to low-voltage and post-transient voltage instability concerns. A preliminary plan to address these issues was detailed in the 2013 Integrative Energy Policy Report (IEPR) after a collaborative process with other energy agencies, utilities, and air districts (8). Similarly, the subsequent 2021 IEPR's provides information and policy recommendations on advancing a clean, reliable, and affordable energy system.

California's electricity industry is an organization of traditional utilities, private generating companies, and state agencies, each with a variety of roles and responsibilities to ensure that electrical power is provided to consumers. The California ISO is a nonprofit public benefit

corporation and is the impartial operator of the State's wholesale power grid and is charged with maintaining grid reliability, and to direct uninterrupted electrical energy supplies to California's homes and communities. While utilities still own transmission assets, the ISO routes electrical power along these assets, maximizing the use of the transmission system and its power generation resources. The ISO matches buyers and sellers of electricity to ensure that enough power is available to meet demand. To these ends, every five minutes the ISO forecasts electrical demands, accounts for operating reserves, and assigns the lowest cost power plant unit to meet demands while ensuring adequate system transmission capacities and capabilities (9).

Part of the ISO's charge is to plan and coordinate grid enhancements to ensure that electrical power is provided to California consumers. To this end, utilities file annual transmission expansion/modification plans to accommodate the State's growing electrical needs. The ISO reviews and either approves or denies the proposed additions. In addition, and perhaps most importantly, the ISO works with other areas in the western United States electrical grid to ensure that adequate power supplies are available to the State. In this manner, continuing reliable and affordable electrical power is assured to existing and new consumers throughout the State.

Electricity is currently provided to the Project site by Southern California Edison (SCE). SCE provides electric power to more than 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. Based on SCE's 2018 Power Content Label Mix, SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers (10).

Table 2-2, SCE's specific proportional shares of electricity sources in 2020. As indicated in Table 2-2, the 2020 SCE Power Mix has renewable energy at 30.9% of the overall energy resources. Geothermal resources are at 5.5%, wind power is at 9.4%, large hydroelectric sources are at 3.3%, solar energy is at 15.1%, and coal is at 0% (11).

TABLE 2-2: SCE 2020 POWER CONTENT MIX

Energy Resources	2020 SCE Power Mix
Eligible Renewable	**30.9%**
Biomass & Waste	0.1%
Geothermal	5.5%
Eligible Hydroelectric	0.8%
Solar	15.1%
Wind	9.4%
Coal	**0.0%**
Large Hydroelectric	**3.3%**
Natural Gas	**15.2%**
Nuclear	**8.4%**
Other	**0.3%**
Unspecified Sources of power*	42.0%
Total	**100%**

* "Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources

2.3 NATURAL GAS

The following summary of natural gas customers and volumes, supplies, delivery of supplies, storage, service options, and operations is excerpted from information provided by the California Public Utilities Commission (CPUC).

> *"The CPUC regulates natural gas utility service for approximately 10.8 million customers that receive natural gas from Pacific Gas and Electric (PG&E), Southern California Gas (SoCalGas), San Diego Gas & Electric (SDG&E), Southwest Gas, and several smaller natural gas utilities. The CPUC also regulates independent storage operators: Lodi Gas Storage, Wild Goose Storage, Central Valley Storage and Gill Ranch Storage.*
>
> *California's natural gas utilities provide service to over 11 million gas meters. SoCalGas and PG&E provide service to about 5.9 million and 4.3 million customers, respectively, while SDG&E provides service to over 800, 000 customers. In 2018, California gas utilities forecasted that they would deliver about 4740 million cubic feet per day (MMcfd) of gas to their customers, on average, under normal weather conditions.*
>
> *The overwhelming majority of natural gas utility customers in California are residential and small commercials customers, referred to as "core" customers. Larger volume gas customers, like electric generators and industrial customers, are called "noncore" customers. Although very small in number relative to core customers, noncore customers consume about 65% of the natural gas delivered by the state's natural gas utilities, while core customers consume about 35%.*

A significant amount of gas (about 19%, or 1131 MMcfd, of the total forecasted California consumption in 2018) is also directly delivered to some California large volume consumers, without being transported over the regulated utility pipeline system. Those customers, referred to as "bypass" customers, take service directly from interstate pipelines or directly from California producers.

SDG&E and Southwest Gas' southern division are wholesale customers of SoCalGas, i.e., they receive deliveries of gas from SoCalGas and in turn deliver that gas to their own customers. (Southwest Gas also provides natural gas distribution service in the Lake Tahoe area.) Similarly, West Coast Gas, a small gas utility, is a wholesale customer of PG&E. Some other wholesale customers are municipalities like the cities of Palo Alto, Long Beach, and Vernon, which are not regulated by the CPUC.

Natural gas from out-of-state production basins is delivered into California via the interstate natural gas pipeline system. The major interstate pipelines that deliver out-of-state natural gas to California gas utilities are Gas Transmission Northwest Pipeline, Kern River Pipeline, Transwestern Pipeline, El Paso Pipeline, Ruby Pipeline, Mojave Pipeline, and Tuscarora. Another pipeline, the North Baja - Baja Norte Pipeline takes gas off the El Paso Pipeline at the California/Arizona border and delivers that gas through California into Mexico. While the Federal Energy Regulatory Commission (FERC) regulates the transportation of natural gas on the interstate pipelines, and authorizes rates for that service, the California Public Utilities Commission may participate in FERC regulatory proceedings to represent the interests of California natural gas consumers.

The gas transported to California gas utilities via the interstate pipelines, as well as some of the California-produced gas, is delivered into the PG&E and SoCalGas intrastate natural gas transmission pipelines systems (commonly referred to as California's "backbone" pipeline system). Natural gas on the utilities' backbone pipeline systems is then delivered to the local transmission and distribution pipeline systems, or to natural gas storage fields. Some large volume noncore customers take natural gas delivery directly off the high-pressure backbone and local transmission pipeline systems, while core customers and other noncore customers take delivery off the utilities' distribution pipeline systems. The state's natural gas utilities operate over 100,000 miles of transmission and distribution pipelines, and thousands more miles of service lines.

Bypass customers take most of their deliveries directly off the Kern/Mojave pipeline system, but they also take a significant amount of gas from California production.

PG&E and SoCalGas own and operate several natural gas storage fields that are located within their service territories in northern and southern California, respectively. These storage fields, and four independently owned storage utilities - Lodi Gas Storage, Wild Goose Storage, Central Valley Storage, and Gill Ranch Storage - help meet peak seasonal and daily natural gas demand and allow California natural gas customers to secure natural gas supplies more efficiently. PG&E is a 25% owner of the Gill Ranch Storage field. These storage fields provide a significant amount of infrastructure capacity to help meet

California's natural gas requirements, and without these storage fields, California would need much more pipeline capacity in order to meet peak gas requirements .

Prior to the late 1980s, California regulated utilities provided virtually all natural gas services to all their customers. Since then, the Commission has gradually restructured the California gas industry in order to give customers more options while assuring regulatory protections for those customers that wish to, or are required to, continue receiving utility-provided services.

The option to purchase natural gas from independent suppliers is one of the results of this restructuring process. Although the regulated utilities procure natural gas supplies for most core customers, core customers have the option to purchase natural gas from independent natural gas marketers, called "core transport agents" (CTA). Contact information for core transport agents can be found on the utilities' web sites. Noncore customers, on the other hand, make natural gas supply arrangements directly with producers or with marketers.

Another option resulting from the restructuring process occurred in 1993, when the Commission removed the utilities' storage service responsibility for noncore customers, along with the cost of this service from noncore customers' transportation rates. The Commission also encouraged the development of independent storage fields, and in subsequent years, all the independent storage fields in California were established. Noncore customers and marketers may now take storage service from the utility or from an independent storage provider (if available), and pay for that service, or may opt to take no storage service at all. For core customers, the Commission assures that the utility has adequate storage capacity set aside to meet core requirements, and core customers pay for that service.

In a 1997 decision, the Commission adopted PG&E's "Gas Accord", which unbundled PG&E's backbone transmission costs from noncore transportation rates. This decision gave customers and marketers the opportunity to obtain pipeline capacity rights on PG&E's backbone transmission pipeline system, if desired, and pay for that service at rates authorized by the Commission. The Gas Accord also required PG&E to set aside a certain amount of backbone transmission capacity in order to deliver gas to its core customers. Subsequent Commission decisions modified and extended the initial terms of the Gas Accord. The "Gas Accord" framework is still in place today for PG&E's backbone and storage rates and services and is now simply referred to as PG&E Gas Transmission and Storage (GT&S).

In a 2006 decision, the Commission adopted a similar gas transmission framework for Southern California, called the "firm access rights" system. SoCalGas and SDG&E implemented the firm access rights (FAR) system in 2008, and it is now referred to as the backbone transmission system (BTS) framework. As under the PG&E backbone transmission system, SoCalGas backbone transmission costs are unbundled from noncore transportation rates. Noncore customers and marketers may obtain, and pay for, firm backbone transmission capacity at various receipt points on the SoCalGas system. A

certain amount of backbone transmission capacity is obtained for core customers to assure meeting their requirements.

Many if not most noncore customers now use a marketer to provide for several of the services formerly provided by the utility. That is, a noncore customer may simply arrange for a marketer to procure its supplies, and obtain any needed storage and backbone transmission capacity, in order to assure that it will receive its needed deliveries of natural gas supplies. Core customers still mainly rely on the utilities for procurement service, but they have the option to take procurement service from a CTA. Backbone transmission and storage capacity is either set aside or obtained for core customers in amounts to assure very high levels of service.

In order properly operate their natural gas transmission pipeline and storage systems, PG&E and SoCalGas must balance the amount of gas received into the pipeline system and delivered to customers or to storage fields. Some of these utilities' storage capacity is dedicated to this service, and under most circumstances, customers do not need to precisely match their deliveries with their consumption. However, when too much or too little gas is expected to be delivered into the utilities' systems, relative to the amount being consumed, the utilities require customers to more precisely match up their deliveries with their consumption. And, if customers do not meet certain delivery requirements, they could face financial penalties. The utilities do not profit from these financial penalties - the amounts are then returned to customers as a whole. If the utilities find that they are unable to deliver all the gas that is expected to be consumed, they may even call for a curtailment of some gas deliveries. These curtailments are typically required for just the largest, noncore customers. It has been many years since there has been a significant curtailment of core customers in California." (12)

As indicated in the preceding discussions, natural gas is available from a variety of in-state and out-of-state sources and is provided throughout the state in response to market supply and demand. Complementing available natural gas resources, biogas may soon be available via existing delivery systems, thereby increasing the availability and reliability of resources in total. The CPUC oversees utility purchases and transmission of natural gas to ensure reliable and affordable natural gas deliveries to existing and new consumers throughout the State.

2.4 TRANSPORTATION ENERGY RESOURCES

The Project would generate additional vehicle trips with resulting consumption of energy resources, predominantly gasoline and diesel fuel. The Department of Motor Vehicles (DMV) identified 36.2 million registered vehicles in California (13), and those vehicles consume an estimated 17.2 billion gallons of fuel each year[1]. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the Project patrons and employees via commercial outlets.

[1] Fuel consumptions estimated utilizing information from EMFAC2021.

California's on-road transportation system includes 396,616 lane miles, more than 26.6 million passenger vehicles and light trucks, and almost 9.0 million medium- and heavy-duty vehicles (13). While gasoline consumption has been declining since 2008 it is still by far the dominant fuel. California is the second-largest consumer of petroleum products, after Texas, and accounts for 10% of the nation's total consumption. The state is the largest U.S. consumer of motor gasoline and jet fuel, and 85% of the petroleum consumed in California is used in the transportation sector (14).

California accounts for less than 1% of total U.S. natural gas reserves and production. As with crude oil, California's natural gas production has experienced a gradual decline since 1985. In 2019, about 37% of the natural gas delivered to consumers went to the state's industrial sector, and about 28% was delivered to the electric power sector. Natural gas fueled more than two-fifths of the state's utility-scale electricity generation in 2019. The residential sector, where two-thirds of California households use natural gas for home heating, accounted for 22% of natural gas deliveries. The commercial sector received 12% of the deliveries to end users and the transportation sector consumed the remaining 1% (14).

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3 REGULATORY BACKGROUND

Federal and state agencies regulate energy use and consumption through various means and programs. On the federal level, the United States Department of Transportation, the United States Department of Energy, and the United States Environmental Protection Agency (EPA) are three federal agencies with substantial influence over energy policies and programs. On the state level, the CPUC and the CEC are two agencies with authority over different aspects of energy. Relevant federal and state energy-related laws and plans are summarized below.

3.1 FEDERAL REGULATIONS

3.1.1 INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991 (ISTEA)

ISTEA promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions.

3.1.2 THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY (TEA-21)

TEA-21 was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

3.2 CALIFORNIA REGULATIONS

3.2.1 INTEGRATED ENERGY POLICY REPORT (IEPR)

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the CEC to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety (Public Resources Code § 25301[a]). The CEC prepares these assessments and associated policy recommendations every two years, with updates in alternate years, as part of the Integrated Energy Policy Report.

The 2021 IEPR was adopted February 2022, and continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. The 2021 IEPR provides the results

of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the state is to meet its climate, energy, air quality, and other environmental goals while maintaining reliability and controlling costs. Additionally, the 2021 IEPR provides the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the state is to meet its climate, energy, air quality, and other environmental goals while maintaining reliability and controlling costs (15).

3.2.2 State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access.

3.2.3 California Code Title 24, Part 6, Energy Efficiency Standards

California Code of Regulations (CCR) Title 24 Part 6: The California Energy Code was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption.

The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on August 1, 2009, and is administered by the California Building Standards Commission.

CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards that will be effective on January 1, 2023[2]. The Project would be required to comply with the applicable standards in place at the time plan check submittals are made (16).

3.2.4 AB 1493 Pavley Regulations and Fuel Efficiency Standards

California AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks). Although aimed at reducing GHG emissions, specifically, a co-benefit of the Pavley standards is an improvement in fuel efficiency and consequently a reduction in fuel consumption.

[2] The 2022 California Green Building Standard Code will be published July 1, 2022.

3.2.5 CALIFORNIA'S RENEWABLE PORTFOLIO STANDARD (RPS)

First established in 2002 under Senate Bill (SB) 1078, California's Renewable Portfolio Standards (RPS) requires retail sellers of electric services to increase procurement from eligible renewable resources to 33% of total retail sales by 2020 (17).

3.2.6 CLEAN ENERGY AND POLLUTION REDUCTION ACT OF 2015 (SB 350)

In October 2015, the legislature approved, and the Governor signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the renewables portfolio standard (RPS), higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33% to 50% by 2030, with interim targets of 40% by 2024, and 25% by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the CEC, and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States (California Leginfo 2015).

3.2.7 CITY OF ONTARIO COMMUNITY CLIMATE ACTION PLAN (CCAP)

The CCAP contains further guidance on the City of Ontario's GHG Inventory reduction goals, policies, guidelines, and implementation programs. The purpose of the CCAP is to provide guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the City of Ontario (18). The CCAP builds upon the Reduction Plan to address City-specific information and City-specific GHG reduction measures. To address the state's requirement to reduce GHG emissions, the CCAP was prepared with the goal of reducing GHG emissions within the City by 15% below 2008 levels by the year 2020. The City's target is consistent with the AB 32 target and ensures that the City of Ontario achieves GHG reductions locally that complement and are consistent with state efforts to reduce GHG emissions.

As part of the CCAP, the City of Ontario published a guidance document titled "Greenhouse Gas Emissions, CEQA Thresholds and Screening Tables" (December 2014). As part of this guidance, the CCAP determined that if GHG emissions of a given project exceeds 3,000 $MTCO_2e$/yr, then project emissions would need to be reduced by 25% when compared to year 2008 emissions levels. Alternatively, the project would need to achieve a minimum of 100 points pursuant to measures identified in the Screening Tables.

The update to the Ontario Plan includes an update to the City's Community Climate Action Plan (CCAP) which was originally adopted on December 16, 2014. As stated in The Ontario Plan 2050 Draft Supplemental Environmental Impact Report (SEIR), the measures included in the 2022

update to the CCAP are not substantially different than that of the 2014 CCAP and therefore there is no change in the environmental impacts associated with the CCAP (19).

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4 EXISTING PROJECT SITE ENERGY DEMANDS

4.1 EXISTING OPERATIONAL ENERGY DEMANDS

4.1.1 EXISTING TRANSPORTATION ENERGY DEMANDS

The Project site is currently occupied and operating as a grain processing company and a corn storage and distribution facility. The estimated transportation energy demands from the existing development are summarized on Table 5-1.

TABLE 5-1: TOTAL PROJECT-GENERATED TRAFFIC ANNUAL FUEL CONSUMPTION (ALL VEHICLES)

Vehicle Type	Annual VMT	Estimated Annual Fuel Consumption (gallons)
EXISTING (ALL VEHICLES)	***1,426,059***	***134,254***

4.1.2 EXISTING FACILITY ENERGY DEMANDS

The estimated facility energy demands from the existing development are summarized on Table 5-2 and based on historic utility bills for the existing facility.

TABLE 5-2: EXISTING ANNUAL OPERATIONAL ENERGY DEMAND SUMMARY

Land Use	Natural Gas Demand (kBTU/year)	Electricity Demand (kWh/year)
TOTAL EXISTING ENERGY DEMAND	***794,266***	***1,027,373***

kBTU – kilo-British Thermal Units

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5 PROJECT ENERGY DEMANDS AND ENERGY EFFICIENCY MEASURES

5.1 EVALUATION CRITERIA

Appendix F of the *State CEQA Guidelines* (20), states that the means of achieving the goal of energy conservation includes the following:

- Decreasing overall per capita energy consumption;
- Decreasing reliance on fossil fuels such as coal, natural gas, and oil; and
- Increasing reliance on renewable energy sources.

In compliance with Appendix G of the *State CEQA Guidelines* (21), this report analyzes the Project's anticipated energy use during construction and operations to determine if the Project would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

5.2 METHODOLOGY

Information from the CalEEMod Version 2022.1 outputs for the *5355 East Airport Drive Air Quality Impact Analysis* (AQIA) (22) was utilized in this analysis, detailing Project related construction equipment, transportation energy demands, and facility energy demands.

5.2.1 CALEEMOD

In May 2022, the SCAQMD, in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the CalEEMod Version 2022.1. The purpose of this model is to calculate construction-source and operational-source criteria pollutants and GHG emissions from direct and indirect sources as well as energy usage (23). Accordingly, the latest version of CalEEMod has been used to determine the proposed Project's anticipated transportation and facility energy demands. Outputs from the annual model runs are provided in Appendices 5.1 through 5.2.

5.2.2 EMISSION FACTORS MODEL

On May 2, 2022, the EPA approved the 2021 version of the EMissions FACtor model (EMFAC2021) web database for use in State Implementation Plan and transportation conformity analyses. EMFAC2021 is a mathematical model that was developed to calculate emission rates, fuel consumption, VMT from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by the CARB to project changes in future emissions from on-road mobile sources (24). This energy study utilizes the different fuel types for each vehicle class from the annual EMFAC2021 emission inventory in order to derive the average vehicle fuel economy which is then used to determine the estimated annual fuel consumption associated with vehicle usage during Project construction and operational activities. For purposes of

analysis, the 2023 and 2024 analysis years were utilized to determine the average vehicle fuel economy used throughout the duration of the Project. Outputs from the EMFAC2021 model run is provided in Appendix 5.3.

5.3 CONSTRUCTION ENERGY DEMANDS

The focus within this section is the energy implications of the construction process, specifically the power cost from on-site electricity consumption during construction of the proposed Project.

5.3.1 CONSTRUCTION POWER COST

The total Project construction power costs is the summation of the products of the area (sf) by the construction duration and the typical power cost.

CONSTRUCTION DURATION

For purposes of analysis, construction of Project is expected to commence in May 2023 and would last through April 2024 (22). The construction schedule utilized in the analysis, shown in Table 5-1, represents a "worst-case" analysis scenario. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per *CEQA Guidelines* (25).

TABLE 5-1: CONSTRUCTION DURATION

Construction Activity	Start Date	End Date	Days
Demolition/Crushing	05/02/2023	07/24/2023	60
Site Preparation	07/25/2023	09/04/2023	30
Grading	07/25/2023	09/04/2023	30
Building Construction	09/05/2023	04/15/2024	160
Paving	02/13/2024	04/15/2024	45
Architectural Coating/Landscaping	03/05/2024	04/15/2024	30

PROJECT CONSTRUCTION POWER COST

The *2022 National Construction Estimator* identifies a typical power cost per 1,000 sf of construction per month of $2.41, which was used to calculate the Project's total construction power cost (26).

As shown on Table 5-2, the total power cost of the on-site electricity usage during the construction of the Project is estimated to be approximately $15,109.48.

TABLE 5-2: CONSTRUCTION POWER COST

Land Use	Power Cost (per 1,000 SF of construction per month)	Size (1,000 SF)	Construction Duration (months)	Project Construction Power Cost
Warehousing	$2.41	243.303	11	$6,449.97
High-Cube Cold Storage	$2.41	27.034	11	$716.66
Landscape	$2.41	72.527	11	$1,922.69
Parking	$2.41	66.582	11	$1,765.09
Other Asphalt Surfaces	$2.41	160.508	11	$4,255.07
			CONSTRUCTION POWER COST	***$15,109.48***

5.3.2 CONSTRUCTION ELECTRICITY USAGE

The total Project construction electricity usage is the summation of the products of the power cost (estimated in Table 5-2) by the utility provider cost per kilowatt hour (kWh) of electricity.

PROJECT CONSTRUCTION ELECTRICITY USAGE

The SCE's general service rate schedule were used to determine the Project's electrical usage. As of June 1, 2022, SCE's general service rate is $0.13 per kilowatt hours (kWh) of electricity for industrial services (27). As shown on Table 5-3, the total electricity usage from on-site Project construction related activities is estimated to be approximately 113,853 kWh.

TABLE 5-3: CONSTRUCTION ELECTRICITY USAGE

Land Use	Cost per kWh	Project Construction Electricity Usage (kWh)
Warehousing	$0.13	48,602
High-Cube Cold Storage	$0.13	5,400
Landscape	$0.13	14,488
Parking	$0.13	13,300
Other Asphalt Surfaces	$0.13	32,063
CONSTRUCTION ELECTRICITY USAGE		***113,853***

5.3.3 CONSTRUCTION EQUIPMENT FUEL ESTIMATES

Fuel consumed by construction equipment would be the primary energy resource expended over the course of Project construction.

CONSTRUCTION EQUIPMENT

Consistent with industry standards and typical construction practices, each piece of equipment listed in Table 5-4 will operate up to a total of eight (8) hours per day, or more than two-thirds of the period during which construction activities are allowed.

TABLE 5-4: CONSTRUCTION EQUIPMENT ASSUMPTIONS

Construction Activity	Equipment	Amount	Hours Per Day
Demolition/Crushing	Rubber Tired Dozers	2	8
	Excavators	3	8
	Concrete/Industrial Saws	1	8
	Crushing/Proc. Equipment[1]	1	8
Site Preparation	Rubber Tired Dozers	3	8
	Crawler Tractors	4	8
Grading	Graders	1	8
	Excavators	2	8
	Scrapers	2	8
	Rubber Tired Dozers	1	8
	Crawler Tractors	2	8
Building Construction	Forklifts	5	8
	Generator Sets	2	8
	Cranes	2	8
	Welders	2	8
	Crawler Tractors	5	8
Pavers	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8

[1] The Project will use an electric-powered crusher which will be powered by a diesel generator. As a conservative measure, this analysis models a single diesel-powered generator set.

PROJECT CONSTRUCTION EQUIPMENT FUEL CONSUMPTION

Project construction activity timeline estimates, construction equipment schedules, equipment power ratings, load factors, and associated fuel consumption estimates are presented in Table 5-5. The aggregate fuel consumption rate for all equipment is estimated at 18.5 horsepower hour per gallon (hp-hr-gal.), obtained from CARB 2018 Emissions Factors Tables and cited fuel consumption rate factors presented in Table D-24 of the Moyer guidelines (28). For the purposes of this analysis, the calculations are based on all construction equipment being diesel-powered, which is consistent with industry standards.

TABLE 5-5: CONSTRUCTION EQUIPMENT FUEL CONSUMPTION ESTIMATES

Construction Activity	Duration (Days)	Equipment	HP Rating	Quantity	Usage Hours	Load Factor	HP-hrs/day	Total Fuel Consumption
Demolition	60	Crushing/Proc. Equipment	14	1	8	0.74	83	269
		Rubber Tired Dozers	367	2	8	0.40	2,349	7,618
		Excavators	36	3	8	0.38	328	1,065
		Concrete/Industrial Saws	33	1	8	0.73	193	625
Site Preparation	30	Crawler Tractors	87	4	8	0.43	1,197	1,941
		Rubber Tired Dozers	367	3	8	0.40	3,523	5,713
Grading	30	Crawler Tractors	87	2	8	0.43	599	971
		Graders	148	1	8	0.41	485	787
		Excavators	36	2	8	0.38	219	355
		Scrapers	423	2	8	0.48	3,249	5,268
		Rubber Tired Dozers	367	1	8	0.40	1,174	1,904
Building Construction	160	Crawler Tractors	87	5	8	0.43	1,496	12,942
		Forklifts	82	5	8	0.20	656	5,674
		Generator Sets	14	2	8	0.74	166	1,434
		Cranes	367	2	8	0.29	1,703	14,728
		Welders	46	2	8	0.45	331	2,864
Paving	45	Pavers	81	2	8	0.42	544	1,324
		Paving Equipment	89	2	8	0.36	513	1,247
		Rollers	36	2	8	0.38	219	532
Architectural Coating	30	Air Compressors	37	1	8	0.48	142	230
CONSTRUCTION FUEL DEMAND (GALLONS DIESEL FUEL)								***67,491***

Diesel fuel would be supplied by existing commercial fuel providers serving the Project area and region[3]. As previously presented in Table 4-5, Project construction activities would consume an estimated 67,491 gallons of diesel fuel. Project construction would represent a "single-event" diesel fuel demand and would not require ongoing or permanent commitment of diesel fuel resources for this purpose.

5.3.4 CONSTRUCTION TRIPS AND VMT

Construction generates on-road vehicle emissions from vehicle usage for workers, vendors, and haul truck commuting to and from the site. The number of workers and vendor trips are presented below in Table 5-6. It should be noted that for vendor trips, specifically, CalEEMod only assigns vendor trips to the Building Construction phase. Vendor trips would likely occur during all phases of construction. As such, the CalEEMod defaults for vendor trips have been adjusted based on a ratio of the total vendor trips to the number of days of each subphase of activity.

TABLE 5-6: CONSTRUCTION TRIPS AND VMT

Construction Activity	Worker Trips Per Day	Vendor Trips Per Day	Hauling Trips Per Day
Demolition/Crushing	18	10	3
Site Preparation	18	5	0
Grading	20	5	38
Building Construction	114	25	0
Paving	15	0	0
Architectural Coating/Landscaping	23	0	0

5.3.5 CONSTRUCTION WORKER FUEL ESTIMATES

With respect to estimated VMT for the Project, the construction worker trips (personal vehicles used by workers commuting to the Project from home) would generate an estimated 409,775 VMT during the 11 months of construction (22). Based on CalEEMod methodology, it is assumed that 50% of all construction worker trips are from light-duty-auto vehicles (LDA), 25% are from light-duty-trucks (LDT1[4]), and 25% are from light-duty-trucks (LDT2[5]). Data regarding Project related construction worker trips were based on CalEEMod defaults utilized within the AQIA.

Vehicle fuel efficiencies for LDA, LDT1, and LDT2 were estimated using information generated within the 2021 version of the EMFAC developed by CARB. EMFAC2021 is a mathematical model that was developed to calculate emission rates, fuel consumption, and VMT from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by the CARB to project changes in future emissions from on-road mobile sources (24). EMFAC2021 was

[3] Based on Appendix A of the CalEEMod User's Guide, Construction consists of several types of off-road equipment. Since the majority of the off-road construction equipment used for construction projects are diesel fueled, CalEEMod assumes all of the equipment operates on diesel fuel.

[4] Vehicles under the LDT1 category have a gross vehicle weight rating (GVWR) of less than 6,000 lbs. and equivalent test weight (ETW) of less than or equal to 3,750 lbs.

[5] Vehicles under the LDT2 category have a GVWR of less than 6,000 lbs. and ETW between 3,751 lbs. and 5,750 lbs.

run for the LDA, LDT1, and LDT2 vehicle class within the California sub-area for the 2023 and 2024 calendar years. Data from EMFAC2021 is shown in Appendix 5.3.

TABLE 5-7: CONSTRUCTION WORKER FUEL CONSUMPTION ESTIMATES

Year	Construction Activity	Duration (Days)	Worker Trips/Day	Trip Length (miles)	VMT	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
2023	LDA						
	Demolition/Crushing	60	9	18.5	9,990	30.68	326
	Site Preparation	30	9	18.5	4,995	30.68	163
	Grading	30	10	18.5	5,550	30.68	181
	Building Construction	84	57	18.5	88,578	30.68	2,887
	LDT1						
	Demolition/Crushing	60	5	18.5	5,550	24.14	230
	Site Preparation	30	5	18.5	2,775	24.14	115
	Grading	30	5	18.5	2,775	24.14	115
	Building Construction	84	29	18.5	45,066	24.14	1,867
	LDT2						
	Demolition/Crushing	60	5	18.5	5,550	23.82	233
	Site Preparation	30	5	18.5	2,775	23.82	117
	Grading	30	5	18.5	2,775	23.82	117
	Building Construction	84	29	18.5	45,066	23.82	1,892
2024	LDA						
	Building Construction	76	57	18.5	80,142	31.57	2,538
	Paving	45	8	18.5	6,660	31.57	211
	Architectural Coating	30	12	18.5	6,660	31.57	211
	LDT1						
	Building Construction	76	29	18.5	40,774	24.59	1,658
	Paving	45	4	18.5	3,330	24.59	135
	Architectural Coating	30	6	18.5	3,330	24.59	135
	LDT2						
	Building Construction	76	29	18.5	40,774	24.51	1,664
	Paving	45	4	18.5	3,330	24.51	136
	Architectural Coating	30	6	18.5	3,330	24.51	136
TOTAL CONSTRUCTION WORKER FUEL CONSUMPTION							***15,066***

As previously shown in Table 4-7, the estimated annual fuel consumption resulting from Project construction worker trips is 15,066 gallons during full construction of the Project. It should be noted that construction worker trips would represent a "single-event" gasoline fuel demand and would not require ongoing or permanent commitment of fuel resources for this purpose.

5.3.6 CONSTRUCTION VENDOR/HAULING FUEL ESTIMATES

With respect to estimated VMT, the construction vendor trips (vehicles that deliver materials to the site during construction) would generate an estimated 78,624 VMT along area roadways for the Project over the duration of construction activity (22). It is assumed that 50% of all vendor trips are from medium-heavy duty trucks (MHD), 50% of all vendor trips are from heavy-heavy duty trucks (HHD), and 100% of all hauling trips are HHDs. These assumptions are consistent with the CalEEMod defaults utilized within the within the AQIA (22). Vehicle fuel efficiencies for MHDs and HHDs were estimated using information generated within EMFAC2021. EMFAC2021 was run for the MHD and HHD vehicle classes within the California sub-area for the 2023 and 2024 calendar years. Data from EMFAC2021 is shown in Appendix 5.3.

TABLE 5-8: CONSTRUCTION VENDOR FUEL CONSUMPTION ESTIMATES

Year	Construction Activity	Duration (Days)	Vendor/ Hauling Trips/Day	Trip Length (miles)	VMT	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
2023	MHD						
	Demolition/Crushing	60	5	10.2	3,060	8.27	370
	Site Preparation	30	3	10.2	918	8.27	111
	Grading	30	3	10.2	918	8.27	111
	Building Construction	84	13	10.2	11,138	8.27	1,347
	HHD (Vendor)						
	Demolition/Crushing	60	5	10.2	3,060	5.94	515
	Site Preparation	30	3	10.2	918	5.94	155
	Grading	30	3	10.2	918	5.94	155
	Building Construction	84	13	10.2	11,138	5.94	1,875
	HHD (Hauling)						
	Demolition/Crushing	60	3	20	3,600	5.94	606
	Grading	30	38	20	22,800	5.94	3,838
2023	MHD						
	Building Construction	76	13	10.2	10,078	8.32	1,212
	HHD (Vendor)						
	Building Construction	76	13	10.2	10,078	6.03	1,673
TOTAL CONSTRUCTION VENDOR/HAULING FUEL CONSUMPTION							***11,965***

Based on Table 5-8, it is estimated that 11,965 gallons of fuel will be consumed related to construction vendor trips during full construction of the Project. It should be noted that Project construction vendor trips would represent a "single-event" diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources for this purpose.

5.3.7 CONSTRUCTION ENERGY EFFICIENCY/CONSERVATION MEASURES

Starting in 2014, CARB adopted the nation's first regulation aimed at cleaning up off-road construction equipment such as bulldozers, graders, and backhoes. These requirements ensure fleets gradually turnover the oldest and dirtiest equipment to newer, cleaner models and prevent fleets from adding older, dirtier equipment. As such, the equipment used for Project construction would conform to CARB regulations and California emissions standards. It should also be noted that there are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in construction of the Project would therefore not result in inefficient wasteful, or unnecessary consumption of fuel.

Construction contractors would be required to comply with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with anti-idling and emissions regulations would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additional construction-source energy efficiencies would occur due to required California regulations and best available control measures (BACM). For example, CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Section 2449(d)(3) requires that grading plans shall reference the requirement that a sign shall be posted on-site stating that construction workers need to shut off engines at or before five minutes of idling." In this manner, construction equipment operators are required to be informed that engines are to be turned off at or prior to five minutes of idling. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

A full analysis related to the energy needed to form construction materials is not included in this analysis due to a lack of detailed Project-specific information on construction materials. At this time, an analysis of the energy needed to create Project-related construction materials would be extremely speculative and thus has not been prepared.

In general, construction processes promote conservation and efficient use of energy by reducing raw materials demands, with related reduction in energy demands associated with raw materials extraction, transportation, processing, and refinement. Use of materials in bulk reduces energy

demands associated with preparation and transport of construction materials as well as the transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations.

5.4 OPERATIONAL ENERGY DEMANDS

Energy consumption in support of or related to Project operations would include transportation fuel demands (fuel consumed by passenger car and truck vehicles accessing the Project site), fuel demands from operational equipment, and facilities energy demands (energy consumed by building operations and site maintenance activities).

5.4.1 TRANSPORTATION FUEL DEMANDS

Energy that would be consumed by Project-generated traffic is a function of total VMT and estimated vehicle fuel economies of vehicles accessing the Project site. The VMT per vehicle class can be determined by evaluated in the vehicle fleet mix and the total VMT. As with worker and vendors trips, operational vehicle fuel efficiencies were estimated using information generated within EMFAC2021 developed by CARB (24). EMFAC2021 was run for the San Bernardino County area for the 2024 calendar year. Data from EMFAC2021 is shown in Appendix 5.3.

In order to account for the possibility of refrigerated uses (cold storage), it is assumed that all trucks accessing this land use are presumed to also have transport refrigeration units (TRUs). Therefore, for modeling purposes 11 trucks are assumed to be trucks with TRUs. TRUs are also accounted for during on-site and off-site travel. The TRU calculations are based on EMFAC2021.

The estimated transportation energy demands are summarized on Table 5-9. It should be noted that the existing development demands were subtracted from the Project demands to determine the net transportation energy demands from the proposed Project. As summarized on Table 5-10 the Project would result in a net increase of 638,365 annual VMT and an estimated annual fuel consumption of 45,152 gallons of fuel.

TABLE 5-9: TOTAL PROJECT-GENERATED TRAFFIC ANNUAL FUEL CONSUMPTION

Vehicle Type	Average Vehicle Fuel Economy (mpg)	Annual VMT	Estimated Annual Fuel Consumption (gallons)
LDA	31.57	664,379	21,042
LDT1	24.59	55,178	2,244
LDT2	24.51	264,546	10,795
MDV	14.97	173,686	11,604
MCY	14.97	23,749	1,587
LHD1	15.81	131,551	8,319
LHD2	14.97	35,486	2,371
MHD	8.32	168,801	20,298
HHD	6.03	547,048	90,792
TRUs			10,354
TOTAL (ALL VEHICLES)		***2,064,424***	***179,406***
EXISTING (ALL VEHICLES)		*1,426,059*	*134,254*
NET (PROPOSED – EXISTING)		***638,365***	***45,152***

5.4.2 ON-SITE CARGO HANDLING EQUIPMENT FUEL DEMANDS

It is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For this particular Project, on-site modeled operational equipment includes up to one (1) 175 horsepower (hp), natural gas-powered cargo handling equipment – port tractors operating at 4 hours a day[6] for 365 days of the year.

Project operational activity estimates and associated fuel consumption estimates are based on the annual EMFAC2021 offroad emissions for the 2024 operational year and was used to derive the total annual fuel consumption associated on-site equipment. As presented in Table 5-10, Project on-site equipment would consume an estimated 4,642 gallons of natural gas.

TABLE 5-10: ON-SITE CARGO HANDLING EQUIPMENT FUEL CONSUMPTION ESTIMATES

Equipment	Quantity	Usage Hours	Days of Operation	EMFAC2021 Fuel Consumption (gal./yr)	EMFAC2021 Activity (hrs./yr)	Total Fuel Consumption
Cargo Handling Equipment	1	4	365	17,909	5,633	4,642
ON-SITE CARGO HANDLING EQUIPMENT FUEL DEMAND (GALLONS FUEL)						***4,642***

[6] Based on Table II-3, Port and Rail Cargo Handling Equipment Demographics by Type, from CARB's Technology Assessment: Mobile Cargo Handling Equipment document, a single piece of equipment could operate up to 2 hours per day (Total Average Annual Activity divided by Total Number Pieces of Equipment). As such, the analysis conservatively assumes that the tractor/loader/backhoe would operate up to 4 hours per day.

5.4.3 FACILITY ENERGY DEMANDS

Project building operations activities would result in the consumption of electricity and natural gas, which would be supplied to the Project by SCE and SoCalGas, respectively. Annual natural gas and electricity demands of the Project are summarized in Table 5-11. It should be noted that the existing development demands were subtracted from the Project demands to determine the net facility energy demands from the proposed Project. As summarized on Table 5-11 the Project would result in a net increase of 4,543,279 kBTU/year of natural gas and a net increase of 746,675 kWh/year of electricity.

TABLE 5-11: PROJECT ANNUAL OPERATIONAL ENERGY DEMAND SUMMARY

Land Use	Natural Gas Demand (kBTU/year)	Electricity Demand (kWh/year)
Warehousing	4,625,355	1,123,744
High-Cube Cold Storage	712,190	591,921
Landscape	0	58,383
Parking	0	0
Other Asphalt Surfaces	0	0
TOTAL PROJECT ENERGY DEMAND	***5,337,545***	***1,774,048***
EXISTING ENERGY DEMAND	*794,266*	*1,027,373*
NET PROJECT ENERGY DEMAND	**4,543,279**	**746,675**

5.4.4 OPERATIONAL ENERGY EFFICIENCY/CONSERVATION MEASURES

Energy efficiency/energy conservation attributes of the Project would be complemented by increasingly stringent state and federal regulatory actions addressing vehicle fuel economies and vehicle emissions standards; and enhanced building/utilities energy efficiencies mandated under California building codes (e.g., Title24, California Green Building Standards Code).

ENHANCED VEHICLE FUEL EFFICIENCIES

Project annual fuel consumption estimates presented previously in Table 5-9 represent likely potential maximums that would occur for the Project. Under subsequent future conditions, average fuel economies of vehicles accessing the Project site can be expected to improve as older, less fuel-efficient vehicles are removed from circulation, and in response to fuel economy and emissions standards imposed on newer vehicles entering the circulation system.

Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands.

5.5 SUMMARY

5.5.1 CONSTRUCTION ENERGY DEMANDS

The estimated power cost of on-site electricity usage during the construction of the Project is assumed to be approximately $15,109.48. Additionally, based on the assumed power cost, it is estimated that the total electricity usage during construction, after full Project buildout, is calculated to be approximately 113,853 kWh.

Construction equipment used by the Project would result in single event consumption of approximately 67,491 gallons of diesel fuel. Construction equipment use of fuel would not be atypical for the type of construction proposed because there are no aspects of the Project's proposed construction process that are unusual or energy-intensive, and Project construction equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies.

CCR Title 13, Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. BACMs inform construction equipment operators of this requirement. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

Construction worker trips for full construction of the Project would result in the estimated fuel consumption of 15,066 gallons of fuel. Additionally, fuel consumption from construction vendor trips (MHDs and HHDs) will total approximately 11,965 gallons. Diesel fuel would be supplied by City and regional commercial vendors. Indirectly, construction energy efficiencies and energy conservation would be achieved using bulk purchases, transport and use of construction materials. The 2021 IEPR released by the CEC has shown that fuel efficiencies are getting better within on and off-road vehicle engines due to more stringent government requirements (15). As supported by the preceding discussions, Project construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

5.5.2 OPERATIONAL ENERGY DEMANDS

TRANSPORTATION ENERGY DEMANDS

Annual vehicular trips and related VMT generated by the operation of the Project would result in a fuel demand of 45,152 gallons of fuel.

Fuel would be provided by current and future commercial vendors. Trip generation and VMT generated by the Project are consistent with other industrial uses of similar scale and configuration, as reflected respectively in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Ed., 2021); and CalEEMod. As such, Project operations would not result in excessive and wasteful vehicle trips and VMT, nor excess and wasteful vehicle energy consumption compared to other industrial uses.

It should be noted that the state strategy for the transportation sector for medium and heavy-duty trucks is focused on making trucks more efficient and expediting truck turnover rather than reducing VMT from trucks. This is in contrast to the passenger vehicle component of the transportation sector where both per-capita VMT reductions and an increase in vehicle efficiency are forecasted to be needed to achieve the overall state emissions reductions goals.

Heavy duty trucks involved in goods movements are generally controlled on the technology side and through fleet turnover of older trucks and engines to newer and cleaner trucks and engines. The first battery-electric heavy-heavy duty trucks are being tested this year and SCAQMD is looking to integrate this new technology into large-scale truck operations. The following state strategies reduce GHG emissions from the medium and heavy-duty trucks:

- CARB's Mobile Source Strategy focuses on reducing GHGs through the transition to zero and low emission vehicles and from medium-duty and heavy-duty trucks.
- CARB's Sustainable Freight Action Plan establishes a goal to improve freight efficiency by 25% by 2030, deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.
- CARB's Emissions Reduction Plan for Ports and Goods Movement (Goods Movement Plan) in California focuses on reducing heavy-duty truck-related emissions focus on establishment of emissions standards for trucks, fleet turnover, truck retrofits, and restriction on truck idling (CARB 2006). While the focus of Goods Movement Plan is to reduce criteria air pollutant and air toxic emissions, the strategies to reduce these pollutants would also generally have a beneficial effect in reducing GHG emissions.
- CARB's On-Road Truck and Bus Regulation (2010) requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent (29).
- CARB's Heavy-Duty (Tractor-Trailer) GHG Regulation requires SmartWay tractor trailers that include idle-reduction technologies, aerodynamic technologies, and low-rolling resistant tires that would reduce fuel consumption and associated GHG emissions.

The proposed Project would implement project design features that would facilitate the accessibility, parking, and loading of trucks on-site.

Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. The Project would implement sidewalks, facilitating and encouraging pedestrian access. Facilitating pedestrian and bicycle access would reduce VMT and associated energy consumption. In compliance with the California Green Building Standards Code and City requirements, the Project would promote the use of bicycles as an alternative mean of transportation by providing short-term and/or long-term bicycle

parking accommodations. As supported by the preceding discussions, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

ON-SITE CARGO HANDLING EQUIPMENT FUEL DEMANDS

As previously stated, it is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. On-site cargo handling equipment used by the Project would result in approximately 4,642 gallons of natural gas. On-site equipment use of fuel would not be atypical for the type of construction proposed because there are no aspects of the Project's proposed operations that are unusual or energy-intensive, and Project on-site equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies.

FACILITY ENERGY DEMANDS

Project facility operational energy demands are estimated to be: 4,543,279 kBTU/year of natural gas and 746,675 kWh/year of electricity. Natural gas will be supplied to the Project by SoCalGas and electricity would be supplied by SCE. The Project proposes conventional industrial uses reflecting contemporary energy efficient/energy conserving designs and operational programs. The Project does not propose uses that are inherently energy intensive and the energy demands in total would be comparable to other industrial uses of similar scale and configuration.

Lastly, the Project will comply with the applicable Title 24 standards. Compliance itself with applicable Title 24 standards will ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary.

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6 CONCLUSIONS

6.1 ENERGY IMPACT 1

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

As supported by the preceding analyses, Project construction and operations would not result in the inefficient, wasteful, or unnecessary consumption of energy. The Project would therefore not cause or result in the need for additional energy producing or transmission facilities. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservations goals within the State of California.

6.2 ENERGY IMPACT 2

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

The Project's consistency with the applicable state and local plans is discussed below.

CONSISTENCY WITH ISTEA

Transportation and access to the Project site is provided by the local and regional roadway systems. The Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA because SCAG is not planning for intermodal facilities on or through the Project site.

CONSISTENCY WITH TEA-21

The Project site is located along major transportation corridors with proximate access to the Interstate freeway system. The site selected for the Project facilitates access, acts to reduce vehicle miles traveled, takes advantage of existing infrastructure systems, and promotes land use compatibilities through collocation of similar uses. The Project supports the strong planning processes emphasized under TEA-21. The Project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21.

CONSISTENCY WITH IEPR

Electricity would be provided to the Project by SCE. SCE's *Clean Power and Electrification Pathway* (CPEP) white paper builds on existing state programs and policies. As such, the Project is consistent with, and would not otherwise interfere with, nor obstruct implementation the goals presented in the 2021 IEPR.

Additionally, the Project will comply with the applicable Title 24 standards which would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. As such, development of the proposed Project would support the goals presented in the 2020 IEPR.

CONSISTENCY WITH STATE OF CALIFORNIA ENERGY PLAN

The Project site is located along major transportation corridors with proximate access to the Interstate freeway system. The site selected for the Project facilitates access and takes advantage of existing infrastructure systems. The Project therefore supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with or obstruct, implementation of the State of California Energy Plan.

CONSISTENCY WITH CALIFORNIA CODE TITLE 24, PART 6, ENERGY EFFICIENCY STANDARDS

The 2022 version of Title 24 was adopted by the CEC and will become effective on January 1, 2023. As the Project building construction is anticipated in 2024, it is presumed that the Project would be required to comply with the Title 24 standards in place at that time. Therefore, the Project is would not result in a significant impact on energy resources (16). The proposed Project would be subject to Title 24 standards.

CONSISTENCY WITH CALIFORNIA CODE TITLE 24, PART 11, CALGREEN

As previously stated, CCR, Title 24, Part 11: CALGreen is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2009, and is administered by the California Building Standards Commission. CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards that were published on July 1, 2022 and will become effective on January 1, 2023. The Project would be required to comply with the applicable standards in place at the time plan check submittals are made.

CONSISTENCY WITH AB 1493

AB 1493 is not applicable to the Project as it is a statewide measure establishing vehicle emissions standards. No feature of the Project would interfere with implementation of the requirements under AB 1493.

CONSISTENCY WITH RPS

California's RPS is not applicable to the Project as it is a statewide measure that establishes a renewable energy mix. No feature of the Project would interfere with implementation of the requirements under RPS.

CONSISTENCY WITH SB 350

The proposed Project would use energy from SCE, which have committed to diversify their portfolio of energy sources by increasing energy from wind and solar sources. No feature of the Project would interfere with implementation of SB 350. Additionally, the Project would be designed and constructed to implement the energy efficiency measures for new industrial developments and would include several measures designed to reduce energy consumption.

As shown above, the Project would not conflict with any of the state or local plans. As such, a less than significant impact is expected.

CONSISTENCY WITH CCAP

The Project would comply with applicable CAP checklist measures, compliance with the CCAP checklist measures would further reduce reliance on fossil fuels and expand the use of renewable energy.

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8 CERTIFICATIONS

The contents of this energy analysis report represent an accurate depiction of the environmental impacts associated with the proposed 5355 East Airport Drive. The information contained in this energy analysis report is based on the best available data at the time of preparation. If you have any questions, please contact me directly at hqureshi@urbanxroads.com.

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EDUCATION

Master of Science in Environmental Studies
California State University, Fullerton • May 2010

Bachelor of Arts in Environmental Analysis and Design
University of California, Irvine • June 2006

PROFESSIONAL AFFILIATIONS

AEP – Association of Environmental Planners
AWMA – Air and Waste Management Association
ASTM – American Society for Testing and Materials

PROFESSIONAL CERTIFICATIONS

Planned Communities and Urban Infill – Urban Land Institute • June 2011
Indoor Air Quality and Industrial Hygiene – EMSL Analytical • April 2008
Principles of Ambient Air Monitoring – California Air Resources Board • August 2007
AB2588 Regulatory Standards – Trinity Consultants • November 2006
Air Dispersion Modeling – Lakes Environmental • June 2006

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APPENDIX 4.1:

CALEEMOD EXISTING OPERATIONS EMISSIONS MODEL OUTPUTS

IE Distribution Center #14 (Existing Passenger Car Operations) Detailed Report

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1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Existing Passenger Car Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	41.8	1000sqft	0.96	41,780	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.29	2.16	0.98	12.8	0.02	0.04	0.80	0.85	0.04	0.14	0.18	39.7	3,803	3,842	4.23	0.11	1,122	5,104
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.92	1.82	1.03	8.94	0.02	0.04	0.80	0.84	0.04	0.14	0.18	39.7	3,615	3,655	4.24	0.12	1,114	4,909
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.90	1.80	0.89	8.16	0.02	0.04	0.59	0.63	0.04	0.10	0.14	39.7	3,086	3,126	4.22	0.10	1,116	4,378
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.16	0.33	0.16	1.49	< 0.005	0.01	0.11	0.11	0.01	0.02	0.03	6.57	511	518	0.70	0.02	185	725

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Mobile	0.92	0.84	0.54	10.7	0.02	0.01	0.80	0.81	0.01	0.14	0.15	—	2,242	2,242	0.08	0.05	8.87	2,269
Area	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	1.29	2.16	0.98	12.8	0.02	0.04	0.80	0.85	0.04	0.14	0.18	39.7	3,803	3,842	4.23	0.11	1,122	5,104
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.87	0.79	0.60	8.58	0.02	0.01	0.80	0.81	0.01	0.14	0.15	—	2,062	2,062	0.08	0.06	0.23	2,081
Area	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.92	1.82	1.03	8.94	0.02	0.04	0.80	0.84	0.04	0.14	0.18	39.7	3,615	3,655	4.24	0.12	1,114	4,909
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.63	0.57	0.45	6.56	0.02	0.01	0.59	0.59	0.01	0.10	0.11	—	1,528	1,528	0.06	0.04	2.80	1,545
Area	0.22	1.20	0.01	1.24	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.12	5.12	< 0.005	< 0.005	—	5.27
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.90	1.80	0.89	8.16	0.02	0.04	0.59	0.63	0.04	0.10	0.14	39.7	3,086	3,126	4.22	0.10	1,116	4,378
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.12	0.10	0.08	1.20	< 0.005	< 0.005	0.11	0.11	< 0.005	0.02	0.02	—	253	253	0.01	0.01	0.46	256
Area	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0

Energy	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	247	247	0.02	< 0.005	—	248
Water	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Waste	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	0.16	0.33	0.16	1.49	< 0.005	0.01	0.11	0.11	0.01	0.02	0.03	6.57	511	518	0.70	0.02	185	725

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.92	0.84	0.54	10.7	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,242	2,242	0.08	0.05	8.87	2,269
Total	0.92	0.84	0.54	10.7	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,242	2,242	0.08	0.05	8.87	2,269
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.87	0.79	0.60	8.58	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,062	2,062	0.08	0.06	0.23	2,081
Total	0.87	0.79	0.60	8.58	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,062	2,062	0.08	0.06	0.23	2,081

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.12	0.10	0.08	1.20	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	—	253	253	0.01	0.01	0.46	256
Total	0.12	0.10	0.08	1.20	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	—	253	253	0.01	0.01	0.46	256

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163
Total	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5
Total	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.32	0.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Total	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architectural	—	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.04	0.04	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87
Total	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Total	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

Total	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	207	17.5	7.02	55,311	3,007	254	102	802,453

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	62,670	20,890	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,027,373	349	0.0330	0.0040	794,266

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	9,661,625	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	39.3	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A

Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9

Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965

Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3

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Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification
Operations: Vehicle Data	Trip rates based on existing activities
Operations: Fleet Mix	Passenger Car Mix estimated based on the CalEEMod default fleet mix and the ratio of the vehicle classes (LDA, LDT1, LDT2, MDV, & MCY)
Operations: Energy Use	Electricity usage based on electricity bills provided by Applicant

IE Distribution Center #14 (Existing Truck Operations) Detailed Report

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1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Existing Truck Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	41.8	1000sqft	0.96	41,780	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.30	1.51	9.14	7.26	0.07	0.15	1.11	1.27	0.15	0.27	0.41	39.7	8,807	8,847	4.87	1.17	1,133	10,451
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.96	1.20	9.51	5.46	0.07	0.15	1.11	1.26	0.14	0.27	0.41	39.7	8,802	8,842	4.87	1.17	1,114	10,427
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.94	1.36	7.14	5.32	0.05	0.12	0.81	0.93	0.12	0.20	0.31	39.7	6,858	6,897	4.68	0.87	1,120	8,395
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.17	0.25	1.30	0.97	0.01	0.02	0.15	0.17	0.02	0.04	0.06	6.57	1,135	1,142	0.78	0.14	185	1,390

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Mobile	0.93	0.19	8.70	5.08	0.06	0.12	1.11	1.23	0.11	0.27	0.38	—	7,247	7,247	0.72	1.11	19.2	7,616
Area	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	1.30	1.51	9.14	7.26	0.07	0.15	1.11	1.27	0.15	0.27	0.41	39.7	8,807	8,847	4.87	1.17	1,133	10,451
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.92	0.18	9.08	5.10	0.06	0.12	1.11	1.23	0.11	0.27	0.38	—	7,249	7,249	0.72	1.12	0.50	7,600
Area	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.96	1.20	9.51	5.46	0.07	0.15	1.11	1.26	0.14	0.27	0.41	39.7	8,802	8,842	4.87	1.17	1,114	10,427
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.67	0.13	6.71	3.72	0.05	0.08	0.81	0.90	0.08	0.20	0.28	—	5,299	5,299	0.52	0.82	6.07	5,562
Area	0.22	1.20	0.01	1.24	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.12	5.12	< 0.005	< 0.005	—	5.27
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.94	1.36	7.14	5.32	0.05	0.12	0.81	0.93	0.12	0.20	0.31	39.7	6,858	6,897	4.68	0.87	1,120	8,395
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.12	0.02	1.22	0.68	0.01	0.02	0.15	0.16	0.01	0.04	0.05	—	877	877	0.09	0.14	1.01	921
Area	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0

Energy	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	247	247	0.02	< 0.005	—	248
Water	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Waste	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	0.17	0.25	1.30	0.97	0.01	0.02	0.15	0.17	0.02	0.04	0.06	6.57	1,135	1,142	0.78	0.14	185	1,390

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.93	0.19	8.70	5.08	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,247	7,247	0.72	1.11	19.2	7,616
Total	0.93	0.19	8.70	5.08	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,247	7,247	0.72	1.11	19.2	7,616
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.92	0.18	9.08	5.10	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,249	7,249	0.72	1.12	0.50	7,600
Total	0.92	0.18	9.08	5.10	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,249	7,249	0.72	1.12	0.50	7,600

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.12	0.02	1.22	0.68	0.01	0.02	0.08	0.09	0.01	0.02	0.04	—	877	877	0.09	0.14	1.01	921
Total	0.12	0.02	1.22	0.68	0.01	0.02	0.08	0.09	0.01	0.02	0.04	—	877	877	0.09	0.14	1.01	921

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163
Total	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5
Total	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.32	0.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Total	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Architectural	—	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.04	0.04	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87
Total	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Total	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

Total	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	106	8.93	3.57	28,184	2,337	198	79.1	623,606

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	62,670	20,890	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,027,373	349	0.0330	0.0040	794,266

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	9,661,625	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	39.3	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A

Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9

Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965

Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3

Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

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7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification
Operations: Vehicle Data	Trip rates based on existing activities
Operations: Fleet Mix	Truck Mix based on SCAQMD recommended truck mix
Operations: Energy Use	Electricity usage based on bills provided by the Applicant

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APPENDIX 5.1:

CALEEMOD PROJECT CONSTRUCTION EMISSIONS MODEL OUTPUTS

IE Distribution Center #14 (Construction) Detailed Report

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3.9. Building Construction (2024) - Unmitigated

3.11. Paving (2024) - Unmitigated

3.13. Architectural Coating (2024) - Unmitigated

4. Operations Emissions Details

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

5. Activity Data

5.1. Construction Schedule

5.2. Off-Road Equipment

5.2.1. Unmitigated

5.3. Construction Vehicles

5.3.1. Unmitigated

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

5.5. Architectural Coatings

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

5.6.2. Construction Earthmoving Control Strategies

5.7. Construction Paving

5.8. Construction Electricity Consumption and Emissions Factors

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

5.18.2. Sequestration

5.18.2.1. Unmitigated

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

6.2. Initial Climate Risk Scores

6.3. Adjusted Climate Risk Scores

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

7.2. Healthy Places Index Scores

7.3. Overall Health & Equity Scores

7.4. Health & Equity Measures

7.5. Evaluation Scorecard

8. User Changes to Default Data

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Construction)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

Parking Lot	299	Space	1.53	0.00	0.00	0.00	—	—
Other Asphalt Surfaces	161	1000sqft	3.68	0.00	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.13	47.2	39.6	71.8	0.13	0.38	9.62	9.95	0.36	4.00	4.32	—	15,836	15,836	0.86	0.60	10.9	16,044
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.08	47.1	30.4	53.5	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,589	9,589	0.43	0.25	0.28	9,674
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.67	4.08	10.5	18.5	0.03	0.13	1.31	1.44	0.12	0.45	0.57	—	3,729	3,729	0.19	0.12	1.43	3,770
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.12	0.74	1.92	3.37	0.01	0.02	0.24	0.26	0.02	0.08	0.10	—	617	617	0.03	0.02	0.24	624

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	2.13	1.77	39.6	71.8	0.13	0.33	9.62	9.95	0.32	4.00	4.32	—	15,836	15,836	0.86	0.60	9.37	16,044
2024	2.12	47.2	30.2	56.6	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,771	9,771	0.43	0.25	10.9	9,867
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	1.65	1.48	21.7	39.8	0.06	0.26	1.70	1.96	0.25	0.41	0.65	—	7,437	7,437	0.35	0.22	0.24	7,510
2024	2.08	47.1	30.4	53.5	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,589	9,589	0.43	0.25	0.28	9,674
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	0.67	0.59	10.5	18.5	0.03	0.13	1.31	1.44	0.12	0.45	0.57	—	3,729	3,729	0.19	0.12	1.43	3,770
2024	0.38	4.08	5.50	9.86	0.01	0.07	0.40	0.46	0.06	0.09	0.16	—	1,790	1,790	0.08	0.05	0.88	1,807
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	0.12	0.11	1.92	3.37	0.01	0.02	0.24	0.26	0.02	0.08	0.10	—	617	617	0.03	0.02	0.24	624
2024	0.07	0.74	1.00	1.80	< 0.005	0.01	0.07	0.08	0.01	0.02	0.03	—	296	296	0.01	0.01	0.14	299

3. Construction Emissions Details

3.1. Demolition (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.54	0.51	12.7	18.7	0.03	0.23	—	0.23	0.22	—	0.22	—	3,529	3,529	0.14	0.03	—	3,541

Demolitio	—	—	—	—	—	—	0.45	0.45	—	0.07	0.07	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.09	0.08	2.09	3.07	0.01	0.04	—	0.04	0.04	—	0.04	—	580	580	0.02	< 0.005	—	582
Demolitio n	—	—	—	—	—	—	0.07	0.07	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.02	0.38	0.56	< 0.005	0.01	—	0.01	0.01	—	0.01	—	96.0	96.0	< 0.005	< 0.005	—	96.4
Demolitio n	—	—	—	—	—	—	0.01	0.01	—	< 0.005	< 0.005	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.10	1.67	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	264	264	0.01	0.01	1.13	268
Vendor	0.04	0.01	0.38	0.20	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	317	317	0.03	0.05	0.87	332
Hauling	0.03	< 0.005	0.27	0.15	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	214	214	0.02	0.03	0.45	226
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Worker	0.02	0.02	0.02	0.22	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	40.4	40.4	< 0.005	< 0.005	0.08	41.0
Vendor	0.01	< 0.005	0.06	0.03	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	52.1	52.1	< 0.005	0.01	0.06	54.6
Hauling	< 0.005	< 0.005	0.05	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	35.2	35.2	< 0.005	0.01	0.03	37.0
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.04	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	6.69	6.69	< 0.005	< 0.005	0.01	6.78
Vendor	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	8.63	8.63	< 0.005	< 0.005	0.01	9.03
Hauling	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	5.84	5.84	< 0.005	< 0.005	0.01	6.13

3.3. Site Preparation (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.68	0.68	15.7	30.0	0.05	0.10	—	0.10	0.10	—	0.10	—	5,530	5,530	0.22	0.04	—	5,549
Dust From Material Movement	—	—	—	—	—	—	5.66	5.66	—	2.69	2.69	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.06	0.06	1.29	2.46	< 0.005	0.01	—	0.01	0.01	—	0.01	—	455	455	0.02	< 0.005	—	456

Dust From Material Movement	—	—	—	—	—	—	0.47	0.47	—	0.22	0.22	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.24	0.45	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	75.2	75.2	< 0.005	< 0.005	—	75.5
Dust From Material Movement	—	—	—	—	—	—	0.08	0.08	—	0.04	0.04	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.10	1.67	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	264	264	0.01	0.01	1.13	268
Vendor	0.02	< 0.005	0.19	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	158	158	0.01	0.02	0.44	166
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.11	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	20.2	20.2	< 0.005	< 0.005	0.04	20.5
Vendor	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	13.0	13.0	< 0.005	< 0.005	0.02	13.6
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	3.34	3.34	< 0.005	< 0.005	0.01	3.39
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.16	2.16	< 0.005	< 0.005	< 0.005	2

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Grading (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.82	0.82	19.9	36.2	0.06	0.18	—	0.18	0.18	—	0.18	—	6,715	6,715	0.27	0.05	—	6,738
Dust From Material Movement	—	—	—	—	—	—	2.67	2.67	—	0.98	0.98	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.07	0.07	1.64	2.97	0.01	0.02	—	0.02	0.01	—	0.01	—	552	552	0.02	< 0.005	—	554
Dust From Material Movement	—	—	—	—	—	—	0.22	0.22	—	0.08	0.08	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.30	0.54	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	91.4	91.4	< 0.005	< 0.005	—	91.7

Dust From Material Movement	—	—	—	—	—	—	0.04	0.04	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.12	0.11	0.11	1.85	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	294	294	0.01	0.01	1.26	298
Vendor	0.02	< 0.005	0.19	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	158	158	0.01	0.02	0.44	166
Hauling	0.37	0.06	3.43	1.91	0.02	0.03	0.20	0.23	0.03	0.07	0.10	—	2,716	2,716	0.31	0.43	5.65	2,857
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.12	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	22.4	22.4	< 0.005	< 0.005	0.04	22.8
Vendor	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	13.0	13.0	< 0.005	< 0.005	0.02	13.6
Hauling	0.03	< 0.005	0.30	0.16	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	223	223	0.03	0.04	0.20	235
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	3.72	3.72	< 0.005	< 0.005	0.01	3.77
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.16	2.16	< 0.005	< 0.005	< 0.005	2.26
Hauling	0.01	< 0.005	0.05	0.03	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	37.0	37.0	< 0.005	0.01	0.03	38.8

3.7. Building Construction (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,128
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,128
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.21	0.20	4.61	7.24	0.01	0.06	—	0.06	0.05	—	0.05	—	1,180	1,180	0.05	0.01	—	1,184
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.04	0.04	0.84	1.32	< 0.005	0.01	—	0.01	0.01	—	0.01	—	195	195	0.01	< 0.005	—	196
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.69	0.63	0.60	10.6	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,675	1,675	0.07	0.06	7.18	1,700
Vendor	0.09	0.02	0.94	0.51	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	792	792	0.07	0.12	2.19	831
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.65	0.59	0.70	7.94	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,534	1,534	0.07	0.06	0.19	1,553
Vendor	0.09	0.02	0.98	0.51	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	793	793	0.07	0.12	0.06	829
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.15	0.13	0.16	1.94	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	359	359	0.02	0.01	0.72	364
Vendor	0.02	< 0.005	0.23	0.12	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	183	183	0.02	0.03	0.22	192
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.03	0.02	0.03	0.35	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	59.5	59.5	< 0.005	< 0.005	0.12	60.3
Vendor	< 0.005	< 0.005	0.04	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	30.3	30.3	< 0.005	< 0.005	0.04	31.7
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.9. Building Construction (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,127
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,127
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.19	0.18	4.14	6.51	0.01	0.05	—	0.05	0.05	—	0.05	—	1,060	1,060	0.04	0.01	—	1,064
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	0.76	1.19	< 0.005	0.01	—	0.01	0.01	—	0.01	—	175	175	0.01	< 0.005	—	176
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.65	0.60	0.55	9.64	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,641	1,641	0.07	0.06	6.56	1,666
Vendor	0.08	0.02	0.90	0.48	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	784	784	0.06	0.12	2.19	822
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.62	0.56	0.65	7.29	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,504	1,504	0.07	0.06	0.17	1,523
Vendor	0.08	0.02	0.94	0.49	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	784	784	0.06	0.12	0.06	821
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.12	0.14	1.59	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	316	316	0.01	0.01	0.59	321
Vendor	0.02	< 0.005	0.20	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	163	163	0.01	0.02	0.20	170

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.29	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	52.4	52.4	< 0.005	< 0.005	0.10	53.1
Vendor	< 0.005	< 0.005	0.04	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	26.9	26.9	< 0.005	< 0.005	0.03	28.2
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.11. Paving (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.23	0.23	7.21	10.6	0.01	0.09	—	0.09	0.08	—	0.08	—	1,512	1,512	0.06	0.01	—	1,517
Paving	—	0.30	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.23	0.23	7.21	10.6	0.01	0.09	—	0.09	0.08	—	0.08	—	1,512	1,512	0.06	0.01	—	1,517
Paving	—	0.30	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	0.89	1.31	< 0.005	0.01	—	0.01	0.01	—	0.01	—	186	186	0.01	< 0.005	—	187
Paving	—	0.04	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.16	0.24	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	30.9	30.9	< 0.005	< 0.005	—	31.0
Paving	—	0.01	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.09	0.08	0.07	1.27	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	216	216	0.01	0.01	0.86	219
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.09	0.96	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	198	198	0.01	0.01	0.02	200
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.12	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	24.7	24.7	< 0.005	< 0.005	0.05	25.1
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	4.10	4.10	< 0.005	< 0.005	0.01	4.15
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.13. Architectural Coating (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	1.43	1.28	< 0.005	0.04	—	0.04	0.04	—	0.04	—	178	178	0.01	< 0.005	—	179
Architectural Coatings	—	44.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	1.43	1.28	< 0.005	0.04	—	0.04	0.04	—	0.04	—	178	178	0.01	< 0.005	—	179
Architectural Coatings	—	44.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.12	0.11	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	14.6	14.6	< 0.005	< 0.005	—	14.7
Architectural Coatings	—	3.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.02	0.02	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	2.42	2.42	< 0.005	< 0.005	—	2.43
Architectural Coatings	—	0.67	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.12	0.11	1.95	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	331	331	0.01	0.01	1.32	336
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.11	0.13	1.47	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	303	303	0.01	0.01	0.03	307
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.13	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	25.3	25.3	< 0.005	< 0.005	0.05	25.7
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	4.19	4.19	< 0.005	< 0.005	0.01	4.25
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

4. Operations Emissions Details

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Demolition	Demolition	5/2/2023	7/24/2023	5.00	60.0	—
Site Preparation	Site Preparation	7/25/2023	9/4/2023	5.00	30.0	—
Grading	Grading	7/25/2023	9/4/2023	5.00	30.0	—
Building Construction	Building Construction	9/5/2023	4/15/2024	5.00	160	—
Paving	Paving	2/13/2024	4/15/2024	5.00	45.0	—
Architectural Coating	Architectural Coating	3/5/2024	4/15/2024	5.00	30.0	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Demolition	Rubber Tired Dozers	Diesel	Tier 4 Interim	2.00	8.00	367	0.40

Demolition	Excavators	Diesel	Tier 4 Interim	3.00	8.00	36.0	0.38
Demolition	Concrete/Industrial Saws	Diesel	Tier 4 Interim	1.00	8.00	33.0	0.73
Site Preparation	Rubber Tired Dozers	Diesel	Tier 4 Interim	3.00	8.00	367	0.40
Grading	Graders	Diesel	Tier 4 Interim	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Grading	Scrapers	Diesel	Tier 4 Interim	2.00	8.00	423	0.48
Grading	Rubber Tired Dozers	Diesel	Tier 4 Interim	1.00	8.00	367	0.40
Building Construction	Forklifts	Diesel	Tier 4 Interim	5.00	8.00	82.0	0.20
Building Construction	Generator Sets	Diesel	Tier 4 Interim	2.00	8.00	14.0	0.74
Building Construction	Cranes	Diesel	Tier 4 Interim	2.00	8.00	367	0.29
Building Construction	Welders	Diesel	Tier 4 Interim	2.00	8.00	46.0	0.45
Paving	Pavers	Diesel	Tier 4 Interim	2.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Tier 4 Interim	2.00	8.00	89.0	0.36
Paving	Rollers	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Tier 4 Interim	1.00	8.00	37.0	0.48
Site Preparation	Crawler Tractors	Diesel	Tier 4 Interim	4.00	8.00	87.0	0.43
Grading	Crawler Tractors	Diesel	Tier 4 Interim	2.00	8.00	87.0	0.43
Building Construction	Crawler Tractors	Diesel	Tier 4 Interim	5.00	8.00	87.0	0.43
Demolition	Generator Sets	Diesel	Tier 4 Interim	1.00	8.00	14.0	0.74

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Demolition	—	—	—	—
Demolition	Worker	18.0	18.5	LDA,LDT1,LDT2
Demolition	Vendor	10.0	10.2	HHDT,MHDT

Demolition	Hauling	3.00	20.0	HHDT
Demolition	Onsite truck	0.00	0.00	HHDT
Site Preparation	—	—	—	—
Site Preparation	Worker	18.0	18.5	LDA,LDT1,LDT2
Site Preparation	Vendor	5.00	10.2	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	0.00	0.00	HHDT
Grading	—	—	—	—
Grading	Worker	20.0	18.5	LDA,LDT1,LDT2
Grading	Vendor	5.00	10.2	HHDT,MHDT
Grading	Hauling	38.0	20.0	HHDT
Grading	Onsite truck	0.00	0.00	HHDT
Building Construction	—	—	—	—
Building Construction	Worker	114	18.5	LDA,LDT1,LDT2
Building Construction	Vendor	25.0	10.2	HHDT,MHDT
Building Construction	Hauling	0.00	20.0	HHDT
Building Construction	Onsite truck	0.00	0.00	HHDT
Paving	—	—	—	—
Paving	Worker	15.0	18.5	LDA,LDT1,LDT2
Paving	Vendor	0.00	10.2	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	0.00	0.00	HHDT
Architectural Coating	—	—	—	—
Architectural Coating	Worker	23.0	18.5	LDA,LDT1,LDT2
Architectural Coating	Vendor	0.00	10.2	HHDT,MHDT
Architectural Coating	Hauling	0.00	20.0	HHDT
Architectural Coating	Onsite truck	0.00	0.00	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	415,727	138,576	13,629

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (Cubic Yards)	Material Exported (Cubic Yards)	Acres Graded (acres)	Material Demolished (Ton of Debris)	Acres Paved (acres)
Demolition	0.00	0.00	0.00	1,922	—
Site Preparation	0.00	0.00	105	0.00	—
Grading	0.00	9,000	120	0.00	—
Paving	0.00	0.00	0.00	0.00	5.21

5.6.2. Construction Earthmoving Control Strategies

Control Strategies Applied	Frequency (per day)	PM10 Reduction	PM2.5 Reduction
Water Exposed Area	3	74%	74%
Water Demolished Area	2	36%	36%

5.7. Construction Paving

Land Use	Area Paved (acres)	% Asphalt

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Unrefrigerated Warehouse-No Rail	0.00	0%
Refrigerated Warehouse-No Rail	0.00	0%
Parking Lot	1.53	100%
Other Asphalt Surfaces	3.68	100%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2023	0.00	532	0.03	< 0.005
2024	0.00	532	0.03	< 0.005

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A

Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
	1439

Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

1440

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—

Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5

1442

Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

1443

8. User Changes to Default Data

Screen	Justification
Land Use	Total Project Site is 13.08 acres
Construction: Construction Phases	Construction anticipated to end in April 2024
Construction: Off-Road Equipment	Construction equipment based on equipment needed for other industrial projects within the area
Construction: Trips and VMT	Vendor Trips adjusted based on CalEEMod defaults for Building Construction and number of days for Demolition, Site Preparation, Grading, and Building Construction
Construction: Architectural Coatings	Rule 1113

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APPENDIX 5.2:

CALEEMOD PROJECT OPERATIONS EMISSIONS MODEL OUTPUTS

IE Distribution Center #14 (Passenger Car Operations) Detailed Report

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1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Passenger Car Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

Parking Lot	299	Space	1.53	0.00	0.00	0.00	—	—
Other Asphalt Surfaces	161	1000sqft	3.68	0.00	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.75	9.84	3.77	29.9	0.05	0.25	1.18	1.43	0.25	0.20	0.45	257	8,875	9,132	26.6	0.41	6,525	16,442
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.60	7.85	3.76	15.0	0.05	0.23	1.18	1.41	0.23	0.20	0.43	257	8,562	8,818	26.6	0.41	6,512	16,117
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.68	8.85	3.60	20.1	0.04	0.24	0.86	1.10	0.24	0.15	0.39	257	7,811	8,068	26.6	0.39	6,516	15,364
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.49	1.61	0.66	3.67	0.01	0.04	0.16	0.20	0.04	0.03	0.07	42.5	1,293	1,336	4.40	0.06	1,079	2,544

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.35	1.23	0.80	15.7	0.03	0.01	1.18	1.19	0.01	0.20	0.21	—	3,299	3,299	0.11	0.08	13.1	3,338
Area	2.09	8.45	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	3.75	9.84	3.77	29.9	0.05	0.25	1.18	1.43	0.25	0.20	0.45	257	8,875	9,132	26.6	0.41	6,525	16,442
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.28	1.16	0.89	12.6	0.03	0.01	1.18	1.19	0.01	0.20	0.21	—	3,033	3,033	0.12	0.09	0.34	3,062
Area	—	6.52	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	1.60	7.85	3.76	15.0	0.05	0.23	1.18	1.41	0.23	0.20	0.43	257	8,562	8,818	26.6	0.41	6,512	16,117
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.93	0.85	0.67	9.65	0.02	0.01	0.86	0.87	0.01	0.15	0.16	—	2,250	2,250	0.08	0.06	4.12	2,275
Area	1.43	7.84	0.07	8.05	< 0.005	0.01	—	0.01	0.01	—	0.01	—	33.1	33.1	< 0.005	< 0.005	—	34.1
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512

Total	2.68	8.85	3.60	20.1	0.04	0.24	0.86	1.10	0.24	0.15	0.39	257	7,811	8,068	26.6	0.39	6,516	15,364
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.17	0.15	0.12	1.76	< 0.005	< 0.005	0.16	0.16	< 0.005	0.03	0.03	—	373	373	0.01	0.01	0.68	377
Area	0.26	1.43	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Energy	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	847	847	0.08	< 0.005	—	850
Water	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154
Waste	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078
Total	0.49	1.61	0.66	3.67	0.01	0.04	0.16	0.20	0.04	0.03	0.07	42.5	1,293	1,336	4.40	0.06	1,079	2,544

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	1.18	1.08	0.70	13.8	0.03	0.01	0.13	0.15	0.01	0.04	0.05	—	2,892	2,892	0.10	0.07	11.4	2,926
Refrigerated Warehouse-No Rail	0.17	0.15	0.10	1.94	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	407	407	0.01	0.01	1.61	412

Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	1.35	1.23	0.80	15.7	0.03	0.01	0.15	0.17	0.01	0.05	0.06	—	3,299	3,299	0.11	0.08	13.1	3,338
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	1.13	1.02	0.78	11.1	0.03	0.01	0.13	0.15	0.01	0.04	0.05	—	2,659	2,659	0.10	0.07	0.30	2,684
Refrigerated Warehouse-No Rail	0.16	0.14	0.11	1.56	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	374	374	0.01	0.01	0.04	378
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	1.28	1.16	0.89	12.6	0.03	0.01	0.15	0.17	0.01	0.05	0.06	—	3,033	3,033	0.12	0.09	0.34	3,062
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.15	0.14	0.11	1.54	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	327	327	0.01	0.01	0.60	330
Refrigerated Warehouse-No Rail	0.02	0.02	0.02	0.22	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	45.9	45.9	< 0.005	< 0.005	0.08	46.4

Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.17	0.15	0.12	1.76	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	373	373	0.01	0.01	0.68	377

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	55.8	55.8	0.01	< 0.005	—	56.1
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,695	1,695	0.16	0.02	—	1,704
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrige Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	55.8	55.8	0.01	< 0.005	—	56.1
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,695	1,695	0.16	0.02	—	1,704
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	178	178	0.02	< 0.005	—	179
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	93.6	93.6	0.01	< 0.005	—	94.1
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	9.23	9.23	< 0.005	< 0.005	—	9.29
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	281	281	0.03	< 0.005	—	282

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.45	0.38	< 0.005	0.03	—	0.03	0.03	—	0.03	—	491	491	0.04	< 0.005	—	492
Refrigerated Warehouse-No Rail	0.01	< 0.005	0.07	0.06	< 0.005	0.01	—	0.01	0.01	—	0.01	—	75.6	75.6	0.01	< 0.005	—	75.8
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	566	566	0.05	< 0.005	—	568

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.80	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architectural	—	0.72	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	2.09	1.93	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Total	2.09	8.45	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.80	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.72	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	6.52	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	1.06	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.26	0.24	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Total	0.26	1.43	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00

Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	17.8	61.4	79.3	1.84	0.04	—	138
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	1.98	6.83	8.81	0.20	< 0.005	—	15.4
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Unrefrige Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	20.4	0.00	20.4	2.04	0.00	—	71.4
Refrigera ted Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	2.27	0.00	2.27	0.23	0.00	—	7.93
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrige rated Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigera ted Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,074	1,074
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.56	4.56
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	267	23.5	9.37	71,399	3,878	340	136	1,035,864
Refrigerated Warehouse-No Rail	37.6	3.18	1.27	10,041	546	46.2	18.5	145,674
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	415,727	138,576	13,629

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,123,744	349	0.0330	0.0040	4,625,355
Refrigerated Warehouse-No Rail	591,921	349	0.0330	0.0040	712,190
Parking Lot	58,383	349	0.0330	0.0040	0.00
Other Asphalt Surfaces	0.00	349	0.0330	0.0040	0.00

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	56,263,819	1,048,248
Refrigerated Warehouse-No Rail	6,251,613	116,472
Parking Lot	0.00	0.00
Other Asphalt Surfaces	0.00	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	229	0.00
Refrigerated Warehouse-No Rail	25.4	0.00
Parking Lot	0.00	0.00
Other Asphalt Surfaces	0.00	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0
Refrigerated Warehouse-No Rail	Cold storage	User Defined	150	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A

Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9

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Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865

Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2

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Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—

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2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification
Land Use	Total Project Area is 13.08 acres
Operations: Vehicle Data	Trip rates based on information provided in ITE 11th Edition
Operations: Fleet Mix	Passenger Car Mix estimated based on the CalEEMod default fleet mix and the ratio of the vehicle classes (LDA, LDT1, LDT2, MDV, & MCY)
Operations: Refrigerants	As of 1 January 2022, new commercial refrigeration equipment may not use refrigerants with a GWP of 150 or greater.

IE Distribution Center #14 (Truck Operations) Detailed Report

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1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Truck Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.54	8.84	14.1	20.7	0.10	0.38	1.51	1.88	0.38	0.36	0.73	257	15,122	15,379	27.3	1.76	6,540	23,126
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.44	6.90	14.5	8.94	0.10	0.36	1.51	1.87	0.36	0.36	0.71	257	15,077	15,333	27.3	1.76	6,512	23,052
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.57	8.15	11.5	15.2	0.08	0.34	1.10	1.44	0.33	0.26	0.59	257	12,532	12,789	27.1	1.38	6,521	20,397
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.47	1.49	2.10	2.78	0.01	0.06	0.20	0.26	0.06	0.05	0.11	42.5	2,075	2,117	4.48	0.23	1,080	3,377

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Mobile	1.14	0.28	11.1	6.51	0.09	0.15	1.51	1.65	0.14	0.36	0.49	—	9,602	9,602	0.83	1.43	28.2	10,078
Area	2.09	8.40	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	3.54	8.84	14.1	20.7	0.10	0.38	1.51	1.88	0.38	0.36	0.73	257	15,122	15,379	27.3	1.76	6,540	23,126
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.13	0.27	11.6	6.53	0.09	0.15	1.51	1.65	0.14	0.36	0.49	—	9,604	9,604	0.83	1.44	0.73	10,054
Area	—	6.47	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	1.44	6.90	14.5	8.94	0.10	0.36	1.51	1.87	0.36	0.36	0.71	257	15,077	15,333	27.3	1.76	6,512	23,052
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.83	0.20	8.57	4.76	0.06	0.11	1.10	1.21	0.10	0.26	0.36	—	7,027	7,027	0.60	1.05	8.91	7,364
Area	1.43	7.79	0.07	8.05	< 0.005	0.01	—	0.01	0.01	—	0.01	—	33.1	33.1	< 0.005	< 0.005	—	34.1
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	2.57	8.15	11.5	15.2	0.08	0.34	1.10	1.44	0.33	0.26	0.59	257	12,532	12,789	27.1	1.38	6,521	20,397
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.15	0.04	1.56	0.87	0.01	0.02	0.20	0.22	0.02	0.05	0.07	—	1,163	1,163	0.10	0.17	1.47	1,219
Area	0.26	1.42	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5

Energy	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	838	838	0.08	< 0.005	—	841
Water	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154
Waste	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078
Total	0.47	1.49	2.10	2.78	0.01	0.06	0.20	0.26	0.06	0.05	0.11	42.5	2,075	2,117	4.48	0.23	1,080	3,377

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	1.00	0.24	9.79	5.66	0.08	0.13	0.65	0.77	0.12	0.21	0.33	—	8,521	8,521	0.73	1.28	24.4	8,945
Refrigerated Warehouse-No Rail	0.14	0.05	1.32	0.85	0.01	0.02	0.09	0.11	0.02	0.03	0.05	—	1,080	1,080	0.09	0.15	3.82	1,133
Total	1.14	0.28	11.1	6.51	0.09	0.15	0.74	0.88	0.14	0.24	0.38	—	9,602	9,602	0.83	1.43	28.2	10,078
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehou Rail	0.99	0.23	10.2	5.68	0.08	0.13	0.65	0.77	0.12	0.21	0.33	—	8,523	8,523	0.73	1.28	0.63	8,924
Refrigerated Warehouse-No Rail	0.14	0.04	1.38	0.85	0.01	0.02	0.09	0.11	0.02	0.03	0.05	—	1,081	1,081	0.09	0.16	0.10	1,129
Total	1.13	0.27	11.6	6.53	0.09	0.15	0.74	0.88	0.14	0.24	0.38	—	9,604	9,604	0.83	1.44	0.73	10,054
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.13	0.03	1.38	0.76	0.01	0.02	0.09	0.10	0.02	0.03	0.04	—	1,033	1,033	0.09	0.16	1.28	1,082
Refrigerated Warehouse-No Rail	0.02	0.01	0.19	0.11	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	131	131	0.01	0.02	0.20	137
Total	0.15	0.04	1.56	0.87	0.01	0.02	0.10	0.12	0.02	0.03	0.05	—	1,163	1,163	0.10	0.17	1.47	1,219

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,639	1,639	0.16	0.02	—	1,648
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,639	1,639	0.16	0.02	—	1,648
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	178	178	0.02	< 0.005	—	179
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	93.6	93.6	0.01	< 0.005	—	94.1
Total	—	—	—	—	—	—	—	—	—	—	—	—	271	271	0.03	< 0.005	—	273

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No	0.05	0.02	0.45	0.38	< 0.005	0.03	—	0.03	0.03	—	0.03	—	491	491	0.04	< 0.005	—	492
Refrigerated Warehouse-No Rail	0.01	< 0.005	0.07	0.06	< 0.005	0.01	—	0.01	0.01	—	0.01	—	75.6	75.6	0.01	< 0.005	—	75.8
Total	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	566	566	0.05	< 0.005	—	568

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.79	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	2.09	1.93	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Total	2.09	8.40	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Consumer Products	—	5.79	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	6.47	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	1.06	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.26	0.24	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Total	0.26	1.42	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836

Refrigera Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	17.8	61.4	79.3	1.84	0.04	—	138
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	1.98	6.83	8.81	0.20	< 0.005	—	15.4
Total	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	20.4	0.00	20.4	2.04	0.00	—	71.4

Refrigerated	—	—	—	—	—	—	—	—	—	—	—	2.27	0.00	2.27	0.23	0.00	—	7.93
Total	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484

Refrigerated Warehouse-No	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,074	1,074
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.56	4.56
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	**1501**

Remove	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	145	12.7	5.08	38,611	2,893	254	102	772,662
Refrigerated Warehouse-No Rail	21.8	1.84	0.74	5,813	413	34.9	14.0	110,224

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	405,506	135,169	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,123,744	349	0.0330	0.0040	4,625,355
Refrigerated Warehouse-No Rail	591,921	349	0.0330	0.0040	712,190

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	56,263,819	1,048,248
Refrigerated Warehouse-No Rail	6,251,613	116,472

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	229	0.00
Refrigerated Warehouse-No Rail	25.4	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0
Refrigerated Warehouse-No Rail	Cold storage	User Defined	150	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

1505

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6

Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686

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Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3

1509

High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9

1510

Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification

Land Use	Total Project Area (without Parking and Other Asphalt Surfaces) is 7.87 acres
Operations: Vehicle Data	Trip rates based on information provided in ITE 11th Edition
Operations: Fleet Mix	Truck Mix based on SCAQMD recommended truck mix
Operations: Refrigerants	As of 1 January 2022, new commercial refrigeration equipment may not use refrigerants with a GWP of 150 or greater.

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APPENDIX 5.3:

EMFAC2021

Source: EMFAC2021 (v1.0.2) Emissions Inventory
Region Type: Sub-Area
Region: San Bernardino (SC)
Calendar Year: 2023
Season: Annual
Vehicle Classification: EMFAC2007 Categories
Units: miles/year for CVMT and EVMT, trips/year for Trips, kWh/year for Energy Consumption, tons/year for Emissions, 1000 gallons/year for Fuel Consumption

Region	CalYr	VehClass	MdlYr	Speed	Fuel	Population	VMT	Fuel_Consumption	Fuel_Consumption	Total Fuel	VMT	Total VMT	Miles per Gallon	Vehicle Class
San Bernardino (SC)	2023	HHDT	Aggregate	Aggregate	Gasoline	7.139920774	72989.87996	20.21856385	20218.56385	99151757.36	72989.87996	589074824.8	5.94	HHDT
San Bernardino (SC)	2023	HHDT	Aggregate	Aggregate	Diesel	13684.27912	540336552.4	91207.74228	91207742.28		540336552.4			
San Bernardino (SC)	2023	HHDT	Aggregate	Aggregate	Electricity	11.071794	215446.3538	0	0		215446.3538			
San Bernardino (SC)	2023	HHDT	Aggregate	Aggregate	Natural Gas	2370.144029	48449836.15	7923.79652	7923796.52		48449836.15			
San Bernardino (SC)	2023	LDA	Aggregate	Aggregate	Gasoline	461483.7292	7017524717	240236.635	240236635	244016564.2	7017524717	7487517958	30.68	LDA
San Bernardino (SC)	2023	LDA	Aggregate	Aggregate	Diesel	1109.597168	14054225.57	328.8623383	328862.3383		14054225.57			
San Bernardino (SC)	2023	LDA	Aggregate	Aggregate	Electricity	15706.1209	253061679.4	0	0		253061679.4			
San Bernardino (SC)	2023	LDA	Aggregate	Aggregate	Plug-in Hybrid	11324.38067	202877335.8	3451.066904	3451066.904		202877335.8			
San Bernardino (SC)	2023	LDT1	Aggregate	Aggregate	Gasoline	41702.74967	497957156.2	20670.57095	20670570.95	20682315.81	497957156.2	499223706.1	24.14	LDT1
San Bernardino (SC)	2023	LDT1	Aggregate	Aggregate	Diesel	11.94633759	62720.48759	2.576524841	2576.524841		62720.48759			
San Bernardino (SC)	2023	LDT1	Aggregate	Aggregate	Electricity	40.25061846	615040.0246	0	0		615040.0246			
San Bernardino (SC)	2023	LDT1	Aggregate	Aggregate	Plug-in Hybrid	32.95928492	588789.4236	9.168334976	9168.334976		588789.4236			
San Bernardino (SC)	2023	LDT2	Aggregate	Aggregate	Gasoline	187695.2776	2666362554	113026.4187	113026418.7	113612136.3	2666362554	2706014469	23.82	LDT2
San Bernardino (SC)	2023	LDT2	Aggregate	Aggregate	Diesel	481.5963709	7444176.325	228.9034375	228903.4375		7444176.325			
San Bernardino (SC)	2023	LDT2	Aggregate	Aggregate	Electricity	809.1431596	10220716.39	0	0		10220716.39			
San Bernardino (SC)	2023	LDT2	Aggregate	Aggregate	Plug-in Hybrid	1266.994818	21987022.61	356.8141273	356814.1273		21987022.61			
San Bernardino (SC)	2023	LHDT1	Aggregate	Aggregate	Gasoline	17369.10468	208190922.4	15725.14829	15725148.29	22649955.03	208190922.4	350031821.2	15.45	LHDT1
San Bernardino (SC)	2023	LHDT1	Aggregate	Aggregate	Diesel	11340.4221	141840898.9	6924.806743	6924806.743		141840898.9			
San Bernardino (SC)	2023	LHDT2	Aggregate	Aggregate	Gasoline	2940.213764	34218739.32	2893.121173	2893121.173	6421373.81	34218739.32	94438257.25	14.71	LHDT2
San Bernardino (SC)	2023	LHDT2	Aggregate	Aggregate	Diesel	4748.518724	60219517.93	3528.252637	3528252.637		60219517.93			
San Bernardino (SC)	2023	MCY	Aggregate	Aggregate	Gasoline	20689.98168	42836654.11	1024.529799	1024529.799	1024529.799	42836654.11	42836654.11	41.81	MCY
San Bernardino (SC)	2023	MDV	Aggregate	Aggregate	Gasoline	147303.3129	2011093605	104722.9308	104722930.8	106121590.4	2011093605	2063737500	19.45	MDV
San Bernardino (SC)	2023	MDV	Aggregate	Aggregate	Diesel	1912.856517	27101379.22	1153.981539	1153981.539		27101379.22			
San Bernardino (SC)	2023	MDV	Aggregate	Aggregate	Electricity	883.4710394	11157327.81	0	0		11157327.81			
San Bernardino (SC)	2023	MDV	Aggregate	Aggregate	Plug-in Hybrid	823.221551	14385188.28	244.6781301	244678.1301		14385188.28			
San Bernardino (SC)	2023	MH	Aggregate	Aggregate	Gasoline	3595.119651	10460741.91	2131.45052	2131450.52	2521132.488	10460741.91	14451897.96	5.73	MH
San Bernardino (SC)	2023	MH	Aggregate	Aggregate	Diesel	1340.055605	3991156.05	389.6819685	389681.9685		3991156.05			
San Bernardino (SC)	2023	MHDT	Aggregate	Aggregate	Gasoline	1500.364507	26043135.77	5038.733349	5038733.349	27656121.37	26043135.77	228746120.4	8.27	MHDT
San Bernardino (SC)	2023	MHDT	Aggregate	Aggregate	Diesel	14608.25407	199805820.7	22288.42278	22288422.78		199805820.7			
San Bernardino (SC)	2023	MHDT	Aggregate	Aggregate	Electricity	9.224784632	63608.15122	0	0		63608.15122			
San Bernardino (SC)	2023	MHDT	Aggregate	Aggregate	Natural Gas	184.1702325	2833555.784	328.9652465	328965.2465		2833555.784			
San Bernardino (SC)	2023	OBUS	Aggregate	Aggregate	Gasoline	384.9686335	5415956.324	1063.297516	1063297.516	1724023.258	5415956.324	10403786.09	6.03	OBUS
San Bernardino (SC)	2023	OBUS	Aggregate	Aggregate	Diesel	208.3404962	4425212.016	597.3315243	597331.5243		4425212.016			
San Bernardino (SC)	2023	OBUS	Aggregate	Aggregate	Natural Gas	31.52138873	562617.7521	63.3942171	63394.2171		562617.7521			
San Bernardino (SC)	2023	SBUS	Aggregate	Aggregate	Gasoline	294.5939953	4514535.962	505.0559552	505055.9552	1611072.188	4514535.962	10332913.93	6.41	SBUS
San Bernardino (SC)	2023	SBUS	Aggregate	Aggregate	Diesel	382.1050011	2616781.695	356.3903036	356390.3036		2616781.695			
San Bernardino (SC)	2023	SBUS	Aggregate	Aggregate	Electricity	0.69336851	2637.406802	0	0		2637.406802			
San Bernardino (SC)	2023	SBUS	Aggregate	Aggregate	Natural Gas	385.616886	3198958.869	749.6259288	749625.9288		3198958.869			
San Bernardino (SC)	2023	UBUS	Aggregate	Aggregate	Gasoline	54.60967225	1714542.424	140.3696548	140369.6548	2776335.306	1714542.424	13093887.88	4.72	UBUS
San Bernardino (SC)	2023	UBUS	Aggregate	Aggregate	Diesel	4.556959009	147096.8417	14.11747797	14117.47797		147096.8417			
San Bernardino (SC)	2023	UBUS	Aggregate	Aggregate	Electricity	0.433186591	14102.7389	0	0		14102.7389			
San Bernardino (SC)	2023	UBUS	Aggregate	Aggregate	Natural Gas	249.7401785	11218145.87	2621.848173	2621848.173		11218145.87			

Source: EMFAC2021 (v1.0.2) Emissions Inventory
Region Type: Sub-Area
Region: San Bernardino (SC)
Calendar Year: 2024
Season: Annual
Vehicle Classification: EMFAC2007 Categories
Units: miles/year for CVMT and EVMT, trips/year for Trips, kWh/year for Energy Consumption, tons/year for Emissions, 1000 gallons/year for Fuel Consumption

Region	CalYr	VehClass	MdlYr	Speed	Fuel	Population	VMT	Fuel_Consumption	Fuel_Consumption	Total Fuel	VMT	Total VMT	Miles per Gallon	Vehicle Class
San Bernardino (SC)	2024	HHDT	Aggregate	Aggregate	Gasoline	5.565987525	65632.20065	17.55506745	17555.06745	100020707.1	65632.20065	602650321.4	6.03	HHDT
San Bernardino (SC)	2024	HHDT	Aggregate	Aggregate	Diesel	14231.95658	551042326.4	92002.9329	92002932.9		551042326.4			
San Bernardino (SC)	2024	HHDT	Aggregate	Aggregate	Electricity	48.62871821	1514395.863	0	0		1514395.863			
San Bernardino (SC)	2024	HHDT	Aggregate	Aggregate	Natural Gas	2469.470738	50027966.96	8000.219124	8000219.124		50027966.96			
San Bernardino (SC)	2024	LDA	Aggregate	Aggregate	Gasoline	459317.1397	6998203711	235268.3364	235268336.4	239249877	6998203711	7553967064	31.57	LDA
San Bernardino (SC)	2024	LDA	Aggregate	Aggregate	Diesel	1047.589492	13077704.42	304.6940031	304694.0031		13077704.42			
San Bernardino (SC)	2024	LDA	Aggregate	Aggregate	Electricity	19287.2826	319989461.8	0	0		319989461.8			
San Bernardino (SC)	2024	LDA	Aggregate	Aggregate	Plug-in Hybrid	12500.45848	222696187.4	3676.846561	3676846.561		222696187.4			
San Bernardino (SC)	2024	LDT1	Aggregate	Aggregate	Gasoline	40725.35771	490115573.8	19992.18901	19992189.01	20008289.61	490115573.8	492044217.3	24.59	LDT1
San Bernardino (SC)	2024	LDT1	Aggregate	Aggregate	Diesel	10.72175816	55107.22369	2.270239442	2270.239442		55107.22369			
San Bernardino (SC)	2024	LDT1	Aggregate	Aggregate	Electricity	58.29951204	952224.2422	0	0		952224.2422			
San Bernardino (SC)	2024	LDT1	Aggregate	Aggregate	Plug-in Hybrid	51.79076029	921312.0144	13.83036618	13830.36618		921312.0144			
San Bernardino (SC)	2024	LDT2	Aggregate	Aggregate	Gasoline	192654.7494	2757561092	113913.4167	113913416.7	114588210.3	2757561092	2808082925	24.51	LDT2
San Bernardino (SC)	2024	LDT2	Aggregate	Aggregate	Diesel	520.896721	8078084.967	243.685157	243685.157		8078084.967			
San Bernardino (SC)	2024	LDT2	Aggregate	Aggregate	Electricity	1199.246991	15005145.59	0	0		15005145.59			
San Bernardino (SC)	2024	LDT2	Aggregate	Aggregate	Plug-in Hybrid	1594.625518	27438602.16	431.1084869	431108.4869		27438602.16			
San Bernardino (SC)	2024	LHDT1	Aggregate	Aggregate	Gasoline	17179.49082	208481689.1	15346.53488	15346534.88	22275281.21	208481689.1	352257356.3	15.81	LHDT1
San Bernardino (SC)	2024	LHDT1	Aggregate	Aggregate	Diesel	11382.09786	142493007.5	6928.746332	6928746.332		142493007.5			
San Bernardino (SC)	2024	LHDT1	Aggregate	Aggregate	Electricity	52.7403112	1282659.757	0	0		1282659.757			
San Bernardino (SC)	2024	LHDT2	Aggregate	Aggregate	Gasoline	2883.702401	33531637.34	2787.053647	2787053.647	6339312.387	33531637.34	94885856.62	14.97	LHDT2
San Bernardino (SC)	2024	LHDT2	Aggregate	Aggregate	Diesel	4825.532255	61039665.72	3552.258741	3552258.741		61039665.72			
San Bernardino (SC)	2024	LHDT2	Aggregate	Aggregate	Electricity	13.65084178	314553.5538	0	0		314553.5538			
San Bernardino (SC)	2024	MCY	Aggregate	Aggregate	Gasoline	20751.92893	42918713.78	1022.38967	1022389.67	1022389.67	42918713.78	42918713.78	41.98	MCY
San Bernardino (SC)	2024	MDV	Aggregate	Aggregate	Gasoline	147141.1277	2023247300	102986.2138	102986213.8	104408638.9	2023247300	2084683084	19.97	MDV
San Bernardino (SC)	2024	MDV	Aggregate	Aggregate	Diesel	1910.88318	26864024.48	1129.452064	1129452.064		26864024.48			
San Bernardino (SC)	2024	MDV	Aggregate	Aggregate	Electricity	1327.48959	16604056.61	0	0		16604056.61			
San Bernardino (SC)	2024	MDV	Aggregate	Aggregate	Plug-in Hybrid	1028.690257	17967703.21	292.9729803	292972.9803		17967703.21			
San Bernardino (SC)	2024	MH	Aggregate	Aggregate	Gasoline	3401.970527	9880592.437	2022.448199	2022448.199	2408282.462	9880592.437	13826961.78	5.74	MH
San Bernardino (SC)	2024	MH	Aggregate	Aggregate	Diesel	1336.39751	3946369.345	385.834263	385834.263		3946369.345			
San Bernardino (SC)	2024	MHDT	Aggregate	Aggregate	Gasoline	1460.602089	25635396.94	4923.389143	4923389.143	27935606.17	25635396.94	232314319.3	8.32	MHDT
San Bernardino (SC)	2024	MHDT	Aggregate	Aggregate	Diesel	14946.4736	202976493.9	22669.39063	22669390.63		202976493.9			
San Bernardino (SC)	2024	MHDT	Aggregate	Aggregate	Electricity	46.13645649	737631.427	0	0		737631.427			
San Bernardino (SC)	2024	MHDT	Aggregate	Aggregate	Natural Gas	195.6757264	2964797.055	342.8264	342826.4		2964797.055			
San Bernardino (SC)	2024	OBUS	Aggregate	Aggregate	Gasoline	370.0192137	5168863.655	1012.113043	1012113.043	1678725.582	5168863.655	10209810.25	6.08	OBUS
San Bernardino (SC)	2024	OBUS	Aggregate	Aggregate	Diesel	210.5519789	4437514.629	600.0645542	600064.5542		4437514.629			
San Bernardino (SC)	2024	OBUS	Aggregate	Aggregate	Electricity	0.809761934	21328.84548	0	0		21328.84548			
San Bernardino (SC)	2024	OBUS	Aggregate	Aggregate	Natural Gas	32.78528924	582103.1254	66.54798496	66547.98496		582103.1254			
San Bernardino (SC)	2024	SBUS	Aggregate	Aggregate	Gasoline	297.8692006	4585227.496	511.4311108	511431.1108	1619236.79	4585227.496	10410441.24	6.43	SBUS
San Bernardino (SC)	2024	SBUS	Aggregate	Aggregate	Diesel	373.2941498	2533365.656	344.1451415	344145.1415		2533365.656			
San Bernardino (SC)	2024	SBUS	Aggregate	Aggregate	Electricity	2.213199982	18416.70512	0	0		18416.70512			
San Bernardino (SC)	2024	SBUS	Aggregate	Aggregate	Natural Gas	398.7600331	3273431.384	763.6605376	763660.5376		3273431.384			
San Bernardino (SC)	2024	UBUS	Aggregate	Aggregate	Gasoline	54.72012078	1718010.1	132.909217	132909.217	2702138.875	1718010.1	13120370.38	4.86	UBUS
San Bernardino (SC)	2024	UBUS	Aggregate	Aggregate	Diesel	4.556959009	147096.8417	14.21429006	14214.29006		147096.8417			
San Bernardino (SC)	2024	UBUS	Aggregate	Aggregate	Electricity	7.328344802	363414.4038	0	0		363414.4038			
San Bernardino (SC)	2024	UBUS	Aggregate	Aggregate	Natural Gas	243.3602145	10891849.03	2555.015368	2555015.368		10891849.03			

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GEOTECHNICAL INVESTIGATION
PROPOSED WAREHOUSE
5355 East Airport Drive
Ontario, California
for
Prologis

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

1518

March 9, 2022

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Prologis
17777 Center Court Drive North, Suite 100
Cerritos, California 90703

Attention: Mr. John Carter
Director, Project Management

Project No.: 22G128-1

Subject: Geotechnical Investigation
Proposed Warehouse
5355 East Airport Drive
Ontario, California

Dear Mr. Carter:

In accordance with your request, we have conducted a geotechnical investigation at the subject site. We are pleased to present this report summarizing the conclusions and recommendations developed from our investigation.

We sincerely appreciate the opportunity to be of service on this project. We look forward to providing additional consulting services during the course of the project. If we may be of further assistance in any manner, please contact our office.

Respectfully Submitted,

SOUTHERN CALIFORNIA GEOTECHNICAL, INC.

Joseph Lozano Leon
Staff Engineer

REGISTERED PROFESSIONAL ENGINEER
ROBERT TRAZO
No. 2655
GEOTECHNICAL
STATE OF CALIFORNIA

Robert G. Trazo, M.Sc., GE 2655
Principal Engineer

Distribution: (1) Addressee

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1.0 EXECUTIVE SUMMARY

Presented below is a brief summary of the conclusions and recommendations of this investigation. Since this summary is not all inclusive, it should be read in complete context with the entire report.

Geotechnical Design Considerations

- Artificial fill soils were encountered beneath the existing pavements and at the ground surface at all of the boring locations, extending to depths of 2½ to 6½± feet below the existing site grades.
- Results of laboratory testing indicate that the fill soils are compressible when loaded and may be subject to hydrocollapse when inundated with water. These soils, in their present condition, are not considered suitable for support of the foundation loads of the new structure.
- The fill soils and near-surface alluvial soils possess varying strengths. The results of laboratory testing indicate that the near-surface soils within the upper 5 to 6± feet possess a slight to moderate potential for collapse when exposed to moisture infiltration as well as consolidation when exposed to load increases in the range of those that will be exerted by the new foundations.
- It is anticipated that demolition of the existing structures and associated improvements will cause disturbance of the upper 5 to 6± feet of soil.
- Remedial grading is considered warranted within the proposed building area in order to remove all of the undocumented fill soils in their entirety and any soils disturbed during the demolition process, and replace these materials as compacted structural fill soils.

Site Preparation Recommendations

- Demolition of the existing structures and pavements will be required in order to facilitate construction of the new development. Demolition should also include all utilities and any other subsurface improvements that will not remain in place for use with the new development. Debris resultant from demolition should be disposed of off-site. Alternatively, concrete and asphalt debris may be pulverized to a maximum 2-inch particle size mixed with on-site sandy soils, and reutilized as compacted structural fill, or it may be crushed into miscellaneous base (CMB).
- Existing vegetation and organic materials within the landscape areas should be disposed of off-site, or in non-structural areas of the property.
- Remedial grading is recommended to be performed within the proposed building area in order to remove all of the undocumented fill soils in their entirety, the upper portion of the near-surface native alluvial soils, and any soils disturbed during the demolition process. The soils within the proposed building area should be overexcavated to a depth of 5 feet below existing grade and to a depth of at least 3 feet below proposed building pad subgrade elevations.
- The depth of overexcavation should also be sufficient to remove any existing fill soils. The proposed foundation influence zones should be overexcavated to a depth of at least 3 feet below proposed foundation bearing grade.
- Following completion of the overexcavation, the resulting subgrade soils should be evaluated by the geotechnical engineer to identify any additional soils that should be overexcavated. The resulting soils should be scarified and moisture conditioned to achieve a moisture content of 0 to 4 percent above optimum moisture, to a depth of at least 12 inches. The

overexcavation subgrade soils should then be recompacted under the observation of the geotechnical engineer. The previously excavated soils may then be replaced as compacted structural fill. All structural fill soils should be compacted to at least 90 percent of the ASTM D-1557 maximum dry density.

- The new pavement and flatwork subgrade soils are recommended to be scarified to a depth of 12± inches, moisture conditioned and recompacted to at least 90 percent of the ASTM D-1557 maximum dry density.
- Based on the results of corrosivity testing, the on-site soils are considered to be corrosive to ductile iron pipe.

Foundation Design Recommendations

- Conventional shallow foundations, supported in newly placed compacted fill.
- 2,500 lbs/ft^2 maximum allowable soil bearing pressure.
- Reinforcement consisting of at least two (2) No. 5 rebars (1 top and 1 bottom) in strip footings. Additional reinforcement may be necessary for structural considerations.

Building Floor Slab Design Recommendations

- Conventional Slab-on-Grade: minimum 6 inches thick.
- Modulus of Subgrade Reaction: k = 150 psi/in.
- Reinforcement is not expected to be necessary for geotechnical considerations. The actual thickness and reinforcement of the floor slab should be determined by the structural engineer.

Pavement Design Recommendations

ASPHALT PAVEMENTS (R = 40)					
Materials	Thickness (inches)				
	Auto Parking and Auto Drive Lanes (TI = 4.0 to 5.0)	Truck Traffic			
		TI = 6.0	TI = 7.0	TI = 8.0	TI = 9.0
Asphalt Concrete	3	3½	4	5	5½
Aggregate Base	4	6	7	8	10
Compacted Subgrade	12	12	12	12	12

PORTLAND CEMENT CONCRETE PAVEMENTS (R = 40)				
Materials	Thickness (inches)			
	Autos and Light Truck Traffic (TI = 6.0)	Truck Traffic Areas		
		TI =7.0	TI =8.0	TI =9.0
PCC	5	5½	6½	8
Compacted Subgrade (95% minimum compaction)	12	12	12	12

2.0 SCOPE OF SERVICES

The scope of services performed for this project was in accordance with our Proposal No. 22P129, dated January 21, 2022. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundations, building floor slab, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspects of this site was beyond the scope of services for this geotechnical investigation.

3.0 SITE AND PROJECT DESCRIPTION

3.1 Site Conditions

The subject site is located on the north side of East Airport Drive, 1,310± feet east of the intersection of South Wineville Avenue and East Airport Drive in Ontario, California. The site is also referenced by the street address 5355 East Airport Drive. The site is bounded to the north by Union Pacific railroad tracks, to the east and west by an industrial development, and to the south by East Airport Drive. The general location of the site is illustrated on the Site Location Map, enclosed as Plate 1 in Appendix A of this report.

The site consists of an irregular-shaped property, 14.58± acres in size. The site is developed to manufacture and store animal feed grains. The development includes several buildings and shed structures ranging in size from 2,200± ft^2 to 20,175± ft^2, and several silos and above-ground storage tanks (ASTs) primarily located in the north-central region of the site. The existing structures are generally of concrete tilt-up and/or metal-framed construction, and are presumed to be supported on conventional shallow foundations with concrete slab-on-grade floors. The existing structures are generally surrounded by asphaltic concrete (AC) pavements, with isolated areas of Portland cement concrete (PCC), aggregate base pavements, and exposed soils in the south-central portion of the site. The existing pavements are in poor condition, with moderate to severe cracking throughout. Two medium-size trees are present in the south-central region of the site.

Detailed topographic information was not available at the time of this report. Based on elevations obtained from Google Earth and visual observations made at the time of the subsurface investigation, the site slopes gently to the south-southeast at a gradient of less than 1 percent.

3.2 Proposed Development

A preliminary site plan, identified as Scheme 01 and prepared by RGA, for the proposed development was provided to our office by the client. Based on this plan, the subject site will be developed with a 259,189± ft^2 warehouse, located in the north-central region of the site. Dock-high doors will be constructed along a portion of the south building wall. The proposed building is expected to be surrounded by AC pavements in the parking and drive areas, PCC pavements in the loading dock area, and concrete flatwork and landscaped planters throughout the site.

Detailed structural information has not been provided. It is assumed that the new building will be a single-story structure of tilt-up concrete construction, supported on a conventional shallow foundation system with a concrete slab-on-grade floor. Based on the assumed construction, maximum column and wall loads are expected to be on the order of 100 kips and 4 to 7 kips per linear foot, respectively.

No significant amounts of below-grade construction, such as basements or crawl spaces, are expected to be included in the proposed development. Based on the assumed topography, cuts

and fills of up to 3± feet are expected to be necessary to achieve the proposed building pad grades. It should be noted that this estimate does not include any remedial grading recommendations which are presented in a subsequent section of this report.

4.0 SUBSURFACE EXPLORATION

4.1 Scope of Exploration/Sampling Methods

The subsurface exploration conducted for this project consisted of five (5) borings (identified as Boring Nos. B-1 through B-5) advanced to depths of 20 to 30± feet below the existing site grades. All of the borings were logged during drilling by a member of our staff.

The borings were advanced with hollow-stem augers, by a conventional truck-mounted drilling rig. Representative bulk and relatively undisturbed soil samples were taken during drilling. Relatively undisturbed soil samples were taken with a split barrel "California Sampler" containing a series of one inch long, 2.416± inch diameter brass rings. This sampling method is described in ASTM Test Method D-3550. In-situ samples were also taken using a 1.4± inch inside diameter split spoon sampler, in general accordance with ASTM D-1586. Both of these samplers are driven into the ground with successive blows of a 140-pound weight falling 30 inches. The blow counts obtained during driving are recorded for further analysis. Bulk samples were collected in plastic bags to retain their original moisture content. The relatively undisturbed ring samples were placed in molded plastic sleeves that were then sealed and transported to our laboratory.

The approximate locations of the borings are indicated on the Boring Location Plan, included as Plate 2 in Appendix A of this report. The Boring Logs, which illustrate the conditions encountered at the boring locations, as well as the results of some of the laboratory testing, are included in Appendix B.

4.2 Geotechnical Conditions

Pavements

AC pavements were encountered at the ground surface of Boring Nos. B-1 through B-4. The pavement sections generally consist of 0 to 2½± inches of AC, underlain by 1 to 3½± inches of aggregate base.

Artificial Fill

Artificial fill soils were encountered beneath the existing pavements at Boring Nos. B-1 through B-4 and at the ground surface at Boring No. B-5, extending to depths of 2½ to 6½± feet below the existing site grades. The fill soils generally consist of loose to medium dense sands and silty sands, with occasional dense silty sands. The fill soils possess a disturbed and mottled appearance resulting in their classification as artificial fill.

Alluvium

Native alluvium was encountered beneath the artificial fill soils at all of the boring locations, extending to at least the maximum depth explored of 30± feet below existing site grades. The near-surface alluvium generally consists of loose to medium dense sands and sandy silts, extending to depths of 6½ to 12± feet. At greater depths, the alluvium generally consists of medium dense to dense sands, silty sands and sandy silts. Boring No. B-3 encountered a stratum of very dense silty sands and sandy silts at a depth of 14 to 17± feet. Boring No. B-5 encountered a stratum of loose well-graded sands at a depth of 12 to 17± feet.

Groundwater

Free water was not encountered during the drilling of any of the borings. Based on the lack of any water within the borings and the moisture contents of the recovered soil samples, the static groundwater is considered to have existed at a depth in excess of 30± feet at the time of the subsurface exploration.

As part of our research, we reviewed available groundwater data in order to determine groundwater levels for the site. Water level data was obtained from the California Department of Water Resources Water Data Library website, https://wdl.water.ca.gov/waterdatalibrary/. The nearest monitoring well on record (identified as State Well Number: 01S06W29H001S) is located 3,400± feet southeast of the project site. Water level readings within this monitoring well indicate a high groundwater level of 277± feet below the ground surface in April 2019.

5.0 LABORATORY TESTING

The soil samples recovered from the subsurface exploration were returned to our laboratory for further testing to determine selected physical and engineering properties of the soils. The tests are briefly discussed below. It should be noted that the test results are specific to the actual samples tested, and variations could be expected at other locations and depths.

Classification

All recovered soil samples were classified using the Unified Soil Classification System (USCS), in accordance with ASTM D-2488. The field identifications were then supplemented with additional visual classifications and/or by laboratory testing. The USCS classifications are shown on the Boring Logs and are periodically referenced throughout this report.

Density and Moisture Content

The density has been determined for selected relatively undisturbed ring samples. These densities were determined in general accordance with the method presented in ASTM D-2937. The results are recorded as dry unit weight in pounds per cubic foot. The moisture contents are determined in accordance with ASTM D-2216, and are expressed as a percentage of the dry weight. These test results are presented on the Boring Logs.

Consolidation

Selected soil samples have been tested to determine their consolidation potential, in accordance with ASTM D-2435. The testing apparatus is designed to accept either natural or remolded samples in a one-inch high ring, approximately 2.416 inches in diameter. Each sample is then loaded incrementally in a geometric progression and the resulting deflection is recorded at selected time intervals. Porous stones are in contact with the top and bottom of the sample to permit the addition or release of pore water. The samples are typically inundated with water at an intermediate load to determine their potential for collapse or heave. The results of the consolidation testing are plotted on Plates C-1 through C-8 in Appendix C of this report.

Maximum Dry Density and Optimum Moisture Content

One representative bulk sample has been tested for its maximum dry density and optimum moisture content. The results have been obtained using the Modified Proctor procedure, per ASTM D-1557 and are presented on Plate C-9 in Appendix C of this report. This test is generally used to compare the in-situ densities of undisturbed field samples, and for later compaction testing. Additional testing of other soil types or soil mixes may be necessary at a later date.

Soluble Sulfates

A representative sample of the near-surface soil was submitted to a subcontracted analytical laboratory for determination of soluble sulfate content. Soluble sulfates are naturally present in soils, and if the concentration is high enough, can result in degradation of concrete which comes

into contact with these soils. The results of the soluble sulfate testing are presented below, and are discussed further in a subsequent section of this report.

Sample Identification	Soluble Sulfates (%)	Sulfate Classification
B-3 @ 0 to 5 feet	0.040	Not Applicable (S0)

Corrosivity Testing

One representative sample of the near-surface soils was submitted to a subcontracted corrosion engineering laboratory to identify potentially corrosive characteristics with respect to common construction materials. The corrosivity testing included a determination of the electrical resistivity, pH, and chloride and nitrate concentrations of the soils, as well as other tests. The results of some of these tests are presented below.

Sample Identification	Saturated Resistivity (ohm-cm)	pH	Chlorides (mg/kg)	Nitrates (mg/kg)
B-3 @ 0 to 5 feet	2,010	8.1	19.3	1.4

6.0 CONCLUSIONS AND RECOMMENDATIONS

Based on the results of our review, field exploration, laboratory testing and geotechnical analysis, the proposed development is considered feasible from a geotechnical standpoint. The recommendations contained in this report should be taken into the design, construction, and grading considerations.

The recommendations are contingent upon all grading and foundation construction activities being monitored by the geotechnical engineer of record. The recommendations are provided with the assumption that an adequate program of client consultation, construction monitoring, and testing will be performed during the final design and construction phases to verify compliance with these recommendations. Maintaining Southern California Geotechnical, Inc., (SCG) as the geotechnical consultant from the beginning to the end of the project will provide continuity of services. The geotechnical engineering firm providing testing and observation services shall assume the responsibility of Geotechnical Engineer of Record.

The Grading Guide Specifications, included as Appendix D, should be considered part of this report, and should be incorporated into the project specifications. The contractor and/or owner of the development should bring to the attention of the geotechnical engineer any conditions that differ from those stated in this report, or which may be detrimental for the development.

6.1 Seismic Design Considerations

The subject site is located in an area which is subject to strong ground motions due to earthquakes. The performance of a site-specific seismic hazards analysis was beyond the scope of this investigation. However, numerous faults capable of producing significant ground motions are located near the subject site. Due to economic considerations, it is not generally considered reasonable to design a structure that is not susceptible to earthquake damage. Therefore, significant damage to structures may be unavoidable during large earthquakes. The proposed structure should, however, be designed to resist structural collapse and thereby provide reasonable protection from serious injury, catastrophic property damage and loss of life.

Faulting and Seismicity

Research of available maps indicates that the subject site is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, SCG did not identify any evidence of faulting during the geotechnical investigations. Therefore, the possibility of significant fault rupture on the site is considered to be low.

The potential for other geologic hazards such as seismically induced settlement, lateral spreading, tsunamis, inundation, seiches, flooding, and subsidence affecting the site is considered low. Based on Map Number 06071C8633J, dated September 2, 2016, prepared by the Federal Emergency Management Agency (FEMA) Flood Maps, the project site is in an area designated as Zone X which is determined to be outside the 0.2% annual chance floodplain.

Seismic Design Parameters

The 2019 California Building Code (CBC) provides procedures for earthquake resistant structural design that include considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters presented below are based on the soil profile and the proximity of known faults with respect to the subject site.

Based on standards in place at the time of this report, the proposed development is expected to be designed in accordance with the requirements of the 2019 edition of the California Building Code (CBC), which was adopted on January 1, 2020.

The 2019 CBC Seismic Design Parameters have been generated using the SEAOC/OSHPD Seismic Design Maps Tool, a web-based software application available at the website www.seismicmaps.org. This software application calculates seismic design parameters in accordance with several building code reference documents, including ASCE 7-16, upon which the 2019 CBC is based. The application utilizes a database of risk-targeted maximum considered earthquake (MCE_R) site accelerations at 0.01-degree intervals for each of the code documents. The table below was created using data obtained from the application. The output generated from this program is included as Plate E-1 in Appendix E of this report.

The 2019 CBC requires that a site-specific ground motion study be performed in accordance with Section 11.4.8 of ASCE 7-16 for Site Class D sites with a mapped S_1 value greater than 0.2. However, Section 11.4.8 of ASCE 7-16 also indicates an exception to the requirement for a site-specific ground motion hazard analysis for certain structures on Site Class D sites. The commentary for Section 11 of ASCE 7-16 (Page 534 of Section C11 of ASCE 7-16) indicates that "In general, this exception effectively limits the requirements for site-specific hazard analysis to very tall and or flexible structures at Site Class D sites." Based on our understanding of the proposed development, the seismic design parameters presented below were calculated assuming that the exception in Section 11.4.8 applies to the proposed structure at this site. However, the structural engineer should verify that this exception is applicable to the proposed structure. Based on the exception, the spectral response accelerations presented below were calculated using the site coefficients (F_a and F_v) from Tables 1613.2.3(1) and 1613.2.3(2) presented in Section 16.4.4 of the 2019 CBC.

2019 CBC SEISMIC DESIGN PARAMETERS

Parameter		Value
Mapped Spectral Acceleration at 0.2 sec Period	S_S	1.692
Mapped Spectral Acceleration at 1.0 sec Period	S_1	0.625
Site Class	---	D
Site Modified Spectral Acceleration at 0.2 sec Period	S_{MS}	1.692
Site Modified Spectral Acceleration at 1.0 sec Period	S_{M1}	1.063
Design Spectral Acceleration at 0.2 sec Period	S_{DS}	1.128
Design Spectral Acceleration at 1.0 sec Period	S_{D1}	0.708

It should be noted that the site coefficient F_v and the parameters S_{M1} and S_{D1} were not included in the SEAOC/OSHPD Seismic Design Maps Tool output for the 2019 CBC. We calculated these parameters-based on Table 1613.2.3(2) in Section 16.4.4 of the 2019 CBC using the value of S_1 obtained from the Seismic Design Maps Tool, assuming that a site-specific ground motion hazards analysis is not required for the proposed building at this site.

Liquefaction

Liquefaction is the loss of strength in generally cohesionless, saturated soils when the pore-water pressure induced in the soil by a seismic event becomes equal to or exceeds the overburden pressure. The primary factors which influence the potential for liquefaction include groundwater table elevation, soil type and grain size characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. The depth within which the occurrence of liquefaction may impact surface improvements is generally identified as the upper 50 feet below the existing ground surface. Liquefaction potential is greater in saturated, loose, poorly graded fine sands with a mean (d_{50}) grain size in the range of 0.075 to 0.2 mm (Seed and Idriss, 1971). Clayey (cohesive) soils or soils which possess clay particles (d<0.005mm) in excess of 20 percent (Seed and Idriss, 1982) are generally not considered to be susceptible to liquefaction, nor are those soils which are above the historic static groundwater table.

The California Geological Survey (CGS) has not yet conducted detailed seismic hazards mapping in the area of the subject site. The general liquefaction susceptibility of the site was determined by research of the San Bernardino County Land Use Plan, General Plan, Geologic Hazard Overlays. Map FH28C for the Guasti 7.5-Minute Quadrangle indicates that the subject site is not located within an area of liquefaction susceptibility. Based on the mapping performed by the county of San Bernardino and the lack of a historic high ground water table within the upper 50± feet of the ground surface, liquefaction is not considered to be a design concern for this project.

6.2 Geotechnical Design Considerations

General

All of the borings encountered artificial fill materials, extending to depths of 2½ to 6½± feet below the existing site grades. Results of laboratory testing indicate that the fill soils are compressible when loaded and may be subject to minor hydrocollapse when inundated with water. Based on a lack of documentation regarding the placement and compaction of the existing fill materials, these soils are considered to consist of undocumented fill. Therefore, the fill soils in their present condition are not suitable for the support of the foundation loads of the proposed building. The fill soils and near-surface alluvial soils possess varying strengths. The results of laboratory testing indicate that the near-surface soils within the upper 5 to 6± feet possess a slight to moderate potential for collapse when exposed to moisture infiltration as well as consolidation when exposed to load increases in the range of those that will be exerted by the new foundations. Additionally, it is anticipated that demolition of the existing structures and associated improvements will cause disturbance of the upper 5 to 6± feet of soil. Therefore, remedial grading is considered warranted within the proposed building area in order to remove all of the undocumented fill soils in their entirety, the upper portion of the near-surface native

alluvial soils, and any soils disturbed during the demolition process, and replace these materials as compacted structural fill soils.

Based on the results of corrosivity testing, the on-site soils are considered to be corrosive to ductile iron pipe.

Settlement

The recommended remedial grading will remove the existing undocumented fill soils and a portion of the near-surface native alluvial soils and replace these materials as compacted structural fill. The native soils that will remain in place below the recommended depth of overexcavation will not be subject to significant stress increases from the foundations of the new structure. Provided that the recommended remedial grading is completed, the post-construction static settlements of the proposed structure are expected to be less than 1.0 and 0.5 inches for total and differential settlements of shallow foundations, respectively.

Expansion

The near-surface soils consist of sands and silty sands with no appreciable clay content. These materials have been visually classified as non-expansive. Therefore, no design considerations related to expansive soils are considered warranted for this site.

Soluble Sulfates

The results of the soluble sulfate testing indicate that the selected sample of the on-site soils contains a sulfate concentration that corresponds to Class S0 with respect to the American Concrete Institute (ACI) Publication 318-05 Building Code Requirements for Structural Concrete and Commentary, Section 4.3. Therefore, specialized concrete mix designs are not considered to be necessary, with regard to sulfate protection purposes. It is, however, recommended that additional soluble sulfate testing be conducted at the completion of rough grading to verify the soluble sulfate concentrations of the soils which are present at pad grade within the building area.

Corrosion Potential

The results of laboratory testing indicate that the tested sample of the on-site soils possesses a saturated resistivity value of 2,010 ohm-cm, and a pH value of 8.1. These test results have been evaluated in accordance with guidelines published by the Ductile Iron Pipe Research Association (DIPRA). The DIPRA guidelines consist of a point system by which characteristics of the soils are used to quantify the corrosivity characteristics of the site. Resistivity, pH, redox potential, relative soil moisture content and sulfides are the factors that enter into the evaluation procedure. Based on these factors, and utilizing the DIPRA procedure, the on-site soils are considered to be corrosive to ductile iron pipe. Therefore, polyethylene protection may be required for cast iron or ductile iron pipes. It should be noted that SCG does not practice in the field of corrosion engineering. Therefore, the client may also wish to contact a corrosion engineer to provide a more thorough evaluation.

A relatively low concentration (19.3 mg/kg) of chlorides was detected in the sample submitted for corrosivity testing. In general, soils possessing chloride concentrations in excess of 500 parts per million (ppm) are considered to be corrosive with respect to steel reinforcement within

reinforced concrete. Based on the lack of any significant chlorides in the tested sample, the site is considered to have a C1 chloride exposure in accordance with the American Concrete Institute (ACI) Publication 318 Building Code Requirements for Structural Concrete and Commentary. Therefore, a specialized concrete mix design for reinforced concrete for protection against chloride exposure is not considered warranted.

Nitrates present in soil can be corrosive to copper tubing at concentrations greater than 50 mg/kg. The tested sample possesses a nitrate concentration of 1.4 mg/kg. Based on this test result, the on-site soils are not considered to be corrosive to copper pipe.

It should be noted that SCG does not practice in the field of corrosion engineering. Therefore, the client may wish to contact a corrosion engineer to provide a more thorough evaluation.

Shrinkage/Subsidence

Removal and recompaction of the near-surface existing soils is estimated to result in an average shrinkage of 5 to 15 percent. However, shrinkage estimates for the individual samples range between 3 and 18 percent based on the results of density testing and the assumption that the onsite soils will be compacted to about 92 percent of the ASTM D-1557 maximum dry density. It should be noted that the shrinkage estimate is based on the results of dry density testing performed on small-diameter samples of the existing soils taken at the boring locations. If a more accurate and precise shrinkage estimate is desired, SCG can perform a shrinkage study involving several excavated test-pits where in-place densities are determined using in-situ testing methods instead of laboratory density testing on small-diameter samples. Please contact SCG for details and a cost estimate regarding a shrinkage study, if desired.

Minor ground subsidence is expected to occur in the soils below the zone of removal, due to settlement and machinery working. The subsidence is estimated to be 0.15 feet. This estimate may be used for grading in areas that are underlain by native alluvial soils.

These estimates are based on previous experience and the subsurface conditions encountered at the boring locations. The actual amount of subsidence is expected to be variable and will be dependent on the type of machinery used, repetitions of use, and dynamic effects, all of which are difficult to assess precisely.

Grading and Foundation Plan Review

Grading and foundation plans were not available at the time of this report. It is therefore recommended that we be provided with copies of the preliminary grading and foundation plans, when they become available, for review with regard to the conclusions, recommendations, and assumptions contained within this report.

6.3 Site Grading Recommendations

The grading recommendations presented below are based on the subsurface conditions encountered at the boring locations, and our understanding of the proposed development. We recommend that all grading activities be completed in accordance with the Grading Guide

Specifications included as Appendix D of this report, unless superseded by site-specific recommendations presented below.

Site Stripping and Demolition

The proposed development will require demolition of the existing pavements and structures. Additionally, any existing improvements that will not remain in place for use with the new development should be removed in their entirety. This should include all utilities, and any other subsurface improvements associated with the existing pavements. The existing pavements are not expected to be reused with the new development. Any septic systems encountered during demolition and/or grading (if present) should be removed in their entirety. Any associated leach fields or other existing underground improvements should also be removed in their entirety. Debris resultant from demolition should be disposed of off-site. Concrete and asphalt debris may be re-used as compacted fill, provided they are pulverized to a maximum particle size of less than 2 inches and mixed with the on-site soils. Alternatively, existing asphalt and concrete materials may be crushed into miscellaneous base (CMB) and re-used at the site.

Detailed structural information regarding the existing structures has not been provided to our office. Therefore, the foundation systems supporting the existing structures are generally unknown by SCG. We expect that the existing structures are supported on conventional shallow foundations. However, if any of the structures are supported on deep foundations, any existing piles or drilled piers located within the proposed building area should be cut off at a depth of at least 2 feet below the bottom of the planned overexcavation. Where drilled pier or pile foundations are encountered within proposed pavement areas, they should be cut off at a depth of at least 2 feet below the proposed pavement subgrade or at a depth of at least 1 foot below the bottom of any planned utilities.

Initial site stripping should also include removal of any surficial vegetation from the unpaved areas of the site. This should include any weeds, grasses, shrubs, and trees. Root systems associated with the trees should be removed in their entirety, and the resultant excavations should be backfilled with compacted structural fill soils. Any organic materials should be removed and disposed of off-site, or in non-structural areas of the property. The actual extent of site stripping should be determined in the field by the geotechnical engineer, based on the organic content and stability of the materials encountered.

Treatment of Existing Soils: Building Pad

Remedial grading should be performed within the proposed building area in order to remove the existing undocumented fill soils, any soils disturbed during demolition, and a portion of the near-surface native alluvium. Based on conditions encountered at the boring locations, the existing soils within the proposed building area are recommended to be overexcavated to a depth of at least 5 feet below existing grades and to a depth of at least 3 feet below proposed building pad subgrade elevations, whichever is greater. The depth of the overexcavation should also extend to a depth sufficient to remove all undocumented fill soils and soils disturbed during demolition. Within the influence zones of the new foundations, the overexcavation should extend to a depth of at least 3 feet below proposed foundation bearing grade.

The overexcavation areas should extend at least 5 feet beyond the building and foundation perimeters, and to an extent equal to the depth of fill placed below the foundation bearing grade,

whichever is greater. If the proposed structure incorporates any exterior columns (such as for a canopy or overhang) the area of overexcavation should also encompass these areas.

Following completion of the overexcavation, the subgrade soils within the overexcavation areas should be evaluated by the geotechnical engineer to verify their suitability to serve as the structural fill subgrade, as well as to support the foundation loads of the new structures. This evaluation should include proofrolling and probing to identify any soft, loose or otherwise unstable soils that must be removed. Some localized areas of deeper excavation may be required if additional fill materials or loose, porous, or low-density native soils are encountered at the base of the overexcavation. It should be noted that Boring Nos. B-1 through B-4, located within the proposed building area, encountered loose soils extending to depths of 6½ to 12± feet.

After a suitable overexcavation subgrade has been achieved, the exposed soils should be scarified to a depth of at least 12 inches and moisture treated to 0 to 4 percent above optimum moisture content. The subgrade soils should then be recompacted to at least 90 percent of the ASTM D-1557 maximum dry density. The previously excavated soils may then be replaced as compacted structural fill.

Treatment of Existing Soils: Retaining Walls and Site Walls

The existing soils within the areas of any proposed retaining walls and site walls should be overexcavated to a depth of 3 feet below foundation bearing grade and replaced as compacted structural fill as discussed above for the proposed building pad. Any undocumented fill soils or disturbed native alluvium within any of these foundation areas should be removed in their entirety. The overexcavation areas should extend at least 3 feet beyond the foundation perimeters, and to an extent equal to the depth of fill below the new foundations. Any erection pads for tilt-up concrete walls are considered to be part of the foundation system. Therefore, these overexcavation recommendations are applicable to erection pads. The overexcavation subgrade soils should be evaluated by the geotechnical engineer prior to scarifying, moisture conditioning to within 0 to 4 percent above the optimum moisture content, and recompacting the upper 12 inches of exposed subgrade soils. The previously excavated soils may then be replaced as compacted structural fill.

If the full lateral recommended remedial grading cannot be completed for the proposed retaining walls and site walls located along property lines, the foundations for those walls should be designed using a reduced allowable bearing pressure. Furthermore, the contractor should take necessary precautions to protect the adjacent improvements during rough grading. Specialized grading techniques, such as A-B-C slot cuts, will likely be required during remedial grading. The geotechnical engineer of record should be contacted if additional recommendations, such as shoring design recommendations, are required during grading.

Treatment of Existing Soils: Flatwork, Parking and Drive Areas

Based on economic considerations, overexcavation of the existing near-surface existing soils in the new flatwork, parking and drive areas is not considered warranted, with the exception of areas where lower strength or unstable soils are identified by the geotechnical engineer during grading. Subgrade preparation in the new flatwork, parking and drive areas should initially consist of removal of all soils disturbed during stripping and demolition operations.

The geotechnical engineer should then evaluate the subgrade to identify any areas of additional unsuitable soils. Any such materials should be removed to a level of firm and unyielding soil. The exposed subgrade soils should then be scarified to a depth of 12± inches, moisture conditioned to 0 to 4 percent above the optimum moisture content, and recompacted to at least 90 percent of the ASTM D-1557 maximum dry density. Based on the presence of variable strength surficial soils throughout the site, it is expected that some isolated areas of additional overexcavation may be required to remove zones of lower strength, unsuitable soils.

The grading recommendations presented above for the proposed flatwork, parking and drive areas assume that the owner and/or developer can tolerate minor amounts of settlement within these areas. The grading recommendations presented above do not mitigate the extent of undocumented fill or compressible/collapsible soils in the flatwork, parking and drive areas. As such, some settlement and associated pavement distress could occur. Typically, repair of such distressed areas involves significantly lower costs than completely mitigating these soils at the time of construction. If the owner cannot tolerate the risk of such settlements, the flatwork, parking and drive areas should be overexcavated to a depth of 2 feet below proposed pavement subgrade elevation, with the resulting soils replaced as compacted structural fill.

Fill Placement

- Fill soils should be placed in thin (6± inches), near-horizontal lifts, moisture conditioned to 0 to 4 percent above the optimum moisture content, and compacted.
- On-site soils may be used for fill provided they are cleaned of any debris to the satisfaction of the geotechnical engineer.
- All grading and fill placement activities should be completed in accordance with the requirements of the 2019 CBC and the grading code of the city of Ontario.
- All fill soils should be compacted to at least 90 percent of the ASTM D-1557 maximum dry density.
- Compaction tests should be performed periodically by the geotechnical engineer as random verification of compaction and moisture content. These tests are intended to aid the contractor. Since the tests are taken at discrete locations and depths, they may not be indicative of the entire fill and therefore should not relieve the contractor of his responsibility to meet the job specifications.

Imported Structural Fill

All imported structural fill should consist of very low expansive (EI < 20), well graded soils possessing at least 10 percent fines (that portion of the sample passing the No. 200 sieve). Additional specifications for structural fill are presented in the Grading Guide Specifications, included as Appendix D.

Utility Trench Backfill

In general, all utility trench backfill should be compacted to at least 90 percent of the ASTM D-1557 maximum dry density. As an alternative, a clean sand (minimum Sand Equivalent of 30) may be placed within trenches and compacted in place (jetting or flooding is not recommended). Compacted trench backfill should conform to the requirements of the local grading code, and more restrictive requirements may be indicated by the city of Ontario. All utility trench backfills

should be witnessed by the geotechnical engineer. The trench backfill soils should be compaction tested where possible; probed and visually evaluated elsewhere.

Utility trenches which parallel a footing, and extending below a 1h:1v (horizontal to vertical) plane projected from the outside edge of the footing should be backfilled with structural fill soils, compacted to at least 90 percent of the ASTM D-1557 standard. Pea gravel backfill should not be used for these trenches.

Any soils used to backfill voids around subsurface utility structures, such as manholes or vaults, should be placed as compacted structural fill. If it is not practical to place compacted fill in these areas, then such void spaces may be backfilled with lean concrete slurry. Uncompacted pea gravel or sand is not recommended for backfilling these voids since these materials have a potential to settle and thereby cause distress of pavements placed around these subterranean structures.

6.4 Construction Considerations

Excavation Considerations

The near-surface soils generally consist of sands and silty sands. These materials may be subject to moderate caving within shallow excavations. Where caving does occur, flattened excavation slopes may be sufficient to provide excavation stability. On a preliminary basis, the inclination of temporary slopes should not exceed 2h:1v. Deeper excavations may require some form of external stabilization such as shoring or bracing. Maintaining adequate moisture content within the near-surface soils will improve excavation stability. All excavation activities on this site should be conducted in accordance with Cal-OSHA regulations.

Groundwater

The static groundwater table is considered to have existed at a depth in excess of 30± feet at the time of the subsurface exploration. Therefore, groundwater is not expected to impact the grading or foundation construction activities.

6.5 Foundation Design and Construction

Based on the preceding grading recommendations, it is assumed that the new building pad will be underlain by structural fill soils used to replace existing undocumented fill soils and a portion of the near-surface alluvial soils. These new structural fill soils are expected to extend to a depth of at least 3 feet below proposed foundation bearing grade, underlain by 1± foot of additional soil that has been densified and moisture conditioned in place. Based on this subsurface profile, the proposed structure may be supported on conventional shallow foundations.

Foundation Design Parameters

New square and rectangular footings may be designed as follows:

- Maximum, net allowable soil bearing pressure: 2,500 lbs/ft^2.

- Maximum, net allowable soil bearing pressure: 1,500 lbs/ft^2 if the full recommended lateral extent of remedial grading cannot be achieved, typically for new footings along the property lines.

- Minimum wall/column footing width: 14 inches/24 inches.

- Minimum longitudinal steel reinforcement within strip footings: Two (2) No. 5 rebars (1 top and 1 bottom).

- Minimum foundation embedment: 12 inches into suitable structural fill soils, and at least 18 inches below adjacent exterior grade. Interior column footings may be placed immediately beneath the floor slab.

- It is recommended that the perimeter building foundations be continuous across all exterior doorways. Any flatwork adjacent to the exterior doors should be doweled into the perimeter foundations in a manner determined by the structural engineer.

The allowable bearing pressures presented above may be increased by 1/3 when considering short duration wind or seismic loads. The minimum steel reinforcement recommended above is based on geotechnical considerations; additional reinforcement may be necessary for structural considerations. The actual design of the foundations should be determined by the structural engineer.

Foundation Construction

The foundation subgrade soils should be evaluated at the time of overexcavation, as discussed in Section 6.3 of this report. It is further recommended that the foundation subgrade soils be evaluated by the geotechnical engineer immediately prior to steel or concrete placement. Soils suitable for direct foundation support should consist of newly placed structural fill, compacted to at least 90 percent of the ASTM D-1557 maximum dry density. Any unsuitable materials should be removed to a depth of suitable bearing compacted structural fill or suitable native alluvium (where reduced bearing pressures are utilized), with the resulting excavations backfilled with compacted fill soils. As an alternative, lean concrete slurry (500 to 1,500 psi) may be used to backfill such isolated overexcavations.

The foundation subgrade soils should also be properly moisture conditioned to 0 to 4 percent above the Modified Proctor optimum, to a depth of at least 12 inches below bearing grade. Since it is typically not feasible to increase the moisture content of the floor slab and foundation subgrade soils once rough grading has been completed, care should be taken to maintain the moisture content of the building pad subgrade soils throughout the construction process.

Estimated Foundation Settlements

Post-construction total and differential settlements of shallow foundations designed and constructed in accordance with the previously presented recommendations are estimated to be less than 1.0 and 0.5 inches, respectively. Differential movements are expected to occur over a 30-foot span, thereby resulting in an angular distortion of less than 0.002 inches per inch.

Lateral Load Resistance

Lateral load resistance will be developed by a combination of friction acting at the base of foundations and slab and the passive earth pressure developed by footings below grade. The following friction and passive pressure may be used to resist lateral forces:

- Passive Earth Pressure: 300 lbs/ft^3
- Friction Coefficient: 0.30

These are allowable values, and include a factor of safety. When combining friction and passive resistance, the passive pressure component should be reduced by one-third. These values assume that footings will be poured directly against compacted structural fill soils. The maximum allowable passive pressure is 3,000 lbs/ft^2.

6.6 Floor Slab Design and Construction

Subgrades which will support the new floor slab should be prepared in accordance with the recommendations contained in the *Site Grading Recommendations* section of this report. Based on the anticipated grading which will occur at this site, the floor of the proposed structure may be constructed as a conventional slab-on-grade supported on newly placed structural fill, extending to a depth of at least 3 feet below finished pad grades. Based on geotechnical considerations, the floor slab may be designed as follows:

- Minimum slab thickness: 6 inches.

- Modulus of Subgrade Reaction: k = 150 psi/in.

- Minimum slab reinforcement: Reinforcement is not considered necessary from a geotechnical standpoint. The actual floor slab reinforcement should be determined by the structural engineer, based on the imposed slab loading.

- Slab underlayment: If moisture sensitive floor coverings will be used then minimum slab underlayment should consist of a moisture vapor barrier constructed below the entire area of the proposed slab where such moisture sensitive floor coverings are anticipated. The moisture vapor barrier should meet or exceed the Class A rating as defined by ASTM E 1745-97 and have a permeance rating less than 0.01 perms as described in ASTM E 96-95 and ASTM E 154-88. A polyolefin material such as Stego® Wrap Vapor Barrier or equivalent will meet these specifications. The moisture vapor barrier should be properly constructed in accordance with all applicable manufacturer specifications. Given that a rock free subgrade is anticipated and that a capillary break is not required, sand below the barrier is not required. The need for sand and/or the amount of sand above the moisture vapor barrier should be specified by the structural engineer or concrete contractor. The selection of sand above the barrier is not a geotechnical engineering issue and hence outside our purview. Where moisture sensitive floor coverings are not anticipated, the vapor barrier may be eliminated.

- Moisture condition the floor slab subgrade soils to 0 to 4 percent above the Modified Proctor optimum moisture content, to a depth of 12 inches. The moisture content of the

floor slab subgrade soils should be verified by the geotechnical engineer within 24 hours prior to concrete placement.

- Proper concrete curing techniques should be utilized to reduce the potential for slab curling or the formation of excessive shrinkage cracks.

The actual design of the floor slab should be completed by the structural engineer to verify adequate thickness and reinforcement.

6.7 Retaining Wall Design and Construction

Although not indicated on the site plans, some small (less than 6 feet in height) retaining walls may be required to facilitate the new site grades. The parameters recommended for use in the design of these walls are presented below.

Retaining Wall Design Parameters

Based on the soil conditions encountered at the boring locations, the following parameters may be used in the design of new retaining walls for this site. The following parameters assume that only the on-site soils will be utilized for retaining wall backfill. The near-surface soils generally consist of sands and silty sands. Based on their classification, these materials are expected to possess a friction angle of at least 30 degrees when compacted to at least 90 percent of the ASTM D-1557 maximum dry density.

If desired, SCG could provide design parameters for an alternative select backfill material behind the retaining walls. The use of select backfill material could result in lower lateral earth pressures. In order to use the design parameters for the imported select fill, this material must be placed within the entire active failure wedge. This wedge is defined as extending from the heel of the retaining wall upwards at an angle of approximately 60° from horizontal. If select backfill material behind the retaining wall is desired, SCG should be contacted for supplementary recommendations.

RETAINING WALL DESIGN PARAMETERS

Design Parameter		Soil Type: On-site Sands and Silty Sands
Internal Friction Angle (ϕ)		30°
Unit Weight		127 lbs/ft^3
Equivalent Fluid Pressure:	Active Condition (level backfill)	42 lbs/ft^3
	Active Condition (2h:1v backfill)	68 lbs/ft^3
	At-Rest Condition (level backfill)	64 lbs/ft^3

The walls should be designed using a soil-footing coefficient of friction of 0.30 and an equivalent passive pressure of 300 lbs/ft^3. The structural engineer should incorporate appropriate factors of safety in the design of the retaining walls.

The active earth pressure may be used for the design of retaining walls that do not directly support structures or support soils that in turn support structures and which will be allowed to deflect. The at-rest earth pressure should be used for walls that will not be allowed to deflect such as those which will support foundation bearing soils, or which will support foundation loads directly.

Where the soils on the toe side of the retaining wall are not covered by a "hard" surface such as a structure or pavement, the upper 1 foot of soil should be neglected when calculating passive resistance due to the potential for the material to become disturbed or degraded during the life of the structure.

Seismic Lateral Earth Pressures

In accordance with the 2019 CBC, any retaining walls more than 6 feet in height must be designed for seismic lateral earth pressures. If walls 6 feet or more are required for this site, the geotechnical engineer should be contacted for supplementary seismic lateral earth pressure recommendations.

Retaining Wall Foundation Design

The retaining wall foundations should be underlain by at least 3 feet of newly placed structural fill. Foundations to support new retaining walls should be designed in accordance with the general Foundation Design Parameters presented in a previous section of this report.

Backfill Material

On-site soils may be used to backfill the retaining walls. However, all backfill material placed within 3 feet of the back wall face should have a particle size no greater than 3 inches. The retaining wall backfill materials should be well graded.

It is recommended that a minimum 1-foot thick layer of free-draining granular material (less than 5 percent passing the No. 200 sieve) be placed against the face of the retaining walls. This material should extend from the top of the retaining wall footing to within 1 foot of the ground surface on the back side of the retaining wall. This material should be approved by the geotechnical engineer. In lieu of the 1-foot thick layer of free-draining material, a properly installed prefabricated drainage composite such as the MiraDRAIN 6000XL (or approved equivalent), which is specifically designed for use behind retaining walls, may be used. If the layer of free-draining material is not covered by an impermeable surface, such as a structure or pavement, a 12-inch thick layer of a low permeability soil should be placed over the backfill to reduce surface water migration to the underlying soils. The layer of free draining granular material should be separated from the backfill soils by a suitable geotextile, approved by the geotechnical engineer.

All retaining wall backfill should be placed and compacted under engineering controlled conditions in the necessary layer thicknesses to ensure an in-place density between 90 and 93 percent of

the maximum dry density as determined by the Modified Proctor test (ASTM D1557-91). Care should be taken to avoid over-compaction of the soils behind the retaining walls, and the use of heavy compaction equipment should be avoided.

Subsurface Drainage

As previously indicated, the retaining wall design parameters are based upon drained backfill conditions. Consequently, some form of permanent drainage system will be necessary in conjunction with the appropriate backfill material. Subsurface drainage may consist of either:

- A weep hole drainage system typically consisting of a series of 2-inch diameter holes in the wall situated slightly above the ground surface elevation on the exposed side of the wall and at an approximate 10-foot on-center spacing. Alternatively, 4-inch diameter holes at an approximate 20-foot on-center spacing can be used for this type of drainage system. In addition, the weep holes should include a 2 cubic foot pocket of open graded gravel, surrounded by an approved geotextile fabric, at each weep hole location.

- A 4-inch diameter perforated pipe surrounded by 2 cubic feet of gravel per linear foot of drain placed behind the wall, above the retaining wall footing. The gravel layer should be wrapped in a suitable geotextile fabric to reduce the potential for migration of fines. The footing drain should be extended to daylight or tied into a storm drainage system. The actual design of this type of system should be determined by the civil engineer to verify that the drainage system possesses the adequate capacity and slope for its intended use.

Weep holes or a footing drain will not be required for building stem walls.

6.8 Pavement Design Parameters

Site preparation in the pavement area should be completed as previously recommended in the *Site Grading Recommendations* section of this report. The subsequent pavement recommendations assume proper drainage and construction monitoring, and are based on either PCA or CALTRANS design parameters for a twenty (20) year design period. However, these designs also assume a routine pavement maintenance program to obtain the anticipated 20-year pavement service life.

Pavement Subgrades

It is anticipated that the new pavements will be primarily supported on a layer of compacted structural fill, consisting of scarified, thoroughly moisture conditioned and recompacted existing soils. The near-surface soils generally consist of sands and silty sands. These soils are generally considered to possess good to excellent pavement support characteristics, with R-values in the range of 40 to 60. The subsequent pavement design is therefore based upon an assumed R-value of 40. Any fill material imported to the site should have support characteristics equal to or greater than that of the on-site soils and be placed and compacted under engineering controlled conditions. It is recommended that R-value testing be performed after completion of rough grading to verify that the pavement design recommendations presented herein are valid.

Asphaltic Concrete

Presented below are the recommended thicknesses for new flexible pavement structures consisting of asphaltic concrete over a granular base. The pavement designs are based on the traffic indices (TI's) indicated. The client and/or civil engineer should verify that these TI's are representative of the anticipated traffic volumes. If the client and/or civil engineer determine that the expected traffic volume will exceed the applicable traffic index, we should be contacted for supplementary recommendations. The design traffic indices equate to the following approximate daily traffic volumes over a 20-year design life, assuming six operational traffic days per week.

Traffic Index	No. of Heavy Trucks per Day
4.0	0
5.0	1
6.0	3
7.0	11
8.0	35
9.0	93

For the purpose of the traffic volumes indicated above, a truck is defined as a 5-axle tractor trailer unit with one 8-kip axle and two 32-kip tandem axles. All of the traffic indices allow for 1,000 automobiles per day.

ASPHALT PAVEMENTS (R = 40)					
Materials	Thickness (inches)				
	Auto Parking and Auto Drive Lanes (TI = 4.0 to 5.0)	Truck Traffic			
		TI = 6.0	TI = 7.0	TI = 8.0	TI = 9.0
Asphalt Concrete	3	3½	4	5	5½
Aggregate Base	4	6	7	8	10
Compacted Subgrade	12	12	12	12	12

The aggregate base course should be compacted to at least 95 percent of the ASTM D-1557 maximum dry density. The asphaltic concrete should be compacted to at least 95 percent of the batch plant-reported maximum density. The aggregate base course may consist of crushed aggregate base (CAB) or crushed miscellaneous base (CMB), which is a recycled gravel, asphalt and concrete material. The gradation, R-Value, Sand Equivalent, and Percentage Wear of the CAB or CMB should comply with appropriate specifications contained in the current edition of the "Greenbook" Standard Specifications for Public Works Construction.

Portland Cement Concrete

The preparation of the subgrade soils within concrete pavement areas should be performed as previously described for proposed asphalt pavement areas. The minimum recommended thicknesses for the Portland Cement Concrete pavement sections are as follows:

PORTLAND CEMENT CONCRETE PAVEMENTS (R = 40)				
Materials	Thickness (inches)			
	Autos and Light Truck Traffic (TI = 6.0)	Truck Traffic Areas		
		TI =7.0	TI =8.0	TI =9.0
PCC	5	5½	6½	8
Compacted Subgrade (95% minimum compaction)	12	12	12	12

The concrete should have a 28-day compressive strength of at least 3,000 psi. The maximum joint spacing within all of the PCC pavements is recommended to be equal to or less than 30 times the pavement thickness. Any reinforcement within the PCC pavements should be determined by the project structural engineer.

7.0 GENERAL COMMENTS

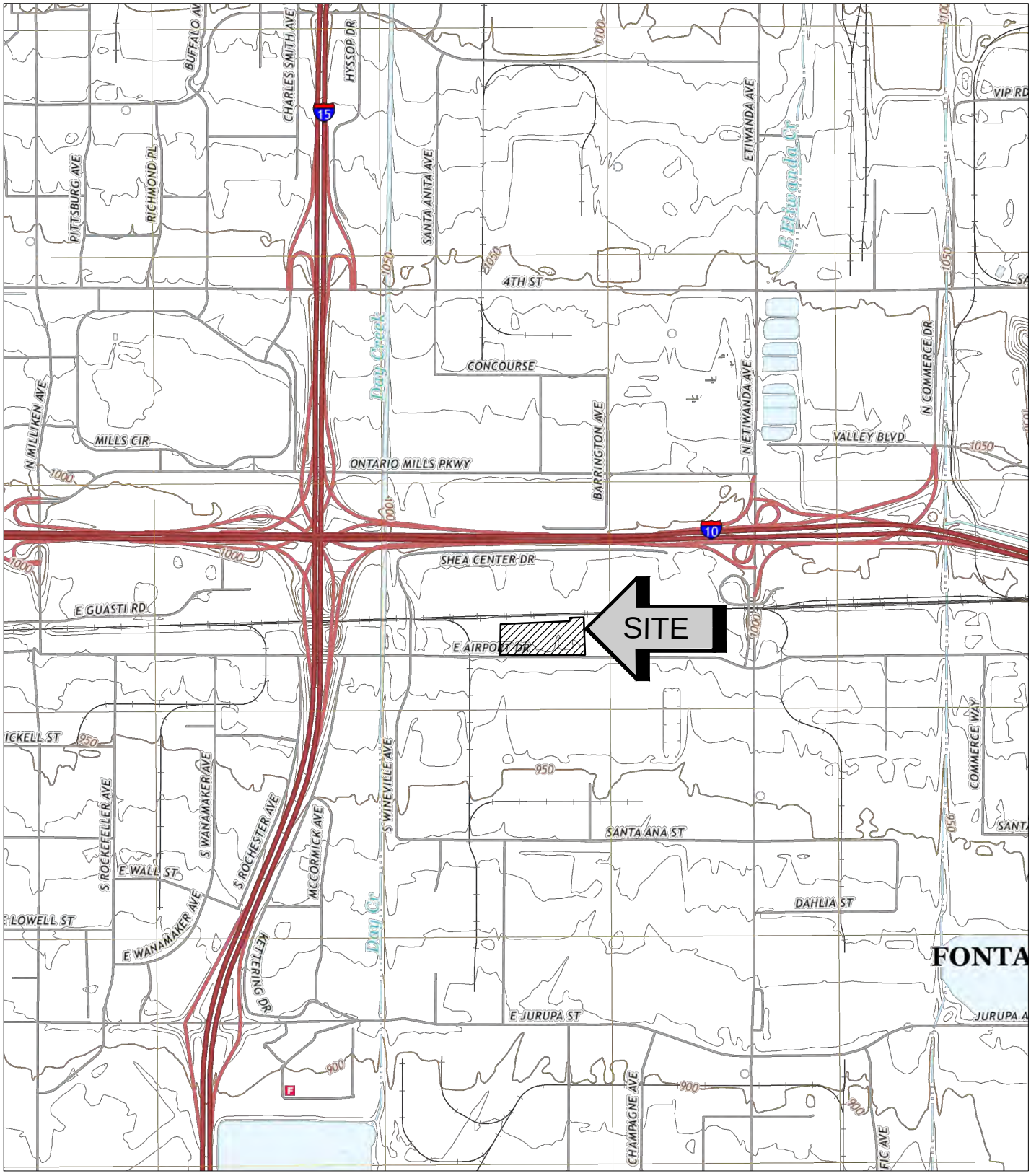
This report has been prepared as an instrument of service for use by the client, in order to aid in the evaluation of this property and to assist the architects and engineers in the design and preparation of the project plans and specifications. This report may be provided to the contractor(s) and other design consultants to disclose information relative to the project. However, this report is not intended to be utilized as a specification in and of itself, without appropriate interpretation by the project architect, civil engineer, and/or structural engineer. The reproduction and distribution of this report must be authorized by the client and Southern California Geotechnical, Inc. Furthermore, any reliance on this report by an unauthorized third party is at such party's sole risk, and we accept no responsibility for damage or loss which may occur. The client(s)' reliance upon this report is subject to the Engineering Services Agreement, incorporated into our proposal for this project.

The analysis of this site was based on a subsurface profile interpolated from limited discrete soil samples. While the materials encountered in the project area are considered to be representative of the total area, some variations should be expected between boring locations and sample depths. If the conditions encountered during construction vary significantly from those detailed herein, we should be contacted immediately to determine if the conditions alter the recommendations contained herein.

This report has been based on assumed or provided characteristics of the proposed development. It is recommended that the owner, client, architect, structural engineer, and civil engineer carefully review these assumptions to ensure that they are consistent with the characteristics of the proposed development. If discrepancies exist, they should be brought to our attention to verify that they do not affect the conclusions and recommendations contained herein. We also recommend that the project plans and specifications be submitted to our office for review to verify that our recommendations have been correctly interpreted.

The analysis, conclusions, and recommendations contained within this report have been promulgated in accordance with generally accepted professional geotechnical engineering practice. No other warranty is implied or expressed.

APPENDIX A



SOURCE: USGS TOPOGRAPHIC MAP OF THE GUASTI QUADRANGLE, SAN BERNARDINO COUNTY, CALIFORNIA, 2021.

SITE LOCATION MAP

PROPOSED WAREHOUSE

ONTARIO, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: JLL CHKD: RGT	
SCG PROJECT 22G128-1	
PLATE 1	

SoCalGeo

SOUTHERN CALIFORNIA GEOTECHNICAL

1549

N.A.P.

N.A.P.

N.A.P.

N.A.P.

N.A.P.

B-1

B-2

B-3

B-4

B-5

PROPOSED
BUILDING
259,189 SF

EAST AIRPORT DRIVE

E Airport Dr

GEOTECHNICAL LEGEND

APPROXIMATE BORING LOCATION

PROPERTY LINE

NORTH

SoCalGeo

NOTE: PRELIMINARY SITE PLAN PREPARED BY RGA.
AERIAL PHOTOGRAPH OBTAINED FROM GOOGLE EARTH.

BORING LOCATION PLAN

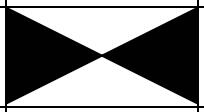
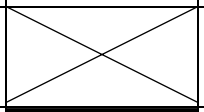
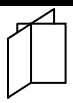
PROPOSED WAREHOUSE

ONTARIO, CALIFORNIA

SCALE: 1" = 80'	SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: JLL CHKD: RGT	
SCG PROJECT 22G128-1	
PLATE 2	

APPENDIX B

BORING LOG LEGEND

SAMPLE TYPE	GRAPHICAL SYMBOL	SAMPLE DESCRIPTION
AUGER		SAMPLE COLLECTED FROM AUGER CUTTINGS, NO FIELD MEASUREMENT OF SOIL STRENGTH. (DISTURBED)
CORE		ROCK CORE SAMPLE: TYPICALLY TAKEN WITH A DIAMOND-TIPPED CORE BARREL. TYPICALLY USED ONLY IN HIGHLY CONSOLIDATED BEDROCK.
GRAB		SOIL SAMPLE TAKEN WITH NO SPECIALIZED EQUIPMENT, SUCH AS FROM A STOCKPILE OR THE GROUND SURFACE. (DISTURBED)
CS		CALIFORNIA SAMPLER: 2-1/2 INCH I.D. SPLIT BARREL SAMPLER, LINED WITH 1-INCH HIGH BRASS RINGS. DRIVEN WITH SPT HAMMER. (RELATIVELY UNDISTURBED)
NSR		NO RECOVERY: THE SAMPLING ATTEMPT DID NOT RESULT IN RECOVERY OF ANY SIGNIFICANT SOIL OR ROCK MATERIAL.
SPT		STANDARD PENETRATION TEST: SAMPLER IS A 1.4 INCH INSIDE DIAMETER SPLIT BARREL, DRIVEN 18 INCHES WITH THE SPT HAMMER. (DISTURBED)
SH		SHELBY TUBE: TAKEN WITH A THIN WALL SAMPLE TUBE, PUSHED INTO THE SOIL AND THEN EXTRACTED. (UNDISTURBED)
VANE		VANE SHEAR TEST: SOIL STRENGTH OBTAINED USING A 4 BLADED SHEAR DEVICE. TYPICALLY USED IN SOFT CLAYS-NO SAMPLE RECOVERED.

COLUMN DESCRIPTIONS

DEPTH: Distance in feet below the ground surface.

SAMPLE: Sample Type as depicted above.

BLOW COUNT: Number of blows required to advance the sampler 12 inches using a 140 lb hammer with a 30-inch drop. 50/3" indicates penetration refusal (>50 blows) at 3 inches. WH indicates that the weight of the hammer was sufficient to push the sampler 6 inches or more.

POCKET PEN.: Approximate shear strength of a cohesive soil sample as measured by pocket penetrometer.

GRAPHIC LOG: Graphic Soil Symbol as depicted on the following page.

DRY DENSITY: Dry density of an undisturbed or relatively undisturbed sample in lbs/ft^3.

MOISTURE CONTENT: Moisture content of a soil sample, expressed as a percentage of the dry weight.

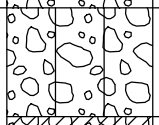
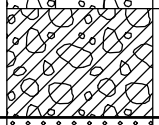
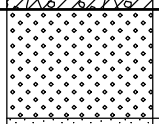
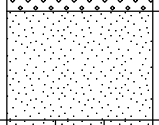
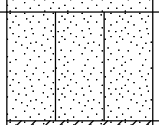
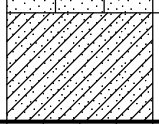
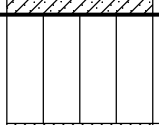
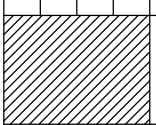
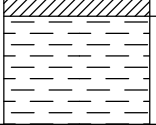
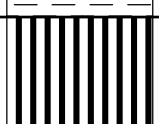
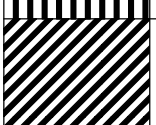
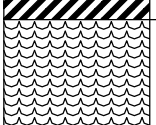
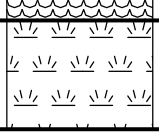
LIQUID LIMIT: The moisture content above which a soil behaves as a liquid.

PLASTIC LIMIT: The moisture content above which a soil behaves as a plastic.

PASSING #200 SIEVE: The percentage of the sample finer than the #200 standard sieve.

UNCONFINED SHEAR: The shear strength of a cohesive soil sample, as measured in the unconfined state.

SOIL CLASSIFICATION CHART

MAJOR DIVISIONS			SYMBOLS		TYPICAL DESCRIPTIONS
			GRAPH	LETTER	
COARSE GRAINED SOILS MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVEL AND GRAVELLY SOILS MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE	CLEAN GRAVELS (LITTLE OR NO FINES)		GW	WELL-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES
				GP	POORLY-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES
		GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)		GM	SILTY GRAVELS, GRAVEL - SAND - SILT MIXTURES
				GC	CLAYEY GRAVELS, GRAVEL - SAND - CLAY MIXTURES
	SAND AND SANDY SOILS MORE THAN 50% OF COARSE FRACTION PASSING ON NO. 4 SIEVE	CLEAN SANDS (LITTLE OR NO FINES)		SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES
				SP	POORLY-GRADED SANDS, GRAVELLY SAND, LITTLE OR NO FINES
		SANDS WITH FINES (APPRECIABLE AMOUNT OF FINES)		SM	SILTY SANDS, SAND - SILT MIXTURES
				SC	CLAYEY SANDS, SAND - CLAY MIXTURES
FINE GRAINED SOILS MORE THAN 50% OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYS	LIQUID LIMIT LESS THAN 50		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
				CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
				OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
	SILTS AND CLAYS	LIQUID LIMIT GREATER THAN 50		MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILTY SOILS
				CH	INORGANIC CLAYS OF HIGH PLASTICITY
				OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
HIGHLY ORGANIC SOILS				PT	PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS

NOTE: DUAL SYMBOLS ARE USED TO INDICATE BORDERLINE SOIL CLASSIFICATIONS

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. B-1

JOB NO.: 22G128-1
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: 23 feet
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					2± inches Aggregate Base							
		23			FILL: Light Gray Brown Silty fine to medium Sand, trace coarse Sand, loose to medium dense-dry to damp	106	2					
		12				99	3					
5		7			ALLUVIUM: Light Gray Brown fine Sand, little medium to coarse Sand, little Silt, trace fine Gravel, loose-damp	100	3					
		18			Light Gray Brown fine to medium Sand, trace to little coarse Sand, trace to little Silt, trace fine Gravel, medium dense-damp	106	2					
10		12			@ 9 feet, loose	100	3					
					Brown Silty fine Sand to fine Sandy Silt, little medium Sand, trace coarse Sand, dense-damp to moist							
15		47				112	9					
					Light Gray Brown to Gray Brown fine Sand, little medium Sand, little Silt, medium dense-damp							
20		21					4					
					Browm Silty fine Sand to fine Sandy Silt, trace to little medium Sand, medium dense-moist							
		24					14					
25												
					Light Brown to Brown Silty fine Sand, trace Silt nodules, dense-damp							
		33					7					
30					Boring Terminated at 30'							

TBL 22G128-1.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-1

1553

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. B-2

JOB NO.: 22G128-1
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: 16 feet
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					1± inch Aggregate Base							
		20			FILL: Light Gray Brown fine Sand, little Silt, trace medium Sand, loose to medium dense-moist							No Sample Recovery
		8				95	13					
					FILL: Brown to Dark Brown Silty fine Sand, trace medium to coarse Sand, loose-moist							
5		12				108	10					
		19			ALLUVIUM: Brown Silty fine Sand, trace medium to coarse Sand, medium dense-damp	108	7					
		26			Brown Silty fine to medium Sand, trace to little coarse Sand, trace Silt nodules, trace fine Gravel, medium dense-moist	117	11					
10												
					Brown fine to medium Sand, trace coarse Sand, trace to little Silt, medium dense-damp							
		26					4					
15												
		19					4					
20					Boring Terminated at 20'							

TBL 22G128-1.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-2

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. B-3

JOB NO.: 22G128-1
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: 15.5 feet
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					2½± inches Asphaltic Concrete, 3½± inches Aggregate Base							
		41			FILL: Light Gray Brown fine Sand, little medium Sand, little Silt, trace fine Gravel, medium dense-damp	109	6					
		18			FILL: Gray Brown fine Sand, little medium Sand, trace coarse Sand, little Silt, medium dense-damp	101	4					
5		16			@ 5 feet, moist	96	10					
		21			ALLUVIUM: Gray fine to medium Sand, trace coarse Sand, trace to little Silt, medium dense-dry to damp	99	2					
		11			Gray fine Sandy Silt, trace medium to coarse Sand, loose-moist to very moist	94	19					
10												
		67/11"			@ 14 feet, very dense	105	13					
15					Gray to dark Gray Silty fine to medium Sand, little coarse Sand, very dense-moist							
					Brown Silty fine Sand to fine Sandy Silt, trace medium Sand, medium dense-moist							
		12					13					
20					Boring Terminated at 20'							

TBL 22G128-1.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-3

1555

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. B-4

JOB NO.: 22G128-1
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: 18 feet
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					2± inches Asphaltic Concrete, 3± inches Aggregate Base							
		44			FILL: Gray Brown Silty fine Sand, little medium Sand, trace coarse Sand, trace fine Gravel, medium dense-damp	114	4					
		11			ALLUVIUM: Gray Brown fine Sand, little medium Sand, trace coarse Sand, trace to little Silt, loose-damp to moist	104	8					
5		14			Gray Brown fine Sand, little Silt, loose-dry to damp	102	2					
		13				101	3					
		18			Brown Silty fine Sand, trace to little medium Sand, medium dense-damp	102	5					
10												
		10			@ 13½ feet, trace coarse Sand, trace fine Gravel, moist		8					
15												
		33			@ 18½ feet, dense							No Sample Recovery
20												
					Gray Brown fine to coarse Sand, little fine Gravel, trace to little Silt, medium dense-dry to damp							
		23					2					
25					Boring Terminated at 25'							

TBL 22G128-1.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-4

1556

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. B-5

JOB NO.: 22G128-1
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: 16.5 feet
READING TAKEN: At Completion

FIELD RESULTS					DESCRIPTION	LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
		25			FILL: Brown Silty fine Sand, little medium Sand, trace coarse Sand, medium dense-moist		9					
		40			@ 3½ feet, dense		8					
5		12			ALLUVIUM: Brown fine Sand, little medium to coarse Sand, little Silt, medium dense-damp to moist		7					
		23			@ 9½ feet, little Gravel		3					
10					Gray Brown fine to medium Sand, trace coarse Sand, little Silt nodules, loose-very moist							
		9					17					
15					Brown fine to coarse Sand, little Silt, little fine Gravel, dense-damp							
		32					3					
20					Boring Terminated at 20'							

TBL 22G128-1.GPJ SOCALGEO.GDT 3/9/22

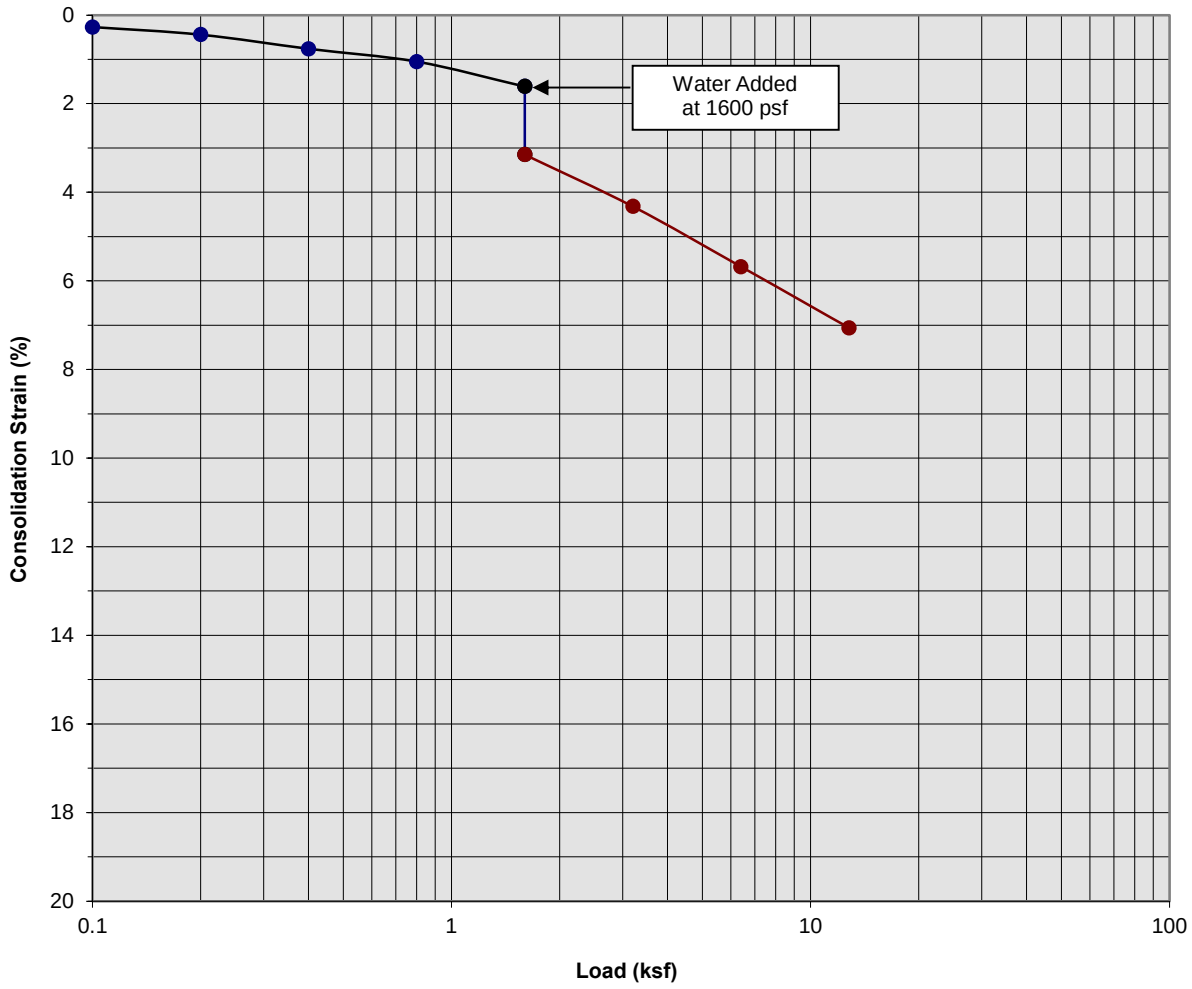
TEST BORING LOG

PLATE B-5

1557

APPENDIX C

Consolidation/Collapse Test Results



Classification: FILL: Light Gray Brown Silty fine to medium Sand, trace coarse Sand

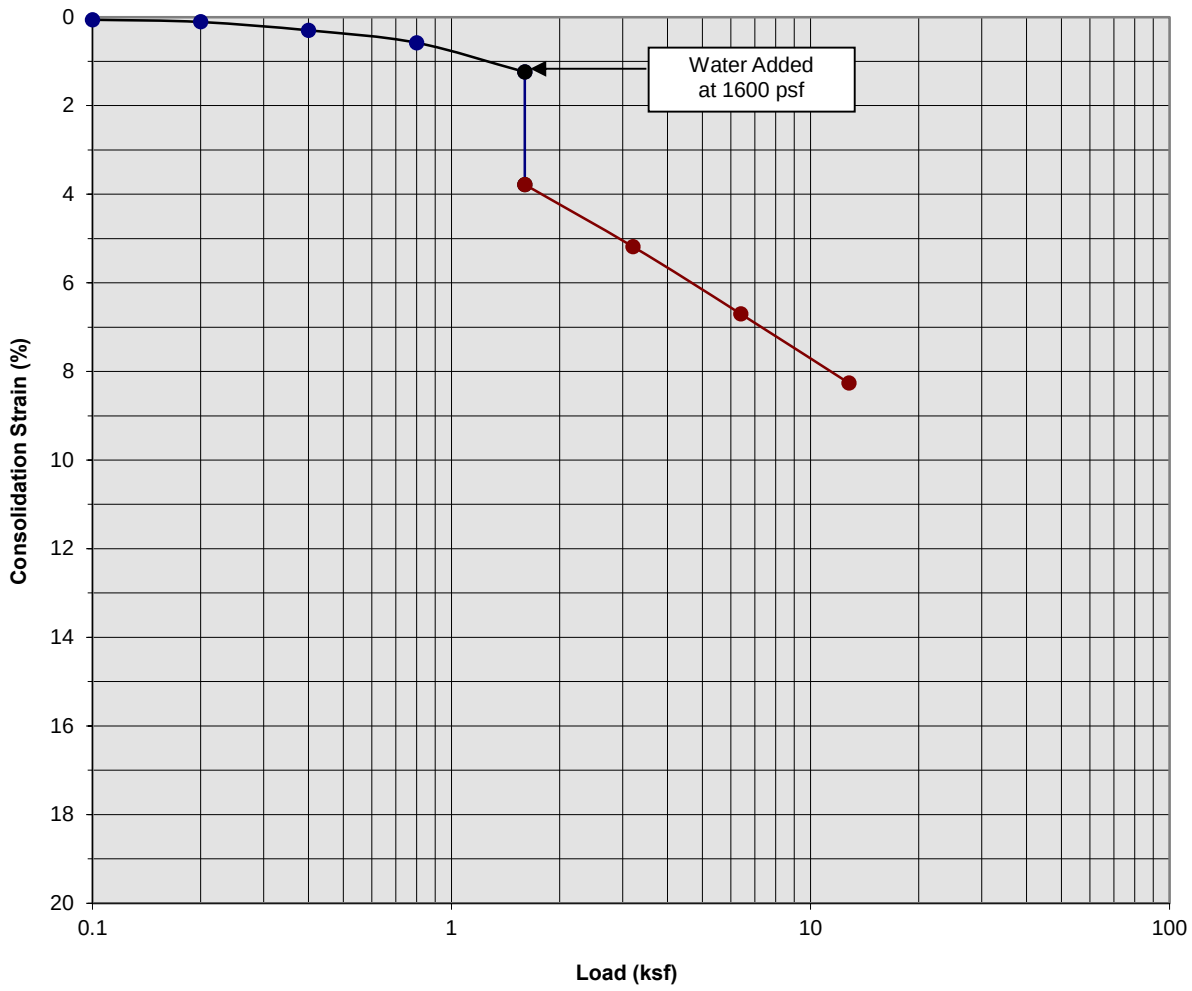
Boring Number:	B-1	Initial Moisture Content (%)	3
Sample Number:	---	Final Moisture Content (%)	16
Depth (ft)	3 to 4	Initial Dry Density (pcf)	99.0
Specimen Diameter (in)	2.4	Final Dry Density (pcf)	105.8
Specimen Thickness (in)	1.0	Percent Collapse (%)	1.54

Proposed Warehouse
Ontario, California
Project No. 22G128-1

PLATE C- 1

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Consolidation/Collapse Test Results



Classification: Light Gray Brown fine Sand, little medium to coarse Sand, little Silt

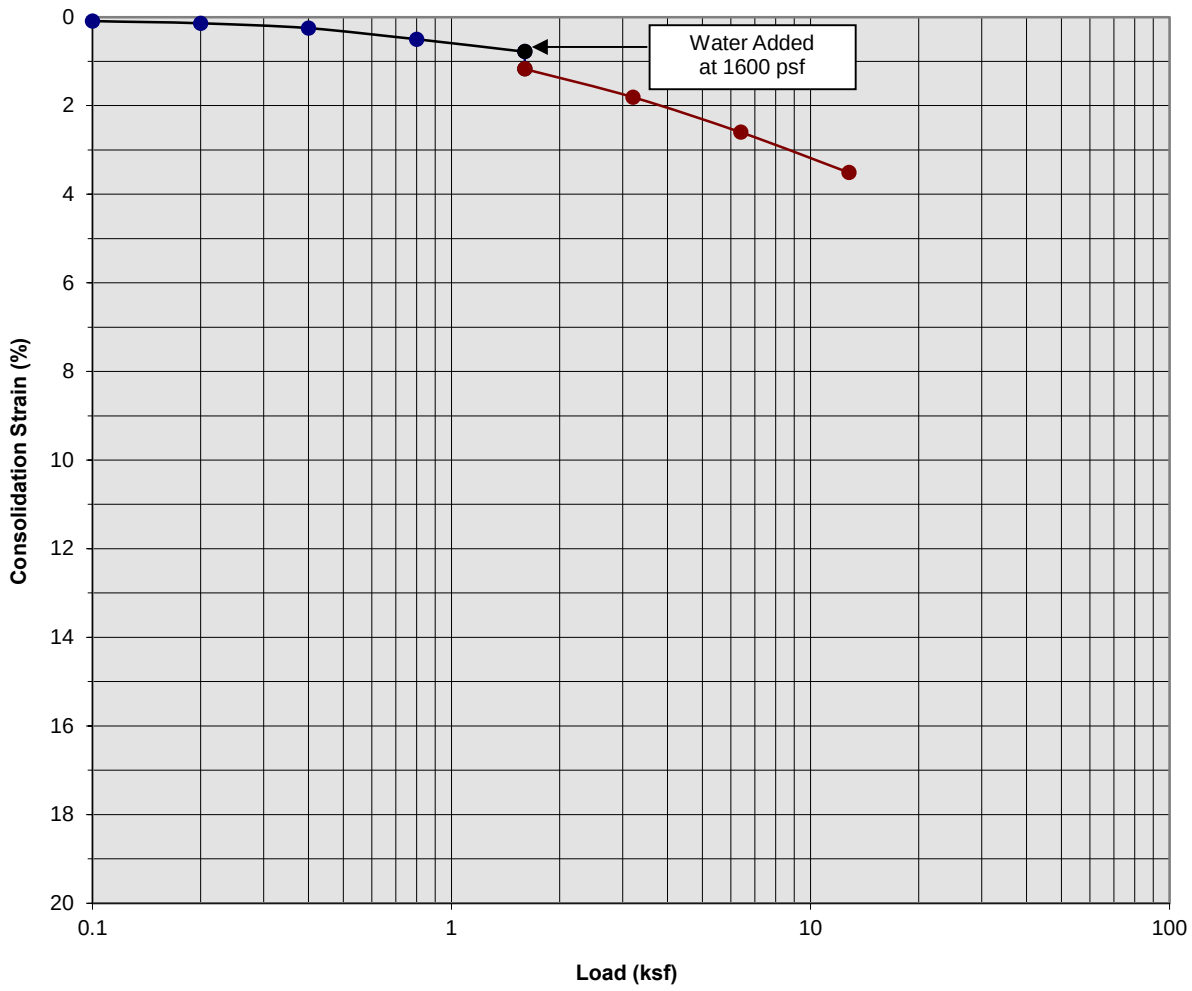
Boring Number:	B-1	Initial Moisture Content (%)	3
Sample Number:	---	Final Moisture Content (%)	15
Depth (ft)	5 to 6	Initial Dry Density (pcf)	100.3
Specimen Diameter (in)	2.4	Final Dry Density (pcf)	108.5
Specimen Thickness (in)	1.0	Percent Collapse (%)	2.54

Proposed Warehouse
Ontario, California
Project No. 22G128-1

PLATE C- 2

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Consolidation/Collapse Test Results



Classification: Light Gray Brown fine to medium Sand, trace to little coarse Sand

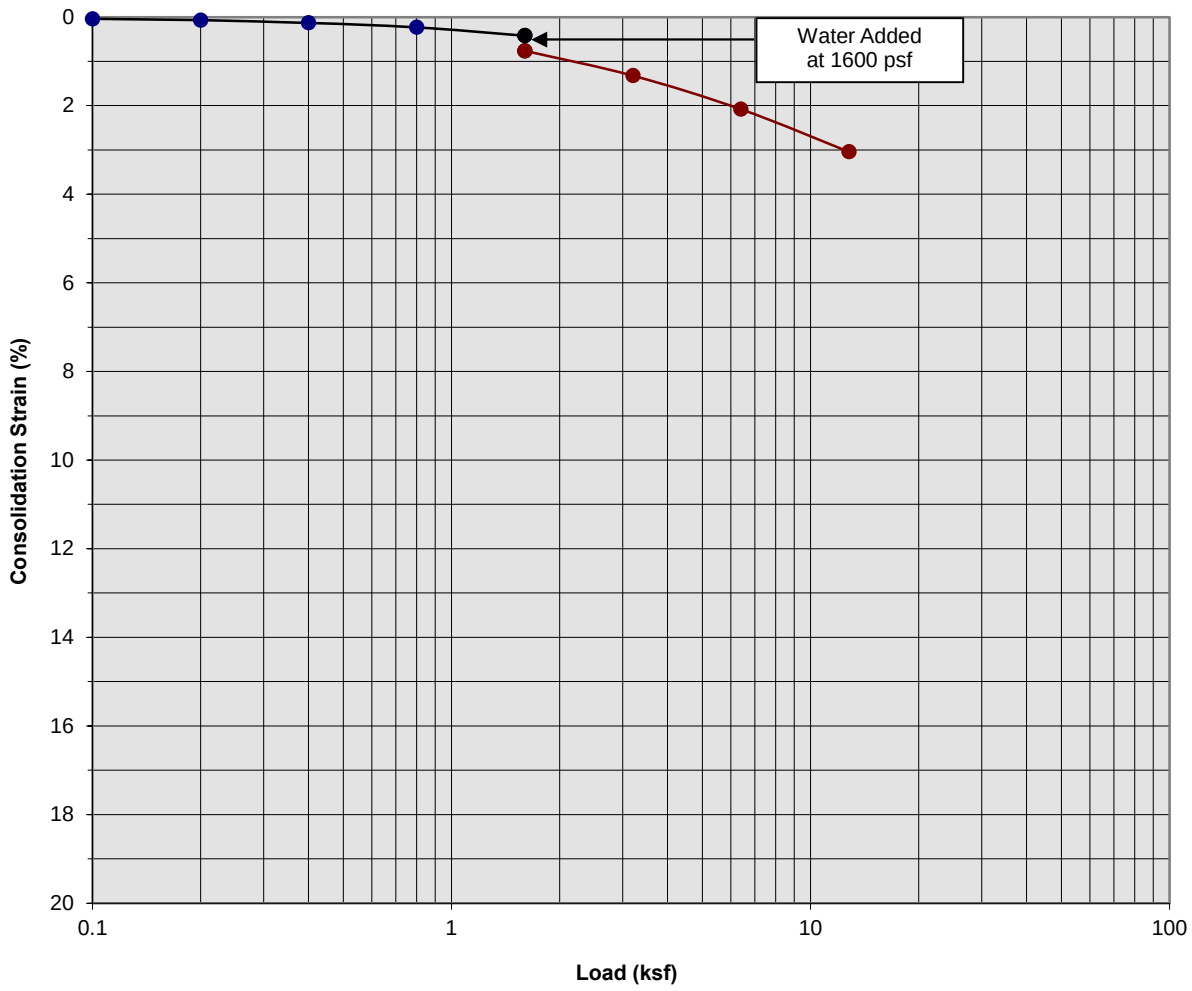
Boring Number:	B-1	Initial Moisture Content (%)	2
Sample Number:	---	Final Moisture Content (%)	17
Depth (ft)	7 to 8	Initial Dry Density (pcf)	106.3
Specimen Diameter (in)	2.4	Final Dry Density (pcf)	109.4
Specimen Thickness (in)	1.0	Percent Collapse (%)	0.39

Proposed Warehouse
Ontario, California
Project No. 22G128-1

PLATE C- 3

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Consolidation/Collapse Test Results



Classification: Light Gray Brown fine to medium Sand, trace to little coarse Sand

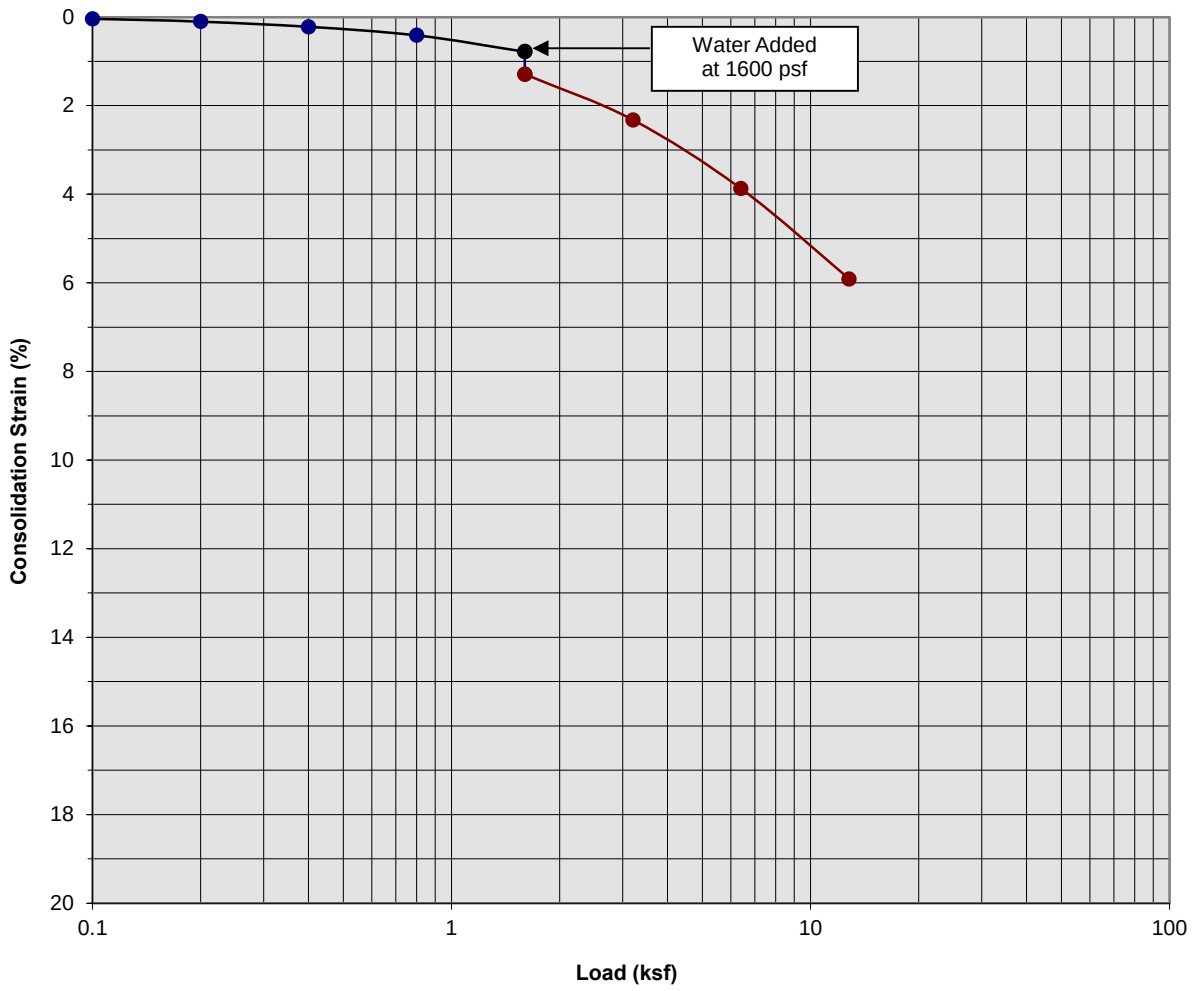
Boring Number:	B-1	Initial Moisture Content (%)	3
Sample Number:	---	Final Moisture Content (%)	19
Depth (ft)	9 to 10	Initial Dry Density (pcf)	100.2
Specimen Diameter (in)	2.4	Final Dry Density (pcf)	103.2
Specimen Thickness (in)	1.0	Percent Collapse (%)	0.34

Proposed Warehouse
Ontario, California
Project No. 22G128-1

PLATE C- 4

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Consolidation/Collapse Test Results



Classification: Gray Brown fine Sand, little medium Sand, trace to little Silt

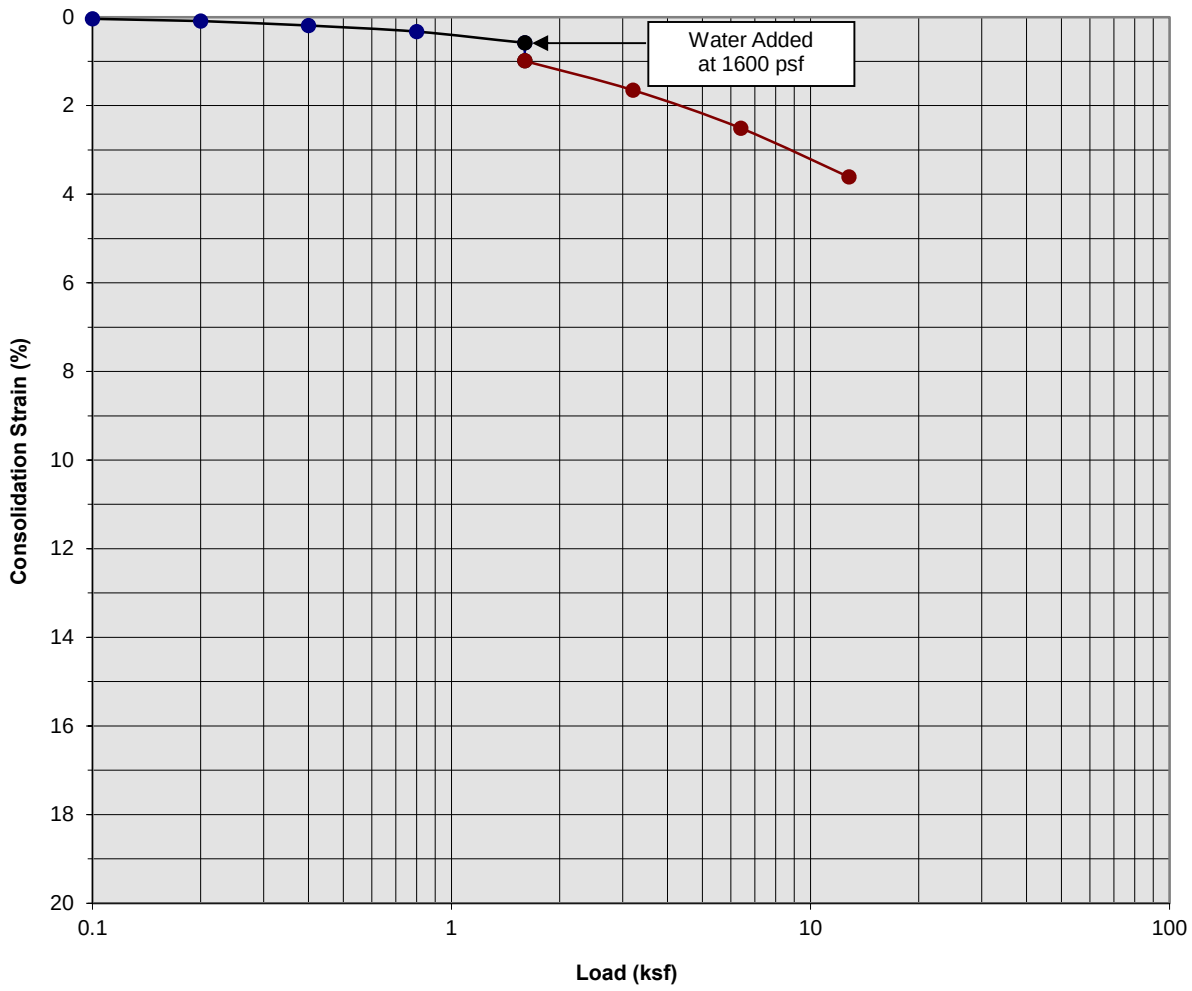
Boring Number:	B-4	Initial Moisture Content (%)	8
Sample Number:	---	Final Moisture Content (%)	19
Depth (ft)	3 to 4	Initial Dry Density (pcf)	104.3
Specimen Diameter (in)	2.4	Final Dry Density (pcf)	110.4
Specimen Thickness (in)	1.0	Percent Collapse (%)	0.51

Proposed Warehouse
Ontario, California
Project No. 22G128-1

PLATE C- 5

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Consolidation/Collapse Test Results



Classification: Gray Brown fine Sand, little Silt

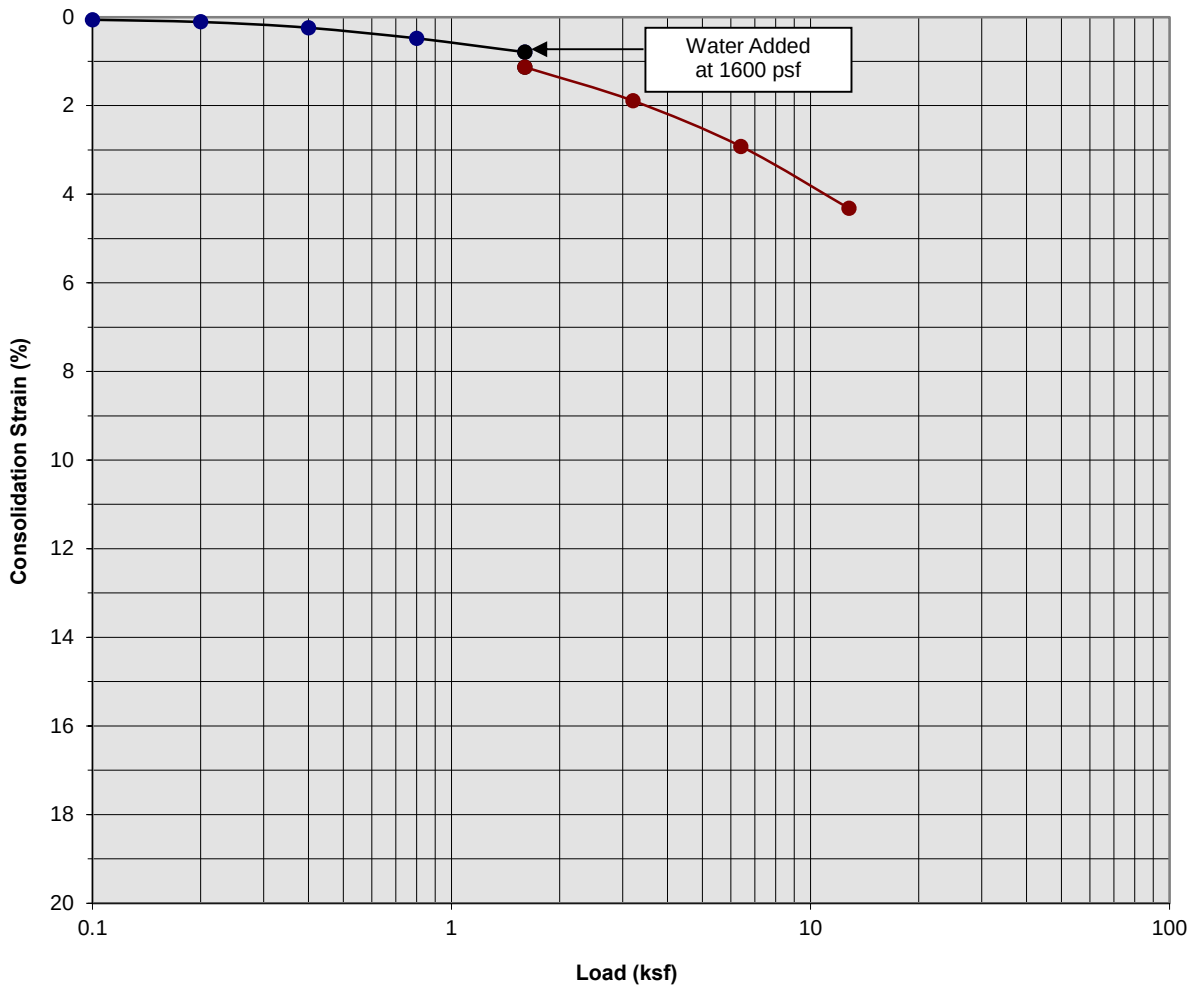
Boring Number:	B-4	Initial Moisture Content (%)	2
Sample Number:	---	Final Moisture Content (%)	19
Depth (ft)	5 to 6	Initial Dry Density (pcf)	102.5
Specimen Diameter (in)	2.4	Final Dry Density (pcf)	106.1
Specimen Thickness (in)	1.0	Percent Collapse (%)	0.41

Proposed Warehouse
Ontario, California
Project No. 22G128-1

PLATE C- 6

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Consolidation/Collapse Test Results



Classification: Gray Brown fine Sand, little Silt

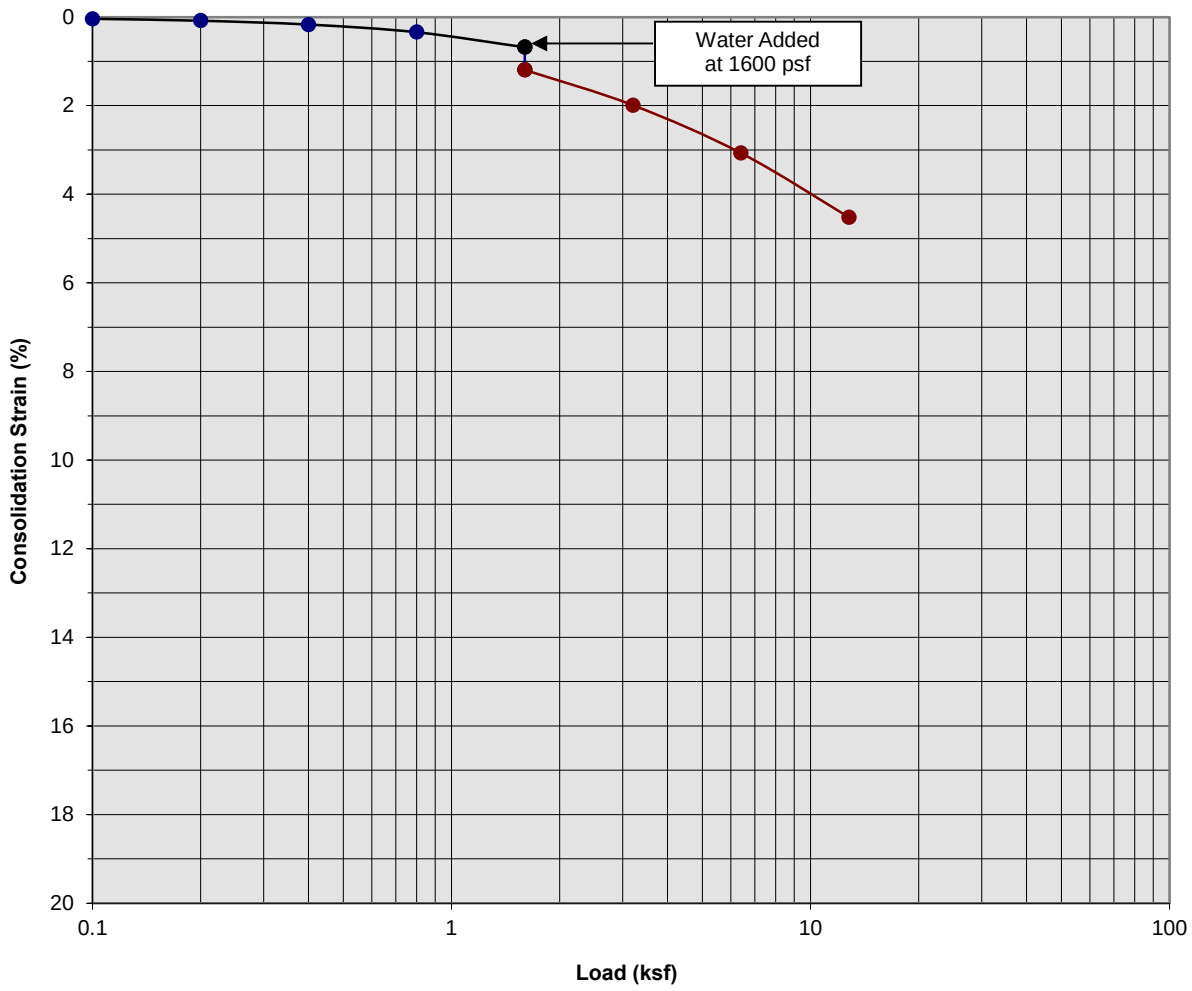
Boring Number:	B-4	Initial Moisture Content (%)	3
Sample Number:	---	Final Moisture Content (%)	20
Depth (ft)	7 to 8	Initial Dry Density (pcf)	101.5
Specimen Diameter (in)	2.4	Final Dry Density (pcf)	105.1
Specimen Thickness (in)	1.0	Percent Collapse (%)	0.34

Proposed Warehouse
Ontario, California
Project No. 22G128-1

PLATE C- 7

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Consolidation/Collapse Test Results



Classification: Brown Silty fine Sand, trace to little medium Sand

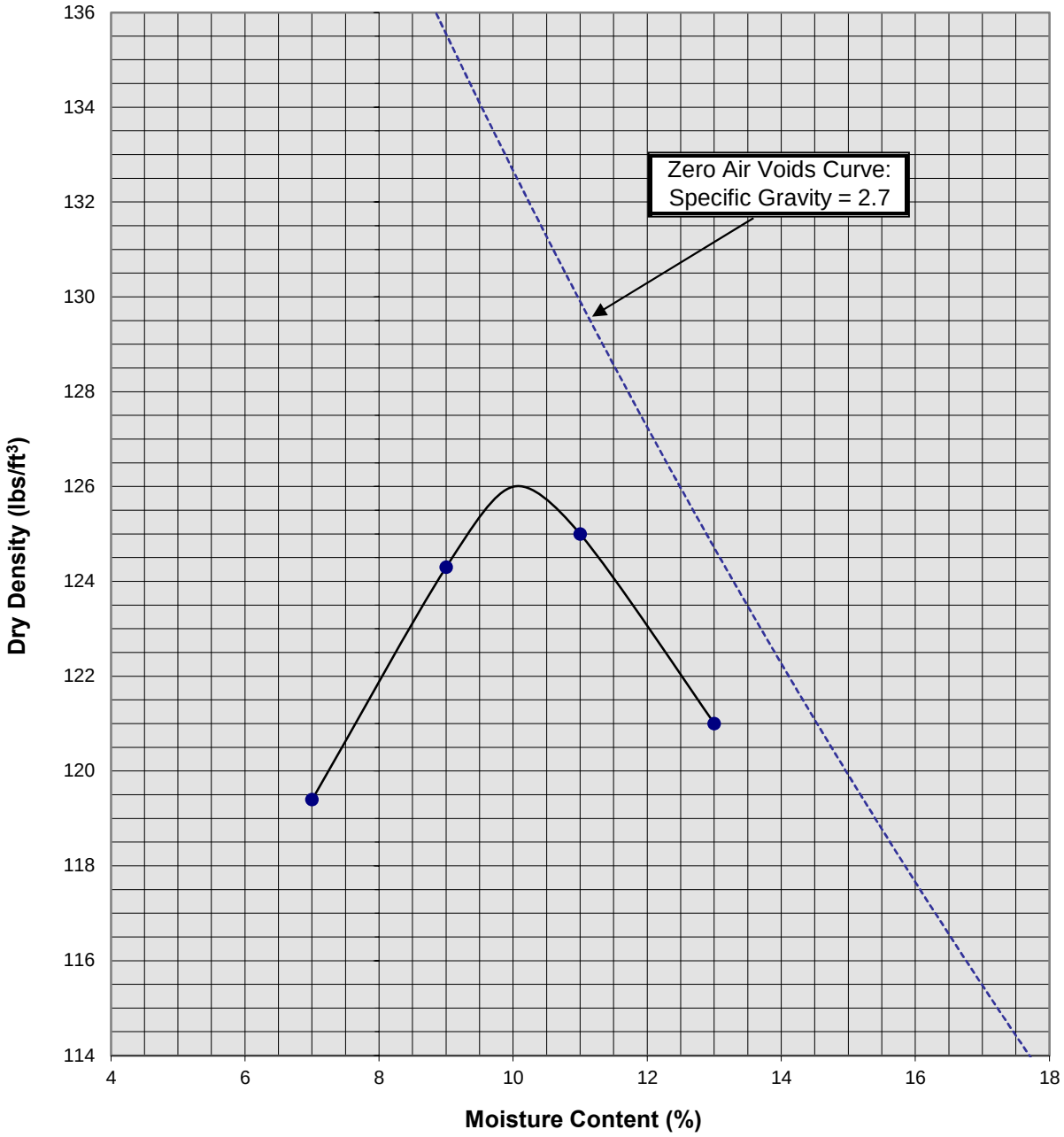
Boring Number:	B-4	Initial Moisture Content (%)	5
Sample Number:	---	Final Moisture Content (%)	20
Depth (ft)	9 to 10	Initial Dry Density (pcf)	102.1
Specimen Diameter (in)	2.4	Final Dry Density (pcf)	106.2
Specimen Thickness (in)	1.0	Percent Collapse (%)	0.51

Proposed Warehouse
Ontario, California
Project No. 22G128-1

PLATE C- 8

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Moisture/Density Relationship
ASTM D-1557



Soil ID Number	B-4 @ 0-5'
Optimum Moisture (%)	10
Maximum Dry Density (pcf)	126
Soil Classification	Gray Brown Silty fine Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-1

PLATE C-9

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporati

APPENDIX D

GRADING GUIDE SPECIFICATIONS

These grading guide specifications are intended to provide typical procedures for grading operations. They are intended to supplement the recommendations contained in the geotechnical investigation report for this project. Should the recommendations in the geotechnical investigation report conflict with the grading guide specifications, the more site specific recommendations in the geotechnical investigation report will govern.

General

- The Earthwork Contractor is responsible for the satisfactory completion of all earthwork in accordance with the plans and geotechnical reports, and in accordance with city, county, and applicable building codes.

- The Geotechnical Engineer is the representative of the Owner/Builder for the purpose of implementing the report recommendations and guidelines. These duties are not intended to relieve the Earthwork Contractor of any responsibility to perform in a workman-like manner, nor is the Geotechnical Engineer to direct the grading equipment or personnel employed by the Contractor.

- The Earthwork Contractor is required to notify the Geotechnical Engineer of the anticipated work and schedule so that testing and inspections can be provided. If necessary, work may be stopped and redone if personnel have not been scheduled in advance.

- The Earthwork Contractor is required to have suitable and sufficient equipment on the job-site to process, moisture condition, mix and compact the amount of fill being placed to the approved compaction. In addition, suitable support equipment should be available to conform with recommendations and guidelines in this report.

- Canyon cleanouts, overexcavation areas, processed ground to receive fill, key excavations, subdrains and benches should be observed by the Geotechnical Engineer prior to placement of any fill. It is the Earthwork Contractor's responsibility to notify the Geotechnical Engineer of areas that are ready for inspection.

- Excavation, filling, and subgrade preparation should be performed in a manner and sequence that will provide drainage at all times and proper control of erosion. Precipitation, springs, and seepage water encountered shall be pumped or drained to provide a suitable working surface. The Geotechnical Engineer must be informed of springs or water seepage encountered during grading or foundation construction for possible revision to the recommended construction procedures and/or installation of subdrains.

Site Preparation

- The Earthwork Contractor is responsible for all clearing, grubbing, stripping and site preparation for the project in accordance with the recommendations of the Geotechnical Engineer.

- If any materials or areas are encountered by the Earthwork Contractor which are suspected of having toxic or environmentally sensitive contamination, the Geotechnical Engineer and Owner/Builder should be notified immediately.

- Major vegetation should be stripped and disposed of off-site. This includes trees, brush, heavy grasses and any materials considered unsuitable by the Geotechnical Engineer.

- Underground structures such as basements, cesspools or septic disposal systems, mining shafts, tunnels, wells and pipelines should be removed under the inspection of the Geotechnical Engineer and recommendations provided by the Geotechnical Engineer and/or city, county or state agencies. If such structures are known or found, the Geotechnical Engineer should be notified as soon as possible so that recommendations can be formulated.

- Any topsoil, slopewash, colluvium, alluvium and rock materials which are considered unsuitable by the Geotechnical Engineer should be removed prior to fill placement.

- Remaining voids created during site clearing caused by removal of trees, foundations basements, irrigation facilities, etc., should be excavated and filled with compacted fill.

- Subsequent to clearing and removals, areas to receive fill should be scarified to a depth of 10 to 12 inches, moisture conditioned and compacted

- The moisture condition of the processed ground should be at or slightly above the optimum moisture content as determined by the Geotechnical Engineer. Depending upon field conditions, this may require air drying or watering together with mixing and/or discing.

Compacted Fills

- Soil materials imported to or excavated on the property may be utilized in the fill, provided each material has been determined to be suitable in the opinion of the Geotechnical Engineer. Unless otherwise approved by the Geotechnical Engineer, all fill materials shall be free of deleterious, organic, or frozen matter, shall contain no chemicals that may result in the material being classified as "contaminated," and shall be very low to non-expansive with a maximum expansion index (EI) of 50. The top 12 inches of the compacted fill should have a maximum particle size of 3 inches, and all underlying compacted fill material a maximum 6-inch particle size, except as noted below.

- All soils should be evaluated and tested by the Geotechnical Engineer. Materials with high expansion potential, low strength, poor gradation or containing organic materials may require removal from the site or selective placement and/or mixing to the satisfaction of the Geotechnical Engineer.

- Rock fragments or rocks less than 6 inches in their largest dimensions, or as otherwise determined by the Geotechnical Engineer, may be used in compacted fill, provided the distribution and placement is satisfactory in the opinion of the Geotechnical Engineer.

- Rock fragments or rocks greater than 12 inches should be taken off-site or placed in accordance with recommendations and in areas designated as suitable by the Geotechnical Engineer. These materials should be placed in accordance with Plate D-8 of these Grading Guide Specifications and in accordance with the following recommendations:

    - Rocks 12 inches or more in diameter should be placed in rows at least 15 feet apart, 15 feet from the edge of the fill, and 10 feet or more below subgrade. Spaces should be left between each rock fragment to provide for placement and compaction of soil around the fragments.

    - Fill materials consisting of soil meeting the minimum moisture content requirements and free of oversize material should be placed between and over the rows of rock or

concrete. Ample water and compactive effort should be applied to the fill materials as they are placed in order that all of the voids between each of the fragments are filled and compacted to the specified density.

- Subsequent rows of rocks should be placed such that they are not directly above a row placed in the previous lift of fill. A minimum 5-foot offset between rows is recommended.

- To facilitate future trenching, oversized material should not be placed within the range of foundation excavations, future utilities or other underground construction unless specifically approved by the soil engineer and the developer/owner representative.

- Fill materials approved by the Geotechnical Engineer should be placed in areas previously prepared to receive fill and in evenly placed, near horizontal layers at about 6 to 8 inches in loose thickness, or as otherwise determined by the Geotechnical Engineer for the project.

- Each layer should be moisture conditioned to optimum moisture content, or slightly above, as directed by the Geotechnical Engineer. After proper mixing and/or drying, to evenly distribute the moisture, the layers should be compacted to at least 90 percent of the maximum dry density in compliance with ASTM D-1557-78 unless otherwise indicated.

- Density and moisture content testing should be performed by the Geotechnical Engineer at random intervals and locations as determined by the Geotechnical Engineer. These tests are intended as an aid to the Earthwork Contractor, so he can evaluate his workmanship, equipment effectiveness and site conditions. The Earthwork Contractor is responsible for compaction as required by the Geotechnical Report(s) and governmental agencies.

- Fill areas unused for a period of time may require moisture conditioning, processing and recompaction prior to the start of additional filling. The Earthwork Contractor should notify the Geotechnical Engineer of his intent so that an evaluation can be made.

- Fill placed on ground sloping at a 5-to-1 inclination (horizontal-to-vertical) or steeper should be benched into bedrock or other suitable materials, as directed by the Geotechnical Engineer. Typical details of benching are illustrated on Plates D-2, D-4, and D-5.

- Cut/fill transition lots should have the cut portion overexcavated to a depth of at least 3 feet and rebuilt with fill (see Plate D-1), as determined by the Geotechnical Engineer.

- All cut lots should be inspected by the Geotechnical Engineer for fracturing and other bedrock conditions. If necessary, the pads should be overexcavated to a depth of 3 feet and rebuilt with a uniform, more cohesive soil type to impede moisture penetration.

- Cut portions of pad areas above buttresses or stabilizations should be overexcavated to a depth of 3 feet and rebuilt with uniform, more cohesive compacted fill to impede moisture penetration.

- Non-structural fill adjacent to structural fill should typically be placed in unison to provide lateral support. Backfill along walls must be placed and compacted with care to ensure that excessive unbalanced lateral pressures do not develop. The type of fill material placed adjacent to below grade walls must be properly tested and approved by the Geotechnical Engineer with consideration of the lateral earth pressure used in the design.

Foundations

- The foundation influence zone is defined as extending one foot horizontally from the outside edge of a footing, and proceeding downward at a ½ horizontal to 1 vertical (0.5:1) inclination.

- Where overexcavation beneath a footing subgrade is necessary, it should be conducted so as to encompass the entire foundation influence zone, as described above.

- Compacted fill adjacent to exterior footings should extend at least 12 inches above foundation bearing grade. Compacted fill within the interior of structures should extend to the floor subgrade elevation.

Fill Slopes

- The placement and compaction of fill described above applies to all fill slopes. Slope compaction should be accomplished by overfilling the slope, adequately compacting the fill in even layers, including the overfilled zone and cutting the slope back to expose the compacted core

- Slope compaction may also be achieved by backrolling the slope adequately every 2 to 4 vertical feet during the filling process as well as requiring the earth moving and compaction equipment to work close to the top of the slope. Upon completion of slope construction, the slope face should be compacted with a sheepsfoot connected to a sideboom and then grid rolled. This method of slope compaction should only be used if approved by the Geotechnical Engineer.

- Sandy soils lacking in adequate cohesion may be unstable for a finished slope condition and therefore should not be placed within 15 horizontal feet of the slope face.

- All fill slopes should be keyed into bedrock or other suitable material. Fill keys should be at least 15 feet wide and inclined at 2 percent into the slope. For slopes higher than 30 feet, the fill key width should be equal to one-half the height of the slope (see Plate D-5).

- All fill keys should be cleared of loose slough material prior to geotechnical inspection and should be approved by the Geotechnical Engineer and governmental agencies prior to filling.

- The cut portion of fill over cut slopes should be made first and inspected by the Geotechnical Engineer for possible stabilization requirements. The fill portion should be adequately keyed through all surficial soils and into bedrock or suitable material. Soils should be removed from the transition zone between the cut and fill portions (see Plate D-2).

Cut Slopes

- All cut slopes should be inspected by the Geotechnical Engineer to determine the need for stabilization. The Earthwork Contractor should notify the Geotechnical Engineer when slope cutting is in progress at intervals of 10 vertical feet. Failure to notify may result in a delay in recommendations.

- Cut slopes exposing loose, cohesionless sands should be reported to the Geotechnical Engineer for possible stabilization recommendations.

- All stabilization excavations should be cleared of loose slough material prior to geotechnical inspection. Stakes should be provided by the Civil Engineer to verify the location and dimensions of the key. A typical stabilization fill detail is shown on Plate D-5.

- Stabilization key excavations should be provided with subdrains. Typical subdrain details are shown on Plates D-6.

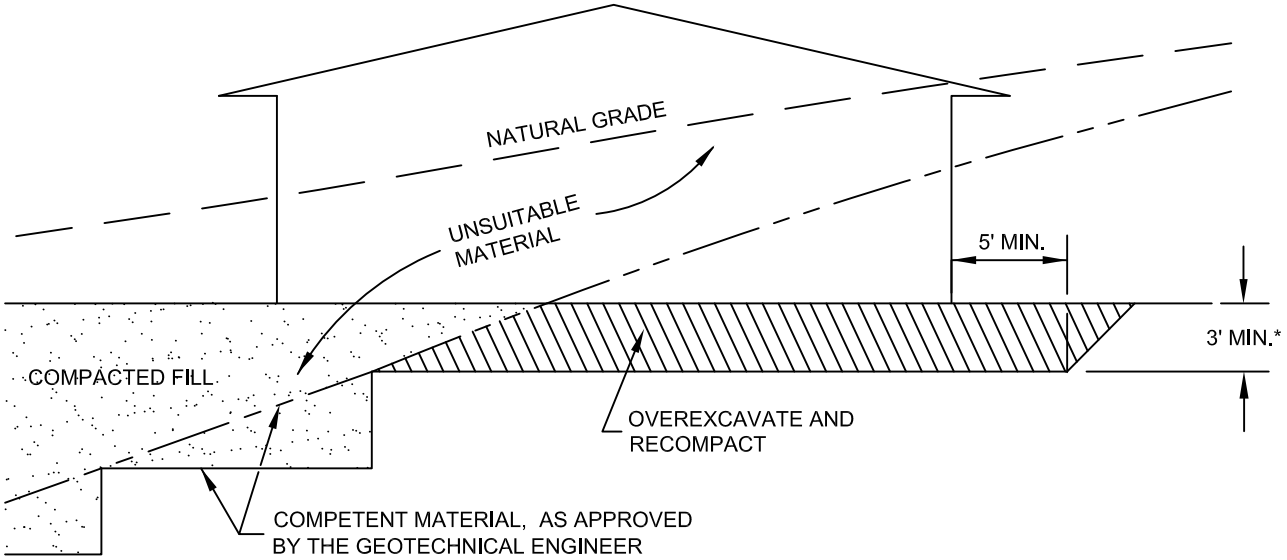
Subdrains

- Subdrains may be required in canyons and swales where fill placement is proposed. Typical subdrain details for canyons are shown on Plate D-3. Subdrains should be installed after approval of removals and before filling, as determined by the Soils Engineer.

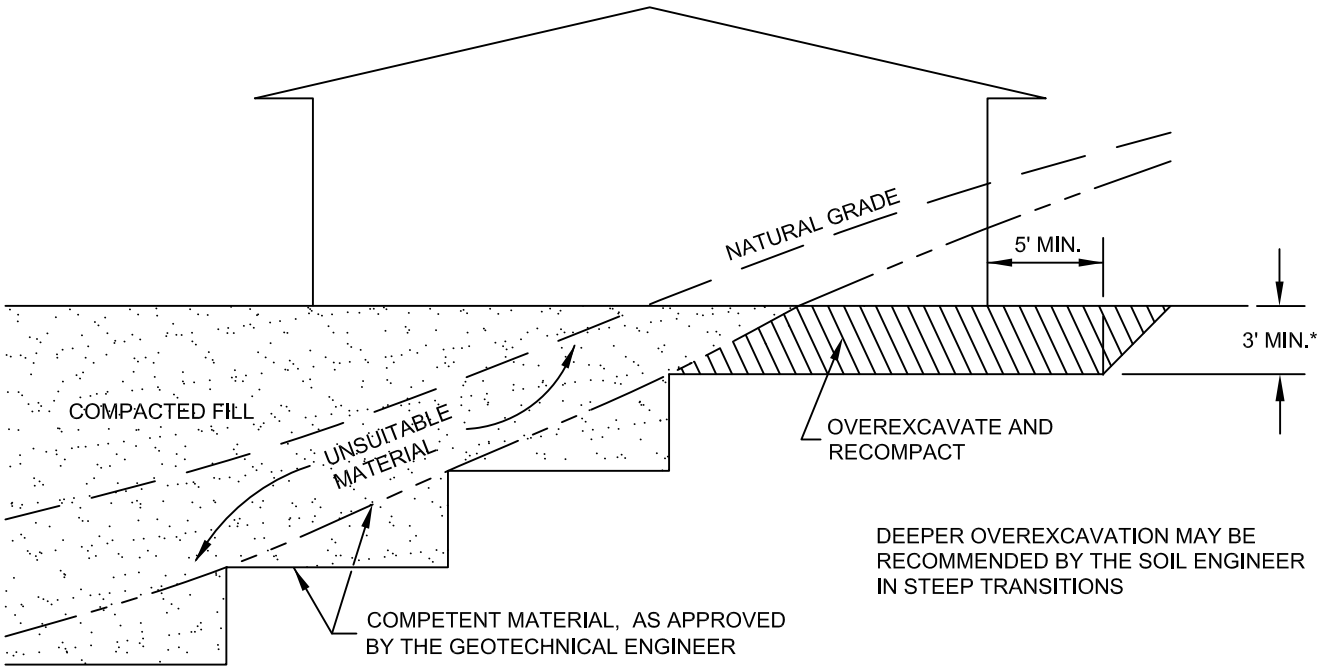
- Plastic pipe may be used for subdrains provided it is Schedule 40 or SDR 35 or equivalent. Pipe should be protected against breakage, typically by placement in a square-cut (backhoe) trench or as recommended by the manufacturer.

- Filter material for subdrains should conform to CALTRANS Specification 68-1.025 or as approved by the Geotechnical Engineer for the specific site conditions. Clean ¾-inch crushed rock may be used provided it is wrapped in an acceptable filter cloth and approved by the Geotechnical Engineer. Pipe diameters should be 6 inches for runs up to 500 feet and 8 inches for the downstream continuations of longer runs. Four-inch diameter pipe may be used in buttress and stabilization fills.

CUT LOT



CUT/FILL LOT (TRANSITION)



*SEE TEXT OF REPORT FOR SPECIFIC RECOMMENDATION. ACTUAL DEPTH OF OVEREXCAVATION MAY BE GREATER.

TRANSITION LOT DETAIL

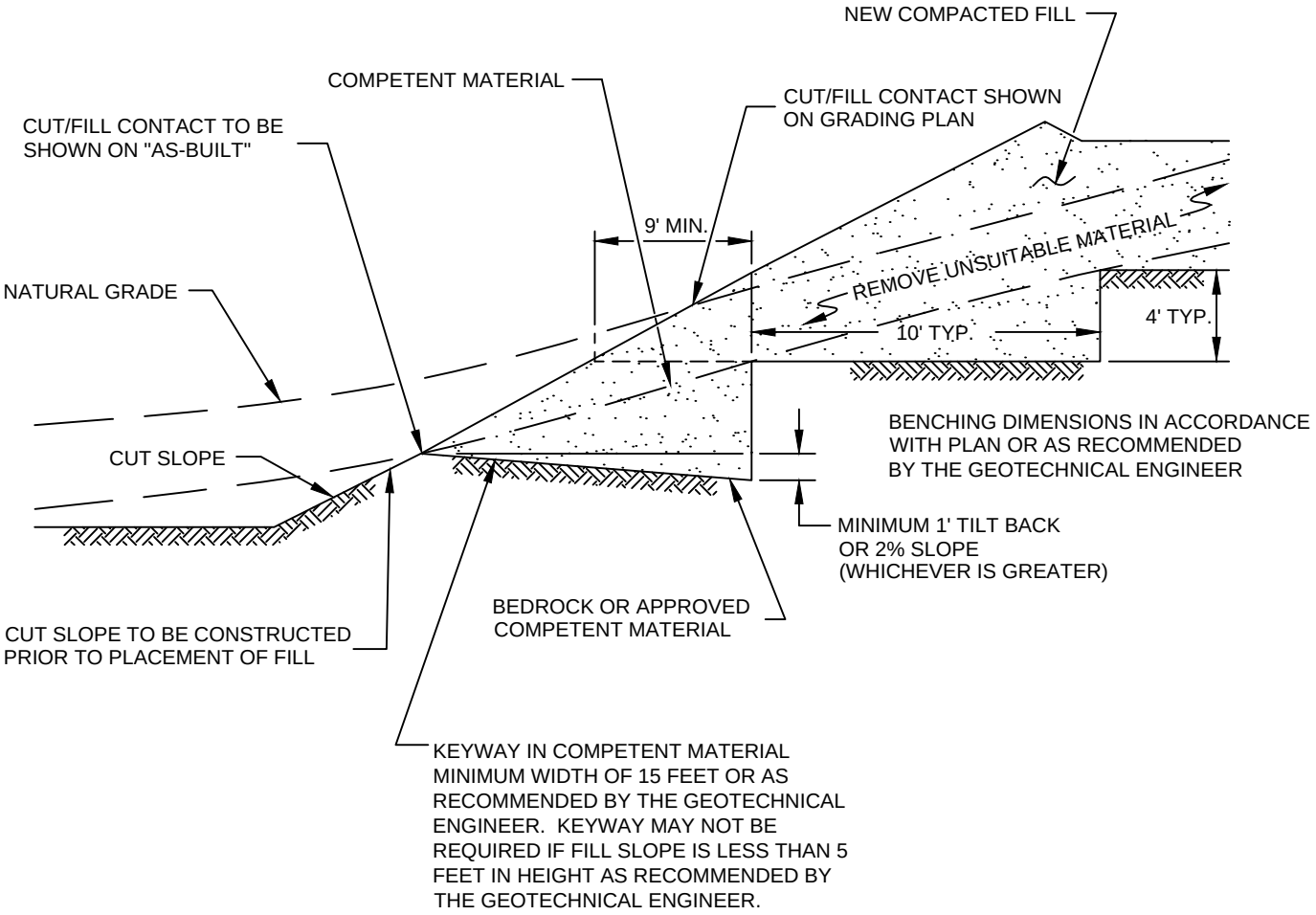
GRADING GUIDE SPECIFICATIONS

NOT TO SCALE

DRAWN: JAS
CHKD: GKM

PLATE D-1

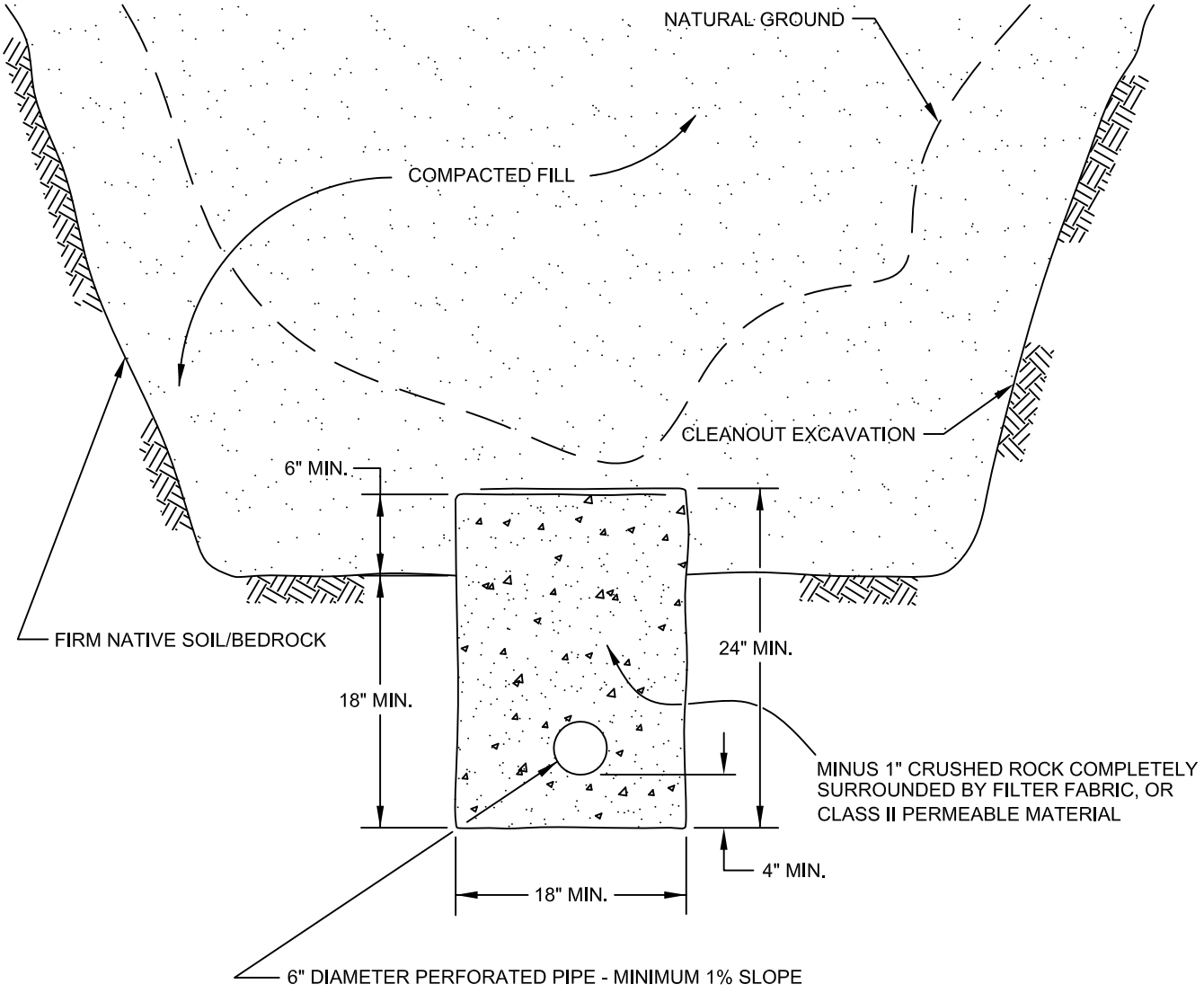
SoCalGeo SOUTHERN CALIFORNIA GEOTECHNICAL



FILL ABOVE CUT SLOPE DETAIL

GRADING GUIDE SPECIFICATIONS

NOT TO SCALE	SoCalGeo SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: JAS CHKD: GKM	
PLATE D-2	



PIPE MATERIAL	DEPTH OF FILL OVER SUBDRAIN
ADS (CORRUGATED POLETHYLENE)	8
TRANSITE UNDERDRAIN	20
PVC OR ABS: SDR 35	35
SDR 21	100

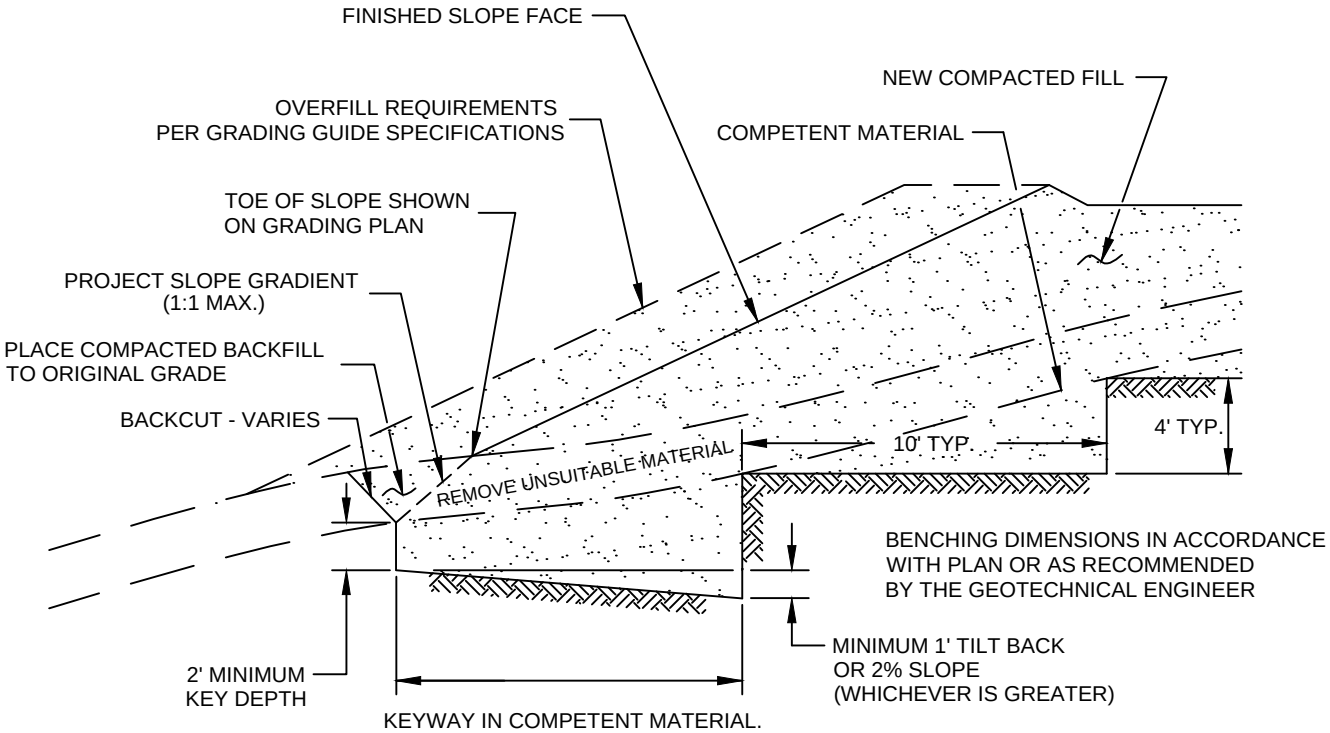
SCHEMATIC ONLY
NOT TO SCALE

CANYON SUBDRAIN DETAIL
GRADING GUIDE SPECIFICATIONS

NOT TO SCALE
DRAWN: JAS
CHKD: GKM

PLATE D-3

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL



NOTE:
BENCHING SHALL BE REQUIRED WHEN NATURAL SLOPES ARE EQUAL TO OR STEEPER THAN 5:1 OR WHEN RECOMMENDED BY THE GEOTECHNICAL ENGINEER.

FILL ABOVE NATURAL SLOPE DETAIL

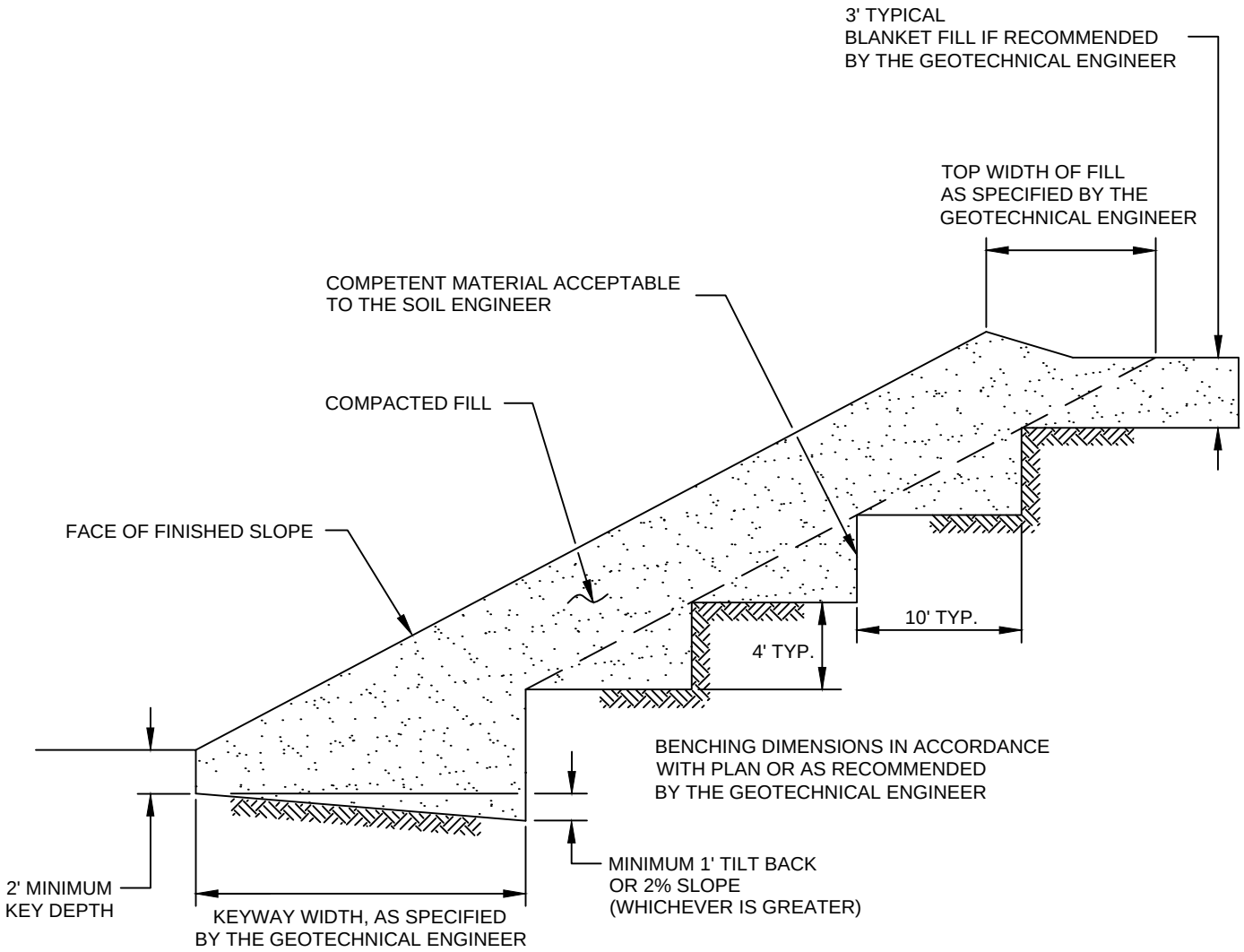
GRADING GUIDE SPECIFICATIONS

NOT TO SCALE

DRAWN: JAS
CHKD: GKM

PLATE D-4

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL



STABILIZATION FILL DETAIL

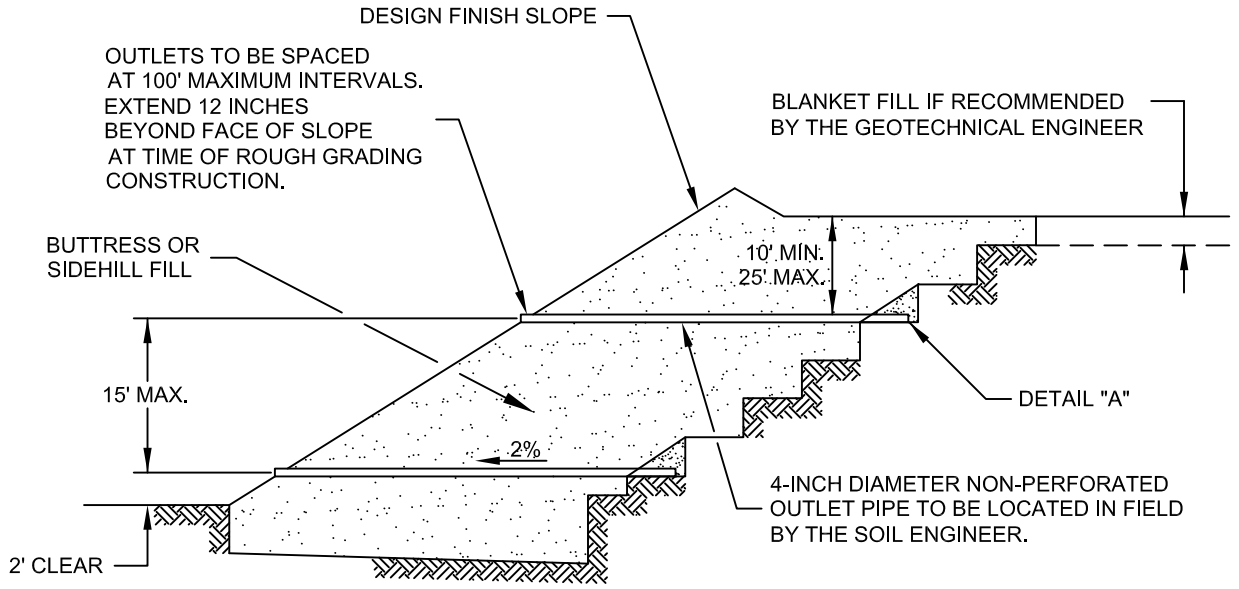
GRADING GUIDE SPECIFICATIONS

NOT TO SCALE

DRAWN: JAS
CHKD: GKM

PLATE D-5

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL



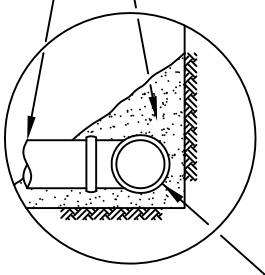
"FILTER MATERIAL" TO MEET FOLLOWING SPECIFICATION OR APPROVED EQUIVALENT: (CONFORMS TO EMA STD. PLAN 323)

SIEVE SIZE	PERCENTAGE PASSING
1"	100
3/4"	90-100
3/8"	40-100
NO. 4	25-40
NO. 8	18-33
NO. 30	5-15
NO. 50	0-7
NO. 200	0-3

"GRAVEL" TO MEET FOLLOWING SPECIFICATION OR APPROVED EQUIVALENT:

SIEVE SIZE	MAXIMUM PERCENTAGE PASSING
1 1/2"	100
NO. 4	50
NO. 200	8

SAND EQUIVALENT = MINIMUM OF 50



DETAIL "A"

NOTES:
1. TRENCH FOR OUTLET PIPES TO BE BACKFILLED WITH ON-SITE SOIL.

SLOPE FILL SUBDRAINS

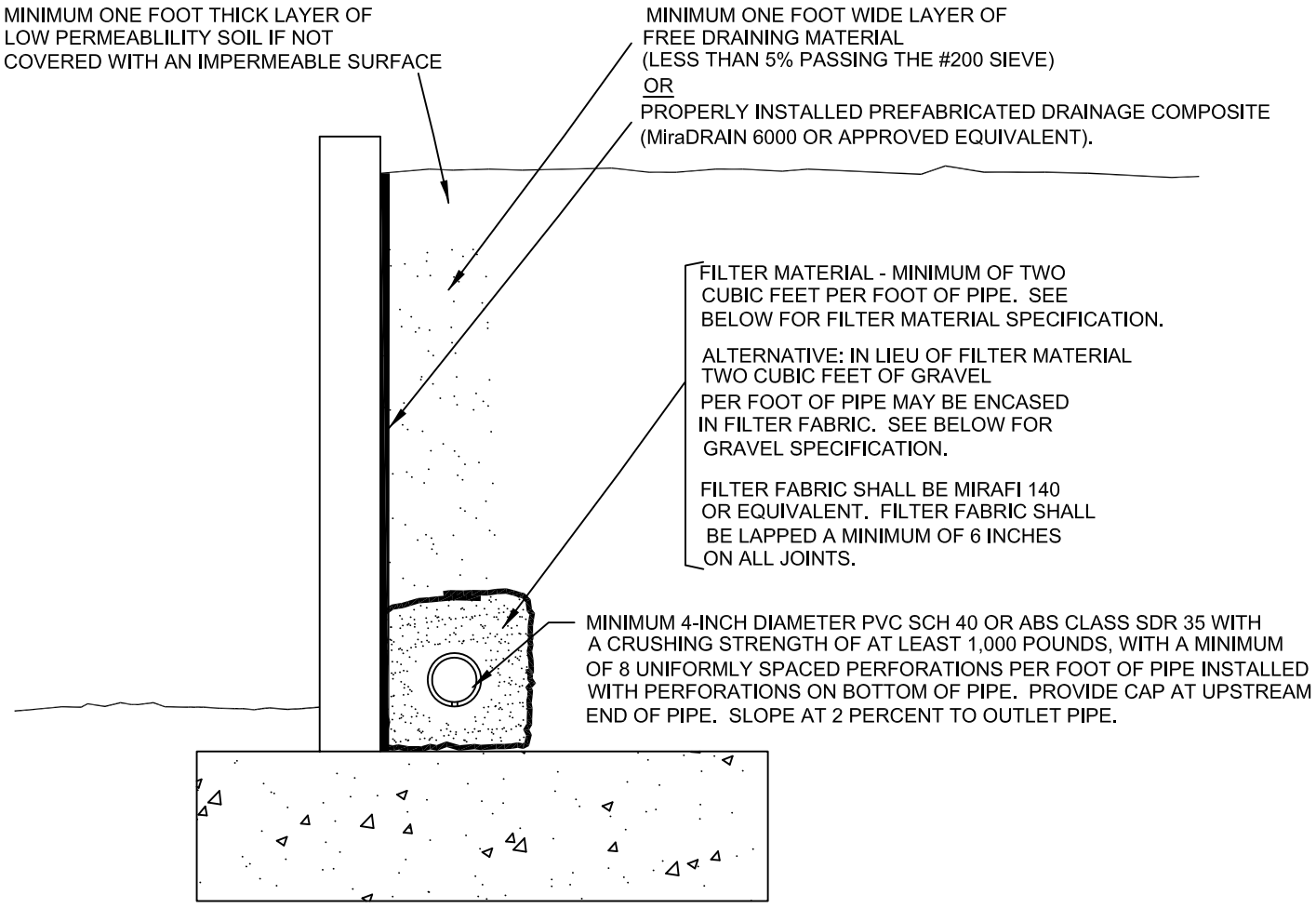
GRADING GUIDE SPECIFICATIONS

NOT TO SCALE

DRAWN: JAS
CHKD: GKM

PLATE D-6

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL



"FILTER MATERIAL" TO MEET FOLLOWING SPECIFICATION OR APPROVED EQUIVALENT: (CONFORMS TO EMA STD. PLAN 323)

SIEVE SIZE	PERCENTAGE PASSING
1"	100
3/4"	90-100
3/8"	40-100
NO. 4	25-40
NO. 8	18-33
NO. 30	5-15
NO. 50	0-7
NO. 200	0-3

"GRAVEL" TO MEET FOLLOWING SPECIFICATION OR APPROVED EQUIVALENT:

SIEVE SIZE	MAXIMUM PERCENTAGE PASSING
1 1/2"	100
NO. 4	50
NO. 200	8

SAND EQUIVALENT = MINIMUM OF 50

RETAINING WALL BACKDRAINS

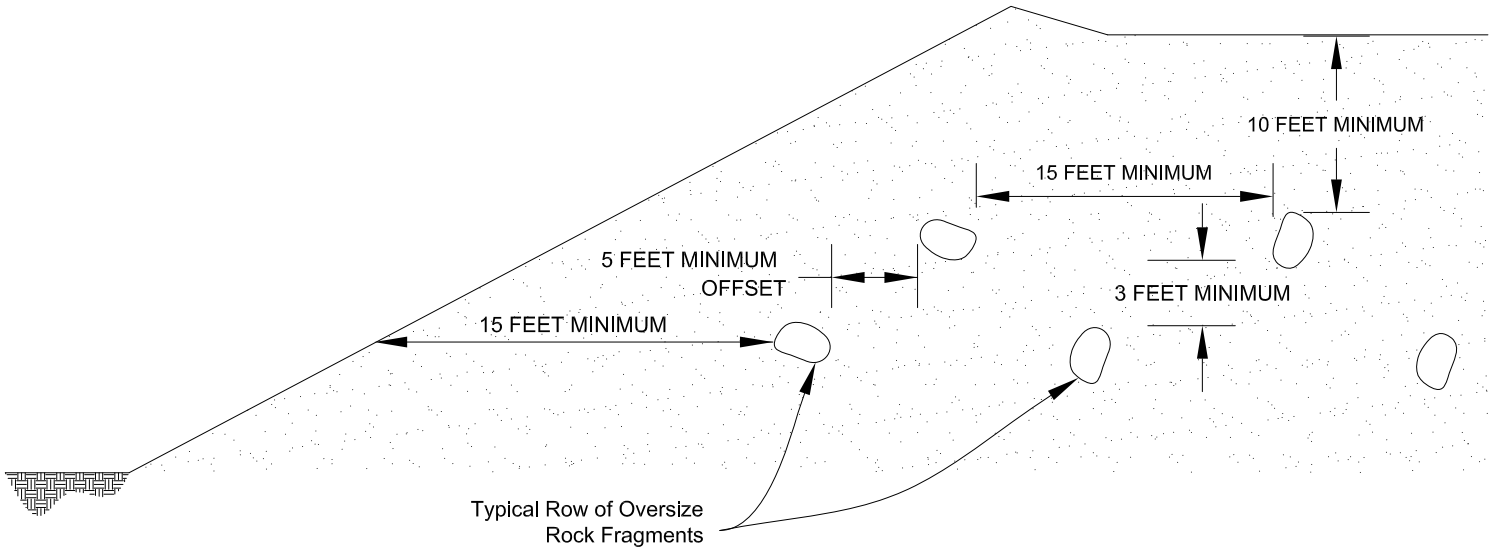
GRADING GUIDE SPECIFICATIONS

NOT TO SCALE

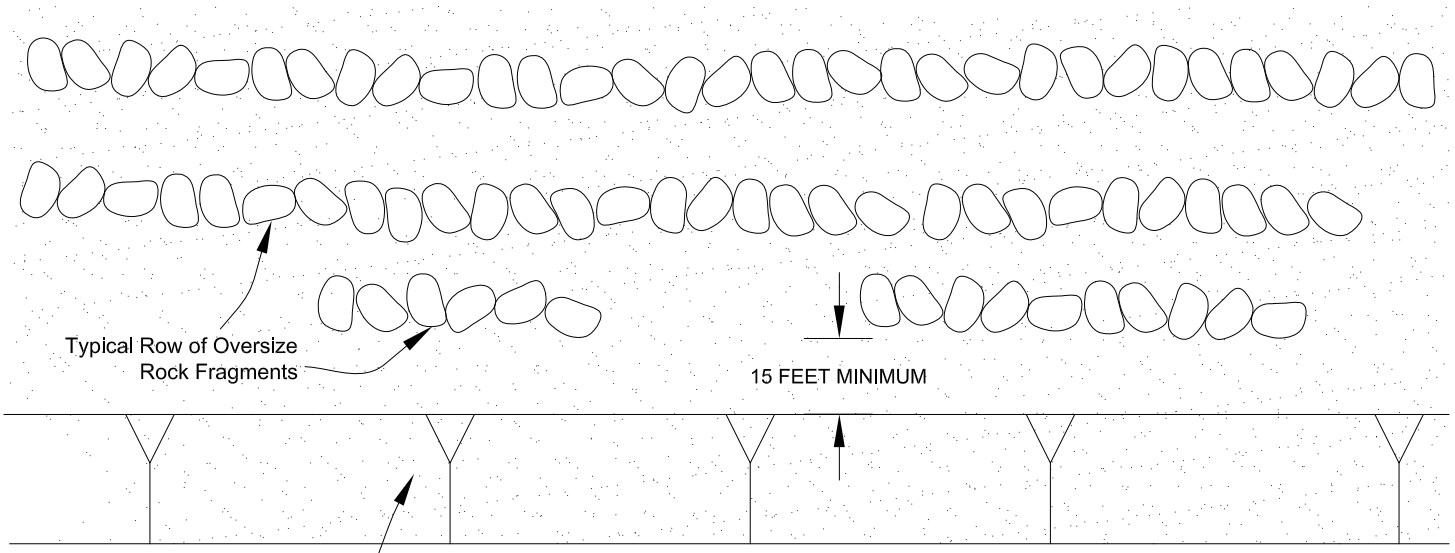
DRAWN: JAS
CHKD: GKM

PLATE D-7

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL



Section View



Plan View

PLACEMENT OF OVERSIZED MATERIAL

GRADING GUIDE SPECIFICATIONS

NOT TO SCALE

DRAWN: PM
CHKD: GKM

PLATE D-8

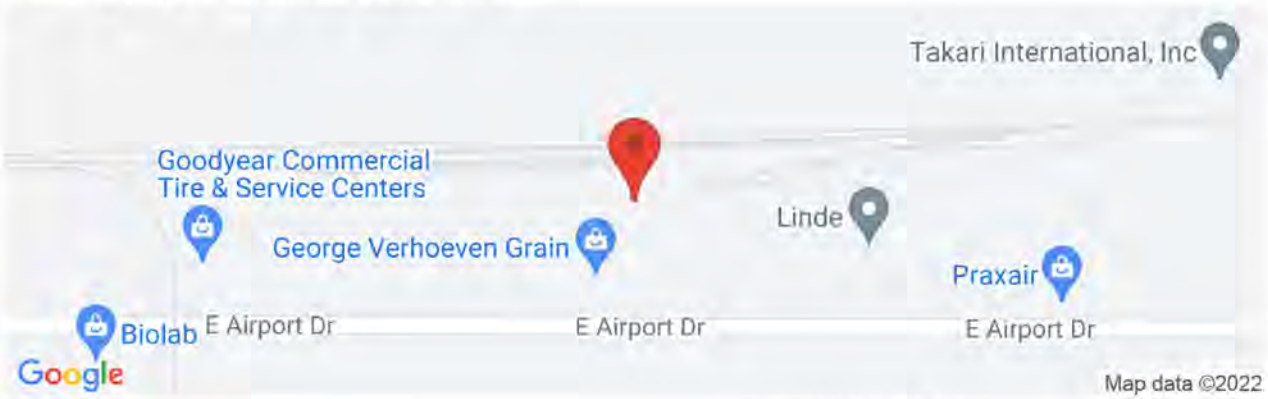
SoCalGeo

SOUTHERN CALIFORNIA GEOTECHNICAL

APPENDIX E

OSHPD

Latitude, Longitude: 34.063779, -117.532667



Date	2/18/2022, 5:07:18 PM
Design Code Reference Document	ASCE7-16
Risk Category	II
Site Class	D - Stiff Soil

Type	Value	Description
S_S	1.692	MCE_R ground motion. (for 0.2 second period)
S_1	0.625	MCE_R ground motion. (for 1.0s period)
S_{MS}	1.692	Site-modified spectral acceleration value
S_{M1}	null -See Section 11.4.8	Site-modified spectral acceleration value
S_{DS}	1.128	Numeric seismic design value at 0.2 second SA
S_{D1}	null -See Section 11.4.8	Numeric seismic design value at 1.0 second SA

Type	Value	Description
SDC	null -See Section 11.4.8	Seismic design category
F_a	1	Site amplification factor at 0.2 second
F_v	null -See Section 11.4.8	Site amplification factor at 1.0 second
PGA	0.716	MCE_G peak ground acceleration
F_{PGA}	1.1	Site amplification factor at PGA
PGA_M	0.787	Site modified peak ground acceleration
T_L	12	Long-period transition period in seconds
SsRT	1.692	Probabilistic risk-targeted ground motion. (0.2 second)
SsUH	1.805	Factored uniform-hazard (2% probability of exceedance in 50 years) spectral acceleration
SsD	2.227	Factored deterministic acceleration value. (0.2 second)
S1RT	0.625	Probabilistic risk-targeted ground motion. (1.0 second)
S1UH	0.684	Factored uniform-hazard (2% probability of exceedance in 50 years) spectral acceleration.
S1D	0.727	Factored deterministic acceleration value. (1.0 second)
PGAd	0.91	Factored deterministic acceleration value. (Peak Ground Acceleration)
C_{RS}	0.938	Mapped value of the risk coefficient at short periods
C_{R1}	0.914	Mapped value of the risk coefficient at a period of 1 s

SOURCE: SEAOC/OSHPD Seismic Design Maps Tool
<https://seismicmaps.org/>

SEISMIC DESIGN PARAMETERS - 2019 CBC
PROPOSED WAREHOUSE
ONTARIO, CALIFORNIA

DRAWN: JLL
CHKD: RGT
SCG PROJECT 22G128-1
PLATE E-1

SoCalGeo SOUTHERN CALIFORNIA GEOTECHNICAL

March 9, 2022

Prologis
17777 Center Court Drive North, Suite 100
Cerritos, California 90703

Attention: Mr. John Carter
Director, Project Management

Project No.: 22G128-2

Subject: Results of Infiltration Testing
Proposed Warehouse
5355 East Airport Drive
Ontario, California

Reference: Geotechnical Investigation, Proposed Warehouse, 5355 East Airport Drive, Ontario, California, prepared by Southern California Geotechnical, Inc. (SCG) for Prologis, SCG Project No. 22G128-1, dated March 9, 2022.

Dear Mr. Carter:

In accordance with your request, we have conducted infiltration testing at the subject site. We are pleased to present this report summarizing the results of the infiltration testing and our design recommendations.

Scope of Services

The scope of services performed for this project was in general accordance with our Proposal No. 22P129, dated January 21, 2022. The scope of services included site reconnaissance, subsurface exploration, field testing, and engineering analysis to determine the infiltration rates of the on-site soils. The infiltration testing was performed in general accordance with the guidelines published in the Riverside County – Low Impact Development BMP Design Handbook – Section 2.3 of Appendix A, prepared for the Riverside County Department of Environmental Health (RCDEH), dated December, 2013. The San Bernardino County standards defer to the guidelines published by the RCDEH.

Site and Project Description

The subject site is located on the north side of East Airport Drive, 1,310± feet east of the intersection of South Wineville Avenue and East Airport Drive in Ontario, California. The site is also referenced by the street address 5355 East Airport Drive. The site is bounded to the north by Union Pacific railroad tracks, to the east and west by an industrial development, and to the south by East Airport Drive. The general location of the site is illustrated on the Site Location Map, enclosed as Plate 1 of this report.

The site consists of an irregular-shaped property, 14.58± acres in size. The site is developed to manufacture and store animal feed grains. The development includes several buildings and shed structures ranging in size from 2,200± ft^2 to 20,175± ft^2, and several silos and above-ground

storage tanks (ASTs) primarily located in the north-central region of the site. The existing structures are generally of concrete tilt-up and/or metal-framed construction, and are presumed to be supported on conventional shallow foundations with concrete slab-on-grade floors. The existing structures are generally surrounded by asphaltic concrete (AC) pavements, with isolated areas of Portland cement concrete (PCC), aggregate base pavements, and exposed soils in the south-central portion of the site. The existing pavements are in poor condition, with moderate to severe cracking throughout. Two medium-size trees are present in the south-central region of the site.

Detailed topographic information was not available at the time of this report. Based on elevations obtained from Google Earth and visual observations made at the time of the subsurface investigation, the site slopes gently to the south-southeast at a gradient of less than 1 percent.

Proposed Development

A preliminary site plan, identified as Scheme 01 and prepared by RGA, for the proposed development was provided to our office by the client. Based on this plan, the subject site will be developed with a 259,189± ft² warehouse, located in the north-central region of the site. Dock-high doors will be constructed along a portion of the south building wall. The proposed building is expected to be surrounded by AC pavements in the parking and drive areas, PCC pavements in the loading dock area, and concrete flatwork and landscaped planters throughout the site.

We understand that the proposed development will include on-site stormwater infiltration. Based on our experience with similar projects in the area, the infiltration systems are expected to be below-grade chambers. The bottoms of the infiltration systems are expected to be 10 to 12± feet below the existing site grades.

Concurrent Study

SCG concurrently conducted a geotechnical investigation at the subject site, referenced above. As a part of this study, five (5) borings (identified as Boring Nos. B-1 through B-5) were advanced to depths of 20 to 30± feet below the existing site grades.

AC pavements were encountered at the ground surface of Boring Nos. B-1 through B-4. The pavement sections generally consist of 0 to 2½± inches of AC, underlain by 1 to 3½± inches of aggregate base. Artificial fill soils were encountered beneath the existing pavements at Boring Nos. B-1 through B-4 and at the ground surface at Boring No. B-5, extending to depths of 2½ to 6½± feet below the existing site grades. The fill soils generally consist of loose to medium dense sands and silty sands, with occasional dense silty sands. Native alluvium was encountered beneath the artificial fill soils at all of the boring locations, extending to at least the maximum depth explored of 30± feet. The near-surface alluvium generally consists of loose to medium dense sands and sandy silts, extending to depths of 6½ to 12± feet. At greater depths, the alluvium generally consists of medium dense to dense sands, silty sands and sandy silts. Boring No. B-3 encountered a stratum of dense silty sands at a depth of 14½ to 17± feet. Boring No. B-5 encountered a stratum of loose well-graded sands at a depth of 12 to 17± feet.

Groundwater

Free water was not encountered during the drilling of any of the borings. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed at a depth in excess of 30± feet at the time of the subsurface exploration.

As part of our research, we reviewed available groundwater data in order to determine groundwater levels for the site. Water level data was obtained from the California Department of Water Resources Water Data Library website, https://wdl.water.ca.gov/waterdatalibrary/. The nearest monitoring well on record (identified as State Well Number: 01S06W29H001S) is located 3,400± feet southeast of the project site. Water level readings within this monitoring well indicate a high groundwater level of 277± feet below the ground surface in April 2019.

Subsurface Exploration

Scope of Exploration

The subsurface exploration conducted for the infiltration testing consisted of six (6) infiltration test borings, advanced to depths of 10 to 12± feet below the existing site grades. The infiltration borings were advanced using a truck-mounted drilling rig, equipped with 8-inch-diameter hollow-stem augers and were logged during drilling by a member of our staff. The approximate locations of the infiltration test borings (identified as I-1 through I-6) are indicated on the Infiltration Test Location Plan, enclosed as Plate 2 of this report.

Upon the completion of the infiltration borings, the bottom of each test boring was covered with 2± inches of clean ¾-inch gravel. A sufficient length of 3-inch-diameter perforated PVC casing was then placed into each test hole so that the PVC casing extended from the bottom of the test hole to the ground surface. Clean ¾-inch gravel was then installed in the annulus surrounding the PVC casing.

Geotechnical Conditions

AC pavements were encountered at the ground surface of Infiltration Test Nos. I-1 through I-5. The pavement sections generally consist of 0 to 6± inches of AC, underlain by 0 to 9± inches of aggregate base. An 8±-inch-thick PCC section was encountered at the ground surface at Infiltration Test Nos. I-6. Steel reinforcement was not encountered at this location. Artificial fill soils were encountered beneath the existing pavements at all of the infiltration boring location, extending to depths of 3 to 4± feet below the existing site grades. The fill soils generally consist of medium dense to dense silty sands, with occasional loose sands. The fill soils possess a disturbed mottled appearance resulting in their classification as artificial fill. Native alluvial soils were encountered beneath the fill soils at all of the infiltration boring locations, extending to at least the maximum depth explored of 12± feet. The alluvium generally consists of loose sands, silty sands and silty sands to sandy silts, with occasional medium dense silty sands. The Boring Logs, which illustrate the conditions encountered at the boring locations, are included with this report.

Infiltration Testing

As previously mentioned, the infiltration testing was performed in general accordance with the guidelines published in Riverside County – Low Impact Development BMP Design Handbook – Section 2.3 of Appendix A, which apply to San Bernardino County.

Pre-soaking

In accordance with the county infiltration standards for sandy soils, all infiltration test borings were pre-soaked 2 hours prior to the infiltration testing or until all of the water had percolated through the test holes. The pre-soaking process consisted of filling test borings by inverting a full 5-gallon bottle of clear water supported over each hole so that the water flow into the hole holds constant at a level at least 5 times the hole's radius above the gravel at the bottom of each hole. Pre-soaking was completed after all of the water had percolated through the test holes.

Infiltration Testing

Following the pre-soaking process of the infiltration test borings, SCG performed the infiltration testing. Each test hole was filled with water to a depth of at least 5 times the hole's radius above the gravel at the bottom of the test holes. In accordance with the Riverside County guidelines, since "sandy soils" (where 6 inches of water infiltrated into the surrounding soils in less than 25 minutes for two consecutive readings) were encountered at the bottom of the infiltration test borings, readings were taken at 10-minute intervals for a total of 1 hour. After each reading, water was added to the borings so that the depth of the water was at least 5 times the radius of the hole. The water level readings are presented on the spreadsheets enclosed with this report. The infiltration rates for each of the timed intervals are also tabulated on the spreadsheets.

The infiltration rates from the tests are tabulated in inches per hour. In accordance with the typically accepted practice, it is recommended that the most conservative reading from the latter part of the infiltration tests be used as the design infiltration rate. The rates are summarized below:

Infiltration Test No.	Depth (feet)	Soil Description	Infiltration Rate (inches/hour)
I-1	10	Silty fine Sand, little medium Sand	3.9
I-2	12	Silty fine to medium Sand	3.0
I-3	12	Silty fine to medium Sand, trace coarse Sand	4.6
I-4	12	Silty fine Sand to fine Sandy Silt, trace medium Sand	3.1
I-5	10	Silty fine Sand, little medium Sand, trace fine Gravel	3.5
I-6	10	Silty fine Sand to fine Sandy Silt, trace medium Sand, trace fine Gravel	3.0

Laboratory Testing

Moisture Content

The moisture contents for the recovered soil samples within the borings were determined in accordance with ASTM D-2216 and are expressed as a percentage of the dry weight. These test results are presented on the Boring Logs.

Grain Size Analysis

The grain size distribution of selected soils collected from the base of each infiltration test boring have been determined using a range of wire mesh screens. These tests were performed in general accordance with ASTM D-422 and/or ASTM D-1140. The weight of the portion of the sample retained on each screen is recorded and the percentage finer or coarser of the total weight is calculated. The results of these tests are presented on Plates C-1 through C-6 of this report.

Design Recommendations

Six (6) infiltration tests were performed at the subject site. As noted above, the infiltration rates at these locations vary from 3.0 to 4.6 inches per hour. The major factor affecting the difference in infiltration rates at the infiltration test locations is the presence of silt in the soils at the tested depths. Based on the infiltration test results, we recommend an infiltration rate of 3.0 inches per hour be used in the design of the infiltration systems, if the bottom of the infiltration systems extend between 10 to 12± feet below the existing site grades.

The design of the storm water infiltration systems should be performed by the project civil engineer, in accordance with the City of Ontario and/or County of San Bernardino guidelines. It is recommended that the system be constructed so as to facilitate removal of silt and clay, or other deleterious materials from any water that may enter the systems. The presence of such materials would decrease the effective infiltration rates. It is recommended that the project civil engineer apply an appropriate factor of safety. The infiltration rates recommended above is based on the assumption that only clean water will be introduced to the subsurface profile. Any fines, debris, or organic materials could significantly impact the infiltration rate. It should be noted that the recommended infiltration rates are based on infiltration testing at six (6) discrete locations and that the overall infiltration rates of the proposed infiltration systems could vary considerably.

Infiltration Rate Considerations

The infiltration rates presented herein was determined in accordance with the San Bernardino County guidelines and are considered valid only for the time and place of the actual test. Varying subsurface conditions will exist in other areas of the site, which could alter the recommended infiltration rates presented above. The infiltration rates will decline over time between maintenance cycles as silt or clay particles accumulate on the BMP surface. The infiltration rate is highly dependent upon a number of factors, including density, silt and clay content, grainsize distribution throughout the range of particle sizes, and particle shape. Small changes in these factors can cause large changes in the infiltration rates.

Infiltration rates are based on unsaturated flow. As water is introduced into soils by infiltration, the soils become saturated and the wetting front advances from the unsaturated zone to the saturated zone. Once the soils become saturated, infiltration rates become zero, and water can only move through soils by hydraulic conductivity at a rate determined by pressure head and soil permeability. Changes in soil moisture content will affect the infiltration rate. Infiltration rates should be expected to decrease until the soils become saturated. Soil permeability values will then govern groundwater movement. Permeability values may be on the order of 10 to 20 times less than infiltration rates. The system designer should incorporate adequate factors of safety and allow for overflow design into appropriate traditional storm drain systems, which would transport storm water off-site.

Construction Considerations

The infiltration rates presented in this report are specific to the tested locations and tested depths. Infiltration rates can be significantly reduced if the soils are exposed to excessive disturbance or compaction during construction. Compaction of the soils at the bottom of the infiltration system can significantly reduce the infiltration ability of the basins. Therefore, the subgrade soils within proposed infiltration system areas should not be over-excavated, undercut or compacted in any significant manner. It is recommended that a note to this effect be added to the project plans and/or specifications.

We recommend that a representative from the geotechnical engineer be on-site during the construction of the proposed infiltration systems to identify the soil classification at the base of each system. It should be confirmed that the soils at the base of the proposed infiltration systems correspond with those presented in this report to ensure that the performance of the systems will be consistent with the rates reported herein.

We recommend that scrapers and other rubber-tired heavy equipment not be operated on the basin bottom, or at levels lower than 2 feet above the bottom of the system, particularly within basins. As such, the bottom 24 inches of the infiltration systems should be excavated with non-rubber-tired equipment, such as excavators.

Basin Maintenance

The proposed project may include infiltration basins. Water flowing into these basins will carry some level of sediment. Wind-blown sediments and erosion of the basin side walls will also contribute to sediment deposition at the bottom of the basin. This layer has the potential to significantly reduce the infiltration rate of the basin subgrade soils. Therefore, a formal basin maintenance program should be established to ensure that these silt and clay deposits are removed from the basin on a regular basis. Appropriate vegetation on the basin sidewalls and bottom may reduce erosion and sediment deposition.

Basin maintenance should also include measures to prevent animal burrows, and to repair any burrows or damage caused by such. Animal burrows in the basin sidewalls can significantly increase the risk of erosion and piping failures.

Location of Infiltration Systems

The use of on-site storm water infiltration systems carries a risk of creating adverse geotechnical conditions. Increasing the moisture content of the soil can cause the soil to lose internal shear strength and increase its compressibility, resulting in a change in the designed engineering properties. Overlying structures and pavements in the infiltration area could potentially be damaged due to saturation of the subgrade soils. The proposed infiltration systems for this site should be located at least 25 feet away from any structures, including retaining walls. Even with this provision of locating the infiltration system at least 25 feet from the building(s), it is possible that infiltrating water into the subsurface soils could have an adverse effect on the proposed or existing structures. It should also be noted that utility trenches which happen to collect storm water can also serve as conduits to transmit storm water toward the structure, depending on the slope of the utility trench. Therefore, consideration should also be given to the proposed locations of underground utilities which may pass near the proposed infiltration system.

The infiltration system designer should also give special consideration to the effect that the proposed infiltration systems may have on nearby subterranean structures, open excavations, or descending slopes. In particular, infiltration systems should not be located near the crest of descending slopes, particularly where the slopes are comprised of granular soils. Such systems will require specialized design and analysis to evaluate the potential for slope instability, piping failures and other phenomena that typically apply to earthen dam design. This type of analysis is beyond the scope of this infiltration test report, but these factors should be considered by the infiltration system designer when locating the infiltration systems.

General Comments

This report has been prepared as an instrument of service for use by the client in order to aid in the evaluation of this property and to assist the architects and engineers in the design and preparation of the project plans and specifications. This report may be provided to the contractor(s) and other design consultants to disclose information relative to the project. However, this report is not intended to be utilized as a specification in and of itself, without appropriate interpretation by the project architect, structural engineer, and/or civil engineer. The design of the proposed storm water infiltration system is the responsibility of the civil engineer. The role of the geotechnical engineer is limited to determination of infiltration rate only. By using the design infiltration rate contained herein, the civil engineer agrees to indemnify, defend, and hold harmless the geotechnical engineer for all aspects of the design and performance of the proposed storm water infiltration system. The reproduction and distribution of this report must be authorized by the client and Southern California Geotechnical, Inc. Furthermore, any reliance on this report by an unauthorized third party is at such party's sole risk, and we accept no responsibility for damage or loss which may occur.

The analysis of this site was based on a subsurface profile interpolated from limited discrete soil samples. While the materials encountered in the project area are considered to be representative of the total area, some variations should be expected between boring locations and testing depths. If the conditions encountered during construction vary significantly from those detailed herein, we should be contacted immediately to determine if the conditions alter the recommendations contained herein.

This report has been based on assumed or provided characteristics of the proposed development. It is recommended that the owner, client, architect, structural engineer, and civil engineer carefully review these assumptions to ensure that they are consistent with the characteristics of the proposed development. If discrepancies exist, they should be brought to our attention to verify that they do not affect the conclusions and recommendations contained herein. We also recommend that the project plans and specifications be submitted to our office for review to verify that our recommendations have been correctly interpreted. The analysis, conclusions, and recommendations contained within this report have been promulgated in accordance with generally accepted professional geotechnical engineering practice. No other warranty is implied or expressed.

Closure

We sincerely appreciate the opportunity to be of service on this project. We look forward to providing additional consulting services during the course of the project. If we may be of further assistance in any manner, please contact our office.

Respectfully Submitted,

SOUTHERN CALIFORNIA GEOTECHNICAL, INC.

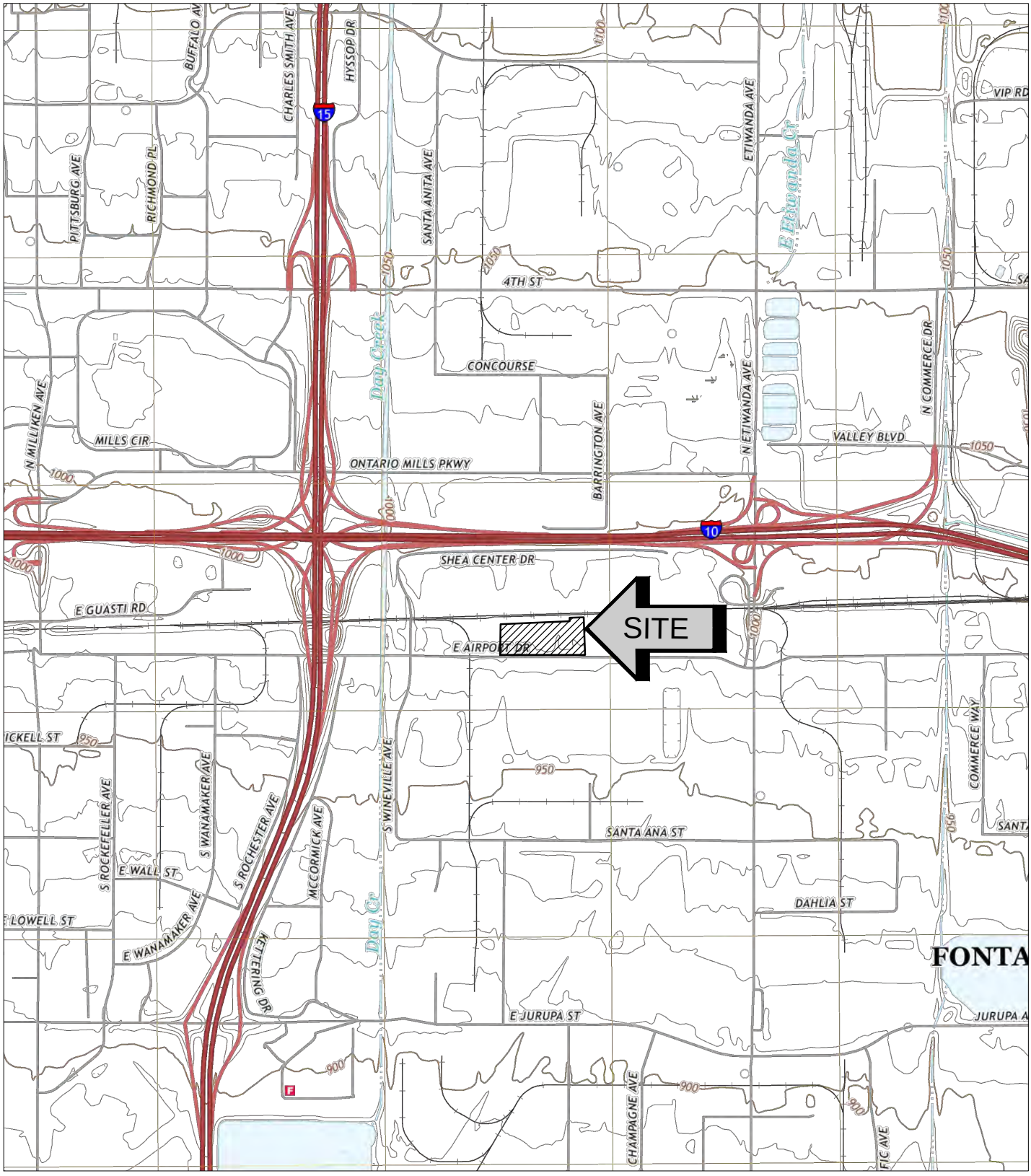
Joseph Lozano Leon
Staff Engineer

Robert G. Trazo, GE 2655
Principal Engineer



Distribution: (1) Addressee

Enclosures: Plate 1 - Site Location Map
Plate 2 - Infiltration Test Location Plan
Boring Log Legend and Logs (8 pages)
Infiltration Test Results Spreadsheets (6 pages)
Grain Size Distribution Graphs (6 pages)



SOURCE: USGS TOPOGRAPHIC MAP OF THE GUASTI QUADRANGLE, SAN BERNARDINO COUNTY, CALIFORNIA, 2021.

SITE LOCATION MAP

PROPOSED WAREHOUSE

ONTARIO, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: JLL CHKD: RGT	
SCG PROJECT 22G128-2	
PLATE 1	

SoCalGeo SOUTHERN CALIFORNIA GEOTECHNICAL

N.A.P.

N.A.P.

N.A.P.

N.A.P.

N.A.P.

B-1

B-2

B-3

B-4

B-5

I-1

I-2

I-3

I-4

I-5

I-6

PROPOSED
BUILDING
259,189 SF

EAST AIRPORT DRIVE

E Airport Dr

GEOTECHNICAL LEGEND

- APPROXIMATE INFILTRATION TEST LOCATION
- APPROXIMATE BORING LOCATION FROM CONCURRENT STUDY (SCG PROJECT NO. 22G128-1)
- PROPERTY LINE

NORTH

SoCalGeo

NOTE: PRELIMINARY SITE PLAN PREPARED BY RGA.
AERIAL PHOTOGRAPH OBTAINED FROM GOOGLE EARTH.

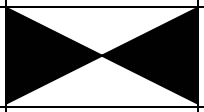
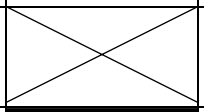
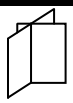
INFILTRATION TEST LOCATION PLAN

PROPOSED WAREHOUSE

ONTARIO, CALIFORNIA

SCALE: 1" = 80'	SoCalGeo SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: JLL CHKD: RGT	
SCG PROJECT 22G128-2	
PLATE 2	

BORING LOG LEGEND

SAMPLE TYPE	GRAPHICAL SYMBOL	SAMPLE DESCRIPTION
AUGER		SAMPLE COLLECTED FROM AUGER CUTTINGS, NO FIELD MEASUREMENT OF SOIL STRENGTH. (DISTURBED)
CORE		ROCK CORE SAMPLE: TYPICALLY TAKEN WITH A DIAMOND-TIPPED CORE BARREL. TYPICALLY USED ONLY IN HIGHLY CONSOLIDATED BEDROCK.
GRAB		SOIL SAMPLE TAKEN WITH NO SPECIALIZED EQUIPMENT, SUCH AS FROM A STOCKPILE OR THE GROUND SURFACE. (DISTURBED)
CS		CALIFORNIA SAMPLER: 2-1/2 INCH I.D. SPLIT BARREL SAMPLER, LINED WITH 1-INCH HIGH BRASS RINGS. DRIVEN WITH SPT HAMMER. (RELATIVELY UNDISTURBED)
NSR		NO RECOVERY: THE SAMPLING ATTEMPT DID NOT RESULT IN RECOVERY OF ANY SIGNIFICANT SOIL OR ROCK MATERIAL.
SPT		STANDARD PENETRATION TEST: SAMPLER IS A 1.4 INCH INSIDE DIAMETER SPLIT BARREL, DRIVEN 18 INCHES WITH THE SPT HAMMER. (DISTURBED)
SH		SHELBY TUBE: TAKEN WITH A THIN WALL SAMPLE TUBE, PUSHED INTO THE SOIL AND THEN EXTRACTED. (UNDISTURBED)
VANE		VANE SHEAR TEST: SOIL STRENGTH OBTAINED USING A 4 BLADED SHEAR DEVICE. TYPICALLY USED IN SOFT CLAYS-NO SAMPLE RECOVERED.

COLUMN DESCRIPTIONS

DEPTH: Distance in feet below the ground surface.

SAMPLE: Sample Type as depicted above.

BLOW COUNT: Number of blows required to advance the sampler 12 inches using a 140 lb hammer with a 30-inch drop. 50/3" indicates penetration refusal (>50 blows) at 3 inches. WH indicates that the weight of the hammer was sufficient to push the sampler 6 inches or more.

POCKET PEN.: Approximate shear strength of a cohesive soil sample as measured by pocket penetrometer.

GRAPHIC LOG: Graphic Soil Symbol as depicted on the following page.

DRY DENSITY: Dry density of an undisturbed or relatively undisturbed sample in lbs/ft^3.

MOISTURE CONTENT: Moisture content of a soil sample, expressed as a percentage of the dry weight.

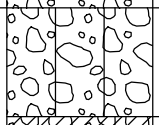
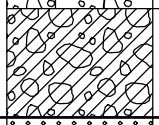
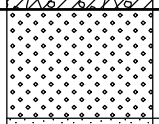
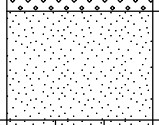
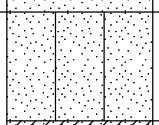
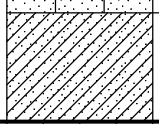
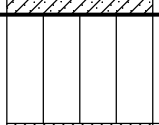
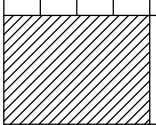
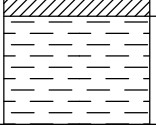
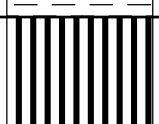
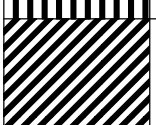
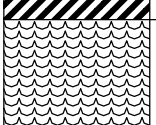
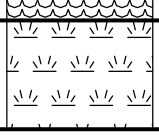
LIQUID LIMIT: The moisture content above which a soil behaves as a liquid.

PLASTIC LIMIT: The moisture content above which a soil behaves as a plastic.

PASSING #200 SIEVE: The percentage of the sample finer than the #200 standard sieve.

UNCONFINED SHEAR: The shear strength of a cohesive soil sample, as measured in the unconfined state.

SOIL CLASSIFICATION CHART

MAJOR DIVISIONS			SYMBOLS		TYPICAL DESCRIPTIONS
			GRAPH	LETTER	
COARSE GRAINED SOILS MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVEL AND GRAVELLY SOILS MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE	CLEAN GRAVELS (LITTLE OR NO FINES)		GW	WELL-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES
				GP	POORLY-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES
		GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)		GM	SILTY GRAVELS, GRAVEL - SAND - SILT MIXTURES
				GC	CLAYEY GRAVELS, GRAVEL - SAND - CLAY MIXTURES
	SAND AND SANDY SOILS MORE THAN 50% OF COARSE FRACTION PASSING ON NO. 4 SIEVE	CLEAN SANDS (LITTLE OR NO FINES)		SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES
				SP	POORLY-GRADED SANDS, GRAVELLY SAND, LITTLE OR NO FINES
		SANDS WITH FINES (APPRECIABLE AMOUNT OF FINES)		SM	SILTY SANDS, SAND - SILT MIXTURES
				SC	CLAYEY SANDS, SAND - CLAY MIXTURES
FINE GRAINED SOILS MORE THAN 50% OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYS	LIQUID LIMIT LESS THAN 50		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
				CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
				OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
	SILTS AND CLAYS	LIQUID LIMIT GREATER THAN 50		MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILTY SOILS
				CH	INORGANIC CLAYS OF HIGH PLASTICITY
				OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
HIGHLY ORGANIC SOILS				PT	PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS

NOTE: DUAL SYMBOLS ARE USED TO INDICATE BORDERLINE SOIL CLASSIFICATIONS

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-1

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					8± inches Aggregate Base							
		26			FILL: Gray Brown Silty fine to coarse Sand, little fine Gravel, medium dense-moist		10					
5		7			ALLUVIUM: Light Brown to Brown Silty fine Sand, loose-damp		4					
		9			@ 8½ feet, little medium Sand		5			31		
10					Boring Terminated at 10'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-1

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-2

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					5½± inches Aggregate Base							
		30			FILL: Brown Silty fine Sand, little medium Sand, trace coarse Sand, trace fine Gravel, dense-dry to damp		2					
		4			ALLUVIUM: Gray Brown Silty fine Sand, little medium Sand, trace coarse Sand, loose-damp		6					
5												
		6			Brown Silty fine Sand, trace medium Sand, loose-damp to moist		7					
					Brown Silty fine to medium Sand, medium dense-moist							
10		23					8			33		
					Boring Terminated at 12'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-2

1597

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-3

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					6± inches Asphaltic Concrete							
		8			FILL: Brown fine to medium Sand, little Silt, loose-damp to moist		7					
		4			ALLUVIUM: Brown fine to medium Sand, little Silt, loose-damp		5					
5		7					5					
10		6			Brown to Dark Brown Silty fine to medium Sand, trace coarse Sand, loose-damp to moist		7			20		
					Boring Terminated at 12'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-3
1598

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-4

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					3± inches Asphaltic Concrete, 9± inches of Aggregate Base							
		19			FILL: Gray Brown Silty fine to medium Sand, trace coarse Sand, medium dense-damp		5					
		4			ALLUVIUM: Gray Brown Silty fine Sand, little medium Sand, loose, damp to moist		7					
5		9					7					
10		6			Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand, loose-very moist		13			52		
					Boring Terminated at 12'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-4

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-5

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					2½± inches Asphaltic Concrete, 3½± inches of Aggregate Base							
		12			FILL: Brown Silty fine Sand, trace to little medium Sand, trace coarse Sand, medium dense-moist		8					
5		4			ALLUVIUM: Brown Silty fine Sand, trace to little medium Sand, loose-damp		6					
		9			Gray Brown to Dark Gray Brown Silty fine Sand to fine Sandy Silt, loose-very moist		14					
10					Gray Brown Silty fine Sand, little medium Sand, trace fine Gravel, loose-moist		9			24		
					Boring Terminated at 10'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-5

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-6

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					8± inches Portland Cement Concrete							
		43			FILL: Gray Brown Silty fine Sand, little medium Sand, trace coarse Sand, dense-moist		9					
5		8			ALLUVIUM: Gray Brown Silty fine Sand, trace medium Sand, loose-moist		9					
		6			Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand, trace fine Gravel, loose-very moist		14			43		
10					Boring Terminated at 10'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-6

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Caleb Brackett

Test Hole Radius	4	(in)
Test Depth	10.20	(ft)

Infiltration Test Hole	I-1

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	8:28 AM	25.00	8.10	24.00	YES	SANDY SOILS
	Final	8:53 AM		10.10			
2	Initial	8:55 AM	25.00	8.10	24.00	YES	SANDY SOILS
	Final	9:20 AM		10.10			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	9:21 AM	10.00	8.20	0.80	1.60	5.43
	Final	9:31 AM		9.00			
2	Initial	9:31 AM	10.00	8.20	0.70	1.65	4.62
	Final	9:41 AM		8.90			
3	Initial	9:41 AM	10.00	8.20	0.60	1.70	3.86
	Final	9:51 AM		8.80			
4	Initial	9:51 AM	10.00	8.30	0.60	1.60	4.08
	Final	10:01 AM		8.90			
5	Initial	10:01 AM	10.00	8.20	0.60	1.70	3.86
	Final	10:11 AM		8.80			
6	Initial	10:11 AM	10.00	8.20	0.60	1.70	3.86
	Final	10:21 AM		8.80			
7	Initial	10:21 AM	10.00	8.20	0.60	1.70	3.86
	Final	10:31 AM		8.80			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Caleb Brackett

Test Hole Radius	4	(in)
Test Depth	12.00	(ft)

Infiltration Test Hole	I-2

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:07 AM	25.00	9.00	24.00	YES	SANDY SOILS
	Final	7:32 AM		11.00			
2	Initial	7:33 AM	25.00	9.00	22.80	YES	SANDY SOILS
	Final	7:58 AM		10.90			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	7:58 AM	10.00	9.00	0.80	2.60	3.47
	Final	8:08 AM		9.80			
2	Initial	8:09 AM	10.00	9.00	0.80	2.60	3.47
	Final	8:19 AM		9.80			
3	Initial	8:20 AM	10.00	9.00	0.70	2.65	2.98
	Final	8:30 AM		9.70			
4	Initial	8:30 AM	10.00	9.00	0.80	2.60	3.47
	Final	8:40 AM		9.80			
5	Initial	8:40 AM	10.00	9.00	0.70	2.65	2.98
	Final	8:50 AM		9.70			
6	Initial	8:50 AM	10.00	9.00	0.70	2.65	2.98
	Final	9:00 AM		9.70			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

Q = Infiltration Rate (in inches per hour)
ΔH = Change in Height (Water Level) over the time interval
r = Test Hole (Borehole) Radius
Δt = Time Interval
H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	12.40	(ft)

Infiltration Test Hole	I-3

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	10:15 AM	25.00	10.40	24.00	YES	SANDY SOILS
	Final	10:40 AM		12.40			
2	Initial	10:42 AM	25.00	10.40	24.00	YES	SANDY SOILS
	Final	11:07 AM		12.40			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	11:08 AM	10.00	10.40	0.80	1.60	5.43
	Final	11:18 AM		11.20			
2	Initial	11:20 AM	10.00	10.40	0.90	1.55	6.29
	Final	11:30 AM		11.30			
3	Initial	11:31 AM	10.00	10.40	0.80	1.60	5.43
	Final	11:41 AM		11.20			
4	Initial	11:42 AM	10.00	10.40	0.80	1.60	5.43
	Final	11:52 AM		11.20			
5	Initial	11:55 AM	10.00	10.40	0.70	1.65	4.62
	Final	12:05 PM		11.10			
6	Initial	12:06 PM	10.00	10.40	0.70	1.65	4.62
	Final	12:16 PM		11.10			
7	Initial	12:18 PM	10.00	10.40	0.70	1.65	4.62
	Final	12:28 PM		11.10			
8	Initial	12:29 PM	10.00	10.40	0.70	1.65	4.62
	Final	12:39 PM		11.10			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	11.70	(ft)

Infiltration Test Hole	I-4

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:56 AM	25.00	10.00	20.40	YES	SANDY SOILS
	Final	8:21 AM		11.70			
2	Initial	8:22 AM	25.00	10.00	20.40	YES	SANDY SOILS
	Final	8:47 AM		11.70			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	8:48 AM	10.00	10.30	0.50	1.15	4.56
	Final	8:58 AM		10.80			
2	Initial	8:59 AM	10.00	10.30	0.40	1.20	3.51
	Final	9:09 AM		10.70			
3	Initial	9:10 AM	10.00	10.30	0.30	1.25	2.54
	Final	9:20 AM		10.60			
4	Initial	9:20 AM	10.00	10.30	0.20	1.30	1.64
	Final	9:30 AM		10.50			
5	Initial	9:31 AM	10.00	10.10	0.50	1.35	3.96
	Final	9:41 AM		10.60			
6	Initial	9:42 AM	10.00	10.10	0.40	1.40	3.06
	Final	9:52 AM		10.50			
7	Initial	9:24 AM	10.00	10.10	0.40	1.40	3.06
	Final	9:34 AM		10.50			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

Q = Infiltration Rate (in inches per hour)
ΔH = Change in Height (Water Level) over the time interval
r = Test Hole (Borehole) Radius
Δt = Time Interval
H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	10.20	(ft)

Infiltration Test Hole	I-5

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:42 AM	25.00	8.10	20.40	YES	SANDY SOILS
	Final	8:07 AM		9.80			
2	Initial	8:08 AM	25.00	8.10	21.60	YES	SANDY SOILS
	Final	8:33 AM		9.90			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	8:35 AM	10.00	8.30	0.80	1.50	5.76
	Final	8:45 AM		9.10			
2	Initial	8:46 AM	10.00	8.80	0.60	1.10	5.68
	Final	8:56 AM		9.40			
3	Initial	8:57 AM	10.00	8.80	0.50	1.15	4.56
	Final	9:07 AM		9.30			
4	Initial	9:08 AM	10.00	8.80	0.50	1.15	4.56
	Final	9:18 AM		9.30			
5	Initial	9:19 AM	10.00	8.80	0.40	1.20	3.51
	Final	9:29 AM		9.20			
6	Initial	9:30 AM	10.00	8.80	0.40	1.20	3.51
	Final	9:40 AM		9.20			
7	Initial	9:42 AM	10.00	8.80	0.40	1.20	3.51
	Final	9:52 AM		9.20			
8	Initial	9:53 AM	10.00	8.80	0.40	1.20	3.51
	Final	10:03 AM		9.20			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

Q = Infiltration Rate (in inches per hour)
ΔH = Change in Height (Water Level) over the time interval
r = Test Hole (Borehole) Radius
Δt = Time Interval
H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	10.20	(ft)

Infiltration Test Hole	I-6

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:49 AM	25.00	8.10	19.20	YES	SANDY SOILS
	Final	8:14 AM		9.70			
2	Initial	8:15 AM	25.00	8.10	20.40	YES	SANDY SOILS
	Final	8:40 AM		9.80			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	10:17 AM	10.00	8.10	0.60	1.80	3.66
	Final	10:27 AM		8.70			
2	Initial	10:28 AM	10.00	8.10	0.70	1.75	4.38
	Final	10:38 AM		8.80			
3	Initial	10:39 AM	10.00	8.10	0.50	1.85	2.98
	Final	10:49 AM		8.60			
4	Initial	10:50 AM	10.00	8.10	0.60	1.80	3.66
	Final	11:00 AM		8.70			
5	Initial	11:05 AM	10.00	8.10	0.50	1.85	2.98
	Final	11:15 AM		8.60			
6	Initial	11:16 AM	10.00	8.10	0.50	1.85	2.98
	Final	11:26 AM		8.60			
7	Initial	11:27 AM	10.00	8.10	0.50	1.85	2.98
	Final	11:37 AM		8.60			

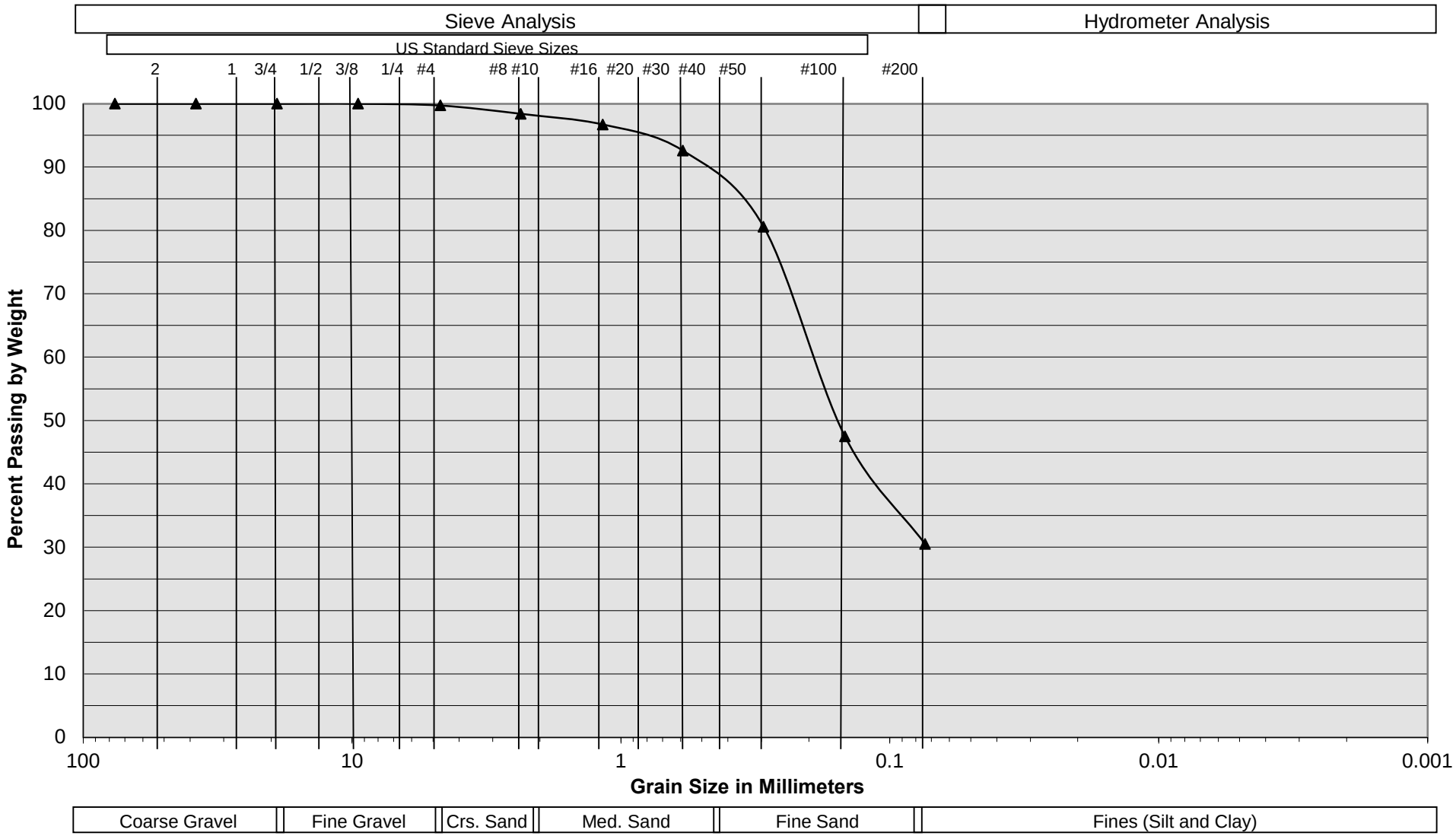
Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

Grain Size Distribution

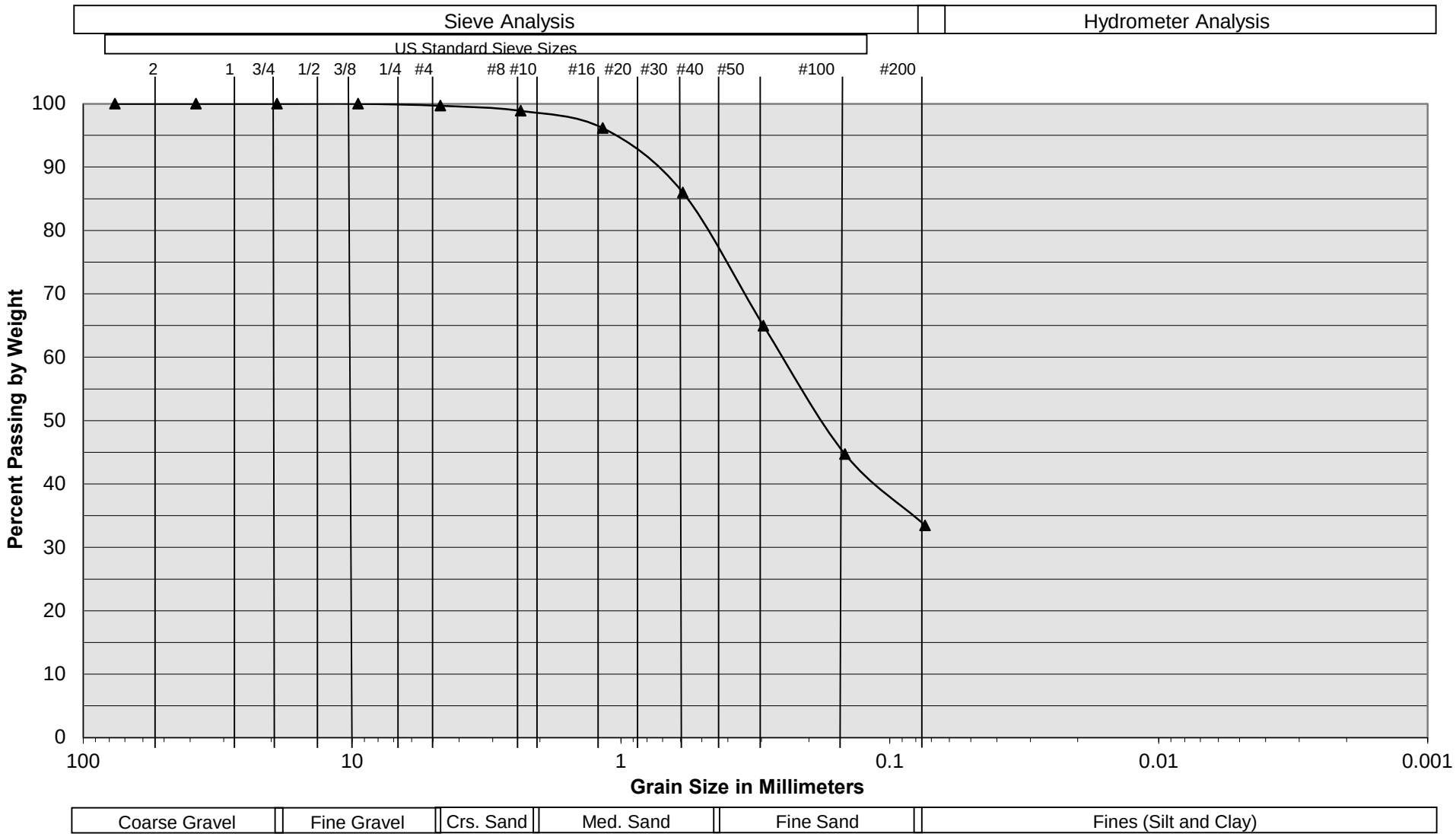


Sample Description	I-1 @ 8½'
Soil Classification	Light Brown to Brown Silty fine Sand, little medium Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 1

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Grain Size Distribution



Sample Description	I-2 @ 10½'
Soil Classification	Brown Silty fine to medium Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 2

SoCalGeo
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Grain Size Distribution

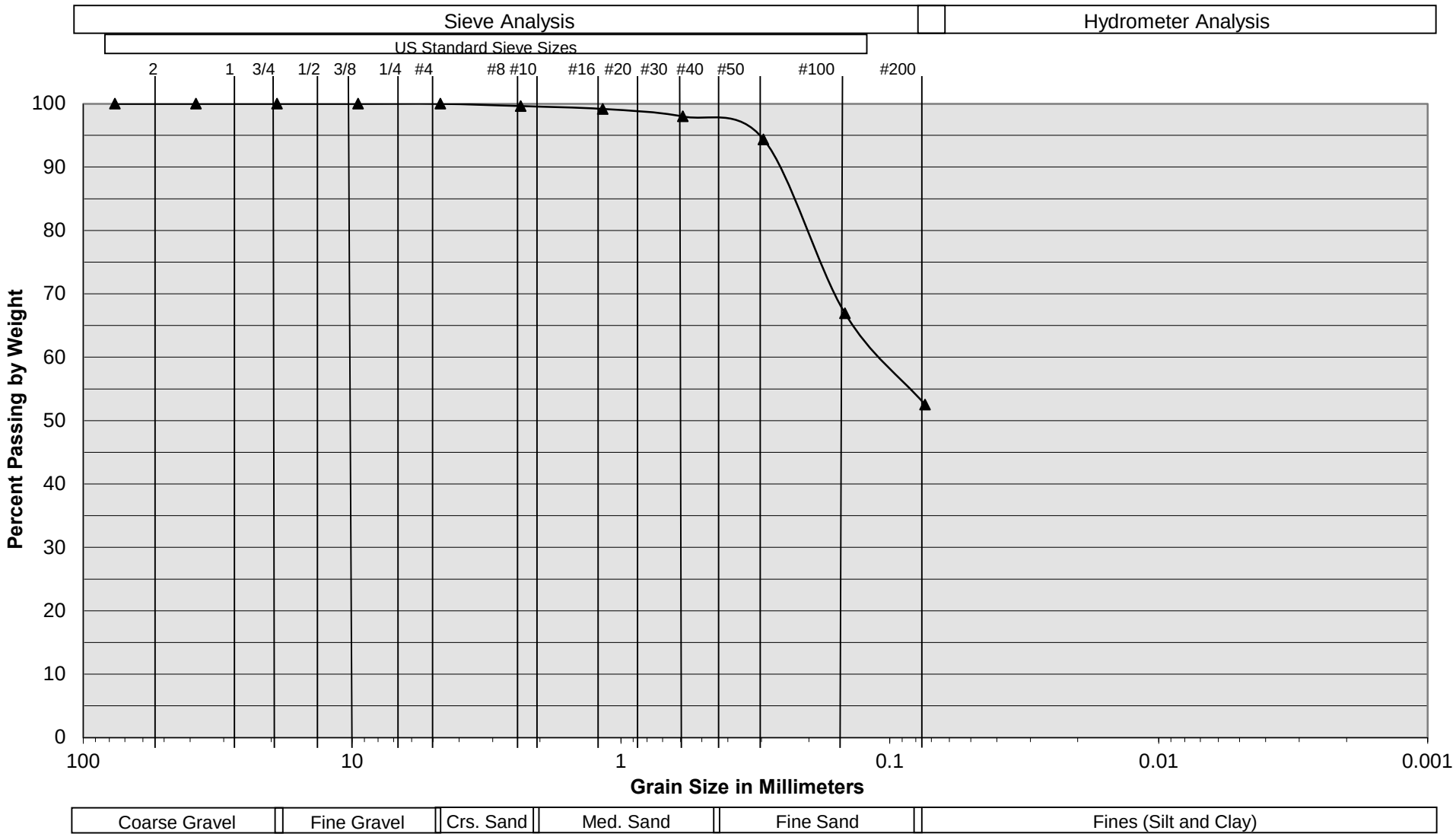


Sample Description	I-3 @ 10½'
Soil Classification	Brown to Dark Brown Silty fine to medium Sand, trace coarse Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 3

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Grain Size Distribution

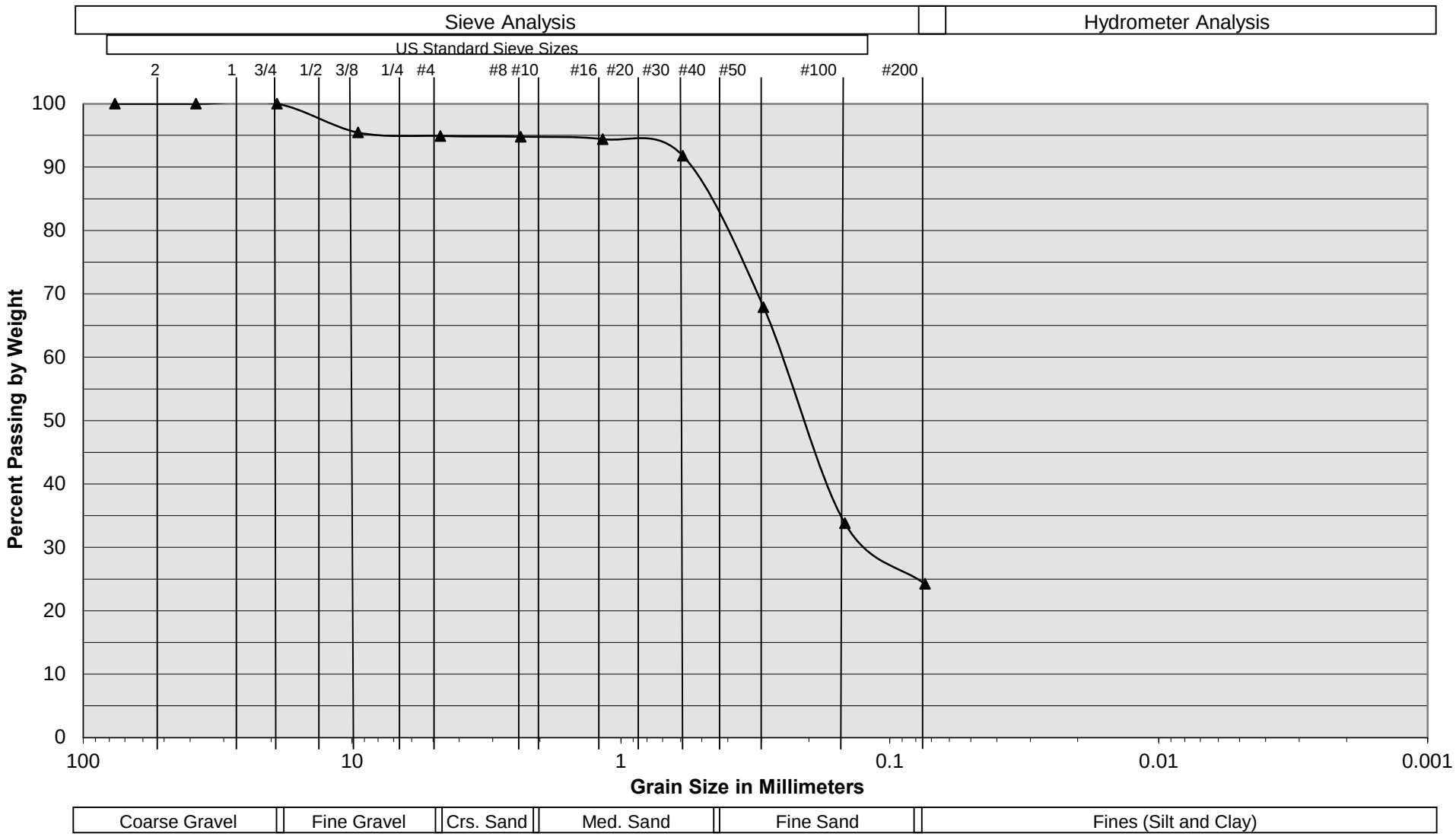


Sample Description	I-4 @ 10½'
Soil Classification	Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 4

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Grain Size Distribution



Sample Description	I-5 @ 9½'
Soil Classification	Gray Brown Silty fine Sand, little medium Sand, trace fine Gravel

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 5

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1612

Grain Size Distribution



Sample Description	I-6 @ 8½'
Soil Classification	Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand, trace fine Gravel

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 6

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5355 East Airport Drive

GREENHOUSE GAS ANALYSIS

CITY OF ONTARIO

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AUGUST 30, 2022

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LIST OF ABBREVIATED TERMS

%	Percent
°C	Degrees Celsius
°F	Degrees Fahrenheit
(1)	Reference
2017 Scoping Plan	*Final 2017 Scoping Plan Update*
AB	Assembly Bill
AB 32	Global Warming Solutions Act of 2006
AB 1493	Pavley Fuel Efficiency Standards
AB 1881	California Water Conservation Landscaping Act of 2006
Annex I	Industrialized Nations
APA	Administrative Procedure Act
AQIA	*5355 East Airport Drive Air Quality Impact Analysis*
BAU	Business as Usual
C_2F_6	Hexafluoroethane
C_2H_6	Ethane
$C_2H_2F_4$	Tetrafluroethane
$C_2H_4F_2$	Ethylidene Fluoride
CAA	Federal Clean Air Act
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
CALGAPS	California LBNL GHG Analysis of Policies Spreadsheet
CALGreen	California Green Building Standards Code
CalSTA	California State Transportation Agency
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resource Board
CBSC	California Building Standards Commission
CCAP	Community Climate Action Plan
CEC	California Energy Commission
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CEQA Guidelines	*2019 CEQA Statute and Guidelines*
CDFA	California Department of Food and Agriculture
CF_4	Tetrafluoromethane
CFC	Chlorofluorocarbons

CFC-113	Trichlorotrifluoroethane
CH_4	Methane
City	City of Ontario
CNRA	California Natural Resources Agency
CNRA 2009	*2009 California Climate Adaptation Strategy*
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalent
Convention	United Nation's Framework Convention on Climate Change
COP	Conference of the Parties
CPUC	California Public Utilities Commission
CTC	California Transportation Commission
DOF	Department of Finance
DWR	Department of Water Resources
EMFAC	Emission Factor Model
EPA	Environmental Protection Agency
EV	Electric Vehicle
FED	Functional Equivalent Document
GCC	Global Climate Change
Gg	Gigagram
GHGA	Greenhouse Gas Analysis
GO-Biz	Governor's Office of Business and Economic Development
gpd	Gallons Per Day
gpm	Gallons Per Minute
GWP	Global Warming Potential
H_2O	Water
HFC	Hydrofluorocarbons
HDT	Heavy-Duty Trucks
HFC-23	Fluoroform
HFC-134a	1,1,1,2-tetrafluoroethane
HFC-152a	1,1-difluoroethane
HHDT	Heavy-Heavy-Duty Trucks
hp	Horsepower
IBANK	California Infrastructure and Economic Development Bank
IPCC	Intergovernmental Panel on Climate Change
IRP	Integrated Resource Planning
ISO	Independent System Operator
ITE	Institute of Transportation Engineers
kWh	Kilowatt Hours

lbs	Pounds
LBNL	Lawrence Berkeley National Laboratory
LCA	Life-Cycle Analysis
LCD	Liquid Crystal Display
LCFS	Low Carbon Fuel Standard or Executive Order S-01-07
LDA	Light-Duty Auto
LDT1/LDT2	Light-Duty Trucks
LEV III	Low-Emission Vehicle
LHDT1/LHDT2	Light-Heavy-Duty Trucks
LULUCF	Land-Use, Land-Use Change and Forestry
MCY	Motorcycles
MD	Medium Duty
MDT	Medium-Duty Trucks
MDV	Medium-Duty Vehicles
MHDT	Medium-Heavy-Duty Tucks
MMR	Mandatory Reporting Rule
$MMTCO_2e$	Million Metric Ton of Carbon Dioxide Equivalent
mpg	Miles Per Gallon
MPOs	Metropolitan Planning Organizations
$MMTCO_2e/yr$	Million Metric Ton of Carbon Dioxide Equivalent Per Year
MT/yr	Metric Tons Per Year
$MTCO_2e$	Metric Ton of Carbon Dioxide Equivalent
$MTCO_2e/yr$	Metric Ton of Carbon Dioxide Equivalent Per Year
MW	Megawatts
MWh	Megawatts Per Hour
MWELO	California Department of Water Resources' Model Water Efficient
N_2O	Nitrous Oxide
NDC	Nationally Determined Contributions
NF_3	Nitrogen Trifluoride
NHTSA	National Highway Traffic Safety Administration
NIOSH	National Institute for Occupational Safety and Health
NO_X	Nitrogen Oxides
Non-Annex I	Developing Nations
OAL	Office of Administrative Law
ONT	Ontario International Airport
OPR	Office of Planning and Research
PFC	Perfluorocarbons

ppb	Parts Per Billion
ppm	Parts Per Million
ppt	Parts Per Trillion
Project	5355 East Airport Drive
RTP	Regional Transportation Plan
SAFE	Safer Affordable Fuel-Efficient Vehicles Rule
SB	Senate Bill
SB 32	California Global Warming Solutions Act of 2006
SB 375	Regional GHG Emissions Reduction Targets/Sustainable Communities Strategies
SB 1078	Renewable Portfolio Standards
SB 1368	Statewide Retail Provider Emissions Performance Standards
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
Scoping Plan	California Air Resources Board Climate Change Scoping Plan
SCS	Sustainable Communities Strategy
SEIR	The Ontario Plan 2050 Draft Supplemental Environmental Impact Report
sf	Square Feet
SF_6	Sulfur Hexaflouride
SGC	Strategic Growth Council
SHGC	Solar Heat Gain Coefficient
SLPS	Short-Lived Climate Pollutant Strategy
SP	Service Population
SWCRB	State Water Resources Control Board
TDM	Transportation Demand Measures
Title 20	Appliance Energy Efficiency Standards
Title 24	California Building Code
U.N.	United Nations
U.S.	United States
UNFCCC	United Nations' Framework Convention on Climate Change
URBEMIS	Urban Emissions
UTR	Utility Tractors
VFP	Vehicle Fueling Positions
VMT	Vehicle Miles Traveled

WCI	Western Climate Initiative
WRI	World Resources Institute
ZE/NZE	Zero and Near-Zero Emissions
ZEV	Zero-Emissions Vehicles

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EXECUTIVE SUMMARY

ES.1 SUMMARY OF FINDINGS

The results of this *5355 East Airport Drive Greenhouse Gas Analysis* (GHGA) is summarized below based on the significance criteria in Section 4 of this report consistent with Appendix G of the *California Environmental Quality Act (CEQA) Guidelines* (*CEQA Guidelines*) (1). Table ES-1 shows the findings of significance for potential greenhouse gas (GHG) impacts under CEQA.

TABLE ES-1: SUMMARY OF CEQA SIGNIFICANCE FINDINGS

Analysis	Report Section	Significance Findings	
		Unmitigated	Mitigated
GHG Impact #1: Would the Project generate GHG emissions either directly or indirectly, that may have a significant impact on the environment?	4.7	*Less Than Significant*	*n/a*
GHG Impact #2: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?	4.7	*Less Than Significant*	*n/a*

ES.2 PROJECT REQUIREMENTS

The Project would be required to comply with regulations imposed by the State of California and the South Coast Air Quality Management District (SCAQMD) aimed at the reduction of air pollutant emissions. Those that are directly and indirectly applicable to the Project and that would assist in the reduction of GHG emissions include:

- Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32) (2).
- Regional GHG Emissions Reduction Targets/Sustainable Communities Strategies (Senate Bill [SB] 375) (3).
- Pavley Fuel Efficiency Standards (AB 1493). Establishes fuel efficiency ratings for new vehicles (4).
- California Building Code (Title 24 California Code of Regulations [CCR]). Establishes energy efficiency requirements for new construction (5).
- Appliance Energy Efficiency Standards (Title 20 CCR). Establishes energy efficiency requirements for appliances (6).
- Low Carbon Fuel Standard (LCFS). Requires carbon content of fuel sold in California to be 10 percent (%) less by 2020 (7).
- California Water Conservation in Landscaping Act of 2006 (AB 1881). Requires local agencies to adopt the Department of Water Resources updated Water Efficient Landscape Ordinance or

equivalent to ensure efficient landscapes in new development and reduced water waste in existing landscapes (8).

- Statewide Retail Provider Emissions Performance Standards (SB 1368). Requires energy generators to achieve performance standards for GHG emissions (9).
- Renewable Portfolio Standards (SB 1078 – also referred to as RPS). Requires electric corporations to increase the amount of energy obtained from eligible renewable energy resources to 20% by 2010 and 33% by 2020 (10).
- California Global Warming Solutions Act of 2006 (SB 32). Requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15 (11).
- SCAQMD Rule 2305. The SCAQMD adopted Rule 2305, the Warehouse Indirect Source Rule, on May 7, 2021. Owners and operators associated with warehouses 100,000 square feet (sf) or larger are required to directly reduce nitrogen oxides (NO_X) and particulate matter emissions, or to otherwise facilitate emission and exposure reductions of these pollutants in nearby communities.

Promulgated regulations that would affect the Project's emissions are accounted for in the Project's GHG calculations provided in this report. In particular, AB 1493, LCFS, and RPS, and therefore are accounted for in the Project's emission calculations.

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1 INTRODUCTION

This report presents the results of the GHGA prepared by Urban Crossroads, Inc., for the proposed 5355 East Airport Drive (Project). The purpose of this GHGA is to evaluate Project-related construction and operational emissions and determine the level of GHG impacts as a result of constructing and operating the Project.

1.1 SITE LOCATION

The proposed Project is located at 5355 East Airport Drive in the City of Ontario as shown on Exhibit 1-A. The Project is located approximately 2.7 miles east of the Ontario International Airport (ONT).

1.2 PROJECT DESCRIPTION

The Project is proposed to consist of a single 270,337-square-feet (sf) industrial building. This analysis assumes up to 27,034-sf high-cube cold storage use (10% of the total industrial building sf) and 243,303-sf of warehouse use (90% of total industrial building). The site plan for the proposed Project is shown on Exhibit 1-B.

EXHIBIT 1-A: LOCATION MAP

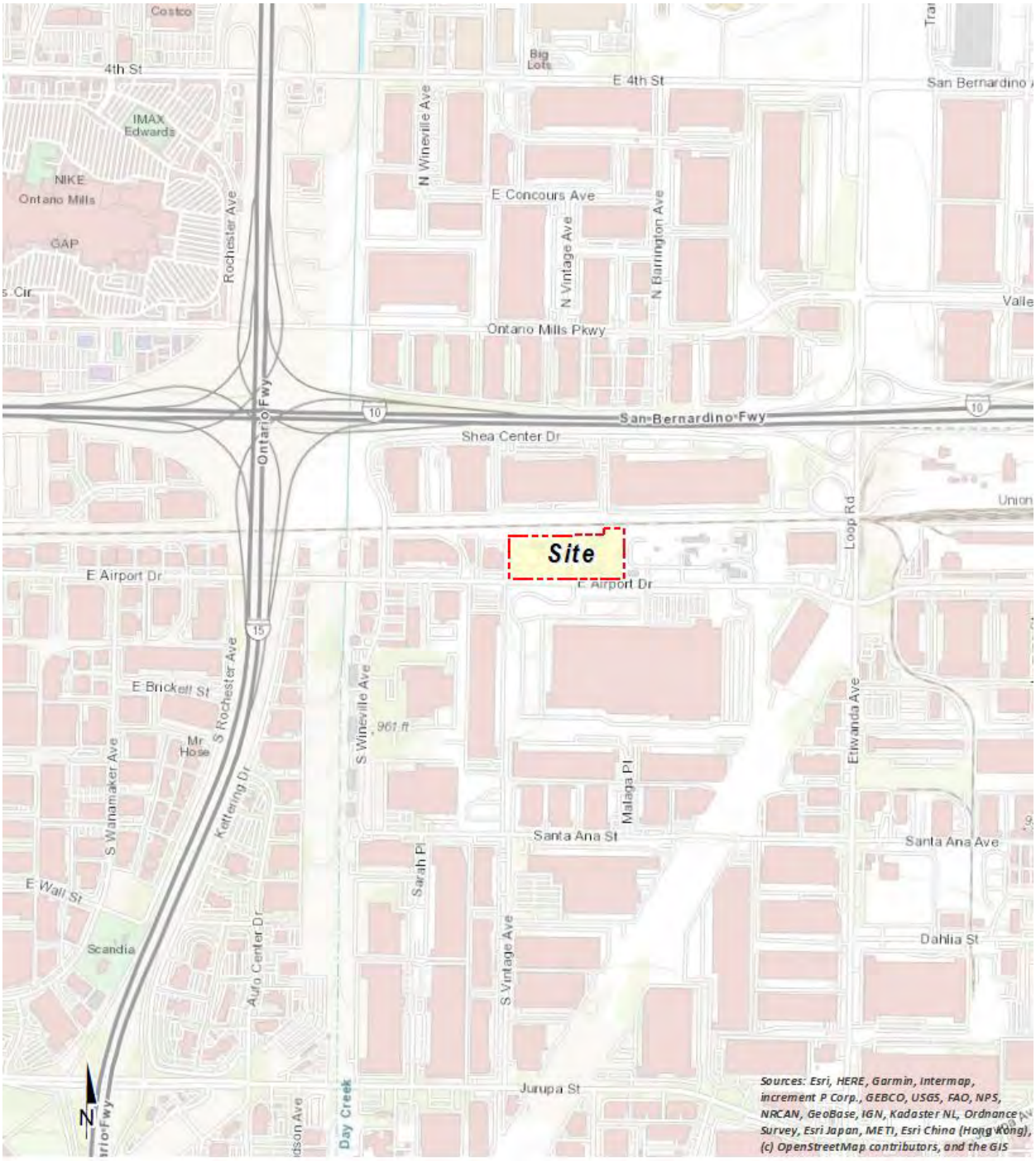
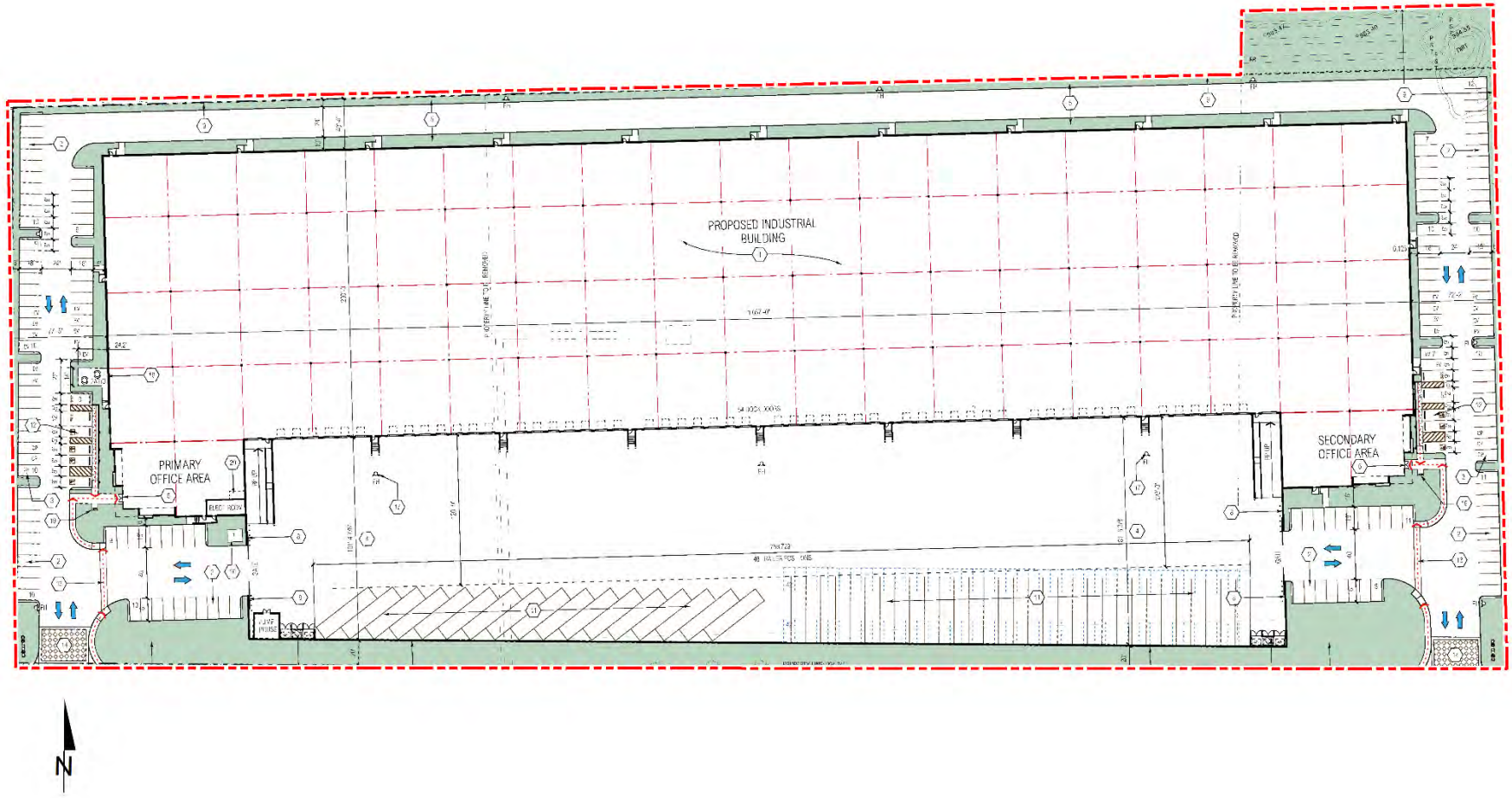


EXHIBIT 1-B: SITE PLAN



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2 CLIMATE CHANGE SETTING

2.1 INTRODUCTION TO GLOBAL CLIMATE CHANGE (GCC)

GCC is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. The majority of scientists believe that the climate shift taking place since the Industrial Revolution is occurring at a quicker rate and magnitude than in the past. Scientific evidence suggests that GCC is the result of increased concentrations of GHGs in the earth's atmosphere, including carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. The majority of scientists believe that this increased rate of climate change is the result of GHGs resulting from human activity and industrialization over the past 200 years.

An individual project like the Project evaluated in this GHGA cannot generate enough GHG emissions to affect a discernible change in global climate. However, the Project may participate in the potential for GCC by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on GCC. Because these changes may have serious environmental consequences, Section 4.0 will evaluate the potential for the Project to have a significant effect upon the environment as a result of its potential contribution to the greenhouse effect.

2.2 GLOBAL CLIMATE CHANGE DEFINED

GCC refers to the change in average meteorological conditions on the earth with respect to temperature, wind patterns, precipitation, and storms. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, CO_2, N_2O, CH_4, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These particular gases are important due to their residence time (duration they stay) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the earth's atmosphere, but prevent radioactive heat from escaping, thus warming the earth's atmosphere. GCC can occur naturally as it has in the past with the previous ice ages.

Gases that trap heat in the atmosphere are often referred to as GHGs. GHGs are released into the atmosphere by both natural and anthropogenic activity. Without the natural GHG effect, the earth's average temperature would be approximately 61 degrees Fahrenheit (°F) cooler than it is currently. The cumulative accumulation of these gases in the earth's atmosphere is considered to be the cause for the observed increase in the earth's temperature.

2.3 GHGS

2.3.1 GHGS AND HEALTH EFFECTS

GHGs trap heat in the atmosphere, creating a GHG effect that results in global warming and climate change. Many gases demonstrate these properties and as discussed in Table 2-1. For the purposes of this analysis, emissions of CO_2, CH_4, and N_2O were evaluated (see Table 4-1 later in this report) because these gases are the primary contributors to GCC from development projects. Although there are other substances such as fluorinated gases that also contribute to GCC, these

fluorinated gases were not evaluated as their sources are not well-defined and do not contain accepted emissions factors or methodology to accurately calculate these gases.

TABLE 2-1: GHGS

GHGs	Description	Sources	Health Effects
Water	Water is the most abundant, important, and variable GHG in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. Climate feedback is an indirect, or secondary, change, either positive or negative, that occurs within the climate system in response to a forcing mechanism. The feedback loop in which water is involved is critically important to projecting future climate change. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to 'hold' more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop would continue is unknown as there are also dynamics that hold the positive	The main source of water vapor is evaporation from the oceans (approximately 85%). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves.	There are no known direct health effects related to water vapor at this time. It should be noted however that when some pollutants react with water vapor, the reaction forms a transport mechanism for some of these pollutants to enter the human body through water vapor.

GHGs	Description	Sources	Health Effects
	feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it would eventually condense into clouds, which are more able to reflect incoming solar radiation (thus allowing less energy to reach the earth's surface and heat it up) (12).		
CO_2	CO_2 is an odorless and colorless GHG. Since the industrial revolution began in the mid-1700s, the sort of human activity that increases GHG emissions has increased dramatically in scale and distribution. Data from the past 50 years suggests a corollary increase in levels and concentrations. As an example, prior to the industrial revolution, CO_2 concentrations were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30%. Left unchecked, the concentration of CO_2 in the atmosphere is projected to increase to a minimum of 540 ppm by 2100 as a direct result of anthropogenic sources (13).	CO_2 is emitted from natural and manmade sources. Natural sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources include: the burning of coal, oil, natural gas, and wood. CO_2 is naturally removed from the air by photosynthesis, dissolution into ocean water, transfer to soils and ice caps, and chemical weathering of carbonate rocks (14).	Outdoor levels of CO_2 are not high enough to result in negative health effects. According to the National Institute for Occupational Safety and Health (NIOSH) high concentrations of CO_2 can result in health effects such as: headaches, dizziness, restlessness, difficulty breathing, sweating, increased heart rate, increased cardiac output, increased blood pressure, coma, asphyxia, and/or convulsions. It should be noted that current concentrations of CO_2 in the earth's atmosphere are estimated to be approximately 370 ppm, the actual reference exposure level (level at which adverse health effects typically occur) is at exposure levels of 5,000 ppm averaged over 10 hours in a 40-hour workweek and short-term reference exposure levels of 30,000 ppm averaged over a 15-minute period (15).

GHGs	Description	Sources	Health Effects
CH_4	CH_4 is an extremely effective absorber of radiation, although its atmospheric concentration is less than CO_2 and its lifetime in the atmosphere is brief (10-12 years), compared to other GHGs.	CH_4 in the atmosphere is generated by many different sources, such as fossil fuel production, transport and use, from the decay of organic matter in wetlands, and as a byproduct of digestion by ruminant animals such as cows. Determining which specific sources are responsible for variations in annual increases of CH_4 is complex, but scientists estimate that fossil fuel production and use contributes roughly 30% of the total CH_4 emissions. These industrial sources of CH_4 are relatively simple to pinpoint and control using current technology (16).	CH_4 is extremely reactive with oxidizers, halogens, and other halogen-containing compounds. Exposure to elevated levels of CH_4 can cause asphyxiation, loss of consciousness, headache and dizziness, nausea and vomiting, weakness, loss of coordination, and an increased breathing rate.
N_2O	N_2O, also known as laughing gas, is a colorless GHG. Concentrations of N_2O also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 parts per billion (ppb).	N_2O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions)	N_2O can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is considered harmless. However, in some cases, heavy and extended use can cause Olney's Lesions (brain damage) (17).

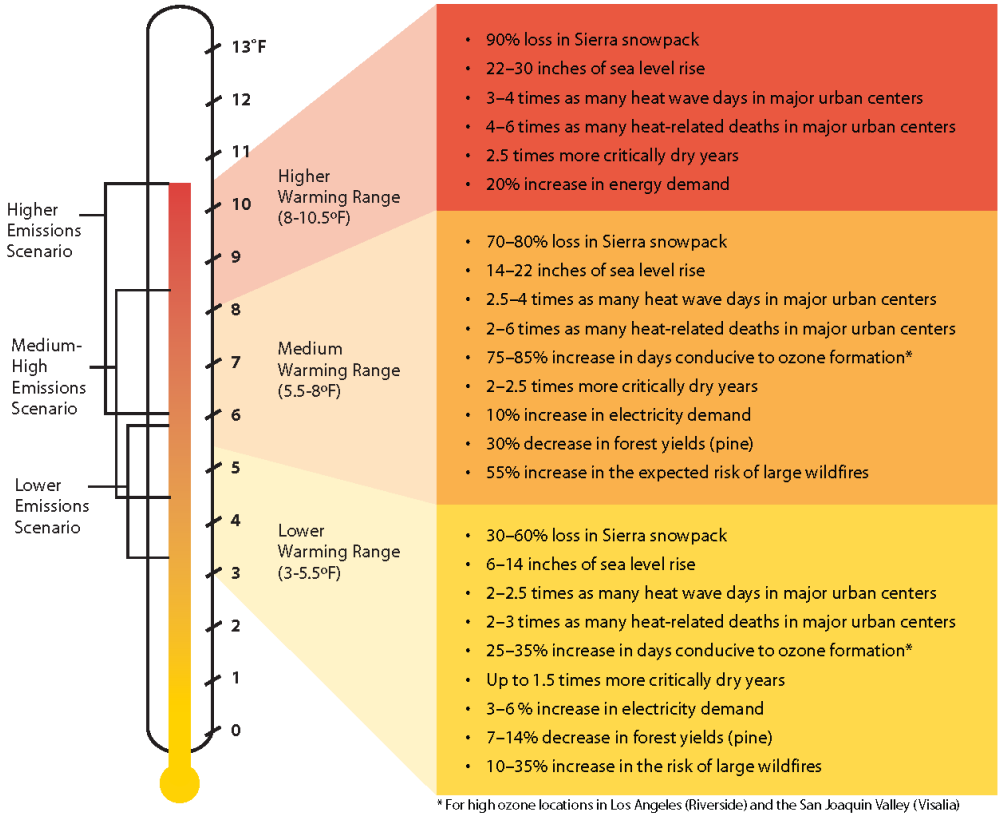
GHGs	Description	Sources	Health Effects
		also contribute to its atmospheric load. It is used as an aerosol spray propellant, i.e., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars. N_2O can be transported into the stratosphere, be deposited on the earth's surface, and be converted to other compounds by chemical reaction (17).	
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in CH_4 or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface).	CFCs have no natural source. They are found in aerosol sprays, blowing agents for foams and packing materials, as solvents, and as refrigerants. (18).	In confined indoor locations, working with CFC-113 or other CFCs is thought to result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.
HFCs	HFCs are synthetic, man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential (GWP). The HFCs with the largest measured atmospheric abundances are (in order), Fluoroform (HFC-23), 1,1,1,2-tetrafluoroethane (HFC-134a), and 1,1-difluoroethane (HFC-152a). Prior to 1990, the only significant emissions were of HFC-23. HCF-134a emissions are increasing due to its use as a refrigerant.	HFCs are manmade for applications such as automobile air conditioners and refrigerants.	No health effects are known to result from exposure to HFCs.

GHGs	Description	Sources	Health Effects
PFCs	PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. High-energy ultraviolet rays, which occur about 60 kilometers above earth's surface, are able to destroy the compounds. Because of this, PFCs have exceptionally long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). The EPA estimates that concentrations of CF_4 in the atmosphere are over 70 parts per trillion (ppt).	The two main sources of PFCs are primary aluminum production and semiconductor manufacture.	No health effects are known to result from exposure to PFCs.
SF_6	SF_6 is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated (23,900) (19). The EPA indicates that concentrations in the 1990s were about 4 ppt.	SF_6 is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.	In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.

GHGs	Description	Sources	Health Effects
Nitrogen Trifluoride (NF_3)	NF_3 is a colorless gas with a distinctly moldy odor. The World Resources Institute (WRI) indicates that NF_3 has a 100-year GWP of 17,200 (20).	NF_3 is used in industrial processes and is produced in the manufacturing of semiconductors, Liquid Crystal Display (LCD) panels, types of solar panels, and chemical lasers.	Long-term or repeated exposure may affect the liver and kidneys and may cause fluorosis (21).

The potential health effects related directly to the emissions of CO_2, CH_4, and N_2O as they relate to development projects such as the Project are still being debated in the scientific community. Their cumulative effects to GCC have the potential to cause adverse effects to human health. Increases in Earth's ambient temperatures would result in more intense heat waves, causing more heat-related deaths. Scientists also purport those higher ambient temperatures would increase disease survival rates and result in more widespread disease. Climate change would likely cause shifts in weather patterns, potentially resulting in devastating droughts and food shortages in some areas (22). Exhibit 2-A presents the potential impacts of global warming (23).

EXHIBIT 2-A: SUMMARY OF PROJECTED GLOBAL WARMING IMPACT, 2070-2099 (AS COMPARED WITH 1961-1990)



Source: Barbara H. Allen-Diaz. "Climate change affects us all." *University of California, Agriculture and Natural Resources*, 2009.

2.4 GLOBAL WARMING POTENTIAL

GHGs have varying GWP values. GWP of a GHG indicates the amount of warming a gas cause over a given period of time and represents the potential of a gas to trap heat in the atmosphere. CO_2 is utilized as the reference gas for GWP, and thus has a GWP of 1. CO_2 equivalent (CO_2e) is a term used for describing the difference GHGs in a common unit. CO_2e signifies the amount of CO_2 which would have the equivalent GWP.

The atmospheric lifetime and GWP of selected GHGs are summarized at Table 2-2. As shown in the table below, GWP for the 2nd Assessment Report, the Intergovernmental Panel on Climate Change (IPCC)'s scientific and socio-economic assessment on climate change, range from 1 for CO_2 to 23,900 for SF_6 and GWP for the IPCC's 5th Assessment Report range from 1 for CO_2 to 23,500 for SF_6 (24).

TABLE 2-2: GWP AND ATMOSPHERIC LIFETIME OF SELECT GHGS

Gas	Atmospheric Lifetime (years)	GWP (100-year time horizon)	
		2nd Assessment Report	5th Assessment Report
CO_2	See*	1	1
CH_4	12 .4	21	28
N_2O	121	310	265
HFC-23	222	11,700	12,400
HFC-134a	13.4	1,300	1,300
HFC-152a	1.5	140	138
SF_6	3,200	23,900	23,500

*As per Appendix 8.A. of IPCC's 5th Assessment Report, no single lifetime can be given.
Source: Table 2.14 of the IPCC Fourth Assessment Report, 2007

2.5 GHG EMISSIONS INVENTORIES

2.5.1 GLOBAL

Worldwide anthropogenic GHG emissions are tracked by the IPCC for industrialized nations (referred to as Annex I) and developing nations (referred to as Non-Annex I). Human GHG emissions data for Annex I nations are available through 2018. Based on the latest available data, the sum of these emissions totaled approximately 28,768,440 gigagram (Gg) CO_2e[1] (25) (26) as summarized on Table 2-3.

[1] The global emissions are the sum of Annex I and non-Annex I countries, without counting Land-Use, Land-Use Change and Forestry (LULUCF). For countries without 2018 data, the United Nations' Framework Convention on Climate Change (UNFCCC) data for the most recent year were used U.N. Framework Convention on Climate Change, "Annex I Parties – GHG total without LULUCF," The most recent GHG emissions for China and India are from 2014 and 2010, respectively.

2.5.2 UNITED STATES

As noted in Table 2-3, the United States, as a single country, was the number two producer of GHG emissions in 2018.

TABLE 2-3: TOP GHG PRODUCING COUNTRIES AND THE EUROPEAN UNION [2]

Emitting Countries	GHG Emissions (Gg CO_2e)
China	12,300,200
United States	6,676,650
European Union (28-member countries)	4,232,274
Russian Federation	2,220,123
India	2,100,850
Japan	1,238,343
Total	**28,768,440**

2.5.3 STATE OF CALIFORNIA

California has significantly slowed the rate of growth of GHG emissions due to the implementation of energy efficiency programs as well as adoption of strict emission controls but is still a substantial contributor to the United States (U.S.) emissions inventory total (27). The California Air Resource Board (CARB) compiles GHG inventories for the State of California. Based upon the 2021 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2019 GHG emissions period, California emitted an average 418.2 million metric tons of CO_2e per year ($MMTCO_2e/yr$) or 418,200 Gg CO_2e (6.26% of the total United States GHG emissions) (28).

2.6 EFFECTS OF CLIMATE CHANGE IN CALIFORNIA

2.6.1 PUBLIC HEALTH

Higher temperatures may increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation could increase from 25 to 35% under the lower warming range to 75 to 85% under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances, depending on wind conditions. Based on *Our Changing Climate Assessing the Risks to California by the California Climate Change Center*, large wildfires could become up to 55% more frequent if GHG emissions are not significantly reduced (29).

In addition, under the higher warming range scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a

[2] Used http://unfccc.int data for Annex I countries. Consulted the CAIT Climate Data Explorer in https://www.climatewatchdata.org site to reference Non-Annex I countries of China and India.

significant increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures could increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

2.6.2 WATER RESOURCES

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the state from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages.

If temperatures continue to increase, more precipitation could fall as rain instead of snow, and the snow that does fall could melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90%. Under the lower warming range scenario, snowpack losses could be only half as large as those possible if temperatures were to rise to the higher warming range. How much snowpack could be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack could pose challenges to water managers and hamper hydropower generation. It could also adversely affect winter tourism. Under the lower warming range, the ski season at lower elevations could be reduced by as much as a month. If temperatures reach the higher warming range and precipitation declines, there might be many years with insufficient snow for skiing and snowboarding.

The State's water supplies are also at risk from rising sea levels. An influx of saltwater could degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta – a major fresh water supply.

2.6.3 AGRICULTURE

Increased temperatures could cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25% of the water supply needed. Although higher CO_2 levels can stimulate plant production and increase plant water-use efficiency, California's farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts.

In addition, continued GCC could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued GCC could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

2.6.4 FORESTS AND LANDSCAPES

GCC has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55%, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks would not be uniform throughout the state. In contrast, wildfires in northern California could increase by up to 90% due to decreased precipitation.

Moreover, continued GCC has the potential to alter natural ecosystems and biological diversity within the state. For example, alpine and subalpine ecosystems could decline by as much as 60 to 80% by the end of the century as a result of increasing temperatures. The productivity of the state's forests has the potential to decrease as a result of GCC.

2.6.5 RISING SEA LEVELS

Rising sea levels, more intense coastal storms, and warmer water temperatures could increasingly threaten the state's coastal regions. Under the higher warming range scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate low-lying coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats. Under the lower warming range scenario, sea level could rise 12-14 inches.

2.7 REGULATORY SETTING

2.7.1 INTERNATIONAL

Climate change is a global issue involving GHG emissions from all around the world; therefore, countries such as the ones discussed below have made an effort to reduce GHGs.

IPCC

In 1988, the United Nations (U.N.) and the World Meteorological Organization established the IPCC to assess the scientific, technical, and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation.

UNITED NATION'S FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC)

On March 21, 1994, the U.S. joined a number of countries around the world in signing the Convention. Under the UNFCCC, governments gather and share information on GHG emissions, national policies, and best practices; launch national strategies for addressing GHG emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

INTERNATIONAL CLIMATE CHANGE TREATIES

The Kyoto Protocol is an international agreement linked to the UNFCCC. The major feature of the Kyoto Protocol is that it sets binding targets for 37 industrialized countries and the European community for reducing GHG emissions at an average of 5% against 1990 levels over the five-year period 2008–2012. The Convention (as discussed above) encouraged industrialized countries to stabilize emissions; however, the Protocol commits them to do so. Developed countries have contributed more emissions over the last 150 years; therefore, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities."

In 2001, President George W. Bush indicated that he would not submit the treaty to the U.S. Senate for ratification, which effectively ended American involvement in the Kyoto Protocol. In December 2009, international leaders met in Copenhagen to address the future of international climate change commitments post-Kyoto. No binding agreement was reached in Copenhagen; however, the UN Climate Change Committee identified the long-term goal of limiting the maximum global average temperature increase to no more than 2 degrees Celsius (°C) above pre-industrial levels, subject to a review in 2015. The Committee held additional meetings in Durban, South Africa in November 2011; Doha, Qatar in November 2012; and Warsaw, Poland in November 2013. The meetings gradually gained consensus among participants on individual climate change issues.

On September 23, 2014, more than 100 Heads of State and Government and leaders from the private sector and civil society met at the Climate Summit in New York hosted by the U.N. At the Summit, heads of government, business and civil society announced actions in areas that would have the greatest impact on reducing emissions, including climate finance, energy, transport, industry, agriculture, cities, forests, and building resilience.

Parties to the UNFCCC reached a landmark agreement on December 12, 2015, in Paris, charting a fundamentally new course in the two-decade-old global climate effort. Culminating a four-year negotiating round, the new treaty ends the strict differentiation between developed and developing countries that characterized earlier efforts, replacing it with a common framework that commits all countries to put forward their best efforts and to strengthen them in the years ahead. This includes, for the first time, requirements that all parties report regularly on their emissions and implementation efforts and undergo international review.

The agreement and a companion decision by parties were the key outcomes of the conference, known as the 21st session of the UNFCCC Conference of the Parties (COP) 21. Together, the Paris Agreement and the accompanying COP decision:

- Reaffirm the goal of limiting global temperature increase well below 2°C, while urging efforts to limit the increase to 1.5 degrees;
- Establish binding commitments by all parties to make "nationally determined contributions" (NDCs), and to pursue domestic measures aimed at achieving them;
- Commit all countries to report regularly on their emissions and "progress made in implementing and achieving" their NDCs, and to undergo international review;
- Commit all countries to submit new NDCs every five years, with the clear expectation that they would "represent a progression" beyond previous ones;
- Reaffirm the binding obligations of developed countries under the UNFCCC to support the efforts of developing countries, while for the first time encouraging voluntary contributions by developing countries too;
- Extend the current goal of mobilizing $100 billion a year in support by 2020 through 2025, with a new, higher goal to be set for the period after 2025;
- Extend a mechanism to address "loss and damage" resulting from climate change, which explicitly would not "involve or provide a basis for any liability or compensation;"
- Require parties engaging in international emissions trading to avoid "double counting;" and
- Call for a new mechanism, similar to the Clean Development Mechanism under the Kyoto Protocol, enabling emission reductions in one country to be counted toward another country's NDC (C2ES 2015a) (30).

Following President Biden's day one executive order, the United States officially rejoined the landmark Paris Agreement on February 19, 2021, positioning the country to once again be part of the global climate solution. Meanwhile, city, state, business, and civic leaders across the country and around the world have been ramping up efforts to drive the clean energy advances needed to meet the goals of the agreement and put the brakes on dangerous climate change.

2.7.2 NATIONAL

Prior to the last decade, there have been no concrete federal regulations of GHGs or major planning for climate change adaptation. The following are actions regarding the federal government, GHGs, and fuel efficiency.

GHG ENDANGERMENT

In *Massachusetts v. Environmental Protection Agency* 549 U.S. 497 (2007), decided on April 2, 2007, the United States Supreme Court (Supreme Court) found that four GHGs, including CO_2, are air pollutants subject to regulation under Section 202(a)(1) of the Clean Air Act (CAA). The Supreme Court held that the EPA Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned

decision. On December 7, 2009, the EPA Administrator signed two distinct findings regarding GHGs under section 202(a) of the CAA:

- Endangerment Finding: The Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6—in the atmosphere threaten the public health and welfare of current and future generations.
- Cause or Contribute Finding: The Administrator finds that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.

These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles, as discussed in the section "Clean Vehicles" below. After a lengthy legal challenge, the Supreme Court declined to review an Appeals Court ruling that upheld the EPA Administrator's findings (31).

CLEAN VEHICLES

Congress first passed the Corporate Average Fuel Economy law in 1975 to increase the fuel economy of cars and light duty trucks. The law has become more stringent over time. On May 19, 2009, President Obama put in motion a new national policy to increase fuel economy for all new cars and trucks sold in the U.S. On April 1, 2010, the EPA, and the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) announced a joint final rule establishing a national program that would reduce GHG emissions and improve fuel economy for new cars and trucks sold in the U.S.

The first phase of the national program applies to passenger cars, light-duty trucks, and medium-duty (MD) passenger vehicles, covering model years 2012 through 2016. They require these vehicles to meet an estimated combined average emissions level of 250 grams of CO_2 per mile, equivalent to 35.5 miles per gallon (mpg) if the automobile industry were to meet this CO_2 level solely through fuel economy improvements. Together, these standards would cut CO_2 emissions by an estimated 960 million metric tons and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012–2016). The EPA and the NHTSA issued final rules on a second-phase joint rulemaking establishing national standards for light-duty vehicles for model years 2017 through 2025 in August 2012. The new standards for model years 2017 through 2025 apply to passenger cars, light-duty trucks, and MD passenger vehicles. The final standards are projected to result in an average industry fleetwide level of 163 grams/mile of CO_2 in model year 2025, which is equivalent to 54.5 mpg if achieved exclusively through fuel economy improvements.

The EPA and the U.S. Department of Transportation issued final rules for the first national standards to reduce GHG emissions and improve fuel efficiency of heavy-duty trucks (HDT) and buses on September 15, 2011, effective November 14, 2011. For combination tractors, the agencies are proposing engine and vehicle standards that begin in the 2014 model year and achieve up to a 20% reduction in CO_2 emissions and fuel consumption by the 2018 model year. For HDT and vans, the agencies are proposing separate gasoline and diesel truck standards, which phase in starting in the 2014 model year and achieve up to a 10% reduction for gasoline vehicles and a 15% reduction for diesel vehicles by the 2018 model year (12 and 17% respectively if

accounting for air conditioning leakage). Lastly, for vocational vehicles, the engine and vehicle standards would achieve up to a 10% reduction in fuel consumption and CO_2 emissions from the 2014 to 2018 model years.

On April 2, 2018, the EPA signed the Mid-term Evaluation Final Determination, which declared that the MY 2022-2025 GHG standards are not appropriate and should be revised (32). This Final Determination serves to initiate a notice to further consider appropriate standards for MY 2022-2025 light-duty vehicles. On August 2, 2018, the NHTSA in conjunction with the EPA, released a notice of proposed rulemaking, the *Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks* (SAFE Vehicles Rule). The SAFE Vehicles Rule was proposed to amend existing Corporate Average Fuel Economy (CAFE) and tailpipe CO_2 standards for passenger cars and light trucks and to establish new standards covering model years 2021 through 2026. As of March 31, 2020, the NHTSA and EPA finalized the SAFE Vehicle Rule which increased stringency of CAFE and CO_2 emissions standards by 1.5% each year through model year 2026 (33). On December 21, 2021, after reviewing all the public comments submitted on NHTSA's April 2021 Notice of Proposed Rulemaking, NHTSA finalizes the CAFE Preemption rulemaking to withdraw its portions of the so-called SAFE I Rule. The final rule concludes that the SAFE I Rule overstepped the agency's legal authority and established overly broad prohibitions that did not account for a variety of important state and local interests. The final rule ensures that the SAFE I Rule will no longer form an improper barrier to states exploring creative solutions to address their local communities' environmental and public health challenges (34).

On March 31, 2022, NHTSA finalized CAFE standards for MY 2024-2026. The standards for passenger cars and light trucks for MYs 2024-2025 were increased at a rate of 8% per year and then increased at a rate of 10% per year for MY 2026 vehicles. NHTSA currently projects that the revised standards would require an industry fleet-wide average of roughly 49 mpg in MY 2026 and would reduce average fuel outlays over the lifetimes of affected vehicles that provide consumers hundreds of dollars in net savings. These standards are directly responsive to the agency's statutory mandate to improve energy conservation and reduce the nation's energy dependence on foreign sources (35).

MANDATORY REPORTING OF GHGS

The Consolidated Appropriations Act of 2008, passed in December 2007, requires the establishment of mandatory GHG reporting requirements. On September 22, 2009, the EPA issued the Final Mandatory Reporting of GHGs Rule, which became effective January 1, 2010. The rule requires reporting of GHG emissions from large sources and suppliers in the U.S. and is intended to collect accurate and timely emissions data to inform future policy decisions. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons per year (MT/yr) or more of GHG emissions are required to submit annual reports to the EPA.

NEW SOURCE REVIEW

The EPA issued a final rule on May 13, 2010, that establishes thresholds for GHGs that define when permits under the New Source Review Prevention of Significant Deterioration and Title V

Operating Permit programs are required for new and existing industrial facilities. This final rule "tailors" the requirements of these CAA permitting programs to limit which facilities would be required to obtain Prevention of Significant Deterioration and Title V permits. In the preamble to the revisions to the Federal Code of Regulations, the EPA states:

> *"This rulemaking is necessary because without it the Prevention of Significant Deterioration and Title V requirements would apply, as of January 2, 2011, at the 100 or 250 tons per year levels provided under the CAA, greatly increasing the number of required permits, imposing undue costs on small sources, overwhelming the resources of permitting authorities, and severely impairing the functioning of the programs. EPA is relieving these resource burdens by phasing in the applicability of these programs to GHG sources, starting with the largest GHG emitters. This rule establishes two initial steps of the phase-in. The rule also commits the agency to take certain actions on future steps addressing smaller sources but excludes certain smaller sources from Prevention of Significant Deterioration and Title V permitting for GHG emissions until at least April 30, 2016."*

The EPA estimates that facilities responsible for nearly 70% of the national GHG emissions from stationary sources would be subject to permitting requirements under this rule. This includes the nation's largest GHG emitters—power plants, refineries, and cement production facilities.

STANDARDS OF PERFORMANCE FOR GHG EMISSIONS FOR NEW STATIONARY SOURCES: ELECTRIC UTILITY GENERATING UNITS

As required by a settlement agreement, the EPA proposed new performance standards for emissions of CO_2 for new, affected, fossil fuel-fired electric utility generating units on March 27, 2012. New sources greater than 25 megawatts (MW) would be required to meet an output-based standard of 1,000 pounds (lbs) of CO_2 per MW-hour (MWh), based on the performance of widely used natural gas combined cycle technology. It should be noted that on February 9, 2016, the Supreme Court issued a stay of this regulation pending litigation. Additionally, the current EPA Administrator has also signed a measure to repeal the Clean Power Plan, including the CO_2 standards. The Clean Power Plan was officially repealed on June 19, 2019, when the EPA issued the final Affordable Clean Energy rule (ACE). Under ACE, new state-specific emission guidelines were established that provided existing coal-fired electric utility generating units with achievable standards.

On January 19, 2021, the D.C. Circuit Court of Appeals ruled that the EPA's ACE Rule for GHG emissions from power plants rested on an erroneous interpretation of the CAA that barred EPA from considering measures beyond those that apply at and to an individual source. The court therefore vacated and remanded the ACE Rule and adopted a replacement rule which regulates CO_2 emissions from existing power plants, potentially again considering generation shifting and other measures to more aggressively target power sector emissions.

CAP-AND-TRADE

Cap-and-trade refers to a policy tool where emissions are limited to a certain amount and can be traded or provides flexibility on how the emitter can comply. Successful examples in the U.S. include the Acid Rain Program and the N_2O Budget Trading Program and Clean Air Interstate Rule in the northeast. There is no federal GHG cap-and-trade program currently; however, some states have joined to create initiatives to provide a mechanism for cap-and-trade.

The Regional GHG Initiative is an effort to reduce GHGs among the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. Each state caps CO_2 emissions from power plants, auctions CO_2 emission allowances, and invests the proceeds in strategic energy programs that further reduce emissions, save consumers money, create jobs, and build a clean energy economy. The Initiative began in 2008 and in 2020 has retained all participating states.

The Western Climate Initiative (WCI) partner jurisdictions have developed a comprehensive initiative to reduce regional GHG emissions to 15% below 2005 levels by 2020. The partners were originally California, British Columbia, Manitoba, Ontario, and Quebec. However, Manitoba and Ontario are not currently participating. California linked with Quebec's cap-and-trade system January 1, 2014, and joint offset auctions took place in 2015. While the WCI has yet to publish whether it has successfully reached the 2020 emissions goal initiative set in 2007, SB 32 requires that California, a major partner in the WCI, adopt the goal of reducing statewide GHG emissions to 40% below the 1990 level by 2030.

SMARTWAY PROGRAM

The SmartWay Program is a public-private initiative between the EPA, large and small trucking companies, rail carriers, logistics companies, commercial manufacturers, retailers, and other federal and state agencies. Its purpose is to improve fuel efficiency and the environmental performance (reduction of both GHG emissions and air pollution) of the goods movement supply chains. SmartWay is comprised of four components (36):

1. SmartWay Transport Partnership: A partnership in which freight carriers and shippers commit to benchmark operations, track fuel consumption, and improve performance annually.
2. SmartWay Technology Program: A testing, verification, and designation program to help freight companies identify equipment, technologies, and strategies that save fuel and lower emissions.
3. SmartWay Vehicles: A program that ranks light-duty cars and small trucks and identifies superior environmental performers with the SmartWay logo.
4. SmartWay International Interests: Guidance and resources for countries seeking to develop freight sustainability programs modeled after SmartWay.

SmartWay effectively refers to requirements geared towards reducing fuel consumption. Most large trucking fleets driving newer vehicles are compliant with SmartWay design requirements. Moreover, over time, all HDTs would have to comply with the CARB GHG Regulation that is designed with the SmartWay Program in mind, to reduce GHG emissions by making them more fuel-efficient. For instance, in 2015, 53 foot or longer dry vans or refrigerated trailers equipped

with a combination of SmartWay-verified low-rolling resistance tires and SmartWay-verified aerodynamic devices would obtain a total of 10% or more fuel savings over traditional trailers.

Through the SmartWay Technology Program, the EPA has evaluated the fuel saving benefits of various devices through grants, cooperative agreements, emissions, and fuel economy testing, demonstration projects and technical literature review. As a result, the EPA has determined the following types of technologies provide fuel saving and/or emission reducing benefits when used properly in their designed applications, and has verified certain products:

- Idle reduction technologies – less idling of the engine when it is not needed would reduce fuel consumption.
- Aerodynamic technologies minimize drag and improve airflow over the entire tractor-trailer vehicle. Aerodynamic technologies include gap fairings that reduce turbulence between the tractor and trailer, side skirts that minimize wind under the trailer, and rear fairings that reduce turbulence and pressure drop at the rear of the trailer.
- Low rolling resistance tires can roll longer without slowing down, thereby reducing the amount of fuel used. Rolling resistance (or rolling friction or rolling drag) is the force resisting the motion when a tire rolls on a surface. The wheel would eventually slow down because of this resistance.
- Retrofit technologies include things such as diesel particulate filters, emissions upgrades (to a higher tier), etc., which would reduce emissions.
- Federal excise tax exemptions.

EXECUTIVE ORDER 13990

On January 20, 2021, Federal agencies were directed to immediately review, and take action to address, Federal regulations promulgated and other actions taken during the last 4 years that conflict with national objectives to improve public health and the environment; ensure access to clean air and water; limit exposure to dangerous chemicals and pesticides; hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; reduce GHG emissions; bolster resilience to the impacts of climate change; restore and expand our national treasures and monuments; and prioritize both environmental justice and employment.

2.7.3 CALIFORNIA

2.7.3.1 LEGISLATIVE ACTIONS TO REDUCE GHGS

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation such as the landmark AB 32 was specifically enacted to address GHG emissions. Other legislation such as Title 24 and Title 20 energy standards were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

AB 1881

The Water Conservation in Landscaping Act of 2006 requires local agencies to adopt the updated DWR model ordinance or equivalent. AB 1881 also requires the CEC to consult with the DWR to adopt, by regulation, performance standards and labeling requirements for landscape irrigation equipment, including irrigation controllers, moisture sensors, emission devices, and valves to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy or water.

SB 1368

California SB 1368 adds Sections 8340 and 8341 to the Public Utilities Code (effective January 1, 2007) with the intent "to prevent long-term investments in power plants with GHG emissions in excess of those produced by a combined-cycle natural gas power plant" with the aim of "reducing emissions of GHGs from the state's electricity consumption, not just the state's electricity production." SB 1368 provides a mechanism for reducing the GHG emissions of electricity providers, both in-state and out-of-state, thereby assisting CARB in meeting its mandate under AB 32, the Global Warming Solutions Act of 2006.

AB 32

The California State Legislature enacted AB 32, which required that GHGs emitted in California be reduced to 1990 levels by the year 2020 (this goal has been met[3]). GHGs as defined under AB 32 include CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6. Since AB 32 was enacted, a seventh chemical, NF_3, has also been added to the list of GHGs. CARB is the state agency charged with monitoring and regulating sources of GHGs. Pursuant to AB 32, CARB adopted regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. AB 32 states the following:

> *"Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems."*

SB 375

On September 30, 2008, SB 375 was signed by Governor Schwarzenegger. According to SB 375, the transportation sector is the largest contributor of GHG emissions, which emits over 40% of the total GHG emissions in California. SB 375 states, "Without improved land use and transportation policy, California would not be able to achieve the goals of AB 32." SB 375 does the following: it (1) requires metropolitan planning organizations (MPOs) to include sustainable community strategies in their

[3] Based upon the 2019 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2017 GHG emissions period, California emitted an average 424.1 $MMTCO_2e$ (29). This is less than the 2020 emissions target of 431 $MMTCO_2e$.

regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

SB 375 requires MPOs to prepare a Sustainable Communities Strategy (SCS) within the Regional Transportation Plan (RTP) that guides growth while taking into account the transportation, housing, environmental, and economic needs of the region. SB 375 uses CEQA streamlining as an incentive to encourage residential projects, which help achieve AB 32 goals to reduce GHG emissions. Although SB 375 does not prevent CARB from adopting additional regulations, such actions are not anticipated in the foreseeable future.

Concerning CEQA, SB 375, as codified in Public Resources Code Section 21159.28, states that CEQA findings for certain projects are not required to reference, describe, or discuss (1) growth inducing impacts, or (2) any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network, if the project:

1. Is in an area with an approved sustainable communities strategy or an alternative planning strategy that CARB accepts as achieving the GHG emission reduction targets.
2. Is consistent with that strategy (in designation, density, building intensity, and applicable policies).
3. Incorporates the MMs required by an applicable prior environmental document.

AB 1493 - Pavley Fuel Efficiency Standards

The second phase of the implementation for the Pavley bill was incorporated into Amendments to the Low-Emission Vehicle Program (LEV III) or the Advanced Clean Cars (ACC) program. The ACC program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for MY 2017 through 2025. The regulation will reduce GHGs from new cars by 34% from 2016 levels by 2025. The new rules will clean up gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid EV and hydrogen fuel cell cars. The package will also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California. On March 9, EPA reinstated California's authority under the Clean Air Act to implement its own GHG emission standards for cars and light trucks, which other states can also adopt and enforce. With this authority restored, EPA will continue partnering with states to advance the next generation of clean vehicle technologies.

CLEAN ENERGY AND POLLUTION REDUCTION ACT OF 2015 (SB 350)

In October 2015, the legislature approved, and Governor Jerry Brown signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for EV charging stations. Provisions for a 50% reduction in the use of petroleum statewide were removed from the Bill because of opposition and concern that it would prevent the Bill's passage. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33% to 50% by 2030, with interim targets of 40% by 2024, and 25% by 2027.
- Double the energy efficiency in existing buildings by 2030. This target would be achieved through the California Public Utilities Commission (CPUC), the California Energy Commission (CEC), and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which would facilitate the growth of renewable energy markets in the western United States.

SB 32

On September 8, 2016, Governor Brown signed SB 32 and its companion bill, AB 197. SB 32 requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal and provides an intermediate goal to achieving S-3-05, which sets a statewide GHG reduction target of 80% below 1990 levels by 2050. AB 197 creates a legislative committee to oversee regulators to ensure that CARB not only responds to the Governor, but also the Legislature (11).

CARB SCOPING PLAN UPDATE

In November 2017, CARB released the *Final 2017 Scoping Plan Update* (*2017 Scoping Plan*), which identifies the State's post-2020 reduction strategy. The *2017 Scoping Plan* reflects the 2030 target of a 40% reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. Key programs that the proposed Second Update builds upon include the Cap-and-Trade Regulation, the LCFS, and much cleaner cars, trucks, and freight movement, utilizing cleaner, renewable energy, and strategies to reduce CH_4 emissions from agricultural and other wastes.

The *2017 Scoping Plan* establishes a new emissions limit of 260 $MMTCO_2e$ for the year 2030, which corresponds to a 40% decrease in 1990 levels by 2030 (37).

California's climate strategy would require contributions from all sectors of the economy, including the land base, and would include enhanced focus on zero and near-zero emission (ZE/NZE) vehicle technologies; continued investment in renewables, including solar roofs, wind, and other distributed generation; greater use of low carbon fuels; integrated land conservation and development strategies; coordinated efforts to reduce emissions of short-lived climate pollutants (CH_4, black carbon, and fluorinated gases); and an increased focus on integrated land use planning to support livable, transit-connected communities and conservation of agricultural and other lands. Requirements for direct GHG reductions at refineries would further support air quality co-benefits in neighborhoods, including in disadvantaged communities historically located adjacent to these large stationary sources, as well as efforts with California's local air pollution control and air quality management districts (air districts) to tighten emission limits on a broad spectrum of industrial sources. Major elements of the *2017 Scoping Plan* framework include:

- Implementing and/or increasing the standards of the Mobile Source Strategy, which include increasing zero-emission vehicles (ZEV) buses and trucks.

- LCFS, with an increased stringency (18% by 2030).
- Implementing SB 350, which expands the RPS to 50% RPS and doubles energy efficiency savings by 2030.
- California Sustainable Freight Action Plan, which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks.
- Implementing the proposed Short-Lived Climate Pollutant Strategy (SLPS), which focuses on reducing CH_4 and HCF emissions by 40% and anthropogenic black carbon emissions by 50% by year 2030.
- Continued implementation of SB 375.
- Post-2020 Cap-and-Trade Program that includes declining caps.
- 20% reduction in GHG emissions from refineries by 2030.
- Development of a Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Note, however, that the *2017 Scoping Plan* acknowledges that:

> *"[a]chieving net zero increases in GHG emissions, resulting in no contribution to GHG impacts, may not be feasible or appropriate for every project, however, and the inability of a project to mitigate its GHG emissions to net zero does not imply the project results in a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA."*

In addition to the statewide strategies listed above, the *2017 Scoping Plan* also identifies local governments as essential partners in achieving the State's long-term GHG reduction goals and identifies local actions to reduce GHG emissions. As part of the recommended actions, CARB recommends that local governments achieve a community-wide goal to achieve emissions of no more than 6 metric tons of CO_2e ($MTCO_2e$) or less per capita by 2030 and 2 $MTCO_2e$ or less per capita by 2050. For CEQA projects, CARB states that lead agencies may develop evidence-based bright-line numeric thresholds—consistent with the *2017 Scoping Plan* and the State's long-term GHG goals—and projects with emissions over that amount may be required to incorporate on-site design features and MMs that avoid or minimize project emissions to the degree feasible; or a performance-based metric using a CAP or other plan to reduce GHG emissions is appropriate.

According to research conducted by the Lawrence Berkeley National Laboratory (LBNL) and supported by CARB, California, under its existing and proposed GHG reduction policies, could achieve the 2030 goals under SB 32. The research utilized a new, validated model known as the California LBNL GHG Analysis of Policies Spreadsheet (CALGAPS), which simulates GHG and criteria pollutant emissions in California from 2010 to 2050 in accordance to existing and future GHG-reducing policies. The CALGAPS model showed that by 2030, emissions could range from 211 to 428 $MTCO_2e$ per year ($MTCO_2e$/yr), indicating that "even if all modeled policies are not implemented, reductions could be sufficient to reduce emissions 40% below the 1990 level [of SB 32]." CALGAPS analyzed emissions through 2050 even though it did not generally account for policies that might be put in place after 2030. Although the research indicated that the emissions

would not meet the State's 80% reduction goal by 2050, various combinations of policies could allow California's cumulative emissions to remain very low through 2050 (38) (39).

CAP-AND-TRADE PROGRAM

The *2017 Scoping Plan* identifies a Cap-and-Trade Program as one of the key strategies for California to reduce GHG emissions. According to CARB, a cap-and-trade program would help put California on the path to meet its goal of achieving a 40% reduction in GHG emissions from 1990 levels by 2030. Under cap-and-trade, an overall limit on GHG emissions from capped sectors is established, and facilities subject to the cap would be able to trade permits to emit GHGs within the overall limit.

CARB adopted a California Cap-and-Trade Program pursuant to its authority under AB 32. The Cap-and-Trade Program is designed to reduce GHG emissions from regulated entities by more than 16% between 2013 and 2020, and by an additional 40% by 2030. The statewide cap for GHG emissions from the capped sectors (e.g., electricity generation, petroleum refining, and cement production) commenced in 2013 and would decline over time, achieving GHG emission reductions throughout the program's duration.

Covered entities that emit more than 25,000 $MTCO_2e$/yr must comply with the Cap-and-Trade Program. Triggering of the 25,000 $MTCO_2e$/yr "inclusion threshold" is measured against a subset of emissions reported and verified under the California Regulation for the Mandatory Reporting of GHG Emissions (Mandatory Reporting Rule or "MRR").

Under the Cap-and-Trade Program, CARB issues allowances equal to the total amount of allowable emissions over a given compliance period and distributes these to regulated entities. Covered entities are allocated free allowances in whole or part (if eligible), and may buy allowances at auction, purchase allowances from others, or purchase offset credits. Each covered entity with a compliance obligation is required to surrender "compliance instruments" for each $MTCO_2e$ of GHG they emit. There also are requirements to surrender compliance instruments covering 30% of the prior year's compliance obligation by November of each year (40).

The Cap-and-Trade Program provides a firm cap, which provides the highest certainty of achieving the 2030 target. An inherent feature of the Cap-and-Trade program is that it does not guarantee GHG emissions reductions in any discrete location or by any particular source. Rather, GHG emissions reductions are only guaranteed on an accumulative basis. As summarized by CARB in the *First Update to the Climate Change Scoping Plan*:

> *"The Cap-and-Trade Regulation gives companies the flexibility to trade allowances with others or take steps to cost-effectively reduce emissions at their own facilities. Companies that emit more have to turn in more allowances or other compliance instruments. Companies that can cut their GHG emissions have to turn in fewer allowances. But as the cap declines, aggregate emissions must be reduced. In other words, a covered entity theoretically could increase its GHG emissions every year and still comply with the Cap-and-Trade Program if there is a reduction in GHG emissions from other covered entities. Such a focus on aggregate GHG emissions*

is considered appropriate because climate change is a global phenomenon, and the effects of GHG emissions are considered cumulative." (41)

The Cap-and-Trade Program covers approximately 80% of California's GHG emissions (37). The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period. The Cap-and-Trade Program covers the GHG emissions associated with the combustion of transportation fuels in California, whether refined in-state or imported.

2.7.3.2 EXECUTIVE ORDERS RELATED TO GHG EMISSIONS

California's Executive Branch has taken several actions to reduce GHGs through the use of Executive Orders. Although not regulatory, they set the tone for the state and guide the actions of state agencies.

EXECUTIVE ORDER S-3-05

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following reduction targets for GHG emissions:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80% below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that would stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

EXECUTIVE ORDER S-01-07 (LCFS)

Governor Schwarzenegger signed Executive Order S-01-07 on January 18, 2007. The order mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10% by 2020. CARB adopted the LCFS on April 23, 2009.

After a series of legal changes, in order to address the Court ruling, CARB was required to bring a new LCFS regulation to the Board for consideration in February 2015. The proposed LCFS regulation was required to contain revisions to the 2010 LCFS as well as new provisions designed to foster investments in the production of the low-carbon intensity fuels, offer additional flexibility to regulated parties, update critical technical information, simplify and streamline program operations, and enhance enforcement. On November 16, 2015, the Office of Administrative Law (OAL) approved the Final Rulemaking Package. The new LCFS regulation became effective on January 1, 2016.

In 2018, CARB approved amendments to the regulation, which included strengthening the carbon intensity benchmarks through 2030 in compliance with the SB 32 GHG emissions reduction target for 2030. The amendments included crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector (42).

EXECUTIVE ORDER S-13-08

Executive Order S-13-08 states that "climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California's economy, to the health and welfare of its population and to its natural resources." Pursuant to the requirements in the Order, the *2009 California Climate Adaptation Strategy* (*CNRA 2009*) was adopted, which is the "…first statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in the United States." Objectives include analyzing risks of climate change in California, identifying, and exploring strategies to adapt to climate change, and specifying a direction for future research.

EXECUTIVE ORDER B-30-15

On April 29, 2015, Governor Brown issued an executive order to establish a California GHG reduction target of 40% below 1990 levels by 2030. The Governor's executive order aligned California's GHG reduction targets with those of leading international governments ahead of the U.N. Climate Change Conference in Paris late 2015. The Order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40% below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80% below 1990 levels by 2050 and directs CARB to update the *2017 Scoping Plan* to express the 2030 target in terms of $MMTCO_2e$. The Order also requires the state's climate adaptation plan to be updated every three years, and for the State to continue its climate change research program, among other provisions. As with Executive Order S-3-05, this Order is not legally enforceable as to local governments and the private sector. Legislation that would update AB 32 to make post 2020 targets and requirements a mandate is in process in the State Legislature.

EXECUTIVE ORDER B-55-18 AND SB 100

SB 100 and Executive Order B-55-18 were signed by Governor Brown on September 10, 2018. Under the existing RPS, 25% of retail sales of electricity are required to be from renewable sources by December 31, 2016, 33% by December 31, 2020, 40% by December 31, 2024, 45% by December 31, 2027, and 50% by December 31, 2030. SB 100 raises California's RPS requirement to 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive Order B-55-18 establishes a carbon neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural

Resources Agency (CNRA), California EPA (CalEPA), the California Department of Food and Agriculture (CDFA), and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal.

2.7.3.3 California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 20 CCR Sections 1601 et seq. – Appliance Efficiency Regulations

The Appliance Efficiency Regulations regulate the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. 23 categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles (RV) or other mobile equipment (CEC 2012).

Title 24 CCR Part 6 – California Energy Code

The California Energy Code was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption.

The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods.

Title 24 CCR Part 11 – California Green Building Standards Code

California Code of Regulations (CCR) Title 24 Part 6: The California Energy Code was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption.

The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on August 1, 2009, and is administered by the California Building Standards Commission.

CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards that will be effective on January 1, 2023. The CEC anticipates that the 2022 energy code will provide $1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons (43). The Project would be required to comply with the applicable standards in place at the time plan check submittals are made. These require, among other items (44):

NONRESIDENTIAL MANDATORY MEASURES

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).
- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- EV charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106. 5.3.3 (5.106.5.3). Additionally, Table 5.106.5.4.1 specifies requirements for the installation of raceway conduit and panel power requirements for medium- and heavy-duty electric vehicle supply equipment for warehouses, grocery stores, and retail stores.
- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8).
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reuse or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
  - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
  - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor- mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).

  - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
  - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).
- Outdoor potable water uses in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).
- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gallons per day (GPD) (5.303.1.1 and 5.303.1.2).
- Outdoor water uses in rehabilitated landscape projects equal or greater than 2,500 sf. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

CARB REFRIGERANT MANAGEMENT PROGRAM

CARB adopted a regulation in 2009 to reduce refrigerant GHG emissions from stationary sources through refrigerant leak detection and monitoring, leak repair, system retirement and retrofitting, reporting and recordkeeping, and proper refrigerant cylinder use, sale, and disposal. The regulation is set forth in sections 95380 to 95398 of Title 17, CCR. The rules implementing the regulation establish a limit on statewide GHG emissions from stationary facilities with refrigeration systems with more than 50 pounds of a high GWP refrigerant. The refrigerant management program is designed to (1) reduce emissions of high-GWP GHG refrigerants from leaky stationary, non-residential refrigeration equipment; (2) reduce emissions from the installation and servicing of refrigeration and air-conditioning appliances using high-GWP refrigerants; and (3) verify GHG emission reductions.

TRACTOR-TRAILER GHG REGULATION

The tractors and trailers subject to this regulation must either use EPA SmartWay certified tractors and trailers or retrofit their existing fleet with SmartWay verified technologies. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the HD tractors that pull them on California highways. These owners are responsible for replacing or retrofitting their affected vehicles with

compliant aerodynamic technologies and low rolling resistance tires. Sleeper cab tractors MY 2011 and later must be SmartWay certified. All other tractors must use SmartWay verified low rolling resistance tires. There are also requirements for trailers to have low rolling resistance tires and aerodynamic devices.

PHASE I AND 2 HEAVY-DUTY VEHICLE GHG STANDARDS

In September 2011, CARB has adopted a regulation for GHG emissions from HDTs and engines sold in California. It establishes GHG emission limits on truck and engine manufacturers and harmonizes with the EPA rule for new trucks and engines nationally. Existing HD vehicle regulations in California include engine criteria emission standards, tractor-trailer GHG requirements to implement SmartWay strategies (i.e., the Heavy-Duty Tractor-Trailer GHG Regulation), and in-use fleet retrofit requirements such as the Truck and Bus Regulation. The EPA rule has compliance requirements for new compression and spark ignition engines, as well as trucks from Class 2b through Class 8. Compliance requirements began with MY 2014 with stringency levels increasing through MY 2018. The rule organizes truck compliance into three groupings, which include a) HD pickups and vans; b) vocational vehicles; and c) combination tractors. The EPA rule does not regulate trailers.

CARB staff has worked jointly with the EPA and the NHTSA on the next phase of federal GHG emission standards for medium-duty trucks (MDT) and HDT vehicles, called federal Phase 2. The federal Phase 2 standards were built on the improvements in engine and vehicle efficiency required by the Phase 1 emission standards and represent a significant opportunity to achieve further GHG reductions for 2018 and later MY HDT vehicles, including trailers. The EPA and NHTSA have proposed to roll back GHG and fuel economy standards for cars and light-duty trucks, which suggests a similar rollback of Phase 2 standards for MDT and HDT vehicles may be pursued.

SB 97 AND THE CEQA GUIDELINES UPDATE

Passed in August 2007, SB 97 added Section 21083.05 to the Public Resources Code. The code states "(a) On or before July 1, 2009, the Office of Planning and Research (OPR) shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of GHG emissions or the effects of GHG emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption. (b) On or before January 1, 2010, the Resources Agency shall certify and adopt guidelines prepared and developed by the OPR pursuant to subdivision (a)."

In 2012, Public Resources Code Section 21083.05 was amended to state:

> *"The Office of Planning and Research and the Natural Resources Agency shall periodically update the guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption, to incorporate new information or criteria established by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code."*

On December 28, 2018, the Natural Resources Agency announced the OAL approved the amendments to the *CEQA Guidelines* for implementing CEQA. The CEQA Amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents. The CEQA Amendments fit within the existing CEQA framework by amending existing *CEQA Guidelines* to reference climate change.

Section 15064.4 was added the *CEQA Guidelines* and states that in determining the significance of a project's GHG emissions, the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change. A project's incremental contribution may be cumulatively considerable even if it appears relatively insignificant compared to statewide, national, or global emissions. The agency's analysis should consider a timeframe that is appropriate for the project. The agency's analysis also must reasonably reflect evolving scientific knowledge and state regulatory schemes. Additionally, a lead agency may use a model or methodology to estimate GHG emissions resulting from a project. The lead agency has discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change. The lead agency must support its selection of a model or methodology with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use (45).

2.7.4 REGIONAL

The project is within the SCAB, which is under the jurisdiction of the SCAQMD.

SCAQMD

SCAQMD is the agency responsible for air quality planning and regulation in the SCAB. The SCAQMD addresses the impacts to climate change of projects subject to SCAQMD permit as a lead agency if they are the only agency having discretionary approval for the project and acts as a responsible agency when a land use agency must also approve discretionary permits for the project. The SCAQMD acts as an expert commenting agency for impacts to air quality. This expertise carries over to GHG emissions, so the agency helps local land use agencies through the development of models and emission thresholds that can be used to address GHG emissions.

In 2008, SCAQMD formed a Working Group to identify GHG emissions thresholds for land use projects that could be used by local lead agencies in the SCAB. The Working Group developed several different options that are contained in the SCAQMD Draft Guidance Document – Interim CEQA GHG Significance Threshold, which could be applied by lead agencies. The working group has not provided additional guidance since release of the interim guidance in 2008. The SCAQMD Board has not approved the thresholds; however, the Guidance Document provides substantial evidence supporting the approaches to significance of GHG emissions that can be considered by the lead agency in adopting its own threshold. The current interim thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.

- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualifying local GHG reduction plan, it does not have significant GHG emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project's construction emissions are averaged over 30 years and are added to the project's operational emissions. If a project's emissions are below one of the following screening thresholds, then the project is less than significant:
    - Residential and commercial land use: 3,000 $MTCO_2e/yr$
    - Industrial land use: 10,000 $MTCO_2e/yr$
    - Based on land use type: residential: 3,500 $MTCO_2e/yr$; commercial: 1,400 $MTCO_2e/yr$; or mixed use: 3,000 $MTCO_2e/yr$
- Tier 4 has the following options:
    - Option 1: Reduce Business-as-Usual (BAU) emissions by a certain percentage; this percentage is currently undefined.
    - Option 2: Early implementation of applicable AB 32 Scoping Plan measures
    - Option 3: 2020 target for service populations (SP), which includes residents and employees: 4.8 $MTCO_2e$ per SP per year for projects and 6.6 $MTCO_2e$ per SP per year for plans;
    - Option 3, 2035 target: 3.0 $MTCO_2e$ per SP per year for projects and 4.1 $MTCO_2e$ per SP per year for plans
- Tier 5 involves mitigation offsets to achieve target significance threshold.

The SCAQMD's interim thresholds used the Executive Order S-3-05-year 2050 goal as the basis for the Tier 3 screening level. Achieving the Executive Order's objective would contribute to worldwide efforts to cap CO_2 concentrations at 450 ppm, thus stabilizing global climate.

SCAQMD only has authority over GHG emissions from development projects that include air quality permits. At this time, it is unknown if the project would include stationary sources of emissions subject to SCAQMD permits. Notwithstanding, if the Project requires a stationary permit, it would be subject to the applicable SCAQMD regulations.

SCAQMD Regulation XXVII, adopted in 2009 includes the following rules:

- Rule 2700 defines terms and post global warming potentials.
- Rule 2701, SoCal Climate Solutions Exchange, establishes a voluntary program to encourage, quantify, and certify voluntary, high quality certified GHG emission reductions in the SCAQMD.
- Rule 2702, GHG Reduction Program created a program to produce GHG emission reductions within the SCAQMD. The SCAQMD would fund projects through contracts in response to requests for proposals or purchase reductions from other parties.

CITY OF ONTARIO COMMUNITY CLIMATE ACTION PLAN (CCAP)

The Community Climate Action Plan (CCAP) contains further guidance on the City of Ontario's GHG Inventory reduction goals, policies, guidelines, and implementation programs. The purpose of the CCAP is to provide guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the City of Ontario (46). The CCAP builds upon the Reduction Plan to address City-specific information and City-specific GHG reduction measures. To address the state's requirement to reduce GHG emissions, the CCAP was prepared with the goal of reducing GHG emissions within the City by 15% below 2008 levels by the year 2020. The City's target is consistent with the AB 32 target and ensures that the City of Ontario achieves GHG reductions locally that complement and are consistent with state efforts to reduce GHG emissions.

As part of the CCAP, the City of Ontario published a guidance document titled "Greenhouse Gas Emissions, CEQA Thresholds and Screening Tables" (December 2014). As part of this guidance, the CCAP determined that if GHG emissions of a given project exceeds 3,000 $MTCO_2e$/yr, then project emissions would need to be reduced by 25 percent when compared to year 2008 emissions levels. Alternatively, the project would need to achieve a minimum of 100 points pursuant to measures identified in the Screening Tables.

The 2022 update to the Ontario Plan includes an update to the City's CCAP which was originally adopted on December 16, 2014. As stated in The Ontario Plan 2050 Draft Supplemental Environmental Impact Report (SEIR), the measures included in the 2022 update to the CCAP are not substantially different than that of the 2014 CCAP and therefore there is no change in the environmental impacts associated with the CCAP. As such, it is appropriate for the proposed Project to rely on the CEQA Thresholds and Screening Tables that were adopted under the 2014 CCAP, since the 2022 update to the CCAP does not contain measures that would be substantially different than the 2014 CCAP (47).

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3 EXISTING SITE GHG IMPACT

The Project site is currently occupied and operating as a grain processing company and a corn storage and distribution facility. GHG emissions from the existing development are summarized on Table 3-1.

TABLE 3-1: EMISSIONS FROM EXISTING DEVELOPMENT

Emission Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
Mobile Source	1,130.00	0.10	0.15	1.47	1,177.00
Area Source	0.85	0.00	0.00	0.00	0.87
Energy Source	247.00	0.02	0.00	0.00	248.00
Water Usage	13.50	0.32	0.01	0.00	23.60
Waste	3.50	0.35	0.00	0.00	12.30
Refrigerants	0.00	0.00	0.00	184.00	184.00
Total CO_2e (All Sources)	**1,645.77**				

Source: CalEEMod output, See Appendix 3.1 for detailed model outputs.

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4 PROJECT GHG IMPACT

4.1 INTRODUCTION

The Project has been evaluated to determine if it would result in a significant GHG impact. The significance of these potential impacts is described in the following sections.

4.2 STANDARDS OF SIGNIFICANCE

The criteria used to determine the significance of potential Project-related GHG impacts are taken from the Initial Study Checklist in Appendix G of the State *CEQA Guidelines* (14 CCR of Regulations §§15000, et seq.). Based on these thresholds, a project would result in a significant impact related to GHG if it would (1):

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?

4.2.1 DISCUSSION ON ESTABLISHMENT OF SIGNIFICANCE THRESHOLDS

As previously stated, SEIR identifies that the measures included in the 2022 update to the CCAP are not substantially different than that of the 2014 CCAP and therefore there is no change in the environmental impacts associated with the CCAP. As such, and consistent with the 2014 CCAP, this analysis relies on the annual screening threshold of 3,000 $MTCO_2e$/yr to define small projects that are considered less than significant and do not require further GHG emissions calculations or analysis. Projects that do not exceed an annual 3,000 $MTCO_2e$/yr are therefore considered less than significant and would not require further analysis or mitigation.

4.3 MODELS EMPLOYED TO ANALYZE GHGS

4.3.1 CALIFORNIA EMISSIONS ESTIMATOR MODEL (CALEEMOD)

In May 2022 the California Air Pollution Control Officers Association (CAPCOA) in conjunction with other California air districts, including SCAQMD, released the latest version of CalEEMod Version 2022.1. The purpose of this model is to calculate construction-source and operational-source criteria pollutants and GHG emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from mitigation measures (48). Accordingly, the latest version of CalEEMod has been used for this Project to determine GHG emissions. Output from the model runs for construction and operational activity are provided in Appendices 4.1 through 4.2. CalEEMod includes GHG emissions from the following source categories: construction, area, energy, mobile, waste, water.

4.4 LIFE-CYCLE ANALYSIS NOT REQUIRED

A full life-cycle analysis (LCA) for construction and operational activity is not included in this analysis due to the lack of consensus guidance on LCA methodology at this time (49). Life-cycle

analysis (i.e., assessing economy-wide GHG emissions from the processes in manufacturing and transporting all raw materials used in the Project development, infrastructure, and on-going operations) depends on emission factors or econometric factors that are not well established for all processes. At this time, a LCA would be extremely speculative and thus has not been prepared.

Additionally, the SCAQMD recommends analyzing direct and indirect project GHG emissions generated within California and not life-cycle emissions because the life-cycle effects from a project could occur outside of California, might not be very well understood, or documented, and would be challenging to mitigate (50). Additionally, the science to calculate life cycle emissions is not yet established or well defined; therefore, SCAQMD has not recommended, and is not requiring, life-cycle emissions analysis.

4.5 CONSTRUCTION EMISSIONS

Project construction actvities would generate CO_2 and CH_4 emissions The *IE Distribution Center #14 Air Quality Impact Analysis* (AQIA) report contains detailed information regarding Project construction activities (51). As discussed in the AQIA, Construction related emissions are expected from the following construction activities:

- Demolition/Crushing
- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating/Landscaping

4.5.1 CONSTRUCTION DURATION

For purposes of analysis, construction of Project is expected to commence in May 2023 and would last through April 2024. The construction schedule utilized in the analysis, shown in Table 4-1, represents a "worst-case" analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent[4]. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per *CEQA Guidelines* (52).

[4] As shown in the CalEEMod User's Guide Version 2022.1, Section 4.3 "Off-Road Equipment" as the analysis year increases, emission factors for the same equipment pieces decrease due to the natural turnover of older equipment being replaced by newer less polluting equipment and new regulatory requirements.

TABLE 4-1: CONSTRUCTION DURATION

Construction Activity	Start Date	End Date	Days
Demolition/Crushing	05/02/2023	07/24/2023	60
Site Preparation	07/25/2023	09/04/2023	30
Grading	07/25/2023	09/04/2023	30
Building Construction	09/05/2023	04/15/2024	160
Paving	02/13/2024	04/15/2024	45
Architectural Coating/Landscaping	03/05/2024	04/15/2024	30

4.5.2 CONSTRUCTION EQUIPMENT

A summary of construction equipment assumptions by phase is provided at Table 4-4. In accordance the City of Ontario General Plan Update, this analysis assumed the use of CARB Tier 4 Interim equipment during Project construction.

TABLE 4-2: CONSTRUCTION EQUIPMENT ASSUMPTIONS

Construction Activity	Equipment	Amount	Hours Per Day
Demolition/Crushing	Rubber Tired Dozers	2	8
	Excavators	3	8
	Concrete/Industrial Saws	1	8
	Crushing/Proc. Equipment[1]	1	8
Site Preparation	Rubber Tired Dozers	3	8
	Crawler Tractors	4	8
Grading	Graders	1	8
	Excavators	2	8
	Scrapers	2	8
	Rubber Tired Dozers	1	8
	Crawler Tractors	2	8
Building Construction	Forklifts	5	8
	Generator Sets	2	8
	Cranes	2	8
	Welders	2	8
	Crawler Tractors	5	8
Pavers	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8

[1] The Project will use an electric-powered crusher which will be powered by a diesel generator. As a conservative measure, this analysis models a single diesel-powered generator set.

4.5.3 CONSTRUCTION EMISSIONS SUMMARY

For construction phase Project emissions, GHGs are quantified and amortized over the life of the Project. To amortize the emissions over the life of the Project, the SCAQMD recommends calculating the total GHG emissions for the construction activities, dividing it by a 30-year Project life then adding that number to the annual operational phase GHG emissions (53). As such, construction emissions were amortized over a 30-year period and added to the annual operational phase GHG emissions. The amortized construction emissions are presented in Table 4-3.

TABLE 4-3: AMORTIZED ANNUAL CONSTRUCTION EMISSIONS

Year	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e[5]
2023	616.94	0.01	0.01	0.24	624.02
2024	295.91	0.01	0.00	0.15	299.13
Total GHG Emissions	912.85	0.02	0.01	0.39	923.15
Amortized Construction Emissions	**30.43**	**6.67E-04**	**3.33E-04**	**0.01**	**30.77**

Source: CalEEMod annual construction-source emissions are presented in Appendix 4.1.
[A] CalEEMod reports the most common GHGs emitted which include CO_2, CH_4, and N_2O. These GHGs are then converted into the CO_2e by multiplying the individual GHG by the GWP.

4.6 OPERATIONAL EMISSIONS

Operational activities associated with the Project would result in emissions of CO_2, CH_4, and N_2O from the following primary sources:

- Area Source Emissions
- Energy Source Emissions
- Mobile Source Emissions
- Transportation Refrigeration Units (TRU) Emissions
- On-Site Cargo Handling Equipment Emissions
- Water Supply, Treatment, and Distribution
- Solid Waste

4.6.1 AREA SOURCE EMISSIONS

LANDSCAPE MAINTENANCE EQUIPMENT

Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the

[5] CalEEMod reports the most common GHGs emitted which include CO_2, CH_4, and N_2O. These GHGs are then converted into the CO_2e by multiplying the individual GHG by the GWP.

landscaping of the Project. It should be noted that as October 9, 2021, Governor Gavin Newsom signed AB 1346. The bill aims to ban the sale of new gasoline-powered equipment under 25 gross horsepower (known as small off-road engines [SOREs]) by 2024. For purposes of analysis, the emissions associated with landscape maintenance equipment were calculated based on assumptions provided in CalEEMod.

4.6.2 ENERGY SOURCE EMISSIONS

COMBUSTION EMISSIONS ASSOCIATED WITH NATURAL GAS AND ELECTRICITY

GHGs are emitted from buildings as a result of activities for which electricity and natural gas are typically used as energy sources. Combustion of any type of fuel emits CO_2 and other GHGs directly into the atmosphere; these emissions are considered direct emissions associated with a building; the building energy use emissions do not include street lighting[6]. GHGs are also emitted during the generation of electricity from fossil fuels; these emissions are considered to be indirect emissions. Natural gas and electricity usage associated with the Project were calculated by CalEEMod using default parameters.

4.6.3 MOBILE SOURCE EMISSIONS

The Project related operational GHG emissions derive primarily from vehicle trips generated by the Project, including employee trips to and from the site and truck trips associated with the proposed uses. It should be noted that CalEEMod has different trip rates for different days of the week. In order to accurately determine mobile-source emission from vehicle activity generated by the proposed Project, the CalEEMod default trip rates were adjusted for weekday, Saturday, and Sunday utilizing the trip rates based on trip-generation statistics published in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021) (54). The following trip generation rates and vehicle mix were utilized for calculating the trip generation for the proposed Project:

- High-Cube Cold Storage Warehouse (ITE land use code 157) has been used to derive site specific trip generation estimates for the 27,034-sf building of the proposed Project. High-cube warehouses include warehouses characterized by the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. High-cube cold storage warehouses are facilities typified by temperature-controlled environments for frozen food or other perishable products. The High-Cube Cold Storage Warehouse vehicle mix (passenger cars versus trucks) has been obtained from the ITE's Trip Generation Manual. The truck percentages were further broken down by axle type per the following SCAQMD recommended truck mix: 2-Axle = 36.4%; 3-Axle = 9.09%; 4+-Axle = 54.6%.
- ITE Land Use Code 150 has been used to derive site specific trip generation estimates for the 243,303-sf building of the proposed Project. The vehicle mix has been obtained from the ITE's Trip Generation Manual Supplement (dated February 2020). The truck percentages were further

[6] The CalEEMod emissions inventory model does not include indirect emission related to street lighting. Indirect emissions related to street lighting are expected to be negligible and cannot be accurately quantified at this time as there is insufficient information as to the number and type of street lighting that would occur.

broken down by axle type per the following SCAQMD recommended truck mix: 2-Axle = 16.4%; 3-Axle = 20.6%; 4+-Axle = 63.0%.

APPROACH FOR ANALYSIS OF THE PROJECT

In order to determine emissions from passenger car vehicles, CalEEMod defaults for trip length and trip purpose were utilized. Default vehicle trip lengths for primary trips will be populated using data from the local metropolitan planning organizations/Regional Transportation Planning Agencies (MPO/RTPA). Trip type percentages and trip lengths provided by MPO/RTPAs truncate data at their demonstrative borders. This analysis assumes that passenger cars include Light-Duty-Auto vehicles (LDA), Light-Duty-Trucks (LDT1[7] & LDT2[8]), Medium-Duty-Vehicles (MDV), and Motorcycles (MCY) vehicle types. In order to account for emissions generated by passenger cars, the fleet mix in Table 4-4 was utilized.

TABLE 4-4: PASSENGER CAR FLEET MIX

Land Use	% Vehicle Type				
	LDA	LDT1	LDT2	MDV	MCY
High-Cube Cold Storage	56.23%	4.67%	22.39%	14.70%	2.01%
Warehouse					

Note: The Project-specific passenger car fleet mix used in this analysis is based on a proportional split utilizing the default CalEEMod percentages assigned to LDA, LDT1, LDT2, and MDV vehicle types.

To determine emissions from trucks for the proposed industrial uses, the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages. The trip length function for the general light industrial use has been revised to 30.58 miles and 28.62 miles for the high-cube cold storage and warehouse uses, respectively, an assumption of 100% primary trips for the proposed industrial land uses. Trucks are broken down by truck type. The truck fleet mix is estimated by rationing the trip rates for each truck type based on information provided by the SCAQMD recommended truck mix, by axle type. Heavy trucks are broken down by truck type (or axle type) and are categorized as either Light-Heavy-Duty Trucks (LHDT1[9] & LHDT2 [10])/2-axle, Medium-Heavy-Duty Trucks (MHDT)/3-axle, and Heavy-Heavy-Duty Trucks (HHDT)/4+-axle. To account for emissions generated by trucks, the fleet mix in Table 4-5 was utilized.

[7] Vehicles under the LDT1 category have a gross vehicle weight rating (GVWR) of less than 6,000 lbs. and equivalent test weight (ETW) of less than or equal to 3,750 lbs.

[8] Vehicles under the LDT2 category have a GVWR of less than 6,000 lbs. and ETW between 3,751 lbs. and 5,750 lbs.

[9] Vehicles under the LHDT1 category have a GVWR of 8,501 to 10,000 lbs.

[10] Vehicles under the LHDT2 category have a GVWR of 10,001 to 14,000 lbs.

TABLE 4-5: TRUCK FLEET MIX

Land Use	% Vehicle Type			
	LHDT1	LHDT2	MHDT	HHDT
High-Cube Cold Storage	12.94%	3.49%	20.55%	63.01%
Warehouse	28.64%	7.73%	9.09%	54.55%

Note: Project-specific truck fleet mix is based on the number of trips generated by each truck type (LHDT1, LHDT2, MHDT, and HHDT) relative to the total number of truck trips.

4.6.4 TRU EMISSIONS

In order to account for the possibility of refrigerated uses, trucks associated with the cold-storage land use are assumed to also have TRUs. Therefore, for modeling purposes 11 trucks have the potential to include TRUs. TRUs are accounted for during on-site and off-site travel. The TRU calculations are based on EMissions FACtor Model version 2021 (EMFAC2021), developed by the CARB. EMFAC2021 does not provide emission rates per hour or mile as with the on-road emission model and only provides emission inventories. Emission results are produced in tons per day while all activity, fuel consumption and horsepower hours were reported at annual levels. The emission inventory is based on specific assumptions including the average horsepower rating of specific types of equipment and the hours of operation annually. These assumptions are not always consistent with assumptions used in the modeling of project level emissions. Therefore, the emissions inventory was converted into emission rates to accurately calculate emissions from TRU operation associated with project level details. This was accomplished by converting the annual horsepower hours to daily operational characteristics and converting the daily emission levels into hourly emission rates based on the total emission of each criteria pollutant by equipment type and the average daily hours of operation.

4.6.5 ON-SITE CARGO HANDLING EQUIPMENT EMISSIONS

It is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For this particular Project, on-site modeled operational equipment includes up to one (1) 175 horsepower (hp), natural gas-powered cargo handling equipment – port tractor operating at 4 hours a day[11] for 365 days of the year.

4.6.6 WATER SUPPLY, TREATMENT AND DISTRIBUTION

Indirect GHG emissions result from the production of electricity used to convey, treat, and distribute water and wastewater. The amount of electricity required to convey, treat, and distribute water depends on the volume of water as well as the sources of the water. Unless otherwise noted, CalEEMod default parameters were used.

[11] Based on Table II-3, Port and Rail Cargo Handling Equipment Demographics by Type, from CARB's Technology Assessment: Mobile Cargo Handling Equipment document, a single piece of equipment could operate up to 2 hours per day (Total Average Annual Activity divided by Total Number Pieces of Equipment). As such, the analysis conservatively assumes that the tractor/loader/backhoe would operate up to 4 hours per day.

4.6.7 SOLID WASTE

Industrial land uses would result in the generation and disposal of solid waste. A percentage of this waste would be diverted from landfills by a variety of means, such as reducing the amount of waste generated, recycling, and/or composting. The remainder of the waste not diverted would be disposed of at a landfill. GHG emissions from landfills are associated with the anaerobic breakdown of material. GHG emissions associated with the disposal of solid waste associated with the proposed Project were calculated by CalEEMod using default parameters.

4.6.8 EMISSIONS SUMMARY

The estimated Project-related GHG emissions are summarized on Table 4-6. It should be noted that the existing development emissions were subtracted from the Project GHG emissions to determine the new emissions from the proposed Project. Detailed operation model outputs for the Project are presented in Appendix 4.2. As shown in Table 4-6, construction and operation of the Project would generate a total of 2,590.77 $MTCO_2e/yr$.

TABLE 4-6: PROJECT GHG EMISSIONS

Emission Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
Annual construction-related emissions amortized over 30 years	30.43	6.67E-04	3.33E-04	0.01	30.77
Mobile Source	1,536.00	0.11	0.18	2.15	1,596.00
Area Source	5.48	0.00	0.00	0.00	5.64
Energy Source	847.00	0.08	0.00	0.00	850.00
Water Usage	88.10	2.04	0.05	0.00	154.00
Waste	22.70	2.27	0.00	0.00	79.30
Refrigerants	0.00	0.00	0.00	1,078.00	1,078.00
TRU Source					156.68
On-Site Equipment					286.15
Total CO_2e (All Sources)	**4,236.54**				
Existing	*1,645.77*				
Total Net CO_2e (All Sources)	**2,590.77**				

Source: CalEEMod output, See Appendix 4.2 for detailed model outputs.

4.7 GHG EMISSIONS FINDINGS AND RECOMMENDATIONS

4.7.1 GHG IMPACT 1

Would the Project generate GHG emissions either directly or indirectly, that may have a significant impact on the environment?

As discussed within the CCAP, projects that generate less than 3,000 $MTCO_2e$/yr would have a less-than-significant GHG emissions impact. As shown, the proposed Project would generate a total of 2,590.77 $MTCO_2e$/yr and would therefore not exceed the 3,000 $MTCO_2e$/yr significance threshold.

The Project would not have the potential to generate direct or indirect GHG emissions that would result in a significant impact on the environment.

4.7.2 GHG IMPACT 2

Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?

As previously stated, pursuant to 15604.4 of the CEQA Guidelines, a lead agency may rely on qualitative analysis or performance-based standards to determine the significance of impacts from GHG emissions (45). As such, the Project's consistency with the City's CCAP, AB 32 and SB 32 are discussed below. It should be noted that the Project's consistency with the SB 32 (2017 Scoping Plan) also satisfies consistency with AB 32 since the 2017 Scoping Plan is based on the overall targets established by AB 32. Consistency with the 2008 Scoping Plan is not necessary, since the target year for the 2008 Scoping Plan was 2020, and the Project's buildout year is 2024. As such the 2008 Scoping Plan does not apply and consistency with the 2017 Scoping Plan is relevant.

CONSISTENCY WITH THE CITY'S CCAP

Since the Project does not exceed the established annual screening threshold of 3,000 $MTCO_2e$/yr, the Project is considered less than significant, does not require further GHG emissions calculations or analysis, and is presumed to be consistent with the City's CCAP.

SB 32/2017 SCOPING PLAN CONSISTENCY

The 2017 Scoping Plan Update reflects the 2030 target of a 40% reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. Table 4-7 summarizes the Project's consistency with the 2017 Scoping Plan. As summarized, the Project will not conflict with any of the provisions of the Scoping Plan and in fact supports seven of the action categories.

TABLE 4-7: 2017 SCOPING PLAN CONSISTENCY SUMMARY[12]

Action	Responsible Parties	Consistency
Implement SB 350 by 2030		
Increase the Renewables Portfolio Standard to 50% of retail sales by 2030 and ensure grid reliability.	CPUC, CEC, CARB	**Consistent**. The Project would use energy from Southern California Edison (SCE). SCE has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. The Project would not interfere with or obstruct SCE energy source diversification efforts.

[12] Measures can be found at the following link: https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf

Action	Responsible Parties	Consistency
Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.		**Consistent.** The proposed Project would be designed and constructed to implement the energy efficiency measures, where applicable by including several measures designed to reduce energy consumption. The proposed Project would include energy efficient lighting and fixtures that meet the applicable Title 24 Standards throughout the Project Site and would be a modern development with energy efficient boilers, heaters, and air conditioning systems.
Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in Integrated Resource Planning (IRP) to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly- owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.		**Consistent.** The proposed Project would be designed and constructed to implement the energy efficiency measures, where applicable by including several measures designed to reduce energy consumption. The proposed Project would include energy efficient lighting and fixtures that meet the applicable Title 24 Standards throughout the Project Site and would be a modern development with energy efficient boilers, heaters, and air conditioning systems.
Implement Mobile Source Strategy (Cleaner Technology and Fuels)		
At least 1.5 million zero emission and plug-in hybrid light-duty EVs by 2025.	CARB, California State Transportation Agency (CalSTA), Strategic Growth Council (SGC), California Department of Transportation (Caltrans), CEC, OPR, Local Agencies	**Consistent**. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2025 targets. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
At least 4.2 million zero emission and plug-in hybrid light-duty EVs by 2030.		**Consistent.** This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2030 targets. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations.		**Consistent.** This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations. As this is a CARB enforced standard, vehicles that access

Action	Responsible Parties	Consistency
		the Project are required to comply with the standards and will therefore comply with the strategy.
Medium- and Heavy-Duty GHG Phase 2.		**Consistent.** This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to implement Medium- and Heavy-Duty GHG Phase 2. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20% of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100% of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NO_X standard.		**Consistent.** The Project would not obstruct or interfere with agency efforts to transition to a suite of to-be-determined innovative clean transit options.
Last Mile Delivery: New regulation that would result in the use of low NO_X or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5% of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10% in 2025 and remaining flat through 2030.		**Consistent.** The Project would not obstruct or interfere with agency efforts to use low NO_X or cleaner engines or the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California.
Further reduce VMT through continued implementation of SB 375 and regional Sustainable Communities Strategies; forthcoming statewide implementation of SB 743; and potential additional VMT reduction strategies not specified in the Mobile Source Strategy but included in the document "Potential VMT Reduction Strategies for Discussion."		**Consistent.** This Project would not obstruct or interfere with implementation of SB 375 and would therefore not conflict with this measure.
Increase stringency of SB 375 Sustainable Communities Strategy (2035 targets).	CARB	**Consistent.** The Project would not obstruct or interfere with agency efforts to increase stringency of SB 375 Sustainable Communities Strategy.

Action	Responsible Parties	Consistency
Harmonize project performance with emissions reductions and increase competitiveness of transit and active transportation modes (e.g. via guideline documents, funding programs, project selection, etc.).	CalSTA, SGC, OPR, CARB, Governor's Office of Business and Economic Development (GO-Biz), California Infrastructure and Economic Development Bank (IBank), Department of Finance (DOF), California Transportation Commission (CTC), Caltrans	**Consistent.** The Project would not obstruct or interfere with agency efforts to harmonize transportation facility project performance with emissions reductions and increase competitiveness of transit and active transportation modes.
Develop pricing policies to support low-GHG transportation (e.g. low-emission vehicle zones for heavy duty, road user, parking pricing, transit discounts).	CalSTA, Caltrans, CTC, OPR, SGC, CARB	**Consistent**. The Project would not obstruct or interfere with agency efforts to develop pricing policies to support low-GHG transportation.
Implement California Sustainable Freight Action Plan		
Improve freight system efficiency.	CalSTA, CalEPA, CNRA, CARB, Caltrans, CEC, GO-Biz	**Consistent**. This measure would apply to all trucks accessing the Project site, this may include existing trucks or new trucks that are part of the statewide goods movement sector. The Project would not obstruct or interfere with agency efforts to Improve freight system efficiency.
Deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.		**Consistent**. The Project would not obstruct or interfere with agency efforts to deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.
Adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18%.	CARB	**Consistent**. When adopted, this measure would apply to all fuel purchased and used by the Project in the state. The Project would not obstruct or interfere

Action	Responsible Parties	Consistency
		with agency efforts to adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18%.
Implement the Short-Lived Climate Pollutant Strategy (SLPS) by 2030		
40% reduction in methane and hydrofluorocarbon emissions below 2013 levels.	CARB, CalRecycle, CDFA, California State Water Resource Control Board (SWRCB), Local Air Districts	**Consistent**. The Project would be required to comply with any applicable measures that may be adopted for the purposes of reducing SLPS emissions. The Project would not obstruct or interfere agency efforts to reduce SLPS emissions since it would be required to comply with any applicable regulatory measures.
50% reduction in black carbon emissions below 2013 levels.		
Develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	CARB, CalRecycle, CDFA, SWRCB, Local Air Districts	**Consistent**. The Project would implement waste reduction and recycling measures consistent with State and City of Ontario requirements. The Project would not obstruct or interfere agency efforts to support organic waste landfill reduction goals in the SLCP and SB 1383.
Implement the post-2020 Cap-and-Trade Program with declining annual caps.	CARB	**Consistent**. The Project would be required to comply with any applicable Cap-and-Trade Program provisions. The Project would not obstruct or interfere agency efforts to implement the post-2020 Cap-and-Trade Program.
By 2018, develop Integrated Natural and Working Lands Implementation Plan to secure California's land base as a net carbon sink		
Protect land from conversion through conservation easements and other incentives.	CNRA, Departments Within CDFA, CalEPA, CARB	**Consistent**. The Project would not obstruct or interfere agency efforts to protect land from conversion through conservation easements and other incentives. The Project site is not targeted for conservation in any local or State conservation plan.
Increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity		**Consistent**. The Project site is currently developed and does not comprise an area that would effectively provide for carbon sequestration. The Project would not obstruct or interfere agency efforts to increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity.
		Consistent. The Project is proposed as a tilt-up industrial manufacturing and warehouse use with building materials

Action	Responsible Parties	Consistency
Utilize wood and agricultural products to increase the amount of carbon stored in the natural and built environments		primarily comprised of concrete. However, where appropriate, the Project design does not preclude the incorporation of wood or wood products. The Project would not obstruct or interfere agency efforts to encourage use of wood and agricultural products to increase the amount of carbon stored in the natural and built environments.
Establish scenario projections to serve as the foundation for the Implementation Plan		**Consistent**. The Project would not obstruct or interfere agency efforts to establish scenario projections to serve as the foundation for the Implementation Plan.
Establish a carbon accounting framework for natural and working lands as described in SB 859	CARB	**Consistent**. The Project would not obstruct or interfere with agency efforts to establish a carbon accounting framework for natural and working lands as described in SB 859.
Implement Forest Carbon Plan	CNRA, California Department of Forestry and Fire Protection (CAL FIRE), CalEPA and Departments Within	**Consistent**. The Project would not obstruct or interfere agency efforts to implement the Forest Carbon Plan.
Identify and expand funding and financing mechanisms to support GHG reductions across all sectors.	State Agencies & Local Agencies	**Consistent**. The Project would not obstruct or interfere agency efforts to identify and expand funding and financing mechanisms to support GHG reductions across all sectors.

As shown above, the Project would not conflict with any of the 2017 Scoping Plan elements as any regulations adopted would apply directly or indirectly to the Project. Further, recent studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40% below 1990 levels by 2030 (55).

The Project would not have the potential to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.

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5 CERTIFICATIONS

The contents of this GHG study report represent an accurate depiction of the GHG impacts associated with the proposed 5355 East Airport Drive Project. The information contained in this GHG report is based on the best available data at the time of preparation. If you have any questions, please contact me directly at hqureshi@urbanxroads.com.

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EDUCATION

Master of Science in Environmental Studies
California State University, Fullerton • May 2010

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PROFESSIONAL AFFILIATIONS

AEP – Association of Environmental Planners
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ASTM – American Society for Testing and Materials

PROFESSIONAL CERTIFICATIONS

Planned Communities and Urban Infill – Urban Land Institute • June 2011
Indoor Air Quality and Industrial Hygiene – EMSL Analytical • April 2008
Principles of Ambient Air Monitoring – California Air Resources Board • August 2007
AB2588 Regulatory Standards – Trinity Consultants • November 2006
Air Dispersion Modeling – Lakes Environmental • June 2006

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APPENDIX 3.1:

CALEEMOD EXISTING OPERATIONAL EMISSIONS MODEL OUTPUTS

IE Distribution Center #14 (Existing Passenger Car Operations) Detailed Report

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Data Field	Value
Project Name	IE Distribution Center #14 (Existing Passenger Car Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	41.8	1000sqft	0.96	41,780	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.29	2.16	0.98	12.8	0.02	0.04	0.80	0.85	0.04	0.14	0.18	39.7	3,803	3,842	4.23	0.11	1,122	5,104
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.92	1.82	1.03	8.94	0.02	0.04	0.80	0.84	0.04	0.14	0.18	39.7	3,615	3,655	4.24	0.12	1,114	4,909
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.90	1.80	0.89	8.16	0.02	0.04	0.59	0.63	0.04	0.10	0.14	39.7	3,086	3,126	4.22	0.10	1,116	4,378
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.16	0.33	0.16	1.49	< 0.005	0.01	0.11	0.11	0.01	0.02	0.03	6.57	511	518	0.70	0.02	185	725

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Mobile	0.92	0.84	0.54	10.7	0.02	0.01	0.80	0.81	0.01	0.14	0.15	—	2,242	2,242	0.08	0.05	8.87	2,269
Area	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	1.29	2.16	0.98	12.8	0.02	0.04	0.80	0.85	0.04	0.14	0.18	39.7	3,803	3,842	4.23	0.11	1,122	5,104
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.87	0.79	0.60	8.58	0.02	0.01	0.80	0.81	0.01	0.14	0.15	—	2,062	2,062	0.08	0.06	0.23	2,081
Area	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.92	1.82	1.03	8.94	0.02	0.04	0.80	0.84	0.04	0.14	0.18	39.7	3,615	3,655	4.24	0.12	1,114	4,909
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.63	0.57	0.45	6.56	0.02	0.01	0.59	0.59	0.01	0.10	0.11	—	1,528	1,528	0.06	0.04	2.80	1,545
Area	0.22	1.20	0.01	1.24	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.12	5.12	< 0.005	< 0.005	—	5.27
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.90	1.80	0.89	8.16	0.02	0.04	0.59	0.63	0.04	0.10	0.14	39.7	3,086	3,126	4.22	0.10	1,116	4,378
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.12	0.10	0.08	1.20	< 0.005	< 0.005	0.11	0.11	< 0.005	0.02	0.02	—	253	253	0.01	0.01	0.46	256
Area	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0

Energy	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	247	247	0.02	< 0.005	—	248
Water	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Waste	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	0.16	0.33	0.16	1.49	< 0.005	0.01	0.11	0.11	0.01	0.02	0.03	6.57	511	518	0.70	0.02	185	725

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.92	0.84	0.54	10.7	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,242	2,242	0.08	0.05	8.87	2,269
Total	0.92	0.84	0.54	10.7	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,242	2,242	0.08	0.05	8.87	2,269
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.87	0.79	0.60	8.58	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,062	2,062	0.08	0.06	0.23	2,081
Total	0.87	0.79	0.60	8.58	0.02	0.01	0.10	0.11	0.01	0.03	0.04	—	2,062	2,062	0.08	0.06	0.23	2,081

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.12	0.10	0.08	1.20	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	—	253	253	0.01	0.01	0.46	256
Total	0.12	0.10	0.08	1.20	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	—	253	253	0.01	0.01	0.46	256

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163
Total	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5
Total	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.32	0.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Total	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Architectural	—	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.04	0.04	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87
Total	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

1700

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Total	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

Total	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	207	17.5	7.02	55,311	3,007	254	102	802,453

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	62,670	20,890	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,027,373	349	0.0330	0.0040	794,266

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	9,661,625	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	39.3	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A

Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9

Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965

Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3

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Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

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7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification
Operations: Vehicle Data	Trip rates based on existing activities
Operations: Fleet Mix	Passenger Car Mix estimated based on the CalEEMod default fleet mix and the ratio of the vehicle classes (LDA, LDT1, LDT2, MDV, & MCY)
Operations: Energy Use	Electricity usage based on electricity bills provided by Applicant

IE Distribution Center #14 (Existing Truck Operations) Detailed Report

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4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

5.10.3. Landscape Equipment

5.11. Operational Energy Consumption

5.11.1. Unmitigated

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

5.13. Operational Waste Generation

5.13.1. Unmitigated

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

5.16.2. Process Boilers

5.17. User Defined

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

5.18.2. Sequestration

5.18.2.1. Unmitigated

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

6.2. Initial Climate Risk Scores

6.3. Adjusted Climate Risk Scores

6.4. Climate Risk Reduction Measures

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7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

7.2. Healthy Places Index Scores

7.3. Overall Health & Equity Scores

7.4. Health & Equity Measures

7.5. Evaluation Scorecard

8. User Changes to Default Data

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Existing Truck Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	41.8	1000sqft	0.96	41,780	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.30	1.51	9.14	7.26	0.07	0.15	1.11	1.27	0.15	0.27	0.41	39.7	8,807	8,847	4.87	1.17	1,133	10,451
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.96	1.20	9.51	5.46	0.07	0.15	1.11	1.26	0.14	0.27	0.41	39.7	8,802	8,842	4.87	1.17	1,114	10,427
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.94	1.36	7.14	5.32	0.05	0.12	0.81	0.93	0.12	0.20	0.31	39.7	6,858	6,897	4.68	0.87	1,120	8,395
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.17	0.25	1.30	0.97	0.01	0.02	0.15	0.17	0.02	0.04	0.06	6.57	1,135	1,142	0.78	0.14	185	1,390

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Mobile	0.93	0.19	8.70	5.08	0.06	0.12	1.11	1.23	0.11	0.27	0.38	—	7,247	7,247	0.72	1.11	19.2	7,616
Area	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	1.30	1.51	9.14	7.26	0.07	0.15	1.11	1.27	0.15	0.27	0.41	39.7	8,807	8,847	4.87	1.17	1,133	10,451
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.92	0.18	9.08	5.10	0.06	0.12	1.11	1.23	0.11	0.27	0.38	—	7,249	7,249	0.72	1.12	0.50	7,600
Area	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.96	1.20	9.51	5.46	0.07	0.15	1.11	1.26	0.14	0.27	0.41	39.7	8,802	8,842	4.87	1.17	1,114	10,427
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.67	0.13	6.71	3.72	0.05	0.08	0.81	0.90	0.08	0.20	0.28	—	5,299	5,299	0.52	0.82	6.07	5,562
Area	0.22	1.20	0.01	1.24	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.12	5.12	< 0.005	< 0.005	—	5.27
Energy	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	1,490	1,490	0.14	0.01	—	1,498
Water	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Waste	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	0.94	1.36	7.14	5.32	0.05	0.12	0.81	0.93	0.12	0.20	0.31	39.7	6,858	6,897	4.68	0.87	1,120	8,395
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.12	0.02	1.22	0.68	0.01	0.02	0.15	0.16	0.01	0.04	0.05	—	877	877	0.09	0.14	1.01	921
Area	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0

Energy	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	247	247	0.02	< 0.005	—	248
Water	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Waste	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	0.17	0.25	1.30	0.97	0.01	0.02	0.15	0.17	0.02	0.04	0.06	6.57	1,135	1,142	0.78	0.14	185	1,390

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.93	0.19	8.70	5.08	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,247	7,247	0.72	1.11	19.2	7,616
Total	0.93	0.19	8.70	5.08	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,247	7,247	0.72	1.11	19.2	7,616
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.92	0.18	9.08	5.10	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,249	7,249	0.72	1.12	0.50	7,600
Total	0.92	0.18	9.08	5.10	0.06	0.12	0.57	0.69	0.11	0.18	0.30	—	7,249	7,249	0.72	1.12	0.50	7,600

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.12	0.02	1.22	0.68	0.01	0.02	0.08	0.09	0.01	0.02	0.04	—	877	877	0.09	0.14	1.01	921
Total	0.12	0.02	1.22	0.68	0.01	0.02	0.08	0.09	0.01	0.02	0.04	—	877	877	0.09	0.14	1.01	921

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Total	—	—	—	—	—	—	—	—	—	—	—	—	981	981	0.09	0.01	—	987
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163
Total	—	—	—	—	—	—	—	—	—	—	—	—	162	162	0.02	< 0.005	—	163

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Total	0.05	0.02	0.43	0.36	< 0.005	0.03	—	0.03	0.03	—	0.03	—	509	509	0.05	< 0.005	—	511
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5
Total	0.01	< 0.005	0.08	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	—	84.3	84.3	0.01	< 0.005	—	84.5

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.32	0.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Total	0.32	1.30	0.02	1.82	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.47	7.47	< 0.005	< 0.005	—	7.69
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.89	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	1.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Architectural	—	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.04	0.04	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87
Total	0.04	0.22	< 0.005	0.23	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.85	0.85	< 0.005	< 0.005	—	0.87

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Total	—	—	—	—	—	—	—	—	—	—	—	18.5	62.8	81.3	1.90	0.05	—	143
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6
Total	—	—	—	—	—	—	—	—	—	—	—	3.07	10.4	13.5	0.32	0.01	—	23.6

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Total	—	—	—	—	—	—	—	—	—	—	—	21.2	0.00	21.2	2.12	0.00	—	74.1
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

Total	—	—	—	—	—	—	—	—	—	—	—	3.50	0.00	3.50	0.35	0.00	—	12.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,113	1,113
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	184	184

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	106	8.93	3.57	28,184	2,337	198	79.1	623,606

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	62,670	20,890	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,027,373	349	0.0330	0.0040	794,266

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	9,661,625	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	39.3	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A

Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9

Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965

Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3

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Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification
Operations: Vehicle Data	Trip rates based on existing activities
Operations: Fleet Mix	Truck Mix based on SCAQMD recommended truck mix
Operations: Energy Use	Electricity usage based on bills provided by the Applicant

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APPENDIX 4.1:

CALEEMOD PROJECT CONSTRUCTION EMISSIONS MODEL OUTPUTS

IE Distribution Center #14 (Construction) Detailed Report

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8. User Changes to Default Data

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Construction)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

Parking Lot	299	Space	1.53	0.00	0.00	0.00	—	—
Other Asphalt Surfaces	161	1000sqft	3.68	0.00	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.13	47.2	39.6	71.8	0.13	0.38	9.62	9.95	0.36	4.00	4.32	—	15,836	15,836	0.86	0.60	10.9	16,044
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.08	47.1	30.4	53.5	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,589	9,589	0.43	0.25	0.28	9,674
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.67	4.08	10.5	18.5	0.03	0.13	1.31	1.44	0.12	0.45	0.57	—	3,729	3,729	0.19	0.12	1.43	3,770
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.12	0.74	1.92	3.37	0.01	0.02	0.24	0.26	0.02	0.08	0.10	—	617	617	0.03	0.02	0.24	624

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	2.13	1.77	39.6	71.8	0.13	0.33	9.62	9.95	0.32	4.00	4.32	—	15,836	15,836	0.86	0.60	9.37	16,044
2024	2.12	47.2	30.2	56.6	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,771	9,771	0.43	0.25	10.9	9,867
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	1.65	1.48	21.7	39.8	0.06	0.26	1.70	1.96	0.25	0.41	0.65	—	7,437	7,437	0.35	0.22	0.24	7,510
2024	2.08	47.1	30.4	53.5	0.07	0.38	2.20	2.58	0.36	0.52	0.89	—	9,589	9,589	0.43	0.25	0.28	9,674
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	0.67	0.59	10.5	18.5	0.03	0.13	1.31	1.44	0.12	0.45	0.57	—	3,729	3,729	0.19	0.12	1.43	3,770
2024	0.38	4.08	5.50	9.86	0.01	0.07	0.40	0.46	0.06	0.09	0.16	—	1,790	1,790	0.08	0.05	0.88	1,807
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	0.12	0.11	1.92	3.37	0.01	0.02	0.24	0.26	0.02	0.08	0.10	—	617	617	0.03	0.02	0.24	624
2024	0.07	0.74	1.00	1.80	< 0.005	0.01	0.07	0.08	0.01	0.02	0.03	—	296	296	0.01	0.01	0.14	299

3. Construction Emissions Details

3.1. Demolition (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.54	0.51	12.7	18.7	0.03	0.23	—	0.23	0.22	—	0.22	—	3,529	3,529	0.14	0.03	—	3,541

Demolitio	—	—	—	—	—	—	0.45	0.45	—	0.07	0.07	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.09	0.08	2.09	3.07	0.01	0.04	—	0.04	0.04	—	0.04	—	580	580	0.02	< 0.005	—	582
Demolitio n	—	—	—	—	—	—	0.07	0.07	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.02	0.38	0.56	< 0.005	0.01	—	0.01	0.01	—	0.01	—	96.0	96.0	< 0.005	< 0.005	—	96.4
Demolitio n	—	—	—	—	—	—	0.01	0.01	—	< 0.005	< 0.005	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.10	1.67	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	264	264	0.01	0.01	1.13	268
Vendor	0.04	0.01	0.38	0.20	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	317	317	0.03	0.05	0.87	332
Hauling	0.03	< 0.005	0.27	0.15	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	214	214	0.02	0.03	0.45	226
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Worker	0.02	0.02	0.02	0.22	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	40.4	40.4	< 0.005	< 0.005	0.08	41.0
Vendor	0.01	< 0.005	0.06	0.03	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	52.1	52.1	< 0.005	0.01	0.06	54.6
Hauling	< 0.005	< 0.005	0.05	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	35.2	35.2	< 0.005	0.01	0.03	37.0
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.04	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	6.69	6.69	< 0.005	< 0.005	0.01	6.78
Vendor	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	8.63	8.63	< 0.005	< 0.005	0.01	9.03
Hauling	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	5.84	5.84	< 0.005	< 0.005	0.01	6.13

3.3. Site Preparation (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.68	0.68	15.7	30.0	0.05	0.10	—	0.10	0.10	—	0.10	—	5,530	5,530	0.22	0.04	—	5,549
Dust From Material Movement	—	—	—	—	—	—	5.66	5.66	—	2.69	2.69	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.06	0.06	1.29	2.46	< 0.005	0.01	—	0.01	0.01	—	0.01	—	455	455	0.02	< 0.005	—	456

Dust From Material Movement	—	—	—	—	—	—	0.47	0.47	—	0.22	0.22	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.24	0.45	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	75.2	75.2	< 0.005	< 0.005	—	75.5
Dust From Material Movement	—	—	—	—	—	—	0.08	0.08	—	0.04	0.04	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.10	1.67	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	264	264	0.01	0.01	1.13	268
Vendor	0.02	< 0.005	0.19	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	158	158	0.01	0.02	0.44	166
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.11	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	20.2	20.2	< 0.005	< 0.005	0.04	20.5
Vendor	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	13.0	13.0	< 0.005	< 0.005	0.02	13.6
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	3.34	3.34	< 0.005	< 0.005	0.01	3.39
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.16	2.16	< 0.005	< 0.005	< 0.005	2

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Grading (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.82	0.82	19.9	36.2	0.06	0.18	—	0.18	0.18	—	0.18	—	6,715	6,715	0.27	0.05	—	6,738
Dust From Material Movement	—	—	—	—	—	—	2.67	2.67	—	0.98	0.98	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.07	0.07	1.64	2.97	0.01	0.02	—	0.02	0.01	—	0.01	—	552	552	0.02	< 0.005	—	554
Dust From Material Movement	—	—	—	—	—	—	0.22	0.22	—	0.08	0.08	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.30	0.54	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	91.4	91.4	< 0.005	< 0.005	—	91.7

Dust From Material Movement	—	—	—	—	—	—	0.04	0.04	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.12	0.11	0.11	1.85	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	294	294	0.01	0.01	1.26	298
Vendor	0.02	< 0.005	0.19	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	158	158	0.01	0.02	0.44	166
Hauling	0.37	0.06	3.43	1.91	0.02	0.03	0.20	0.23	0.03	0.07	0.10	—	2,716	2,716	0.31	0.43	5.65	2,857
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.12	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	22.4	22.4	< 0.005	< 0.005	0.04	22.8
Vendor	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	13.0	13.0	< 0.005	< 0.005	0.02	13.6
Hauling	0.03	< 0.005	0.30	0.16	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	223	223	0.03	0.04	0.20	235
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	3.72	3.72	< 0.005	< 0.005	0.01	3.77
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.16	2.16	< 0.005	< 0.005	< 0.005	2.26
Hauling	0.01	< 0.005	0.05	0.03	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	37.0	37.0	< 0.005	0.01	0.03	38.8

3.7. Building Construction (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,128
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,128
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.21	0.20	4.61	7.24	0.01	0.06	—	0.06	0.05	—	0.05	—	1,180	1,180	0.05	0.01	—	1,184
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.04	0.04	0.84	1.32	< 0.005	0.01	—	0.01	0.01	—	0.01	—	195	195	0.01	< 0.005	—	196
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.69	0.63	0.60	10.6	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,675	1,675	0.07	0.06	7.18	1,700
Vendor	0.09	0.02	0.94	0.51	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	792	792	0.07	0.12	2.19	831
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.65	0.59	0.70	7.94	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,534	1,534	0.07	0.06	0.19	1,553
Vendor	0.09	0.02	0.98	0.51	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	793	793	0.07	0.12	0.06	829
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.15	0.13	0.16	1.94	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	359	359	0.02	0.01	0.72	364
Vendor	0.02	< 0.005	0.23	0.12	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	183	183	0.02	0.03	0.22	192
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.03	0.02	0.03	0.35	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	59.5	59.5	< 0.005	< 0.005	0.12	60.3
Vendor	< 0.005	< 0.005	0.04	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	30.3	30.3	< 0.005	< 0.005	0.04	31.7
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.9. Building Construction (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,127
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Off-Road Equipment	0.91	0.87	20.0	31.4	0.05	0.25	—	0.25	0.23	—	0.23	—	5,110	5,110	0.21	0.04	—	5,127
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.19	0.18	4.14	6.51	0.01	0.05	—	0.05	0.05	—	0.05	—	1,060	1,060	0.04	0.01	—	1,064
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	0.76	1.19	< 0.005	0.01	—	0.01	0.01	—	0.01	—	175	175	0.01	< 0.005	—	176
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.65	0.60	0.55	9.64	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,641	1,641	0.07	0.06	6.56	1,666
Vendor	0.08	0.02	0.90	0.48	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	784	784	0.06	0.12	2.19	822
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.62	0.56	0.65	7.29	0.00	0.00	0.09	0.09	0.00	0.00	0.00	—	1,504	1,504	0.07	0.06	0.17	1,523
Vendor	0.08	0.02	0.94	0.49	0.01	0.01	0.04	0.06	0.01	0.02	0.03	—	784	784	0.06	0.12	0.06	821
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.12	0.14	1.59	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	316	316	0.01	0.01	0.59	321
Vendor	0.02	< 0.005	0.20	0.10	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	163	163	0.01	0.02	0.20	170

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.29	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	52.4	52.4	< 0.005	< 0.005	0.10	53.1
Vendor	< 0.005	< 0.005	0.04	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	26.9	26.9	< 0.005	< 0.005	0.03	28.2
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.11. Paving (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.23	0.23	7.21	10.6	0.01	0.09	—	0.09	0.08	—	0.08	—	1,512	1,512	0.06	0.01	—	1,517
Paving	—	0.30	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.23	0.23	7.21	10.6	0.01	0.09	—	0.09	0.08	—	0.08	—	1,512	1,512	0.06	0.01	—	1,517
Paving	—	0.30	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	0.89	1.31	< 0.005	0.01	—	0.01	0.01	—	0.01	—	186	186	0.01	< 0.005	—	187
Paving	—	0.04	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.16	0.24	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	30.9	30.9	< 0.005	< 0.005	—	31.0
Paving	—	0.01	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.09	0.08	0.07	1.27	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	216	216	0.01	0.01	0.86	219
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.09	0.96	0.00	0.00	0.01	0.01	0.00	0.00	0.00	—	198	198	0.01	0.01	0.02	200
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.12	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	24.7	24.7	< 0.005	< 0.005	0.05	25.1
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	4.10	4.10	< 0.005	< 0.005	0.01	4.15
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.13. Architectural Coating (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	1.43	1.28	< 0.005	0.04	—	0.04	0.04	—	0.04	—	178	178	0.01	< 0.005	—	179
Architectural Coatings	—	44.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	1.43	1.28	< 0.005	0.04	—	0.04	0.04	—	0.04	—	178	178	0.01	< 0.005	—	179
Architectural Coatings	—	44.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.12	0.11	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	14.6	14.6	< 0.005	< 0.005	—	14.7
Architectural Coatings	—	3.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.02	0.02	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	2.42	2.42	< 0.005	< 0.005	—	2.43
Architectural Coatings	—	0.67	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.12	0.11	1.95	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	331	331	0.01	0.01	1.32	336
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.11	0.13	1.47	0.00	0.00	0.02	0.02	0.00	0.00	0.00	—	303	303	0.01	0.01	0.03	307
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.13	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	25.3	25.3	< 0.005	< 0.005	0.05	25.7
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	—	4.19	4.19	< 0.005	< 0.005	0.01	4.25
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

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4. Operations Emissions Details

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Demolition	Demolition	5/2/2023	7/24/2023	5.00	60.0	—
Site Preparation	Site Preparation	7/25/2023	9/4/2023	5.00	30.0	—
Grading	Grading	7/25/2023	9/4/2023	5.00	30.0	—
Building Construction	Building Construction	9/5/2023	4/15/2024	5.00	160	—
Paving	Paving	2/13/2024	4/15/2024	5.00	45.0	—
Architectural Coating	Architectural Coating	3/5/2024	4/15/2024	5.00	30.0	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Demolition	Rubber Tired Dozers	Diesel	Tier 4 Interim	2.00	8.00	367	0.40

Demolition	Excavators	Diesel	Tier 4 Interim	3.00	8.00	36.0	0.38
Demolition	Concrete/Industrial Saws	Diesel	Tier 4 Interim	1.00	8.00	33.0	0.73
Site Preparation	Rubber Tired Dozers	Diesel	Tier 4 Interim	3.00	8.00	367	0.40
Grading	Graders	Diesel	Tier 4 Interim	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Grading	Scrapers	Diesel	Tier 4 Interim	2.00	8.00	423	0.48
Grading	Rubber Tired Dozers	Diesel	Tier 4 Interim	1.00	8.00	367	0.40
Building Construction	Forklifts	Diesel	Tier 4 Interim	5.00	8.00	82.0	0.20
Building Construction	Generator Sets	Diesel	Tier 4 Interim	2.00	8.00	14.0	0.74
Building Construction	Cranes	Diesel	Tier 4 Interim	2.00	8.00	367	0.29
Building Construction	Welders	Diesel	Tier 4 Interim	2.00	8.00	46.0	0.45
Paving	Pavers	Diesel	Tier 4 Interim	2.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Tier 4 Interim	2.00	8.00	89.0	0.36
Paving	Rollers	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Tier 4 Interim	1.00	8.00	37.0	0.48
Site Preparation	Crawler Tractors	Diesel	Tier 4 Interim	4.00	8.00	87.0	0.43
Grading	Crawler Tractors	Diesel	Tier 4 Interim	2.00	8.00	87.0	0.43
Building Construction	Crawler Tractors	Diesel	Tier 4 Interim	5.00	8.00	87.0	0.43
Demolition	Generator Sets	Diesel	Tier 4 Interim	1.00	8.00	14.0	0.74

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Demolition	—	—	—	—
Demolition	Worker	18.0	18.5	LDA,LDT1,LDT2
Demolition	Vendor	10.0	10.2	HHDT,MHDT

Demolition	Hauling	3.00	20.0	HHDT
Demolition	Onsite truck	0.00	0.00	HHDT
Site Preparation	—	—	—	—
Site Preparation	Worker	18.0	18.5	LDA,LDT1,LDT2
Site Preparation	Vendor	5.00	10.2	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	0.00	0.00	HHDT
Grading	—	—	—	—
Grading	Worker	20.0	18.5	LDA,LDT1,LDT2
Grading	Vendor	5.00	10.2	HHDT,MHDT
Grading	Hauling	38.0	20.0	HHDT
Grading	Onsite truck	0.00	0.00	HHDT
Building Construction	—	—	—	—
Building Construction	Worker	114	18.5	LDA,LDT1,LDT2
Building Construction	Vendor	25.0	10.2	HHDT,MHDT
Building Construction	Hauling	0.00	20.0	HHDT
Building Construction	Onsite truck	0.00	0.00	HHDT
Paving	—	—	—	—
Paving	Worker	15.0	18.5	LDA,LDT1,LDT2
Paving	Vendor	0.00	10.2	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	0.00	0.00	HHDT
Architectural Coating	—	—	—	—
Architectural Coating	Worker	23.0	18.5	LDA,LDT1,LDT2
Architectural Coating	Vendor	0.00	10.2	HHDT,MHDT
Architectural Coating	Hauling	0.00	20.0	HHDT
Architectural Coating	Onsite truck	0.00	0.00	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	415,727	138,576	13,629

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (Cubic Yards)	Material Exported (Cubic Yards)	Acres Graded (acres)	Material Demolished (Ton of Debris)	Acres Paved (acres)
Demolition	0.00	0.00	0.00	1,922	—
Site Preparation	0.00	0.00	105	0.00	—
Grading	0.00	9,000	120	0.00	—
Paving	0.00	0.00	0.00	0.00	5.21

5.6.2. Construction Earthmoving Control Strategies

Control Strategies Applied	Frequency (per day)	PM10 Reduction	PM2.5 Reduction
Water Exposed Area	3	74%	74%
Water Demolished Area	2	36%	36%

5.7. Construction Paving

Land Use	Area Paved (acres)	% Asphalt

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Unrefrigerated Warehouse-No Rail	0.00	0%
Refrigerated Warehouse-No Rail	0.00	0%
Parking Lot	1.53	100%
Other Asphalt Surfaces	3.68	100%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2023	0.00	532	0.03	< 0.005
2024	0.00	532	0.03	< 0.005

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A

Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
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Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

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The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—

Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5

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Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

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8. User Changes to Default Data

Screen	Justification
Land Use	Total Project Site is 13.08 acres
Construction: Construction Phases	Construction anticipated to end in April 2024
Construction: Off-Road Equipment	Construction equipment based on equipment needed for other industrial projects within the area
Construction: Trips and VMT	Vendor Trips adjusted based on CalEEMod defaults for Building Construction and number of days for Demolition, Site Preparation, Grading, and Building Construction
Construction: Architectural Coatings	Rule 1113

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APPENDIX 4.2:

CALEEMOD PROJECT OPERATIONAL EMISSIONS MODEL OUTPUTS

IE Distribution Center #14 (Passenger Car Operations) Detailed Report

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1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Passenger Car Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

Parking Lot	299	Space	1.53	0.00	0.00	0.00	—	—
Other Asphalt Surfaces	161	1000sqft	3.68	0.00	0.00	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.75	9.84	3.77	29.9	0.05	0.25	1.18	1.43	0.25	0.20	0.45	257	8,875	9,132	26.6	0.41	6,525	16,442
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.60	7.85	3.76	15.0	0.05	0.23	1.18	1.41	0.23	0.20	0.43	257	8,562	8,818	26.6	0.41	6,512	16,117
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.68	8.85	3.60	20.1	0.04	0.24	0.86	1.10	0.24	0.15	0.39	257	7,811	8,068	26.6	0.39	6,516	15,364
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.49	1.61	0.66	3.67	0.01	0.04	0.16	0.20	0.04	0.03	0.07	42.5	1,293	1,336	4.40	0.06	1,079	2,544

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.35	1.23	0.80	15.7	0.03	0.01	1.18	1.19	0.01	0.20	0.21	—	3,299	3,299	0.11	0.08	13.1	3,338
Area	2.09	8.45	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	3.75	9.84	3.77	29.9	0.05	0.25	1.18	1.43	0.25	0.20	0.45	257	8,875	9,132	26.6	0.41	6,525	16,442
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.28	1.16	0.89	12.6	0.03	0.01	1.18	1.19	0.01	0.20	0.21	—	3,033	3,033	0.12	0.09	0.34	3,062
Area	—	6.52	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	1.60	7.85	3.76	15.0	0.05	0.23	1.18	1.41	0.23	0.20	0.43	257	8,562	8,818	26.6	0.41	6,512	16,117
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.93	0.85	0.67	9.65	0.02	0.01	0.86	0.87	0.01	0.15	0.16	—	2,250	2,250	0.08	0.06	4.12	2,275
Area	1.43	7.84	0.07	8.05	< 0.005	0.01	—	0.01	0.01	—	0.01	—	33.1	33.1	< 0.005	< 0.005	—	34.1
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,116	5,116	0.46	0.03	—	5,135
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512

Total	2.68	8.85	3.60	20.1	0.04	0.24	0.86	1.10	0.24	0.15	0.39	257	7,811	8,068	26.6	0.39	6,516	15,364
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.17	0.15	0.12	1.76	< 0.005	< 0.005	0.16	0.16	< 0.005	0.03	0.03	—	373	373	0.01	0.01	0.68	377
Area	0.26	1.43	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Energy	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	847	847	0.08	< 0.005	—	850
Water	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154
Waste	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078
Total	0.49	1.61	0.66	3.67	0.01	0.04	0.16	0.20	0.04	0.03	0.07	42.5	1,293	1,336	4.40	0.06	1,079	2,544

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	1.18	1.08	0.70	13.8	0.03	0.01	0.13	0.15	0.01	0.04	0.05	—	2,892	2,892	0.10	0.07	11.4	2,926
Refrigerated Warehouse-No Rail	0.17	0.15	0.10	1.94	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	407	407	0.01	0.01	1.61	412

Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	1.35	1.23	0.80	15.7	0.03	0.01	0.15	0.17	0.01	0.05	0.06	—	3,299	3,299	0.11	0.08	13.1	3,338
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	1.13	1.02	0.78	11.1	0.03	0.01	0.13	0.15	0.01	0.04	0.05	—	2,659	2,659	0.10	0.07	0.30	2,684
Refrigerated Warehouse-No Rail	0.16	0.14	0.11	1.56	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	374	374	0.01	0.01	0.04	378
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	1.28	1.16	0.89	12.6	0.03	0.01	0.15	0.17	0.01	0.05	0.06	—	3,033	3,033	0.12	0.09	0.34	3,062
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.15	0.14	0.11	1.54	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	327	327	0.01	0.01	0.60	330
Refrigerated Warehouse-No Rail	0.02	0.02	0.02	0.22	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	45.9	45.9	< 0.005	< 0.005	0.08	46.4

Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.17	0.15	0.12	1.76	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	373	373	0.01	0.01	0.68	377

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	55.8	55.8	0.01	< 0.005	—	56.1
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,695	1,695	0.16	0.02	—	1,704
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrige Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	55.8	55.8	0.01	< 0.005	—	56.1
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,695	1,695	0.16	0.02	—	1,704
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	178	178	0.02	< 0.005	—	179
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	93.6	93.6	0.01	< 0.005	—	94.1
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	9.23	9.23	< 0.005	< 0.005	—	9.29
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	281	281	0.03	< 0.005	—	282

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

1794

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

1795

Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.05	0.02	0.45	0.38	< 0.005	0.03	—	0.03	0.03	—	0.03	—	491	491	0.04	< 0.005	—	492
Refrigerated Warehouse-No Rail	0.01	< 0.005	0.07	0.06	< 0.005	0.01	—	0.01	0.01	—	0.01	—	75.6	75.6	0.01	< 0.005	—	75.8
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	566	566	0.05	< 0.005	—	568

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.80	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architectural	—	0.72	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	2.09	1.93	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Total	2.09	8.45	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.80	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.72	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	6.52	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	1.06	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.26	0.24	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Total	0.26	1.43	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00

Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	17.8	61.4	79.3	1.84	0.04	—	138
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	1.98	6.83	8.81	0.20	< 0.005	—	15.4
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Unrefrige Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	20.4	0.00	20.4	2.04	0.00	—	71.4
Refrigera ted Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	2.27	0.00	2.27	0.23	0.00	—	7.93
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrige rated Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigera ted Warehou se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,074	1,074
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.56	4.56
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

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Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	267	23.5	9.37	71,399	3,878	340	136	1,035,864
Refrigerated Warehouse-No Rail	37.6	3.18	1.27	10,041	546	46.2	18.5	145,674
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	415,727	138,576	13,629

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,123,744	349	0.0330	0.0040	4,625,355
Refrigerated Warehouse-No Rail	591,921	349	0.0330	0.0040	712,190
Parking Lot	58,383	349	0.0330	0.0040	0.00
Other Asphalt Surfaces	0.00	349	0.0330	0.0040	0.00

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	56,263,819	1,048,248
Refrigerated Warehouse-No Rail	6,251,613	116,472
Parking Lot	0.00	0.00
Other Asphalt Surfaces	0.00	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	229	0.00
Refrigerated Warehouse-No Rail	25.4	0.00
Parking Lot	0.00	0.00
Other Asphalt Surfaces	0.00	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0
Refrigerated Warehouse-No Rail	Cold storage	User Defined	150	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A

Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6
Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9

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Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686
Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865

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Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3
High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2

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Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9
Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—

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2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification
Land Use	Total Project Area is 13.08 acres
Operations: Vehicle Data	Trip rates based on information provided in ITE 11th Edition
Operations: Fleet Mix	Passenger Car Mix estimated based on the CalEEMod default fleet mix and the ratio of the vehicle classes (LDA, LDT1, LDT2, MDV, & MCY)
Operations: Refrigerants	As of 1 January 2022, new commercial refrigeration equipment may not use refrigerants with a GWP of 150 or greater.

IE Distribution Center #14 (Truck Operations) Detailed Report

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1.1. Basic Project Information

Data Field	Value
Project Name	IE Distribution Center #14 (Truck Operations)
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	20.8
Location	34.06334566920109, -117.53410603073728
County	San Bernardino-South Coast
City	Ontario
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5288
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	243	1000sqft	7.08	243,303	65,274	0.00	—	—
Refrigerated Warehouse-No Rail	27.0	1000sqft	0.79	27,034	7,253	0.00	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.54	8.84	14.1	20.7	0.10	0.38	1.51	1.88	0.38	0.36	0.73	257	15,122	15,379	27.3	1.76	6,540	23,126
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.44	6.90	14.5	8.94	0.10	0.36	1.51	1.87	0.36	0.36	0.71	257	15,077	15,333	27.3	1.76	6,512	23,052
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.57	8.15	11.5	15.2	0.08	0.34	1.10	1.44	0.33	0.26	0.59	257	12,532	12,789	27.1	1.38	6,521	20,397
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.47	1.49	2.10	2.78	0.01	0.06	0.20	0.26	0.06	0.05	0.11	42.5	2,075	2,117	4.48	0.23	1,080	3,377

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Mobile	1.14	0.28	11.1	6.51	0.09	0.15	1.51	1.65	0.14	0.36	0.49	—	9,602	9,602	0.83	1.43	28.2	10,078
Area	2.09	8.40	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	3.54	8.84	14.1	20.7	0.10	0.38	1.51	1.88	0.38	0.36	0.73	257	15,122	15,379	27.3	1.76	6,540	23,126
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.13	0.27	11.6	6.53	0.09	0.15	1.51	1.65	0.14	0.36	0.49	—	9,604	9,604	0.83	1.44	0.73	10,054
Area	—	6.47	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	1.44	6.90	14.5	8.94	0.10	0.36	1.51	1.87	0.36	0.36	0.71	257	15,077	15,333	27.3	1.76	6,512	23,052
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.83	0.20	8.57	4.76	0.06	0.11	1.10	1.21	0.10	0.26	0.36	—	7,027	7,027	0.60	1.05	8.91	7,364
Area	1.43	7.79	0.07	8.05	< 0.005	0.01	—	0.01	0.01	—	0.01	—	33.1	33.1	< 0.005	< 0.005	—	34.1
Energy	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	5,060	5,060	0.46	0.03	—	5,079
Water	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Waste	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Total	2.57	8.15	11.5	15.2	0.08	0.34	1.10	1.44	0.33	0.26	0.59	257	12,532	12,789	27.1	1.38	6,521	20,397
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.15	0.04	1.56	0.87	0.01	0.02	0.20	0.22	0.02	0.05	0.07	—	1,163	1,163	0.10	0.17	1.47	1,219
Area	0.26	1.42	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5

Energy	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	838	838	0.08	< 0.005	—	841
Water	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154
Waste	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078
Total	0.47	1.49	2.10	2.78	0.01	0.06	0.20	0.26	0.06	0.05	0.11	42.5	2,075	2,117	4.48	0.23	1,080	3,377

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	1.00	0.24	9.79	5.66	0.08	0.13	0.65	0.77	0.12	0.21	0.33	—	8,521	8,521	0.73	1.28	24.4	8,945
Refrigerated Warehouse-No Rail	0.14	0.05	1.32	0.85	0.01	0.02	0.09	0.11	0.02	0.03	0.05	—	1,080	1,080	0.09	0.15	3.82	1,133
Total	1.14	0.28	11.1	6.51	0.09	0.15	0.74	0.88	0.14	0.24	0.38	—	9,602	9,602	0.83	1.43	28.2	10,078
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehou Rail	0.99	0.23	10.2	5.68	0.08	0.13	0.65	0.77	0.12	0.21	0.33	—	8,523	8,523	0.73	1.28	0.63	8,924
Refrigerated Warehouse-No Rail	0.14	0.04	1.38	0.85	0.01	0.02	0.09	0.11	0.02	0.03	0.05	—	1,081	1,081	0.09	0.16	0.10	1,129
Total	1.13	0.27	11.6	6.53	0.09	0.15	0.74	0.88	0.14	0.24	0.38	—	9,604	9,604	0.83	1.44	0.73	10,054
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.13	0.03	1.38	0.76	0.01	0.02	0.09	0.10	0.02	0.03	0.04	—	1,033	1,033	0.09	0.16	1.28	1,082
Refrigerated Warehouse-No Rail	0.02	0.01	0.19	0.11	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	0.01	—	131	131	0.01	0.02	0.20	137
Total	0.15	0.04	1.56	0.87	0.01	0.02	0.10	0.12	0.02	0.03	0.05	—	1,163	1,163	0.10	0.17	1.47	1,219

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,639	1,639	0.16	0.02	—	1,648
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	1,073	1,073	0.10	0.01	—	1,080
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	565	565	0.05	0.01	—	569
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,639	1,639	0.16	0.02	—	1,648
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	178	178	0.02	< 0.005	—	179
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	93.6	93.6	0.01	< 0.005	—	94.1
Total	—	—	—	—	—	—	—	—	—	—	—	—	271	271	0.03	< 0.005	—	273

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	0.27	0.14	2.48	2.09	0.01	0.19	—	0.19	0.19	—	0.19	—	2,965	2,965	0.26	0.01	—	2,973
Refrigerated Warehouse-No Rail	0.04	0.02	0.38	0.32	< 0.005	0.03	—	0.03	0.03	—	0.03	—	456	456	0.04	< 0.005	—	458
Total	0.32	0.16	2.87	2.41	0.02	0.22	—	0.22	0.22	—	0.22	—	3,421	3,421	0.30	0.01	—	3,431
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unrefrigerated Warehouse-No	0.05	0.02	0.45	0.38	< 0.005	0.03	—	0.03	0.03	—	0.03	—	491	491	0.04	< 0.005	—	492
Refrigerated Warehouse-No Rail	0.01	< 0.005	0.07	0.06	< 0.005	0.01	—	0.01	0.01	—	0.01	—	75.6	75.6	0.01	< 0.005	—	75.8
Total	0.06	0.03	0.52	0.44	< 0.005	0.04	—	0.04	0.04	—	0.04	—	566	566	0.05	< 0.005	—	568

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	5.79	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	2.09	1.93	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Total	2.09	8.40	0.10	11.8	< 0.005	0.02	—	0.02	0.02	—	0.02	—	48.3	48.3	< 0.005	< 0.005	—	49.8
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Consumer Products	—	5.79	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.69	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	6.47	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	1.06	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.26	0.24	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64
Total	0.26	1.42	0.01	1.47	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	5.48	5.48	< 0.005	< 0.005	—	5.64

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836

Refrigera Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	108	371	479	11.1	0.27	—	836
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	12.0	41.2	53.2	1.23	0.03	—	92.9
Total	—	—	—	—	—	—	—	—	—	—	—	120	412	532	12.3	0.30	—	929
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	17.8	61.4	79.3	1.84	0.04	—	138
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	1.98	6.83	8.81	0.20	< 0.005	—	15.4
Total	—	—	—	—	—	—	—	—	—	—	—	19.8	68.3	88.1	2.04	0.05	—	154

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	123	0.00	123	12.3	0.00	—	431
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	13.7	0.00	13.7	1.37	0.00	—	47.9
Total	—	—	—	—	—	—	—	—	—	—	—	137	0.00	137	13.7	0.00	—	479
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	20.4	0.00	20.4	2.04	0.00	—	71.4

Refrigerated	—	—	—	—	—	—	—	—	—	—	—	2.27	0.00	2.27	0.23	0.00	—	7.93
Total	—	—	—	—	—	—	—	—	—	—	—	22.7	0.00	22.7	2.27	0.00	—	79.3

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,484	6,484

Refrigerated Warehouse-No	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27.6	27.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6,512	6,512
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,074	1,074
Refrigerated Warehouse-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.56	4.56
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,078	1,078

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	**1837**

Remove	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	145	12.7	5.08	38,611	2,893	254	102	772,662
Refrigerated Warehouse-No Rail	21.8	1.84	0.74	5,813	413	34.9	14.0	110,224

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	405,506	135,169	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	1,123,744	349	0.0330	0.0040	4,625,355
Refrigerated Warehouse-No Rail	591,921	349	0.0330	0.0040	712,190

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	56,263,819	1,048,248
Refrigerated Warehouse-No Rail	6,251,613	116,472

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	229	0.00
Refrigerated Warehouse-No Rail	25.4	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Unrefrigerated Warehouse-No Rail	Cold storage	R-404A	3,922	7.50	7.50	7.50	25.0
Refrigerated Warehouse-No Rail	Cold storage	User Defined	150	7.50	7.50	7.50	25.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	19.1	annual days of extreme heat
Extreme Precipitation	5.30	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

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The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	91.1
AQ-PM	95.7
AQ-DPM	96.6

Drinking Water	93.3
Lead Risk Housing	8.61
Pesticides	0.00
Toxic Releases	78.9
Traffic	89.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	30.9
Haz Waste Facilities/Generators	78.8
Impaired Water Bodies	0.00
Solid Waste	70.4
Sensitive Population	—
Asthma	47.3
Cardio-vascular	67.3
Low Birth Weights	57.1
Socioeconomic Factor Indicators	—
Education	40.5
Housing	32.3
Linguistic	18.1
Poverty	23.9
Unemployment	53.9

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	76.78686

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Employed	63.51854228
Education	—
Bachelor's or higher	44.59129988
High school enrollment	3.977928911
Preschool enrollment	15.60374695
Transportation	—
Auto Access	88.68215065
Active commuting	10.11163865
Social	—
2-parent households	11.86962659
Voting	50.91749006
Neighborhood	—
Alcohol availability	69.3314513
Park access	61.63223406
Retail density	69.31861927
Supermarket access	2.399589375
Tree canopy	29.69331451
Housing	—
Homeownership	78.81432054
Housing habitability	80.20017965
Low-inc homeowner severe housing cost burden	88.74631079
Low-inc renter severe housing cost burden	37.86731682
Uncrowded housing	60.77248813
Health Outcomes	—
Insured adults	67.2783267
Arthritis	74.6
Asthma ER Admissions	54.3

1845

High Blood Pressure	79.9
Cancer (excluding skin)	68.9
Asthma	49.0
Coronary Heart Disease	85.5
Chronic Obstructive Pulmonary Disease	74.0
Diagnosed Diabetes	64.3
Life Expectancy at Birth	52.5
Cognitively Disabled	87.2
Physically Disabled	77.4
Heart Attack ER Admissions	10.4
Mental Health Not Good	50.5
Chronic Kidney Disease	79.8
Obesity	43.5
Pedestrian Injuries	99.0
Physical Health Not Good	58.2
Stroke	80.6
Health Risk Behaviors	—
Binge Drinking	19.3
Current Smoker	53.5
No Leisure Time for Physical Activity	61.3
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	32.5
Elderly	84.2
English Speaking	91.4
Foreign-born	35.9

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Outdoor Workers	45.5
Climate Change Adaptive Capacity	—
Impervious Surface Cover	76.5
Traffic Density	89.2
Traffic Access	46.3
Other Indices	—
Hardship	44.0
Other Decision Support	—
2016 Voting	74.5

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	65.0
Healthy Places Index Score for Project Location (b)	42.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health and Equity Evaluation Scorecard not completed.

8. User Changes to Default Data

Screen	Justification

Land Use	Total Project Area (without Parking and Other Asphalt Surfaces) is 7.87 acres
Operations: Vehicle Data	Trip rates based on information provided in ITE 11th Edition
Operations: Fleet Mix	Truck Mix based on SCAQMD recommended truck mix
Operations: Refrigerants	As of 1 January 2022, new commercial refrigeration equipment may not use refrigerants with a GWP of 150 or greater.

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FARALLON CONSULTING

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PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT

5355 East Airport Drive
Ontario, California

Submitted by:
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27 Mauchly, Suite 213
Irvine, California 92618

Farallon PN: 1071-080 (Task 2)

For:
Prologis, Inc.
Pier 1, Bay 1
San Francisco, California 94111



March 31, 2022

Prepared by:



Brant Rotnem
Staff Geologist



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Reviewed by:



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Principal Environmental Scientist

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ENVIRONMENTAL PROFESSIONALS' STATEMENT

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as established in Part 312.10 of Title 40 of the Code of Federal Regulations (40 CFR 312.10) and we have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR 312.



Name Brant Rotnem
Title Staff Geologist



Name Kathy Lehnus, L.E.P., P.G.
Title Senior Geologist



Name Scott Allin, R.E.P.A.
Title Principal Environmental Scientist

EXECUTIVE SUMMARY

Farallon Consulting, L.L.C. (Farallon) has prepared this Phase I/Phase II Environmental Site Assessment (Phase I/II ESA) Report for the property at 5355 East Airport Drive in Ontario, California (herein referred to as the Site). The Phase I/II ESA was conducted by Brant Rotnem and was reviewed and approved by Kathy Lehnus and Scott Allin. All are experienced Environmental Professionals in the field of Phase I/II ESAs and related environmental investigations.

This Phase I/II ESA Report was prepared for Prologis, L.P., and its subsidiaries, affiliates, related parties (specifically including any 1031 exchange entities), successors, and assigns (Prologis) in accordance the letter regarding Proposal for Phase I Environmental Site Assessment and Media Management Plan dated December 10, 2021, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis; and the letter regarding Proposal for Subsurface Investigation, 5355 East Airport Drive, Ontario, California dated February 14, 2022, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis. The scope of work for this Phase I/II ESA is consistent with ASTM International Standard E1527-13 and E1527-21, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM E1527-13 and -21). ASTM E1527-13 is intended to assist the user in satisfying one of the requirements to qualify for protection from potential liability under the Comprehensive Environmental Response, Compensation, and Liability Act as the innocent landowner, contiguous property owner, or bona fide prospective purchaser. ASTM E1527-13 constitutes "all appropriate inquiry" into the previous ownership, uses, and environmental conditions of a property consistent with good commercial or customary practice, as defined in Section 9601(35)(B) of Title 42 of the U.S. Code.

There were no deviations from ASTM E1527-13 or -21 during this Phase I/II ESA, with the exception of additional environmental services requested by Prologis. Limiting conditions encountered during the Phase I/II ESA were the presence of vehicles parked on exterior portions of the Site that prevented Farallon from observing the entire ground surface of the Site, and the presence of equipment in the Site buildings that prevented Farallon from observing the entire interior floor surfaces. Based on information obtained from the Site representative, historical records, previous reports, and data obtained during the subsurface investigation conducted in March 2022, these limiting conditions are not expected to alter the conclusions of this report.

The purpose of the Phase I/II ESA was to identify, as practicable, recognized environmental conditions on the Site or proximate to the Site that have caused and/or may cause an adverse environmental condition. This Phase I/II ESA Report provides the results of investigation into past and present ownership and uses of the Site, consistent with good commercial and/or customary practice.

The Site consists of two parcels totaling 14.2 acres: Assessor Parcel No. 0238-052-20 (Eastern Parcel), and Assessor Parcel No. 0238-052-29 (Western Parcel). The Site is occupied by George Verhoeven Grain Inc. (dba Verhoeven Grain Inc.) and The Scoular Company, grain processing companies. Operations consist of the processing of raw grain, which is received by truck or by rail from the rail line north of the Site. The exact location of the rail line and associated spurs with

respect to the northern Site boundary could not be confirmed in available files. The raw materials are off-loaded, weighed, and transported to grain storage silos or other storage areas either by an underground auger conveyance or by dedicated on-Site vehicles. Raw grain processing operations occur at the grain mill Area, located in the north-central portion of the Site. After production, the processed grain is weighed, packaged, and loaded onto trucks for distribution.

The Site includes five buildings on the Eastern Parcel, consisting of Building A, used for office and warehouse space; Building B, used for facility maintenance with a vehicle repair shop; Building C, used as a warehouse; and Buildings D and E, used for grain storage. In addition, an office trailer with a small hazardous materials storage area is present on the southern portion of the Western Parcel. On-Site buildings are reportedly connected to septic systems; septic tanks are reportedly located southeast of Building E and potentially east of Building B, and one septic system is reportedly located on the western portion of the Site (location unknown). In 2016, a suspected septic system appears to have been located with ground-penetrating radar north of Building A, which could be in addition to or instead of previously reported septic systems. A vehicle wash-down area with sump leading to an empty 10,000-gallon wash water aboveground storage tank (AST) is located north of Building B; this system is no longer used. Historical features associated with previous operations on the Site include two former "fuel storage" 12,000-gallon underground storage tanks (USTs) at the grain mill area, one former 12,000-gallon diesel UST east of Building C, and a former UST area containing an unspecified number of former USTs west of Building B. These USTs are discussed further below. Access to the Site is gained from East Airport Drive, south of the Site. According to the San Bernardino County Assessor's Office, the Site owner is Prologis Exchange 5355.

Historically, the Site was used as agricultural or grazing land from at least the late 1930s to the early 1970s. By 1973, the Eastern Parcel was developed with small grain storage silos and other features associated with milling operations in the grain mill area. In the 1975 aerial photograph, grain appeared to be stockpiled in the southwestern portion of the Site in Buildings A through C. By 1985, the grain storage structures, Buildings D and E, were developed. By 2002, the Site appeared in its existing configuration. The 2002 aerial photograph shows grain processing operations had expanded at the Site to the Western Parcel, which included the development of three large grain storage silos. The Site has been occupied by Verhoeven Grain Inc. from 1973 to the present; Chino Grain and Milling, Inc. in 1985; Coast Grain Company between 1990 and 2003; The Scoular Company between 2004 and the present; and JD Heistell and Company in 2009.

Adjacent properties at the time of Farallon's site reconnaissance included a rail line to the north followed by industrial buildings occupied by home furnishing businesses Emser Tile at 5300 Shea Center Drive and Dorel Home Furnishings at 5400 Shea Center Drive; Praxair, Inc. to the east at 5735 East Airport Drive; East Airport Drive to the south followed by industrial buildings occupied by distribution businesses K-Mart Distributions at 5600 East Airport Drive and XPO Logistics, Inc. at 5200 East Airport Drive; and a Verizon facility to the west at 5351 East Airport Drive.

Historically, adjacent properties consisted primarily of undeveloped and/or agricultural land. Railroad tracks were present on the north-adjacent property from at least the early 1900s through the 1960s, when the east-adjacent property was developed with the existing industrial facility. By

the early 1990s, the south-adjacent property was developed with an industrial building. By the early 2000s, the west- and north-adjacent properties were developed with industrial buildings and have remained relatively unchanged through the present.

A brine disposal pond owned by the Union Pacific Railroad Company and used by the Coast Grain Company for boiler blow-down water was installed in 1969 and removed in 1998 to allow for the addition of a rail line north of the grain mill area. According to the letter regarding Approval of Closure Report for the Brine Disposal Pond, Coast Grain Company, Ontario, California dated September 24, 1999, from the Santa Ana Regional Water Quality Control Board (Water Board), the closure of the pond included the removal of approximately 7,500 cubic yards of salt-contaminated soil and placement of a 40-mil high-density polyethylene liner. Miscellaneous analytical data available in the Water Board file indicated that soil was analyzed for pH, with no elevated readings noted. Based on mapping provided in the Water Board file, the pond was located south of the Southern Pacific Railroad Main Line between two sets of rail spurs; it appears to be just north of the current property line. However, a survey would be required to understand the northern property line in relation to the former brine disposal pond; this is considered a data gap for this report.

The EDR Radius Map Report with GeoCheck prepared for the Site by Environmental Data Resources, Inc. (EDR) dated December 9, 2021 (EDR Report) identified the Site address in several databases. The Site listings generally relate to hazardous material management, air quality permit requirements associated with grain processing equipment and operations, and historical USTs. Database listings did not indicate records of a release at the Site. Farallon searched the California State Water Resources Control Board online GeoTracker database and the California Department of Toxic Substances Control online EnviroStor database for records related to the Site, but found no listings.

Farallon reviewed a Phase I ESA report dated August 18, 2016, and a Phase II Subsurface Investigation report dated August 16, 2016, prepared by Partner Engineering and Science, Inc. (Partner) for the Site (Partner 2016 Phase I Report and Partner 2016 Phase II Report, respectively). According to the Partner 2016 Phase I Report, as many as five petroleum USTs were formerly in use at the Site, which was considered a recognized environmental condition, along with truck maintenance operations, ASTs, a vehicle wash-down area, conveyor belts, and at least one septic system. According to the Partner 2016 Phase II Report, 26 borings were advanced at depths between 1 and 25 feet below ground surface for the collection of soil and/or soil gas samples. Soil samples were analyzed for total petroleum hydrocarbons (TPH) carbon chain C6-C40 by U.S. Environmental Protection Agency (EPA) Method 8015C and volatile organic compounds (VOCs) by EPA Method 8260B; and soil gas samples were analyzed for VOCs by EPA Methods TO-15 and 8260B. No detectable concentrations of VOCs or TPH carbon chain C6-C40 were present in soil samples. Analytical results of soil gas samples indicated detections of VOCs including tetrachloroethene, trichloroethene, toluene, ethylbenzene, and xylenes. The concentrations of these detectable results were less than the residential and commercial/industrial calculated soil gas screening levels (SGSL) at the time of the report beneath and west of Building B; however, concentrations of tetrachloroethene (PCE) detected in soil vapor samples collected from beneath

and west of Building B exceed current commercial/industrial calculated SGSLs. Additionally, in comparison with the "low level" ethylbenzene SGSL, the ethylbenzene concentration in one soil vapor sample from this area exceeded the calculated soil gas commercial/industrial screening level of 163 micrograms per cubic meter.

The EDR Report identified several facilities adjacent or proximate to the Site in the regulatory databases. Several of these facilities have known or suspected releases of hazardous substances to soil and/or groundwater. Based on their current regulatory status, depth to groundwater, topographic location relative to the Site, and/or relative distance from the Site, these facilities do not represent recognized environmental conditions in connection with the Site.

Prologis provided Farallon with a *Preliminary Site Plan – Scheme 01, 5355 E. Airport Drive, City of Ontario* by RGA Office of Architectural Design dated November 16, 2021, which depicted a proposed building on the northern and central portions of the Site. In March 2022, Farallon conducted soil and soil vapor sampling at the Site to assess former UST areas and septic systems, and the new building footprint for the potential for vapor intrusion issues. The scope of work for the Phase II ESA portion of this assessment included the advancement of 12 borings and installation of 10 temporary soil vapor probe locations with single- or multi-depth nested vapor points for the collection of soil and soil vapor samples. The Phase II ESA portion of this assessment was conducted on March 4 and 11, 2022.

No TPH or VOCs were detected exceeding laboratory detection limits in the soil samples collected from the Site. Low concentrations of naturally occurring metals including barium, cadmium, cobalt, chromium, copper, nickel, lead, vanadium, and zinc were detected in two soil samples submitted for analysis; these concentrations were considerably less than screening levels.

Based on subslab soil vapor data, soil vapor beneath the slab at Building B contains PCE exceeding calculated screening levels. PCE is present west of Building B at concentrations exceeding current calculated industrial screening levels using the 0.03 attenuation factor, but less than screening levels using the less conservative attenuation factors. PCE was also detected in soil vapor in central and eastern portions of the Site at concentrations less than the calculated screening levels in the shallow zones that were assessed. One concentration of PCE was detected exceeding calculated screening levels in a deeper soil vapor sample collected from the vicinity of two former 12,000-gallon USTs north of the grail mill area; the shallow soil vapor sample collected from this boring did not contain PCE exceeding calculated screening levels. The extent of PCE in soil vapor was not fully characterized.

Based on review of the Site history, including subsurface investigation reports, interviews with persons knowledgeable about the Site, reconnaissance of the Site, review of regulatory agency lists, and the completion of subsurface investigation at the Site, this Phase I/II ESA identified the following recognized environmental condition in connection with the Site:

- PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Site.

In addition, Farallon identified the following historical recognized environmental conditions in association with the Site:

- Previous environmental reports note that one or more USTs were historically located west of Building B. Farallon was not able to find information regarding the UST in regulatory files, but did find some information regarding three to four diesel and unleaded gasoline USTs ranging in capacity from 4,000 to 10,000 gallons at unspecified locations at the Site preceding the presence of the three known 12,000-gallon USTs (noted in the grain mill area and southeast of Building C). In 2016, Partner conducted a subsurface investigation in this area and did not identify evidence of a petroleum release.
- In 2002, Tank Specialists of California removed a 12,000-gallon diesel steel UST and fuel dispenser mapped southeast of Building C. According to the letter regarding Soil Sampling Following the Removal of an Underground Storage Tank – Coast Grain Co., 5355 E. Airport Drive, Ontario, California dated December 18, 2002, from Advanced GeoEnvironmental, Inc., three confirmatory soil samples were collected beneath the bottom of the UST after removal, and soil samples were collected from stockpiles. The soil samples were analyzed for TPH as diesel; benzene, toluene, ethylbenzene, and xylenes; and methyl tertiary-butyl ether. Minor petroleum impacts were noted in stockpiled soil (800 milligrams per kilogram of TPH as diesel), which was reportedly used as backfill for the excavation. No constituents of concern were detected in the confirmatory soil samples collected from beneath the UST. Advanced GeoEnvironmental, Inc. recommended that San Bernardino County Fire Department (SBCFD) Hazardous Materials Division issue closure of the UST; and the letter regarding Removal of One Underground Storage Tank at Coast Grain Inc., Located at 5355 E. Airport Drive, Ontario, California dated January 8, 2002, from SBCFD was issued indicating that further investigation was not warranted.
- Based on sampling conducted as part of this Phase I/II ESA, no release was found in connection with the two 12,000-gallon "fuel storage" USTs historically located at the grain mill, which were removed from the Site in 1998. A No Further Action determination issued by SBCFD indicated that residual impacts were present, although "below that which is generally considered a problem."

The vehicle wash-down area located north of Building B was used for washing trucks (including molasses transportation trucks) and is no longer used. According to Site personnel, only truck exteriors were washed (not engines). Given the nature of use and that wash water was routed to an AST, with no discharge, the vehicle wash-down area is considered a de minimis condition for the Site. No release was found in the vicinity of the septic tanks located east of Building B, which provides a disposal pathway for a building that is known to have used chlorinated solvents and vehicular fluids.

Because two or three potential on-Site septic systems on the Western Parcel, located north of Building A and southeast of Building E, appear to be used for domestic sewer, with limited hazardous material use in the proximity that could be introduced to the septic systems as a release pathway, the presence of those septic systems is considered a de minimis condition for the Site. Additionally, the presence of petroleum ASTs with secondary containment and/or no evidence of

leaking, rail spurs within or along the northern property boundary, transformers with no evidence of leaking, and underground grain conveyance systems are considered de minimis conditions for the Site. Further, based on the location and nature of use (boiler blow-down), the former brine pond located in the vicinity of the northern property line is also considered a de minimis condition for the Site.

At the request of Prologis, Farallon has included additional opinions and recommendations for the Site beyond those specified in ASTM E1527-13 and -21 for de minimis and recognized environmental conditions.

Based on the findings from this Phase I/II ESA, Farallon recommends preparation of a Media Management Plan for use during Site redevelopment to address any unexpected impacts to soil associated with historical activities at the Site, and to address any issues related to the former brine pond, underground grain conveyance systems, septic systems, and former USTs at the Site. Additionally, because PCE has been documented in soil vapor in the vicinity of Building B at concentrations exceeding calculated screening levels, and PCE was detected in shallow soil vapor at concentrations less than the calculated RSLs in other soil gas samples collected at the Site, the potential for vapor intrusion into the planned new Site building should be addressed. Additional investigation and characterization are recommended to delineate and design mitigation measures for PCE in soil vapor that may impact indoor air in the future building.

1.0 INTRODUCTION

This Phase I/II Environmental Site Assessment (Phase I/II ESA) Report was prepared by Farallon Consulting, L.L.C. (Farallon) for the property at 5355 East Airport Drive in Ontario, California (herein referred to as the Site) (Figure 1). This section discusses the project authorization, and the qualifications of the Environmental Professionals conducting and reviewing the Phase I/II ESA work. Also included in this section are the project purpose, objective, scope of services, deviations, limiting conditions, and data gaps.

1.1 PROJECT AUTHORIZATION

This Phase I/II ESA Report was prepared for Prologis, L.P., and its subsidiaries, affiliates, related parties (specifically including any 1031 exchange entities), successors, and assigns (Prologis) in accordance with the letter regarding Proposal for Phase I Environmental Site Assessment and Media Management Plan dated December 10, 2021, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis; and the letter regarding Proposal for Subsurface Investigation, 5355 East Airport Drive, Ontario, California dated February 14, 2022, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis. The scope of work for this Phase I/II ESA is consistent with ASTM International Standard E1527-13 and E1527-21, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM E1527-13 and -21).

1.2 PROFESSIONAL QUALIFICATIONS

The Phase I/II ESA was conducted by Brant Rotnem and was reviewed and approved by Kathy Lehnus and Scott Allin. All have an understanding of surface and subsurface environmental conditions and the processes used to evaluate these conditions, and the ability to develop opinions regarding conditions indicative of a release or threatened release of hazardous substances and petroleum products. These Environmental Professionals have developed and performed all appropriate inquiry, in conformance with the standards and practices set forth in Part 312 of Title 40 of the Code of Federal Regulations. The professional qualifications of Brant Rotnem, Kathy Lehnus, and Scott Allin are provided in Appendix A.

1.3 PROJECT PURPOSE AND OBJECTIVE

The purpose of the Phase I/II ESA was to identify, as practicable, recognized environmental conditions on the Site and within the appropriate study area that have caused and/or may cause an adverse environmental impact. ASTM E1527-13 is intended to permit a user to satisfy one of the requirements to qualify for protection from potential liability under the Comprehensive Environmental Response, Compensation, and Liability Act as the innocent landowner, contiguous property owner, or bona fide prospective purchaser. ASTM E1527-13 constitutes "all appropriate inquiry" into the previous ownership, uses, and environmental conditions of a property consistent with good commercial or customary practice, as defined in Section 9601(35)(B) of Title 42 of the U.S. Code.

The objective of the Phase I/II ESA was to perform an appropriate inquiry into past and present ownership and uses of the Site, consistent with good commercial and/or customary practice. This Phase I/II ESA Report is to be used as a risk management tool to meet all appropriate inquiry requirements and the Comprehensive Environmental Response, Compensation, and Liability Act liability defense. The Phase I/II ESA does not guarantee that there are no impacts to the Site.

For the purpose of this Phase I/II ESA Report, the term "recognized environmental condition" is defined as the presence or likely presence of any hazardous substance or petroleum product in, on, or at the Site due to releases to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment. The term is not intended to include "de minimis conditions" that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of the applicable governmental agencies.

The term "controlled recognized environmental condition" is defined as a recognized environmental condition resulting from a past release of a hazardous substance or petroleum product that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in-place subject to implementation of required controls.

The term "historical recognized environmental condition" is defined as a past release of any hazardous substance or petroleum product that has occurred in connection with the Site and has been addressed to the satisfaction of the applicable regulatory authority, without subjecting the Site to any required controls.

1.4 PROJECT SCOPE OF SERVICES

This Phase I/II ESA Report was prepared for Prologis, L.P., and its subsidiaries, affiliates, related parties (specifically including any 1031 exchange entities), successors, and assigns (Prologis) in accordance with the letter regarding Proposal for Phase I Environmental Site Assessment and Media Management Plan dated December 10, 2021, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis; and the letter regarding Proposal for Subsurface Investigation, 5355 East Airport Drive, Ontario, California dated February 14, 2022, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis. In addition, this work was conducted in accordance with the *Master Services Agreement* between Prologis and Farallon dated August 4, 2011.

The scope of work for this Phase I/II ESA included a records review, literature research and review, site reconnaissance, interviews with individuals familiar with the Site, interviews with local governmental officials, an investigation of soil and soil vapor, and preparation of this report.

At the request of Prologis, Farallon provided additional environmental services and recommendations for further action based on the findings of the Phase I/II ESA. These services are considered non-scope items and are not required to satisfy ASTM E1527-13 and -21.

1.5 DEVIATIONS

There were no deviations from ASTM E1527-13 or -21 during this Phase I/II ESA, with the exception of additional environmental services requested by Prologis.

1.6 LIMITING CONDITIONS

Limiting conditions encountered during this Phase I/II ESA were the presence of vehicles parked on exterior portions of the Site that prevented Farallon from observing the entire ground surface of the Site, and the presence of equipment in the Site buildings that prevented Farallon from observing the entire interior floor surfaces. Based on information obtained from the Site representative, historical records, previous reports, and data obtained during the subsurface investigation conducted in March 2022, these limiting conditions are not expected to alter the conclusions of this report.

1.7 DATA GAPS

Data gaps may affect the ability to identify recognized environmental conditions and Farallon's ability to render opinions and conclusions for presentation in the Phase I/II ESA Report. The following data gap was identified during this Phase I/II ESA:

- George Verhoeven Grain Inc., dba Verhoeven Grain Inc. (Verhoeven), receives raw grain via a rail line north of the Site. The exact location of the rail line in relation to the northern property line has not been established in available records; part of the rail line could be located on portions of the Site. This constitutes a data gap for the Site. A land survey would be required to determine whether the rail spurs and/or a former brine pond in the area are present on the Site. If found to be located on the Site, further evaluation regarding the possible environmental issues related to rail lines, transportation of materials, and brine water disposal should be assessed.

Farallon did not identify other data gaps during this Phase I/II ESA.

2.0 SITE OVERVIEW

This section includes an overview of the Site location, improvements, and operations. A description of adjacent and surrounding land use also is provided.

2.1 SITE LOCATION

The Site is approximately 0.5 mile west of the intersection of Etiwanda Avenue and East Airport Drive, located at 5355 East Airport Drive in Ontario, San Bernardino County, California (Figure 1). The location is in an industrial area approximately 40 miles east of downtown Los Angeles and approximately 7 miles south of the San Bernardino Mountains. The nearest residential community is 1.8 mile southeast of the Site.

2.2 SITE DESCRIPTION

The Site consists of two parcels totaling 14.2 acres: Assessor Parcel No. 0238-052-20 (Eastern Parcel), and Assessor Parcel No. 0238-052-29 (Western Parcel).

The Eastern Parcel is occupied by Verhoeven, a grain processing company, and contains grain storage silos, a grain mill area, and five buildings. An office and warehouse building, referred to as "Building A," is located on the southern portion of the Site. The warehouse portion on the northeastern side of Building A contains a service shop for the repair of machinery related to the grain mill. Wastes stored in this area include motor oil, hydraulic oil, and gear oil, primarily related to tractor and forklift operation. A maintenance and repair shop, referred to as "Building B," is present on the eastern portion of the Site, and is used for light tractor and forklift service. New and waste vehicle fluids are stored in a hazardous substance storage area on the southwestern interior border of Building B. Additional structures on the Eastern Parcel consist of a warehouse referred to as "Building C" on the north-central portion, used for assorted storage; and two grain storage structures on the southeastern and southwestern portions of the parcel, referred to as Buildings D and E. The property is primarily asphalt-paved, with some gravel-paved areas on the western portion of the parcel. Access to the Site is gained from East Airport Drive, south of the Site.

The Western Parcel is occupied by The Scoular Company (Scoular), a corn storage and distribution facility. The Scoular portion of the Site contains exterior grain storage, with an office trailer that contains a small hazardous substance storage area on secondary containment used for the storage of lubrication oils and greases for equipment.

A vehicle wash-down area is present on the northeastern portion of the Site, and three to four septic systems are associated with the Site: two or three on the Eastern Parcel, and one on the Western Parcel. The location of the septic system on the Western Parcel could not be determined from the records reviewed. Additionally, aboveground storage tanks (ASTs) and three areas with former underground storage tank (USTs) are associated with the Site (detailed in Section 4.5).

Figure 2 presents a general plan map of the Site; additional details pertaining to the Site are provided in Section 8.2, Site Reconnaissance Observations. Site photographs are presented in Appendix B.

2.3 SITE OPERATIONS

According to the San Bernardino County Assessor's Office, the Site owner is Prologis Exchange 5355. Verhoeven has operated the Eastern Parcel as a grain processing facility since development in 1973. Raw grain, including corn and barley, is received at the facility via a rail line north of the Site (Assessor Parcel No. 0238-052-22) and distributed via conveyor belt from grain silos to Scoular on the Western Parcel; the exact location of the rail line in relation to the northern property line has not been established in the records reviewed. Raw grain product is transferred via conveyor from the Western Parcel or transloaded from rail cars via underground piping to four large storage silos in the grain mill on the Eastern Parcel.

In the grain mill, the raw grain is fed through a cleaner silo, which removes chaff, cobb pieces, and other excess matter with a water wash. The cleaned grain is gravity-fed through steam jackets, which use natural-gas-fired, boiler-generated steam to soften the product before fan-drying. After processing, the product is stored in silos for off-Site transfer via truck.

In addition to product processing at the grain mill, operations at Verhoeven consist of light tractor and forklift service in Building B. A 4- to 5-foot-deep repair pit is located in Building B that is not in use by Verhoeven. Service on tractors and forklifts includes minor repairs with use of a petroleum-based parts cleaner, and tire changes. The fleet of grain distribution trucks is not serviced on the Site, with the exception of oil changes performed by an external service technician, who reportedly collects and removes the waste oil from the Site.

A bermed truck-washing area equipped with an underground sump leading to an empty 10,000-gallon wash water AST is located north of Building B. Personnel reported that it is no longer in use, only truck exteriors were washed in this area, and no undercarriage/chassis or engine washing was conducted on the Site.

Scoular operates the Western Parcel as a grain storage and distribution facility. Raw grain product is brought onto the Site via rail to the north, and either off-loaded into trucks for direct distribution, or transloaded via underground piping to one of three grain storage silos. The storage silos use hydraulic augers to transfer the grain onto a conveyor system for processing at the Verhoeven grain mill. In addition to the storage silos, the Scoular parcel is developed with a mobile office trailer and a gravel-paved yard.

At the time of the site reconnaissance, Farallon observed hazardous materials in the warehouse in the northeastern portion of Building A, an aboveground fueling area northeast of Building A (consisting of two 250-gallon diesel ASTs and one 220-gallon hydraulic oil AST), and in Building B. Materials stored in these areas consisted of diesel, motor oil, waste oil, gasoline, grease, lubricant, gear oil, transmission oil, and parts cleaning solution. Hazardous materials consisting of

lubricating oils and greases for equipment were also stored in the office trailer on the Western Parcel.

Historical features associated with previous operations on the Site include two former petroleum 12,000-gallon USTs at the grain mill area, one former 12,000-gallon diesel UST east of Building C, and a former UST Area west of Building B. Historical operations, features, and reported septic systems are discussed further in Section 4.5. Figure 2 presents the locations of on-Site buildings and historical features.

2.4 ADJACENT AND SURROUNDING LAND USE

Adjacent properties at the time of Farallon's site reconnaissance included a rail line to the north followed by industrial buildings occupied by home furnishing businesses Emser Tile at 5300 Shea Center Drive and Dorel Home Furnishings at 5400 Shea Center Drive; Praxair, Inc. to the east at 5735 East Airport Drive; East Airport Drive to the south followed by industrial buildings occupied by distribution businesses K-Mart Distributions at 5600 East Airport Drive and XPO Logistics, Inc. at 5200 East Airport Drive; and a Verizon facility to the west at 5351 East Airport Drive.

No visual evidence of recognized environmental conditions was observed on abutting or nearby properties during the site reconnaissance. Observations were restricted to areas readily observable from the Site.

3.0 PHYSICAL SETTING

The physical setting of the Site, including topography, geology, and hydrogeology, is described in this section. Farallon's assessment of sensitive receptors in the area also is discussed.

3.1 TOPOGRAPHY

Farallon reviewed the U.S. Geological Survey (USGS) topographic maps for Guasti, California, dated 2018 and provided by Environmental Data Resources, Inc. (EDR). The maps depict the Site at an elevation of approximately 980 feet above mean sea level. Site topography slopes gently to the south. Regional topography generally is sloped to the south.

3.2 GEOLOGY AND HYDROGEOLOGY

The Site is situated within the San Bernadino Valley of the Peninsular Ranges Geomorphic Province in Southern California. The Peninsular Range Province extends into lower California, and is bounded by the Colorado Desert to the east, the Pacific Ocean to the west and the San Gabriel and San Bernardino mountains to the north. The San Bernardino Mountains are located approximately 7 miles north of the Site. According to *The EDR Radius Map Report with GeoCheck* prepared for the Site by EDR dated December 9, 2021 (EDR Report), surface soil at the Site consists primarily of Delhi fine sand, which is somewhat excessively well drained.

According to the *Phase II Subsurface Investigation Report* dated August 16, 2016 by Partner Engineering and Science, Inc. (Partner) for the Site (Partner 2016 Phase II Report), soil beneath the Site generally consists of very fine grained, silty sand from the surface to depths of approximately 20 feet below ground surface (bgs) and transitions to very fine to coarse grained, poorly graded sand between depths of 20 and 25 feet bgs. Groundwater was not encountered during Partner's investigation.

Soil encountered during the Phase II ESA investigation portion of this scope of work was described as silty fine to medium sand to a total explored depth of 10 feet bgs, with an apparent coarse sand and gravel layer at 10 feet bgs (and as shallow as 5 feet bgs on the eastern portion of the Site at boring SB-2). Boring logs are attached in Appendix F. Groundwater was not encountered during drilling.

Site-specific groundwater direction and depth information was not available in the records reviewed. Based on information obtained from the California State Water Resources Control Board GeoTracker database (GeoTracker database) and topographic interpretation, groundwater beneath the Site is anticipated at a depth of approximately 250 bgs and is estimated to flow to the south.

3.3 OIL AND GAS RECORDS

According to the California Department of Conservation, Geologic Energy Management Division Well Finder online database, there are no permitted oil or gas wells on the Site or at adjacent properties.

3.4 SENSITIVE RECEPTORS

Farallon conducted a limited assessment of sensitive receptors on or in the vicinity of the Site that was confined to visually apparent features such as surface water bodies (e.g., low-lying wet areas, streams, ponds) and residential and recreational areas. Farallon's assessment of sensitive receptors included a review of readily ascertainable information relating to the presence of private, semiprivate, public, and industrial water-supply wells.

According to the EDR Report, a groundwater monitoring well maintained by the San Bernardino County Water Resources Division is located between 0.125 and 0.25 mile of the Site, and groundwater monitoring wells maintained by the San Bernardino County Water Resources Division and Department of Public Health are located within 0.25 and 0.5 mile of the Site. In addition, a public drinking water well is located within 0.25 and 0.5 mile of the Site. No wetlands are mapped on the Site, and the Site is not mapped in a floodplain. The major water body nearest the Site was identified as the Santa Ana River, located approximately 6 miles south of the Site.

4.0 USER-PROVIDED INFORMATION

Farallon understands that the user of this report, Prologis, is seeking to follow the standards set forth in ASTM E1527-13 and -21 to complete an environmental assessment of the Site. The user has specific responsibilities for fulfilling ASTM E1527-13 and -21 requirements to help identify the possibility of recognized environmental conditions in connection with the Site. These responsibilities do not require the technical expertise of an Environmental Professional, and were not performed by the Environmental Professional who conducted the Phase I ESA at the Site.

To facilitate fulfillment of the ASTM E1527-13 and -21 requirements identified below, Farallon provided Prologis with a copy of the *Phase I ESA User Questionnaire* (User Questionnaire) to complete. The User Questionnaire is provided in Appendix C of this Phase I ESA Report.

4.1 TITLE AND LIEN RECORDS

Prologis indicated that it was not aware of environmental liens against the Site.

4.2 EXPERIENCE AND SPECIALIZED KNOWLEDGE

Prologis indicated that it has no experience or specialized knowledge regarding the Site.

4.3 COMMONLY KNOWN INFORMATION

Prologis indicated that it is not aware of commonly known information that would lead to identification of recognized environmental conditions in connection with the Site.

4.4 PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT USERS

Prologis will rely on this Phase I ESA Report.

4.5 PREVIOUS ENVIRONMENTAL STUDIES

Farallon was provided with the following environmental documents prepared for the Site:

- *Phase I Environmental Site Assessment Report, The Scoular Company, 5355 East Airport Drive, Ontario, California 91761* dated August 18, 2016, prepared by Partner Engineering and Science, Inc. (Partner 2016 Phase I Report); and
- *Phase II Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California 91761* dated August 16, 2016, prepared by Partner (Partner 2016 Phase II Report).

At the time of the Partner 2016 Phase I Report, the Site was developed as it is today and occupied by grain processing companies. Facility features and operations included the same buildings and grain processing equipment and procedures discussed in Section 2.3. Other features observed at the Site included bulk storage silos, a vehicle wash-down area with associated sheds in the northeastern portion of the Site, two subsurface grain conveyance systems in the northern portion

of the Site, and two maintenance areas within the office and warehouse building (Building A) and truck repair shop building (Building B). The maintenance area inside the truck repair shop (Building B) included a subsurface service pit for vehicle repairs; this pit was not observed during the Site visit due to the presence of stored equipment, but reported by the Site contact to be 4 feet wide by 25 to 30 feet long and between 4 and 5 feet deep. Domestic wastewater was reportedly disposed of by one or two septic systems. Information regarding the construction and locations of the septic systems was not provided from Site contacts. However, locations of the septic systems were speculated, based on previous reports, as being southeast of Building E and east of Building B. In 2016, a suspected septic system appears to have been located with ground-penetrating radar north of Building A, which could be in addition to or instead of previously reported septic system locations. Partner observed hazardous substances and petroleum products at the Site in hazardous material storage areas within Buildings A or B, which included antifreeze, motor oil, waste motor oil, grease, and waste grease. Three ASTs were located outside the northeastern corner of Building A, including one 85-gallon AST containing hydraulic oil, and two 250-gallon ASTs containing diesel fuel.

Previous investigations discussed in the Partner 2016 Phase I Report included four previous Phase I ESAs, three of which were prepared by Terracon Consultants, Inc. (Terracon), dated May 3, 2016, January 19, 2010, and May 5, 2009; and one of which was prepared by SECOR International Incorporated (SECOR), dated October 8, 2003 (SECOR 2003 Phase I Report). Only one of these reports was attached for Farallon's review: the 2016 Phase I Report by Terracon. Terracon did not identify recognized environmental conditions or controlled recognized environmental conditions in connection with the Site; however, a historical recognized environmental condition associated with total petroleum hydrocarbon (TPH) concentrations remaining in-place from a former UST was identified, based on a review of SECOR's 2003 Phase I Report. The SECOR 2003 Phase I Report was not included as an attachment in Terracon's report. The following information regarding SECOR's observations and findings was summarized in the Terracon 2016 Phase I Report. According to Terracon, SECOR did not identify recognized environmental conditions or historical recognized environmental conditions but noted several environmental concerns, including former USTs, the use of petroleum-impacted material as backfill following the removal of a UST, septic systems, and various wastewater and stormwater violations.

SECOR reported that four USTs were removed from the Site, including two 12,000-gallon USTs located north of the mill area, one 12,000-gallon UST located east of the former vegetable oil processing area, and one UST of unknown size located west of the former truck shop building (assumed as present-day Building B). This area was screened with ground-penetrating radar by Partner in 2016, and an assumed UST grave was identified beneath the overhang west of Building B.

Based on SECOR's review of records maintained by the San Bernardino County Fire Department (SBCFD), two 12,000-gallon USTs located north of the mill area were removed in 1989, and a letter issued by SBCFD on September 4, 1998 indicated "contamination remaining in the excavation is below that which is generally considered a problem and further investigation is not warranted." SECOR reported previous investigations were completed by Grisanti and Associates.

Soil samples were collected in the vicinity of a 12,000-gallon diesel UST located east of the "former vegetable oil processing" center, which was speculated by Partner to be located in the northern-central portion of the Site. Analytical results of soil samples indicated concentrations of TPH as diesel (TPH-d) up to 4,500 parts per million at a depth of 16 feet bgs. The 12,000-gallon diesel UST was removed in December 2002 and was granted regulatory closure from SBCFD on January 8, 2003.

During SECOR's site reconnaissance, a former fueling island was reportedly observed west of the truck repair shop (Building B). According to SECOR, no records were available regarding this former UST. However, an undated permit application for two 4,000-gallon diesel USTs was found on file with SBCFD. Additionally, a permit to operate five USTs, dated February 25, 1988, included a handwritten note indicating that the "number of tanks was amended from five to four per signed-off job card." In 2002, this area was investigated by Grisanti and Associates, who found concentrations of TPH-d at 11 parts per million at a depth of 15 feet bgs, and no detectable concentrations at a depth of 20 feet bgs. Farallon assumes that these tank graves were the anomalies identified by Partner under the Building B awning in 2016.

Based on a review of Santa Ana Regional Water Quality Control Board, SECOR found that stormwater discharge from the Site exceeded discharge permit limits in 2001 for pH, total suspended solids, oil and grease, total organic carbon, total Kjeldahl nitrogen, biological oxygen demand, copper, and/or zinc. A violation was issued by the Santa Ana Regional Water Quality Control Board in 2001 for the absence of a Storm Water Pollution Prevention Plan and a Storm Water Management Plan.

The Partner 2016 Phase I findings identified four recognized environmental conditions, two historical recognized environmental conditions, and four environmental issues. The four recognized environmental conditions relate to the statuses of a fourth or fifth UST located on the Site, based on conflicting database information and a lack of historical records available regarding the status and location of the USTs; surficial degradation and staining of asphalt around two 250-gallon diesel fuel ASTs; staining and historical use of petroleum products and hazardous materials in maintenance areas within Buildings A and B; and potential impacts associated with the vehicle wash-down area and drainage system, based on reported violations relating to wastewater runoff, poor housekeeping, and an anonymous complaint regarding the routine pouring of used oil into a drain in the vicinity of the vehicle wash-down area. The two historical recognized environmental conditions identified related to the following: the two former 12,000-gallon diesel USTs, which were removed in 1989 and received a No Further Action (NFA) determination issued by SBCFD; and one former 12,000-gallon diesel UST and associated dispenser, which were removed in 2002 and received an NFA determination issued by SBCFD. The four environmental issues identified relate to unknown locations of two on-Site septic systems; grain processing equipment and subsurface grain conveyance systems requiring lubrication oil; railroad spurs extending onto the Site that may have impacted the Site with pesticides, herbicides, and oils from rail line maintenance and/or construction; and potential asbestos-containing materials associated with the age of the buildings. Recommendations regarding these findings included a limited subsurface investigation to determine the presence or absence of soil and/or groundwater contamination due to the historical

use of the Site, and an operation and maintenance program to be implemented to safely manage the suspect asbestos-containing materials at the Site.

The Partner 2016 Phase II Report investigation completed at the Site included an assessment to identify former on-Site USTs or associated features, reported septic systems, and soil and soil gas sampling to assess for indications of a release from historical Site activities. A geophysical survey was completed to identify USTs remaining in-place, backfilled tankholds, septic tanks, and/or associated features, and to clear boring locations of utilities. One large anomaly, indicative of a backfilled excavation, was located under the western canopy of Building B, which generally corresponded to the location of the former USTs. There were no large metallic features identified, so Partner concluded that the USTs in this area had been removed. One large anomaly resembling a septic system was located north of Building A.

As part of the soil and soil gas investigation, 26 borings were advanced between depths of 1 and 25 feet bgs for the collection of soil and/or soil gas samples. Soil samples were analyzed for TPH carbon chain C6-C40 (TPH-cc) by U.S. Environmental Protection Agency (EPA) Method 8015C and volatile organic compounds (VOCs) by EPA Method 8260B; and soil gas samples were analyzed for VOCs by EPA Methods TO-15 and 8260B. No detectable concentrations of VOCs or TPH-cc were present in soil samples. Analytical results of soil gas samples indicated detections of VOCs including tetrachloroethene (PCE), trichloroethene, toluene, ethylbenzene, and xylenes. The concentrations of these detectable results were less than the residential and commercial/industrial calculated soil gas screening levels (SGSLs) at the time of the report. Partner concluded that there did not appear to be a discernable vapor intrusion condition to the Site, and the detections of VOCs in soil gas did not represent a threat to human health or the environment. Partner recommended no further investigation with respect to the on-Site grain handling facility at the time of the report.

Although the reported concentrations were less than regulatory criteria at the time of the report, the California Department of Toxic Substances Control *Human Health Risk Assessment Note Number 3* was updated in April 2020 to include the use of a more conservative attenuation factor of 0.03 in SGSL calculations. The 0.03 attenuation factor can be used to develop "low" level screening levels and can be used in conjunction with previously approved attenuation factors published in 2011 (known as "high" level screening levels). In comparison with the "low level" PCE SGSL, the PCE concentrations in soil vapor samples collected from five locations in 2016 exceeded the calculated soil gas commercial/industrial screening level of 67 micrograms per cubic meter ($\mu g/m^3$). Additionally, in comparison with the "low level" ethylbenzene SGSL, the ethylbenzene concentration in one soil vapor sample exceeded the calculated soil gas commercial/industrial screening level of 163 $\mu g/m^3$. These samples were located within and adjacent to Building B at a depth of 5 feet bgs.

No other reports were provided to Farallon for review.

5.0 SITE BACKGROUND AND HISTORY

Farallon reviewed the following historical sources as part of this Phase I/II ESA:

- Aerial photographs of the Ontario, California area dated 1938, 1948, 1953, 1959, 1966, 1975, 1985, 1990, 1994, 2002, 2005, 2009, 2012, and 2016 obtained from EDR;
- Cole Information Services, GTE, and Haines and Digital Business Directories of Ontario, California dated 1985, 1990, 1995, 1999, 2003, 2004, 2008, 2009, 2014, and 2017 obtained from EDR; and
- USGS topographic maps of Guasti, California dated 1897, 1900, 1903, 1941, 1944, 1953, 1954, 1966, 1973, 1976, 1981, 2012, 2015, and 2018 obtained from EDR.

A search for fire insurance maps resulted in notification that there was no coverage for the Site.

Farallon is not responsible for the accuracy or completeness of the historical sources reviewed. The historical sources documented were reasonably ascertainable and practically reviewable during this Phase I ESA. Historical sources are provided in Appendix D.

5.1 SITE

Topographic maps between 1897 and 1903 did not include significant detail regarding the Site. The Site was used as agricultural or grazing land from at least the late 1930s to the early 1970s. By 1973, the Eastern Parcel was developed with small grain storage silos and other features associated with milling operations in the grain mill area. In the 1975 aerial photograph, grain appeared to be stockpiled in the southwestern portion of the Site in Buildings A through C. Based on 1953, 1966, and 1981 topographic maps, Airport Drive was previously known as "Slover Avenue." By 1985, the grain storage structures, Buildings D and E, were developed. By 2002, the Site appeared in its existing configuration. The 2002 aerial photograph shows grain processing operations had expanded at the Site to the Western Parcel, which included the development of three large grain storage silos. The Site has been occupied by Verhoeven from 1973 to the present; Chino Grain and Milling, Inc. in 1985; Coast Grain Company between 1990 and 2003; Scoular between 2004 and the present; and JD Heistell and Company in 2009.

Additional information regarding the Site history is provided in Section 6.1, On-Site Listings, and Section 7.0, Interviews.

5.2 ADJACENT PROPERTIES

The Site is bound by industrial properties to the north beyond the railroad tracks, industrial properties to the east and west, and industrial properties to the south across East Airport Drive.

Adjacent properties consisted primarily of undeveloped and/or agricultural land. Railroad tracks were present on the north-adjacent property from at least the early 1900s through the 1960s, when the east-adjacent property was developed with the existing industrial facility. By the early 1990s,

the south-adjacent property was developed with an industrial building. By the early 2000s, the west- and north-adjacent properties were developed with industrial buildings and have remained relatively unchanged through the present.

Additional information regarding adjacent properties is provided in Section 6.2, Adjacent and Other Facility Listings.

6.0 REGULATORY REVIEW

EDR conducted a review of environmental regulatory agency database listings to identify reported environmental issues related to the Site and facilities in the Site vicinity. Farallon used the greater of each approximate minimum search distance from the Site for each of the referenced federal and state environmental databases, as specified in ASTM E1527-13 and -21.

Farallon reviewed the results from the EDR Report prepared for the Site to note reported facilities in the vicinity of the Site that were considered to have a potential to adversely impact the Site (i.e., are known to have resulted in or are expected to result in a recognized environmental condition). Reported facilities identified in the EDR Report were evaluated with respect to the nature and extent of a given release, the distance of the reported facility from the Site, the stratigraphy of soil, the expected soil permeability, and the location of a reported facility with respect to known or expected local and/or regional groundwater flow direction.

The descriptions of the databases searched, the complete database names for the abbreviations used in this Phase I/II ESA Report, and the associated search distances from the Site are provided in the EDR Report presented in Appendix E.

6.1 ON-SITE LISTINGS

JD Heiskell Holdings LLC, former occupant of the Site, was identified on HAZNET, HWTS, CA FID UST, EMI, CIWQS, CERS, and WDS databases. The listings relate to hazardous material management, air quality permits, records of USTs, and industrial stormwater permits associated with livestock feed manufacturing operations. Hazardous wastes listed as being disposed of between 2003 and 2010 consisted of waste oil and mixed oil, aqueous solution with total organic residues less than 10 percent, other organic solvents, and asbestos-containing waste. No violations were identified in the listings. The listings for the USTs did not provide new information regarding contents, locations, and removal dates of the first-generation USTs.

George Verhoeven Grain Inc., located on the Site, was identified on FINDS, ECHO, RCRA NonGen/NLR, EMI, and CIWQS databases. George Verhoeven Grain Inc. was identified in the CERS, AST, CERS HAZ WASTE, CERS TANKS, NPDES, and San Bern. Co. Permit databases (listed in the EDR Report under "Coast Grain Inc.)." The listings relate to hazardous material management, air quality permits, ASTs, and industrial stormwater permits associated with grain processing operations. The CERS TANKS listings indicated records of aboveground petroleum storage. No other information regarding ASTs was provided in the EDR database listings. The CERS listing indicated some administrative violations during inspections; however, there were no violations indicating a spill or a release occurred at the Site.

The Scoular Company, located on the Site, was identified as "John Powell," a manager of Scoular, based on information obtained online, in the HAZNET and HWTS databases. The listings related to hazardous material management between 2006 and 2010. Hazardous wastes in the listing included other organic solids, waste oil and mixed oil, unspecified aqueous solution, and unspecified organic liquid mixture. No violations were identified in the listings.

Coast Grain Inc./Coast Grain Company, former occupant of the Site, was identified on UST, CERS HAZ WASTE, SWEEPS UST, WDS, EMI, HAZNET, and HWTS databases. The listings related to records of USTs, industrial stormwater permits, air quality permits, and hazardous waste management associated with grain processing operations. The SWEEPS UST listing indicated the Site had five registered USTs. No specific information regarding the ASTs or USTs, including tank capacity, contents, or status, was provided in the listings. See Sections 4.5 and 7.3 for further discussion regarding USTs at the Site. Hazardous wastes in the listing between 2002 and 2003 included tank bottom waste with halogenated organics.

G&R Transportation, a freight shipping and trucking company, according to online resources, was listed as being associated with the Site address and identified in the HAULERS database. No pertinent information or violations were identified in the listing. No current or historical information regarding tenants at the Site has indicated G&R Transportation occupied the Site, and this listing may be incorrectly associated with the Site.

Farallon searched the GeoTracker database and the California Department of Toxic Substances Control online EnviroStor database (EnviroStor database) for records related to the Site, but found no listings. Additional information regarding the Site is provided in Section 7.5, Interview with Regional Water Quality Control Board.

6.2 ADJACENT AND OTHER FACILITY LISTINGS

Reported facilities within 0.25 mile up-gradient, 0.125 mile cross-gradient, or adjacent down-gradient of the Site with respect to the assumed groundwater flow direction are considered to have a potential to have impacted the Site. Facilities that were listed in the EDR Report but not identified as a reported facility (e.g., a facility listed as a hazardous waste generator but not as having had a release), and facilities that were listed as "Closed" were not considered to have a potential to have impacted the Site.

Praxair, Inc./Union Carbide Corp./Linde Inc./Kenan Advantage Group/Old Dominion Freight Line, at 5735 and 5705 East Airport Drive, east-adjacent to and cross-gradient of the Site with respect to assumed groundwater flow direction, were identified in the San Bern. Co. Permit**,** HIST UST, EMI, RCRA NonGen/NLR, UST, RCRA-SQG, LUST, CERS HAZ WASTE, CERS TANKS, TRIS, Cortese, NPDES, CIWQS, CERS, HWTS, AST, SWEEPS UST, CA FID UST, HIST CORTESE, NPDES, WDS, and/or CPS-SLIC databases. The listings relate to records of ASTs, USTs, industrial stormwater permits and discharge, air quality permits, hazardous materials management, and a leaking UST case that was granted case closure status in 1988. The LUST listing under Union Carbide Corp indicated solvents from a leaking UST had impacted soil. The listing indicated a case closure status as of September 7, 1988. HIST UST listings associated with

Union Carbide Corporation indicate the facility has or had between two and 18 registered USTs on the property. One HIST UST listing indicated two 1,000-gallon USTs used for waste were installed in 1975. The other HIST UST listing indicated 18 USTs or subsurface features were registered at the property, including four 10,000-gallon USTs and one 12,000-gallon UST used for diesel fuel; eight unlined concrete or carbon steel sumps used for sulfuric acid, chlorpyrifos (chromate), silica, sodium hydroxide, sodium bichromate, and/or waste oil; one 1,000-gallon UST used for waste oil; one 8,000-gallon UST used for unleaded fuel; one 6,000-gallon UST used for motor oil; and two 500-gallon USTs used for waste oil. No information regarding the status of the USTs or subsurface features was provided in the listings. Hazardous wastes in listings included ignitable waste, corrosive waste, reactive waste, chromium, lead, and spent nonhalogenated solvents. No other listing except for the one associated with the leaking UST case indicated a release had occurred at the property. A number of administrative violations associated with inspections were indicated in the San Bern. Co. Permit database listings. No information was provided in the violation listings that indicated a release had occurred at the property. Based on the status, depth to groundwater, and location of the property at a cross-gradient direction from the Site, no evidence was found to indicate that this property represents a recognized environmental condition in connection with the Site.

K-Mart Distribution Center/Ontario Distribution Center/Costco Wholesale/Costco Logistics, at 5600 East Airport Drive, located beyond Airport Drive, south-adjacent to and down-gradient of the Site with respect to assumed groundwater flow direction, was identified in the LUST, SWEEPS UST, HIST UST, Cortese, HIST CORTESE, CERS, CA FID UST, EMI, NPDES, WDS, CIWQS, RCRA NonGen/NLR, AST, HAZNET, San Bern. Co. Permit, HWTS, RCRA-SQG, and RCRA-LQG databases. The listings relate to records of USTs, ASTs, industrial stormwater permits, hazardous materials management, and a leaking UST case. According to the SWEEPS UST and HIST UST listings, three USTs were installed on the property, including two 15,000-gallon diesel USTs and one 2,000-gallon unleaded fuel UST. Information obtained from the GeoTracker database indicated a leaking UST containing diesel fuel impacted soil at the property in 1992. The case was granted case closure status in 1993. Based on the status, depth to groundwater, and location of the property at a down-gradient direction from the Site, this property does not represent a recognized environmental condition in connection with the Site.

6.3 UNMAPPABLE LISTINGS

EDR identified six facilities as “unplottable” that EDR was unable to map due to inaccurate or inadequate address information. Farallon did not identify any of the unplottable facilities in the immediate vicinity of the Site. Therefore, the unplottable facilities located do not represent a recognized environmental condition in connection with the Site.

7.0 INTERVIEWS

Farallon conducted interviews with individuals familiar with the Site and contacted relevant local governmental agencies to obtain additional Site information. The responses from the parties contacted are provided below.

7.1 INTERVIEW WITH SITE REPRESENTATIVE

During the site reconnaissance, Farallon interviewed Randy Verhoeven of Verhoeven, and Steve Schennum of Scoular on January 13, 2022. The following information was obtained from this interview:

- No known USTs are present at the Site;
- Hazardous materials on the Site generally consist of diesel fuel, hydraulic fluid, gear oil, transmission oil, waste oil, and cleaning solvent;
- Utilities and natural gas are provided by the local municipality and gas company; and
- The maintenance area inside the truck repair shop (Building B) included a subsurface service pit for vehicle repairs; this pit was not observed during the Site visit due to the presence of stored equipment, but reported by the Site contact to be 4 feet wide by 25 to 30 feet long and between 4 and 5 feet deep.

Randy Verhoeven and Steve Schennum stated that they had not been made aware of any pending, threatened, or past:

- Litigation relevant to hazardous substances or petroleum products in, on, or from the Site;
- Administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the Site; or
- Notices from a governmental entity regarding violations of environmental laws or liability relating to hazardous substances or petroleum products.

7.2 INTERVIEW WITH CITY

Farallon submitted a written information request to the City of Ontario on December 23, 2021 to inquire whether records of inspections, notices of violations and/or reported hazardous spills, building files, permits, wastewater discharge permits, and/or USTs for the Site were on file. On January 26, 2022, the City of Ontario provided Farallon with over 150 pages of files for the Site address related to building permits, City fire department inspections (for signage/fire safety violations), stormwater, and tenant improvement information. No information related to processing or storage locations, septic systems, or hazardous material use for the Site was found in the file.

7.3 INTERVIEW WITH THE COUNTY

Farallon submitted a written information request for records from SBCFD on December 16, 2021. SBCFD is the Certified Unified Program Agency for San Bernardino County, and maintains most records pertaining to hazardous substance use, storage, and waste generation; USTs and ASTs; hazardous substance inspections, and unauthorized releases. SBCFD allowed Farallon to copy files for Cast Grain Milling, Verhoeven, and Scoular at the Site addresses. In general, files were related to generator/handler information, USTs, and permit information. Pertinent files are summarized below.

Cast Grain Milling

In the letter regarding Removal of Two Underground Storage Tanks at 5355 Airport, Ontario dated September 4, 1998, from SBCFD, it was noted that a July 25, 1989 Babcock & Sons, Inc. report was reviewed by SBCFD and that contamination remaining after excavation is "below that which is generally considered a problem and further investigation is not warranted." No further information was in the file regarding the USTs and locations; however, Farallon has determined that SBCFD is likely referring to the two 12,000-gallon fueling USTs noted in previous reports as formerly located north of the grain mill.

A 2001 SBCFD inspection indicated similar quantities of automotive fluids and oils generated as wastes at the Site. It was also noted that a "parts washer" was present in the "Vehicle Maintenance Division," but the solvent used was not noted. It was also noted that molasses silos were in use at the Site, and a molasses storage tank was noted in the vicinity of the truck-washing area (containing molasses truck rinse water used as pig feed). A hazardous waste inventory dated 2001 noted perchloroethylene and trichloroethylene related to the parts washer, but volumes and locations were not noted.

In 2002, Tank Specialists of California removed a 12,000-gallon diesel steel UST and fuel dispenser mapped southeast of Building C. According to the letter regarding Soil Sampling Following the Removal of an Underground Storage Tank – Coast Grain Co., 5355 E. Airport Drive, Ontario, California dated December 18, 2002, from Advanced GeoEnvironmental, Inc., three confirmatory soil samples were collected beneath the bottom of the UST after removal, and soil samples were collected from stockpiles. The soil samples were analyzed for TPH-d; benzene, toluene, ethylbenzene, and xylenes; and methyl tertiary-butyl ether. Minor petroleum impacts were noted in stockpiled soil (800 milligrams per kilogram of TPH-d), which was reportedly used as backfill for the excavation. No constituents of concern were detected in the confirmatory soil samples collected from beneath the UST. Advanced GeoEnvironmental, Inc. recommended that SBCFD Hazardous Materials Division issue closure of the UST, and the letter regarding Removal of One Underground Storage Tank at Coast Grain Inc., Located at 5355 E. Airport Drive, Ontario, California dated January 8, 2002, from SBCFD was issued indicating that further investigation was not warranted. Farallon considers this UST a historical recognized environmental condition for the Site.

George Verhoeven Grain Inc.

Generator files dated 2016 through 2019 were maintained with SBCFD that noted the use and generation of automotive fluids and wastes on the Site. Violations were noted as requiring the completion of a Spill Prevention, Control, and Countermeasure plan and a business plan. Hazardous waste inventories noted oils and welding gases; no solvents were noted.

The Scoular Company

Generator files dated 2010 were maintained with SBCFD that noted the use and generation of automotive fluids and wastes on the Site. No violations were noted. Operations were noted as discontinued in 2011 (although Farallon noted Scoular active at the Site during the 2022 site reconnaissance).

7.4 INTERVIEW WITH SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Farallon accessed online records available from South Coast Air Quality Management District on January 26, 2022. South Coast Air Quality Management District maintains records for five facilities associated with the Site address: Chino Grain & Milling Inc. (ID 3037); Coast Grain Company (ID 52930); Unicorn, LLC (ID 131542); George Verhoeven Grain Inc. (ID 163123); and The Scoular Company (ID 17251). A summary of the files is provided below.

Chino Grain & Milling Inc. (ID 3037)

The online file indicates that the Chino Grain & Milling Inc. facility is out of business, and contained equipment for storage and dispensing of gasoline and milling operations including amine regeneration, livestock feed rolling, cyclone, bulk loading of trucks, and livestock feed pelletizing. No violations were noted, and no documents could be found related to the storage or dispensing of gasoline in the online files.

Coast Grain Company (ID 52930)

The online file indicates that the Chino Grain Company facility was sold, and contained equipment for livestock feed rolling, cyclone, bulk loading of trucks, livestock feed pelletizing, storage tank livestock feed, service station storage and dispensing of gasoline, afterburner, boiler, baghouse, and emission reduction. No violations were noted, and no documents could be found related to the storage or dispensing of gasoline in the online files.

Unicorn, LLC (ID 131542)

The online file indicates that the Unicorn LLC facility was sold, and contained equipment for railroad car unloading grains. No violations were noted.

George Verhoeven Grain Inc. (ID 163123)

The online file indicates that the Verhoeven facility was active, and contained equipment for livestock feed rolling, cyclone, bulk loading of trucks, and a boiler. One violation was noted on September 4, 2012 that was in compliance by September 19, 2012; the nature of the violation was not captured in the record.

The Scoular Company (ID 17251)

The online file indicates that the Scoular facility was active, and contained equipment for rail car unloading. No violations were noted.

7.5 INTERVIEW WITH REGIONAL WATER QUALITY CONTROL BOARD

Farallon received files available from the Santa Ana Regional Water Quality Control Board (Water Board) on December 27, 2021. Water Board records included information regarding a former brine disposal pond associated with the boilers at the grain mill area. A summary of files is provided below.

A brine disposal pond owned by the Union Pacific Railroad Company and used by the Coast Grain Company for boiler blow-down water was installed in 1969 and removed in 1998 to allow for the addition of a rail line north of the grain mill area. According to the letter regarding Approval of Closure Report for the Brine Disposal Pond, Coast Grain Company, Ontario, California dated September 24, 1999, from the Water Board, the closure of the pond included the removal of approximately 7,500 cubic yards of salt-contaminated soil and placement of a 40-mil high-density polyethylene liner. Miscellaneous analytical data available in the Water Board file indicated that soil was analyzed for pH, with no elevated readings noted. Based on mapping provided in the Water Board file, the pond was located south of the Southern Pacific Railroad Main Line between two sets of rail spurs; it appears to be just north of the current property line. However, a survey would be required to understand the northern property line in relation to the former brine disposal pond. Based on the location and nature of use (boiler blow-down), and the location of the former brine pond in the vicinity of the northern property line, this is considered a data gap for this report. In the event that the former brine pond is located off-Site, it would be considered a de minimis condition for the Site.

8.0 SITE RECONNAISSANCE

Farallon conducted a site reconnaissance on January 13, 2022 to observe the Site for physical evidence of recognized environmental conditions. The methodology used for the site reconnaissance and the observations made during the reconnaissance are discussed below. A description of the Site is provided in Section 2.2, Site Description. Photographs taken during the site reconnaissance are presented in Appendix B.

8.1 SITE RECONNAISSANCE METHODOLOGY

Farallon completed a walk around the entire perimeter of the Site and viewed interior operations.

There were no deviations from ASTM E1527-13 or -21 during the Phase I ESA, with the exception of additional environmental services requested by Prologis.

Limiting conditions encountered during this Phase I ESA were the presence of active and decommissioned equipment and vehicles on exterior portions of the Site that prevented Farallon from observing the entire ground surface of the Site, and the presence of equipment in the Site buildings that prevented Farallon from observing entire interior floor surfaces. Based on information obtained from the Site representative, historical records, previous reports, and data obtained during the subsurface investigation conducted in March 2022, these limiting conditions are not expected to alter the conclusions of this report.

8.2 SITE RECONNAISSANCE OBSERVATIONS

Weather conditions at the time of the reconnaissance were overcast, with a temperature of approximately 70 degrees Fahrenheit. No weather-related Site-access restrictions were encountered during the reconnaissance. Operations at the Site at the time of the reconnaissance were observed to be consistent with operations as described in Section 2.3, Site Operations.

8.2.1 Interior Observations

Farallon's observations of the interior of the Site buildings during the site reconnaissance are documented in the table below. Comments pertaining to notable interior observations follow in Section 8.2.2. Photographs taken during the site reconnaissance are provided in Appendix B.

INTERIOR OBSERVATIONS	YES	NO
Odor		X
Heating/Cooling System	X	
Drain(s) and/or Sump(s)		X
Staining and/or Corrosion		X
Storage Tank(s), Vent Pipe(s), Fuel Port(s), and/or Fill Pipe(s)		X

INTERIOR OBSERVATIONS	YES	NO
Clarifier(s)		X
Discharge Area		X
Drum(s) and/or Other Container(s)		X
Pool(s) of Liquid		X
Automobile Lift(s)		X
Monitoring Well(s)		X
Hazardous Material(s) and/or Petroleum Product(s)	X	
Hazardous Waste	X	
Other	X	

8.2.2 Interior Observation Comments

Heating/Cooling System

The Site buildings are primarily unconditioned. Electrical window air-conditioning units were observed in select office/administrative areas.

A natural-gas-powered boiler unit is present within the grain mill, and provides steam for the steam jackets. The grain mill is also equipped with a fan-cooled cooling area. No other heating systems were observed in the buildings.

Hazardous Material(s) and/or Petroleum Product(s)

Hazardous substances stored within the Building A warehouse on the Eastern Parcel included small quantities of oils and automotive fluids. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release.

Hazardous substances stored within Building B on the Eastern Parcel included two 55-gallon used oil drums; two 25-gallon grease carts; and a parts washer attached to a 55-gallon drum of Shellsol D43, a petroleum hydrocarbon-based mineral spirit. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release.

Hazardous substances within a fire cabinet in the Western Parcel office trailer included two 5-gallon gasoline canisters. Additional materials stored outside of the fire cabinet included ten 5-gallon pails containing truck lubricants, gear oil, and hydraulic oil; one 25-gallon grease cart; and one 5-gallon pail containing grease. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release.

Hazardous Waste

Hazardous wastes stored within the Building A warehouse on the Eastern Parcel included four 55-gallon drums of waste oil, five 25-gallon drums of waste oil, and approximately 20 five-gallon waste oil pails. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release.

Other

The maintenance area inside the truck repair shop (Building B) included a subsurface service pit for vehicle repairs; this pit was not observed during the Site visit due to the presence of stored equipment, but reported by the Site contact to be 4 feet wide by 25 to 30 feet long and between 4 and 5 feet deep.

8.2.3 Exterior Observations

Farallon's observations of the exterior of the Site during the site reconnaissance are documented in the table below. Comments pertaining to notable exterior observations follow in Section 8.2.4. Photographs taken during the site reconnaissance are provided in Appendix B.

EXTERIOR OBSERVATIONS	YES	NO
Odor		X
Staining and/or Corrosion	X	
Storage Tank(s), Vent Pipe(s), and/or Fuel Port(s)	X	
Drum(s) and/or Other Container(s)		X
Pool(s) of Liquid		X
Hazardous Material(s) and/or Petroleum Product(s)		X
Hazardous Waste		X
Pit(s), Pond(s), and/or Lagoon(s)		X
Stressed Vegetation		X
Solid (Nonhazardous) Waste—Evidence of Dumping		X
Wastewater		X
Domestic Water	X	
Water Well(s)		X
Septic/Sewer System	X	
Stormwater	X	
Transformer(s)	X	

EXTERIOR OBSERVATIONS	YES	NO
Significant Amount of Fill Material		X
Other	X	

8.2.4 Exterior Observation Comments

Staining and/or Corrosion

Farallon observed incidental petroleum staining on several areas of the Site, generally near petroleum product storage areas. No drains, sumps, clarifiers, or other potential subsurface conduits were observed in these areas. The staining is considered de minimis and does not constitute a recognized environmental condition.

Storage Tank(s), Vent Pipe(s), and/or Fuel Port(s)

Four ASTs were present on the Site:

- Two 250-gallon, reportedly double-walled diesel ASTs within secondary containment. These ASTs are located on the northeastern exterior border of Building A and are used for fueling tractors and forklift equipment. One of the ASTs is used by Verhoeven, and the other by Scoular.
- One 220-gallon, reportedly double-walled hydraulic oil AST located on the northeastern exterior border of Building A. This AST is used to provide new hydraulic oil for equipment operation and maintenance.
- One 499-gallon, single-walled propane AST located east of Building C.

The ASTs were observed to be in good condition with de minimis staining to nearby concrete pads, and no evidence of a significant release.

Domestic Water

Domestic water is supplied to the Site buildings by the City of Ontario.

Septic/Sewer System

Sanitary sewage generated at the Site discharges to three or four on-Site septic systems, two or three of which are located on the Eastern Parcel and one of which is located on the Western Parcel. The estimated locations of the septic tanks and leach fields on the Eastern Parcel are identified on Figure 2. Property personnel on the Western Parcel were unaware of the location of the septic systems.

Because on-Site septic systems appear to be used for domestic sewer, with limited hazardous material use in the proximity that could be introduced to the septic systems as a release pathway, the presence of the septic systems at Building E, Building A, and on the Western Parcel is considered a de minimis condition for the Site. Because the septic system east of Building B is

connected to a building that has been subject to the use and release of chlorinated solvents, this septic system is considered a recognized environmental condition in connection with the Site.

Stormwater

Stormwater is removed from the Site via direct permeation through gravel-paved surfaces, and via concrete swale and paved surfaces to Airport Boulevard.

Transformer(s)

Three pad-mounted transformers were observed on the Site on the Western Parcel. No staining or leakage was observed in the vicinity of the transformers. Based on the good condition of the equipment, the transformers are not expected to represent a significant environmental concern.

An underground grain conveyance system is located within the grain mill area. Details of the underground system, including how grain is moved or whether hydraulic systems are present, was not provided to Farallon.

The presence of transformers, with no evidence or report of leaking, and underground grain conveyance systems are considered de minimis conditions for the Site. In the event that the conveyance systems are hydraulic and determined to have leaked, this conclusion should be reevaluated.

Other

The Eastern Parcel is equipped with a vehicle wash-down area with sump north of Building B, which is asphalt-paved and bermed, and was previously used for truck washing. Property personnel report that truck exteriors were washed in this area on an infrequent basis, and no undercarriage/chassis or engine washing was conducted on the Site. The wash area is equipped with a lined sump connected to an approximately 10,000-gallon AST via underground piping. The AST was empty at the time of the Site visit. Personnel report that the water tank has not been used in at least 11 years. Given the nature of use and that wash water was routed to an AST with no discharge, the vehicle wash-down area is considered a de minimis condition for the Site.

Rail spurs are present along the northern property boundary. Based on available mapping, it cannot be confirmed whether the rail spurs are located on the Site or to the north, which is a data gap for this report. Because of the nature of the conveyance of the rail spurs (for moving grain), the presence of rail spurs within or along the northern property boundary is considered a de minimis condition for the Site. If the spurs are determined to be on the Site, this conclusion should be reevaluated, as creosote and oils in rail spurs can lead to surficial releases to soil.

9.0 ADDITIONAL ENVIRONMENTAL SERVICES

At the request of Prologis, Farallon conducted environmental services in addition to those specified in ASTM E1527-13 and -21. These services are considered non-scope items, and are not required to satisfy ASTM E1527-13 and -21.

9.1 WETLANDS

Wetlands are defined jointly by EPA and the U.S. Army Corps of Engineers as "those areas that are inundated or saturated by surface or groundwater for a duration and frequency sufficient to support and under normal circumstances do support a prevalence of vegetation adapted for life in saturated soil conditions." According to the EDR Report, wetlands are not present on the Site.

9.2 ASBESTOS

In June 1978, EPA initiated a ban on the use of asbestos-containing material in spray application products such as structural fireproofing and acoustic ceilings, pipe lagging, joint compounds, and spackles. Based on the construction date of the Site buildings of approximately 1973, asbestos-containing materials may be present at the Site.

9.3 LEAD-BASED PAINT

In 1978, EPA initiated a ban on the manufacture and use of lead-based paints. Based on the construction date of the Site buildings of approximately 1973, lead-based paint may be present at the Site.

9.4 WATER SUPPLY/LEAD IN DRINKING WATER

Based on the Site buildings' construction date of approximately 1973, it is possible that lead solder was used during construction of plumbing fixtures.

9.5 RADON

Radon is a colorless, tasteless, radioactive gas with an EPA-specified action level of 4.0 picocuries per liter of air. Radon gas has a short half-life of 3.8 days. The health risk potential of radon is associated with its rate of accumulation within confined areas, particularly those near or in the ground such as basements, where vapors can readily transfer from the ground to indoor air through foundation cracks or other pathways.

According to the EDR Report, the Site is in EPA Radon Zone 2, with predicted average indoor screening levels of between 2.0 and 4.0 picocuries per liter. The EPA zone designation reflects the average short-term radon measurement that can be expected to be measured in a building without implementation of radon-control methods. Based on the EPA designation, radon is unlikely to pose an environmental concern to Site occupants.

9.6 WATER INTRUSION

Farallon inspected visually accessible building materials for evidence of water damage during the site reconnaissance. No visible evidence of water-damaged building materials was observed. Farallon did not detect high-humidity areas in the buildings that would suggest moisture concerns.

10.0 PHASE II ESA

In March 2022, Farallon conducted soil and soil vapor sampling at the Site to assess former UST areas and septic systems, and the new building footprint for the potential for vapor intrusion issues. The scope of work for the Phase II ESA portion of this assessment included the advancement of 12 borings and installation of 10 temporary soil vapor probe locations with single- or multi-depth nested vapor points for the collection of soil and soil vapor samples.

The general scope of work was proposed and authorized in the letter regarding Proposal for Subsurface Investigation, 5355 East Airport Drive, Ontario, California dated February 14, 2022, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis.

Sample locations are provided on Figures 2 and 3, with limited analytical data presented on Figure 3. Sampling rationale and analytical data from the sampling are included in Tables 1 through 5.

10.1 PERMITTING

No permitting was required for this work.

10.2 HEALTH AND SAFETY

Prior to conducting field investigation activities, a health and safety plan compliant with the requirements of the Occupational Safety and Health Act of 1970 and 8 CCR 3203 was prepared. Additionally, in accordance with Farallon health and safety policy, personal protection equipment precautions related to COVID-19 were implemented for field personnel during field activities.

Prior to commencement of drilling activities, Farallon marked the proposed boring locations at the Site and contacted Dig Alert for public utility notice. Farallon also engaged a private utility location service to screen the proposed boring locations for utilities that may be encountered during advancement with hand tools and direct-push drilling.

10.3 GEOPHYSICAL SURVEY

Farallon oversaw the completion of a geophysical survey at several areas at the Site to attempt to locate former UST areas and reported septic tank areas. No underground structures were found in the survey areas, with the exception of two connected septic tanks northeast of Building B: one north of the building and one east of the building. A vapor point was advanced at the northern septic tank (SVP-10). The septic system east of the building was not accessible (in fenced area). It could not be determined whether the two septic tanks were connected.

10.4 BORING LOCATIONS AND SAMPLING RATIONALE

Borings SB-1 and SVP-1 were advanced in the vicinity of the two former 12,000-gallon petroleum USTs on the northern portion of the Site to confirm conditions at the former USTs and assess soil vapor beneath the proposed building footprint. Borings SVP-2, SVP-3, and SVP-4 were advanced

on the central portion of the Site to assess soil vapor beneath the proposed building footprint. Borings SB-2 and SVP-5 were advanced in the vicinity of the former 12,000-gallon petroleum USTs on the central-eastern portion of the Site to confirm conditions at the former UST and assess soil vapor beneath the proposed building footprint. Boring SVP-6 was advanced at the vehicle wash-down area with sump to assess this area and the soil vapor beneath the proposed building footprint. Borings SVP-7, SVP-8, and SVP-9 were advanced west of Building B, and sub-slab points SS-1 and SS-2 were advanced beneath Building B to assess former PCE impacts encountered in soil vapor in these areas. Boring SVP-10 was advanced to the northwest of Building B to assess the likely location of the septic system associated with the building. Boring locations and rationale are presented in Table 1.

10.5 BORING ADVANCEMENT AND SOIL SAMPLING

For health and safety reasons, the borings were advanced using a hand auger to a depth of 5 feet bgs and subsequently completed to target (or attainable) depths with a direct-push drill rig. Concrete and asphalt coverings were cored prior to advancing the borings. Soil encountered during the investigation was described as silty fine to medium sand to a total explored depth of 10 feet bgs, with an apparent coarse sand and gravel layer at 10 feet bgs (and as shallow as 5 feet bgs on the eastern portion of the Site at boring SB-2). Groundwater was not encountered during drilling.

The soils were visually inspected and screened by a Farallon Scientist using a photoionization detector and were described and logged using the United Soil Classification System (Modified). No elevated photoionization detector readings or visual or olfactory evidence of a release were documented during the sampling activities.

Select soil samples were submitted under standard chain-of-custody protocols to Jones Environmental, Inc. of Santa Fe Springs, California for analysis of VOCs by EPA Method 8260 and TPH as gasoline (TPH-g) by EPA Method 8015M using EPA Method 5035 for preservation. In addition, select soil samples were analyzed for the presence of TPH as diesel (TPH-d) and TPH as oil (TPH-o) by EPA Method 8015M, and for California Administration Manual metals by EPA Method 6010B. The full soil sampling schedule is provided in Table 1.

10.6 SOIL VAPOR PROBE CONSTRUCTION AND SAMPLING

A total of 14 soil temporary soil vapor probes were installed in 10 soil vapor borings at locations SVP-1 through SVP-10. In general, soil vapor probes were installed at a depth of 4 feet bgs throughout the proposed building footprint, with some deeper probes installed at depths of 8 and 10 feet bgs to assess targeted deeper potential source areas. Soil vapor probe final installation depths are provided in Table 1.

On March 11, 2022, soil gas probe installation was performed in accordance with the *Advisory: Active Soil Gas Investigations* dated July 2015, prepared by the California Environmental Protection Agency (Soil Gas Advisory). The probes consisted of an Airstone microporous vapor implant (or equivalent) connected to 0.25-inch-outside-diameter Nylaflow tubing, finished at the surface with temporary plugs. The annulus around the vapor implant was backfilled with

approximately 0.5 foot of screen-washed No. 3 sand, followed by 6 inches of hydrated granular bentonite to create a seal from the top of the sand to near surface.

The soil gas probes were allowed to equilibrate for 1 week prior to sample collection. Farallon contracted with Jones Environmental Inc. of Santa Fe Springs, California to perform soil gas sampling and analyze samples with its on-Site mobile laboratory. Prior to sample collection, a shut-in test was conducted in accordance with Section 4.2.1 of the Soil Gas Advisory; purging was conducted in accordance with Section 4.2.3 of the Soil Gas Advisory.

The soil vapor samples were collected into glass syringes at a rate of no more than 200 milliliters per minute. A mixture of n-pentane, n-hexane, and n-heptane was used as tracer compounds, which was applied to rags and set at each sample fitting during sample collection; the tracer compounds were not detected in the sub-slab soil vapor samples.

10.7 SUMMARY OF SOIL SAMPLING RESULTS

Soil analytical results are summarized below with a comparison with the Los Angeles Regional Water Quality Control Board Maximum Soil Screening Levels for properties with groundwater at a depth greater than 150 feet bgs (for TPH in soil), and with the California Department of Toxic Substances Control (DTSC) CA-Modified Regional Screening Levels (RSLs) and EPA RSLs (in the event that DTSC CA-Modified RSLs are not available) for industrial soil (for metals in soil). Soil sampling results are summarized as follows:

- No TPH or VOCs were detected exceeding laboratory detection limits in the soil samples collected from the Site.
- Low concentrations of naturally occurring metals including barium, cadmium, cobalt, chromium, copper, nickel, lead, vanadium, and zinc were detected in two soil samples submitted for analysis (location SVP-6 from depths of 4 and 8 feet bgs). These concentrations were considerably less than screening levels.

Soil analytical results are tabulated in Tables 2 through 4. Soil analytical reports are attached in Appendix G.

10.8 SUMMARY OF SOIL VAPOR SAMPLING RESULTS

Soil vapor analytical results from the Phase II ESA are summarized below. These results were compared with DTSC calculated SGSLs using CA-Modified RSLs or EPA RSLs for indoor air with an attenuation factor of 0.03 or 0.001 for commercial/industrial settings, with an attenuation factor of 0.05 used for sub-slab soil vapor samples.

- PCE was detected in several of the soil vapor samples collected from the Site, as indicated below:
    - PCE was detected in sub-slab soil vapor at concentrations of 220 and 170 µg/m^3, exceeding calculated screening levels.

- PCE was detected at concentrations ranging between 24 and 247 µg/m^3 in soil gas samples collected from the soil vapor borings west and northwest of Building B (SVP-5, SVP-7, SVP-8, and SVP-9). The concentrations of PCE in soil vapor samples exceeded the calculated screening level using the 0.03 attenuation factor (but were less than the less conservative attenuation factor) in three of the four samples at the targeted 4-foot investigation zone.
- PCE was detected in shallow soil vapor in central and eastern portions of the planned building slab area at concentrations less than calculated screening levels.
- The soil vapor sample collected from a depth of 10 feet bgs at SVP-1 at the two former 12,000-gallon diesel USTs at the grain mill area contained PCE at a concentration of 157 µg/m^3, exceeding the calculated screening level using the 0.03 attenuation factor (but less than the less conservative attenuation factor). Shallow soil vapor from this area contained PCE at considerably less concentrations than the calculated screening level using the 0.03 attenuation factor.

- A trace concentration of dichlorodifluromethane was detected exceeding laboratory reporting limits in soil vapor sample SVP-10-8; however, this concentration (60 µg/m^3) did not exceed the Industrial SGSL and was not found in other samples.
- Low concentrations of toluene were detected at concentrations exceeding laboratory reporting limits in the soil vapor samples collected at the Site; however, none of these concentrations exceeded the Industrial SGSL for toluene (as high as 1,300,000 µg/m^3). The maximum toluene concentration was reported as 106 µg/m^3.
- No other VOCs were detected at concentrations exceeding laboratory reporting limits.

The results for the soil gas samples are considered valid because the tracer compounds were not detected in the samples.

Based on the sampling results, PCE has been documented in soil vapor in the vicinity of Building B at concentrations exceeding screening levels, and PCE is also present in central and eastern portions of the Site in shallow zones at concentrations less than calculated screening levels.

Soil vapor analytical results are summarized in Table 5. Soil vapor analytical reports are attached in Appendix G.

10.9 WASTE HANDLING DISPOSAL

Soil cuttings and decontamination water were accumulated into one 55-gallon drum. The drum was sampled and is currently being profiled for disposal. Waste disposal information can be forwarded when available.

11.0 SUMMARY AND CONCLUSIONS

Farallon conducted a Phase I/II ESA for 5355 East Airport Drive in Ontario, California in conformance with the scope and limitations of ASTM E1527-13 and -21. Any exceptions to or deletions from this practice are described in Section 1.5, Deviations.

The Phase I ESA indicated that the Site consists of two parcels totaling 14.2 acres: Assessor Parcel No. 0238-052-20 (Eastern Parcel), and Assessor Parcel No. 0238-052-29 (Western Parcel). The Site is occupied by George Verhoeven Grain Inc. (dba Verhoeven Grain Inc.) and The Scoular Company, grain processing companies. Operations consist of the processing of raw grain, which is received by truck or by rail from the rail line north of the Site. The exact location of the rail line and associated spurs with respect to the northern Site boundary could not be confirmed in available files. Former petroleum USTs in two areas, former and active septic systems, and a vehicle maintenance garage (Building B) were found in association with the Site during the Phase I ESA portion of this assessment.

According to the Partner 2016 Phase II Report, 26 borings were advanced at depths between 1 and 25 feet bgs for the collection of soil and/or soil gas samples. Analytical results of soil gas samples indicated detections of VOCs including tetrachloroethene, trichloroethene, toluene, ethylbenzene, and xylenes. The concentrations of these detectable results were less than the residential and commercial/industrial calculated SGSLs at the time of the report beneath and west of Building B. However, the concentrations of PCE detected in five of the six soil gas samples contained PCE exceeding current commercial/industrial calculated SGSLs; these samples were collected from beneath and west of building B. Additionally, in comparison with the "low level" ethylbenzene SGSL, the ethylbenzene concentration in one soil vapor sample from this area exceeded the calculated soil gas commercial/industrial screening level of 163 µg/m^3.

In March 2022, Farallon conducted soil and soil vapor sampling at the Site to assess former UST areas and septic systems, and the new building footprint for the potential for vapor intrusion issues. No underground structures were found in the survey, with the exception of the two septic tanks northeast of Building B. The scope of work for the Phase II ESA portion of this assessment included the advancement of 12 soil borings and installation of 10 temporary soil vapor probe locations with single- or multi-depth nested vapor points and two sub-slab soil vapor sampling points for the collection of soil and/or soil vapor samples. The Phase II ESA portion of this assessment was conducted on March 4 and 11, 2022.

No TPH or VOCs were detected exceeding laboratory detection limits in the soil samples collected from the Site. Low concentrations of naturally occurring metals including barium, cadmium, cobalt, chromium, copper, nickel, lead, vanadium, and zinc were detected in two soil samples submitted for analysis; these concentrations were considerably less than screening levels.

Based on sub-slab soil vapor data, soil vapor beneath the slab at Building B contains PCE exceeding calculated screening levels. PCE is present west of Building B at concentrations exceeding current calculated industrial screening levels using the 0.03 attenuation factor, but less than screening levels using the less conservative attenuation factors. PCE was also detected in

shallow soil vapor in the central and eastern portions of the Site at concentrations less than calculated screening levels in the shallow zones assessed. One concentration of PCE was detected exceeding calculated screening levels in the deeper sample collected from the vicinity of the two former 12,000-gallon USTs north of the grail mill area; the shallow soil vapor collected from this boring did not contain PCE exceeding calculated screening levels. The extent of PCE in soil vapor was not fully characterized.

Based on review of the Site history, including subsurface investigation reports, interviews with persons knowledgeable about the Site, reconnaissance of the Site, review of regulatory agency lists, and the completion of subsurface investigation at the Site, this Phase I/II ESA identified the following recognized environmental condition in connection with the Site:

- PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Site.

In addition, Farallon identified the following historical recognized environmental conditions in association with the Site:

- Previous environmental reports note that one or more USTs were historically located west of Building B. Farallon was not able to find information regarding the UST in regulatory files, but did find some information regarding three to four diesel and unleaded gasoline USTs ranging in capacity from 4,000 to 10,000 gallons at unspecified locations at the Site preceding the presence of the three known 12,000-gallon USTs (noted in the grain mill area and southeast of Building C). In 2016, Partner conducted a subsurface investigation in this area and did not identify evidence of a petroleum release.
- In 2002, Tank Specialists of California removed a 12,000-gallon diesel steel UST and fuel dispenser mapped southeast of Building C. According to the letter regarding Soil Sampling Following the Removal of an Underground Storage Tank – Coast Grain Co., 5355 E. Airport Drive, Ontario, California dated December 18, 2002, from Advanced GeoEnvironmental, Inc., three confirmatory soil samples were collected beneath the bottom of the UST after removal, and soil samples were collected from stockpiles. The soil samples were analyzed for TPH as diesel; benzene, toluene, ethylbenzene, and xylenes; and methyl tertiary-butyl ether. Minor petroleum impacts were noted in stockpiled soil (800 milligrams per kilogram of TPH as diesel), which was reportedly used as backfill for the excavation. No constituents of concern were detected in the confirmatory soil samples collected from beneath the UST. Advanced GeoEnvironmental, Inc. recommended that SBCFD Hazardous Materials Division issue closure of the UST; and the letter regarding Removal of One Underground Storage Tank at Coast Grain Inc., Located at 5355 E. Airport Drive, Ontario, California dated January 8, 2002, from SBCFD was issued indicating that further investigation was not warranted.
- Based on sampling conducted as part of this Phase I/II ESA, no release was found in connection with the two 12,000-gallon "fuel storage" USTs historically located at the grain mill, which were removed from the Site in 1998. A No Further Action determination issued by SBCFD indicated that residual impacts were present, although "below that which is

generally considered a problem." PCE was detected in a shallow soil vapor sample collected from this area at a concentration less than calculated screening levels.

The vehicle wash-down area located north of Building B was used for washing trucks (including molasses transportation trucks) and is no longer used. According to Site personnel, only truck exteriors were washed (not engines). Given the nature of use and that wash water was routed to an AST, with no discharge, the vehicle wash-down area is considered a de minimis condition for the Site. No release was found in the vicinity of the septic tanks located east of Building B, which provides a disposal pathway for a building that is known to have used chlorinated solvents and vehicular fluids.

Because two or three potential on-Site septic systems on the Western Parcel, located north of Building A and southeast of Building E, appear to be used for domestic sewer, with limited hazardous material use in the proximity that could be introduced to the septic systems as a release pathway, the presence of those septic systems is considered a de minimis condition for the Site. Additionally, the presence of petroleum ASTs with secondary containment and/or no evidence of leaking, rail spurs within or along the northern property boundary, transformers with no evidence of leaking, and underground grain conveyance systems are considered de minimis conditions for the Site. Further, based on the location and nature of use (boiler blow-down), the former brine pond located in the vicinity of the northern property line is also considered a de minimis condition for the Site.

At the request of Prologis, Farallon has included additional opinions and recommendations for the Site beyond those specified in ASTM E1527-13 and -21 for de minimis and recognized environmental conditions.

Based on the findings from this Phase I/II ESA, Farallon recommends preparation of a Media Management Plan for use during Site redevelopment to address any unexpected impacts to soil associated with historical activities at the Site, and to address any issues related to the former brine pond, underground grain conveyance systems, septic systems, and former USTs at the Site. Additionally, because PCE has been documented in soil vapor in the vicinity of Building B at concentrations exceeding calculated screening levels, and PCE was detected at concentrations in shallow soil vapor less than the calculated RSLs in other soil gas samples collected at the Site, the potential for vapor intrusion issues into the planned new Site building should be addressed. Additional investigation and characterization are recommended to delineate and design mitigation measures for PCE in soil vapor that may impact indoor air in the future building.

12.0 REFERENCES

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13.0 LIMITATIONS

13.1 GENERAL LIMITATIONS

The conclusions contained in this report/assessment are based on professional opinions with regard to the subject matter. These opinions have been arrived at in accordance with currently accepted hydrogeologic and engineering standards and practices applicable to this location. The conclusions contained herein are subject to the following inherent limitations:

- **Accuracy of Information.** Farallon obtained, reviewed, and evaluated certain information used in this report/assessment from sources that were believed to be reliable. Farallon's conclusions, opinions, and recommendations are based in part on such information. Farallon's services did not include verification of its accuracy or authenticity. Should the information upon which Farallon relied prove to be inaccurate or unreliable, Farallon reserves the right to amend or revise its conclusions, opinions, and/or recommendations.
- **Reconnaissance and/or Characterization.** Farallon performed a reconnaissance and/or characterization of the Site that is the subject of this report/assessment to document current conditions. Farallon focused on areas deemed more likely to exhibit hazardous materials conditions. Contamination may exist in other areas of the Site that were not investigated or were inaccessible. Site activities beyond Farallon's control could change at any time after the completion of this report/assessment.

For the foregoing reasons, Farallon cannot and does not warrant or guarantee that the Site is free of hazardous or potentially hazardous substances or conditions, or that latent or undiscovered conditions will not become evident in the future. Farallon's observations, findings, and opinions can be considered valid only as of the date of the report.

This report/assessment has been prepared in accordance with the contract for services between Farallon and Prologis, Inc. and currently accepted industry standards. No other warranties, representations, or certifications are made.

13.2 LIMITATION ON RELIANCE BY THIRD PARTIES

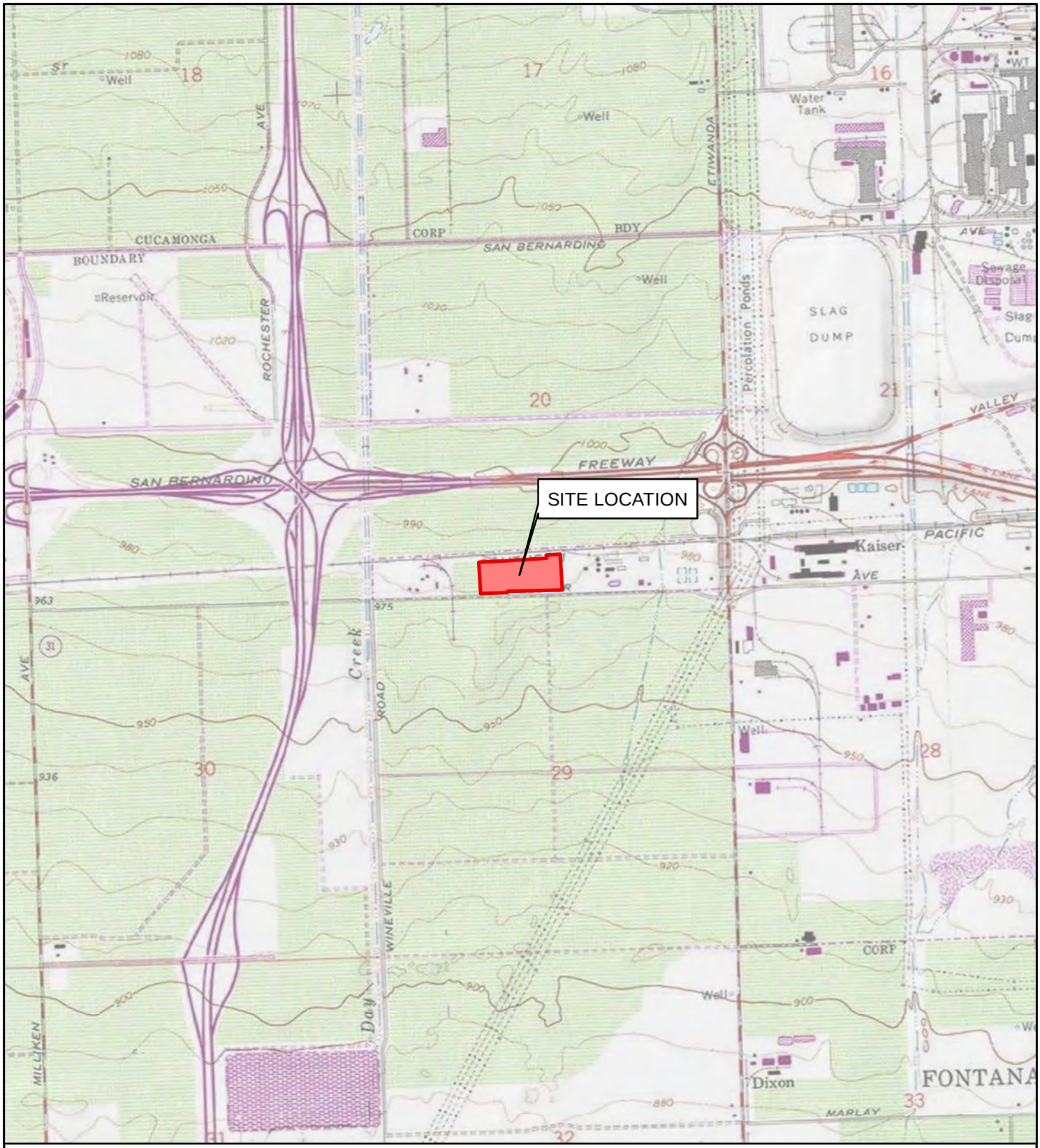
Reliance by third parties is prohibited. This report/assessment has been prepared for the exclusive use of Prologis, Inc. to address the unique needs of Prologis, Inc. at the Site at a specific point in time.

This is not a general grant of reliance. No one other than Prologis, Inc. may rely on this report unless Farallon agrees in advance to such reliance in writing. Any unauthorized use, interpretation, or reliance on this report/assessment is at the sole risk of that party, and Farallon will have no liability for such unauthorized use, interpretation, or reliance.

FIGURES

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)



REFERENCE: 7.5 MINUTE USGS QUADRANGLE GUASTI, CALIFORNIA, DATED 2013



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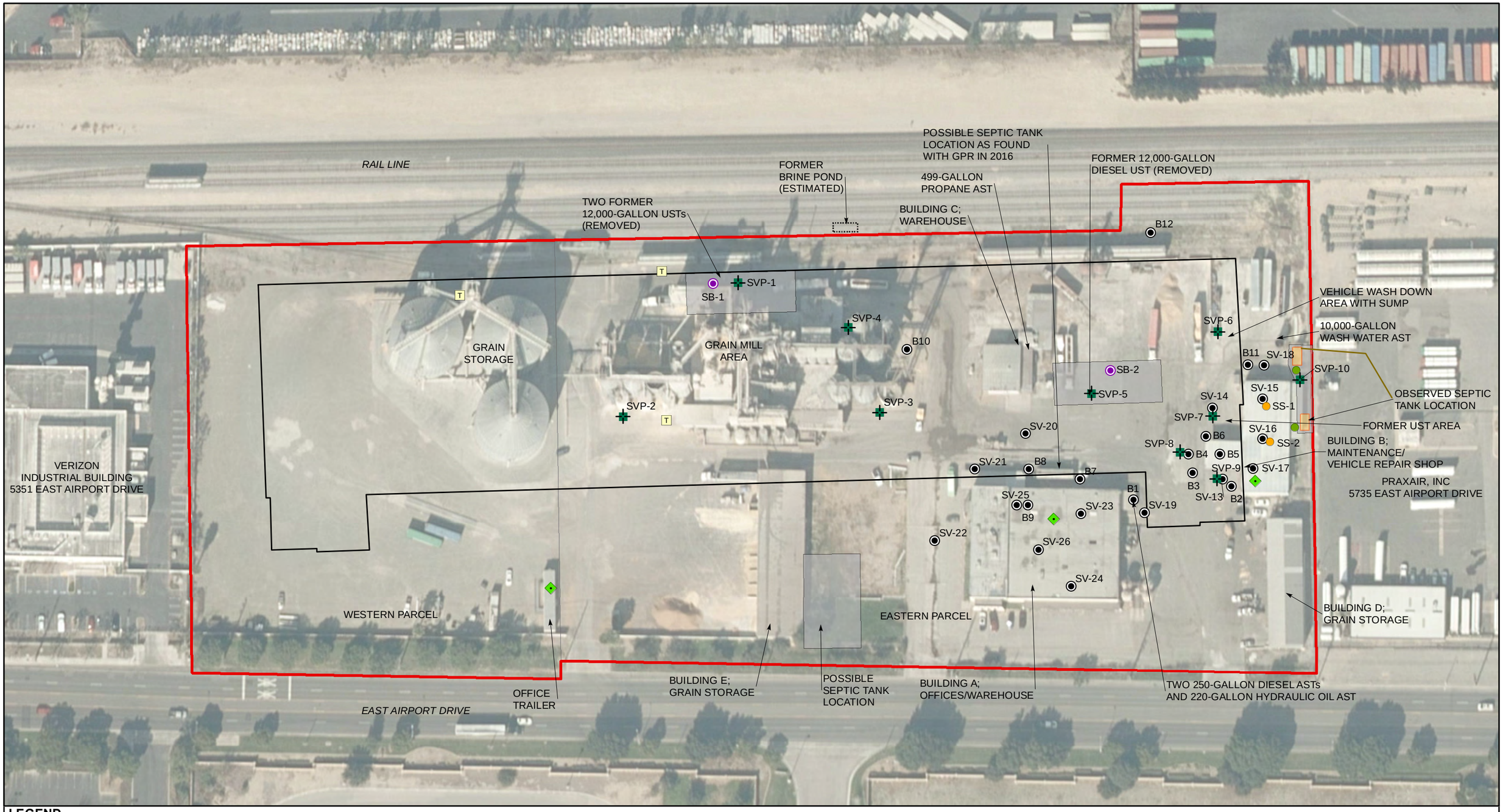
California
Oakland | Irvine

FIGURE 1

SITE VICINITY MAP
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: sgaynier Checked By: HH Date: 12/23/2021 Disc Reference:
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LEGEND

- SOIL VAPOR PROBE (FARALLON, 2022)
- GRAB SAMPLE (FARALLON, 2022)
- BORING (FARALLON, 2022)
- BORING (PARTNER, 2016)
- HAZARDOUS MATERIALS STORAGE AREA
- SEPTIC TANK
- T TRANSFORMER
- FORMER SITE FEATURE
- OBSERVED TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- PROPOSED BUILDING FOOTPRINT
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

GPR SURVEY AREA - 2022 (NO UST FOUND)
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
AST = ABOVEGROUND STORAGE TANK

NOTES:
1. ALL LOCATIONS ARE APPROXIMATE.
2. FIGURES WERE PRODUCED IN COLOR. GRAYSCALE COPIES MAY NOT REPRODUCE ALL ORIGINAL INFORMATION.

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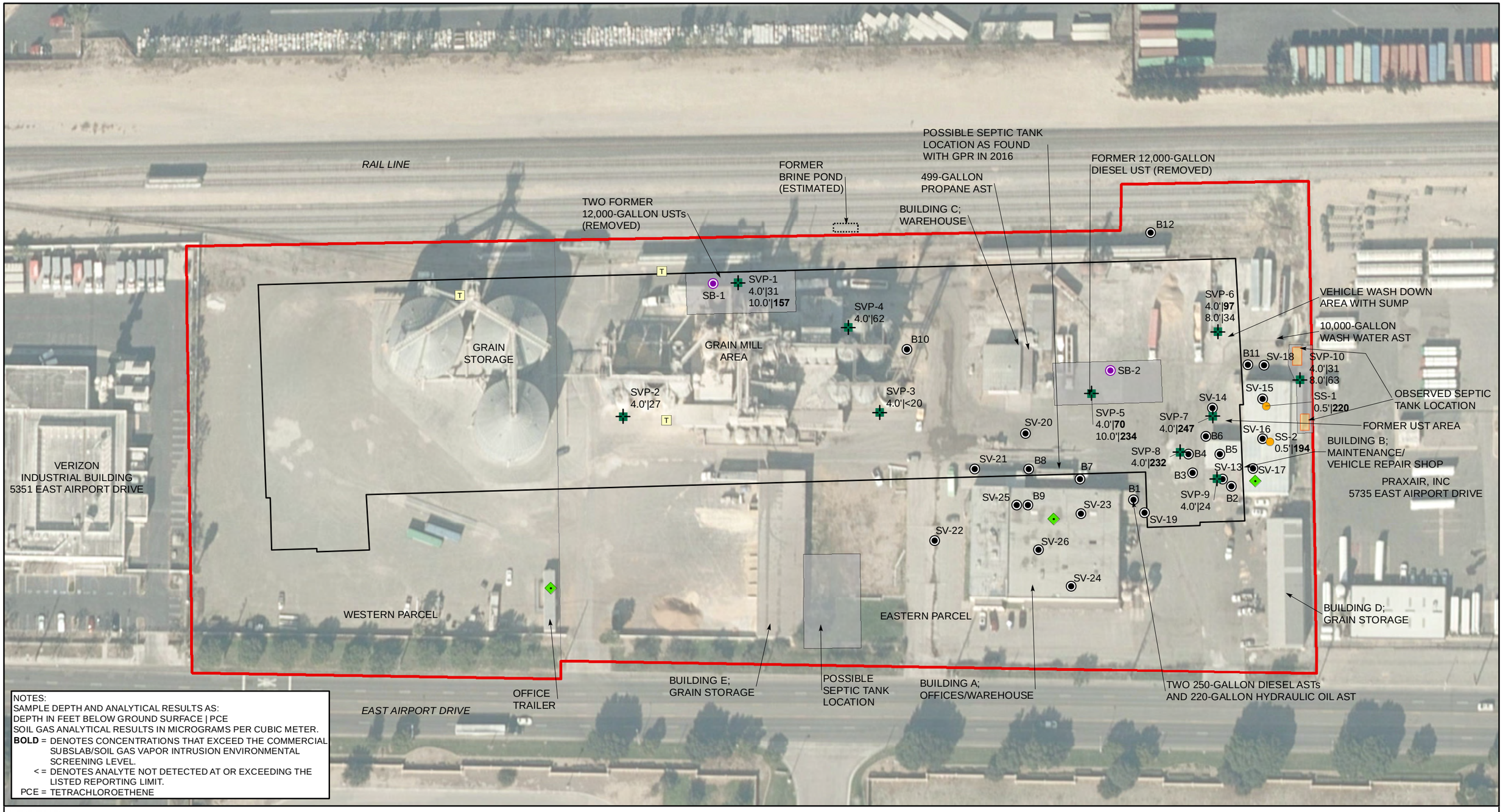
California
Oakland | Irvine

FIGURE 2

SITE PLAN AND SAMPLING LOCATIONS
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: jjones
Checked By: KL
Date: 3/24/2022
Disc Refer
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NOTES:
SAMPLE DEPTH AND ANALYTICAL RESULTS AS:
DEPTH IN FEET BELOW GROUND SURFACE | PCE
SOIL GAS ANALYTICAL RESULTS IN MICROGRAMS PER CUBIC METER.
BOLD = DENOTES CONCENTRATIONS THAT EXCEED THE COMMERCIAL SUBSLAB/SOIL GAS VAPOR INTRUSION ENVIRONMENTAL SCREENING LEVEL.
< = DENOTES ANALYTE NOT DETECTED AT OR EXCEEDING THE LISTED REPORTING LIMIT.
PCE = TETRACHLOROETHENE

LEGEND

- SOIL VAPOR PROBE (FARALLON, 2022)
- GRAB SAMPLE (FARALLON, 2022)
- BORING (FARALLON, 2022)
- BORING (PARTNER, 2016)
- HAZARDOUS MATERIALS STORAGE AREA
- T TRANSFORMER
- FORMER SITE FEATURE
- PROPOSED BUILDING FOOTPRINT
- OBSERVED TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

GPR SURVEY AREA - 2022 (NO UST FOUND)
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
AST = ABOVEGROUND STORAGE TANK

NOTES:
1. ALL LOCATIONS ARE APPROXIMATE.
2. FIGURES WERE PRODUCED IN COLOR. GRAYSCALE COPIES MAY NOT REPRODUCE ALL ORIGINAL INFORMATION.

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FIGURE 3

PCE IN SOIL VAPOR
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: jjones | Checked By: KL | Date: 3/24/2022 | Disc Refer
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TABLES

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

Table 1
Sampling Rationale
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample ID	Location	Rationale	Matrix Sampled	Boring Depth (feet bgs)	Sample Depth and Analysis (feet bgs)
SB-1	Former 12,000-gallon petroleum USTs (two)*	To assess former USTs and assess the potential for soil vapor under the future building	Soil	10	10 feet VOCs, TPH
SVP-1			Soil		10 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g 10 feet VOCs, TPH-g
SVP-2	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil	4	4 feet VOCs, TPH-g
			Soil Vapor		4 feet VOCs, TPH-g
SVP-3			Soil	4	4 feet VOCs, TPH-g
			Soil Vapor		4 feet VOCs, TPH-g
SVP-4			Soil	4	4 feet VOCs, TPH-g
			Soil Vapor		4 feet VOCs, TPH-g
SB-2	Former 12,000-gallon diesel UST east of Building C	To assess the former UST and assess the potential for soil vapor under the future building	Soil	10	10 feet VOCs, TPH
SVP-5			Soil	10	10 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g 10 feet VOCs, TPH-g
SVP-6	Vehicle wash-down area with sump	To assess the vehicle wash-down area with sump and assess the potential for soil vapor under the future building	Soil	8	4 feet VOCs, TPH, Metals 8 feet VOCs, TPH, Metals
			Soil Vapor		4 feet VOCs, TPH-g 8 feet VOCs, TPH-g
SVP-7	Former PCE impacts	Assess the potential for soil vapor under the future building	Soil	4	4 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g
SVP-8	Former PCE impacts	Assess the potential for soil vapor under the future building	Soil	4	4 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g
SVP-9	Former PCE impacts	Assess the potential for soil vapor under the future building	Soil	4	4 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g
SVP-10	Building B Septic System	Assess the Building B Septic System	Soil	8	8 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g 8 feet VOCs, TPH-g
SS-1	Former PCE impacts	Assess current subslab conditions under Building B and to assess the potential for soil vapor under the future building	Soil Vapor	SS	0.5 foot VOCs, TPH-g
SS-2	Former PCE impacts		Soil Vapor	SS	0.5 foot VOCs, TPH-g

NOTES:
SS = subslab
TPH = total petroleum hydrocarbons
TPH-g = total petroleum hydrocarbons as gasoline
UST = underground storage tank
VOCs = volatile organic compounds
bgs = below ground surface
PCE = tetrachloroethene

Table 2
Summary of Volatile Organic Compounds in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per kilogram)[2]					
				Tetrachloroethene	Benzene	Toluene	Ethylbenzene	Total Xylenes	Other VOCs
SB-1	SB-1-10'	10.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SB-2	SB-1-10'	10.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-1	SVP-1-10'	10.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-2	SVP-2-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-3	SVP-3-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-4	SVP-4-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-5	SVP-5-10'	10.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-6	SVP-6-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
	SVP-6-8'	8.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-7	SVP-7-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-8	SVP-8-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-9	SVP-9-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-10	SVP-10-8'	8.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
Commercial/Industrial Soil RSL[3]				**2,700**	**1,400**	**5.3E+06**	**25,000**	**2.5E+06**	**NA**

NOTES:

Results in **bold** and highlighted yellow denote concentrations exceeding applicable RSLs for the current property use (industrial/commercial).

< denotes analyte not detected at or exceeding the reporting limit listed.

[1]Depth in feet below ground surface.

[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8260B. Only detected VOCs shown in table; see lab report for full list of analytes.

[3]June 2020 Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, April 2020 EPA RSLs were used and noted in blue text.

NA = not applicable
ND = not detected above the laboratory reporting limit
NE = not established
RSL = Regional Screening Level
VOCs = volatile organic compounds

Table 3
Summary of Total Petroleum Hydrocarbons in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (milligrams per kilogram)[2]		
				TPH-g (C4 - C12)	TPH-d (C13 - C22)	TPH-o (C23 - C40)
SB-1	SB-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SB-2	SB-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-1	SVP-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-2	SVP-2-4'	4.0	3/4/2022	< 0.20	---	---
SVP-3	SVP-3-4'	4.0	3/4/2022	< 0.20	---	---
SVP-4	SVP-4-4'	4.0	3/4/2022	< 0.20	---	---
SVP-5	SVP-5-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-6	SVP-6-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
	SVP-6-8'	8.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-7	SVP-7-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-8	SVP-8-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-9	SVP-9-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-10	SVP-10-8'	8.0	3/4/2022	< 0.20	< 10.0	< 10.0
MSSL (< 20 feet Above Groundwater)[3]				**100**	**100**	**1,000**
MSSL (20-150 feet Above Groundwater)[3]				**500**	**1,000**	**10,000**
MSSL (> 150 feet Above Groundwater)[3]				**1,000**	**10,000**	**50,000**

NOTES:

Results in **bold** and highlighted yellow denote concentrations exceeding applicable RSLs for the current property use (industrial/commercial).

< denotes analyte not detected at or exceeding the reporting limit listed.

--- denotes sample not analyzed.

[1]Depth in feet below ground surface.

[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8015M.

[3]Los Angeles Regional Water Quality Control Board April 27, 2004 MSSLs for groundwater at depths of less than 20 feet, 20 to 150 feet, and greater than 150 feet below ground surface.

C = carbon range (number of carbons)
MSSL = maximum soil screening level
TPH-d = total petroleum hydrocarbons as diesel
TPH-g = total petroleum hydrocarbons as gasoline
TPH-o = total petroleum hydrocarbons as oil

Table 4
Summary of Metals in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sample Identification	Sample Depth (feet) [1]	Sample Date	Analytical Results (milligrams per kilogram)2									
				Barium	Cadmium	Chromium	Cobalt	Copper	Lead	Nickel	Vanadium	Zinc	Other Metals
SVP-6	SVP-6-4'	4.0	3/4/2022	61.2	0.9	8.2	5.2	5.9	1.1	5.2	24.6	26.5	ND
	SVP-6-8'	8.0	3/4/2022	59.6	0.9	8.5	5.2	6.0	1.2	5.2	23.1	27.0	ND
Residential Soil RSL[3]				**15,000**	**2,100**	**NE**	**23**	**3,100**	**80**	**15,000**	**390**	**23,000**	Various
Industrial Soil RSL[3]				**220,000**	**9,300**	**NE**	**350**	**47,000**	**320**	**64,000**	**1,000**	**350,000**	Various

NOTES:

Results in **bold** and highlighted yellow denote concentrations exceeding applicable RSLs for the current property use (industrial/commercial).

< denotes analyte not detected at or exceeding the reporting limit listed.

--- denotes sample not analyzed.

[1]Depth in feet below ground surface.

[2]California Administrative Manual (CAM) Priority Pollutant List (PPL) 17 metals analyzed by U.S. Environmental Protection Agency (EPA) Method 6010B by 3050B; mercury analyzed by EPA Method 7471A.

[3]June 2020 Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, May 2020 EPA RSLs were used and noted in blue text.

Table 5
Summary of Volatile Organic Compounds in Soil Vapor
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sample Identification	Sample Depth (feet)[1]	Sample Date	AF	Analytical Results (micrograms per cubic meter)[2]				
					PCE	Dichloro difluoro-methane	Toluene	TPH-g	Other VOCs
Sub-slab Samples									
SS-1	SS-1	0.5	3/11/2022	---	**220**	< 40	< 20	< 5,000	ND
SS-2	SS-2	0.5	3/11/2022	---	**194**	< 40	< 20	< 5,000	ND
Industrial SGSL For Sub-Slab[3]				**0.05**	**40**	**8800**	**26000**	**50000**	**Varies**
Soil Vapor Samples									
SVP-1	SVP-1-4'	4.0	3/11/2022	---	**31**	< 40	**21**	< 5,000	ND
	SVP-1-10'	10.0	3/11/2022	---	**157**	< 40	**21**	< 5,000	ND
SVP-2	SVP-2-4'	4.0	3/11/2022	---	**27**	< 40	**34**	< 5,000	ND
SVP-3	SVP-3-4'	4.0	3/11/2022	---	< 20	< 40	**78**	< 5,000	ND
	SVP-3-4'REP	4.0	3/11/2022	---	< 20	< 40	**45**	< 5,000	ND
SVP-4	SVP-4-4'	4.0	3/11/2022	---	**62**	< 40	**80**	< 5,000	ND
	SVP-4-4'REP	4.0	3/11/2022	---	**57**	< 40	**46**	< 5,000	ND
SVP-5	SVP-5-4'	4.0	3/11/2022	---	**70**	< 40	**83**	< 5,000	ND
	SVP-5-10'	10.0	3/11/2022	---	**234**	< 40	< 20	< 5,000	ND
SVP-6	SVP-6-4'	4.0	3/11/2022	---	**97**	< 40	**106**	< 5,000	ND
	SVP-6-8'	8.0	3/11/2022	---	**34**	< 40	**65**	< 5,000	ND
SVP-7	SVP-7-4'	4.0	3/11/2022	---	**247**	< 40	**91**	< 5,000	ND
SVP-8	SVP-8-4'	4.0	3/11/2022	---	**232**	< 40	**89**	< 5,000	ND
SVP-9	SVP-9-4'	4.0	3/11/2022	---	**24**	< 40	**87**	< 5,000	ND
SVP-10	SVP-10-4'	4.0	3/11/2022	---	**31**	< 40	**60**	< 5,000	ND
	SVP-10-8'	8.0	3/11/2022	---	**63**	**60**	**47**	< 5,000	ND
Industrial SGSL For Soil Vapor[3]				**0.001**	**2000**	**440000**	**1,300,000**	**2,600,000**	**Varies**
Calculated SGSL with 2015 Attenuation Factor (Industrial)[3]				**0.03**	**67**	**14667**	**43,333**	**86,667**	**Varies**

NOTES:

Results in **bold** denote concentrations detected above the laboratory reporting limit.
Results in **bold** and highlighted yellow denote concentrations exceeding applicable RSLs for the current property use (industrial/commercial).
< denotes analyte not detected at or exceeding the reporting limit listed.
--- denotes not applicable

[1]Depth in feet below ground surface.
[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8260B. Only detected VOCs shown in table; see lab report for full list of analytes.
[3]Calculated soil gas screening levels (SGSLs) were derived by dividing the April 2020 Department of Toxic Substances Control (DTSC) or June 2021 EPA Regional Screening Levels (shown in blue) for VOCs, and January 2019 SFBWQCB Environmental Screening Levels (ESLs) for TPH-g for indoor air by the noted attenuation factor.

ND = not detected at or above the laboratory reporting limit
PCE = Tetrachloroethylene
AF = Attenuation Factor

APPENDIX A
PROFESSIONAL QUALIFICATIONS

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

BRANT ROTNEM
Staff Geologist

BA Environmental Policy
13 years' experience

Brant Rotnem is an Environmental Professional with over 13 years of experience in the environmental consulting industry. Professional experience includes project management, site inspection in support of environmental due diligence, and preparation of over 1,000 Phase I Environmental Site Assessment Reports. Brant also has prepared Transaction Screen Analyses, Limited Environmental Site Assessments, database reviews, peer reviews, and additional due diligence scopes.

KATHY LEHNUS, L.E.P., P.G.
Senior Geologist

BSc Environmental Science
MSc Applied Geology
24 years' experience

Kathy Lehnus has 24 years of experience in the environmental consulting industry. Her professional experience includes conducting Phase I and Phase II Environmental Site Assessments, managing investigation and remediation projects led by the California Department of Toxic Substances Control and California Regional Water Quality Control Boards, investigating environmental impacts on investment portfolios, and providing oversight for soil and groundwater assessments. Kathy's key skills include preparation of investigation and remediation work plans, regulatory navigation, and project quality and process improvement, including developing new policies and updating standard operating procedures.

SCOTT ALLIN, R.E.P.A.
Principal Environmental Scientist

BS Physical Science (Hydrology)
30 years' experience

Scott Allin has 30 years of project and program management experience in the evaluation and reporting of environmental liability associated with the sale or Brownfield redevelopment of impaired properties. He has supported the needs of developers and others in the acquisition of Cost Cap and Finite Risk environmental insurance to manage long-term environmental risks. He has provided clients with value-added due diligence services for single properties and large multimillion-dollar mixed-use portfolios, both nationally and internationally. Scott has provided guidance for evaluating environmental risks during complex mergers and acquisitions; and management services for implementation of remedial actions, asbestos abatement, environmental audit programs, and environmentally sensitive property improvements.

APPENDIX B
SITE PHOTOGRAPHS

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

SITE PHOTOGRAPHS

Phase I Environmental Site Assessment Report
5355 East Airport Drive
Ontario, California
Farallon PN: 1071-080 (Task 2)

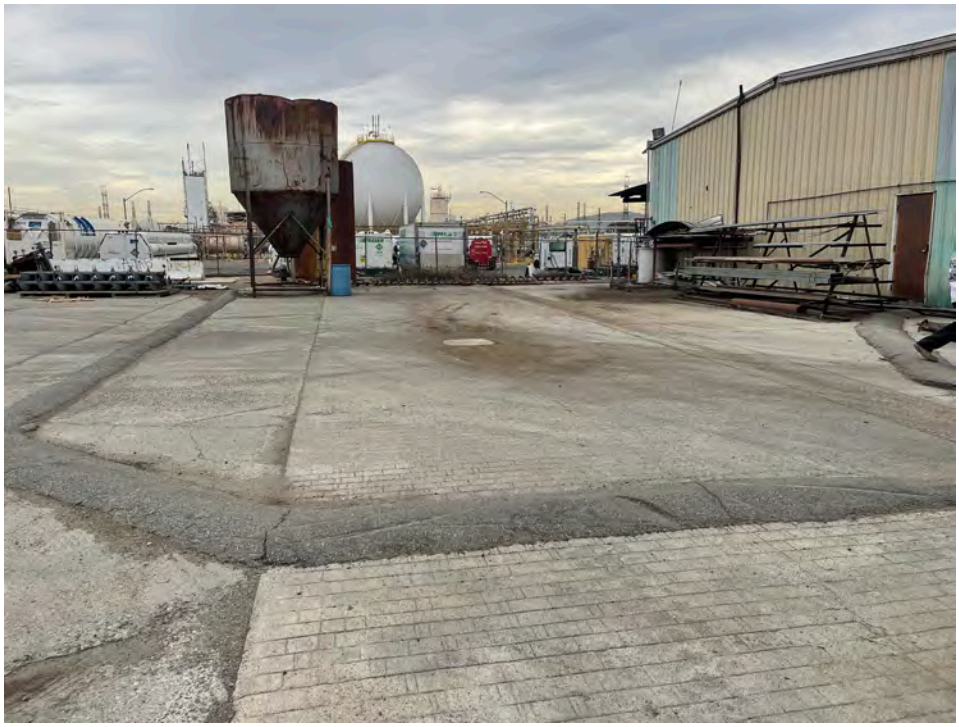
Photograph 1: Verhoeven grain mill.
Photograph 2: Wash water storage tank by truck-washing area.
Photograph 3: Bermed truck-washing area by Building B.
Photograph 4: Sump in truck-washing area.
Photograph 5: Diesel fueling area by Building A.
Photograph 6: Former underground storage tank area by Building B.
Photograph 7: Former underground storage tank area by Verhoeven Building C.
Photograph 8: Former underground storage tank area north of grain mill.
Photograph 9: Hydraulic augers at Scoular grain storage silos.
Photograph 10: Scoular grain storage silos.
Photograph 11: Septic tank location by Building A.
Photograph 12: Rail transloading area.
Photograph 13: Railway offloading area.
Photograph 14: Scoular hazardous materials storage area.
Photograph 15: Verhoeven equipment service area in Building A.
Photograph 16: Hazardous materials storage in Verhoeven equipment service area in Building A.
Photograph 17: Automotive service area in Verhoeven Building B.
Photograph 18: Parts washing equipment in Building B.
Photograph 19: Waste oil storage in Building B.



Photograph 1: Verhoeven grain mill.



Photograph 2: Wash water storage tank by truck-washing area.



Photograph 3: Bermed truck-washing area by Building B.



Photograph 4: Sump in truck-washing area.



Photograph 5: Diesel fueling area by Building A.



Photograph 6: Former underground storage tank area by Building B.



Photograph 7: Former underground storage tank area by Verhoeven Building C.



Photograph 8: Former underground storage tank area north of grain mill.



Photograph 9: Hydraulic augers at Scoular grain storage silos.



Photograph 10: Scoular grain storage silos.



Photograph 11: Septic tank location by Building A.



Photograph 12: Rail transloading area.



Photograph 13: Railway offloading area.



Photograph 14: Scoular hazardous materials storage area.



Photograph 15: Verhoeven equipment service area in Building A.



Photograph 16: Hazardous materials storage in Verhoeven equipment service area in Building A.



Photograph 17: Automotive service area in Verhoeven Building B.



Photograph 18: Parts washing equipment in Building B.



Photograph 19: Waste oil storage in Building B.

APPENDIX C
USER QUESTIONNAIRE

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

PHASE I ENVIRONMENTAL SITE ASSESSMENT
USER QUESTIONNAIRE

To qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001, the Phase I Environmental Site Assessment (Phase I ESA) Report user must provide the following information (if available) to the environmental professional (Farallon Consulting, L.L.C.). Failure to provide this information could result in the determination that "all appropriate inquiry" has not been completed.

Date: December 15, 2021

■ PROJECT/SITE INFORMATION

Client Name: Prologis			Client Telephone: 415-394-9000
Client Address: Pier 1, Bay 1, San Francisco, CA 94111			
Asset #:	Project/Site Name:		
Project Street Address: 5355 East Airport Drive			
City: Ontario	County: California	State: CA	Zip:

Why is this Phase I ESA required?

Property Transaction:

☐ Sale	☐ Purchase	☐ Exchange	☒ Other

Comments:
Needed for entitlements associated with redevelopment

■ PROPERTY USE & SPECIFICATIONS

☐ Single-Family Residential	☐ Vacant or Undeveloped Land
☐ Multi-Family Residential #Units:	☐ Agricultural (*Specify type)*:
☐ Commercial Office	☒ Industrial (*Specify type)*: Grain processing
☐ Commercial Retail	☐ Other (*Specify type)*: Military Base

Provide a general Site description:See provided Phase I/II

Legal description/plat plan/boundary survey available? ☐ Yes ☒ No ☐ Already provided

Current Property Status: ☐ Vacant ☒ Occupied ☐ Improved ☐ Unimproved

Total Property Size: 14.2 acres Original Construction Date: 1973

Total # of Buildings: Multiple Was Construction Phased? ☒ Yes ☐ No ☐ Unknown

Total Sq. Ft. of Buildings: Multiple Date(s) of Renovation(s)/Phases:

Does Site have an undeveloped area equal to 1 acre or more? ☒ Yes ☐ No

Are any bodies of water on or immediately adjacent to the Site? ☐ Yes ☒ No If Yes, describe:
Comments:

Potable water source at Site? ☐ On-Site well ☒ Utility (*Specify provider)* NA

Wastewater discharge at Site? ☒ Septic Tank/Drainfield ☐ Sanitary Sewer ☐ Other (Specify):

Building plans available at the Site? ☐ Yes ☒ No ☐ Unknown ☐ Already provided

■ OWNERS

Current Owner(s): Prologis Entity

Previous Owner(s):

■ OCCUPANTS/TENANTS

Current Occupant(s)/Tenant(s) and operations: Verhoeven Grain Company and Scoular Company

Previous Occupant(s)/Tenant(s) and operations: Farmland

■ PREVIOUS PROPERTY USES

Describe previous use(s) of the Site: Farmland

■ PREVIOUS INVESTIGATIONS

Has any previous environmental investigation been conducted at Site? ☒ Yes ☐ No ☐ Unknown

If Yes, note type and describe: ☒ Phase I ESA ☐ Asbestos ☐ Lead Paint ☐ Lead in Water

☐ Radon ☐ Wetlands ☐ Indoor Air ☐ UST/AST ☒ Other (*Specify type below)*

Comments:
see Phase I and II provided

■ ON-SITE ENVIRONMENTAL CONDITIONS

Are you aware of any of the following environmental conditions at the Site, either current or former?

Environmental Condition/Issue	Response	Comment if Yes Response
Aboveground Storage Tank	☒ Yes ☐ No	see phase I
Underground Storage Tank	☐ Yes ☒ No	removed
Hazardous/Toxic Substance	☒ Yes ☐ No	see phase I
Stored Chemical	☒ Yes ☐ No	see phase I
Chemical Spill/Release	☐ Yes ☒ No	NA
Dump Area/Landfill	☐ Yes ☒ No	NA
Waste Treatment System	☐ Yes ☒ No	NA
Wastewater Discharge	☐ Yes ☒ No	NA
Air Stack/Vent/Odor	☐ Yes ☒ No	NA
Indoor Air Quality Complaint	☐ Yes ☒ No	NA

Floor Drain/Sump	☒ Yes ☐ No	see phase I
Pit, Pond, Lagoon	☐ Yes ☒ No	NA
Stained Soil/Vegetation Impact	☐ Yes ☒ No	NA

Other specialized knowledge of an environmental condition or issue at the Site?
NA

■ ADDITIONAL ON-SITE ENVIRONMENTAL CONDITIONS

Are you aware of any of the following environmental conditions on the Site, either current or former?

Environmental Condition/Issue	Response	Comment if Yes Response
Pesticide/Herbicide Use	☐ Yes ☒ No	NA
Polychlorinated Biphenyls	☐ Yes ☒ No	NA
Electrical Transformer	☐ Yes ☒ No	NA
Hydraulic Lift	☐ Yes ☒ No	NA
Elevator	☐ Yes ☒ No	NA
Drycleaner Business	☐ Yes ☒ No	NA
Asbestos	☐ Yes ☒ No	NA
Lead Paint	☐ Yes ☒ No	NA
Lead Piping/Lead in Water	☐ Yes ☒ No	NA
Elevated Radon Level	☐ Yes ☒ No	NA
Fluorescent Light Fixture	☐ Yes ☒ No	NA
Wetland, Flooding	☐ Yes ☒ No	NA
Unique Wildlife Species	☐ Yes ☒ No	NA
Archeological Resource	☐ Yes ☒ No	NA
Historic/National Landmark	☐ Yes ☒ No	NA
Oil/Gas Well	☐ Yes ☒ No	NA
Water Well	☐ Yes ☒ No	NA
Environmental Cleanup	☐ Yes ☒ No	NA
Environmental Permit	☐ Yes ☒ No	NA

■ OFF-SITE ENVIRONMENTAL CONDITIONS

On adjoining property, are there any: Gasoline Stations? ☐ Yes ☒ No Drycleaners? ☐ Yes ☒ No

Are you aware of any other environmental conditions or concerns on adjacent or nearby properties? ☐ Yes ☒ No

Comments
I am not aware of any other environmental conditions or concerns on adjacent or nearby properties.

(1) Environmental cleanup liens that have been filed or recorded against the Site (Part 312.25 of Title 40 of the Code of Federal Regulations [40 CFR 312.25])

Are you aware of any environmental cleanup liens against the Site that have been filed or recorded under federal, tribal, state, or local law?

I am not aware of any environmental cleanup liens against the Site.

(2) Activity and land use limitations that are in place at the Site or that have been filed or recorded in a registry (40 CFR 312.26)

Are you aware of any activity and land use limitation (such as engineering controls, land use restrictions, or institutional controls) that are in place at the Site and/or have been filed or recorded in a registry under federal, tribal, state, or local law?

I am not aware of any activity and land use limitation.

(3) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28)

As the user of the Phase I ESA Report, do you have any specialized knowledge or experience related to the Site or nearby properties? For example, are you involved in the same line of business as the current or former occupant(s) of the Site or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?

No, I have no specialized knowledge of the Site.

(4) Relationship of the purchase price to the fair market value of the Site if it were not contaminated (40 CFR 312.29)

Does the purchase price being paid for this Site reasonably reflect the fair market value of the Site? If you conclude that there is a difference between the purchase price and the fair market value, have you considered whether the lower purchase price is because contamination is known or believed to be present at the Site?

I have no knowledge of the purchase price being discounted for environmental conditions

(5) Commonly known or reasonably ascertainable information about the property (40 CFR 312.30)

Are you aware of commonly known or reasonably ascertainable information about the Site that would help Farallon Consulting, L.L.C. to identify conditions indicative of a chemical or other release or threatened release? For example, as user of the Phase I ESA Report:

Do you know the past use(s) of the Site? (If yes, please specify.) No.

Do you know of a specific chemical(s) present at the Site, or present at one time? (If yes, please specify.) No.

Do you know of a chemical and/or other spill(s) or release(s) that have taken place at the Site? (If yes, please specify.) No.

Do you know of any environmental cleanup(s) that have taken place at the Site? (If yes, please specify.) No.

(6) The degree of obviousness of the presence or likely presence of contamination at the Site, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31)

As the user of the Phase I ESA Report, based on your knowledge and experience related to the Site, is there any obvious indicator(s) that point to the presence or likely presence of contamination at the Site? (If yes, please specify.)

No.

Identify all parties who will rely on the Phase I ESA Report, including:

Name of Business: Prologis

Name of Contact: Julia Smith

Address: Pier 1, Bay 1, San Francisco, CA

Telephone Number: 415-733-9411

E-mail Address: julias4@prologis.com

Has any party that will rely on the Phase I ESA Report required services beyond the standard ASTM E1527-05? (For example, an asbestos, lead-based paint, lead in drinking water, or wetlands investigation) (If yes, please specify.) Visual or desk top survey for lead-based paint, lead in drinking water, wetlands, radon gas, and water intrusion. Provide recommendations for further assessment as warranted

Who is the Site contact, and how can the contact be reached?

Name of Business: See previously provided contact information

Name of Contact:

Address:

Telephone Number:

E-mail Address: See previously provided contact information

Are there any special terms and conditions that must be agreed upon by Farallon Consulting, L.L.C.? (If yes, please specify.)

No

APPENDIX D
HISTORICAL DOCUMENTATION

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

5355 East Airport Drive

5355 East Airport Drive

Ontario, CA 91761

Inquiry Number: 6782886.8

December 09, 2021

The EDR Aerial Photo Decade Package

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Aerial Photo Decade Package

12/09/21

Site Name:

5355 East Airport Drive
5355 East Airport Drive
Ontario, CA 91761
EDR Inquiry # 6782886.8

Client Name:

Farallon Consulting, LLC
4380 South Macadam Avenue, Suite 50(
Portland, OR 97239
Contact: Amanda Garcia

Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

Search Results:

Year	Scale	Details	Source
2016	1"=500'	Flight Year: 2016	USDA/NAIP
2012	1"=500'	Flight Year: 2012	USDA/NAIP
2009	1"=500'	Flight Year: 2009	USDA/NAIP
2005	1"=500'	Flight Year: 2005	USDA/NAIP
2002	1"=500'	Acquisition Date: January 01, 2002	USGS/DOQQ
1994	1"=500'	Acquisition Date: June 01, 1994	USGS/DOQQ
1990	1"=500'	Flight Date: August 29, 1990	USDA
1985	1"=500'	Flight Date: July 28, 1985	USDA
1975	1"=500'	Flight Date: August 01, 1975	USGS
1966	1"=500'	Flight Date: April 16, 1966	USGS
1959	1"=500'	Flight Date: October 15, 1959	USDA
1953	1"=500'	Flight Date: February 02, 1953	USDA
1948	1"=500'	Flight Date: July 10, 1948	USGS
1938	1"=500'	Flight Date: May 27, 1938	USDA

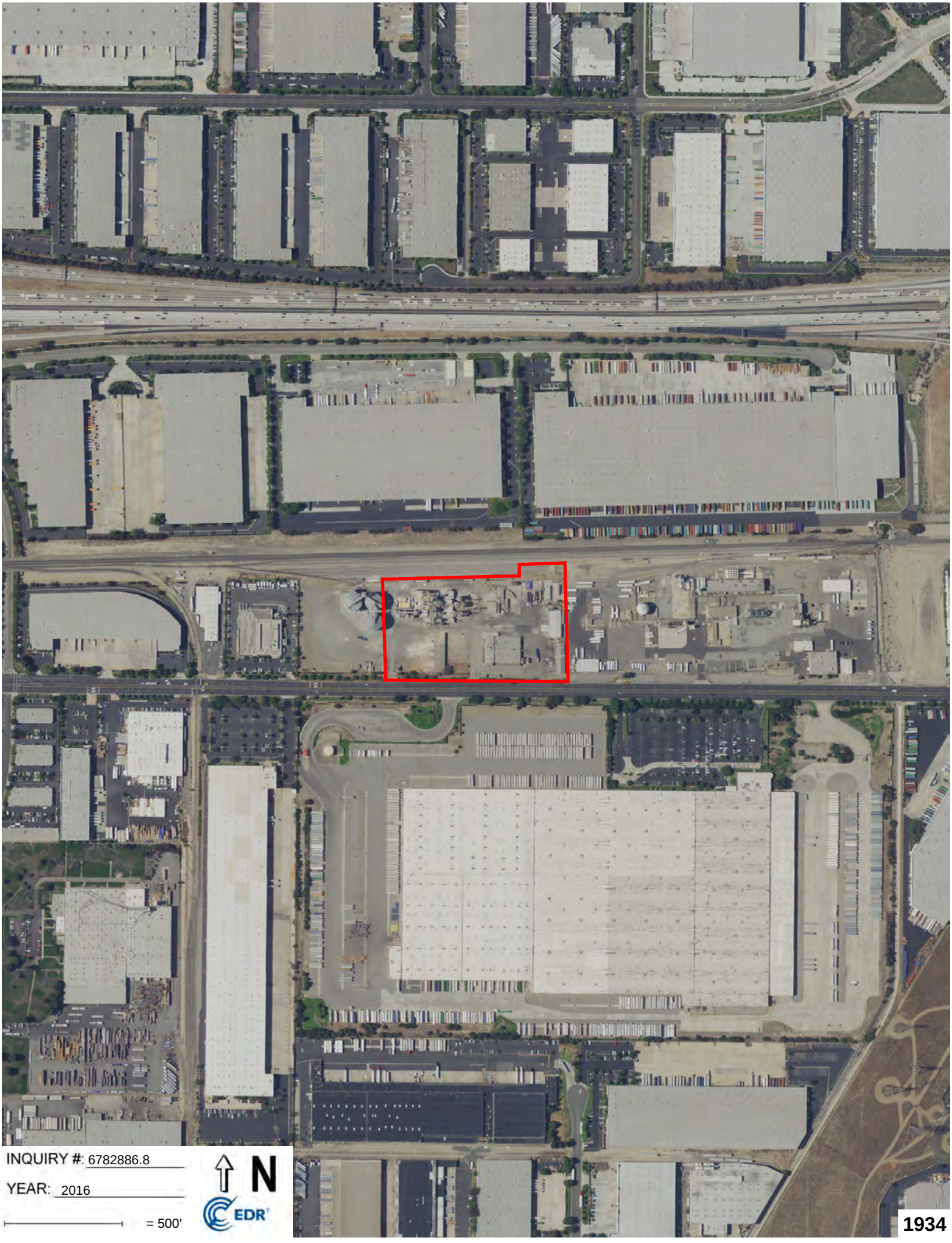
When delivered electronically by EDR, the aerial photo images included with this report are for ONE TIME USE ONLY. Further reproduction of these aerial photo images is prohibited without permission from EDR. For more information contact your EDR Account Executive.

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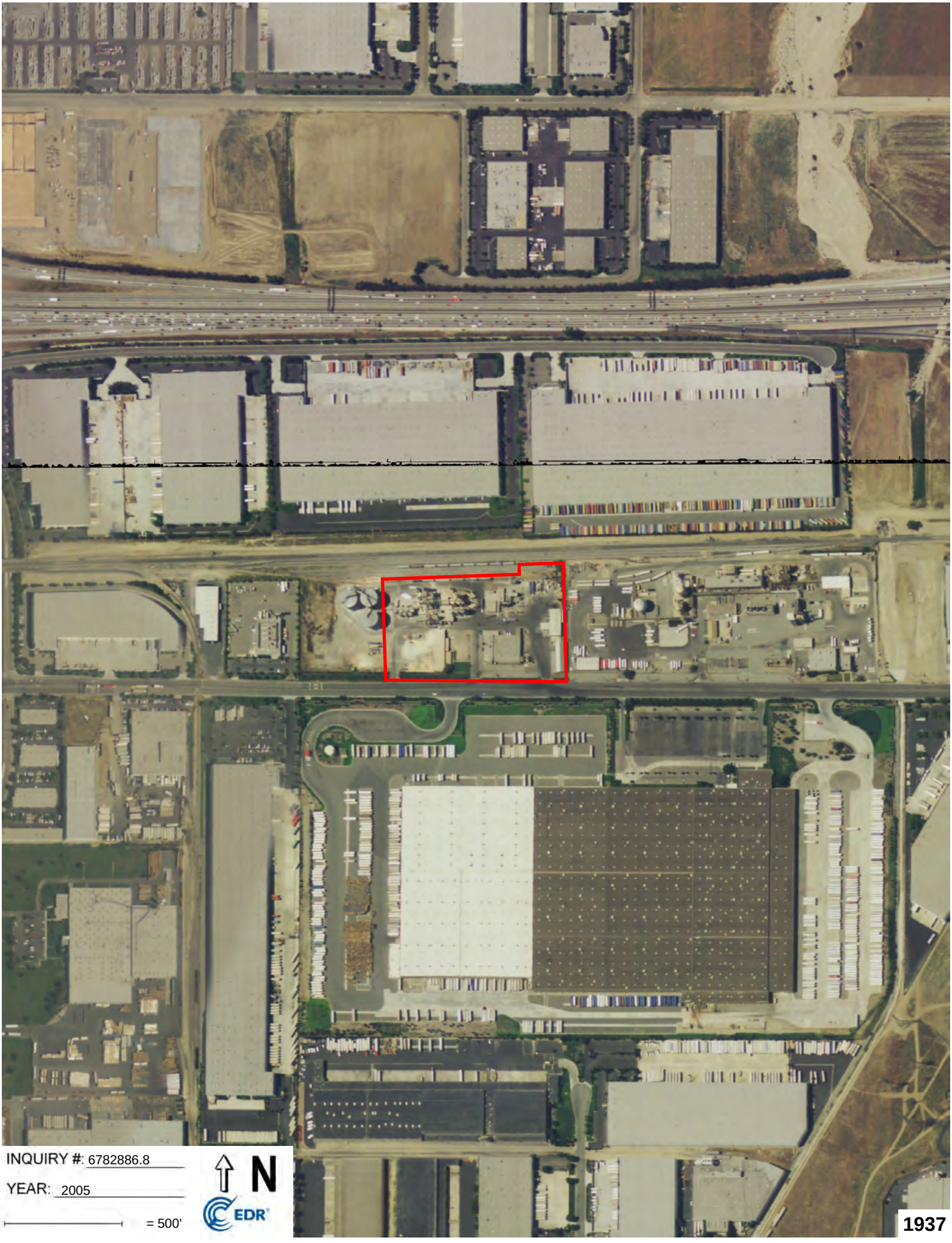
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INQUIRY #: 6782886.8
YEAR: 2016
= 500'
N
EDR
1934


INQUIRY #: 6782886.8
YEAR: 2012
= 500'
N
EDR
1935


INQUIRY #: 6782886.8
YEAR: 2009
= 500'
N
EDR
1936



INQUIRY #: 6782886.8

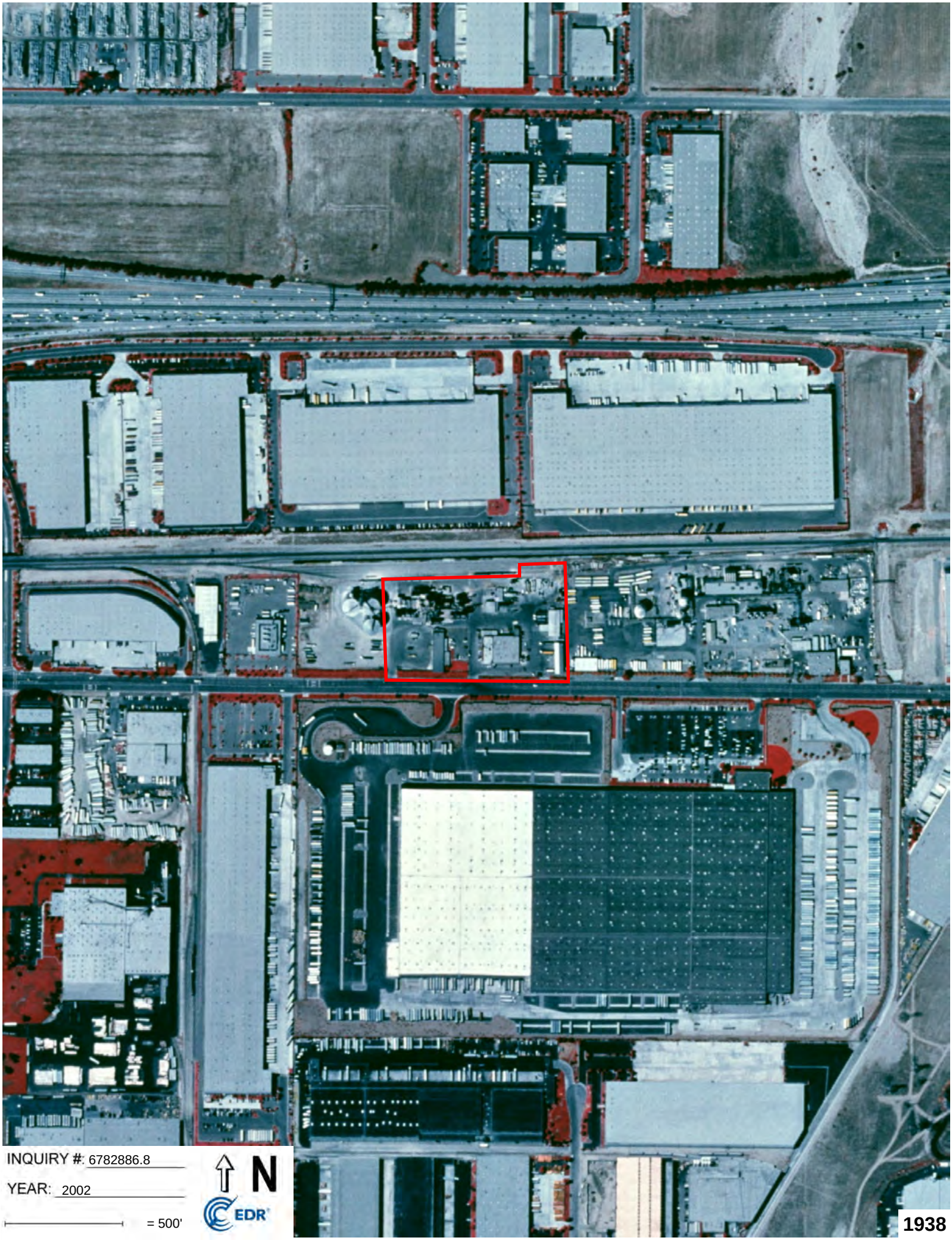
YEAR: 2005

= 500'

N

EDR

1937



INQUIRY #: 6782886.8

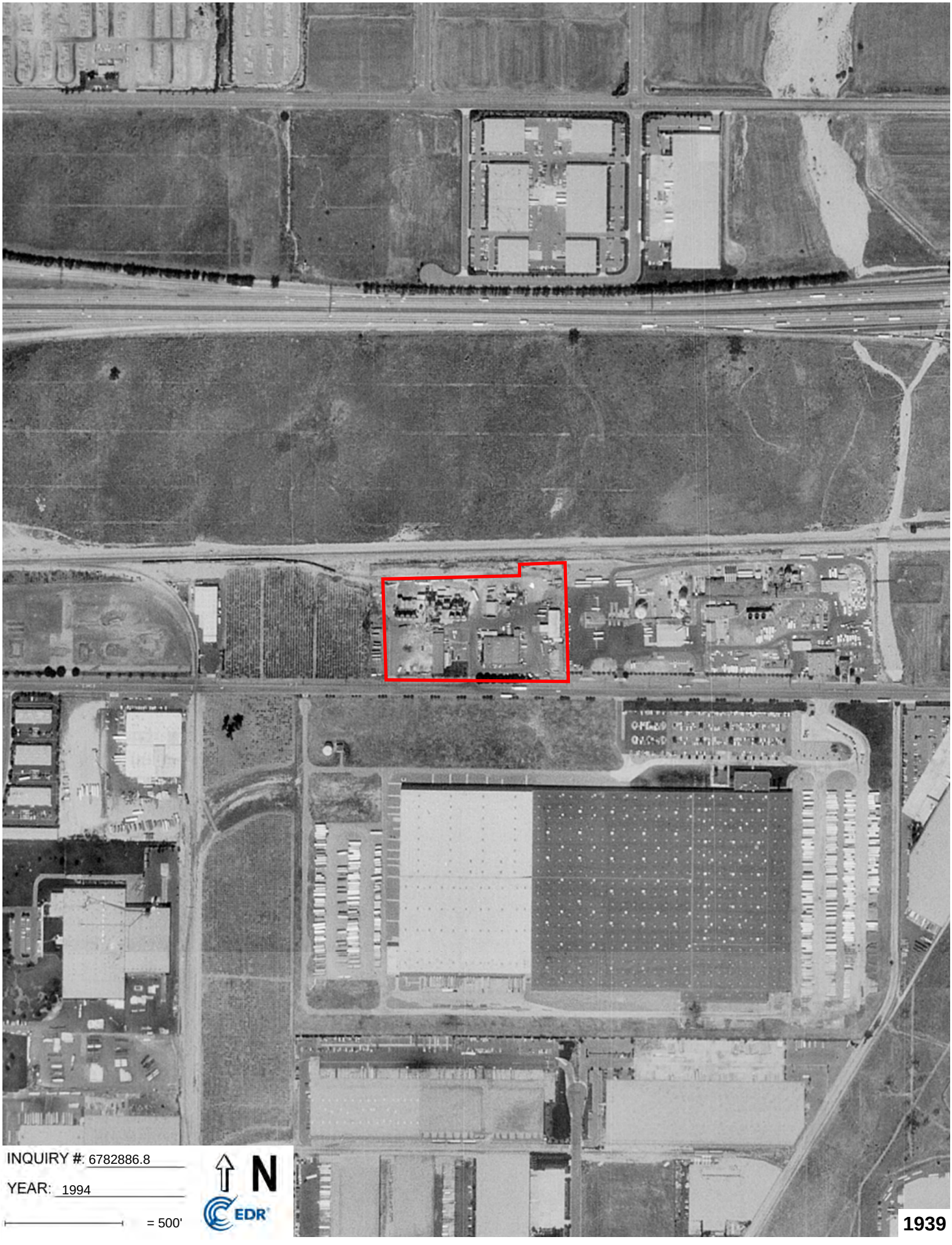
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= 500'

N

EDR

1938



INQUIRY #: 6782886.8

YEAR: 1994

= 500'

N

EDR

1939



INQUIRY #: 6782886.8

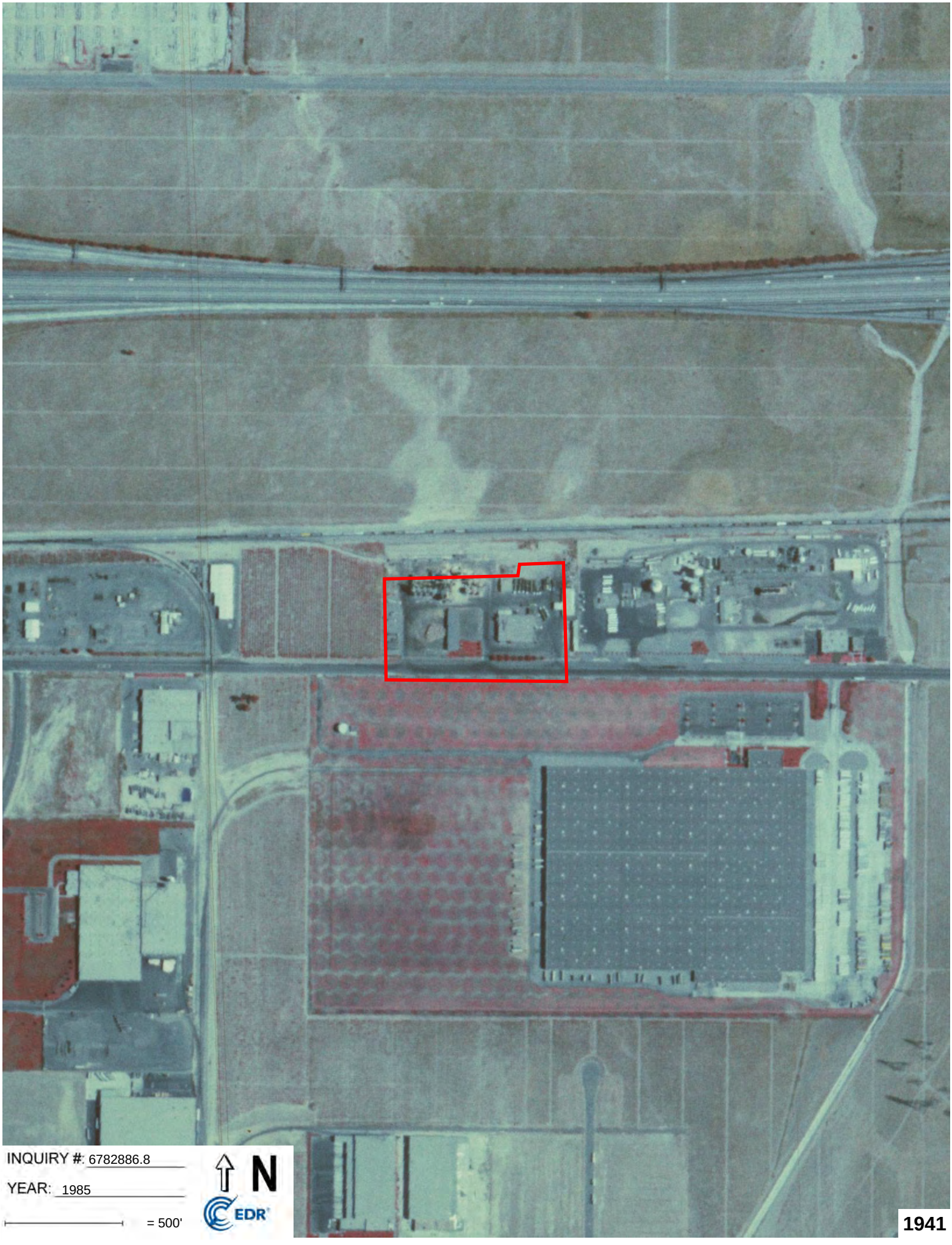
YEAR: 1990

= 500'

N

EDR

1940



INQUIRY #: 6782886.8

YEAR: 1985

= 500'

N

EDR

1941



INQUIRY #: 6782886.8

YEAR: 1975

= 500'

N

EDR

1942



INQUIRY #: 6782886.8

YEAR: 1966

= 500'

N

EDR

1943



INQUIRY #: 6782886.8

YEAR: 1959

= 500'

N

EDR

1944



INQUIRY #: 6782886.8

YEAR: 1953

= 500'

N

EDR

1945



INQUIRY #: 6782886.8

YEAR: 1948

= 500'

N

EDR

1946



INQUIRY #: 6782886.8

YEAR: 1938

= 500'

N

EDR

1947

5355 East Airport Drive
5355 East Airport Drive
Ontario, CA 91761

Inquiry Number: 6782886.5
December 10, 2021

The EDR-City Directory Abstract

Environmental Data Resources Inc
6 Armstrong Road
Shelton, CT 06484
800.352.0050
www.edrnet.com

TABLE OF CONTENTS

SECTION

Executive Summary

Findings

City Directory Images

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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This Report contains certain information obtained from a variety of public and other sources reasonably available to Environmental Data Resources, Inc. It cannot be concluded from this Report that coverage information for the target and surrounding properties does not exist from other sources. **NO WARRANTY EXPRESSED OR IMPLIED, IS MADE WHATSOEVER IN CONNECTION WITH THIS REPORT. ENVIRONMENTAL DATA RESOURCES, INC. SPECIFICALLY DISCLAIMS THE MAKING OF ANY SUCH WARRANTIES, INCLUDING WITHOUT LIMITATION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE. ALL RISK IS ASSUMED BY THE USER. IN NO EVENT SHALL ENVIRONMENTAL DATA RESOURCES, INC. BE LIABLE TO ANYONE, WHETHER ARISING OUT OF ERRORS OR OMISSIONS, NEGLIGENCE, ACCIDENT OR ANY OTHER CAUSE, FOR ANY LOSS OR DAMAGE, INCLUDING, WITHOUT LIMITATION, SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES. ANY LIABILITY ON THE PART OF ENVIRONMENTAL DATA RESOURCES, INC. IS STRICTLY LIMITED TO A REFUND OF THE AMOUNT PAID FOR THIS REPORT.** Purchaser accepts this Report "AS IS". Any analyses, estimates, ratings, environmental risk levels or risk codes provided in this Report are provided for illustrative purposes only, and are not intended to provide, nor should they be interpreted as providing any facts regarding, or prediction orforecast of, any environmental risk for any property. Only a Phase I Environmental Site Assessment performed by an environmental professional can provide information regarding the environmental risk for any property. Additionally, the information provided in this Report is not to be construed as legal advice.

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EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Abstract is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Abstract includes a search and abstract of available city directory data. For each address, the directory lists the name of the corresponding occupant at five year intervals.

Business directories including city, cross reference and telephone directories were reviewed, if available, at approximately five year intervals for the years spanning 1922 through 2017. This report compiles information gathered in this review by geocoding the latitude and longitude of properties identified and gathering information about properties within 660 feet of the target property.

A summary of the information obtained is provided in the text of this report.

RECORD SOURCES

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RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. An "X" indicates where information was identified in the source and provided in this report.

Year	Source	TP	Adjoining	Text Abstract	Source Image
2017	Cole Information Services	X	-	X	-
	Cole Information Services	X	X	X	-
2014	Cole Information Services	X	-	X	-
	Cole Information Services	X	X	X	-
2009	Cole Information Services	X	X	X	-
2008	Haines Company, Inc.	-	X	X	-
	Haines Company, Inc.	X	X	X	-
2004	Cole Information Services	X	X	X	-
2003	Haines & Co Publishers	-	X	X	-
	Haines & Co Publishers	X	X	X	-

EXECUTIVE SUMMARY

Year	Source	TP	Adjoining	Text Abstract	Source Image
2002	Cole Information Services	-	-	-	-
1999	Cole Information Services	X	-	X	-
	Cole Information Services	X	X	X	-
1996	GTE	-	-	-	-
1995	GTE Directories	-	-	X	-
	GTE Directories	X	-	X	-
1994	Cole Information Services	-	-	-	-
	Cole Information Services	-	X	X	-
1991	GTE California Incorporated	-	-	-	-
1990	GTE	-	X	X	-
	GTE	X	X	X	-
1985	GTE	-	X	X	-
	GTE	X	X	X	-
1981	General Telephone Company of California	-	-	-	-
1980	GTE General Telephone Company of California	-	X	X	-
1975	Pacific Telephone Co	-	-	-	-
1970	General Telephone Company of California	-	-	-	-
1965	GTE	-	-	-	-
1964	Luskey Brothers & Co	-	-	-	-
1961	Luskey Brothers& Co Publishers	-	-	-	-
1960	Luskey Brothers & Co Publishers	-	-	-	-
1956	General Telephone Company Publishers	-	-	-	-
1955	Luskey Brothers Co Publishers	-	-	-	-
1951	Los Angeles Directory Co Publishers	-	-	-	-
1950	The Pacific Telephone and Telegraph Co	-	-	-	-
1949	San Bernardino Directory Co. Publishers	-	-	-	-
1946	Los Angeles Directory Company Publishers	-	-	-	-
1945	Southern Califronia Telephone Company	-	-	-	-
1942	San Bernardino Directory Co Publisher	-	-	-	-
1941	Associated Telephone Company Limited	-	-	-	-
1940	Los Angeles Directory Co.	-	-	-	-
1938	Los Angeles Directory Co.	-	-	-	-
1936	San Bernardino Directory Co Publisher	-	-	-	-
1934	Los Angeles Directory Co.	-	-	-	-
1931	Los Angeles Directory Co.	-	-	-	-
1930	San Bernardino Directory Co Publisher	-	-	-	-

EXECUTIVE SUMMARY

Year	Source	TP	Adjoining	Text Abstract	Source Image
1926	Los Angeles Directory Co.	-	-	-	-
1923	Los Angeles Directory Company	-	-	-	-
1922	R.L. Polk & Co Publishers	-	-	-	-

EXECUTIVE SUMMARY

SELECTED ADDRESSES

The following addresses were selected by the client, for EDR to research. An "X" indicates where information was identified.

Address	*Type*	*Findings*
5351 E. Airport Drive	Client Entered	X
5200 E. Airport Drive	Client Entered	X
5705 E. Airport Drive	Client Entered	X
5600 E. Airport Drive	Client Entered	X
5200 Shea Center Drive	Client Entered	X
5300 Shea Center Drive	Client Entered	X
5400 Shea Center Drive	Client Entered	X
5355 East A Street	Client Entered	X
5355 Slover Avenue	Client Entered	

FINDINGS

TARGET PROPERTY INFORMATION

ADDRESS

5355 East Airport Drive
Ontario, CA 91761

FINDINGS DETAIL

Target Property research detail.

AIRPORT DR

5355 AIRPORT DR

Year	*Uses*	*Source*
1999	COAST GRAIN COMPANY BAG FEED SALES	Cole Information Services
	COAST GRAIN COMPANY CITRUS DIVISION	Cole Information Services

AIRPORT DR E

5355 AIRPORT DR E

Year	*Uses*	*Source*
2003	COAST GRAIN CO MAIN OFC	Haines & Co Publishers

E AIRPORT DR

5355 E AIRPORT DR

Year	*Uses*	*Source*
2017	THE SCOULAR COMPANY	Cole Information Services
	VERHOEVEN GEO GRAIN INC	Cole Information Services
2014	THE SCOULAR COMPANY	Cole Information Services
	VERHOEVEN GEO GRAIN INC	Cole Information Services
2009	J D HEISKELL & CO	Cole Information Services
	THE SCOULAR CO	Cole Information Services
	TXI RIVERSIDE CEMENT	Cole Information Services
2008	J B HEISKELL & COMPANY	Haines Company, Inc.
	SCOULAR COMPANY THE	Haines Company, Inc.
2004	SCOULAR CO	Cole Information Services
1995	COAST GRAIN CO	GTE Directories

FINDINGS

Year	Uses	Source
1990	COAST GRAIN CO	GTE
	No Charge Ask Opr For	GTE
1985	CHINO GRAIN 8 MLNG INC	GTE

E AIRPRT DR

5355 E AIRPRT DR

Year	Uses	Source
1999	COAST GRAIN COMPANY	Cole Information Services

East A Street

5355 East A Street

Year	Uses	Source
2008	J B HEISKELL & COMPANY	Haines Company, Inc.
	SCOULAR COMPANY THE	Haines Company, Inc.
2003	COAST GRAIN CO MAIN OFC	Haines & Co Publishers
1995	COAST GRAIN CO	GTE Directories
1990	COAST GRAIN CO	GTE
	No Charge Ask Opr For	GTE
1985	CHINO GRAIN 8 MLNG INC	GTE

Slover Avenue

5355 Slover Avenue

Year	Uses	Source

FINDINGS

ADJOINING PROPERTY DETAIL

The following Adjoining Property addresses were researched for this report. Detailed findings are provided for each address.

AIRPORT DR

5600 AIRPORT DR

Year	Uses	Source
1999	KMART DISTRIBUTION	Cole Information Services
1994	KMART DISTRIBUTION	Cole Information Services

E AIRPORT DR

5200 E AIRPORT DR

Year	Uses	Source
2017	NEW BREED	Cole Information Services
	NEW BREED LEASING CORP	Cole Information Services
2014	NEW BREED LEASING CORP	Cole Information Services
	OCCUPANT UNKNOWN	Cole Information Services
	NEW BREED	Cole Information Services
2009	BREED NEW	Cole Information Services
2004	ESTYLE INC	Cole Information Services
	NEW BREED LOGISTICS & REPAIR	Cole Information Services
	BREED NEW	Cole Information Services
1999	BREED NEW	Cole Information Services

5351 E AIRPORT DR

Year	Uses	Source
2009	CELLCO PARTNERSHIP	Cole Information Services
	VERIZON WIRELESS	Cole Information Services
	CELLCO PARTNERSHIP	Cole Information Services
	VERIZON WIRELESS	Cole Information Services
2008	OLSEN H C CONSTRUCTION	Haines Company, Inc.
2004	VERIZON WIRELESS	Cole Information Services
	VERIZON WIRELESS	Cole Information Services

5600 E AIRPORT DR

Year	Uses	Source
2017	KMART	Cole Information Services
2014	KMART DISTRIBUTION	Cole Information Services
2004	KMART DISTRIBUTION CTR	Cole Information Services

5705 E AIRPORT DR

Year	Uses	Source
2017	JACK B KELLEY INC	Cole Information Services
2014	JACK B KELLEY INC	Cole Information Services
2009	JACK B KELLEY	Cole Information Services
	USF BESTWAY CORP	Cole Information Services

E. Airport Drive

5200 E. Airport Drive

Year	Uses	Source
2008	NEW BREED	Haines Company, Inc.
	NEW BREED LEASING CORP	Haines Company, Inc.
2003	NEW BREED	Haines & Co Publishers
	NEW BREED LEASING CORP	Haines & Co Publishers

5351 E. Airport Drive

Year	Uses	Source
2008	OLSEN H C CONSTRUCTION	Haines Company, Inc.

5600 E. Airport Drive

Year	Uses	Source
2008	KMART DISTRIBUTION	Haines Company, Inc.
2003	KMART DISTRIBUTION	Haines & Co Publishers
1985	K MART DISTRIBUTION	GTE
1980	+ K MART CORP	GTE General Telephone Company of California
	t M H E CONTRACTING	GTE General Telephone Company of California

FINDINGS

5705 E. Airport Drive

Year	Uses	Source
2008	JACK B KELLEY INC	Haines Company, Inc.
2003	REF CHEM	Haines & Co Publishers
1990	LINDE DIV UNION CARBIDE CORP	GTE
	Service Center	GTE
	UNION CARBIDE CORP	GTE
	Service Center	GTE
1985	UNION CARBIDE CORP	GTE

SHEA CENTER DR

5200 SHEA CENTER DR

Year	Uses	Source
2017	RESTORATION HARDWARE	Cole Information Services
	CAL X TRANS INC	Cole Information Services
	COOPER LIGHTING INC	Cole Information Services
2014	AEOLUS DOWN INC	Cole Information Services
	COOPER LIGHTING INC	Cole Information Services
2009	COOPER LIGHTING INC	Cole Information Services
2004	GULF SOUTH MED SUPPLY	Cole Information Services
	COOPER LIGHTING	Cole Information Services

5300 SHEA CENTER DR

Year	Uses	Source
2017	EMSER TILE LLC	Cole Information Services
2014	EMSER TILE LLC FAX LINE	Cole Information Services
	EMSER TILE LLC	Cole Information Services
2009	EMSER TILE LLC	Cole Information Services
	UPS WORLDWIDE LOGISTICS INC	Cole Information Services
2004	ALDWORTH	Cole Information Services

5400 SHEA CENTER DR

Year	Uses	Source
2017	AMERIWOOD INDUSTRIES	Cole Information Services
2014	AMERIWOOD INDUSTRIES	Cole Information Services

FINDINGS

Year	Uses	Source
2009	DOREL JUVENILE GROUP	Cole Information Services

Shea Center Drive

5200 Shea Center Drive

Year	Uses	Source
2008	COOPER LIGHTING INC	Haines Company, Inc.

5300 Shea Center Drive

Year	Uses	Source
2008	EMSER TILE LLC	Haines Company, Inc.
	EMSER TILE LLC	Haines Company, Inc.

5400 Shea Center Drive

Year	Uses	Source
2008	DOREL JUVENILE GROUP	Haines Company, Inc.

FINDINGS

ADJOINING PROPERTY: ADDRESSES NOT IDENTIFIED IN RESEARCH SOURCE

The following Adjoining Property addresses were researched for this report, and the addresses were not identified in research source.

Address Researched	Address Not Identified in Research Source
5200 E AIRPORT DR	2008, 2003, 2002, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5200 E. Airport Drive	2017, 2014, 2009, 2004, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5200 SHEA CENTER DR	2008, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5200 Shea Center Drive	2017, 2014, 2009, 2004, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5300 SHEA CENTER DR	2008, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5300 Shea Center Drive	2017, 2014, 2009, 2004, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5351 E AIRPORT DR	2017, 2014, 2008, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5351 E AIRPORT DR	2017, 2014, 2009, 2004, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5351 E AIRPORT DR	2017, 2014, 2008, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5351 E. Airport Drive	2017, 2014, 2009, 2004, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5400 SHEA CENTER DR	2008, 2004, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5400 Shea Center Drive	2017, 2014, 2009, 2004, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5600 AIRPORT DR	2017, 2014, 2009, 2008, 2004, 2003, 2002, 1996, 1995, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5600 E AIRPORT DR	2009, 2008, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922

FINDINGS

Address Researched	Address Not Identified in Research Source
5600 E. Airport Drive	2017, 2014, 2009, 2004, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1981, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5705 E AIRPORT DR	2008, 2004, 2003, 2002, 1999, 1996, 1995, 1994, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922
5705 E. Airport Drive	2017, 2014, 2009, 2004, 2002, 1999, 1996, 1995, 1994, 1991, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922

TARGET PROPERTY: ADDRESS NOT IDENTIFIED IN RESEARCH SOURCE

The following Target Property addresses were researched for this report, and the addresses were not identified in the research source.

Address Researched	Address Not Identified in Research Source
5355 East Airport Drive	2002, 1996, 1994, 1991, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922

5355 East Airport Drive

5355 East Airport Drive

Ontario, CA 91761

Inquiry Number: 6782886.4

December 09, 2021

EDR Historical Topo Map Report

with QuadMatch™

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
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EDR Historical Topo Map Report

12/09/21

Site Name:

5355 East Airport Drive
5355 East Airport Drive
Ontario, CA 91761
EDR Inquiry # 6782886.4

Client Name:

Farallon Consulting, LLC
4380 South Macadam Avenue, Suite 500
Portland, OR 97239
Contact: Amanda Garcia

EDR Topographic Map Library has been searched by EDR and maps covering the target property location as provided by Farallon Consulting, LLC were identified for the years listed below. EDR's Historical Topo Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDRs Historical Topo Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the late 1800s.

Search Results:

P.O.# 1071-080-002
Project: 1071-080-002

Coordinates:

Latitude:	34.063461 34° 3' 48" North
Longitude:	-117.533485 -117° 32' 1" West
UTM Zone:	Zone 11 North
UTM X Meters:	450770.22
UTM Y Meters:	3769320.82
Elevation:	983.00' above sea level

Maps Provided:

2018	1953
2015	1944
2012	1941
1981	1903
1976	1900
1973	1897
1966	
1954	

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1964

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

2018 Source Sheets



Guasti
2018
7.5-minute, 24000

2015 Source Sheets



Guasti
2015
7.5-minute, 24000

2012 Source Sheets



Guasti
2012
7.5-minute, 24000

1981 Source Sheets



Guasti
1981
7.5-minute, 24000
Aerial Photo Revised 1978

1965

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1976 Source Sheets



ONTARIO
1976
15-minute, 50000

1973 Source Sheets



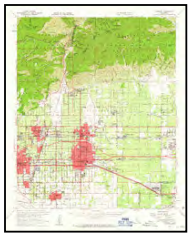
Guasti
1973
7.5-minute, 24000
Aerial Photo Revised 1973

1966 Source Sheets



Guasti
1966
7.5-minute, 24000
Aerial Photo Revised 1966

1954 Source Sheets



Ontario
1954
15-minute, 62500
Aerial Photo Revised 1952

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1953 Source Sheets



Guasti
1953
7.5-minute, 24000
Aerial Photo Revised 1952

1944 Source Sheets



CUCAMONGA
1944
15-minute, 50000

1941 Source Sheets



GUASTI VICINITY
1941
7.5-minute, 31680

1903 Source Sheets



Cucamonga
1903
15-minute, 62500

1967

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1900 Source Sheets



Cucamonga
1900
15-minute, 62500

1897 Source Sheets

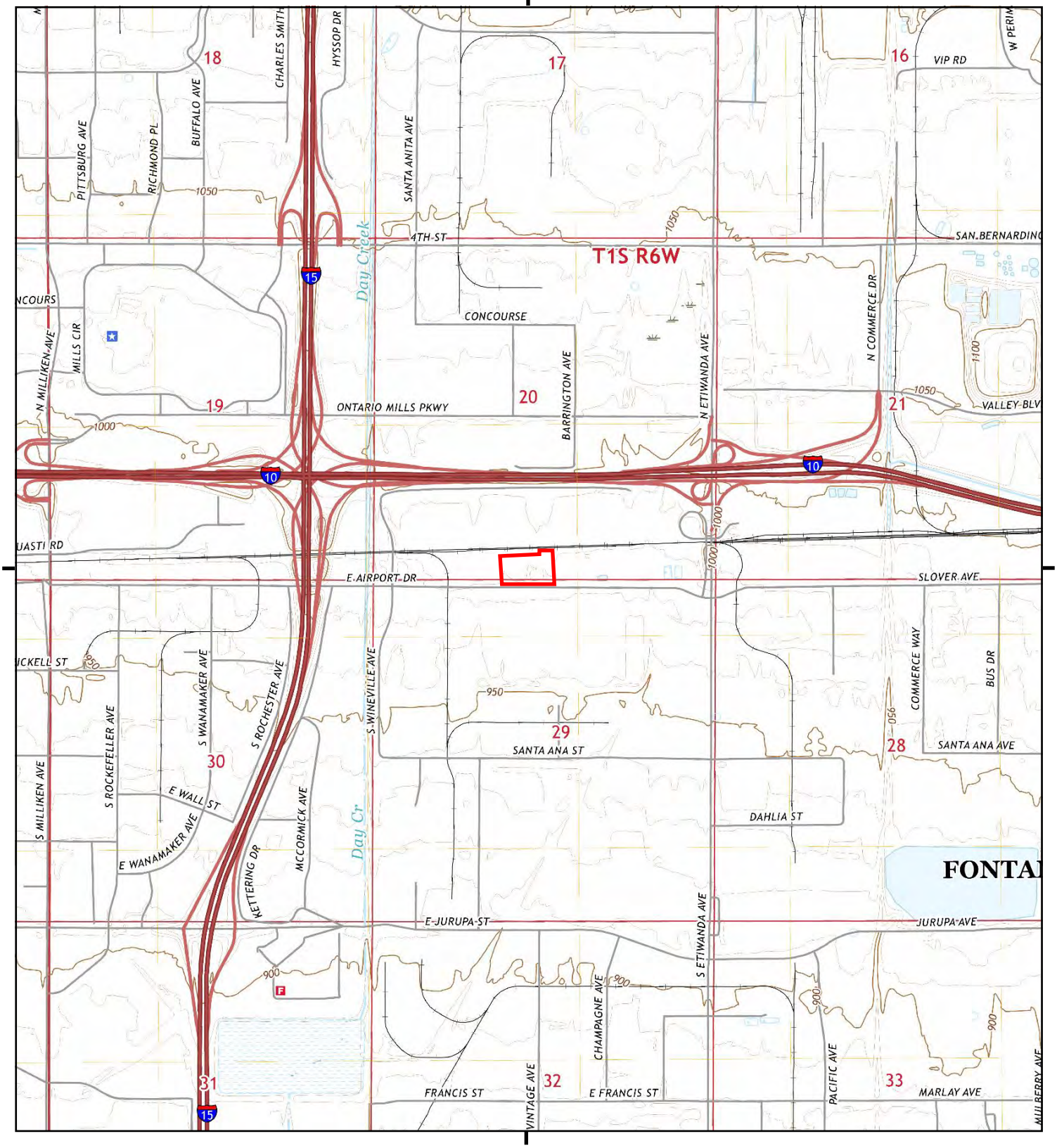


Cucamonga
1897
15-minute, 62500

1968

Historical Topo Map

2018



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Guasti, 2018, 7.5-minute

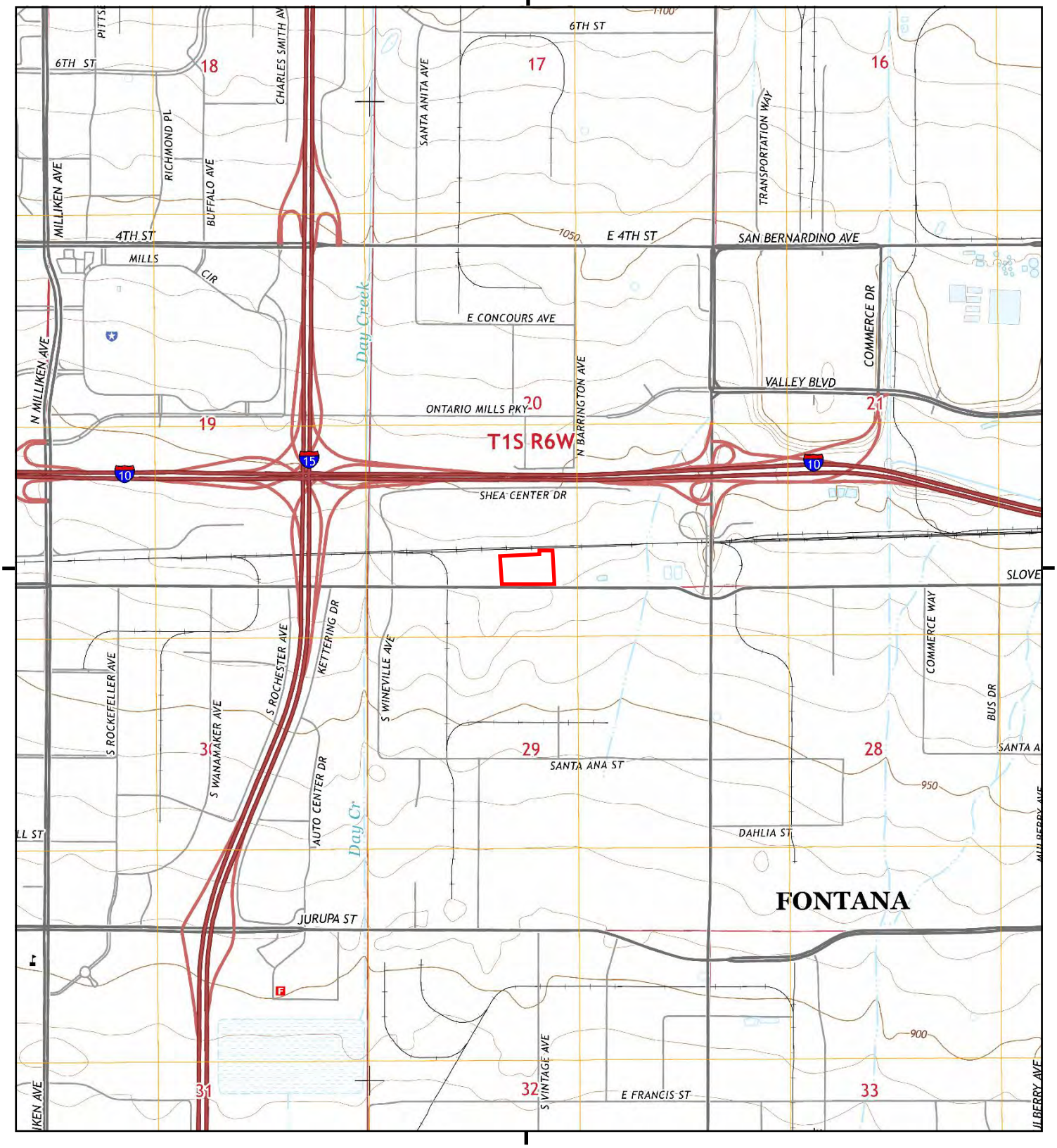
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1969

Historical Topo Map

2015



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Guasti, 2015, 7.5-minute

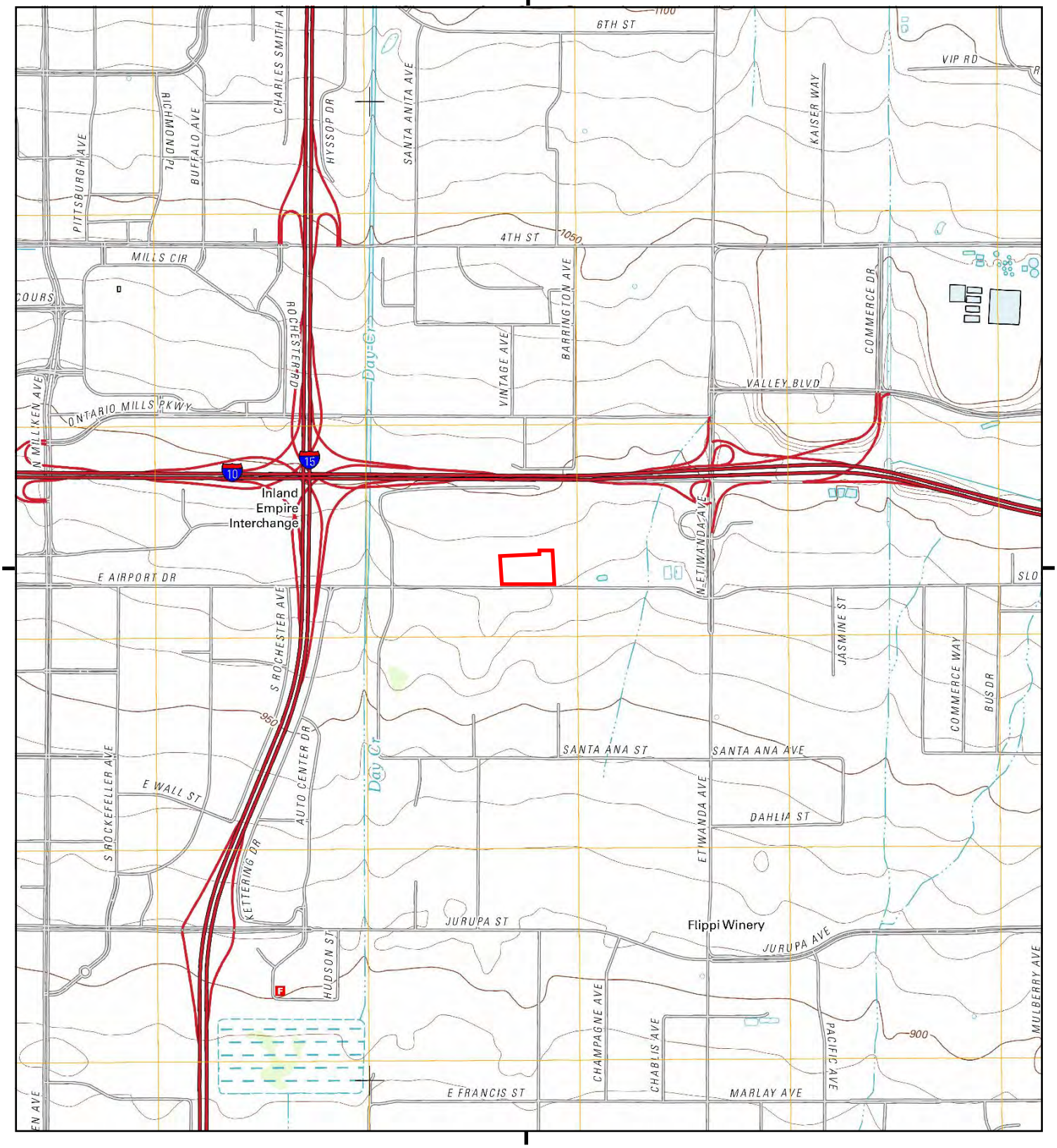
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1970

Historical Topo Map

2012



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Guasti, 2012, 7.5-minute

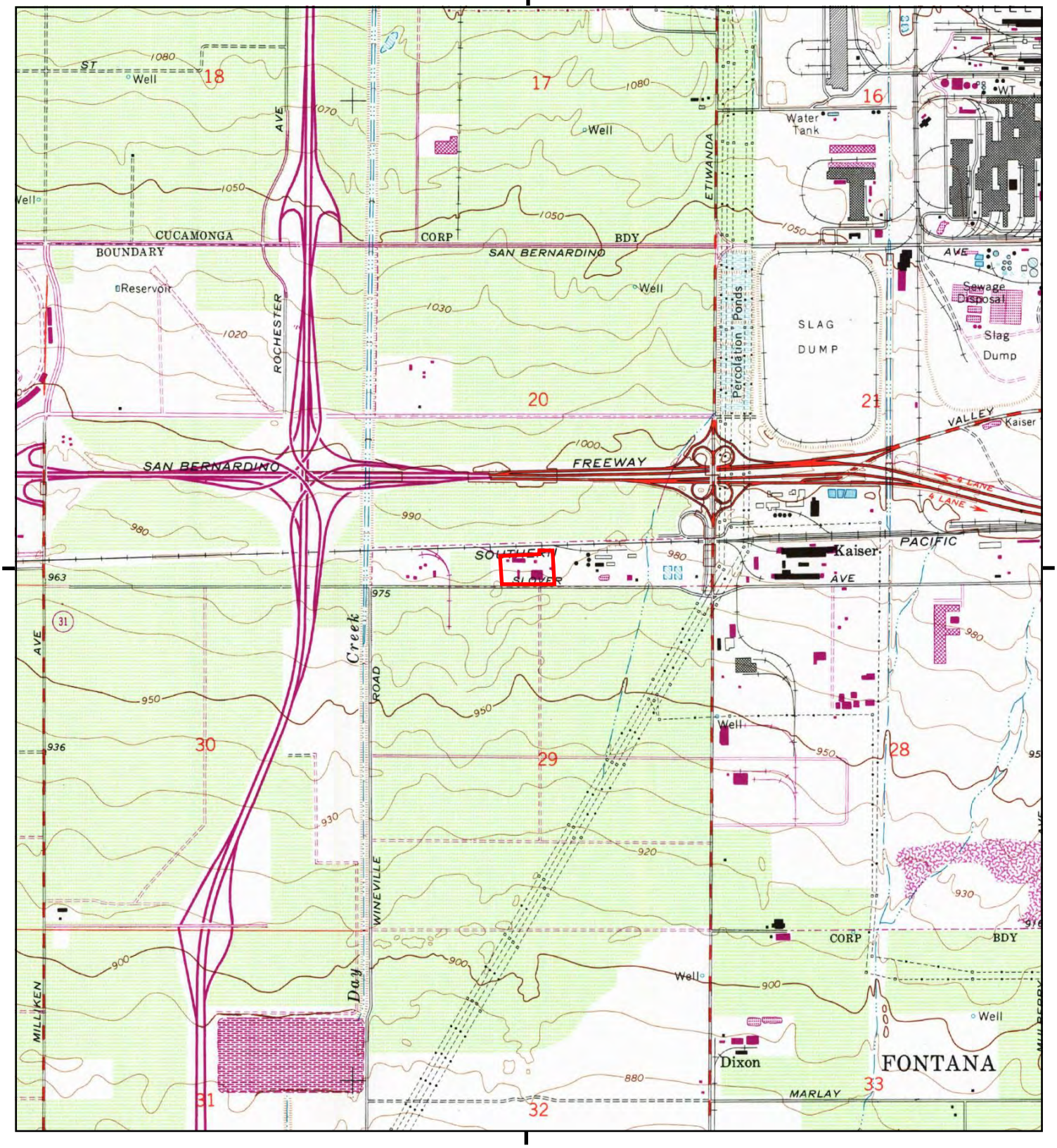
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1971

Historical Topo Map

1981



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Guasti, 1981, 7.5-minute

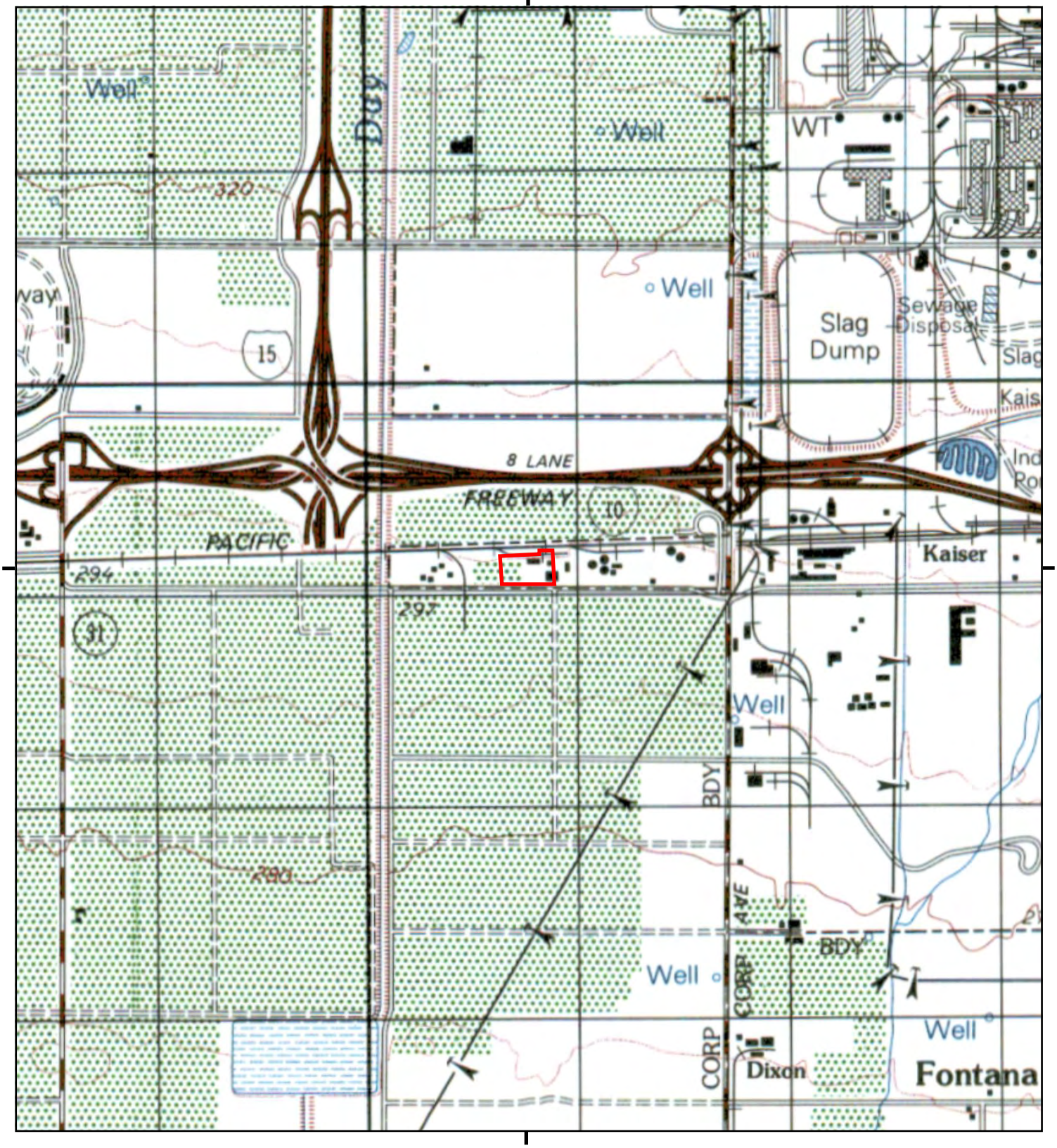
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1972

Historical Topo Map

1976



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, ONTARIO, 1976, 15-minute

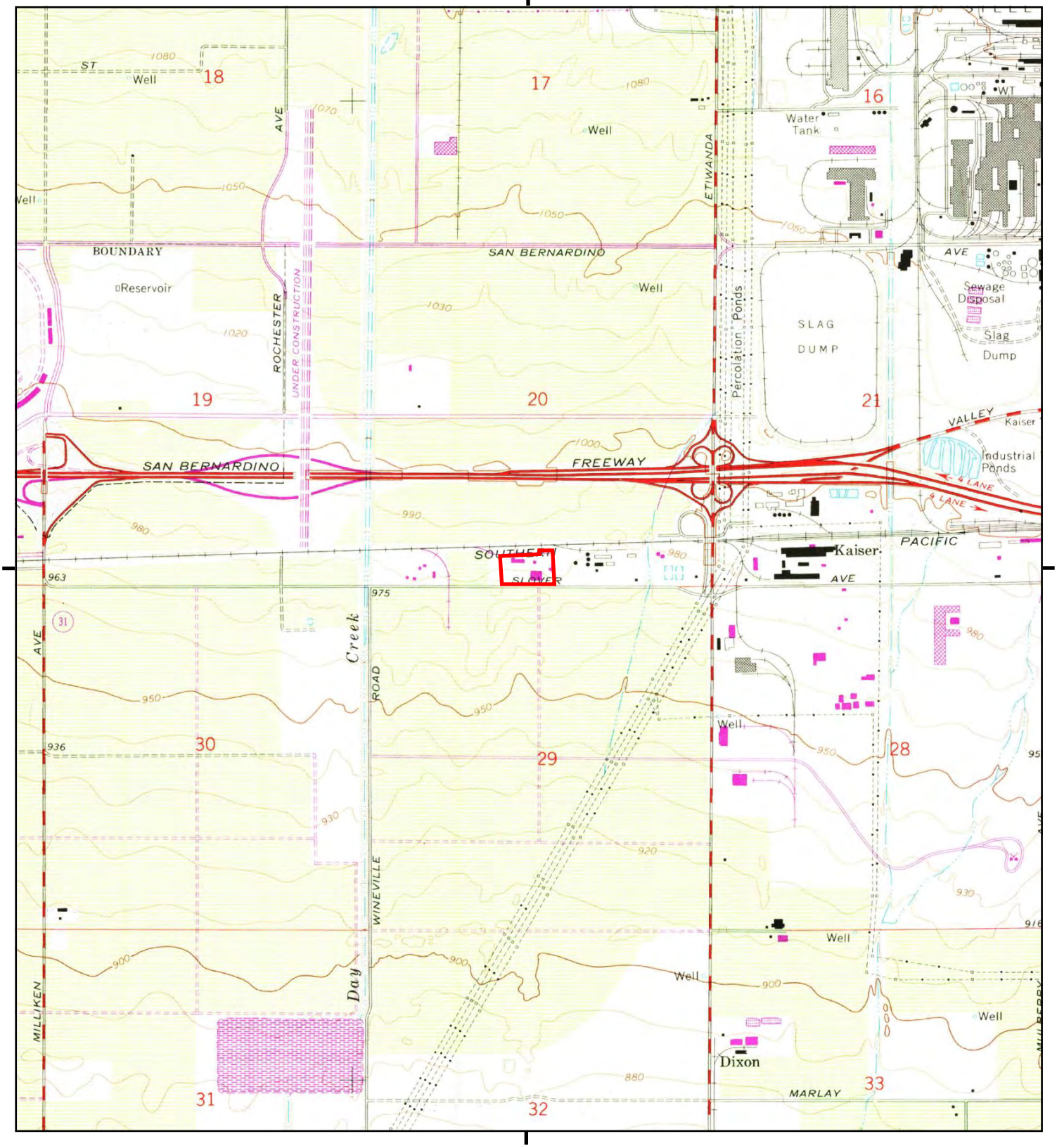
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1973

Historical Topo Map

1973



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Guasti, 1973, 7.5-minute

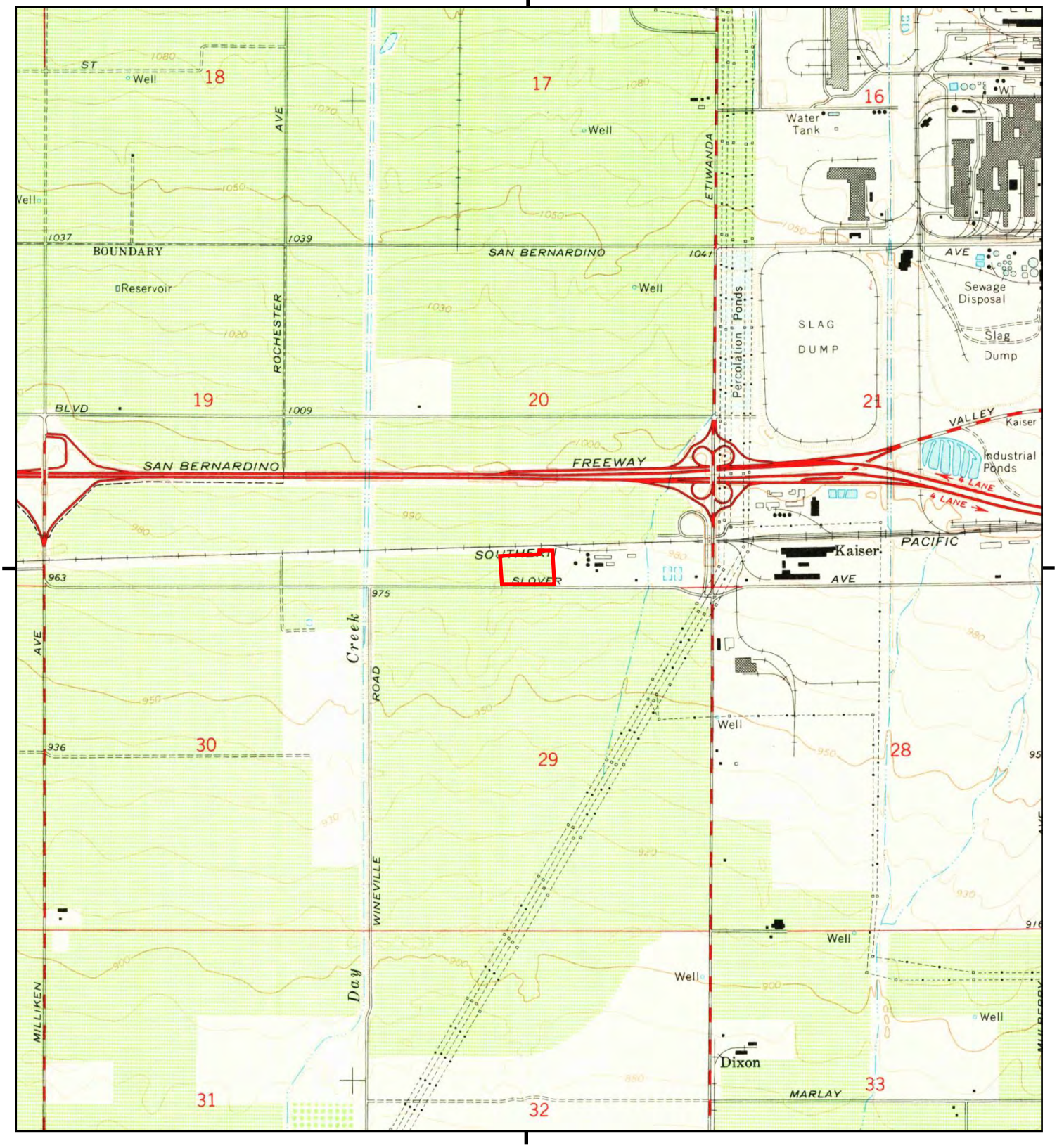
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1974

Historical Topo Map

1966



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Guasti, 1966, 7.5-minute

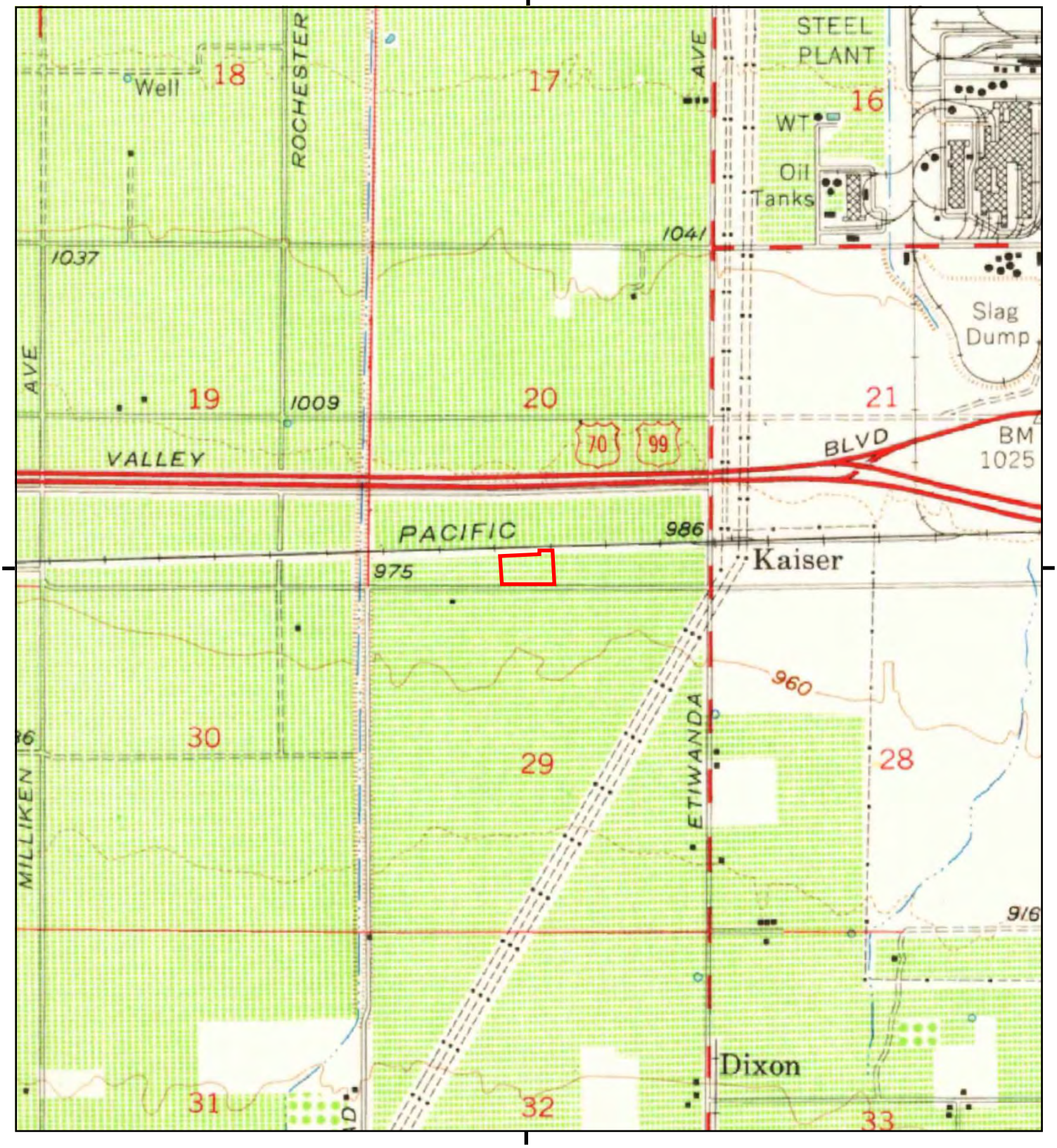
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1975

Historical Topo Map

1954



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Ontario, 1954, 15-minute

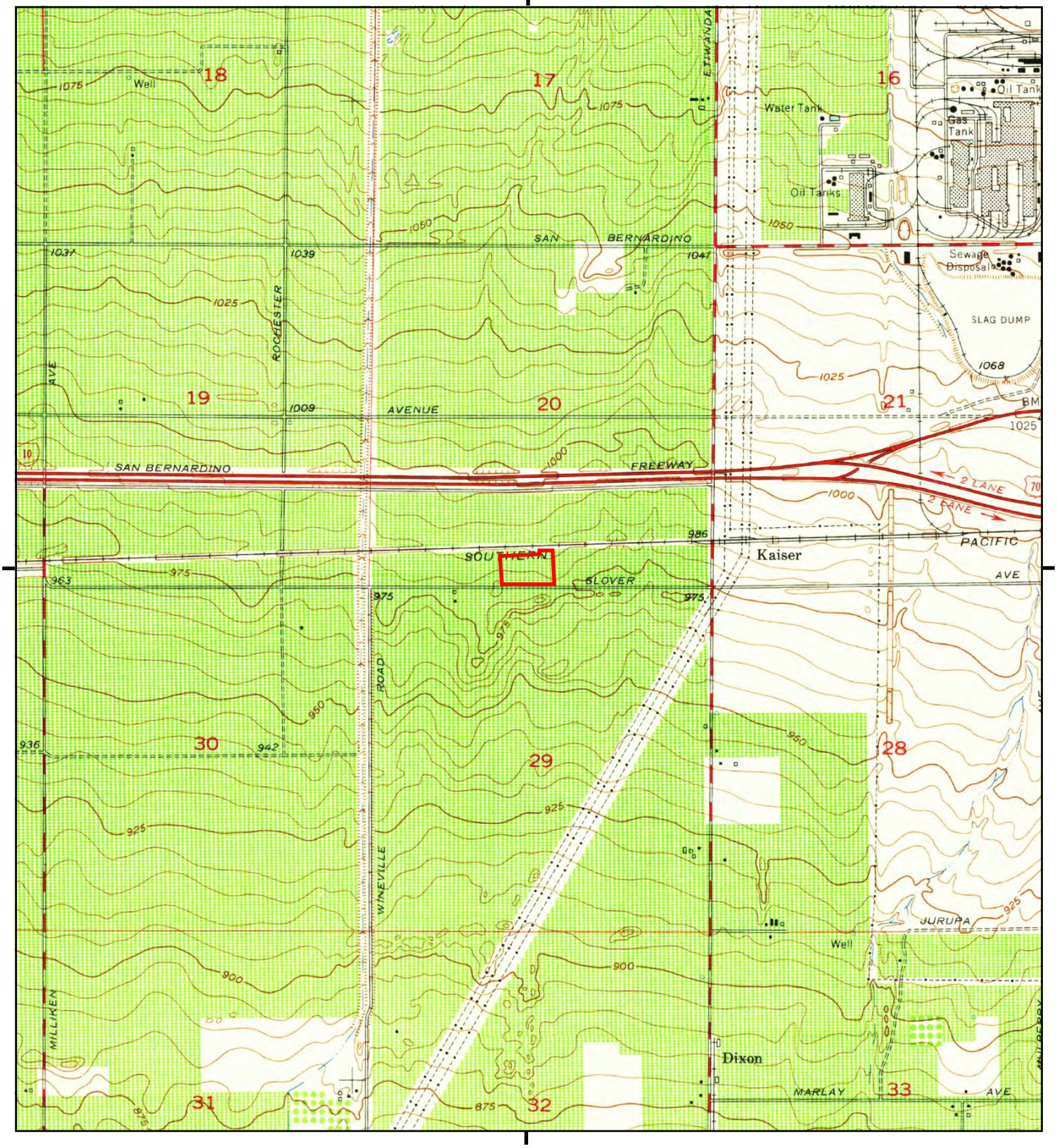
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1976

Historical Topo Map

1953



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

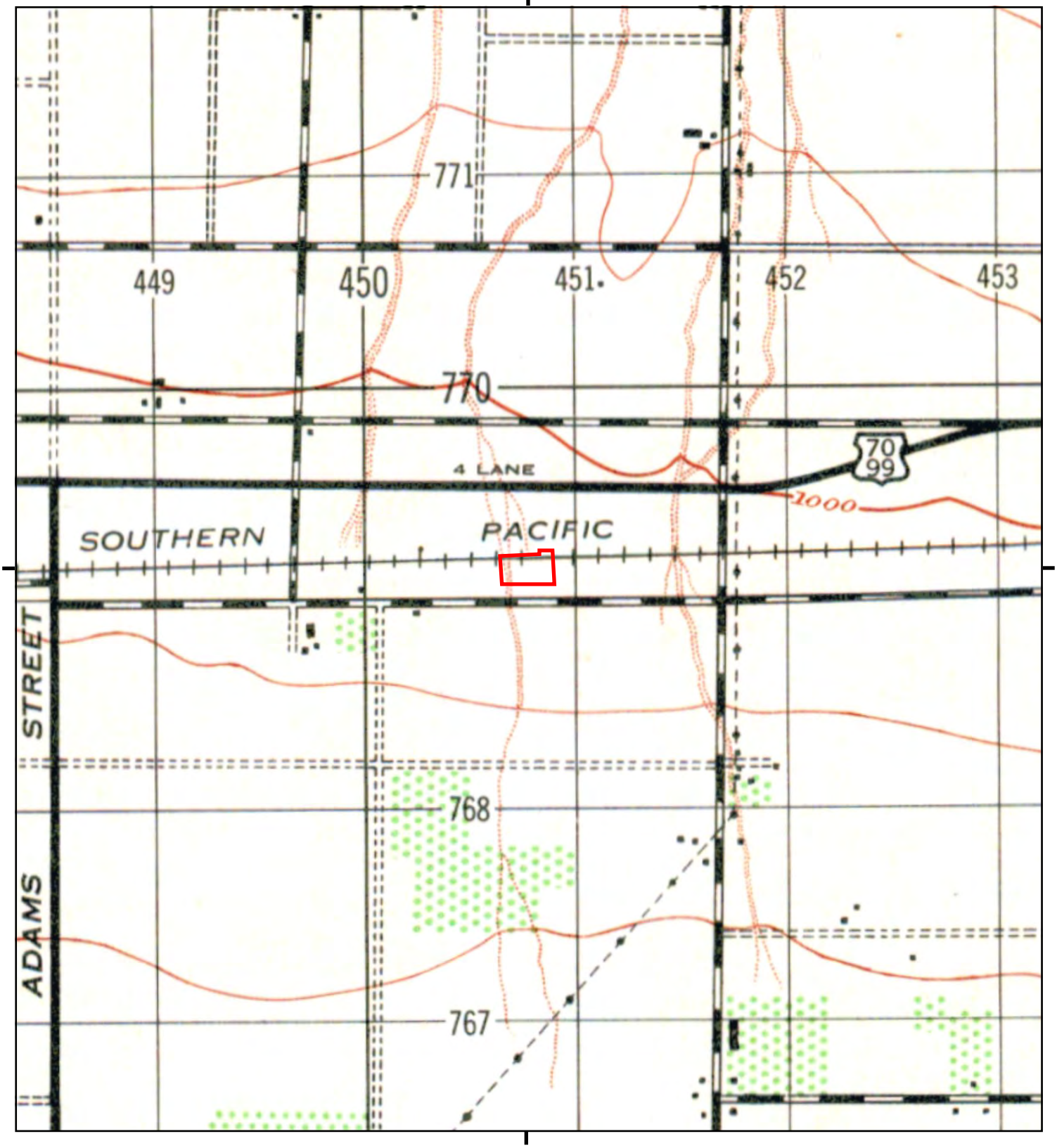
NW N NE
W E
SW S SE

TP, Guasti, 1953, 7.5-minute

SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1977



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, CUCAMONGA, 1944, 15-minute

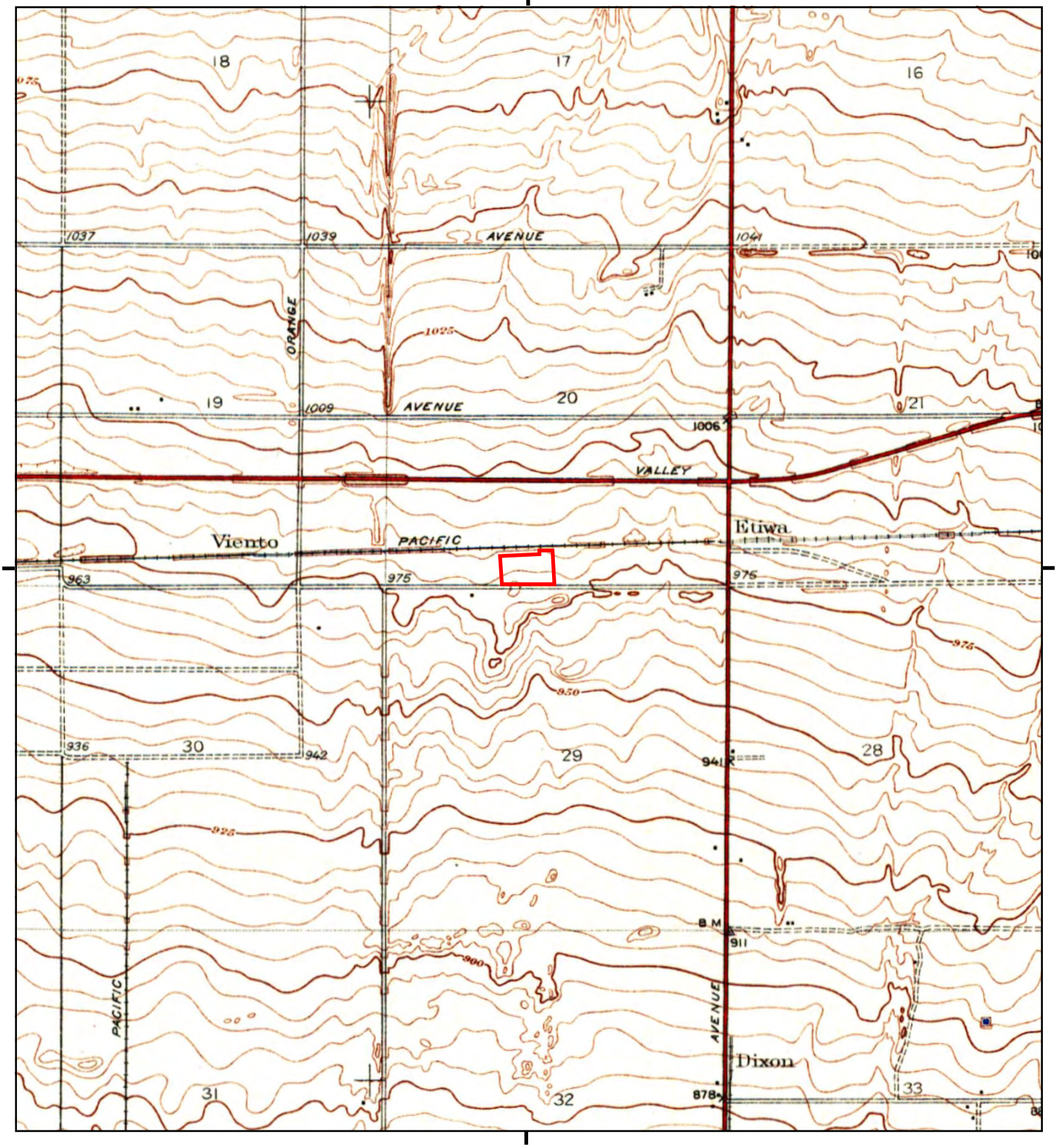
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1978

Historical Topo Map

1941



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

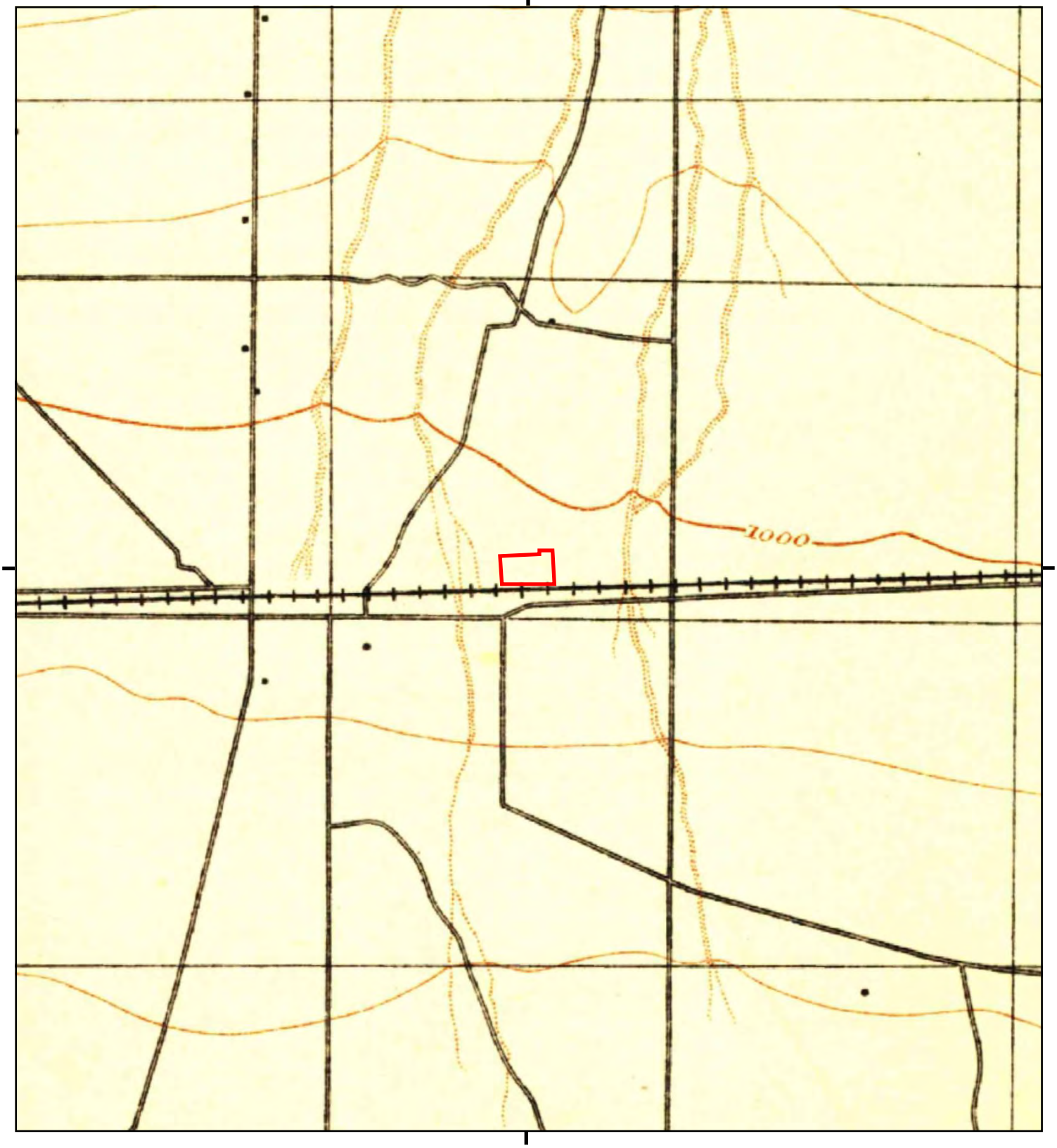
NW N NE
W E
SW S SE

TP, GUASTI VICINITY, 1941, 7.5-minute

SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1979



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Cucamonga, 1903, 15-minute

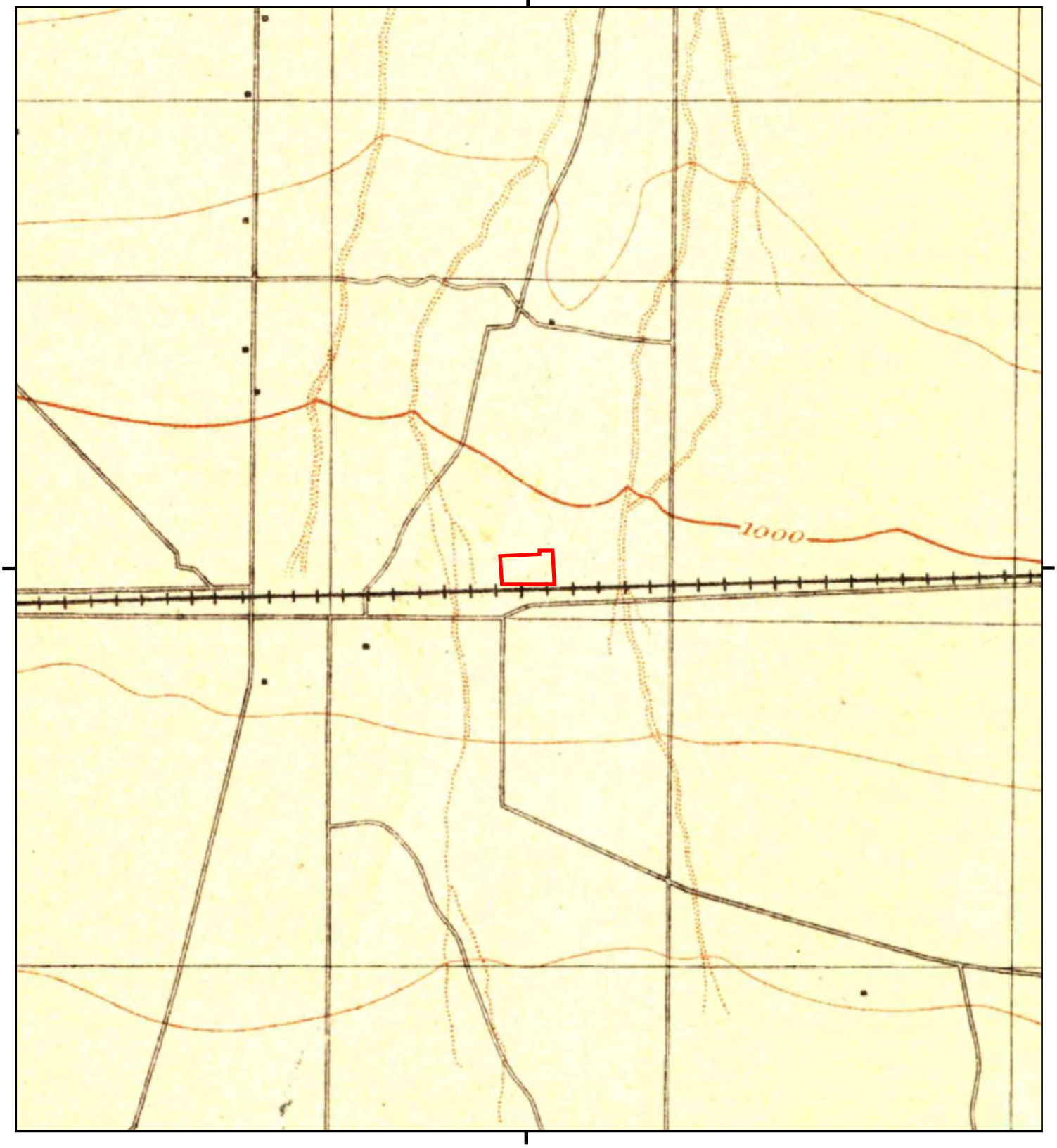
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1980

Historical Topo Map

1900



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Cucamonga, 1900, 15-minute

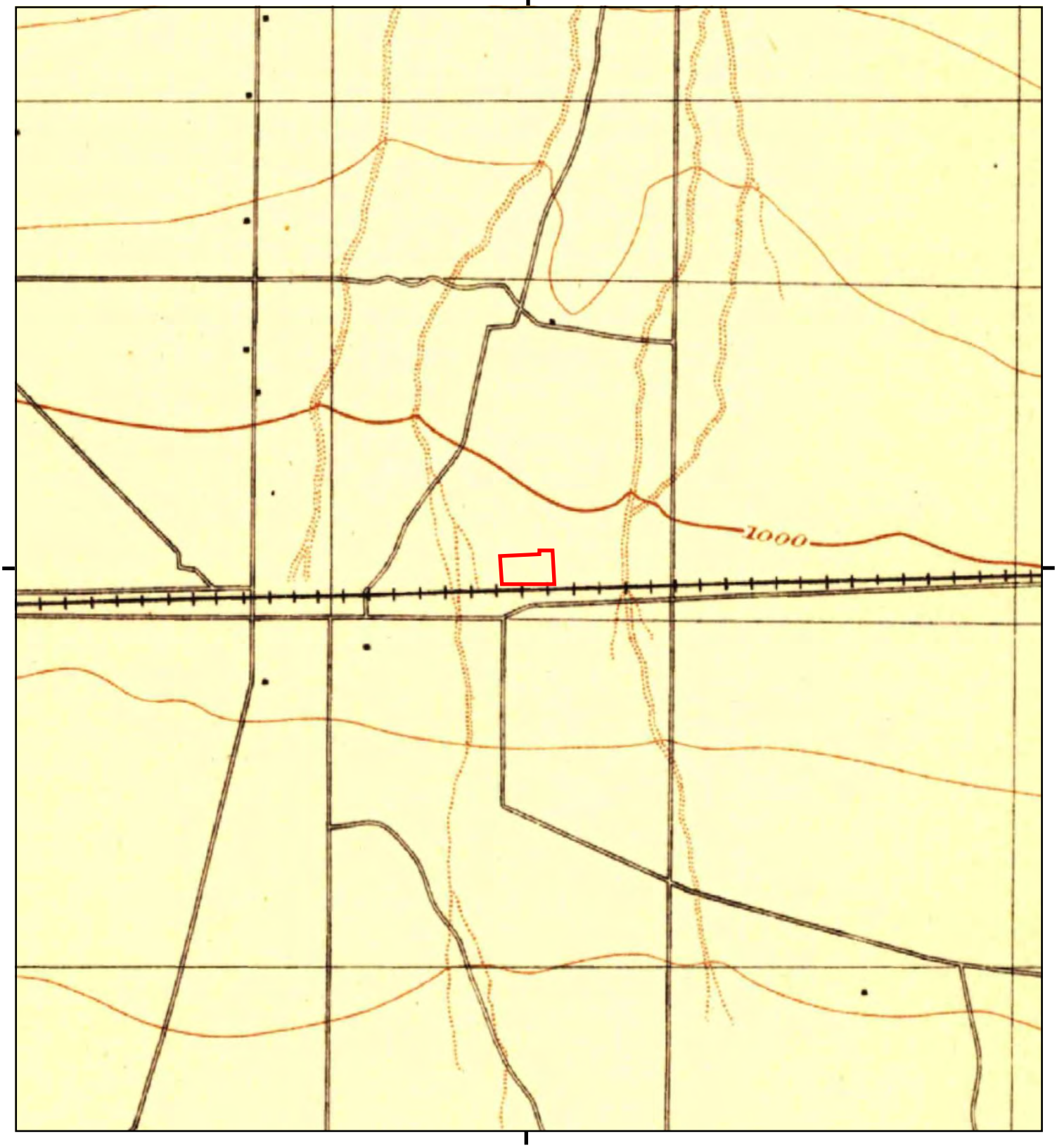
SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1981

Historical Topo Map

1897



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Cucamonga, 1897, 15-minute

SITE NAME: 5355 East Airport Drive
ADDRESS: 5355 East Airport Drive
Ontario, CA 91761
CLIENT: Farallon Consulting, LLC

N

1982

5355 East Airport Drive

5355 East Airport Drive

Ontario, CA 91761

Inquiry Number: 6782886.3

December 09, 2021

Certified Sanborn® Map Report

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

12/09/21

Site Name:

5355 East Airport Drive
5355 East Airport Drive
Ontario, CA 91761
EDR Inquiry # 6782886.3

Client Name:

Farallon Consulting, LLC
4380 South Macadam Avenue, Suite 500
Portland, OR 97239
Contact: Amanda Garcia

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Certified Sanborn Results:

Certification # 6351-4FE0-BBFD

PO # 1071-080-002

Project 1071-080-002

UNMAPPED PROPERTY

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Sanborn® Library search results

Certification #: 6351-4FE0-BBFD

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- ☑ Library of Congress
- ☑ University Publications of America
- ☑ EDR Private Collection

The Sanborn Library LLC Since 1866™

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UGST PERMIT(S) CANNOT PROCESSED WITHOUT A COMPL D APPLICATION

FOR EACH TANK.

THIS FORM MUST BE RETURNED WITH YOUR REMITTANCE

Department of Environmental Health Services
Hazardous Waste & Toxics Control
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0160

STATE ID NUMBER

APPLICATION FOR PERMIT TO OPE UNDERGROUND STORAGE TANK

( ) 01 NEW PERMIT ( ) 05 RENEWED PERMIT ( )
( ) 02 CONDITIONAL PERMIT ( ) 06 AMENDED PERMIT ( )

DELETE FROM FILE (NO FEE)

8 Sets of plans

COAST GRAIN MILLING
5355 EAST AIRPORT DR
ONTARIO, CA. 91761

T ONLY
( ) 02 STATE ( ) 03 LOCAL

STATE | ZIP

II FACILITY

FACILITY NAME		DEALER/FOREMAN/SUPERVISOR	
STREET ADDRESS		NEAREST CROSS STREET	
CITY		COUNTY	ZIP
MAILING ADDRESS	CITY	STATE	ZIP
PHONE W/AREA CODE	TYPE OF BUSINESS ( ) 01 GASOLINE STATION ( ) 02 OTHER		
NUMBER OF CONTAINERS	RURAL AREAS ONLY : TOWNSHIP	RANGE	SECTION

III 24 HOUR EMERGENCY CONTACT PERSON

DAYS: NAME(LAST NAME FIRST) AND PHONE W/AREA CODE	NIGHTS: NAME(LAST NAME FIRST) AND PHONE W/AREA CODE

COMPLETE THE FOLLOWING ON A SEPARATE FORM FOR EACH CONTAINER

IV DESCRIPTION

A. ( ) 01 TANK ( ) 04 OTHER: | CONTAINER NUMBER 4 West

B. MANUFACTURER (IF APPROPRIATE): YEAR MFG: | C. YEAR INSTALLED (X) UNKNOWN

D. CONTAINER CAPACITY: 4000 GALLONS ( ) UNKNOWN | E. DOES THE CONTAINER STORE: ( ) 01 WASTE (X) 02 PRODUCT

F. DOES THE CONTAINER STORE MOTOR VEHICLE FUEL OR WASTE OIL ? ( ) 01 YES ( ) 02 NO IF YES CHECK APPROPRIATE BOX(ES):
( ) 01 UNLEADED ( ) 02 REGULAR ( ) 03 PREMIUM (X) 04 DIESEL ( ) 05 WASTE OIL ( ) 06 OTHER

V CONTAINER CONSTRUCTION

A. THICKNESS OF PRIMARY CONTAINMENT: ( ) GAUGE ( ) INCHES ( ) CM (X) UNKNOWN

B. ( ) 01 VAULTED (LOCATED IN AN UNDERGROUND VAULT) (X) 02 NON-VAULTED ( ) 03 UNKNOWN

C. ( ) 01 DOUBLE WALLED (X) 02 SINGLE WALLED ( ) 03 LINED

D. ( ) 01 CARBON STEEL ( ) 02 STAINLESS STEEL ( ) 03 FIBERGLASS ( ) 04 POLYVINYL CHLORIDE ( ) 05 CONCRETE
( ) 06 ALUMINUM ( ) 07 STEEL CLAD ( ) 08 BRONZE ( ) 09 COMPOSITE ( ) 10 NON-METALLIC
(X) 12 UNKNOWN ( ) 13 OTHER:

HSC04-070185

1985

STATE ID NUMBER

CONTAINER CONSTRUCTION

E. ( ) 01 RUBBER LINED ( ) 02 ALKYD LINING ( ) 03 EPOXY LINING ( ) 04 PHENOLIC LINING ( ) 05 GLASS LINING
( ) 07 UNLINED ( ) 08 UNKNOWN ( ) 09 OTHER:

F. ( ) 01 POLYETHLENE WRAP ( ) 02 VINYL WRAPPING ( ) 03 CATHODIC PROTECTION ( ) 04 UNKNOWN ( ) 05 NONE
( ) 06 TAR OR ASPHALT ( ) 09 OTHER:

VI PIPING

A. ABOVEGROUND PIPING: ( ) 01 DOUBLE-WALLED PIPE ( ) 02 CONCRETE-LINED TRENCH ( ) 03 GRAVITY
(CHECK APPROPRIATE BOX(ES) ( ) 04 PRESSURE ( ) 05 SUCTION ( ) 06 UNKNOWN ( ) 07 NONE

B. UNDERGROUND PIPING: ( ) 01 DOUBLE-WALLED PIPE ( ) 02 CONCRETE-LINED TRENCH ( ) 03 GRAVITY
(CHECK APPROPRIATE BOX(ES) ( ) 04 PRESSURE ( ) 05 SUCTION ( ) 06 UNKNOWN ( ) 07 NONE

VII LEAK DETECTION

( ) 01 VISUAL ( ) 02 STOCK INVENTORY ( ) 04 VAPOR SNIFF WELLS ( ) 05 SENSOR INSTRUMENT
( ) 06 GROUND WATER MONITORING WELLS ( ) 07 PRESSURE TEST ( ) 09 NONE ( ) 10 OTHER:

VIII CHEMICAL COMPOSITION OF MATERIALS STORED IN UNDERGROUND CONTAINERS

IF YOU CHECKED YES TO IV-F YOU ARE NOT REQUIRED TO COMPLETE THIS SECTION

CURRENTLY STORED	PREVIOUSLY STORED	DELETE	CAS# (IF KNOWN)	CHEMICAL (DO NOT USE COMMERCIAL NAME)
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		

IS CONTAINER LOCATED ON AN AGRICULTURAL FARM? ( ) 01 YES ( ) 02 NO

THIS FORM HAS BEEN COMPLETED UNDER THE PENALTY OF PERJURY AND, TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.

PERSON FILING (SIGNATURE)	PHONE W/AREA CODE

FOR LOCAL AGENCY USE ONLY

ADMINISTRATING AGENCY	CITY CODE	COUNTY CODE

CONTACT PERSON	PHONE W/AREA CODE

DATE OF LAST INSPECTION	IN COMPLIANCE ( ) 01 YES ( ) 02 NO	PERMIT APPROVAL DATE	TRANSACTION DATE	LOCAL PERMIT ID #

1986

UGST PERMIT(S) CANNOT : PROCESSED WITHOUT A COMPL D APPLICATION

FOR EACH TANK.

THIS FORM MUST BE RETURNED WITH YOUR REMITTANCE

Department of Environmental Health Services
Hazardous Waste & Toxics Control
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0160

STATE ID NUMBER

APPLICATION FOR PERMIT TO OPERATE UNDERGROUND STORAGE TANK

( ) 01 NEW PERMIT ( ) 05 RENEWED PERMIT ( ) 07 TANK CLOSED ( ) 09 DELETE FROM FILE (NO FEE)
( ) 02 CONDITIONAL PERMIT ( ) 06 AMENDED PERMIT ( ) 08 MINOR CHANGE (NO SURCHARGE)

COAST GRAIN MILLING
5355 EAST AIRPORT DR
ONTARIO, CA. 91761

BLIC AGENCY ONLY
) 01 FED ( ) 02 STATE ( ) 03 LOCAL

	STATE	ZIP

II FACILITY

FACILITY NAME		DEALER/FOREMAN/SUPERVISOR		
STREET ADDRESS		NEAREST CROSS STREET		
CITY		COUNTY		ZIP
MAILING ADDRESS	CITY		STATE	ZIP
PHONE W/AREA CODE	TYPE OF BUSINESS ( ) 01 GASOLINE STATION ( ) 02 OTHER			
NUMBER OF CONTAINERS	RURAL AREAS ONLY : TOWNSHIP	RANGE	SECTION	

III 24 HOUR EMERGENCY CONTACT PERSON

DAYS: NAME(LAST NAME FIRST) AND PHONE W/AREA CODE	NIGHTS: NAME(LAST NAME FIRST) AND PHONE W/AREA CODE

COMPLETE THE FOLLOWING ON A SEPARATE FORM FOR EACH CONTAINER

IV DESCRIPTION

A. ( ) 01 TANK ( ) 04 OTHER:	CONTAINER NUMBER 3 EAST	
B. MANUFACTURER (IF APPROPRIATE):	YEAR MFG:	C. YEAR INSTALLED (X) UNKNOWN
D. CONTAINER CAPACITY: 4000 GALLONS ( ) UNKNOWN	E. DOES THE CONTAINER STORE: ( ) 01 WASTE (X) 02 PRODUCT	

F. DOES THE CONTAINER STORE MOTOR VEHICLE FUEL OR WASTE OIL ? ( ) 01 YES ( ) 02 NO IF YES CHECK APPROPRIATE BOX(ES):
( ) 01 UNLEADED ( ) 02 REGULAR ( ) 03 PREMIUM (X) 04 DIESEL ( ) 05 WASTE OIL ( ) 06 OTHER

V CONTAINER CONSTRUCTION

A. THICKNESS OF PRIMARY CONTAINMENT: ( ) GAUGE ( ) INCHES ( ) CM (X) UNKNOWN

B. ( ) 01 VAULTED (LOCATED IN AN UNDERGROUND VAULT) (X) 02 NON-VAULTED ( ) 03 UNKNOWN

C. ( ) 01 DOUBLE WALLED (X) 02 SINGLE WALLED ( ) 03 LINED

D. ( ) 01 CARBON STEEL ( ) 02 STAINLESS STEEL ( ) 03 FIBERGLASS ( ) 04 POLYVINYL CHLORIDE ( ) 05 CONCRETE
( ) 06 ALUMINUM ( ) 07 STEEL CLAD ( ) 08 BRONZE ( ) 09 COMPOSITE ( ) 10 NON-METALLIC
(X) 12 UNKNOWN ( ) 13 OTHER:

HSC04-070185

1987

STATE ID NUMBER

CONTAINER CONSTRUCTION

E. ( ) 01 RUBBER LINED ( ) 02 ALKYD LINING ( ) 03 EPOXY LINING ( ) 04 PHENOLIC LINING ( ) 05 GLASS LINING
( ) 07 UNLINED ( ) 08 UNKNOWN ( ) 09 OTHER:

F. ( ) 01 POLYETHLENE WRAP ( ) 02 VINYL WRAPPING ( ) 03 CATHODIC PROTECTION ( ) 04 UNKNOWN ( ) 05 NONE
( ) 06 TAR OR ASPHALT ( ) 09 OTHER:

VI PIPING

A. ABOVEGROUND PIPING: ( ) 01 DOUBLE-WALLED PIPE ( ) 02 CONCRETE-LINED TRENCH ( ) 03 GRAVITY
(CHECK APPROPRIATE BOX(ES) ( ) 04 PRESSURE ( ) 05 SUCTION ( ) 06 UNKNOWN ( ) 07 NONE

B. UNDERGROUND PIPING: ( ) 01 DOUBLE-WALLED PIPE ( ) 02 CONCRETE-LINED TRENCH ( ) 03 GRAVITY
(CHECK APPROPRIATE BOX(ES) ( ) 04 PRESSURE ( ) 05 SUCTION ( ) 06 UNKNOWN ( ) 07 NONE

VII LEAK DETECTION

( ) 01 VISUAL ( ) 02 STOCK INVENTORY ( ) 04 VAPOR SNIFF WELLS ( ) 05 SENSOR INSTRUMENT
( ) 06 GROUND WATER MONITORING WELLS ( ) 07 PRESSURE TEST ( ) 09 NONE ( ) 10 OTHER:

VIII CHEMICAL COMPOSITION OF MATERIALS STORED IN UNDERGROUND CONTAINERS

IF YOU CHECKED YES TO IV-F YOU ARE NOT REQUIRED TO COMPLETE THIS SECTION

CURRENTLY STORED	PREVIOUSLY STORED	DELETE	CASE (IF KNOWN)	CHEMICAL (DO NOT USE COMMERCIAL NAME)
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		

IS CONTAINER LOCATED ON AN AGRICULTURAL FARM? ( ) 01 YES ( ) 02 NO

THIS FORM HAS BEEN COMPLETED UNDER THE PENALTY OF PERJURY AND, TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.

PERSON FILING (SIGNATURE)	PHONE W/AREA CODE

FOR LOCAL AGENCY USE ONLY

ADMINISTRATING AGENCY	CITY CODE	COUNTY CODE

CONTACT PERSON	PHONE W/AREA CODE

DATE OF LAST INSPECTION	IN COMPLIANCE ( ) 01 YES ( ) 02 NO	PERMIT APPROVAL DATE	TRANSACTION DATE	LOCAL PERMIT ID #

1988

UGST PERMIT(S) CANNOT BE PROCESSED WITHOUT A COMPLETED APPLICATION FOR EACH TANK.

THIS FORM MUST BE RETURNED WITH YOUR REMITTANCE

Department of Environmental Health Services
Hazardous Waste & Toxics Control
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0160

STATE ID NUMBER

APPLICATION FOR PERMIT TO OPERATE UNDERGROUND STORAGE TANK

( ) 01 NEW PERMIT (X) 05 RENEWED PERMIT ( ) 07 TANK CLOSED ( ) 09 DELETE FROM FILE (NO FEE)
( ) 02 CONDITIONAL PERMIT ( ) 06 AMENDED PERMIT ( ) 08 MINOR CHANGE (NO SURCHARGE)

I

NA COAST GRAIN MILLING
5355 EAST AIRPORT DR
ONTARIO, CA. 91761

ST

IC AGENCY ONLY
01 FED ( ) 02 STATE ( ) 03 LOCAL

STATE | ZIP

II FACILITY

FACILITY NAME: COAST GRAIN MILLING
DEALER/FOREMAN/SUPERVISOR: CARL ALLEN
STREET ADDRESS: 5355 EAST AIRPORT DR.
NEAREST CROSS STREET: ETIWANDA
CITY: ONTARIO, CA 91761
COUNTY: SAN BERNARDINO
ZIP: 91761
MAILING ADDRESS: P.O. Box 3610
CITY: ONTARIO
STATE: CA
ZIP: 91761
PHONE W/AREA CODE: 714-9839766
TYPE OF BUSINESS: ( ) 01 GASOLINE STATION (X) 02 OTHER
NUMBER OF CONTAINERS: 4
RURAL AREAS ONLY : TOWNSHIP | RANGE | SECTION

III 24 HOUR EMERGENCY CONTACT PERSON

DAYS: NAME(LAST NAME FIRST) AND PHONE W/AREA CODE: MARTINEZ LEONARD 714-9839766
NIGHTS: NAME(LAST NAME FIRST) AND PHONE W/AREA CODE: LATIMER DWAINE 7149839766

COMPLETE THE FOLLOWING ON A SEPARATE FORM FOR EACH CONTAINER

IV DESCRIPTION

A. ( ) 01 TANK ( ) 04 OTHER: CONTAINER NUMBER: 1 North
B. MANUFACTURER (IF APPROPRIATE): YEAR MFG: C. YEAR INSTALLED (X) UNKNOWN
D. CONTAINER CAPACITY: 10000 GALLONS ( ) UNKNOWN E. DOES THE CONTAINER STORE: ( ) 01 WASTE (X) 02 PRODUCT
F. DOES THE CONTAINER STORE MOTOR VEHICLE FUEL OR WASTE OIL ? (X) 01 YES ( ) 02 NO IF YES CHECK APPROPRIATE BOX(ES):
(X) 01 UNLEADED ( ) 02 REGULAR ( ) 03 PREMIUM ( ) 04 DIESEL ( ) 05 WASTE OIL ( ) 06 OTHER

V CONTAINER CONSTRUCTION

A. THICKNESS OF PRIMARY CONTAINMENT: ( ) GAUGE ( ) INCHES ( ) CM (X) UNKNOWN
B. ( ) 01 VAULTED (LOCATED IN AN UNDERGROUND VAULT) (X) 02 NON-VAULTED ( ) 03 UNKNOWN
C. ( ) 01 DOUBLE WALLED (X) 02 SINGLE WALLED ( ) 03 LINED
D. ( ) 01 CARBON STEEL ( ) 02 STAINLESS STEEL ( ) 03 FIBERGLASS ( ) 04 POLYVINYL CHLORIDE ( ) 05 CONCRETE
( ) 06 ALUMINUM ( ) 07 STEEL CLAD ( ) 08 BRONZE ( ) 09 COMPOSITE ( ) 10 NON-METALLIC
(X) 12 UNKNOWN ( ) 13 OTHER:

HSC04-070185

1989

STATE ID NUMBER

CONTAINER CONSTRUCTION

E. ( ) 01 RUBBER LINED ( ) 02 ALKYD LINING ( ) 03 EPOXY LINING ( ) 04 PHENOLIC LINING ( ) 05 GLASS LINING
( ) 07 UNLINED ( ) 08 UNKNOWN ( ) 09 OTHER:

F. ( ) 01 POLYETHLENE WRAP ( ) 02 VINYL WRAPPING ( ) 03 CATHODIC PROTECTION ( ) 04 UNKNOWN ( ) 05 NONE
( ) 06 TAR OR ASPHALT ( ) 09 OTHER:

VI PIPING

A. ABOVEGROUND PIPING: ( ) 01 DOUBLE-WALLED PIPE ( ) 02 CONCRETE-LINED TRENCH ( ) 03 GRAVITY
(CHECK APPROPRIATE BOX(ES) ( ) 04 PRESSURE ( ) 05 SUCTION ( ) 06 UNKNOWN ( ) 07 NONE

B. UNDERGROUND PIPING: ( ) 01 DOUBLE-WALLED PIPE ( ) 02 CONCRETE-LINED TRENCH ( ) 03 GRAVITY
(CHECK APPROPRIATE BOX(ES) ( ) 04 PRESSURE ( ) 05 SUCTION ( ) 06 UNKNOWN ( ) 07 NONE

VII LEAK DETECTION

( ) 01 VISUAL ( ) 02 STOCK INVENTORY ( ) 04 VAPOR SNIFF WELLS ( ) 05 SENSOR INSTRUMENT
( ) 06 GROUND WATER MONITORING WELLS ( ) 07 PRESSURE TEST ( ) 09 NONE ( ) 10 OTHER:

VIII CHEMICAL COMPOSITION OF MATERIALS STORED IN UNDERGROUND CONTAINERS

IF YOU CHECKED YES TO IV-F YOU ARE NOT REQUIRED TO COMPLETE THIS SECTION

CURRENTLY STORED	PREVIOUSLY STORED	DELETE	CAS# (IF KNOWN)	CHEMICAL (DO NOT USE COMMERCIAL NAME)
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		

IS CONTAINER LOCATED ON AN AGRICULTURAL FARM? ( ) 01 YES ( ) 02 NO

THIS FORM HAS BEEN COMPLETED UNDER THE PENALTY OF PERJURY AND, TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.

PERSON FILING (SIGNATURE)	PHONE W/AREA CODE

FOR LOCAL AGENCY USE ONLY

ADMINISTRATING AGENCY	CITY CODE	COUNTY CODE

CONTACT PERSON	PHONE W/AREA CODE

DATE OF LAST INSPECTION	IN COMPLIANCE ( ) 01 YES ( ) 02 NO	PERMIT APPROVAL DATE	TRANSACTION DATE	LOCAL PERMIT ID #

1990

UGST PERMIT(S) CANNOT : PROCESSED WITHOUT A COMPL D APPLICATION FOR EACH TANK.

THIS FORM MUST BE RETURNED WITH YOUR REMITTANCE

Department of Environmental Health Services
Hazardous Waste & Toxics Control
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0160

STATE ID NUMBER

APPLICATION FOR PERMIT TO OPERATE UNDERGROUND STORAGE TANK

( ) 01 NEW PERMIT ( ) 05 RENEWED PERMIT ( ) 07 TANK CLOSED ( ) 09 DELETE FROM FILE (NO FEE)
( ) 02 CONDITIONAL PERMIT ( ) 06 AMENDED PERMIT ( ) 08 MINOR CHANGE (NO SURCHARGE)

COAST GRAIN MILLING
5355 EAST AIRPORT DR
ONTARIO, CA. 91761

BLIC AGENCY ONLY
) 01 FED ( ) 02 STATE ( ) 03 LOCAL

STATE | ZIP

II FACILITY

FACILITY NAME		DEALER/FOREMAN/SUPERVISOR		
STREET ADDRESS		NEAREST CROSS STREET		
CITY		COUNTY		ZIP
MAILING ADDRESS	CITY		STATE	ZIP
PHONE W/AREA CODE	TYPE OF BUSINESS ( ) 01 GASOLINE STATION ( ) 02 OTHER			
NUMBER OF CONTAINERS	RURAL AREAS ONLY : TOWNSHIP	RANGE	SECTION	

III 24 HOUR EMERGENCY CONTACT PERSON

DAYS: NAME(LAST NAME FIRST) AND PHONE W/AREA CODE	NIGHTS: NAME(LAST NAME FIRST) AND PHONE W/AREA CODE

COMPLETE THE FOLLOWING ON A SEPARATE FORM FOR EACH CONTAINER

IV DESCRIPTION

A. ( ) 01 TANK ( ) 04 OTHER: — CONTAINER NUMBER 2 South

B. MANUFACTURER (IF APPROPRIATE): — YEAR MFG: — C. YEAR INSTALLED (X) UNKNOWN

D. CONTAINER CAPACITY: 10000 GALLONS ( ) UNKNOWN — E. DOES THE CONTAINER STORE: ( ) 01 WASTE (X) 02 PRODUCT

F. DOES THE CONTAINER STORE MOTOR VEHICLE FUEL OR WASTE OIL ? (X) 01 YES ( ) 02 NO IF YES CHECK APPROPRIATE BOX(ES):
( ) 01 UNLEADED ( ) 02 REGULAR ( ) 03 PREMIUM (X) 04 DIESEL ( ) 05 WASTE OIL ( ) 06 OTHER

V CONTAINER CONSTRUCTION

A. THICKNESS OF PRIMARY CONTAINMENT: ( ) GAUGE ( ) INCHES ( ) CM (X) UNKNOWN

B. ( ) 01 VAULTED (LOCATED IN AN UNDERGROUND VAULT) (X) 02 NON-VAULTED ( ) 03 UNKNOWN

C. ( ) 01 DOUBLE WALLED (X) 02 SINGLE WALLED ( ) 03 LINED

D. ( ) 01 CARBON STEEL ( ) 02 STAINLESS STEEL ( ) 03 FIBERGLASS ( ) 04 POLYVINYL CHLORIDE ( ) 05 CONCRETE
( ) 06 ALUMINUM ( ) 07 STEEL CLAD ( ) 08 BRONZE ( ) 09 COMPOSITE ( ) 10 NON-METALLIC
(X) 12 UNKNOWN ( ) 13 OTHER:

HSC04-070185

1991

STATE ID NUMBER

CONTAINER CONSTRUCTION

E. ( ) 01 RUBBER LINED ( ) 02 ALKYD LINING ( ) 03 EPOXY LINING ( ) 04 PHENOLIC LINING ( ) 05 GLASS LINING
( ) 07 UNLINED ( ) 08 UNKNOWN ( ) 09 OTHER:

F. ( ) 01 POLYETHLENE WRAP ( ) 02 VINYL WRAPPING ( ) 03 CATHODIC PROTECTION ( ) 04 UNKNOWN ( ) 05 NONE
( ) 06 TAR OR ASPHALT ( ) 09 OTHER:

VI PIPING

A. ABOVEGROUND PIPING: ( ) 01 DOUBLE-WALLED PIPE ( ) 02 CONCRETE-LINED TRENCH ( ) 03 GRAVITY
(CHECK APPROPRIATE BOX(ES) ( ) 04 PRESSURE ( ) 05 SUCTION ( ) 06 UNKNOWN ( ) 07 NONE

B. UNDERGROUND PIPING: ( ) 01 DOUBLE-WALLED PIPE ( ) 02 CONCRETE-LINED TRENCH ( ) 03 GRAVITY
(CHECK APPROPRIATE BOX(ES) ( ) 04 PRESSURE ( ) 05 SUCTION ( ) 06 UNKNOWN ( ) 07 NONE

VII LEAK DETECTION

( ) 01 VISUAL ( ) 02 STOCK INVENTORY ( ) 04 VAPOR SNIFF WELLS ( ) 05 SENSOR INSTRUMENT
( ) 06 GROUND WATER MONITORING WELLS ( ) 07 PRESSURE TEST ( ) 09 NONE ( ) 10 OTHER:

VIII CHEMICAL COMPOSITION OF MATERIALS STORED IN UNDERGROUND CONTAINERS

IF YOU CHECKED YES TO IV-F YOU ARE NOT REQUIRED TO COMPLETE THIS SECTION

CURRENTLY STORED	PREVIOUSLY STORED	DELETE	CASE (IF KNOWN)	CHEMICAL (DO NOT USE COMMERCIAL NAME)
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		
( ) 01	( ) 02	( ) 03		

IS CONTAINER LOCATED ON AN AGRICULTURAL FARM? ( ) 01 YES ( ) 02 NO

THIS FORM HAS BEEN COMPLETED UNDER THE PENALTY OF PERJURY AND, TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.

PERSON FILING (SIGNATURE)	PHONE W/AREA CODE

FOR LOCAL AGENCY USE ONLY

ADMINISTRATING AGENCY	CITY CODE	COUNTY CODE

CONTACT PERSON	PHONE W/AREA CODE

DATE OF LAST INSPECTION	IN COMPLIANCE ( ) 01 YES ( ) 02 NO	PERMIT APPROVAL DATE	TRANSACTION DATE	LOCAL PERMIT ID #

COUNTY FIRE DEPARTMENT

HAZARDOUS MATERIALS DIVISION
FIELD SERVICES • ENVIRONMENTAL PROTECTION
385 North Arrowhead Avenue, Second Floor • San Bernardino, CA 92415-0153
(909) 387-3080 • Fax (909) 387-4323

COUNTY OF SAN BERNARDINO

RICHARD W. SEWELL
Fire Chief
County Fire Warden

September 4, 1998

ELMER J. WOOD, INC
PO BOX 1528
RIVERSIDE, CA 92507

SUBJECT: REMOVAL OF TWO UNDERGROUND STORAGE TANKS AT 5355 AIRPORT, ONTARIO

The Department has reviewed the report dated July 25, 1989, submitted by Babcock & Sons, Inc. for the facility at the subject address. The results indicate that contamination remaining in the excavation is below that which is generally considered a problem and further investigation is not warranted at this time.

It is important to note that this does not constitute a release of liability for contamination remaining on site or contamination not detected. Should site conditions change, the Department may require further investigation and remedial action.

If you have any questions, please call (909) 387-3082.

Susan Williams

SUSAN WILLIAMS, REHS
Hazardous Materials Field Services

SW/jc

Board of Supervisors
DENNIS HANSBERGER ..... Third District
LARRY WALKER ..... Fourth District

CUPA

San Bernardino County Fire Department

HAZARDOUS MATERIALS DIVISION • FIELD SERVICES/ENVIRONMENTAL PROTECTION

385 N. Arrowhead Ave, 2nd Floor, San Bernardino, CA 92415-0153 • (909) 387-3080 FAX (909) 387-4323

HAZARDOUS WASTE GENERATOR AND HAZARDOUS MATERIALS HANDLER INSPECTION REPORT

Facility Name: COAST Grain Inc. Date: 11-15-01

Street Address: 5355 E. Airport DRIVE Est. No: 87013578

City: ONTARIO Zip Code: 91761 EPA ID No: CAD981380165

Facility Contact: Leonard Martinez Phone No. (909) 390-9766 Number of Employees: 7

Refer to Title 19 and Title 22 of the California Code of Regulations (CCR), Chapter 6.5 of the Health and Safety Code (CHSC) and Division 3 of Title 2 of the San Bernardino County Code (CC). The following code sections are either in Violation (V) of, or in Compliance (C) with, the applicable laws and regulations, or compliance is not applicable, not addressed or unknown (N).

GENERAL REQUIREMENTS FOR GENERATORS		V	C	N	
101. Hazardous Waste Generator Permit current	CC 33.0732		✓		*
102. Facility access for inspection granted - HW only	CHSC 25185		✓		*
103. Hazardous Waste determination made	CCR 66262.11		✓		*
104. EPA ID Number obtained	CCR 66262.12(a)		✓		*
105. Hazardous Waste storage/treatment authorization	CHSC 25189.5(d)			✓	*
106. Facility operated/maintained to prevent release/fire	CCR 66265.31		✓		*
107. Contingency Plan established	CCR 66265.51(a)		✓		*
108. Recyclable materials managed lawfully	CHSC 25143.2			✓	*
STORAGE AND LABELING REQUIREMENTS					
110. Hazardous Waste containers labeled	CCR 66262.34(f)(3)	✓			
111. Hazardous Waste container label complete	CCR 66262.34(f)(3)	✓			
112. Accumulation start date on labels	CCR 66262.34(f)(2)	✓			
113. Hazardous Waste accumulation time not exceeded	CCR 66262.34		✓		
114. Hazardous Waste containers sound	CCR 66265.171		✓		*
115. Hazardous Waste containers not leaking	CCR 66265.173(b)		✓		*
116. Hazardous Waste containers closed	CCR 66265.173(a)		✓		
117. Contaminated containers managed properly	CCR 66261.7			✓	*
118. Container storage area inspected weekly	CCR 66265.174	✓			
119. Hazardous Waste managed lawfully	CHSC 25154		✓		*
120. Aboveground Tank storage area inspected daily	CCR 66265.195	✓			
HAZARDOUS WASTE RECORDS AND MANIFESTS					
125. Hazardous Waste transported with a manifest	CCR 66262.20(a)		✓		*
126. Hazardous Waste manifest complete	CCR 66262.23		✓		*
127. Hazardous Waste manifests sent to DTSC	CCR 66262.23(a)(4)		✓		
128. Manifests retained for at least 3 years	CCR 66262.40(a)		✓		
129. Biennial Report prepared	CCR 66262.41			✓	
130. Hazardous Waste analyses retained for 3 years	CCR 66262.40(c)		✓		
131. Training documentation complete & available	CCR 66265.16		✓		*
132. SB 14 completed and available	CCR 67100.3			✓	
MANAGEMENT OF USED OIL AND BATTERIES					
135. Used oil managed properly	CHSC 25250.4		✓		
136. Used oil not contaminated with Hazardous Waste	CHSC 25250.7		✓		
137. Used oil receipts complete & available	CHSC 25250.8(b)		✓		
138. Used oil filters managed lawfully	CCR 66266.130		✓		
139. Used batteries managed lawfully	CCR 66266.81		✓		
DISPOSAL AND TRANSPORTATION					
145. Illegal disposal/abandonment of Hazardous Waste	CHSC 25189.5(a)			✓	*
146. Illegal disposal of used oil	CHSC 25250.5(a)			✓	*
147. Transportation of Hazardous Waste w/o registration	CHSC 25163			✓	*
148. Hazardous Waste hauled by registered transporter	CHSC 25163		✓		*
149. Haz. Waste transported to an unauthorized facility	CHSC 25189.5(c)			✓	*

RELEASE AND RESPONSE/BUSINESS PLANS		V	C	N	
201. Hazardous Material handler permit current	CC 33.022		✓		
202. Business Plan established	CHSC 25503.5		✓		
203. Business Plan submitted/updated	CHSC 25505	✓			
204. Hazardous Materials release reported	CHSC 25507			✓	
205. Facility access for inspection granted - HM Only	CHSC 25508		✓		
206. Regulated Substances registration filed	CHSC 25533(a)			✓	
207. SPCC Plan completed	CHSC 25270.5(c)			✓	

INSPECTION NARRATIVE

Coast Grain is a feed mfg plant. Grain products are mixed & ground then flaked, or pelleted, bagged and prepared for distrabution. Facility process is same as indicated in the inspection report from this Department conducted 7/98. Facility has one underground storage tank - certification of monitoring system was conducted 10/01. Necessary repairs have been made to UST system

☑ NOTICE OF VIOLATION: THE VIOLATIONS NOTED ABOVE MUST BE CORRECTED WITHIN 30 DAYS. FAILURE TO COMPLY MAY RESULT IN LEGAL ACTION. THE CERTIFICATE OF COMPLIANCE SHALL BE SUBMITTED WITHIN THE TIME PERIOD NOTED ABOVE.

Inspector: Kathleen M Brundage Received by: cert mail Title:

15-19275-670 Rev. 9/00

DISTRIBUTION: White – File Canary – Facility Pink – Inspec

1994

CUPA
San Bernardino County Fire Department
HAZARDOUS MATERIALS DIVISION • FIELD SERVICES/ENVIRONMENTAL PROTECTION
385 N. Arrowhead Ave., 2nd Floor, San Bernardino, CA 92415-0153 • (909) 387-3080 FAX (909) 387-4323

SUPPLEMENTAL INSPECTION REPORT

FACILITY NAME:	FACILITY LOCATION:
Coast Grain	5355 E. Airport Drive, Ont

Wastes generated from this location:
2-55 gallon drums waste oil (in Fabrication)
1-220 gallon aboveground tank - waste oil
2-30 gallon drums - waste antifreeze
1-55 gallon drum - oil soaked absorbent
1-55 gallon drum - waste oil filters

Golden West is contracted for all hazardous waste hauling and disposal activities. Manifests were available at the time of the inspection.

Materials stored onsite include:
Fabrication Dept:
4-55 gallon drums oil, lubricants, etc
several 5 gallon containers oil
5-30 gallon drums grease
Fats/Oil Division: (which has been shut down)
1-aboveground tank for diesel - currently empty
5000 gallon
Vehicle Maintenance Division:
1-220 gallon aboveground tank (AST) - oil
1-55 gallon drum antifreeze
1-55 " " transmission fluid
1-55 " " absorbent - new
parts washers / OX/ACE WELDING UNITS
1-55 gallon drum of unknown material/waste was

Kathleen Brundage
Inspector

cert mail
Received By

11-15-01
Date

Title

15-17189-670 Rev. 10/99

1995

CUPA
San Bernardino County Fire Department
HAZARDOUS MATERIALS DIVISION • FIELD SERVICES/ENVIRONMENTAL PROTECTION
385 N. Arrowhead Ave., 2nd Floor, San Bernardino, CA 92415-0153 • (909) 387-3080 FAX (909) 387-4323

SUPPLEMENTAL INSPECTION REPORT

FACILITY NAME:	FACILITY LOCATION:
Coast Grain	5355 E. Airport., Ontario

Stored outside the south door in vehicle maintenance area.

2-55 gallon drums of cleaner containing potassium hydroxide
1-55 gallon drum of cleaner containing hydroflouric acid

Paclease is contracted by Coast Grain for on site fleet servicing. Records for disposal are in Paclease name operating under Coast Grain permits.

Mission Uniforms services rags and uniforms.

Stored to the north of the vehicle maintenance bay is the washdown area and molassas storage tanks. This area has a sump which collects wash wated from the grain + molassas trucks. This wash down is collected and used as pig feed. Molassas is stored in 5 silo style aboveground storage tanks.

Around the facility are numerous empty 55 gallon drums. Located at the end of the RR spur were 3-55 gallon drums propylene glycol + 1-55 gallon blue poly drum containing an unknown substance

Kathleen Brundage
Inspector

cert mail
Received By

11-15-01
Date

Title

CUPA
San Bernardino County Fire Department
HAZARDOUS MATERIALS DIVISION • FIELD SERVICES/ENVIRONMENTAL PROTECTION
385 N. Arrowhead Ave., 2nd Floor, San Bernardino, CA 92415-0153 • (909) 387-3080 FAX (909) 387-4323

SUPPLEMENTAL INSPECTION REPORT

FACILITY NAME:	FACILITY LOCATION:
Coast Grain	5355 Airport Dr., Ontario

Facility has recently been purchased. At the time of the inspection, the new name, etc. had not been disclosed. Operations are to remain the same.

The following issues need to be addressed for compliance with hazardous material + hazardous waste regulation:

① Update Business Emergency Contingency Plan with new operators name / emergency contacts; (# 203 on 1st pg of report)

② Hazardous Waste storage containers must be properly labeled with hazardous waste labels. A sample label is included with this report; (# 110, 111, 112)

③ Hazardous waste storage areas must be inspected at least weekly to insure that container integrety is intact, that drbris does not accumulate, all containers are properly labeled + accomulation time allowances are not exceeded; (# 118)

④ Aboveground storage tanks for hazardous waste must be inspected on a daily basis.

Implement an inspection program for #3 + 4. Sample inspection sheets are included with this report.

Kathleen Brundage
Inspector

cert. mail
Received By

11-15-01
Date

Title

CUPA
San Bernardino County Fire Department
HAZARDOUS MATERIALS DIVISION • FIELD SERVICES/ENVIRONMENTAL PROTECTION
385 N. Arrowhead Ave., 2nd Floor, San Bernardino, CA 92415-0153 • (909) 387-3080 FAX (909) 387-4323

SUPPLEMENTAL INSPECTION REPORT

FACILITY NAME:	FACILITY LOCATION:
Coast Grain, Inc	5355 Airport Dr., Ontario

(5) All misc. containers/55 gallon drums stored throughout the facility need to be identified & properly labeled. If these containers store a waste, these must be managed properly & hauled to an appropriate disposal facility.

If you have any questions regarding this report or compliance requirements, please contact this office at (909) 387-3080.

Kathleen Brundage
Inspector

11-15-01
Date

Cert mail
Received By

Title

15-17189-670 Rev. 10/99

1998

CUPA

San Bernardino County Fire Department • HAZARDOUS MATERIALS DIVISION

385 N. Arrowhead Ave., 2nd Floor, San Bernardino, CA 92415-0153 • (909) 387-4631 FAX (909) 387-4323

HAZARDOUS MATERIALS INVENTORY FORM - Chemical Description

☒ MATERIAL ☐ WASTE

One page per item. Indicate if material OR waste (Do not combine material and waste on one form)

MAKE COPIES OF THIS FORM AS NEEDED.

ATTACH A MATERIAL SAFETY DATA SHEET (MSDS) IF THE MATERIAL IS NOT LISTED IN APPENDIX I OF THIS GUIDE.

I. FACILITY INFORMATION

ESTABLISHMENT # 87013578 (This number is on your CUPA permit.) ITEM NUMBER 12

FACILITY ID # 36 00 1 01357 8 1 FACILITY MAP # 203 GRID COORDINATE(s) 204 B4

BUSINESS NAME Coast Grain Co

BUSINESS SITE ADDRESS 5355 E Airport Dr Ontario Ca 91761

II. CHEMICAL INFORMATION

CHEMICAL NAME Solvent 205 TRADE SECRET ☐ NO 206
Do not disclose trade secrets here. Contact this Dept for trade secret filing instructions. If EPCRA, follow EPA procedures

COMMON NAME 207 EHS* ☐ YES ☒ NO 208

CAS# 209 EHS = Extremely Hazardous Substance (Appdx B)
*If EHS is "YES", all amounts MUST be in pounds

HAZARDOUS MATERIAL TYPE *(Check one item only)* ☐ a. PURE ☒ b. MIXTURE ☐ c. WASTE 211 | RADIOACTIVE? Yes ☐ No ☒ | CURIES 213

PHYSICAL STATE *(Check one item only)* ☐ a. SOLID ☒ b. LIQUID ☐ c. GAS ☐ d. DUST | LARGEST CONTAINER SIZE 215

FED HAZARD CATEGORIES ☒ a. FIRE ☐ b. REACTIVE ☐ c. PRESSURE RELEASE ☐ d. ACUTE HEALTH ☐ e. CHRONIC HEALTH 216

AVERAGE AMOUNT 217	MAXIMUM AMOUNT 218	ANNUAL WASTE AMOUNT 219	STATE WASTE CODE 220
40	40		

UNITS* *(Check one item only)* ☒ a. GALLONS ☐ b. CUBIC FEET ☐ c. POUNDS ☐ d. TONS ☐ E. OTHER: 221 | DAYS ON SITE 222: 365

STORAGE CONTAINER *(Check all that apply)* 223
☐ a. ABOVEGROUND TANK ☐ b. UNDERGROUND TANK ☐ c. TANK INSIDE BUILDING ☐ d. STEEL DRUM
☐ e. PLASTIC/NONMETALLIC DRUM ☐ f. CAN ☐ g. CARBOY ☐ h. SILO
☐ i. FIBER DRUM ☐ j. BAG ☐ k. BOX ☐ l. CYLINDER
☐ m. GLASS BOTTLE ☐ n. PLASTIC BOTTLE ☐ o. TOTE BIN ☐ p. TANK WAGON
☐ q. RAIL CAR ☒ r. OTHER Parts Washer

STORAGE PRESSURE ☒ a. AMBIENT ☐ b. ABOVE AMBIENT ☐ c. BELOW AMBIENT 224

STORAGE TEMPERATURE ☒ a. AMBIENT ☐ b. ABOVE AMBIENT ☐ c. BELOW AMBIENT ☐ d. CRYOGENIC 225

%WT	COMPOSITION (LIST ALL COMPONENTS, HAZARDOUS FIRST)	EHS	CAS #
1. 226	Perchloroethylene 227	☐ YES ☐ NO 228	127 18-4 229
2. 230	Benzene 231	☐ YES ☐ NO 232	71 43-2 233
3. 234	Trichloroethylene 235	☐ YES ☐ NO 236	79 01-6 237
4. 238	Methylene Chloride 239	☐ YES ☐ NO 240	75 09-2 241
5. 242	Dichloro Benzene 243	☐ YES ☐ NO 244	106 46 7 245

If more hazardous components are present at greater than 1% by weight if non-carcinogenic, or 0.1% by weight if carcinogenic, attach additional sheets

NOTES *(Trade names/synonyms or other information relevant to the substances listed)* 246

If EPCRA, Owner/Operator please sign here

Date: 12-11-01

1999

COUNTY FIRE DEPARTMENT

COUNTY OF SAN BERNARDINO
ECONOMIC DEVELOPMENT
AND PUBLIC SERVICES GROUP

OFFICE OF THE FIRE MARSHAL
HAZARDOUS MATERIALS DIVISION
620 South "E" Street • San Bernardino, CA 92415-0153
(909) 386-8401 • Fax (909) 386-8460

PETER R. HILLS
Fire Chief
County Fire Warden

January 8, 2002

COAST GRAIN INC
5355 E AIRPORT DRIVE
ONTARIO, CALIFORNIA 91761

ATTENTION: JOHN STELLINGWORTH

SUBJECT: REMOVAL OF ONE UNDERGROUND STORAGE TANK AT COAST GRAIN INC, LOCATED AT 5355 E. AIRPORT DRIVE, ONTARIO, CALIFORNIA

The Department has reviewed the report submitted by Tank Specialists of California for the facility at the above address. The results of the soil sampling activity conducted on December 5, 2002 indicate that further investigation is not warranted at this time.

It is important to note that this cannot be construed as a release of liability for the site or declaration that the site is free from contamination. Should further projects or environmental investigations reveal additional contaminants on site, you will be responsible and held liable for the investigation and remedial actions.

If you have any questions, please call me at (909) 386-8419.

Catherine B. Richards

CATHERINE B. RICHARDS, R.E.H.S.
ENVIRONMENTAL HEALTH SPECIALIST II
HAZARDOUS MATERIALS DIVISION
SITE REMEDIATION/LOCAL OVERSIGHT PROGRAM

CBR/lld

cc: Dave Hopper, Tank Specialists of California

JOHN F. MICHAELSON
County Administrative Officer
JOHN GOSS
Assistant County Administrator
Economic Development and
Public Services Group

Board of Supervisors
BILL POSTMUS ..... First District
JON D. MIKELS ..... Second District
JERRY SAVES ..... Fifth District
DENNIS HANSBERGER ..... Third District
FRED AGUIAR ..... Fourth District
2000

Advanced GeoEnvironmental, Inc.

18 December 2002
AGE Project No. SB 603G7.1024

Mr. Dave Hopper
Tank Specialists of California
12425 Mills Avenue, Suite A7
Chino, California 91710-2084

Subject: **Soil Sampling Following the Removal of an Underground Storage Tank - Coast Grain Co., 5355 E. Airport Drive, Ontario, California**

Dear Mr. Hopper:

In accordance with your request, *Advanced* GeoEnvironmental, Inc. has collected soil samples following the removal of an underground storage tank system at the referenced address. The enclosed report describes the procedures and findings of this sampling program for review by the regulatory agency.

The opportunity to provide this service is greatly appreciated. If you have any questions regarding this matter, please feel free to call our office at (714) 996-5151.

Sincerely,

***Advanced* GeoEnvironmental, Inc.**

REGISTERED GEOLOGIST ROBERT D. LOEFFLER No. 6709 STATE OF CALIFORNIA

Robert D. Loeffler
Project Geologist
California Registered Geologist No. 6709

Enclosures

cc: (4) addressee

3315 E. Miraloma Avenue, Suite 117, Anaheim, California 92806
Telephone (714) 996-5151 FAX (714) 996-5182

Soil Sampling Following the Removal of an Underground Storage Tank
Coast Grain Co.
5355 E. Airport Drive, Ontario, California

1.0. INTRODUCTION

Advanced GeoEnvironmental, Inc. (AGE) was retained by Tank Specialists of California (TSC) to collect and analyze soil samples following the removal of a 12,000-gallon diesel fuel underground storage tank (UST) and associated piping and dispenser at the above referenced address. The site is located in an industrial area of low to moderate topographic relief at an estimated elevation of 980-feet above mean sea level (Figure 1 - *Location Map*, 7.5 Guasti Quadrangle, USGS Topographic Series, photorevised, 1981).

1.1. UNDERGROUND STORAGE TANK

The UST was north of the main office building and was used for the storage of diesel fuel. The UST was a 12,000-gallon double-walled steel and fiberglass tank. A dispenser was 5 feet northwest of the UST. The location of the UST and the immediately surrounding features are depicted on Figure 2 - *Site Plan*.

1.2. HYDROGEOLOGY INFORMATION

According to a report titled *Chino Basin, Optimum Basin Management Program – Initial State of the Basin Report (draft)*, released by the Chino Basin Watermaster in January 2002, the depth to ground water in the vicinity of the site is estimated to be 305-feet below surface grade (bsg). Ground water is inferred to flow in a southwesterly direction. Ground water was not encountered during tank removal activities.

2.0. SAMPLING AND ANALYTICAL PROCEDURES

The UST was removed by TSC on 05 December 2002. Prior to removal, the UST was triple-rinsed by Able Environmental and the rinseate was subsequently transported to an appropriate recycling facility. Following the removal, the UST was transported to an appropriate recycling facility. TSC will attach the rinseate manifest and tank destruction certificate. The UST removal was witnessed by Ms. Catherine Richards of the San Bernardino County Fire Department – Hazardous Materials Division (SBCFD-HMD).

Soil sampling was conducted by Mr. Robert Loeffler, California Registered Geologist No. 6709. Three soil samples were collected from depths of 2 to 3 feet below the removed UST, utilizing either a hand auger or the backhoe bucket (samples T-1 through

T-3; Figure 2). A total of four soil samples were collected from two spoils piles from depths of 1 foot below the surface utilizing a shovel (samples SP1 through SP4; Figure 2). Due to undermining, the soil underlying the former fuel dispenser location collapsed into the excavation and therefore was not sampled. The soil sample locations are depicted on Figure 2.

Each soil sample was compacted into a glass jar, which was completely filled to eliminate headspace prior to sealing with a Teflon-lined threaded cap. The samples were labeled and placed in a chilled container. The soil sampling procedures were witnessed by Ms. Richards of the SBCFD-HMD.

The samples were transported under chain-of-custody to Cal-Tech Environmental Laboratories (CTEL), a state-certified laboratory. All samples were analyzed for total petroleum hydrocarbons as diesel fuel (TPH-d) and purgeable aromatic compounds (benzene, toluene, ethylbenzene and xylenes: BTE&X) with methyl tertiary butyl ether (MTBE) in accordance with EPA methods 8015-modified for diesel fuel and 8021B.

3.0. FINDINGS

Slight hydrocarbon odors were noted in samples SP3 and SP4. No odors or soil discoloration were noted in the remaining samples.

TPH-d was detected in samples SP3 and SP4 at 800 mg/kg and 230 mg/kg, respectively. Trace concentrations of benzene and MTBE were detected in sample SP3 at 0.025 mg/kg and 0.018 mg/kg, respectively. TPH-d, BTE&X and MTBE were not detected in the remaining samples.

The analytical results are summarized in Table 1. The analytical report (CTEL Project No. CT178-0212034) and chain-of-custody forms are attached.

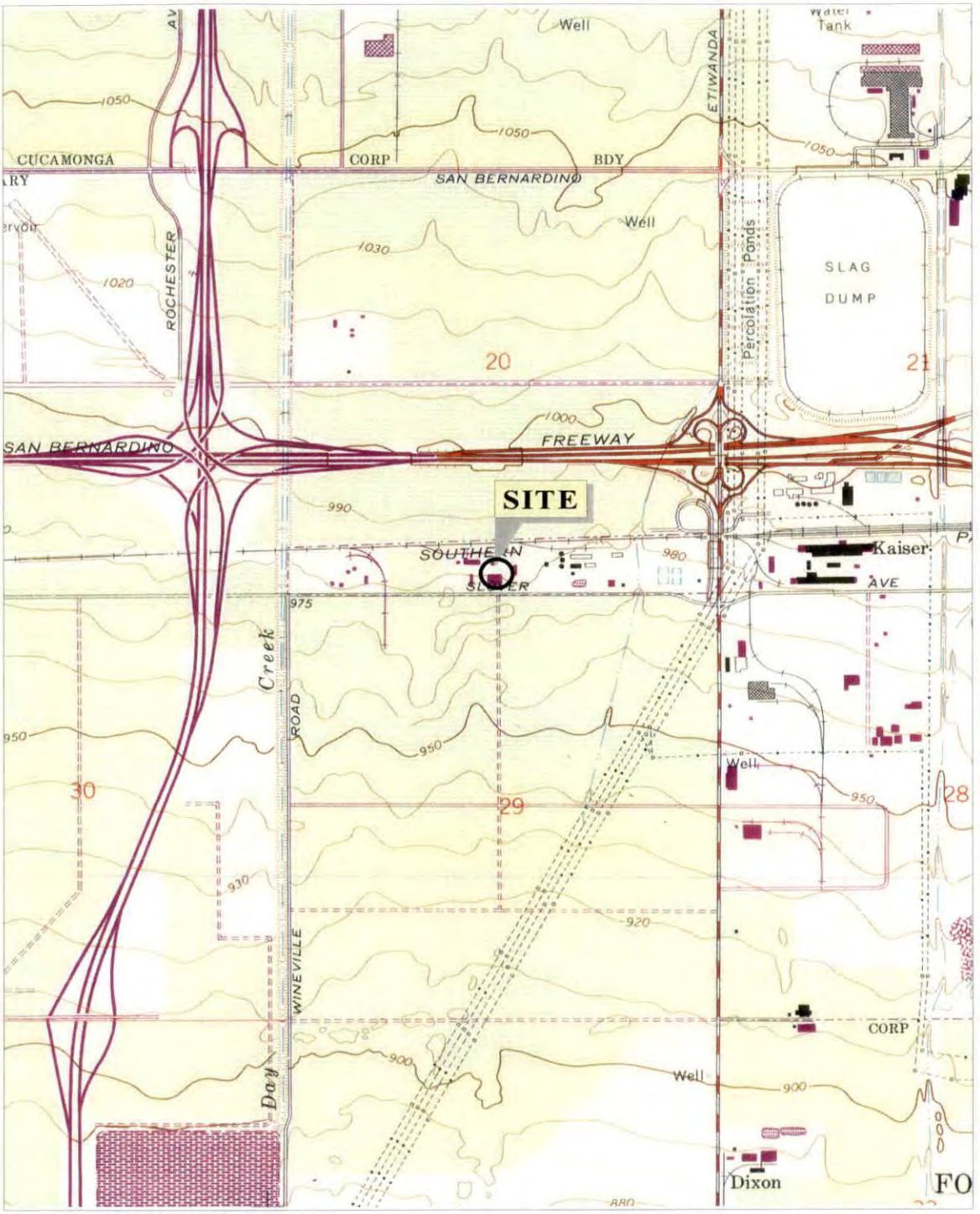
4.0. CONCLUSIONS AND RECOMMENDATIONS

Field observations and analytical results indicate that a minor release of hydrocarbons was detected in one spoils pile that is represented by samples SP3 and SP4. Hydrocarbons were not detected under the former UST. It is our understanding that the spoils piles were used as backfill. Only trace concentrations of benzene and MTBE were detected in the one spoils pile sample and the TPH-d concentrations were generally low (< 1,000 mg/kg). Based on the concentrations detected and the depth to ground water

(approximately 305 feet bsg), AGE recommends that the SBCFD-HMD consider granting closure for this site.

5.0. LIMITATIONS

Our professional services were performed using that degree of care and skill ordinarily exercised by environmental consultants practicing in this or similar localities. The findings were mainly based upon analytical results provided by independent laboratories. Interpretations of the subsurface conditions at the site for the purpose of this investigation are made from a limited number of available data points (i.e. soil samples) and subsurface conditions may vary away from these data points. Based on the fact that AGE did not witness the soil sampling of the remote fill port, AGE does not warranty any soil sampling in this area. No other warranty, expressed or implied, is made as to the professional recommendations contained in this report.



Reference:
7.5 - Minute Guasti Quadrangle
USGS Topographic Series, Photorevised 1981

N

0 1/4 1/2 1 MILE

500 0 500 1000 1500 2000 2500 3000 FEET

Advanced GeoEnvironmental, Inc.

FIGURE 1 - LOCATION MAP

Coast Grain Co.
5355 E. Airport Drive
Ontario, California

Project No.:
SB 603G7.1024

Date:
18 December 2002

2005

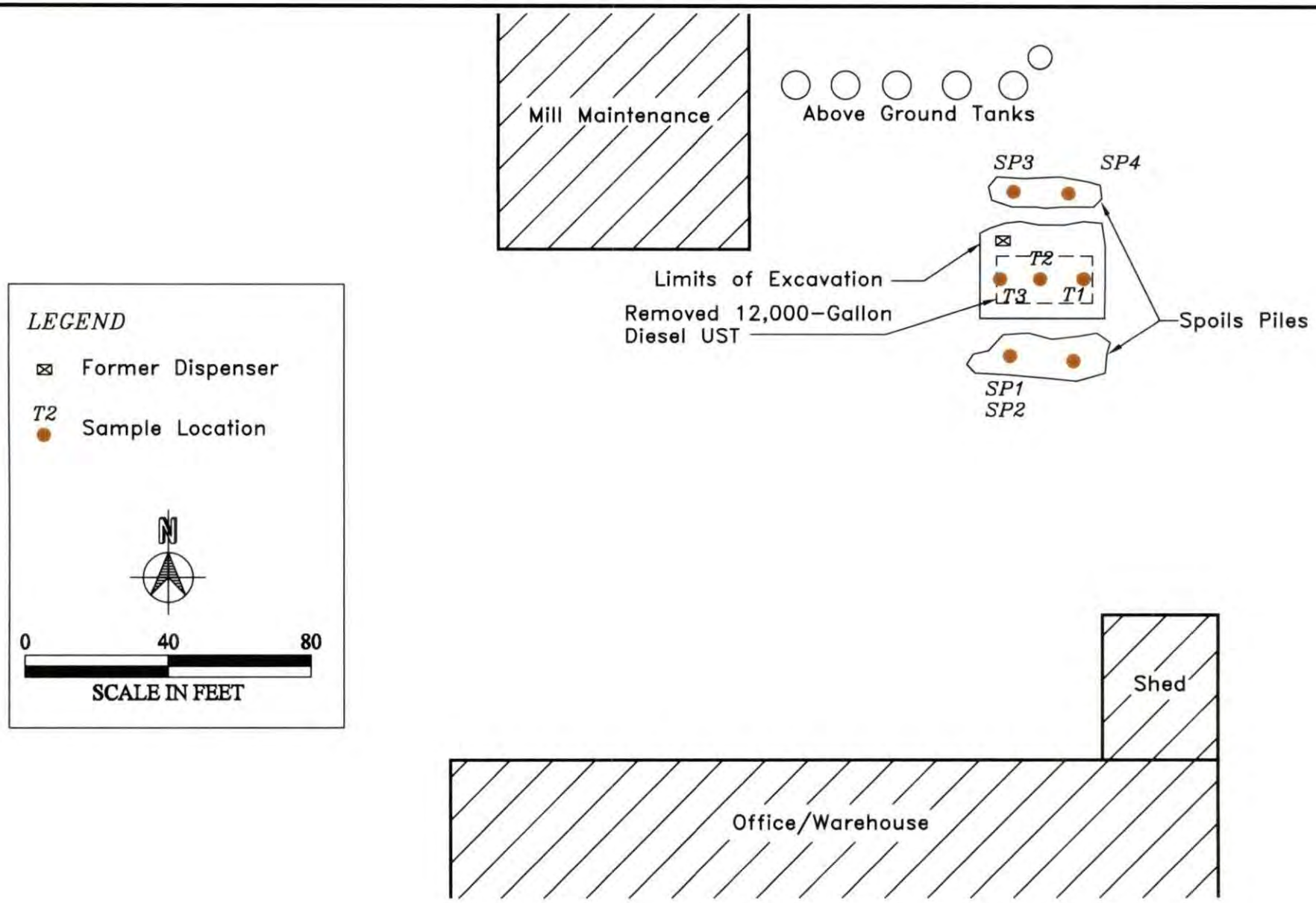


FIGURE 2 - SITE PLAN

Advanced GeoEnvironmental, Inc.

Coast Grain Co.
5355 E. Airport Drive
Ontario, California

Project No.:
SB 603G7.1024

Date:
18 December 20

2006

RDE 3/29/97 4:08 PM abdlprt

TABLE 1
SOIL SAMPLE ANALYTICAL RESULTS
Coast Grain Co.
05 December 2002

Sample ID	TPH-d (8015m) mg/kg	Purgeable Aromatic Hydrocarbons with MTBE (8021B) mg/kg				
		Benzene	Toluene	Ethylbenzene	Xylenes	MTBE
T-1	ND	ND	ND	ND	ND	ND
T-2	ND	ND	ND	ND	ND	ND
T-3	ND	ND	ND	ND	ND	ND
SP1	ND	ND	ND	ND	ND	ND
SP2	ND	ND	ND	ND	ND	ND
SP3	**800**	**0.025**	ND	ND	ND	**0.018**
SP4	**230**	ND	ND	ND	ND	ND

CAL TECH Environmental Laboratories

6814 Rosecrans Avenue, Paramount, CA 90723-3146
Telephone: (562) 272-2700 Fax: (562) 272-2789

ANALYTICAL RESULTS*

CTEL Project No: CT178-0212034
Client Name: Advanced Geo Environmental, Inc.
3315 E. Miraloma Ave., Suite 117
Anaheim, CA 92806
Phone:(714) 996-5151
Fax: (714) 996-5182
Attention: MR. Robert Loeffler

Project ID:
Project Name: Coast Grain, Ontario, CA

Date Sampled: 12/05/02 @ 09:00 am
Date Received: 12/06/02 @ 09:40 am
Date Analyzed: 12/09/02
Matrix: Soil

Laboratory ID:	0212-034-1	0212-034-2	0212-034-3	Method	Units:	Detection Limit
Client Sample ID:	SP1	SP2	SP3			
Dilution	1	1	1			
MTBE	ND	ND	0.018	SW846 8021	mg/Kg	0.005
Benzene	ND	ND	0.025	SW846 8021	mg/Kg	0.005
Toluene	ND	ND	ND	SW846 8021	mg/Kg	0.005
Ethylbenzene	ND	ND	ND	SW846 8021	mg/Kg	0.005
Total Xylene	ND	ND	ND	SW846 8021	mg/Kg	0.01
TPH - Diesel	ND	ND	800	EPA 8015M	mg/Kg	10

ND = Not Detected at the indicated Detection Limit

CTEL Project No: CT178-0212034
Client Name: Advanced Geo Environmental, Inc.
3315 E. Miraloma Ave., Suite 117
Anaheim, CA 92806
Phone:(714) 996-5151
Fax: (714) 996-5182

Attention: MR. Robert Loeffler

Project ID:
Project Name: Coast Grain, Ontario, CA

Date Sampled: 12/05/02 @ 09:00 am
Date Received: 12/06/02 @ 09:40 am
Date Analyzed: 12/09/02

Matrix: Soil

Laboratory ID:	0212-034-4	0212-034-5	0212-034-6	**Method**	**Units:**	**Detection Limit**
Client Sample ID:	SP4	T-1	T-2			
Dilution	1	1	1			
MTBE	ND	ND	ND	SW846 8021	mg/Kg	0.005
Benzene	ND	ND	ND	SW846 8021	mg/Kg	0.005
Toluene	ND	ND	ND	SW846 8021	mg/Kg	0.005
Ethylbenzene	ND	ND	ND	SW846 8021	mg/Kg	0.005
Total Xylene	ND	ND	ND	SW846 8021	mg/Kg	0.01
TPH – Diesel	230	ND	ND	EPA 8015M	mg/Kg	10

ND = Not Detected at the indicated Detection Limit

CTEL Project No:	CT178-0212034
Client Name:	Advanced Geo Environmental, Inc.
	3315 E. Miraloma Ave., Suite 117
	Anaheim, CA 92806
Attention:	MR. Robert Loeffler

Phone:(714) 996-5151
Fax: (714) 996-5182

Project ID:	
Project Name:	Coast Grain, Ontario, CA

Date Sampled:	12/05/02 @ 09:07 am
Date Received:	12/06/02 @ 09:40 am
Date Analyzed:	12/09/02

Matrix: Soil

Laboratory ID:	0212-034-7	**Method**	**Units:**	**Detection Limit**
Client Sample ID:	T-3			
Dilution	1			
MTBE	ND	SW846 8021	mg/Kg	0.005
Benzene	ND	SW846 8021	mg/Kg	0.005
Toluene	ND	SW846 8021	mg/Kg	0.005
Ethylbenzene	ND	SW846 8021	mg/Kg	0.005
Total Xylene	ND	SW846 8021	mg/Kg	0.01
TPH – Diesel	ND	EPA 8015M	mg/Kg	10

ND = Not Detected at the indicated Detection Limit

Greg Tejirian
Laboratory Director

*The results are base upon the sample received.

Cal Tech Environmental Laboratories, Inc. ELAP ID #: 2424

CAL TECH Environmental Laboratories
6814 Rosecrans Avenue, Paramount, CA 90723-3146
Telephone: (562) 272-2700 Fax: (562) 272-2789

Lab Job No. 12-034 Page 1 of 1

Chain of Custody Record

Client: Advanced GeoEnvironmental, Inc.
Contact: Robert Loeffler
Address: 3315 East Miraloma Avenue #117
Anaheim, CA 92806
Project: Coast Grain, Ontario CA
Sampled By: Robert Loeffler
Name/Signature

Phone: (714) 996-5257
Fax: (714) 996-5782

Turn Around Time
Rush
Normal X

BILLING: Tank Specialists of California

Analyses Requested

Lab ID Number	Field ID	Date/Time Sampled	Bottle Type	No.	Preserv.	Matrix	8015m-D1656	8021B w/MTBE							Comments
1	SP1	12/5/02	GLASS	1		SOIL	X	X							
2	SP2	12/5/02	GLASS	1		SOIL	X	X							
3	SP3	12/5/02	GLASS	1		SOIL	X	X							
4	SP4	12/5/02	GLASS	1		SOIL	X	X							
5	T-1	12/5/02	GLASS	1		SOIL	X	X							
6	T-2	12/5/02	GLASS	1		SOIL	X	X							
7	T-3	12/5/02	GLASS	1		SOIL	X	X							
	~~E~~														

Relinquished: _____ Date / Time: 12/6/02 9:40 AM Received: _____

Dispatched : _____ Date / Time: _____ Carrier: _____

I hereby authorize the performance of the above indicated tests.

_____ Date / Time: 12-6-02 9:40 Received by lab: R. Tyhurst

CTELCCR.DOC

Custody seal(s) in tact upon receipt by lab? YES NO NONE

2011

FACILITY INSPECTION

INSPECTION DATE: June 12, 1997 TIME: 8:00 A.M.

INSPECTOR: AES

FACILITY NAME: Coast Grain Company (brine pond)

TELEPHONE NO.: (909) 390-9766 FAX (909) 390-1081

FACILITY LOCATION: 5355 Airport Drive
(mail - P.O. Box 3610)
Ontario, CA 91761

FACILITY REPRESENTATIVES: Leonard Martinez, Barry Koca

WEATHER CONDITIONS: Overcast

PURPOSE OF INSPECTION: To evaluate an existing brine disposal pond and characterize the industrial discharge from this facility.

OBSERVATIONS:

Site Operation

This is an industrial facility that supplies cattle and swine feed to local ranch owners. Prior to sale as feed, various grains are treated on site with steam, to remove weed seed and enhance starch conversion. The facility utilizes the City of Ontario water supply, which is routed through an onsite water softener (Bruner unit) to two boilers. The boilers are used to produce the steam, and the boiler blowdown (brine) is discharged to 2 concrete sumps for temporary storage. When the sumps are full, the brine is pumped into an underground pipe, which discharges to an unlined evaporation pond approximately 100 feet long by 25 feet wide.

I observed the operation of the boilers and appurtenances, including the water softener, water storage units, pipes, sumps, pump, and evaporation pond (see sketch and photographs).

Boiler Room

The water softener and storage tanks appear to be very old, with no evidence of cleaning or maintenance. Site representatives stated that the water softener was rebuilt during the past year by Quest Company. No one is under contract to routinely regenerate the water softener; site crew periodically adds bags of salt to the unit. I noted that bags of salt are stored on a pallet next to the water softener in the boiler room. The boilers were operating during the inspection, and blowdown was discharged to a drain opening in the floor of the building. There was also a puddle of yellow, cloudy liquid adjacent to the air tank (air comes from a compressor). Mr. Koca suggested the puddle could be condensation formed as a result of the warm temperature in the boiler room and the cool air in the tank. He also suggested that the yellow material could be mold. I did not collect a sample from the puddle.

Sumps and Pump

I observed 2 sump locations outside, north of the boiler room. The sumps were covered with metal panels. Site representatives indicated that the sumps are made of concrete, and boiler blowdown liquid drains by gravity through a pipe from the southern sump to the northern sump. An automatic switch, triggered by a float, activates a pump which routes the brine from the northern sump, through a pipe and into the brine pond. The pump was leaking profusely onto native soil adjacent to the northern sump.

Brine Pond

The boiler blowdown discharges to a brine pond at the north end of the facility, just south of the railroad embankment. There is no liner under the pond. I collected three samples from the pond, and submitted them to the lab, under standard chain of custody procedures, for evaluation of priority pollutant metals (+aluminum), standard mineral analysis, and total petroleum hydrocarbon determination.

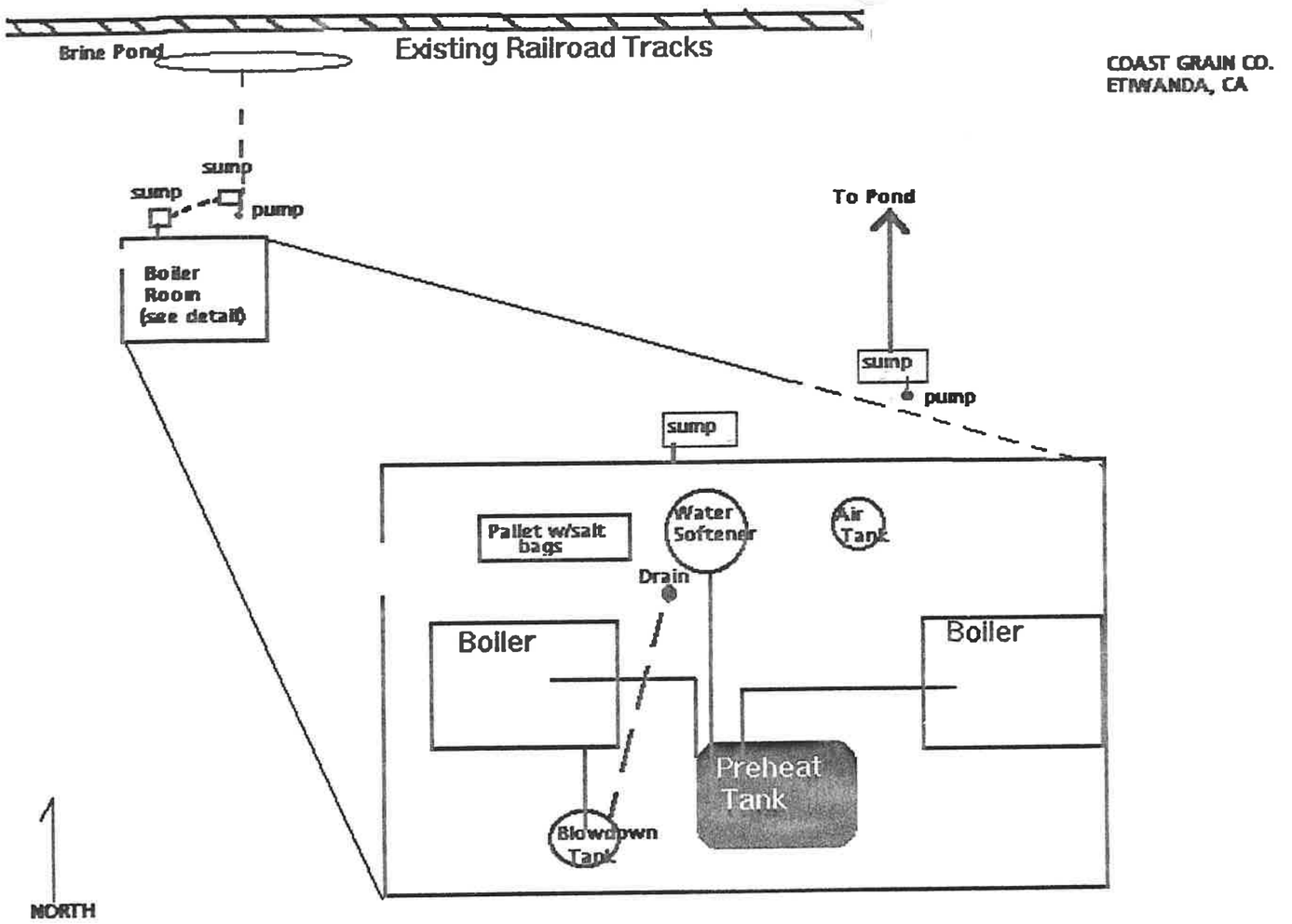
Mr. Martinez estimates that the pond has been used since 1969. However, Coast Grain Co. recently obtained approval from the railroad to construct an additional railroad line over the existing brine pond. Mr. Martinez has agreed that, prior to any grading or soil removal in the pond area, Coast Grain Co. will submit a workplan to our staff for evaluation of soils under the pond, and also to obtain background soil data from borings outside of the influence of the pond.

FOLLOW-UP:

I called Mr. R. Harrell, field representative for Cherokee Chemical Co., to discuss chemical data from his periodic analysis of boiler discharge water at the facility. I ascertained from that conversation that discharge from the water softener likely flows into the blowdown sump and drain system and then into the brine pond. It would appear that the actual discharge to the pond has not been previously analyzed.

Mr. Koca called to advise me that their consultant, RMA Group - Rancho Cucamonga, is accepting the soil characterization project. Mr. Koca agreed that, pending the analytical results for the samples I collected from the pond, RMA would propose 3 sampling points and the appropriate laboratory analyses for the soil samples. I told Mr. Koca that I understood the pond characterization and closure is their highest priority, because of the planned railroad project. However, a second phase of evaluation will be necessary for the sump and pump areas adjacent to the boiler room. He agreed to authorize the evaluation of all such areas.

I offered to discuss the brine discharge options for Coast Grain Co. with Mark Adelson of our Surveillance Section, because Mr. Martinez may wish to route the plant's discharge to the SARI line. I also explained to Mr. Koca that Coast Grain Co. must make provisions for management and disposal of the brine waste during the characterization and closure of the pond.


Brine Pond
Existing Railroad Tracks
COAST GRAIN CO.
ETIWANDA, CA
sump
sump
pump
Boiler
Room
(see detail)
To Pond
sump
pump
sump
Pallet w/salt
bags
Water
Softener
Air
Tank
Drain
Boiler
Boiler
Preheat
Tank
Blowdown
Tank
NORTH

RMA Group

GEOTECHNICAL CONSULTANTS

GENERAL EARTHWORK AND GRADING SPECIFICATIONS

RMA Group

GEOTECHNICAL CONSULTANTS

Coast Grain Company
Ontario, CA
March 10, 1998

GENERAL EARTHWORK AND GRADING SPECIFICATIONS

1.00 GENERAL DESCRIPTION

1.01 Introduction

These specifications present our general recommendations for earthwork and grading as shown on the approved grading plans for the subject project. These specifications shall cover all clearing and grubbing, removal of existing structures, preparation of land to be filled, filling of the land, spreading, compaction and control of the fill, and all subsidiary work necessary to complete the grading of the filled areas to conform with the lines, grades and slopes as shown on the approved plans.

1.02 Laboratory Standard

The laboratory standard used to establish the maximum density and optimum moisture shall be ASTM D1557. Method D shall be used if the amount of material passing the 3/4 inch size exceeds 10% by weight; otherwise, method C shall be used.

The sand cone method, ASTM D1556 or other test method as considered appropriate by the geotechnical consultant shall determine the in-situ density of earth materials (field compaction tests).

Relative compaction is defined, for purposes of these specifications, as the ratio of the in-place density to the maximum density as determined in the previously mentioned laboratory standard.

2.00 CLEARING

2.01 Surface Clearing

All structures marked for removal, timber, logs, trees, brush and other rubbish shall be removed and disposed of off the site. Any trees to be removed shall be pulled in such a manner so as to remove as much of the root system as possible.

All unsuitable materials, such as diesel contaminated soils, shall be disposed of properly.

RMA Group

GEOTECHNICAL CONSULTANTS

Coast Grain Company
Ontario, CA
March 10. 1998

2.02 Sub-Surface Removals

A thorough search should be made for possible underground storage tanks and/or septic tanks and cesspools. If found, tanks should be removed and cesspools pumped dry.

Any concrete irrigation lines shall be crushed in place and all metal underground lines shall be removed from the site.

2.03 Backfill of Cavities

All cavities created or exposed during clearing and grubbing operations or by previous use of the site shall be cleared of deleterious material and backfilled with native soils or other materials approved by the soil engineer. Said backfill shall be compacted to a minimum of 90% relative compaction.

3.00 ORIGINAL GROUND PREPARATION

3.01 Stripping of Vegetation

After the site has been properly cleared, all vegetation and topsoil containing the root systems of former vegetation shall be stripped from areas to be graded. Materials removed in this stripping process may be used as fill in areas designated by the soil engineer, provided the vegetation is mixed with a sufficient amount of soil to assure that no appreciable settlement or other detriment will occur due to decaying of the organic matter. Soil materials containing more than 3% organic shall not be used as structural fill

3.02 Removals of Non-Engineered Fills

Any non-engineered fills encountered during grading shall be completely removed and the underlying ground shall be prepared in accordance to the recommendations for original ground preparation contained in this section. After cleansing of any organic matter, the fill material may be used for engineered fill.

3.03 Overexcavation of Fill Areas

The existing ground in all areas determined to be satisfactory for the support of fills shall be scarified to a minimum depth of 6 inches. Scarification shall continue until the soils are broken down and free from lumps or clods and until the scarified zone is uniform. The moisture content of the scarified zone shall be adjusted to within 2% of optimum moisture. The scarified zone shall then be uniformly compacted to 90% relative compaction.

Where fill material is to be placed on ground with slopes steeper than 5 (horizontal) to 1 (vertical) the sloping ground shall be benched. The lowermost bench shall be a minimum of 15 feet wide, shall be a minimum of 2 feet deep, and shall expose firm material as determined by the geotechnical consultant. Other benches shall be excavated to firm material as determined by the geotechnical consultant and shall have a minimum width of 4 feet.

Existing ground that is determined to be unsatisfactory for the support of fills shall be overexcavated in accordance to the recommendations contained in the geotechnical report of which these general specifications are a part.

4.00 Fill Materials

4.01 General

Materials for the fill shall be free from vegetable matter and other deleterious substances, shall not contain rocks or lumps of a greater dimension than is recommended by the geotechnical consultant, and shall be approved by the geotechnical consultant. Soils of poor gradation, expansion, or strength properties shall be placed in areas designated by the geotechnical consultant or shall be mixed with other soils providing satisfactory fill material.

4.02 Oversize Material

Oversize material, rock or other irreducible material with a maximum dimension greater than 12 inches, shall not be placed in fills, unless the geotechnical consultant specifically approves the location, materials, and disposal methods. Oversize material shall be placed in such a manner that nesting of oversize material does not occur and in such a manner that the oversize material is completely surrounded by fill material compacted to a minimum of 90% relative compaction. Oversize material shall not be placed within 10 feet of finished grade without the approval of the geotechnical consultant.

RMA Group

GEOTECHNICAL CONSULTANTS

Coast Grain Company
Ontario, CA
March 10, 1998

4.03 Import

Material imported to the site shall conform to the requirements of section 4.01 of these specifications. Potential import material shall be approved by the geotechnical consultant prior to importation to the subject site.

5.00 Placing and Spreading of Fill

5.01 Fill Lifts

The selected fill material shall be placed in nearly horizontal layers which when compacted will not exceed approximately 6 inches in thickness. Thicker lifts may be placed if testing indicates the compaction procedures are such that the required compaction is being achieved and the geotechnical consultant approves their use.

Each layer shall be spread evenly and shall be thoroughly blade mixed during the spreading to insure uniformity of material in each layer.

5.02 Fill Moisture

When the moisture content of the fill material is below that recommended by the soils engineer, water shall then be added until the moisture content is as specified to assure thorough bonding during the compacting process. When the moisture content of the fill material is above that recommended by the soils engineer, the fill material shall be aerated by blading or other satisfactory methods until the moisture content is as specified.

5.03 Fill Compaction

After each layer has been placed, mixed, and spread evenly, it shall be thoroughly compacted to not less than 90% relative compaction. Compaction shall be by sheepsfoot rollers, multiple-wheel pneumatic tired rollers, or other types approved by the soil engineer.

Rolling shall be accomplished while the fill material is at the specified moisture content. Rolling of each layer shall be continuous over its entire area and the roller shall make sufficient trips to insure that the desired density has been obtained.

5.04 Fill Slopes

Fill slopes shall be compacted by means of sheepsfoot rollers or other suitable equipment. Compacting of the slopes may be done progressively in increments of 3 to 4 feet in fill height. At the completion of grading, the slope face shall be compacted to a minimum of 90% relative compaction. This may require track rolling or rolling with a grid roller attached to a tractor mounted side-boom.

Slopes may be over filled and cut back in such a manner that the exposed slope faces are compacted to a minimum of 90% relative compaction.

The fill operation shall be continued in six inch (6") compacted layers, or as specified above, until the fill has been brought to the finished slopes and grades as shown on the accepted plans.

5.05 Compaction Testing

Field density tests of the compaction of each layer of fill shall be made by the geotechnical consultant. Density tests shall be made at locations selected by the geotechnical consultant.

Frequency of field density tests shall be not less than one test for each 2.0 feet of fill height and at least every one thousand cubic yards of fill. Where fill slopes exceed four feet in height, their finished faces shall be tested at a frequency of one test for each 1000 square feet of slope face.

Where sheepsfoot rollers are used, the soil may be disturbed to a depth of several inches. Density reading shall be taken in the compacted material below the disturbed surface. When these readings indicate that the density of any layer of fill or portion thereof is below the required density, the particular layer or portion shall be reworked until the required density has been obtained.

6.00 Excavations

6.01 General

The geotechnical consultant shall examine excavations and cut slopes. If determined necessary by the geotechnical consultant, further excavation or overexcavation and refilling of overexcavated areas shall be performed, and/or remedial grading of cut slopes shall be performed.

6.02 Fill-Over-Cut Slopes

Where fill-over-cut slopes are to be graded, the cut portion of the slope shall be made and approved by the geotechnical consultant prior to placement of materials for construction of the fill portion of the slope.

7.00 Trench Backfill

7.01 General

Trench backfill within street right of ways shall be compacted to 90% relative compaction as determined by the ASTM D1557 test method. Backfill may be jetted as a means of initial compaction, however, mechanical compaction will be required to obtain the required percentage of relative compaction. If trenches are jetted, there must be a suitable delay for drainage of excess water before mechanical compaction is applied.

8.00 Seasonal Limits

8.01 General

No fill material shall be placed, spread or rolled while it is frozen or thawing or during unfavorable weather conditions. When the work is interrupted by heavy rain, fill operations shall not be resumed until field tests by the soils engineer indicate that the moisture content and density of the fill are as previously specified.

9.00 Supervision

9.01 Prior to Grading

The site shall be observed by the geotechnical consultant upon completion of clearing and grubbing, prior to the preparation of any original ground for preparation of fill.

The supervisor of the grading contractor and the field representative of the geotechnical consultant shall have a meeting and discuss the geotechnical aspects of the earthwork prior to commencement of grading.

9.02 During Grading

Site preparation of all areas to receive fill shall be tested and approved by the geotechnical consultant prior to the placement of any fill.

The geotechnical consultant or his representative shall observe the fill and compaction operations so that he can provide an opinion regarding the conformance of the work to the recommendations contained in this report.

APPROVAL OF PLANS FOR INDUSTRIAL WASTEWATER DISCHARGE

Sanitation Dist. No. 21 Charles W. Carry, Chief Engr. & Gen'l. Mgr.

Date 10-30-97 Sanit. Dists. Ind. Wste. Permit No. 14609

Approval is contingent upon continuing compliance with all applicable Ordinance requirements and with

Corrections shown in red on the drawings ☐

Sanit Dist. Letter of this date 10-30-97 ☑

File No. 21-00.05 00/97-14609

Reviewed by AJ Checked by MPL

Approved by _____ For Charles W. Carry, Chief Engr. & Gen'l. Mgr

Permit for sewer connection must be obtained separately

SANTA ANA REGION

RECD	DATE
	MAR 12 1998
DBL	3/13
AES	

2023

COAST GRAIN COMPANY
P.O. Box 51469
5355 East Airport Dr.
Ontario, CA 91761-8604

PLOT PLAN

APPLICANT'S COPY

UNICORN PARCEL

WEST BOUNDARY

SOUTHERN PACIFIC RAIL ROAD MAIN LINE

WIND SCREENED CAR UNLOADER

420.62'

612.65'

202.82'

50.01'

6' CHAIN LINK FENCE

wastewater pond

GRAIN SPUR

SAMPLING LOCATION

Soil Holding AREA @ Coast GRAIN

CITY OF ONTARIO ROLL OFF TRASH RECEPTICLES (2)

BLDG

122'

(8)

148'

TRUCK LOADERS 22'x16'

BOILERS & WATER

BOILERS

MILL

MAX. HEIGHT ELEVATOR 124.0

WAREHOUSE COMPLEX

584.11'

ADJ. BLDG 110'

TRUCK SHOP

10' SIDE YARD

311.12'

110'

90'

SCALE HSE SECURITY (1)

70' SCALE

EXISTING

COVERED PARKING

To Plant

200' S/B

180'

(7)

Undeveloped AREA

EDISON EASEMENT (POWER)

OUTDOOR STORAGE TRUCK TRANSFER TO REMAIN-LIMITED TO BYPRODUCT FEED SUPPLEMENTS (9)

COMMODITY BUILDING

OFFICE

CORPORATE OFFICES

SHOP

WAREHOUSE

COMMODITY BLDG

ADJ BLDG 53'

25' S/B

PROPERTY LINE TO BE DELETED

(10)

5' CHAIN LINK FENCE

CURB & GUTTER ENDS

FULL STREET IMPROVEMENTS

F.H.

GATE 50'

GATE 50'

100'

AIRPORT DRIVE

No Sewer Available

OF ONTARIO, FILE NO. 4978-S/4979-V

COAST GRAIN COMPANY
Post Office Box 51469, Ontario, CA 91761-8604
(909) 390-9766 FAX (909) 390-9779

August 13, 1998

Santa Ana RWQCB
Ms. Ann Sturdivant
3737 Main St.
Riverside, CA 92501

SANTA ANA REGION
RECD DATE
AUG 19 1998
DBL 8/20
AES

Dear Ms. Sturdivant:

Listed below for your approval are the issues we discussed to satisfy the Water Quality Board and the Union Pacific Railroad regarding the "Brine Pond" clean up site.

1. As in the 2/25/98 Addendum, the upper 2 feet of the Brine Pond will be removed and placed on a concrete or lined surface and be covered until removed from the property. The protocol in testing this pile for Saturation Extract Conductivity will be one (1) representative sample per 60 cubic yards and sampled by RMA's employee. This soil will be moved to the proper landfill site based on the test results. The Brine Pond area will be staked prior to soil excavation to maintain area control and potential contamination of other local soil. RMA Group will visually monitor the site remediation and make notes on a daily basis.

2. Approved 40 mil HDPE liner will be installed at the bottom of this area at a width of 160 feet on an east/west basis and 60 feet on a north/south basis. The bottom area size allows us to excavate down to the proper depth with sloping side walls and edges to prevent a cave in during the liner installation. The liner installation will meet your quality assurance/ quality control measures as approved in our last submittal to you.

3. Clean soil will be brought back to fill over the liner and compacted back up to finished grade at 90% compaction or greater according to Union Pacific Railroad standards.

4. Soil removed from the pond site will be stored on an 8 mil liner. Estimates are 7500 yards of soil to be removed. The testing protocol for this pile will be one representative sample per 500 yards of removed soil. The sampling to be completed by RMA Group and tested for Sat. Ext. as required. Soil test results will determine tis end use (Does not include the top two feet of brine pond soil).

5. A letter from the UPSP Railroads Environmental Dept. is enclosed stating their approval and understanding of the Brine Pond remediation site.

6. I will send you an updated status of the "Brine Water Pump Site" as to the minor changes we have made during the tank retaining area construction.

Please contact me with questions or concerns regarding this information. I look forward to completing this project by Septmeber 1, 1998. Thanks for your help.

Best Regards,

Barry Koca

898brine

UNION PACIFIC RAILROAD COMPANY

K. R. (KEN) WELCH
Assistant Vice President
Environmental Management

Mailing Address:
Room 930
1416 Dodge Street
Omaha, Nebraska 68179
Fax No. (402) 271-4461

G. (GLENN) THOMAS
Director-Environmental Operations South
S. W. (STEVE) BERKI
Director-Environmental Operations-Central
L. A. (LANNY) SCHMID
Director-Environmental Operations-West
B. A. (BROCK) NELSON
Director-Environmental Operations-North
R. L. (RICK) EADES
Director-Environmental Site Remediation

File: Lease #
MP____, _____Sub
Coast Grain Company

AUG 1998
Received
CRWQCB
Santa Ana Region

August 11, 1998

Ann Sturdivant
Santa Ana Regional Water Quality Board
3737 Main Street
Suite 500 Riverside, CA 92501-3339

Dear Ms. Sturdivant:

Refer to the Brine Pond closure proposal for the site at Coast Grain Company, 5355 East Airport Drive, City of Ontario, CA. Union Pacific Railroad Company is agreeable to Coast Grain Company's proposal to perform partial remediation and on-site closure of the pond.

Union Pacific understands that Coast Grain will excavate and remove from the site all contaminated soils to a depth no less than 12.5 feet at bottom of the tie and center of track in an area 60 feet wide by 160 feet long. Coast Grain shall grade the excavation such that with the inclusion of a 40 mil HDPE liner, or better, all rainwater will be intercepted by the liner and shed away from the remaining contamination. Coast Grain shall then backfill and compact with uncontaminated soil.

Union Pacific has no plans to perform subsurface work in this area including grading or installation of pipelines.

A copy of this proposal will be kept on the Coast Grain Company lease file at Union Pacific with understanding that should Coast Grain vacate the site Coast Grain is responsible for final remediation, if determined to be required.

Respectfully Yours,

J.T. Gorley
Manager Environmental Field Operations

cc: Richard J. Zadina - Please place a copy of this letter on the Coast Grain lease agreement file. It will serve as our record that the contamination is not to be disturbed.

California Regional Water Quality Control Board
Santa Ana Region

Winston H. Hickox
Secretary for Environmental Protection

Internet Address: http://www.swrcb.ca.gov
3737 Main Street, Suite 500, Riverside, California 92501-3339
Phone (909) 782-4130 ∃ FAX (909) 781-6288

Gray Davis
Governor

September 24, 1999

Mr. Barry Koca
By-Products and Transportation Manager
Coast Grain Company, Citrus Division
P. O. Box 3610
Ontario, CA 91761

APPROVAL OF CLOSURE REPORT FOR THE BRINE DISPOSAL POND, COAST GRAIN COMPANY, ONTARIO, CALIFORNIA

Dear Mr. Koca:

We have reviewed the final report regarding closure of the brine disposal pond at the Coast Grain site. The pond site is owned by the Union Pacific Railroad Company (UP), and is adjacent to the boiler room at the Coast Grain facility. The pond was used for disposal of boiler blowdown water until 1997. The closure project included removal and disposal of approximately 7,500 cubic yards of salt-contaminated soil, placement of a 40 mil, high-density polyethylene (HDPE) liner, and backfill of the excavation using select sand and clean soil. The boiler blowdown water has been re-routed to discharge into a temporary storage tank with secondary containment. When the tank is full, the brine is discharged to the Santa Ana River Interceptor (SARI) line, under permit from the Chino Basin Municipal Water district.

The closure report includes a copy of the August 11, 1998 letter from Jim Gorley of UP, assuring that there shall be no further excavation or development of the section of railway property encompassing the former pond site. It is our understanding that copies of Mr. Gorley's letter will remain in permanent files at both the Coast Grain office, and the UP office in Omaha, Nebraska.

Based on the information you have provided, and our staff's May 6, 1999 inspection of the former brine disposal area, the brine pond closure project is deemed complete. If you have any questions regarding this letter, please call me at (909) 782-4904.

Sincerely,

Ann E. Sturdivant

Ann E. Sturdivant
Associate Engineering Geologist

cc: Jim T. Gorley, Manager, Environmental Field Operations, Union Pacific Railroad Co., Room 930, 1416 Dodge Street, Omaha, NE 68179

AES/coastgr/pond-clo.doc

PARTNER
Engineering and Science, Inc.



PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

The Scoular Company
5355 East Airport Drive
Ontario, California 91761

Report Date: August 18, 2016
Partner Project No. 16-163550.1



Prepared for:

Prologis
Pier 1, Bay 1
San Francisco, CA 94111

2027

PARTNER
Engineering and Science, Inc.

August 18, 2016

Janet Frentzel
Prologis
Pier 1, Bay 1
San Francisco, CA 94111

Subject: Phase I Environmental Site Assessment
The Scoular Company
5355 East Airport Drive
Ontario, California 91761
Partner Project No. 16-163550.1

Dear Ms. Frentzel:

Partner Engineering and Science, Inc. (Partner) is pleased to provide the results of the *Phase I Environmental Site Assessment* (Phase I ESA) report of the abovementioned address (the "subject property"). This assessment was performed in general conformance with the scope and limitations as detailed in the ASTM Practice E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

This assessment included a site reconnaissance as well as research and interviews with representatives of the public, property ownership, site manager, and regulatory agencies. An assessment was made, conclusions stated, and recommendations outlined.

We appreciate the opportunity to provide environmental services to you. If you have any questions concerning this report, or if we can assist you in any other matter, please contact me at (818) 337-1203.

Sincerely,



Misty Vazquez Ponce
Principal

EXECUTIVE SUMMARY

Partner Engineering and Science, Inc. (Partner) has performed a Phase I Environmental Site Assessment (ESA) in general accordance with the scope of work and limitations of ASTM Standard Practice E1527-13, the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (AAI) (40 CFR Part 312) and as set forth by the Master Services Agreement between Prologis and Partner dated April 18, 2013 for the property located at 5355 East Airport Drive in the City of Ontario, San Bernardino County, California (the "subject property"). The Phase I Environmental Site Assessment is designed to provide Prologis with an assessment concerning environmental conditions (limited to those issues identified in the report) as they exist at the subject property.

Property Description

The subject property is located on the north side of East Airport Drive, approximately 2,700 feet west of the intersection of Etiwanda Avenue and Airport Drive, and southeast of the Interstates 10 and 15 Interchange. The subject property is located within a mixed commercial and industrial area of the City of Ontario in San Bernardino County. Please refer to the table below for further description of the subject property:

Subject Property Data	
Address:	5355 East Airport Drive, Ontario, California
Historical Address:	Before development Airport Drive was known as "Slover Avenue"
Property Use:	Commercial/Industrial
Land Acreage (Ac):	14.2 Ac
Number of Buildings:	5
Number of Floors:	1
Gross Building Area (SF):	17,000 square foot (SF) (Office/Warehouse); 7,000 SF (Truck Repair Shop); 1,600 SF (Warehouse); 3,600 SF (Grain Storage-East); and 9,000 (Grain Storage-West)*
Net Rentable Area (SF):	See above
Date of Construction:	Between 1965 and 1973
Assessor's Parcel Numbers (APNs):	0238-052-020 (Parcel A); 0238-052-022 (Parcel B); 0238-052-029 (Parcel C)
Type of Construction:	Office/Warehouse- Wood-Framed (Offices & Maintenance Area) Truck Repair Shop - Concrete Block (Maintenance Building) Warehouse - Concrete Block (Warehouse) Grain Storage-East - Wood-Framed Corrugated Metal (Retail Grain Distribution) Grain Storage-West - Wood-Framed Corrugated Metal (Wholesale Grain Distribution)
Current Tenants:	The Scoular Company, with a sub-lease on the subject property to Verhoeven Grain Company
Site Assessment Performed By:	Janet Tentler of Partner
Site Assessment Conducted On:	June 29, 2016

*Square footage was estimated from Google Earth

The subject property is a grain processing facility that has been in operation since at least 1973. Onsite operations consist of loading and unloading of multiple types of grain from trucks or the adjacent railyard and storing, milling, and processing for bulk and retail sale. Grain from the adjacent rail yard is off-loaded from the southern-most adjacent railroad spur and transported in an underground grain screw conveyor system to the centrally-located grain mill for processing, or to the grain silos for storage. The raw materials are steamed, rolled, and flattened into finish products. In addition to the current structures, the subject property is also improved with bulk storage silos, a vehicle wash-down area, and associated sheds. Maintenance areas are located within the Office/Warehouse and Truck Repair Shop buildings. One service pit was observed within the Truck Repair Shop building, in the maintenance area.

According to available historical sources, the subject property was formerly undeveloped as early as 1938; developed as agricultural land between 1938 and circa 1970; and developed with the current structures circa 1973. Previous owners have included Robertson Farm's Company (1946-1956) and Southern Pacific Grain Company (1956-1976), although aerial photographs indicate that no buildings/operations were present/conducted on the site until circa 1973. Since building construction, the following occupants have been located at the subject property: United Dairyman's Association (1976-1978), Chino Grain Company (1978-1985); Coast Grain Company (1985-2003); J.B. Heiskell & Co. (2008); The Scoular Company (2006-Present); and Verhoeven Grain Company (2008-Present).

The immediately surrounding properties consist of commercial warehouses to the north across the railroad tracks (Emser Tile Company at 5300 Shea Center Drive and Dorel Juvenile Group at 5400 Shea Center Drive); Kmart Distribution Center (5600 East Airport Drive) to the south across Airport Drive; Praxair (5735 East Airport Drive) to the east; and a commercial building to the west (5351 East Airport Drive).

According to a nearby investigation report (on GeoTracker), a well located approximately 4 miles to the east of the subject property contained groundwater at approximately 300 feet below ground surface (bgs). Based on topography is anticipated to flow toward the south.

Findings

A *recognized environmental condition (REC)* refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment. The following was identified during the course of this assessment:

- Based on information provided in the Environmental Data Resources, Inc. (EDR) regulatory database report, five former petroleum underground storage tanks (USTs) were located at the subject property since 1988; however, there are inconsistencies on the number and status of the USTs found in other documentation. Partner was able to identify removal/closure records for three of the USTS. Regulatory closure letters address the removal of the three 12,000-gallon diesel USTs (discussed as HRECs below). Separately, at least one UST was suspected to be adjacent to west of the Truck Repair Building. Partner observed evidence of concrete cuts for a possible fuel dispenser in this area. Records for the fifth possible UST were not clear. Based on

the lack of information regarding the status of at least two former suspect USTs at this facility, the former USTs are considered a REC.

- The subject property is currently equipped with two 250-gallon aboveground storage tanks (ASTs) containing diesel fuel. The original installation date is unknown. Diesel fuel is used to maintain the yard equipment, such as the front-end loaders, forklifts, and the bobcats. Minor to moderate staining was observed on the asphalt surface immediately surrounding the ASTs. The asphalt appeared to be in fair to poor condition with cracks observed in the area of the staining. Based on the lack of information regarding the age and installation dates of these ASTs at this facility and site observations, the ASTs are considered a REC.

- Maintenance areas and storage of automotive-related fluids such as motor oil, waste motor oil, and antifreeze was observed in the two central buildings (Office/Warehouse and Truck Repair Shop). Petroleum staining was observed on the concrete floor within these buildings and the condition of the concrete floor was pitted in some areas. In addition, minor staining was observed adjacent to a parts washer. Based on the long-term use of these buildings for maintenance, the usage of petroleum products and hazardous materials and evidence of staining, the historical operations in these areas are considered a REC.

- A former vehicle wash-down area was observed north of the Truck Repair Shop. Partner observed a sump and pump in this area, however, were reportedly no longer in use. According to the site contact, when the vehicle wash-down area was in use, water would collect into the associated sump and "wastewater was pumped into a tank and then stored in 55-gallon drums for off-site disposal." Previous reports indicated a violation was issued by the Regional Water Quality Control Board (RWQCB), which included truck wash water flowing into the parking lot.

  According to an inspection report from the RWQCB based on an inspection conducted on August 16, 2001, it was noted that housekeeping at the subject property was poor and that boiler blow-down water was being used for dust control. In April 2001, the RWQCB received an anonymous compliant stating that employees at the subject property were routinely pouring used oil into a drain located outside of the Truck Repair Shop. The RWQCB re-inspected the subject property and was told that water from the truck wash down area discharges through a filter and is pumped from a sump into a 2,810-gallon AST. Employees at the subject property stated that the tank had never been emptied. The subject property was cited with several violations at the time including: truck wash water flowing into the parking lot; storm water exceedances (December 2001); and condensate from the boiler room at the mill discharging onto the ground. Based on the use of this area as a truck wash and reported violations for past housekeeping practices, the historical operations in this area are considered a REC.

A *controlled recognized environmental condition (CREC)* refers to a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

- Partner did not identify controlled recognized environmental conditions during the course of this assessment.

A *historical recognized environmental condition (HREC)* refers to a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. The following was identified during the course of this assessment:

- Two 12,000 gallon USTs identified as containing diesel were removed from the subject property in July 1989; available file information maps these USTs north of the mill building. In a letter dated September 4, 1998 by the San Bernardino County Fire Department, Hazardous Materials Division (SBCFD), a report prepared by Babcock & Sons, Inc. and dated July 25, 1989 was reviewed by the SBCFD. The letter indicated the "contamination remaining in the excavation is below that which is generally considered a problem and further investigation is not warranted at this time." Based on the reported sampling conducted subsequent issuance of a No Further Action (NFA) letter by SBCFD, the two former 12,000 gallon USTs removed in 1989 are considered an HREC.
- One 12,000 gallon diesel fuel UST and associated dispenser was removed from the area north of the main office/warehouse building in December 2002. Confirmation sampling was conducted beneath the UST and the stockpiled soil which was re-used for backfill of the excavation. Residual petroleum impacts were identified in the stockpiled soil. The SBCFD issued an NFA letter on January 8, 2003 for the removal of the UST and associated dispenser. Based on the removal and subsequent issue of the NFA, the former 12,000 gallon diesel UST located north of the main office building (east of the "former vegetable oil processing center") is considered an HREC.

An *environmental issue* refers to environmental concerns identified by Partner, which do not qualify as RECs; however, warrant further discussion. The following was identified during the course of this assessment:

- The site contact indicated sanitary discharges from the restrooms in the office/warehouse and truck repair shop buildings are directed to on-site septic systems. The site contact was not aware of where the septic systems were located and Partner did not observe any evidence of the septic system during the site visit. Previous reports identified two potential areas of the septic systems on a site figure; however, the prior reports also indicated the location of the septic systems were unknown. No service sinks or floor drains, other than those located in the restrooms, were observed on the subject property. Septic systems are typically of environmental concern due to the potential discharge of petroleum products or hazardous substances; however, since there were no floor drains or evidence of discharges to the septic systems other than for domestic use, the septic system(s) do not appear to be a significant environmental concern.
- The grain processing mill has been in operation since circa 1973. The processing equipment within the mill and underground conveyor systems require lubrication oil; however, no leaking or

other indications of a release were observed during the site reconnaissance. Based on site observations, the equipment use does not appear to be a significant environmental concern.

- The area north of the subject property includes several railroad lines, including rail road spurs which extend onto the subject property. Railroad lines may be of environmental concern due to the use of pesticides, herbicides and oils used for the maintenance of the rail lines, regulated railroad bedding material (slag, gravel, etc.) or chemicals leaching from treated railroad crossties. Based on the commercial nature of the subject property, the presence of the rail lines do not appear to be a significant environmental concern.
- Due to the age of the subject property buildings, there is a potential that asbestos-containing material (ACM) is present. Overall, suspect ACMs were observed in good condition and do not pose a health and safety concern to the occupants of the subject property at this time.

Conclusions, Opinions and Recommendations

Partner has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13 of 5355 East Airport Drive in the City of Ontario, San Bernardino County, California (the "subject property"). Any exceptions to, or deletions from, this practice are described in Section 1.5 of this report.

This assessment has revealed evidence of recognized environmental conditions and/or environmental issues in connection with the subject property. Based on the conclusions of this assessment, Partner recommends the following:

- A limited subsurface investigation should be conducted in order to determine the presence or absence of soil and/or groundwater contamination due to the historical use of the subject property.
- An Operations and Maintenance (O&M) Program should be implemented in order to safely manage the suspect ACMs located at the subject property.

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1.0 INTRODUCTION

Partner Engineering and Science, Inc. (Partner) has performed a Phase I Environmental Site Assessment (ESA) in general conformance with the scope and limitations of ASTM Standard Practice E1527-13 and the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (AAI) (40 CFR Part 312) and as set forth by the Master Services Agreement between Prologis and Partner dated April 18, 2013 for the property located at 5355 East Airport Drive in the City of Ontario, San Bernardino County, California (the "subject property"). Any exceptions to, or deletions from, this scope of work are described in the report.

1.1 Purpose

The purpose of this ESA is to identify existing or potential Recognized Environmental Conditions (as defined by ASTM Standard E1527-13) affecting the subject property that: 1) constitute or result in a material violation or a potential material violation of any applicable environmental law; 2) impose any material constraints on the operation of the subject property or require a material change in the use thereof; 3) require clean-up, remedial action or other response with respect to Hazardous Substances or Petroleum Products on or affecting the subject property under any applicable environmental law; 4) may affect the value of the subject property; and 5) may require specific actions to be performed with regard to such conditions and circumstances. The information contained in the ESA Report will be used by Client to: 1) evaluate its legal and financial liabilities for transactions related to foreclosure, purchase, sale, loan origination, loan workout or seller financing; 2) evaluate the subject property's overall development potential, the associated market value and the impact of applicable laws that restrict financial and other types of assistance for the future development of the subject property; and/or 3) determine whether specific actions are required to be performed prior to the foreclosure, purchase, sale, loan origination, loan workout or seller financing of the subject property.

This ESA was performed to permit the *User* to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on scope of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. §9601) liability (hereinafter, the "*landowner liability protections*," or "*LLPs*"). ASTM Standard E1527-13 constitutes "*all appropriate inquiry* into the previous ownership and uses of the *property* consistent with good commercial or customary practice" as defined at 42 U.S.C. §9601(35)(B).

1.2 Scope of Work

The scope of work for this ESA is in general accordance with the requirements of ASTM Standard E1527-13. This assessment included: 1) a property and adjacent site reconnaissance; 2) interviews with key personnel; 3) a review of historical sources; 4) a review of regulatory agency records; and 5) a review of a regulatory database report provided by a third-party vendor. Partner contacted local agencies, such as environmental health departments, fire departments, and building departments in order to determine any current and/or former hazardous substances usage, storage, and/or releases of hazardous substances on the subject property. Additionally, Partner researched information on the presence of activity and use limitations (AULs) at these agencies. As defined by ASTM E1527-13, AULs are the legal or physical

restrictions or limitations on the use of, or access to, a site or facility: 1) to reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil or groundwater on the subject property; or 2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. These legal or physical restrictions, which may include institutional and/or engineering controls (IC/ECs), are intended to prevent adverse impacts to individuals or populations that may be exposed to hazardous substances and petroleum products in the soil or groundwater on the property.

If requested by Client, this report may also include the identification, discussion of, and/or limited sampling of asbestos-containing materials (ACMs), lead-based paint (LBP), mold, and/or radon.

1.3 Limitations

Partner warrants that the findings and conclusions contained herein were accomplished in accordance with the methodologies set forth in the Scope of Work. These methodologies are described as representing good commercial and customary practice for conducting an ESA of a property for the purpose of identifying recognized environmental conditions. There is a possibility that even with the proper application of these methodologies there may exist on the subject property conditions that could not be identified within the scope of the assessment or which were not reasonably identifiable from the available information. Partner believes that the information obtained from the record review and the interviews concerning the subject property is reliable. However, Partner cannot and does not warrant or guarantee that the information provided by these other sources is accurate or complete. The conclusions and findings set forth in this report are strictly limited in time and scope to the date of the evaluations. The conclusions presented in the report are based solely on the services described therein, and not on scientific tasks or procedures beyond the scope of agreed-upon services or the time and budgeting restraints imposed by the Client. No other warranties are implied or expressed.

Some of the information provided in this report is based upon personal interviews, and research of available documents, records, and maps held by the appropriate government and private agencies. This report is subject to the limitations of historical documentation, availability, and accuracy of pertinent records, and the personal recollections of those persons contacted.

This practice does not address requirements of any state or local laws or of any federal laws other than the all appropriate inquiry provisions of the LLPs. Further, this report does not intend to address all of the safety concerns, if any, associated with the subject property.

Environmental concerns, which are beyond the scope of a Phase I ESA as defined by ASTM include the following: ACMs, LBP, radon, and lead in drinking water. These issues may affect environmental risk at the subject property and may warrant discussion and/or assessment; however, are considered non-scope issues. If specifically requested by the Client, these non-scope issues are discussed in Section 6.3.

1.4 User Reliance

Prologis engaged Partner to perform this assessment in accordance with an agreement governing the nature, scope, and purpose of the work as well as other matters critical to the engagement. All reports,

both verbal and written, are for the sole use and benefit of Prologis. Either verbally or in writing, third parties may come into possession of this report or all or part of the information generated as a result of this work. In the absence of a written agreement with Partner granting such rights, no third parties shall have rights of recourse or recovery whatsoever under any course of action against Partner, its officers, employees, vendors, successors or assigns. Any such unauthorized user shall be responsible to protect, indemnify and hold Partner, Client and their respective officers, employees, vendors, successors and assigns harmless from any and all claims, damages, losses, liabilities, expenses (including reasonable attorneys' fees) and costs attributable to such Use. Unauthorized use of this report shall constitute acceptance of and commitment to these responsibilities, which shall be irrevocable and shall apply regardless of the cause of action or legal theory pled or asserted. Additional legal penalties may apply.

This report has been completed under specific Terms and Conditions relating to scope, relying parties, limitations of liability, indemnification, dispute resolution, and other factors relevant to any reliance on this report. Any parties relying on this report do so having accepted the Terms and Conditions for which this report was completed.

1.5 Limiting Conditions

The findings and conclusions contain all of the limitations inherent in these methodologies that are referred to in ASTM E1527-13.

Specific limitations and exceptions to this ESA are more specifically set forth below:

- Interviews with past or current owners, operators, and occupants were not reasonably ascertainable and thus constitute a data gap. Based on information obtained from other historical sources (as discussed in Section 3.0), this data gap is not expected to alter the findings of this assessment.

2.0 SITE DESCRIPTION

2.1 Site Location and Legal Description

The subject property at 5355 East Airport Drive in Ontario, California is located on the north side of Airport Drive, west of the intersection of Etiwanda Avenue and Airport Drive, and southeast of the Interstates 10 and 15 Interchange. The subject property is located within a mixed commercial and industrial area of the City of Ontario in San Bernardino County. According to the San Bernardino County Assessor, the subject property is legally described as San Bernardino County APNs 0238-052-020/022/029, a portion of Lot 3, Block 20, Tract 2244, and ownership is currently vested in The Scoular Company since 2006.

Please refer to Figure 1: Site Location Map, Figure 2: Site Plan, Figure 3: Topographic Map, and Appendix A: Site Photographs for the location and site characteristics of the subject property.

2.2 Current Property Use

The subject property is currently occupied by The Scoular Company with a sub-lease on the property to Verhoeven Grain Company for commercial/industrial use. The subject property is used as a grain-handling facility that has been in operation since at least 1973. Onsite operations consist of loading and unloading of multiple types of grain from trucks or the adjacent railyard and storing, milling, and processing for bulk and retail sale. Grain from the adjacent rail yard is off-loaded from the southern-most adjacent railroad spur and transported in an underground grain screw conveyor system to the centrally-located grain mill for processing, or to the grain silos for storage. The raw materials are steamed, rolled, and flattened into finish products. In addition to the current structures, the subject property is also improved with bulk storage silos, a vehicle wash-down area, and associated sheds. Maintenance areas are located within the Office/Warehouse and Truck Repair Shop buildings. One service pit was observed within the Truck Repair Shop building, in the maintenance area.

The subject property has landscaping on the southern boundary, along Airport Drive.

The subject property is designated for commercial/industrial development by the City of Ontario.

The subject property was identified as a Facility & Manifest Data (HazNet), Underground Storage Tank (UST), Emissions Inventory Data (EMI), Facility Index System (FINDS), Enforcement and Compliance History Information (ECHO), Statewide Environmental and Evaluation Planning System, Underground Storage Tank (SWEEPS UST), National Pollutant Discharge Elimination System (NPDES), Waste Discharge System (WDS), and San Bernardino County Permit site in the regulatory database report, as further discussed in Section 4.2.

2.3 Current Use of Adjacent Properties

The subject property is located within a mixed commercial/industrial area of San Bernardino County. During the vicinity reconnaissance, Partner observed the following land use on properties in the immediate vicinity of the subject property:

Immediately Surrounding Properties

North: Railroad tracks beyond which is Emser Tile (5300 Shea Center Drive) and Dorel Juvenile Group (5400 Shea Center Drive)
South: Airport Drive beyond which is the Kmart Distribution Center (5600 East Airport Drive)
East: Praxair (5705/5735 East Airport Drive)
West: A commercial business (5351 East Airport Drive)

The adjacent property to the east, Praxair, was identified as an active Aboveground Storage Tank (AST), NPDES, Spills, Leaks, Investigation & Cleanup Cost Recovery (SLIC), UST, Resource Conservation and Recovery Act-Small Quantity Generator (RCRA-SQG), Waste Discharge System (WDS), and San Bernardino County Permit site in the regulatory database report, as further discussed in Section 4.2.

2.4 Physical Setting Sources

2.4.1 Topography

The United States Geological Survey (USGS) *Guasti, California* Quadrangle 7.5-minute series topographic map was reviewed for this ESA. According to the contour lines on the topographic map, the subject property is located at approximately 980 feet above mean sea level (MSL). The contour lines in the area of the subject property indicate the area is sloping toward the south. The subject property is depicted on the 1981 map as developed with the existing structures.

A copy of the 1981 topographic map is included as Figure 3 of this report.

2.4.2 Hydrology

The direction of groundwater in the vicinity of the subject property is inferred to flow toward the south based on topographic map interpretation. A small unnamed creek is located approximately 0.25 miles and geographically east of the subject property. No settling ponds, lagoons, surface impoundments, wetlands, or natural catch basins were observed at the subject property during this assessment.

According to available information, a public water system operated by the Ontario Municipal Utilities Company serves the subject property vicinity. According to 2015 Urban Water Management Plan, the sources of public water for the City of Ontario is purchased through the Metropolitan Water District and the State of California via the California Aqueduct system. Public drinking water is sourced from surface water bodies. Therefore, groundwater beneath the subject property does not appear to be used for public drinking water. In addition, no irrigation wells or private drinking water wells were observed at the subject property. Therefore, it can be concluded that groundwater beneath the subject property is not used for domestic purposes.

Information specific to the subject property regarding the depth to groundwater and direction of groundwater flow was not available for the subject area. According to a nearby investigation report (on GeoTracker), groundwater was measured in a well located approximately 4 miles to the east of the subject property at approximately 300 feet below ground surface (bgs).

2.4.3 Geology/Soils

The subject property is located in the Upper Santa Ana Valley, which is bounded on the north by the San Gabriel Mountains and the Cucamonga fault, to the east by the Colton-Rialto fault, to the west by the Puente Hills and Chino fault, to the southwest by the Chino Hills, and to the south by the Chino fault and Santa Ana River. The subject property is situated approximately eight to nine miles north-northwest of the Santa Ana River. The water-bearing sediment in the vicinity of the subject property consist of quaternary alluvium, comprised of alluvial-fan and fluvial deposits.

Based on information obtained from the USDA Natural Resources Conservation Service Web Soil Survey online database, the subject property is mapped as Tujunga (TuB) Loamy Sand. The Tujunga series consists of very deep, somewhat excessively drained soils that formed in alluvium from granitic sources. Tujunga soils are on alluvial fans and flood plains, including urban areas. Slopes range from 0 to 5 percent.

2.4.4 Flood Zone Information

Partner performed a review of the Flood Insurance Rate Map, published by the Federal Emergency Management Agency. According to Community Panel Number 06071C8636, dated February 18, 2015, the subject property appears to be located outside of the 100- and 500-year flood plain.

A copy of the reviewed flood map is included in Appendix B of this report.

3.0 HISTORICAL INFORMATION

Partner obtained historical use information about the subject property from a variety of sources. A chronological listing of the historical data found is summarized in the table below:

Historical Use Information		
Period/Date	**Source**	**Description/Use**
1897-1938	Topographic Maps	Undeveloped/Native land
1938-1966	Aerial Photographs, Topographic Maps	Agricultural land
1973-Present	Aerial Photographs, Building Records, City Directories, Interviews, Onsite Observations, Previous Phase I ESA	Commercial /Industrial

According to available historical sources, the subject property was formerly undeveloped as early as 1938; developed as agricultural land between 1938 and circa 1970; and developed with the current structures circa 1973. Previous owners have included Robertson Farm's Company (1946-1956) and Southern Pacific Grain Company (1956-1976), although aerial photographs confirm that no operations were on the site until circa 1973. Since building construction the following occupants have been at the subject property: United Dairyman's Association (1976-1978), Chino Grain Company (1978-1985); Coast Grain Company (1985-2003); J.B. Heiskell & Co. (2008); The Scoular Company (2006-Present); and Verhoeven Grain Company (2008-Present).

3.1 Aerial Photograph Review

Partner obtained available aerial photographs of the subject property and surrounding area from Environmental Data Resources (EDR) on July 1, 2016. The following observations were noted to be visible on the subject property and adjacent properties during the aerial photograph review:

Date:	***1938, 1948, 1953, 1959***	***Scale:***	***1"=500'***
Subject Property:	Agricultural land		
North:	Railroad tracks visible to the north with agricultural land located beyond		
South:	Airport Drive, also known as Slover Avenue, with agricultural land visible beyond		
East:	Agricultural land		
West:	Agricultural land		

Date:	***1966***	***Scale:***	***1"=500'***
Subject Property:	No significant changes visible		
North:	No significant changes visible		
South:	No significant changes visible		
East:	A large commercial property is visible to the east		
West:	No significant changes visible		

Date: 1975	***Scale: 1"=500'***
Subject Property:	Developed with several buildings and miscellaneous structures. The western portion of the subject property remains agricultural land.
North:	No significant changes visible
South:	No significant changes visible
East:	The commercial property to the east has increased in size
West:	Developed with a small commercial property several lots to the west

Date: 1985	***Scale: 1"=500'***
Subject Property:	The grain storage building is visible on the south-central portion of the subject property.
North:	No significant changes visible
South:	Several commercial structures are visible
East:	The commercial property to the east has continued to increase in size
West:	A slight increase in commercial development

Date: 1990, 1994	***Scale: 1"=500'***
Subject Property:	No significant changes visible; the western portion of the subject property remains depicted as agricultural land
North:	An increase in commercial development
South:	An increase in commercial development
East:	An increase in commercial development
West:	An increase in commercial development

Date: 2005, 2009	***Scale: 1"=500'***
Subject Property:	The subject property appears to be fully developed as observed during the site reconnaissance
North:	The properties to the north are fully developed
South:	The properties to the south are fully developed
East:	The properties to the east are fully developed
West:	The properties to the west are fully developed

Date: 2010, 2012	***Scale: 1"=500'***
Subject Property:	No significant changes visible
North:	No significant changes visible
South:	No significant changes visible
East:	No significant changes visible
West:	No significant changes visible

Copies of aerial photographs are included in Appendix B of this report.

3.2 Fire Insurance Maps

Sanborn map coverage was not available for the subject property.

A copy of the "No Coverage" letter is attached in Appendix B.

3.3 City Directories

Partner reviewed historical city directories obtained from EDR on July 1, 2016 for past names and businesses that were listed for the subject property and adjacent properties. The findings are presented in the following table:

City Directory Search for 5355 East Airport Drive (Subject Property)	
Year(s)	**Occupant Listed**
1985	Chino Grain
1990-2003	Coast Grain
2008	JB Heiskell & Co, The Scoular Company
2013	Verhoeven Grain Company, The Scoular Company

According to the city directory review, the subject property has been occupied by a grain processing company since at least 1985. Prior to 1973, the subject property was occupied by agricultural land.

Environmental concerns associated with current and previous use are discussed in Section 4.2.

City Directory Search for Adjacent Properties	
Year(s)	**Occupant Listed**
2008	HC Olsen Construction (5351 East Airport Drive)
2013	Jack B. Kelley (5705 East Airport Drive)
2008-13	EMSER Tile (5300 Shea Center Drive)
2008	Dorel Juvenile Group (5400 Shea Center Drive)

Based on the city directory review, no environmentally sensitive listings were identified for the adjacent property addresses. However, the address for the neighboring property, Praxair, was not identified in the city directory search as Praxair, only as Jack B. Kelley in 2013.

Copies of reviewed city directories are included in Appendix B of this report.

3.4 Historical Topographic Maps

Partner reviewed historical topographic maps obtained from EDR. The subject property boundary has been added by EDR and was unable to be altered by Partner; the actual property boundary extends several hundred feet to the west. No pits, ponds, lagoons, or areas of obvious fill were observed in the mapping. The following observations were noted to be depicted on the subject property and adjacent properties during the topographic map review:

Date: 1897, 1900, 1903	
Subject Property:	The subject property is depicted as undeveloped
North:	Railroad tracks are depicted to the immediate north
South:	Undeveloped land
East:	Undeveloped land
West:	Undeveloped land

Date: 1953, 1954	
Subject Property:	No significant changes are depicted
North:	Developed with agricultural land; railroad tracks are depicted to the immediate north
South:	No significant changes are depicted
East:	No significant changes are depicted
West:	No significant changes are depicted

Date: 1966	
Subject Property:	No significant changes are depicted
North:	No significant changes are depicted
South:	High power electrical lines are depicted to the south
East:	Commercial structures are depicted to the immediate east
West:	No significant changes are depicted

Date: 1973	
Subject Property:	Four industrial-type buildings are depicted on the subject property (as they appear today)
North:	No significant changes we are depicted.
South:	No significant changes are depicted; the south adjacent street is identified as Slover Avenue
East:	No significant changes are depicted
West:	Several new commercial structures are depicted to the west

Date: 1981	
Subject Property:	Four industrial-type buildings and several smaller structures are depicted on the subject property
North:	No significant changes are depicted
South:	No significant changes are depicted
East:	An increase in development is depicted to the east and several new structures are depicted in close vicinity of the subject property
West:	Interstate 15 is now depicted farther west

Date: 2012	
Subject Property:	The topographic map provides detail on roadways and waterways; no structures are identified
North, South, East and West:	The topographic map provides detail on roadways and waterways; no structures are identified

Copies of reviewed topographic maps are included in Appendix B of this report.

4.0 REGULATORY RECORDS REVIEW

4.1 Regulatory Agencies

4.1.1 State Department

Regulatory Agency Data	
Name of Agency:	Regional Water Quality Control Board (RWQCB), Santa Ana River Basin
Point of Contact:	August Lucas
Agency Address:	3737 Main Street, Suite 500, Riverside, California
Agency Phone Number:	(951) 781-4499
Date of Contact:	June 29, 2016
Method of Communication:	Faxed Request
Summary of Communication:	A review of RWQCB files was performed by Partner on July 11, 2016. The RWQCB files for the subject property address indicate that a brine blow-down pond was historically utilized north of the subject property within the area of the railroad spurs (which appears to be off site). The boiler brine pond was used reportedly as a water softener drainage basin from the on-site boiler facilities. The Union Pacific Railroad closed the pond to use the area for additional service tracks. The Closure Report, dated August 11, 1998, stated that Coast Grain would excavate and remove contaminated soils to a depth 12.5 feet at the bottom of the tie and center track in an area 60 feet wide by 160 feet long. Closure of the off-site brine pond was granted to Coast Grain Company with deed restrictions by the RWQCB on September 24, 1999. The closure project included removal and disposal of approximately 7,500 cubic yards of salt-contaminated soil, placement of a 40-mil, high-density polyethylene (HDPE) liner, and backfill of the excavation using select sand and clean soil. No documents were found regarding violations, complaints, or property inspections.

A copy of pertinent documents is included in Appendix B of this report.

4.1.2 County Department of Public Health, Division of Environmental Health Services

Regulatory Agency Data	
Name of Agency:	San Bernardino County, Department of Public Health, Division of Environmental Health Services (SBCEHS)
Point of Contact:	Claudia Remos
Agency Address:	351 North Mountain View Avenue, San Bernardino, California
Agency Phone Number:	(800) 442-2283
Date of Contact:	July 26, 2016
Method of Communication:	Telephone
Summary of Communication:	According to SBCEHS, they no longer keep records for USTs for petroleum products and have released their records to the San Bernardino County Fire Department, Hazardous Materials Division (described below).

4.1.3 County Fire Department

Regulatory Agency Data	
Name of Agency:	San Bernardino County Fire Department, Hazardous Materials Division (SBCFD)
Point of Contact:	Maria Molina
Agency Address:	620 South E Street, San Bernardino, California
Agency Phone Number:	(909) 386-8468
Date of Contact:	July 1, 2016
Method of Communication:	Faxed Request
Summary of Communication:	Partner reviewed SBCFD files on July 19, 2016. Miscellaneous documents were reviewed dated from 1987 to 2003. The documents included a 1987 proposal to install a 12,000-gallon diesel UST provided by Barney's Incorporated, although further handwritten notes in this file indicated a 13,000-gallon UST was delivered in February 1988 (potentially a misrepresentation of the 12,000-gallon tank), a "holiday" test was conducted in February 1988 with approval to backfill and pressure testing was conducted in March 1988. The documents also included a tank disposal form for the removal of two 12,000-gallon USTs and analytical data from July 1989. Based on these documents, a 12,000- or 13,000-gallon diesel UST was installed at the subject property in 1988 and appears to be related to the two USTs removed and sampled in July 1989 as discussed below. In a letter dated September 4, 1998 by the SBCFD, a report prepared by Babcock & Sons, Inc. and dated July 25, 1989 was reviewed by the SBCFD. The letter indicated the "contamination remaining in the excavation is below that which is generally considered a problem and further investigation is not warranted at this time." The attachment to the letter included a permit issued in July 1989 for the removal of two USTs identified as containing fuel. In January 1988, conditional approval was granted from the SBCEHS division for the installation of four USTs. The USTs were described as single-walled and included two 4,000 gallon diesel, one 10,000 gallon unleaded, and one 10,000 gallon diesel. No evidence was presented in the file that indicated that these tanks were installed. In 1999, conditional approval was granted by the SBCFD for the modification of UST system to install monitoring and leak detection. Also included in the documents was an NFA letter issued by the SBCFD for the sampling conducted in March 1999 at the dispenser which was conducted in conjunction with upgrades undertaken in 1998. Fuel System Closure Documents provided Tank Specialists of California were included in the SBCFD files. A permit was issued in December 2002 for the removal of one 12,000-gallon UST. A letter report prepared by Advanced GeoEnvironmental, Inc. (AGE) for Tank

Regulatory Agency Data	
	Specialists of California and dated December 18, 2002 was included in the documents. The letter indicated a 12,000 gallon diesel UST was removed from the area north of the main office building. A dispenser was noted as 5 feet northwest of the UST. AGE collected three soil samples beneath for former UST cavity and four samples from the stockpiled soil. AGE noted the soils beneath the former fuel dispenser location collapsed into the excavation and were not sampled. The analytical results of the stockpile exhibited concentrations of TPH-d of 230 parts per million (ppm) and 800 ppm and trace concentrations of benzene and methyl tert butyl ether (MTBE). No further detections were reported above the laboratory reporting limits. AGE concluded minor impacts of petroleum were encountered in one of the soil stockpiles. AGE indicated the soil stockpiles were used as backfill for the excavation. The SBCFD granted an NFA for December 2002 removal of this 12,000-gallon UST. The date of the letter is January 8, *2002*; however, the body of the report identified the December 5, 2002 sampling event. The attachment to this letter included a typewritten note which indicated the soil stockpile was backfilled into the UST excavation and covered with asphalt. A handwritten initial and date of January 7, *2003* is located beneath the note.

A copy of pertinent documents is included in Appendix B of this report.

4.1.4 City Fire Department

Regulatory Agency Data	
Name of Agency:	Ontario City Fire Department
Point of Contact:	Counter Personnel
Agency Address:	303 East B Street, Ontario, California
Agency Phone Number:	(909) 395-2000
Date of Contact:	June 29, 2016
Method of Communication:	In Person
Summary of Communication:	No records for USTs are kept with the City of Ontario Fire Department. The Ontario Fire Department referred Partner to the San Bernardino County Fire Department, Hazardous Materials Division.

4.1.5 Air Pollution Control Agency

Regulatory Agency Data	
Name of Agency:	South Coast Air Quality Management District (SCAQMD)
Point of Contact:	Lisa Ramos
Agency Address:	21865 Copley Drive, Diamond Bar, California
Agency Phone Number:	(909) 396-3700
Date of Contact:	July 1, 2016
Method of Communication:	Online
Summary of Communication:	The subject property maintains a permit to operate for a rail receiving hopper, a hopper train receiving station, bucket elevator, grain elevator, overhead load tank, three silos with a 330,000-bushel capacity each, three clean-out screw conveyors, two transfer conveyors, and one baghouse.

A copy of pertinent documents is included in Appendix B of this report.

4.1.6 Department of Toxic Substances Control

Regulatory Agency Data	
Name of Agency:	California Department of Toxic Substances Control (DTSC) – Cypress
Point of Contact:	Jone Barrio
Agency Address:	5796 Corporate Avenue, Cypress, California
Agency Phone Number:	(714) 484-5337
Date of Contact:	June 28, 2016
Method of Communication:	Faxed Request/Email
Summary of Communication:	Partner received a no records response from the DTSC dated July 5, 2016.

A copy of pertinent documents is included in Appendix B of this report.

4.1.7 Building Department

Regulatory Agency Data	
Name of Agency:	Ontario Building Department
Point of Contact:	Counter Personnel
Agency Address:	303 East B Street, Ontario, California
Agency Phone Number:	(909) 395-2000
Date of Contact:	June 29, 2016
Method of Communication:	In Person
Summary of Communication:	A summary of records was available for review, detailed in the following table.

Building Records Reviewed for 5355 East Airport Drive		
Year(s)	**Owner/Applicant**	**Description**
5-1-87	Coast Grain	499-gallon Propane Tank
1-28-93	Coast Grain	Grain Transfer Pit
9-13-93	Richard Spaeth	Grain Elevator
5-1-97	Coast Grain	Three Grain Silos

A copy of pertinent document is included in Appendix B of this report.

4.1.8 Planning Department

Regulatory Agency Data	
Name of Agency:	Ontario Planning Department
Point of Contact:	Counter Personnel
Agency Address:	303 East B Street, Ontario, California
Agency Phone Number:	(909) 395-2000
Date of Contact:	July 8, 2016
Method of Communication:	Online
Summary of Communication:	Partner review the City of Ontario's Land Use Plan LU-01. The Land Use Plan indicates that the subject property is zoned as industrial land.

4.1.9 Oil & Gas Exploration

Regulatory Agency Data	
Name of Agency:	California Division of Oil, Gas and Geothermal Resources (DOGGR)
Point of Contact:	Internet Search
Agency Address:	5816 Corporate Avenue, Suite 200, Cypress, California
Agency Phone Number:	(714) 816-6847
Date of Contact:	June 28, 2016
Method of Communication:	Online
Summary of Communication:	According to DOGGR, no oil or gas wells are located on or adjacent to the subject property.

A copy of pertinent documents is included in Appendix B of this report.

4.1.10 Assessor's Office

Regulatory Agency Data	
Name of Agency:	San Bernardino County Assessor
Point of Contact:	Online Search
Agency Address:	222 West Hospitality Lane, San Bernardino, California
Agency Phone Number:	(909) 387-8307
Date of Contact:	June 28, 2016
Method of Communication:	Online
Summary of Communication:	According to records reviewed, the subject property is identified by Assessor Parcel Numbers (APNs) 0238-052-020/022/029 and are currently owned by the Scoular Company. No records regarding square footage or building and utility information for the subject property was on file with the San Bernardino County Assessor.

A copy of the current assessor parcel map is included in Appendix B of this report.

4.2 Mapped Database Records Search

Information from standard federal, state, county, and city environmental record sources was provided by EDR. Data from governmental agency lists are updated and integrated into one database, which is updated as these data are released. The information contained in this report was compiled from publicly

available sources and the locations of the sites are plotted utilizing a geographic information system, which geocodes the site addresses. The accuracy of the geocoded locations is approximately +/-300 feet.

Using the ASTM definition of migration, Partner considers the migration of hazardous substances or petroleum products in any form onto the subject property during the evaluation of each site listed on the radius report, which includes solid, liquid, and vapor.

4.2.1 Regulatory Database Summary

Radius Report Data

Database	Search Radius (mile)	Subject Property	Adjacent Properties	Sites of Concern
Federal NPL or Delisted NPL Site	1.00	N	N	N
Federal CERCLIS Site	0.50	N	N	N
Federal CERCLIS-NFRAP Site	0.50	N	N	N
Federal RCRA CORRACTS Facility	1.00	N	N	N
Federal RCRA TSDF Facility	0.50	N	N	N
Federal RCRA Generators Site (LQG, SQG, CESQG)	0.25	N	**Y**	N
Federal IC/EC Registries	0.50	N	N	N
Federal ERNS Site	Subject Property	N	N	N
State/Tribal Equivalent NPL	1.00	N	N	N
State/Tribal Equivalent CERCLIS	1.00	N	N	N
State/Tribal Landfill/Solid Waste Disposal Site	0.50	N	N	N
State/Tribal Leaking Storage Tank Site	0.50	N	**Y**	N
State/Tribal Registered Storage Tank Sites (UST/AST)	0.25	**Y**	**Y**	N
State/Tribal Voluntary Cleanup Sites (VCP)	0.50	N	N	N
State/Tribal Spills	0.50	N	N	N
Federal Brownfield Sites	0.50	N	N	N
State Brownfield Sites	0.50	N	N	N
EDR MGP	Varies	N	N	N
EDR US Hist Auto Station	Varies	N	N	N
EDR US Hist Cleaners	Varies	N	N	N
WDS	Subject Property	**Y**	N	N
CAFID UST	Varies	**Y**	**Y**	N
EMI	Subject Property	**Y**	N	N
HazNet	Subject Property	**Y**	N	N
FINDS	Subject Property	**Y**	N	N
ECHO	Subject Property	**Y**	N	N
SWEEPS UST	Varies	**Y**	**Y**	N
NPDES	Subject Property	**Y**	N	N
San Bernardino County Permit	Subject Property	**Y**	N	N

4.2.2 Subject Property Listings

The subject property was identified as a HazNet, UST, EMI, FINDS, ECHO, Statewide Environmental and Evaluation Planning System, Underground Storage Tank (SWEEPS UST), NPDES, WDS, and San Bernardino County Permit site in the regulatory database report, as discussed below:

- The subject property, identified as Coast Grain, JB Heiskell, and John Powell at 5355 East Airport Drive, is identified as a small quantity generator (SQG) of hazardous waste as indicated on the HazNet, ECHO, FINDS, NPDES, WDS, and the San Bernardino County Permits listings.
- The subject property is listed with five underground storage tanks (USTs) as indicated on the UST and SWEEPS UST listing.
- The subject property is identified has having emissions requiring a Permit to Operate and registration with the South Coast Air Quality Management District (SCAQMD) as indicated by the EMI and FINDS listings.

No listings of reported spills or violations have been reported.

4.2.3 Adjacent Property Listings

Adjacent properties to the north, east, south, and west were reported in numerous databases, as described below:

- The property identified as Praxair at 5735 East Airport Drive, is located adjacent to the east of the subject property. This site is identified as a LUST, AST, EMI, Statewide Environmental and Evaluation Planning System, Underground Storage Tank (SWEEPS UST), Historical UST (HIST UST), CA FID UST, Historical Waste Cortese (HIST Cortese), RCRA-SQG, NPDES and San Bernardino County Permit site in the regulatory database report. The LUST database listing indicated a release of diesel fuel was reported in 1987, which reportedly impacted soil only. The site also has registered ASTs as indicated by the AST database listing. The site is a registered UST site as indicated by the SWEEPS UST, Hist UST, and CA FID UST listings. The EMI indicates that it is registered with the SCAQMD. This facility is a hazardous waste generator as indicated by the Hist Cortese, RCRA-SQG NPDES, and the San Bernardino County listings. The LUST details are not reported; however, the site was closed by the lead agency in 1988. Based on the site closure, lack of reported violations, and cross-gradient location of this site, this listing is not expected to represent a significant environmental concern and it is unlikely that a regulatory file review for this site would alter the findings of this assessment.
- The property identified as Emser Tile at 5300 Shea Center Drive, is located adjacent to the north of the subject property. This site is on the San Bernardino County Permit listing. Further details are not reported. Based on the database listing, this listing is not expected to represent a significant environmental concern at this time and it is unlikely that a regulatory file review for this site would alter the findings of this assessment.
- The property, identified as Verizon at 5351 East Airport Drive, is located adjacent to the west of the subject property. This site is on the AST and San Bernardino County Permit listings. Further

details are not reported. Based on the database listing, this listing is not expected to represent a significant environmental concern and it is unlikely that a regulatory file review for this site would alter the findings of this assessment.

- The property, identified as Kmart at 5600 East Airport Drive, is located adjacent to the south of the subject property, across East Airport Drive. This site reported a release of diesel fuel in 1992, which reportedly impacted soil only. The details are not reported; however, the site was closed by the lead agency in 1993. Based on the site closure and downgradient location of this site, this listing is not expected to represent a significant environmental concern and it is unlikely that a regulatory file review for this site would alter the findings of this assessment.

Based on the findings, vapor migration is not expected to represent a significant environmental concern at this time.

4.2.4 Sites of Concern Listings

No additional sites of concern were identified in the database report that warrant discussion in this section.

Based on the findings, vapor migration is not expected to represent a significant environmental concern at this time.

4.2.5 Orphan Listings

There are nine unmappable "orphan" listings are identified in the regulatory database report. Based on the limited description given in the EDR report, it does not appear that any of the orphan listings are related to the subject property or immediately nearby properties.

A copy of the regulatory database report is included in Appendix C of this report.

5.0 USER PROVIDED INFORMATION AND INTERVIEWS

In order to qualify for one of the *Landowner Liability Protections (LLPs)* offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the *Brownfields Amendments*), the *User* must conduct the following inquiries required by 40 CFR 312.25, 312.28, 312.29, 312.30, and 312.31. The *User* should provide the following information to the *environmental professional*. Failure to provide this information could result in a determination that *all appropriate inquiries* is not complete. The *User* is asked to provide information or knowledge of the following:

- Review Title and Judicial Records for Environmental Liens and AULs
- Specialized Knowledge or Experience of the User
- Actual Knowledge of the User
- Reason for Significantly Lower Purchase Price
- Commonly Known or *Reasonably Ascertainable* information
- Degree of Obviousness
- Reason for Preparation of this Phase I ESA

Fulfillment of these user responsibilities is key to qualification for the identified defenses to CERCLA liability. Partner requested our Client to provide information to satisfy User Responsibilities as identified in Section 6 of the ASTM guidance.

Pursuant to ASTM E1527-13, Partner requested the following site information from Prologis (User of this report).

User Responsibilities

Item	Provided By User	Not Provided By User	Discussed Below	Does Not Apply
Environmental Pre-Survey Questionnaire		**X**		
Title Records, Environmental Liens, and AULs		**X**		
Specialized Knowledge		**X**		
Actual Knowledge		**X**		
Valuation Reduction for Environmental Issues		**X**		
Identification of Key Site Manager	**Section 5.1.3**			
Reason for Performing Phase I ESA	**Section 1.1**			
Prior Environmental Reports	**X**			
Other		**X**		

5.1 Interviews

5.1.1 Interview with Owner

The owner of the subject property since 2006, identified as The Scoular Company, was not available to be interviewed at the time of the assessment.

5.1.2 Interview with Report User

Please refer to Section 5.2 below for information requested from the Report User. The information requested was not received prior to the issuance of this report. It is understood that the Report User would not have knowledge of the property that would significantly impact our ability to satisfy the objectives of this assessment. The lack of this information is not considered to represent a significant data gap.

5.1.3 Interview with Key Site Manager

Mr. Caskey, facility manager, indicated that he had no information pertaining to any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the subject property; any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the subject property; or any notices from a governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products.

According to Mr. Caskey, the subject property was developed in circa 1973 for commercial/industrial use. Prior to that, the subject property was developed agriculturally as early as 1938. Mr. Caskey further stated that there are no USTs, clarifiers, oil/water separators, or groundwater monitoring wells on the subject property to the best of his knowledge.

5.1.4 Interviews with Past Owners, Operators and Occupants

Interviews with past owners, operators, and occupants were not reasonably ascertainable and thus constitute a data gap.

5.1.5 Interview with Others

As the subject property is not an abandoned property as defined in ASTM 1527-13, interview with others were not performed.

5.2 User Provided Information

5.2.1 Title Records, Environmental Liens, and AULs

Partner received an Environmental Lien and AUL Search report from EDR on June 27, 2016. No record of environmental liens of AUL were identified in the report; the report included a deed from 2003 when The Scoular Company took ownership of the subject property.

5.2.2 Specialized Knowledge

No specialized knowledge of environmental conditions associated with the subject property was provided by the User at the time of the assessment.

5.2.3 Actual Knowledge of the User

No actual knowledge of any environmental lien or AULs encumbering the subject property or in connection with the subject property was provided by the User at the time of the assessment.

5.2.4 Valuation Reduction for Environmental Issues

No knowledge of valuation reductions associated with the subject property was provided by the User at the time of the assessment.

5.2.5 Commonly Known or Reasonably Ascertainable Information

The User did not provide information that is commonly known or *reasonably ascertainable* within the local community about the subject property at the time of the assessment.

5.2.6 Previous Reports and Other Provided Documentation

Partner was provided with a Phase I ESA prepared by Terracon Consultants, Inc. (Terracon) and dated May 3, 2016.

Terracon did not identify any RECs or CRECs; however, an HREC associated with TPH concentrations in soil remaining in place associated with former USTs was identified. Following is a discussion of the pertinent information contained in the Terracon report.

Terracon conducted two previous Phase I ESAs dated May 5, 2009 and January 19, 2010. In addition, Terracon reviewed a Phase I ESA report prepared by SECOR International Incorporated (SECOR) and dated October 8, 2003. The report prepared by SECOR was not included as an attachment to the Terracon report and all information summarized from the SECOR report was obtained from Terracon's summary.

SECOR Report Summary

SECOR did not identify any RECs or HRECs; however, several items of environmental concern were identified, which included former USTs, use of petroleum impacted backfill for a tank excavation, septic systems and a history of wastewater and stormwater violations.

Four USTs were removed from the subject property including two 12,000-gallon USTs north of the mill, one 12,000-gallon UST east of the former vegetable oil processing area and one UST of unknown size west of the former truck shop building.

Records reviewed by SECOR at the SBCFD indicated two 12,000-gallon USTs were removed in 1989 and an NFA issued on September 4, 1998. These two USTs were mapped north of the mill. This information confirms what was previously discussed by Partner in Section 4.1.3.

SECOR reported that soil sampling was conducted by another firm in July 2002 in the vicinity of a 12,000-gallon UST located east of the "former vegetable oil processing'" center (estimated by Partner to be the Warehouse building on the northern-central portion of the subject property). Soil analytical results identified concentrations of TPH-d of up to 4,500 parts per million (ppm) at 16 feet bgs. The 12,000-gallon diesel UST was removed in December 2002 and received regulatory closure from the SBCFD on

January 8, 2003. This information confirms what was previously discussed by Partner in Section 4.1.3 and referenced as north of the main office building.

According to SECOR, there was no documentation available from the SBCFD that indicated a UST was located west of the Truck Repair Shop. However, at the time of SECOR's site reconnaissance, SECOR reported to have observed a former fueling island in the vicinity of the fourth suspected UST location. Grisanti and Associates sampled this area in 2002 and found TPH-d at a concentration of 11 ppm at 15 feet bgs and no detectable TPH-d at 20 bgs.

SECOR reviewed an undated permit applications on file with the SBCFD for two 4,000-gallon diesel USTs; however, information regarding the location, use, or decommissioning of the USTs was not available. Partner was not able to confirm that these USTs were installed at the subject property.

According to SECOR, a permit dated 1988 to operate five USTs with a hand-written note in the file dated February 25, 1988 indicating that "number of tanks was amended from five to four per signed-off job card."

Terracon also reported that SECOR did not find information regarding size, construction, or location of drain fields associated with the two on-site septic systems. SECOR concluded a septic system located east of the Truck Repair Shop may have historically received truck wash water.

SECOR also performed a file review at the Santa Ana RWQCB and found that storm water discharge from the subject property exceeded the discharge permit benchmark values in 2001 for the following parameters: pH; total suspended solids; oil and grease; total organic carbon; total Kjeldahl nitrogen; biological oxygen demand; and copper. In 2002, the storm water discharge exceeded the benchmark values to total suspended solids, oil and grease, biological oxygen demand, and zinc. A violation was noted by the RWQCB on August 16, 2001 for the absence of a Storm Water Pollution Prevention Plan (SWPPP) and Storm Water Management Plan.

According to an inspection report from the RWQCB based on an inspection conducted on August 16, 2001, it was noted that housekeeping at the subject property was poor and that boiler blow-down water was being used for dust control. In April 2001, the RWQCB received an anonymous compliant stating that employees at the subject property were routinely pouring used oil into a drain located outside of Truck Repair Shop. The RWQCB re-inspected the subject property and was told that water from the truck wash down area discharges through a filter and is pumped from a sump into a 2,810-gallon AST. Employees at the subject property stated that the tank had never been emptied. The subject property was cited with several violations at the time including: truck wash water flowing into the parking lot; storm water exceedances (December 2001); and condensate from the boiler room at the mill discharging onto the ground.

No further previous reports or other pertinent documentation were provided to Partner for review during the course of this assessment.

6.0 SITE RECONNAISSANCE

The weather at the time of the site visit was sunny and clear. Refer to Section 1.5 for limitations encountered during the field reconnaissance and Sections 2.1 and 2.2 for subject property operations. The table below provides the site assessment details:

Site Assessment Data	
Site Assessment Performed By:	Janet Tentler
Site Assessment Conducted On:	June 29, 2016

The table below provides the subject property personnel interviewed during the field reconnaissance:

Site Visit Personnel for 5355 East Airport Drive (Subject Property)			
Name	**Title/Role**	**Contact Number**	**Site Walk* Yes/No**
Jeff Caskey, The Scoular Company	Facility Manager	(909) 390-9566	Yes

* Accompanied Partner during the field reconnaissance activities and provided information pertaining to the current operations and maintenance of the subject property.

Onsite operations consist of loading and unloading of multiple types of grain from the adjacent railyard, storing, milling, and processing the grain for bulk and retail sale. Grain is off-loaded from the southern-most railroad spur from the adjacent railyard. Grain is carried from the track in an underground grain screw conveyor system to the mill for processing or to the grain silos for storage. In addition to the current structures, the subject property is also improved with bulk storage silos, a vehicle wash-down area, milling facilities, and two maintenance areas. The maintenance areas are located within the Office/Warehouse and Truck Repair Buildings. One service pit was observed within the Truck Repair Shop, in the maintenance area.

Environmental concerns were identified during the onsite reconnaissance related to former USTs, the storage, use, and generation of hazardous substances as further discussed in Sections 6.1 and 6.2.

6.1 General Site Characteristics

6.1.1 Solid Waste Disposal

Solid waste generated at the subject property is disposed of in commercial dumpsters located within the central portion on the subject property. The City of Ontario removes solid waste from the subject property. According to property personnel, only household trash is collected in the on-site solid waste dumpsters. No evidence of illegal dumping of solid waste was observed during the Partner site reconnaissance.

6.1.2 Sewage Discharge and Disposal

Sanitary discharges from the subject property are directed to two on-site septic systems, as further discussed in Section 6.1.7.

6.1.3 Surface Water Drainage

Storm water is removed from the subject property primarily by sheet flow action across the paved surfaces towards storm water drains in the public right of way. Site storm water from roofs, landscaped areas, and paved areas is directed to on-site concrete swales, which drain to the public right of way.

The subject property does not appear to be a designated wetland area, based on information obtained from the United States Department of Agriculture. No surface impoundments, wetlands, natural catch basins, settling ponds, or lagoons are located on the subject property. No drywells were identified on the subject property.

6.1.4 Source of Heating and Cooling

Heating and cooling systems as well as domestic hot water equipment are fueled by electricity provided by Southern California Edison (SCE). The mechanical system is comprised of a split system with a central unit rooftop-mounted packaged electric HVAC units. Hot water is provided by individual natural gas hot water heaters.

6.1.5 Wells and Cisterns

No aboveground evidence of wells or cisterns was observed during the site reconnaissance. Two underground grain transfer conveyors were noted within the northern portion of the subject property. The grain is off-loaded from the southern-most track from within the adjacent railyard and is carried from the track in an underground grain screw conveyor system to the mill for processing or to the grain silos for storage. The conveyor is equipped with metal plates that cover the openings during inclement weather conditions.

6.1.6 Wastewater

Domestic wastewater generated at the subject property is disposed by means of two septic systems. One vehicle wash-down area was observed north of the Truck Repair Shop; however, the vehicle wash-down area is no longer utilized. A sump and pump was observed in this area, but were also reported as no longer in use. When the vehicle wash-down area was in use, water would collect in the associated sump and reportedly wastewater was stored in a tank and transferred to 55-gallon drums for off-site disposal. No hazardous material or waste storage is located within the vicinity of the vehicle wash-down area. No industrial process is currently performed at the subject property.

6.1.7 Septic Systems

According to Mr. Caskey, the restrooms in the Office/Warehouse and Truck Repair Buildings are thought to be connected to one or two septic systems. No evidence of any septic systems was observed during the site reconnaissance. Furthermore, Mr. Caskey did not know the construction or location of the septic system. Based on previous reports (see Section 5.2.6), there may be two septic systems located on the subject property, one west of the Office/Warehouse Building and one east of the Truck Repair Shop.

6.1.8 Additional Site Observations

No additional general site characteristics were observed during the site reconnaissance.

6.2 Potential Environmental Hazards

6.2.1 Hazardous Substances and Petroleum Products Used or Stored at the Site

Partner identified hazardous substances used, stored, and/or generated on the subject property as noted in the following table:

Hazardous Substances and/or Petroleum Products Noted Onsite				
Substance	**Container Size**	**Location**	**Nature of Use**	**Disposal Method**
Antifreeze	10 x 5-gallon containers	Northeast Corner of Office/Warehouse	Auto Repair Activities	N/A
Motor Oil	10 x 55-gallon drums	Maintenance Area, Truck Repair Shop	Routine Maintenance	N/A
Waste Motor Oil	10 x 55-gallon drums	Maintenance Area, Truck Repair Shop	Routine Maintenance	Asbury Environmental
Grease	10 x 5-gallon containers	Maintenance Area, Truck Repair Shop	Routine Maintenance	N/A
Waste Grease	1 x 55-gallon drum	Maintenance Area, Truck Repair Shop	Routine Maintenance	Asbury Environmental
Diesel Fuel	2 x 250-gallon ASTs	Northeast Corner of Office/Warehouse	Fueling of yard vehicles	N/A
Parts Washer	1 x 55-gallon drum	Maintenance Area, Truck Repair Shop	Routine Maintenance	Asbury Environmental
Hydraulic Oil	1 x 85-gallon AST	Northeast Corner of Office/Warehouse	Routine Maintenance	N/A
Propane	1x499-gallon tank	Near Warehouse building	To power forklifts and pallet jacks	N/A

The majority of the materials appeared to be properly labeled and stored at the time of the assessment. Several of the containers were observed on secondary containment pallets. The containers observed were generally in good condition with no leaking and minor staining observed on the containers. Based on site observations, the above materials do not expect to be of significant environmental concern for the subject property. See Section 6.2.3 for further discussion of staining.

6.2.2 Aboveground & Underground Hazardous Substance or Petroleum Product Storage Tanks (ASTs/USTs)

Partner observed two 250-gallon aboveground storage tanks (ASTs) for the storage of diesel fuel on the subject property. The ASTs are located on the northeast corner of the main office/warehouse building. According to Mr. Caskey, the ASTs were installed previous to his arrival in 2012 and are equipped with secondary containment. Mr. Caskey indicated the diesel fuel is used to maintain the yard equipment, such as the front-end loaders, forklifts, and the bobcats. Minor to moderate staining was observed on the asphalt immediately surrounding the ASTs, and cracks in the pavement were observed.

Partner also observed numerous larger (10,000-gallon plus) ASTs and silos for the grain milling operations, which reportedly contained grains, water, and food grade oil with molasses. No petroleum products or hazardous substances were stored within these ASTs and silos.

Mr. Caskey thought the USTs were located beneath the canopy adjacent to Truck Repair Shop. Partner observed concrete cuts in this area which appeared to be from a former dispenser island.

6.2.3 Evidence of Releases

Minor to moderate staining was observed on the asphalt immediately surrounding the two 250-gallon ASTs. The asphalt was in poor condition with cracks observed in the area of the staining. Minor to moderate petroleum staining was also observed on the concrete floor in the maintenance areas in the office/warehouse building and truck repair shop. Minor staining was also observed on the concrete floor near the parts washer in the truck repair shop. The concrete floor appeared to be pitted in some of the areas. No drains were observed in these areas. Based on site observations, releases of petroleum products or hazardous materials may have adversely impacted the subject property.

6.2.4 Polychlorinated Biphenyls (PCBs)

Older transformers and other electrical equipment could contain PCBs at a level that subjects them to regulation by the U.S. EPA. PCBs in electrical equipment are controlled by United States Environmental Protection Agency regulations 40 CFR, Part 761. Under the regulations, there are three categories into which electrical equipment can be classified: 1) Less than 50 parts per million (ppm) of PCBs – "*Non-PCB;*" 2) 50 ppm-500 ppm – "*PCB-Contaminated;*" and, 3) Greater than 500 ppm – "*PCB-Containing.*" The manufacture, process, or distribution in commerce or use of any PCB in any manner other than in a totally enclosed manner was prohibited after January 1, 1977.

The on-site reconnaissance addressed indoor and outdoor transformers that may contain PCBs. Two pad-mounted transformers were observed on the subject property. The transformers were labeled indicating no PCB content. No staining or leakage was observed in the vicinity of the transformers. Based on the good condition of the equipment, the transformer is/transformers are not expected to represent a significant environmental concern.

Additionally, no other current potential PCB-containing equipment (interior transformers, oil-filled switches, hoists, lifts, dock levelers, hydraulic elevators, balers, etc.) was observed on the subject property during Partner's reconnaissance. Mr. Caskey reported that the grain elevators and conveyors are currently pneumatic, although this may not have been the case since its original construction, no records of former equipment were available for review as part of this Phase I ESA.

6.2.5 Strong, Pungent or Noxious Odors

No strong, pungent, or noxious odors were evident during the site reconnaissance.

6.2.6 Pools of Liquid

No pools of liquid were observed on the subject property during the site reconnaissance.

6.2.7 Drains, Sumps and Clarifiers

No drains, sumps, or clarifiers, other than those associated with storm water removal, were observed on the subject property during the site reconnaissance.

6.2.8 Pits, Ponds and Lagoons

One pit was observed within Truck Repair Shop, in the maintenance area. The pit was used for the servicing of equipment. No ponds or lagoons were observed on the subject property.

6.2.9 Stressed Vegetation

No stressed vegetation was observed on the subject property.

6.2.10 Additional Potential Environmental Hazards

No additional environmental hazards, including landfill activities or radiological hazards, were observed.

6.3 Non-ASTM Services

6.3.1 Asbestos-Containing Materials (ACMs)

Asbestos is the name given to a number of naturally occurring, fibrous silicate minerals mined for their useful properties such as thermal insulation, chemical and thermal stability, and high tensile strength. The Occupational Safety and Health Administration (OSHA) regulation 29 CFR 1926.1101 requires certain construction materials to be *presumed* to contain asbestos, for purposes of this regulation. All thermal system insulation (TSI), surfacing material, and asphalt/vinyl flooring that are present in a building constructed prior to 1981 and have not been appropriately tested are "presumed asbestos-containing material" (PACM).

The subject property buildings were constructed prior to 1973. Partner has conducted a limited, visual evaluation of accessible areas for the presence of suspect ACMs at the subject property. The objective of this visual survey was to note the presence and condition of suspect ACM observed. Please refer to the table below for identified suspect ACMs:

Suspect ACMs

Suspect ACM	Location	Friable Yes/No	Physical Condition
Drywall Systems	Office Area (Office/Warehouse Building)	No	Good
Linoleum	Office Area (Office/Warehouse Building)	No	Good
Floor Tile and Carpet Mastic	Office Area (Office/Warehouse Building)	No	Good
Baseboard Mastic	Office Area (Office/Warehouse Building)	No	Good
Ceiling Tiles	Office Area (Office/Warehouse Building)	No	Good
Spray-Applied Insulation	AST – (food grade oil)	Yes	Good
Insulated Piping	AST – (food grade oil)	No	Good

The limited visual survey consisted of noting observable materials (materials which were readily accessible and visible during the course of the site reconnaissance) that are commonly known to potentially contain

asbestos. This activity was not designed to discover all sources of suspect ACM, PACM, or asbestos at the site; or to comply with any regulations and/or laws relative to planned disturbance of building materials such as renovation or demolition, or any other regulatory purpose. Rather, it is intended to give the User an indication if significant (significant due to quantity, accessibility, or condition) potential sources of ACM or PACM are present at the subject property. Additional sampling, assessment, and evaluation will be warranted for any other use.

Partner was not provided building plans or specifications for review, which may have been useful in determining areas likely to have used ACM.

According to the US EPA, ACM and PACM that is intact and in good condition can, in general, be managed safely in-place under an Operations and Maintenance (O&M) Program until removal is dictated by renovation, demolition, or deteriorating material condition. Prior to any disturbance of the construction materials within this facility, a comprehensive ACM survey is recommended.

6.3.2 Lead-Based Paint (LBP)

Lead is a highly toxic metal that affects virtually every system of the body. LBP is defined as any paint, varnish, stain, or other applied coating that has 1 mg/cm^2 (or 5,000 µg/g or 0.5% by weight) or more of lead. Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as "Title X," to protect families from exposure to lead from paint, dust, and soil. Under Section 1017 of Title X, intact LBP on most walls and ceilings is not considered a "hazard," although the condition of the paint should be monitored and maintained to ensure that it does not become deteriorated. Further, Section 1018 of this law directed the Housing and Urban Development (HUD) and the US EPA to require the disclosure of known information on LBP and LBP hazards before the sale or lease of most housing built before 1978.

Based on the age of the subject property buildings (pre-1978), there is a potential that LBP is present. Interior and exterior painted surfaces were observed in good condition and therefore not expected to represent a "hazard," although the condition of the paint should be monitored and maintained to ensure that it does not become deteriorated.

6.3.3 Radon

Radon is a colorless, odorless, naturally occurring, radioactive, inert, gaseous element formed by radioactive decay of radium (Ra) atoms. The US EPA has prepared a map to assist National, State, and local organizations to target their resources and to implement radon-resistant building codes. The map divides the country into three Radon Zones, according to the table below:

EPA Radon Zones		
EPA Zones	**Average Predicted Radon Levels**	**Potential**
Zone 1	Exceed 4.0 pCi/L	Highest
Zone 2	Between 2.0 and 4.0 pCi/L	Moderate
Zone 3	Less than 2.0 pCi/L	Low

Radon sampling was not conducted as part of this assessment. Review of the U.S. EPA Map of Radon Zones places the subject property in Zone 2. Based upon the radon zone classification, radon is not considered to be a significant environmental concern.

6.3.4 Lead in Drinking Water

According to available information, a public water system operated by the Ontario Municipal Utilities Company serves the subject property vicinity. According to the City of Ontario and the 2015 Urban Water Management Plan, water supplied to the subject property is in compliance with all State and Federal regulations pertaining to drinking water standards, including lead and copper. Water sampling was not conducted to verify water quality.

6.3.5 Mold

Molds are microscopic organisms found virtually everywhere, indoors and outdoors. Mold will grow and multiply under the right conditions, needing only sufficient moisture (e.g., in the form of very high humidity, condensation, or water from a leaking pipe, etc.) and organic material (e.g., ceiling tile, drywall, paper, or natural fiber carpet padding).

Partner observed accessible, interior areas for the subject property buildings for significant evidence of mold growth with the exceptions detailed in Section 1.5 of this report; however, this ESA should not be used as a mold survey or inspection. Additionally, this limited assessment was not designed to assess all areas of potential mold growth that may be affected by mold growth on the subject property. Rather, it is intended to give the client an indication as to whether or not conspicuous (based on observed areas) mold growth is present at the subject property. This evaluation did not include a review of pipe chases, mechanical systems, or areas behind enclosed walls and ceilings.

No obvious indications of water damage or mold growth were observed during Partner's visual assessment of the buildings.

6.4 Adjacent Property Reconnaissance

The adjacent property reconnaissance consisted of observing the adjacent properties from the subject property premises.

6.4.1 Hazardous Substances and Petroleum Products Used or Stored at the Site

The neighboring property to the east, Praxair, was observed to store petroleum products at their location. No obvious signs of spills or leaking containers was observed during the time of the site reconnaissance.

6.4.2 ASTs/USTs for Hazardous Substances or Petroleum Products

The neighboring property to the east, Praxair, was observed to contain multiple ASTs at their location. No obvious signs of spills or leaking containers was observed during the time of the site reconnaissance.

6.4.3 Evidence of Releases

No evidence of releases was observed during the time of the site reconnaissance.

7.0 FINDINGS AND CONCLUSIONS

Findings

A *recognized environmental condition (REC)* refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment. The following was identified during the course of this assessment:

- Based on information provided in the EDR regulatory database report, five former petroleum USTs were located at the subject property since 1988; however, there are inconsistencies on the number and status of the USTs found in other documentation. Partner was able to identify removal/closure records for three of the USTS. Regulatory closure letters address the removal of the three 12,000-gallon diesel USTs (discussed as HRECs below). Separately, at least one UST was suspected to be adjacent to west of the Truck Repair Building. Partner observed evidence of concrete cuts for a possible fuel dispenser in this area. Records for the fifth possible UST were not clear. Based on the lack of information regarding the status of at least two former suspect USTs at this facility, the former USTs are considered a REC.

- The subject property is currently equipped with two 250-gallon ASTs containing diesel fuel. The original installation date is unknown. Diesel fuel is used to maintain the yard equipment, such as the front-end loaders, forklifts, and the bobcats. Minor to moderate staining was observed on the asphalt surface immediately surrounding the ASTs. The asphalt appeared to be in fair to poor condition with cracks observed in the area of the staining. Based on the lack of information regarding the age and installation dates of these ASTs at this facility and site observations, the ASTs are considered a REC.

- Maintenance areas and storage of automotive-related fluids such as motor oil, waste motor oil, and antifreeze was observed in the two central buildings (Office/Warehouse and Truck Repair Shop). Petroleum staining was observed on the concrete floor within these buildings and the condition of the concrete floor was pitted in some areas. In addition, minor staining was observed adjacent to a parts washer. Based on the long-term use of these buildings for maintenance, the usage of petroleum products and hazardous materials and evidence of staining, the historical operations in these areas are considered a REC.

- A former vehicle wash-down area was observed north of the Truck Repair Shop. Partner observed a sump and pump in this area, however, were reportedly no longer in use. According to the site contact, when the vehicle wash-down area was in use, water would collect into the associated sump and "wastewater was pumped into a tank and then stored in 55-gallon drums for off-site disposal." Previous reports indicated a violation was issued by the RWQCB, which included truck wash water flowing into the parking lot.

  According to an inspection report from the RWQCB based on an inspection conducted on August 16, 2001, it was noted that housekeeping at the subject property was poor and that boiler blow-

down water was being used for dust control. In April 2001, the RWQCB received an anonymous compliant stating that employees at the subject property were routinely pouring used oil into a drain located outside of the Truck Repair Shop. The RWQCB re-inspected the subject property and was told that water from the truck wash down area discharges through a filter and is pumped from a sump into a 2,810-gallon AST. Employees at the subject property stated that the tank had never been emptied. The subject property was cited with several violations at the time including: truck wash water flowing into the parking lot; storm water exceedances (December 2001); and condensate from the boiler room at the mill discharging onto the ground. Based on the use of this area as a truck wash and reported violations for past housekeeping practices, the historical operations in this area are considered a REC.

A *controlled recognized environmental condition (CREC)* refers to a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

- Partner did not identify controlled recognized environmental conditions during the course of this assessment.

A *historical recognized environmental condition (HREC)* refers to a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. The following was identified during the course of this assessment:

- Two 12,000 gallon USTs identified as containing diesel were removed from the subject property in July 1989; available file information maps these USTs north of the mill building. In a letter dated September 4, 1998 by the SBCFD, a report prepared by Babcock & Sons, Inc. and dated July 25, 1989 was reviewed by the SBCFD. The letter indicated the "contamination remaining in the excavation is below that which is generally considered a problem and further investigation is not warranted at this time." Based on the reported sampling conducted subsequent issuance of a No Further Action (NFA) letter by SBCFD, the two former 12,000 gallon USTs removed in 1989 are considered an HREC.
- One 12,000 gallon diesel fuel UST and associated dispenser was removed from the area north of the main office/warehouse building in December 2002. Confirmation sampling was conducted beneath the UST and the stockpiled soil which was re-used for backfill of the excavation. Residual petroleum impacts were identified in the stockpiled soil. The SBCFD issued an NFA letter on January 8, 2003 for the removal of the UST and associated dispenser. Based on the removal and subsequent issue of the NFA, the former 12,000 gallon diesel UST located north of the main office building (east of the "former vegetable oil processing center") is considered an HREC.

An *environmental issue* refers to environmental concerns identified by Partner, which do not qualify as RECs; however, warrant further discussion. The following was identified during the course of this assessment:

- The site contact indicated sanitary discharges from the restrooms in the office/warehouse and truck repair shop buildings are directed to on-site septic systems. The site contact was not aware of where the septic systems were located and Partner did not observe any evidence of the septic system during the site visit. Previous reports identified two potential areas of the septic systems on a site figure; however, the prior reports also indicated the location of the septic systems were unknown. No service sinks or floor drains, other than those located in the restrooms, were observed on the subject property. Septic systems are typically of environmental concern due to the potential discharge of petroleum products or hazardous substances; however, since there were no floor drains or evidence of discharges to the septic systems other than for domestic use, the septic system(s) do not appear to be a significant environmental concern.
- The grain processing mill has been in operation since circa 1973. The processing equipment within the mill and underground conveyor systems require lubrication oil; however, no leaking or other indications of a release were observed during the site reconnaissance. Based on site observations, the equipment use does not appear to be a significant environmental concern.
- The area north of the subject property includes several railroad lines, including rail road spurs which extend onto the subject property. Railroad lines may be of environmental concern due to the use of pesticides, herbicides and oils used for the maintenance of the rail lines, regulated railroad bedding material (slag, gravel, etc.) or chemicals leaching from treated railroad crossties. Based on the commercial nature of the subject property, the presence of the rail lines do not appear to be a significant environmental concern.
- Due to the age of the subject property buildings, there is a potential that asbestos-containing material (ACM) is present. Overall, suspect ACMs were observed in good condition and do not pose a health and safety concern to the occupants of the subject property at this time.

Conclusions, Opinions and Recommendations

Partner has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13 of 5355 East Airport Drive in the City of Ontario, San Bernardino County, California (the "subject property"). Any exceptions to, or deletions from, this practice are described in Section 1.5 of this report.

This assessment has revealed evidence of recognized environmental conditions and/or environmental issues in connection with the subject property. Based on the conclusions of this assessment, Partner recommends the following:

- A limited subsurface investigation should be conducted in order to determine the presence or absence of soil and/or groundwater contamination due to the historical use of the subject property.

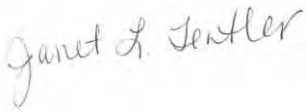
- An Operations and Maintenance (O&M) Program should be implemented in order to safely manage the suspect ACMs located at the subject property.

8.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

Partner has performed a Phase I Environmental Site Assessment of the property located at 5355 East Airport Drive in the City of Ontario, San Bernardino County, California in general conformance with the scope and limitations of the protocol and the limitations stated earlier in this report. Exceptions to or deletions from this protocol are discussed earlier in this report.

By signing below, Partner declares that, to the best of our professional knowledge and belief, we meet the definition of *Environmental Professional* as defined in §312.10 of 40 CFR §312. Partner has the specific qualifications based on education, training, and experience to assess a *property* of the nature, history, and setting of the subject *property*. Partner has developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Prepared By:



Janet Tentler
Environmental Professional

Reviewed By:



Kathy Lehnus
Project Manager

9.0 REFERENCES

Reference Documents

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FIGURES

1 SITE LOCATION MAP

2 SITE PLAN

3 TOPOGRAPHIC MAP

PARTNER



N

KEY:

Subject Site

FIGURE 1: SITE LOCATION MAP

Project No. 16-163550.1

PARTNER 2072



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GROUNDWATER FLOW

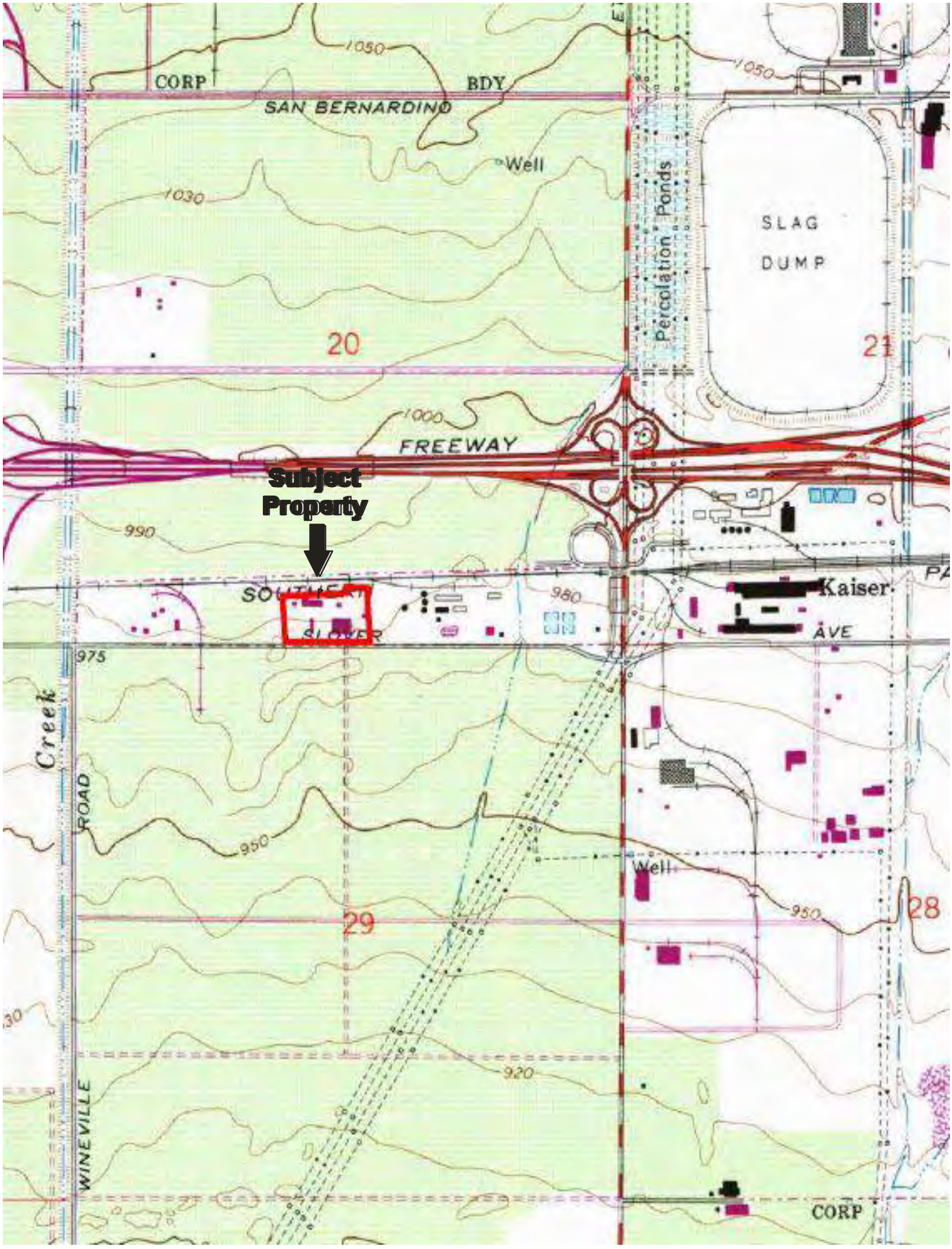
KEY:

Subject Site

FIGURE 2: SITE PLAN

Project No.16-163550.1

PARTNER 2073



USGS 7.5 Minute *Guasti, California* Quadrangle Created: 1981

FIGURE 3: TOPOGRAPHIC MAP
Project No.16-163550.1

PARTNER 2074

APPENDIX A: SITE PHOTOGRAPHS



1. View of Main Building (Building A)



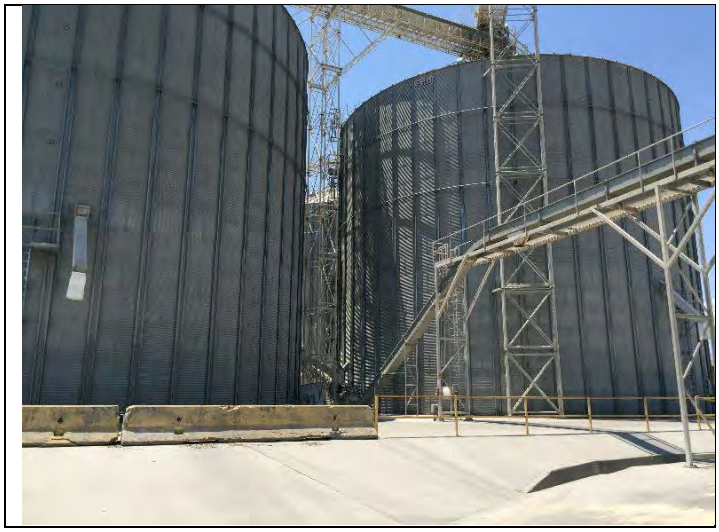
2. View of Warehouse Building (Building C)



3. View of Main Building (Building A)



4. View of Milling Area



5. View of Storage Silos



6. View of Grain Receiving Transfer Conveyor



7. View of Grain Receiving Transfer Conveyor



8. View of Storage Silos



9. View of Grain Storage (Building E)



10. View of Grain Storage (Building D)



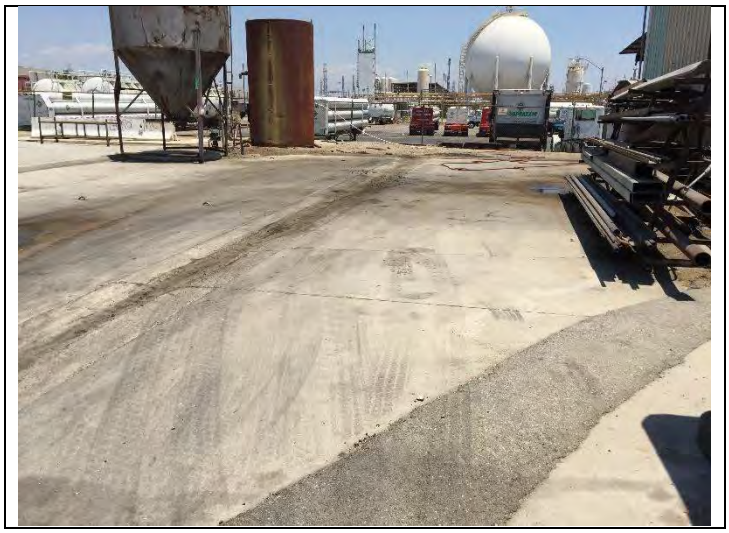
11. View of Propane near Warehouse Building (Building C)



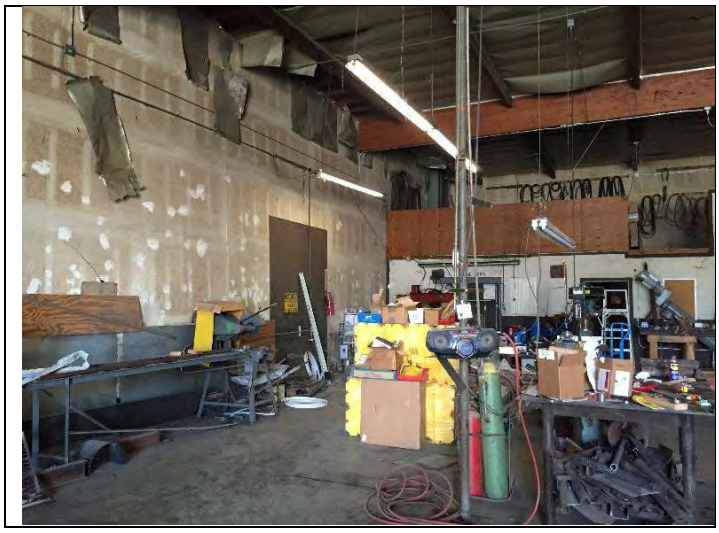
12. View of Diesel ASTs and Hydraulic Oil AST near Main Building (Building A)



13. View of Trash Dumpsters



14. View of Former Vehicle Wash-Down Area



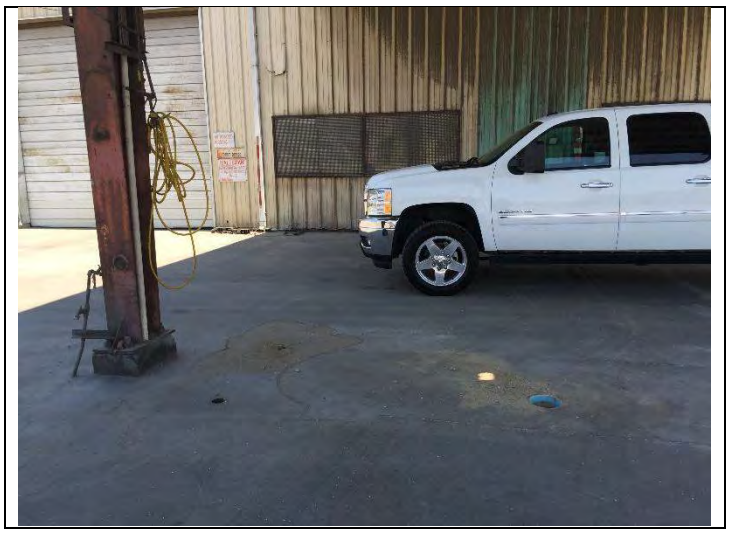
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23. View of 1 of 2 SCE Pad-Mounted Transformer labeled with No PCBs



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APPENDIX B: HISTORICAL/REGULATORY DOCUMENTATION

Phase I Environmental Site Assessment

Scoular Grain Facility

5355 East Airport Drive

Ontario, San Bernardino County, California

May 3, 2016

Terracon Project No. 60167098



Prepared for:
The Scoular Company
Omaha, Nebraska

Prepared by:
Terracon Consultants, Inc.
Irvine, California

terracon.com

Terracon

Environmental ■ Facilities ■ Geotechnical ■ Materials

May 3, 2016

Terracon

The Scoular Company
2027 Dodge Ste.
Omaha, NE 68102

Attn: Mr. Tom DiGiorgio
P: (402) 342 3500

Re: Phase I Environmental Site Assessment
Scoular Grain Facility
5355 East Airport Drive
Ontario, San Bernardino County, California
Terracon Project No. 60167098

Dear Mr. DiGiorgio:

Terracon Consultants, Inc. (Terracon) is pleased to submit the enclosed Phase I Environmental Site Assessment (ESA) report for the above-referenced site. This assessment was performed in accordance with Terracon Proposal No. P60167098 dated February 23, 2016.

We appreciate the opportunity to be of service to you on this project. In addition to Phase I services, our professionals provide geotechnical, environmental, construction materials, and facilities services on a wide variety of projects locally, regionally and nationally. For more detailed information on all of Terracon's services please visit our website at www.terracon.com. If there are any questions regarding this report or if we may be of further assistance, please do not hesitate to contact us.

Sincerely,
Terracon Consultants, Inc.

Melanie J. Seydel, E.I.T.
Field Engineer

Islam (Sami) R. Noaman, E.I.T.
Environmental Group Manager

David M. Svingen
Senior Principal

Attachments

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EXECUTIVE SUMMARY

This Phase I Environmental Site Assessment (ESA) was performed in accordance with Terracon Proposal No. P60167098 dated February 23, 2016 and our Master Services Agreement date November 12, 2009, and was conducted consistent with the procedures included in ASTM E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The ESA was conducted under the supervision or responsible charge of Islam (Sami) R. Noaman, Environmental Professional. Melanie J. Seydel, E.I.T. performed the site reconnaissance on March 24, 2016.

Findings

A summary of findings is provided below. It should be recognized that details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the items contained herein.

Site Description and Use

The site is located at 5355 East Airport Drive in the City of Ontario, San Bernardino, California and consists of an approximately 13.37-acre tract of land developed with grain storage and feed mill buildings along with an office/warehouse, several storage sheds, office trailers and a truck shop building. Other site improvements include paved driveway and parking lots along with limited landscaping. At the time of the site reconnaissance, the site was occupied by The Scoular Company and George Verhoeven Grain Inc., which leases the east portion of the site.

The site operates primarily as a grain processing facility. Raw material, including corn and barley, are delivered to the site by truck or rail. The raw material is weighed and unloaded into the storage silos. The raw material is steamed, rolled, and flattened into the finished product and stored on site until delivery.

Historical Information

Based on review of available historical information, the site consisted of undeveloped and/or agricultural land from at least the early-1900s through the 1970s when the site was developed with existing mill facility. By the early-2000s, additional improvements to the site were made with large storage silos on the western portion of the site and a storage building on the southeastern corner of the site. The site remained relatively unchanged from early-2000s through the present.

Based on review of a previous Phase I Environmental Site Assessment prepared for the site by SECOR and dated October 8, 2003, it was concluded that evidence of recognized environmental condition (RECs) or historical RECs was not identified for the site, and no further investigation was recommended. However, SECOR identified several conditions of environmental concern including: on-site underground storage tanks (USTs), use of petroleum impacted back-fill in an

on-site tank pit following a UST removal, on-site septic systems, and the long history of wastewater and stormwater violations for the site. However, further inquiry/research into these concerns led SECOR to conclude that these concerns were not indicative of RECs. Additionally, Terracon completed two Phase I ESA reports on May 5, 2009 and January 19, 2010. Terracon ESA reports did not identify RECs associated with the site and no recommendations were provided.

The surrounding adjacent properties consisted of undeveloped and/or agricultural land with railroad tracks to the adjacent north of the site from at least the early-1900s through the 1960s when the property to the adjacent east was developed with the existing industrial facility. By the early-1990s, the property to the adjacent south was developed with an industrial building. By the early-2000s, the properties to the adjacent west and north of the site were developed with industrial buildings and remain relatively unchanged through the present.

Records Review

Selected federal and state environmental regulatory databases as well as responses from state and local regulatory agencies were reviewed. JD Heiskell Holdings LLC / Coast Grain Inc. / John Powell, located onsite, are listed in the regulatory database as a CA FID UST, EMI, WDS, FINDS, ECHO, HAZNET, UST, SWEEPS UST, NPDES, and San Bernardino County Permit facility. Based on a review of the HAZNET listings, the site generated hazardous waste categorized as tank bottom waste, other organic solids, waste oil and mixed oil, unspecified organic liquid mixture, unspecified aqueous solution, and asbestos containing material from 2002 through 2010. Based on a review of the EMI listing, the site was permitted for emissions with the South Coast Air Quality Management District from 1990 to 2009. Based on a review of the NPDES and WDS listing, the site is listed as an active permitted facility for industrial stormwater and continuous, or seasonal, waste water discharge that is under Waste Discharge Requirements. The site is listed as an NPDES / WDS facility that is considered a minor threat to water quality and either has a passive water treatment system or no treatment system as per the Regional Water Quality Control Board. No other pertinent information was provided in the NPDES and CA WDS database listings. No violations or reported releases are listed for the site. Based on site observations, the absence of violations or reported releases, and waste streams identified at the site, RECs for the site were not identified. Based on a review of the San Bern. Co. Permits listing, the site is currently permitted as a small quantity generator, hazardous material handler, and aboveground petroleum storage 1,320-10,000 gallon capacity facility. Inactive permits for the site were identified as hazardous material handler and waste generator with 0-10 employees, UST ownership/operating permit, and aboveground petroleum storage (SPCC).

Based on a review of the SWEEPS UST listing, the site is listed with five underground storage tanks (USTs) of unknown size and content in 1988. Information regarding the status of the USTs was not identified in the databases searched by EDR. Based on records reviewed by Terracon at the San Bernardino County Fire Department (SBCFD) and information obtained from the San Bernardino County Environmental Health (refer to Section 4.2), four USTs were permitted to operate at the site in 1985 when Chino Grain and Milling occupied the site. Information regarding

USTs at the site prior to 1985 was not available at the aforementioned agencies. Two of the four USTs present at the site in 1985 were identified in the records as one 12,000-gallon unleaded gasoline UST and one 12,000-gallon diesel UST. Information regarding the installation/removal or regulatory status of the other two USTs at the site in 1985 was not available in the records reviewed by Terracon. An additional 12,000-gallon UST was reportedly installed in 1988 and this UST was removed from the site in 2002. Records and regulatory closure documents pertaining to the three 12,000-gallon USTs were identified during Terracon records review (further discussed in Sections 3.7 and 4.2).

Based on a review of Phase I ESA report completed by SECOR on October 8, 2003 (discussed in Section 3.7), three 12,000-gallon diesel USTs, north of the mill building and east of the former vegetable oil processing area, were removed from the site in 1989 and in 2002, and regulatory closure was identified for the three 12,000-gallon USTs. Additionally, a fourth UST of unknown size, reportedly located west of the truck stop, was removed in 1986. Soil sampling was reportedly conducted at the location of a former UST, and concentrations of petroleum hydrocarbons below the applicable screening levels were identified at 15 feet below grade surface (bgs), and TPH concentrations were not detected above laboratory method detection limits at 20 feet bgs. Residual impact of soils in the vicinity of the three USTs and reported location of former UST west of the truck repair shop were reported below Los Angeles Regional Water Quality Control Board Maximum Screening Levels for LUST sites where groundwater is at a depth of greater than 150 feet. Based on information reviewed by Terracon at the SBCFD and the 2003 SECOR ESA report documenting a subsurface investigation conducted by Grisanti and Associates at the site and regional depth of groundwater in the site vicinity, it is our opinion that the residual TPH concentrations remaining at the site appear to represent an HREC. The absence of information regarding the installation/removal or regulatory status of the two unknown USTs at the site in 1985 represents a data gap; however, based on the reported Grisanti & Associates subsurface investigation (SECOR 2003) at the historical suspect location of former UST(s) and anticipated depth to groundwater in the site vicinity, this data gap does not appear to represent a REC to the site.

Site Reconnaissance

Based on site reconnaissance, two air compressors, a rail car unloading system, above-ground storage tanks ranging in quantities of 250-gallons and 2,500-gallons, drums and containers ranging in quantities of 5-gallons and 275-gallons, two pad-mounted transformers, and three solid waste disposal dumpsters were observed. Indications of RECs were not identified.

Adjoining Properties

Railroad tracks abut the site to the north followed by an industrial building. The property to the adjacent east of the site consists of Praxair. Airport Drive abuts the site to the south followed by K-Mart Distribution Center. The property to the adjacent west of the site consists of Verizon Wireless. RECs were not observed with the adjoining properties.

Significant Data Gap

Significant data gaps were not identified in connection with the site.

Opinions and Conclusions

We have performed a Phase I ESA consistent with the procedures included in ASTM Practice E 1527-13 at 5355 East Airport Drive, Ontario, San Bernardino County, California, the site. Recognized Environmental Conditions (RECs) or Controlled RECs (CREC) were not identified in connection with the site. However, Historical REC associated with TPH concentrations in soil remaining in place associated with former USTs was identified.

1.0 INTRODUCTION

1.1 Site Description

Site Name	Scoular Grain Facility
Site Location/Address	5355 East Airport Drive, Ontario, San Bernardino County, California. San Bernardino County Assessor Parcel Number 0238052200000 & 0238052290000.
Land Area	Approximately 13.37-acre
Site Improvements	The site is improved with grain storage and feed mill buildings along with an office/warehouse, several storage sheds, office trailers and a truck shop building. Other site improvements include paved driveway and parking lots along with limited landscaping.

The site location is depicted on Exhibit 1 of Appendix A, which was reproduced from a portion of the USGS 7.5-minute series topographic map. A Site Diagram of the site and adjoining properties is included as Exhibit 2 of Appendix A. Acronyms and terms used in this report are described in Appendix F.

1.2 Scope of Services

This Phase I ESA was performed in accordance with Terracon Proposal No. P60167098 dated February 23, 2016 and Master Services Agreement dated November 12, 2009, and was conducted consistent with the procedures included in ASTM E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The purpose of this ESA was to assist the client in developing information to identify RECs in connection with the site as reflected by the scope of this report. This purpose was undertaken through user-provided information, a regulatory database review, historical and physical records review, interviews, including local government inquiries, as applicable, and a visual noninvasive reconnaissance of the site and adjoining properties. Limitations, ASTM deviations, and significant data gaps (if identified) are noted in the applicable sections of the report. ASTM E1527-13 contains a new definition of "migrate/migration," which refers to “the movement of hazardous substances or petroleum products in any form, including, for example, solid and liquid at the surface or subsurface, and vapor in the subsurface.” By including this explicit reference to migration in ASTM E1527-13, the standard clarifies that the potential for vapor migration should be addressed as part of a Phase I ESA and was considered by Terracon in evaluation of RECs associated with the site.

1.3 Standard of Care

This ESA was performed in accordance with generally accepted practices of this profession, undertaken in similar studies at the same time and in the same geographical area. We have

endeavored to meet this standard of care, but may be limited by conditions encountered during performance, a client-driven scope of work, or inability to review information not received by the report date. Where appropriate, these limitations are discussed in the text of the report, and an evaluation of their significance with respect to our findings has been conducted.

Phase I ESAs, such as the one performed at this site, are of limited scope, are noninvasive, and cannot eliminate the potential that hazardous, toxic, or petroleum substances are present or have been released at the site beyond what is identified by the limited scope of this ESA. In conducting the limited scope of services described herein, certain sources of information and public records were not reviewed. It should be recognized that environmental concerns may be documented in public records that were not reviewed. No ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs. No warranties, express or implied, are intended or made. The limitations herein must be considered when the user of this report formulates opinions as to risks associated with the site or otherwise uses the report for any other purpose. These risks may be further evaluated – but not eliminated – through additional research or assessment. We will, upon request, advise you of additional research or assessment options that may be available and associated costs.

1.4 Additional Scope Limitations, ASTM Deviations and Data Gaps

Based upon the agreed-on scope of services, this ESA did not include subsurface or other invasive assessments, vapor intrusion assessments or indoor air quality assessments (i.e. evaluation of the presence of vapors within a building structure), business environmental risk evaluations, or other services not particularly identified and discussed herein. Credentials of the company (Statement of Qualifications) have not been included in this report but are available upon request. Pertinent documents are referred to in the text of this report, and a separate reference section has not been included. Reasonable attempts were made to obtain information within the scope and time constraints set forth by the client; however, in some instances, information requested is not, or was not, received by the issuance date of the report. Information obtained for this ESA was received from several sources that we believe to be reliable; nonetheless, the authenticity or reliability of these sources cannot and is not warranted hereunder.

An evaluation of the significance of limitations and missing information with respect to our findings has been conducted, and where appropriate, significant data gaps are identified and discussed in the text of the report. However, it should be recognized that an evaluation of significant data gaps is based on the information available at the time of report issuance, and an evaluation of information received after the report issuance date may result in an alteration of our conclusions, recommendations, or opinions. We have no obligation to provide information obtained or discovered by us after the issuance date of the report, or to perform any additional services, regardless of whether the information would affect any conclusions, recommendations, or opinions in the report. This disclaimer specifically applies to any information that has not been provided by the client.

This report represents our service to you as of the report date and constitutes our final document; its text may not be altered after final issuance. Findings in this report are based upon the site's current utilization, information derived from the most recent reconnaissance and from other activities described herein; such information is subject to change. Certain indicators of the presence of hazardous substances or petroleum products may have been latent, inaccessible, unobservable, or not present during the most recent reconnaissance and may subsequently become observable (such as after site renovation or development). Further, these services are not to be construed as legal interpretation or advice.

1.5 Reliance

This ESA report is prepared for the exclusive use and reliance of The Scoular Company. Use or reliance by any other party is prohibited without the written authorization of The Scoular Company and Terracon Consultants, Inc. (Terracon).

Reliance on the ESA by the client and all authorized parties will be subject to the terms, conditions and limitations stated in the proposal, ESA report, and Terracon's Master Services Agreement. The limitation of liability defined in the Master Services Agreement is the aggregate limit of Terracon's liability to the client and all relying parties.

Continued viability of this report is subject to ASTM E1527-13 Sections 4.6 and 4.8. If the ESA will be used by a different user (third party) than the user for whom the ESA was originally prepared, the third party must also satisfy the user's responsibilities in Section 6 of ASTM E1527-13.

1.6 Client Provided Information

Prior to the site visit, Mr. Tom DiGiorgio, client's representative, was asked to provide the following user questionnaire information as described in ASTM E1527-13 Section 6.

Client Questionnaire Responses

Client Questionnaire Item	Client Did Not Respond	Client's Response	
		Yes	No
Specialized Knowledge or Experience that is material to a REC in connection with the site.			X
Actual Knowledge of Environmental Liens or Activity Use Limitations (AULs) that may encumber the site.			X
Actual Knowledge of a Lower Purchase Price because contamination is known or believed to be present at the site.			X
Commonly Known or Reasonably Ascertainable Information that is material to a REC in connection with the site.			X

Client Questionnaire Item	Client Did Not Respond	Client's Response	
		Yes	No
Obvious Indicators of Contamination at the site.			X

Terracon's consideration of the client provided information did not identify RECs. A copy of the questionnaire is included in Appendix C.

2.0 PHYSICAL SETTING

Physical Setting

Physical Setting Information		Source
Topography (Refer to Appendix A for an excerpt of the Topographic Map)		
Site Elevation	Approximately 980 feet (NGVD)	USGS Topographic Map, Guasti, California Quadrangle, 1981
Surface Runoff/ Topographic Gradient	Generally towards the south.	
Closest Surface Water	Unnamed creek, approximately 1,480 feet to the east of the site.	
Soil Characteristics		
Soil Type	Delhi	USDA Web Soil Survey websoilsurvey.nrcs.usda.gov/app/
Description	Somewhat excessively drained sands with negligible to slow runoff and rapid permeability.	
Geology/Hydrogeology		
Formation	Quaternary Deposits	Geological Map of California, Dated 2010
Description	Alluvium, lake, playa, and terrace deposits; unconsolidated and semi-consolidated.	
Estimated Depth to First Occurrence of Groundwater	Approximately 250 feet bgs at the site.	SECOR, "Final Phase I Environmental Site Assessment, Scoular Grain Company, 5355 East Airport Drive, Ontario, CA 91761" dated October 8, 2003.
*Hydrogeologic Gradient	Not known - may be inferred to be parallel to topographic gradient (primarily to the south).	

* The groundwater flow direction and the depth to shallow, unconfined groundwater, if present, would likely vary depending upon seasonal variations in rainfall and other hydrogeological features. Without the benefit of on-site groundwater monitoring wells surveyed to a datum, groundwater depth and flow direction beneath the site cannot be directly ascertained.

3.0 HISTORICAL USE INFORMATION

Terracon reviewed the following historical sources to develop a history of the previous uses of the site and surrounding area, in order to help identify past uses for RECs. Copies of selected historical documents are included in Appendix C.

3.1 Historical Topographic Maps, Aerial Photographs, Sanborn Maps

Readily available historical USGS topographic maps, selected historical aerial photographs (at approximately 10 to 15 year intervals) and historical fire insurance maps produced by the Sanborn Map Company were reviewed to evaluate land development and obtain information concerning the history of development on and near the site. Reviewed historical topographic maps, aerial photographs and Sanborn Maps are summarized below.

Historical fire insurance maps produced by the Sanborn Map Company were requested from EDR to evaluate past uses and relevant characteristics of the site and surrounding properties. Based upon inquiries to the above-listed Sanborn provider, Sanborn maps were not available for the site.

- Topographic map:
  - Southern California Sheet 1, 1901 (1:250,000)
  - Cucamonga, California, 1903 (1:62,500)
  - Guasti Vicinity, California, 1941 (1:31,680)
  - Ontario, California, 1954 (1:62,500)
  - Guasti, California, 1966, photorevised 1973 and 1981 (1:24,000)

- Aerial photograph:
  - Laval, 1938, 1”=555’
  - Pacific Air, 1953, 1”=555’
  - Cartwright, 1968, 1”=555’
  - Teledyne, 1977, 1”=666’
  - USGS, 1990, 1994, 2002, 1”=666’
  - EDR, 2005, 1”=485’
  - Bing, 2014, 1”-500’

Historical Topographic Maps and Aerial Photographs

Direction	Description
Site	Undeveloped land (1901-1903); agricultural land (1938-1968); developed with existing main office building, mill, storage sheds located in the center and eastern boundary of the site, smaller building north of the office building and agricultural land along the western boundary of the site with a railroad spur (1977-1994); an addition of large storage silos on the western portion of the site and a storage building on the southeastern corner of the site (2002-2014).

Direction	Description
North	Railroad tracks followed by undeveloped land (1901-1903); railroad tracks followed by agricultural land (1938-1977); railroad tracks followed by apparent vacant land (1990-1994); railroad tracks followed by large industrial-type buildings (2002-2014).
East	Undeveloped land (1901-1903); agricultural land (1938-1953); industrial facility consisting of several above-ground tanks and buildings (1968-2014).
South	Undeveloped land (1901-1903); agricultural land (1938); a paved road followed by agricultural land (1953-1977); a paved road followed by a small building and a parking lot for a large industrial-type building (1990); aforementioned industrial-type building expanded to the west (1994-2014).
West	Undeveloped land (1901-1903); agricultural land (1938-1968); agricultural land followed by a railroad spur and industrial-type facility (1977); agricultural land followed by a large office-type building and railroad spur (1990-1994); existing industrial-type buildings (2002-2014).

3.2 Site Ownership

Based on a review of the title commitment provided by Texas Environmental Research, the current site owner is Scoular Company.

3.3 Historical City Directories

The Haines Criss-Cross, SBC Pacific Bell, GTE, Lusky Brothers, San Bernardino Directory Co., Los Angles Directory Company, Southern California Telephone Company, Associated Telephone Company Limited, and R.L. Polk & Co. city directories used in this study were made available through EDR (selected years reviewed: 1980-2003) and were reviewed at approximate five year intervals, if readily available. Street listings not available prior to 1985. The current street address for the site was identified as 5355 East Airport Drive.

Historical City Directories

Direction	Description
Site	**5355 East Airport Drive –** No listing (1980); *Chino Grain 8 Mlng Inc (1985), Coast Grain Co. (1990-2003); JB Heiskell & Company, The Scoular Company (2008); The Scoular Company, Verhoeven Geo Grain Inc. (2013).*
North	**5300 Shea Center Drive –** No listing (1980-2003); *Emser Tile LLC (2008-2013).*
East	**5735 East Airport Drive –** No listing (1980-2008); *Praxair Inc. (2013).*
South	**5600 East Airport Drive** - *TMHE Contracting, K-Mart Corp (1980); K-Mart Distribution (1985-2013).*
West	**5351 East Airport Drive –** No listing (1980-2003); *Olsen HC Construction (2008).*

The above underlined facilities and/or addresses were identified in the regulatory database report and are further discussed in Section 4.1.

3.4 Title Search

County Deed Records were reviewed by Texas Environmental Research of Rockwall, California to obtain a chain-of-title for the site. Ownership records were reviewed back to 1936. The title information is included in Appendix C.

Based on a review of the title provider's research, the current site owner is Scoular Company (2003-present). In addition, previous owners identified included Coast Grain Feed Company (1985-2003); Chino Grain and Milling Incorporated (1978-1985); United Dairymans Association (1976-1978); Southern Pacific Grain Company (1956-1976); Robertson Farms Company (1946-1956); and various private individuals.

3.5 Environmental Liens and Activity and Use Limitations

At the direction of the client, performance of a review of these records was included as part of the scope of services by engaging Texas Environmental Research of Rockwall, Texas. Based on a review of the title provider's research, environmental lien or AULs records were not identified.

3.6 Interview Regarding Current and Historical Site Uses

The following individual was interviewed regarding the current and historical use of the site.

Interviewee

Interviewer	Interviewee/Phone #	Title	Date/Time
Ms. Melanie J. Seydel	Mr. Jeff Caskey / 909-390-9566	Manager	March 24, 2016 / 8:00 AM

Terracon interviewed Mr. Jeff Caskey with The Scoular Company at the time of the site reconnaissance. Mr. Caskey indicated he has been associated with the site for approximately four years. According to Mr. Caskey, The Scoular Company owns the entire site and leases the eastern portion of the site to George Verhoeven Grain, Inc., which utilizes the onsite equipment and infrastructure for livestock feed manufacturing operations. Mr. Caskey indicated the site buildings are connected to septic tanks which are utilized for sanitary purposes. Mr. Caskey indicated that he is aware of presence of historical USTs at the site; however, he does not have knowledge of details pertaining to installation, removal or status of former USTs. Mr. Caskey was not aware of any water wells or petroleum pipelines associated with the site. Additionally, Mr. Caskey was not aware of any environmental concerns associated with the site or in the site vicinity. In addition, Mr. Caskey was not aware of any pending, threatened or past environmental litigation, proceedings or notices of possible violations of environmental laws or liability or potential environmental concerns in connection with the site.

3.7 Prior Report Review

Terracon requested the client provide any previous environmental reports they are aware of for the site. Previous reports were provided by the client to Terracon for review.

- Phase I Environmental Site Assessment
  5355 East Airport Drive, Ontario, San Bernardino County, California
  Dated: October 8, 2003
  Prepared by: SECOR International Incorporated
  For: GE Business Asset Funding

Based on a review of the Phase I ESA report, prepared by SECOR International Incorporated in October 2003, SECOR concluded that evidence of RECs or historical RECs was not identified for the site, and no further investigation was recommended. However, SECOR did identify several conditions of environmental concern including: underground storage tanks (USTs) at the site, use of petroleum impacted back-fill in a tank pit for a UST removal, on-site septic systems and the long history of wastewater and stormwater violations for the site.

According to SECOR's report four USTs were removed from the site including two 12,000-gallon USTs north of the mill, one 12,000-gallon UST east of the former vegetable oil processing area and one UST of unknown size west of the former truck shop building.

SECOR performed a file review at the San Bernardino County Fire Department (SBCFD) and found records that indicate the two 12,000-gallon USTs were removed in 1989 and soil sampling was conducted. A letter was issued on September 4, 1998 by the SBCFD which indicated "contamination remaining in the excavation is below that which is generally considered a problem and further investigation is not warranted". The records did not indicate where the two USTs were located; however, they may be the two USTs formerly located north of the mill. According to SECOR, Grisanti and Associates sampled the possible location of these 2 USTs (north of the mill) and did not identify detectable levels of the constituents of concern.

According to SECOR, soil sampling was conducted in July 2002 by Grisanti and Associates in the vicinity of a 12,000-gallon diesel UST located east of the former vegetable oil processing area. The soil sampling analytical results indicated that total petroleum hydrocarbons in the diesel range (TPH-d) concentrations of up to 4,500 parts per million (ppm) at 16 feet bgs were identified, and TPH-d was not reported above laboratory method detection limit at 20 feet bgs. The UST was removed in December 2002 and received regulatory closure from the SBCFD on January 8, 2003. The SBCFD files reviewed also included a letter from Tank Specialists of California which indicated that contaminated soil was used as backfill for the tank excavation and soil samples were not received until after the SBCFD issued the closure letter. The analytical results of stockpile used for backfill indicated that two areas of the sampled soil stockpiles contained concentrations of TPH-d at 230 ppm and 800 ppm. Tank Specialists of California requested closure of the site based on the impacted soil consisted of less than 50 tons of approximately 175

tons of backfill material, contaminations levels were below 1,000 ppm, the excavated area was paved over, and groundwater is greater than 300 feet bgs. The letter from Tank Specialists of California was dated January 9, 2003, a day after the SBCFD had granted closure for the tank.

According to SECOR, there was no documentation available in the SBCFD file that indicated a UST was located west of the former truck shop building; however, at the time of site reconnaissance, SECOR observed what appeared to have been a former fueling island in the vicinity of the suspected UST location. Grisanti and Associates sampled this area in 2002 and found TPH-d at a concentration of 11 ppm at 15 feet bgs and no detectable TPH-d at 20 feet bgs.

SECOR also found undated permit applications on file with SBCFD for two 4,000-gallon diesel USTs; however, information regarding the location, use or decommissioning of the USTs was not available. According to SECOR, a permit dated 1988 to operate five USTs with a hand note in the file dated February 25, 1988 indicated that "number of tanks was amended from five to four per signed-off job card".

SECOR did not find information regarding size, construction or location of drain fields associated with the two on-site septic systems. They also concluded that the septic system located east of the former truck shop may have historically received truck wash-water. The Grisanti & Associates report was not provided to Terracon for review.

Based on a file reviewed with the Santa Ana Regional Water Quality Control Board (RWQCB), SECOR found that storm water discharge from the site exceeded the discharge permit benchmark values in 2001 for the following parameters: pH, total suspended solids, oil and grease, total organic carbon, total Kjeldahl nitrogen, biological oxygen demand and copper. In 2002, the storm water discharge exceeded the benchmark values for total suspended solids, oil and grease, biological oxygen demand and zinc. A violation was noted by the RWQCB on August 16, 2001 for the absence of a Storm Water Pollution Prevention Plan (SWPPP) and Storm Water Management Plan. According to an inspection report from the RWQCB based on an inspection conducted on August 16, 2001, it was noted that housekeeping at the site was poor and that boiler blow-down water was being used for dust control. In April 2002, the RWQCB received an anonymous complaint stating that employees at the site were routinely pouring used oil into a drain located outside the truck shop. The RWQCB re-inspected the site and was told that water from the truck wash area was washed into a filter and wash water was pumped from a sump into a 2,810-gallon AST. Employees at the site stated that the tank had never been emptied. The site was cited with several violations at that time including: truck wash water flowing into the parking lot, storm water exceedances in December 2001 and condensate from the boiler room at the mill discharging onto the ground.

- Phase I Environmental Site Assessment, Project Number 60097753
  5355 East Airport Drive, Ontario, San Bernardino County, California
  Dated: May 5, 2009

Prepared by: Terracon
For: The Scoular Company

- Phase I Environmental Site Assessment Update, Project Number 60107702
  5355 East Airport Drive, Ontario, San Bernardino County, California
  Dated: January 19, 2010
  Prepared by: Terracon
  For: The Scoular Company

The Terracon Phase I ESA (PN: 60097753), dated May 5, 2009, and Phase I ESA Update (PN: 60107702), dated January 19, 2010, reported the site was improved with grain storage and feed mill buildings along with an office/warehouse, several storage sheds, office trailers, a truck shop building, paved driveway, parking lots, and limited landscaping. The site was reportedly occupied by The Scoular Company and subleased by J.D. Heiskell & Co., which has utilized the onsite equipment and infrastructure for livestock feed manufacturing operations since 2002. Based on a review of the findings of Terracon's ESA, RECs were not identified and recommendations were not provided.

4.0 RECORDS REVIEW

Regulatory database information was provided by EDR, a contract information services company. The purpose of the records review was to identify RECs in connection with the site. Information in this section is subject to the accuracy of the data provided by the information services company and the date at which the information is updated, and the scope herein did not include confirmation of facilities listed as "unmappable" by regulatory databases.

In some of the following subsections, the words up-gradient, cross-gradient and down-gradient refer to the topographic gradient in relation to the site. As stated previously, the groundwater flow direction and the depth to shallow groundwater, if present, would likely vary depending upon seasonal variations in rainfall and the depth to the soil/bedrock interface. Without the benefit of on-site groundwater monitoring wells surveyed to a datum, groundwater depth and flow direction beneath the site cannot be directly ascertained.

4.1 Federal and State/Tribal Databases

Listed below are the facility listings identified on federal and state/tribal databases within the ASTM-required search distances from the approximate site boundaries. Database definition, descriptions, and the database search report are included in Appendix D.

Federal Databases

Database	Description	Radius (miles)	Listings
CERCLIS	Comprehensive Environmental Response, Compensation, & Liability Information System	0.5	0
CERCLIS / NFRAP	CERCLIS / No Further Remedial Action Planned	0.5	0
ERNS	Emergency Response Notification System	Site	0
IC / EC	Institutional Control/Engineering Control	Site	0
NPL	National Priorities List	1.0	0
NPL (Delisted)	National Priorities Delisted List	0.5	0
RCRA CORRACTS/ TSD	RCRA Corrective Action Activity	1.0	0
RCRA Generators	Resource Conservation and Recovery Act	Site and adjoining	1
RCRA Non-CORRACTS/ TSD	RCRA Non-Corrective Action Activity	0.5	2

State/Tribal Databases

Database	Description	Radius (miles)	Listings
CA FID UST	Facility Index Database Underground Storage Tank	0.25	6
CALSITES	CalSites Database	1.0	0
CALSITES (AWP)	Active Annual Workplan Sites	1.0	0
CDL	Clandestine Drug Labs	Site	0
DRYCLEANERS	Dry Cleaners lists	0.25	0
EDR Hist Auto	EDR Exclusive Historical Automobile Station listings	0.25	0
EDR Hist Cleaners	EDR Exclusive Historical Dry Cleaners listings	0.25	0
ENVIROSTOR	The Department of Toxic Substances Control's (DTSC's) Site Mitigation and Brownfields Reuse Program's (SMBRP's) EnviroStor database identifies sites that have known contamination or sites for which there may be reasons to investigate further.	1.0	3
HAZNET	Facility and Manifest Database	Site	3
HIST CORTESE	Hazardous Waste & Substance Site List	0.5	3
HIST UST	Historical Underground Storage Tank	0.25	5
HWP	EnviroStor Permitted Facilities Listing	1.0	2
LUST	Leaking Underground Storage Tanks	0.5	3
SLIC	Spills, Leaks, Investigation and Cleanup list	0.5	2
SWEEPS UST	Statewide Environmental Evaluation Planning System Underground Storage Tank	0.25	8
SWF/LF	Solid Waste Facilities/Landfills	0.5	0

Database	Description	Radius (miles)	Listings
UST	Underground Storage Tank Facilities	Site and adjoining	1
VCP	Voluntary Cleanup Program	0.5	0

In addition to the above ASTM-required listings, Terracon reviewed other federal, state, local, and proprietary databases provided by the database firm. A list of the additional reviewed databases is included in the regulatory database report included in Appendix D.

The following table summarizes the site-specific information provided by the database and/or gathered by this office for identified facilities. Facilities are listed in order of proximity to the site. Additional discussion for selected facilities follows the summary table.

Listed Facilities

Facility Name And Location	Estimated Distance / Direction/Gradient	Database Listings	Is a REC, CREC, or HREC to the Site
JD Heiskell Holdings LLC 5355 East Airport Drive	Site	CA FID UST, EMI, WDS, FINDS, ECHO, HAZNET	No, discussed below.
Coast Grain Inc.		EMI, UST, SWEEPS UST, NPDES, San Bern. Co. Permit, WDS, HAZNET	
John Powell		HAZNET	
Verizon Wireless-Inland MTSO 5351 East Airport Drive	Adjacent / West / Cross-gradient	AST, San Bern. Co. Permit	No, discussed below.
Union Carbide Corp. Linde Div 5705 & 5705 East Airport Drive	Adjacent / East / Cross-gradient	SWEEPS UST, SLIC, LUST, HIST UST, CA FID UST, EMI, HIST CORTESE	No, discussed below.
Praxair, Inc.		RCRA-SQG, LUST, NPDES, San Bern. Co. Permit, UST, AST, EMI	
Jack B Kelley Ontario Terminal		NPDES, San. Ber. Co. Permit, WDS	
Ontario Distribution Center 5600 East Airport Drive	120 feet / South / Down-gradient	SWEEPS UST, HIST UST, CA FID UST, EMI, NPDES, San Bern. Co. Permit, WDS	No, based on depth of groundwater (great

Facility Name And Location	Estimated Distance / Direction/Gradient	Database Listings	Is a REC, CREC, or HREC to the Site
K-Mart, Ontario Distribution Center		LUST, SWEEPS UST, HIST UST, HIST CORTESE, AST	than 200 feet bgs) and topographic gradient.
XPO Logistics Supply Chain 5200 East Airport Drive	120 feet / South / Down-gradient	San Bern. Co. Permit	No, based on depth of groundwater (great than 200 feet bgs) and topographic gradient.
Ameriwood Industries 5400 Shea Center Drive	160 feet / North/ Up-gradient	San Bern. Co. Permit	No, discussed below.
Emser Tile 5300 Shea Center Drive	160 feet / North/ Up-gradient	San Bern. Co. Permit	No, discussed below.
Cooper Lighting 5200 Shea Center Drive Suite A	230 feet / Northwest / Up- to cross-gradient	San Bern. Co. Permit	No, based on a review of the listing and depth of groundwater (great than 200 feet bgs).
Gulf South Medical Supply 5200 Shea Center Drive Suite B	230 feet / Northwest / Up- to cross-gradient	San Bern. Co. Permit	No, based on a review of the listing and depth of groundwater (great than 200 feet bgs).
Five Brothers Inc. 5235 East Airport Drive	330 feet / West / Cross-gradient	CA FID UST, SWEEPS UST	No, based on distance and topographic gradient.
Koppers – Ontario 5101 East Airport Drive	470 feet / West / Cross-gradient	RESPONSE, ENVIROSTOR, DEED, San Bern. CO. Permit, CA BOND EXP. PLAN, SWEEPS UST, HIST UST, CA FID UST	No, based on distance and topographic gradient.
Koopers Company Inc. 12200 Airport Drive		ENVIROSTOR, HWP, CORRACTS, RCRA-TSDF, RCRA-SQG	
Chem Lab Products Inc. 5160 East Airport Drive	490 feet / West-southwest / Down- to cross-gradient	HIST UST, NPDES, CHMIRS, San Bern. Co. Permit, SWEEPS UST, WDS, CORRACTS, RCRA-TSDF, RCRA-SQG, SSTS	No, based on distance and topographic gradient.
Bio-Lab Inc.		CHMIRS, HWP	

JD Heiskell Holdings LLC / Coast Grain Inc. / John Powell (5355 East Airport Drive)

Selected federal and state environmental regulatory databases as well as responses from state and local regulatory agencies were reviewed. JD Heiskell Holdings LLC / Coast Grain Inc. / John Powell, located onsite, are listed in the regulatory database as a CA FID UST, EMI, WDS, FINDS, ECHO, HAZNET, UST, SWEEPS UST, NPDES, and San Bernardino County Permit facility. Based on a review of the HAZNET listings, the site generated hazardous waste categorized as tank bottom waste, other organic solids, waste oil and mixed oil, unspecified organic liquid mixture, unspecified aqueous solution, and asbestos containing material from 2002 through 2010. Based on a review of the EMI listing, the site was permitted for emissions with the South Coast Air Quality Management District from 1990 to 2009. Based on a review of the NPDES and WDS listing, the site is listed as an active permitted facility for industrial stormwater and continuous, or seasonal, waste water discharge that is under Waste Discharge Requirements. The site is listed as an NPDES / WDS facility that is considered a minor threat to water quality and either has a passive water treatment system or no treatment system as per the Regional Water Quality Control Board. No other pertinent information was provided in the NPDES and CA WDS database listings. No violations or reported releases are listed for the site. Based on site observations, the absence of violations or reported releases, and waste streams identified at the site, RECs for the site were not identified. Based on a review of the San Bern. Co. Permits listing, the site is currently permitted as a small quantity generator, hazardous material handler, and aboveground petroleum storage 1,320-10,000 gallon capacity facility. Inactive permits for the site were identified as hazardous material handler and waste generator with 0-10 employees, UST ownership/operating permit, and aboveground petroleum storage (SPCC).

Based on a review of the SWEEPS UST listing, the site is listed with five underground storage tanks (USTs) of unknown size and contents were listed in 1988. Information regarding the status of the USTs was not available in the databases searched by EDR. Based on records reviewed by Terracon at the San Bernardino County Fire Department (SBCFD) and information obtained from the San Bernardino County Environmental Health (refer to Section 4.2), four USTs were permitted to operate at the site in 1985 when Chino Grain and Milling occupied the site. Information regarding USTs at the site prior to 1985 was not available at the aforementioned agencies. Two of the four USTs present at the site in 1985 were identified in the records as one 12,000-gallon unleaded gasoline UST and one 12,000-gallon diesel UST. Information regarding the installation/removal or regulatory status of the other two USTs at the site in 1985 was not available in the records reviewed by Terracon. An additional 12,000-gallon UST was reportedly installed in 1988 and this UST was removed from the site in 2002. Records and regulatory closure documents pertaining to the three 12,000-gallon USTs were identified during Terracon records review (further discussed in Sections 3.7 and 4.2).

Based on a review of Phase I ESA report completed by SECOR on October 8, 2003 (discussed in Section 3.7), three 12,000-gallon diesel USTs, north of the mill building and east of the former vegetable oil processing area, were removed from the site in 1989 and in 2002, and regulatory closure was identified for the three 12,000-gallon USTs. Additionally, a fourth UST of unknown size reportedly located west of the truck stop was removed in 1986. Soil sampling was reportedly

conducted at the location of a former UST, and concentrations of petroleum hydrocarbons below the applicable screening levels were identified at 15 feet below grade surface (bgs), and TPH concentrations were not detected above laboratory detection method at 20 feet bgs. Residual impact of soils in the vicinity of the three USTs and reported location of former UST west of the truck repair shop were reported below Los Angeles Regional Water Quality Control Board Maximum Screening Levels for LUST sites where groundwater is at a depth of greater than 150 feet. Based on information reviewed by Terracon at the SBCFD and the 2003 SECOR ESA report documenting a subsurface investigation conducted by Grisanti and Associates at the site and regional depth of groundwater in the site vicinity, it is our opinion that the residual TPH concentrations remaining at the site appear to represent an HREC. The absence of information regarding the installation/removal or regulatory status of the two unknown USTs at the site in 1985 is a data gap; however, based on the reported Grisanti & Associates subsurface investigation (SECOR 2003) at historical suspect location of former UST(s) and anticipated depth to groundwater in the site vicinity, this data gap does not appear to represent a REC to the site.

Verizon Wireless – Inland MTSO (5351 East Airport Drive)

The Verizon Wireless – Inland MTSO, located to the adjacent west and topographically cross-gradient relative to the site, is listed in the regulatory database as an Aboveground Storage Tank (AST) and San Bern. Co. Permit facility. Based on a review of the listings, this facility is currently permitted as an aboveground petroleum storage 1,320-10,000 gallon capacity facility and handler of hazardous material. The facility operates a 10,444-gallon AST. No violations or reported releases were noted. Based on the absence of reported releases or violations above ground storage, and anticipated depth to groundwater in the site vicinity, the Verizon Wireless – Inland MTSO listing does not constitute an REC to the site.

Union Carbide Corp. Linde Div / Praxair, Inc. / Jack B Kelley Ontario Terminal (5705 & 5705 East Airport Drive)

Union Carbide Corp. Linde Div / Praxair, Inc. / Jack B Kelley Ontario Terminal, located to the adjacent east and topographically cross-gradient relative to the site, is listed in the regulatory database as a SWEEPS UST, SLIC, LUST, HIST UST, CA FID UST, EMI, HIST CORTESE, RCRA-SQG, NPDES, San Bern. Co. Permit, UST, AST, and WDS facility. Based on a review of the San Bern. Co. Permits listing, the facility is currently permitted as an aboveground petroleum storage 1,320-10,000 gallon capacity facility, risk management permit, UST ownership/operator, small quantity generator, and hazardous materials handler. Based on a review of the RCRA-SQG and HAZNET listings, waste generated at the facility is identified as chromium, ignitable waste, liquids with, reactive waste, corrosive waste, non-halogenated solvents, halogenated organic compounds, and aqueous solution with organic residues. Based on a review of the HIST UST listing, this facility is listed with 18 USTs ranging in size from 200 to 12,000 gallons containing product (diesel fuel) or waste oil, installed between 1957 and 1980. Based on a review of the LUST and SLIC listings, this facility is listed with a solvent release to soil on April 23, 1987. The case was closed by the San Bernardino County Lead Oversight Program on September 7, 1988. Based on the environmental media affected (soil only) and regulatory closure status of the

LUST/SLIC case, the depth to groundwater at the site (greater than 200 feet bgs), and topographic gradient relative to the site, listings for this facility do not constitute a REC to the site.

Ameriwood Industries (5400 Shea Center Drive)
Ameriwood Industries, located approximately 160 feet to the north and topographically up-gradient relative to the site, is listed in the regulatory database as a San Bern. Co. Permit facility. Based on a review of the listing, this facility is currently permitted as a small quantity generator and hazardous material handler. Based on the absence of reported releases or violations, this facility does not constitute a REC to the site.

Emser Tile (5300 Shea Center Drive)
Emser Tile, located approximately 160 feet to the north and topographically up-gradient relative to the site, is listed in the regulatory database as a San Bern. Co. Permit facility. Based on a review of the listing, this facility is currently permitted as a hazardous material handler. Based on the absence of reported releases or violations, this facility does not constitute a REC to the site.

The remaining facilities listed in the database report do not appear to represent RECs to the site at this time based upon regulatory status, apparent topographic gradient, and/or distance from the site.

Unmapped facilities are those that do not contain sufficient address or location information to evaluate the facility listing locations relative to the site. The report listed 11 facilities in the unmapped section. Determining the location of unmapped facilities is beyond the scope of this assessment; however, none of these facilities were identified as the site or adjacent properties. These facilities are listed in the database report in Appendix D.

4.2 Local Agency Inquiries

Agency Contacted/ Contact Method	Response
San Bernardino County Fire Department – Hazardous Materials Division / By fax 909-386-8460	On April 26, 2016, Terracon reviewed records at the agency pertaining to the site. Based on the records reviewed, Coast Grain Inc. was permitted as hazardous waste generator, hazardous material handler, and underground storage tank operator from 1986 through 2002. The Scoular Company was permitted as a hazardous material handler in 2010. George Verhoeven Grain Inc. is currently permitted as a hazardous materials handler, small quantity generator, and aboveground petroleum storage 1,320-10,000 gallon capacity facility. The records pertaining to the historical USTs on the site are further discussed below.
San Bernardino County Department of Public Health – Division of Environmental Health /	On April 22, 2016, Terracon received a response from the agency indicating records were not found for the site. The agency further indicated they retain records for seven years. Any records the

Agency Contacted/ Contact Method	Response
By fax 909-387-4323	agency may have had pertaining to the historical USTs at the site are no longer available.
Department of Toxic Substances Control / By e-mail pubreqact@dtsc.ca.gov	On March 24, 2016, Terracon received a response from the agency indicating Coast Grain In., John Powell, and JD Heiskell Holdings LCC are listed as past permitted generators of hazardous waste at the site. These generators were further discussed in Section 4.1.
Ontario City Clerk / By email recordsmanagement@ontarioca.gov	On March 29, 2016, Terracon received building permits for the site from the agency. Based on a review of the records, the mill portion of the site had undergone periodic improvements between the late-1980s and late-1990s. Based on a review of the records provided, RECs were not identified.
Santa Ana Regional Water Quality Control Board / By e-mail FileReview8@waterboards.ca.gov	On March 24, 2016, Terracon conducted a file review for the site. The following pertinent environmental records were reviewed: • A letter issued by the SARWQCB for the Approval of a Preliminary Work Plan for Investigation of the Boiler Brine Disposal Pond located at Coast Grain Company 5355 E. Airport Drive, Ontario, California, dated July 8, 1997. • A letter issued by the SARWQCB for Additional Soil Characterization Adjacent to the Boiler Brine Disposal Pond located at Coast Grain Company 5355 E. Airport Drive, Ontario, California, dated October 9, 1997. • An Environmental Soils Investigation Report for Boiler Brine Water Pond at the Coast Grain Company at 5355 E. Airport Drive, Ontario, California, completed by RMA Group, dated November 3, 1997; • A letter issued by the SARWQCB for Approval of Cover Design for the Boiler Brine Disposal Pond and Improvements to the Sump Area located at Coast Grain Company 5355 E. Airport Drive, Ontario, California, dated March 17, 1998. • A General Earthwork & Grading Specifications work plan for the boiler brine pond project completed by RMA group, dated March 10, 1998. • Various letters of report addendums and laboratory data from Coast Grain Company, Union Pacific Railroad

Agency Contacted/ Contact Method	Response
	Company and RMA Group, dated from August 1998 to August 1999, in reference to soil and laboratory reports and project closure proposals related to the soils investigation report completed by RMA Group in November 1997. • A letter issued by the SARWQCB for Approval of Closure Report for the Boiler Brine Disposal Pond and Improvements to the Sump Area located at Coast Grain Company 5355 E. Airport Drive, Ontario, California, dated September 24, 1999. A summary of the records reviewed is included below.
South Coast Air Quality Management District / On-line Facility INformation Detail (FIND) database	Terracon conducted an online search of the agency's database for site listings. Based on the search results, Chino Grain & Milling Inc., Coast Grain Company, George Verhoever Grain, Inc., JD Heiskell Holdings LLC, The Dairyfeers Group, Coast Grain, and Unicorn, LLC were identified permitted facilities located at the site. The Scoular Co. is currently permitted to operate a corn receiving, storage, and load out system and George Verhoeven Grain, Inc. is currently permitted to operate boilers, load-out station, rolling mill system, barley rolling system, grain rail/truck receiving and storage system, animal feed pelletizing system, corn rolling system, and air pollution control systems (bag houses and cyclone separators). Based on a review of the records provided, RECs were not identified.

San Bernardino County Fire Department – Hazardous Materials Division
Below is a table summarizing the records reviewed pertaining to the historical USTs on the site:

Type	Date	Detail
Application for Permit to Operate UST	Not listed	One 10,000-gallon unleaded gasoline UST (1 North), one 10,000-gallon diesel UST (2 South, and two 4,000-gallon diesel USTs (3 East and 4 West) were identified on an application for Coast Grain Milling. Further information regarding the USTs is not reported.
Hazardous Waste Generator Permit Application/Renewal	August 19, 1985	Chino Grain and Milling reported operating four USTs at the site.

Type	Date	Detail
Hazardous Waste & Toxic Control Section APBS Data Input Fact Sheet	March 18, 1986	Chino Grain and Milling is permitted to operate four USTs at the site.
Renewal Application for Health Permit Inspection and Health Services	May 12, 1986	Coast Grain Milling is identified as the new operator of the site and 4 USTs.
Hazardous Waste Generator Permit Application/Renewal	May 19, 1987	Coast Grain Company reported two USTs at the site.
Underground Tank Installation Application	January 7, 1988	Coast Grain applied to install one 12,000-gallon diesel UST at the site.
Job Card – Construction of Underground Storage Facility	February 16, 1988	One 12,000-gallon diesel UST was installed at the site.
Environmental Health Services Department Permit – Underground Storage Tanks	June 30, 1988 (expiration)	Coast Grain Milling was permitted to operate four USTs at the site.
Underground Storage Tank Program Tank Permit Application Information	June 16, 1989	Coast Grain Company reported the site operated three USTs and applied for removal of one 12,000-gallon unleaded gasoline UST and one 12,000-gallon diesel UST.
Job Card – Abandonment of Underground Storage Facility	July 19, 1989	Two 12,000-gallon UST were removed from the site and soil samples were collected beneath the tank holds.
Renewal Application for Health Permit Inspection and Health Services	August 2, 1989	Coast Grain Inc. reported one UST at the site.
Letter from Coast Grain Company to the County of San Bernardino Department of Environmental Services Department of Underground Storage Tanks	August 24, 1989	Coast Grain Company indicated two USTs were removed from the site in July 1989 and one diesel UST remains at the site.
Environmental Health Services Department Permit – Underground Storage Tanks	August 31, 1989 (expiration)	Coast Grain Inc. was permitted to operate five USTs at the site.
Environmental Health Services Department Permit – Underground Storage Tanks	August 31, 1990 – August 31, 2002 (expiration)	Coast Grain Inc. was permitted to operate one UST at the site.

Type	Date	Detail
Letter from Coast Grain Company to San Bernardino County Fire Department - Hazardous Materials Division	September 4, 1998	Coast Grain Company indicated application for the removal of two 4,000-gallon USTs were found at the site. Terracon could not find copies of the referenced applications in the files reviewed.
Letter from San Bernardino County Fire Department - Hazardous Materials Division, Subject: Removal of Two Underground Storage Tanks at 5355 Airport, Ontario	September 4, 1998	The department reviewed the analytical results from the soil sampling conducted after the tank removal in July 1989. The results indicated contamination remained in the excavated area; however, the concentrations were below the threshold of concern. The department indicated further investigation was not warranted.
Notice of Violation	December 15, 1998	Based on observation made during an inspections, the fire department found the site didn't have containment for the UST dispenser.
Underground Storage Tank Facility – Upgrade Compliance Certificate	December 18, 1998	The site received the upgrade compliance certificate for the one UST.
Enviro-Chem, Inc. Laboratory Report	March 8, 1999	During the upgrades to the dispenser, a soil sample was collected approximately 3.5 feet beneath the UST dispenser. 530 mg/kg total petroleum hydrocarbons – diesel range (TPH-d), 0.080 mg/kg toluene, 0.066 mg/kg ethylbenzene, and 0.416 mg/kg total xylenes were the reported concentrations in the samples collected.
Letter from San Bernardino County Fire Department - Hazardous Materials Division, Subject: Dispenser Sampling in Conjunction with 1998 Upgrades at 5355 Airport, Ontario	March 29, 1999	The department reviewed the analytical data for the March 1999 sampling event and concluded the extent of contamination indicated no further investigation was warranted.

Type	Date	Detail
Underground Storage Tank Inspection Report	September 26, 2001	The department noted a violation for failing to properly monitor UST system. Installation of leak detectors and lengthening of monitoring probes for the UST system was required.
Underground Storage Tank Inspection Report	November 20, 2001	The department noted a mechanical leak detector was installed and tested at the site. Violations were not identified.
Underground Storage Tank Removal Inspection Form	December 5, 2002	One 12,000-gallon diesel UST was removed from the site. Soil samples were collected beneath the tank hold and from the stock piled soil.
Soil Sampling Following the Removal of an Underground Storage Tank – Coast Grain Company; prepared by Advanced GeoEnvironmental, Inc. (AGE)	December 18, 2002	Based on the analytical results for the December 5, 2002 soil sampling event, concentrations of TPH-d (230 mg/kg and 800 mg/kg), benzene (0.035 mg/kg), and MTBE (0.018 mg/kg) were reported for samples collected from the stock piled soil. AGE indicated the stock piled soil was used as backfill. AGE recommended closure of the site based on concentrations detected and depth of ground water (approximately 305 feet bgs).
Letter from San Bernardino County Fire Department - Hazardous Materials Division, Subject: Removal of One Underground Storage Tank at Coast Grain Inc.	January 8, 2003	The department reviewed the analytical data for the December 2002 sampling event and concluded no further investigation was warranted.

The above-listed records are further discussed in Section 4.1.

Santa Ana Regional Water Quality Control Board

Based on a review of the above referenced historical documents at the SARWQCB, a former boiler brine disposal pond (brine pond) that was previously located north of the boiler room on site was used for disposal of boiler blow-down water until 1997. The SARWQCB's primary objective for water quality protection on the site was to prevent infiltration of rain through the salt-

contaminated soil and into the groundwater beneath the former pond. During the subsequent limited subsurface soil investigation of the brine pond area, completed by RMA Group in October 1997, several exploratory soil borings were advanced to maximum depth of approximately 40 feet below the surface. Soil samples were collected at various depths in each boring and each sample was analyzed for pH and electrical conductivity (Ec). RMA Group's subsurface investigation indicated that soils in and adjacent to the former brine pond contained elevated levels of salinity and conductivity to a depth range of approximate 10 to 15 feet below grade. Laboratory analytical data for the previous investigation indicated that soils in and in the vicinity of the former brine pond contained 0.26 to 13.0 micromhos per centimeter (mmhos/cm) for conductivity and 6.6 to 7.8 for pH. According to the previous investigation report, the top 2 feet of soil within the pond contained the highest levels of Ec and that high conductivity in the soil represented a "severe potential for corrosivity toward metal pipes placed in direct contact with the soil." According to the previous RMA Group report, the elevated levels of Ec in soil exceeded the acceptable SARWQCB limit of 2.0 mmhos/cm and required remediation.

In early 1998, the SARWQCB approved a remediation plan to excavate and remove soil with high concentrations of salt from the brine pond area. The soil remediation plan commenced in August 1998, and approximately 7,500 cubic yards of brine salt-contaminated soil were excavated from the former brine pond excavation area (reported to be 60' x 160' in area). Prior to being backfilled and compacted with a layer of native sand followed by uncontaminated fill soil, the excavation was lined with 40-mil high density polyethylene (HDPE) plastic sheeting. Salt contaminated soils removed from the excavation were then disposed of at an approved landfill. On September 24, 1999, the SARWQCB issued an approval letter for the remediation project closure report and considered the former brine pond closure project complete. Based on the above information and the regulatory agency case-closed status, the former brine pond remediation is not considered a REC to the site at this time. A copy of the SARWQCB closure letter and a letter from the Union Pacific Railroad Company for the former brine disposal pond project is included in Appendix C.

5.0 SITE RECONNAISSANCE

5.1 General Site Information

Information contained in this section is based on a visual reconnaissance conducted while walking through the site and the accessible interior areas of structures, if any, located on the site. Exhibit 2 in Appendix A is a Site Diagram of the site. Photo documentation of the site at the time of the visual reconnaissance is provided in Appendix B. Credentials of the individuals planning and conducting the site visit are included in Appendix E.

General Site Information

Site Reconnaissance				
Field Personnel	Melanie J. Seydel			
Reconnaissance Date	March 24, 2016			
Weather Conditions	Sunny, 65º F			
Site Contact/Title	Mr. Jeff Caskey / Manager			
Building Description				
Building Identification	**Building Use**	**Approx. Construction Date**	**Number of Stories**	**Approx. Size (ft²)**
Office / warehouse	Office / storage	1970s	1	19,700
Truck repair shop	Truck maintenance / storage	1970s	1	6,600
Site Utilities				
Electricity	Southern California Edison			
Drinking Water	City of Ontario			
Wastewater	Septic tanks			
Natural Gas	Southern California Gas Company			

5.2 Overview of Current Site Occupants

The site is located at 5355 East Airport Drive in the City of Ontario, San Bernardino, California and consist of an approximately 13.37-acre tract of land developed with grain storage and feed mill buildings along with an office/warehouse, several storage sheds, office trailers and a truck shop building. The site also has paved driveway and parking lots along with limited landscaping. At the time of the site reconnaissance, the site was occupied by The Scoular Company and George Verhoeven Grain Inc., which leases the east portion of the site.

5.3 Overview of Current Site Operations

The site operates primarily as a grain processing facility. Raw material, including corm and barley, are delivered to the site by truck or rail. The raw material is weighed and unloaded into the storage silos. The raw material is steamed, rolled, and flattened into the finished product and stored on site until delivery.

5.4 Site Observations

The following table summarizes site observations and interviews. Affirmative responses (designated by an “X”) are discussed in more detail following the table.

Site Characteristics

Category	Item or Feature	Observed or Identified
Site Operations, Processes, and Equipment	Emergency generators	
	Elevators	
	Air compressors	X
	Hydraulic lifts	
	Dry cleaning	
	Photo processing	
	Ventilation hoods and/or incinerators	
	Waste treatment systems and/or water treatment systems	
	Heating and/or cooling systems	
	Paint booths	
	Sub-grade mechanic pits	
	Wash-down areas or carwashes	
	Vehicle repair or maintenance	
	Pesticide/herbicide production or storage	
	Printing operations	
	Metal finishing (e.g., electroplating, chrome plating, galvanizing, etc.)	
	Salvage operations	
	Oil, gas or mineral production	
	Other processes or equipment	X
Aboveground Chemical or Waste Storage	Aboveground storage tanks	X
	Drums, barrels and/or containers ≥ 5 gallons	X
	MSDS or SDS	
Underground Chemical or Waste Storage, Drainage or Collection Systems	Underground storage tanks or ancillary UST equipment	
	Sumps, cisterns, French drains, catch basins and/or dry wells	X
	Grease traps	
	Septic tanks and/or leach fields	
	Oil/water separators, clarifiers, sand traps, triple traps, interceptors	
	Pipeline markers	
	Interior floor drains	
Electrical Transformers/ PCBs	Transformers and/or capacitors	
	Other equipment	

Category	Item or Feature	Observed or Identified
Releases or Potential Releases	Stressed vegetation	
	Stained soil	
	Stained pavement or similar surface	X
	Leachate and/or waste seeps	
	Trash, debris and/or other waste materials	X
	Dumping or disposal areas	
	Construction/demolition debris and/or dumped fill dirt	
	Surface water discoloration, odor, sheen, and/or free floating product	
	Strong, pungent or noxious odors	
	Exterior pipe discharges and/or other effluent discharges	
Other Notable Site Features	Surface water bodies	
	Quarries or pits	
	Wastewater lagoons	
	Wells	

Site Operations, Processes, and Equipment

Air compressors

During the site reconnaissance, one air compressor was observed in the northern vicinity of the large storage silos on the western portion of the site and one air compressor was observed in the warehouse on the southeastern portion of the site. No evidence of surficial staining or releases was observed on the concrete flooring surrounding the units, and no indication of a release associated with the units was observed at the time of the site reconnaissance. Based on the absence of an observed release, the air compressor do not represent a REC to the site.

Other processes or equipment

A rail car unloading system was observed at the north end of the site. The system consists of a hydraulic powered, rail mounted “screw driver” that unscrews hatches located on the underbelly of the rail cars. Once the hatches open, the contents of the rail car discharge into auger conveyance system located beneath the railroad tracks. The augers continually rotate and carry the rail car contents south towards the mill and silos.

Aboveground Chemical or Waste Storage

Aboveground storage tanks

During the site reconnaissance, the following containers were observed:

Approximate Quantity	Approximate Capacity	Contents	Location
1	1,000	Sump discharge	Exterior; truck wash area
1	2,000	Water	Exterior; truck wash area
1	500	Diesel	Exterior; east of office/warehouse building
2	250	Hydraulic oil	Exterior; east of office/warehouse building
1	250	Empty	Interior; warehouse
1	500	Propane	Exterior; north of office building
1	2,500	Water	Exterior; north of the boiler
6	varies	Molasses and fats	Exterior; south of mill

The above-listed ASTs were observed stored on concrete floor and/or on secondary containment. Staining was observed on and near the ASTs located on the eastern exterior portion of the office/warehouse building and appeared to be *di minimus* in nature. Staining or evidence of a release was not observed on the remainder of ASTs or on the concrete in the vicinity of the ASTs. Based on site observations, the above-listed ASTs do not constitute a REC.

Drums, barrels, and/or containers ≥ 5 gallons

During the site reconnaissance, the following containers were observed:

Approximate Quantity	Approximate Capacity	Contents	Location
6	30	Lubricant	Mill
4	275	Flake-aide	Mill
1	275	unknown	Truck wash area
3	55	Used oil	Truck repair shop
1	55	Hydraulic oil	Truck repair shop
1	275	Diesel Exhaust Fluid	Truck repair shop
6	55	Empty	Truck repair shop
4	55	Motor oil	Truck repair shop
9	5	Transmission fluid	Truck repair shop
1	30	Parts washer	Truck repair shop
2	55	Motor oil	Warehouse
10	5	Motor oil	Warehouse
15	5	Hydraulic oil	Warehouse
2	55	Used oil	Warehouse

The above-listed drums and containers were observed on stored concrete floor and/or on secondary containment. Staining or evidence of a release was not observed on the drums and

containers or on the concrete in the vicinity of drums and containers. The used oil is disposed of through Asbury Environmental. Based on site observations, the above-listed drums and containers do not constitute a REC.

Underground Chemical or Waste Storage, Drainage, or Collection Systems

Sumps, cisterns, catch basins, and/or dry wells

A sump was observed north of the truck shop building at the time of the site reconnaissance. According to Mr. Caskey, the sump collects water from the truck wash area. The collected water is then pumped into the wash water AST located directly east of the pump which is emptied as needed. The sump does not constitute a REC.

Electrical Transformers/PCBs

Pad or pole mounted transformers and/or capacitors

During the site reconnaissance, two pad-mounted transformers, owned and serviced by SCE, was observed: one located north of the large storage silos in the western portion of the site, and one west of the molasses and fat storage area. Based on site observations, both transformers have “No PCB” stickers.

SCE maintains responsibility for the transformers, and if the transformers were “PCB contaminated”, the utility company is not required to replace the transformer fluids until a release is identified. However, no evidence of current or prior release was observed in the vicinity of the electrical equipment during the site reconnaissance. Based on the absence of an observed release, environmental concerns associated with the transformers were not identified for the site at this time.

Releases or Potential Releases

Trash, debris and/or other waste materials

Three solid waste disposal dumpsters, serviced by City of Ontario, were observed on the central portion and southern portion of the site. Staining, noxious odors or hazardous waste disposal was not observed in the vicinity of the on-site dumpsters.

6.0 ADJOINING PROPERTY RECONNAISSANCE

Visual observations of adjoining properties (from site boundaries) are summarized below.

Adjoining Properties

Direction	Description
North	Railroad tracks abut the site to the north followed by an industrial building.
East	The property to the adjacent east of the site consist of Praxair.

Direction	Description
South	Airport Drive abuts the site to the south followed by K-Mart Distribution Center.
West	The property to the adjacent west of the site consist of Verizon Wireless.

RECs were not observed with the adjoining properties.

7.0 ADDITIONAL SERVICES

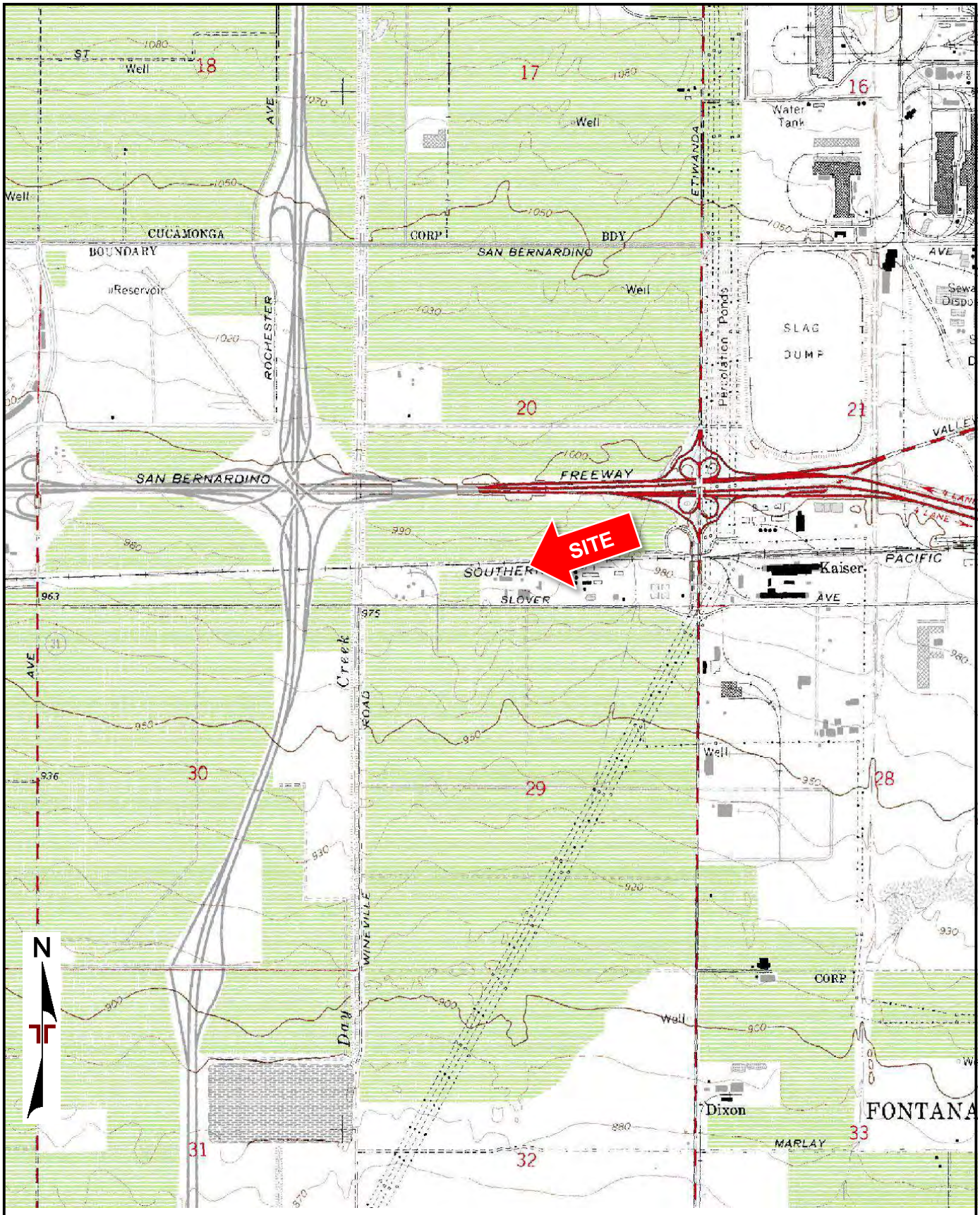
Per the agreed scope of services specified in the proposal, additional services (e.g. asbestos sampling, lead-based paint sampling, wetlands evaluation, lead in drinking water testing, radon testing, vapor encroachment screening, etc.) were not conducted.

8.0 DECLARATION

I, Islam (Sami) R. Noaman, declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in Section 312.10 of 40 CFR 312; and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the site. I have developed and performed the All Appropriate Inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Islam (Sami) R. Noaman
Environmental Professional

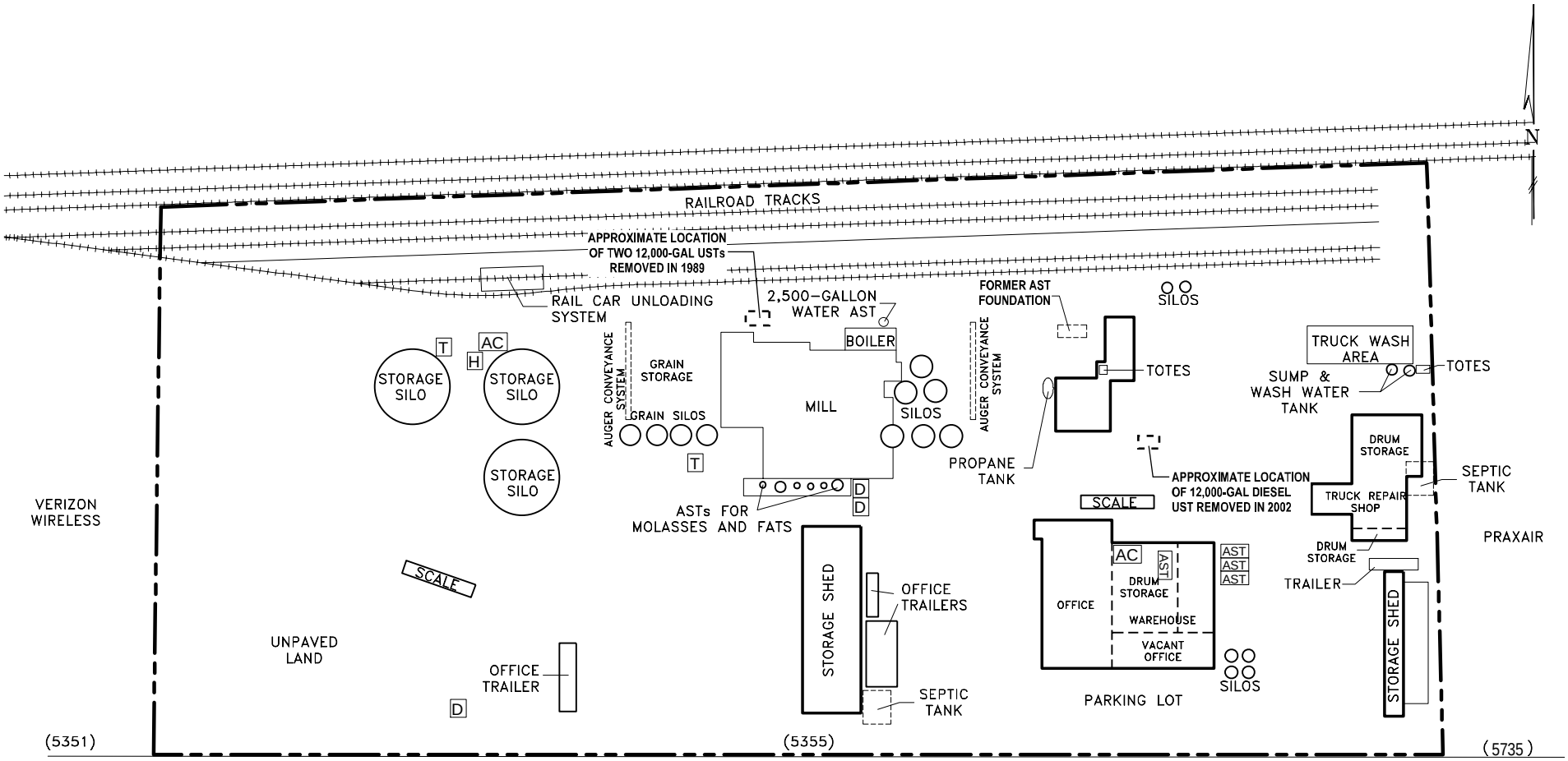
APPENDIX A
EXHIBIT 1 – TOPOGRAPHIC MAP
EXHIBIT 2 – SITE DIAGRAM



TOPOGRAPHIC MAP IMAGE COURTESY OF THE U.S. GEOLOGICAL SURVEY
QUADRANGLES INCLUDE: GUASTI, CA (1/1/1981).

Project Manager: MJS	Project No. 60167098	Terracon 2817 McGAW AVENUE IRVINE, CALIFORNIA 92614-5835	TOPOGRAPHIC MAP SCOULAR GRAIN FACILITY 5355 EAST AIRPORT DRIVE ONTARIO, SAN BERNARDINO COUNTY, CALIFORIA 91761
Drawn by: MJS	Scale: 1"=2,000'		
Checked by: IRN	File Name: N/A		
Approved by: IRN	Date: APR 2016		EXHIBIT 1

Date: 04/07/16 N:\CAD\CALIFORNIA\2016\60167098.dwg Layout: site Current Layer: 0



LEGEND:

T	TRANSFORMER
D	DUMPSTER
AC	AIR COMPRESSOR
H	HYDRAULIC OIL TANK
AST	ABOVEGROUND STORAGE TANK

0 75 150 FEET

APPROXIMATE SCALE

THIS DRAWING SHOULD NOT BE USED SEPARATELY FROM ORIGINAL REPORT.

Project Mngr:	MS
Drawn By:	JJD
Checked By:	MS
Approved By:	CAP
Project No.	60167098
Scale:	AS SHOWN
Date:	04/07/16

Terracon
Consulting Engineers and Scientists
2817 McGAW AVENUE IRVINE, CALIFORNIA 92614
PH. (949) 261-0051 FAX. (949) 261-6110

SITE DIAGRAM

SCOULAR GRAIN FACILITY
5355 EAST AIRPORT DRIVE
ONTARIO, SAN BERNARDINO COUNTY, CALIFORNIA 91761

EXHIBIT 2

2119

APPENDIX B
SITE PHOTOGRAPHS



Photo #1 View of the mill located on the central portion of the site.



Photo #2 View of the large storage silos located on the western portion of the site.



Photo #3 View of the office/warehouse building located on the southeastern portion of the site.



Photo #4 View of the truck repair shop building located on the eastern portion of the site.



Photo #5 View of the storage shed located on the eastern portion of the site.



Photo #6 View of the storage shed located on the central portion of the site.



Photo #7 View of the office trailer located on the southern portion of the site.



Photo #8 Typical interior view of the office.



Photo #9 Typical interior view of the warehouse.

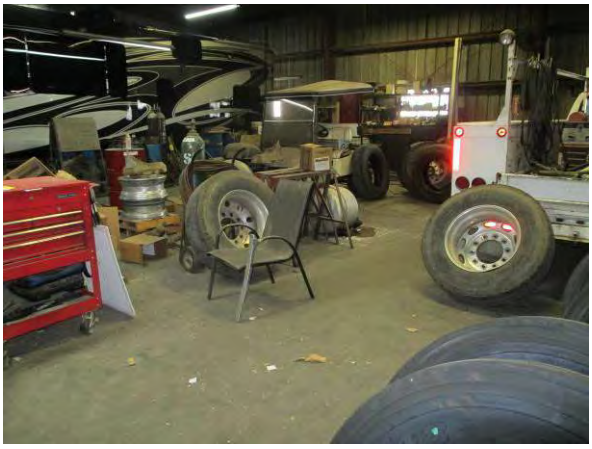


Photo #10 Typical interior view of the truck repair shop.



Photo #11 Typical interior view of the boiler area.



Photo #12 Typical view of the grain storage area.



Photo #13 View of the air compressor located in the warehouse.



Photo #14 View of the drum and container storage located in the warehouse.



Photo #15 View of three ASTs located on the exterior eastern side of the office/warehouse building.



Photo #16 View of the drum storage area located in the truck repair shop.



Photo #17 View of the 275-gallon tote of diesel exhaust fluid located in the truck repair shop.



Photo #18 View of the sump and waste water storage for the former truck wash-down area.



Photo #19 View of the propane AST located to the east of the mill.



Photo #20 View of the 275-gallon totes of Flake-Aide.



Photo #21 View of the pad-mounted transformer.



Photo #22 View of the solid waste disposal dumpsters.



Photo #23 View of the ASTs containing molasses and fats.



Photo #24 View of the 30-gallon drums of lubricant located in the mill.



Photo #25 View of the railroad tracks located to the adjacent north of the site.



Photo #26 View of Praxair located to the adjacent east of the site.



Photo #27 View of Airport Drive and the K-Mart Distribution Center located to the adjacent south of the site.



Photo #28 View of Verizon Wireless located to the adjacent west of the site.

Photo #29

Photo #30

APPENDIX C
HISTORICAL DOCUMENTATION AND USER QUESTIONNAIRE

ASTM E1527-13 USER QUESTIONNAIRE
Proposal No: P60167098

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Relief and Brownfields Revitalization Act of 2001 (the "Brownfields Amendments"), the user must respond to the following questions. Failure to provide this information to the environmental professional may result in significant data gaps, which may limit our ability to identify recognized environmental conditions resulting in a determination that "all appropriate inquiry" is not complete. This form represents a type of interview and as such, the user has an obligation to answer all questions in good faith, to the extent of their actual knowledge.

Site Name:	Scoular Grain Facility
Site Address:	5355 E Airport Drive Ontario, CA

1) Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state, or local law (40 CFR 312.25)? X No ___Yes If yes, please explain.

2) Did a search of recorded land title records (or judicial records where appropriate) identify any activity and use limitations (AULs), such as engineering controls, land use restrictions, or institutional controls that are in place at the property and/or have been filed or recorded against the property under federal, tribal, state, or local law (40 CFR 312.26)? X No ___Yes If yes, please explain. We Constructed the Grain Elevator.

3) Do you have any specialized knowledge or experience related to the site or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the site or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business (40 CFR 312-28)? ___No X Yes If yes, please explain.

4) Do you have actual knowledge of a lower purchase price because contamination is known or believed to be present at the site (40 CFR 312.29)? X No ___Yes

5) Are you aware of commonly known or reasonably ascertainable information about the site that would help the environmental professional to identify conditions indicative of releases or threatened releases (40 CFR 312.30)? X No ___Yes If yes, please explain.

6) Based on your knowledge and experience related to the site, are there any obvious indicators that point to the presence or likely presence of contamination at the site (40 CFR 312.31)? X No ___Yes If yes, please explain.

Please return this form with the signed and completed MSA Task Order.

ASTM E1527-13 USER QUESTIONNAIRE
Proposal No: P60167098

Request for Information and Documentation

In addition to the specific questions outlined above, the user is requested to provide the following information and documentation, as available. ASTM requires that this information, if available, be provided to the environmental professional prior to the site visit.

Item Supplied "X"	Not Applicable, Not Available or Not Known "X"	Item Requested (See Proposal)	Contacts/Comments or Indicate Attachment
X		Point of Contact for Access	JEFF CASKEY, MGR. Name/Phone: 909-390-9566 (O) 801-389-0630 (C)
X		Current Site Owner THE SCOULAR CO.	Name/Phone: ✓
X		Current Facility Operator ✓	Name/Phone: ✓
	X	Contacts for Prior Owners N/A	Name/Phone: —
	X	Contacts for Prior Occupants N/A	Name/Phone: —
X		Access Restrictions	CONTACT JEFF CASKEY
X		Notification of Special Requirements Regarding Confidentiality	N/A
X		Legal Description and Diagram / Survey of Site	SCOULAR WILL PROVIDE.
	X	Chain of Title with Grantor/Grantee Summary (back to 1940 or first developed use)	
X		Reasons for Conducting ESA	DETERMINE VALUE

Please return this form with the signed and completed MSA Task Order.

ASTM E1527-13 USER QUESTIONNAIRE
Proposal No: P60167098

Helpful Documents Checklist
Pursuant to ASTM E1527-13 § 10.8, do you know whether any of the following documents exist related to the subject property and, if so, whether copies can and will be provided to the environmental professional? Check all that apply.

- [x] Environmental site assessment reports BY TERRACON
- [x] Environmental compliance audit reports
- [ ] Geotechnical studies
- [ ] Reports regarding hydrogeologic conditions on the property or surrounding area
- [ ] Registrations for above or underground storage tanks
- [ ] Notices or other correspondence from any governmental agency relating to past or current violations of environmental laws with respect to the property or relating to environmental liens encumbering the property
- [ ] Registrations for underground injection systems
- [ ] Environmental permits/plans, solid waste permits, hazardous waste disposal permits, wastewater permits, NPDES permits, underground injection permits, SPCC plans

Tom DiGiorgio
Name (Authorized Client Representative)

V.P.
Title

V.P.
Signature

March 15, 2016
Date

Please return this form with the signed and completed MSA Task Order.
Responsive ■ Resourceful ■ Reliable

COUNTY FIRE DEPARTMENT

HAZARDOUS MATERIALS DIVISION
FIELD SERVICES • ENVIRONMENTAL PROTECTION
385 North Arrowhead Avenue, Second Floor • San Bernardino, CA 92415-0153
(909) 387-3080 • Fax (909) 387-4323

COUNTY OF SAN BERNARDINO

RICHARD W. SEWELL
Fire Chief
County Fire Warden

September 4, 1998

ELMER J. WOOD, INC
PO BOX 1528
RIVERSIDE, CA 92507

SUBJECT: REMOVAL OF TWO UNDERGROUND STORAGE TANKS AT 5355 AIRPORT, ONTARIO

The Department has reviewed the report dated July 25, 1989, submitted by Babcock & Sons, Inc. for the facility at the subject address. The results indicate that contamination remaining in the excavation is below that which is generally considered a problem and further investigation is not warranted at this time.

It is important to note that this does not constitute a release of liability for contamination remaining on site or contamination not detected. Should site conditions change, the Department may require further investigation and remedial action.

If you have any questions, please call (909) 387-3082.

Susan Williams

SUSAN WILLIAMS, REHS
Hazardous Materials Field Services

SW/jc

JAMES J. HLAWEK
County Administrative Officer

Board of Supervisors
KATHY A. DAVIS ..... First District
JON D. MIKELS ..... Second District
JERRY EAVES ..... Fifth District
DENNIS HANSBERGER ..... Third District
LARRY WALKER ..... Fourth District

COUNTY FIRE DEPARTMENT

OFFICE OF THE FIRE MARSHAL
HAZARDOUS MATERIALS DIVISION
620 South "E" Street • San Bernardino, CA 92415-0153
(909) 386-8401 • Fax (909) 386-8460

COUNTY OF SAN BERNARDINO
ECONOMIC DEVELOPMENT
AND PUBLIC SERVICES GROUP

PETER R. HILLS
Fire Chief
County Fire Warden

January 8, 2002

COAST GRAIN INC
5355 E AIRPORT DRIVE
ONTARIO, CALIFORNIA 91761

ATTENTION: JOHN STELLINGWORTH

SUBJECT: REMOVAL OF ONE UNDERGROUND STORAGE TANK AT COAST GRAIN INC, LOCATED AT 5355 E. AIRPORT DRIVE, ONTARIO, CALIFORNIA

The Department has reviewed the report submitted by Tank Specialists of California for the facility at the above address. The results of the soil sampling activity conducted on December 5, 2002 indicate that further investigation is not warranted at this time.

It is important to note that this cannot be construed as a release of liability for the site or declaration that the site is free from contamination. Should further projects or environmental investigations reveal additional contaminants on site, you will be responsible and held liable for the investigation and remedial actions.

If you have any questions, please call me at (909) 386-8419.

Catherine B. Richards

CATHERINE B. RICHARDS, R.E.H.S.
ENVIRONMENTAL HEALTH SPECIALIST II
HAZARDOUS MATERIALS DIVISION
SITE REMEDIATION/LOCAL OVERSIGHT PROGRAM

CBR/lld

cc: Dave Hopper, Tank Specialists of California

JOHN F. MCMAHON
County Administrative Officer
JOHN OSTLY
Assistant County Administrative Officer
Economic Development and Public Services Group

Board of Supervisors
JIM CERVANTES ..... First District
JON D. MIKELS ..... Second District
JERRY EAVES ..... Third District
DENNIS HANSBERGER ..... Fourth District
FRED AGUIAR ..... Fifth District

Certification Number

2131

The stockpiled soil was backfilled into the excavation and the UST area was covered by asphalt, per Dave Hopper, Tank Specialists.

C Richards
1/7/03

2132

California Regional Water Quality Control Board
Santa Ana Region

Winston H. Hickox
Secretary for Environmental Protection

Internet Address: http://www.swrcb.ca.gov
3737 Main Street, Suite 500, Riverside, California 92501-3339
Phone (909) 782-4130 ∃ FAX (909) 781-6288

Gray Davis
Governor

September 24, 1999

Mr. Barry Koca
By-Products and Transportation Manager
Coast Grain Company, Citrus Division
P. O. Box 3610
Ontario, CA 91761

APPROVAL OF CLOSURE REPORT FOR THE BRINE DISPOSAL POND, COAST GRAIN COMPANY, ONTARIO, CALIFORNIA

Dear Mr. Koca:

We have reviewed the final report regarding closure of the brine disposal pond at the Coast Grain site. The pond site is owned by the Union Pacific Railroad Company (UP), and is adjacent to the boiler room at the Coast Grain facility. The pond was used for disposal of boiler blowdown water until 1997. The closure project included removal and disposal of approximately 7,500 cubic yards of salt-contaminated soil, placement of a 40 mil, high-density polyethylene (HDPE) liner, and backfill of the excavation using select sand and clean soil. The boiler blowdown water has been re-routed to discharge into a temporary storage tank with secondary containment. When the tank is full, the brine is discharged to the Santa Ana River Interceptor (SARI) line, under permit from the Chino Basin Municipal Water district.

The closure report includes a copy of the August 11, 1998 letter from Jim Gorley of UP, assuring that there shall be no further excavation or development of the section of railway property encompassing the former pond site. It is our understanding that copies of Mr. Gorley's letter will remain in permanent files at both the Coast Grain office, and the UP office in Omaha, Nebraska.

Based on the information you have provided, and our staff's May 6, 1999 inspection of the former brine disposal area, the brine pond closure project is deemed complete. If you have any questions regarding this letter, please call me at (909) 782-4904.

Sincerely,

Ann E. Sturdivant

Ann E. Sturdivant
Associate Engineering Geologist

cc: Jim T. Gorley, Manager, Environmental Field Operations, Union Pacific Railroad Co., Room 930, 1416 Dodge Street, Omaha, NE 68179

AES/coastgr/pond-clo.doc

APPENDIX D
ENVIRONMENTAL DATABASE INFORMATION

APPENDIX D: QUALIFICATIONS

PARTNER
Engineering and Science, Inc.®

PHASE II SUBSURFACE INVESTIGATION REPORT

5355 East Airport Drive
Ontario, California 91761

August 16, 2016
Partner Project Number: 16-163550.2

Prepared for:

Prologis
Pier 1, Bay 1
San Francisco, California 94111



Engineers who understand your business

2136

August 16, 2016

Ms. Janet Frentzel
Prologis
Pier 1, Bay 1
San Francisco, California 94111

Subject: Phase II Subsurface Investigation Report
5355 East Airport Drive
Ontario, California 91761
Partner Project Number: 16-163550.2

Dear Ms. Frentzel:

Partner Engineering and Science, Inc. (Partner) is pleased to provide the results of the assessment performed on the above-referenced property. The following report describes the field activities, methods, and findings of the Phase II Subsurface Investigation conducted at the above-referenced property.

This assessment was performed utilizing methods and procedures consistent with good commercial or customary practices designed to conform to acceptable industry standards. The independent conclusions represent Partner's best professional judgment based upon existing conditions and the information and data available to us during the course of this assignment.

We appreciate the opportunity to provide these services. If you have any questions concerning this report, or if we can assist you in any other matter, please contact Misty Vazquez Ponce at (310) 615-4500.

Sincerely,

Partner Engineering and Science, Inc.

Brian Godbois
Staff Scientist

Samantha J. Fujita, PG
Regional Manager – Subsurface Investigation



Misty Vazquez Ponce, PE
Principal

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1.0 INTRODUCTION

1.1 Purpose

The purpose of the investigation was to identify the location of the former on-site underground storage tanks (USTs), tankholds, and/or other associated features and to investigate the potential impact of petroleum hydrocarbons and/or volatile organic compounds (VOCs) to soil and/or soil gas as a consequence of a release or releases from the on-site grain handling facility. Prologis provided project authorization of Partner Proposal Number P16-163550.2, and the work was conducted under the Master Services Agreement between Prologis and Partner dated April 18, 2013.

1.2 Limitations

This report presents a summary of work conducted by Partner. The work includes observations of site conditions encountered and the analytical results provided by an independent third party laboratory of samples collected during the course of the project. The number and location of samples were selected to provide the required information. However, it cannot be assumed that the limited available data are representative of subsurface conditions in areas not sampled.

Conclusions and/or recommendations are based on the observations, laboratory analyses, and the governing regulations. Conclusions and/or recommendations beyond those stated and reported herein should not be inferred from this document.

Partner warrants that the environmental consulting services contained herein were accomplished in accordance with generally-accepted practices in the environmental engineering, geology, and hydrogeology fields that existed at the time and location of work. No other warranties are implied or expressed.

1.3 User Reliance

Partner was engaged by Prologis (the Addressee), or their authorized representative, to perform this investigation. The engagement agreement specifically states the scope and purpose of the investigation, as well as the contractual obligations and limitations of both parties. This report and the information therein, are for the exclusive use of the Addressee. This report has no other purpose and may not be relied upon, or used, by any other person or entity without the written consent of Partner. Third parties that obtain this report, or the information therein, shall have no rights of recourse or recovery against Partner, its officers, employees, vendors, successors or assigns. Any such unauthorized user shall be responsible to protect, indemnify and hold Partner, the Addressee and their respective officers, employees, vendors, successors and assigns harmless from any and all claims, damages, losses, liabilities, expenses (including reasonable attorneys' fees) and costs attributable to such use. Unauthorized use of this report shall constitute acceptance of, and commitment to, these responsibilities, which shall be irrevocable and shall apply regardless of the cause of action or legal theory pled or asserted.

This report has been completed under specific Terms and Conditions relating to scope, relying parties, limitations of liability, indemnification, dispute resolution, and other factors relevant to any reliance on this

report. Any parties relying on this report do so having accepted the Terms and Conditions for which this report was completed.

2.0 SITE BACKGROUND

2.1 Site Description

The subject property consists of three parcels of land comprising approximately 14.2 acres located on the north side of Airport Drive within a mixed commercial and industrial area of San Bernardino County, California. The subject property is currently occupied by the Scoular Company with a sub-lease on the property to Verhoeven Grain Company for commercial/industrial use. The subject property is a grain-handling facility that has been in operation since at least 1973 and is developed with six buildings. On-site operations consist of loading and unloading of multiple types of grain from the adjacent rail yard, storing, milling, and processing the grain for bulk and retail sale. In addition to the current structures, the subject property is also improved with bulk storage silos, milling facilities, and maintenance areas. The subject property has landscaping on the southern boundary, along Airport Drive.

The subject property is bound by commercial properties to the north across the railroad, commercial properties to the east, commercial properties to the south across East Airport Drive, and commercial properties to the west. Refer to Figure 1 for a site plan showing site features and surrounding properties.

2.2 Site History

Partner is concurrently conducting a Phase I Environmental Site Assessment Report (Phase I) on behalf of Prologis. Based on the information reviewed and the site reconnaissance, the subject property was previously undeveloped as early as 1932; developed as agricultural land between 1938 and circa 1970; and developed with the current structures in 1973. Tenants on the subject property have included Chino Grain Company (1985); Coast Grain Company (1990-2003); J.B. Heiskell & Co. (2008); The Scoular Company (2006-Present); and a sub-lease to Verhoeven Grain Company (2008-Present).

Based on the historical information review, at least one and up to as many as five petroleum USTs were situated on the subject property prior to 2012. Regulatory closure letters address the removal of the three former 12,000-gallon diesel USTs, but it appears that the “truck stop” UST removed in 1986 has no documented removal. Based on the lack of information regarding the disposition of the USTs at this facility, the former UST are considered a recognized environmental condition (REC).

The subject property is currently equipped with two 250-gallon aboveground storage tanks (ASTs) containing diesel fuel. The original installation date is unknown. Based on the lack of information regarding the age and installation dates of these ASTs at this facility, the ASTs are considered a REC.

During the site visit, it was noted that sanitary discharges from the subject property are directed to an on-site septic system. A maintenance area was observed on the property that included the use/storage of 20 to 30 55-gallon drums containing automotive fluids such as motor oil, waste motor oil, and antifreeze. Two 250-gallon diesel ASTs were present in this area. Diesel fuel is used to maintain the yard equipment, such as the front-end loaders, forklifts, and the bobcats. No floor drains were noted in the area of the diesel ASTs.

2.3 Geology and Hydrogeology

Based on a review of the United States Geological Survey (USGS) Guasti, California Quadrangle topographic map, the subject property is situated at an elevation approximately 975 feet above mean sea level, and the local topography is sloping gently to the south. Refer to Figure 2 for a topographic map of the site vicinity.

According to the California Geological Survey the subject property is situated in the Peninsular Ranges which are a series of ranges separated by northwest trending valleys, subparallel to faults branching from the San Andreas Fault. The trend of topography is similar to the Coast Ranges, but the geology is more like the Sierra Nevada, with granitic rock intruding the older metamorphic rocks. The Peninsular Ranges extend into lower California and are bound on the east by the Colorado Desert. The Los Angeles Basin and the island group (Santa Catalina, Santa Barbara, and the distinctly terraced San Clemente and San Nicolas islands), together with the surrounding continental shelf (cut by deep submarine fault troughs), are included in the province.

Based on borings advanced during this investigation, the underlying subsurface consists predominantly of brown, very fine grained, medium dense, damp, silty sand (SM) from the ground surface to approximately 20 feet below ground surface (bgs). From 20 to 25 feet bgs, the subsurface consists predominantly of brown, very fine to coarse grained, dense, damp, poorly graded, sand (SP). Refer to Appendix A for boring logs from this investigation.

Information specific to the subject property regarding the depth to groundwater and direction of groundwater flow was not available for the subject area. However, according to information obtained from online research, depth to the high water table is anticipated between 250 and 350 feet bgs.

3.0 FIELD ACTIVITIES

Refer to Table 1 for a summary of the borings, sampling schedule and laboratory analyses for this investigation. The initial scope of the Phase II Subsurface Investigation included a geophysical survey and the advancement of 12 borings (B1 through B12) for the collection of representative soil and/or soil gas samples. Based on the results of the initial investigation, 13 additional soil gas borings (SV-13 through SV-26) were advanced for the collection of representative soil gas samples.

3.1 Preparatory Activities

Prior to the initiation of fieldwork, Partner completed the following activities.

3.1.1 Utility Clearance

Partner delineated the work area with white spray paint and Underground Service Alert of Southern California (USA/SC) to clear public utility lines as required by law at least 48 hours prior to drilling activities. USA/SC issued ticket number B61960144 for the project.

3.1.2 Health and Safety Plan

Partner reviewed the site-specific Health and Safety Plan with on-site personnel involved in the project prior to the commencement of drilling activities.

3.2 Geophysical Survey

On July 21, 2016, Ground Penetrating Radar Systems, Inc. (GPRS) conducted a geophysical survey under the supervision of Partner. The purpose of the geophysical survey was to identify USTs remaining in place, backfilled tankholds, septic tanks, and/or associated features, and clear boring locations of utilities. The geophysical survey was conducted with a Geonics EM-61 and a Fischer M-Scope electromagnetic induction (EM) equipment, a Schonstedt GA-52 magnetic gradiometer, a Sensors and Software Noggin ground penetrating radar (GPR) unit, and a Metrotech 9890 utility locator with line-tracing capabilities.

GPRS systematically free-traversed the investigation area with the aforementioned equipment. The equipment data were interpreted in real time and compiled as necessary in order to identify subsurface anomalies consistent with USTs, disturbed soil resembling backfilled tankholds, piping trenches, utility lines, and/or other subsurface conduits/features.

The geophysical survey identified one large anomaly in the eastern portion of the subject property to the west of Building B, under the canopy. The location and shape of the anomaly, which consisted of a backfilled excavation, generally corresponded to the location of the former USTs. No large metallic features were identified, which confirms that the USTs have been removed.

The geophysical survey also identified one large anomaly resembling a septic system to the north of Building A.

In addition, GPRS systematically free-traversed each proposed boring location with the aforementioned equipment and the equipment data were interpreted in real time for evidence of utility lines and/or other subsurface features of potential concern. Boring placement was modified as necessary based on the geophysical survey results to avoid damaging underground features.

3.3 Drilling Equipment

On July 21, 2016, Partner subcontracted with Minute Man Drilling (MMD) to provide and operate drilling equipment. MMD, under the direction of Partner, advanced borings B1 through B12 with a truck-mounted Geoprobe Model 540MT direct push rig. Sampling equipment was decontaminated between sample intervals and boring locations to prevent cross-contamination.

After the initial laboratory results were received, further investigation was deemed necessary. On July 29, 2016, Partner subcontracted with Optimal Technology (Optimal) to provide and operate drilling equipment to install and sample 13 soil gas probes. Optimal, under the direction of Partner, advanced soil gas borings SV-13 through SV-26 with an electric rotary hammer drill. Sampling equipment was decontaminated between sample intervals and boring locations to prevent cross-contamination.

3.4 Boring Locations

Boring B1 was advanced to the east of the ASTs. Boring B2 was advanced to the west of the hazardous waste storage area in Building B. Borings B3 through B6 were advanced to the southwest, west, east, and north of the former UST tankhold, respectively. Borings B7 and B8 were advanced to the east and northwest of the septic system, north of Building A, respectively. Boring B9 was advanced in the north-central interior of the Building A maintenance area. Boring B10 was advanced to the east of the conveyor belt. Boring B11 was advanced in the west-central area of the vehicle wash down area. Boring B12 was advanced to the southeast area of the railroad spur.

Borings SV-13 and SV-14 were advanced to the southeast and northeast of the former USTs, respectively. Borings SV-15 through SV-17 were advanced in the north-central, central, and southern interior of Building B, respectively. Boring SV-18 was advanced in the east-central area of the vehicle wash down area. Boring SV-19 was advanced to the southeast of the ASTs. Borings SV-20 and SV-21 were advanced to the northwest and west of the septic system, respectively. Boring SV-22 was advanced to the west exterior of Building A. Borings SV-23 and SV-24 were advanced in the northeast and southeast interior of Building A, respectively. Borings SV-25 and SV-26 were advanced in the northwest and southeast interior of the maintenance area of Building A.

Boring placement was limited/modified utility conflicts, and/or access by the drill rig. Refer to Figure 3 for a map indicating boring locations.

3.5 Boring Depths

Borings B1 through B11 and SV-13 through SV-26 were overlain by concrete, which was penetrated using a concrete coring attachment advanced by the direct-push drill rig and/or electric rotary hammer drill. Boring B12 was unpaved.

Borings B1, B2, and B9 through B12 were advanced to a terminal depth of one feet bgs. Borings B3, B5, and B6 were advanced to a terminal depth of 25 feet bgs. Boring B4 was advanced to a terminal depth of 20 feet bgs due to drilling refusal. Borings B7 and B8 were advanced to a terminal depth of 15 feet bgs. Borings SV-13, SV-15, and SV-17 through SV-26 were advanced to a terminal depth of five feet bgs. Borings SV-14 and SV-16 were advanced to a terminal depth of four feet bgs due to drilling refusal.

3.6 Soil Sampling

Soil samples were collected from borings B1 through B12 using a two-foot long by 1.5-inch diameter sampler with a two-foot long acetate liner and sampling point. The sampler was advanced by the direct-push drill rig using four-foot by 1.25-inch diameter hollow rods with the inner rods in place. At approximately one foot above the desired sampling depth, an inner rod was removed and the sampler was advanced to the desired sampling depth to allow undisturbed soil to enter the sampling liner. The sampler was retrieved from the subsurface and the soil-filled liner was removed.

Each acetate liner was cut using a pipe-cutter. Samples were collected from the lower half of the liner using a disposable plastic syringe and retained in two sodium bisulfate-preserved volatile organics analysis (VOA) vials in accordance with United States Environmental Protection Agency (EPA) Method 5035 sampling protocol. The remainder of the lower half of the liner was capped on either end with Teflon tape and plastic caps. The capped liners and VOA vials were labeled for identification and stored in an iced cooler. The soil in the upper half of the liner was visually inspected for discoloration, monitored for odors, classified in accordance with the Unified Soil Classification System, placed in a sealable plastic bag, and field-screened with a photoionization detector (PID). None of the samples exhibited discoloration or an odor and none of the PID readings suggested the presence of elevated volatile organics concentrations.

Soil samples were collected from borings B1, B2, and B9 through B12 at one foot bgs. Soil samples were collected from borings B3, B5, and B6 at five, 10, 15, 20, and 25 feet bgs. Soil samples were collected from boring B4 at five, 10, 15, and 20 feet bgs. Soil samples were collected from borings B7 and B8 at five, 10, and 15 feet bgs.

3.7 Initial Soil Gas Sampling

Soil Gas Probe Construction

Soil gas probes screened at five feet bgs in borings B3 through B8 were constructed within the boreholes upon completion of soil sampling or drilling to the terminal depth. Boreholes were backfilled with dry, granular bentonite to approximately six inches below the desired sampling depth. A new section of ¼-inch diameter polyethylene tubing with a new ¼-inch diameter polypropylene filter at the terminal end was inserted into the borehole to the desired sampling depth. One-inch diameter polyvinyl chloride (PVC) casing was used as a guide for the tubing to ensure that the desired sampling depth was achieved. Sand was poured into the boring annulus to form an approximately one-foot long sand pack around the polypropylene filter, at which time the PVC piping was withdrawn. Approximately one foot of dry, granular bentonite was placed atop the sand pack and the remainder of the borehole was backfilled with hydrated bentonite to the ground surface to form a seal. The sampling end of the tubing was fitted with a valve and the probe was labeled for identification.

Soil Gas Sampling Methodology

Soil gas samples were collected in general accordance with the July 2015 Department of Toxic Substances Control (DTSC) and Los Angeles Regional Water Quality Control Board (LARWQCB) “Advisory – Active Soil Gas Investigations.”

Soil gas samples were collected using one-liter, stainless-steel, cylindrical SUMMA canisters. The sampling containers were provided by SunStar Laboratories, Inc. (SunStar) a state-certified laboratory [California Department of Public Health (CDPH) Environmental Laboratory Accreditation Program (ELAP) certificate number 2250] in Lake Forest, California, which subjected each canister to a rigorous cleaning process using a combination of dilution, heat, and high vacuum. After cleaning, the canisters were batch certified to be free of target contaminants to a specified reporting limit via gas chromatography/mass spectroscopy prior to delivery.

Partner received the SUMMA canisters evacuated to approximately 30 inches of mercury. The SUMMA canisters were fitted with stainless-steel flow controllers, which Sunstar calibrated to maintain constant flow (approximately 0.1 liter per minute) for approximately five to 10 minutes of sampling time.

Each probe was allowed to equilibrate for a minimum of two hours after installation prior to sampling. After equilibration, the sample tubing and sampler screen were purged of ambient air using a plastic syringe. Tracer liquid isopropyl alcohol was placed around each probe at the ground surface while sampling to detect ambient air intrusion. The tracer gas was not detected in any sample, indicating that the integrity of the bentonite seal was maintained. Once the ambient air was purged, the sampling end of the tubing was fitted to the sampling canister and the port valve was opened, causing air to enter the sample container due to the pressure differential. Partner closed the valves after the canister was evacuated to approximately one to two inches of mercury, with pertinent data (e.g., time, canister vacuum) recorded at the start and end of sampling.

The SUMMA canisters were labeled for identification and stored away from direct sunlight prior to analysis.

Soil gas samples were collected from borings B3 through B8 at five feet bgs.

3.8 Soil Gas Samples Collected by Optimal

Based on the results of the initial investigation, Optimal was contracted to conduct soil gas sampling on-site. Soil gas sampling at borings SV-13 through SV-26 was performed by hydraulically pushing soil gas probes to a depth of four or five feet bgs. An electric rotary hammer drill was used to drill a one inch diameter hole through the overlying surface to allow probe placement when required. The same electric hammer drill was used to push probes in areas of resistance during placement.

At each sampling location an electric vacuum pump set to draw 0.2 liters per minute (L/min) of soil gas was attached to the probe and purged prior to sample collection. Soil gas samples were obtained in SGE gas-tight syringes by drawing the sample through a luer-lock connection which connects the sampling probe and the vacuum pump. Samples were immediately injected into the gas chromatograph (GC)/purge and trap after collection. New tubing was used at each sampling point to prevent cross contamination.

Analyses were performed on a laboratory grade Hewlett Packard model 5890 Series II gas chromatograph equipped with a Hewlett Packard model 5971 Mass Spectra Detector and Tekmar LSC 2000 Purge and Trap. An SGE capillary column using helium as the carrier gas was used to perform the analysis. The results were collected on a personal computer utilizing Hewlett Packard's 5971 MS and chromatographic data collection and handling system.

A replicate analysis (duplicate) was run to evaluate the reproducibility of the sampling system and instrument. The difference between samples did not vary more than 20%. Blanks were run at the beginning of each workday and after calibrations. The blanks were collected using an ambient air sample. These blanks checked the septum, syringe, GC column, GC detector and the ambient air. Contamination was not found in any of the blanks analyzed during this investigation. Blank results are given along with the sample results.

A tracer gas was applied to the soil gas probes at each point of connection in which ambient air could enter the sampling system. These points include the top of the sampling probe where the tubing meets the probe connection and the surface bentonite seals. Isobutane was used as the tracer gas. No isobutane was found in any of the samples collected. The standard purge volume of three volumes was purged in accordance with the July 2015 DTSC/RWQCB Advisory for Active Soil Gas Investigations. A shut-in test was conducted prior to purging or sampling each location to check for leaks in the above-ground sampling system. The system was evaluated to a minimum measured vacuum of 100 inches of water. The vacuum gauge was calibrated and sensitive enough to indicate a water pressure change of at least 0.5 inches.

3.9 Post-Sampling Activities

Probes were removed from the subsurface and the boreholes were backfilled with hydrated bentonite chips following sampling activities. Boreholes advanced in improved areas were capped with concrete to match existing ground cover after being backfilled.

No significant amounts of derived wastes were generated during this investigation.

4.0 LABORATORY ANALYSIS

4.1 Laboratory Analysis

Partner collected 33 soil samples and six soil gas samples on July 21, 2106, which were transported on July 22, 2016, in an iced cooler (soil) or at room temperature (soil gas) under proper chain-of-custody protocol to SunStar, for analysis. Based on field-screening results, visual observations, and/or olfactory observations, one soil sample from borings B1 through B12 (12 soil samples total) was analyzed for carbon chain total petroleum hydrocarbons (TPH-cc) in accordance with EPA Method 8015C and VOCs in accordance with EPA Method 8260B. Each of the six soil gas samples collected by Partner was analyzed for VOCs in accordance with EPA Method TO-15. The remaining soil samples were placed on hold at the laboratory.

Optimal, a state-certified mobile laboratory (CDPH ELAP certificate number 2779) that was present on-site, collected 14 soil gas samples, two purge test samples, and one duplicate sample on July 29, 2016, which were immediately loaded into the gas chromatograph/mass spectrometer (GC/MS) for analysis. Each soil gas sample was analyzed for VOCs in accordance with Modified EPA Method 8260B.

4.2 Laboratory Analytical Results

Laboratory analytical results are included in Appendix B and discussed below.

4.2.1 Soil Sample Analytical Results

None of the analyzed soil samples contained detectable concentrations of TPH-cc or VOCs above their respective laboratory Reporting Limits (RL).

Refer to Table 2 and 3 for a summary of the soil sample TPH-cc and VOCs laboratory analysis results, respectively.

4.2.2 Soil Gas Sample Analytical Results

Various VOCs including tetrachloroethene (PCE), trichloroethene (TCE), ethylbenzene, m,p-xylene, and o-xylene were detected in the analyzed soil gas samples above laboratory RLs. No other VOCs were detected above laboratory RLS.

Refer to Table 4 for a summary of the soil gas sample VOCs laboratory analysis results.

5.0 DISCUSSION AND CONCLUSIONS

5.1 Regulatory Agency Guidance

Department of Toxic Substances Control Attenuation Factor and Regional Screening Levels

Regional Screening Levels (RSLs) (formerly Preliminary Remediation Goals) are generic, risk-based chemical concentrations developed by the EPA Region 9 for use in initial screening-level evaluations. RSLs combine human health toxicity values with standard exposure factors to estimate contaminant concentrations that are considered to be health protective of human exposures over a lifetime through direct-contact exposure pathways (e.g., via inhalation and/or ingestion of and/or dermal contact with impacted soil and/or indoor air). RSLs are not legally enforceable standards, but rather are considered guidelines to evaluate if potential risks associated with encountered chemical impacts may warrant further evaluation.

The DTSC Office of Human and Ecological Risk (HERO) developed California-Modified RSLs based on a review of 1) the differences in methodology between PRGs and RSLs 2) RSL concentrations, and 3) recent toxicity values.

While soil gas detections are not immediately comparable to the indoor air quality guidelines within the RSLs, the DTSC issued recommended default attenuation factors of 0.05 (subslab sampling locations) and 0.002/0.001 (residential/commercial contaminant source sampling locations) for sites where the attenuation factor for the building slab is unknown or cannot be determined in the October 2011 document Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air. With the subsurface contaminant concentrations and default attenuation factors, the associated contaminant concentrations in indoor air can be estimated as Calculated Residential and Commercial/Industrial Soil Gas Screening Levels (SGSLs).

5.2 Discussion

None of the analyzed soil samples contained detectable concentrations of TPH-cc or VOCs above laboratory RLs, and the laboratory RLs were below applicable Maximum SSLs (TPH-cc) or residential and commercial/industrial RSLs (VOCs).

Of the detected concentrations of VOCs above laboratory RLs, none exceeded the calculated residential or commercial/industrial SGSLs. No other VOCs were detected above laboratory RLs, which are below calculated residential or commercial/industrial SGSLS.

Based on these concentrations, there is evidence of de minimis release of hazardous materials from the subject property. The detected VOC concentrations in soil gas do not exceed applicable screening levels. Based on these findings, there does not appear to be a discernible vapor intrusion condition to the subject property and the detections of VOCs in soil gas do not appear to represent a threat to human health or the environment.

5.3 Summary and Conclusions

Partner conducted a Phase II Subsurface Investigation at the subject property to identify the location of the former on-site USTs, tankholds, and/or other associated features and to investigate the potential impact of petroleum hydrocarbons and VOCs to soil and soil gas as a consequence of a release or releases from the

on-site grain handling facility. The scope of the Phase II Subsurface Investigation included a geophysical survey and 26 soil borings. Twelve soil samples were analyzed for TPH-cc and VOCs, and 21 soil gas samples were analyzed for VOCs including one replicate.

The geophysical survey identified one large anomaly in the eastern portion of the subject property to the west of Building B, under the canopy. The location and shape of the anomaly, which consisted of a backfilled excavation, generally corresponded to the location of the former USTs. No large metallic features were identified, which confirms that the USTs have been removed. The geophysical survey also identified one large anomaly resembling a septic system to the north of Building A.

Subsurface lithology encountered in the upper 20 feet bgs consisted predominantly of brown, very fine grained, medium dense, damp, silty sand (SM). From 20 to 25 feet bgs, the subsurface consists predominantly of brown, very fine to coarse grained, dense, damp, poorly graded, sand (SP). Groundwater was not encountered.

There were no TPH-cc or VOCs detected in soil in excess of applicable laboratory RLs which were below Maximum SSLs (TPH-cc) and residential and commercial/industrial RSLs (VOCs).

Of the detected concentrations of VOCs above applicable laboratory RLs in soil gas, none exceeded the calculated residential or commercial/industrial SGSLs. No other VOCs were detected above applicable laboratory RLs, which are below the calculated residential or commercial/industrial SGSLS.

Based on these concentrations, there is evidence of de minimis release of hazardous materials from the subject property. The detected VOCs concentrations in soil gas do not exceed applicable screening levels.

Based on the Subsurface Investigation, there does not appear to be a discernible vapor intrusion condition to the subject property and the detections of VOCs in soil gas do not appear to represent a threat to human health or the environment. Partner recommends no further investigation with respect to the on-site grain handling facility at this time.

TABLES

Table 1: Summary of Investigation Scope
5355 E. Airport Drive
Ontario, California 91761
Partner Project Number 16-163550.2
August 2016

Boring Identification	Location	Terminal Depth (feet bgs)	Matrix Sampled	Sampling Depths* (feet bgs)	Target Analytes
B1	East of ASTs	1	Soil	***1***	TPH-cc, VOCs
B2	West of Hazardous Waste Storage in Building B	1	Soil	***1***	TPH-cc, VOCs
B3	Southwest of Former USTs	25	Soil Gas	5	VOCs
			Soil	5, 10, ***15***, 20, 25	TPH-cc, VOCs
B4	West of Former USTs	20**	Soil Gas	5	VOCs
			Soil	5, ***10***, 15, 20	TPH-cc, VOCs
B5	East of Former USTs	25	Soil Gas	5	VOCs
			Soil	5, 10, ***15***, 20, 25	TPH-cc, VOCs
B6	North of Former USTs	25	Soil Gas	5	VOCs
			Soil	5, ***10***, 15, 20, 25	TPH-cc, VOCs
B7	East of Septic System	15	Soil Gas	5	VOCs
			Soil	5, ***10***, 15	TPH-cc, VOCs
B8	Northwest of Septic System	15	Soil Gas	5	VOCs
			Soil	5, ***10***, 15	TPH-cc, VOCs
B9	North-Central Interior of Building A Maintenance Area	1	Soil	***1***	TPH-cc, VOCs
B10	East of Conveyor Belt	1	Soil	***1***	TPH-cc, VOCs
B11	West-Central Area of Vehicle Wash Down Area	1	Soil	***1***	TPH-cc, VOCs
B12	Southeast Area of Railroad Spur	1	Soil	***1***	TPH-cc, VOCs
SV-13	Southeast of Former USTs	5	Soil Gas	*5*	VOCs
SV-14	Northeast of Former USTs	4**	Soil Gas	*4*	VOCs
SV-15	North-Central Interior of Building B Maintenance Area	5	Soil Gas	*5*	VOCs
SV-16	Central Interior of Building B	4**	Soil Gas	*5*	VOCs
SV-17	Northeast of Hazardous Waste Storage in Building B	5	Soil Gas	*5*	VOCs
SV-18	East-Central Area of Vehicle Wash Down Area	5	Soil Gas	*5*	VOCs
SV-19	Southeast of ASTs	5	Soil Gas	*5*	VOCs
SV-20	Northwest of Septic System	5	Soil Gas	*5*	VOCs
SV-21	West of Septic Septic System	5	Soil Gas	*5*	VOCs
SV-22	West-Central Exterior Area of Building A	5	Soil Gas	*5*	VOCs
SV-23	Northeast Interior Area of Building A	5	Soil Gas	*5*	VOCs
SV-24	Southeast Interior Area of Building A	5	Soil Gas	*5*	VOCs
SV-25	Northwest Interior of Maintenance Area in Building A	5	Soil Gas	*5*	VOCs
SV-26	Southeast Interior of Maintenance Area in Building A; West of Hazardous Waste Storage	5	Soil Gas	*5*	VOCs

Notes:

*Depths in **bold** analyzed for carbon chain total petroleum hydrocarbons (TPH-cc) in accordance with United States Environmental Protection Agency (EPA) Method 8015M. Depths in *italics* analyzed for volatile organic compounds (VOCs) in accordance with EPA Method 8260B (soil) or EPA Method TO-15 (soil gas).

**Refusal encountered at the terminal depth

bgs = below ground surface

UST = underground storage tank

AST =aboveground storage tank

Table 2: Soil Sample TPH-cc Laboratory Results
5355 E. Airport Drive
Ontario, California 91761
Partner Project Number 16-163550.2
August 2016

EPA Method	VOCs via 8026B											
Units	mg/kg											
Analyte	Maximum SSL	B1-1	B2-1	B3-15	B4-10	B5-15	B6-10	B7-10	B8-10	B9-1	B10-1	B11-1	B12-1
TPH-g	1,000	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10
TPH-d	10,000	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10
TPH-o	50,000	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10

Notes:

TPH-cc = carbon chain total petroleum hydrocarbons

EPA = United States Environmental Protection Agency

TPH-g = total petroleum hydrocarbons as gasoline

TPH-d = total petroleum hydrocarbons as diesel

TPH-o = total petroleum hydrocarbons as oil

mg/kg = milligrams per kilogram

SSLs = Soil-screening levels (Los Angeles Regional Water Quality Control Board - April 27, 2004) for groundwater at a depth of between 250 and 350 feet.

< = not detected above indicated laboratory Reporting Limit (RL)

Table 3: Soil Sample VOCs Laboratory Results
5355 E. Airport Drive
Ontario, California 91761
Partner Project Number 16-163550.2
August 2016

EPA Method	VOCs via 8260B													
Units	(mg/kg)													
Analyte	Residential Soil RSL	Commercial /Industrial Soil RSL	B1-1	B2-1	B3-15	B4-10	B5-15	B6-10	B7-10	B8-10	B9-1	B10-1	B11-1	B12-1
Benzene	**0.097**	**420**	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005
Toluene	**310**	**1300**	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005
Xylenes*	**58**	**250**	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005
PCE	**0.6**	**2.7**	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005
TCE*	**0.94**	**6**	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005
Other VOCs	**NA**	**NA**	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

Notes:

VOCs = volatile organic compounds

EPA = United States Environmental Protection Agency

mg/kg = milligrams per kilogram

RSL = June 2016 Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, May 2016 EPA Region 9 RSLs were utilized, as denoted by *.

PCE = tetrachloroethene

TCE = trichloroethene

< = not detected above indicated laboratory Reporting Limit (RL)

NA = not applicable

ND = not detected above laboratory RLs

Table 4: Soil Gas Sample VOCs Laboratory Results
5355 E. Airport Drive
Ontario, California 91761
Partner Project Number 16-163550.2
August 2016

EPA Method	VOCs via TO-15 (7/21/2016) or 8260B (7/29/2016)							
Units	($\mu g/m^3$)							
Sample Identification	Date Sampled	PCE	TCE*	Toluene	Ethylbenzene*	m,p-Xylene*	o-Xylene*	Other VOCs
B3-SG	**7/21/2016**	< 6.9	< 5.5	< 3.8	< 4.4	**460**	< 4.4	ND
B4-SG	**7/21/2016**	< 6.9	< 5.5	< 3.8	**280**	**1,100**	**400**	ND
B5-SG	**7/21/2016**	**100**	< 5.5	< 3.8	< 4.4	**12**	< 4.4	ND
B6-SG	**7/21/2016**	**68**	**26**	**4**	< 4.4	**19**	**4.6**	ND
B7-SG	**7/21/2016**	< 6.9	< 5.5	**4.9**	**11**	**73**	**19**	ND
B8-SG	**7/21/2016**	**44**	**13**	**13**	**21**	**140**	**38**	ND
SV-13-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-14-4'	**7/29/2016**	**230**	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-15-5'	**7/29/2016**	**120**	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-16-4'	**7/29/2016**	**180**	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-17-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-18-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-19-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-20-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-21-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-22-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-23-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-24-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-25-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-26-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-26-5' Dup	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
Residential SGSL^		**240**	**240**	**155,000**	**550**	**50,000**	**50,000**	**NA**
Commercial/Industrial SGSL^		**2,100**	**3,000**	**1,300,000**	**4,900**	**440,000**	**440,000**	**NA**

Notes:

^Calculated soil gas screening levels (SGSLs) for soil gas concentrations were derived by dividing the June 2016 Department of Toxic Substances Control (DTSC) or May 2016 United States Environmental Protection Agency (EPA) Regional Screening Level (RSL) with an attenuation factor of 0.05 for sub-slab samples or with an attenuation factor of 0.002 for residential settings and 0.001 for commercial/industrial settings for soil gas samples deeper than sub-slab samples. DTSC RSLs are provided in the June 2016 DTSC Human and Ecological Risk Office (HERO) Human Health Risk Assessment (HHRA) Note 3. Where DTSC RSLs were not available, EPA Region 9 RSLs were utilized as denoted by *.

VOCs = volatile organic compounds

EPA = United States Environmental Protection Agency

$\mu g/m^3$ = micrograms per cubic meter

PCE = tetrachloroethene

TCE = trichloroethene

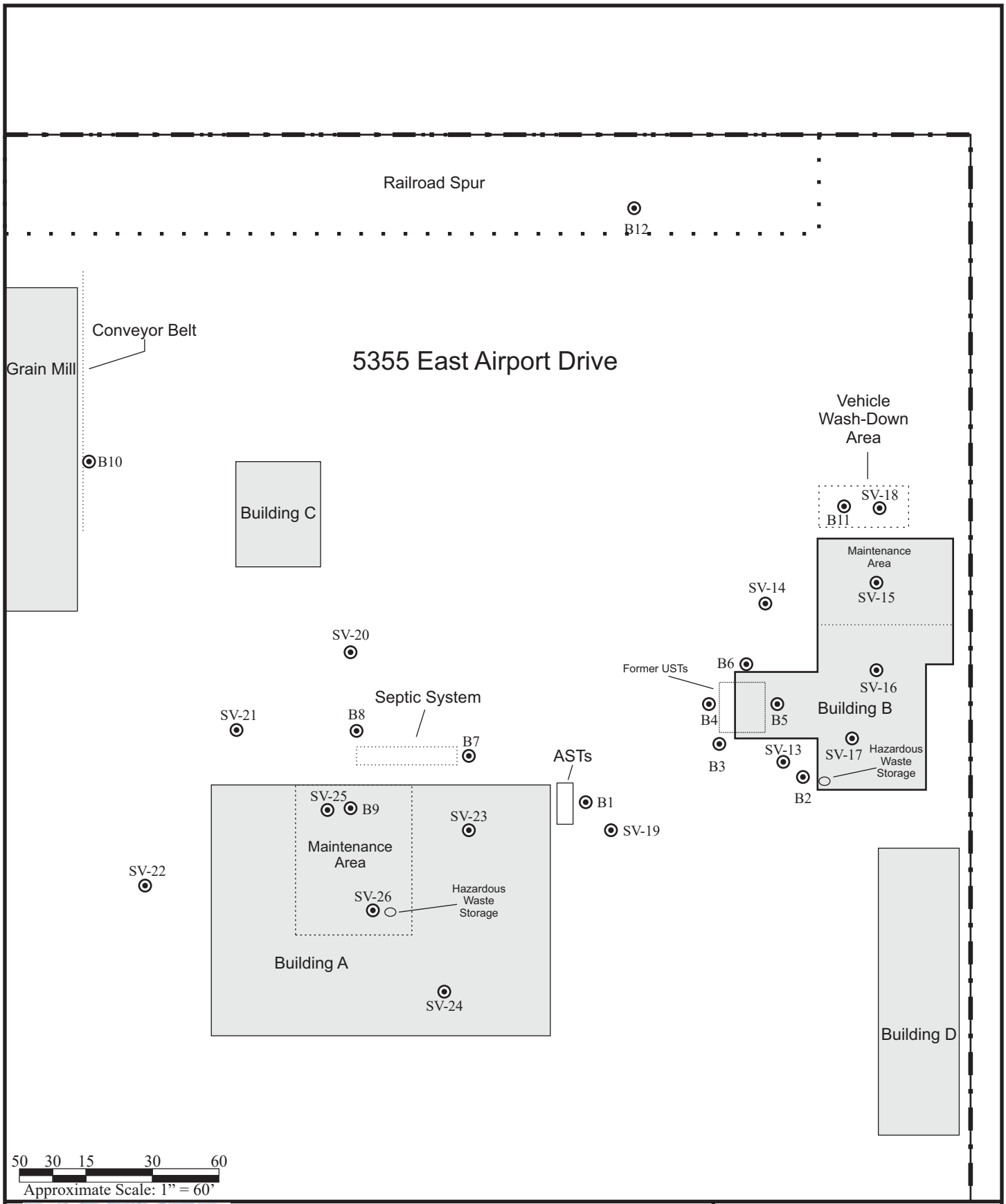
Dup = replicate analysis (duplicate)

< = not detected above indicated laboratory Reporting Limit (RL)

ND = not detected above laboratory RLs

Values in **bold** exceed laboratory RLs

FIGURES



Legend

Subject Site

Boring Location

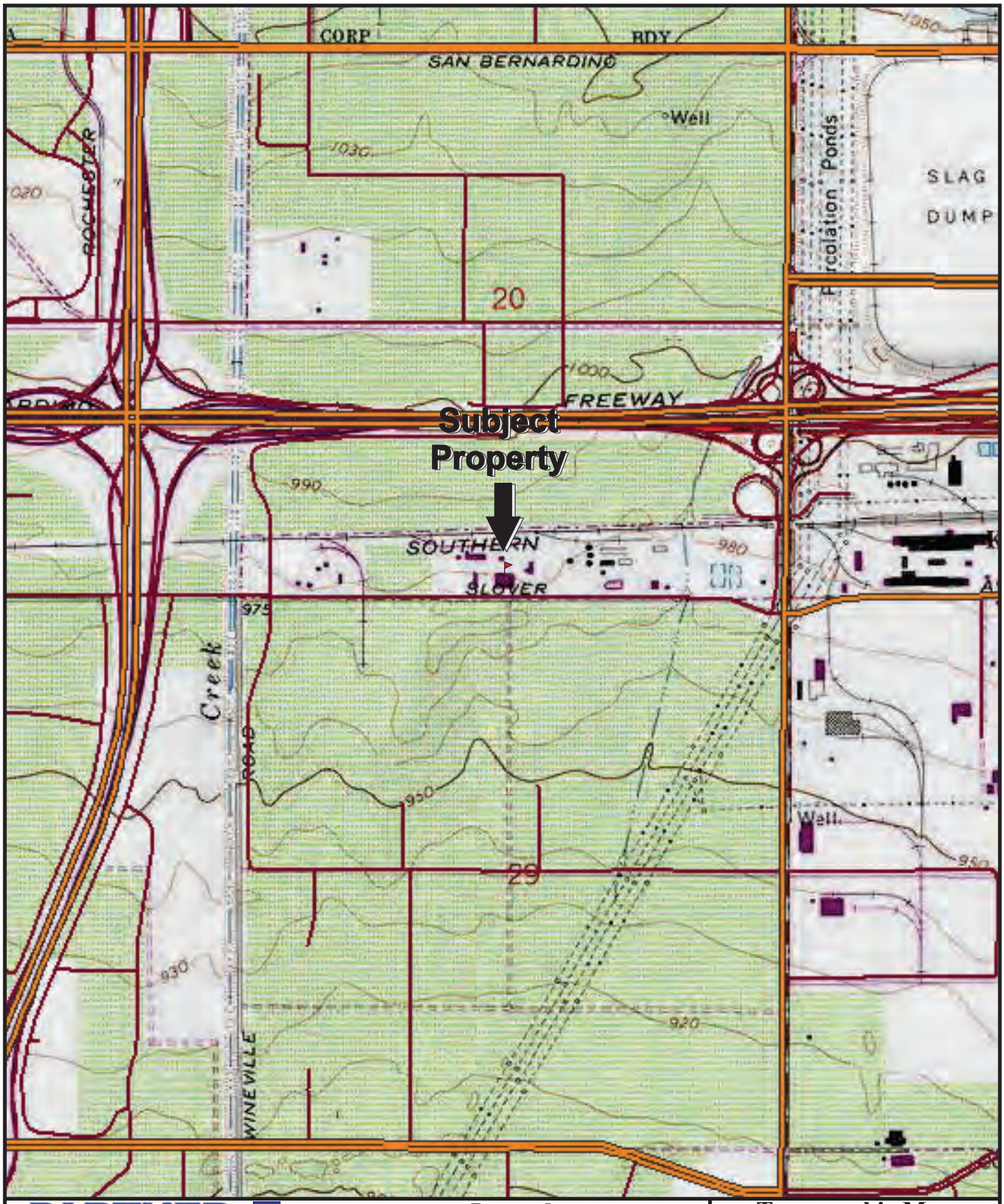
PARTNER Engineering and Science, Inc.
2154 Torrance Boulevard, Suite 200
Torrance, California 90501

Project Number: 16-163550.2

Sample Location Map

Figure	Prepared By	Date
3	B. Godbois	August 2016

5355 East Airport Drive
Ontario, California 91761



PARTNER
Engineering and Science, Inc.
2154 Torrance Boulevard, Suite 200
Torrance, California 90501

Project Number: 16-163550.2

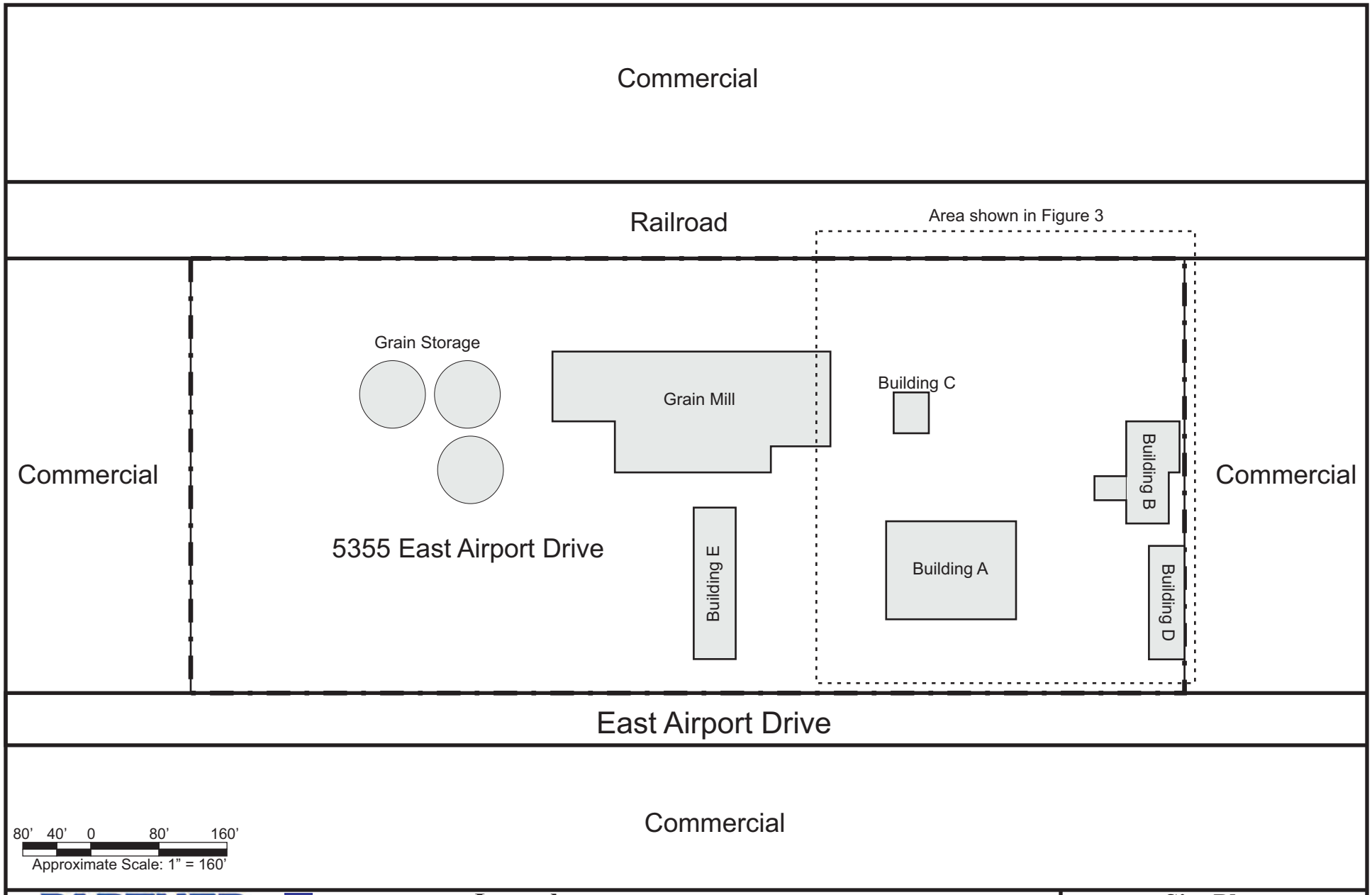
Legend

USGS Guasti, California
Quadrangle
Version: 1978 Current as of: 1981

Topographic Map

Figure	Prepared By	Date
2	B. Godbois	August 2016

5355 East Airport Drive
Ontario, California 91761



PARTNER
Engineering and Science, Inc.
2154 Torrance Boulevard, Suite 200
Torrance, California 90501

Project Number: 16-163550.2

N

Legend

Subject Site

Site Plan

Figure	Prepared By	Date
1	B. Godbois	August 2016

5355 East Airport Drive
Ontario, California 91761

2159

APPENDIX A: BORING LOGS

Boring Number:	B1				Page 1 of 1
Location:	East of ASTs			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1	B1-1	0.7	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	3" concrete at surface.
2					Groundwater was not encountered. Boring terminated at 1 foot bgs. Borehole was backfilled with bentonite chips after sampling.
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Boring Number:	B2				Page 1 of 1
Location:	West of Hazardous Waste Storage in Building B			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1	B2-1	0.7	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	3" concrete at surface.
2					Groundwater was not encountered. Boring terminated at 1 foot bgs. Borehole was backfilled with bentonite chips after sampling.
3					
4					
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Boring Number:	B3				Page 1 of 1
Location:	Southwest of Former USTs			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1					3" concrete at surface.
2					
3					
4					
5	B3-5	0.4	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	Soil gas probe installed.
6					
7					
8					
9					
10	B3-10	0.5	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	
11					
12					
13					
14					
15	B3-15	0.2	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	
16					
17					
18					
19					
20	B3-20	0.9	SP	SAND: brown, very fine to fine grained, dense, damp, poorly graded.	
21					
22					
23					
24					
25	B3-25	0.3	SP	SAND: brown, very fine to coarse grained, dense, damp, poorly graded, trace very fine gravel.	Groundwater was not encountered. Boring terminated at 25 foot bgs. Borehole was backfilled with bentonite chips after sampling.

Boring Number:	B4				Page 1 of 1
Location:	West of Former USTs			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1					3" concrete at surface.
2					
3					
4					
5	B4-5	0.4	SP	SAND: brown, very fine to fine grained, medium dense, damp.	Soil gas probe installed.
6					
7					
8					
9					
10	B4-10	0.5	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	
11					
12					
13					
14					
15	B4-15	0.2	SM	SILTY SAND: brown, very fine grained, dense, damp.	
16					
17					
18					
19					
20	B4-20	0.9	SP	GRAVELLY SAND: brown, very fine to coarse grained, very dense, damp, poorly graded.	Refusal.
21					Groundwater was not encountered. Boring terminated at 20 foot bgs due to refusal. Borehole was backfilled with bentonite chips after sampling.
22					
23					
24					
25					

Boring Number:	B5				Page 1 of 1
Location:	East of Former USTs			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1					3" concrete at surface.
2					
3					
4					
5	B5-5	0.3	SP	SAND: brown, very fine grained, medium dense, damp.	Soil gas probe installed.
6					
7					
8					
9					
10	B5-10	0.5	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	
11					
12					
13					
14					
15	B5-15	0.2	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	
16					
17					
18					
19					
20	B5-20	0.4	SP	GRAVELLY SAND: brown, very fine to coarse grained, very dense, damp, poorly graded.	
21					
22					
23					
24					
25	B5-25	0.3	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	Groundwater was not encountered. Boring terminated at 25 foot bgs. Borehole was backfilled with bentonite chips after sampling.

Boring Number:	B6				Page 1 of 1
Location:	North of Former USTs			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1					3" concrete at surface.
2					
3					
4					
5	B6-5	0.2	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	Soil gas probe installed.
6					
7					
8					
9					
10	B6-10	0.4	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	
11					
12					
13					
14					
15	B6-15	0.3	SM	SILTY SAND: brown, very fine grained, medium dense, damp.	
16					
17					
18					
19					
20	B6-20	0.9	SP	SAND: brown, very fine to fine grained, dense, damp, poorly graded.	
21					
22					
23					
24					
25	B6-25	0.4	SC	CLAYEY SAND: brown, very fine to coarse grained, stiff, damp, poorly graded, trace very fine gravel.	Groundwater was not encountered. Boring terminated at 25 foot bgs. Borehole was backfilled with bentonite chips after sampling.

Boring Number:	B7				Page 1 of 1
Location:	East of Septic System			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1					3" concrete at surface.
2					
3					
4					
5	B7-5	0.4	SM	SAND: brown, very fine to fine grained, loose, damp, partly graded.	Soil gas probe installed.
6					
7					
8					
9					
10	B7-10	0.5	SP	SAND: brown, very fine to medium grained, medium dense, damp.	
11					
12					
13					
14					
15	B7-15	0.6	SP	SAND: brown, very fine to fine grained, loose, damp, trace very fine gravel.	
16					Groundwater was not encountered. Boring terminated at 15 foot bgs. Borehole was backfilled with bentonite chips after sampling.
17					
18					
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21					
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25					

Boring Number:	B8				Page 1 of 1
Location:	Northwest of Septic System			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1					3" concrete at surface.
2					
3					
4					
5	B8-5	0.7	SM	SAND: brown, very fine to fine grained, loose, damp, partly graded.	Soil gas probe installed.
6					
7					
8					
9					
10	B8-10	1.2	SM	SILTY SAND: brown, very fine to medium grained, medium dense, damp.	
11					
12					
13					
14					
15	B8-15	0.5	SP	SAND: brown, very fine to coarse grained, medium dense, damp, trace very fine gravel.	
16					Groundwater was not encountered. Boring terminated at 15 foot bgs. Borehole was backfilled with bentonite chips after sampling.
17					
18					
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20					
21					
22					
23					
24					
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Boring Number:	B9				Page 1 of 1
Location:	North-Central Interior of Building A Maintenance Area			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1	B9-1	0.5	SM	SAND: brown, very fine grained, loose, damp.	3" concrete at surface.
2					Groundwater was not encountered. Boring terminated at 1 foot bgs. Borehole was backfilled with bentonite chips after sampling.
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Boring Number:	B10				Page 1 of 1
Location:	East of Conveyor Belt			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1	B10-1	0.6	SM	SAND: brown, very fine grained, loose, damp.	3" concrete at surface.
2					Groundwater was not encountered. Boring terminated at 1 foot bgs. Borehole was backfilled with bentonite chips after sampling.
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Boring Number:	B11				Page 1 of 1
Location:	West-Central Area of Vehicle Wash Down Area			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1	B11-1	1.9	SM	SAND: brown, very fine grained, loose, damp.	3" concrete at surface.
2					Groundwater was not encountered. Boring terminated at 1 foot bgs. Borehole was backfilled with bentonite chips after sampling.
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Boring Number:	B12				Page 1 of 1
Location:	Southeast Area of Railroad Spur			Date Started:	7/21/2016
Site Address:	5355 East Airport Drive			Date Completed:	7/21/2016
	Ontario, California 91761			Depth to Groundwater:	N/A
Project Number:	16-163550.2			Field Technician:	B. Godbois
Drill Rig Type:	Truck Mounted Direct Push			**Partner Engineering and Science**	
Sampling Equipment:	Acetate Liners, Playstic Syringes			2154 Torrance Boulevard, Suite 200	
Borehole Diameter:	1.5"			Torrance, California 90501	

Depth	Sample	PID	USCS	Description	Notes
1	B12-1	1.6	SM	SAND: brown, very fine grained, loose, damp.	3" concrete at surface.
2					Groundwater was not encountered. Boring terminated at 1 foot bgs. Borehole was backfilled with bentonite chips after sampling.
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APPENDIX B: LABORATORY ANALYTICAL REPORTS

PARTNER

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

25 July 2016

Samantha Fujita
Partner Engineering & Science, Inc.--Tor
2154 Torrance Blvd., Suite 20
Torrance, CA 90501

RE: 5355 East Airport Drive

Enclosed are the results of analyses for samples received by the laboratory on 07/22/16 10:53. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Daniel J Chavez

Daniel Chavez
Project Manager

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

ANALYTICAL REPORT FOR SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
B1-1	T161654-01	Soil	07/21/16 08:00	07/22/16 10:53
B2-1	T161654-02	Soil	07/21/16 08:10	07/22/16 10:53
B3-15	T161654-05	Soil	07/21/16 08:30	07/22/16 10:53
B4-10	T161654-09	Soil	07/21/16 09:25	07/22/16 10:53
B5-15	T161654-14	Soil	07/21/16 10:15	07/22/16 10:53
B6-10	T161654-18	Soil	07/21/16 11:25	07/22/16 10:53
B7-10	T161654-24	Soil	07/21/16 12:40	07/22/16 10:53
B8-10	T161654-28	Soil	07/21/16 13:10	07/22/16 10:53
B9-1	T161654-30	Soil	07/21/16 14:20	07/22/16 10:53
B10-1	T161654-31	Soil	07/21/16 14:30	07/22/16 10:53
B11-1	T161654-32	Soil	07/21/16 14:40	07/22/16 10:53
B12-1	T161654-33	Soil	07/21/16 14:50	07/22/16 10:53

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Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

DETECTIONS SUMMARY

Sample ID: B1-1 **Laboratory ID:** T161654-01

No Results Detected

Sample ID: B2-1 **Laboratory ID:** T161654-02

No Results Detected

Sample ID: B3-15 **Laboratory ID:** T161654-05

No Results Detected

Sample ID: B4-10 **Laboratory ID:** T161654-09

No Results Detected

Sample ID: B5-15 **Laboratory ID:** T161654-14

No Results Detected

Sample ID: B6-10 **Laboratory ID:** T161654-18

No Results Detected

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

Sample ID: B7-10 **Laboratory ID:** T161654-24

No Results Detected

Sample ID: B8-10 **Laboratory ID:** T161654-28

No Results Detected

Sample ID: B9-1 **Laboratory ID:** T161654-30

No Results Detected

Sample ID: B10-1 **Laboratory ID:** T161654-31

No Results Detected

Sample ID: B11-1 **Laboratory ID:** T161654-32

No Results Detected

Sample ID: B12-1 **Laboratory ID:** T161654-33

No Results Detected

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B1-1

T161654-01 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/23/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*108 %*	*65-135*		"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0050	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0050	"	"	"	"	"	"	
Bromoform	ND	0.0050	"	"	"	"	"	"	
Bromomethane	ND	0.0050	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0050	"	"	"	"	"	"	
Chlorobenzene	ND	0.0050	"	"	"	"	"	"	
Chloroethane	ND	0.0050	"	"	"	"	"	"	
Chloroform	ND	0.0050	"	"	"	"	"	"	
Chloromethane	ND	0.0050	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.010	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0050	"	"	"	"	"	"	
Dibromomethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0050	"	"	"	"	"	"	

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B1-1

T161654-01 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
1,1-Dichloroethene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
cis-1,2-Dichloroethene	ND	0.0050	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0050	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0050	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0050	"	"	"	"	"	"	
Methylene chloride	ND	0.0050	"	"	"	"	"	"	
Naphthalene	ND	0.0050	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0050	"	"	"	"	"	"	
Styrene	ND	0.0050	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
Trichloroethene	ND	0.0050	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
Vinyl chloride	ND	0.0050	"	"	"	"	"	"	
Benzene	ND	0.0050	"	"	"	"	"	"	
Toluene	ND	0.0050	"	"	"	"	"	"	

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B1-1

T161654-01 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Ethylbenzene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
m,p-Xylene	ND	0.010	"	"	"	"	"	"	
o-Xylene	ND	0.0050	"	"	"	"	"	"	
Surrogate: Toluene-d8		*108 %*	*85.5-116*		*"*	*"*	*"*	*"*	
Surrogate: 4-Bromofluorobenzene		*110 %*	*81.2-123*		*"*	*"*	*"*	*"*	
Surrogate: Dibromofluoromethane		*95.5 %*	*95.7-135*		*"*	*"*	*"*	*"*	*S-GC*

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B2-1

T161654-02 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/23/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*92.5 %*	*65-135*		"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0044	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0044	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0044	"	"	"	"	"	"	
Bromoform	ND	0.0044	"	"	"	"	"	"	
Bromomethane	ND	0.0044	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0044	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0044	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0044	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0044	"	"	"	"	"	"	
Chlorobenzene	ND	0.0044	"	"	"	"	"	"	
Chloroethane	ND	0.0044	"	"	"	"	"	"	
Chloroform	ND	0.0044	"	"	"	"	"	"	
Chloromethane	ND	0.0044	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0044	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0044	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0044	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.0087	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0044	"	"	"	"	"	"	
Dibromomethane	ND	0.0044	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0044	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0044	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0044	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0044	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0044	"	"	"	"	"	"	

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B2-1

T161654-02 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0044	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0044	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0044	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0044	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0044	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0044	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0044	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0044	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0044	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0044	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0044	"	"	"	"	"	"	
Methylene chloride	ND	0.0044	"	"	"	"	"	"	
Naphthalene	ND	0.0044	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0044	"	"	"	"	"	"	
Styrene	ND	0.0044	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0044	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0044	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0044	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0044	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0044	"	"	"	"	"	"	
Trichloroethene	ND	0.0044	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0044	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0044	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0044	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0044	"	"	"	"	"	"	
Vinyl chloride	ND	0.0044	"	"	"	"	"	"	
Benzene	ND	0.0044	"	"	"	"	"	"	
Toluene	ND	0.0044	"	"	"	"	"	"	
Ethylbenzene	ND	0.0044	"	"	"	"	"	"	

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B2-1

T161654-02 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA Method 8260B									
m,p-Xylene	ND	0.0087	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0044	"	"	"	"	"	"	
Surrogate: Toluene-d8		*109 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*107 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*92.7 %*	*95.7-135*		"	"	"	"	*S-GC*

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B3-15

T161654-05 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/23/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*72.7 %*	*65-135*		"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0043	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0043	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0043	"	"	"	"	"	"	
Bromoform	ND	0.0043	"	"	"	"	"	"	
Bromomethane	ND	0.0043	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0043	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0043	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0043	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0043	"	"	"	"	"	"	
Chlorobenzene	ND	0.0043	"	"	"	"	"	"	
Chloroethane	ND	0.0043	"	"	"	"	"	"	
Chloroform	ND	0.0043	"	"	"	"	"	"	
Chloromethane	ND	0.0043	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0043	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0043	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0043	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.0086	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0043	"	"	"	"	"	"	
Dibromomethane	ND	0.0043	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0043	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0043	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0043	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0043	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0043	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0043	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0043	"	"	"	"	"	"	

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B3-15

T161654-05 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0043	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0043	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0043	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0043	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0043	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0043	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0043	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0043	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0043	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0043	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0043	"	"	"	"	"	"	
Methylene chloride	ND	0.0043	"	"	"	"	"	"	
Naphthalene	ND	0.0043	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0043	"	"	"	"	"	"	
Styrene	ND	0.0043	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0043	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0043	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0043	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0043	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0043	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0043	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0043	"	"	"	"	"	"	
Trichloroethene	ND	0.0043	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0043	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0043	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0043	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0043	"	"	"	"	"	"	
Vinyl chloride	ND	0.0043	"	"	"	"	"	"	
Benzene	ND	0.0043	"	"	"	"	"	"	
Toluene	ND	0.0043	"	"	"	"	"	"	
Ethylbenzene	ND	0.0043	"	"	"	"	"	"	

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B3-15

T161654-05 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
m,p-Xylene	ND	0.0086	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0043	"	"	"	"	"	"	
Surrogate: Toluene-d8		*109 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*107 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*97.9 %*	*95.7-135*		"	"	"	"	

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

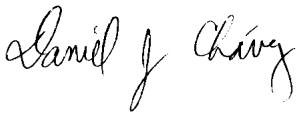
B4-10

T161654-09 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/25/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*101 %*	*65-135*		*"*	*"*	*"*	*"*	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0044	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0044	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0044	"	"	"	"	"	"	
Bromoform	ND	0.0044	"	"	"	"	"	"	
Bromomethane	ND	0.0044	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0044	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0044	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0044	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0044	"	"	"	"	"	"	
Chlorobenzene	ND	0.0044	"	"	"	"	"	"	
Chloroethane	ND	0.0044	"	"	"	"	"	"	
Chloroform	ND	0.0044	"	"	"	"	"	"	
Chloromethane	ND	0.0044	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0044	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0044	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0044	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.0088	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0044	"	"	"	"	"	"	
Dibromomethane	ND	0.0044	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0044	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0044	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0044	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0044	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0044	"	"	"	"	"	"	

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B4-10

T161654-09 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0044	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0044	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0044	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0044	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0044	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0044	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0044	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0044	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0044	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0044	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0044	"	"	"	"	"	"	
Methylene chloride	ND	0.0044	"	"	"	"	"	"	
Naphthalene	ND	0.0044	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0044	"	"	"	"	"	"	
Styrene	ND	0.0044	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0044	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0044	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0044	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0044	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0044	"	"	"	"	"	"	
Trichloroethene	ND	0.0044	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0044	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0044	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0044	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0044	"	"	"	"	"	"	
Vinyl chloride	ND	0.0044	"	"	"	"	"	"	
Benzene	ND	0.0044	"	"	"	"	"	"	
Toluene	ND	0.0044	"	"	"	"	"	"	
Ethylbenzene	ND	0.0044	"	"	"	"	"	"	

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B4-10

T161654-09 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA Method 8260B									
m,p-Xylene	ND	0.0088	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0044	"	"	"	"	"	"	
Surrogate: Toluene-d8		*110 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*113 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*91.4 %*	*95.7-135*		"	"	"	"	*S-GC*

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

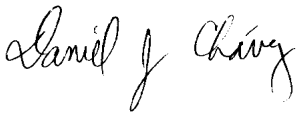
B5-15

T161654-14 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/25/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*97.0 %*	*65-135*		"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0041	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0041	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0041	"	"	"	"	"	"	
Bromoform	ND	0.0041	"	"	"	"	"	"	
Bromomethane	ND	0.0041	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0041	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0041	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0041	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0041	"	"	"	"	"	"	
Chlorobenzene	ND	0.0041	"	"	"	"	"	"	
Chloroethane	ND	0.0041	"	"	"	"	"	"	
Chloroform	ND	0.0041	"	"	"	"	"	"	
Chloromethane	ND	0.0041	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0041	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0041	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0041	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.0082	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0041	"	"	"	"	"	"	
Dibromomethane	ND	0.0041	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0041	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0041	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0041	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0041	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0041	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0041	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0041	"	"	"	"	"	"	

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T161654-14 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0041	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0041	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0041	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0041	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0041	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0041	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0041	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0041	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0041	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0041	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0041	"	"	"	"	"	"	
Methylene chloride	ND	0.0041	"	"	"	"	"	"	
Naphthalene	ND	0.0041	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0041	"	"	"	"	"	"	
Styrene	ND	0.0041	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0041	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0041	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0041	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0041	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0041	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0041	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0041	"	"	"	"	"	"	
Trichloroethene	ND	0.0041	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0041	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0041	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0041	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0041	"	"	"	"	"	"	
Vinyl chloride	ND	0.0041	"	"	"	"	"	"	
Benzene	ND	0.0041	"	"	"	"	"	"	
Toluene	ND	0.0041	"	"	"	"	"	"	
Ethylbenzene	ND	0.0041	"	"	"	"	"	"	

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B5-15

T161654-14 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
m,p-Xylene	ND	0.0082	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0041	"	"	"	"	"	"	
Surrogate: Toluene-d8		*108 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*102 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*101 %*	*95.7-135*		"	"	"	"	

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B6-10

T161654-18 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/25/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*96.9 %*	*65-135*		"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0050	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0050	"	"	"	"	"	"	
Bromoform	ND	0.0050	"	"	"	"	"	"	
Bromomethane	ND	0.0050	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0050	"	"	"	"	"	"	
Chlorobenzene	ND	0.0050	"	"	"	"	"	"	
Chloroethane	ND	0.0050	"	"	"	"	"	"	
Chloroform	ND	0.0050	"	"	"	"	"	"	
Chloromethane	ND	0.0050	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.010	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0050	"	"	"	"	"	"	
Dibromomethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0050	"	"	"	"	"	"	

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Daniel J Chavez

Daniel Chavez, Project Manager

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

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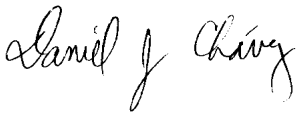
T161654-18 (Soil)

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Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0050	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0050	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0050	"	"	"	"	"	"	
Methylene chloride	ND	0.0050	"	"	"	"	"	"	
Naphthalene	ND	0.0050	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0050	"	"	"	"	"	"	
Styrene	ND	0.0050	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
Trichloroethene	ND	0.0050	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
Vinyl chloride	ND	0.0050	"	"	"	"	"	"	
Benzene	ND	0.0050	"	"	"	"	"	"	
Toluene	ND	0.0050	"	"	"	"	"	"	
Ethylbenzene	ND	0.0050	"	"	"	"	"	"	

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

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T161654-18 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
m,p-Xylene	ND	0.010	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0050	"	"	"	"	"	"	
Surrogate: Toluene-d8		*107 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*102 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*96.0 %*	*95.7-135*		"	"	"	"	

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T161654-24 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/25/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*87.5 %*	*65-135*		"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0043	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0043	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0043	"	"	"	"	"	"	
Bromoform	ND	0.0043	"	"	"	"	"	"	
Bromomethane	ND	0.0043	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0043	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0043	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0043	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0043	"	"	"	"	"	"	
Chlorobenzene	ND	0.0043	"	"	"	"	"	"	
Chloroethane	ND	0.0043	"	"	"	"	"	"	
Chloroform	ND	0.0043	"	"	"	"	"	"	
Chloromethane	ND	0.0043	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0043	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0043	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0043	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.0087	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0043	"	"	"	"	"	"	
Dibromomethane	ND	0.0043	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0043	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0043	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0043	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0043	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0043	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0043	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0043	"	"	"	"	"	"	

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T161654-24 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0043	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0043	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0043	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0043	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0043	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0043	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0043	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0043	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0043	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0043	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0043	"	"	"	"	"	"	
Methylene chloride	ND	0.0043	"	"	"	"	"	"	
Naphthalene	ND	0.0043	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0043	"	"	"	"	"	"	
Styrene	ND	0.0043	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0043	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0043	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0043	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0043	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0043	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0043	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0043	"	"	"	"	"	"	
Trichloroethene	ND	0.0043	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0043	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0043	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0043	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0043	"	"	"	"	"	"	
Vinyl chloride	ND	0.0043	"	"	"	"	"	"	
Benzene	ND	0.0043	"	"	"	"	"	"	
Toluene	ND	0.0043	"	"	"	"	"	"	
Ethylbenzene	ND	0.0043	"	"	"	"	"	"	

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T161654-24 (Soil)

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Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
m,p-Xylene	ND	0.0087	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0043	"	"	"	"	"	"	
Surrogate: Toluene-d8		*106 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*99.9 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*101 %*	*95.7-135*		"	"	"	"	

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B8-10

T161654-28 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/25/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*83.5 %*	*65-135*		"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0044	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0044	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0044	"	"	"	"	"	"	
Bromoform	ND	0.0044	"	"	"	"	"	"	
Bromomethane	ND	0.0044	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0044	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0044	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0044	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0044	"	"	"	"	"	"	
Chlorobenzene	ND	0.0044	"	"	"	"	"	"	
Chloroethane	ND	0.0044	"	"	"	"	"	"	
Chloroform	ND	0.0044	"	"	"	"	"	"	
Chloromethane	ND	0.0044	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0044	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0044	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0044	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.0089	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0044	"	"	"	"	"	"	
Dibromomethane	ND	0.0044	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0044	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0044	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0044	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0044	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0044	"	"	"	"	"	"	

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T161654-28 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0044	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0044	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0044	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0044	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0044	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0044	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0044	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0044	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0044	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0044	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0044	"	"	"	"	"	"	
Methylene chloride	ND	0.0044	"	"	"	"	"	"	
Naphthalene	ND	0.0044	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0044	"	"	"	"	"	"	
Styrene	ND	0.0044	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0044	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0044	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0044	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0044	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0044	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0044	"	"	"	"	"	"	
Trichloroethene	ND	0.0044	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0044	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0044	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0044	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0044	"	"	"	"	"	"	
Vinyl chloride	ND	0.0044	"	"	"	"	"	"	
Benzene	ND	0.0044	"	"	"	"	"	"	
Toluene	ND	0.0044	"	"	"	"	"	"	
Ethylbenzene	ND	0.0044	"	"	"	"	"	"	

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T161654-28 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
m,p-Xylene	ND	0.0089	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0044	"	"	"	"	"	"	
Surrogate: Toluene-d8		*110 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*105 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*85.0 %*	*95.7-135*		"	"	"	"	*S-GC*

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Daniel J Chavez

Daniel Chavez, Project Manager

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

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T161654-30 (Soil)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
SunStar Laboratories, Inc.									
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/25/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*85.1 %*		*65-135*	"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0050	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0050	"	"	"	"	"	"	
Bromoform	ND	0.0050	"	"	"	"	"	"	
Bromomethane	ND	0.0050	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0050	"	"	"	"	"	"	
Chlorobenzene	ND	0.0050	"	"	"	"	"	"	
Chloroethane	ND	0.0050	"	"	"	"	"	"	
Chloroform	ND	0.0050	"	"	"	"	"	"	
Chloromethane	ND	0.0050	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.010	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0050	"	"	"	"	"	"	
Dibromomethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0050	"	"	"	"	"	"	

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Daniel J Chavez

Daniel Chavez, Project Manager

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B9-1

T161654-30 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0050	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0050	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0050	"	"	"	"	"	"	
Methylene chloride	ND	0.0050	"	"	"	"	"	"	
Naphthalene	ND	0.0050	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0050	"	"	"	"	"	"	
Styrene	ND	0.0050	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
Trichloroethene	ND	0.0050	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
Vinyl chloride	ND	0.0050	"	"	"	"	"	"	
Benzene	ND	0.0050	"	"	"	"	"	"	
Toluene	ND	0.0050	"	"	"	"	"	"	
Ethylbenzene	ND	0.0050	"	"	"	"	"	"	

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B9-1

T161654-30 (Soil)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
SunStar Laboratories, Inc.									
Volatile Organic Compounds by EPA Method 8260B									
m,p-Xylene	ND	0.010	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0050	"	"	"	"	"	"	
Surrogate: Toluene-d8		*102 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*91.5 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*103 %*	*95.7-135*		"	"	"	"	

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B10-1

T161654-31 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/23/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*79.4 %*	*65-135*		"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0050	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0050	"	"	"	"	"	"	
Bromoform	ND	0.0050	"	"	"	"	"	"	
Bromomethane	ND	0.0050	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0050	"	"	"	"	"	"	
Chlorobenzene	ND	0.0050	"	"	"	"	"	"	
Chloroethane	ND	0.0050	"	"	"	"	"	"	
Chloroform	ND	0.0050	"	"	"	"	"	"	
Chloromethane	ND	0.0050	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.010	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0050	"	"	"	"	"	"	
Dibromomethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0050	"	"	"	"	"	"	

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B10-1

T161654-31 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0050	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0050	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0050	"	"	"	"	"	"	
Methylene chloride	ND	0.0050	"	"	"	"	"	"	
Naphthalene	ND	0.0050	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0050	"	"	"	"	"	"	
Styrene	ND	0.0050	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
Trichloroethene	ND	0.0050	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
Vinyl chloride	ND	0.0050	"	"	"	"	"	"	
Benzene	ND	0.0050	"	"	"	"	"	"	
Toluene	ND	0.0050	"	"	"	"	"	"	
Ethylbenzene	ND	0.0050	"	"	"	"	"	"	

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B10-1

T161654-31 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
m,p-Xylene	ND	0.010	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0050	"	"	"	"	"	"	
Surrogate: Toluene-d8		*105 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*91.8 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*99.6 %*	*95.7-135*		"	"	"	"	

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B11-1

T161654-32 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/23/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*84.6 %*	*65-135*		"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0050	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0050	"	"	"	"	"	"	
Bromoform	ND	0.0050	"	"	"	"	"	"	
Bromomethane	ND	0.0050	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0050	"	"	"	"	"	"	
Chlorobenzene	ND	0.0050	"	"	"	"	"	"	
Chloroethane	ND	0.0050	"	"	"	"	"	"	
Chloroform	ND	0.0050	"	"	"	"	"	"	
Chloromethane	ND	0.0050	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.010	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0050	"	"	"	"	"	"	
Dibromomethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0050	"	"	"	"	"	"	

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B11-1

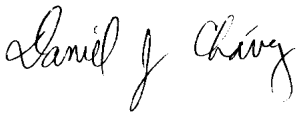
T161654-32 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0050	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0050	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0050	"	"	"	"	"	"	
Methylene chloride	ND	0.0050	"	"	"	"	"	"	
Naphthalene	ND	0.0050	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0050	"	"	"	"	"	"	
Styrene	ND	0.0050	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
Trichloroethene	ND	0.0050	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
Vinyl chloride	ND	0.0050	"	"	"	"	"	"	
Benzene	ND	0.0050	"	"	"	"	"	"	
Toluene	ND	0.0050	"	"	"	"	"	"	
Ethylbenzene	ND	0.0050	"	"	"	"	"	"	

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

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T161654-32 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA Method 8260B									
m,p-Xylene	ND	0.010	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0050	"	"	"	"	"	"	
Surrogate: Toluene-d8		*92.1 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*84.6 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*113 %*	*95.7-135*		"	"	"	"	

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Daniel J Chavez

Daniel Chavez, Project Manager

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B12-1

T161654-33 (Soil)

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Extractable Petroleum Hydrocarbons by 8015C									
C6-C12 (GRO)	ND	10	mg/kg	1	6072222	07/22/16	07/23/16	EPA 8015C	
C13-C28 (DRO)	ND	10	"	"	"	"	"	"	
C29-C40 (MORO)	ND	10	"	"	"	"	"	"	
Surrogate: p-Terphenyl		*87.4 %*	*65-135*		"	"	"	"	
Volatile Organic Compounds by EPA Method 8260B									
Bromobenzene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
Bromochloromethane	ND	0.0050	"	"	"	"	"	"	
Bromodichloromethane	ND	0.0050	"	"	"	"	"	"	
Bromoform	ND	0.0050	"	"	"	"	"	"	
Bromomethane	ND	0.0050	"	"	"	"	"	"	
n-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
sec-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
tert-Butylbenzene	ND	0.0050	"	"	"	"	"	"	
Carbon tetrachloride	ND	0.0050	"	"	"	"	"	"	
Chlorobenzene	ND	0.0050	"	"	"	"	"	"	
Chloroethane	ND	0.0050	"	"	"	"	"	"	
Chloroform	ND	0.0050	"	"	"	"	"	"	
Chloromethane	ND	0.0050	"	"	"	"	"	"	
2-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
4-Chlorotoluene	ND	0.0050	"	"	"	"	"	"	
Dibromochloromethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	0.010	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.0050	"	"	"	"	"	"	
Dibromomethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	0.0050	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloroethene	ND	0.0050	"	"	"	"	"	"	

SunStar Laboratories, Inc.

Daniel J Chavez

Daniel Chavez, Project Manager

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Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B12-1

T161654-33 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
cis-1,2-Dichloroethene	ND	0.0050	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
trans-1,2-Dichloroethene	ND	0.0050	"	"	"	"	"	"	
1,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
2,2-Dichloropropane	ND	0.0050	"	"	"	"	"	"	
1,1-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	0.0050	"	"	"	"	"	"	
Hexachlorobutadiene	ND	0.0050	"	"	"	"	"	"	
Isopropylbenzene	ND	0.0050	"	"	"	"	"	"	
p-Isopropyltoluene	ND	0.0050	"	"	"	"	"	"	
Methylene chloride	ND	0.0050	"	"	"	"	"	"	
Naphthalene	ND	0.0050	"	"	"	"	"	"	
n-Propylbenzene	ND	0.0050	"	"	"	"	"	"	
Styrene	ND	0.0050	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	0.0050	"	"	"	"	"	"	
Tetrachloroethene	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	0.0050	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	0.0050	"	"	"	"	"	"	
Trichloroethene	ND	0.0050	"	"	"	"	"	"	
Trichlorofluoromethane	ND	0.0050	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	0.0050	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	0.0050	"	"	"	"	"	"	
Vinyl chloride	ND	0.0050	"	"	"	"	"	"	
Benzene	ND	0.0050	"	"	"	"	"	"	
Toluene	ND	0.0050	"	"	"	"	"	"	
Ethylbenzene	ND	0.0050	"	"	"	"	"	"	

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Daniel J Chavez

Daniel Chavez, Project Manager

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Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

B12-1

T161654-33 (Soil)

SunStar Laboratories, Inc.

Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
m,p-Xylene	ND	0.010	mg/kg	1	6072205	07/22/16	07/22/16	EPA 8260B/5035	
o-Xylene	ND	0.0050	"	"	"	"	"	"	
Surrogate: Toluene-d8		*110 %*	*85.5-116*		"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*90.2 %*	*81.2-123*		"	"	"	"	
Surrogate: Dibromofluoromethane		*97.1 %*	*95.7-135*		"	"	"	"	

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Daniel J Chavez

Daniel Chavez, Project Manager

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

Extractable Petroleum Hydrocarbons by 8015C - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 6072222 - EPA 3550B GC										
Blank (6072222-BLK1)				Prepared: 07/22/16 Analyzed: 07/23/16						
C6-C12 (GRO)	ND	10	mg/kg							
C13-C28 (DRO)	ND	10	"							
C29-C40 (MORO)	ND	10	"							
Surrogate: p-Terphenyl	*95.0*		*"*	*99.9*		*95.1*	*65-135*			
LCS (6072222-BS1)				Prepared: 07/22/16 Analyzed: 07/23/16						
C13-C28 (DRO)	490	10	mg/kg	496		99.5	75-125			
Surrogate: p-Terphenyl	*100*		*"*	*99.2*		*101*	*65-135*			
LCS Dup (6072222-BSD1)				Prepared: 07/22/16 Analyzed: 07/23/16						
C13-C28 (DRO)	520	10	mg/kg	499		105	75-125	6.03	20	
Surrogate: p-Terphenyl	*107*		*"*	*99.8*		*108*	*65-135*			

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

Volatile Organic Compounds by EPA Method 8260B - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 6072205 - EPA 5030 GCMS										
Blank (6072205-BLK1)				Prepared & Analyzed: 07/22/16						
Bromobenzene	ND	0.0050	mg/kg							
Bromochloromethane	ND	0.0050	"							
Bromodichloromethane	ND	0.0050	"							
Bromoform	ND	0.0050	"							
Bromomethane	ND	0.0050	"							
n-Butylbenzene	ND	0.0050	"							
sec-Butylbenzene	ND	0.0050	"							
tert-Butylbenzene	ND	0.0050	"							
Carbon tetrachloride	ND	0.0050	"							
Chlorobenzene	ND	0.0050	"							
Chloroethane	ND	0.0050	"							
Chloroform	ND	0.0050	"							
Chloromethane	ND	0.0050	"							
2-Chlorotoluene	ND	0.0050	"							
4-Chlorotoluene	ND	0.0050	"							
Dibromochloromethane	ND	0.0050	"							
1,2-Dibromo-3-chloropropane	ND	0.010	"							
1,2-Dibromoethane (EDB)	ND	0.0050	"							
Dibromomethane	ND	0.0050	"							
1,2-Dichlorobenzene	ND	0.0050	"							
1,3-Dichlorobenzene	ND	0.0050	"							
1,4-Dichlorobenzene	ND	0.0050	"							
Dichlorodifluoromethane	ND	0.0050	"							
1,1-Dichloroethane	ND	0.0050	"							
1,2-Dichloroethane	ND	0.0050	"							
1,1-Dichloroethene	ND	0.0050	"							
cis-1,2-Dichloroethene	ND	0.0050	"							
trans-1,2-Dichloroethene	ND	0.0050	"							
1,2-Dichloropropane	ND	0.0050	"							
1,3-Dichloropropane	ND	0.0050	"							
2,2-Dichloropropane	ND	0.0050	"							
1,1-Dichloropropene	ND	0.0050	"							
cis-1,3-Dichloropropene	ND	0.0050	"							
trans-1,3-Dichloropropene	ND	0.0050	"							
Hexachlorobutadiene	ND	0.0050	"							
Isopropylbenzene	ND	0.0050	"							

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

Volatile Organic Compounds by EPA Method 8260B - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 6072205 - EPA 5030 GCMS										
Blank (6072205-BLK1)				Prepared & Analyzed: 07/22/16						
p-Isopropyltoluene	ND	0.0050	mg/kg							
Methylene chloride	ND	0.0050	"							
Naphthalene	ND	0.0050	"							
n-Propylbenzene	ND	0.0050	"							
Styrene	ND	0.0050	"							
1,1,2,2-Tetrachloroethane	ND	0.0050	"							
1,1,1,2-Tetrachloroethane	ND	0.0050	"							
Tetrachloroethene	ND	0.0050	"							
1,2,3-Trichlorobenzene	ND	0.0050	"							
1,2,4-Trichlorobenzene	ND	0.0050	"							
1,1,2-Trichloroethane	ND	0.0050	"							
1,1,1-Trichloroethane	ND	0.0050	"							
Trichloroethene	ND	0.0050	"							
Trichlorofluoromethane	ND	0.0050	"							
1,2,3-Trichloropropane	ND	0.0050	"							
1,3,5-Trimethylbenzene	ND	0.0050	"							
1,2,4-Trimethylbenzene	ND	0.0050	"							
Vinyl chloride	ND	0.0050	"							
Benzene	ND	0.0050	"							
Toluene	ND	0.0050	"							
Ethylbenzene	ND	0.0050	"							
m,p-Xylene	ND	0.010	"							
o-Xylene	ND	0.0050	"							
Surrogate: Toluene-d8	*0.0444*		*"*	*0.0400*		*111*	*85.5-116*			
Surrogate: 4-Bromofluorobenzene	*0.0434*		*"*	*0.0400*		*109*	*81.2-123*			
Surrogate: Dibromofluoromethane	*0.0370*		*"*	*0.0400*		*92.4*	*95.7-135*			*S-GC*
LCS (6072205-BS1)				Prepared & Analyzed: 07/22/16						
Chlorobenzene	0.0784	0.0050	mg/kg	0.100		78.4	75-125			
1,1-Dichloroethene	0.0788	0.0050	"	0.100		78.8	75-125			
Trichloroethene	0.0770	0.0050	"	0.100		77.0	75-125			
Benzene	0.0874	0.0050	"	0.100		87.4	75-125			
Toluene	0.0752	0.0050	"	0.100		75.2	75-125			
Surrogate: Toluene-d8	*0.0380*		*"*	*0.0400*		*94.9*	*85.5-116*			
Surrogate: 4-Bromofluorobenzene	*0.0407*		*"*	*0.0400*		*102*	*81.2-123*			
Surrogate: Dibromofluoromethane	*0.0530*		*"*	*0.0400*		*132*	*95.7-135*			

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Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

Volatile Organic Compounds by EPA Method 8260B - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 6072205 - EPA 5030 GCMS										
LCS Dup (6072205-BSD1)				Prepared & Analyzed: 07/22/16						
Chlorobenzene	0.0824	0.0050	mg/kg	0.0994		82.8	75-125	4.99	20	
1,1-Dichloroethene	0.0848	0.0050	"	0.0994		85.4	75-125	7.38	20	
Trichloroethene	0.0796	0.0050	"	0.0994		80.1	75-125	3.35	20	
Benzene	0.0940	0.0050	"	0.0994		94.5	75-125	7.26	20	
Toluene	0.0856	0.0050	"	0.0994		86.1	75-125	13.0	20	
Surrogate: Toluene-d8	*0.0391*		*"*	*0.0398*		*98.3*	*85.5-116*			
Surrogate: 4-Bromofluorobenzene	*0.0392*		*"*	*0.0398*		*98.5*	*81.2-123*			
Surrogate: Dibromofluoromethane	*0.0546*		*"*	*0.0398*		*137*	*95.7-135*			*S-GC*

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 17:06

Notes and Definitions

S-GC	Surrogate recovery outside of established control limits. The data was accepted based on valid recovery of the remaining surrogate(s).
DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
dry	Sample results reported on a dry weight basis
RPD	Relative Percent Difference

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Daniel J Chavez

Daniel Chavez, Project Manager

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PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE
25712 Commercentre Drive, Lake Forest, CA 92630
949-297-5020

Chain of Custody Record

2219

Client: Partner ESI
Address: 2154 Torrance Blvd Torrance CA 90501
Phone: 310 612 2735 Fax:
Project Manager: S. Fujita

Date: 7-21-16 Page: 1 Of 3
Project Name: 5355 East Arnold Drive
Collector: B. Godbout Client Project #: 16-163550.2
Batch #: T161654 EDF #:

Sample ID	Date Sampled	Time	Sample Type	Container Type	8260	8260 + OXY	8260 BTEX, OXY only	8270	8021 BTEX	8015M (gasoline)	8015M (diesel)	8015M Ext./Carbon Chain	6010/7000 Title 22 Metals	6020 ICP-MS Metals	8015 (TPH-CJ)	8260B (VOCs)		Laboratory ID #	Comments/Preservative	Total # of containers
B1-1		0800													X	X		01		
B2-1		0810													X	X		02		
B3-5		0820																03		
B3-10		0825																04		
B3-15		0830													X	X		05		
B3-20		0835																06		
B3-25		0840																07		
B4-5		0920																08		
B4-10		0925													X	X		09		
B4-15		0930																10		
B4-20		0935																11		
B5-5		1005																12		
B5-10		1010																13		
B5-15		1015													X	X		14		
B5-20		1020																15		

Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time
	7/22/16 0925		7/22/16 0933
	7/22/16 10:55		7/22/16 10:53

Total # of containers
Chain of Custody seals Y/N/NA
Seals intact? Y/N/NA
Received good condition/cold

Turn around time: Results by lunch on Monday 7/25

Notes

COC 151694

Sample disposal Instructions: Disposal @ $2.00 each ____ Return to client ____ Pickup ____

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE
25712 Commercentre Drive, Lake Forest, CA 92630
949-297-5020

Chain of Custody Record

2220

Client: Partner ESI
Address: 2154 Torrance Blvd Torrance CA 90501
Phone: 310 612 2738 Fax:
Project Manager: S. Fujita

Date: 7-21-16 Page: 2 Of 3
Project Name: 5355 East Airport Drive
Collector: D. Gedeon
Batch #: T16184
Client Project #: 16-163550.2
EDF #:

Sample ID	Date Sampled	Time	Sample Type	Container Type	8260	8260 + OXY	8260 BTEX, OXY only	8270	8021 BTEX	8015M (gasoline)	8015M (diesel)	8015M Ext./Carbon Chain	6010/7000 Title 22 Metals	6020 ICP-MS Metals	P015 (TPH-cc)	8260B (VOCs)		Laboratory ID #	Comments/Preservative	Total # of containers
B5-25	7-21-16	1025	Soil	Liner/VOA														16		
B6-5		1120																17		
B6-10		1125													x	x		18		
B6-15		1130																19		
B6-20		1135																20		
B6-25		1140																21		
B7-2		1230																22		
B7-5		1235																23		
B7-10		1240													x	x		24		
B7-15		1245																25		
B8-2		1300																26		
B8-5		1305																27		
B8-10		1310													x	x		28		
B8-15		1315																29		
B9-1	"	1420	"	"											x	x		30		

Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time
	7/22/16 0925		7/22/16 9:37
	7/22/16 10:55		7/22/16 10:53

Total # of containers
Chain of Custody seals Y/N/NA
Seals intact? Y/N/NA
Received good condition/cold

Notes

Turn around time: Results by lunch Monday 7/25

Sample disposal Instructions: Disposal @ $2.00 each ___ Return to client ___ Pickup ___

COC 151695

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE
25712 Commercentre Drive, Lake Forest, CA 92630
949-297-5020

Chain of Custody Record

2221

Client: Partner ESI
Address: 2154 Torrance Blvd Torrance CA 90501
Phone: 310 612 2738 Fax:
Project Manager: S. Fujita

Date: 7-21-16 Page: 3 Of 3
Project Name: @ 5355 East Airport Drive
Collector: B. Gobois Client Project #: 16-163550.2
Batch #: T161654 EDF #:

Sample ID	Date Sampled	Time	Sample Type	Container Type	8260	8260 + OXY	8260 BTEX, OXY only	8270	8021 BTEX	8015M (gasoline)	8015M (diesel)	8015M Ext./Carbon Chain	6010/7000 Title 22 Metals	6020 ICP-MS Metals	TPH-cc 8015	8260B (VOCs)		Laboratory ID #	Comments/Preservative	Total # of containers
B10-1	7-21-16	1430	Soil	4 vials + VOA											X	X		31		
B11-1		1440													X	X		32		
B12-1		1450													X	X		33		

Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time
	7/22/16 0925		7/22/16 9:37
Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time
	7/22/16 10:55		7/22/16 10:53
Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time

Total # of containers
Chain of Custody seals Y/N/NA
Seals intact? Y/N/NA
Received good condition/cold

Notes

Turn around time: Results by lunch Monday 7/25

Sample disposal Instructions: Disposal @ $2.00 each ____ Return to client ____ Pickup ____

COC 151696

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

SAMPLE RECEIVING REVIEW SHEET

Batch/Work Order #: T161654

Client Name: Partner Eng Project: 5355 East Airport Drive

Delivered by: ☐ Client ☒ SunStar Courier ☐ GSO ☐ FedEx ☐ Other

If Courier, Received by: Kyler Date/Time Courier Received: 7/22/16 9:37

Lab Received by: ~~Brian~~ BC BRIAN Date/Time Lab Received: 7/22/16 10:55

Total number of coolers received: 1

Temperature: Cooler #1	5.6 °C +/- the CF (- 0.2°C)	=	5.4	°C corrected temperature
Temperature: Cooler #2	°C +/- the CF (- 0.2°C)	=		°C corrected temperature
Temperature: Cooler #3	°C +/- the CF (- 0.2°C)	=		°C corrected temperature

Temperature criteria = ≤ 6°C (no frozen containers)	Within criteria?	☒ **Yes** ☐ **No**
If NO:		
Samples received on ice?	☐ Yes	☐ **No → Complete Non-Conformance Sheet**
If on ice, samples received same day collected?	☐ Yes → Acceptable	☐ **No → Complete Non-Conformance Sheet**

Custody seals intact on cooler/sample	☐ Yes	☐ No*	☒ N/A
Sample containers intact	☒ Yes	☐ No*	
Sample labels match Chain of Custody IDs	☒ Yes	☐ No*	
Total number of containers received match COC	☒ Yes	☐ No*	
Proper containers received for analyses requested on COC	☒ Yes	☐ No*	
Proper preservative indicated on COC/containers for analyses requested	☒ Yes	☐ No*	☐ N/A
Complete shipment received in good condition with correct temperatures, containers, labels, volumes preservatives and within method specified holding times	☒ **Yes**	☐ **No***	

* Complete Non-Conformance Receiving Sheet if checked

Cooler/Sample Review - Initials and date: [signature] 7/22/16

Comments:

(949) 297-5020 ■ www.sunstarlabs.com ■ 25712 Commercentre Drive ■ Lake Forest, CA 92630

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

WORK ORDER

T161654

Client: **Partner Engineering & Science, Inc.--Tor** **Project Manager:** **Daniel Chavez**
Project: **5355 East Airport Drive** **Project Number:** **16-163550.2**

Report To:
Partner Engineering & Science, Inc.--Tor
Samantha Fujita
2154 Torrance Blvd., Suite 20
Torrance, CA 90501

Date Due:	07/25/16 12:00 (1 day TAT)		
Received By:	Brian Charon	Date Received:	07/22/16 10:53
Logged In By:	Kyler Mondello	Date Logged In:	07/22/16 11:33

Samples Received at: **5.4°C**
Custody Seals No Received On Ice Yes
Containers Intact Yes
COC/Labels Agree Yes
Preservation Confirı Yes

Analysis	Due	TAT	Expires	Comments
T161654-01 B1-1 [Soil] Sampled 07/21/16 08:00 (GMT-08:00) Pacific Time (US &				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 08:00	
8260 5035	07/25/16 12:00	1	08/04/16 08:00	
T161654-02 B2-1 [Soil] Sampled 07/21/16 08:10 (GMT-08:00) Pacific Time (US &				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 08:10	
8260 5035	07/25/16 12:00	1	08/04/16 08:10	
T161654-03 B3-5 [Soil] Sampled 07/21/16 08:20 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-04 B3-10 [Soil] Sampled 07/21/16 08:25 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-05 B3-15 [Soil] Sampled 07/21/16 08:30 (GMT-08:00) Pacific Time (US &				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 08:30	
8260 5035	07/25/16 12:00	1	08/04/16 08:30	
T161654-06 B3-20 [Soil] Sampled 07/21/16 08:35 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-07 B3-25 [Soil] Sampled 07/21/16 08:40 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

WORK ORDER

T161654

Client: Partner Engineering & Science, Inc.--Tor
Project: 5355 East Airport Drive
Project Manager: Daniel Chavez
Project Number: 16-163550.2

Analysis	Due	TAT	Expires	Comments
T161654-08 B4-5 [Soil] Sampled 07/21/16 09:20 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-09 B4-10 [Soil] Sampled 07/21/16 09:25 (GMT-08:00) Pacific Time (US &				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 09:25	
8260 5035	07/25/16 12:00	1	08/04/16 09:25	
T161654-10 B4-15 [Soil] Sampled 07/21/16 09:30 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-11 B4-20 [Soil] Sampled 07/21/16 09:35 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-12 B5-5 [Soil] Sampled 07/21/16 10:05 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-13 B5-10 [Soil] Sampled 07/21/16 10:10 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-14 B5-15 [Soil] Sampled 07/21/16 10:15 (GMT-08:00) Pacific Time (US &				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 10:15	
8260 5035	07/25/16 12:00	1	08/04/16 10:15	
T161654-15 B5-20 [Soil] Sampled 07/21/16 10:20 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-16 B5-25 [Soil] Sampled 07/21/16 10:25 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-17 B6-5 [Soil] Sampled 07/21/16 11:20 (GMT-08:00) Pacific Time (US &				**HOLD**
[NO ANALYSES]				
T161654-18 B6-10 [Soil] Sampled 07/21/16 11:25 (GMT-08:00) Pacific Time (US &				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 11:25	
8260 5035	07/25/16 12:00	1	08/04/16 11:25	

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

WORK ORDER

T161654

Client: Partner Engineering & Science, Inc.--Tor
Project: 5355 East Airport Drive
Project Manager: Daniel Chavez
Project Number: 16-163550.2

Analysis	Due	TAT	Expires	Comments
T161654-19 B6-15 [Soil] Sampled 07/21/16 11:30 (GMT-08:00) Pacific Time (US				**HOLD**
&				
[NO ANALYSES]				
T161654-20 B6-20 [Soil] Sampled 07/21/16 11:35 (GMT-08:00) Pacific Time (US				**HOLD**
&				
[NO ANALYSES]				
T161654-21 B6-25 [Soil] Sampled 07/21/16 11:40 (GMT-08:00) Pacific Time (US				**HOLD**
&				
[NO ANALYSES]				
T161654-22 B7-2 [Soil] Sampled 07/21/16 12:30 (GMT-08:00) Pacific Time (US				**HOLD**
&				
[NO ANALYSES]				
T161654-23 B7-5 [Soil] Sampled 07/21/16 12:35 (GMT-08:00) Pacific Time (US				**HOLD**
&				
[NO ANALYSES]				
T161654-24 B7-10 [Soil] Sampled 07/21/16 12:40 (GMT-08:00) Pacific Time (US				
&				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 12:40	
8260 5035	07/25/16 12:00	1	08/04/16 12:40	
T161654-25 B7-15 [Soil] Sampled 07/21/16 12:45 (GMT-08:00) Pacific Time (US				**HOLD**
&				
[NO ANALYSES]				
T161654-26 B8-2 [Soil] Sampled 07/21/16 13:00 (GMT-08:00) Pacific Time (US				**HOLD**
&				
[NO ANALYSES]				
T161654-27 B8-5 [Soil] Sampled 07/21/16 13:05 (GMT-08:00) Pacific Time (US				**HOLD**
&				
[NO ANALYSES]				
T161654-28 B8-10 [Soil] Sampled 07/21/16 13:10 (GMT-08:00) Pacific Time (US				
&				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 13:10	
8260 5035	07/25/16 12:00	1	08/04/16 13:10	
T161654-29 B8-15 [Soil] Sampled 07/21/16 13:15 (GMT-08:00) Pacific Time (US				**HOLD**
&				
[NO ANALYSES]				

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

WORK ORDER

T161654

Client: Partner Engineering & Science, Inc.--Tor
Project: 5355 East Airport Drive
Project Manager: Daniel Chavez
Project Number: 16-163550.2

Analysis	Due	TAT	Expires	Comments
T161654-30 B9-1 [Soil] Sampled 07/21/16 14:20 (GMT-08:00) Pacific Time (US &				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 14:20	
8260 5035	07/25/16 12:00	1	08/04/16 14:20	
T161654-31 B10-1 [Soil] Sampled 07/21/16 14:30 (GMT-08:00) Pacific Time (US &				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 14:30	
8260 5035	07/25/16 12:00	1	08/04/16 14:30	
T161654-32 B11-1 [Soil] Sampled 07/21/16 14:40 (GMT-08:00) Pacific Time (US &				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 14:40	
8260 5035	07/25/16 12:00	1	08/04/16 14:40	
T161654-33 B12-1 [Soil] Sampled 07/21/16 14:50 (GMT-08:00) Pacific Time (US &				
8015 Carbon Chain	07/25/16 12:00	1	08/04/16 14:50	
8260 5035	07/25/16 12:00	1	08/04/16 14:50	

Reviewed By

Date

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

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Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

25 July 2016

Samantha Fujita
Partner Engineering & Science, Inc.--Tor
2154 Torrance Blvd., Suite 20
Torrance, CA 90501

RE: 5355 East Airport Drive

Enclosed are the results of analyses for samples received by the laboratory on 07/22/16 10:53. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Daniel J Chavez

Daniel Chavez
Project Manager

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

25712 Commercentre Drive
Lake Forest, California 92630
949.297.5020 Phone
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Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

ANALYTICAL REPORT FOR SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
B5-SG	T161653-01	Air	07/21/16 16:09	07/22/16 10:53
B7-SG	T161653-02	Air	07/21/16 16:46	07/22/16 10:53
B8-SG	T161653-03	Air	07/21/16 16:50	07/22/16 10:53
B6-SG	T161653-04	Air	07/21/16 16:13	07/22/16 10:53
B4-SG	T161653-05	Air	07/21/16 15:55	07/22/16 10:53
B3-SG	T161653-06	Air	07/21/16 15:51	07/22/16 10:53

SunStar Laboratories, Inc.

Daniel J Chavez

Daniel Chavez, Project Manager

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.

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Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

DETECTIONS SUMMARY

Sample ID: B5-SG **Laboratory ID:** T161653-01

Analyte	Result	Reporting Limit	Units	Method	Notes
Tetrachloroethene	**100**	6.9	ug/m³ Air	TO-15	
m,p-Xylene	**12**	8.8	ug/m³ Air	TO-15	

Sample ID: B7-SG **Laboratory ID:** T161653-02

Analyte	Result	Reporting Limit	Units	Method	Notes
Toluene	**4.9**	3.8	ug/m³ Air	TO-15	
Ethylbenzene	**11**	4.4	ug/m³ Air	TO-15	
m,p-Xylene	**73**	8.8	ug/m³ Air	TO-15	
o-Xylene	**19**	4.4	ug/m³ Air	TO-15	

Sample ID: B8-SG **Laboratory ID:** T161653-03

Analyte	Result	Reporting Limit	Units	Method	Notes
Tetrachloroethene	**44**	6.9	ug/m³ Air	TO-15	
Trichloroethene	**13**	5.5	ug/m³ Air	TO-15	
Toluene	**13**	3.8	ug/m³ Air	TO-15	
Ethylbenzene	**21**	4.4	ug/m³ Air	TO-15	
m,p-Xylene	**140**	8.8	ug/m³ Air	TO-15	
o-Xylene	**38**	4.4	ug/m³ Air	TO-15	

Sample ID: B6-SG **Laboratory ID:** T161653-04

Analyte	Result	Reporting Limit	Units	Method	Notes
Tetrachloroethene	**68**	6.9	ug/m³ Air	TO-15	
Trichloroethene	**26**	5.5	ug/m³ Air	TO-15	
Toluene	**4.0**	3.8	ug/m³ Air	TO-15	
m,p-Xylene	**19**	8.8	ug/m³ Air	TO-15	
o-Xylene	**4.6**	4.4	ug/m³ Air	TO-15	

SunStar Laboratories, Inc.

Daniel J Chavez

Daniel Chavez, Project Manager

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PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

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Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

Sample ID: B4-SG **Laboratory ID:** T161653-05

Analyte	Result	Reporting Limit	Units	Method	Notes
Ethylbenzene	**280**	220	ug/m³ Air	TO-15	TO-14
m,p-Xylene	**1100**	220	ug/m³ Air	TO-15	TO-14
o-Xylene	**400**	220	ug/m³ Air	TO-15	TO-14

Sample ID: B3-SG **Laboratory ID:** T161653-06

Analyte	Result	Reporting Limit	Units	Method	Notes
m,p-Xylene	**460**	220	ug/m³ Air	TO-15	TO-14

SunStar Laboratories, Inc.

Daniel J Chavez

Daniel Chavez, Project Manager

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Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

B5-SG

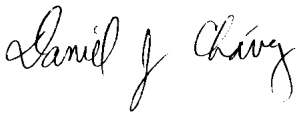
T161653-01 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Acetone	ND	12	ug/m³ Air	1.62	6072216	07/22/16	07/22/16	TO-15	
1,3-Butadiene	ND	4.5	"	"	"	"	"	"	
Carbon Disulfide	ND	3.2	"	"	"	"	"	"	
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	7.7	"	"	"	"	"	"	
Isopropyl alcohol	ND	13	"	"	"	"	"	"	
Bromodichloromethane	ND	6.8	"	"	"	"	"	"	
Bromoform	ND	11	"	"	"	"	"	"	
Bromomethane	ND	4.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	6.4	"	"	"	"	"	"	
Chlorobenzene	ND	4.7	"	"	"	"	"	"	
Chloroethane	ND	2.7	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	11	"	"	"	"	"	"	
Cyclohexane	ND	3.5	"	"	"	"	"	"	
Heptane	ND	4.2	"	"	"	"	"	"	
Hexane	ND	3.6	"	"	"	"	"	"	
Dibromochloromethane	ND	8.7	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	7.8	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethane	ND	4.1	"	"	"	"	"	"	
1,2-Dichloroethane	ND	4.1	"	"	"	"	"	"	
1,1-Dichloroethene	ND	4.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	4.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	4.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	4.7	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	4.6	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	4.6	"	"	"	"	"	"	
4-Ethyltoluene	ND	5.0	"	"	"	"	"	"	

SunStar Laboratories, Inc.



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Daniel Chavez, Project Manager

SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

25712 Commercentre Drive
Lake Forest, California 92630
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Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

B5-SG

T161653-01 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Methylene chloride	ND	3.5	ug/m³ Air	1.62	6072216	07/22/16	07/22/16	TO-15	
Styrene	ND	4.3	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	7.0	"	"	"	"	"	"	
Tetrahydrofuran	ND	3.0	"	"	"	"	"	"	
Tetrachloroethene	**100**	6.9	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.6	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.6	"	"	"	"	"	"	
Trichloroethene	ND	5.5	"	"	"	"	"	"	
Trichlorofluoromethane	ND	5.7	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
Vinyl acetate	ND	3.6	"	"	"	"	"	"	
Vinyl chloride	ND	2.6	"	"	"	"	"	"	
1,4-Dioxane	ND	18	"	"	"	"	"	"	
2-Butanone (MEK)	ND	15	"	"	"	"	"	"	
Methyl isobutyl ketone	ND	42	"	"	"	"	"	"	
Benzene	ND	3.3	"	"	"	"	"	"	
Toluene	ND	3.8	"	"	"	"	"	"	
Ethylbenzene	ND	4.4	"	"	"	"	"	"	
m,p-Xylene	**12**	8.8	"	"	"	"	"	"	
o-Xylene	ND	4.4	"	"	"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*77.9 %*	*40-160*		"	"	"	"	

SunStar Laboratories, Inc.

Daniel J Chavez

Daniel Chavez, Project Manager

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Providing Quality Analytical Services Nationwide

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Lake Forest, California 92630
949.297.5020 Phone
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Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

B7-SG

T161653-02 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Acetone	ND	12	ug/m³ Air	1.64	6072216	07/22/16	07/22/16	TO-15	
1,3-Butadiene	ND	4.5	"	"	"	"	"	"	
Carbon Disulfide	ND	3.2	"	"	"	"	"	"	
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	7.7	"	"	"	"	"	"	
Isopropyl alcohol	ND	13	"	"	"	"	"	"	
Bromodichloromethane	ND	6.8	"	"	"	"	"	"	
Bromoform	ND	11	"	"	"	"	"	"	
Bromomethane	ND	4.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	6.4	"	"	"	"	"	"	
Chlorobenzene	ND	4.7	"	"	"	"	"	"	
Chloroethane	ND	2.7	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	11	"	"	"	"	"	"	
Cyclohexane	ND	3.5	"	"	"	"	"	"	
Heptane	ND	4.2	"	"	"	"	"	"	
Hexane	ND	3.6	"	"	"	"	"	"	
Dibromochloromethane	ND	8.7	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	7.8	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethane	ND	4.1	"	"	"	"	"	"	
1,2-Dichloroethane	ND	4.1	"	"	"	"	"	"	
1,1-Dichloroethene	ND	4.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	4.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	4.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	4.7	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	4.6	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	4.6	"	"	"	"	"	"	
4-Ethyltoluene	ND	5.0	"	"	"	"	"	"	

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Daniel J Chavez

Daniel Chavez, Project Manager

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Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

B7-SG

T161653-02 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Methylene chloride	ND	3.5	ug/m³ Air	1.64	6072216	07/22/16	07/22/16	TO-15	
Styrene	ND	4.3	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	7.0	"	"	"	"	"	"	
Tetrahydrofuran	ND	3.0	"	"	"	"	"	"	
Tetrachloroethene	ND	6.9	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.6	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.6	"	"	"	"	"	"	
Trichloroethene	ND	5.5	"	"	"	"	"	"	
Trichlorofluoromethane	ND	5.7	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
Vinyl acetate	ND	3.6	"	"	"	"	"	"	
Vinyl chloride	ND	2.6	"	"	"	"	"	"	
1,4-Dioxane	ND	18	"	"	"	"	"	"	
2-Butanone (MEK)	ND	15	"	"	"	"	"	"	
Methyl isobutyl ketone	ND	42	"	"	"	"	"	"	
Benzene	ND	3.3	"	"	"	"	"	"	
Toluene	**4.9**	3.8	"	"	"	"	"	"	
Ethylbenzene	**11**	4.4	"	"	"	"	"	"	
m,p-Xylene	**73**	8.8	"	"	"	"	"	"	
o-Xylene	**19**	4.4	"	"	"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*72.3 %*	*40-160*		"	"	"	"	

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Daniel J Chavez

Daniel Chavez, Project Manager

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

B8-SG

T161653-03 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Acetone	ND	12	ug/m³ Air	1.81	6072216	07/22/16	07/22/16	TO-15	
1,3-Butadiene	ND	4.5	"	"	"	"	"	"	
Carbon Disulfide	ND	3.2	"	"	"	"	"	"	
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	7.7	"	"	"	"	"	"	
Isopropyl alcohol	ND	13	"	"	"	"	"	"	
Bromodichloromethane	ND	6.8	"	"	"	"	"	"	
Bromoform	ND	11	"	"	"	"	"	"	
Bromomethane	ND	4.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	6.4	"	"	"	"	"	"	
Chlorobenzene	ND	4.7	"	"	"	"	"	"	
Chloroethane	ND	2.7	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	11	"	"	"	"	"	"	
Cyclohexane	ND	3.5	"	"	"	"	"	"	
Heptane	ND	4.2	"	"	"	"	"	"	
Hexane	ND	3.6	"	"	"	"	"	"	
Dibromochloromethane	ND	8.7	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	7.8	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethane	ND	4.1	"	"	"	"	"	"	
1,2-Dichloroethane	ND	4.1	"	"	"	"	"	"	
1,1-Dichloroethene	ND	4.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	4.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	4.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	4.7	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	4.6	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	4.6	"	"	"	"	"	"	
4-Ethyltoluene	ND	5.0	"	"	"	"	"	"	

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B8-SG

T161653-03 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Methylene chloride	ND	3.5	ug/m³ Air	1.81	6072216	07/22/16	07/22/16	TO-15	
Styrene	ND	4.3	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	7.0	"	"	"	"	"	"	
Tetrahydrofuran	ND	3.0	"	"	"	"	"	"	
Tetrachloroethene	**44**	6.9	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.6	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.6	"	"	"	"	"	"	
Trichloroethene	**13**	5.5	"	"	"	"	"	"	
Trichlorofluoromethane	ND	5.7	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
Vinyl acetate	ND	3.6	"	"	"	"	"	"	
Vinyl chloride	ND	2.6	"	"	"	"	"	"	
1,4-Dioxane	ND	18	"	"	"	"	"	"	
2-Butanone (MEK)	ND	15	"	"	"	"	"	"	
Methyl isobutyl ketone	ND	42	"	"	"	"	"	"	
Benzene	ND	3.3	"	"	"	"	"	"	
Toluene	**13**	3.8	"	"	"	"	"	"	
Ethylbenzene	**21**	4.4	"	"	"	"	"	"	
m,p-Xylene	**140**	8.8	"	"	"	"	"	"	
o-Xylene	**38**	4.4	"	"	"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*72.0 %*	*40-160*		"	"	"	"	

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B6-SG

T161653-04 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Acetone	ND	12	ug/m³ Air	1.83	6072216	07/22/16	07/22/16	TO-15	
1,3-Butadiene	ND	4.5	"	"	"	"	"	"	
Carbon Disulfide	ND	3.2	"	"	"	"	"	"	
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	7.7	"	"	"	"	"	"	
Isopropyl alcohol	ND	13	"	"	"	"	"	"	
Bromodichloromethane	ND	6.8	"	"	"	"	"	"	
Bromoform	ND	11	"	"	"	"	"	"	
Bromomethane	ND	4.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	6.4	"	"	"	"	"	"	
Chlorobenzene	ND	4.7	"	"	"	"	"	"	
Chloroethane	ND	2.7	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	11	"	"	"	"	"	"	
Cyclohexane	ND	3.5	"	"	"	"	"	"	
Heptane	ND	4.2	"	"	"	"	"	"	
Hexane	ND	3.6	"	"	"	"	"	"	
Dibromochloromethane	ND	8.7	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	7.8	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	6.1	"	"	"	"	"	"	
Dichlorodifluoromethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethane	ND	4.1	"	"	"	"	"	"	
1,2-Dichloroethane	ND	4.1	"	"	"	"	"	"	
1,1-Dichloroethene	ND	4.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	4.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	4.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	4.7	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	4.6	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	4.6	"	"	"	"	"	"	
4-Ethyltoluene	ND	5.0	"	"	"	"	"	"	

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B6-SG

T161653-04 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Methylene chloride	ND	3.5	ug/m³ Air	1.83	6072216	07/22/16	07/22/16	TO-15	
Styrene	ND	4.3	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	7.0	"	"	"	"	"	"	
Tetrahydrofuran	ND	3.0	"	"	"	"	"	"	
Tetrachloroethene	**68**	6.9	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.6	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.6	"	"	"	"	"	"	
Trichloroethene	**26**	5.5	"	"	"	"	"	"	
Trichlorofluoromethane	ND	5.7	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
Vinyl acetate	ND	3.6	"	"	"	"	"	"	
Vinyl chloride	ND	2.6	"	"	"	"	"	"	
1,4-Dioxane	ND	18	"	"	"	"	"	"	
2-Butanone (MEK)	ND	15	"	"	"	"	"	"	
Methyl isobutyl ketone	ND	42	"	"	"	"	"	"	
Benzene	ND	3.3	"	"	"	"	"	"	
Toluene	**4.0**	3.8	"	"	"	"	"	"	
Ethylbenzene	ND	4.4	"	"	"	"	"	"	
m,p-Xylene	**19**	8.8	"	"	"	"	"	"	
o-Xylene	**4.6**	4.4	"	"	"	"	"	"	
Surrogate: 4-Bromofluorobenzene		*72.8 %*	*40-160*		"	"	"	"	

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B4-SG

T161653-05 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Acetone	ND	120	ug/m³ Air	1.73	6072216	07/22/16	07/22/16	TO-15	TO-14
1,3-Butadiene	ND	110	"	"	"	"	"	"	TO-14
Carbon Disulfide	ND	160	"	"	"	"	"	"	TO-14
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	390	"	"	"	"	"	"	TO-14
Isopropyl alcohol	ND	130	"	"	"	"	"	"	TO-14
Bromodichloromethane	ND	340	"	"	"	"	"	"	TO-14
Bromoform	ND	530	"	"	"	"	"	"	TO-14
Bromomethane	ND	200	"	"	"	"	"	"	TO-14
Carbon tetrachloride	ND	320	"	"	"	"	"	"	TO-14
Chlorobenzene	ND	230	"	"	"	"	"	"	TO-14
Chloroethane	ND	130	"	"	"	"	"	"	TO-14
Chloroform	ND	250	"	"	"	"	"	"	TO-14
Chloromethane	ND	110	"	"	"	"	"	"	TO-14
Cyclohexane	ND	170	"	"	"	"	"	"	TO-14
Heptane	ND	210	"	"	"	"	"	"	TO-14
Hexane	ND	180	"	"	"	"	"	"	TO-14
Dibromochloromethane	ND	430	"	"	"	"	"	"	TO-14
1,2-Dibromoethane (EDB)	ND	390	"	"	"	"	"	"	TO-14
1,2-Dichlorobenzene	ND	310	"	"	"	"	"	"	TO-14
1,3-Dichlorobenzene	ND	310	"	"	"	"	"	"	TO-14
1,4-Dichlorobenzene	ND	310	"	"	"	"	"	"	TO-14
Dichlorodifluoromethane	ND	250	"	"	"	"	"	"	TO-14
1,1-Dichloroethane	ND	210	"	"	"	"	"	"	TO-14
1,2-Dichloroethane	ND	210	"	"	"	"	"	"	TO-14
1,1-Dichloroethene	ND	200	"	"	"	"	"	"	TO-14
cis-1,2-Dichloroethene	ND	200	"	"	"	"	"	"	TO-14
trans-1,2-Dichloroethene	ND	200	"	"	"	"	"	"	TO-14
1,2-Dichloropropane	ND	240	"	"	"	"	"	"	TO-14
cis-1,3-Dichloropropene	ND	230	"	"	"	"	"	"	TO-14
trans-1,3-Dichloropropene	ND	230	"	"	"	"	"	"	TO-14
4-Ethyltoluene	ND	250	"	"	"	"	"	"	TO-14

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Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

B4-SG

T161653-05 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Methylene chloride	ND	180	ug/m³ Air	1.73	6072216	07/22/16	07/22/16	TO-15	TO-14
Styrene	ND	220	"	"	"	"	"	"	TO-14
1,1,2,2-Tetrachloroethane	ND	350	"	"	"	"	"	"	TO-14
Tetrahydrofuran	ND	150	"	"	"	"	"	"	TO-14
Tetrachloroethene	ND	350	"	"	"	"	"	"	TO-14
1,1,2-Trichloroethane	ND	280	"	"	"	"	"	"	TO-14
1,1,1-Trichloroethane	ND	280	"	"	"	"	"	"	TO-14
Trichloroethene	ND	270	"	"	"	"	"	"	TO-14
Trichlorofluoromethane	ND	290	"	"	"	"	"	"	TO-14
1,3,5-Trimethylbenzene	ND	250	"	"	"	"	"	"	TO-14
1,2,4-Trimethylbenzene	ND	250	"	"	"	"	"	"	TO-14
Vinyl acetate	ND	180	"	"	"	"	"	"	TO-14
Vinyl chloride	ND	130	"	"	"	"	"	"	TO-14
1,4-Dioxane	ND	180	"	"	"	"	"	"	TO-14
2-Butanone (MEK)	ND	150	"	"	"	"	"	"	TO-14
Methyl isobutyl ketone	ND	210	"	"	"	"	"	"	TO-14
Benzene	ND	160	"	"	"	"	"	"	TO-14
Toluene	ND	190	"	"	"	"	"	"	TO-14
Ethylbenzene	**280**	220	"	"	"	"	"	"	TO-14
m,p-Xylene	**1100**	220	"	"	"	"	"	"	TO-14
o-Xylene	**400**	220	"	"	"	"	"	"	TO-14

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2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

B3-SG

T161653-06 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Acetone	ND	120	ug/m³ Air	1.66	6072216	07/22/16	07/22/16	TO-15	TO-14
1,3-Butadiene	ND	110	"	"	"	"	"	"	TO-14
Carbon Disulfide	ND	160	"	"	"	"	"	"	TO-14
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	390	"	"	"	"	"	"	TO-14
Isopropyl alcohol	ND	130	"	"	"	"	"	"	TO-14
Bromodichloromethane	ND	340	"	"	"	"	"	"	TO-14
Bromoform	ND	530	"	"	"	"	"	"	TO-14
Bromomethane	ND	200	"	"	"	"	"	"	TO-14
Carbon tetrachloride	ND	320	"	"	"	"	"	"	TO-14
Chlorobenzene	ND	230	"	"	"	"	"	"	TO-14
Chloroethane	ND	130	"	"	"	"	"	"	TO-14
Chloroform	ND	250	"	"	"	"	"	"	TO-14
Chloromethane	ND	110	"	"	"	"	"	"	TO-14
Cyclohexane	ND	170	"	"	"	"	"	"	TO-14
Heptane	ND	210	"	"	"	"	"	"	TO-14
Hexane	ND	180	"	"	"	"	"	"	TO-14
Dibromochloromethane	ND	430	"	"	"	"	"	"	TO-14
1,2-Dibromoethane (EDB)	ND	390	"	"	"	"	"	"	TO-14
1,2-Dichlorobenzene	ND	310	"	"	"	"	"	"	TO-14
1,3-Dichlorobenzene	ND	310	"	"	"	"	"	"	TO-14
1,4-Dichlorobenzene	ND	310	"	"	"	"	"	"	TO-14
Dichlorodifluoromethane	ND	250	"	"	"	"	"	"	TO-14
1,1-Dichloroethane	ND	210	"	"	"	"	"	"	TO-14
1,2-Dichloroethane	ND	210	"	"	"	"	"	"	TO-14
1,1-Dichloroethene	ND	200	"	"	"	"	"	"	TO-14
cis-1,2-Dichloroethene	ND	200	"	"	"	"	"	"	TO-14
trans-1,2-Dichloroethene	ND	200	"	"	"	"	"	"	TO-14
1,2-Dichloropropane	ND	240	"	"	"	"	"	"	TO-14
cis-1,3-Dichloropropene	ND	230	"	"	"	"	"	"	TO-14
trans-1,3-Dichloropropene	ND	230	"	"	"	"	"	"	TO-14
4-Ethyltoluene	ND	250	"	"	"	"	"	"	TO-14

SunStar Laboratories, Inc.

Daniel J Chavez

Daniel Chavez, Project Manager

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SunStar Laboratories, Inc.
Providing Quality Analytical Services Nationwide

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Lake Forest, California 92630
949.297.5020 Phone
949.297.5027 Fax

Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

B3-SG

T161653-06 (Air)

SunStar Laboratories, Inc.

TO-15

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Methylene chloride	ND	180	ug/m³ Air	1.66	6072216	07/22/16	07/22/16	TO-15	TO-14
Styrene	ND	220	"	"	"	"	"	"	TO-14
1,1,2,2-Tetrachloroethane	ND	350	"	"	"	"	"	"	TO-14
Tetrahydrofuran	ND	150	"	"	"	"	"	"	TO-14
Tetrachloroethene	ND	350	"	"	"	"	"	"	TO-14
1,1,2-Trichloroethane	ND	280	"	"	"	"	"	"	TO-14
1,1,1-Trichloroethane	ND	280	"	"	"	"	"	"	TO-14
Trichloroethene	ND	270	"	"	"	"	"	"	TO-14
Trichlorofluoromethane	ND	290	"	"	"	"	"	"	TO-14
1,3,5-Trimethylbenzene	ND	250	"	"	"	"	"	"	TO-14
1,2,4-Trimethylbenzene	ND	250	"	"	"	"	"	"	TO-14
Vinyl acetate	ND	180	"	"	"	"	"	"	TO-14
Vinyl chloride	ND	130	"	"	"	"	"	"	TO-14
1,4-Dioxane	ND	180	"	"	"	"	"	"	TO-14
2-Butanone (MEK)	ND	150	"	"	"	"	"	"	TO-14
Methyl isobutyl ketone	ND	210	"	"	"	"	"	"	TO-14
Benzene	ND	160	"	"	"	"	"	"	TO-14
Toluene	ND	190	"	"	"	"	"	"	TO-14
Ethylbenzene	ND	220	"	"	"	"	"	"	TO-14
m,p-Xylene	**460**	220	"	"	"	"	"	"	TO-14
o-Xylene	ND	220	"	"	"	"	"	"	TO-14

SunStar Laboratories, Inc.

Daniel J Chavez

Daniel Chavez, Project Manager

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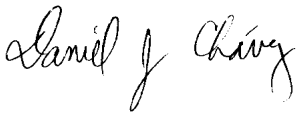
Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

TO-15 - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 6072216 - Canister Analysis										
Blank (6072216-BLK1)			Prepared & Analyzed: 07/22/16							
Acetone	ND	120	ug/m³ Air							TO-14
1,3-Butadiene	ND	110	"							TO-14
Carbon Disulfide	ND	160	"							TO-14
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	390	"							TO-14
Isopropyl alcohol	ND	130	"							TO-14
Bromodichloromethane	ND	340	"							TO-14
Bromoform	ND	530	"							TO-14
Bromomethane	ND	200	"							TO-14
Carbon tetrachloride	ND	320	"							TO-14
Chlorobenzene	ND	230	"							TO-14
Chloroethane	ND	130	"							TO-14
Chloroform	ND	250	"							TO-14
Chloromethane	ND	110	"							TO-14
Cyclohexane	ND	170	"							TO-14
Heptane	ND	210	"							TO-14
Hexane	ND	180	"							TO-14
Dibromochloromethane	ND	430	"							TO-14
1,2-Dibromoethane (EDB)	ND	390	"							TO-14
1,2-Dichlorobenzene	ND	310	"							TO-14
1,3-Dichlorobenzene	ND	310	"							TO-14
1,4-Dichlorobenzene	ND	310	"							TO-14
Dichlorodifluoromethane	ND	250	"							TO-14
1,1-Dichloroethane	ND	210	"							TO-14
1,2-Dichloroethane	ND	210	"							TO-14
1,1-Dichloroethene	ND	200	"							TO-14
cis-1,2-Dichloroethene	ND	200	"							TO-14
trans-1,2-Dichloroethene	ND	200	"							TO-14
1,2-Dichloropropane	ND	240	"							TO-14
cis-1,3-Dichloropropene	ND	230	"							TO-14
trans-1,3-Dichloropropene	ND	230	"							TO-14
4-Ethyltoluene	ND	250	"							TO-14
Methylene chloride	ND	180	"							TO-14
Styrene	ND	220	"							TO-14
1,1,2,2-Tetrachloroethane	ND	350	"							TO-14
Tetrahydrofuran	ND	150	"							TO-14

SunStar Laboratories, Inc.



Daniel Chavez, Project Manager

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949.297.5027 Fax

Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

TO-15 - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 6072216 - Canister Analysis										
Blank (6072216-BLK1)				Prepared & Analyzed: 07/22/16						
Tetrachloroethene	ND	350	ug/m³ Air							TO-14
1,1,2-Trichloroethane	ND	280	"							TO-14
1,1,1-Trichloroethane	ND	280	"							TO-14
Trichloroethene	ND	270	"							TO-14
Trichlorofluoromethane	ND	290	"							TO-14
1,3,5-Trimethylbenzene	ND	250	"							TO-14
1,2,4-Trimethylbenzene	ND	250	"							TO-14
Vinyl acetate	ND	180	"							TO-14
Vinyl chloride	ND	130	"							TO-14
1,4-Dioxane	ND	180	"							TO-14
2-Butanone (MEK)	ND	150	"							TO-14
Methyl isobutyl ketone	ND	210	"							TO-14
Benzene	ND	160	"							TO-14
Toluene	ND	190	"							TO-14
Ethylbenzene	ND	220	"							TO-14
m,p-Xylene	ND	220	"							TO-14
o-Xylene	ND	220	"							TO-14
Duplicate (6072216-DUP1)				**Source: T161653-01** Prepared & Analyzed: 07/22/16						
Acetone	ND	12	ug/m³ Air		ND				30	
1,3-Butadiene	ND	4.5	"		ND				30	
Carbon Disulfide	ND	3.2	"		ND				30	
1,1,2-trichloro-1,2,2-trifluoroethane (CFC 113)	ND	7.7	"		ND				30	
Isopropyl alcohol	ND	13	"		ND				30	
Bromodichloromethane	ND	6.8	"		ND				30	
Bromoform	ND	11	"		ND				30	
Bromomethane	ND	4.0	"		ND				30	
Carbon tetrachloride	ND	6.4	"		ND				30	
Chlorobenzene	ND	4.7	"		ND				30	
Chloroethane	ND	2.7	"		ND				30	
Chloroform	ND	5.0	"		ND				30	
Chloromethane	ND	11	"		ND				30	
Cyclohexane	ND	3.5	"		ND				30	
Heptane	ND	4.2	"		ND				30	
Hexane	ND	3.6	"		ND				30	

SunStar Laboratories, Inc.



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Daniel Chavez, Project Manager

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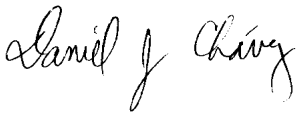
Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

TO-15 - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 6072216 - Canister Analysis										
Duplicate (6072216-DUP1)		**Source: T161653-01**		Prepared & Analyzed: 07/22/16						
Dibromochloromethane	ND	8.7	ug/m³ Air		ND				30	
1,2-Dibromoethane (EDB)	ND	7.8	"		ND				30	
1,2-Dichlorobenzene	ND	6.1	"		ND				30	
1,3-Dichlorobenzene	ND	6.1	"		ND				30	
1,4-Dichlorobenzene	ND	6.1	"		ND				30	
Dichlorodifluoromethane	ND	5.0	"		ND				30	
1,1-Dichloroethane	ND	4.1	"		ND				30	
1,2-Dichloroethane	ND	4.1	"		ND				30	
1,1-Dichloroethene	ND	4.0	"		ND				30	
cis-1,2-Dichloroethene	ND	4.0	"		ND				30	
trans-1,2-Dichloroethene	ND	4.0	"		ND				30	
1,2-Dichloropropane	ND	4.7	"		ND				30	
cis-1,3-Dichloropropene	ND	4.6	"		ND				30	
trans-1,3-Dichloropropene	ND	4.6	"		ND				30	
4-Ethyltoluene	ND	5.0	"		ND				30	
Methylene chloride	ND	3.5	"		ND				30	
Styrene	ND	4.3	"		ND				30	
1,1,2,2-Tetrachloroethane	ND	7.0	"		ND				30	
Tetrahydrofuran	ND	3.0	"		ND				30	
Tetrachloroethene	89.7	6.9	"		99.7			10.6	30	
1,1,2-Trichloroethane	ND	5.6	"		ND				30	
1,1,1-Trichloroethane	ND	5.6	"		ND				30	
Trichloroethene	2.92	5.5	"		3.10			5.88	30	
Trichlorofluoromethane	ND	5.7	"		ND				30	
1,3,5-Trimethylbenzene	ND	5.0	"		ND				30	
1,2,4-Trimethylbenzene	ND	5.0	"		ND				30	
Vinyl acetate	ND	3.6	"		ND				30	
Vinyl chloride	ND	2.6	"		ND				30	
1,4-Dioxane	ND	18	"		ND				30	
2-Butanone (MEK)	ND	15	"		ND				30	
Methyl isobutyl ketone	ND	42	"		ND				30	
Benzene	ND	3.3	"		ND				30	
Toluene	2.36	3.8	"		2.98			23.3	30	
Ethylbenzene	ND	4.4	"		ND				30	
m,p-Xylene	9.95	8.8	"		12.3			21.2	30	
o-Xylene	2.93	4.4	"		3.72			23.7	30	

SunStar Laboratories, Inc.



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Daniel Chavez, Project Manager

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PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

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Lake Forest, California 92630
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949.297.5027 Fax

Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

TO-15 - Quality Control

SunStar Laboratories, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 6072216 - Canister Analysis										
Duplicate (6072216-DUP1)		**Source: T161653-01**		Prepared & Analyzed: 07/22/16						
Surrogate: 4-Bromofluorobenzene	*33.0*		*ug/m³ Air*	*45.3*		*73.0*	*40-160*			

SunStar Laboratories, Inc.

Daniel J Chavez

Daniel Chavez, Project Manager

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949.297.5027 Fax

Partner Engineering & Science, Inc.--Tor	Project: 5355 East Airport Drive	
2154 Torrance Blvd., Suite 20	Project Number: 16-163550.2	**Reported:**
Torrance CA, 90501	Project Manager: Samantha Fujita	07/25/16 11:41

Notes and Definitions

TO-14	TO-15 analysis of sample was not performed due to high concentration of analyte(s). Sample was analyzed utilizing method TO-14 and reporting limit has been adjusted accordingly.
DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
dry	Sample results reported on a dry weight basis
RPD	Relative Percent Difference

SunStar Laboratories, Inc.

Daniel J Chavez

Daniel Chavez, Project Manager

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2248

AIR LABORATORY

Chain of Custody Record

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE
25712 Commercentre Drive, Lake Forest, CA 92630
949-297-5020

Client: Partner ESI
Address: 2154 Torrance Blvd Torrance CA
Phone: 3106122738 Fax:
Project Manager: S. Fujita

Date: 7-21-16 Page: 1 of 1
Project Name: 5355 East Airport Drive
Collector: B. Godbout Client Project #: 16-163550.2
Batch #: T161653 EDF #:

Sample ID	Date Sampled	Start Time	Finish Time	Sample Type : Soil Gas / Indoor Air	Container Type: Summa Can / Tedlar	Initial Pressure	Final Pressure	TO-3	TO-14	TO-15	8015m Methane	8015m Gasoline	Fixed Gases by TCD		Summa Can # / Comments	Laboratory ID #
B5-SG	7-21-16	1609	1619	Soil gas	Summa	-30	-2			X					0634	01
B7-SG		1646	1655			-30	-2			X					0197	02
B8-SG		1650	1657			-25	-1			X					0084	03
B6-SG		1613	1621			-25	-1			X					0205	04
B4-SG		1555	1603			-25	-1			X					0152	05
B3-SG		1551	1601	↓	↓	-29	-2			X					0067	06

Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time
	7/22/16 0925		7/22/16 9:32
Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time
	7/22/16 10:55		7/22/16 10:53
Relinquished by: (signature)	Date / Time	Received by: (signature)	Date / Time

Total # of containers: 6
Chain of Custody seals Y/N/NA
Seals intact? Y/N/NA
Received good condition/cold: -

Notes

Turn around time: Results by lunch on Monday 7/25

* TO-15 SIM analysis available upon prior notification. **(Precertified Summa cans needed)**

COCAL 146463

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

SAMPLE RECEIVING REVIEW SHEET

Batch/Work Order #: T161653

Client Name: PARTNER

Project: 5355 EAST AIRPORT DRIVE

Delivered by: ☐ Client ☒ SunStar Courier ☐ GSO ☐ FedEx ☐ Other

If Courier, Received by: KYLER

Date/Time Courier Received: 7/22/16 09:37

Lab Received by: BRIAN

Date/Time Lab Received: 7/22/16 10:53

Total number of coolers received: -

Temperature: Cooler #1	°C +/- the CF (- 0.2°C) =	°C corrected temperature	
Temperature: Cooler #2	°C +/- the CF (- 0.2°C) =	°C corrected temperature	
Temperature: Cooler #3	°C +/- the CF (- 0.2°C) =	°C corrected temperature	
Temperature criteria = ≤ 6°C (no frozen containers)	Within criteria?	☐ **Yes** ☐ **No**	
If NO:			
Samples received on ice?	☐ Yes	☐ **No → Complete Non-Conformance Sheet**	
If on ice, samples received same day collected?	☐ Yes → Acceptable	☐ **No → Complete Non-Conformance Sheet**	

Custody seals intact on cooler/sample	☐ Yes	☐ No*	☒ N/A
Sample containers intact	☒ Yes	☐ No*	
Sample labels match Chain of Custody IDs	☒ Yes	☐ No*	
Total number of containers received match COC	☒ Yes	☐ No*	
Proper containers received for analyses requested on COC	☒ Yes	☐ No*	
Proper preservative indicated on COC/containers for analyses requested	☐ Yes	☐ No*	☒ N/A
Complete shipment received in good condition with correct temperatures, containers, labels, volumes preservatives and within method specified holding times	☒ **Yes**	☐ **No***	

* Complete Non-Conformance Receiving Sheet if checked

Cooler/Sample Review - Initials and date: BK 7/22/16

Comments:

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

Project Name: 5355 East Airport Dr. #16-163550.2				
Company: Partner ESI		Name: Brian Godbois		
		Phone: 310-612-2738		
Item		Quantity		Unit
2 oz Jars 24/CS				
4 oz Jars 24/CS				
8 oz Jars 12/CS				
40 ml unpreserved VOAs 100/box				
40 ml HCL-preserved VOAs 72/box				
250 ml Poly 24/CS				
1 Liter Poly 12/CS				
500 ml Poly 16/CS				
500 ml Amber Bottle Wide 12/CS				
1 Liter Amber Bottle 12/CS				
1 Gallon Poly 4/box				
5035 kits:(2)Sodium Bisulfate VOAs 72/box		68		
	(1) Methanol VOA 72/box	34	ALREADY INVOICED	
	(1)Syringe 50/pack	34		
Lock-N-Load Handle 1/pack				
Tedlar Bags 10/pack				
Manifold, Inst. Sampler, Variable Sampler		2 (150 Manifolds)	CHARGE 2	
Sub Slab Insert w/ washer & N/F				
Soil Gas SS 16" Drop Tubes				
Gas Extraction Fittings				
Soil Gas Filters				
		# SENT	USED	UNUSED
Batch Certified Summa Canisters	400cc			
	1L	9 (2-NITRO)	CHARGE 6	1
	3L			
	6L			
Individually Certified Summa Canisters	400cc			
	1L			
	3L			
	6L			
Cooler (Sm, Med, Lrg) Number & Quantity		1 (MED)		
Swagelok Fittings: Nuts/Ferrules, Ts		7 (Nuts/Ferrules)	CHARGE 7	
Other: Poly Tube, Valves,Silicon Tape, etc.		3 (60 mL Syringes)	CHARGE 3	
Prepared By: Aaron		Date: 7/19/16		
Reviewed By:		Date:		

Asset Check-In Receipt

SunStar Laboratories Inc.

2251

Check-In Date: 7/22/2016

User Name: Charon, Brian

Asset Tag	Asset Type	Serial No	Location	Customer No.	Customer Name
0067	1000cc: 1000cc Summa	0067	Sunstar Labs, Tustin Air Lab	Partner-Brian G.	Brian Godbois
0084	1000cc: 1000cc Summa	0084	Sunstar Labs, Tustin Air Lab	Partner-Brian G.	Brian Godbois
0115	1000cc: 1000cc Summa	0115	Sunstar Labs, Tustin Air Lab	Partner-Brian G.	Brian Godbois
0152	1000cc: 1000cc Summa	0152	Sunstar Labs, Tustin Air Lab	Partner-Brian G.	Brian Godbois
0197	1000cc: 1000cc Summa	0197	Sunstar Labs, Tustin Air Lab	Partner-Brian G.	Brian Godbois
0205	1000cc: 1000cc Summa	0205	Sunstar Labs, Tustin Air Lab	Partner-Brian G.	Brian Godbois
2048	Vapor Manifold: Vapor Manifold	2048	Sunstar Labs, Lake Forest Air Lab	Partner-Brian G.	Brian Godbois
2075	Vapor Manifold: Vapor Manifold	2075	Sunstar Labs, Lake Forest Air Lab	Partner-Brian G.	Brian Godbois
634	1000cc: 1000cc Summa		Sunstar Labs, Tustin Air Lab	Partner-Brian G.	Brian Godbois

+ 3

SunStar Laboratories, Inc.
PROVIDING QUALITY ANALYTICAL SERVICES NATIONWIDE

WORK ORDER

T161653

Client: **Partner Engineering & Science, Inc.--Tor**
Project: **5355 East Airport Drive**
Project Manager: **Daniel Chavez**
Project Number: **16-163550.2**

Report To:
Partner Engineering & Science, Inc.--Tor
Samantha Fujita
2154 Torrance Blvd., Suite 20
Torrance, CA 90501

Date Due:	07/25/16 12:00 (1 day TAT)		
Received By:	Brian Charon	Date Received:	07/22/16 10:53
Logged In By:	Brian Charon	Date Logged In:	07/22/16 11:20

Samples Received at:

Custody Seals	No	Received On Ice	No
Containers Intact	Yes		
COC/Labels Agree	Yes		
Preservation Confirı	No		

Analysis	Due	TAT	Expires	Comments
T161653-01 B5-SG [Air] Sampled 07/21/16 16:09 (GMT-08:00) Pacific Time (US &				
TO-15	07/25/16 12:00	1	08/20/16 16:09	
T161653-02 B7-SG [Air] Sampled 07/21/16 16:46 (GMT-08:00) Pacific Time (US &				
TO-15	07/25/16 12:00	1	08/20/16 16:46	
T161653-03 B8-SG [Air] Sampled 07/21/16 16:50 (GMT-08:00) Pacific Time (US &				
TO-15	07/25/16 12:00	1	08/20/16 16:50	
T161653-04 B6-SG [Air] Sampled 07/21/16 16:13 (GMT-08:00) Pacific Time (US &				
TO-15	07/25/16 12:00	1	08/20/16 16:13	
T161653-05 B4-SG [Air] Sampled 07/21/16 15:55 (GMT-08:00) Pacific Time (US &				
TO-15	07/25/16 12:00	1	08/20/16 15:55	
T161653-06 B3-SG [Air] Sampled 07/21/16 15:51 (GMT-08:00) Pacific Time (US &				
TO-15	07/25/16 12:00	1	08/20/16 15:51	

Reviewed By

Date

OPTIMAL TECHNOLOGY
Specializing in Environmental Field Services

August 1, 2016

Ms. Misty Vazquez Ponce
Partner Engineering & Science, Inc.
2154 Torrance Blvd., Suite 200
Torrance, CA 90501

Dear Ms. Ponce:

This letter presents the results of the soil vapor investigation conducted by Optimal Technology (Optimal), for Partner Engineering & Science, Inc. on July 29, 2016. The study was performed at 5355 E. Airport Dr., Ontario, California.

Optimal was contracted to perform a soil vapor survey at this site to screen for possible chlorinated solvents and aromatic hydrocarbons. The primary objective of this soil vapor investigation was to determine if soil vapor contamination is present in the subsurface soil.

Gas Sampling Method

Gas sampling was performed by hydraulically pushing soil gas probes to a depth of 4.0-5.0 feet below ground surface (bgs). An electric rotary hammer drill was used to drill a 1.0-inch diameter hole through the overlying surface to allow probe placement when required. The same electric hammer drill was used to push probes in areas of resistance during placement.

At each sampling location an electric vacuum pump set to draw 0.2 liters per minute (L/min) of soil vapor was attached to the probe and purged prior to sample collection. Vapor samples were obtained in SGE gas-tight syringes by drawing the sample through a luer-lock connection which connects the sampling probe and the vacuum pump. Samples were immediately injected into the gas chromatograph/purge and trap after collection. New tubing was used at each sampling point to prevent cross contamination.

All analyses were performed on a laboratory grade Hewlett Packard model 5890 Series II gas chromatograph equipped with a Hewlett Packard model 5971 Mass Spectra Detector and Tekmar LSC 2000 Purge and Trap. An SGE capillary column using helium as the carrier gas was used to perform all analysis. All results were collected on a personal computer utilizing Hewlett Packard's 5971 MS and chromatographic data collection and handling system.

Quality Assurance

5-Point Calibration
The initial five point calibration consisted of 20, 50, 100, 200 and 500 ul injections of the calibration standard. A calibration factor on each analyte was generated using a best fit line method using the HP data system. If the r^2 factor generated from this line was not greater than 0.990, an additional five point calibration would have been performed. Method reporting limits were calculated to be 0.01-1.0 micrograms per Liter (ug/L) for the individual compounds.

A daily calibration check and end of run calibration check was performed using a pre-mixed standard supplied by Scotty Analyzed Gases. The standard contained common halogenated solvents and aromatic hydrocarbons (see Table 1). The individual compound concentrations in the standards ranged between 0.025 nanograms per microliter (ng/ul) and 0.25 ng/ul.

TABLE 1

Dichlorodifluoromethane	Carbon Tetrachloride	Chloroethane
Trichlorofluoromethane	1,2-Dichloroethane	Benzene
1,1-Dichloroethene	Trichloroethene	Toluene
Methylene Chloride	1,1,2-Trichloroethane	Ethylbenzene
trans-1,2-Dichloroethene	Tetrachloroethene	m-/p-Xylene
1,1-Dichloroethane	Chloroform	o-Xylene
cis-1,2-Dichloroethene	1,1,1,2-Tetrachloroethane	Vinyl Chloride
1,1,1-Trichloroethane	1,1,2,2-Tetrachloroethane	Freon 113
4-Methyl-2-Pentanone	Cyclohexane	Acetone
Chlorobenzene	2-Butanone	Isobutane

Sample Replicates
A replicate analysis (duplicate) was run to evaluate the reproducibility of the sampling system and instrument. The difference between samples did not vary more than 20%.

Equipment Blanks
Blanks were run at the beginning of each workday and after calibrations. The blanks were collected using an ambient air sample. These blanks checked the septum, syringe, GC column, GC detector and the ambient air. Contamination was not found in any of the blanks analyzed during this investigation. Blank results are given along with the sample results.

Tracer Gas Leak Test
A tracer gas was applied to the soil gas probes at each point of connection in which ambient air could enter the sampling system. These points include the top of the sampling probe where the tubing meets the probe connection and the surface bentonite seals. Isobutane was used as the tracer gas. No Isobutane was found in any of the samples collected.

Purge Volume
The standard purge volume of three volumes was purged in accordance with the July 2015 DTSC/RWQCB Advisory for Active Soil Gas Investigations.

Shut-in Test
A shut-in test was conducted prior to purging or sampling each location to check for leaks in the above-ground sampling system. The system was evaluated to a minimum measured vacuum of 100 inches of water. The vacuum gauge was calibrated and sensitive enough to indicate a water pressure change of at least 0.5 inches.

Scope of Work

To achieve the objective of this investigation a total of 15 vapor samples were collected from 14 locations at the site. Sampling depths, vacuum readings, purge volume and sampling volumes are given on the analytical results page. All the collected vapor samples were analyzed on-site using Optimal's mobile laboratory.

Subsurface Conditions

Subsurface soil conditions at this site were predominately silty-sand from ground surface to 5.0 feet bgs. These soil conditions offered sampling flows at 0" water vacuum. Depth to groundwater was unknown at the time of the investigation.

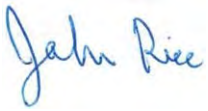
Results

During this vapor investigation three samples contained levels of Tetrachloroethene (PCE). PCE levels ranged from 0.12 ug/L to 0.23 ug/L. None of the other compounds listed in Table 1 above were detected above the listed reporting limits. A complete table of analytical results is included with this report.

Disclaimer

All conclusions presented in this letter are based solely on the information collected by the soil vapor survey conducted by Optimal Technology. Soil vapor testing is only a subsurface screening tool and does not represent actual contaminant concentrations in either the soil and/or groundwater. We enjoyed working with you on this project and look forward to future projects. If you have any questions please contact me at (877) 764-5427.

Sincerely,



John Rice
Project Manager

OPTIMAL TECHNOLOGY
Specializing in Environmental Field Services

SOIL VAPOR RESULTS

Site Name: 5355 E Airport Dr., Ontario, CA
Analyst: J. Rice **Collector:** J. Rice
Method: Modified EPA 8260B

Lab Name: Optimal Technology
Inst. ID: HP-5890 Series II
Detector: HP-5971 Mass Spectrometer

Date: 7/29/16

SAMPLE ID	BLANK-1	SV-13-5'	SV-14-4'	SV-15-5'	SV-16-4'	SV-17-5'	SV-18-5'	SV-19-5'
Sampling Depth (Ft.)	N/A	5.0	4.0	5.0	4.0	5.0	5.0	5.0
Purge Volume (ml)	N/A	1,500	1,500	1,500	1,500	1,500	1,500	1,500
Vacuum (in. of Water)	N/A	0	0	0	0	0	0	0
Injection Volume (ul)	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Dilution Factor	1	1	1	1	1	1	1	1

COMPOUND	REP. LIMIT	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)
Dichlorodifluoromethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Chloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Trichlorofluoromethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Freon 113	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Methylene Chloride	1.00	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Chloroform	1.00	ND	ND	ND	ND	ND	ND	ND	ND
1,1,1-Trichloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Carbon Tetrachloride	0.02	ND	ND	ND	ND	ND	ND	ND	ND
1,2-Dichloroethane	0.04	ND	ND	ND	ND	ND	ND	ND	ND
Trichloroethene (TCE)	0.10	ND	ND	ND	ND	ND	ND	ND	ND
1,1,2-Trichloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Tetrachloroethene (PCE)	0.10	ND	ND	**0.23**	**0.12**	**0.18**	ND	ND	ND
1,1,1,2-Tetrachloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
1,1,2,2-Tetrachloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Vinyl Chloride	0.01	ND	ND	ND	ND	ND	ND	ND	ND
Acetone	1.00	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
trans-1,2-Dichloroethene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
2-Butanone (MEK)	1.00	ND	ND	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Cyclohexane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Benzene	0.03	ND	ND	ND	ND	ND	ND	ND	ND
4-Methyl-2-Pentanone	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Toluene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Chlorobenzene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Ethylbenzene	0.40	ND	ND	ND	ND	ND	ND	ND	ND
m/p-Xylene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
o-Xylene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Isobutane (Tracer Gas)	1.00	ND	ND	ND	ND	ND	ND	ND	ND

Note: ND = Below Listed Reporting Limit

OPTIMAL TECHNOLOGY
Specializing in Environmental Field Services

SOIL VAPOR RESULTS

Site Name: 5355 E Airport Dr., Ontario, CA
Analyst: J. Rice **Collector:** J. Rice
Method: Modified EPA 8260B

Lab Name: Optimal Technology
Inst. ID: HP-5890 Series II
Detector: HP-5971 Mass Spectrometer

Date: 7/29/16

SAMPLE ID	SV-20-5'	SV-21-5'	SV-22-5'	SV-23-5'	SV-24-5'	SV-25-5'	SV-26-5'	SV-26-5' Dup
Sampling Depth (Ft.)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Purge Volume (ml)	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500
Vacuum (in. of Water)	0	0	0	0	0	0	0	0
Injection Volume (ul)	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Dilution Factor	1	1	1	1	1	1	1	1

COMPOUND	REP. LIMIT	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)	CONC (ug/L)
Dichlorodifluoromethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Chloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Trichlorofluoromethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Freon 113	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Methylene Chloride	1.00	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Chloroform	1.00	ND	ND	ND	ND	ND	ND	ND	ND
1,1,1-Trichloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Carbon Tetrachloride	0.02	ND	ND	ND	ND	ND	ND	ND	ND
1,2-Dichloroethane	0.04	ND	ND	ND	ND	ND	ND	ND	ND
Trichloroethene (TCE)	0.10	ND	ND	ND	ND	ND	ND	ND	ND
1,1,2-Trichloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Tetrachloroethene (PCE)	0.10	ND	ND	ND	ND	ND	ND	ND	ND
1,1,1,2-Tetrachloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
1,1,2,2-Tetrachloroethane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Vinyl Chloride	0.01	ND	ND	ND	ND	ND	ND	ND	ND
Acetone	1.00	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
trans-1,2-Dichloroethene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
2-Butanone (MEK)	1.00	ND	ND	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Cyclohexane	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Benzene	0.03	ND	ND	ND	ND	ND	ND	ND	ND
4-Methyl-2-Pentanone	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Toluene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Chlorobenzene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Ethylbenzene	0.40	ND	ND	ND	ND	ND	ND	ND	ND
m/p-Xylene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
o-Xylene	1.00	ND	ND	ND	ND	ND	ND	ND	ND
Isobutane (Tracer Gas)	1.00	ND	ND	ND	ND	ND	ND	ND	ND

Note: ND = Below Listed Reporting Limit

APPENDIX E
ENVIRONMENTAL DATABASE REPORT

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

5355 East Airport Drive
5355 East Airport Drive
Ontario, CA 91761

Inquiry Number: 6782886.2s
December 09, 2021

EDR Summary Radius Map Report

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

FORM-NULL-PVC

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Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E1527-21), the ASTM Standard Practice for Environmental Site Assessments for Forestland or Rural Property (E 2247-16), the ASTM Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-14) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

5355 EAST AIRPORT DRIVE
ONTARIO, CA 91761

COORDINATES

Latitude (North):	34.0634610 - 34ˆ 3' 48.45''
Longitude (West):	117.5334850 - 117ˆ 32' 0.54''
Universal Tranverse Mercator:	Zone 11
UTM X (Meters):	450769.1
UTM Y (Meters):	3769126.2
Elevation:	983 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property:	TP
Source:	U.S. Geological Survey

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from:	20140603
Source:	USDA

MAPPED SITES SUMMARY

Target Property Address:
5355 EAST AIRPORT DRIVE
ONTARIO, CA 91761

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
A1	JD HEISKELL HOLDINGS	5355 E AIRPORT DR	HAZNET, HWTS		TP
A2	J D HEISKELL HOLDING	5355 EAST AIRPORT DR	CA FID UST, EMI, CIWQS, CERS, HWTS		TP
A3	J D HEISKELL HOLDING	5355 E. AIRPORT DR.	CIWQS		TP
A4	GEORGE VERHOEVEN GRA	5355 E AIRPORT DR	FINDS, ECHO		TP
A5	COAST GRAIN INC	5355 E AIRPORT DR	UST, AST, CERS HAZ WASTE, SWEEPS UST, CERS TANKS,...		TP
A6	J D HEISKELL HOLDING	5355 E AIRPORT DR	WDS		TP
A7	COAST GRAIN COMPANY	5355 E. AIRPORT DR.	EMI		TP
A8	JOHN POWELL	5355 E AIRPORT DR	HAZNET, HWTS		TP
A9	G & R TRANSPORTATION	5355 E AIRPORT DR	HAULERS		TP
A10	GEORGE VERHOEVEN GRA	5355 E AIRPORT DR	RCRA NonGen / NLR		TP
A11	GEORGE VERHOEVEN GRA	5355 E AIRPORT DR	EMI		TP
A12	GEORGE VERHOEVEN GRA	5355 EAST AIRPORT DR	FINDS		TP
A13	GEORGE VERHOEVEN GRA	5355 E AIRPORT DR 17	CIWQS		TP
A14	COAST GRAIN INC	5355 E AIRPORT DR	HAZNET, HWTS		TP
B15	VERIZON WIRELESS-INL	5351 E. AIRPORT DR	AST	Lower	149, 0.028, WSW
B16	VERIZON WIRELESS	5351 E AIRPORT DR	HAZNET, San Bern. Co. Permit, HWTS	Lower	149, 0.028, WSW
B17	VERIZON WIRELESS	5351 E AIRPORT DR	CERS TANKS, HAZNET, CERS, HWTS	Lower	149, 0.028, WSW
C18	UNION PACIFIC RAILRO	5231 AIRPORT DR.	RCRA NonGen / NLR	Higher	557, 0.105, West
C19	KOPPERS COMPANY INC	12200 AIRPORT DRIVE	ENVIROSTOR, HWP, CERS	Lower	614, 0.116, WSW
D20	K-MART, ONTARIO DIST	5600 AIRPORT DR	LUST, SWEEPS UST, HIST UST, Cortese, HIST CORTESE,...	Lower	635, 0.120, ESE
D21	ONTARIO DISTRIBUTION	5600 E AIRPORT DR	SWEEPS UST, HIST UST, CA FID UST, EMI, NPDES, WDS,...	Lower	635, 0.120, ESE
D22	COSTCO WHOLESALE	5600 E AIRPORT DR.	RCRA NonGen / NLR	Lower	635, 0.120, ESE
D23	K MART DISTRIBUTION	5600 E. AIRPORT DR	AST	Lower	635, 0.120, ESE
D24	K MART DISTRIBUTION	5600 E AIRPORT DR	HAZNET, NPDES, San Bern. Co. Permit, CIWQS, HWTS	Lower	635, 0.120, ESE
D25	ONTARIO DISTRIBUTION	5600 AIRPORT DR	HIST UST	Lower	635, 0.120, ESE
D26	KMART #8287	5600 E AIRPORT DR	AST	Lower	635, 0.120, ESE
D27	COSTCO LOGISTICS - O	5600 EAST AIRPORT DR	RCRA-SQG	Lower	635, 0.120, ESE
D28	KMART #8287	5600 EAST AIRPORT DR	RCRA-LQG	Lower	635, 0.120, ESE
D29	PRAXAIR, INC	5735 E AIRPORT	San Bern. Co. Permit	Lower	793, 0.150, ESE
D30	UNION CARBIDE CORP L	5735 AIRPORT DR	HIST UST, EMI	Lower	793, 0.150, ESE
D31	UNION CARBIDE CORP L	5735 E AIRPORT DRIVE	HIST UST	Lower	793, 0.150, ESE
D32	LINDE IN	5705 E AIRPORT DR BL	RCRA NonGen / NLR	Lower	793, 0.150, East
D33	UNION CARBIDE CORP L	5705 E AIRPORT DR	SWEEPS UST	Lower	793, 0.150, East
D34	PRAXAIR, INC	5705 E AIRPORT DR	UST	Lower	793, 0.150, East
D35	PRAXAIR INC	5705 E AIRPORT DR	RCRA-SQG, LUST, CERS HAZ WASTE, CERS TANKS, TRIS,...	Lower	793, 0.150, East
D36	PRAXAIR, INC - 986	5705 E AIRPORT DR	AST	Lower	793, 0.150, East
D37	LINDE INC - 986	5705 E AIRPORT DR	UST	Lower	793, 0.150, East
D38	KENAN ADVANTAGE GROU	5705 E AIRPORT DR #	RCRA NonGen / NLR	Lower	793, 0.150, East
D39	PRAXAIR, INC.	5705 E. AIRPORT DR.	AST, EMI	Lower	793, 0.150, East

MAPPED SITES SUMMARY

Target Property Address:
5355 EAST AIRPORT DRIVE
ONTARIO, CA 91761

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
D40	JACK B KELLEY ONTARI	5705 E AIRPORT DR ST	San Bern. Co. Permit, WDS, CIWQS	Lower	793, 0.150, East
D41	OLD DOMINION FREIGHT	5705 AIRPORT DRIVE	LUST, SWEEPS UST, HIST UST, CA FID UST, EMI, HIST...	Lower	793, 0.150, East
D42	UNION CARBIDE	5705 AIRPORT DRIVE E	CPS-SLIC, CERS	Lower	793, 0.150, East
D43	PRAXAIR, INC.	5705 EAST AIRPORT DR	RCRA-SQG	Lower	793, 0.150, East
D44	OLD DOMINION FREIGHT	5705 AIRPORT DRIVE	RCRA NonGen / NLR	Lower	793, 0.150, East
C45	FIVE BROTHERS INC	5235 E AIRPORT DR	SWEEPS UST	Higher	809, 0.153, West
C46	FIVE BROTH4R INC	5235 E AIRPORT	CA FID UST	Higher	809, 0.153, West
E47	DOREL INDUSTRIES-AME	5400 SHEA CENTER DR	CERS HAZ WASTE, HAZNET, San Bern. Co. Permit,...	Higher	879, 0.166, NE
E48	DOREL INDUSTRIES-AME	5400 SHEA CENTER DR	RCRA NonGen / NLR	Higher	879, 0.166, NE
49	EMSER TILE	5300 SHEA CENTER DRI	NPDES, San Bern. Co. Permit, CERS	Higher	958, 0.181, North
F50	KOPPERS COMPANY INC	12200 AIRPORT DRIVE	SEMS-ARCHIVE, CORRACTS, RCRA-TSDF, RCRA-SQG	Lower	1049, 0.199, West
F51	CHEM LAB PRODUCTS	5180 E AIRPORT DR	CHMIRS, San Bern. Co. Permit	Lower	1065, 0.202, WSW
F52	BIOLAB INC	5160 5180 E AIRPORT	HIST UST, NPDES, CIWQS, CERS	Lower	1065, 0.202, WSW
G53	UNION CARBIDE CORP L	5702 E AIRPORT DR	RCRA-SQG, CPS-SLIC, FINDS, ECHO, HAZNET, HWTS	Lower	1211, 0.229, ESE
H54	KOPPERS - ONTARIO	5101 E. AIRPORT DRIV	CA BOND EXP. PLAN, CERS	Higher	1269, 0.240, West
H55	KOPPERS COMPANY, INC	5101 AIRPORT DR	HIST UST	Higher	1269, 0.240, West
H56	MISSION LANDSCAPE CO	5101 EAST AIRPORT DR	SWEEPS UST, HIST UST, CA FID UST, HAZNET, HWTS	Higher	1269, 0.240, West
H57	KOPPERS - ONTARIO	5101 E. AIRPORT DRIV	RESPONSE, ENVIROSTOR, DEED, San Bern. Co. Permit,...	Higher	1269, 0.240, West
58	DB BUILDING FASTENER	5555 GIBRALTER ST	RCRA NonGen / NLR	Higher	1275, 0.241, NNE
G59	UNION CARHIDE INDUST	12866 AIRPORT DRIVE	RCRA-SQG, FINDS, ECHO	Lower	1290, 0.244, East
I60	GULF SOUTH MEDICAL S	5200 SHEA CENTER DR	San Bern. Co. Permit	Higher	1290, 0.244, NW
I61	COOPER LIGHTING	5200 SHEA CENTER DR	San Bern. Co. Permit	Higher	1290, 0.244, NW
J62	CHEM LAB PRODUCTS	5160 EAST AIRPOT DRI	SEMS	Lower	1417, 0.268, WSW
J63	BIO LAB INC	5160 E AIRPORT DR	SEMS-ARCHIVE, CORRACTS, RCRA-TSDF, RCRA-SQG, 2020	Lower	1417, 0.268, WSW
J64	CHEM LAB PRODUCTS IN	5160 AIRPORT DR	ENVIROSTOR, HIST UST, CHMIRS	Lower	1417, 0.268, WSW
J65	BIO-LAB INC	5160 E AIRPORT DR	CHMIRS, HWP	Lower	1417, 0.268, WSW
66	FACILITY 13509-1	225 WINEVILLE	HIST CORTESE	Lower	2168, 0.411, WSW

EXECUTIVE SUMMARY

TARGET PROPERTY SEARCH RESULTS

The target property was identified in the following records. For more information on this property see page 9 of the attached EDR Radius Map report:

Site	Database(s)	EPA ID
JD HEISKELL HOLDINGS 5355 E AIRPORT DR ONTARIO, CA 91761	HAZNET GEPAID: CAL000271944 HWTS	N/A
J D HEISKELL HOLDING 5355 EAST AIRPORT DR ONTARIO, CA 91761	CA FID UST Facility Id: 36001144 Status: A EMI Facility Id: 52930 Facility Id: 134997 Facility Id: 131781 CIWQS CERS HWTS	N/A
J D HEISKELL HOLDING 5355 E. AIRPORT DR. ONTARIO, CA 91761	CIWQS	N/A
GEORGE VERHOEVEN GRA 5355 E AIRPORT DR ONTARIO, CA 91761	FINDS Registry ID:: 110065710724 ECHO Registry ID: 110065710724	N/A
COAST GRAIN INC 5355 E AIRPORT DR ONTARIO, CA 91761	UST Database: UST, Date of Government Version: 09/07/2021 Facility Id: 87013578 AST Database: AST, Date of Government Version: 07/06/2016 CERS HAZ WASTE SWEEPS UST Status: A Tank Status: A Comp Number: 13578 CERS TANKS NPDES Facility Status: Active San Bern. Co. Permit Facility Status: ACTIVE Facility Status: INACTIVE Facility Id: FA0013823 Facility Id: FA0013111	N/A

	Facility Id: FA0002405 WDS Facility Status: A Facility Id: 8 36I000195 CERS HWTS	
J D HEISKELL HOLDING 5355 E AIRPORT DR ONTARIO, CA 91761	WDS Facility Status: A Facility Id: 8 36I018142	N/A
COAST GRAIN COMPANY 5355 E. AIRPORT DR. ONTARIO, CA. 91761, CA 91761	EMI Facility Id: 52930	N/A
JOHN POWELL 5355 E AIRPORT DR ONTARIO, CA 91761	HAZNET GEPAID: CAC002610962 HWTS	N/A
G & R TRANSPORTATION 5355 E AIRPORT DR ONTARIO, CA	HAULERS Facility ID: 1630911	N/A
GEORGE VERHOEVEN GRA 5355 E AIRPORT DR ONTARIO, CA 91761	RCRA NonGen / NLR EPA ID:: CAL000354338	CAL000354338
GEORGE VERHOEVEN GRA 5355 E AIRPORT DR ONTARIO, CA 91761	EMI Facility Id: 163123	N/A
GEORGE VERHOEVEN GRA 5355 EAST AIRPORT DR ONTARIO, CA 91761	FINDS Registry ID:: 110010471239	N/A
GEORGE VERHOEVEN GRA 5355 E AIRPORT DR 17 ONTARIO, CA 91761	CIWQS	N/A
COAST GRAIN INC 5355 E AIRPORT DR ONTARIO, CA 91761	HAZNET GEPAID: CAC002559383 HWTS	N/A

EXECUTIVE SUMMARY

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.
Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

STANDARD ENVIRONMENTAL RECORDS

Lists of Federal sites subject to CERCLA removals and CERCLA orders

SEMS: A review of the SEMS list, as provided by EDR, and dated 10/20/2021 has revealed that there is 1 SEMS site within approximately 0.5 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
CHEM LAB PRODUCTS Site ID: 0908439 EPA Id: CAN000908439	5160 EAST AIRPOT DRI	WSW 1/4 - 1/2 (0.268 mi.)	J62	25

Lists of Federal CERCLA sites with NFRAP

SEMS-ARCHIVE: A review of the SEMS-ARCHIVE list, as provided by EDR, and dated 10/20/2021 has revealed that there are 2 SEMS-ARCHIVE sites within approximately 0.5 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
KOPPERS COMPANY INC Site ID: 0900327 EPA Id: CAT000617324	***12200 AIRPORT DRIVE***	***W 1/8 - 1/4 (0.199 mi.)***	***F50***	***21***
BIO LAB INC Site ID: 0900364 EPA Id: CAD008302895	***5160 E AIRPORT DR***	***WSW 1/4 - 1/2 (0.268 mi.)***	***J63***	***25***

Lists of Federal RCRA facilities undergoing Corrective Action

CORRACTS: A review of the CORRACTS list, as provided by EDR, and dated 09/13/2021 has revealed that there are 2 CORRACTS sites within approximately 1 mile of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
KOPPERS COMPANY INC EPA ID:: CAT000617324	***12200 AIRPORT DRIVE***	***W 1/8 - 1/4 (0.199 mi.)***	***F50***	***21***
BIO LAB INC EPA ID:: CAD008302895	***5160 E AIRPORT DR***	***WSW 1/4 - 1/2 (0.268 mi.)***	***J63***	***25***

Lists of Federal RCRA TSD facilities

RCRA-TSDF: A review of the RCRA-TSDF list, as provided by EDR, and dated 09/13/2021 has revealed that there are 2 RCRA-TSDF sites within approximately 0.5 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
KOPPERS COMPANY INC EPA ID:: CAT000617324	***12200 AIRPORT DRIVE***	***W 1/8 - 1/4 (0.199 mi.)***	***F50***	***21***
BIO LAB INC EPA ID:: CAD008302895	***5160 E AIRPORT DR***	***WSW 1/4 - 1/2 (0.268 mi.)***	***J63***	***25***

Lists of Federal RCRA generators

RCRA-LQG: A review of the RCRA-LQG list, as provided by EDR, and dated 09/13/2021 has revealed that there is 1 RCRA-LQG site within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
KMART #8287 EPA ID:: CAD982038176	5600 EAST AIRPORT DR	ESE 0 - 1/8 (0.120 mi.)	D28	16

RCRA-SQG: A review of the RCRA-SQG list, as provided by EDR, and dated 09/13/2021 has revealed that there are 6 RCRA-SQG sites within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
COSTCO LOGISTICS - O	5600 EAST AIRPORT DR	ESE 0 - 1/8 (0.120 mi.)	D27	15
PRAXAIR INC EPA ID:: CAR000151886	***5705 E AIRPORT DR***	***E 1/8 - 1/4 (0.150 mi.)***	***D35***	***17***
PRAXAIR, INC. EPA ID:: CAL000139839	5705 EAST AIRPORT DR	E 1/8 - 1/4 (0.150 mi.)	D43	20
KOPPERS COMPANY INC EPA ID:: CAT000617324	***12200 AIRPORT DRIVE***	***W 1/8 - 1/4 (0.199 mi.)***	***F50***	***21***
UNION CARBIDE CORP L EPA ID:: CAD981634728	***5702 E AIRPORT DR***	***ESE 1/8 - 1/4 (0.229 mi.)***	***G53***	***22***
UNION CARHIDE INDUST EPA ID:: CAD008392920	***12866 AIRPORT DRIVE***	***E 1/8 - 1/4 (0.244 mi.)***	***G59***	***24***

Lists of state- and tribal (Superfund) equivalent sites

RESPONSE: A review of the RESPONSE list, as provided by EDR, has revealed that there is 1 RESPONSE site within approximately 1 mile of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
KOPPERS - ONTARIO	***5101 E. AIRPORT DRIV***	***W 1/8 - 1/4 (0.240 mi.)***	***H57***	***23***
Database: RESPONSE, Date of Government Version: 07/22/2021				
Status: Certified O&M - Land Use Restrictions Only				
Facility Id: 36240001				

Lists of state- and tribal hazardous waste facilities

ENVIROSTOR: A review of the ENVIROSTOR list, as provided by EDR, and dated 07/22/2021 has revealed that there are 3 ENVIROSTOR sites within approximately 1 mile of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
KOPPERS - ONTARIO	***5101 E. AIRPORT DRIV***	***W 1/8 - 1/4 (0.240 mi.)***	***H57***	***23***
Facility Id: 36240001				
Status: Certified O&M - Land Use Restrictions Only				

Lower Elevation	Address	Direction / Distance	Map ID	Page
KOPPERS COMPANY INC	***12200 AIRPORT DRIVE***	***WSW 0 - 1/8 (0.116 mi.)***	***C19***	***13***
Facility Id: 80001796				
Status: Refer: RWQCB				
CHEM LAB PRODUCTS IN	***5160 AIRPORT DR***	***WSW 1/4 - 1/2 (0.268 mi.)***	***J64***	***25***
Facility Id: 36280136				
Facility Id: 80001548				
Status: Refer: RCRA				
Status: No Further Action				

Lists of state and tribal leaking storage tanks

LUST: A review of the LUST list, as provided by EDR, has revealed that there are 3 LUST sites within approximately 0.5 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
K-MART, ONTARIO DIST	***5600 AIRPORT DR***	***ESE 0 - 1/8 (0.120 mi.)***	***D20***	***13***
Database: LUST REG 8, Date of Government Version: 02/14/2005				
Database: LUST, Date of Government Version: 09/07/2021				
Global Id: T0607100254				
Global ID: T0607100254				
Status: Completed - Case Closed				
Facility Status: Case Closed				
PRAXAIR INC	***5705 E AIRPORT DR***	***E 1/8 - 1/4 (0.150 mi.)***	***D35***	***17***
Database: LUST, Date of Government Version: 09/07/2021				

Global Id: T0607100045
Status: Completed - Case Closed

OLD DOMINION FREIGHT ***5705 AIRPORT DRIVE*** ***E 1/8 - 1/4 (0.150 mi.)*** ***D41*** ***19***
Database: LUST REG 8, Date of Government Version: 02/14/2005
Global ID: T0607100045
Facility Status: Case Closed

CPS-SLIC: A review of the CPS-SLIC list, as provided by EDR, has revealed that there are 2 CPS-SLIC sites within approximately 0.5 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
UNION CARBIDE	***5705 AIRPORT DRIVE E***	***E 1/8 - 1/4 (0.150 mi.)***	***D42***	***19***
Database: CPS-SLIC, Date of Government Version: 09/07/2021 Global Id: SLT8R2614112 Facility Status: Completed - Case Closed				
UNION CARBIDE CORP L	***5702 E AIRPORT DR***	***ESE 1/8 - 1/4 (0.229 mi.)***	***G53***	***22***
Database: SLIC REG 8, Date of Government Version: 04/03/2008				

Lists of state and tribal registered storage tanks

UST: A review of the UST list, as provided by EDR, has revealed that there are 2 UST sites within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
PRAXAIR, INC	5705 E AIRPORT DR	E 1/8 - 1/4 (0.150 mi.)	D34	17
Database: UST, Date of Government Version: 09/07/2021 Facility Id: 86009824				
LINDE INC - 986	5705 E AIRPORT DR	E 1/8 - 1/4 (0.150 mi.)	D37	18
Database: UST, Date of Government Version: 09/07/2021 Facility Id: FA0005384				

AST: A review of the AST list, as provided by EDR, has revealed that there are 5 AST sites within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
VERIZON WIRELESS-INL	5351 E. AIRPORT DR	WSW 0 - 1/8 (0.028 mi.)	B15	12
Database: AST, Date of Government Version: 07/06/2016				
K MART DISTRIBUTION	5600 E. AIRPORT DR	ESE 0 - 1/8 (0.120 mi.)	D23	14
Database: AST, Date of Government Version: 07/06/2016				
KMART #8287	5600 E AIRPORT DR	ESE 0 - 1/8 (0.120 mi.)	D26	15
Database: AST, Date of Government Version: 07/06/2016				
PRAXAIR, INC - 986	5705 E AIRPORT DR	E 1/8 - 1/4 (0.150 mi.)	D36	18
Database: AST, Date of Government Version: 07/06/2016				
PRAXAIR, INC.	***5705 E. AIRPORT DR.***	***E 1/8 - 1/4 (0.150 mi.)***	***D39***	***18***
Database: AST, Date of Government Version: 07/06/2016				

ADDITIONAL ENVIRONMENTAL RECORDS

Local Lists of Hazardous waste / Contaminated Sites

CERS HAZ WASTE: A review of the CERS HAZ WASTE list, as provided by EDR, and dated 07/15/2021 has revealed that there are 2 CERS HAZ WASTE sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
DOREL INDUSTRIES-AME	***5400 SHEA CENTER DR***	***NE 1/8 - 1/4 (0.166 mi.)***	***E47***	***20***
Lower Elevation	**Address**	**Direction / Distance**	**Map ID**	**Page**
PRAXAIR INC	***5705 E AIRPORT DR***	***E 1/8 - 1/4 (0.150 mi.)***	***D35***	***17***

Local Lists of Registered Storage Tanks

SWEEPS UST: A review of the SWEEPS UST list, as provided by EDR, and dated 06/01/1994 has revealed that there are 6 SWEEPS UST sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
FIVE BROTHERS INC Comp Number: 550	5235 E AIRPORT DR	W 1/8 - 1/4 (0.153 mi.)	C45	20
MISSION LANDSCAPE CO Comp Number: 3276	***5101 EAST AIRPORT DR***	***W 1/8 - 1/4 (0.240 mi.)***	***H56***	***23***
Lower Elevation	**Address**	**Direction / Distance**	**Map ID**	**Page**
K-MART, ONTARIO DIST Status: A Comp Number: 65657	***5600 AIRPORT DR***	***ESE 0 - 1/8 (0.120 mi.)***	***D20***	***13***
ONTARIO DISTRIBUTION Status: A Tank Status: A Comp Number: 48475	***5600 E AIRPORT DR***	***ESE 0 - 1/8 (0.120 mi.)***	***D21***	***14***
UNION CARBIDE CORP L Status: A Tank Status: A Comp Number: 29766	5705 E AIRPORT DR	E 1/8 - 1/4 (0.150 mi.)	D33	17
OLD DOMINION FREIGHT Status: A Tank Status: A Comp Number: 20414	***5705 AIRPORT DRIVE***	***E 1/8 - 1/4 (0.150 mi.)***	***D41***	***19***

EXECUTIVE SUMMARY

HIST UST: A review of the HIST UST list, as provided by EDR, and dated 10/15/1990 has revealed that there are 9 HIST UST sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
KOPPERS COMPANY, INC Facility Id: 00000003276 Facility Id: 00000042153	5101 AIRPORT DR	W 1/8 - 1/4 (0.240 mi.)	H55	22
MISSION LANDSCAPE CO	***5101 EAST AIRPORT DR***	***W 1/8 - 1/4 (0.240 mi.)***	***H56***	***23***

Lower Elevation	Address	Direction / Distance	Map ID	Page
K-MART, ONTARIO DIST Facility Id: 00000065657	***5600 AIRPORT DR***	***ESE 0 - 1/8 (0.120 mi.)***	***D20***	***13***
ONTARIO DISTRIBUTION	***5600 E AIRPORT DR***	***ESE 0 - 1/8 (0.120 mi.)***	***D21***	***14***
ONTARIO DISTRIBUTION Facility Id: 00000048475	5600 AIRPORT DR	ESE 0 - 1/8 (0.120 mi.)	D25	15
UNION CARBIDE CORP L Facility Id: 00000029766	***5735 AIRPORT DR***	***ESE 1/8 - 1/4 (0.150 mi.)***	***D30***	***16***
UNION CARBIDE CORP L	5735 E AIRPORT DRIVE	ESE 1/8 - 1/4 (0.150 mi.)	D31	16
OLD DOMINION FREIGHT Facility Id: 00000020414	***5705 AIRPORT DRIVE***	***E 1/8 - 1/4 (0.150 mi.)***	***D41***	***19***
BIOLAB INC	***5160 5180 E AIRPORT***	***WSW 1/8 - 1/4 (0.202 mi.)***	***F52***	***22***

CERS TANKS: A review of the CERS TANKS list, as provided by EDR, and dated 07/15/2021 has revealed that there are 2 CERS TANKS sites within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
VERIZON WIRELESS	***5351 E AIRPORT DR***	***WSW 0 - 1/8 (0.028 mi.)***	***B17***	***12***
PRAXAIR INC	***5705 E AIRPORT DR***	***E 1/8 - 1/4 (0.150 mi.)***	***D35***	***17***

CA FID UST: A review of the CA FID UST list, as provided by EDR, and dated 10/31/1994 has revealed that there are 4 CA FID UST sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
FIVE BROTH4R INC Facility Id: 36008281 Status: A	5235 E AIRPORT	W 1/8 - 1/4 (0.153 mi.)	C46	20
MISSION LANDSCAPE CO Facility Id: 36008186 Status: I	***5101 EAST AIRPORT DR***	***W 1/8 - 1/4 (0.240 mi.)***	***H56***	***23***

Lower Elevation	Address	Direction / Distance	Map ID	Page
ONTARIO DISTRIBUTION Facility Id: 36000401 Status: A	***5600 E AIRPORT DR***	***ESE 0 - 1/8 (0.120 mi.)***	***D21***	***14***
OLD DOMINION FREIGHT	***5705 AIRPORT DRIVE***	***E 1/8 - 1/4 (0.150 mi.)***	***D41***	***19***

Facility Id: 36000241
Status: A

Local Land Records

DEED: A review of the DEED list, as provided by EDR, and dated 08/30/2021 has revealed that there is 1 DEED site within approximately 0.5 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
KOPPERS - ONTARIO	***5101 E. AIRPORT DRIV***	***W 1/8 - 1/4 (0.240 mi.)***	***H57***	***23***
Status: CERTIFIED O&M - LAND USE RESTRICTIONS ONLY Envirostor ID: 36240001				

Other Ascertainable Records

RCRA NonGen / NLR: A review of the RCRA NonGen / NLR list, as provided by EDR, and dated 09/13/2021 has revealed that there are 7 RCRA NonGen / NLR sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
UNION PACIFIC RAILRO EPA ID:: CAC003010005	5231 AIRPORT DR.	W 0 - 1/8 (0.105 mi.)	C18	13
DOREL INDUSTRIES-AME EPA ID:: CAL000340702	5400 SHEA CENTER DR	NE 1/8 - 1/4 (0.166 mi.)	E48	21
DB BUILDING FASTENER EPA ID:: CAL000311631	5555 GIBRALTER ST	NNE 1/8 - 1/4 (0.241 mi.)	58	24

Lower Elevation	Address	Direction / Distance	Map ID	Page
COSTCO WHOLESALE	5600 E AIRPORT DR.	ESE 0 - 1/8 (0.120 mi.)	D22	14
LINDE IN EPA ID:: CAL000444420	5705 E AIRPORT DR BL	E 1/8 - 1/4 (0.150 mi.)	D32	16
KENAN ADVANTAGE GROU EPA ID:: CAL000375276	5705 E AIRPORT DR #	E 1/8 - 1/4 (0.150 mi.)	D38	18
OLD DOMINION FREIGHT	5705 AIRPORT DRIVE	E 1/8 - 1/4 (0.150 mi.)	D44	20

CA BOND EXP. PLAN: A review of the CA BOND EXP. PLAN list, as provided by EDR, and dated 01/01/1989 has revealed that there is 1 CA BOND EXP. PLAN site within approximately 1 mile of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
KOPPERS - ONTARIO	***5101 E. AIRPORT DRIV***	***W 1/8 - 1/4 (0.240 mi.)***	***H54***	***22***

EXECUTIVE SUMMARY

Cortese: A review of the Cortese list, as provided by EDR, and dated 09/20/2021 has revealed that there are 2 Cortese sites within approximately 0.5 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
K-MART, ONTARIO DIST	***5600 AIRPORT DR***	***ESE 0 - 1/8 (0.120 mi.)***	***D20***	***13***
Cleanup Status: COMPLETED - CASE CLOSED				
PRAXAIR INC	***5705 E AIRPORT DR***	***E 1/8 - 1/4 (0.150 mi.)***	***D35***	***17***
Cleanup Status: COMPLETED - CASE CLOSED				

HIST CORTESE: A review of the HIST CORTESE list, as provided by EDR, and dated 04/01/2001 has revealed that there are 3 HIST CORTESE sites within approximately 0.5 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
K-MART, ONTARIO DIST	***5600 AIRPORT DR***	***ESE 0 - 1/8 (0.120 mi.)***	***D20***	***13***
Reg Id: 083602054T				
OLD DOMINION FREIGHT	***5705 AIRPORT DRIVE***	***E 1/8 - 1/4 (0.150 mi.)***	***D41***	***19***
Reg Id: 083600421T				
FACILITY 13509-1	225 WINEVILLE	WSW 1/4 - 1/2 (0.411 mi.)	66	26
Reg Id: 2418				

HWP: A review of the HWP list, as provided by EDR, and dated 08/13/2021 has revealed that there are 2 HWP sites within approximately 1 mile of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
KOPPERS COMPANY INC	***12200 AIRPORT DRIVE***	***WSW 0 - 1/8 (0.116 mi.)***	***C19***	***13***
EPA ID: CAT000617324				
Cleanup Status: CLOSED				
BIO-LAB INC	***5160 E AIRPORT DR***	***WSW 1/4 - 1/2 (0.268 mi.)***	***J65***	***26***
EPA ID: CAD008302895				
Cleanup Status: CLOSED				

San Bern. Co. Permit: A review of the San Bern. Co. Permit list, as provided by EDR, and dated 08/11/2021 has revealed that there are 11 San Bern. Co. Permit sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
DOREL INDUSTRIES-AME	***5400 SHEA CENTER DR***	***NE 1/8 - 1/4 (0.166 mi.)***	***E47***	***20***
Facility Status: ACTIVE				
Facility Status: INACTIVE				
Facility Id: FA0008372				
EMSER TILE	***5300 SHEA CENTER DRI***	***N 1/8 - 1/4 (0.181 mi.)***	***49***	***21***
Facility Status: ACTIVE				

Facility Status: INACTIVE
Facility Id: FA0015218
Facility Id: FA0007770

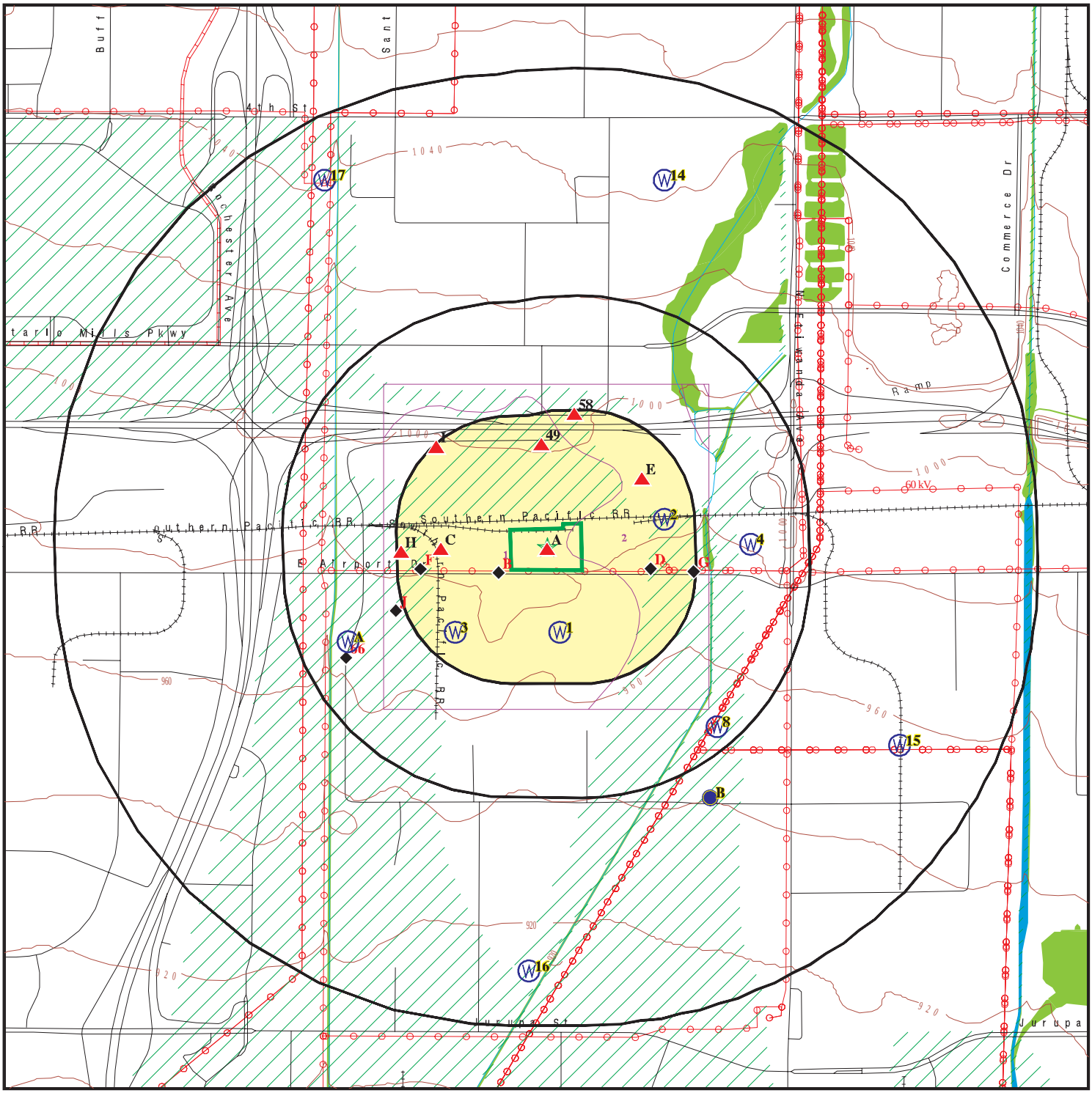
KOPPERS - ONTARIO Facility Status: ACTIVE Facility Status: FEE EXEMPT Facility Status: INACTIVE Facility Id: FA0001804	***5101 E. AIRPORT DRIV***	***W 1/8 - 1/4 (0.240 mi.)***	***H57***	***23***
GULF SOUTH MEDICAL S Facility Status: INACTIVE Facility Id: FA0008373	5200 SHEA CENTER DR	NW 1/8 - 1/4 (0.244 mi.)	I60	24
COOPER LIGHTING Facility Status: INACTIVE Facility Id: FA0008371	5200 SHEA CENTER DR	NW 1/8 - 1/4 (0.244 mi.)	I61	24

Lower Elevation	Address	Direction / Distance	Map ID	Page
VERIZON WIRELESS Facility Status: ACTIVE Facility Status: INACTIVE Facility Id: FA0000757	***5351 E AIRPORT DR***	***WSW 0 - 1/8 (0.028 mi.)***	***B16***	***12***
K MART DISTRIBUTION Facility Status: ACTIVE Facility Status: INACTIVE Facility Id: FA0004197	***5600 E AIRPORT DR***	***ESE 0 - 1/8 (0.120 mi.)***	***D24***	***15***
PRAXAIR, INC Facility Status: INACTIVE Facility Id: FA0005383	5735 E AIRPORT	ESE 1/8 - 1/4 (0.150 mi.)	D29	16
PRAXAIR INC Facility Status: ACTIVE Facility Status: FEE EXEMPT Facility Status: INACTIVE Facility Id: FA0005384	***5705 E AIRPORT DR***	***E 1/8 - 1/4 (0.150 mi.)***	***D35***	***17***
JACK B KELLEY ONTARI Facility Status: INACTIVE Facility Id: FA0008166	***5705 E AIRPORT DR ST***	***E 1/8 - 1/4 (0.150 mi.)***	***D40***	***18***
CHEM LAB PRODUCTS Facility Status: INACTIVE Facility Id: FA0010456	***5180 E AIRPORT DR***	***WSW 1/8 - 1/4 (0.202 mi.)***	***F51***	***21***

Count: 6 records. ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
ONTARIO	S108985930	CALIF. AIR NATIONAL GUARD	N/A ONT. INTL. AIRPORT		CPS-SLIC
ONTARIO	S108985929	G E ENGINE SERVICE	N/A ONT. INTL. AIRPORT		CPS-SLIC
ONTARIO	S108543038	NORTHROP (O)	N/A ONT. INTL. AIRPORT		CPS-SLIC
ONTARIO	S108543020	LOCKHEED (O)	N/A ONT. INTL. AIRPORT		CPS-SLIC
ONTARIO	S108542946	DOUGLAS AIRCRAFT CO	N/A ONT. INTL. AIRPORT		CPS-SLIC
ONTARIO	S107540154		ONTARIO INTERNATIONAL AIRPORT	91761	CDL

OVERVIEW MAP - 6782886.2S

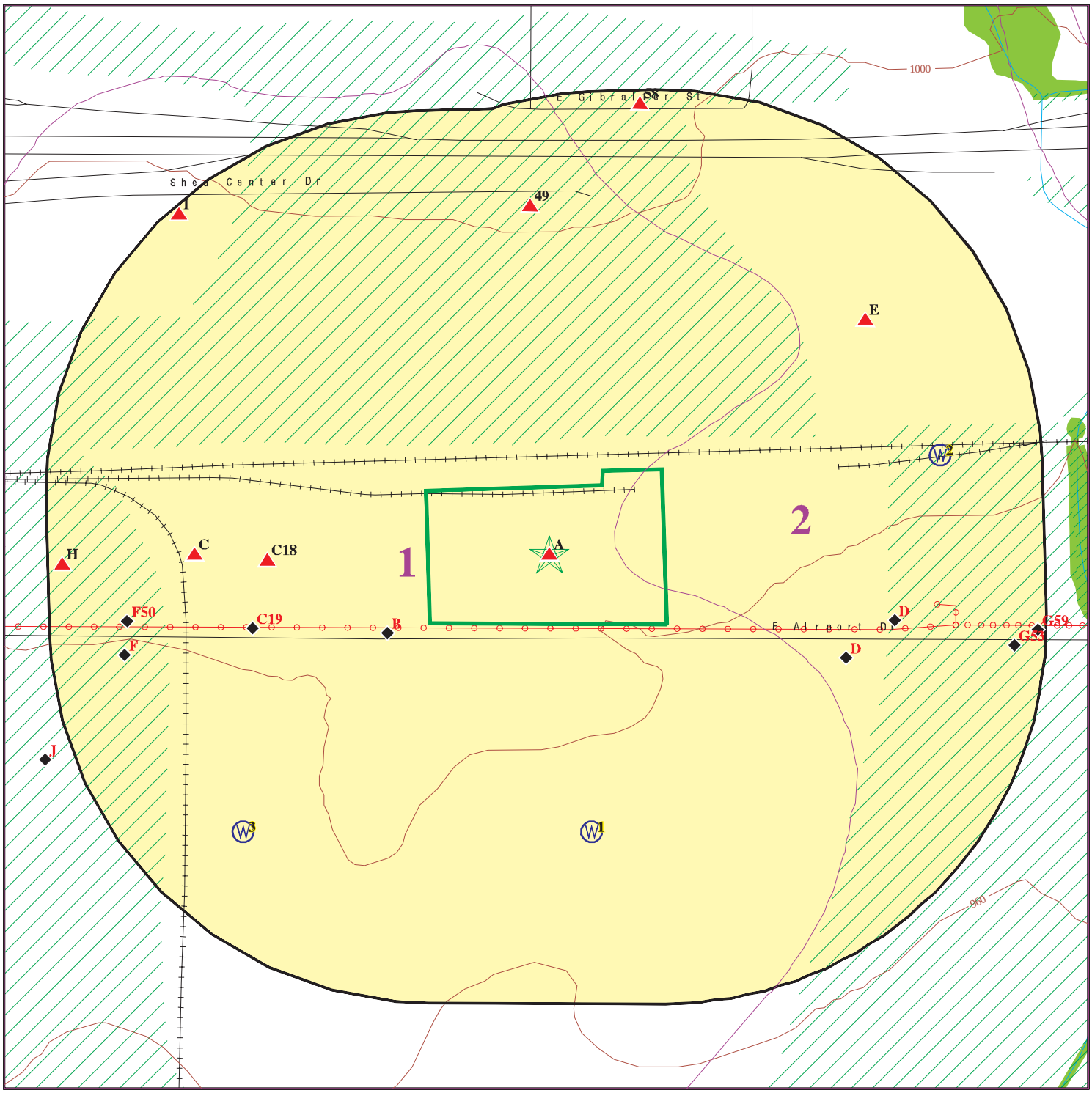


This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: 5355 East Airport Drive	CLIENT: Farallon Consulting, LLC
ADDRESS: 5355 East Airport Drive Ontario CA 91761	CONTACT: Amanda Garcia
LAT/LONG: 34.063461 / 117.533485	INQUIRY #: 6782886.2s DATE: December 09, 2021 3:57 pm

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DETAIL MAP - 6782886.2S



Target Property
Sites at elevations higher than or equal to the target property
Sites at elevations lower than the target property
Manufactured Gas Plants
Sensitive Receptors
National Priority List Sites
Dept. Defense Sites

0 1/16 1/8 1/4 Miles

Indian Reservations BIA
Power transmission lines
Special Flood Hazard Area (1%)
0.2% Annual Chance Flood Hazard
National Wetland Inventory
State Wetlands

Areas of Concern

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME:	5355 East Airport Drive	CLIENT:	Farallon Consulting, LLC
ADDRESS:	5355 East Airport Drive Ontario CA 91761	CONTACT:	Amanda Garcia
LAT/LONG:	34.063461 / 117.533485	INQUIRY #:	6782886.2s
		DATE:	December 09, 2021 3:58 pm

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MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
Lists of Federal NPL (Superfund) sites								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
Lists of Federal Delisted NPL sites								
Delisted NPL	1.000		0	0	0	0	NR	0
Lists of Federal sites subject to CERCLA removals and CERCLA orders								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	1	NR	NR	1
Lists of Federal CERCLA sites with NFRAP								
SEMS-ARCHIVE	0.500		0	1	1	NR	NR	2
Lists of Federal RCRA facilities undergoing Corrective Action								
CORRACTS	1.000		0	1	1	0	NR	2
Lists of Federal RCRA TSD facilities								
RCRA-TSDF	0.500		0	1	1	NR	NR	2
Lists of Federal RCRA generators								
RCRA-LQG	0.250		1	0	NR	NR	NR	1
RCRA-SQG	0.250		1	5	NR	NR	NR	6
RCRA-VSQG	0.250		0	0	NR	NR	NR	0
Federal institutional controls / engineering controls registries								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROLS	0.500		0	0	0	NR	NR	0
Federal ERNS list								
ERNS	0.001		0	NR	NR	NR	NR	0
Lists of state- and tribal (Superfund) equivalent sites								
RESPONSE	1.000		0	1	0	0	NR	1
Lists of state- and tribal hazardous waste facilities								
ENVIROSTOR	1.000		1	1	1	0	NR	3
Lists of state and tribal landfills and solid waste disposal facilities								
SWF/LF	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
Lists of state and tribal leaking storage tanks								
LUST	0.500		1	2	0	NR	NR	3
INDIAN LUST	0.500		0	0	0	NR	NR	0
CPS-SLIC	0.500		0	2	0	NR	NR	2
Lists of state and tribal registered storage tanks								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250	1	0	2	NR	NR	NR	3
AST	0.250	1	3	2	NR	NR	NR	6
INDIAN UST	0.250		0	0	NR	NR	NR	0
Lists of state and tribal voluntary cleanup sites								
VCP	0.500		0	0	0	NR	NR	0
INDIAN VCP	0.500		0	0	0	NR	NR	0
Lists of state and tribal brownfield sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
WMUDS/SWAT	0.500		0	0	0	NR	NR	0
SWRCY	0.500		0	0	0	NR	NR	0
HAULERS	0.001	1	0	NR	NR	NR	NR	1
INDIAN ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US HIST CDL	0.001		0	NR	NR	NR	NR	0
HIST Cal-Sites	1.000		0	0	0	0	NR	0
SCH	0.250		0	0	NR	NR	NR	0
CDL	0.001		0	NR	NR	NR	NR	0
CERS HAZ WASTE	0.250	1	0	2	NR	NR	NR	3
Toxic Pits	1.000		0	0	0	0	NR	0
US CDL	0.001		0	NR	NR	NR	NR	0
PFAS	0.500		0	0	0	NR	NR	0
AQUEOUS FOAM	TP		NR	NR	NR	NR	NR	0
Local Lists of Registered Storage Tanks								
SWEEPS UST	0.250	1	2	4	NR	NR	NR	7
HIST UST	0.250		3	6	NR	NR	NR	9
CERS TANKS	0.250	1	1	1	NR	NR	NR	3

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
CA FID UST	0.250	1	1	3	NR	NR	NR	5
Local Land Records								
LIENS	0.001		0	NR	NR	NR	NR	0
LIENS 2	0.001		0	NR	NR	NR	NR	0
DEED	0.500		0	1	0	NR	NR	1
Records of Emergency Release Reports								
HMIRS	0.001		0	NR	NR	NR	NR	0
CHMIRS	0.001		0	NR	NR	NR	NR	0
LDS	0.001		0	NR	NR	NR	NR	0
MCS	0.001		0	NR	NR	NR	NR	0
SPILLS 90	0.001		0	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250	1	2	5	NR	NR	NR	8
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
US FIN ASSUR	0.001		0	NR	NR	NR	NR	0
EPA WATCH LIST	0.001		0	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	0.001		0	NR	NR	NR	NR	0
TRIS	0.001		0	NR	NR	NR	NR	0
SSTS	0.001		0	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	0.001		0	NR	NR	NR	NR	0
RAATS	0.001		0	NR	NR	NR	NR	0
PRP	0.001		0	NR	NR	NR	NR	0
PADS	0.001		0	NR	NR	NR	NR	0
ICIS	0.001		0	NR	NR	NR	NR	0
FTTS	0.001		0	NR	NR	NR	NR	0
MLTS	0.001		0	NR	NR	NR	NR	0
COAL ASH DOE	0.001		0	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	0.001		0	NR	NR	NR	NR	0
RADINFO	0.001		0	NR	NR	NR	NR	0
HIST FTTS	0.001		0	NR	NR	NR	NR	0
DOT OPS	0.001		0	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	1.000		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	0.001		0	NR	NR	NR	NR	0
US AIRS	0.001		0	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.250		0	0	NR	NR	NR	0
FINDS	0.001	2	0	NR	NR	NR	NR	2
UXO	1.000		0	0	0	0	NR	0
ECHO	0.001	1	0	NR	NR	NR	NR	1
DOCKET HWC	0.001		0	NR	NR	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
CA BOND EXP. PLAN	1.000		0	1	0	0	NR	1
Cortese	0.500		1	1	0	NR	NR	2
CUPA Listings	0.250		0	0	NR	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
EMI	0.001	3	0	NR	NR	NR	NR	3
ENF	0.001		0	NR	NR	NR	NR	0
Financial Assurance	0.001		0	NR	NR	NR	NR	0
HAZNET	0.001	3	0	NR	NR	NR	NR	3
ICE	0.001		0	NR	NR	NR	NR	0
HIST CORTESE	0.500		1	1	1	NR	NR	3
HWP	1.000		1	0	1	0	NR	2
HWT	0.250		0	0	NR	NR	NR	0
MINES	0.250		0	0	NR	NR	NR	0
MWMP	0.250		0	0	NR	NR	NR	0
NPDES	0.001	1	0	NR	NR	NR	NR	1
San Bern. Co. Permit	0.250	1	2	9	NR	NR	NR	12
PEST LIC	0.001		0	NR	NR	NR	NR	0
PROC	0.500		0	0	0	NR	NR	0
Notify 65	1.000		0	0	0	0	NR	0
UIC	0.001		0	NR	NR	NR	NR	0
UIC GEO	0.001		0	NR	NR	NR	NR	0
WASTEWATER PITS	0.500		0	0	0	NR	NR	0
WDS	0.001	2	0	NR	NR	NR	NR	2
WIP	0.250		0	0	NR	NR	NR	0
MILITARY PRIV SITES	0.001		0	NR	NR	NR	NR	0
PROJECT	0.001		0	NR	NR	NR	NR	0
WDR	0.001		0	NR	NR	NR	NR	0
CIWQS	0.001	3	0	NR	NR	NR	NR	3
CERS	0.001	2	0	NR	NR	NR	NR	2
NON-CASE INFO	0.001		0	NR	NR	NR	NR	0
OTHER OIL GAS	0.001		0	NR	NR	NR	NR	0
PROD WATER PONDS	0.001		0	NR	NR	NR	NR	0
SAMPLING POINT	0.001		0	NR	NR	NR	NR	0
WELL STIM PROJ	0.001		0	NR	NR	NR	NR	0
MINES MRDS	0.001		0	NR	NR	NR	NR	0
HWTS	TP	5	NR	NR	NR	NR	NR	5

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP	1.000		0	0	0	0	NR	0
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF	0.001		0	NR	NR	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
RGA LUST	0.001		0	NR	NR	NR	NR	0
- Totals --		31	21	52	7	0	0	111

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

A1
Target Property
Actual: 983 ft.

JD HEISKELL HOLDINGS LLC
5355 E AIRPORT DR
ONTARIO, CA 91761

HAZNET
HWTS

S113127125
N/A

Click here for full text details

HAZNET
GEPAID CAL000271944

A2
Target Property
Actual: 983 ft.

J D HEISKELL HOLDINGS LLC
5355 EAST AIRPORT DRIVE
ONTARIO, CA 91761

CA FID UST
EMI
CIWQS
CERS
HWTS

S101591067
N/A

Click here for full text details

CA FID UST
Facility Id 36001144
Status A

EMI
Facility Id 52930
Facility Id 134997
Facility Id 131781

A3
Target Property
Actual: 983 ft.

J D HEISKELL HOLDINGS CO.
5355 E. AIRPORT DR.
ONTARIO, CA 91761

CIWQS

S121646701
N/A

Click here for full text details

A4
Target Property
Actual: 983 ft.

GEORGE VERHOEVEN GRAIN INC
5355 E AIRPORT DR
ONTARIO, CA 91761

FINDS
ECHO

1023280484
N/A

Click here for full text details

FINDS
Registry ID: 110065710724

ECHO
Registry ID 110065710724

A5
Target Property

COAST GRAIN INC
5355 E AIRPORT DR
ONTARIO, CA 91761

Actual: 983 ft.

Click here for full text details

UST **U003784955**
AST **N/A**
CERS HAZ WASTE
SWEEPS UST
CERS TANKS
NPDES
San Bern. Co. Permit
WDS
CERS
HWTS

UST
Facility Id 87013578

SWEEPS UST
Status A
Tank Status A
Comp Number 13578

NPDES
Facility Status Active

San Bern. Co. Permit
Facility Id FA0013823
Facility Id FA0013111
Facility Id FA0002405
Facility Status ACTIVE
Facility Status INACTIVE

WDS
Facility Id 8 36I000195
Facility Status Active - Any facility with a continuous or seasonal discharge that is under Waste Discharge Requirements.

A6
Target Property

J D HEISKELL HOLDINGS CO
5355 E AIRPORT DR
ONTARIO, CA 91761

Actual: 983 ft.

Click here for full text details

WDS **S106571515**
N/A

WDS
Facility Id 8 36I018142
Facility Status Active - Any facility with a continuous or seasonal discharge that is under Waste Discharge Requirements.

A7
Target Property

COAST GRAIN COMPANY
5355 E. AIRPORT DR.
ONTARIO, CA. 91761, CA 91761

Actual: 983 ft.

Click here for full text details

EMI **S106828893**
N/A

EMI
Facility Id 52930

A8
Target
Property
JOHN POWELL
5355 E AIRPORT DR
ONTARIO, CA 91761
HAZNET
HWTS
S112957942
N/A

Actual:
983 ft.

Click here for full text details

HAZNET
GEPAID CAC002610962

A9
Target
Property
G & R TRANSPORTATION
5355 E AIRPORT DR
ONTARIO, CA
HAULERS
S127792075
N/A

Actual:
983 ft.

Click here for full text details

HAULERS
Facility ID 1630911

A10
Target
Property
GEORGE VERHOEVEN GRAIN INC
5355 E AIRPORT DR
ONTARIO, CA 91761
RCRA NonGen / NLR
1024826518
CAL000354338

Actual:
983 ft.

Click here for full text details

RCRA NonGen / NLR
EPA Id CAL000354338

A11
Target
Property
GEORGE VERHOEVEN GRAIN, INC.
5355 E AIRPORT DR
ONTARIO, CA 91761
EMI
S120712944
N/A

Actual:
983 ft.

Click here for full text details

EMI
Facility Id 163123

A12
Target
Property
GEORGE VERHOEVEN GRAIN, INC.
5355 EAST AIRPORT DRIVE
ONTARIO, CA 91761
FINDS
1004442816
N/A

Actual:
983 ft.

Click here for full text details

FINDS
Registry ID: 110010471239

A13
Target Property

GEORGE VERHOEVEN GRAIN INC
5355 E AIRPORT DR 17633 BARBER AVE
ONTARIO, CA 91761

CIWQS **S120029326**
N/A

Actual:
983 ft.

Click here for full text details

A14
Target Property

COAST GRAIN INC
5355 E AIRPORT DR
ONTARIO, CA 91761

HAZNET **S112926484**
HWTS **N/A**

Actual:
983 ft.

Click here for full text details

HAZNET
GEPAID CAC002559383

B15
WSW
< 1/8
0.028 mi.
149 ft.

Relative:
Lower

VERIZON WIRELESS-INLAND MTSO
5351 E. AIRPORT DR
ONTARIO, CA

AST **A100346251**
N/A

Click here for full text details

B16
WSW
< 1/8
0.028 mi.
149 ft.

Relative:
Lower

VERIZON WIRELESS
5351 E AIRPORT DR
ONTARIO, CA 91761

HAZNET **S113786885**
San Bern. Co. Permit **N/A**
HWTS

Click here for full text details

HAZNET
GEPAID CAC002702556

San Bern. Co. Permit
Facility Id FA0000757
Facility Status ACTIVE
Facility Status INACTIVE

B17
WSW
< 1/8
0.028 mi.
149 ft.

Relative:
Lower

VERIZON WIRELESS
5351 E AIRPORT DR
ONTARIO, CA 91761

CERS TANKS **S113459424**
HAZNET **N/A**
CERS
HWTS

Click here for full text details

HAZNET
GEPAID CAC002652109

C18
West
< 1/8
0.105 mi.
557 ft.

Relative:
Higher

UNION PACIFIC RAILROAD
5231 AIRPORT DR.
ONTARIO, CA 91761

RCRA NonGen / NLR **1025830449**
CAC003010005

Click here for full text details

RCRA NonGen / NLR
EPA Id CAC003010005

C19
WSW
< 1/8
0.116 mi.
614 ft.

Relative:
Lower

KOPPERS COMPANY INC
12200 AIRPORT DRIVE
ONTARIO, CA 91761

ENVIROSTOR **S109467307**
HWP **N/A**
CERS

Click here for full text details

ENVIROSTOR
Facility Id 80001796
Status Refer: RWQCB

HWP
Cleanup Status CLOSED
EPA ID CAT000617324

D20
ESE
< 1/8
0.120 mi.
635 ft.

Relative:
Lower

K-MART, ONTARIO DIST. CENTER
5600 AIRPORT DR
ONTARIO, CA 91761

LUST **1000369731**
SWEEPS UST **N/A**
HIST UST
Cortese
HIST CORTESE
CERS

Click here for full text details

LUST
Global ID T0607100254
Facility Status Case Closed
Status Completed - Case Closed
Global Id T0607100254

SWEEPS UST
Status A
Comp Number 65657

HIST UST
Facility Id 00000065657

Cortese
Cleanup Status COMPLETED - CASE CLOSED

HIST CORTESE
Reg Id 083602054T

D21
ESE
< 1/8
0.120 mi.
635 ft.

Relative:
Lower

ONTARIO DISTRIBUTION CENTER
5600 E AIRPORT DR
ONTARIO, CA 91761

Click here for full text details

SWEEPS UST
HIST UST
CA FID UST
EMI
NPDES
WDS
CIWQS

S106027605
N/A

SWEEPS UST
Status A
Tank Status A
Comp Number 48475

CA FID UST
Facility Id 36000401
Status A

EMI
Facility Id 39898

NPDES
Facility Status Terminated

WDS
Facility Id 8 36I018846
Facility Status Active - Any facility with a continuous or seasonal discharge that is under Waste Discharge Requirements.

D22
ESE
< 1/8
0.120 mi.
635 ft.

Relative:
Lower

COSTCO WHOLESALE
5600 E AIRPORT DR.
ONTARIO, CA 91761

Click here for full text details

RCRA NonGen / NLR

1026824069
CAC003137088

D23
ESE
< 1/8
0.120 mi.
635 ft.

Relative:
Lower

K MART DISTRIBUTION CENTER
5600 E. AIRPORT DR
ONTARIO, CA

Click here for full text details

AST

A100345870
N/A

D24
ESE
< 1/8
0.120 mi.
635 ft.

Relative:
Lower

K MART DISTRIBUTION CENTER ONTARIO 8287
5600 E AIRPORT DR
ONTARIO, CA 91761

HAZNET **S113013171**
NPDES **N/A**
San Bern. Co. Permit
CIWQS
HWTS

Click here for full text details

HAZNET
GEPAID CAD982038176

NPDES
Facility Status Active

San Bern. Co. Permit
Facility Id FA0004197
Facility Status ACTIVE
Facility Status INACTIVE

D25
ESE
< 1/8
0.120 mi.
635 ft.

Relative:
Lower

ONTARIO DISTRIBUTION CENTER
5600 AIRPORT DR
ONTARIO, CA 91761

HIST UST **U001570048**
N/A

Click here for full text details

HIST UST
Facility Id 00000048475

D26
ESE
< 1/8
0.120 mi.
635 ft.

Relative:
Lower

KMART #8287
5600 E AIRPORT DR
ONTARIO, CA 91761

AST **A100421493**
N/A

Click here for full text details

D27
ESE
< 1/8
0.120 mi.
635 ft.

Relative:
Lower

COSTCO LOGISTICS - ONTARIO II DDC #4076
5600 EAST AIRPORT DR
ONTARIO, CA 91761

RCRA-SQG **1026830135**
CAR000326025

Click here for full text details

D28
ESE
< 1/8
0.120 mi.
635 ft.

Relative:
Lower

KMART #8287
5600 EAST AIRPORT DR
ONTARIO, CA 91761

RCRA-LQG | **1024783585**
CAD982038176

Click here for full text details

RCRA-LQG
EPA Id CAD982038176

D29
ESE
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

PRAXAIR, INC
5735 E AIRPORT
ONTARIO, CA 91761

San Bern. Co. Permit | **S106911033**
N/A

Click here for full text details

San Bern. Co. Permit
Facility Id FA0005383
Facility Status INACTIVE

D30
ESE
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

UNION CARBIDE CORP LINDE DIV
5735 AIRPORT DR
ONTARIO, CA 91761

HIST UST
EMI | **U001570100**
N/A

Click here for full text details

HIST UST
Facility Id 00000029766

EMI
Facility Id 23396

D31
ESE
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

UNION CARBIDE CORP LINDE DIV
5735 E AIRPORT DRIVE
ONTARIO, CA 91761

HIST UST | **S118416391**
N/A

Click here for full text details

D32
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

LINDE IN
5705 E AIRPORT DR BLDG A
ONTARIO, CA 91761

RCRA NonGen / NLR | **1025871308**
CAL000444420

Click here for full text details

RCRA NonGen / NLR
EPA Id CAL000444420

D33
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

UNION CARBIDE CORP LINDE DIV
5705 E AIRPORT DR
ONTARIO, CA 91761

SWEEPS UST **S103982382**
N/A

Click here for full text details

SWEEPS UST
Status A
Tank Status A
Comp Number 29766

D34
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

PRAXAIR, INC
5705 E AIRPORT DR
ONTARIO, CA 91761

UST **U004350441**
N/A

Click here for full text details

UST
Facility Id 86009824

D35
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

PRAXAIR INC
5705 E AIRPORT DR
ONTARIO, CA 91761

RCRA-SQG **1007264035**
LUST **91761NNCRB5705E**
CERS HAZ WASTE
CERS TANKS
TRIS
Cortese
NPDES
San Bern. Co. Permit
CIWQS
CERS
HWTS

Click here for full text details

RCRA-SQG
EPA Id CAR000151886

LUST
Status Completed - Case Closed
Global Id T0607100045

TRIS
TRIS ID 91761NNCRB5705E

Cortese
Cleanup Status COMPLETED - CASE CLOSED

NPDES
Facility Status Active

San Bern. Co. Permit
Facility Id FA0005384

PRAXAIR INC (Continued) **1007264035**

Facility Status ACTIVE
Facility Status FEE EXEMPT
Facility Status INACTIVE

D36
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

PRAXAIR, INC - 986
5705 E AIRPORT DR
ONTARIO, CA 91761

AST **A100423548**
N/A

Click here for full text details

D37
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

LINDE INC - 986
5705 E AIRPORT DR
ONTARIO, CA 91761

UST **U004352933**
N/A

Click here for full text details

UST
Facility Id FA0005384

D38
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

KENAN ADVANTAGE GROUP INC DBA JACK B KELLEY/ONTARI
5705 E AIRPORT DR # B
ONTARIO, CA 91761

RCRA NonGen / NLR **1024834560**
CAL000375276

Click here for full text details

RCRA NonGen / NLR
EPA Id CAL000375276

D39
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

PRAXAIR, INC.
5705 E. AIRPORT DR.
ONTARIO, CA 91761

AST **S106837625**
EMI **N/A**

Click here for full text details

EMI
Facility Id 42630

D40
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

JACK B KELLEY ONTARIO TERMINAL
5705 E AIRPORT DR STE B
ONTARIO, CA 91761

San Bern. Co. Permit **S106800889**
WDS **N/A**
CIWQS

Click here for full text details

San Bern. Co. Permit
Facility Id FA0008166
Facility Status INACTIVE

JACK B KELLEY ONTARIO TERMINAL (Continued) **S106800889**

WDS
Facility Id 8 36I018978
Facility Status Active - Any facility with a continuous or seasonal discharge that is under Waste Discharge Requirements.

D41
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

OLD DOMINION FREIGHT LINE
5705 AIRPORT DRIVE
ONTARIO, CA 91761

Click here for full text details

LUST **U001574912**
SWEEPS UST **N/A**
HIST UST
CA FID UST
EMI
HIST CORTESE
HWTS

LUST
Global ID T0607100045
Facility Status Case Closed

SWEEPS UST
Status A
Tank Status A
Comp Number 20414

HIST UST
Facility Id 00000020414

CA FID UST
Facility Id 36000241
Status A

EMI
Facility Id 42630

HIST CORTESE
Reg Id 083600421T

D42
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

UNION CARBIDE
5705 AIRPORT DRIVE E
ONTARIO, CA

Click here for full text details

CPS-SLIC **S106487015**
CERS **N/A**

CPS-SLIC
Facility Status Completed - Case Closed
Global Id SLT8R2614112

Click here to access the California GeoTracker records for this facility

D43
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

PRAXAIR, INC.
5705 EAST AIRPORT DR.
ONTARIO, CA 91761

RCRA-SQG | **1010313115**
CAL000139839

Click here for full text details

RCRA-SQG
EPA Id CAL000139839

D44
East
1/8-1/4
0.150 mi.
793 ft.

Relative:
Lower

OLD DOMINION FREIGHT LINE
5705 AIRPORT DRIVE
ONTARIO, CA 91761

RCRA NonGen / NLR | **1026813977**
CAC003126572

Click here for full text details

C45
West
1/8-1/4
0.153 mi.
809 ft.

Relative:
Higher

FIVE BROTHERS INC
5235 E AIRPORT DR
ONTARIO, CA 91761

SWEEPS UST | **S106926251**
N/A

Click here for full text details

SWEEPS UST
Comp Number 550

C46
West
1/8-1/4
0.153 mi.
809 ft.

Relative:
Higher

FIVE BROTH4R INC
5235 E AIRPORT
ONTARIO, CA 91761

CA FID UST | **S101591507**
N/A

Click here for full text details

CA FID UST
Facility Id 36008281
Status A

E47
NE
1/8-1/4
0.166 mi.
879 ft.

Relative:
Higher

DOREL INDUSTRIES-AMERIWOOD, INC
5400 SHEA CENTER DR
ONTARIO, CA 91761

CERS HAZ WASTE
HAZNET
San Bern. Co. Permit
CIWQS
CERS
HWTS | **S113798146**
N/A

Click here for full text details

HAZNET
GEPAID CAL000340702

San Bern. Co. Permit
Facility Id FA0008372
Facility Status ACTIVE
Facility Status INACTIVE

E48
NE
1/8-1/4
0.166 mi.
879 ft.

Relative:
Higher

DOREL INDUSTRIES-AMERIWOOD, INC
5400 SHEA CENTER DR
ONTARIO, CA 91761

RCRA NonGen / NLR **1024822498**
CAL000340702

Click here for full text details

RCRA NonGen / NLR
EPA Id CAL000340702

49
North
1/8-1/4
0.181 mi.
958 ft.

Relative:
Higher

EMSER TILE
5300 SHEA CENTER DRIVE
ONTARIO, CA 91761

NPDES **S105857404**
San Bern. Co. Permit **N/A**
CERS

Click here for full text details

San Bern. Co. Permit
Facility Id FA0015218
Facility Id FA0007770
Facility Status ACTIVE
Facility Status INACTIVE

F50
West
1/8-1/4
0.199 mi.
1049 ft.

Relative:
Lower

KOPPERS COMPANY INC
12200 AIRPORT DRIVE
ONTARIO, CA 91761

SEMS-ARCHIVE **1000346589**
CORRACTS **CAT000617324**
RCRA-TSDF
RCRA-SQG

Click here for full text details

SEMS-ARCHIVE
Site ID 0900327
EPA Id CAT000617324

CORRACTS
EPA ID: CAT000617324

RCRA-TSDF
EPA Id CAT000617324

RCRA-SQG
EPA Id CAT000617324

F51
WSW
1/8-1/4
0.202 mi.
1065 ft.

Relative:
Lower

CHEM LAB PRODUCTS
5180 E AIRPORT DR
ONTARIO, CA 91761

CHMIRS **S109039732**
San Bern. Co. Permit **N/A**

Click here for full text details

CHMIRS
OES Incident Number 6-3168

San Bern. Co. Permit

CHEM LAB PRODUCTS (Continued) **S109039732**

Facility Id FA0010456
Facility Status INACTIVE

F52
WSW
1/8-1/4
0.202 mi.
1065 ft.

Relative:
Lower

BIOLAB INC
5160 5180 E AIRPORT DRIVE
ONTARIO, CA 91761

HIST UST **S117846383**
NPDES **N/A**
CIWQS
CERS

Click here for full text details

NPDES
Facility Status Active

G53
ESE
1/8-1/4
0.229 mi.
1211 ft.

Relative:
Lower

UNION CARBIDE CORP LINDE DIV
5702 E AIRPORT DR
ONTARIO, CA 91761

RCRA-SQG **1000336428**
CPS-SLIC **CAD981634728**
FINDS
ECHO
HAZNET
HWTS

Click here for full text details

RCRA-SQG
EPA Id CAD981634728

FINDS
Registry ID: 110002732277

ECHO
Registry ID 110002732277

HAZNET
GEPAID CAD981634728

H54
West
1/8-1/4
0.240 mi.
1269 ft.

Relative:
Higher

KOPPERS - ONTARIO
5101 E. AIRPORT DRIVE
ONTARIO, CA 91764

CA BOND EXP. PLAN **S100833524**
CERS **N/A**

Click here for full text details

H55
West
1/8-1/4
0.240 mi.
1269 ft.

Relative:
Higher

KOPPERS COMPANY, INC. ONTARIO
5101 AIRPORT DR
ONTARIO, CA 91764

HIST UST **U001570240**
N/A

Click here for full text details

HIST UST
Facility Id 00000003276

KOPPERS COMPANY, INC. ONTARIO (Continued) **U001570240**

Facility Id 00000042153

H56
West
1/8-1/4
0.240 mi.
1269 ft.

Relative:
Higher

MISSION LANDSCAPE COMPANIES
5101 EAST AIRPORT DRIVE
ONTARIO, CA 91761

SWEEPS UST **S101619025**
HIST UST **N/A**
CA FID UST
HAZNET
HWTS

Click here for full text details

SWEEPS UST
Comp Number 3276

CA FID UST
Facility Id 36008186
Status I

HAZNET
GEPAID CAC002902869

H57
West
1/8-1/4
0.240 mi.
1269 ft.

Relative:
Higher

KOPPERS - ONTARIO
5101 E. AIRPORT DRIVE
ONTARIO, CA 91764

RESPONSE **S105159229**
ENVIROSTOR **N/A**
DEED
San Bern. Co. Permit
CERS

Click here for full text details

RESPONSE
Status Certified O&M - Land Use Restrictions Only
Facility Id 36240001

ENVIROSTOR
Facility Id 36240001
Status Certified O&M - Land Use Restrictions Only

DEED
Envirostor ID 36240001
Status CERTIFIED O&M - LAND USE RESTRICTIONS ONLY

San Bern. Co. Permit
Facility Id FA0001804
Facility Status ACTIVE
Facility Status FEE EXEMPT
Facility Status INACTIVE

58
NNE
1/8-1/4
0.241 mi.
1275 ft.

Relative:
Higher

DB BUILDING FASTENERS INC
5555 GIBRALTER ST
ONTARIO, CA 91764

RCRA NonGen / NLR

1024815036
CAL000311631

Click here for full text details

RCRA NonGen / NLR
EPA Id CAL000311631

G59
East
1/8-1/4
0.244 mi.
1290 ft.

Relative:
Lower

UNION CARHIDE INDUSTRIAL GASES INC
12866 AIRPORT DRIVE
ONTARIO, CA 91761

RCRA-SQG
FINDS
ECHO

1000336413
CAD008392920

Click here for full text details

RCRA-SQG
EPA Id CAD008392920

FINDS
Registry ID: 110002634043

ECHO
Registry ID 110002634043

I60
NW
1/8-1/4
0.244 mi.
1290 ft.

Relative:
Higher

GULF SOUTH MEDICAL SUPPLY
5200 SHEA CENTER DR STE B
ONTARIO, CA 91761

San Bern. Co. Permit

S108754967
N/A

Click here for full text details

San Bern. Co. Permit
Facility Id FA0008373
Facility Status INACTIVE

I61
NW
1/8-1/4
0.244 mi.
1290 ft.

Relative:
Higher

COOPER LIGHTING
5200 SHEA CENTER DR STE A
ONTARIO, CA 91761

San Bern. Co. Permit

S106230178
N/A

Click here for full text details

San Bern. Co. Permit
Facility Id FA0008371
Facility Status INACTIVE

J62
WSW
1/4-1/2
0.268 mi.
1417 ft.

Relative:
Lower

CHEM LAB PRODUCTS
5160 EAST AIRPOT DRIVE
ONTARIO, CA

SEMS **1009805707**
CAN000908439

Click here for full text details

SEMS
Site ID 0908439
EPA Id CAN000908439

J63
WSW
1/4-1/2
0.268 mi.
1417 ft.

Relative:
Lower

BIO LAB INC
5160 E AIRPORT DR
ONTARIO, CA 91761

SEMS-ARCHIVE **1000294229**
CORRACTS **CAD008302895**
RCRA-TSDF
RCRA-SQG
2020 COR ACTION
SSTS

Click here for full text details

SEMS-ARCHIVE
Site ID 0900364
EPA Id CAD008302895

CORRACTS
EPA ID: CAD008302895

RCRA-TSDF
EPA Id CAD008302895

RCRA-SQG
EPA Id CAD008302895

2020 COR ACTION
EPA ID: CAD008302895

SSTS
Registration Number: 007616-CA-001
Registration Number: 007616CA001

J64
WSW
1/4-1/2
0.268 mi.
1417 ft.

Relative:
Lower

CHEM LAB PRODUCTS INC
5160 AIRPORT DR
ONTARIO, CA 91761

ENVIROSTOR **U001569956**
HIST UST **N/A**
CHMIRS

Click here for full text details

ENVIROSTOR
Facility Id 36280136
Facility Id 80001548
Status Refer: RCRA
Status No Further Action

HIST UST

CHEM LAB PRODUCTS INC (Continued) **U001569956**

Facility Id 00000016010

CHMIRS
OES Incident Number 10-4387

J65
WSW
1/4-1/2
0.268 mi.
1417 ft.

Relative:
Lower

BIO-LAB INC
5160 E AIRPORT DR
ONTARIO, CA 91761

CHMIRS **S107450350**
HWP **N/A**

Click here for full text details

CHMIRS
OES Incident Number 4-2601

HWP
Cleanup Status CLOSED
EPA ID CAD008302895

66
WSW
1/4-1/2
0.411 mi.
2168 ft.

Relative:
Lower

FACILITY 13509-1
225 WINEVILLE
ONTARIO, CA

HIST CORTESE **S105025360**
N/A

Click here for full text details

HIST CORTESE
Reg Id 2418

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

St	Acronym	Full Name	Government Agency	Gov Date	Arvl. Date	Active Date
CA	AQUEOUS FOAM	Former Fire Training Facility Assessments Listing	State Water Resources Control Board	12/01/2019	08/19/2021	10/28/2021
CA	AST	Aboveground Petroleum Storage Tank Facilities	California Environmental Protection Agency	07/06/2016	07/12/2016	09/19/2016
CA	BROWNFIELDS	Considered Brownfieds Sites Listing	State Water Resources Control Board	09/20/2021	09/21/2021	12/08/2021
CA	CA BOND EXP. PLAN	Bond Expenditure Plan	Department of Health Services	01/01/1989	07/27/1994	08/02/1994
CA	CA FID UST	Facility Inventory Database	California Environmental Protection Agency	10/31/1994	09/05/1995	09/29/1995
CA	CDL	Clandestine Drug Labs	Department of Toxic Substances Control	12/31/2019	01/20/2021	04/08/2021
CA	CERS	CalEPA Regulated Site Portal Data	California Environmental Protection Agency	07/15/2021	07/15/2021	10/06/2021
CA	CERS HAZ WASTE	CERS HAZ WASTE	CalEPA	07/15/2021	07/15/2021	10/06/2021
CA	CERS TANKS	California Environmental Reporting System (CERS) Tanks	California Environmental Protection Agency	07/15/2021	07/15/2021	10/06/2021
CA	CHMIRS	California Hazardous Material Incident Report System	Office of Emergency Services	06/30/2021	07/15/2021	10/06/2021
CA	CIWQS	California Integrated Water Quality System	State Water Resources Control Board	08/30/2021	08/31/2021	11/19/2021
CA	CORTESE	"Cortese" Hazardous Waste & Substances Sites List	CAL EPA/Office of Emergency Information	09/20/2021	09/21/2021	12/08/2021
CA	CPS-SLIC	Statewide SLIC Cases (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021
CA	CUPA LIVERMORE-PLEASANTON	CUPA Facility Listing	Livermore-Pleasanton Fire Department	05/01/2019	05/14/2019	07/17/2019
CA	DEED	Deed Restriction Listing	DTSC and SWRCB	08/30/2021	08/31/2021	11/19/2021
CA	DRYCLEAN AVAQMD	Antelope Valley Air Quality Management District Drycleaner L	Antelope Valley Air Quality Management Distri	08/24/2021	08/25/2021	11/17/2021
CA	DRYCLEAN SOUTH COAST	South Coast Air Quality Management District Drycleaner Listi	South Coast Air Quality Management District	08/18/2021	08/23/2021	11/12/2021
CA	DRYCLEANERS	Cleaner Facilities	Department of Toxic Substance Control	08/27/2021	09/01/2021	11/19/2021
CA	EMI	Emissions Inventory Data	California Air Resources Board	12/31/2019	06/10/2021	08/27/2021
CA	ENF	Enforcement Action Listing	State Water Resoruces Control Board	04/16/2021	04/20/2021	07/07/2021
CA	ENVIROSTOR	EnviroStor Database	Department of Toxic Substances Control	07/22/2021	07/22/2021	10/08/2021
CA	Financial Assurance 1	Financial Assurance Information Listing	Department of Toxic Substances Control	04/14/2021	04/15/2021	07/06/2021
CA	Financial Assurance 2	Financial Assurance Information Listing	California Integrated Waste Management Board	08/13/2021	08/13/2021	11/05/2021
CA	HAULERS	Registered Waste Tire Haulers Listing	Integrated Waste Management Board	09/14/2021	11/11/2021	11/23/2021
CA	HAZNET	Facility and Manifest Data	California Environmental Protection Agency	12/31/2019	04/15/2020	07/02/2020
CA	HIST CAL-SITES	Calsites Database	Department of Toxic Substance Control	08/08/2005	08/03/2006	08/24/2006
CA	HIST CORTESE	Hazardous Waste & Substance Site List	Department of Toxic Substances Control	04/01/2001	01/22/2009	04/08/2009
CA	HIST UST	Hazardous Substance Storage Container Database	State Water Resources Control Board	10/15/1990	01/25/1991	02/12/1991
CA	HWP	EnviroStor Permitted Facilities Listing	Department of Toxic Substances Control	08/13/2021	08/13/2021	11/08/2021
CA	HWT	Registered Hazardous Waste Transporter Database	Department of Toxic Substances Control	07/01/2021	07/01/2021	09/24/2021
CA	HWTS	Hazardous Waste Tracking System	Department of Toxic Substances Control	07/13/2021	07/14/2021	10/06/2021
CA	ICE	ICE	Department of Toxic Subsances Control	08/13/2021	08/13/2021	11/08/2021
CA	LDS	Land Disposal Sites Listing (GEOTRACKER)	State Water Qualilty Control Board	09/07/2021	09/07/2021	11/29/2021
CA	LIENS	Environmental Liens Listing	Department of Toxic Substances Control	08/25/2021	09/03/2021	11/22/2021
CA	LUST	Leaking Underground Fuel Tank Report (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021
CA	LUST REG 1	Active Toxic Site Investigation	California Regional Water Quality Control Boa	02/01/2001	02/28/2001	03/29/2001
CA	LUST REG 2	Fuel Leak List	California Regional Water Quality Control Boa	09/30/2004	10/20/2004	11/19/2004
CA	LUST REG 3	Leaking Underground Storage Tank Database	California Regional Water Quality Control Boa	05/19/2003	05/19/2003	06/02/2003
CA	LUST REG 4	Underground Storage Tank Leak List	California Regional Water Quality Control Boa	09/07/2004	09/07/2004	10/12/2004
CA	LUST REG 5	Leaking Underground Storage Tank Database	California Regional Water Quality Control Boa	07/01/2008	07/22/2008	07/31/2008
CA	LUST REG 6L	Leaking Underground Storage Tank Case Listing	California Regional Water Quality Control Boa	09/09/2003	09/10/2003	10/07/2003
CA	LUST REG 6V	Leaking Underground Storage Tank Case Listing	California Regional Water Quality Control Boa	06/07/2005	06/07/2005	06/29/2005
CA	LUST REG 7	Leaking Underground Storage Tank Case Listing	California Regional Water Quality Control Boa	02/26/2004	02/26/2004	03/24/2004
CA	LUST REG 8	Leaking Underground Storage Tanks	California Regional Water Quality Control Boa	02/14/2005	02/15/2005	03/28/2005
CA	LUST REG 9	Leaking Underground Storage Tank Report	California Regional Water Quality Control Boa	03/01/2001	04/23/2001	05/21/2001
CA	MCS	Military Cleanup Sites Listing (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021
CA	MILITARY PRIV SITES	Military Privatized Sites (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

St	Acronym	Full Name	Government Agency	Gov Date	Arvl. Date	Active Date
CA	MILITARY UST SITES	Military UST Sites (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021
CA	MINES	Mines Site Location Listing	Department of Conservation	09/07/2021	09/07/2021	11/29/2021
CA	MWMP	Medical Waste Management Program Listing	Department of Public Health	08/05/2021	08/31/2021	11/19/2021
CA	NON-CASE INFO	Non-Case Information Sites (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021
CA	NOTIFY 65	Proposition 65 Records	State Water Resources Control Board	03/12/2021	03/16/2021	06/01/2021
CA	NPDES	NPDES Permits Listing	State Water Resources Control Board	05/10/2021	05/11/2021	07/27/2021
CA	OTHER OIL GAS	Other Oil & Gas Projects Sites (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021
CA	PEST LIC	Pesticide Regulation Licenses Listing	Department of Pesticide Regulation	08/30/2021	08/31/2021	11/19/2021
CA	PFAS	PFAS Contamination Site Location Listing	State Water Resources Control Board	09/07/2021	09/08/2021	12/01/2021
CA	PROC	Certified Processors Database	Department of Conservation	06/04/2021	06/04/2021	08/27/2021
CA	PROD WATER PONDS	Produced Water Ponds Sites (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021
CA	PROJECT	Project Sites (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021
CA	RESPONSE	State Response Sites	Department of Toxic Substances Control	07/22/2021	07/22/2021	10/08/2021
CA	RGA LF	Recovered Government Archive Solid Waste Facilities List	Department of Resources Recycling and Recover		07/01/2013	01/13/2014
CA	RGA LUST	Recovered Government Archive Leaking Underground Storage Tan	State Water Resources Control Board		07/01/2013	12/30/2013
CA	SAMPLING POINT	Sampling Point ? Public Sites (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021
CA	SAN FRANCISCO AST	Aboveground Storage Tank Site Listing	San Francisco County Department of Public Hea	08/05/2021	08/05/2021	10/29/2021
CA	SCH	School Property Evaluation Program	Department of Toxic Substances Control	07/22/2021	07/22/2021	10/08/2021
CA	SLIC REG 1	Active Toxic Site Investigations	California Regional Water Quality Control Boa	04/03/2003	04/07/2003	04/25/2003
CA	SLIC REG 2	Spills, Leaks, Investigation & Cleanup Cost Recovery Listing	Regional Water Quality Control Board San Fran	09/30/2004	10/20/2004	11/19/2004
CA	SLIC REG 3	Spills, Leaks, Investigation & Cleanup Cost Recovery Listing	California Regional Water Quality Control Boa	05/18/2006	05/18/2006	06/15/2006
CA	SLIC REG 4	Spills, Leaks, Investigation & Cleanup Cost Recovery Listing	Region Water Quality Control Board Los Angele	11/17/2004	11/18/2004	01/04/2005
CA	SLIC REG 5	Spills, Leaks, Investigation & Cleanup Cost Recovery Listing	Regional Water Quality Control Board Central	04/01/2005	04/05/2005	04/21/2005
CA	SLIC REG 6L	SLIC Sites	California Regional Water Quality Control Boa	09/07/2004	09/07/2004	10/12/2004
CA	SLIC REG 6V	Spills, Leaks, Investigation & Cleanup Cost Recovery Listing	Regional Water Quality Control Board, Victorv	05/24/2005	05/25/2005	06/16/2005
CA	SLIC REG 7	SLIC List	California Regional Quality Control Board, Co	11/24/2004	11/29/2004	01/04/2005
CA	SLIC REG 8	Spills, Leaks, Investigation & Cleanup Cost Recovery Listing	California Region Water Quality Control Board	04/03/2008	04/03/2008	04/14/2008
CA	SLIC REG 9	Spills, Leaks, Investigation & Cleanup Cost Recovery Listing	California Regional Water Quality Control Boa	09/10/2007	09/11/2007	09/28/2007
CA	SPILLS 90	SPILLS90 data from FirstSearch	FirstSearch	06/06/2012	01/03/2013	02/22/2013
CA	SWEEPS UST	SWEEPS UST Listing	State Water Resources Control Board	06/01/1994	07/07/2005	08/11/2005
CA	SWF/LF (SWIS)	Solid Waste Information System	Department of Resources Recycling and Recover	08/09/2021	08/10/2021	11/05/2021
CA	SWRCY	Recycler Database	Department of Conservation	09/07/2021	09/08/2021	11/29/2021
CA	TOXIC PITS	Toxic Pits Cleanup Act Sites	State Water Resources Control Board	07/01/1995	08/30/1995	09/26/1995
CA	UIC	UIC Listing	Deaprtment of Conservation	06/03/2021	06/03/2021	08/25/2021
CA	UIC GEO	Underground Injection Control Sites (GEOTRACKER)	State Water Resource Control Board	09/07/2021	09/07/2021	11/29/2021
CA	UST	Active UST Facilities	SWRCB	09/07/2021	09/07/2021	11/30/2021
CA	UST CLOSURE	Proposed Closure of Underground Storage Tank (UST) Cases	State Water Resources Control Board	08/18/2021	09/08/2021	12/03/2021
CA	VCP	Voluntary Cleanup Program Properties	Department of Toxic Substances Control	07/22/2021	07/22/2021	10/08/2021
CA	WASTEWATER PITS	Oil Wastewater Pits Listing	RWQCB, Central Valley Region	02/11/2021	07/01/2021	09/29/2021
CA	WDR	Waste Discharge Requirements Listing	State Water Resources Control Board	09/07/2021	09/08/2021	12/01/2021
CA	WDS	Waste Discharge System	State Water Resources Control Board	06/19/2007	06/20/2007	06/29/2007
CA	WELL STIM PROJ	Well Stimulation Project (GEOTRACKER)	State Water Resources Control Board	09/07/2021	09/07/2021	11/29/2021
CA	WIP	Well Investigation Program Case List	Los Angeles Water Quality Control Board	07/03/2009	07/21/2009	08/03/2009
CA	WMUDS/SWAT	Waste Management Unit Database	State Water Resources Control Board	04/01/2000	04/10/2000	05/10/2000
US	2020 COR ACTION	2020 Corrective Action Program List	Environmental Protection Agency	09/30/2017	05/08/2018	07/20/2018
US	ABANDONED MINES	Abandoned Mines	Department of Interior	06/15/2021	06/16/2021	08/17/2021
US	BRS	Biennial Reporting System	EPA/NTIS	12/31/2017	06/22/2020	11/20/2020

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

St	Acronym	Full Name	Government Agency	Gov Date	Arvl. Date	Active Date
US	COAL ASH DOE	Steam-Electric Plant Operation Data	Department of Energy	12/31/2019	12/01/2020	02/09/2021
US	COAL ASH EPA	Coal Combustion Residues Surface Impoundments List	Environmental Protection Agency	01/12/2017	03/05/2019	11/11/2019
US	CONSENT	Superfund (CERCLA) Consent Decrees	Department of Justice, Consent Decree Library	06/30/2021	07/14/2021	07/16/2021
US	CORRACTS	Corrective Action Report	EPA	09/13/2021	09/15/2021	10/12/2021
US	DEBRIS REGION 9	Torres Martinez Reservation Illegal Dump Site Locations	EPA, Region 9	01/12/2009	05/07/2009	09/21/2009
US	DOCKET HWC	Hazardous Waste Compliance Docket Listing	Environmental Protection Agency	05/06/2021	05/21/2021	08/11/2021
US	DOD	Department of Defense Sites	USGS	12/31/2005	11/10/2006	01/11/2007
US	DOT OPS	Incident and Accident Data	Department of Transporation, Office of Pipeli	01/02/2020	01/28/2020	04/17/2020
US	Delisted NPL	National Priority List Deletions	EPA	10/20/2021	11/05/2021	11/29/2021
US	ECHO	Enforcement & Compliance History Information	Environmental Protection Agency	06/26/2021	07/01/2021	09/28/2021
US	EDR Hist Auto	EDR Exclusive Historical Auto Stations	EDR, Inc.			
US	EDR Hist Cleaner	EDR Exclusive Historical Cleaners	EDR, Inc.			
US	EDR MGP	EDR Proprietary Manufactured Gas Plants	EDR, Inc.			
US	EPA WATCH LIST	EPA WATCH LIST	Environmental Protection Agency	08/30/2013	03/21/2014	06/17/2014
US	ERNS	Emergency Response Notification System	National Response Center, United States Coast	06/14/2021	06/17/2021	08/17/2021
US	FEDERAL FACILITY	Federal Facility Site Information listing	Environmental Protection Agency	05/25/2021	06/24/2021	09/20/2021
US	FEDLAND	Federal and Indian Lands	U.S. Geological Survey	04/02/2018	04/11/2018	11/06/2019
US	FEMA UST	Underground Storage Tank Listing	FEMA	01/29/2021	02/17/2021	03/22/2021
US	FINDS	Facility Index System/Facility Registry System	EPA	05/05/2021	05/18/2021	08/17/2021
US	FTTS	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fu	EPA/Office of Prevention, Pesticides and Toxi	04/09/2009	04/16/2009	05/11/2009
US	FTTS INSP	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fu	EPA	04/09/2009	04/16/2009	05/11/2009
US	FUDS	Formerly Used Defense Sites	U.S. Army Corps of Engineers	08/10/2021	08/17/2021	10/22/2021
US	FUELS PROGRAM	EPA Fuels Program Registered Listing	EPA	08/13/2021	08/13/2021	10/22/2021
US	FUSRAP	Formerly Utilized Sites Remedial Action Program	Department of Energy	07/26/2021	07/27/2021	10/22/2021
US	HIST FTTS	FIFRA/TSCA Tracking System Administrative Case Listing	Environmental Protection Agency	10/19/2006	03/01/2007	04/10/2007
US	HIST FTTS INSP	FIFRA/TSCA Tracking System Inspection & Enforcement Case Lis	Environmental Protection Agency	10/19/2006	03/01/2007	04/10/2007
US	HMIRS	Hazardous Materials Information Reporting System	U.S. Department of Transportation	09/12/2021	09/13/2021	09/28/2021
US	ICIS	Integrated Compliance Information System	Environmental Protection Agency	11/18/2016	11/23/2016	02/10/2017
US	IHS OPEN DUMPS	Open Dumps on Indian Land	Department of Health & Human Serivces, Indian	04/01/2014	08/06/2014	01/29/2015
US	INDIAN LUST R1	Leaking Underground Storage Tanks on Indian Land	EPA Region 1	04/28/2021	06/11/2021	09/07/2021
US	INDIAN LUST R10	Leaking Underground Storage Tanks on Indian Land	EPA Region 10	04/27/2021	06/11/2021	09/07/2021
US	INDIAN LUST R4	Leaking Underground Storage Tanks on Indian Land	EPA Region 4	05/28/2021	06/22/2021	09/20/2021
US	INDIAN LUST R5	Leaking Underground Storage Tanks on Indian Land	EPA, Region 5	04/06/2021	06/11/2021	09/07/2021
US	INDIAN LUST R6	Leaking Underground Storage Tanks on Indian Land	EPA Region 6	05/17/2021	06/11/2021	09/07/2021
US	INDIAN LUST R7	Leaking Underground Storage Tanks on Indian Land	EPA Region 7	06/01/2021	06/11/2021	09/07/2021
US	INDIAN LUST R8	Leaking Underground Storage Tanks on Indian Land	EPA Region 8	05/27/2021	06/11/2021	09/07/2021
US	INDIAN LUST R9	Leaking Underground Storage Tanks on Indian Land	Environmental Protection Agency	05/27/2021	06/11/2021	09/07/2021
US	INDIAN ODI	Report on the Status of Open Dumps on Indian Lands	Environmental Protection Agency	12/31/1998	12/03/2007	01/24/2008
US	INDIAN RESERV	Indian Reservations	USGS	12/31/2014	07/14/2015	01/10/2017
US	INDIAN UST R1	Underground Storage Tanks on Indian Land	EPA, Region 1	04/28/2021	06/11/2021	09/07/2021
US	INDIAN UST R10	Underground Storage Tanks on Indian Land	EPA Region 10	04/27/2021	06/11/2021	09/07/2021
US	INDIAN UST R4	Underground Storage Tanks on Indian Land	EPA Region 4	05/28/2021	06/22/2021	09/20/2021
US	INDIAN UST R5	Underground Storage Tanks on Indian Land	EPA Region 5	04/06/2021	06/11/2021	09/07/2021
US	INDIAN UST R6	Underground Storage Tanks on Indian Land	EPA Region 6	05/17/2021	06/11/2021	09/07/2021
US	INDIAN UST R7	Underground Storage Tanks on Indian Land	EPA Region 7	06/01/2021	06/11/2021	09/07/2021
US	INDIAN UST R8	Underground Storage Tanks on Indian Land	EPA Region 8	05/27/2021	06/11/2021	09/07/2021
US	INDIAN UST R9	Underground Storage Tanks on Indian Land	EPA Region 9	05/27/2021	06/11/2021	09/07/2021

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

St	Acronym	Full Name	Government Agency	Gov Date	Arvl. Date	Active Date
US	INDIAN VCP R1	Voluntary Cleanup Priority Listing	EPA, Region 1	07/27/2015	09/29/2015	02/18/2016
US	INDIAN VCP R7	Voluntary Cleanup Priority Lisitng	EPA, Region 7	03/20/2008	04/22/2008	05/19/2008
US	LEAD SMELTER 1	Lead Smelter Sites	Environmental Protection Agency	10/20/2021	11/05/2021	11/29/2021
US	LEAD SMELTER 2	Lead Smelter Sites	American Journal of Public Health	04/05/2001	10/27/2010	12/02/2010
US	LIENS 2	CERCLA Lien Information	Environmental Protection Agency	10/20/2021	11/05/2021	11/29/2021
US	LUCIS	Land Use Control Information System	Department of the Navy	07/12/2021	08/06/2021	10/22/2021
US	MINES MRDS	Mineral Resources Data System	USGS	04/06/2018	10/21/2019	10/24/2019
US	MINES VIOLATIONS	MSHA Violation Assessment Data	DOL, Mine Safety & Health Admi	06/30/2021	07/01/2021	09/28/2021
US	MLTS	Material Licensing Tracking System	Nuclear Regulatory Commission	07/29/2021	08/24/2021	11/19/2021
US	NPL	National Priority List	EPA	10/20/2021	11/05/2021	11/29/2021
US	NPL LIENS	Federal Superfund Liens	EPA	10/15/1991	02/02/1994	03/30/1994
US	ODI	Open Dump Inventory	Environmental Protection Agency	06/30/1985	08/09/2004	09/17/2004
US	PADS	PCB Activity Database System	EPA	11/19/2020	01/08/2021	03/22/2021
US	PCB TRANSFORMER	PCB Transformer Registration Database	Environmental Protection Agency	09/13/2019	11/06/2019	02/10/2020
US	PCS	Permit Compliance System	EPA, Office of Water	07/14/2011	08/05/2011	09/29/2011
US	PCS ENF	Enforcement data	EPA	12/31/2014	02/05/2015	03/06/2015
US	PCS INACTIVE	Listing of Inactive PCS Permits	EPA	11/05/2014	01/06/2015	05/06/2015
US	PRP	Potentially Responsible Parties	EPA	12/30/2020	01/14/2021	03/05/2021
US	Proposed NPL	Proposed National Priority List Sites	EPA	10/20/2021	11/05/2021	11/29/2021
US	RAATS	RCRA Administrative Action Tracking System	EPA	04/17/1995	07/03/1995	08/07/1995
US	RADINFO	Radiation Information Database	Environmental Protection Agency	07/01/2019	07/01/2019	09/23/2019
US	RCRA NonGen / NLR	RCRA - Non Generators / No Longer Regulated	Environmental Protection Agency	09/13/2021	09/15/2021	10/12/2021
US	RCRA-LQG	RCRA - Large Quantity Generators	Environmental Protection Agency	09/13/2021	09/15/2021	10/12/2021
US	RCRA-SQG	RCRA - Small Quantity Generators	Environmental Protection Agency	09/13/2021	09/15/2021	10/12/2021
US	RCRA-TSDF	RCRA - Treatment, Storage and Disposal	Environmental Protection Agency	09/13/2021	09/15/2021	10/12/2021
US	RCRA-VSQG	RCRA - Very Small Quantity Generators (Formerly Conditionall	Environmental Protection Agency	09/13/2021	09/15/2021	10/12/2021
US	RMP	Risk Management Plans	Environmental Protection Agency	10/20/2021	11/05/2021	11/12/2021
US	ROD	Records Of Decision	EPA	10/20/2021	11/05/2021	11/29/2021
US	SCRD DRYCLEANERS	State Coalition for Remediation of Drycleaners Listing	Environmental Protection Agency	01/01/2017	02/03/2017	04/07/2017
US	SEMS	Superfund Enterprise Management System	EPA	10/20/2021	11/05/2021	11/29/2021
US	SEMS-ARCHIVE	Superfund Enterprise Management System Archive	EPA	10/20/2021	11/05/2021	11/29/2021
US	SSTS	Section 7 Tracking Systems	EPA	07/19/2021	07/19/2021	10/12/2021
US	TRIS	Toxic Chemical Release Inventory System	EPA	12/31/2018	08/14/2020	11/04/2020
US	TSCA	Toxic Substances Control Act	EPA	12/31/2016	06/17/2020	09/10/2020
US	UMTRA	Uranium Mill Tailings Sites	Department of Energy	08/30/2019	11/15/2019	01/28/2020
US	US AIRS (AFS)	Aerometric Information Retrieval System Facility Subsystem (	EPA	10/12/2016	10/26/2016	02/03/2017
US	US AIRS MINOR	Air Facility System Data	EPA	10/12/2016	10/26/2016	02/03/2017
US	US BROWNFIELDS	A Listing of Brownfields Sites	Environmental Protection Agency	06/10/2021	06/10/2021	08/17/2021
US	US CDL	Clandestine Drug Labs	Drug Enforcement Administration	05/18/2021	05/18/2021	08/03/2021
US	US ENG CONTROLS	Engineering Controls Sites List	Environmental Protection Agency	08/23/2021	08/23/2021	11/12/2021
US	US FIN ASSUR	Financial Assurance Information	Environmental Protection Agency	09/13/2021	09/15/2021	09/28/2021
US	US HIST CDL	National Clandestine Laboratory Register	Drug Enforcement Administration	05/18/2021	05/18/2021	08/03/2021
US	US INST CONTROLS	Institutional Controls Sites List	Environmental Protection Agency	08/23/2021	08/23/2021	11/12/2021
US	US MINES	Mines Master Index File	Department of Labor, Mine Safety and Health A	08/09/2021	08/24/2021	11/19/2021
US	US MINES 2	Ferrous and Nonferrous Metal Mines Database Listing	USGS	05/06/2020	05/27/2020	08/13/2020
US	US MINES 3	Active Mines & Mineral Plants Database Listing	USGS	04/14/2011	06/08/2011	09/13/2011
US	UXO	Unexploded Ordnance Sites	Department of Defense	12/31/2018	07/02/2020	09/17/2020

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

St	Acronym	Full Name	Government Agency	Gov Date	Arvl. Date	Active Date
CT	CT MANIFEST	Hazardous Waste Manifest Data	Department of Energy & Environmental Protecti	07/23/2021	08/10/2021	11/08/2021
NJ	NJ MANIFEST	Manifest Information	Department of Environmental Protection	12/31/2018	04/10/2019	05/16/2019
NY	NY MANIFEST	Facility and Manifest Data	Department of Environmental Conservation	01/01/2019	04/29/2020	07/10/2020
PA	PA MANIFEST	Manifest Information	Department of Environmental Protection	06/30/2018	07/19/2019	09/10/2019
RI	RI MANIFEST	Manifest information	Department of Environmental Management	12/31/2019	02/11/2021	02/24/2021
WI	WI MANIFEST	Manifest Information	Department of Natural Resources	05/31/2018	06/19/2019	09/03/2019
US	AHA Hospitals	Sensitive Receptor: AHA Hospitals	American Hospital Association, Inc.			
US	Medical Centers	Sensitive Receptor: Medical Centers	Centers for Medicare & Medicaid Services			
US	Nursing Homes	Sensitive Receptor: Nursing Homes	National Institutes of Health			
US	Public Schools	Sensitive Receptor: Public Schools	National Center for Education Statistics			
US	Private Schools	Sensitive Receptor: Private Schools	National Center for Education Statistics			
CA	Daycare Centers	Sensitive Receptor: Licensed Facilities	Department of Social Services			
US	Flood Zones	100-year and 500-year flood zones	Emergency Management Agency (FEMA)			
US	NWI	National Wetlands Inventory	U.S. Fish and Wildlife Service			
CA	State Wetlands	Wetland Inventory	Department of Fish and Wildlife			
US	Topographic Map		U.S. Geological Survey			
US	Oil/Gas Pipelines		Endeavor Business Media			
US	Electric Power Transmission Line Data		Endeavor Business Media			

STREET AND ADDRESS INFORMATION

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GEOCHECK ®- PHYSICAL SETTING SOURCE ADDENDUM

TARGET PROPERTY ADDRESS

5355 EAST AIRPORT DRIVE
5355 EAST AIRPORT DRIVE
ONTARIO, CA 91761

TARGET PROPERTY COORDINATES

Latitude (North):	34.063461 - 34ˆ 3’ 48.46’’
Longitude (West):	117.533485 - 117ˆ 32’ 0.55’’
Universal Tranverse Mercator:	Zone 11
UTM X (Meters):	450769.1
UTM Y (Meters):	3769126.2
Elevation:	983 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map:	12015973 GUASTI, CA
Version Date:	2018

EDR’s GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principle investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

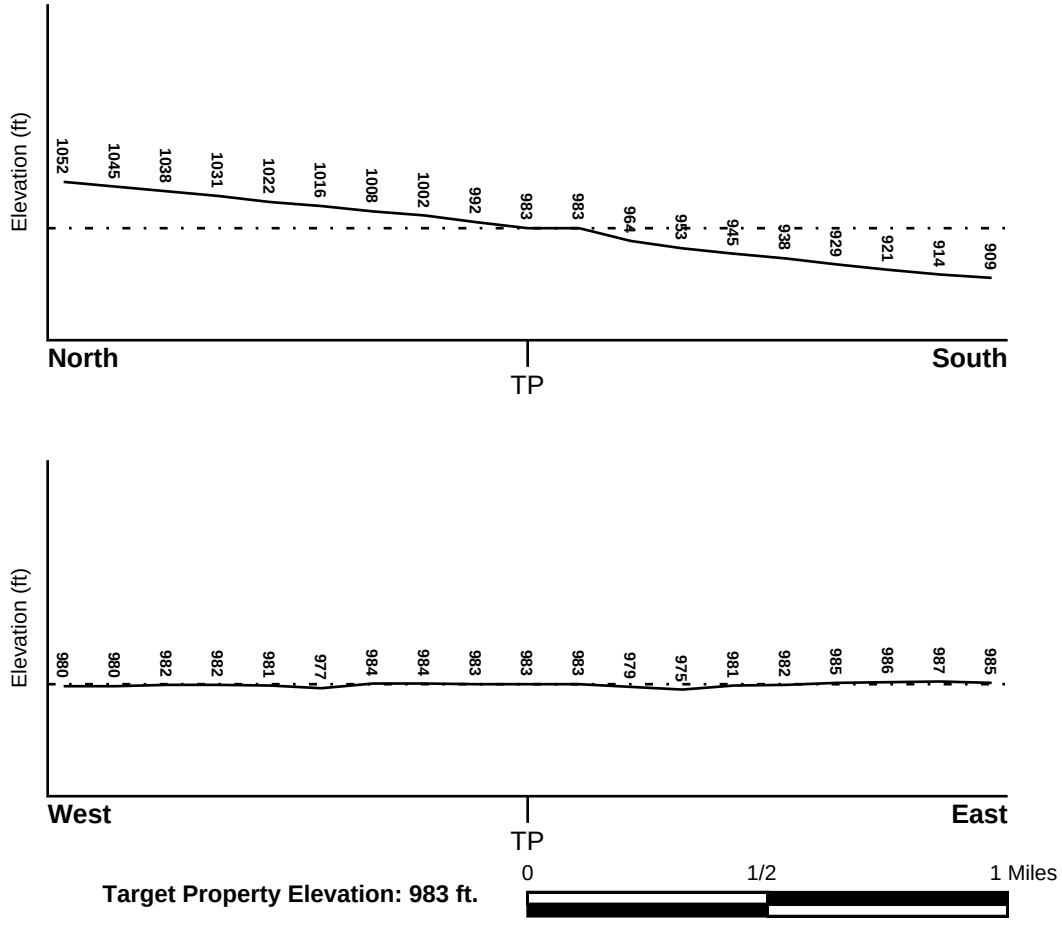
TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General South

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

Flood Plain Panel at Target Property	FEMA Source Type
06071C8633H	FEMA FIRM Flood data

Additional Panels in search area:	FEMA Source Type
06071C8634J	FEMA FIRM Flood data
06071C8641H	FEMA FIRM Flood data
06065C0017G	FEMA FIRM Flood data

NATIONAL WETLAND INVENTORY

NWI Quad at Target Property	NWI Electronic Data Coverage
GUASTI	YES - refer to the Overview Map and Detail Map

HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Site-Specific Hydrogeological Data*:

Search Radius:	1.25 miles
Status:	Not found

AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

MAP ID	LOCATION FROM TP	GENERAL DIRECTION GROUNDWATER FLOW
Not Reported		

* ©1996 Site−specific hydrogeological data gathered by CERCLIS Alerts, Inc., Bainbridge Island, WA. All rights reserved. All of the information and opinions presented are those of the cited EPA report(s), which were completed under a Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) investigation.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

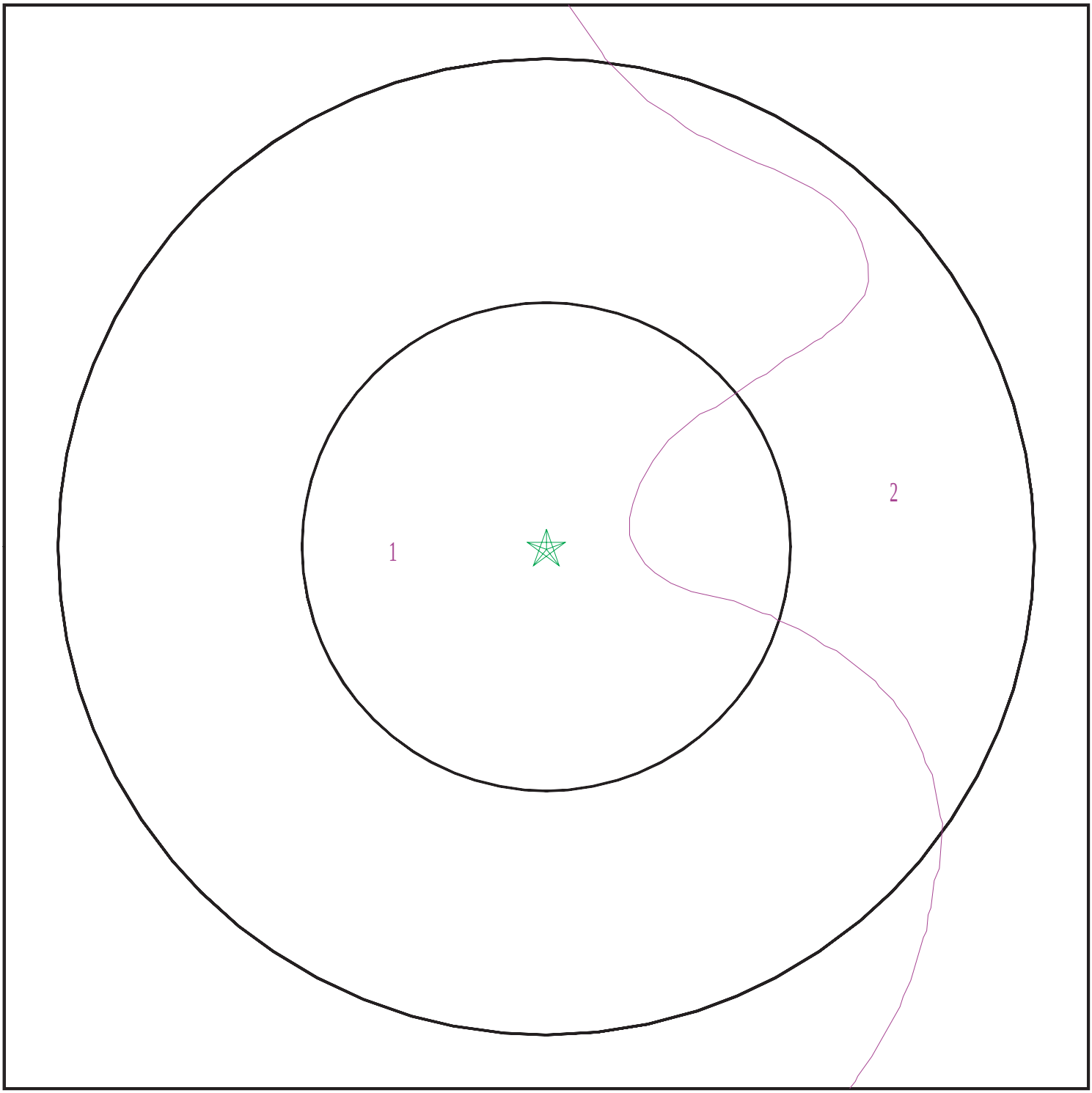
Era:	Cenozoic
System:	Quaternary
Series:	Quaternary
Code:	Q *(decoded above as Era, System & Series)*

GEOLOGIC AGE IDENTIFICATION

Category: Stratifed Sequence

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

SSURGO SOIL MAP - 6782886.2s



Target Property
SSURGO Soil
Water

0 1/16 1/8 1/4 Miles

N

SITE NAME:	5355 East Airport Drive	CLIENT:	Farallon Consulting, LLC
ADDRESS:	5355 East Airport Drive Ontario CA 91761	CONTACT:	Amanda Garcia
LAT/LONG:	34.063461 / 117.533485	INQUIRY #:	6782886.2s
		DATE:	December 09, 2021 3:59 pm

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GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. The following information is based on Soil Conservation Service SSURGO data.

Soil Map ID: 1

Soil Component Name: DELHI

Soil Surface Texture: fine sand

Hydrologic Group: Class A - High infiltration rates. Soils are deep, well drained to excessively drained sands and gravels.

Soil Drainage Class: Somewhat excessively drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	18 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 7.8 Min: 6.1
2	18 inches	59 inches	sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 7.8 Min: 6.1

Soil Map ID: 2

Soil Component Name: TUJUNGA

Soil Surface Texture: gravelly loamy sand

Hydrologic Group: Class A - High infiltration rates. Soils are deep, well drained to excessively drained sands and gravels.

Soil Drainage Class: Somewhat excessively drained

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	18 inches	gravelly loamy sand	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 7.8 Min: 6.1
2	18 inches	59 inches	loamy sand	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 7.8 Min: 6.1

LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

WELL SEARCH DISTANCE INFORMATION

DATABASE	SEARCH DISTANCE (miles)
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 1 mile
State Database	1.000

FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
B9	USGS40000140231	1/2 - 1 Mile SSE

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

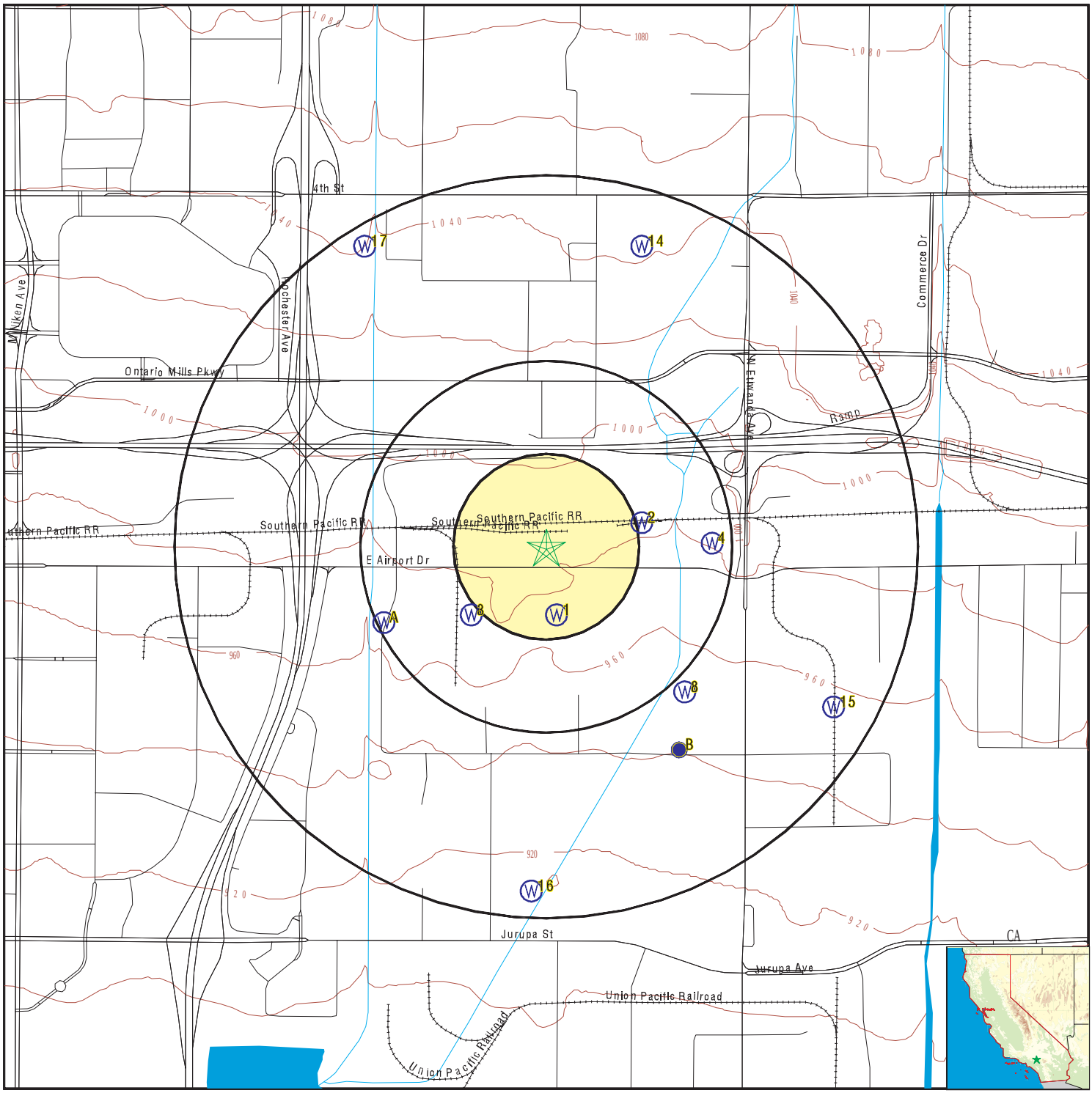
MAP ID	WELL ID	LOCATION FROM TP
No PWS System Found		

Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
1	CADWR0000002620	1/8 - 1/4 Mile South
2	CADWR0000031425	1/4 - 1/2 Mile ENE
3	CADWR0000006211	1/4 - 1/2 Mile SW
4	CADPR0000001331	1/4 - 1/2 Mile East
A5	CADDW0000004888	1/4 - 1/2 Mile WSW
A6	CAUSGSN00012993	1/4 - 1/2 Mile WSW
A7	CAUSGS000000436	1/4 - 1/2 Mile WSW
8	1044	1/2 - 1 Mile SE
B10	CADDW0000005246	1/2 - 1 Mile SSE
B11	CAUSGSN00017805	1/2 - 1 Mile SSE
B12	CAUSGS000000646	1/2 - 1 Mile SSE
B13	CADWR9000006541	1/2 - 1 Mile SE
14	CADWR0000024134	1/2 - 1 Mile NNE
15	CADWR0000030205	1/2 - 1 Mile ESE
16	1043	1/2 - 1 Mile South
17	CADWR0000034955	1/2 - 1 Mile NNW

PHYSICAL SETTING SOURCE MAP - 6782886.2s



0 1/4 1/2 1 Miles

- County Boundary
- Major Roads
- Contour Lines
- Earthquake Fault Lines
- Earthquake epicenter, Richter 5 or greater
- Water Wells
- Public Water Supply Wells
- Cluster of Multiple Icons
- Groundwater Flow Direction
- GI Indeterminate Groundwater Flow at Location
- GV Groundwater Flow Varies at Location
- HD Closest Hydrogeological Data
- Oil, gas or related wells

SITE NAME: 5355 East Airport Drive	CLIENT: Farallon Consulting, LLC
ADDRESS: 5355 East Airport Drive Ontario CA 91761	CONTACT: Amanda Garcia
LAT/LONG: 34.063461 / 117.533485	INQUIRY #: 6782886.2s DATE: December 09, 2021 3:58 pm

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GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID Direction Distance Elevation		Database	EDR ID Number
1 **South** **1/8 - 1/4 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CADWR0000002620**
2 **ENE** **1/4 - 1/2 Mile** **Higher**	Click here for full text details	**CA WELLS**	**CADWR0000031425**
3 **SW** **1/4 - 1/2 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CADWR0000006211**
4 **East** **1/4 - 1/2 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CADPR0000001331**
A5 **WSW** **1/4 - 1/2 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CADDW0000004888**
A6 **WSW** **1/4 - 1/2 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CAUSGSN00012993**
A7 **WSW** **1/4 - 1/2 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CAUSGS000000436**
8 **SE** **1/2 - 1 Mile** **Lower**	Click here for full text details	**CA WELLS**	**1044**

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID Direction Distance Elevation		Database	EDR ID Number
B9 **SSE** **1/2 - 1 Mile** **Lower**	Click here for full text details	**FED USGS**	**USGS40000140231**
B10 **SSE** **1/2 - 1 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CADDW0000005246**
B11 **SSE** **1/2 - 1 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CAUSGSN00017805**
B12 **SSE** **1/2 - 1 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CAUSGS000000646**
B13 **SE** **1/2 - 1 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CADWR9000006541**
14 **NNE** **1/2 - 1 Mile** **Higher**	Click here for full text details	**CA WELLS**	**CADWR0000024134**
15 **ESE** **1/2 - 1 Mile** **Lower**	Click here for full text details	**CA WELLS**	**CADWR0000030205**
16 **South** **1/2 - 1 Mile** **Lower**	Click here for full text details	**CA WELLS**	**1043**
17 **NNW** **1/2 - 1 Mile** **Higher**	Click here for full text details	**CA WELLS**	**CADWR0000034955**

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS
RADON

AREA RADON INFORMATION

State Database: CA Radon

Radon Test Results

Zipcode	Num Tests	> 4 pCi/L
91761	7	0

Federal EPA Radon Zone for SAN BERNARDINO County: 2

Note: Zone 1 indoor average level > 4 pCi/L.
: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.
: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for SAN BERNARDINO COUNTY, CA

Number of sites tested: 18

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	0.678 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	Not Reported	Not Reported	Not Reported	Not Reported

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)
Source: United States Geologic Survey
EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Source: U.S. Geological Survey

HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.
Source: FEMA
Telephone: 877-336-2627
Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory
Source: Department of Fish and Wildlife
Telephone: 916-445-0411

HYDROGEOLOGIC INFORMATION

AQUIFLOW^{R} Information System
Source: EDR proprietary database of groundwater flow information
EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit
Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)
The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)
Telephone: 800-672-5559
SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750
Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750
Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)
This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

OTHER STATE DATABASE INFORMATION

Groundwater Ambient Monitoring & Assessment Program
State Water Resources Control Board
Telephone: 916-341-5577
The GAMA Program is Californias comprehensive groundwater quality monitoring program. GAMA collects data by testing the untreated, raw water in different types of wells for naturally-occurring and man-made chemicals. The GAMA data includes Domestic, Monitoring and Municipal well types from the following sources, Department of Water Resources, Department of Heath Services, EDF, Agricultural Lands, Lawrence Livermore National Laboratory, Department of Pesticide Regulation, United States Geological Survey, Groundwater Ambient Monitoring and Assessment Program and Local Groundwater Projects.

Water Well Database
Source: Department of Water Resources
Telephone: 916-651-9648

California Drinking Water Quality Database
Source: Department of Public Health
Telephone: 916-324-2319
The database includes all drinking water compliance and special studies monitoring for the state of California since 1984. It consists of over 3,200,000 individual analyses along with well and water system information.

California Oil and Gas Well Locations
Source: Dept of Conservation, Geologic Energy Management Division
Telephone: 916-323-1779
Oil and Gas well locations in the state.

California Earthquake Fault Lines
Source: California Division of Mines and Geology
The fault lines displayed on EDR's Topographic map are digitized quaternary fault lines prepared in 1975 by the United State Geological Survey. Additional information (also from 1975) regarding activity at specific fault lines comes from California's Preliminary Fault Activity Map prepared by the California Division of Mines and Geology.

RADON

State Database: CA Radon
Source: Department of Public Health
Telephone: 916-210-8558
Radon Database for California

PHYSICAL SETTING SOURCE RECORDS SEARCHED

Area Radon Information
Source: USGS
Telephone: 703-356-4020
The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones
Source: EPA
Telephone: 703-356-4020
Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities
Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater
Source: Department of Commerce, National Oceanic and Atmospheric Administration

California Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary fault lines, prepared in 1975 by the United State Geological Survey. Additional information (also from 1975) regarding activity at specific fault lines comes from California's Preliminary Fault Activity Map prepared by the California Division of Mines and Geology.

STREET AND ADDRESS INFORMATION

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APPENDIX F
BORING LOGS

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

FARALLON CONSULTING

Log of Boring: SB-1

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Kathy Lehnus

Date/Time Started:	3/4/2022	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	3/4/2022	**Boring Diameter (in):**	NA
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	10.0
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Geoprobe 7822DT		
Drilling Operator:	Andrew		
Sampler Type:	Acetate Sleeve		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0	0.8': Asphalt/Concrete/gravel road base.	AC					Concrete
	1.0': Silty SAND, brown (10 YR 4/3), fine to medium sand, moist, no odor.	SM					
	3.0': Silty SAND, light brownish gray (2.5 Y 6/2), fine to medium sand, moist, no odor.						
5			50	0.3			Bentonite
	8.0': Poorly-graded SAND, fine sand, trace coarse sand and 0.01" gravel, yellowish brown (10YR 4/6), dry, no odor.	SP					
10	10.0': End of Boring.		40	0.2	SB-1-10.0		

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SB-2

Client:	Prologis Inc	**Date/Time Started:**	3/4/2022
Project:	5355 Airport Drive	**Date/Time Completed:**	3/4/2022
Location:	Ontario, California	**Drilling Company:**	Millenium
Farallon PN:	1071-080	**Drilling Method:**	Direct Push
Logged By:	Nate Montoy	**Drilling Equipment:**	Geoprobe 7822DT
Reviewed By:	Kathy Lehnus	**Drilling Operator:**	Andrew
		Sampler Type:	Acetate Sleeve
		Depth to Water ATD (ft bgs):	NE
		Boring Diameter (in):	NA
		Total Boring Depth (ft bgs):	10.0
		Constructed Well Depth (ft bgs):	NA

Depth (ft bgs)	Sample Interval	Lithologic Description	USCS	USCS Graphic	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0		0.67': Asphalt/concrete/gravel road base.	AC						Concrete
		0.67': Silty SAND, dark brown (10 YR 4/3), fine sand, moist, no odor.	SM						
5		5.0': Poorly-graded SAND, medium to coarse sand, gray (10YR 6/1), moist, no odor.	SP		30	0.6			Bentonite
10		10.5': End of Boring.			30	0.4	SB-2-10.0		

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-1

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Kathy Lehnus

Date/Time Started:	3/4/2022	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	3/4/2022	**Boring Diameter (in):**	NA
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	10.5
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Geoprobe 7822DT		
Drilling Operator:	Andrew		
Sampler Type:	Acetate Sleeve		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0	0.17': Asphalt. 0.75': Concrete/gravel road base.	AC					#3 Sand
	1.0': Silty SAND, brown (10 YR 4/3), fine to medium sand, moist, no odor.	SM					Hydrated #8 Bentonite
	3.0': Silty SAND, light brownish gray (2.5 Y 6/2), fine to medium sand, moist, no odor.						Dry #8 Bentonite Vapor probe #3 Sand
5	6.0': Silty SAND, light brownish gray (2.5 Y 6/2), fine to medium sand, moist, no odor.	SM	45	0.3			Dry #8 Bentonite Hydrated #8 Bentonite
	8.0': Poorly-graded SAND, fine to medium sand, dark yellowish brown (10YR 6/2), trace silt, dry, no odor.	SP					Dry #8 Bentonite Vapor probe
10	10.0': End of Boring.		35	0.8	SVP-1-10.0		#3 Sand

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-2

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Kathy Lehnus

Date/Time Started:	3/4/2022	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	3/4/2022	**Boring Diameter (in):**	NA
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	4.5
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Geoprobe 7822DT		
Drilling Operator:	Andrew		
Sampler Type:	Acetate Sleeve		

Depth (ft bgs)	Sample Interval	Lithologic Description	USCS	USCS Graphic	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0		0.21': Asphalt. 0.79': Concrete/gravel road base.	AC						#3 Sand
		1.0': Silty SAND, brown (10 YR 4/3), fine to medium sand, moist, no odor.	SM						Hydrated #8 Bentonite Dry #8 Bentonite Vapor probe
						0.4	SVP-2-4.0		#3 Sand
5		5.0': End of Boring.			45				Dry #8 Bentonite

Well Construction Information

Monument Type:	NA	**Filter Pack:**	#3 Sand	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	Sand	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	Bentonite	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-3

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Kathy Lehnus

Date/Time Started:	3/4/2022	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	3/4/2022	**Boring Diameter (in):**	NA
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	4.5
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Geoprobe 7822DT		
Drilling Operator:	Andrew		
Sampler Type:	Acetate Sleeve		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0	0.33': Asphalt.	AC					#3 Sand
	0.33': Silty SAND, fine sand, trace medium sand, dark brown (10YR 4/3), no odor, no staining.	SM					Hydrated #8 Bentonite
							Dry #8 Bentonite
	3.0': Poorly-graded SAND, coarse sand, trace gravel, grayish brown (10YR 5/2), dry, no odor.	SP					Vapor probe
				0.5	SVP-3-4.0		#3 Sand
5	5.0': End of Boring.		40				Dry #8 Bentonite

Well Construction Information

Monument Type:	NA	**Filter Pack:**	#3 Sand	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	Sand	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	Bentonite	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-4

Client:	Prologis Inc	**Date/Time Started:**	3/4/2022
Project:	5355 Airport Drive	**Date/Time Completed:**	3/4/2022
Location:	Ontario, California	**Drilling Company:**	Millenium
Farallon PN:	1071-080	**Drilling Method:**	Direct Push
Logged By:	Nate Montoy	**Drilling Equipment:**	Geoprobe 7822DT
Reviewed By:	Kathy Lehnus	**Drilling Operator:**	Andrew
		Sampler Type:	Acetate Sleeve
		Depth to Water ATD (ft bgs):	NE
		Boring Diameter (in):	NA
		Total Boring Depth (ft bgs):	4.5
		Constructed Well Depth (ft bgs):	NA

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Boring/Well Construction Details
0	0.5': Concrete.	AC				#3 Sand
	0.5': Well-graded GRAVEL with sand, 0.1" -0.4" gravel, coarse sand, very dark gray (10YR 3/1).	GW				
	1.0': Poorly-graded SAND, fine sand, trace gravel, dark grayish brown (2.5Y 4/2), moist, no odor.	SP				Hydrated #8 Bentonite
	2.0': Silty SAND, fine sand, dark brown (10YR 3/3), moist, no odor.	SM				Dry #8 Bentonite
				0.6	SVP-4-4.0	Vapor probe
						#3 Sand
5	5.0': End of Boring.		55			

Well Construction Information

Monument Type:	NA	**Filter Pack:**	#3 Sand	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	Sand	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	Bentonite	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-5

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Kathy Lehnus

Date/Time Started:	3/4/2022	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	3/4/2022	**Boring Diameter (in):**	NA
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	10.5
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Geoprobe 7822DT		
Drilling Operator:	Andrew		
Sampler Type:	Acetate Sleeve		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0	0.67': Concrete/Gravel Base.	AC					#3 Sand
	0.67': Silty SAND, brown (10 YR 4/3), fine to medium sand, trace 0.1" gravel, moist, no odor.	SM					Hydrated #8 Bentonite
							Dry #8 Bentonite
							Vapor probe
	4.0': Poorly-graded SAND, medium sand, trace coarse sand and gravel, grayish brown (10YR 5/2), , moist, no odor.	SP					#3 Sand
5			45	1.1			Dry #8 Bentonite
	6.0': Silty SAND, fine sand, trace 0.1" gravel, dark brown (10YR 4/3).	SM					Hydrated #8 Bentonite
	10.0: Poorly-graded SAND, coarse sand, 0.5" gravel.						Dry #8 Bentonite
							Vapor probe
10	10.0': End of Boring.		55	1.0	SVP-5-10.0		#3 Sand

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-6

Client:	Prologis Inc	**Date/Time Started:**	3/4/2022	**Depth to Water ATD (ft bgs):**	NE
Project:	5355 Airport Drive	**Date/Time Completed:**	3/4/2022	**Boring Diameter (in):**	NA
Location:	Ontario, California	**Drilling Company:**	Millenium	**Total Boring Depth (ft bgs):**	8.5
Farallon PN:	1071-080	**Drilling Method:**	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Logged By:	Nate Montoy	**Drilling Equipment:**	Geoprobe 7822DT		
Reviewed By:	Kathy Lehnus	**Drilling Operator:**	Andrew		
		Sampler Type:	Acetate Sleeve		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Boring/Well Construction Details
0	0.17': Asphalt.	AC				#3 Sand
	0.33': Concrete.	SM				
	0.5': Silty SAND, fine sand, trace medium sand, brown (10YR 5/3), moist, no odor.					Hydrated #8 Bentonite
	3.5': Silty SAND, fine sand, trace medium sand, brown (10YR 5/3), moist, no odor.					Dry #8 Bentonite
						Vapor probe
					SVP-6-4.0	
						#3 Sand
5			60	0.3		Dry #8 Bentonite
	6.0': Poorly-graded SAND, fine sand, trace silt, brown (10YR 5/3), moist, no odor.	SP				Hydrated #8 Bentonite
						Dry #8 Bentonite
						Vapor probe
					SVP-6-8.0	
	8.5': End of Boring.		50	0.5		#3 Sand

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-7

Client:	Prologis Inc	**Date/Time Started:**	3/4/2022	**Depth to Water ATD (ft bgs):**	NE
Project:	5355 Airport Drive	**Date/Time Completed:**	3/4/2022	**Boring Diameter (in):**	NA
Location:	Ontario, California	**Drilling Company:**	Millenium	**Total Boring Depth (ft bgs):**	4.5
Farallon PN:	1071-080	**Drilling Method:**	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Logged By:	Nate Montoy	**Drilling Equipment:**	Geoprobe 7822DT		
Reviewed By:	Kathy Lehnus	**Drilling Operator:**	Andrew		
		Sampler Type:	Acetate Sleeve		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Boring/Well Construction Details
0	0.5': Concrete.	CO				#3 Sand
	0.5': Silty SAND, fine sand, trace medium sand, dark grayish brown (10YR 4/2), no odor.	SM				Hydrated #8 Bentonite
						Dry #8 Bentonite
						Vapor probe
				1.1	SVP-7-4.0	#3 Sand
5	5.0': End of Boring.		75			

Well Construction Information

Monument Type:	NA	**Filter Pack:**	#3 Sand	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	Sand	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	Bentonite	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-8

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Kathy Lehnus

Date/Time Started:	3/4/2022	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	3/4/2022	**Boring Diameter (in):**	NA
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	4.5
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Geoprobe 7822DT		
Drilling Operator:	Andrew		
Sampler Type:	Acetate Sleeve		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0	0.5': Asphalt/Concrete.	AC					#3 Sand
	0.5': Silty SAND, fine sand, trace medium sand, brown (10YR 4/3), moist, no odor.	SM					Hydrated #8 Bentonite
							Dry #8 Bentonite
							Vapor probe
	4.0': Poorly-graded SAND, fine sand, grayish brown (10YR 5/2).	SP		0.8	SVP-8-4.0		#3 Sand
5	5.0': End of Boring.		45				Dry #8 Bentonite

Well Construction Information

Monument Type:	NA	**Filter Pack:**	#3 Sand	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	Sand	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	Bentonite	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-9

Client:	Prologis Inc	**Date/Time Started:**	3/4/2022	**Depth to Water ATD (ft bgs):**	NE
Project:	5355 Airport Drive	**Date/Time Completed:**	3/4/2022	**Boring Diameter (in):**	NA
Location:	Ontario, California	**Drilling Company:**	Millenium	**Total Boring Depth (ft bgs):**	4.5
Farallon PN:	1071-080	**Drilling Method:**	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Logged By:	Nate Montoy	**Drilling Equipment:**	Geoprobe 7822DT		
Reviewed By:	Kathy Lehnus	**Drilling Operator:**	Andrew		
		Sampler Type:	Acetate Sleeve		

Depth (ft bgs)	Sample Interval	Lithologic Description	USCS	USCS Graphic	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0		0.5': Asphalt.	AC						#3 Sand
		0.5': Silty SAND, fine sand, trace medium sand and 0.1" gravel, brown (10YR 4/3), moist, no odor.	SM						Hydrated #8 Bentonite
									Dry #8 Bentonite
									Vapor probe
						0.2	SVP-9-4.0		#3 Sand
5		5.0': End of Boring.			40				Dry #8 Bentonite

Well Construction Information

Monument Type:	NA	**Filter Pack:**	#3 Sand	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	Sand	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	Bentonite	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-10

Client:	Prologis Inc	**Date/Time Started:**	3/4/2022	**Depth to Water ATD (ft bgs):**	NE
Project:	5355 Airport Drive	**Date/Time Completed:**	3/4/2022	**Boring Diameter (in):**	NA
Location:	Ontario, California	**Drilling Company:**	Millenium	**Total Boring Depth (ft bgs):**	8.5
Farallon PN:	1071-080	**Drilling Method:**	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Logged By:	Nate Montoy	**Drilling Equipment:**	Geoprobe 7822DT		
Reviewed By:	Kathy Lehnus	**Drilling Operator:**	Andrew		
		Sampler Type:	Acetate Sleeve		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Boring/Well Construction Details
0	0.17': Asphalt.	AC				#3 Sand
	0.17': Silty SAND, fine sand, brown (10YR 5/3), moist, no odor.	SM				Hydrated #8 Bentonite
						Dry #8 Bentonite
						Vapor probe
					SVP-10-4.0	
						#3 Sand
5			35	0.7		Dry #8 Bentonite
	6.0': Silty SAND, fine sand, grayish brown (10YR 6/2), moist, no odor.	SM				Hydrated #8 Bentonite
						Dry #8 Bentonite
						Vapor probe
					SVP-10-8.0	
	8.5': End of Boring.		35	0.5		#3 Sand

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	NA	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	NA	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

APPENDIX G
LABORATORY ANALYTICAL REPORTS

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

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JONES ENVIRONMENTAL LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	G-0423 1071-080-002
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/11/2022 3/11/2022
Project:	5355 E Airport Dr.	**Date Analyzed:**	3/11/2022
Project Address:	5355 E Airport Dr. Ontario, CA	**Physical State:**	Soil Gas

ANALYSES REQUESTED

1. EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sampling – Soil Gas samples were collected in glass gas-tight syringes equipped with Teflon plungers.

A tracer gas mixture of n-pentane, n-hexane, and n-heptane was placed at the tubing-surface interface before sampling. These compounds were analyzed during the 8260B analytical run to determine if there were surface leaks into the subsurface due to improper installation of the probe. No tracer was detected in any of the samples reported herein.

The sampling rate was approximately 200 cc/min, except when noted differently on the chain of custody record, using a glass gas-tight syringe. Purging was completed using a pump set at approximately 200 cc/min, except when noted differently on the chain of custody record. A default of 3 purge volumes was used as recommended by July 2015 DTSC/RWQCB guidance documents.

Prior to purging and sampling of soil gas at each point, a shut-in test was conducted to check for leaks in the above ground fittings. The shut-in test was performed on the above ground apparatus by evacuating the line to a vacuum of 100 inches of water, sealing the entire system and watching the vacuum for at least one minute. A vacuum gauge attached in parallel to the apparatus measured the vacuum. If there was any observable loss of vacuum, the fittings were adjusted as needed until the vacuum did not change noticeably. The soil gas sample was then taken.

No flow conditions occur when a sampling rate greater than 10 mL/min cannot be maintained without applying a vacuum greater than 100 inches of water to the sampling train. The sampling train is left at a vacuum for no less than three minutes. If the vacuum does not subside appreciably after three minutes, the sample location is determined to be a no flow sample.

Analytical – Soil Gas samples were analyzed using EPA Method 8260 that includes extra compounds required by DTSC/RWQCB (such as Freon 113). Instrument Continuing Calibration Verification, QC Reference Standards, Instrument Blanks and Sampling Blanks were analyzed every 12 hours as prescribed by the method. In addition, a Laboratory Control Sample (LCS) and Laboratory Control Sample Duplicate (LCSD) were analyzed with each batch of Soil Gas samples. A duplicate/replicate sample was analyzed each day of the sampling activity. All samples were injected into the GC/MS system within 30 minutes of collection.

Approval: _____

Annalise O'Toole
Mobile Lab Manager

2335

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JONES ENVIRONMENTAL LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	G-0423 1071-080-002
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/11/2022 3/11/2022
Project:	5355 E Airport Dr.	**Date Analyzed:**	3/11/2022
Project Address:	5355 E Airport Dr. Ontario, CA	**Physical State:**	Soil Gas

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**SVP-2-4'**	**SVP-1-4'**	**SVP-1-10'**	**SVP-4-4'**	**SVP-3-4'**		
Jones ID:	**G-0423-01**	**G-0423-02**	**G-0423-03**	**G-0423-04**	**G-0423-05**	**Reporting Limit**	**Units**
Analytes:							
Benzene	ND	ND	ND	ND	ND	20	µg/m3
Bromobenzene	ND	ND	ND	ND	ND	20	µg/m3
Bromodichloromethane	ND	ND	ND	ND	ND	20	µg/m3
Bromoform	ND	ND	ND	ND	ND	20	µg/m3
n-Butylbenzene	ND	ND	ND	ND	ND	30	µg/m3
sec-Butylbenzene	ND	ND	ND	ND	ND	30	µg/m3
tert-Butylbenzene	ND	ND	ND	ND	ND	30	µg/m3
Carbon tetrachloride	ND	ND	ND	ND	ND	20	µg/m3
Chlorobenzene	ND	ND	ND	ND	ND	20	µg/m3
Chloroform	ND	ND	ND	ND	ND	20	µg/m3
2-Chlorotoluene	ND	ND	ND	ND	ND	30	µg/m3
4-Chlorotoluene	ND	ND	ND	ND	ND	30	µg/m3
Dibromochloromethane	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dibromo-3-chloropropane	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dibromoethane (EDB)	ND	ND	ND	ND	ND	20	µg/m3
Dibromomethane	ND	ND	ND	ND	ND	20	µg/m3
1,2- Dichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,3-Dichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,4-Dichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
Dichlorodifluoromethane	ND	ND	ND	ND	ND	40	µg/m3
1,1-Dichloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dichloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,1-Dichloroethene	ND	ND	ND	ND	ND	20	µg/m3
cis-1,2-Dichloroethene	ND	ND	ND	ND	ND	20	µg/m3
trans-1,2-Dichloroethene	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dichloropropane	ND	ND	ND	ND	ND	20	µg/m3
1,3-Dichloropropane	ND	ND	ND	ND	ND	20	µg/m3
2,2-Dichloropropane	ND	ND	ND	ND	ND	40	µg/m3
1,1-Dichloropropene	ND	ND	ND	ND	ND	25	µg/m3

JONES ENVIRONMENTAL LABORATORY RESULTS

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**SVP-2-4'**	**SVP-1-4'**	**SVP-1-10'**	**SVP-4-4'**	**SVP-3-4'**		
Jones ID:	**G-0423-01**	**G-0423-02**	**G-0423-03**	**G-0423-04**	**G-0423-05**	**Reporting Limit**	**Units**
Analytes:							
cis-1,3-Dichloropropene	ND	ND	ND	ND	ND	20	µg/m3
trans-1,3-Dichloropropene	ND	ND	ND	ND	ND	20	µg/m3
Ethylbenzene	ND	ND	ND	ND	ND	20	µg/m3
Freon 113	ND	ND	ND	ND	ND	40	µg/m3
Hexachlorobutadiene	ND	ND	ND	ND	ND	60	µg/m3
Isopropylbenzene	ND	ND	ND	ND	ND	20	µg/m3
4-Isopropyltoluene	ND	ND	ND	ND	ND	20	µg/m3
Methylene chloride	ND	ND	ND	ND	ND	20	µg/m3
Naphthalene	ND	ND	ND	ND	ND	100	µg/m3
n-Propylbenzene	ND	ND	ND	ND	ND	20	µg/m3
Styrene	ND	ND	ND	ND	ND	20	µg/m3
1,1,1,2-Tetrachloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,1,2,2-Tetrachloroethane	ND	ND	ND	ND	ND	40	µg/m3
Tetrachloroethene	**27**	**31**	**157**	**62**	ND	20	µg/m3
Toluene	**34**	**21**	**21**	**80**	**78**	20	µg/m3
1,2,3-Trichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,2,4-Trichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,1,1-Trichloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,1,2-Trichloroethane	ND	ND	ND	ND	ND	20	µg/m3
Trichloroethene	ND	ND	ND	ND	ND	20	µg/m3
Trichlorofluoromethane	ND	ND	ND	ND	ND	40	µg/m3
1,2,3-Trichloropropane	ND	ND	ND	ND	ND	20	µg/m3
1,2,4-Trimethylbenzene	ND	ND	ND	ND	ND	20	µg/m3
1,3,5-Trimethylbenzene	ND	ND	ND	ND	ND	20	µg/m3
Vinyl chloride	ND	ND	ND	ND	ND	20	µg/m3
m,p-Xylene	ND	ND	ND	ND	ND	40	µg/m3
o-Xylene	ND	ND	ND	ND	ND	20	µg/m3
MTBE	ND	ND	ND	ND	ND	100	µg/m3
Ethyl-tert-butylether	ND	ND	ND	ND	ND	100	µg/m3
Di-isopropylether	ND	ND	ND	ND	ND	100	µg/m3
tert-amylmethylether	ND	ND	ND	ND	ND	100	µg/m3
tert-Butylalcohol	ND	ND	ND	ND	ND	1000	µg/m3
Gasoline Range Organics (C4-C12)	ND	ND	ND	ND	ND	5000	µg/m3
Tracer:							
n-Pentane	ND	ND	ND	ND	ND	200	µg/m3
n-Hexane	ND	ND	ND	ND	ND	200	µg/m3
n-Heptane	ND	ND	ND	ND	ND	200	µg/m3
Dilution Factor	1	1	1	1	1		
Surrogate Recoveries:						**QC Limits**	
Dibromofluoromethane	98%	102%	100%	99%	101%	60 - 140	
Toluene-d_8	101%	99%	100%	99%	100%	60 - 140	
4-Bromofluorobenzene	96%	97%	98%	95%	98%	60 - 140	
Batch ID:	G1-031122-01	G1-031122-01	G1-031122-01	G1-031122-01	G1-031122-01		

ND = Value below reporting limit

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JONES ENVIRONMENTAL LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	G-0423 1071-080-002
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/11/2022 3/11/2022
Project:	5355 E Airport Dr.	**Date Analyzed:**	3/11/2022
Project Address:	5355 E Airport Dr. Ontario, CA	**Physical State:**	Soil Gas

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**SVP-3-4' REP**	**SVP-5-4'**	**SVP-5-10'**	**SVP-7-4'**	**SVP-9-4'**		
Jones ID:	**G-0423-06**	**G-0423-07**	**G-0423-08**	**G-0423-09**	**G-0423-10**	**Reporting Limit**	**Units**
Analytes:							
Benzene	ND	ND	ND	ND	ND	20	µg/m3
Bromobenzene	ND	ND	ND	ND	ND	20	µg/m3
Bromodichloromethane	ND	ND	ND	ND	ND	20	µg/m3
Bromoform	ND	ND	ND	ND	ND	20	µg/m3
n-Butylbenzene	ND	ND	ND	ND	ND	30	µg/m3
sec-Butylbenzene	ND	ND	ND	ND	ND	30	µg/m3
tert-Butylbenzene	ND	ND	ND	ND	ND	30	µg/m3
Carbon tetrachloride	ND	ND	ND	ND	ND	20	µg/m3
Chlorobenzene	ND	ND	ND	ND	ND	20	µg/m3
Chloroform	ND	ND	ND	ND	ND	20	µg/m3
2-Chlorotoluene	ND	ND	ND	ND	ND	30	µg/m3
4-Chlorotoluene	ND	ND	ND	ND	ND	30	µg/m3
Dibromochloromethane	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dibromo-3-chloropropane	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dibromoethane (EDB)	ND	ND	ND	ND	ND	20	µg/m3
Dibromomethane	ND	ND	ND	ND	ND	20	µg/m3
1,2- Dichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,3-Dichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,4-Dichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
Dichlorodifluoromethane	ND	ND	ND	ND	ND	40	µg/m3
1,1-Dichloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dichloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,1-Dichloroethene	ND	ND	ND	ND	ND	20	µg/m3
cis-1,2-Dichloroethene	ND	ND	ND	ND	ND	20	µg/m3
trans-1,2-Dichloroethene	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dichloropropane	ND	ND	ND	ND	ND	20	µg/m3
1,3-Dichloropropane	ND	ND	ND	ND	ND	20	µg/m3
2,2-Dichloropropane	ND	ND	ND	ND	ND	40	µg/m3
1,1-Dichloropropene	ND	ND	ND	ND	ND	25	µg/m3

JONES ENVIRONMENTAL LABORATORY RESULTS

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**SVP-3-4' REP**	**SVP-5-4'**	**SVP-5-10'**	**SVP-7-4'**	**SVP-9-4'**		
Jones ID:	**G-0423-06**	**G-0423-07**	**G-0423-08**	**G-0423-09**	**G-0423-10**	**Reporting Limit**	**Units**
Analytes:							
cis-1,3-Dichloropropene	ND	ND	ND	ND	ND	20	µg/m3
trans-1,3-Dichloropropene	ND	ND	ND	ND	ND	20	µg/m3
Ethylbenzene	ND	ND	ND	ND	ND	20	µg/m3
Freon 113	ND	ND	ND	ND	ND	40	µg/m3
Hexachlorobutadiene	ND	ND	ND	ND	ND	60	µg/m3
Isopropylbenzene	ND	ND	ND	ND	ND	20	µg/m3
4-Isopropyltoluene	ND	ND	ND	ND	ND	20	µg/m3
Methylene chloride	ND	ND	ND	ND	ND	20	µg/m3
Naphthalene	ND	ND	ND	ND	ND	100	µg/m3
n-Propylbenzene	ND	ND	ND	ND	ND	20	µg/m3
Styrene	ND	ND	ND	ND	ND	20	µg/m3
1,1,1,2-Tetrachloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,1,2,2-Tetrachloroethane	ND	ND	ND	ND	ND	40	µg/m3
Tetrachloroethene	ND	**70**	**234**	**247**	**24**	20	µg/m3
Toluene	**45**	**83**	ND	**91**	**87**	20	µg/m3
1,2,3-Trichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,2,4-Trichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,1,1-Trichloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,1,2-Trichloroethane	ND	ND	ND	ND	ND	20	µg/m3
Trichloroethene	ND	ND	ND	ND	ND	20	µg/m3
Trichlorofluoromethane	ND	ND	ND	ND	ND	40	µg/m3
1,2,3-Trichloropropane	ND	ND	ND	ND	ND	20	µg/m3
1,2,4-Trimethylbenzene	ND	ND	ND	ND	ND	20	µg/m3
1,3,5-Trimethylbenzene	ND	ND	ND	ND	ND	20	µg/m3
Vinyl chloride	ND	ND	ND	ND	ND	20	µg/m3
m,p-Xylene	ND	ND	ND	ND	ND	40	µg/m3
o-Xylene	ND	ND	ND	ND	ND	20	µg/m3
MTBE	ND	ND	ND	ND	ND	100	µg/m3
Ethyl-tert-butylether	ND	ND	ND	ND	ND	100	µg/m3
Di-isopropylether	ND	ND	ND	ND	ND	100	µg/m3
tert-amylmethylether	ND	ND	ND	ND	ND	100	µg/m3
tert-Butylalcohol	ND	ND	ND	ND	ND	1000	µg/m3
Gasoline Range Organics (C4-C12)	ND	ND	ND	ND	ND	5000	µg/m3
Tracer:							
n-Pentane	ND	ND	ND	ND	ND	200	µg/m3
n-Hexane	ND	ND	ND	ND	ND	200	µg/m3
n-Heptane	ND	ND	ND	ND	ND	200	µg/m3
Dilution Factor	1	1	1	1	1		
Surrogate Recoveries:						**QC Limits**	
Dibromofluoromethane	102%	101%	103%	100%	105%	60 - 140	
Toluene-d_8	99%	97%	99%	98%	98%	60 - 140	
4-Bromofluorobenzene	98%	98%	97%	97%	95%	60 - 140	
Batch ID:	G1-031122-01	G1-031122-01	G1-031122-01	G1-031122-01	G1-031122-01		

ND = Value below reporting limit

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JONES ENVIRONMENTAL LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	G-0423 1071-080-002
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/11/2022 3/11/2022
Project:	5355 E Airport Dr.	**Date Analyzed:**	3/11/2022
Project Address:	5355 E Airport Dr. Ontario, CA	**Physical State:**	Soil Gas

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**SVP-8-4'**	**SVP-6-4'**	**SVP-6-8'**	**SVP-10-4'**	**SVP-10-8'**		
Jones ID:	**G-0423-11**	**G-0423-12**	**G-0423-13**	**G-0423-14**	**G-0423-15**	**Reporting Limit**	**Units**
Analytes:							
Benzene	ND	ND	ND	ND	ND	20	µg/m3
Bromobenzene	ND	ND	ND	ND	ND	20	µg/m3
Bromodichloromethane	ND	ND	ND	ND	ND	20	µg/m3
Bromoform	ND	ND	ND	ND	ND	20	µg/m3
n-Butylbenzene	ND	ND	ND	ND	ND	30	µg/m3
sec-Butylbenzene	ND	ND	ND	ND	ND	30	µg/m3
tert-Butylbenzene	ND	ND	ND	ND	ND	30	µg/m3
Carbon tetrachloride	ND	ND	ND	ND	ND	20	µg/m3
Chlorobenzene	ND	ND	ND	ND	ND	20	µg/m3
Chloroform	ND	ND	ND	ND	ND	20	µg/m3
2-Chlorotoluene	ND	ND	ND	ND	ND	30	µg/m3
4-Chlorotoluene	ND	ND	ND	ND	ND	30	µg/m3
Dibromochloromethane	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dibromo-3-chloropropane	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dibromoethane (EDB)	ND	ND	ND	ND	ND	20	µg/m3
Dibromomethane	ND	ND	ND	ND	ND	20	µg/m3
1,2- Dichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,3-Dichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,4-Dichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
Dichlorodifluoromethane	ND	ND	ND	ND	**60**	40	µg/m3
1,1-Dichloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dichloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,1-Dichloroethene	ND	ND	ND	ND	ND	20	µg/m3
cis-1,2-Dichloroethene	ND	ND	ND	ND	ND	20	µg/m3
trans-1,2-Dichloroethene	ND	ND	ND	ND	ND	20	µg/m3
1,2-Dichloropropane	ND	ND	ND	ND	ND	20	µg/m3
1,3-Dichloropropane	ND	ND	ND	ND	ND	20	µg/m3
2,2-Dichloropropane	ND	ND	ND	ND	ND	40	µg/m3
1,1-Dichloropropene	ND	ND	ND	ND	ND	25	µg/m3

JONES ENVIRONMENTAL LABORATORY RESULTS

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**SVP-8-4'**	**SVP-6-4'**	**SVP-6-8'**	**SVP-10-4'**	**SVP-10-8'**		
Jones ID:	**G-0423-11**	**G-0423-12**	**G-0423-13**	**G-0423-14**	**G-0423-15**	**Reporting Limit**	**Units**
Analytes:							
cis-1,3-Dichloropropene	ND	ND	ND	ND	ND	20	µg/m3
trans-1,3-Dichloropropene	ND	ND	ND	ND	ND	20	µg/m3
Ethylbenzene	ND	ND	ND	ND	ND	20	µg/m3
Freon 113	ND	ND	ND	ND	ND	40	µg/m3
Hexachlorobutadiene	ND	ND	ND	ND	ND	60	µg/m3
Isopropylbenzene	ND	ND	ND	ND	ND	20	µg/m3
4-Isopropyltoluene	ND	ND	ND	ND	ND	20	µg/m3
Methylene chloride	ND	ND	ND	ND	ND	20	µg/m3
Naphthalene	ND	ND	ND	ND	ND	100	µg/m3
n-Propylbenzene	ND	ND	ND	ND	ND	20	µg/m3
Styrene	ND	ND	ND	ND	ND	20	µg/m3
1,1,1,2-Tetrachloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,1,2,2-Tetrachloroethane	ND	ND	ND	ND	ND	40	µg/m3
Tetrachloroethene	**232**	**97**	**34**	**31**	**63**	20	µg/m3
Toluene	**89**	**106**	**65**	**60**	**47**	20	µg/m3
1,2,3-Trichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,2,4-Trichlorobenzene	ND	ND	ND	ND	ND	40	µg/m3
1,1,1-Trichloroethane	ND	ND	ND	ND	ND	20	µg/m3
1,1,2-Trichloroethane	ND	ND	ND	ND	ND	20	µg/m3
Trichloroethene	ND	ND	ND	ND	ND	20	µg/m3
Trichlorofluoromethane	ND	ND	ND	ND	ND	40	µg/m3
1,2,3-Trichloropropane	ND	ND	ND	ND	ND	20	µg/m3
1,2,4-Trimethylbenzene	ND	ND	ND	ND	ND	20	µg/m3
1,3,5-Trimethylbenzene	ND	ND	ND	ND	ND	20	µg/m3
Vinyl chloride	ND	ND	ND	ND	ND	20	µg/m3
m,p-Xylene	ND	ND	ND	ND	ND	40	µg/m3
o-Xylene	ND	ND	ND	ND	ND	20	µg/m3
MTBE	ND	ND	ND	ND	ND	100	µg/m3
Ethyl-tert-butylether	ND	ND	ND	ND	ND	100	µg/m3
Di-isopropylether	ND	ND	ND	ND	ND	100	µg/m3
tert-amylmethylether	ND	ND	ND	ND	ND	100	µg/m3
tert-Butylalcohol	ND	ND	ND	ND	ND	1000	µg/m3
Gasoline Range Organics (C4-C12)	ND	ND	ND	ND	ND	5000	µg/m3
Tracer:							
n-Pentane	ND	ND	ND	ND	ND	200	µg/m3
n-Hexane	ND	ND	ND	ND	ND	200	µg/m3
n-Heptane	ND	ND	ND	ND	ND	200	µg/m3
Dilution Factor	1	1	1	1	1		
Surrogate Recoveries:						**QC Limits**	
Dibromofluoromethane	103%	105%	105%	105%	103%	60 - 140	
Toluene-d_8	98%	100%	98%	97%	97%	60 - 140	
4-Bromofluorobenzene	96%	97%	96%	97%	97%	60 - 140	
Batch ID:	G1-031122-01	G1-031122-01	G1-031122-01	G1-031122-01	G1-031122-01		

ND = Value below reporting limit

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JONES ENVIRONMENTAL LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	G-0423 1071-080-002
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/11/2022 3/11/2022
Project:	5355 E Airport Dr.	**Date Analyzed:**	3/11/2022
Project Address:	5355 E Airport Dr. Ontario, CA	**Physical State:**	Soil Gas

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**SVP-4-4' REP**	**SS-1**	**SS-2**		
Jones ID:	**G-0423-16**	**G-0423-17**	**G-0423-18**	**Reporting Limit**	**Units**
Analytes:					
Benzene	ND	ND	ND	20	µg/m3
Bromobenzene	ND	ND	ND	20	µg/m3
Bromodichloromethane	ND	ND	ND	20	µg/m3
Bromoform	ND	ND	ND	20	µg/m3
n-Butylbenzene	ND	ND	ND	30	µg/m3
sec-Butylbenzene	ND	ND	ND	30	µg/m3
tert-Butylbenzene	ND	ND	ND	30	µg/m3
Carbon tetrachloride	ND	ND	ND	20	µg/m3
Chlorobenzene	ND	ND	ND	20	µg/m3
Chloroform	ND	ND	ND	20	µg/m3
2-Chlorotoluene	ND	ND	ND	30	µg/m3
4-Chlorotoluene	ND	ND	ND	30	µg/m3
Dibromochloromethane	ND	ND	ND	20	µg/m3
1,2-Dibromo-3-chloropropane	ND	ND	ND	20	µg/m3
1,2-Dibromoethane (EDB)	ND	ND	ND	20	µg/m3
Dibromomethane	ND	ND	ND	20	µg/m3
1,2- Dichlorobenzene	ND	ND	ND	40	µg/m3
1,3-Dichlorobenzene	ND	ND	ND	40	µg/m3
1,4-Dichlorobenzene	ND	ND	ND	40	µg/m3
Dichlorodifluoromethane	ND	ND	ND	40	µg/m3
1,1-Dichloroethane	ND	ND	ND	20	µg/m3
1,2-Dichloroethane	ND	ND	ND	20	µg/m3
1,1-Dichloroethene	ND	ND	ND	20	µg/m3
cis-1,2-Dichloroethene	ND	ND	ND	20	µg/m3
trans-1,2-Dichloroethene	ND	ND	ND	20	µg/m3
1,2-Dichloropropane	ND	ND	ND	20	µg/m3
1,3-Dichloropropane	ND	ND	ND	20	µg/m3
2,2-Dichloropropane	ND	ND	ND	40	µg/m3
1,1-Dichloropropene	ND	ND	ND	25	µg/m3

JONES ENVIRONMENTAL LABORATORY RESULTS

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	SVP-4-4' REP	SS-1	SS-2		
Jones ID:	**G-0423-16**	**G-0423-17**	**G-0423-18**	**Reporting Limit**	**Units**
Analytes:					
cis-1,3-Dichloropropene	ND	ND	ND	20	µg/m3
trans-1,3-Dichloropropene	ND	ND	ND	20	µg/m3
Ethylbenzene	ND	ND	ND	20	µg/m3
Freon 113	ND	ND	ND	40	µg/m3
Hexachlorobutadiene	ND	ND	ND	60	µg/m3
Isopropylbenzene	ND	ND	ND	20	µg/m3
4-Isopropyltoluene	ND	ND	ND	20	µg/m3
Methylene chloride	ND	ND	ND	20	µg/m3
Naphthalene	ND	ND	ND	100	µg/m3
n-Propylbenzene	ND	ND	ND	20	µg/m3
Styrene	ND	ND	ND	20	µg/m3
1,1,1,2-Tetrachloroethane	ND	ND	ND	20	µg/m3
1,1,2,2-Tetrachloroethane	ND	ND	ND	40	µg/m3
Tetrachloroethene	**57**	**220**	**194**	20	µg/m3
Toluene	**46**	ND	ND	20	µg/m3
1,2,3-Trichlorobenzene	ND	ND	ND	40	µg/m3
1,2,4-Trichlorobenzene	ND	ND	ND	40	µg/m3
1,1,1-Trichloroethane	ND	ND	ND	20	µg/m3
1,1,2-Trichloroethane	ND	ND	ND	20	µg/m3
Trichloroethene	ND	ND	ND	20	µg/m3
Trichlorofluoromethane	ND	ND	ND	40	µg/m3
1,2,3-Trichloropropane	ND	ND	ND	20	µg/m3
1,2,4-Trimethylbenzene	ND	ND	ND	20	µg/m3
1,3,5-Trimethylbenzene	ND	ND	ND	20	µg/m3
Vinyl chloride	ND	ND	ND	20	µg/m3
m,p-Xylene	ND	ND	ND	40	µg/m3
o-Xylene	ND	ND	ND	20	µg/m3
MTBE	ND	ND	ND	100	µg/m3
Ethyl-tert-butylether	ND	ND	ND	100	µg/m3
Di-isopropylether	ND	ND	ND	100	µg/m3
tert-amylmethylether	ND	ND	ND	100	µg/m3
tert-Butylalcohol	ND	ND	ND	1000	µg/m3
Gasoline Range Organics (C4-C12)	ND	ND	ND	5000	µg/m3
Tracer:					
n-Pentane	ND	ND	ND	200	µg/m3
n-Hexane	ND	ND	ND	200	µg/m3
n-Heptane	ND	ND	ND	200	µg/m3
Dilution Factor	1	1	1		
Surrogate Recoveries:				**QC Limits**	
Dibromofluoromethane	101%	106%	105%	60 - 140	
Toluene-d_8	98%	99%	95%	60 - 140	
4-Bromofluorobenzene	96%	98%	95%	60 - 140	
Batch ID:	G1-031122-01	G1-031122-01	G1-031122-01		

ND = Value below reporting limit

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JONES ENVIRONMENTAL QUALITY CONTROL INFORMATION

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	G-0423 1071-080-002
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/11/2022 3/11/2022
Project:	5355 E Airport Dr.	**Date Analyzed:**	3/11/2022
Project Address:	5355 E Airport Dr. Ontario, CA	**Physical State:**	Soil Gas

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**METHOD BLANK**	**SAMPLING BLANK**		
Jones ID:	**031122-G1MB1**	**031122-G1SB1**	**Reporting Limit**	**Units**
Analytes:				
Benzene	ND	ND	20	µg/m3
Bromobenzene	ND	ND	20	µg/m3
Bromodichloromethane	ND	ND	20	µg/m3
Bromoform	ND	ND	20	µg/m3
n-Butylbenzene	ND	ND	30	µg/m3
sec-Butylbenzene	ND	ND	30	µg/m3
tert-Butylbenzene	ND	ND	30	µg/m3
Carbon tetrachloride	ND	ND	20	µg/m3
Chlorobenzene	ND	ND	20	µg/m3
Chloroform	ND	ND	20	µg/m3
2-Chlorotoluene	ND	ND	30	µg/m3
4-Chlorotoluene	ND	ND	30	µg/m3
Dibromochloromethane	ND	ND	20	µg/m3
1,2-Dibromo-3-chloropropane	ND	ND	20	µg/m3
1,2-Dibromoethane (EDB)	ND	ND	20	µg/m3
Dibromomethane	ND	ND	20	µg/m3
1,2- Dichlorobenzene	ND	ND	40	µg/m3
1,3-Dichlorobenzene	ND	ND	40	µg/m3
1,4-Dichlorobenzene	ND	ND	40	µg/m3
Dichlorodifluoromethane	ND	ND	40	µg/m3
1,1-Dichloroethane	ND	ND	20	µg/m3
1,2-Dichloroethane	ND	ND	20	µg/m3
1,1-Dichloroethene	ND	ND	20	µg/m3
cis-1,2-Dichloroethene	ND	ND	20	µg/m3
trans-1,2-Dichloroethene	ND	ND	20	µg/m3
1,2-Dichloropropane	ND	ND	20	µg/m3
1,3-Dichloropropane	ND	ND	20	µg/m3
2,2-Dichloropropane	ND	ND	40	µg/m3
1,1-Dichloropropene	ND	ND	25	µg/m3

JONES ENVIRONMENTAL QUALITY CONTROL INFORMATION

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	METHOD BLANK	SAMPLING BLANK		
Jones ID:	031122-G1MB1	031122-G1SB1	**Reporting Limit**	**Units**
Analytes:				
cis-1,3-Dichloropropene	ND	ND	20	µg/m3
trans-1,3-Dichloropropene	ND	ND	20	µg/m3
Ethylbenzene	ND	ND	20	µg/m3
Freon 113	ND	ND	40	µg/m3
Hexachlorobutadiene	ND	ND	60	µg/m3
Isopropylbenzene	ND	ND	20	µg/m3
4-Isopropyltoluene	ND	ND	20	µg/m3
Methylene chloride	ND	ND	20	µg/m3
Naphthalene	ND	ND	100	µg/m3
n-Propylbenzene	ND	ND	20	µg/m3
Styrene	ND	ND	20	µg/m3
1,1,1,2-Tetrachloroethane	ND	ND	20	µg/m3
1,1,2,2-Tetrachloroethane	ND	ND	40	µg/m3
Tetrachloroethene	ND	ND	20	µg/m3
Toluene	ND	ND	20	µg/m3
1,2,3-Trichlorobenzene	ND	ND	40	µg/m3
1,2,4-Trichlorobenzene	ND	ND	40	µg/m3
1,1,1-Trichloroethane	ND	ND	20	µg/m3
1,1,2-Trichloroethane	ND	ND	20	µg/m3
Trichloroethene	ND	ND	20	µg/m3
Trichlorofluoromethane	ND	ND	40	µg/m3
1,2,3-Trichloropropane	ND	ND	20	µg/m3
1,2,4-Trimethylbenzene	ND	ND	20	µg/m3
1,3,5-Trimethylbenzene	ND	ND	20	µg/m3
Vinyl chloride	ND	ND	20	µg/m3
m,p-Xylene	ND	ND	40	µg/m3
o-Xylene	ND	ND	20	µg/m3
MTBE	ND	ND	100	µg/m3
Ethyl-tert-butylether	ND	ND	100	µg/m3
Di-isopropylether	ND	ND	100	µg/m3
tert-amylmethylether	ND	ND	100	µg/m3
tert-Butylalcohol	ND	ND	1000	µg/m3
Gasoline Range Organics (C4-C12)	ND	ND	5000	µg/m3
Tracer:				
n-Pentane	ND	ND	200	µg/m3
n-Hexane	ND	ND	200	µg/m3
n-Heptane	ND	ND	200	µg/m3
Dilution Factor	1	1		
Surrogate Recoveries:			**QC Limits**	
Dibromofluoromethane	98%	97%	60 - 140	
Toluene-d_8	100%	99%	60 - 140	
4-Bromofluorobenzene	100%	100%	60 - 140	
Batch ID:	G1-031122-01	G1-031122-01		

ND = Value below reporting limit

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JONES ENVIRONMENTAL QUALITY CONTROL INFORMATION

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	G-0423 1071-080-002
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/11/2022 3/11/2022
Project:	5355 E Airport Dr.	**Date Analyzed:**	3/11/2022
Project Address:	5355 E Airport Dr. Ontario, CA	**Physical State:**	Soil Gas

EPA 8260B – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Batch ID: G1-031122-01

Jones ID:	**031122-G1LCS1**	**031122-G1LCSD1**			**031122-G1CCV1**	
Parameter	LCS Recovery (%)	LCSD Recovery (%)	RPD	Acceptability Range (%)	CCV	Acceptability Range (%)
Vinyl chloride	84%	75%	11.1%	60 - 140	79%[1]	80 - 120
1,1-Dichloroethene	97%	90%	7.3%	60 - 140	90%	80 - 120
Cis-1,2-Dichloroethene	107%	93%	13.6%	70 - 130	98%	80 - 120
1,1,1-Trichloroethane	102%	90%	12.1%	70 - 130	96%	80 - 120
Benzene	97%	90%	7.2%	70 - 130	99%	80 - 120
Trichloroethene	123%	121%	1.6%	70 - 130	107%	80 - 120
Toluene	108%	103%	4.9%	70 - 130	102%	80 - 120
Tetrachloroethene	105%	107%	2.3%	70 - 130	103%	80 - 120
Chlorobenzene	118%	112%	4.9%	70 - 130	103%	80 - 120
Ethylbenzene	102%	95%	6.9%	70 - 130	99%	80 - 120
1,2,4 Trimethylbenzene	88%	86%	1.8%	70 - 130	81%	80 - 120
Gasoline Range Organics (C4-C12)	99%	94%	5.3%	70 - 130	95%	80 - 120
Surrogate Recovery:						
Dibromofluoromethane	106%	104%		60 - 140	97%	60 - 140
Toluene-d_8	99%	100%		60 - 140	101%	60 - 140
4-Bromofluorobenzene	96%	100%		60 - 140	102%	60 - 140

[1]Recovery outside of acceptable limits. LCS/LCSD recoveries and RPD were within QC limits, therefore data was accepted.
LCS = Laboratory Control Sample
LCSD = Laboratory Control Sample Duplicate
CCV = Continuing Calibration Verification
RPD = Relative Percent Difference; Acceptability range for RPD is ≤ 20%

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Soil-Gas Chain-of-Custody Record

Client: Farallon Consulting
Project Name: 5355 E Airport Dr.
Project Address: 5355 E Airport Dr.
Ontario, CA
Email:
Phone:
Report To: Kathy Lehnus
Sampler: Madison Jones

Date: 3/11/2022
Client Project #: 1071-080-002

Purge Number: ☐ 1P ☒ 3P ☐ 7P ☐ 10P
Shut-In Test: (Y) / N

Report Options: EDD ____ EDF* - 10% Surcharge____ *Global ID _____

Turn Around Requested:
☐ Immediate Attention
☐ Rush 24 Hours
☐ Rush 48 Hours
☐ Rush 72 Hours
☐ Normal
☒ Mobile Lab

Tracer:
☒ n-pentane
☒ n-hexane
☒ n-heptane
☐ Isopropyl Alchohol
☐ 1,1-DFA
☐ _____

Reporting Limits: ☒ Standard ☐ Low Level* ☐ MDL* *Surcharge for these limits
Units: $\mu g/m^3$

LAB USE ONLY
Jones Project #: G-0423

Page 1 of 2

Sample Container: GASTIGHT GLASS SYRINGE
If different than above, see Notes.

Sample ID	Purge Number	Purge Volume (mL)	Date	Sample Collection Time	Sample Analysis Time	Laboratory Sample ID	Purge Rate (mL/min)	Pump Used	Magnehelic	Sample Matrix: Soil Gas (SG), Air (A), Material (M)	EPA 8260B (VOCs)	Gasoline Range Organics			Magnehelic Vacuum (In/H_2O)	Number of Containers	Notes & Special Instructions
SVP-2-4'	3	1610	3/11/22	7:26	7:28	G-0423-01	200	GOOSE.5	M100.006	SG	X	X			<2	1	
SVP-1-4'	3	1610	3/11/22	7:34	7:45	G-0423-02	200	JACKSON.1	M100.007	SG	X	X			<2	1	
SVP-1-10'	3	1710	3/11/22	7:49	8:04	G-0423-03	200	GOOSE.5	M100.202	SG	X	X			<2	1	
SVP-4-4'	3	1610	3/11/22	8:15	8:21	G-0423-04	200	JACKSON.1	M100.203	SG	X	X			<2	1	
SVP-3-4'	3	1610	3/11/22	8:47	8:55	G-0423-05	200	GOOSE.5	M100.006	SG	X	X			<2	1	
SVP-3-4'REP	-	-	3/11/22	8:57	9:15	G-0423-06	-	JACKSON.1	M100.006	SG	X	X			<2	1	
SVP-5-4'	3	1610	3/11/22	9:30	9:33	G-0423-07	200	GOOSE.5	M100.007	SG	X	X			<2	1	
SVP-5-10'	3	1710	3/11/22	9:52	10:08	G-0423-08	200	JACKSON.1	M100.202	SG	X	X			<2	1	
SVP-7-4'	3	1610	3/11/22	10:18	10:26	G-0423-09	200	GOOSE.5	M100.203	SG	X	X			<2	1	
SVP-9-4'	3	1610	3/11/22	10:32	10:44	G-0423-10	200	JACKSON.1	M100.006	SG	X	X			<2	1	

Representative Signature	**Printed Name**	**Laboratory Signature**	**Printed Name**	10	Total Number of Containers
	Nate Montoy		Madison Jones		
Company	**Date / Time**	**Company**	**Date / Time**		
Farallon Consulting	3/11/2022 13:40	JONES ENVIRONMENTAL, INC.	3/11/2022 13:40		
Representative Signature	**Printed Name**	**Laboratory Signature**	**Printed Name**		
Company	**Date / Time**	**Company**	**Date / Time**		

Client signature on this Chain of Custody form constitutes acknowledgement that the above analyses have been requested, and the information provided herein is correct and accurate.

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Soil-Gas Chain-of-Custody Record

Client: Farallon Consulting
Project Name: 5355 E Airport Dr.
Project Address: 5355 E Airport Dr., Ontario, CA
Email:
Phone:
Report To: Kathy Lehnus
Sampler: Madison Jones

Date: 3/11/2022
Client Project #: 1071-080-002

Purge Number: ☐ 1P ☒ 3P ☐ 7P ☐ 10P
Shut-In Test: (Y) / N

Report Options: EDD ____ EDF* - 10% Surcharge ____ *Global ID ____

Turn Around Requested:
- ☐ Immediate Attention
- ☐ Rush 24 Hours
- ☐ Rush 48 Hours
- ☐ Rush 72 Hours
- ☐ Normal
- ☒ Mobile Lab

Tracer:
- ☒ n-pentane
- ☒ n-hexane
- ☒ n-heptane
- ☐ Isopropyl Alchohol
- ☐ 1,1-DFA
- ☐ ____

Reporting Limits: ☒ Standard ☐ Low Level* ☐ MDL* *surcharge for these limits
Units: µg/m³

LAB USE ONLY
Jones Project #: G-0423
Page 2 of 2
Sample Container: GASTIGHT GLASS SYRINGE
If different than above, see Notes.

Analysis Requested

Sample ID	Purge Number	Purge Volume (mL)	Date	Sample Collection Time	Sample Analysis Time	Laboratory Sample ID	Purge Rate (mL/min)	Pump Used	Magnehelic	Sample Matrix: Soil Gas (SG), Air (A), Material (M)	EPA 8260B (VOCs)	Gasoline Range Organics			Magnehelic Vacuum (in/H_2O)	Number of Containers	Notes & Special Instructions
SVP-8-4'	3	1610	3/11/22	10:55	11:05	G-0423-11	200	GOOSE.5	M100.007	SG	X	X			<2	1	SVP-8-4'
SVP-6-4'	3	1610	3/11/22	11:15	11:23	G-0423-12	200	JACKSON.1	M100.202	SG	X	X			<2	1	SVP-6-4'
SVP-6-8'	3	1680	3/11/22	11:39	11:42	G-0423-13	200	GOOSE.5	M100.203	SG	X	X			<2	1	SVP-6-8'
SVP-10-4'	3	1610	3/11/22	11:48	11:58	G-0423-14	200	JACKSON.1	M100.006	SG	X	X			<2	1	SVP-10-4'
SVP-10-8'	3	1680	3/11/22	12:14	12:17	G-0423-15	200	GOOSE.5	M100.007	SG	X	X			<2	1	SVP-10-8'
SVP-4-4'REP	-	-	3/11/22	8:32	8:39	G-0423-16	-	-	M100.007	SG	X	X			<2	1	SVP-4-4'REP
SS-1	3	125	3/11/22	12:41	12:52	G-0423-17	200	HANDPURGE	M100.203	SG	X	X			<2	1	SS-1
SS-2	3	125	3/11/22	12:55	13:10	G-0423-18	200	HANDPURGE	M100.203	SG	X	X			<2	1	SS-2

Representative Signature	**Printed Name** Nate Montoy	**Laboratory Signature**	**Printed Name** Madison Jones
Company Farallon Consulting	**Date** 3/11/2022 **Time** 13:40	**Company** JONES ENVIRONMENTAL, INC.	**Date** 3/11/2022 **Time** 13:40
Representative Signature	**Printed Name**	**Laboratory Signature**	**Printed Name**
Company	**Date** **Time**	**Company**	**Date** **Time**

8 Total Number of Containers

Client signature on this Chain of Custody form constitutes acknowledgement that the above analyses have been reqested, and the information provided herein is correct and accurate.

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JONES ENVIRONMENTAL
LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA.	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:**	3/4/2022
		Date Received:	3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/9/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

ANALYSES REQUESTED

Soil:

1. EPA 8015M – Extended Range Hydrocarbons
2. EPA 8260B by 5035 – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics
3. EPA 6010B by 3050B and EPA 7471A – CAM 17 Metals

Approval: Juan Camacho

Juan Camacho, M.S.
Stationary Lab Technical Manager

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LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA.	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:**	3/4/2022
		Date Received:	3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/9/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

EPA 8015M - Extended Range Hydrocarbons

Sample ID:	**SVP-1-10'**	**SVP-5-10'**	**SVP-6-4'**	**SVP-6-8'**	**SVP-7-4'**		
Jones ID:	**ST-19272-01**	**ST-19272-05**	**ST-19272-06**	**ST-19272-07**	**ST-19272-08**	**Reporting Limit**	**Units**
Carbon Chain Range							
C10 - C11	ND	ND	ND	ND	ND	1.0	mg/kg
C12 - C13	ND	ND	ND	ND	ND	1.0	mg/kg
C14 - C15	ND	ND	ND	ND	ND	1.0	mg/kg
C16 - C17	ND	ND	ND	ND	ND	1.0	mg/kg
C18 - C19	ND	ND	ND	ND	ND	1.0	mg/kg
C20 - C23	ND	ND	ND	ND	ND	1.0	mg/kg
C24 - C27	ND	ND	ND	ND	ND	1.0	mg/kg
C28 - C31	ND	ND	ND	ND	ND	1.0	mg/kg
C32 - C35	ND	ND	ND	ND	ND	1.0	mg/kg
C36 - C39	ND	ND	ND	ND	ND	1.0	mg/kg
C40 - C43	ND	ND	ND	ND	ND	1.0	mg/kg
C13 - C22	ND	ND	ND	ND	ND	10.0	mg/kg
C23 - C40	ND	ND	ND	ND	ND	10.0	mg/kg
Dilution Factor	1	1	1	1	1		
Surrogate Recovery:						**QC Limits**	
Hexacosane	115%	110%	93%	119%	101%	30 - 120	
Batch:	FID8_030922_01	FID8_030922_01	FID8_030922_01	FID8_030922_01	FID8_030922_01		

ND = Value less than reporting limit

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LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA.	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/4/2022 3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/9/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

EPA 8015M - Extended Range Hydrocarbons

Sample ID:	**SVP-8-4'**	**SVP-9-4'**	**SVP-10-8'**	**SB-1-10'**	**SB-2-10'**		
Jones ID:	**ST-19272-09**	**ST-19272-10**	**ST-19272-11**	**ST-19272-12**	**ST-19272-13**	**Reporting Limit**	**Units**
Carbon Chain Range							
C10 - C11	ND	ND	ND	ND	ND	1.0	mg/kg
C12 - C13	ND	ND	ND	ND	ND	1.0	mg/kg
C14 - C15	ND	ND	ND	ND	ND	1.0	mg/kg
C16 - C17	ND	ND	ND	ND	ND	1.0	mg/kg
C18 - C19	ND	ND	ND	ND	ND	1.0	mg/kg
C20 - C23	ND	ND	ND	ND	ND	1.0	mg/kg
C24 - C27	ND	ND	ND	ND	ND	1.0	mg/kg
C28 - C31	ND	ND	ND	ND	ND	1.0	mg/kg
C32 - C35	ND	ND	ND	ND	ND	1.0	mg/kg
C36 - C39	ND	ND	ND	ND	ND	1.0	mg/kg
C40 - C43	ND	ND	ND	ND	ND	1.0	mg/kg
C13 - C22	ND	ND	ND	ND	ND	10.0	mg/kg
C23 - C40	ND	ND	ND	ND	ND	10.0	mg/kg
Dilution Factor	1	1	1	1	1		
Surrogate Recovery:						**QC Limits**	
Hexacosane	91%	114%	92%	115%	116%	30 - 120	
Batch:	FID8_030922_01	FID8_030922_01	FID8_030922_01	FID8_030922_01	FID8_030922_01		

ND = Value less than reporting limit

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JONES ENVIRONMENTAL QUALITY CONTROL INFORMATION

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA.	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/4/2022 3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/9/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

EPA 8015M - Extended Range Hydrocarbons

Sample ID:	**METHOD BLANK #1**		
Jones ID:	**MB1-030922FID8**	**Reporting Limit**	**Units**
Carbon Chain Range			
C10 - C11	ND	1.0	mg/kg
C12 - C13	ND	1.0	mg/kg
C14 - C15	ND	1.0	mg/kg
C16 - C17	ND	1.0	mg/kg
C18 - C19	ND	1.0	mg/kg
C20 - C23	ND	1.0	mg/kg
C24 - C27	ND	1.0	mg/kg
C28 - C31	ND	1.0	mg/kg
C32 - C35	ND	1.0	mg/kg
C36 - C39	ND	1.0	mg/kg
C40 - C43	ND	1.0	mg/kg
C13 - C22	ND	10.0	mg/kg
C23 - C40	ND	10.0	mg/kg
Dilution Factor	1		
Surrogate Recovery:		**QC Limits**	
Hexacosane	115%	30 - 120	
Batch:	FID8_030922_01		

ND = Value less than reporting limit

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JONES ENVIRONMENTAL QUALITY CONTROL INFORMATION

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA.	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/4/2022 3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/9/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

BATCH: **FID8_ 030922_01** **Prepared:** 3/9/2022 **Analyzed:** 3/9/2022

EPA 8015M - Extended Range Hydrocarbons

	Result	Spike Level	% Recovery	% RPD	% Recovery Limits	Units
LCS:	LCS1-030922FID8	**SAMPLE SPIKED:**	CLEAN SOIL			
Analyte:						
Diesel (C10 - C28)	**495**	500	99%		60 - 140	mg/kg
Surrogate Recovery:						
Hexacosane			113%		30 - 120	
LCSD:	LCSD1-030922FID8	**SAMPLE SPIKED:**	CLEAN SOIL			
Analyte:						
Diesel (C10 - C28)	**495**	500	99%	0%	60 - 140	mg/kg
Surrogate Recoveries:						
Hexacosane			119%		30 - 120	
CCV:	CCV1-030922FID8					
Analyte:						
Diesel (C10 - C28)	**1190**	1000	119%		80 - 120	mg/kg

LCS = Laboratory Control Sample
LCSD= Laboratory Control Sample Duplicate
CCV = Continuing Calibration Verification
RPD = Relative Percent Difference

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JONES ENVIRONMENTAL LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/4/2022 3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/8/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

EPA 8260B by 5035 – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**SVP-1-10'**	**SVP-2-4'**	**SVP-3-4'**	**SVP-4-4'**	**SVP-5-10'**		
Jones ID:	**ST-19272-01**	**ST-19272-02**	**ST-19272-03**	**ST-19272-04**	**ST-19272-05**	**Reporting Limit**	**Units**
Analytes:							
Benzene	ND	ND	ND	ND	ND	1.0	µg/kg
Bromobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Bromodichloromethane	ND	ND	ND	ND	ND	1.0	µg/kg
Bromoform	ND	ND	ND	ND	ND	1.0	µg/kg
n-Butylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
sec-Butylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
tert-Butylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Carbon tetrachloride	ND	ND	ND	ND	ND	1.0	µg/kg
Chlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Chloroform	ND	ND	ND	ND	ND	1.0	µg/kg
2-Chlorotoluene	ND	ND	ND	ND	ND	1.0	µg/kg
4-Chlorotoluene	ND	ND	ND	ND	ND	1.0	µg/kg
Dibromochloromethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,2-Dibromo-3-chloropropane	ND	ND	ND	ND	ND	1.0	µg/kg
1,2-Dibromoethane (EDB)	ND	ND	ND	ND	ND	1.0	µg/kg
Dibromomethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,2- Dichlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,3-Dichlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,4-Dichlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,1-Dichloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,2-Dichloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,1-Dichloroethene	ND	ND	ND	ND	ND	1.0	µg/kg
cis-1,2-Dichloroethene	ND	ND	ND	ND	ND	1.0	µg/kg
trans-1,2-Dichloroethene	ND	ND	ND	ND	ND	1.0	µg/kg
1,2-Dichloropropane	ND	ND	ND	ND	ND	1.0	µg/kg
1,3-Dichloropropane	ND	ND	ND	ND	ND	1.0	µg/kg
2,2-Dichloropropane	ND	ND	ND	ND	ND	1.0	µg/kg
1,1-Dichloropropene	ND	ND	ND	ND	ND	1.0	µg/kg
cis-1,3-Dichloropropene	ND	ND	ND	ND	ND	1.0	µg/kg

EPA 8260B by 5035 – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	SVP-1-10'	SVP-2-4'	SVP-3-4'	SVP-4-4'	SVP-5-10'		
Jones ID:	**ST-19272-01**	**ST-19272-02**	**ST-19272-03**	**ST-19272-04**	**ST-19272-05**	**Reporting Limit**	**Units**
Analytes:							
trans-1,3-Dichloropropene	ND	ND	ND	ND	ND	1.0	µg/kg
Ethylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Freon 11	ND	ND	ND	ND	ND	5.0	µg/kg
Freon 12	ND	ND	ND	ND	ND	5.0	µg/kg
Freon 113	ND	ND	ND	ND	ND	5.0	µg/kg
Hexachlorobutadiene	ND	ND	ND	ND	ND	1.0	µg/kg
Isopropylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
4-Isopropyltoluene	ND	ND	ND	ND	ND	1.0	µg/kg
Methylene chloride	ND	ND	ND	ND	ND	1.0	µg/kg
Naphthalene	ND	ND	ND	ND	ND	1.0	µg/kg
n-Propylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Styrene	ND	ND	ND	ND	ND	1.0	µg/kg
1,1,1,2-Tetrachloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,1,2,2-Tetrachloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
Tetrachloroethene	ND	ND	ND	ND	ND	1.0	µg/kg
Toluene	ND	ND	ND	ND	ND	1.0	µg/kg
1,2,3-Trichlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,2,4-Trichlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,1,1-Trichloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,1,2-Trichloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
Trichloroethene	ND	ND	ND	ND	ND	1.0	µg/kg
1,2,3-Trichloropropane	ND	ND	ND	ND	ND	1.0	µg/kg
1,2,4-Trimethylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,3,5-Trimethylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Vinyl chloride	ND	ND	ND	ND	ND	1.0	µg/kg
m,p-Xylene	ND	ND	ND	ND	ND	2.0	µg/kg
o-Xylene	ND	ND	ND	ND	ND	1.0	µg/kg
Methyl-tert-butylether	ND	ND	ND	ND	ND	5.0	µg/kg
Ethyl-tert-butylether	ND	ND	ND	ND	ND	5.0	µg/kg
Di-isopropylether	ND	ND	ND	ND	ND	5.0	µg/kg
tert-amylmethylether	ND	ND	ND	ND	ND	5.0	µg/kg
tert-Butylalcohol	ND	ND	ND	ND	ND	50.0	µg/kg
Gasoline Range Organics (C4-C12)	ND	ND	ND	ND	ND	0.20	mg/kg
Dilution Factor	1	1	1	1	1		
Surrogate Recoveries:						**QC Limits**	
Dibromofluoromethane	112%	111%	113%	111%	115%	60 - 140	
Toluene-d_8	96%	95%	97%	96%	97%	60 - 140	
4-Bromofluorobenzene	98%	100%	97%	98%	96%	60 - 140	
Batch:	VOC5-030822-01	VOC5-030822-01	VOC5-030822-01	VOC5-030822-01	VOC5-030822-01		

ND = Value less than reporting limit

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JONES ENVIRONMENTAL LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:**	3/4/2022
		Date Received:	3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/8/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

EPA 8260B by 5035 – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**SVP-6-4'**	**SVP-6-8'**	**SVP-7-4'**	**SVP-8-4'**	**SVP-9-4'**		
Jones ID:	**ST-19272-06**	**ST-19272-07**	**ST-19272-08**	**ST-19272-09**	**ST-19272-10**	**Reporting Limit**	**Units**
Analytes:							
Benzene	ND	ND	ND	ND	ND	1.0	µg/kg
Bromobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Bromodichloromethane	ND	ND	ND	ND	ND	1.0	µg/kg
Bromoform	ND	ND	ND	ND	ND	1.0	µg/kg
n-Butylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
sec-Butylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
tert-Butylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Carbon tetrachloride	ND	ND	ND	ND	ND	1.0	µg/kg
Chlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Chloroform	ND	ND	ND	ND	ND	1.0	µg/kg
2-Chlorotoluene	ND	ND	ND	ND	ND	1.0	µg/kg
4-Chlorotoluene	ND	ND	ND	ND	ND	1.0	µg/kg
Dibromochloromethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,2-Dibromo-3-chloropropane	ND	ND	ND	ND	ND	1.0	µg/kg
1,2-Dibromoethane (EDB)	ND	ND	ND	ND	ND	1.0	µg/kg
Dibromomethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,2- Dichlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,3-Dichlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,4-Dichlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,1-Dichloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,2-Dichloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,1-Dichloroethene	ND	ND	ND	ND	ND	1.0	µg/kg
cis-1,2-Dichloroethene	ND	ND	ND	ND	ND	1.0	µg/kg
trans-1,2-Dichloroethene	ND	ND	ND	ND	ND	1.0	µg/kg
1,2-Dichloropropane	ND	ND	ND	ND	ND	1.0	µg/kg
1,3-Dichloropropane	ND	ND	ND	ND	ND	1.0	µg/kg
2,2-Dichloropropane	ND	ND	ND	ND	ND	1.0	µg/kg
1,1-Dichloropropene	ND	ND	ND	ND	ND	1.0	µg/kg
cis-1,3-Dichloropropene	ND	ND	ND	ND	ND	1.0	µg/kg

EPA 8260B by 5035 – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	SVP-6-4'	SVP-6-8'	SVP-7-4'	SVP-8-4'	SVP-9-4'		
Jones ID:	**ST-19272-06**	**ST-19272-07**	**ST-19272-08**	**ST-19272-09**	**ST-19272-10**	**Reporting Limit**	**Units**
Analytes:							
trans-1,3-Dichloropropene	ND	ND	ND	ND	ND	1.0	µg/kg
Ethylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Freon 11	ND	ND	ND	ND	ND	5.0	µg/kg
Freon 12	ND	ND	ND	ND	ND	5.0	µg/kg
Freon 113	ND	ND	ND	ND	ND	5.0	µg/kg
Hexachlorobutadiene	ND	ND	ND	ND	ND	1.0	µg/kg
Isopropylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
4-Isopropyltoluene	ND	ND	ND	ND	ND	1.0	µg/kg
Methylene chloride	ND	ND	ND	ND	ND	1.0	µg/kg
Naphthalene	ND	ND	ND	ND	ND	1.0	µg/kg
n-Propylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Styrene	ND	ND	ND	ND	ND	1.0	µg/kg
1,1,1,2-Tetrachloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,1,2,2-Tetrachloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
Tetrachloroethene	ND	ND	ND	ND	ND	1.0	µg/kg
Toluene	ND	ND	ND	ND	ND	1.0	µg/kg
1,2,3-Trichlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,2,4-Trichlorobenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,1,1-Trichloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
1,1,2-Trichloroethane	ND	ND	ND	ND	ND	1.0	µg/kg
Trichloroethene	ND	ND	ND	ND	ND	1.0	µg/kg
1,2,3-Trichloropropane	ND	ND	ND	ND	ND	1.0	µg/kg
1,2,4-Trimethylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
1,3,5-Trimethylbenzene	ND	ND	ND	ND	ND	1.0	µg/kg
Vinyl chloride	ND	ND	ND	ND	ND	1.0	µg/kg
m,p-Xylene	ND	ND	ND	ND	ND	2.0	µg/kg
o-Xylene	ND	ND	ND	ND	ND	1.0	µg/kg
Methyl-tert-butylether	ND	ND	ND	ND	ND	5.0	µg/kg
Ethyl-tert-butylether	ND	ND	ND	ND	ND	5.0	µg/kg
Di-isopropylether	ND	ND	ND	ND	ND	5.0	µg/kg
tert-amylmethylether	ND	ND	ND	ND	ND	5.0	µg/kg
tert-Butylalcohol	ND	ND	ND	ND	ND	50.0	µg/kg
Gasoline Range Organics (C4-C12)	ND	ND	ND	ND	ND	0.20	mg/kg
Dilution Factor	1	1	1	1	1		
Surrogate Recoveries:						**QC Limits**	
Dibromofluoromethane	111%	114%	110%	114%	113%	60 - 140	
Toluene-d_8	94%	97%	94%	95%	94%	60 - 140	
4-Bromofluorobenzene	97%	99%	97%	95%	96%	60 - 140	
Batch:	VOC5-030822-01	VOC5-030822-01	VOC5-030822-01	VOC5-030822-01	VOC5-030822-01		

ND = Value less than reporting limit

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JONES ENVIRONMENTAL LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213	**Jones Ref. No.:**	ST-19272
	Irvine, CA	**Client Ref. No.:**	1071-080
Attn:	Kathy Lehnus	**Date Sampled:**	3/4/2022
		Date Received:	3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/8/2022
Project Address:	5355 Airport Drive	**Physical State:**	Soil
	Ontario, CA 91761		

EPA 8260B by 5035 – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**SVP-10-8'**	**SB-1-10'**	**SB-2-10'**		
Jones ID:	**ST-19272-11**	**ST-19272-12**	**ST-19272-13**	**Reporting Limit**	**Units**
Analytes:					
Benzene	ND	ND	ND	1.0	µg/kg
Bromobenzene	ND	ND	ND	1.0	µg/kg
Bromodichloromethane	ND	ND	ND	1.0	µg/kg
Bromoform	ND	ND	ND	1.0	µg/kg
n-Butylbenzene	ND	ND	ND	1.0	µg/kg
sec-Butylbenzene	ND	ND	ND	1.0	µg/kg
tert-Butylbenzene	ND	ND	ND	1.0	µg/kg
Carbon tetrachloride	ND	ND	ND	1.0	µg/kg
Chlorobenzene	ND	ND	ND	1.0	µg/kg
Chloroform	ND	ND	ND	1.0	µg/kg
2-Chlorotoluene	ND	ND	ND	1.0	µg/kg
4-Chlorotoluene	ND	ND	ND	1.0	µg/kg
Dibromochloromethane	ND	ND	ND	1.0	µg/kg
1,2-Dibromo-3-chloropropane	ND	ND	ND	1.0	µg/kg
1,2-Dibromoethane (EDB)	ND	ND	ND	1.0	µg/kg
Dibromomethane	ND	ND	ND	1.0	µg/kg
1,2- Dichlorobenzene	ND	ND	ND	1.0	µg/kg
1,3-Dichlorobenzene	ND	ND	ND	1.0	µg/kg
1,4-Dichlorobenzene	ND	ND	ND	1.0	µg/kg
1,1-Dichloroethane	ND	ND	ND	1.0	µg/kg
1,2-Dichloroethane	ND	ND	ND	1.0	µg/kg
1,1-Dichloroethene	ND	ND	ND	1.0	µg/kg
cis-1,2-Dichloroethene	ND	ND	ND	1.0	µg/kg
trans-1,2-Dichloroethene	ND	ND	ND	1.0	µg/kg
1,2-Dichloropropane	ND	ND	ND	1.0	µg/kg
1,3-Dichloropropane	ND	ND	ND	1.0	µg/kg
2,2-Dichloropropane	ND	ND	ND	1.0	µg/kg
1,1-Dichloropropene	ND	ND	ND	1.0	µg/kg
cis-1,3-Dichloropropene	ND	ND	ND	1.0	µg/kg

EPA 8260B by 5035 – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	SVP-10-8'	SB-1-10'	SB-2-10'		
Jones ID:	**ST-19272-11**	**ST-19272-12**	**ST-19272-13**	**Reporting Limit**	**Units**
Analytes:					
trans-1,3-Dichloropropene	ND	ND	ND	1.0	µg/kg
Ethylbenzene	ND	ND	ND	1.0	µg/kg
Freon 11	ND	ND	ND	5.0	µg/kg
Freon 12	ND	ND	ND	5.0	µg/kg
Freon 113	ND	ND	ND	5.0	µg/kg
Hexachlorobutadiene	ND	ND	ND	1.0	µg/kg
Isopropylbenzene	ND	ND	ND	1.0	µg/kg
4-Isopropyltoluene	ND	ND	ND	1.0	µg/kg
Methylene chloride	ND	ND	ND	1.0	µg/kg
Naphthalene	ND	ND	ND	1.0	µg/kg
n-Propylbenzene	ND	ND	ND	1.0	µg/kg
Styrene	ND	ND	ND	1.0	µg/kg
1,1,1,2-Tetrachloroethane	ND	ND	ND	1.0	µg/kg
1,1,2,2-Tetrachloroethane	ND	ND	ND	1.0	µg/kg
Tetrachloroethene	ND	ND	ND	1.0	µg/kg
Toluene	ND	ND	ND	1.0	µg/kg
1,2,3-Trichlorobenzene	ND	ND	ND	1.0	µg/kg
1,2,4-Trichlorobenzene	ND	ND	ND	1.0	µg/kg
1,1,1-Trichloroethane	ND	ND	ND	1.0	µg/kg
1,1,2-Trichloroethane	ND	ND	ND	1.0	µg/kg
Trichloroethene	ND	ND	ND	1.0	µg/kg
1,2,3-Trichloropropane	ND	ND	ND	1.0	µg/kg
1,2,4-Trimethylbenzene	ND	ND	ND	1.0	µg/kg
1,3,5-Trimethylbenzene	ND	ND	ND	1.0	µg/kg
Vinyl chloride	ND	ND	ND	1.0	µg/kg
m,p-Xylene	ND	ND	ND	2.0	µg/kg
o-Xylene	ND	ND	ND	1.0	µg/kg
Methyl-tert-butylether	ND	ND	ND	5.0	µg/kg
Ethyl-tert-butylether	ND	ND	ND	5.0	µg/kg
Di-isopropylether	ND	ND	ND	5.0	µg/kg
tert-amylmethylether	ND	ND	ND	5.0	µg/kg
tert-Butylalcohol	ND	ND	ND	50.0	µg/kg
Gasoline Range Organics (C4-C12)	ND	ND	ND	0.20	mg/kg
Dilution Factor	1	1	1		
Surrogate Recoveries:				**QC Limits**	
Dibromofluoromethane	115%	111%	114%	60 - 140	
Toluene-d_8	97%	96%	98%	60 - 140	
4-Bromofluorobenzene	97%	97%	98%	60 - 140	
Batch:	VOC5-030822-01	VOC5-030822-01	VOC5-030822-01		

ND = Value less than reporting limit

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JONES ENVIRONMENTAL LABORATORY RESULTS

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/4/2022 3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/8/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

EPA 8260B by 5035 – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**METHOD BLANK #1**		
Jones ID:	**030822-V5MB1**	**Reporting Limit**	**Units**
Analytes:			
Benzene	ND	1.0	µg/kg
Bromobenzene	ND	1.0	µg/kg
Bromodichloromethane	ND	1.0	µg/kg
Bromoform	ND	1.0	µg/kg
n-Butylbenzene	ND	1.0	µg/kg
sec-Butylbenzene	ND	1.0	µg/kg
tert-Butylbenzene	ND	1.0	µg/kg
Carbon tetrachloride	ND	1.0	µg/kg
Chlorobenzene	ND	1.0	µg/kg
Chloroform	ND	1.0	µg/kg
2-Chlorotoluene	ND	1.0	µg/kg
4-Chlorotoluene	ND	1.0	µg/kg
Dibromochloromethane	ND	1.0	µg/kg
1,2-Dibromo-3-chloropropane	ND	1.0	µg/kg
1,2-Dibromoethane (EDB)	ND	1.0	µg/kg
Dibromomethane	ND	1.0	µg/kg
1,2- Dichlorobenzene	ND	1.0	µg/kg
1,3-Dichlorobenzene	ND	1.0	µg/kg
1,4-Dichlorobenzene	ND	1.0	µg/kg
1,1-Dichloroethane	ND	1.0	µg/kg
1,2-Dichloroethane	ND	1.0	µg/kg
1,1-Dichloroethene	ND	1.0	µg/kg
cis-1,2-Dichloroethene	ND	1.0	µg/kg
trans-1,2-Dichloroethene	ND	1.0	µg/kg
1,2-Dichloropropane	ND	1.0	µg/kg
1,3-Dichloropropane	ND	1.0	µg/kg
2,2-Dichloropropane	ND	1.0	µg/kg
1,1-Dichloropropene	ND	1.0	µg/kg
cis-1,3-Dichloropropene	ND	1.0	µg/kg

JONES ENVIRONMENTAL LABORATORY RESULTS

EPA 8260B by 5035 – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

Sample ID:	**METHOD BLANK #1**		
Jones ID:	**030822-V5MB1**	**Reporting Limit**	**Units**
Analytes:			
trans-1,3-Dichloropropene	ND	1.0	µg/kg
Ethylbenzene	ND	1.0	µg/kg
Freon 11	ND	5.0	µg/kg
Freon 12	ND	5.0	µg/kg
Freon 113	ND	5.0	µg/kg
Hexachlorobutadiene	ND	1.0	µg/kg
Isopropylbenzene	ND	1.0	µg/kg
4-Isopropyltoluene	ND	1.0	µg/kg
Methylene chloride	ND	1.0	µg/kg
Naphthalene	ND	1.0	µg/kg
n-Propylbenzene	ND	1.0	µg/kg
Styrene	ND	1.0	µg/kg
1,1,1,2-Tetrachloroethane	ND	1.0	µg/kg
1,1,2,2-Tetrachloroethane	ND	1.0	µg/kg
Tetrachloroethene	ND	1.0	µg/kg
Toluene	ND	1.0	µg/kg
1,2,3-Trichlorobenzene	ND	1.0	µg/kg
1,2,4-Trichlorobenzene	ND	1.0	µg/kg
1,1,1-Trichloroethane	ND	1.0	µg/kg
1,1,2-Trichloroethane	ND	1.0	µg/kg
Trichloroethene	ND	1.0	µg/kg
1,2,3-Trichloropropane	ND	1.0	µg/kg
1,2,4-Trimethylbenzene	ND	1.0	µg/kg
1,3,5-Trimethylbenzene	ND	1.0	µg/kg
Vinyl chloride	ND	1.0	µg/kg
m,p-Xylene	ND	2.0	µg/kg
o-Xylene	ND	1.0	µg/kg
Methyl-tert-butylether	ND	5.0	µg/kg
Ethyl-tert-butylether	ND	5.0	µg/kg
Di-isopropylether	ND	5.0	µg/kg
tert-amylmethylether	ND	5.0	µg/kg
tert-Butylalcohol	ND	50.0	µg/kg
Gasoline Range Organics (C4-C12)	ND	0.20	mg/kg
Dilution Factor	1		

Surrogate Recoveries:		**QC Limits**
Dibromofluoromethane	106%	60 - 140
Toluene-d_8	100%	60 - 140
4-Bromofluorobenzene	96%	60 - 140

Batch:	VOC5-030822-01

ND = Value less than reporting limit

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JONES ENVIRONMENTAL QUALITY CONTROL INFORMATION

Client:	Farallon Consulting	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/4/2022 3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/8/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

EPA 8260B by 5035 – Volatile Organics by GC/MS + Oxygenates/Gasoline Range Organics

GC#:	**VOC5-030822-01**					
Jones ID:	030822-V5LCS1	030822-V5LCSD1			030822-V5CCV1	
Parameter	LCS Recovery (%)	LCSD Recovery (%)	RPD	Acceptability Range (%)	CCV	Acceptability Range (%)
Vinyl chloride	73%	70%	4%	60 - 140	94%	80 - 120
1,1-Dichloroethene	93%	92%	1.1%	60 - 140	112%	80 - 120
Cis-1,2-Dichloroethene	111%	110%	0.9%	70 - 130	120%	80 - 120
1,1,1-Trichloroethane	100%	96%	3.5%	70 - 130	114%	80 - 120
Benzene	109%	107%	2.3%	70 - 130	120%	80 - 120
Trichloroethene	107%	106%	1.3%	70 - 130	116%	80 - 120
Toluene	114%	111%	2.8%	70 - 130	109%	80 - 120
Tetrachloroethene	113%	108%	4.2%	70 - 130	120%	80 - 120
Chlorobenzene	115%	114%	0.9%	70 - 130	115%	80 - 120
Ethylbenzene	109%	104%	4.4%	70 - 130	115%	80 - 120
1,2,4 Trimethylbenzene	114%	114%	0.0%	70 - 130	114%	80 - 120
Gasoline Range Organics (C4-C12)	112%	109%	2.3%	70 - 130		
Surrogate Recovery:						
Dibromofluoromethane	108%	108%		60 - 140	114%	80 - 120
Toluene-d_8	98%	100%		60 - 140	102%	80 - 120
4-Bromofluorobenzene	99%	102%		60 - 140	96%	80 - 120

LCS = Laboratory Control Sample
LCSD = Laboratory Control Sample Duplicate
CCV = Continuing Calibration Verification
RPD = Relative Percent Difference; Acceptability range for RPD is ≤ 20%

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JONES ENVIRONMENTAL
LABORATORY RESULTS

Client:	Farallon Consulting, Inc.	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213	**Jones Ref. No.:**	ST-19272
	Irvine, CA	**Client Ref. No.:**	1071-080
Attn:	Kathy Lehnus	**Date Sampled:**	3/4/2022
		Date Received:	3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/8/2022
Project Address:	5355 Airport Drive	**Physical State:**	Soil
	Ontario, CA 91761		

EPA 6010B by 3050 - Title 22 CAM 17 Trace Metals by ICP-OES

Sample ID:	**SVP-6-4'**	**SVP-6-8'**		
Jones ID:	**ST-19272-06**	**ST-19272-07**	**Reporting Limit**	**Units**
Analytes:				
Silver, Ag	ND	ND	0.5	mg/kg
Arsenic, As	ND	ND	5.0	mg/kg
Barium, Ba	**61.2**	**59.6**	0.5	mg/kg
Beryllium, Be	ND	ND	0.5	mg/kg
Cadmium, Cd	**0.9**	**0.9**	0.5	mg/kg
Cobalt, Co	**5.2**	**5.2**	0.5	mg/kg
Chromium, Cr	**8.2**	**8.5**	0.5	mg/kg
Copper, Cu	**5.9**	**6.0**	0.5	mg/kg
Molybdenum, Mo	ND	ND	0.5	mg/kg
Nickel, Ni	**5.2**	**5.2**	0.5	mg/kg
Lead, Pb	**1.1**	**1.2**	0.5	mg/kg
Antimony, Sb	ND	ND	5.0	mg/kg
Selenium, Se	ND	ND	5.0	mg/kg
Thallium, Tl	ND	ND	5.0	mg/kg
Vanadium, V	**24.6**	**23.1**	0.5	mg/kg
Zinc, Zn	**26.5**	**27.0**	0.5	mg/kg
Dilution Factor	1	1		
Batch:	I22030702	I22030702		

EPA 7471A - Mercury by Cold Vapor Atomic Absorption

Sample ID:	**SVP-6-4'**	**SVP-6-8'**		
Jones ID:	**ST-19272-06**	**ST-19272-07**	**Reporting Limit**	**Units**
Mercury, Hg	ND	ND	0.020	mg/kg
Dilution Factor	1	1		
Batch:	H22030801	H22030801		

ND = Value less than reporting limit

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JONES ENVIRONMENTAL QUALITY CONTROL INFORMATION

Client:	Farallon Consulting, Inc.	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/4/2022 3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/8/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

BATCH: **I22030702** **Prepared:** 3/7/2022 **Analyzed:** 3/8/2022

EPA 6010B by 3050 - Title 22 CAM 17 Trace Metals by ICP-OES

Analytes:	Result	Spike Level	% REC	% REC Limits	% RPD	Reporting Limit	Units
METHOD BLANK:	**I220307-MB2**						
Silver, Ag	ND					0.5	mg/kg
Arsenic, As	ND					5.0	mg/kg
Barium, Ba	ND					0.5	mg/kg
Beryllium, Be	ND					0.5	mg/kg
Cadmium, Cd	ND					0.5	mg/kg
Cobalt, Co	ND					0.5	mg/kg
Chromium, Cr	ND					0.5	mg/kg
Copper, Cu	ND					0.5	mg/kg
Molybdenum, Mo	ND					0.5	mg/kg
Nickel, Ni	ND					0.5	mg/kg
Lead, Pb	ND					0.5	mg/kg
Antimony, Sb	ND					5.0	mg/kg
Selenium, Se	ND					5.0	mg/kg
Thallium, Tl	ND					5.0	mg/kg
Vanadium, V	ND					0.5	mg/kg
Zinc, Zn	ND					0.5	mg/kg

ND= Not Detected

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JONES ENVIRONMENTAL QUALITY CONTROL INFORMATION

Client:	Farallon Consulting, Inc.	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/4/2022 3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/8/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

BATCH: **I22030702** **Prepared:** 3/7/2022 **Analyzed:** 3/8/2022

EPA 6010B by 3050 - Title 22 CAM 17 Trace Metals by ICP-OES

Analytes:	Result	Spike Level	% REC	% RPD	% REC Limits	Units
LCS:	**I220307-LCS2**					
Barium, Ba	**220**	200	110%		80 - 120	mg/kg
Cobalt, Co	**58.1**	50.0	116%		80 - 120	mg/kg
Lead, Pb	**55.8**	50.0	112%		80 - 120	mg/kg
Selenium, Se	**193**	200	97%		80 - 120	mg/kg
Zinc, Zn	**52.0**	50.0	104%		80 - 120	mg/kg
LCSD:	**I220307-LCSD2**					
Barium, Ba	**219**	200	110%	0.5%	80 - 120	mg/kg
Cobalt, Co	**55.4**	50.0	111%	4.8%	80 - 120	mg/kg
Lead, Pb	**55.9**	50.0	112%	0.2%	80 - 120	mg/kg
Selenium, Se	**194**	200	97%	0.5%	80 - 120	mg/kg
Zinc, Zn	**51.4**	50.0	103%	1.2%	80 - 120	mg/kg
CCV:	**I220307-CCV2**					
Barium, Ba	**1.02**	1.00	102%		90-110	mg/L
Cobalt, Co	**1.08**	1.00	108%		90-110	mg/L
Lead, Pb	**1.04**	1.00	104%		90-110	mg/L
Selenium, Se	**1.00**	1.00	100%		90-110	mg/L
Zinc, Zn	**1.05**	1.00	105%		90-110	mg/L

CCV = Continuing Calibration Verification
LCS = Laboratory Control Sample
LCSD= Laboratory Control Sample Duplicate

ND= Not Detected
RPD = Relative Percent Difference; Acceptability range for RPD is ≤ 15%

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JONES ENVIRONMENTAL QUALITY CONTROL INFORMATION

Client:	Farallon Consulting, Inc.	**Report date:**	3/11/2022
Client Address:	27 Mauchly, Suite 213 Irvine, CA	**Jones Ref. No.:** **Client Ref. No.:**	ST-19272 1071-080
Attn:	Kathy Lehnus	**Date Sampled:** **Date Received:**	3/4/2022 3/4/2022
Project:	5355 Airport Drive	**Date Analyzed:**	3/8/2022
Project Address:	5355 Airport Drive Ontario, CA 91761	**Physical State:**	Soil

BATCH: **H22030801** **Prepared:** 3/8/2022 **Analyzed:** 3/8/2022

EPA 7471A - Mercury by Cold Vapor Atomic Absorption

Analytes:	Result	Spike Level	% REC	% RPD	% REC Limits	Reporting Limit	Units
METHOD BLANK:	**H220308-MB1**						
Mercury, Hg	ND					0.020	mg/kg
LCS:	**H220308-LCS1**						
Mercury, Hg	**1.06**	1.00	106%		80 - 120		mg/kg
LCSD:	**H220308-LCSD1**						
Mercury, Hg	**1.02**	1.00	102%	**3.8%**	80 - 120		mg/kg
CCV:	**H220308-CCV1**						
Mercury, Hg	**5.13**	5.00	103%		90-110		µg/L

ND= Not Detected
RPD = Relative Percent Difference; Acceptability range for RPD is ≤ 15%

LCS = Laboratory Control Sample
LCSD= Laboratory Control Sample Duplicate
CCV = Continuing Calibration Verification
RPD = Relative Percent Difference

Chain-of-Custody Record

JONES ENVIRONMENTAL, INC.
11007 Forest Pl.
Santa Fe Springs, CA 90670
(714) 449-9937
reports@jonesenv.com
www.jonesenv.com

Turn Around Requested:
- ☐ Immediate Attention - 200%
- ☐ Rush 24 Hours - 100%
- ☐ Rush 48 Hours - 50%
- ☐ Rush 72 Hours - 25%
- ☐ Rush 96 Hours - 10%
- ☑ Normal - No Surcharge

LAB USE ONLY
Jones Project # ST-19272
Page 1 of 2

Client: FARALLON CONSULTING
Date: 3/4/22
Project Name: 5355 AIRPORT DRIVE
Client Project # 1071-080
Project Address: 5355 AIRPORT DRIVE
ONTARIO, CA 91761
Email: ~~KA~~ KLEHNUS@FARALLONCONSULTING.COM
BTAYLOR@ " "
Phone:
Report To: KATHY LEHNUS
Sampler: N. MONTOY

Sample Container / Preservative Abbreviations
AS - Acetate Sleeve
SS - Stainless Steel Sleeve
BS - Brass Sleeve
G - Glass
AB - Amber Bottle
P - Plastic
SOBI - Sodium Bisulfate
MeOH - Methanol
HCl - Hydrochloric Acid
HNO3 - Nitric Acid
O - Other (See Notes)

Analysis Requested

Report Options
EDD ____
EDF* - 10% Surcharge____
*Global ID _____

Sample ID	Sample Collection Date	Sample Collection Time	Laboratory Sample ID	Preservative	Sample Container	Sample Matrix: Soil (S), Sludge (SL), Aqueous (A), Free Product (FP)	VOCs 5035	TPH-DD	CAM 17 METALS	TPH-9	Number of Containers	Notes & Special Instructions
SVP-1-10'	3/4/22	0854	ST-19272-01	5035	3-VOA 1-4oz	S	X	X			4	
SVP-2-4'		0816	ST-19272-02		3-VOA	S	X			X		
SVP-3-4'		0932	ST-19272-03		3-VOA 1-4oz	S	X			X		
SVP-4-4'		0914	ST-19272-04			S	X			X		
SVP-5-10'		0958	ST-19272-05			S	X	X				
SVP-6-4'		1114	ST-19272-06			S	X	X	X			
SVP-6-8'		1128	ST-19272-07			S	X	X	X			
SVP-7-4'		1100	ST-19272-08			S	X	X				
SVP-8-4'		1048	ST-19272-09			S	X	X				
SVP-9-4'		1035	ST-19272-10			S	X	X				

Total Number of Containers: 52

Relinquished By (Signature)	Printed Name: N. MONTOY	Received By (Signature)	Printed Name
Company: FARALLON	Date: 3/4/22 Time: 1452	Company	Date Time
Relinquished By (Signature)	Printed Name	Received By Laboratory (Signature)	Printed Name: Panizi Choi
Company	Date: Time	Company: JEL	Date: 03/04/22 Time: 1452

Client signature on this Chain of Custody form constitutes acknowledgement that the above analyses have been reqested, and the information provided herein is correct and accura

2367

Chain-of-Custody Record

JONES ENVIRONMENTAL, INC.
11007 Forest Pl.
Santa Fe Springs, CA 90670
(714) 449-9937
reports@jonesenv.com
www.jonesenv.com

Turn Around Requested:
- ☐ Immediate Attention - 200%
- ☐ Rush 24 Hours - 100%
- ☐ Rush 48 Hours - 50%
- ☐ Rush 72 Hours - 25%
- ☐ Rush 96 Hours - 10%
- ☑ Normal - No Surcharge

LAB USE ONLY
Jones Project # ST-19272
Page 2 of 2

Client	SEE PG 1
Project Name	" "
Project Address	" "
	" "
Email	" "
Phone	" "
Report To	" Sampler "

Date: 3/4/22
Client Project # 1071-080

Sample Container / Preservative Abbreviations
AS - Acetate Sleeve
SS - Stainless Steel Sleeve
BS - Brass Sleeve
G - Glass
AB - Amber Bottle
P - Plastic
SOBI - Sodium Bisulfate
MeOH - Methanol
HCl - Hydrochloric Acid
HNO3 - Nitric Acid
O - Other (See Notes)

Report Options
EDD ____
EDF* - 10% Surcharge ____
*Global ID ____

Sample ID	Sample Collection Date	Sample Collection Time	Laboratory Sample ID	Preservative	Sample Container	Sample Matrix: Soil (S), Sludge (SL), Aqueous (A), Free Product (FP)	Analysis Requested: VOCs 5035	Analysis Requested: TPH-cc	Number of Containers	Notes & Special Instructions
SVP-10-8'	3/4/22	1143	ST-19272-11	5035	3-VOA 1-4oz	S	X	X	4	
SB-1-10'	"	0840	ST-19272-12	"	"	S	X	X	"	
SB-2-10'	"	1022	ST-19272-13	"	"	S	X	X	"	

Total Number of Containers 52

Relinquished By (Signature)	Printed Name: N. Montoy	Received By (Signature)	Printed Name
Company: FARALLON	Date: 3/4/22 Time: 1452	Company	Date Time
Relinquished By (Signature)	Printed Name	Received By Laboratory (Signature)	Printed Name: Daniel Chi
Company	Date: Time	Company: JEI	Date: 03/04/22 Time: 1452

Client signature on this Chain of Custody form constitutes acknowledgement that the above analyses have been reqested, and the info provided herein is correct and accural

2368

soils 2

JONES ENVIRONMENTAL, INC.

714-449-9937
562-646-1611

11007 FOREST PLACE
SANTA FE SPRINGS, CA 90670
WWW.JONESENV.COM

SAMPLE RECEIPT FORM

Jones ID: _____

CLIENT: _____ DATE/TIME (LAB RECEIVED): _____

PROJECT: _____ RECEIVED BY: _____

Delivered by: ☐ Client ☐ Jones Courier ☐UPS / FedEx / USPS ☐Other _____

TEMPERATURE: Thermometer ID: T-1 (Corrected Temp.) Calibration Due: 08/03/2022

Temperature Cooler #1 15.0 °C ± the CF(-0.5°C) 14.5 °C Blank Sample

Temperature Cooler #2 _____.____ °C ± the CF(-0.5°C) _____.____ °C Blank Sample

Temperature Criteria: 0 ≤ 6°C (NO frozen containers) Criteria Met? ☐ Yes ☐ No

If criteria is not met:

Sample Received on ice? ☐ Yes ☐ No*

Sample received Chilled on same day of sampling? ☐ Yes ☐ No*

Checked By: _____

SAMPLE CONDITION:	YES	NO*	N/A
Chain of Custody (COC) received filled out completely	☐	☐*	☐
Total number of containers received match COC	☐	☐*	☐
Sample container label(s) consistent with COC	☐	☐*	☐
Sample container(s) intact and in good condition	☐	☐*	☐
Proper containers and sufficient volume for analyses requested on COC	☐	☐*	☐
Proper preservative indicated on COC/container for analyses requested	☐	☐*	☐
Volatile analysis container(s) free of headspace (EPA 8260 water)	☐	☐*	☐
Custody Seals Intact on Cooler/Sample	☐	☐*	☐

CONTAINER TYPE:

Solid:
- 5035 Kits: 39
- Glass Jar: 13
- Sleeve: _____
- Other: _____

Aqueous:
- Amber Bottle: _____
- VOAs: _____
- Poly Bottle: _____
- 5030 Kits: _____
- Other: _____

Air / Soil Gas:
- Tedlar Bag: _____
  - 6 hr
  - 72 hr
  - 5 5ay
- Summa:
  - (1L) _____ (6L) _____

MILEAGE:

Round Trip Mileage: _____ Travel Time: _____ On Site Time: _____

Complete Non-Conformance if checked

Checked by: _____

02.18.2022 - Version 5.4

March, 2022
2021-502

5355 Airport Drive

City of Ontario, CA

Preliminary Hydrology Report

Prepared For:
Prologis
3546 Concours St., Suite 100
Ontario, CA 91764

Prepared By:
West*LAND* Group, Inc.
4150 Concours, Suite 100
Ontario, CA 91764
909-989-9789

West*LAND* Group, Inc.

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1. INTRODUCTION

1.1. PURPOSE & SCOPE

The purpose of this study is to demonstrate that the proposed project site can be designed to provide adequate flood protection without adversely impacting existing off-site drainage systems or adjacent properties. The scope of this analysis includes the pre-developed and post-developed runoff analysis.

2. EXISTING SITE DESCRIPTION

2.1. EXISTING SITE TOPOGRAPHY & HYDROLOGIC PATTERNS

The project site, approximately 12.85 acres, is located approximately 0.25 miles east of the intersection of South Wineville Avenue and Airport Drive in the City of Ontario, County of San Bernardino. The site is referenced by the street address 5355 East Airport Avenue. The site is currently bounded to the north by Southern Pacific Transportation Company Railroad, to the east and west by existing industrial development, and to the south by Airport Drive.

The site in the pre-development condition is developed to manufacture and store animal feed grains. The site includes several existing buildings, shed structures, silos, and above-ground storage tanks (ASTs). The existing structures are generally surrounded by asphaltic concrete (AC) pavements, with isolated areas of Portland cement concrete (PCC), aggregate base pavements, and exposed soils in the south-central portion of the site. The existing pavements are in poor condition, with moderate to severe cracking throughout. The site currently consists approximately 92% of impervious areas. The entire site will be demolished prior to grading.

The natural drainage pattern for the existing condition of the site is north to south. There are no existing no public storm drain systems at the frontage of the project site. Stormwater sheet flow south and discharge onto the existing curb and gutter on Airport Drive. Runoff flows east along Airport Drive and discharge into an existing catch basin located approximately 1,500 feet east of the site. This existing catch basin is connected to the Lower Etiwanda Creek Channel, which convey stormwater to the Wineville Basin. See Figure 1 for the pre-development drainage map.

3. PROJECT SITE DESCRIPTION

3.1. PROJECT DESCRIPTION & HYDROLOGIC PATTERNS

The envisioned development is a proposed industrial building with auto parking spaces and trailer parking spaces. Docking areas are located south of the proposed building. Open landscape areas are proposed around the perimeter of the site. The proposed development will consist approximately 89% of impervious areas.

The proposed development will maintain the same natural drainage pattern as the existing condition. Stormwater will sheet flow from north to south and will be captured by proposed on-site catch basins. The proposed on-site storm drain system will convey the flow into a proposed underground infiltration chamber. This system will be designed to meet project's water quality requirements and provide sufficient storage to meet the 100-year storm hydrology requirement. In a large storm event, stormwater will exit the underground chamber system via pipes and will be pumped out through a proposed parkway drain on Airport Drive. Runoff will sheet flow east along Airport Drive and discharge into the existing catch basin to maintain the same point of discharge as the existing condition. See Figure 2 for the prost-development drainage map.

4. RESULTS & ANALYSIS

4.1. METHODOLOGY

The proposed drainage areas were analyzed using the San Bernardino (SB) County Hydrology Manual. The main methods used for this project were the Rational Method, Synthetic Unit Hydrograph Method, and Basin Routing Analysis. Civil Design software was used to compute the data. Solving for the Rational Method returns the peak flow rate. Unit Hydrograph analysis will determine the total volume generated from a storm event. Basin Routing analysis will analyze the storage volume and outflow flow rate for the proposed underground infiltration chamber.

According to the NRCS Soils Map, the site is entirely composed of type A soil (See Appendix E). The proposed land use was analyzed as commercial for both the pre- and post-development condition. According to the county's manual, Antecedent Moisture Condition (AMC) I is used for the 2-year storm event and AMC III was used for the 100-year storm event in order to give more confidence to mitigate any increase runoff, if needed.

For the rational method analysis, the runoff coefficient is determined by the land use for each condition. The rainfall intensities are based on the time of concentration for each drainage area and the intensity-duration curves provided in the county's manual. The flow lengths and terrain elevations were determined using existing topography for the pre-development condition and the conceptual grading plans for the post-development condition.

For the unit hydrograph analysis, the lag time was determined by using the time of concentration based on the rational method analysis. Rainfall depths were obtained from the National Oceanic and Atmospheric Administration (NOAA) Point Precipitation Frequency Estimates. The rainfall depth data are included in Appendix E. The rainfall used in the hydrology calculations are summarized on Table 4.1.

Table 4.1: Rainfall Depths	
Storm Event & Duration	Rainfall Depth (inches)
2-Year, 1-Hour	0.526
2-Year, 6-Hour	1.39
2-Year, 24-Hour	2.51
100-Year, 1-Hour	1.31
100-Year, 6-Hour	3.15
100-Year, 24-Hour	5.74

For the basin routing analysis, the results from the unit hydrograph analysis were used to determine the amount of stormwater entering and existing the proposed underground infiltration chamber at each time interval. The staging data table is provided in Appendix D.

4.2. HYDROLOGY RESULTS & ANALYSIS

The complete rational method analysis and results are included in Appendix B. The complete unit hydrograph analysis and results are included in Appendix C. The tables below provide a summary of the peak flow rate and runoff volume for the pre-developed and post-developed condition for the 2- and 100-year storm.

Table 4.2.1: Pre-Development Hydrology Summary Table					
Storm Event	Area (Acres)	Tc (min.)	Intensity (in/hr)	Flow Rate (cfs) (Rational Method)	Volume (cf) (Unit Hydrograph)
2-Year	12.85	14.77	1.71	14.42	--
100-Year		14.20	3.11	38.03	241,431

Table 4.2.2: Post-Development Hydrology Summary Table					
Storm Event	Area (Acres)	Tc (min.)	Intensity (in/hr)	Flow Rate (cfs) (Rational Method)	Volume (cf) (Unit Hydrograph)
2-Year	12.85	12.60	1.20	12.92	--
100-Year		14.39	3.09	35.24	237,145

Table 4.2.3: Result Analysis Summary Table	
Hydrology Results & Analysis Summary Table:	Project Site Disturbed Area **= 559,755 SF (12.85 Acres)** $Q_{100, PRE}$ = **38.03 CFS** $Q_{100, POST}$ = **35.24 CFS** ΔQ_{100} = **- 2.79 CFS = 0 CFS** ΔV_{100} = **- 4,286 CF = 0 CF** DCV = **51,054 CF** (See Water Quality Management Plan) DCV > ΔV_{100} | **51,054 CF = Site Design Storage Requirement** **Volume Provided = 140,009 CF** (Underground Infiltration Chamber)

Based on the 100-year rational method analysis, the post-development flow rate within the disturbed area decreased compare to the pre-development flow rate. Furthermore, the post-development runoff volume decreased compare to the pre-development runoff volume. The decrease in flow rate and runoff volume was a result from a decrease in impervious areas.

Based on the Water Quality Management Plan for this project, the design capture volume (DCV) for the site is 51,054 cubic feet per second (cfs). Since the DCV is higher than the difference between the pre- and post-development 100-year storm runoff volume (0 cfs), the DCV is the minimum storm runoff storage required for the proposed development.

To satisfy the water quality requirement, an underground infiltration chamber with a storage volume of 140,009 cubic-feet is proposed for the project. Since there are no public storm drain systems around the frontage of the site, the proposed chamber system will provide sufficient storage volume to mitigate the full 100-year storm runoff volume to promote on-site infiltration. In a large storm event, an overflow sump pump is proposed for the project site. The sump pump will be designed to have a maximum outflow flow rate of 4 cfs. This strategy will reduce any potential impacts to the downstream off-site storm drain system and to mitigate any flooding potential.

A basin routing analysis was performed to analyze the proposed chamber system with the sump pump and determine the water surface elevation in a 100-year storm event. The complete results of the basin routing analysis are included in Appendix D and is summarized on Table 4.2.4.

Table 4.2.4: Basin Routing Analysis Summary Table

Basin ID	Peak Flow In – Q_{100} (cfs)	Peak Flow Out – Q_{100} (cfs)	Storage Volume (cf)	Maximum Ponding Depth (ft)	100-year Storm Water Surface Elevation (ft)	Freeboard (ft)
Underground Infiltration Chamber #1	35.24	4.00	140,009	10.00	8.00	2.00

5. CONCLUSION

The proposed development would not create or contribute runoff that would exceed the capacity of the existing downstream storm drain system. Furthermore, the underground infiltration system will be designed to accommodate the 100-year storm event and would not exceed the flow rates and runoff volumes generated by the existing condition. Once construction is complete, there would not be any substantial increase in flood boundaries, levels or frequencies in any areas outside the development. The hydrologic analyses and calculations were designed in accordance with the San Bernardino County Hydrology Manual. The results from the analysis will be the basis for the grading and on-site storm-drain construction documents for the project.

Evaluation of the appropriateness of guidelines and the accuracy of County data was beyond the scope of this study. Usage of this report is limited to address the purpose and scope previously defined by the project owner. The contents of this report are professional opinion and as such, are not to be considered a guaranty or warranty.

6. REFERENCES

1. National Oceanic and Atmospheric Administration (NOAA) Atlas 14 Point Precipitation Frequency Estimates

2. National Resources Conservation Service (NRCS) Web Soil Survey

3. San Bernardino County Hydrology Manual dated August 1986

4. San Bernardino County Technical Guidance Document Water Quality Management Plan dated September 19, 2013

APPENDIX A

HYDROLOGY EXHIBITS

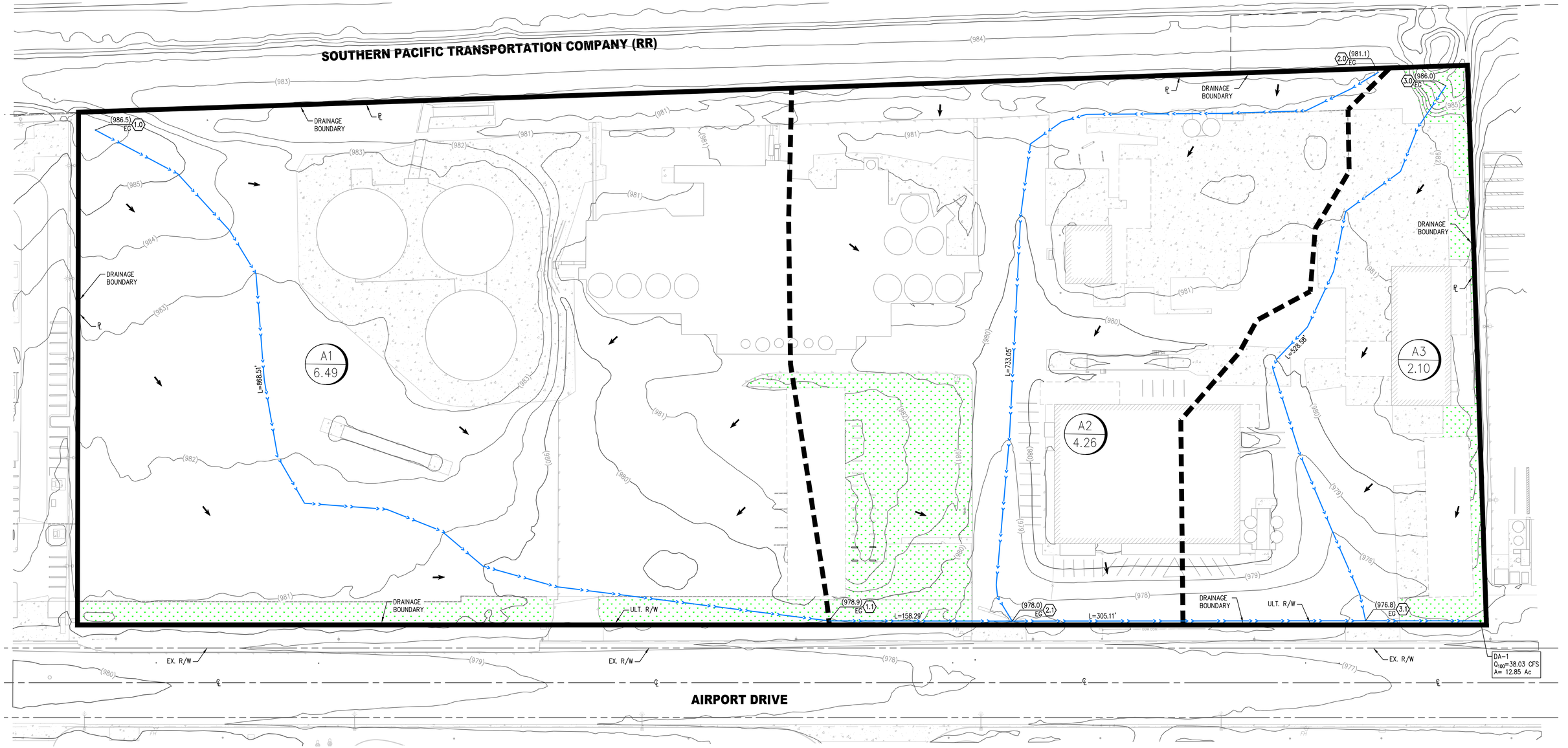


SITE VICINITY MAP

WestLAND Group, Inc.
Land Surveyors • Civil Engineers • GIS
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660

Job Number:	2021-502
Date:	03/23/2022
Scale:	NOT TO SCALE

Drawing Name: P:\Year_2021\2021-502 5355 Airport - Prologis - John Carter\06 Engineering\Exhibits\1_Aerial View Map\2021-502_EXH_AERIAL.dwg



HYDROLOGY SUMMARY TABLE

SUBAREAS ID	RUNOFF COEFFICIENT "C"	TIME OF CONC. "Tc" (MIN.)	RAINFALL INTENSITY "I" (INCH/HOUR)	DRAINAGE AREA (AC)	RUNOFF FLOW RATE "Q_{100}" (CFS)
A1	0.88	11.75	3.485	6.49	19.90
A2	0.88	12.70	3.326	4.26	12.45
A3	0.88	8.40	4.264	2.10	7.91
TOTAL	--	14.20	--	12.85	38.03

GENERAL NOTES

1. SEE PRELIMINARY HYDROLOGY REPORT, PREPARED BY WESTLAND GROUP, FOR THE COMPLETE POST-DEVELOPMENT HYDROLOGY CALCULATIONS.
2. CALCULATIONS WERE BASED ON THE REQUIREMENTS ON THE SAN BERNARDINO HYDROLOGY MANUAL FOR 100 YEAR STORM.
3. ALL EXISTING ELEVATIONS ARE APPROXIMATE.
4. EXISTING TOPOGRAPHIC SURVEY SHOWN ON PLAN WAS PREPARED BY WESTLAND GROUP, DATED NOVEMBER 30, 2021

PROJECT SITE SUMMARY

AREA A

SITE AREA:	12.85 ACRE	
SOIL GROUP:	A	(PER USDA WEB SOIL SURVEY)
IMPERVIOUS:	92%	(PRE-DEVELOPMENT)
ISOHYETALS:	0.526" 1.21"	(2-YEAR 1 HOUR) (100-YEAR 1 HOUR)
CN NUMBER:	32	(SOIL GROUP A)
FREQUENCY:	100 YEAR	(FOR STORM DRAIN DESIGN)
METHOD:	SAN BERNARDINO COUNTY HYDROLOGY MANUAL	

LEGEND

- PROJECT DRAINAGE BOUNDARY/PROPERTY LINE
- SUB-AREA BOUNDARY
- FLOW PATH
- PROPOSED STORM DRAIN (PRELIMINARY)
- SUB-DRAINAGE AREA ID
- X / X — SUB-DRAINAGE AREA IDENTIFIER
- SUB-DRAINAGE SURFACE AREA (ACRE)
- FLOW ARROW
- 1.0 — SURFACE FLOW NODE
- EXISTING PERVIOUS AREA

ABBREVIATIONS

CF	CUBIC FEET
CL OR ℄	CENTERLINE
DA	DRAINAGE AREA
EG	EXISTING GRADE
EX	EXISTING
HR	HOUR
IN	INCH/INCHES
L	LENGTH
R/W	RIGHT OF WAY
PL OR ℙ	PROPERTY LINE
PROP	PROPOSED
SD	STORM DRAIN
ULT	ULTIMATE
V	VOLUME

N

40 0 40 80
scale 1"= 40' feet

PREPARED BY:
WestLAND Group, Inc. Land Surveyors • Civil Engineers • GIS
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660
JOB NO: 2021-502

INDUSTRIAL BUILDING

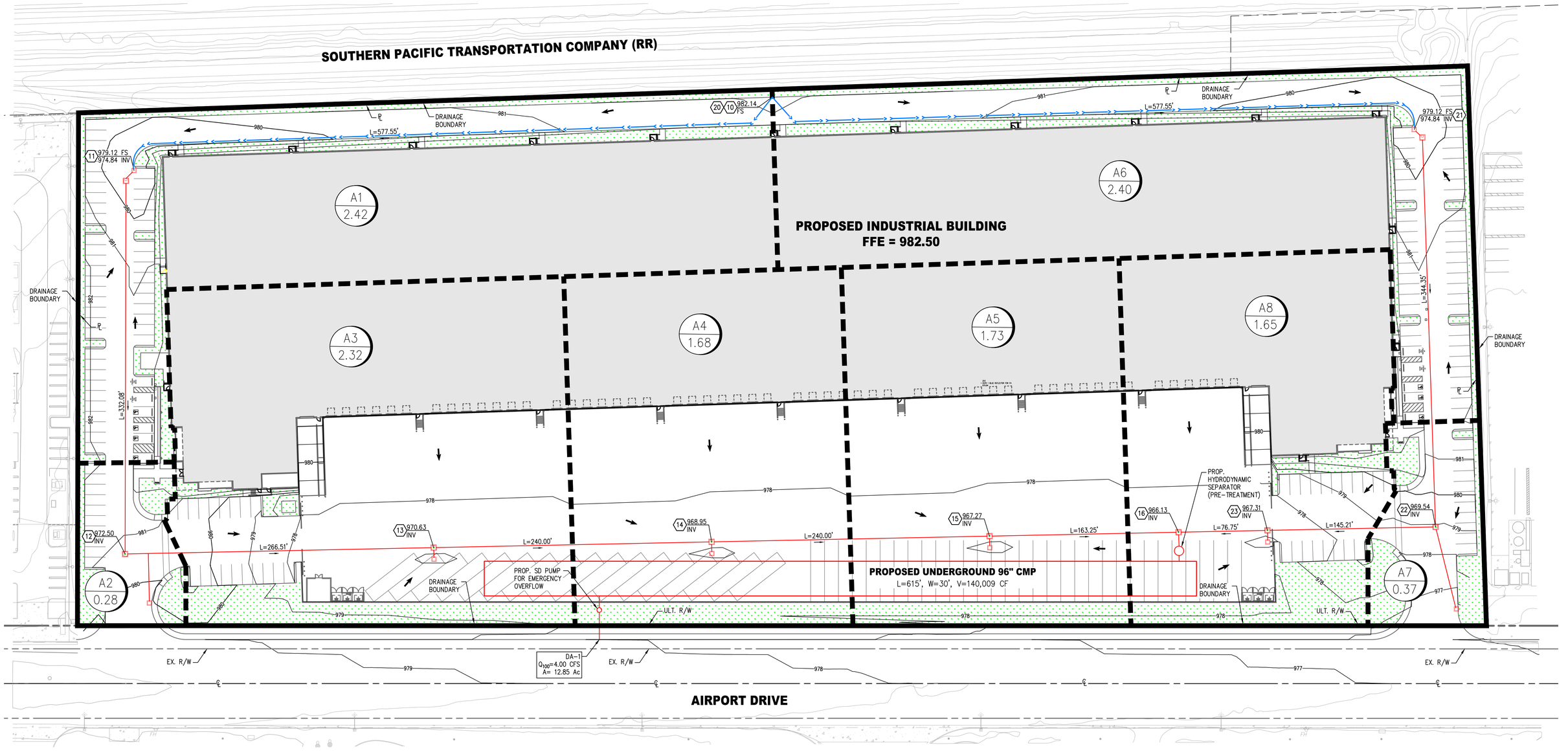
PRE-DEVELOPMENT DRAINAGE MAP

5355 AIRPORT DRIVE

CITY OF ONTARIO

DATE: Mar 2022
FIGURE NO. 1

Drawing Name: P:\Year_2021\2021-502 5355 Airport - Prologis - John Carter\06 Engineering\Reports\HYDROLOGY\3_Exhibits\PRELIMINARY\2021-502_PRELIM_EXH_HYDR_EX.dwg



HYDROLOGY SUMMARY TABLE

SUBAREAS ID	RUNOFF COEFFICIENT "C"	TIME OF CONC. "Tc" (MIN.)	RAINFALL INTENSITY "I" (INCH/HOUR)	DRAINAGE AREA (AC)	RUNOFF FLOW RATE "Q_{100}" (CFS)
A1	0.880	11.06	3.613	2.42	7.70
A2	0.879	12.05	3.433	0.28	0.45
A3	0.879	12.83	3.305	2.32	6.43
A4	0.878	13.43	3.215	1.68	4.34
A5	0.877	14.02	3.135	1.73	4.27
A6	0.880	11.06	3.613	2.40	7.63
A7	0.879	11.83	3.470	0.37	0.82
A8	0.879	12.14	3.416	1.65	4.82
TOTAL	--	14.39	--	12.85	35.24

UNDERGROUND INFILTRATION CHAMBER SUMMARY

PEAK FLOW IN-Q_{100} (CFS)	PEAK FLOW OUT-Q_{100} (CFS)	STORAGE VOLUME (CF)	MAXIMUM PONDING DEPTH (FT)	WATER SURFACE ELEVATION (FT)	FREEBOARD (FT)
35.24	4.00	140,009	10.00	8.00	2.00

GENERAL NOTES

1. SEE PRELIMINARY HYDROLOGY REPORT, PREPARED BY WESTLAND GROUP, FOR THE COMPLETE POST-DEVELOPMENT HYDROLOGY CALCULATIONS.
2. CALCULATIONS WERE BASED ON THE REQUIREMENTS ON THE SAN BERNARDINO HYDROLOGY MANUAL FOR 100 YEAR STORM.
3. PROPOSED ON-SITE DRAINAGE SYSTEM LAYOUT IS PRELIMINARY.
4. ALL FINISH ELEVATIONS AND INVERT ELEVATIONS ARE APPROXIMATE.
5. EXISTING TOPOGRAPHIC SURVEY SHOWN ON PLAN WAS PREPARED BY WESTLAND GROUP, DATED NOVEMBER 30, 2021

PROJECT SITE SUMMARY

AREA A

SITE AREA:	12.85 ACRE	
SOIL GROUP:	A	(PER USDA WEB SOIL SURVEY)
IMPERVIOUS:	89%	(POST-DEVELOPMENT)
ISOHYETALS:	0.526" 1.21"	(2-YEAR 1 HOUR) (100-YEAR 1 HOUR)
CN NUMBER:	32	(SOIL GROUP A)
FREQUENCY:	100 YEAR	(FOR STORM DRAIN DESIGN)
METHOD:	SAN BERNARDINO COUNTY HYDROLOGY MANUAL	

LEGEND

- PROJECT DRAINAGE BOUNDARY/PROPERTY LINE
- SUB-AREA BOUNDARY
- FLOW PATH
- PROPOSED STORM DRAIN (PRELIMINARY)
- SUB-DRAINAGE AREA ID
- X / X — SUB-DRAINAGE AREA IDENTIFIER
- SUB-DRAINAGE SURFACE AREA (ACRE)
- FLOW ARROW
- (10) SURFACE FLOW NODE
- PROPOSED BUILDING AREA
- PROPOSED LANDSCAPE AREA

ABBREVIATIONS

CF	CUBIC FEET
CL OR ℄	CENTERLINE
CMP	CORRUGATED METAL PIPE
DA	DRAINAGE AREA
EX	EXISTING
FS	FINISHED SURFACE ELEVATION
HR	HOUR
IN	INCH/INCHES
INV	INVERT ELEVATION
L	LENGTH
R/W	RIGHT OF WAY
PL OR ℙ	PROPERTY LINE
PROP	PROPOSED
SD	STORM DRAIN
TYP	TYPICAL
ULT	ULTIMATE
V	VOLUME
W	WIDTH

N

40 0 40 80
scale 1" = 40' feet

PREPARED BY:
WestLAND Group, Inc. Land Surveyors • Civil Engineers • GIS
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660

JOB NO: 2021-502

INDUSTRIAL BUILDING

POST-DEVELOPMENT DRAINAGE MAP

5355 AIRPORT DRIVE

CITY OF ONTARIO

DATE: Mar 2022

FIGURE NO. 2

Drawing Name: P:\Year_2021\2021-502 5355 Airport - Prologis - John Carter\06 Engineering\Reports\HYDROLOGY\3_Exhibits\PRELIMINARY\2021-502_PRELIM_EXH_HYDR_PROP.dwg

APPENDIX B

RATIONAL METHOD ANALYSIS (2/100 YEAR STORM)

RATIONAL METHOD ANALYSIS

PRE-DEVELOPMENT CONDITIONS

San Bernardino County Rational Hydrology Program

(Hydrology Manual Date - August 1986)

CIVILCADD/CIVILDESIGN Engineering Software, (c) 1989-2005 Version 7.1
Rational Hydrology Study Date: 03/23/22

Job No. 2021-502
5355 Airport Drive
2 YR STORM RATIONAL METHOD
PRE-CONDITION, AREA A

Program License Serial Number 6277

********* Hydrology Study Control Information **********

Rational hydrology study storm event year is 2.0
Computed rainfall intensity:
Storm year = 2.00 1 hour rainfall = 0.526 (In.)
Slope used for rainfall intensity curve b = 0.6000
Soil antecedent moisture condition (AMC) = 1

++

Process from Point/Station 1.000 to Point/Station 1.100
**** INITIAL AREA EVALUATION ****

COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2) = 32.00
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000 Max loss rate(Fm)= 0.100(In/Hr)
Initial subarea data:
Initial area flow distance = 868.510(Ft.)
Top (of initial area) elevation = 986.500(Ft.)
Bottom (of initial area) elevation = 978.900(Ft.)
Difference in elevation = 7.600(Ft.)
Slope = 0.00875 s(%)= 0.88
TC = k(0.304)*[(length^3)/(elevation change)]^0.2
Initial area time of concentration = 11.748 min.
Rainfall intensity = 1.399(In/Hr) for a 2.0 year storm
Effective runoff coefficient used for area (Q=KCIA) is C = 0.836

```
Subarea runoff =      7.589(CFS)
Total initial stream area =        6.490(Ac.)
Pervious area fraction = 0.100
Initial area Fm value =    0.100(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        1.100 to Point/Station        2.100
**** IMPROVED CHANNEL TRAVEL TIME ****
________________________________________________________________________
Upstream point elevation =   978.900(Ft.)
Downstream point elevation =   978.000(Ft.)
Channel length thru subarea  =   158.290(Ft.)
Channel base width      =    5.000(Ft.)
Slope or 'Z' of left channel bank =  50.000
Slope or 'Z' of right channel bank =  50.000
Manning's 'N'    = 0.011
Maximum depth of channel  =    2.000(Ft.)
Flow(q) thru subarea =      7.589(CFS)
Depth of flow =   0.202(Ft.), Average velocity =   2.491(Ft/s)
Channel flow top width =   25.185(Ft.)
Flow Velocity =    2.49(Ft/s)
Travel time  =    1.06 min.
Time of concentration =   12.81 min.
Critical depth =      0.225(Ft.)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        1.100 to Point/Station        2.100
**** CONFLUENCE OF MAIN STREAMS ****
________________________________________________________________________
The following data inside Main Stream is listed:
In Main Stream number: 1
Stream flow area =      6.490(Ac.)
Runoff from this stream =      7.589(CFS)
Time of concentration =   12.81 min.
Rainfall intensity =     1.329(In/Hr)
Area averaged loss rate (Fm) =    0.1000(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
Program is now starting with Main Stream No. 2


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        2.000 to Point/Station        2.100
**** INITIAL AREA EVALUATION ****
________________________________________________________________________
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
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Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.100(In/Hr)
Initial subarea data:
Initial area flow distance =   733.050(Ft.)
Top (of initial area) elevation =   981.100(Ft.)
Bottom (of initial area) elevation =   978.000(Ft.)
Difference in elevation =     3.100(Ft.)
Slope =    0.00423  s(%)=       0.42
TC = k(0.304)*[(length^3)/(elevation change)]^0.2
Initial area time of concentration =   12.696 min.
Rainfall intensity =      1.336(In/Hr) for a     2.0 year storm
Effective runoff coefficient used for area (Q=KCIA) is C = 0.833
Subarea runoff =      4.737(CFS)
Total initial stream area =        4.260(Ac.)
Pervious area fraction = 0.100
Initial area Fm value =    0.100(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        2.000 to Point/Station        2.100
**** CONFLUENCE OF MAIN STREAMS ****
________________________________________________________________________
The following data inside Main Stream is listed:
In Main Stream number: 2
Stream flow area =      4.260(Ac.)
Runoff from this stream =      4.737(CFS)
Time of concentration =   12.70 min.
Rainfall intensity =     1.336(In/Hr)
Area averaged loss rate (Fm) =    0.1000(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
Summary of stream data:

Stream Flow rate    Area    TC     Fm       Rainfall Intensity
 No.    (CFS)   (Ac.)       (min) (In/Hr)     (In/Hr)


1      7.59     6.490     12.81    0.100      1.329
2      4.74     4.260     12.70    0.100      1.336
Qmax(1) =
           1.000 *    1.000 *     7.589) +
           0.994 *    1.000 *     4.737) + =      12.299
Qmax(2) =
           1.006 *    0.991 *     7.589) +
           1.000 *    1.000 *     4.737) + =      12.303

Total of 2 main streams to confluence:
Flow rates before confluence point:
       8.589       5.737
```

```
Maximum flow rates at confluence using above data:
       12.299       12.303
Area of streams before confluence:
        6.490        4.260
Effective area values after confluence:
       10.750       10.694


Results of confluence:
Total flow rate =     12.303(CFS)
Time of concentration =    12.696 min.
Effective stream area after confluence  =     10.694(Ac.)
Study area average Pervious fraction(Ap) =  0.100
Study area average soil loss rate(Fm) =    0.100(In/Hr)
Study area total =      10.75(Ac.)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        2.100 to Point/Station        3.100
**** IMPROVED CHANNEL TRAVEL TIME ****
______________________________________________________________________________
Upstream point elevation =   978.000(Ft.)
Downstream point elevation =   976.800(Ft.)
Channel length thru subarea  =   305.110(Ft.)
Channel base width      =    5.000(Ft.)
Slope or 'Z' of left channel bank =  50.000
Slope or 'Z' of right channel bank =  50.000
Manning's 'N'    = 0.011
Maximum depth of channel  =    2.000(Ft.)
Flow(q) thru subarea =     12.303(CFS)
Depth of flow =   0.270(Ft.), Average velocity =   2.458(Ft/s)
Channel flow top width =   32.034(Ft.)
Flow Velocity =    2.46(Ft/s)
Travel time  =    2.07 min.
Time of concentration =   14.77 min.
Critical depth =      0.281(Ft.)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        2.100 to Point/Station        3.100
**** CONFLUENCE OF MAIN STREAMS ****
______________________________________________________________________________
The following data inside Main Stream is listed:
In Main Stream number: 1
Stream flow area =     10.694(Ac.)
Runoff from this stream =     12.303(CFS)
Time of concentration =   14.77 min.
Rainfall intensity =     1.220(In/Hr)
Area averaged loss rate (Fm) =    0.1000(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
```

```
Program is now starting with Main Stream No. 2


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        3.000 to Point/Station        3.100
**** INITIAL AREA EVALUATION ****
------------------------------------------------------------------------
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.100(In/Hr)
Initial subarea data:
Initial area flow distance =   528.580(Ft.)
Top (of initial area) elevation =   986.000(Ft.)
Bottom (of initial area) elevation =   976.800(Ft.)
Difference in elevation =     9.200(Ft.)
Slope =    0.01741  s(%)=       1.74
TC = k(0.304)*[(length^3)/(elevation change)]^0.2
Initial area time of concentration =    8.394 min.
Rainfall intensity =      1.712(In/Hr) for a     2.0 year storm
Effective runoff coefficient used for area (Q=KCIA) is C = 0.847
Subarea runoff =      3.047(CFS)
Total initial stream area =        2.100(Ac.)
Pervious area fraction = 0.100
Initial area Fm value =    0.100(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        3.000 to Point/Station        3.100
**** CONFLUENCE OF MAIN STREAMS ****
------------------------------------------------------------------------
The following data inside Main Stream is listed:
In Main Stream number: 2
Stream flow area =      2.100(Ac.)
Runoff from this stream =      3.047(CFS)
Time of concentration =    8.39 min.
Rainfall intensity =     1.712(In/Hr)
Area averaged loss rate (Fm) =    0.1000(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
Summary of stream data:

Stream Flow rate    Area    TC     Fm       Rainfall Intensity
 No.    (CFS)   (Ac.)       (min) (In/Hr)     (In/Hr)


1     12.30    10.694     14.77    0.100      1.220
```

```
2      3.05     2.100      8.39    0.100      1.712
Qmax(1) =
           1.000 *    1.000 *    12.303) +
           0.695 *    1.000 *     3.047) + =      14.419
Qmax(2) =
           1.439 *    0.569 *    12.303) +
           1.000 *    1.000 *     3.047) + =      13.114

Total of 2 main streams to confluence:
Flow rates before confluence point:
      13.303       4.047
Maximum flow rates at confluence using above data:
       14.419       13.114
Area of streams before confluence:
       10.694        2.100
Effective area values after confluence:
       12.794        8.179


Results of confluence:
Total flow rate =     14.419(CFS)
Time of concentration =    14.766 min.
Effective stream area after confluence  =     12.794(Ac.)
Study area average Pervious fraction(Ap) =  0.100
Study area average soil loss rate(Fm) =    0.100(In/Hr)
Study area total =      12.79(Ac.)
End of computations, Total Study Area =           12.85 (Ac.)
The following figures may
be used for a unit hydrograph study of the same area.
Note: These figures do not consider reduced effective area
effects caused by confluences in the rational equation.

Area averaged pervious area fraction(Ap) = 0.100
Area averaged SCS curve number =  32.0
```

San Bernardino County Rational Hydrology Program

(Hydrology Manual Date - August 1986)

CIVILCADD/CIVILDESIGN Engineering Software, (c) 1989-2005 Version 7.1
Rational Hydrology Study Date: 03/22/22

Job No. 2021-502
5355 Airport Drive
100 YR STORM RATIONAL METHOD
PRE-CONDITION, AREA A

Program License Serial Number 6277

********* Hydrology Study Control Information **********

Rational hydrology study storm event year is 100.0
Computed rainfall intensity:
Storm year = 100.00 1 hour rainfall = 1.310 (In.)
Slope used for rainfall intensity curve b = 0.6000
Soil antecedent moisture condition (AMC) = 3

++

Process from Point/Station 1.000 to Point/Station 1.100
**** INITIAL AREA EVALUATION ****

COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2) = 32.00
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000 Max loss rate(Fm)= 0.079(In/Hr)
Initial subarea data:
Initial area flow distance = 868.510(Ft.)
Top (of initial area) elevation = 986.500(Ft.)
Bottom (of initial area) elevation = 978.900(Ft.)
Difference in elevation = 7.600(Ft.)
Slope = 0.00875 s(%)= 0.88
TC = k(0.304)*[(length^3)/(elevation change)]^0.2
Initial area time of concentration = 11.748 min.
Rainfall intensity = 3.485(In/Hr) for a 100.0 year storm
Effective runoff coefficient used for area (Q=KCIA) is C = 0.880

```
Subarea runoff =     19.896(CFS)
Total initial stream area =        6.490(Ac.)
Pervious area fraction = 0.100
Initial area Fm value =    0.079(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        1.100 to Point/Station        2.100
**** IMPROVED CHANNEL TRAVEL TIME ****
________________________________________________________________________
Upstream point elevation =   978.900(Ft.)
Downstream point elevation =   978.000(Ft.)
Channel length thru subarea  =   158.290(Ft.)
Channel base width      =    5.000(Ft.)
Slope or 'Z' of left channel bank =  50.000
Slope or 'Z' of right channel bank =  50.000
Manning's 'N'    = 0.011
Maximum depth of channel  =    2.000(Ft.)
Flow(q) thru subarea =     19.896(CFS)
Depth of flow =   0.307(Ft.), Average velocity =   3.186(Ft/s)
Channel flow top width =   35.692(Ft.)
Flow Velocity =    3.19(Ft/s)
Travel time  =    0.83 min.
Time of concentration =   12.58 min.
Critical depth =      0.352(Ft.)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        1.100 to Point/Station        2.100
**** CONFLUENCE OF MAIN STREAMS ****
________________________________________________________________________
The following data inside Main Stream is listed:
In Main Stream number: 1
Stream flow area =      6.490(Ac.)
Runoff from this stream =     19.896(CFS)
Time of concentration =   12.58 min.
Rainfall intensity =     3.345(In/Hr)
Area averaged loss rate (Fm) =    0.0785(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
Program is now starting with Main Stream No. 2


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        2.000 to Point/Station        2.100
**** INITIAL AREA EVALUATION ****
________________________________________________________________________
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
```

```
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.079(In/Hr)
Initial subarea data:
Initial area flow distance =   733.050(Ft.)
Top (of initial area) elevation =   981.100(Ft.)
Bottom (of initial area) elevation =   978.000(Ft.)
Difference in elevation =     3.100(Ft.)
Slope =    0.00423  s(%)=       0.42
TC = k(0.304)*[(length^3)/(elevation change)]^0.2
Initial area time of concentration =   12.696 min.
Rainfall intensity =      3.326(In/Hr) for a   100.0 year storm
Effective runoff coefficient used for area (Q=KCIA) is C = 0.879
Subarea runoff =     12.452(CFS)
Total initial stream area =        4.260(Ac.)
Pervious area fraction = 0.100
Initial area Fm value =    0.079(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        2.000 to Point/Station        2.100
**** CONFLUENCE OF MAIN STREAMS ****
________________________________________________________________________
The following data inside Main Stream is listed:
In Main Stream number: 2
Stream flow area =      4.260(Ac.)
Runoff from this stream =     12.452(CFS)
Time of concentration =   12.70 min.
Rainfall intensity =     3.326(In/Hr)
Area averaged loss rate (Fm) =    0.0785(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
Summary of stream data:

Stream Flow rate    Area    TC     Fm       Rainfall Intensity
 No.    (CFS)   (Ac.)       (min) (In/Hr)     (In/Hr)


1     19.90     6.490     12.58    0.079      3.345
2     12.45     4.260     12.70    0.079      3.326
Qmax(1) =
           1.000 *    1.000 *    19.896) +
           1.006 *    0.991 *    12.452) + =      32.302
Qmax(2) =
           0.994 *    1.000 *    19.896) +
           1.000 *    1.000 *    12.452) + =      32.232

Total of 2 main streams to confluence:
Flow rates before confluence point:
      20.896      13.452
```

```
Maximum flow rates at confluence using above data:
       32.302       32.232
Area of streams before confluence:
        6.490        4.260
Effective area values after confluence:
       10.710       10.750


Results of confluence:
Total flow rate =     32.302(CFS)
Time of concentration =    12.576 min.
Effective stream area after confluence  =     10.710(Ac.)
Study area average Pervious fraction(Ap) =  0.100
Study area average soil loss rate(Fm) =    0.079(In/Hr)
Study area total =      10.75(Ac.)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        2.100 to Point/Station        3.100
**** IMPROVED CHANNEL TRAVEL TIME ****
______________________________________________________________________________
Upstream point elevation =   978.000(Ft.)
Downstream point elevation =   976.800(Ft.)
Channel length thru subarea  =   305.110(Ft.)
Channel base width      =    5.000(Ft.)
Slope or 'Z' of left channel bank =  50.000
Slope or 'Z' of right channel bank =  50.000
Manning's 'N'    = 0.011
Maximum depth of channel  =    2.000(Ft.)
Flow(q) thru subarea =     32.302(CFS)
Depth of flow =   0.406(Ft.), Average velocity =   3.138(Ft/s)
Channel flow top width =   45.647(Ft.)
Flow Velocity =    3.14(Ft/s)
Travel time  =    1.62 min.
Time of concentration =   14.20 min.
Critical depth =      0.434(Ft.)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        2.100 to Point/Station        3.100
**** CONFLUENCE OF MAIN STREAMS ****
______________________________________________________________________________
The following data inside Main Stream is listed:
In Main Stream number: 1
Stream flow area =     10.710(Ac.)
Runoff from this stream =     32.302(CFS)
Time of concentration =   14.20 min.
Rainfall intensity =     3.111(In/Hr)
Area averaged loss rate (Fm) =    0.0785(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
```

```
Program is now starting with Main Stream No. 2


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        3.000 to Point/Station        3.100
**** INITIAL AREA EVALUATION ****
------------------------------------------------------------------------
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.079(In/Hr)
Initial subarea data:
Initial area flow distance =   528.580(Ft.)
Top (of initial area) elevation =   986.000(Ft.)
Bottom (of initial area) elevation =   976.800(Ft.)
Difference in elevation =     9.200(Ft.)
Slope =    0.01741  s(%)=       1.74
TC = k(0.304)*[(length^3)/(elevation change)]^0.2
Initial area time of concentration =    8.394 min.
Rainfall intensity =      4.264(In/Hr) for a   100.0 year storm
Effective runoff coefficient used for area (Q=KCIA) is C = 0.883
Subarea runoff =      7.910(CFS)
Total initial stream area =        2.100(Ac.)
Pervious area fraction = 0.100
Initial area Fm value =    0.079(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station        3.000 to Point/Station        3.100
**** CONFLUENCE OF MAIN STREAMS ****
------------------------------------------------------------------------
The following data inside Main Stream is listed:
In Main Stream number: 2
Stream flow area =      2.100(Ac.)
Runoff from this stream =      7.910(CFS)
Time of concentration =    8.39 min.
Rainfall intensity =     4.264(In/Hr)
Area averaged loss rate (Fm) =    0.0785(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
Summary of stream data:

Stream Flow rate    Area    TC     Fm       Rainfall Intensity
 No.    (CFS)   (Ac.)       (min) (In/Hr)     (In/Hr)


1     32.30    10.710     14.20    0.079      3.111
```

```
2      7.91     2.100      8.39    0.079      4.264
Qmax(1) =
           1.000 *    1.000 *    32.302) +
           0.725 *    1.000 *     7.910) + =      38.033
Qmax(2) =
           1.380 *    0.591 *    32.302) +
           1.000 *    1.000 *     7.910) + =      34.272

Total of 2 main streams to confluence:
Flow rates before confluence point:
      33.302       8.910
Maximum flow rates at confluence using above data:
       38.033       34.272
Area of streams before confluence:
       10.710        2.100
Effective area values after confluence:
       12.810        8.432


Results of confluence:
Total flow rate =     38.033(CFS)
Time of concentration =    14.197 min.
Effective stream area after confluence  =     12.810(Ac.)
Study area average Pervious fraction(Ap) =  0.100
Study area average soil loss rate(Fm) =    0.079(In/Hr)
Study area total =      12.81(Ac.)
End of computations, Total Study Area =           12.85 (Ac.)
The following figures may
be used for a unit hydrograph study of the same area.
Note: These figures do not consider reduced effective area
effects caused by confluences in the rational equation.

Area averaged pervious area fraction(Ap) = 0.100
Area averaged SCS curve number =  32.0
```

RATIONAL METHOD ANALYSIS

POST-DEVELOPMENT CONDITIONS

San Bernardino County Rational Hydrology Program

(Hydrology Manual Date - August 1986)

CIVILCADD/CIVILDESIGN Engineering Software, (c) 1989-2005 Version 7.1
Rational Hydrology Study Date: 03/23/22

Job No. 2021-502
5355 Airport Drive
2 YR STORM RATIONAL METHOD
POST-CONDITION, AREA A

Program License Serial Number 6277

********* Hydrology Study Control Information **********

Rational hydrology study storm event year is 2.0
Computed rainfall intensity:
Storm year = 2.00 1 hour rainfall = 0.526 (In.)
Slope used for rainfall intensity curve b = 0.6000
Soil antecedent moisture condition (AMC) = 1

++

Process from Point/Station 10.000 to Point/Station 11.000
**** INITIAL AREA EVALUATION ****

COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2) = 32.00
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000 Max loss rate(Fm)= 0.100(In/Hr)
Initial subarea data:
Initial area flow distance = 577.550(Ft.)
Top (of initial area) elevation = 982.140(Ft.)
Bottom (of initial area) elevation = 979.120(Ft.)
Difference in elevation = 3.020(Ft.)
Slope = 0.00523 s(%)= 0.52
TC = k(0.304)*[(length^3)/(elevation change)]^0.2
Initial area time of concentration = 11.062 min.
Rainfall intensity = 1.451(In/Hr) for a 2.0 year storm
Effective runoff coefficient used for area (Q=KCIA) is C = 0.838

```
Subarea runoff =      2.942(CFS)
Total initial stream area =        2.420(Ac.)
Pervious area fraction = 0.100
Initial area Fm value =    0.100(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       11.000 to Point/Station       12.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
________________________________________________________________________
Upstream point/station elevation =   974.840(Ft.)
Downstream point/station elevation =   972.500(Ft.)
Pipe length  =   332.08(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     2.942(CFS)
Nearest computed pipe diameter  =     12.00(In.)
Calculated individual pipe flow  =     2.942(CFS)
Normal flow depth in pipe =    9.66(In.)
Flow top width inside pipe =    9.51(In.)
Critical Depth =    8.82(In.)
Pipe flow velocity =      4.34(Ft/s)
Travel time through pipe =    1.28 min.
Time of concentration (TC) =    12.34 min.


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       12.000 to Point/Station       12.000
**** SUBAREA FLOW ADDITION ****
________________________________________________________________________
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.100(In/Hr)
Time of concentration =    12.34 min.
Rainfall intensity =      1.359(In/Hr) for a     2.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.834
Subarea runoff =      0.117(CFS) for    0.280(Ac.)
Total runoff =      3.059(CFS)
Effective area this stream =        2.70(Ac.)
Total Study Area (Main Stream No. 1) =        2.70(Ac.)
Area averaged Fm value =    0.100(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       12.000 to Point/Station       13.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
```

```
Upstream point/station elevation =   972.500(Ft.)
Downstream point/station elevation =   970.630(Ft.)
Pipe length  =   266.51(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     3.059(CFS)
Nearest computed pipe diameter  =     15.00(In.)
Calculated individual pipe flow  =     3.059(CFS)
Normal flow depth in pipe =    8.07(In.)
Flow top width inside pipe =   14.96(In.)
Critical Depth =    8.45(In.)
Pipe flow velocity =      4.54(Ft/s)
Travel time through pipe =    0.98 min.
Time of concentration (TC) =    13.31 min.


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       13.000 to Point/Station       13.000
**** SUBAREA FLOW ADDITION ****
------------------------------------------------------------------------
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.100(In/Hr)
Time of concentration =    13.31 min.
Rainfall intensity =      1.298(In/Hr) for a     2.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.831
Subarea runoff =      2.354(CFS) for    2.320(Ac.)
Total runoff =      5.413(CFS)
Effective area this stream =        5.02(Ac.)
Total Study Area (Main Stream No. 1) =        5.02(Ac.)
Area averaged Fm value =    0.100(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       13.000 to Point/Station       14.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
------------------------------------------------------------------------
Upstream point/station elevation =   970.630(Ft.)
Downstream point/station elevation =   968.950(Ft.)
Pipe length  =   240.00(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     5.413(CFS)
Nearest computed pipe diameter  =     18.00(In.)
Calculated individual pipe flow  =     5.413(CFS)
Normal flow depth in pipe =   10.22(In.)
Flow top width inside pipe =   17.83(In.)
```

```
Critical Depth =   10.76(In.)
Pipe flow velocity =      5.23(Ft/s)
Travel time through pipe =    0.76 min.
Time of concentration (TC) =    14.08 min.


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       14.000 to Point/Station       14.000
**** SUBAREA FLOW ADDITION ****
____________________________________________________________________________
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.100(In/Hr)
Time of concentration =    14.08 min.
Rainfall intensity =      1.255(In/Hr) for a     2.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.828
Subarea runoff =      1.553(CFS) for    1.680(Ac.)
Total runoff =      6.966(CFS)
Effective area this stream =        6.70(Ac.)
Total Study Area (Main Stream No. 1) =        6.70(Ac.)
Area averaged Fm value =    0.100(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       14.000 to Point/Station       15.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
____________________________________________________________________________
Upstream point/station elevation =   968.950(Ft.)
Downstream point/station elevation =   967.270(Ft.)
Pipe length  =   240.00(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     6.966(CFS)
Nearest computed pipe diameter  =     18.00(In.)
Calculated individual pipe flow  =     6.966(CFS)
Normal flow depth in pipe =   12.09(In.)
Flow top width inside pipe =   16.90(In.)
Critical Depth =   12.26(In.)
Pipe flow velocity =      5.52(Ft/s)
Travel time through pipe =    0.73 min.
Time of concentration (TC) =    14.80 min.


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       15.000 to Point/Station       15.000
**** SUBAREA FLOW ADDITION ****
```

```
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.100(In/Hr)
Time of concentration =    14.80 min.
Rainfall intensity =      1.218(In/Hr) for a     2.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.826
Subarea runoff =      1.516(CFS) for    1.730(Ac.)
Total runoff =      8.482(CFS)
Effective area this stream =        8.43(Ac.)
Total Study Area (Main Stream No. 1) =        8.43(Ac.)
Area averaged Fm value =    0.100(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       15.000 to Point/Station       16.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
------------------------------------------------------------------------
Upstream point/station elevation =   967.270(Ft.)
Downstream point/station elevation =   966.130(Ft.)
Pipe length  =   163.25(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     8.482(CFS)
Nearest computed pipe diameter  =     18.00(In.)
Calculated individual pipe flow  =     8.482(CFS)
Normal flow depth in pipe =   14.23(In.)
Flow top width inside pipe =   14.65(In.)
Critical Depth =   13.54(In.)
Pipe flow velocity =      5.66(Ft/s)
Travel time through pipe =    0.48 min.
Time of concentration (TC) =    15.29 min.


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       15.000 to Point/Station       16.000
**** CONFLUENCE OF MAIN STREAMS ****
------------------------------------------------------------------------
The following data inside Main Stream is listed:
In Main Stream number: 1
Stream flow area =      8.430(Ac.)
Runoff from this stream =      8.482(CFS)
Time of concentration =   15.29 min.
Rainfall intensity =     1.195(In/Hr)
Area averaged loss rate (Fm) =    0.1000(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
```

```
Program is now starting with Main Stream No. 2


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Process from Point/Station       20.000 to Point/Station       21.000
**** INITIAL AREA EVALUATION ****
------------------------------------------------------------------------------
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.100(In/Hr)
Initial subarea data:
Initial area flow distance =   577.550(Ft.)
Top (of initial area) elevation =   982.140(Ft.)
Bottom (of initial area) elevation =   979.120(Ft.)
Difference in elevation =     3.020(Ft.)
Slope =    0.00523  s(%)=       0.52
TC = k(0.304)*[(length^3)/(elevation change)]^0.2
Initial area time of concentration =   11.062 min.
Rainfall intensity =      1.451(In/Hr) for a     2.0 year storm
Effective runoff coefficient used for area (Q=KCIA) is C = 0.838
Subarea runoff =      2.918(CFS)
Total initial stream area =        2.400(Ac.)
Pervious area fraction = 0.100
Initial area Fm value =    0.100(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       21.000 to Point/Station       22.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
------------------------------------------------------------------------------
Upstream point/station elevation =   974.840(Ft.)
Downstream point/station elevation =   969.540(Ft.)
Pipe length  =   344.35(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     2.918(CFS)
Nearest computed pipe diameter  =     12.00(In.)
Calculated individual pipe flow  =     2.918(CFS)
Normal flow depth in pipe =    7.11(In.)
Flow top width inside pipe =   11.79(In.)
Critical Depth =    8.78(In.)
Pipe flow velocity =      6.01(Ft/s)
Travel time through pipe =    0.95 min.
Time of concentration (TC) =    12.02 min.


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Process from Point/Station       22.000 to Point/Station       22.000
**** SUBAREA FLOW ADDITION ****
----------------------------------------------------------------------------
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.100(In/Hr)
Time of concentration =    12.02 min.
Rainfall intensity =      1.380(In/Hr) for a     2.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.835
Subarea runoff =      0.275(CFS) for    0.370(Ac.)
Total runoff =      3.192(CFS)
Effective area this stream =        2.77(Ac.)
Total Study Area (Main Stream No. 2) =       11.20(Ac.)
Area averaged Fm value =    0.100(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       22.000 to Point/Station       23.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
----------------------------------------------------------------------------
Upstream point/station elevation =   969.540(Ft.)
Downstream point/station elevation =   967.310(Ft.)
Pipe length  =   145.21(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     3.192(CFS)
Nearest computed pipe diameter  =     12.00(In.)
Calculated individual pipe flow  =     3.192(CFS)
Normal flow depth in pipe =    7.56(In.)
Flow top width inside pipe =   11.59(In.)
Critical Depth =    9.18(In.)
Pipe flow velocity =      6.12(Ft/s)
Travel time through pipe =    0.40 min.
Time of concentration (TC) =    12.41 min.


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Process from Point/Station       23.000 to Point/Station       23.000
**** SUBAREA FLOW ADDITION ****
----------------------------------------------------------------------------
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
```

```
Adjusted SCS curve number for AMC 1 = 16.60
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.100(In/Hr)
Time of concentration =    12.41 min.
Rainfall intensity =      1.354(In/Hr) for a     2.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.834
Subarea runoff =      1.796(CFS) for    1.650(Ac.)
Total runoff =      4.988(CFS)
Effective area this stream =        4.42(Ac.)
Total Study Area (Main Stream No. 2) =       12.85(Ac.)
Area averaged Fm value =    0.100(In/Hr)


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Process from Point/Station       23.000 to Point/Station       16.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
________________________________________________________________________
Upstream point/station elevation =   967.310(Ft.)
Downstream point/station elevation =   966.130(Ft.)
Pipe length  =    76.75(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     4.988(CFS)
Nearest computed pipe diameter  =     15.00(In.)
Calculated individual pipe flow  =     4.988(CFS)
Normal flow depth in pipe =    8.57(In.)
Flow top width inside pipe =   14.85(In.)
Critical Depth =   10.86(In.)
Pipe flow velocity =      6.88(Ft/s)
Travel time through pipe =    0.19 min.
Time of concentration (TC) =    12.60 min.


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Process from Point/Station       23.000 to Point/Station       16.000
**** CONFLUENCE OF MAIN STREAMS ****
________________________________________________________________________
The following data inside Main Stream is listed:
In Main Stream number: 2
Stream flow area =      4.420(Ac.)
Runoff from this stream =      4.988(CFS)
Time of concentration =   12.60 min.
Rainfall intensity =     1.342(In/Hr)
Area averaged loss rate (Fm) =    0.1000(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
Summary of stream data:

Stream Flow rate    Area    TC     Fm       Rainfall Intensity
 No.    (CFS)   (Ac.)       (min) (In/Hr)     (In/Hr)


1      8.48     8.430     15.29    0.100      1.195
```

```
2      4.99     4.420     12.60    0.100      1.342
Qmax(1) =
           1.000 *    1.000 *     8.482) +
           0.882 *    1.000 *     4.988) + =      12.880
Qmax(2) =
           1.134 *    0.824 *     8.482) +
           1.000 *    1.000 *     4.988) + =      12.917

Total of 2 main streams to confluence:
Flow rates before confluence point:
       9.482       5.988
Maximum flow rates at confluence using above data:
       12.880       12.917
Area of streams before confluence:
        8.430        4.420
Effective area values after confluence:
       12.850       11.368


Results of confluence:
Total flow rate =     12.917(CFS)
Time of concentration =    12.598 min.
Effective stream area after confluence  =     11.368(Ac.)
Study area average Pervious fraction(Ap) =  0.100
Study area average soil loss rate(Fm) =    0.100(In/Hr)
Study area total =      12.85(Ac.)
End of computations, Total Study Area =           12.85 (Ac.)
The following figures may
be used for a unit hydrograph study of the same area.
Note: These figures do not consider reduced effective area
effects caused by confluences in the rational equation.

Area averaged pervious area fraction(Ap) = 0.100
Area averaged SCS curve number =  32.0
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                San Bernardino County Rational Hydrology Program

                    (Hydrology Manual Date - August 1986)

 CIVILCADD/CIVILDESIGN  Engineering Software, (c) 1989-2005 Version 7.1
        Rational Hydrology Study        Date: 03/23/22
--------------------------------------------------------------------------
Job No. 2021-502
5355 Airport Drive
100 YR STORM RATIONAL METHOD
POST-CONDITION, AREA A
--------------------------------------------------------------------------


Program License Serial Number 6277

--------------------------------------------------------------------------
 *********   Hydrology Study Control Information **********

--------------------------------------------------------------------------
Rational hydrology study storm event year is   100.0
Computed rainfall intensity:
Storm year =   100.00   1 hour rainfall =     1.310 (In.)
Slope used for rainfall intensity curve b =  0.6000
Soil antecedent moisture condition (AMC) = 3


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Process from Point/Station       10.000 to Point/Station       11.000
**** INITIAL AREA EVALUATION ****
__________________________________________________________________________
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.079(In/Hr)
Initial subarea data:
Initial area flow distance =   577.550(Ft.)
Top (of initial area) elevation =   982.140(Ft.)
Bottom (of initial area) elevation =   979.120(Ft.)
Difference in elevation =     3.020(Ft.)
Slope =    0.00523  s(%)=       0.52
TC = k(0.304)*[(length^3)/(elevation change)]^0.2
Initial area time of concentration =   11.062 min.
Rainfall intensity =      3.613(In/Hr) for a   100.0 year storm
Effective runoff coefficient used for area (Q=KCIA) is C = 0.880
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Subarea runoff =      7.698(CFS)
Total initial stream area =        2.420(Ac.)
Pervious area fraction = 0.100
Initial area Fm value =    0.079(In/Hr)


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Process from Point/Station       11.000 to Point/Station       12.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
________________________________________________________________________
Upstream point/station elevation =   974.840(Ft.)
Downstream point/station elevation =   972.500(Ft.)
Pipe length  =   332.08(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     7.698(CFS)
Nearest computed pipe diameter  =     18.00(In.)
Calculated individual pipe flow  =     7.698(CFS)
Normal flow depth in pipe =   13.02(In.)
Flow top width inside pipe =   16.11(In.)
Critical Depth =   12.90(In.)
Pipe flow velocity =      5.62(Ft/s)
Travel time through pipe =    0.98 min.
Time of concentration (TC) =    12.05 min.


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Process from Point/Station       12.000 to Point/Station       12.000
**** SUBAREA FLOW ADDITION ****
________________________________________________________________________
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.079(In/Hr)
Time of concentration =    12.05 min.
Rainfall intensity =      3.433(In/Hr) for a   100.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.879
Subarea runoff =      0.453(CFS) for    0.280(Ac.)
Total runoff =      8.151(CFS)
Effective area this stream =        2.70(Ac.)
Total Study Area (Main Stream No. 1) =        2.70(Ac.)
Area averaged Fm value =    0.079(In/Hr)


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Process from Point/Station       12.000 to Point/Station       13.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
```

```
Upstream point/station elevation =   972.500(Ft.)
Downstream point/station elevation =   970.630(Ft.)
Pipe length  =   266.51(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     8.151(CFS)
Nearest computed pipe diameter  =     18.00(In.)
Calculated individual pipe flow  =     8.151(CFS)
Normal flow depth in pipe =   13.69(In.)
Flow top width inside pipe =   15.37(In.)
Critical Depth =   13.26(In.)
Pipe flow velocity =      5.65(Ft/s)
Travel time through pipe =    0.79 min.
Time of concentration (TC) =    12.83 min.


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Process from Point/Station       13.000 to Point/Station       13.000
**** SUBAREA FLOW ADDITION ****
------------------------------------------------------------------------
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.079(In/Hr)
Time of concentration =    12.83 min.
Rainfall intensity =      3.305(In/Hr) for a   100.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.879
Subarea runoff =      6.427(CFS) for    2.320(Ac.)
Total runoff =     14.578(CFS)
Effective area this stream =        5.02(Ac.)
Total Study Area (Main Stream No. 1) =        5.02(Ac.)
Area averaged Fm value =    0.079(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       13.000 to Point/Station       14.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
------------------------------------------------------------------------
Upstream point/station elevation =   970.630(Ft.)
Downstream point/station elevation =   968.950(Ft.)
Pipe length  =   240.00(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =    14.578(CFS)
Nearest computed pipe diameter  =     24.00(In.)
Calculated individual pipe flow  =    14.578(CFS)
Normal flow depth in pipe =   15.80(In.)
Flow top width inside pipe =   22.77(In.)
```

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Critical Depth =   16.52(In.)
Pipe flow velocity =      6.65(Ft/s)
Travel time through pipe =    0.60 min.
Time of concentration (TC) =    13.43 min.


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Process from Point/Station       14.000 to Point/Station       14.000
**** SUBAREA FLOW ADDITION ****
____________________________________________________________________________
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.079(In/Hr)
Time of concentration =    13.43 min.
Rainfall intensity =      3.215(In/Hr) for a   100.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.878
Subarea runoff =      4.338(CFS) for    1.680(Ac.)
Total runoff =     18.916(CFS)
Effective area this stream =        6.70(Ac.)
Total Study Area (Main Stream No. 1) =        6.70(Ac.)
Area averaged Fm value =    0.079(In/Hr)


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Process from Point/Station       14.000 to Point/Station       15.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
____________________________________________________________________________
Upstream point/station elevation =   968.950(Ft.)
Downstream point/station elevation =   967.270(Ft.)
Pipe length  =   240.00(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =    18.916(CFS)
Nearest computed pipe diameter  =     24.00(In.)
Calculated individual pipe flow  =    18.916(CFS)
Normal flow depth in pipe =   19.64(In.)
Flow top width inside pipe =   18.51(In.)
Critical Depth =   18.77(In.)
Pipe flow velocity =      6.87(Ft/s)
Travel time through pipe =    0.58 min.
Time of concentration (TC) =    14.02 min.


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Process from Point/Station       15.000 to Point/Station       15.000
**** SUBAREA FLOW ADDITION ****
```

```
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.079(In/Hr)
Time of concentration =    14.02 min.
Rainfall intensity =      3.135(In/Hr) for a   100.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.877
Subarea runoff =      4.271(CFS) for    1.730(Ac.)
Total runoff =     23.187(CFS)
Effective area this stream =        8.43(Ac.)
Total Study Area (Main Stream No. 1) =        8.43(Ac.)
Area averaged Fm value =    0.079(In/Hr)


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Process from Point/Station       15.000 to Point/Station       16.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
------------------------------------------------------------------------
Upstream point/station elevation =   967.270(Ft.)
Downstream point/station elevation =   966.130(Ft.)
Pipe length  =   163.25(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =    23.187(CFS)
Nearest computed pipe diameter  =     27.00(In.)
Calculated individual pipe flow  =    23.187(CFS)
Normal flow depth in pipe =   19.95(In.)
Flow top width inside pipe =   23.72(In.)
Critical Depth =   20.23(In.)
Pipe flow velocity =      7.36(Ft/s)
Travel time through pipe =    0.37 min.
Time of concentration (TC) =    14.39 min.


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Process from Point/Station       15.000 to Point/Station       16.000
**** CONFLUENCE OF MAIN STREAMS ****
------------------------------------------------------------------------
The following data inside Main Stream is listed:
In Main Stream number: 1
Stream flow area =      8.430(Ac.)
Runoff from this stream =     23.187(CFS)
Time of concentration =   14.39 min.
Rainfall intensity =     3.086(In/Hr)
Area averaged loss rate (Fm) =    0.0785(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
```

```
Program is now starting with Main Stream No. 2


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       20.000 to Point/Station       21.000
**** INITIAL AREA EVALUATION ****
------------------------------------------------------------------------------
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.079(In/Hr)
Initial subarea data:
Initial area flow distance =   577.550(Ft.)
Top (of initial area) elevation =   982.140(Ft.)
Bottom (of initial area) elevation =   979.120(Ft.)
Difference in elevation =     3.020(Ft.)
Slope =    0.00523  s(%)=       0.52
TC = k(0.304)*[(length^3)/(elevation change)]^0.2
Initial area time of concentration =   11.062 min.
Rainfall intensity =      3.613(In/Hr) for a   100.0 year storm
Effective runoff coefficient used for area (Q=KCIA) is C = 0.880
Subarea runoff =      7.634(CFS)
Total initial stream area =        2.400(Ac.)
Pervious area fraction = 0.100
Initial area Fm value =    0.079(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       21.000 to Point/Station       22.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
------------------------------------------------------------------------------
Upstream point/station elevation =   974.840(Ft.)
Downstream point/station elevation =   969.540(Ft.)
Pipe length  =   344.35(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     7.634(CFS)
Nearest computed pipe diameter  =     15.00(In.)
Calculated individual pipe flow  =     7.634(CFS)
Normal flow depth in pipe =   11.70(In.)
Flow top width inside pipe =   12.43(In.)
Critical Depth =   13.16(In.)
Pipe flow velocity =      7.43(Ft/s)
Travel time through pipe =    0.77 min.
Time of concentration (TC) =    11.83 min.


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
```

```
Process from Point/Station       22.000 to Point/Station       22.000
**** SUBAREA FLOW ADDITION ****
----------------------------------------------------------------------------
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.079(In/Hr)
Time of concentration =    11.83 min.
Rainfall intensity =      3.470(In/Hr) for a   100.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.880
Subarea runoff =      0.820(CFS) for    0.370(Ac.)
Total runoff =      8.454(CFS)
Effective area this stream =        2.77(Ac.)
Total Study Area (Main Stream No. 2) =       11.20(Ac.)
Area averaged Fm value =    0.079(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       22.000 to Point/Station       23.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
----------------------------------------------------------------------------
Upstream point/station elevation =   969.540(Ft.)
Downstream point/station elevation =   967.310(Ft.)
Pipe length  =   145.21(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =     8.454(CFS)
Nearest computed pipe diameter  =     18.00(In.)
Calculated individual pipe flow  =     8.454(CFS)
Normal flow depth in pipe =   10.57(In.)
Flow top width inside pipe =   17.72(In.)
Critical Depth =   13.51(In.)
Pipe flow velocity =      7.84(Ft/s)
Travel time through pipe =    0.31 min.
Time of concentration (TC) =    12.14 min.


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       23.000 to Point/Station       23.000
**** SUBAREA FLOW ADDITION ****
----------------------------------------------------------------------------
COMMERCIAL subarea type
Decimal fraction soil group A = 1.000
Decimal fraction soil group B = 0.000
Decimal fraction soil group C = 0.000
Decimal fraction soil group D = 0.000
SCS curve number for soil(AMC 2)  = 32.00
```

```
Adjusted SCS curve number for AMC 3 = 52.00
Pervious ratio(Ap) = 0.1000     Max loss rate(Fm)=     0.079(In/Hr)
Time of concentration =    12.14 min.
Rainfall intensity =      3.416(In/Hr) for a   100.0 year storm
Effective runoff coefficient used for area,(total area with modified
rational method)(Q=KCIA) is C = 0.879
Subarea runoff =      4.824(CFS) for    1.650(Ac.)
Total runoff =     13.278(CFS)
Effective area this stream =        4.42(Ac.)
Total Study Area (Main Stream No. 2) =       12.85(Ac.)
Area averaged Fm value =    0.079(In/Hr)


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       23.000 to Point/Station       16.000
**** PIPEFLOW TRAVEL TIME (Program estimated size) ****
________________________________________________________________________
Upstream point/station elevation =   967.310(Ft.)
Downstream point/station elevation =   966.130(Ft.)
Pipe length  =    76.75(Ft.)   Manning's N = 0.013
No. of pipes = 1  Required pipe flow  =    13.278(CFS)
Nearest computed pipe diameter  =     21.00(In.)
Calculated individual pipe flow  =    13.278(CFS)
Normal flow depth in pipe =   12.66(In.)
Flow top width inside pipe =   20.55(In.)
Critical Depth =   16.27(In.)
Pipe flow velocity =      8.77(Ft/s)
Travel time through pipe =    0.15 min.
Time of concentration (TC) =    12.29 min.


++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
Process from Point/Station       23.000 to Point/Station       16.000
**** CONFLUENCE OF MAIN STREAMS ****
________________________________________________________________________
The following data inside Main Stream is listed:
In Main Stream number: 2
Stream flow area =      4.420(Ac.)
Runoff from this stream =     13.278(CFS)
Time of concentration =   12.29 min.
Rainfall intensity =     3.392(In/Hr)
Area averaged loss rate (Fm) =    0.0785(In/Hr)
Area averaged Pervious ratio (Ap) = 0.1000
Summary of stream data:

Stream Flow rate    Area    TC     Fm       Rainfall Intensity
 No.    (CFS)   (Ac.)       (min) (In/Hr)     (In/Hr)


1     23.19     8.430     14.39    0.079      3.086
```

```
2     13.28     4.420     12.29    0.079      3.392
Qmax(1) =
           1.000 *    1.000 *    23.187) +
           0.908 *    1.000 *    13.278) + =      35.239
Qmax(2) =
           1.102 *    0.854 *    23.187) +
           1.000 *    1.000 *    13.278) + =      35.100

Total of 2 main streams to confluence:
Flow rates before confluence point:
      24.187      14.278
Maximum flow rates at confluence using above data:
       35.239       35.100
Area of streams before confluence:
        8.430        4.420
Effective area values after confluence:
       12.850       11.621


Results of confluence:
Total flow rate =     35.239(CFS)
Time of concentration =    14.386 min.
Effective stream area after confluence  =     12.850(Ac.)
Study area average Pervious fraction(Ap) =  0.100
Study area average soil loss rate(Fm) =    0.079(In/Hr)
Study area total =      12.85(Ac.)
End of computations, Total Study Area =           12.85 (Ac.)
The following figures may
be used for a unit hydrograph study of the same area.
Note: These figures do not consider reduced effective area
effects caused by confluences in the rational equation.

Area averaged pervious area fraction(Ap) = 0.100
Area averaged SCS curve number =  32.0
```

APPENDIX C

UNIT HYDROGRAPH ANALYSIS (100-YEAR STORM, 24 HOUR)

UNIT HYDROGRAPH ANALYSIS (100-YEAR STORM, 24 HOUR)

PRE-DEVELOPMENT CONDITION

U n i t H y d r o g r a p h A n a l y s i s

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Study date 03/22/22

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San Bernardino County Synthetic Unit Hydrology Method
Manual date - August 1986

Program License Serial Number 6277

Job No. 2021-502
5355 Airport Drive
100 YR STORM UNIT HYDROGRAPH ANALYSIS
PRE-CONDITION, AREA A

Storm Event Year = 100

Antecedent Moisture Condition = 3

English (in-lb) Input Units Used

English Rainfall Data (Inches) Input Values Used

English Units used in output format

Area averaged rainfall intensity isohyetal data:

Sub-Area (Ac.)	Duration (hours)	Isohyetal (In)
Rainfall data for year 100		
12.85	1	1.31
Rainfall data for year 100		
12.85	6	3.15
Rainfall data for year 100		
12.85	24	5.74

++

******** Area-averaged max loss rate, Fm ********

SCS curve No.(AMCII)	SCS curve NO.(AMC 3)	Area (Ac.)	Area Fraction	Fp(Fig C6) (In/Hr)	Ap (dec.)	Fm (In/Hr)
32.0	52.0	12.85	1.000	0.785	0.080	0.063

Area-averaged adjusted loss rate Fm (In/Hr) = 0.063

********* Area-Averaged low loss rate fraction, Yb **********

Area (Ac.)	Area Fract	SCS CN (AMC2)	SCS CN (AMC3)	S	Pervious Yield Fr
1.03	0.080	32.0	52.0	9.23	0.201
11.82	0.920	98.0	98.0	0.20	0.959

Area-averaged catchment yield fraction, Y = 0.898
Area-averaged low loss fraction, Yb = 0.102
User entry of time of concentration = 0.237 (hours)
++
Watershed area = 12.85(Ac.)
Catchment Lag time = 0.189 hours
Unit interval = 5.000 minutes
Unit interval percentage of lag time = 44.0135
Hydrograph baseflow = 0.00(CFS)
Average maximum watershed loss rate(Fm) = 0.063(In/Hr)
Average low loss rate fraction (Yb) = 0.102 (decimal)
VALLEY DEVELOPED S-Graph Selected
Computed peak 5-minute rainfall = 0.485(In)
Computed peak 30-minute rainfall = 0.993(In)
Specified peak 1-hour rainfall = 1.310(In)
Computed peak 3-hour rainfall = 2.243(In)
Specified peak 6-hour rainfall = 3.150(In)
Specified peak 24-hour rainfall = 5.740(In)

Rainfall depth area reduction factors:
Using a total area of 12.85(Ac.) (Ref: fig. E-4)

5-minute factor = 0.999 Adjusted rainfall = 0.485(In)
30-minute factor = 0.999 Adjusted rainfall = 0.992(In)
1-hour factor = 0.999 Adjusted rainfall = 1.309(In)
3-hour factor = 1.000 Adjusted rainfall = 2.243(In)
6-hour factor = 1.000 Adjusted rainfall = 3.150(In)
24-hour factor = 1.000 Adjusted rainfall = 5.740(In)

U n i t H y d r o g r a p h
++

Interval Number	'S' Graph Mean values	Unit Hydrograph ((CFS))
	(K = 155.40 (CFS))	
1	3.600	5.594
2	23.452	30.851
3	58.156	53.932
4	83.690	39.680
5	94.204	16.340
6	97.970	5.853
7	98.950	1.522
8	100.000	0.761

Peak Unit Number	Adjusted mass rainfall (In)	Unit rainfall (In)
1	0.4845	0.4845
2	0.6394	0.1548
3	0.7519	0.1126
4	0.8436	0.0917
5	0.9224	0.0788
6	0.9922	0.0698
7	1.0553	0.0631
8	1.1132	0.0579
9	1.1669	0.0537
10	1.2171	0.0502
11	1.2644	0.0473
12	1.3092	0.0448
13	1.3616	0.0524
14	1.4120	0.0504
15	1.4605	0.0486
16	1.5075	0.0469
17	1.5529	0.0455
18	1.5971	0.0441
19	1.6399	0.0429
20	1.6817	0.0418
21	1.7224	0.0407
22	1.7621	0.0397
23	1.8009	0.0388
24	1.8389	0.0380
25	1.8761	0.0372
26	1.9125	0.0364
27	1.9482	0.0357
28	1.9832	0.0350
29	2.0176	0.0344
30	2.0514	0.0338
31	2.0847	0.0332
32	2.1174	0.0327
33	2.1496	0.0322
34	2.1812	0.0317

35	2.2125	0.0312
36	2.2432	0.0308
37	2.2735	0.0303
38	2.3034	0.0299
39	2.3329	0.0295
40	2.3620	0.0291
41	2.3907	0.0287
42	2.4191	0.0284
43	2.4472	0.0280
44	2.4749	0.0277
45	2.5022	0.0274
46	2.5293	0.0271
47	2.5561	0.0268
48	2.5826	0.0265
49	2.6088	0.0262
50	2.6347	0.0259
51	2.6604	0.0257
52	2.6858	0.0254
53	2.7110	0.0252
54	2.7359	0.0249
55	2.7606	0.0247
56	2.7851	0.0245
57	2.8094	0.0242
58	2.8334	0.0240
59	2.8572	0.0238
60	2.8808	0.0236
61	2.9042	0.0234
62	2.9275	0.0232
63	2.9505	0.0230
64	2.9733	0.0228
65	2.9960	0.0227
66	3.0185	0.0225
67	3.0408	0.0223
68	3.0629	0.0221
69	3.0849	0.0220
70	3.1067	0.0218
71	3.1284	0.0217
72	3.1499	0.0215
73	3.1687	0.0189
74	3.1875	0.0187
75	3.2060	0.0186
76	3.2245	0.0184
77	3.2428	0.0183
78	3.2609	0.0182
79	3.2790	0.0180
80	3.2969	0.0179
81	3.3146	0.0178
82	3.3323	0.0177
83	3.3498	0.0175
84	3.3672	0.0174

85	3.3845	0.0173
86	3.4017	0.0172
87	3.4188	0.0171
88	3.4357	0.0170
89	3.4526	0.0168
90	3.4693	0.0167
91	3.4859	0.0166
92	3.5025	0.0165
93	3.5189	0.0164
94	3.5352	0.0163
95	3.5515	0.0162
96	3.5676	0.0161
97	3.5836	0.0160
98	3.5996	0.0159
99	3.6154	0.0159
100	3.6312	0.0158
101	3.6469	0.0157
102	3.6625	0.0156
103	3.6780	0.0155
104	3.6934	0.0154
105	3.7087	0.0153
106	3.7239	0.0152
107	3.7391	0.0152
108	3.7542	0.0151
109	3.7692	0.0150
110	3.7841	0.0149
111	3.7990	0.0149
112	3.8138	0.0148
113	3.8285	0.0147
114	3.8431	0.0146
115	3.8577	0.0146
116	3.8721	0.0145
117	3.8866	0.0144
118	3.9009	0.0143
119	3.9152	0.0143
120	3.9294	0.0142
121	3.9435	0.0141
122	3.9576	0.0141
123	3.9716	0.0140
124	3.9856	0.0139
125	3.9994	0.0139
126	4.0133	0.0138
127	4.0270	0.0138
128	4.0407	0.0137
129	4.0543	0.0136
130	4.0679	0.0136
131	4.0814	0.0135
132	4.0949	0.0135
133	4.1083	0.0134
134	4.1216	0.0133

135	4.1349	0.0133
136	4.1481	0.0132
137	4.1613	0.0132
138	4.1744	0.0131
139	4.1875	0.0131
140	4.2005	0.0130
141	4.2135	0.0130
142	4.2264	0.0129
143	4.2392	0.0129
144	4.2521	0.0128
145	4.2648	0.0128
146	4.2775	0.0127
147	4.2902	0.0127
148	4.3028	0.0126
149	4.3153	0.0126
150	4.3279	0.0125
151	4.3403	0.0125
152	4.3527	0.0124
153	4.3651	0.0124
154	4.3774	0.0123
155	4.3897	0.0123
156	4.4020	0.0122
157	4.4142	0.0122
158	4.4263	0.0121
159	4.4384	0.0121
160	4.4505	0.0121
161	4.4625	0.0120
162	4.4745	0.0120
163	4.4864	0.0119
164	4.4983	0.0119
165	4.5101	0.0119
166	4.5220	0.0118
167	4.5337	0.0118
168	4.5455	0.0117
169	4.5572	0.0117
170	4.5688	0.0117
171	4.5804	0.0116
172	4.5920	0.0116
173	4.6035	0.0115
174	4.6150	0.0115
175	4.6265	0.0115
176	4.6379	0.0114
177	4.6493	0.0114
178	4.6607	0.0114
179	4.6720	0.0113
180	4.6833	0.0113
181	4.6945	0.0112
182	4.7057	0.0112
183	4.7169	0.0112
184	4.7280	0.0111

185	4.7391	0.0111
186	4.7502	0.0111
187	4.7612	0.0110
188	4.7722	0.0110
189	4.7832	0.0110
190	4.7942	0.0109
191	4.8051	0.0109
192	4.8159	0.0109
193	4.8268	0.0108
194	4.8376	0.0108
195	4.8484	0.0108
196	4.8591	0.0107
197	4.8698	0.0107
198	4.8805	0.0107
199	4.8912	0.0107
200	4.9018	0.0106
201	4.9124	0.0106
202	4.9230	0.0106
203	4.9335	0.0105
204	4.9440	0.0105
205	4.9545	0.0105
206	4.9649	0.0104
207	4.9753	0.0104
208	4.9857	0.0104
209	4.9961	0.0104
210	5.0064	0.0103
211	5.0167	0.0103
212	5.0270	0.0103
213	5.0373	0.0103
214	5.0475	0.0102
215	5.0577	0.0102
216	5.0678	0.0102
217	5.0780	0.0101
218	5.0881	0.0101
219	5.0982	0.0101
220	5.1083	0.0101
221	5.1183	0.0100
222	5.1283	0.0100
223	5.1383	0.0100
224	5.1483	0.0100
225	5.1582	0.0099
226	5.1681	0.0099
227	5.1780	0.0099
228	5.1878	0.0099
229	5.1977	0.0098
230	5.2075	0.0098
231	5.2173	0.0098
232	5.2271	0.0098
233	5.2368	0.0097
234	5.2465	0.0097

235	5.2562	0.0097
236	5.2659	0.0097
237	5.2755	0.0096
238	5.2851	0.0096
239	5.2947	0.0096
240	5.3043	0.0096
241	5.3139	0.0096
242	5.3234	0.0095
243	5.3329	0.0095
244	5.3424	0.0095
245	5.3519	0.0095
246	5.3613	0.0094
247	5.3707	0.0094
248	5.3801	0.0094
249	5.3895	0.0094
250	5.3989	0.0094
251	5.4082	0.0093
252	5.4175	0.0093
253	5.4268	0.0093
254	5.4361	0.0093
255	5.4454	0.0093
256	5.4546	0.0092
257	5.4638	0.0092
258	5.4730	0.0092
259	5.4822	0.0092
260	5.4913	0.0092
261	5.5005	0.0091
262	5.5096	0.0091
263	5.5187	0.0091
264	5.5277	0.0091
265	5.5368	0.0091
266	5.5458	0.0090
267	5.5548	0.0090
268	5.5638	0.0090
269	5.5728	0.0090
270	5.5818	0.0090
271	5.5907	0.0089
272	5.5996	0.0089
273	5.6085	0.0089
274	5.6174	0.0089
275	5.6263	0.0089
276	5.6351	0.0088
277	5.6440	0.0088
278	5.6528	0.0088
279	5.6616	0.0088
280	5.6703	0.0088
281	5.6791	0.0088
282	5.6878	0.0087
283	5.6966	0.0087
284	5.7053	0.0087

285	5.7139	0.0087	
286	5.7226	0.0087	
287	5.7313	0.0087	
288	5.7399	0.0086	

Unit Period (number)	Unit Rainfall (In)	Unit Soil-Loss (In)	Effective Rainfall (In)
1	0.0086	0.0009	0.0078
2	0.0087	0.0009	0.0078
3	0.0087	0.0009	0.0078
4	0.0087	0.0009	0.0078
5	0.0087	0.0009	0.0078
6	0.0088	0.0009	0.0079
7	0.0088	0.0009	0.0079
8	0.0088	0.0009	0.0079
9	0.0088	0.0009	0.0079
10	0.0089	0.0009	0.0080
11	0.0089	0.0009	0.0080
12	0.0089	0.0009	0.0080
13	0.0090	0.0009	0.0080
14	0.0090	0.0009	0.0081
15	0.0090	0.0009	0.0081
16	0.0090	0.0009	0.0081
17	0.0091	0.0009	0.0081
18	0.0091	0.0009	0.0082
19	0.0091	0.0009	0.0082
20	0.0092	0.0009	0.0082
21	0.0092	0.0009	0.0083
22	0.0092	0.0009	0.0083
23	0.0093	0.0009	0.0083
24	0.0093	0.0009	0.0083
25	0.0093	0.0010	0.0084
26	0.0093	0.0010	0.0084
27	0.0094	0.0010	0.0084
28	0.0094	0.0010	0.0084
29	0.0094	0.0010	0.0085
30	0.0095	0.0010	0.0085
31	0.0095	0.0010	0.0085
32	0.0095	0.0010	0.0086
33	0.0096	0.0010	0.0086
34	0.0096	0.0010	0.0086
35	0.0096	0.0010	0.0087
36	0.0097	0.0010	0.0087
37	0.0097	0.0010	0.0087
38	0.0097	0.0010	0.0087
39	0.0098	0.0010	0.0088
40	0.0098	0.0010	0.0088
41	0.0099	0.0010	0.0089

42	0.0099	0.0010	0.0089
43	0.0099	0.0010	0.0089
44	0.0100	0.0010	0.0089
45	0.0100	0.0010	0.0090
46	0.0100	0.0010	0.0090
47	0.0101	0.0010	0.0091
48	0.0101	0.0010	0.0091
49	0.0102	0.0010	0.0091
50	0.0102	0.0010	0.0092
51	0.0103	0.0010	0.0092
52	0.0103	0.0010	0.0092
53	0.0103	0.0011	0.0093
54	0.0104	0.0011	0.0093
55	0.0104	0.0011	0.0094
56	0.0104	0.0011	0.0094
57	0.0105	0.0011	0.0094
58	0.0105	0.0011	0.0095
59	0.0106	0.0011	0.0095
60	0.0106	0.0011	0.0095
61	0.0107	0.0011	0.0096
62	0.0107	0.0011	0.0096
63	0.0108	0.0011	0.0097
64	0.0108	0.0011	0.0097
65	0.0109	0.0011	0.0098
66	0.0109	0.0011	0.0098
67	0.0110	0.0011	0.0099
68	0.0110	0.0011	0.0099
69	0.0111	0.0011	0.0099
70	0.0111	0.0011	0.0100
71	0.0112	0.0011	0.0100
72	0.0112	0.0011	0.0101
73	0.0113	0.0012	0.0101
74	0.0113	0.0012	0.0102
75	0.0114	0.0012	0.0102
76	0.0114	0.0012	0.0103
77	0.0115	0.0012	0.0103
78	0.0115	0.0012	0.0104
79	0.0116	0.0012	0.0104
80	0.0117	0.0012	0.0105
81	0.0117	0.0012	0.0105
82	0.0118	0.0012	0.0106
83	0.0119	0.0012	0.0106
84	0.0119	0.0012	0.0107
85	0.0120	0.0012	0.0108
86	0.0120	0.0012	0.0108
87	0.0121	0.0012	0.0109
88	0.0121	0.0012	0.0109
89	0.0122	0.0012	0.0110
90	0.0123	0.0013	0.0110
91	0.0124	0.0013	0.0111

92	0.0124	0.0013	0.0112
93	0.0125	0.0013	0.0112
94	0.0126	0.0013	0.0113
95	0.0127	0.0013	0.0114
96	0.0127	0.0013	0.0114
97	0.0128	0.0013	0.0115
98	0.0129	0.0013	0.0115
99	0.0130	0.0013	0.0116
100	0.0130	0.0013	0.0117
101	0.0131	0.0013	0.0118
102	0.0132	0.0013	0.0118
103	0.0133	0.0014	0.0119
104	0.0133	0.0014	0.0120
105	0.0135	0.0014	0.0121
106	0.0135	0.0014	0.0121
107	0.0136	0.0014	0.0122
108	0.0137	0.0014	0.0123
109	0.0138	0.0014	0.0124
110	0.0139	0.0014	0.0125
111	0.0140	0.0014	0.0126
112	0.0141	0.0014	0.0126
113	0.0142	0.0014	0.0128
114	0.0143	0.0015	0.0128
115	0.0144	0.0015	0.0129
116	0.0145	0.0015	0.0130
117	0.0146	0.0015	0.0131
118	0.0147	0.0015	0.0132
119	0.0149	0.0015	0.0133
120	0.0149	0.0015	0.0134
121	0.0151	0.0015	0.0135
122	0.0152	0.0015	0.0136
123	0.0153	0.0016	0.0138
124	0.0154	0.0016	0.0138
125	0.0156	0.0016	0.0140
126	0.0157	0.0016	0.0141
127	0.0159	0.0016	0.0142
128	0.0159	0.0016	0.0143
129	0.0161	0.0016	0.0145
130	0.0162	0.0017	0.0146
131	0.0164	0.0017	0.0148
132	0.0165	0.0017	0.0148
133	0.0167	0.0017	0.0150
134	0.0168	0.0017	0.0151
135	0.0171	0.0017	0.0153
136	0.0172	0.0018	0.0154
137	0.0174	0.0018	0.0156
138	0.0175	0.0018	0.0157
139	0.0178	0.0018	0.0160
140	0.0179	0.0018	0.0161
141	0.0182	0.0019	0.0163

142	0.0183	0.0019	0.0164
143	0.0186	0.0019	0.0167
144	0.0187	0.0019	0.0168
145	0.0215	0.0022	0.0193
146	0.0217	0.0022	0.0194
147	0.0220	0.0022	0.0197
148	0.0221	0.0023	0.0199
149	0.0225	0.0023	0.0202
150	0.0227	0.0023	0.0203
151	0.0230	0.0023	0.0207
152	0.0232	0.0024	0.0209
153	0.0236	0.0024	0.0212
154	0.0238	0.0024	0.0214
155	0.0242	0.0025	0.0218
156	0.0245	0.0025	0.0220
157	0.0249	0.0025	0.0224
158	0.0252	0.0026	0.0226
159	0.0257	0.0026	0.0231
160	0.0259	0.0026	0.0233
161	0.0265	0.0027	0.0238
162	0.0268	0.0027	0.0240
163	0.0274	0.0028	0.0246
164	0.0277	0.0028	0.0249
165	0.0284	0.0029	0.0255
166	0.0287	0.0029	0.0258
167	0.0295	0.0030	0.0265
168	0.0299	0.0030	0.0268
169	0.0308	0.0031	0.0276
170	0.0312	0.0032	0.0280
171	0.0322	0.0033	0.0289
172	0.0327	0.0033	0.0294
173	0.0338	0.0034	0.0304
174	0.0344	0.0035	0.0309
175	0.0357	0.0036	0.0321
176	0.0364	0.0037	0.0327
177	0.0380	0.0039	0.0341
178	0.0388	0.0040	0.0349
179	0.0407	0.0042	0.0365
180	0.0418	0.0043	0.0375
181	0.0441	0.0045	0.0396
182	0.0455	0.0046	0.0408
183	0.0486	0.0050	0.0436
184	0.0504	0.0051	0.0452
185	0.0448	0.0046	0.0402
186	0.0473	0.0048	0.0425
187	0.0537	0.0052	0.0485
188	0.0579	0.0052	0.0527
189	0.0698	0.0052	0.0645
190	0.0788	0.0052	0.0735
191	0.1126	0.0052	0.1073

192	0.1548	0.0052	0.1496
193	0.4845	0.0052	0.4793
194	0.0917	0.0052	0.0865
195	0.0631	0.0052	0.0579
196	0.0502	0.0051	0.0451
197	0.0524	0.0052	0.0472
198	0.0469	0.0048	0.0422
199	0.0429	0.0044	0.0385
200	0.0397	0.0041	0.0357
201	0.0372	0.0038	0.0334
202	0.0350	0.0036	0.0315
203	0.0332	0.0034	0.0298
204	0.0317	0.0032	0.0285
205	0.0303	0.0031	0.0272
206	0.0291	0.0030	0.0261
207	0.0280	0.0029	0.0252
208	0.0271	0.0028	0.0243
209	0.0262	0.0027	0.0235
210	0.0254	0.0026	0.0228
211	0.0247	0.0025	0.0222
212	0.0240	0.0025	0.0216
213	0.0234	0.0024	0.0210
214	0.0228	0.0023	0.0205
215	0.0223	0.0023	0.0200
216	0.0218	0.0022	0.0196
217	0.0189	0.0019	0.0169
218	0.0184	0.0019	0.0166
219	0.0180	0.0018	0.0162
220	0.0177	0.0018	0.0159
221	0.0173	0.0018	0.0155
222	0.0170	0.0017	0.0152
223	0.0166	0.0017	0.0149
224	0.0163	0.0017	0.0147
225	0.0160	0.0016	0.0144
226	0.0158	0.0016	0.0142
227	0.0155	0.0016	0.0139
228	0.0152	0.0016	0.0137
229	0.0150	0.0015	0.0135
230	0.0148	0.0015	0.0133
231	0.0146	0.0015	0.0131
232	0.0143	0.0015	0.0129
233	0.0141	0.0014	0.0127
234	0.0139	0.0014	0.0125
235	0.0138	0.0014	0.0124
236	0.0136	0.0014	0.0122
237	0.0134	0.0014	0.0120
238	0.0132	0.0013	0.0119
239	0.0131	0.0013	0.0117
240	0.0129	0.0013	0.0116
241	0.0128	0.0013	0.0115

242	0.0126	0.0013	0.0113
243	0.0125	0.0013	0.0112
244	0.0123	0.0013	0.0111
245	0.0122	0.0012	0.0109
246	0.0121	0.0012	0.0108
247	0.0119	0.0012	0.0107
248	0.0118	0.0012	0.0106
249	0.0117	0.0012	0.0105
250	0.0116	0.0012	0.0104
251	0.0115	0.0012	0.0103
252	0.0114	0.0012	0.0102
253	0.0112	0.0011	0.0101
254	0.0111	0.0011	0.0100
255	0.0110	0.0011	0.0099
256	0.0109	0.0011	0.0098
257	0.0108	0.0011	0.0097
258	0.0107	0.0011	0.0097
259	0.0107	0.0011	0.0096
260	0.0106	0.0011	0.0095
261	0.0105	0.0011	0.0094
262	0.0104	0.0011	0.0093
263	0.0103	0.0011	0.0093
264	0.0102	0.0010	0.0092
265	0.0101	0.0010	0.0091
266	0.0101	0.0010	0.0090
267	0.0100	0.0010	0.0090
268	0.0099	0.0010	0.0089
269	0.0098	0.0010	0.0088
270	0.0098	0.0010	0.0088
271	0.0097	0.0010	0.0087
272	0.0096	0.0010	0.0086
273	0.0096	0.0010	0.0086
274	0.0095	0.0010	0.0085
275	0.0094	0.0010	0.0085
276	0.0094	0.0010	0.0084
277	0.0093	0.0009	0.0083
278	0.0092	0.0009	0.0083
279	0.0092	0.0009	0.0082
280	0.0091	0.0009	0.0082
281	0.0091	0.0009	0.0081
282	0.0090	0.0009	0.0081
283	0.0089	0.0009	0.0080
284	0.0089	0.0009	0.0080
285	0.0088	0.0009	0.0079
286	0.0088	0.0009	0.0079
287	0.0087	0.0009	0.0078
288	0.0087	0.0009	0.0078

Total soil rain loss = 0.51(In)

Total effective rainfall = 5.23(In)
Peak flow rate in flood hydrograph = 37.10(CFS)

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24 - H O U R S T O R M
R u n o f f H y d r o g r a p h

Hydrograph in 5 Minute intervals ((CFS))

Time(h+m)	Volume Ac.Ft	Q(CFS)	0	10.0	20.0	30.0	40.0
0+ 5	0.0003	0.04	Q				
0+10	0.0022	0.28	Q				
0+15	0.0071	0.70	Q				
0+20	0.0140	1.01	VQ				
0+25	0.0219	1.14	VQ				
0+30	0.0301	1.19	VQ				
0+35	0.0384	1.20	VQ				
0+40	0.0468	1.21	VQ				
0+45	0.0551	1.22	VQ				
0+50	0.0636	1.22	VQ				
0+55	0.0720	1.23	VQ				
1+ 0	0.0805	1.23	VQ				
1+ 5	0.0890	1.23	VQ				
1+10	0.0975	1.24	VQ				
1+15	0.1060	1.24	VQ				
1+20	0.1146	1.24	VQ				
1+25	0.1232	1.25	VQ				
1+30	0.1318	1.25	VQ				
1+35	0.1405	1.26	|Q				
1+40	0.1492	1.26	|Q				
1+45	0.1579	1.27	|Q				
1+50	0.1666	1.27	|Q				
1+55	0.1754	1.27	|Q				
2+ 0	0.1842	1.28	|Q				
2+ 5	0.1930	1.28	|Q				
2+10	0.2019	1.29	|Q				
2+15	0.2108	1.29	|Q				
2+20	0.2197	1.29	|Q				
2+25	0.2286	1.30	|Q				
2+30	0.2376	1.30	|Q				
2+35	0.2466	1.31	|Q				
2+40	0.2557	1.31	|Q				
2+45	0.2647	1.32	|Q				
2+50	0.2738	1.32	|Q				
2+55	0.2830	1.33	|QV				
3+ 0	0.2921	1.33	|QV				
3+ 5	0.3013	1.34	|QV				
3+10	0.3106	1.34	|QV				

3+15	0.3199	1.35	|QV	|	|	|	|
3+20	0.3292	1.35	|QV	|	|	|	|
3+25	0.3385	1.36	|QV	|	|	|	|
3+30	0.3479	1.36	|QV	|	|	|	|
3+35	0.3573	1.37	|QV	|	|	|	|
3+40	0.3667	1.37	|QV	|	|	|	|
3+45	0.3762	1.38	|QV	|	|	|	|
3+50	0.3857	1.38	|QV	|	|	|	|
3+55	0.3952	1.39	|QV	|	|	|	|
4+ 0	0.4048	1.39	|QV	|	|	|	|
4+ 5	0.4145	1.40	|QV	|	|	|	|
4+10	0.4241	1.40	|Q V	|	|	|	|
4+15	0.4338	1.41	|Q V	|	|	|	|
4+20	0.4436	1.41	|Q V	|	|	|	|
4+25	0.4533	1.42	|Q V	|	|	|	|
4+30	0.4631	1.43	|Q V	|	|	|	|
4+35	0.4730	1.43	|Q V	|	|	|	|
4+40	0.4829	1.44	|Q V	|	|	|	|
4+45	0.4928	1.44	|Q V	|	|	|	|
4+50	0.5028	1.45	|Q V	|	|	|	|
4+55	0.5128	1.45	|Q V	|	|	|	|
5+ 0	0.5229	1.46	|Q V	|	|	|	|
5+ 5	0.5330	1.47	|Q V	|	|	|	|
5+10	0.5431	1.47	|Q V	|	|	|	|
5+15	0.5533	1.48	|Q V	|	|	|	|
5+20	0.5636	1.49	|Q V	|	|	|	|
5+25	0.5738	1.49	|Q V	|	|	|	|
5+30	0.5841	1.50	|Q V	|	|	|	|
5+35	0.5945	1.51	|Q V	|	|	|	|
5+40	0.6049	1.51	|Q V	|	|	|	|
5+45	0.6154	1.52	|Q V	|	|	|	|
5+50	0.6259	1.53	|Q V	|	|	|	|
5+55	0.6365	1.53	|Q V	|	|	|	|
6+ 0	0.6471	1.54	|Q V	|	|	|	|
6+ 5	0.6577	1.55	|Q V	|	|	|	|
6+10	0.6684	1.55	|Q V	|	|	|	|
6+15	0.6792	1.56	|Q V	|	|	|	|
6+20	0.6900	1.57	|Q V	|	|	|	|
6+25	0.7008	1.58	|Q V	|	|	|	|
6+30	0.7117	1.58	|Q V	|	|	|	|
6+35	0.7227	1.59	|Q V	|	|	|	|
6+40	0.7337	1.60	|Q V	|	|	|	|
6+45	0.7448	1.61	|Q V	|	|	|	|
6+50	0.7559	1.62	|Q V	|	|	|	|
6+55	0.7671	1.62	|Q V	|	|	|	|
7+ 0	0.7783	1.63	|Q V	|	|	|	|
7+ 5	0.7896	1.64	|Q V	|	|	|	|
7+10	0.8010	1.65	|Q V	|	|	|	|
7+15	0.8124	1.66	|Q V	|	|	|	|
7+20	0.8239	1.67	|Q V	|	|	|	|

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 7+25       0.8354      1.68  |Q    V   |          |          |          |
 7+30       0.8470      1.68  |Q    V   |          |          |          |
 7+35       0.8587      1.69  |Q    V   |          |          |          |
 7+40       0.8704      1.70  |Q    V   |          |          |          |
 7+45       0.8822      1.71  |Q    V   |          |          |          |
 7+50       0.8940      1.72  |Q    V   |          |          |          |
 7+55       0.9060      1.73  |Q    V   |          |          |          |
 8+ 0       0.9180      1.74  |Q    V   |          |          |          |
 8+ 5       0.9300      1.75  |Q    V   |          |          |          |
 8+10       0.9421      1.76  |Q    V   |          |          |          |
 8+15       0.9543      1.77  |Q    V   |          |          |          |
 8+20       0.9666      1.78  |Q    V   |          |          |          |
 8+25       0.9790      1.79  |Q     V  |          |          |          |
 8+30       0.9914      1.80  |Q     V  |          |          |          |
 8+35       1.0039      1.81  |Q     V  |          |          |          |
 8+40       1.0165      1.83  |Q     V  |          |          |          |
 8+45       1.0291      1.84  |Q     V  |          |          |          |
 8+50       1.0419      1.85  |Q     V  |          |          |          |
 8+55       1.0547      1.86  |Q     V  |          |          |          |
 9+ 0       1.0676      1.87  |Q     V  |          |          |          |
 9+ 5       1.0806      1.89  |Q     V  |          |          |          |
 9+10       1.0936      1.90  |Q     V  |          |          |          |
 9+15       1.1068      1.91  |Q     V  |          |          |          |
 9+20       1.1200      1.92  |Q      V |          |          |          |
 9+25       1.1334      1.94  |Q      V |          |          |          |
 9+30       1.1468      1.95  |Q      V |          |          |          |
 9+35       1.1603      1.96  |Q      V |          |          |          |
 9+40       1.1740      1.98  |Q      V |          |          |          |
 9+45       1.1877      1.99  |Q      V |          |          |          |
 9+50       1.2015      2.01  | Q     V |          |          |          |
 9+55       1.2154      2.02  | Q     V |          |          |          |
10+ 0       1.2295      2.04  | Q     V |          |          |          |
10+ 5       1.2436      2.05  | Q     V |          |          |          |
10+10       1.2579      2.07  | Q      V|          |          |          |
10+15       1.2722      2.08  | Q      V|          |          |          |
10+20       1.2867      2.10  | Q      V|          |          |          |
10+25       1.3013      2.12  | Q      V|          |          |          |
10+30       1.3160      2.14  | Q      V|          |          |          |
10+35       1.3308      2.15  | Q      V|          |          |          |
10+40       1.3458      2.17  | Q      V|          |          |          |
10+45       1.3609      2.19  | Q      V|          |          |          |
10+50       1.3761      2.21  | Q      V|          |          |          |
10+55       1.3914      2.23  | Q       V          |          |          |
11+ 0       1.4069      2.25  | Q       V          |          |          |
11+ 5       1.4225      2.27  | Q       V          |          |          |
11+10       1.4383      2.29  | Q       V          |          |          |
11+15       1.4542      2.31  | Q       V          |          |          |
11+20       1.4703      2.33  | Q       V          |          |          |
11+25       1.4865      2.36  | Q       V          |          |          |
11+30       1.5029      2.38  | Q       V          |          |          |
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11+35       1.5195      2.40  | Q       V         |         |         |
11+40       1.5362      2.43  | Q       |V        |         |         |
11+45       1.5531      2.45  | Q       |V        |         |         |
11+50       1.5701      2.48  | Q       |V        |         |         |
11+55       1.5874      2.51  | Q       |V        |         |         |
12+ 0       1.6049      2.53  | Q       |V        |         |         |
12+ 5       1.6226      2.57  | Q       |V        |         |         |
12+10       1.6410      2.67  | Q       |V        |         |         |
12+15       1.6605      2.82  | Q       |V        |         |         |
12+20       1.6807      2.94  | Q       | V       |         |         |
12+25       1.7015      3.01  |  Q      | V       |         |         |
12+30       1.7226      3.06  |  Q      | V       |         |         |
12+35       1.7439      3.10  |  Q      | V       |         |         |
12+40       1.7655      3.14  |  Q      | V       |         |         |
12+45       1.7874      3.18  |  Q      | V       |         |         |
12+50       1.8096      3.21  |  Q      |  V      |         |         |
12+55       1.8320      3.26  |  Q      |  V      |         |         |
13+ 0       1.8547      3.30  |  Q      |  V      |         |         |
13+ 5       1.8777      3.34  |  Q      |  V      |         |         |
13+10       1.9010      3.39  |  Q      |  V      |         |         |
13+15       1.9247      3.43  |  Q      |  V      |         |         |
13+20       1.9487      3.48  |  Q      |   V     |         |         |
13+25       1.9730      3.54  |  Q      |   V     |         |         |
13+30       1.9977      3.59  |  Q      |   V     |         |         |
13+35       2.0229      3.65  |  Q      |   V     |         |         |
13+40       2.0484      3.71  |  Q      |   V     |         |         |
13+45       2.0743      3.77  |  Q      |   V     |         |         |
13+50       2.1007      3.83  |  Q      |    V    |         |         |
13+55       2.1276      3.90  |  Q      |    V    |         |         |
14+ 0       2.1550      3.98  |  Q      |    V    |         |         |
14+ 5       2.1829      4.05  |   Q     |    V    |         |         |
14+10       2.2114      4.13  |   Q     |    V    |         |         |
14+15       2.2405      4.22  |   Q     |     V   |         |         |
14+20       2.2702      4.32  |   Q     |     V   |         |         |
14+25       2.3006      4.41  |   Q     |     V   |         |         |
14+30       2.3317      4.52  |   Q     |     V   |         |         |
14+35       2.3636      4.63  |   Q     |     V   |         |         |
14+40       2.3964      4.76  |   Q     |      V  |         |         |
14+45       2.4300      4.89  |   Q     |      V  |         |         |
14+50       2.4647      5.03  |    Q    |      V  |         |         |
14+55       2.5004      5.19  |    Q    |      V  |         |         |
15+ 0       2.5374      5.36  |    Q    |       V |         |         |
15+ 5       2.5756      5.55  |    Q    |       V |         |         |
15+10       2.6153      5.77  |    Q    |       V |         |         |
15+15       2.6567      6.01  |     Q   |        V|         |         |
15+20       2.6999      6.28  |     Q   |        V|         |         |
15+25       2.7450      6.54  |     Q   |        V|         |         |
15+30       2.7906      6.63  |     Q   |         V         |         |
15+35       2.8360      6.59  |     Q   |         V         |         |
15+40       2.8826      6.76  |     Q   |         V         |         |
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15+45	2.9329	7.30	| Q |	|	|V |	|
15+50	2.9893	8.20	| Q |	|	|V |	|
15+55	3.0553	9.58	| Q|	|	|V |	|
16+ 0	3.1374	11.91	| |Q |	| V |	|
16+ 5	3.2577	17.47	| | Q |	| V |	|
16+10	3.4594	29.29	| | |	| V Q|	|
16+15	3.7149	37.10	| | |	| V | Q |
16+20	3.9143	28.95	| | |	| Q | |
16+25	4.0324	17.13	| | Q |	| V | |
16+30	4.1077	10.95	| Q |	| V| |
16+35	4.1638	8.14	| Q | |	| V| |
16+40	4.2128	7.10	| Q | |	| V |
16+45	4.2556	6.23	| Q | |	| V |
16+50	4.2951	5.74	| Q | |	| V |
16+55	4.3319	5.34	| Q | |	| |V |
17+ 0	4.3664	5.01	| Q | |	| |V |
17+ 5	4.3990	4.73	| Q | |	| |V |
17+10	4.4299	4.50	| Q | |	| |V |
17+15	4.4595	4.29	| Q | |	| | V |
17+20	4.4879	4.11	| Q | |	| | V |
17+25	4.5151	3.96	| Q | |	| | V |
17+30	4.5414	3.82	| Q | |	| | V |
17+35	4.5668	3.69	| Q | |	| | V |
17+40	4.5914	3.58	| Q | |	| | V |
17+45	4.6153	3.47	| Q | |	| | V |
17+50	4.6386	3.37	| Q | |	| | V |
17+55	4.6612	3.29	| Q | |	| | V |
18+ 0	4.6833	3.20	| Q | |	| | V |
18+ 5	4.7047	3.11	| Q | |	| | V |
18+10	4.7252	2.97	| Q | |	| | V |
18+15	4.7444	2.79	| Q | |	| | V |
18+20	4.7626	2.64	| Q | |	| | V |
18+25	4.7801	2.54	| Q | |	| | V |
18+30	4.7971	2.48	| Q | |	| | V |
18+35	4.8138	2.42	| Q | |	| | V |
18+40	4.8301	2.37	| Q | |	| | V |
18+45	4.8462	2.33	| Q | |	| | V |
18+50	4.8619	2.28	| Q | |	| | V |
18+55	4.8773	2.24	| Q | |	| | V |
19+ 0	4.8925	2.20	| Q | |	| | V |
19+ 5	4.9074	2.17	| Q | |	| | V |
19+10	4.9221	2.13	| Q | |	| | V |
19+15	4.9365	2.10	| Q | |	| | V |
19+20	4.9507	2.06	| Q | |	| | V |
19+25	4.9647	2.03	| Q | |	| | V |
19+30	4.9785	2.00	| Q | |	| | V |
19+35	4.9921	1.97	|Q | |	| | V |
19+40	5.0055	1.95	|Q | |	| | V |
19+45	5.0187	1.92	|Q | |	| | V |
19+50	5.0318	1.89	|Q | |	| | V |

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19+55       5.0447      1.87  |Q        |         |         |     V   |
20+ 0       5.0574      1.85  |Q        |         |         |     V   |
20+ 5       5.0699      1.82  |Q        |         |         |     V   |
20+10       5.0823      1.80  |Q        |         |         |     V   |
20+15       5.0946      1.78  |Q        |         |         |     V   |
20+20       5.1067      1.76  |Q        |         |         |     V   |
20+25       5.1186      1.74  |Q        |         |         |     V   |
20+30       5.1305      1.72  |Q        |         |         |     V   |
20+35       5.1422      1.70  |Q        |         |         |     V   |
20+40       5.1537      1.68  |Q        |         |         |      V  |
20+45       5.1652      1.66  |Q        |         |         |      V  |
20+50       5.1765      1.65  |Q        |         |         |      V  |
20+55       5.1877      1.63  |Q        |         |         |      V  |
21+ 0       5.1989      1.61  |Q        |         |         |      V  |
21+ 5       5.2099      1.60  |Q        |         |         |      V  |
21+10       5.2207      1.58  |Q        |         |         |      V  |
21+15       5.2315      1.57  |Q        |         |         |      V  |
21+20       5.2422      1.55  |Q        |         |         |      V  |
21+25       5.2528      1.54  |Q        |         |         |      V  |
21+30       5.2633      1.52  |Q        |         |         |      V  |
21+35       5.2737      1.51  |Q        |         |         |      V  |
21+40       5.2840      1.50  |Q        |         |         |      V  |
21+45       5.2942      1.48  |Q        |         |         |       V |
21+50       5.3043      1.47  |Q        |         |         |       V |
21+55       5.3144      1.46  |Q        |         |         |       V |
22+ 0       5.3244      1.45  |Q        |         |         |       V |
22+ 5       5.3342      1.43  |Q        |         |         |       V |
22+10       5.3440      1.42  |Q        |         |         |       V |
22+15       5.3538      1.41  |Q        |         |         |       V |
22+20       5.3634      1.40  |Q        |         |         |       V |
22+25       5.3730      1.39  |Q        |         |         |       V |
22+30       5.3825      1.38  |Q        |         |         |       V |
22+35       5.3919      1.37  |Q        |         |         |       V |
22+40       5.4013      1.36  |Q        |         |         |       V |
22+45       5.4106      1.35  |Q        |         |         |       V |
22+50       5.4198      1.34  |Q        |         |         |       V |
22+55       5.4289      1.33  |Q        |         |         |        V|
23+ 0       5.4380      1.32  |Q        |         |         |        V|
23+ 5       5.4471      1.31  |Q        |         |         |        V|
23+10       5.4560      1.30  |Q        |         |         |        V|
23+15       5.4649      1.29  |Q        |         |         |        V|
23+20       5.4738      1.28  |Q        |         |         |        V|
23+25       5.4826      1.28  |Q        |         |         |        V|
23+30       5.4913      1.27  |Q        |         |         |        V|
23+35       5.5000      1.26  |Q        |         |         |        V|
23+40       5.5086      1.25  |Q        |         |         |        V|
23+45       5.5172      1.24  |Q        |         |         |        V|
23+50       5.5257      1.24  |Q        |         |         |        V|
23+55       5.5341      1.23  |Q        |         |         |        V|
24+ 0       5.5425      1.22  |Q        |         |         |        V|
```

UNIT HYDROGRAPH ANALYSIS (100-YEAR STORM, 24 HOUR)

POST-DEVELOPMENT CONDITION

U n i t H y d r o g r a p h A n a l y s i s

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Study date 03/23/22

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San Bernardino County Synthetic Unit Hydrology Method
Manual date - August 1986

Program License Serial Number 6277

Job No. 2021-502
5355 Airport Drive
100 YR STORM UNIT HYDROGRAPH ANALYSIS
POST-CONDITION, AREA A

Storm Event Year = 100

Antecedent Moisture Condition = 3

English (in-lb) Input Units Used

English Rainfall Data (Inches) Input Values Used

English Units used in output format

Area averaged rainfall intensity isohyetal data:

Sub-Area (Ac.)	Duration (hours)	Isohyetal (In)
Rainfall data for year 100		
12.85	1	1.31
Rainfall data for year 100		
12.85	6	3.15
Rainfall data for year 100		
12.85	24	5.74

++

******** Area-averaged max loss rate, Fm ********

SCS curve No.(AMCII)	SCS curve NO.(AMC 3)	Area (Ac.)	Area Fraction	Fp(Fig C6) (In/Hr)	Ap (dec.)	Fm (In/Hr)
32.0	52.0	12.85	1.000	0.785	0.110	0.086

Area-averaged adjusted loss rate Fm (In/Hr) = 0.086

********* Area-Averaged low loss rate fraction, Yb **********

Area (Ac.)	Area Fract	SCS CN (AMC2)	SCS CN (AMC3)	S	Pervious Yield Fr
1.41	0.110	32.0	52.0	9.23	0.201
11.44	0.890	98.0	98.0	0.20	0.959

Area-averaged catchment yield fraction, Y = 0.875
Area-averaged low loss fraction, Yb = 0.125
User entry of time of concentration = 0.240 (hours)
++
Watershed area = 12.85(Ac.)
Catchment Lag time = 0.192 hours
Unit interval = 5.000 minutes
Unit interval percentage of lag time = 43.4450
Hydrograph baseflow = 0.00(CFS)
Average maximum watershed loss rate(Fm) = 0.086(In/Hr)
Average low loss rate fraction (Yb) = 0.125 (decimal)
VALLEY DEVELOPED S-Graph Selected
Computed peak 5-minute rainfall = 0.485(In)
Computed peak 30-minute rainfall = 0.993(In)
Specified peak 1-hour rainfall = 1.310(In)
Computed peak 3-hour rainfall = 2.243(In)
Specified peak 6-hour rainfall = 3.150(In)
Specified peak 24-hour rainfall = 5.740(In)

Rainfall depth area reduction factors:
Using a total area of 12.85(Ac.) (Ref: fig. E-4)

5-minute factor = 0.999 Adjusted rainfall = 0.485(In)
30-minute factor = 0.999 Adjusted rainfall = 0.992(In)
1-hour factor = 0.999 Adjusted rainfall = 1.309(In)
3-hour factor = 1.000 Adjusted rainfall = 2.243(In)
6-hour factor = 1.000 Adjusted rainfall = 3.150(In)
24-hour factor = 1.000 Adjusted rainfall = 5.740(In)

U n i t H y d r o g r a p h
++

Interval Number	'S' Graph Mean values	Unit Hydrograph ((CFS))
	(K = 155.40 (CFS))	
1	3.515	5.462
2	22.886	30.103
3	57.004	53.022
4	82.983	40.372
5	93.828	16.853
6	97.846	6.245
7	98.883	1.611
8	99.657	1.203
9	100.000	0.533

Peak Unit Number	Adjusted mass rainfall (In)	Unit rainfall (In)
1	0.4845	0.4845
2	0.6394	0.1548
3	0.7519	0.1126
4	0.8436	0.0917
5	0.9224	0.0788
6	0.9922	0.0698
7	1.0553	0.0631
8	1.1132	0.0579
9	1.1669	0.0537
10	1.2171	0.0502
11	1.2644	0.0473
12	1.3092	0.0448
13	1.3616	0.0524
14	1.4120	0.0504
15	1.4605	0.0486
16	1.5075	0.0469
17	1.5529	0.0455
18	1.5971	0.0441
19	1.6399	0.0429
20	1.6817	0.0418
21	1.7224	0.0407
22	1.7621	0.0397
23	1.8009	0.0388
24	1.8389	0.0380
25	1.8761	0.0372
26	1.9125	0.0364
27	1.9482	0.0357
28	1.9832	0.0350
29	2.0176	0.0344
30	2.0514	0.0338
31	2.0847	0.0332
32	2.1174	0.0327
33	2.1496	0.0322

34	2.1812	0.0317
35	2.2125	0.0312
36	2.2432	0.0308
37	2.2735	0.0303
38	2.3034	0.0299
39	2.3329	0.0295
40	2.3620	0.0291
41	2.3907	0.0287
42	2.4191	0.0284
43	2.4472	0.0280
44	2.4749	0.0277
45	2.5022	0.0274
46	2.5293	0.0271
47	2.5561	0.0268
48	2.5826	0.0265
49	2.6088	0.0262
50	2.6347	0.0259
51	2.6604	0.0257
52	2.6858	0.0254
53	2.7110	0.0252
54	2.7359	0.0249
55	2.7606	0.0247
56	2.7851	0.0245
57	2.8094	0.0242
58	2.8334	0.0240
59	2.8572	0.0238
60	2.8808	0.0236
61	2.9042	0.0234
62	2.9275	0.0232
63	2.9505	0.0230
64	2.9733	0.0228
65	2.9960	0.0227
66	3.0185	0.0225
67	3.0408	0.0223
68	3.0629	0.0221
69	3.0849	0.0220
70	3.1067	0.0218
71	3.1284	0.0217
72	3.1499	0.0215
73	3.1687	0.0189
74	3.1875	0.0187
75	3.2060	0.0186
76	3.2245	0.0184
77	3.2428	0.0183
78	3.2609	0.0182
79	3.2790	0.0180
80	3.2969	0.0179
81	3.3146	0.0178
82	3.3323	0.0177
83	3.3498	0.0175

84	3.3672	0.0174
85	3.3845	0.0173
86	3.4017	0.0172
87	3.4188	0.0171
88	3.4357	0.0170
89	3.4526	0.0168
90	3.4693	0.0167
91	3.4859	0.0166
92	3.5025	0.0165
93	3.5189	0.0164
94	3.5352	0.0163
95	3.5515	0.0162
96	3.5676	0.0161
97	3.5836	0.0160
98	3.5996	0.0159
99	3.6154	0.0159
100	3.6312	0.0158
101	3.6469	0.0157
102	3.6625	0.0156
103	3.6780	0.0155
104	3.6934	0.0154
105	3.7087	0.0153
106	3.7239	0.0152
107	3.7391	0.0152
108	3.7542	0.0151
109	3.7692	0.0150
110	3.7841	0.0149
111	3.7990	0.0149
112	3.8138	0.0148
113	3.8285	0.0147
114	3.8431	0.0146
115	3.8577	0.0146
116	3.8721	0.0145
117	3.8866	0.0144
118	3.9009	0.0143
119	3.9152	0.0143
120	3.9294	0.0142
121	3.9435	0.0141
122	3.9576	0.0141
123	3.9716	0.0140
124	3.9856	0.0139
125	3.9994	0.0139
126	4.0133	0.0138
127	4.0270	0.0138
128	4.0407	0.0137
129	4.0543	0.0136
130	4.0679	0.0136
131	4.0814	0.0135
132	4.0949	0.0135
133	4.1083	0.0134

134	4.1216	0.0133
135	4.1349	0.0133
136	4.1481	0.0132
137	4.1613	0.0132
138	4.1744	0.0131
139	4.1875	0.0131
140	4.2005	0.0130
141	4.2135	0.0130
142	4.2264	0.0129
143	4.2392	0.0129
144	4.2521	0.0128
145	4.2648	0.0128
146	4.2775	0.0127
147	4.2902	0.0127
148	4.3028	0.0126
149	4.3153	0.0126
150	4.3279	0.0125
151	4.3403	0.0125
152	4.3527	0.0124
153	4.3651	0.0124
154	4.3774	0.0123
155	4.3897	0.0123
156	4.4020	0.0122
157	4.4142	0.0122
158	4.4263	0.0121
159	4.4384	0.0121
160	4.4505	0.0121
161	4.4625	0.0120
162	4.4745	0.0120
163	4.4864	0.0119
164	4.4983	0.0119
165	4.5101	0.0119
166	4.5220	0.0118
167	4.5337	0.0118
168	4.5455	0.0117
169	4.5572	0.0117
170	4.5688	0.0117
171	4.5804	0.0116
172	4.5920	0.0116
173	4.6035	0.0115
174	4.6150	0.0115
175	4.6265	0.0115
176	4.6379	0.0114
177	4.6493	0.0114
178	4.6607	0.0114
179	4.6720	0.0113
180	4.6833	0.0113
181	4.6945	0.0112
182	4.7057	0.0112
183	4.7169	0.0112

184	4.7280	0.0111
185	4.7391	0.0111
186	4.7502	0.0111
187	4.7612	0.0110
188	4.7722	0.0110
189	4.7832	0.0110
190	4.7942	0.0109
191	4.8051	0.0109
192	4.8159	0.0109
193	4.8268	0.0108
194	4.8376	0.0108
195	4.8484	0.0108
196	4.8591	0.0107
197	4.8698	0.0107
198	4.8805	0.0107
199	4.8912	0.0107
200	4.9018	0.0106
201	4.9124	0.0106
202	4.9230	0.0106
203	4.9335	0.0105
204	4.9440	0.0105
205	4.9545	0.0105
206	4.9649	0.0104
207	4.9753	0.0104
208	4.9857	0.0104
209	4.9961	0.0104
210	5.0064	0.0103
211	5.0167	0.0103
212	5.0270	0.0103
213	5.0373	0.0103
214	5.0475	0.0102
215	5.0577	0.0102
216	5.0678	0.0102
217	5.0780	0.0101
218	5.0881	0.0101
219	5.0982	0.0101
220	5.1083	0.0101
221	5.1183	0.0100
222	5.1283	0.0100
223	5.1383	0.0100
224	5.1483	0.0100
225	5.1582	0.0099
226	5.1681	0.0099
227	5.1780	0.0099
228	5.1878	0.0099
229	5.1977	0.0098
230	5.2075	0.0098
231	5.2173	0.0098
232	5.2271	0.0098
233	5.2368	0.0097

234	5.2465	0.0097
235	5.2562	0.0097
236	5.2659	0.0097
237	5.2755	0.0096
238	5.2851	0.0096
239	5.2947	0.0096
240	5.3043	0.0096
241	5.3139	0.0096
242	5.3234	0.0095
243	5.3329	0.0095
244	5.3424	0.0095
245	5.3519	0.0095
246	5.3613	0.0094
247	5.3707	0.0094
248	5.3801	0.0094
249	5.3895	0.0094
250	5.3989	0.0094
251	5.4082	0.0093
252	5.4175	0.0093
253	5.4268	0.0093
254	5.4361	0.0093
255	5.4454	0.0093
256	5.4546	0.0092
257	5.4638	0.0092
258	5.4730	0.0092
259	5.4822	0.0092
260	5.4913	0.0092
261	5.5005	0.0091
262	5.5096	0.0091
263	5.5187	0.0091
264	5.5277	0.0091
265	5.5368	0.0091
266	5.5458	0.0090
267	5.5548	0.0090
268	5.5638	0.0090
269	5.5728	0.0090
270	5.5818	0.0090
271	5.5907	0.0089
272	5.5996	0.0089
273	5.6085	0.0089
274	5.6174	0.0089
275	5.6263	0.0089
276	5.6351	0.0088
277	5.6440	0.0088
278	5.6528	0.0088
279	5.6616	0.0088
280	5.6703	0.0088
281	5.6791	0.0088
282	5.6878	0.0087
283	5.6966	0.0087

284	5.7053	0.0087	
285	5.7139	0.0087	
286	5.7226	0.0087	
287	5.7313	0.0087	
288	5.7399	0.0086	

Unit Period (number)	Unit Rainfall (In)	Unit Soil-Loss (In)	Effective Rainfall (In)
1	0.0086	0.0011	0.0076
2	0.0087	0.0011	0.0076
3	0.0087	0.0011	0.0076
4	0.0087	0.0011	0.0076
5	0.0087	0.0011	0.0076
6	0.0088	0.0011	0.0077
7	0.0088	0.0011	0.0077
8	0.0088	0.0011	0.0077
9	0.0088	0.0011	0.0077
10	0.0089	0.0011	0.0078
11	0.0089	0.0011	0.0078
12	0.0089	0.0011	0.0078
13	0.0090	0.0011	0.0078
14	0.0090	0.0011	0.0079
15	0.0090	0.0011	0.0079
16	0.0090	0.0011	0.0079
17	0.0091	0.0011	0.0079
18	0.0091	0.0011	0.0080
19	0.0091	0.0011	0.0080
20	0.0092	0.0011	0.0080
21	0.0092	0.0011	0.0080
22	0.0092	0.0011	0.0081
23	0.0093	0.0012	0.0081
24	0.0093	0.0012	0.0081
25	0.0093	0.0012	0.0082
26	0.0093	0.0012	0.0082
27	0.0094	0.0012	0.0082
28	0.0094	0.0012	0.0082
29	0.0094	0.0012	0.0083
30	0.0095	0.0012	0.0083
31	0.0095	0.0012	0.0083
32	0.0095	0.0012	0.0083
33	0.0096	0.0012	0.0084
34	0.0096	0.0012	0.0084
35	0.0096	0.0012	0.0084
36	0.0097	0.0012	0.0085
37	0.0097	0.0012	0.0085
38	0.0097	0.0012	0.0085
39	0.0098	0.0012	0.0086
40	0.0098	0.0012	0.0086

41	0.0099	0.0012	0.0086
42	0.0099	0.0012	0.0087
43	0.0099	0.0012	0.0087
44	0.0100	0.0012	0.0087
45	0.0100	0.0012	0.0088
46	0.0100	0.0013	0.0088
47	0.0101	0.0013	0.0088
48	0.0101	0.0013	0.0089
49	0.0102	0.0013	0.0089
50	0.0102	0.0013	0.0089
51	0.0103	0.0013	0.0090
52	0.0103	0.0013	0.0090
53	0.0103	0.0013	0.0090
54	0.0104	0.0013	0.0091
55	0.0104	0.0013	0.0091
56	0.0104	0.0013	0.0091
57	0.0105	0.0013	0.0092
58	0.0105	0.0013	0.0092
59	0.0106	0.0013	0.0093
60	0.0106	0.0013	0.0093
61	0.0107	0.0013	0.0094
62	0.0107	0.0013	0.0094
63	0.0108	0.0013	0.0094
64	0.0108	0.0013	0.0095
65	0.0109	0.0014	0.0095
66	0.0109	0.0014	0.0095
67	0.0110	0.0014	0.0096
68	0.0110	0.0014	0.0096
69	0.0111	0.0014	0.0097
70	0.0111	0.0014	0.0097
71	0.0112	0.0014	0.0098
72	0.0112	0.0014	0.0098
73	0.0113	0.0014	0.0099
74	0.0113	0.0014	0.0099
75	0.0114	0.0014	0.0100
76	0.0114	0.0014	0.0100
77	0.0115	0.0014	0.0101
78	0.0115	0.0014	0.0101
79	0.0116	0.0014	0.0102
80	0.0117	0.0015	0.0102
81	0.0117	0.0015	0.0103
82	0.0118	0.0015	0.0103
83	0.0119	0.0015	0.0104
84	0.0119	0.0015	0.0104
85	0.0120	0.0015	0.0105
86	0.0120	0.0015	0.0105
87	0.0121	0.0015	0.0106
88	0.0121	0.0015	0.0106
89	0.0122	0.0015	0.0107
90	0.0123	0.0015	0.0107

91	0.0124	0.0015	0.0108
92	0.0124	0.0015	0.0109
93	0.0125	0.0016	0.0110
94	0.0126	0.0016	0.0110
95	0.0127	0.0016	0.0111
96	0.0127	0.0016	0.0111
97	0.0128	0.0016	0.0112
98	0.0129	0.0016	0.0113
99	0.0130	0.0016	0.0113
100	0.0130	0.0016	0.0114
101	0.0131	0.0016	0.0115
102	0.0132	0.0016	0.0115
103	0.0133	0.0017	0.0116
104	0.0133	0.0017	0.0117
105	0.0135	0.0017	0.0118
106	0.0135	0.0017	0.0118
107	0.0136	0.0017	0.0119
108	0.0137	0.0017	0.0120
109	0.0138	0.0017	0.0121
110	0.0139	0.0017	0.0121
111	0.0140	0.0017	0.0123
112	0.0141	0.0018	0.0123
113	0.0142	0.0018	0.0124
114	0.0143	0.0018	0.0125
115	0.0144	0.0018	0.0126
116	0.0145	0.0018	0.0127
117	0.0146	0.0018	0.0128
118	0.0147	0.0018	0.0129
119	0.0149	0.0019	0.0130
120	0.0149	0.0019	0.0131
121	0.0151	0.0019	0.0132
122	0.0152	0.0019	0.0133
123	0.0153	0.0019	0.0134
124	0.0154	0.0019	0.0135
125	0.0156	0.0019	0.0136
126	0.0157	0.0020	0.0137
127	0.0159	0.0020	0.0139
128	0.0159	0.0020	0.0140
129	0.0161	0.0020	0.0141
130	0.0162	0.0020	0.0142
131	0.0164	0.0020	0.0144
132	0.0165	0.0021	0.0145
133	0.0167	0.0021	0.0147
134	0.0168	0.0021	0.0147
135	0.0171	0.0021	0.0149
136	0.0172	0.0021	0.0150
137	0.0174	0.0022	0.0152
138	0.0175	0.0022	0.0153
139	0.0178	0.0022	0.0156
140	0.0179	0.0022	0.0157

141	0.0182	0.0023	0.0159
142	0.0183	0.0023	0.0160
143	0.0186	0.0023	0.0163
144	0.0187	0.0023	0.0164
145	0.0215	0.0027	0.0188
146	0.0217	0.0027	0.0190
147	0.0220	0.0027	0.0192
148	0.0221	0.0028	0.0194
149	0.0225	0.0028	0.0197
150	0.0227	0.0028	0.0198
151	0.0230	0.0029	0.0202
152	0.0232	0.0029	0.0203
153	0.0236	0.0029	0.0207
154	0.0238	0.0030	0.0208
155	0.0242	0.0030	0.0212
156	0.0245	0.0031	0.0214
157	0.0249	0.0031	0.0218
158	0.0252	0.0031	0.0220
159	0.0257	0.0032	0.0225
160	0.0259	0.0032	0.0227
161	0.0265	0.0033	0.0232
162	0.0268	0.0033	0.0234
163	0.0274	0.0034	0.0240
164	0.0277	0.0035	0.0243
165	0.0284	0.0035	0.0248
166	0.0287	0.0036	0.0252
167	0.0295	0.0037	0.0258
168	0.0299	0.0037	0.0262
169	0.0308	0.0038	0.0269
170	0.0312	0.0039	0.0273
171	0.0322	0.0040	0.0282
172	0.0327	0.0041	0.0286
173	0.0338	0.0042	0.0296
174	0.0344	0.0043	0.0301
175	0.0357	0.0045	0.0313
176	0.0364	0.0045	0.0319
177	0.0380	0.0047	0.0332
178	0.0388	0.0048	0.0340
179	0.0407	0.0051	0.0356
180	0.0418	0.0052	0.0365
181	0.0441	0.0055	0.0386
182	0.0455	0.0057	0.0398
183	0.0486	0.0061	0.0425
184	0.0504	0.0063	0.0441
185	0.0448	0.0056	0.0392
186	0.0473	0.0059	0.0414
187	0.0537	0.0067	0.0470
188	0.0579	0.0072	0.0507
189	0.0698	0.0072	0.0626
190	0.0788	0.0072	0.0716

191	0.1126	0.0072	0.1054
192	0.1548	0.0072	0.1476
193	0.4845	0.0072	0.4774
194	0.0917	0.0072	0.0845
195	0.0631	0.0072	0.0559
196	0.0502	0.0063	0.0440
197	0.0524	0.0065	0.0459
198	0.0469	0.0059	0.0411
199	0.0429	0.0054	0.0375
200	0.0397	0.0050	0.0348
201	0.0372	0.0046	0.0325
202	0.0350	0.0044	0.0307
203	0.0332	0.0041	0.0291
204	0.0317	0.0040	0.0277
205	0.0303	0.0038	0.0265
206	0.0291	0.0036	0.0255
207	0.0280	0.0035	0.0245
208	0.0271	0.0034	0.0237
209	0.0262	0.0033	0.0229
210	0.0254	0.0032	0.0222
211	0.0247	0.0031	0.0216
212	0.0240	0.0030	0.0210
213	0.0234	0.0029	0.0205
214	0.0228	0.0028	0.0200
215	0.0223	0.0028	0.0195
216	0.0218	0.0027	0.0191
217	0.0189	0.0024	0.0165
218	0.0184	0.0023	0.0161
219	0.0180	0.0022	0.0158
220	0.0177	0.0022	0.0155
221	0.0173	0.0022	0.0151
222	0.0170	0.0021	0.0148
223	0.0166	0.0021	0.0146
224	0.0163	0.0020	0.0143
225	0.0160	0.0020	0.0140
226	0.0158	0.0020	0.0138
227	0.0155	0.0019	0.0136
228	0.0152	0.0019	0.0133
229	0.0150	0.0019	0.0131
230	0.0148	0.0018	0.0129
231	0.0146	0.0018	0.0127
232	0.0143	0.0018	0.0126
233	0.0141	0.0018	0.0124
234	0.0139	0.0017	0.0122
235	0.0138	0.0017	0.0120
236	0.0136	0.0017	0.0119
237	0.0134	0.0017	0.0117
238	0.0132	0.0017	0.0116
239	0.0131	0.0016	0.0114
240	0.0129	0.0016	0.0113

241	0.0128	0.0016	0.0112
242	0.0126	0.0016	0.0110
243	0.0125	0.0016	0.0109
244	0.0123	0.0015	0.0108
245	0.0122	0.0015	0.0107
246	0.0121	0.0015	0.0106
247	0.0119	0.0015	0.0104
248	0.0118	0.0015	0.0103
249	0.0117	0.0015	0.0102
250	0.0116	0.0014	0.0101
251	0.0115	0.0014	0.0100
252	0.0114	0.0014	0.0099
253	0.0112	0.0014	0.0098
254	0.0111	0.0014	0.0098
255	0.0110	0.0014	0.0097
256	0.0109	0.0014	0.0096
257	0.0108	0.0014	0.0095
258	0.0107	0.0013	0.0094
259	0.0107	0.0013	0.0093
260	0.0106	0.0013	0.0092
261	0.0105	0.0013	0.0092
262	0.0104	0.0013	0.0091
263	0.0103	0.0013	0.0090
264	0.0102	0.0013	0.0089
265	0.0101	0.0013	0.0089
266	0.0101	0.0013	0.0088
267	0.0100	0.0012	0.0087
268	0.0099	0.0012	0.0087
269	0.0098	0.0012	0.0086
270	0.0098	0.0012	0.0085
271	0.0097	0.0012	0.0085
272	0.0096	0.0012	0.0084
273	0.0096	0.0012	0.0084
274	0.0095	0.0012	0.0083
275	0.0094	0.0012	0.0082
276	0.0094	0.0012	0.0082
277	0.0093	0.0012	0.0081
278	0.0092	0.0012	0.0081
279	0.0092	0.0011	0.0080
280	0.0091	0.0011	0.0080
281	0.0091	0.0011	0.0079
282	0.0090	0.0011	0.0079
283	0.0089	0.0011	0.0078
284	0.0089	0.0011	0.0078
285	0.0088	0.0011	0.0077
286	0.0088	0.0011	0.0077
287	0.0087	0.0011	0.0076
288	0.0087	0.0011	0.0076

Total soil rain loss = 0.63(In)
Total effective rainfall = 5.11(In)
Peak flow rate in flood hydrograph = 36.53(CFS)

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24 - H O U R S T O R M
R u n o f f H y d r o g r a p h

Hydrograph in 5 Minute intervals ((CFS))

Time(h+m)	Volume Ac.Ft	Q(CFS)	0	10.0	20.0	30.0	40.0
0+ 5	0.0003	0.04	Q				
0+10	0.0021	0.27	Q				
0+15	0.0068	0.67	Q				
0+20	0.0135	0.98	Q				
0+25	0.0211	1.11	VQ				
0+30	0.0291	1.16	VQ				
0+35	0.0372	1.17	VQ				
0+40	0.0453	1.19	VQ				
0+45	0.0536	1.19	VQ				
0+50	0.0618	1.20	VQ				
0+55	0.0701	1.20	VQ				
1+ 0	0.0784	1.20	VQ				
1+ 5	0.0867	1.21	VQ				
1+10	0.0950	1.21	VQ				
1+15	0.1034	1.22	VQ				
1+20	0.1118	1.22	VQ				
1+25	0.1203	1.22	VQ				
1+30	0.1287	1.23	VQ				
1+35	0.1372	1.23	|Q				
1+40	0.1457	1.24	|Q				
1+45	0.1542	1.24	|Q				
1+50	0.1628	1.24	|Q				
1+55	0.1714	1.25	|Q				
2+ 0	0.1800	1.25	|Q				
2+ 5	0.1887	1.26	|Q				
2+10	0.1974	1.26	|Q				
2+15	0.2061	1.26	|Q				
2+20	0.2148	1.27	|Q				
2+25	0.2236	1.27	|Q				
2+30	0.2324	1.28	|Q				
2+35	0.2412	1.28	|Q				
2+40	0.2501	1.29	|Q				
2+45	0.2590	1.29	|Q				
2+50	0.2679	1.30	|Q				
2+55	0.2768	1.30	|QV				
3+ 0	0.2858	1.30	|QV				
3+ 5	0.2948	1.31	|QV				

3+10	0.3039	1.31	|QV	|	|	|	|
3+15	0.3130	1.32	|QV	|	|	|	|
3+20	0.3221	1.32	|QV	|	|	|	|
3+25	0.3312	1.33	|QV	|	|	|	|
3+30	0.3404	1.33	|QV	|	|	|	|
3+35	0.3496	1.34	|QV	|	|	|	|
3+40	0.3589	1.34	|QV	|	|	|	|
3+45	0.3682	1.35	|QV	|	|	|	|
3+50	0.3775	1.35	|QV	|	|	|	|
3+55	0.3869	1.36	|QV	|	|	|	|
4+ 0	0.3963	1.36	|QV	|	|	|	|
4+ 5	0.4057	1.37	|QV	|	|	|	|
4+10	0.4152	1.37	|Q V	|	|	|	|
4+15	0.4247	1.38	|Q V	|	|	|	|
4+20	0.4342	1.39	|Q V	|	|	|	|
4+25	0.4438	1.39	|Q V	|	|	|	|
4+30	0.4534	1.40	|Q V	|	|	|	|
4+35	0.4631	1.40	|Q V	|	|	|	|
4+40	0.4727	1.41	|Q V	|	|	|	|
4+45	0.4825	1.41	|Q V	|	|	|	|
4+50	0.4923	1.42	|Q V	|	|	|	|
4+55	0.5021	1.43	|Q V	|	|	|	|
5+ 0	0.5119	1.43	|Q V	|	|	|	|
5+ 5	0.5218	1.44	|Q V	|	|	|	|
5+10	0.5318	1.44	|Q V	|	|	|	|
5+15	0.5418	1.45	|Q V	|	|	|	|
5+20	0.5518	1.46	|Q V	|	|	|	|
5+25	0.5619	1.46	|Q V	|	|	|	|
5+30	0.5720	1.47	|Q V	|	|	|	|
5+35	0.5821	1.48	|Q V	|	|	|	|
5+40	0.5923	1.48	|Q V	|	|	|	|
5+45	0.6026	1.49	|Q V	|	|	|	|
5+50	0.6129	1.50	|Q V	|	|	|	|
5+55	0.6232	1.50	|Q V	|	|	|	|
6+ 0	0.6336	1.51	|Q V	|	|	|	|
6+ 5	0.6441	1.52	|Q V	|	|	|	|
6+10	0.6545	1.52	|Q V	|	|	|	|
6+15	0.6651	1.53	|Q V	|	|	|	|
6+20	0.6757	1.54	|Q V	|	|	|	|
6+25	0.6863	1.54	|Q V	|	|	|	|
6+30	0.6970	1.55	|Q V	|	|	|	|
6+35	0.7077	1.56	|Q V	|	|	|	|
6+40	0.7185	1.57	|Q V	|	|	|	|
6+45	0.7294	1.58	|Q V	|	|	|	|
6+50	0.7403	1.58	|Q V	|	|	|	|
6+55	0.7512	1.59	|Q V	|	|	|	|
7+ 0	0.7623	1.60	|Q V	|	|	|	|
7+ 5	0.7733	1.61	|Q V	|	|	|	|
7+10	0.7845	1.62	|Q V	|	|	|	|
7+15	0.7956	1.62	|Q V	|	|	|	|

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 7+20       0.8069      1.63  |Q   V    |         |         |         |
 7+25       0.8182      1.64  |Q   V    |         |         |         |
 7+30       0.8296      1.65  |Q    V   |         |         |         |
 7+35       0.8410      1.66  |Q    V   |         |         |         |
 7+40       0.8525      1.67  |Q    V   |         |         |         |
 7+45       0.8640      1.68  |Q    V   |         |         |         |
 7+50       0.8756      1.69  |Q    V   |         |         |         |
 7+55       0.8873      1.70  |Q    V   |         |         |         |
 8+ 0       0.8991      1.71  |Q    V   |         |         |         |
 8+ 5       0.9109      1.72  |Q    V   |         |         |         |
 8+10       0.9228      1.73  |Q    V   |         |         |         |
 8+15       0.9347      1.74  |Q    V   |         |         |         |
 8+20       0.9468      1.75  |Q    V   |         |         |         |
 8+25       0.9589      1.76  |Q     V  |         |         |         |
 8+30       0.9710      1.77  |Q     V  |         |         |         |
 8+35       0.9833      1.78  |Q     V  |         |         |         |
 8+40       0.9956      1.79  |Q     V  |         |         |         |
 8+45       1.0080      1.80  |Q     V  |         |         |         |
 8+50       1.0205      1.81  |Q     V  |         |         |         |
 8+55       1.0330      1.82  |Q     V  |         |         |         |
 9+ 0       1.0457      1.84  |Q     V  |         |         |         |
 9+ 5       1.0584      1.85  |Q     V  |         |         |         |
 9+10       1.0712      1.86  |Q     V  |         |         |         |
 9+15       1.0841      1.87  |Q     V  |         |         |         |
 9+20       1.0971      1.88  |Q      V |         |         |         |
 9+25       1.1102      1.90  |Q      V |         |         |         |
 9+30       1.1233      1.91  |Q      V |         |         |         |
 9+35       1.1366      1.92  |Q      V |         |         |         |
 9+40       1.1499      1.94  |Q      V |         |         |         |
 9+45       1.1634      1.95  |Q      V |         |         |         |
 9+50       1.1769      1.97  |Q      V |         |         |         |
 9+55       1.1906      1.98  |Q      V |         |         |         |
10+ 0       1.2043      2.00  |Q      V |         |         |         |
10+ 5       1.2182      2.01  | Q     V |         |         |         |
10+10       1.2321      2.03  | Q      V|         |         |         |
10+15       1.2462      2.04  | Q      V|         |         |         |
10+20       1.2604      2.06  | Q      V|         |         |         |
10+25       1.2747      2.08  | Q      V|         |         |         |
10+30       1.2891      2.09  | Q      V|         |         |         |
10+35       1.3036      2.11  | Q      V|         |         |         |
10+40       1.3182      2.13  | Q      V|         |         |         |
10+45       1.3330      2.15  | Q      V|         |         |         |
10+50       1.3479      2.16  | Q      V|         |         |         |
10+55       1.3630      2.18  | Q      V|         |         |         |
11+ 0       1.3781      2.20  | Q       V         |         |         |
11+ 5       1.3934      2.22  | Q       V         |         |         |
11+10       1.4089      2.24  | Q       V         |         |         |
11+15       1.4245      2.26  | Q       V         |         |         |
11+20       1.4402      2.29  | Q       V         |         |         |
11+25       1.4561      2.31  | Q       V         |         |         |
```

11+30	1.4722	2.33	Q	V			
11+35	1.4884	2.35	Q	V			
11+40	1.5048	2.38	Q	V			
11+45	1.5213	2.40	Q	V			
11+50	1.5381	2.43	Q	V			
11+55	1.5550	2.46	Q	V			
12+ 0	1.5721	2.48	Q	V			
12+ 5	1.5894	2.52	Q	V			
12+10	1.6074	2.62	Q	V			
12+15	1.6265	2.76	Q	V			
12+20	1.6463	2.88	Q	V			
12+25	1.6666	2.95	Q	V			
12+30	1.6873	3.00	Q	V			
12+35	1.7082	3.03	Q	V			
12+40	1.7293	3.07	Q	V			
12+45	1.7507	3.11	Q	V			
12+50	1.7724	3.15	Q	V			
12+55	1.7944	3.19	Q	V			
13+ 0	1.8166	3.23	Q	V			
13+ 5	1.8392	3.27	Q	V			
13+10	1.8620	3.32	Q	V			
13+15	1.8852	3.36	Q	V			
13+20	1.9087	3.41	Q	V			
13+25	1.9325	3.46	Q	V			
13+30	1.9567	3.52	Q	V			
13+35	1.9813	3.57	Q	V			
13+40	2.0063	3.63	Q	V			
13+45	2.0317	3.69	Q	V			
13+50	2.0576	3.75	Q	V			
13+55	2.0839	3.82	Q	V			
14+ 0	2.1107	3.89	Q	V			
14+ 5	2.1381	3.97	Q	V			
14+10	2.1659	4.05	Q	V			
14+15	2.1944	4.13	Q	V			
14+20	2.2235	4.23	Q	V			
14+25	2.2533	4.32	Q	V			
14+30	2.2837	4.42	Q	V			
14+35	2.3150	4.54	Q	V			
14+40	2.3470	4.65	Q	V			
14+45	2.3800	4.78	Q	V			
14+50	2.4139	4.92	Q	V			
14+55	2.4489	5.08	Q	V			
15+ 0	2.4850	5.25	Q	V			
15+ 5	2.5224	5.43	Q	V			
15+10	2.5613	5.64	Q	V			
15+15	2.6017	5.87	Q	V			
15+20	2.6440	6.14	Q	V			
15+25	2.6881	6.40	Q	V			
15+30	2.7328	6.49	Q	V			
15+35	2.7772	6.45	Q	V			

15+40	2.8227	6.61	| Q |	| V |	|
15+45	2.8716	7.10	| Q |	| V |	|
15+50	2.9264	7.95	| Q |	| V |	|
15+55	2.9903	9.28	| Q |	| V |	|
16+ 0	3.0701	11.59	| Q |	| V |	|
16+ 5	3.1875	17.05	| Q |	| V |	|
16+10	3.3849	28.67	| |	| V Q |	|
16+15	3.6365	36.53	| |	| V | Q |
16+20	3.8365	29.04	| |	| VQ |	|
16+25	3.9550	17.21	| | Q |	| V |	|
16+30	4.0308	11.00	| Q |	| V |	|
16+35	4.0867	8.12	| Q |	| V |	|
16+40	4.1365	7.23	| Q |	| V |	|
16+45	4.1803	6.37	| Q |	| V |	|
16+50	4.2194	5.67	| Q |	| V |	|
16+55	4.2556	5.26	| Q |	| V |	|
17+ 0	4.2895	4.93	| Q |	| V |	|
17+ 5	4.3216	4.66	| Q |	| V |	|
17+10	4.3521	4.43	| Q |	| V |	|
17+15	4.3812	4.22	| Q |	| V |	|
17+20	4.4091	4.05	| Q |	| V |	|
17+25	4.4358	3.89	| Q |	| V |	|
17+30	4.4617	3.75	| Q |	| V |	|
17+35	4.4866	3.63	| Q |	| V |	|
17+40	4.5108	3.51	| Q |	| V |	|
17+45	4.5343	3.41	| Q |	| V |	|
17+50	4.5571	3.31	| Q |	| V |	|
17+55	4.5793	3.23	| Q |	| V |	|
18+ 0	4.6010	3.15	| Q |	| V |	|
18+ 5	4.6221	3.06	| Q |	| V |	|
18+10	4.6422	2.92	| Q |	| V |	|
18+15	4.6611	2.74	| Q |	| V |	|
18+20	4.6789	2.59	| Q |	| V |	|
18+25	4.6962	2.50	| Q |	| V |	|
18+30	4.7129	2.43	| Q |	| V |	|
18+35	4.7293	2.38	| Q |	| V |	|
18+40	4.7453	2.33	| Q |	| V |	|
18+45	4.7611	2.28	| Q |	| V |	|
18+50	4.7765	2.24	| Q |	| V |	|
18+55	4.7916	2.20	| Q |	| V |	|
19+ 0	4.8065	2.16	| Q |	| V |	|
19+ 5	4.8212	2.13	| Q |	| V |	|
19+10	4.8356	2.09	| Q |	| V |	|
19+15	4.8497	2.06	| Q |	| V |	|
19+20	4.8637	2.02	| Q |	| V |	|
19+25	4.8774	1.99	| Q |	| V |	|
19+30	4.8909	1.96	| Q |	| V |	|
19+35	4.9043	1.94	| Q |	| V |	|
19+40	4.9174	1.91	| Q |	| V |	|
19+45	4.9304	1.88	| Q |	| V |	|

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19+50       4.9432      1.86  |Q        |         |         |     V   |
19+55       4.9558      1.83  |Q        |         |         |     V   |
20+ 0       4.9683      1.81  |Q        |         |         |     V   |
20+ 5       4.9806      1.79  |Q        |         |         |     V   |
20+10       4.9927      1.77  |Q        |         |         |     V   |
20+15       5.0048      1.74  |Q        |         |         |     V   |
20+20       5.0166      1.72  |Q        |         |         |     V   |
20+25       5.0284      1.70  |Q        |         |         |     V   |
20+30       5.0400      1.69  |Q        |         |         |     V   |
20+35       5.0515      1.67  |Q        |         |         |     V   |
20+40       5.0628      1.65  |Q        |         |         |      V  |
20+45       5.0741      1.63  |Q        |         |         |      V  |
20+50       5.0852      1.61  |Q        |         |         |      V  |
20+55       5.0962      1.60  |Q        |         |         |      V  |
21+ 0       5.1071      1.58  |Q        |         |         |      V  |
21+ 5       5.1179      1.57  |Q        |         |         |      V  |
21+10       5.1285      1.55  |Q        |         |         |      V  |
21+15       5.1391      1.54  |Q        |         |         |      V  |
21+20       5.1496      1.52  |Q        |         |         |      V  |
21+25       5.1600      1.51  |Q        |         |         |      V  |
21+30       5.1703      1.49  |Q        |         |         |      V  |
21+35       5.1805      1.48  |Q        |         |         |      V  |
21+40       5.1906      1.47  |Q        |         |         |      V  |
21+45       5.2006      1.45  |Q        |         |         |       V |
21+50       5.2105      1.44  |Q        |         |         |       V |
21+55       5.2204      1.43  |Q        |         |         |       V |
22+ 0       5.2301      1.42  |Q        |         |         |       V |
22+ 5       5.2398      1.41  |Q        |         |         |       V |
22+10       5.2494      1.40  |Q        |         |         |       V |
22+15       5.2590      1.38  |Q        |         |         |       V |
22+20       5.2684      1.37  |Q        |         |         |       V |
22+25       5.2778      1.36  |Q        |         |         |       V |
22+30       5.2871      1.35  |Q        |         |         |       V |
22+35       5.2964      1.34  |Q        |         |         |       V |
22+40       5.3056      1.33  |Q        |         |         |       V |
22+45       5.3147      1.32  |Q        |         |         |       V |
22+50       5.3237      1.31  |Q        |         |         |       V |
22+55       5.3327      1.30  |Q        |         |         |        V|
23+ 0       5.3416      1.29  |Q        |         |         |        V|
23+ 5       5.3505      1.29  |Q        |         |         |        V|
23+10       5.3593      1.28  |Q        |         |         |        V|
23+15       5.3680      1.27  |Q        |         |         |        V|
23+20       5.3767      1.26  |Q        |         |         |        V|
23+25       5.3853      1.25  |Q        |         |         |        V|
23+30       5.3939      1.24  |Q        |         |         |        V|
23+35       5.4024      1.24  |Q        |         |         |        V|
23+40       5.4108      1.23  |Q        |         |         |        V|
23+45       5.4192      1.22  |Q        |         |         |        V|
23+50       5.4276      1.21  |Q        |         |         |        V|
23+55       5.4359      1.20  |Q        |         |         |        V|
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   24+ 0       5.4441      1.20  |Q        |         |         V|
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APPENDIX D

BASIN ROUTING ANALYSIS

CONTECH ENGINEERED SOLUTIONS

CMP: Underground Detention System
Storage Volume Estimation

Date: 03-22-2022
Project Name: 5355 Airport Drive

City / County: Ontario
State: California

Designed By: JL
Company: WLG
Telephone:

=Adjustable Input Cells

Contech Engineered Solutions, LLC is pleased to offer the following estimate of storage volume for the above named project. The results are submitted as an estimate only, without liability on the part of Contech Engineered Solutions, LLC for accuracy or suitability to any particular applicaton and are subject to verification of the Engineer of Record. **This tool is only applicable for rectangular shaped systems.**

Summary of Inputs

System Information		Backfill Information		Pipe & Analysis Information	
Out-to-out length (ft):	615.0	Backfill Porosity (%):	40%	System Diameter (in):	96
Out-to-out width (ft):	30.0	Depth Above Pipe (in):	12.0	Pipe Spacing (in):	2
Number of Manifolds (ea):	1.0	Depth Below Pipe (in):	12.0	Incremental Analysis (in):	2
Number of Barrels (ea):	3.0	Width At Ends (ft):	2.0	System Invert (Elevation):	966
		Width At Sides (ft):	2.0		

Storage Volume Estimation

System		Pipe		Stone		Total System		Miscellaneous		Staging	
Depth (ft)	Elevation (ft)	Incremental Storage (cf)	Cumulative Storage (cf)	Incremental Storage (cf)	Cumulative Storage (cf)	Incremental Storage (cf)	Cumulative Storage (cf)	Percent Open Storage (%)	Ave. Surface Area (sf)	Cumulative Storage (Ac-ft)	Outflow (cfs)
0.00	966.00	0.0	0.0	0.0	0.0	0.0	0.0	0.0%	8,418.4		
0.17	966.16	0.0	0.0	1,403.1	1,403.1	1,403.1	1,403.1	0.0%	8,418.4		
0.33	966.33	0.0	0.0	1,403.1	2,806.1	1,403.1	2,806.1	0.0%	8,418.4		
0.50	966.50	0.0	0.0	1,403.1	4,209.2	1,403.1	4,209.2	0.0%	8,418.4		
0.67	966.66	0.0	0.0	1,403.1	5,612.3	1,403.1	5,612.3	0.0%	8,418.4		
0.83	966.83	0.0	0.0	1,403.1	7,015.3	1,403.1	7,015.3	0.0%	8,418.4		
1.00	967.00	0.0	0.0	1,403.1	8,418.4	1,403.1	8,418.4	0.0%	8,418.4	0.19	0.00
1.17	967.16	472.0	472.0	1,214.3	9,632.7	1,686.3	10,104.7	4.7%	10,956.4		
1.33	967.33	854.5	1,326.5	1,061.3	10,693.9	1,915.8	12,020.4	11.0%	11,969.2		
1.50	967.50	1,094.7	2,421.2	965.2	11,659.1	2,059.9	14,080.3	17.2%	12,719.7		
1.67	967.66	1,282.1	3,703.3	890.2	12,549.4	2,172.3	16,252.6	22.8%	13,329.7		
1.83	967.83	1,437.8	5,141.1	827.9	13,377.3	2,265.8	18,518.4	27.8%	13,846.6		
2.00	968.00	1,571.5	6,712.6	774.5	14,151.7	2,346.0	20,864.4	32.2%	14,295.1	0.48	0.00
2.17	968.16	1,688.4	8,401.0	727.7	14,879.5	2,416.1	23,280.5	36.1%	14,690.0		
2.33	968.33	1,791.8	10,192.8	686.4	15,565.8	2,478.1	25,758.6	39.6%	15,040.7		
2.50	968.50	1,883.9	12,076.6	649.5	16,215.3	2,533.4	28,292.0	42.7%	15,354.1		
2.67	968.66	1,966.3	14,042.9	616.5	16,831.9	2,582.8	30,874.8	45.5%	15,634.9		
2.83	968.83	2,040.2	16,083.2	587.0	17,418.9	2,627.2	33,502.0	48.0%	15,886.9		
3.00	969.00	2,106.5	18,189.7	560.4	17,979.3	2,667.0	36,169.0	50.3%	16,112.9	0.83	0.00
3.17	969.16	2,166.0	20,355.7	536.7	18,516.0	2,702.6	38,871.7	52.4%	16,315.0		
3.33	969.33	2,219.0	22,574.7	515.5	19,031.5	2,734.5	41,606.1	54.3%	16,495.2		
3.50	969.50	2,266.2	24,840.9	496.6	19,528.1	2,762.8	44,368.9	56.0%	16,654.8		
3.67	969.66	2,307.8	27,148.7	479.9	20,008.0	2,787.8	47,156.7	57.6%	16,795.1		
3.83	969.83	2,344.2	29,492.9	465.4	20,473.4	2,809.6	49,966.3	59.0%	16,916.9		
4.00	970.00	2,375.6	31,868.4	452.8	20,926.2	2,828.4	52,794.7	60.4%	17,021.1	1.21	0.00
4.17	970.16	2,402.1	34,270.6	442.2	21,368.4	2,844.3	55,639.0	61.6%	17,108.2		
4.33	970.33	2,424.0	36,694.6	433.5	21,801.9	2,857.5	58,496.5	62.7%	17,178.9		
4.50	970.50	2,441.4	39,136.0	426.5	22,228.4	2,867.9	61,364.4	63.8%	17,233.5		
4.67	970.66	2,454.4	41,590.4	421.3	22,649.7	2,875.7	64,240.1	64.7%	17,272.3		
4.83	970.83	2,463.0	44,053.4	417.9	23,067.6	2,880.9	67,121.0	65.6%	17,295.5		
5.00	971.00	2,467.3	46,520.7	416.2	23,483.7	2,883.4	70,004.4	66.5%	17,303.2	1.61	4.00
5.17	971.16	2,467.3	48,988.0	416.2	23,899.9	2,883.4	72,887.9	67.2%	17,295.5		
5.33	971.33	2,463.0	51,451.0	417.9	24,317.7	2,880.9	75,768.7	67.9%	17,272.3		
5.50	971.50	2,454.4	53,905.4	421.3	24,739.0	2,875.7	78,644.4	68.5%	17,233.5		
5.67	971.66	2,441.4	56,346.8	426.5	25,165.5	2,867.9	81,512.4	69.1%	17,178.9		
5.83	971.83	2,424.0	58,770.8	433.5	25,599.0	2,857.5	84,369.8	69.7%	17,108.2		
6.00	972.00	2,402.1	61,173.0	442.2	26,041.2	2,844.3	87,214.2	70.1%	17,021.1	2.00	4.00
6.17	972.16	2,375.6	63,548.5	452.8	26,494.1	2,828.4	90,042.6	70.6%	16,916.9		
6.33	972.33	2,344.2	65,892.7	465.4	26,959.4	2,809.6	92,852.2	71.0%	16,795.1		
6.50	972.50	2,307.8	68,200.5	479.9	27,439.4	2,787.8	95,639.9	71.3%	16,654.8		
6.67	972.66	2,266.2	70,466.7	496.6	27,936.0	2,762.8	98,402.7	71.6%	16,495.2		
6.83	972.83	2,219.0	72,685.8	515.5	28,451.4	2,734.5	101,137.2	71.9%	16,315.0		
7.00	973.00	2,166.0	74,851.7	536.7	28,988.1	2,702.6	103,839.8	72.1%	16,112.9	2.38	4.00
7.17	973.16	2,106.5	76,958.3	560.4	29,548.6	2,667.0	106,506.8	72.3%	15,886.9		
7.33	973.33	2,040.2	78,998.5	587.0	30,135.5	2,627.2	109,134.0	72.4%	15,634.9		
7.50	973.50	1,966.3	80,964.8	616.5	30,752.1	2,582.8	111,716.9	72.5%	15,354.1		
7.67	973.66	1,883.9	82,848.6	649.5	31,401.6	2,533.4	114,250.2	72.5%	15,040.7		
7.83	973.83	1,791.8	84,640.4	686.4	32,088.0	2,478.1	116,728.4	72.5%	14,690.0		
8.00	974.00	1,688.4	86,328.8	727.7	32,815.7	2,416.1	119,144.5	72.5%	14,295.1	2.74	4.00
8.17	974.16	1,571.5	87,900.3	774.5	33,590.2	2,346.0	121,490.4	72.4%	13,846.6		
8.33	974.33	1,437.8	89,338.1	827.9	34,418.1	2,265.8	123,756.2	72.2%	13,329.7		
8.50	974.50	1,282.1	90,620.2	890.2	35,308.3	2,172.3	125,928.5	72.0%	12,719.7		
8.67	974.66	1,094.7	91,714.9	965.2	36,273.5	2,059.9	127,988.4	71.7%	11,969.2		
8.83	974.83	854.5	92,569.4	1,061.3	37,334.8	1,915.8	129,904.2	71.3%	10,956.4		
9.00	975.00	472.0	93,041.4	1,214.3	38,549.0	1,686.3	131,590.4	70.7%	8,418.4	3.02	4.00

These results are submitted to you as a guideline only, without liability on the part of CONTECH Engineered Solutions, LLC for accuracy or suitability to any particular application, and are subject to your verification.

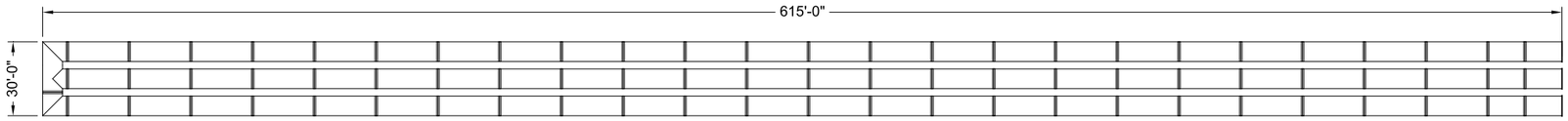
PROJECT SUMMARY

CALCULATION DETAILS
- LOADING = HS20/HS25
- APPROX. LINEAR FOOTAGE = 1,851 LF

STORAGE SUMMARY
- STORAGE VOLUME REQUIRED = 140,000 CF
- PIPE STORAGE VOLUME = 93,041 CF
- BACKFILL STORAGE VOLUME = 46,967 CF
- TOTAL STORAGE PROVIDED = 140,009 CF

PIPE DETAILS
- DIAMETER = 96"
- CORRUGATION = 5x1
- GAGE = 16
- COATING = ALT2
- WALL TYPE = PERFORATED
- BARREL SPACING = 36"

BACKFILL DETAILS
- WIDTH AT ENDS = 24"
- ABOVE PIPE = 12"
- WIDTH AT SIDES = 24"
- BELOW PIPE = 12"



NOTES

- ALL RISER AND STUB DIMENSIONS ARE TO CENTERLINE. ALL ELEVATIONS, DIMENSIONS, AND LOCATIONS OF RISERS AND INLETS, SHALL BE VERIFIED BY THE ENGINEER OF RECORD PRIOR TO RELEASING FOR FABRICATION.
- ALL FITTINGS AND REINFORCEMENT COMPLY WITH ASTM A998.
- ALL RISERS AND STUBS ARE $2\frac{2}{3}$" x $\frac{1}{2}$" CORRUGATION AND 16 GAGE UNLESS OTHERWISE NOTED.
- RISERS TO BE FIELD TRIMMED TO GRADE.
- QUANTITY OF PIPE SHOWN DOES NOT PROVIDE EXTRA PIPE FOR CONNECTING THE SYSTEM TO EXISTING PIPE OR DRAINAGE STRUCTURES. OUR SYSTEM AS DETAILED PROVIDES NOMINAL INLET AND/OR OUTLET PIPE STUB FOR CONNECTION TO EXISTING DRAINAGE FACILITIES. IF ADDITIONAL PIPE IS NEEDED IT IS THE RESPONSIBILITY OF THE CONTRACTOR.
- BAND TYPE TO BE DETERMINED UPON FINAL DESIGN.
- THE PROJECT SUMMARY IS REFLECTIVE OF THE DYODS DESIGN, QUANTITIES ARE APPROX. AND SHOULD BE VERIFIED UPON FINAL DESIGN AND APPROVAL. FOR EXAMPLE, TOTAL EXCAVATION DOES NOT CONSIDER ALL VARIABLES SUCH AS SHORING AND ONLY ACCOUNTS FOR MATERIAL WITHIN THE ESTIMATED EXCAVATION FOOTPRINT.
- THESE DRAWINGS ARE FOR CONCEPTUAL PURPOSES AND DO NOT REFLECT ANY LOCAL PREFERENCES OR REGULATIONS. PLEASE CONTACT YOUR LOCAL CONTECH REP FOR MODIFICATIONS.

ASSEMBLY
SCALE: 1" = 60'

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DATE	REVISION DESCRIPTION	BY

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www.ContechES.com
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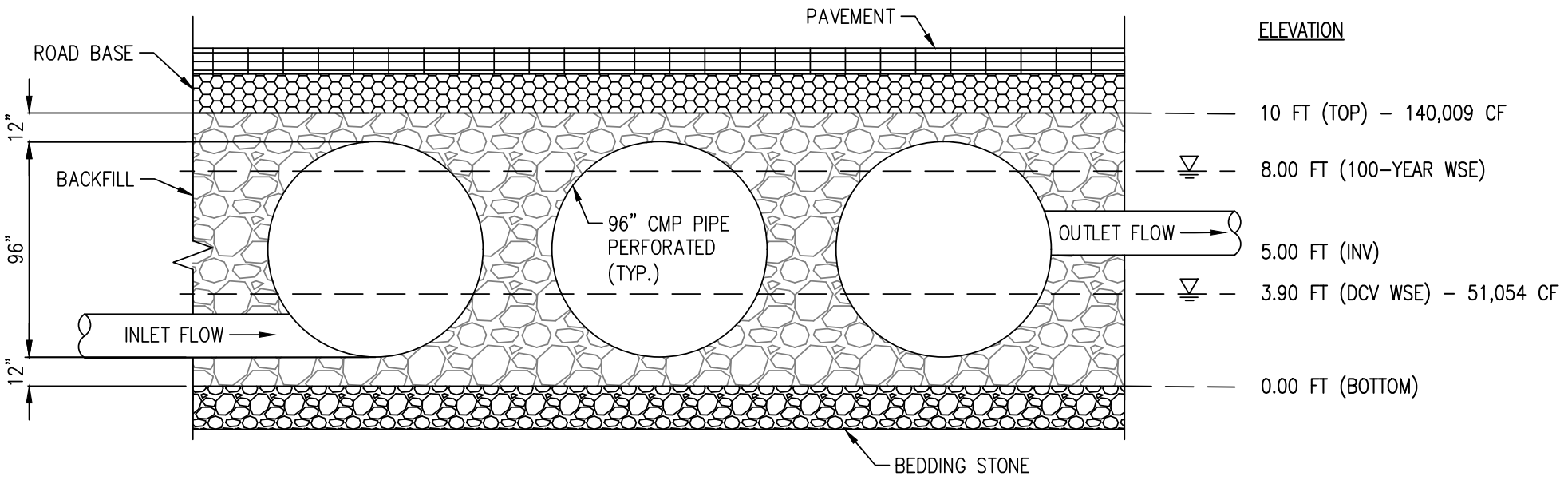
CONTECH® CMP DETENTION SYSTEMS
CONTECH DYODS DRAWING

DYO14828 5355 Airport Drive
Underground Infiltration Chamber #1
Ontario, CA
DETENTION SYSTEM

PROJECT No.:	SEQ. No.:	DATE:
9371	14828	3/23/2022
DESIGNED: DYO	DRAWN: DYO	
CHECKED: DYO	APPROVED: DYO	
SHEET NO.:		

C:\EXPORTS\TEMPLATES\CMP_V8.DWG 10/18/2019 10:02 AM

CHAMBER SECTION DETAIL



FLOOD HYDROGRAPH ROUTING PROGRAM
Copyright (c) CIVILCADD/CIVILDESIGN, 1989 - 2005
Study date: 03/23/22

Job No. 2021-502
5355 Airport Drive
100 YR BASIN ROUTING ANALYSIS
UNDERGROUND INFILTRATION CHAMBER No. 1

Program License Serial Number 6277

********** HYDROGRAPH INFORMATION **********

From study/file name: 2021502UH100POST.rte
**********HYDROGRAPH DATA**********
Number of intervals = 296
Time interval = 5.0 (Min.)
Maximum/Peak flow rate = 36.529 (CFS)
Total volume = 5.464 (Ac.Ft)
Status of hydrographs being held in storage

	Stream 1	Stream 2	Stream 3	Stream 4	Stream 5
Peak (CFS)	0.000	0.000	0.000	0.000	0.000
Vol (Ac.Ft)	0.000	0.000	0.000	0.000	0.000

****

++
Process from Point/Station 16.000 to Point/Station 16.000
**** RETARDING BASIN ROUTING ****
_____

User entry of depth-outflow-storage data

Total number of inflow hydrograph intervals = 296
Hydrograph time unit = 5.000 (Min.)
Initial depth in storage basin = 0.00(Ft.)

Initial basin depth = 0.00 (Ft.)
Initial basin storage = 0.00 (Ac.Ft)
Initial basin outflow = 0.00 (CFS)

Depth vs. Storage and Depth vs. Discharge data:

Basin Depth (Ft.)	Storage (Ac.Ft)	Outflow (CFS)	(S-O*dt/2) (Ac.Ft)	(S+O*dt/2) (Ac.Ft)
0.000	0.000	0.000	0.000	0.000
1.000	0.190	0.001	0.190	0.190
2.000	0.480	0.001	0.480	0.480
3.000	0.830	0.001	0.830	0.830
4.000	1.210	0.001	1.210	1.210
5.000	1.610	4.000	1.596	1.624
6.000	2.000	4.000	1.986	2.014
7.000	2.380	4.000	2.366	2.394
8.000	2.740	4.000	2.726	2.754
9.000	3.020	4.000	3.006	3.034

Hydrograph Detention Basin Routing

Graph values: 'I'= unit inflow; 'O'=outflow at time shown

Time (Hours)	Inflow (CFS)	Outflow (CFS)	Storage (Ac.Ft)	.0	9.1	18.26	27.40	36.53	Depth (Ft.)
0.083	0.04	0.00	0.000	O	|	|	|	|	0.00
0.167	0.27	0.00	0.001	O	|	|	|	|	0.01
0.250	0.67	0.00	0.004	O	|	|	|	|	0.02
0.333	0.98	0.00	0.010	O	|	|	|	|	0.05
0.417	1.11	0.00	0.017	O	|	|	|	|	0.09
0.500	1.16	0.00	0.025	OI	|	|	|	|	0.13
0.583	1.17	0.00	0.033	OI	|	|	|	|	0.17
0.667	1.19	0.00	0.041	OI	|	|	|	|	0.22
0.750	1.19	0.00	0.049	OI	|	|	|	|	0.26
0.833	1.20	0.00	0.058	OI	|	|	|	|	0.30
0.917	1.20	0.00	0.066	OI	|	|	|	|	0.35
1.000	1.20	0.00	0.074	OI	|	|	|	|	0.39
1.083	1.21	0.00	0.083	OI	|	|	|	|	0.43
1.167	1.21	0.00	0.091	OI	|	|	|	|	0.48
1.250	1.22	0.00	0.099	OI	|	|	|	|	0.52
1.333	1.22	0.00	0.108	OI	|	|	|	|	0.57
1.417	1.22	0.00	0.116	OI	|	|	|	|	0.61
1.500	1.23	0.00	0.124	OI	|	|	|	|	0.66
1.583	1.23	0.00	0.133	OI	|	|	|	|	0.70
1.667	1.24	0.00	0.141	OI	|	|	|	|	0.74
1.750	1.24	0.00	0.150	OI	|	|	|	|	0.79
1.833	1.24	0.00	0.158	OI	|	|	|	|	0.83
1.917	1.25	0.00	0.167	OI	|	|	|	|	0.88
2.000	1.25	0.00	0.176	OI	|	|	|	|	0.92
2.083	1.26	0.00	0.184	OI	|	|	|	|	0.97
2.167	1.26	0.00	0.193	OI	|	|	|	|	1.01

2.250	1.26	0.00	0.202	OI				1.04
2.333	1.27	0.00	0.210	OI				1.07
2.417	1.27	0.00	0.219	OI				1.10
2.500	1.28	0.00	0.228	OI				1.13
2.583	1.28	0.00	0.237	OI				1.16
2.667	1.29	0.00	0.246	OI				1.19
2.750	1.29	0.00	0.254	OI				1.22
2.833	1.30	0.00	0.263	OI				1.25
2.917	1.30	0.00	0.272	OI				1.28
3.000	1.30	0.00	0.281	OI				1.31
3.083	1.31	0.00	0.290	OI				1.35
3.167	1.31	0.00	0.299	OI				1.38
3.250	1.32	0.00	0.308	OI				1.41
3.333	1.32	0.00	0.317	OI				1.44
3.417	1.33	0.00	0.326	OI				1.47
3.500	1.33	0.00	0.336	OI				1.50
3.583	1.34	0.00	0.345	OI				1.53
3.667	1.34	0.00	0.354	OI				1.57
3.750	1.35	0.00	0.363	OI				1.60
3.833	1.35	0.00	0.373	OI				1.63
3.917	1.36	0.00	0.382	OI				1.66
4.000	1.36	0.00	0.391	OI				1.69
4.083	1.37	0.00	0.401	OI				1.73
4.167	1.37	0.00	0.410	OI				1.76
4.250	1.38	0.00	0.420	OI				1.79
4.333	1.39	0.00	0.429	OI				1.82
4.417	1.39	0.00	0.439	OI				1.86
4.500	1.40	0.00	0.448	OI				1.89
4.583	1.40	0.00	0.458	OI				1.92
4.667	1.41	0.00	0.468	OI				1.96
4.750	1.41	0.00	0.477	OI				1.99
4.833	1.42	0.00	0.487	OI				2.02
4.917	1.43	0.00	0.497	OI				2.05
5.000	1.43	0.00	0.507	OI				2.08
5.083	1.44	0.00	0.517	OI				2.10
5.167	1.44	0.00	0.526	OI				2.13
5.250	1.45	0.00	0.536	OI				2.16
5.333	1.46	0.00	0.546	OI				2.19
5.417	1.46	0.00	0.556	OI				2.22
5.500	1.47	0.00	0.567	OI				2.25
5.583	1.48	0.00	0.577	OI				2.28
5.667	1.48	0.00	0.587	OI				2.31
5.750	1.49	0.00	0.597	OI				2.33
5.833	1.50	0.00	0.607	OI				2.36
5.917	1.50	0.00	0.618	OI				2.39
6.000	1.51	0.00	0.628	OI				2.42
6.083	1.52	0.00	0.638	OI				2.45
6.167	1.52	0.00	0.649	OI				2.48
6.250	1.53	0.00	0.659	OI				2.51
6.333	1.54	0.00	0.670	OI				2.54

6.417	1.54	0.00	0.681	OI				2.57
6.500	1.55	0.00	0.691	OI				2.60
6.583	1.56	0.00	0.702	OI				2.63
6.667	1.57	0.00	0.713	OI				2.66
6.750	1.58	0.00	0.724	OI				2.70
6.833	1.58	0.00	0.734	OI				2.73
6.917	1.59	0.00	0.745	OI				2.76
7.000	1.60	0.00	0.756	OI				2.79
7.083	1.61	0.00	0.767	OI				2.82
7.167	1.62	0.00	0.778	OI				2.85
7.250	1.62	0.00	0.790	OI				2.88
7.333	1.63	0.00	0.801	OI				2.92
7.417	1.64	0.00	0.812	OI				2.95
7.500	1.65	0.00	0.823	OI				2.98
7.583	1.66	0.00	0.835	OI				3.01
7.667	1.67	0.00	0.846	OI				3.04
7.750	1.68	0.00	0.858	OI				3.07
7.833	1.69	0.00	0.869	OI				3.10
7.917	1.70	0.00	0.881	OI				3.13
8.000	1.71	0.00	0.893	OI				3.16
8.083	1.72	0.00	0.904	OI				3.20
8.167	1.73	0.00	0.916	OI				3.23
8.250	1.74	0.00	0.928	OI				3.26
8.333	1.75	0.00	0.940	OI				3.29
8.417	1.76	0.00	0.952	OI				3.32
8.500	1.77	0.00	0.964	OI				3.35
8.583	1.78	0.00	0.977	OI				3.39
8.667	1.79	0.00	0.989	OI				3.42
8.750	1.80	0.00	1.001	OI				3.45
8.833	1.81	0.00	1.014	OI				3.48
8.917	1.82	0.00	1.026	OI				3.52
9.000	1.84	0.00	1.039	OI				3.55
9.083	1.85	0.00	1.051	OI				3.58
9.167	1.86	0.00	1.064	OI				3.62
9.250	1.87	0.00	1.077	OI				3.65
9.333	1.88	0.00	1.090	OI				3.68
9.417	1.90	0.00	1.103	OI				3.72
9.500	1.91	0.00	1.116	OI				3.75
9.583	1.92	0.00	1.129	OI				3.79
9.667	1.94	0.00	1.143	OI				3.82
9.750	1.95	0.00	1.156	OI				3.86
9.833	1.97	0.00	1.169	OI				3.89
9.917	1.98	0.00	1.183	OI				3.93
10.000	2.00	0.00	1.197	OI				3.96
10.083	2.01	0.01	1.210	OI				4.00
10.167	2.03	0.14	1.224	OI				4.03
10.250	2.04	0.27	1.236	OI				4.07
10.333	2.06	0.38	1.248	OI				4.10
10.417	2.08	0.50	1.260	OI				4.12
10.500	2.09	0.60	1.270	OI				4.15

10.583	2.11	0.70	1.280	OI				4.18
10.667	2.13	0.80	1.290	OI				4.20
10.750	2.15	0.89	1.298	OI				4.22
10.833	2.16	0.97	1.307	OI				4.24
10.917	2.18	1.05	1.315	OI				4.26
11.000	2.20	1.13	1.323	OI				4.28
11.083	2.22	1.20	1.330	O				4.30
11.167	2.24	1.27	1.337	O				4.32
11.250	2.26	1.33	1.343	O				4.33
11.333	2.29	1.40	1.350	OI				4.35
11.417	2.31	1.46	1.356	OI				4.36
11.500	2.33	1.51	1.361	OI				4.38
11.583	2.35	1.57	1.367	OI				4.39
11.667	2.38	1.62	1.372	OI				4.41
11.750	2.40	1.67	1.377	OI				4.42
11.833	2.43	1.72	1.382	OI				4.43
11.917	2.46	1.77	1.387	OI				4.44
12.000	2.48	1.82	1.392	OI				4.45
12.083	2.52	1.86	1.396	OI				4.47
12.167	2.62	1.91	1.401	OI				4.48
12.250	2.76	1.96	1.406	OI				4.49
12.333	2.88	2.02	1.412	OI				4.50
12.417	2.95	2.08	1.418	OI				4.52
12.500	3.00	2.14	1.424	OI				4.53
12.583	3.03	2.20	1.430	OI				4.55
12.667	3.07	2.25	1.435	OI				4.56
12.750	3.11	2.31	1.441	O				4.58
12.833	3.15	2.36	1.446	O				4.59
12.917	3.19	2.42	1.452	O				4.60
13.000	3.23	2.47	1.457	O				4.62
13.083	3.27	2.52	1.462	O				4.63
13.167	3.32	2.57	1.467	O				4.64
13.250	3.36	2.62	1.472	O				4.66
13.333	3.41	2.68	1.478	O				4.67
13.417	3.46	2.73	1.483	OI				4.68
13.500	3.52	2.78	1.488	OI				4.69
13.583	3.57	2.83	1.493	OI				4.71
13.667	3.63	2.88	1.498	OI				4.72
13.750	3.69	2.93	1.503	OI				4.73
13.833	3.75	2.98	1.508	OI				4.75
13.917	3.82	3.04	1.514	OI				4.76
14.000	3.89	3.09	1.519	OI				4.77
14.083	3.97	3.15	1.525	OI				4.79
14.167	4.05	3.20	1.530	OI				4.80
14.250	4.13	3.26	1.536	OI				4.82
14.333	4.23	3.32	1.542	OI				4.83
14.417	4.32	3.39	1.549	OI				4.85
14.500	4.42	3.45	1.555	O				4.86
14.583	4.54	3.52	1.562	O				4.88
14.667	4.65	3.59	1.569	OI				4.90

14.750	4.78	3.67	1.577	OI				4.92
14.833	4.92	3.75	1.585	OI				4.94
14.917	5.08	3.83	1.593	OI				4.96
15.000	5.25	3.92	1.602	OI				4.98
15.083	5.43	4.00	1.611	OI				5.00
15.167	5.64	4.00	1.622	OI				5.03
15.250	5.87	4.00	1.634	O I				5.06
15.333	6.14	4.00	1.648	O I				5.10
15.417	6.40	4.00	1.664	O I				5.14
15.500	6.49	4.00	1.680	O I				5.18
15.583	6.45	4.00	1.697	O I				5.22
15.667	6.61	4.00	1.715	O I				5.27
15.750	7.10	4.00	1.735	O I				5.32
15.833	7.95	4.00	1.759	O I				5.38
15.917	9.28	4.00	1.791	O I				5.46
16.000	11.59	4.00	1.835	O I				5.58
16.083	17.05	4.00	1.906	O I				5.76
16.167	28.67	4.00	2.036	O			I	6.09
16.250	36.53	4.00	2.233	O			I	6.61
16.333	29.04	4.00	2.431	O			I	7.14
16.417	17.21	4.00	2.563	O	I			7.51
16.500	11.00	4.00	2.632	O	I			7.70
16.583	8.12	4.00	2.671	O I				7.81
16.667	7.23	4.00	2.696	O I				7.88
16.750	6.37	4.00	2.715	O I				7.93
16.833	5.67	4.00	2.729	OI				7.97
16.917	5.26	4.00	2.739	OI				8.00
17.000	4.93	4.00	2.747	OI				8.02
17.083	4.66	4.00	2.752	OI				8.04
17.167	4.43	4.00	2.756	O				8.06
17.250	4.22	4.00	2.758	O				8.06
17.333	4.05	4.00	2.759	O				8.07
17.417	3.89	4.00	2.759	O				8.07
17.500	3.75	4.00	2.758	O				8.06
17.583	3.63	4.00	2.755	O				8.06
17.667	3.51	4.00	2.752	O				8.04
17.750	3.41	4.00	2.749	IO				8.03
17.833	3.31	4.00	2.744	IO				8.02
17.917	3.23	4.00	2.739	IO				8.00
18.000	3.15	4.00	2.734	IO				7.98
18.083	3.06	4.00	2.728	IO				7.97
18.167	2.92	4.00	2.721	IO				7.95
18.250	2.74	4.00	2.713	IO				7.92
18.333	2.59	4.00	2.703	IO				7.90
18.417	2.50	4.00	2.693	IO				7.87
18.500	2.43	4.00	2.683	IO				7.84
18.583	2.38	4.00	2.672	IO				7.81
18.667	2.33	4.00	2.660	IO				7.78
18.750	2.28	4.00	2.649	IO				7.75
18.833	2.24	4.00	2.637	I O				7.71

18.917	2.20	4.00	2.625	I O				7.68
19.000	2.16	4.00	2.612	I O				7.64
19.083	2.13	4.00	2.599	I O				7.61
19.167	2.09	4.00	2.586	I O				7.57
19.250	2.06	4.00	2.573	I O				7.54
19.333	2.02	4.00	2.559	I O				7.50
19.417	1.99	4.00	2.546	I O				7.46
19.500	1.96	4.00	2.532	I O				7.42
19.583	1.94	4.00	2.518	I O				7.38
19.667	1.91	4.00	2.503	I O				7.34
19.750	1.88	4.00	2.489	I O				7.30
19.833	1.86	4.00	2.474	I O				7.26
19.917	1.83	4.00	2.459	I O				7.22
20.000	1.81	4.00	2.444	I O				7.18
20.083	1.79	4.00	2.429	I O				7.14
20.167	1.77	4.00	2.414	I O				7.09
20.250	1.74	4.00	2.398	I O				7.05
20.333	1.72	4.00	2.383	I O				7.01
20.417	1.70	4.00	2.367	I O				6.97
20.500	1.69	4.00	2.351	I O				6.92
20.583	1.67	4.00	2.335	I O				6.88
20.667	1.65	4.00	2.319	I O				6.84
20.750	1.63	4.00	2.303	I O				6.80
20.833	1.61	4.00	2.287	I O				6.75
20.917	1.60	4.00	2.270	I O				6.71
21.000	1.58	4.00	2.253	I O				6.67
21.083	1.57	4.00	2.237	I O				6.62
21.167	1.55	4.00	2.220	I O				6.58
21.250	1.54	4.00	2.203	I O				6.53
21.333	1.52	4.00	2.186	I O				6.49
21.417	1.51	4.00	2.169	I O				6.44
21.500	1.49	4.00	2.152	I O				6.40
21.583	1.48	4.00	2.134	I O				6.35
21.667	1.47	4.00	2.117	I O				6.31
21.750	1.45	4.00	2.099	I O				6.26
21.833	1.44	4.00	2.082	I O				6.22
21.917	1.43	4.00	2.064	I O				6.17
22.000	1.42	4.00	2.046	I O				6.12
22.083	1.41	4.00	2.029	I O				6.08
22.167	1.40	4.00	2.011	I O				6.03
22.250	1.38	4.00	1.993	I O				5.98
22.333	1.37	4.00	1.975	I O				5.94
22.417	1.36	4.00	1.957	I O				5.89
22.500	1.35	4.00	1.938	I O				5.84
22.583	1.34	4.00	1.920	I O				5.80
22.667	1.33	4.00	1.902	I O				5.75
22.750	1.32	4.00	1.883	I O				5.70
22.833	1.31	4.00	1.865	I O				5.65
22.917	1.30	4.00	1.846	I O				5.61
23.000	1.29	4.00	1.828	I O				5.56

23.083	1.29	4.00	1.809	|I O	|	|	|	5.51
23.167	1.28	4.00	1.790	|I O	|	|	|	5.46
23.250	1.27	4.00	1.772	|I O	|	|	|	5.41
23.333	1.26	4.00	1.753	|I O	|	|	|	5.37
23.417	1.25	4.00	1.734	|I O	|	|	|	5.32
23.500	1.24	4.00	1.715	|I O	|	|	|	5.27
23.583	1.24	4.00	1.696	|I O	|	|	|	5.22
23.667	1.23	4.00	1.677	|I O	|	|	|	5.17
23.750	1.22	4.00	1.658	|I O	|	|	|	5.12
23.833	1.21	4.00	1.639	|I O	|	|	|	5.07
23.917	1.20	4.00	1.619	|I O	|	|	|	5.02
24.000	1.20	3.90	1.600	|I O	|	|	|	4.98
24.083	1.15	3.72	1.582	|I O	|	|	|	4.93
24.167	0.91	3.54	1.564	I O	|	|	|	4.89
24.250	0.51	3.35	1.545	I O	|	|	|	4.84
24.333	0.20	3.15	1.525	I O	|	|	|	4.79
24.417	0.07	2.95	1.505	I O	|	|	|	4.74
24.500	0.03	2.76	1.486	I O	|	|	|	4.69
24.583	0.01	2.58	1.468	I O	|	|	|	4.64
24.667	0.00	2.41	1.451	I O	|	|	|	4.60
24.750	0.00	2.25	1.435	IO	|	|	|	4.56
24.833	0.00	2.10	1.420	IO	|	|	|	4.52
24.917	0.00	1.96	1.406	IO	|	|	|	4.49
25.000	0.00	1.83	1.393	IO	|	|	|	4.46
25.083	0.00	1.71	1.381	IO	|	|	|	4.43
25.167	0.00	1.59	1.369	IO	|	|	|	4.40
25.250	0.00	1.49	1.359	IO	|	|	|	4.37
25.333	0.00	1.39	1.349	IO	|	|	|	4.35
25.417	0.00	1.30	1.339	IO	|	|	|	4.32
25.500	0.00	1.21	1.331	IO	|	|	|	4.30
25.583	0.00	1.13	1.323	O	|	|	|	4.28
25.667	0.00	1.05	1.315	O	|	|	|	4.26
25.750	0.00	0.98	1.308	O	|	|	|	4.25
25.833	0.00	0.92	1.302	O	|	|	|	4.23
25.917	0.00	0.86	1.296	O	|	|	|	4.21
26.000	0.00	0.80	1.290	O	|	|	|	4.20
26.083	0.00	0.75	1.285	O	|	|	|	4.19
26.167	0.00	0.70	1.280	O	|	|	|	4.17
26.250	0.00	0.65	1.275	O	|	|	|	4.16
26.333	0.00	0.61	1.271	O	|	|	|	4.15
26.417	0.00	0.57	1.267	O	|	|	|	4.14
26.500	0.00	0.53	1.263	O	|	|	|	4.13
26.583	0.00	0.49	1.259	O	|	|	|	4.12
26.667	0.00	0.46	1.256	O	|	|	|	4.11
26.750	0.00	0.43	1.253	O	|	|	|	4.11
26.833	0.00	0.40	1.250	O	|	|	|	4.10
26.917	0.00	0.37	1.247	O	|	|	|	4.09
27.000	0.00	0.35	1.245	O	|	|	|	4.09
27.083	0.00	0.33	1.243	O	|	|	|	4.08
27.167	0.00	0.30	1.240	O	|	|	|	4.08

27.250	0.00	0.28	1.238	O	|	|	|	4.07
27.333	0.00	0.27	1.236	O	|	|	|	4.07
27.417	0.00	0.25	1.235	O	|	|	|	4.06
27.500	0.00	0.23	1.233	O	|	|	|	4.06
27.583	0.00	0.22	1.232	O	|	|	|	4.05
27.667	0.00	0.20	1.230	O	|	|	|	4.05
27.750	0.00	0.19	1.229	O	|	|	|	4.05
27.833	0.00	0.18	1.227	O	|	|	|	4.04
27.917	0.00	0.16	1.226	O	|	|	|	4.04
28.000	0.00	0.15	1.225	O	|	|	|	4.04
28.083	0.00	0.14	1.224	O	|	|	|	4.04
28.167	0.00	0.13	1.223	O	|	|	|	4.03
28.250	0.00	0.12	1.222	O	|	|	|	4.03
28.333	0.00	0.12	1.222	O	|	|	|	4.03
28.417	0.00	0.11	1.221	O	|	|	|	4.03
28.500	0.00	0.10	1.220	O	|	|	|	4.03
28.583	0.00	0.09	1.219	O	|	|	|	4.02
28.667	0.00	0.09	1.219	O	|	|	|	4.02
28.750	0.00	0.08	1.218	O	|	|	|	4.02
28.833	0.00	0.08	1.218	O	|	|	|	4.02
28.917	0.00	0.07	1.217	O	|	|	|	4.02
29.000	0.00	0.07	1.217	O	|	|	|	4.02
29.083	0.00	0.06	1.216	O	|	|	|	4.02
29.167	0.00	0.06	1.216	O	|	|	|	4.01
29.250	0.00	0.05	1.215	O	|	|	|	4.01
29.333	0.00	0.05	1.215	O	|	|	|	4.01
29.417	0.00	0.05	1.215	O	|	|	|	4.01
29.500	0.00	0.04	1.214	O	|	|	|	4.01
29.583	0.00	0.04	1.214	O	|	|	|	4.01
29.667	0.00	0.04	1.214	O	|	|	|	4.01
29.750	0.00	0.04	1.214	O	|	|	|	4.01
29.833	0.00	0.03	1.213	O	|	|	|	4.01
29.917	0.00	0.03	1.213	O	|	|	|	4.01
30.000	0.00	0.03	1.213	O	|	|	|	4.01
30.083	0.00	0.03	1.213	O	|	|	|	4.01
30.167	0.00	0.03	1.212	O	|	|	|	4.01
30.250	0.00	0.02	1.212	O	|	|	|	4.01
30.333	0.00	0.02	1.212	O	|	|	|	4.01
30.417	0.00	0.02	1.212	O	|	|	|	4.00
30.500	0.00	0.02	1.212	O	|	|	|	4.00
30.583	0.00	0.02	1.212	O	|	|	|	4.00
30.667	0.00	0.02	1.212	O	|	|	|	4.00
30.750	0.00	0.02	1.211	O	|	|	|	4.00
30.833	0.00	0.01	1.211	O	|	|	|	4.00
30.917	0.00	0.01	1.211	O	|	|	|	4.00
31.000	0.00	0.01	1.211	O	|	|	|	4.00
31.083	0.00	0.01	1.211	O	|	|	|	4.00
31.167	0.00	0.01	1.211	O	|	|	|	4.00
31.250	0.00	0.01	1.211	O	|	|	|	4.00
31.333	0.00	0.01	1.211	O	|	|	|	4.00

31.417	0.00	0.01	1.211	O	|	|	|	|	4.00
31.500	0.00	0.01	1.211	O	|	|	|	|	4.00
31.583	0.00	0.01	1.211	O	|	|	|	|	4.00
31.667	0.00	0.01	1.211	O	|	|	|	|	4.00
31.750	0.00	0.01	1.211	O	|	|	|	|	4.00
31.833	0.00	0.01	1.211	O	|	|	|	|	4.00
31.917	0.00	0.01	1.211	O	|	|	|	|	4.00
32.000	0.00	0.01	1.210	O	|	|	|	|	4.00
32.083	0.00	0.01	1.210	O	|	|	|	|	4.00
32.167	0.00	0.00	1.210	O	|	|	|	|	4.00
32.250	0.00	0.00	1.210	O	|	|	|	|	4.00
32.333	0.00	0.00	1.210	O	|	|	|	|	4.00
32.417	0.00	0.00	1.210	O	|	|	|	|	4.00
32.500	0.00	0.00	1.210	O	|	|	|	|	4.00
32.583	0.00	0.00	1.210	O	|	|	|	|	4.00
32.667	0.00	0.00	1.210	O	|	|	|	|	4.00
32.750	0.00	0.00	1.210	O	|	|	|	|	4.00
32.833	0.00	0.00	1.210	O	|	|	|	|	4.00
32.917	0.00	0.00	1.210	O	|	|	|	|	4.00
33.000	0.00	0.00	1.210	O	|	|	|	|	4.00
33.083	0.00	0.00	1.210	O	|	|	|	|	4.00
33.167	0.00	0.00	1.210	O	|	|	|	|	4.00
33.250	0.00	0.00	1.210	O	|	|	|	|	4.00
33.333	0.00	0.00	1.210	O	|	|	|	|	4.00
33.417	0.00	0.00	1.210	O	|	|	|	|	4.00
33.500	0.00	0.00	1.210	O	|	|	|	|	4.00
33.583	0.00	0.00	1.210	O	|	|	|	|	4.00
33.667	0.00	0.00	1.210	O	|	|	|	|	4.00
33.750	0.00	0.00	1.210	O	|	|	|	|	4.00
33.833	0.00	0.00	1.210	O	|	|	|	|	4.00
33.917	0.00	0.00	1.210	O	|	|	|	|	4.00
34.000	0.00	0.00	1.210	O	|	|	|	|	4.00
34.083	0.00	0.00	1.210	O	|	|	|	|	4.00
34.167	0.00	0.00	1.210	O	|	|	|	|	4.00

Remaining water in basin = 1.21 (Ac.Ft)

**********HYDROGRAPH DATA**********

Number of intervals = 410
Time interval = 5.0 (Min.)
Maximum/Peak flow rate = 4.000 (CFS)
Total volume = 4.254 (Ac.Ft)

Status of hydrographs being held in storage

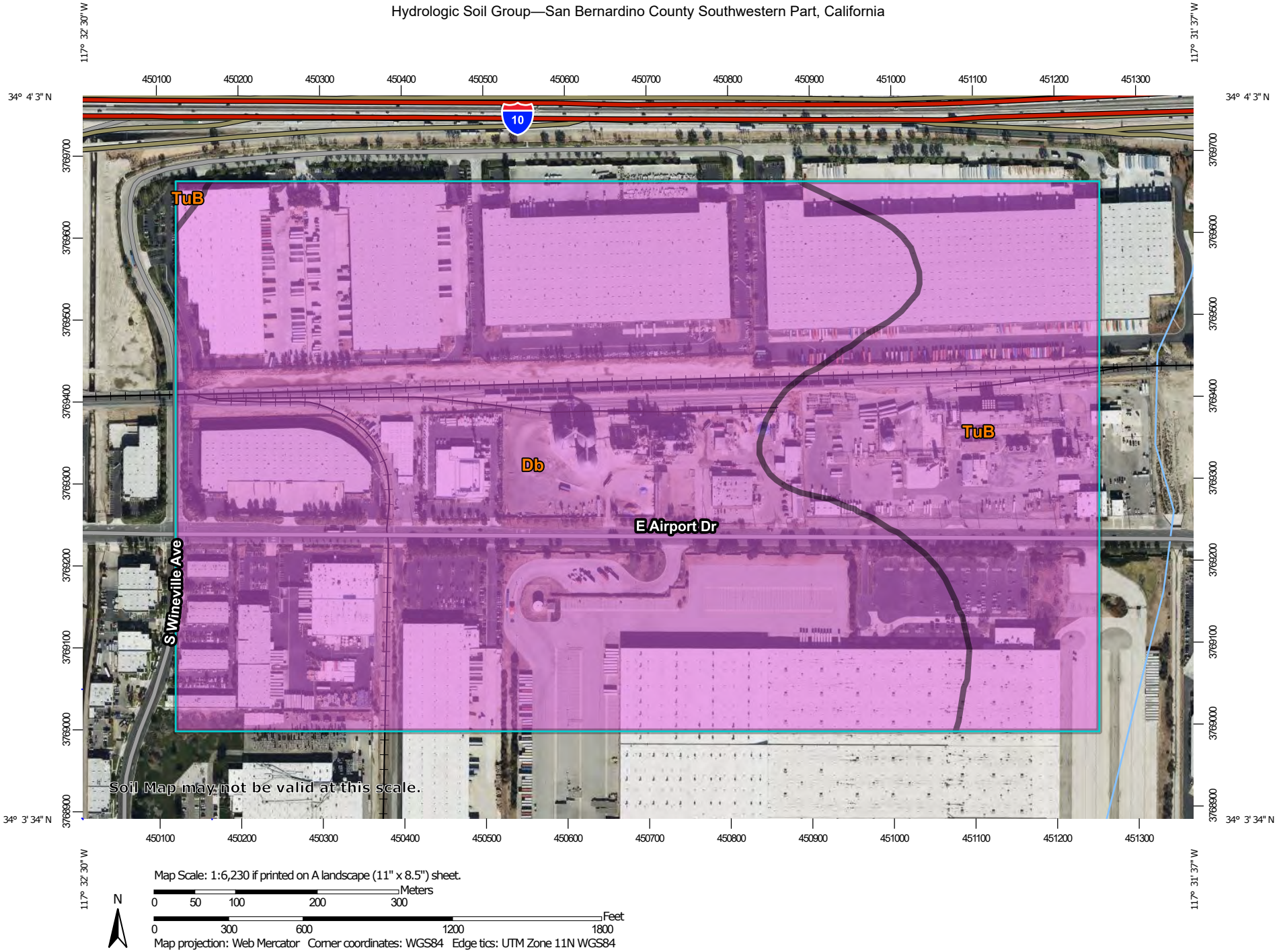
	Stream 1	Stream 2	Stream 3	Stream 4	Stream 5
Peak (CFS)	0.000	0.000	0.000	0.000	0.000
Vol (Ac.Ft)	0.000	0.000	0.000	0.000	0.000

****

APPENDIX E

SUPPORTING DOCUMENTS

SOILS MAP



Map Scale: 1:6,230 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 50 100 200 300

Feet
0 300 600 1200 1800

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

A

A/D

B

B/D

C

C/D

D

Not rated or not available

Soil Rating Lines

A

A/D

B

B/D

C

C/D

D

Not rated or not available

Soil Rating Points

A

A/D

B

B/D

C

C/D

D

Not rated or not available

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: San Bernardino County Southwestern Part, California
Survey Area Data: Version 13, Sep 13, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 5, 2020—Feb 6, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Db	Delhi fine sand	A	143.7	76.2%
TuB	Tujunga loamy sand, 0 to 5 percent slopes	A	44.9	23.8%
Totals for Area of Interest			**188.6**	**100.0%**

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

NOAA ATLAS 14 DATA

NOAA Atlas 14, Volume 6, Version 2
Location name: Ontario, California, USA*
Latitude: 34.0635°, Longitude: -117.5335°
Elevation: 983.19 ft**
* source: ESRI Maps
** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sarah Dietz, Sarah Heim, Lillian Hiner, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Carl Trypaluk, Dale Unruh, Fenglin Yan, Michael Yekta, Tan Zhao, Geoffrey Bonnin, Daniel Brewer, Li-Chuan Chen, Tye Parzybok, John Yarchoan

NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_&_aerials

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches)[1]

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.104 (0.087-0.126)	0.137 (0.114-0.166)	0.181 (0.150-0.220)	0.216 (0.178-0.265)	0.265 (0.210-0.336)	0.302 (0.235-0.392)	0.341 (0.258-0.454)	0.381 (0.281-0.522)	0.436 (0.307-0.623)	0.479 (0.326-0.710)
10-min	0.149 (0.124-0.180)	0.196 (0.164-0.238)	0.259 (0.215-0.315)	0.310 (0.255-0.380)	0.379 (0.302-0.482)	0.433 (0.337-0.562)	0.488 (0.370-0.650)	0.546 (0.402-0.748)	0.624 (0.441-0.894)	0.686 (0.467-1.02)
15-min	0.180 (0.150-0.218)	0.237 (0.198-0.288)	0.313 (0.260-0.381)	0.375 (0.308-0.460)	0.459 (0.365-0.583)	0.524 (0.408-0.680)	0.591 (0.448-0.787)	0.660 (0.486-0.905)	0.755 (0.533-1.08)	0.830 (0.565-1.23)
30-min	0.270 (0.225-0.327)	0.356 (0.297-0.432)	0.470 (0.390-0.571)	0.562 (0.463-0.690)	0.689 (0.548-0.875)	0.786 (0.612-1.02)	0.886 (0.672-1.18)	0.991 (0.730-1.36)	1.13 (0.800-1.62)	1.25 (0.848-1.85)
60-min	0.399 (0.332-0.483)	0.526 (0.438-0.638)	0.693 (0.576-0.843)	0.830 (0.683-1.02)	1.02 (0.808-1.29)	1.16 (0.903-1.51)	1.31 (0.993-1.74)	1.46 (1.08-2.00)	1.67 (1.18-2.39)	1.84 (1.25-2.73)
2-hr	0.598 (0.498-0.724)	0.777 (0.647-0.943)	1.01 (0.838-1.23)	1.20 (0.986-1.47)	1.45 (1.15-1.84)	1.65 (1.28-2.14)	1.84 (1.40-2.45)	2.05 (1.51-2.80)	2.32 (1.64-3.32)	2.54 (1.73-3.76)
3-hr	0.757 (0.631-0.917)	0.979 (0.815-1.19)	1.26 (1.05-1.54)	1.49 (1.23-1.83)	1.80 (1.43-2.29)	2.04 (1.58-2.64)	2.27 (1.72-3.02)	2.51 (1.85-3.45)	2.84 (2.00-4.06)	3.09 (2.11-4.58)
6-hr	1.08 (0.898-1.31)	1.39 (1.16-1.69)	1.79 (1.49-2.18)	2.11 (1.73-2.58)	2.52 (2.01-3.21)	2.84 (2.21-3.68)	3.15 (2.39-4.20)	3.47 (2.55-4.75)	3.89 (2.74-5.56)	4.20 (2.86-6.24)
12-hr	1.42 (1.18-1.72)	1.85 (1.54-2.24)	2.39 (1.98-2.90)	2.81 (2.31-3.45)	3.36 (2.67-4.26)	3.76 (2.93-4.88)	4.15 (3.15-5.53)	4.55 (3.35-6.23)	5.06 (3.57-7.24)	5.43 (3.70-8.06)
24-hr	1.89 (1.67-2.18)	2.51 (2.22-2.89)	3.27 (2.89-3.79)	3.87 (3.39-4.51)	4.64 (3.93-5.59)	5.20 (4.31-6.39)	5.74 (4.65-7.24)	6.28 (4.95-8.13)	6.97 (5.27-9.40)	7.48 (5.47-10.4)
2-day	2.31 (2.04-2.66)	3.13 (2.77-3.61)	4.17 (3.68-4.83)	4.99 (4.37-5.82)	6.07 (5.14-7.32)	6.87 (5.70-8.45)	7.66 (6.21-9.66)	8.46 (6.66-11.0)	9.50 (7.18-12.8)	10.3 (7.52-14.3)
3-day	2.52 (2.23-2.91)	3.47 (3.07-4.01)	4.70 (4.14-5.44)	5.68 (4.97-6.63)	6.99 (5.92-8.43)	7.98 (6.62-9.82)	8.98 (7.27-11.3)	9.99 (7.87-12.9)	11.3 (8.58-15.3)	12.4 (9.05-17.3)
4-day	2.76 (2.44-3.18)	3.84 (3.39-4.43)	5.23 (4.62-6.06)	6.36 (5.57-7.42)	7.89 (6.68-9.51)	9.05 (7.51-11.1)	10.2 (8.29-12.9)	11.4 (9.01-14.8)	13.1 (9.88-17.6)	14.3 (10.5-20.0)
7-day	3.24 (2.87-3.74)	4.54 (4.02-5.24)	6.26 (5.52-7.24)	7.66 (6.70-8.93)	9.57 (8.10-11.5)	11.0 (9.16-13.6)	12.6 (10.2-15.8)	14.1 (11.1-18.3)	16.2 (12.3-21.9)	17.9 (13.1-25.0)
10-day	3.50 (3.10-4.03)	4.93 (4.36-5.69)	6.83 (6.03-7.91)	8.40 (7.35-9.80)	10.6 (8.93-12.7)	12.2 (10.1-15.0)	13.9 (11.3-17.6)	15.7 (12.4-20.4)	18.2 (13.8-24.5)	20.1 (14.7-28.1)
20-day	4.07 (3.60-4.69)	5.82 (5.15-6.72)	8.18 (7.22-9.47)	10.2 (8.89-11.9)	12.9 (10.9-15.6)	15.1 (12.5-18.6)	17.4 (14.1-21.9)	19.8 (15.6-25.6)	23.2 (17.5-31.2)	25.8 (18.9-36.1)
30-day	4.80 (4.25-5.54)	6.90 (6.10-7.96)	9.75 (8.60-11.3)	12.2 (10.6-14.2)	15.6 (13.2-18.8)	18.3 (15.2-22.5)	21.2 (17.1-26.7)	24.2 (19.1-31.4)	28.5 (21.6-38.5)	32.0 (23.4-44.6)
45-day	5.71 (5.05-6.58)	8.17 (7.22-9.43)	11.6 (10.2-13.4)	14.5 (12.6-16.9)	18.6 (15.7-22.4)	21.9 (18.2-27.0)	25.5 (20.6-32.1)	29.3 (23.1-37.9)	34.7 (26.3-46.8)	39.1 (28.6-54.6)
60-day	6.64 (5.88-7.65)	9.42 (8.33-10.9)	13.3 (11.7-15.4)	16.6 (14.5-19.4)	21.4 (18.1-25.8)	25.3 (21.0-31.1)	29.5 (23.9-37.1)	33.9 (26.7-44.0)	40.4 (30.5-54.5)	45.7 (33.4-63.7)

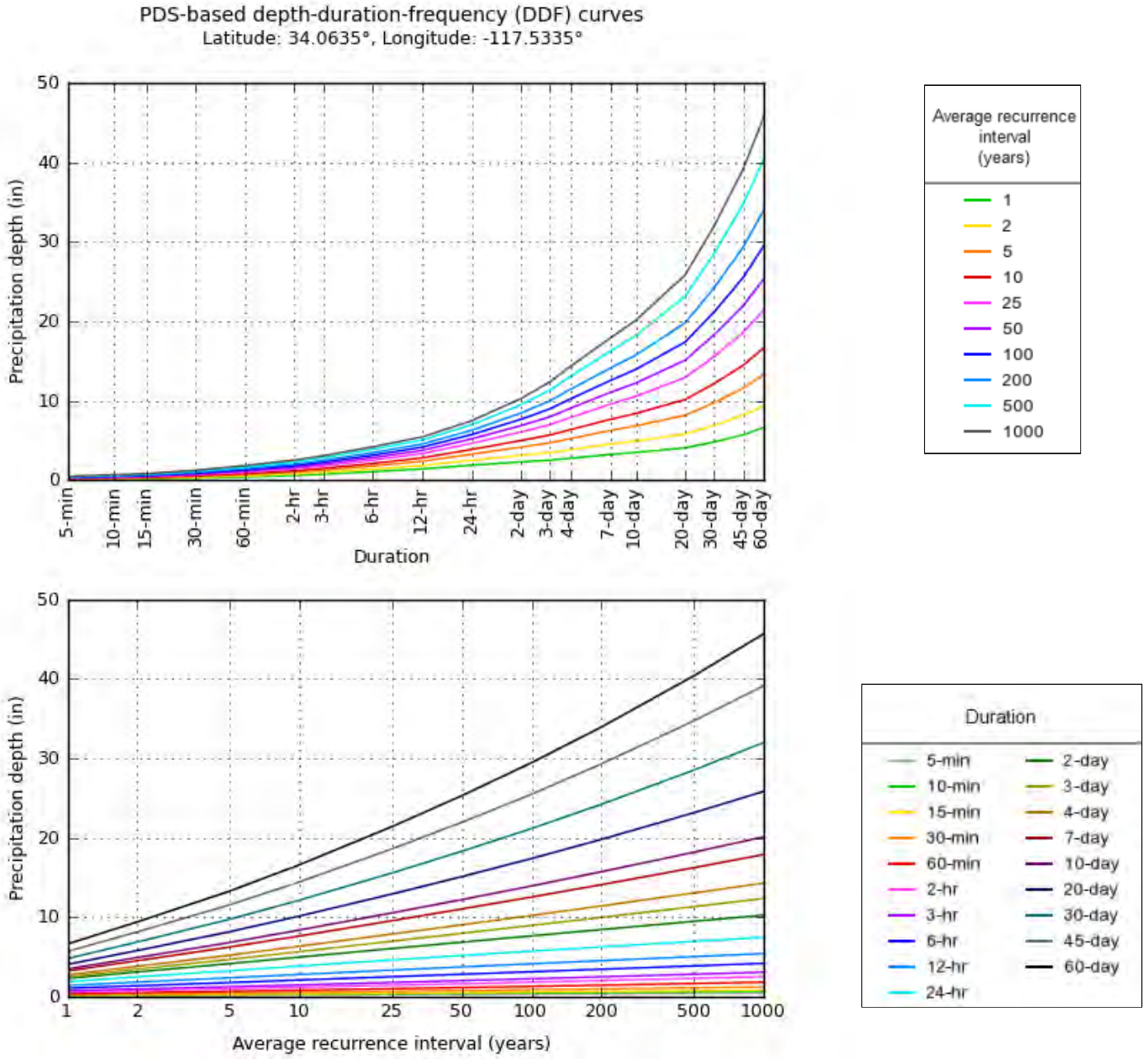
[1] Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

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PF graphical



NOAA Atlas 14, Volume 6, Version 2

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Maps & aerials

Small scale terrain

APPENDIX F

INFILTRATION REPORT

March 9, 2022

Prologis
17777 Center Court Drive North, Suite 100
Cerritos, California 90703

Attention: Mr. John Carter
Director, Project Management

Project No.: 22G128-2

Subject: Results of Infiltration Testing
Proposed Warehouse
5355 East Airport Drive
Ontario, California

Reference: Geotechnical Investigation, Proposed Warehouse, 5355 East Airport Drive, Ontario, California, prepared by Southern California Geotechnical, Inc. (SCG) for Prologis, SCG Project No. 22G128-1, dated March 9, 2022.

Dear Mr. Carter:

In accordance with your request, we have conducted infiltration testing at the subject site. We are pleased to present this report summarizing the results of the infiltration testing and our design recommendations.

Scope of Services

The scope of services performed for this project was in general accordance with our Proposal No. 22P129, dated January 21, 2022. The scope of services included site reconnaissance, subsurface exploration, field testing, and engineering analysis to determine the infiltration rates of the on-site soils. The infiltration testing was performed in general accordance with the guidelines published in the Riverside County – Low Impact Development BMP Design Handbook – Section 2.3 of Appendix A, prepared for the Riverside County Department of Environmental Health (RCDEH), dated December, 2013. The San Bernardino County standards defer to the guidelines published by the RCDEH.

Site and Project Description

The subject site is located on the north side of East Airport Drive, 1,310± feet east of the intersection of South Wineville Avenue and East Airport Drive in Ontario, California. The site is also referenced by the street address 5355 East Airport Drive. The site is bounded to the north by Union Pacific railroad tracks, to the east and west by an industrial development, and to the south by East Airport Drive. The general location of the site is illustrated on the Site Location Map, enclosed as Plate 1 of this report.

The site consists of an irregular-shaped property, 14.58± acres in size. The site is developed to manufacture and store animal feed grains. The development includes several buildings and shed structures ranging in size from 2,200± ft^2 to 20,175± ft^2, and several silos and above-ground

storage tanks (ASTs) primarily located in the north-central region of the site. The existing structures are generally of concrete tilt-up and/or metal-framed construction, and are presumed to be supported on conventional shallow foundations with concrete slab-on-grade floors. The existing structures are generally surrounded by asphaltic concrete (AC) pavements, with isolated areas of Portland cement concrete (PCC), aggregate base pavements, and exposed soils in the south-central portion of the site. The existing pavements are in poor condition, with moderate to severe cracking throughout. Two medium-size trees are present in the south-central region of the site.

Detailed topographic information was not available at the time of this report. Based on elevations obtained from Google Earth and visual observations made at the time of the subsurface investigation, the site slopes gently to the south-southeast at a gradient of less than 1 percent.

Proposed Development

A preliminary site plan, identified as Scheme 01 and prepared by RGA, for the proposed development was provided to our office by the client. Based on this plan, the subject site will be developed with a 259,189± ft² warehouse, located in the north-central region of the site. Dock-high doors will be constructed along a portion of the south building wall. The proposed building is expected to be surrounded by AC pavements in the parking and drive areas, PCC pavements in the loading dock area, and concrete flatwork and landscaped planters throughout the site.

We understand that the proposed development will include on-site stormwater infiltration. Based on our experience with similar projects in the area, the infiltration systems are expected to be below-grade chambers. The bottoms of the infiltration systems are expected to be 10 to 12± feet below the existing site grades.

Concurrent Study

SCG concurrently conducted a geotechnical investigation at the subject site, referenced above. As a part of this study, five (5) borings (identified as Boring Nos. B-1 through B-5) were advanced to depths of 20 to 30± feet below the existing site grades.

AC pavements were encountered at the ground surface of Boring Nos. B-1 through B-4. The pavement sections generally consist of 0 to 2½± inches of AC, underlain by 1 to 3½± inches of aggregate base. Artificial fill soils were encountered beneath the existing pavements at Boring Nos. B-1 through B-4 and at the ground surface at Boring No. B-5, extending to depths of 2½ to 6½± feet below the existing site grades. The fill soils generally consist of loose to medium dense sands and silty sands, with occasional dense silty sands. Native alluvium was encountered beneath the artificial fill soils at all of the boring locations, extending to at least the maximum depth explored of 30± feet. The near-surface alluvium generally consists of loose to medium dense sands and sandy silts, extending to depths of 6½ to 12± feet. At greater depths, the alluvium generally consists of medium dense to dense sands, silty sands and sandy silts. Boring No. B-3 encountered a stratum of dense silty sands at a depth of 14½ to 17± feet. Boring No. B-5 encountered a stratum of loose well-graded sands at a depth of 12 to 17± feet.

Groundwater

Free water was not encountered during the drilling of any of the borings. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed at a depth in excess of 30± feet at the time of the subsurface exploration.

As part of our research, we reviewed available groundwater data in order to determine groundwater levels for the site. Water level data was obtained from the California Department of Water Resources Water Data Library website, https://wdl.water.ca.gov/waterdatalibrary/. The nearest monitoring well on record (identified as State Well Number: 01S06W29H001S) is located 3,400± feet southeast of the project site. Water level readings within this monitoring well indicate a high groundwater level of 277± feet below the ground surface in April 2019.

Subsurface Exploration

Scope of Exploration

The subsurface exploration conducted for the infiltration testing consisted of six (6) infiltration test borings, advanced to depths of 10 to 12± feet below the existing site grades. The infiltration borings were advanced using a truck-mounted drilling rig, equipped with 8-inch-diameter hollow-stem augers and were logged during drilling by a member of our staff. The approximate locations of the infiltration test borings (identified as I-1 through I-6) are indicated on the Infiltration Test Location Plan, enclosed as Plate 2 of this report.

Upon the completion of the infiltration borings, the bottom of each test boring was covered with 2± inches of clean ¾-inch gravel. A sufficient length of 3-inch-diameter perforated PVC casing was then placed into each test hole so that the PVC casing extended from the bottom of the test hole to the ground surface. Clean ¾-inch gravel was then installed in the annulus surrounding the PVC casing.

Geotechnical Conditions

AC pavements were encountered at the ground surface of Infiltration Test Nos. I-1 through I-5. The pavement sections generally consist of 0 to 6± inches of AC, underlain by 0 to 9± inches of aggregate base. An 8±-inch-thick PCC section was encountered at the ground surface at Infiltration Test Nos. I-6. Steel reinforcement was not encountered at this location. Artificial fill soils were encountered beneath the existing pavements at all of the infiltration boring location, extending to depths of 3 to 4± feet below the existing site grades. The fill soils generally consist of medium dense to dense silty sands, with occasional loose sands. The fill soils possess a disturbed mottled appearance resulting in their classification as artificial fill. Native alluvial soils were encountered beneath the fill soils at all of the infiltration boring locations, extending to at least the maximum depth explored of 12± feet. The alluvium generally consists of loose sands, silty sands and silty sands to sandy silts, with occasional medium dense silty sands. The Boring Logs, which illustrate the conditions encountered at the boring locations, are included with this report.

Infiltration Testing

As previously mentioned, the infiltration testing was performed in general accordance with the guidelines published in Riverside County – Low Impact Development BMP Design Handbook – Section 2.3 of Appendix A, which apply to San Bernardino County.

Pre-soaking

In accordance with the county infiltration standards for sandy soils, all infiltration test borings were pre-soaked 2 hours prior to the infiltration testing or until all of the water had percolated through the test holes. The pre-soaking process consisted of filling test borings by inverting a full 5-gallon bottle of clear water supported over each hole so that the water flow into the hole holds constant at a level at least 5 times the hole's radius above the gravel at the bottom of each hole. Pre-soaking was completed after all of the water had percolated through the test holes.

Infiltration Testing

Following the pre-soaking process of the infiltration test borings, SCG performed the infiltration testing. Each test hole was filled with water to a depth of at least 5 times the hole's radius above the gravel at the bottom of the test holes. In accordance with the Riverside County guidelines, since "sandy soils" (where 6 inches of water infiltrated into the surrounding soils in less than 25 minutes for two consecutive readings) were encountered at the bottom of the infiltration test borings, readings were taken at 10-minute intervals for a total of 1 hour. After each reading, water was added to the borings so that the depth of the water was at least 5 times the radius of the hole. The water level readings are presented on the spreadsheets enclosed with this report. The infiltration rates for each of the timed intervals are also tabulated on the spreadsheets.

The infiltration rates from the tests are tabulated in inches per hour. In accordance with the typically accepted practice, it is recommended that the most conservative reading from the latter part of the infiltration tests be used as the design infiltration rate. The rates are summarized below:

Infiltration Test No.	Depth (feet)	Soil Description	Infiltration Rate (inches/hour)
I-1	10	Silty fine Sand, little medium Sand	3.9
I-2	12	Silty fine to medium Sand	3.0
I-3	12	Silty fine to medium Sand, trace coarse Sand	4.6
I-4	12	Silty fine Sand to fine Sandy Silt, trace medium Sand	3.1
I-5	10	Silty fine Sand, little medium Sand, trace fine Gravel	3.5
I-6	10	Silty fine Sand to fine Sandy Silt, trace medium Sand, trace fine Gravel	3.0

Laboratory Testing

Moisture Content

The moisture contents for the recovered soil samples within the borings were determined in accordance with ASTM D-2216 and are expressed as a percentage of the dry weight. These test results are presented on the Boring Logs.

Grain Size Analysis

The grain size distribution of selected soils collected from the base of each infiltration test boring have been determined using a range of wire mesh screens. These tests were performed in general accordance with ASTM D-422 and/or ASTM D-1140. The weight of the portion of the sample retained on each screen is recorded and the percentage finer or coarser of the total weight is calculated. The results of these tests are presented on Plates C-1 through C-6 of this report.

Design Recommendations

Six (6) infiltration tests were performed at the subject site. As noted above, the infiltration rates at these locations vary from 3.0 to 4.6 inches per hour. The major factor affecting the difference in infiltration rates at the infiltration test locations is the presence of silt in the soils at the tested depths. Based on the infiltration test results, we recommend an infiltration rate of 3.0 inches per hour be used in the design of the infiltration systems, if the bottom of the infiltration systems extend between 10 to 12± feet below the existing site grades.

The design of the storm water infiltration systems should be performed by the project civil engineer, in accordance with the City of Ontario and/or County of San Bernardino guidelines. It is recommended that the system be constructed so as to facilitate removal of silt and clay, or other deleterious materials from any water that may enter the systems. The presence of such materials would decrease the effective infiltration rates. It is recommended that the project civil engineer apply an appropriate factor of safety. The infiltration rates recommended above is based on the assumption that only clean water will be introduced to the subsurface profile. Any fines, debris, or organic materials could significantly impact the infiltration rate. It should be noted that the recommended infiltration rates are based on infiltration testing at six (6) discrete locations and that the overall infiltration rates of the proposed infiltration systems could vary considerably.

Infiltration Rate Considerations

The infiltration rates presented herein was determined in accordance with the San Bernardino County guidelines and are considered valid only for the time and place of the actual test. Varying subsurface conditions will exist in other areas of the site, which could alter the recommended infiltration rates presented above. The infiltration rates will decline over time between maintenance cycles as silt or clay particles accumulate on the BMP surface. The infiltration rate is highly dependent upon a number of factors, including density, silt and clay content, grainsize distribution throughout the range of particle sizes, and particle shape. Small changes in these factors can cause large changes in the infiltration rates.

Infiltration rates are based on unsaturated flow. As water is introduced into soils by infiltration, the soils become saturated and the wetting front advances from the unsaturated zone to the saturated zone. Once the soils become saturated, infiltration rates become zero, and water can only move through soils by hydraulic conductivity at a rate determined by pressure head and soil permeability. Changes in soil moisture content will affect the infiltration rate. Infiltration rates should be expected to decrease until the soils become saturated. Soil permeability values will then govern groundwater movement. Permeability values may be on the order of 10 to 20 times less than infiltration rates. The system designer should incorporate adequate factors of safety and allow for overflow design into appropriate traditional storm drain systems, which would transport storm water off-site.

Construction Considerations

The infiltration rates presented in this report are specific to the tested locations and tested depths. Infiltration rates can be significantly reduced if the soils are exposed to excessive disturbance or compaction during construction. Compaction of the soils at the bottom of the infiltration system can significantly reduce the infiltration ability of the basins. Therefore, the subgrade soils within proposed infiltration system areas should not be over-excavated, undercut or compacted in any significant manner. It is recommended that a note to this effect be added to the project plans and/or specifications.

We recommend that a representative from the geotechnical engineer be on-site during the construction of the proposed infiltration systems to identify the soil classification at the base of each system. It should be confirmed that the soils at the base of the proposed infiltration systems correspond with those presented in this report to ensure that the performance of the systems will be consistent with the rates reported herein.

We recommend that scrapers and other rubber-tired heavy equipment not be operated on the basin bottom, or at levels lower than 2 feet above the bottom of the system, particularly within basins. As such, the bottom 24 inches of the infiltration systems should be excavated with non-rubber-tired equipment, such as excavators.

Basin Maintenance

The proposed project may include infiltration basins. Water flowing into these basins will carry some level of sediment. Wind-blown sediments and erosion of the basin side walls will also contribute to sediment deposition at the bottom of the basin. This layer has the potential to significantly reduce the infiltration rate of the basin subgrade soils. Therefore, a formal basin maintenance program should be established to ensure that these silt and clay deposits are removed from the basin on a regular basis. Appropriate vegetation on the basin sidewalls and bottom may reduce erosion and sediment deposition.

Basin maintenance should also include measures to prevent animal burrows, and to repair any burrows or damage caused by such. Animal burrows in the basin sidewalls can significantly increase the risk of erosion and piping failures.

Location of Infiltration Systems

The use of on-site storm water infiltration systems carries a risk of creating adverse geotechnical conditions. Increasing the moisture content of the soil can cause the soil to lose internal shear strength and increase its compressibility, resulting in a change in the designed engineering properties. Overlying structures and pavements in the infiltration area could potentially be damaged due to saturation of the subgrade soils. The proposed infiltration systems for this site should be located at least 25 feet away from any structures, including retaining walls. Even with this provision of locating the infiltration system at least 25 feet from the building(s), it is possible that infiltrating water into the subsurface soils could have an adverse effect on the proposed or existing structures. It should also be noted that utility trenches which happen to collect storm water can also serve as conduits to transmit storm water toward the structure, depending on the slope of the utility trench. Therefore, consideration should also be given to the proposed locations of underground utilities which may pass near the proposed infiltration system.

The infiltration system designer should also give special consideration to the effect that the proposed infiltration systems may have on nearby subterranean structures, open excavations, or descending slopes. In particular, infiltration systems should not be located near the crest of descending slopes, particularly where the slopes are comprised of granular soils. Such systems will require specialized design and analysis to evaluate the potential for slope instability, piping failures and other phenomena that typically apply to earthen dam design. This type of analysis is beyond the scope of this infiltration test report, but these factors should be considered by the infiltration system designer when locating the infiltration systems.

General Comments

This report has been prepared as an instrument of service for use by the client in order to aid in the evaluation of this property and to assist the architects and engineers in the design and preparation of the project plans and specifications. This report may be provided to the contractor(s) and other design consultants to disclose information relative to the project. However, this report is not intended to be utilized as a specification in and of itself, without appropriate interpretation by the project architect, structural engineer, and/or civil engineer. The design of the proposed storm water infiltration system is the responsibility of the civil engineer. The role of the geotechnical engineer is limited to determination of infiltration rate only. By using the design infiltration rate contained herein, the civil engineer agrees to indemnify, defend, and hold harmless the geotechnical engineer for all aspects of the design and performance of the proposed storm water infiltration system. The reproduction and distribution of this report must be authorized by the client and Southern California Geotechnical, Inc. Furthermore, any reliance on this report by an unauthorized third party is at such party's sole risk, and we accept no responsibility for damage or loss which may occur.

The analysis of this site was based on a subsurface profile interpolated from limited discrete soil samples. While the materials encountered in the project area are considered to be representative of the total area, some variations should be expected between boring locations and testing depths. If the conditions encountered during construction vary significantly from those detailed herein, we should be contacted immediately to determine if the conditions alter the recommendations contained herein.

This report has been based on assumed or provided characteristics of the proposed development. It is recommended that the owner, client, architect, structural engineer, and civil engineer carefully review these assumptions to ensure that they are consistent with the characteristics of the proposed development. If discrepancies exist, they should be brought to our attention to verify that they do not affect the conclusions and recommendations contained herein. We also recommend that the project plans and specifications be submitted to our office for review to verify that our recommendations have been correctly interpreted. The analysis, conclusions, and recommendations contained within this report have been promulgated in accordance with generally accepted professional geotechnical engineering practice. No other warranty is implied or expressed.

Closure

We sincerely appreciate the opportunity to be of service on this project. We look forward to providing additional consulting services during the course of the project. If we may be of further assistance in any manner, please contact our office.

Respectfully Submitted,

SOUTHERN CALIFORNIA GEOTECHNICAL, INC.

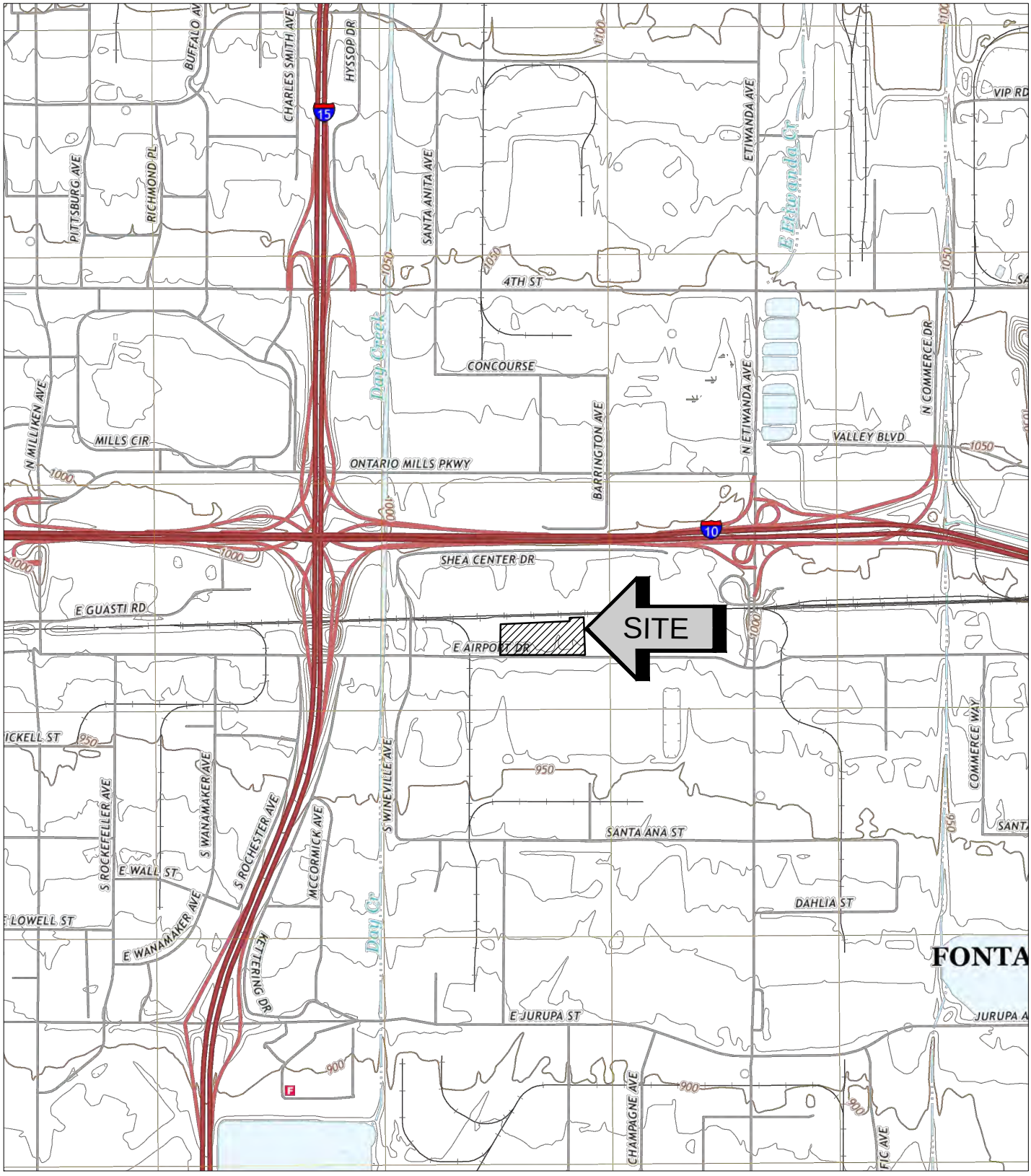
Joseph Lozano Leon
Staff Engineer

Robert G. Trazo, GE 2655
Principal Engineer



Distribution: (1) Addressee

Enclosures: Plate 1 - Site Location Map
Plate 2 - Infiltration Test Location Plan
Boring Log Legend and Logs (8 pages)
Infiltration Test Results Spreadsheets (6 pages)
Grain Size Distribution Graphs (6 pages)



SOURCE: USGS TOPOGRAPHIC MAP OF THE GUASTI QUADRANGLE, SAN BERNARDINO COUNTY, CALIFORNIA, 2021.

SITE LOCATION MAP

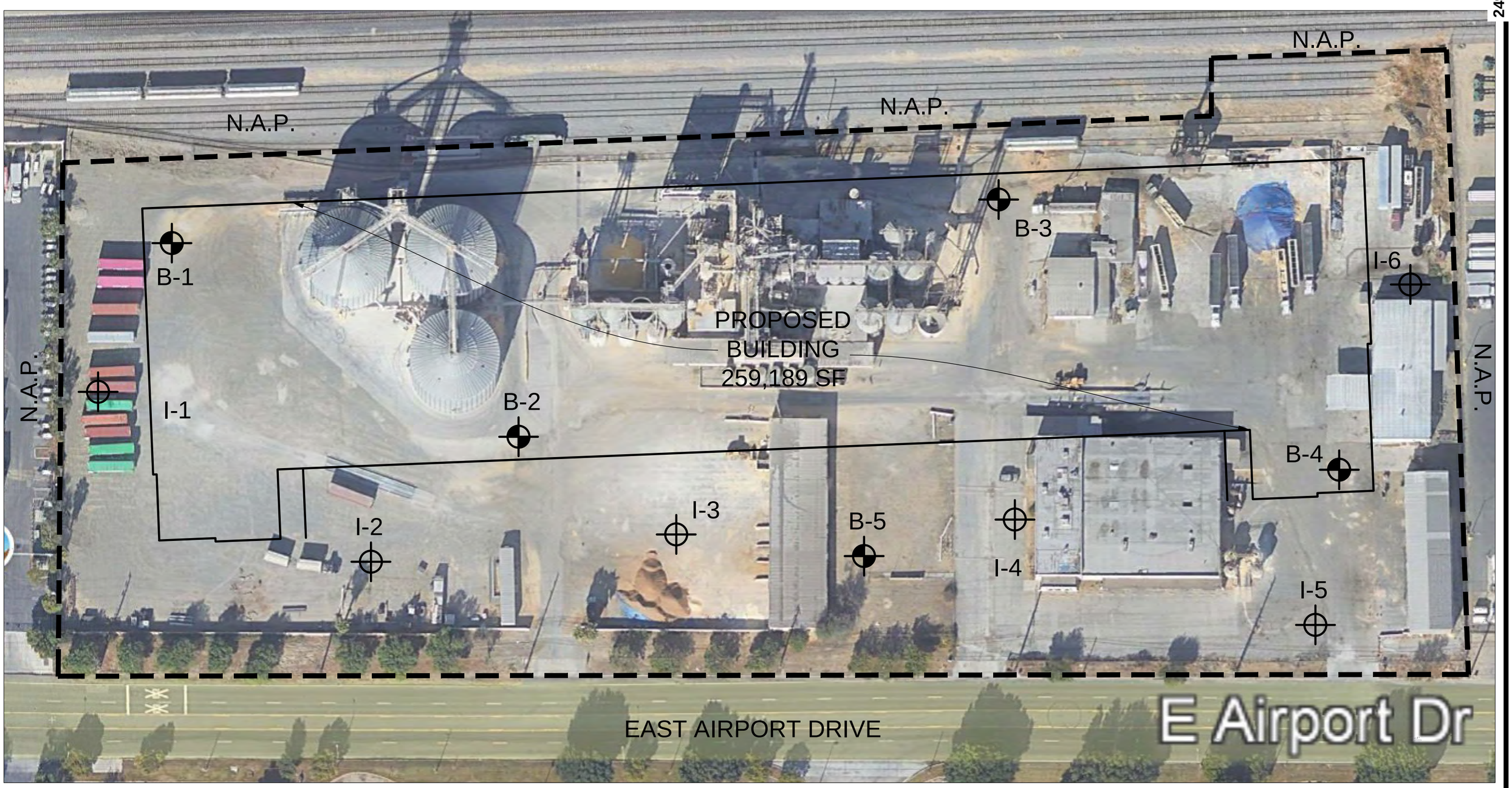
PROPOSED WAREHOUSE

ONTARIO, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: JLL CHKD: RGT	
SCG PROJECT 22G128-2	
PLATE 1	

SoCalGeo

SOUTHERN CALIFORNIA GEOTECHNICAL



GEOTECHNICAL LEGEND

- APPROXIMATE INFILTRATION TEST LOCATION
- APPROXIMATE BORING LOCATION FROM CONCURRENT STUDY (SCG PROJECT NO. 22G128-1)
- PROPERTY LINE

NORTH

SoCalGeo

NOTE: PRELIMINARY SITE PLAN PREPARED BY RGA.
AERIAL PHOTOGRAPH OBTAINED FROM GOOGLE EARTH.

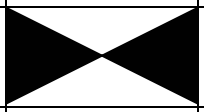
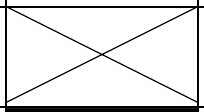
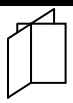
INFILTRATION TEST LOCATION PLAN

PROPOSED WAREHOUSE

ONTARIO, CALIFORNIA

SCALE: 1" = 80'	SoCalGeo SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: JLL CHKD: RGT	
SCG PROJECT 22G128-2	
PLATE 2	

BORING LOG LEGEND

SAMPLE TYPE	GRAPHICAL SYMBOL	SAMPLE DESCRIPTION
AUGER		SAMPLE COLLECTED FROM AUGER CUTTINGS, NO FIELD MEASUREMENT OF SOIL STRENGTH. (DISTURBED)
CORE		ROCK CORE SAMPLE: TYPICALLY TAKEN WITH A DIAMOND-TIPPED CORE BARREL. TYPICALLY USED ONLY IN HIGHLY CONSOLIDATED BEDROCK.
GRAB		SOIL SAMPLE TAKEN WITH NO SPECIALIZED EQUIPMENT, SUCH AS FROM A STOCKPILE OR THE GROUND SURFACE. (DISTURBED)
CS		CALIFORNIA SAMPLER: 2-1/2 INCH I.D. SPLIT BARREL SAMPLER, LINED WITH 1-INCH HIGH BRASS RINGS. DRIVEN WITH SPT HAMMER. (RELATIVELY UNDISTURBED)
NSR		NO RECOVERY: THE SAMPLING ATTEMPT DID NOT RESULT IN RECOVERY OF ANY SIGNIFICANT SOIL OR ROCK MATERIAL.
SPT		STANDARD PENETRATION TEST: SAMPLER IS A 1.4 INCH INSIDE DIAMETER SPLIT BARREL, DRIVEN 18 INCHES WITH THE SPT HAMMER. (DISTURBED)
SH		SHELBY TUBE: TAKEN WITH A THIN WALL SAMPLE TUBE, PUSHED INTO THE SOIL AND THEN EXTRACTED. (UNDISTURBED)
VANE		VANE SHEAR TEST: SOIL STRENGTH OBTAINED USING A 4 BLADED SHEAR DEVICE. TYPICALLY USED IN SOFT CLAYS-NO SAMPLE RECOVERED.

COLUMN DESCRIPTIONS

DEPTH: Distance in feet below the ground surface.

SAMPLE: Sample Type as depicted above.

BLOW COUNT: Number of blows required to advance the sampler 12 inches using a 140 lb hammer with a 30-inch drop. 50/3" indicates penetration refusal (>50 blows) at 3 inches. WH indicates that the weight of the hammer was sufficient to push the sampler 6 inches or more.

POCKET PEN.: Approximate shear strength of a cohesive soil sample as measured by pocket penetrometer.

GRAPHIC LOG: Graphic Soil Symbol as depicted on the following page.

DRY DENSITY: Dry density of an undisturbed or relatively undisturbed sample in lbs/ft^3.

MOISTURE CONTENT: Moisture content of a soil sample, expressed as a percentage of the dry weight.

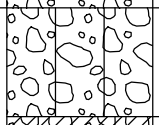
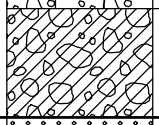
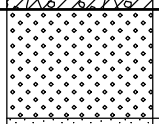
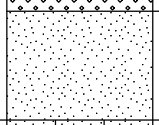
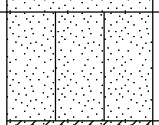
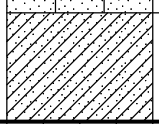
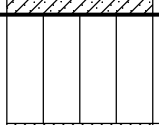
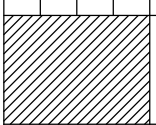
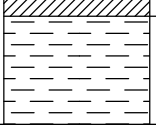
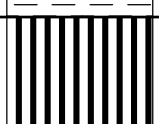
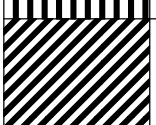
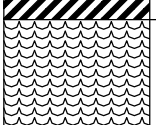
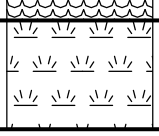
LIQUID LIMIT: The moisture content above which a soil behaves as a liquid.

PLASTIC LIMIT: The moisture content above which a soil behaves as a plastic.

PASSING #200 SIEVE: The percentage of the sample finer than the #200 standard sieve.

UNCONFINED SHEAR: The shear strength of a cohesive soil sample, as measured in the unconfined state.

SOIL CLASSIFICATION CHART

MAJOR DIVISIONS			SYMBOLS		TYPICAL DESCRIPTIONS
			GRAPH	LETTER	
COARSE GRAINED SOILS MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVEL AND GRAVELLY SOILS MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE	CLEAN GRAVELS (LITTLE OR NO FINES)		GW	WELL-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES
				GP	POORLY-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES
		GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)		GM	SILTY GRAVELS, GRAVEL - SAND - SILT MIXTURES
				GC	CLAYEY GRAVELS, GRAVEL - SAND - CLAY MIXTURES
	SAND AND SANDY SOILS MORE THAN 50% OF COARSE FRACTION PASSING ON NO. 4 SIEVE	CLEAN SANDS (LITTLE OR NO FINES)		SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES
				SP	POORLY-GRADED SANDS, GRAVELLY SAND, LITTLE OR NO FINES
		SANDS WITH FINES (APPRECIABLE AMOUNT OF FINES)		SM	SILTY SANDS, SAND - SILT MIXTURES
				SC	CLAYEY SANDS, SAND - CLAY MIXTURES
FINE GRAINED SOILS MORE THAN 50% OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYS	LIQUID LIMIT LESS THAN 50		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
				CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
				OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
	SILTS AND CLAYS	LIQUID LIMIT GREATER THAN 50		MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILTY SOILS
				CH	INORGANIC CLAYS OF HIGH PLASTICITY
				OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
HIGHLY ORGANIC SOILS				PT	PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS

NOTE: DUAL SYMBOLS ARE USED TO INDICATE BORDERLINE SOIL CLASSIFICATIONS

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-1

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					8± inches Aggregate Base							
		26			FILL: Gray Brown Silty fine to coarse Sand, little fine Gravel, medium dense-moist		10					
					ALLUVIUM: Light Brown to Brown Silty fine Sand, loose-damp							
5		7					4					
		9			@ 8½ feet, little medium Sand		5			31		
10					Boring Terminated at 10'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-1

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-2

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					5½± inches Aggregate Base							
		30			FILL: Brown Silty fine Sand, little medium Sand, trace coarse Sand, trace fine Gravel, dense-dry to damp		2					
5		4			ALLUVIUM: Gray Brown Silty fine Sand, little medium Sand, trace coarse Sand, loose-damp		6					
		6			Brown Silty fine Sand, trace medium Sand, loose-damp to moist		7					
10		23			Brown Silty fine to medium Sand, medium dense-moist		8			33		
					Boring Terminated at 12'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-2

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-3

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					6± inches Asphaltic Concrete							
		8			FILL: Brown fine to medium Sand, little Silt, loose-damp to moist		7					
		4			ALLUVIUM: Brown fine to medium Sand, little Silt, loose-damp		5					
5		7					5					
10		6			Brown to Dark Brown Silty fine to medium Sand, trace coarse Sand, loose-damp to moist		7			20		
					Boring Terminated at 12'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-3
2496

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-4

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					3± inches Asphaltic Concrete, 9± inches of Aggregate Base							
		19			FILL: Gray Brown Silty fine to medium Sand, trace coarse Sand, medium dense-damp		5					
		4			ALLUVIUM: Gray Brown Silty fine Sand, little medium Sand, loose, damp to moist		7					
5												
		9					7					
10					Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand, loose-very moist							
		6					13			52		
					Boring Terminated at 12'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-4

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-5

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					2½± inches Asphaltic Concrete, 3½± inches of Aggregate Base							
		12			FILL: Brown Silty fine Sand, trace to little medium Sand, trace coarse Sand, medium dense-moist		8					
5		4			ALLUVIUM: Brown Silty fine Sand, trace to little medium Sand, loose-damp		6					
		9			Gray Brown to Dark Gray Brown Silty fine Sand to fine Sandy Silt, loose-very moist		14					
10					Gray Brown Silty fine Sand, little medium Sand, trace fine Gravel, loose-moist		9			24		
					Boring Terminated at 10'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-5

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-6

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					8± inches Portland Cement Concrete							
		43			FILL: Gray Brown Silty fine Sand, little medium Sand, trace coarse Sand, dense-moist		9					
5		8			ALLUVIUM: Gray Brown Silty fine Sand, trace medium Sand, loose-moist		9					
		6			Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand, trace fine Gravel, loose-very moist		14			43		
10					Boring Terminated at 10'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-6

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Caleb Brackett

Test Hole Radius	4	(in)
Test Depth	10.20	(ft)

Infiltration Test Hole: I-1

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	8:28 AM	25.00	8.10	24.00	YES	SANDY SOILS
	Final	8:53 AM		10.10			
2	Initial	8:55 AM	25.00	8.10	24.00	YES	SANDY SOILS
	Final	9:20 AM		10.10			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	9:21 AM	10.00	8.20	0.80	1.60	5.43
	Final	9:31 AM		9.00			
2	Initial	9:31 AM	10.00	8.20	0.70	1.65	4.62
	Final	9:41 AM		8.90			
3	Initial	9:41 AM	10.00	8.20	0.60	1.70	3.86
	Final	9:51 AM		8.80			
4	Initial	9:51 AM	10.00	8.30	0.60	1.60	4.08
	Final	10:01 AM		8.90			
5	Initial	10:01 AM	10.00	8.20	0.60	1.70	3.86
	Final	10:11 AM		8.80			
6	Initial	10:11 AM	10.00	8.20	0.60	1.70	3.86
	Final	10:21 AM		8.80			
7	Initial	10:21 AM	10.00	8.20	0.60	1.70	3.86
	Final	10:31 AM		8.80			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Caleb Brackett

Test Hole Radius	4	(in)
Test Depth	12.00	(ft)

Infiltration Test Hole: I-2

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:07 AM	25.00	9.00	24.00	YES	SANDY SOILS
	Final	7:32 AM		11.00			
2	Initial	7:33 AM	25.00	9.00	22.80	YES	SANDY SOILS
	Final	7:58 AM		10.90			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	7:58 AM	10.00	9.00	0.80	2.60	3.47
	Final	8:08 AM		9.80			
2	Initial	8:09 AM	10.00	9.00	0.80	2.60	3.47
	Final	8:19 AM		9.80			
3	Initial	8:20 AM	10.00	9.00	0.70	2.65	2.98
	Final	8:30 AM		9.70			
4	Initial	8:30 AM	10.00	9.00	0.80	2.60	3.47
	Final	8:40 AM		9.80			
5	Initial	8:40 AM	10.00	9.00	0.70	2.65	2.98
	Final	8:50 AM		9.70			
6	Initial	8:50 AM	10.00	9.00	0.70	2.65	2.98
	Final	9:00 AM		9.70			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	12.40	(ft)

Infiltration Test Hole: I-3

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	10:15 AM	25.00	10.40	24.00	YES	SANDY SOILS
	Final	10:40 AM		12.40			
2	Initial	10:42 AM	25.00	10.40	24.00	YES	SANDY SOILS
	Final	11:07 AM		12.40			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	11:08 AM	10.00	10.40	0.80	1.60	5.43
	Final	11:18 AM		11.20			
2	Initial	11:20 AM	10.00	10.40	0.90	1.55	6.29
	Final	11:30 AM		11.30			
3	Initial	11:31 AM	10.00	10.40	0.80	1.60	5.43
	Final	11:41 AM		11.20			
4	Initial	11:42 AM	10.00	10.40	0.80	1.60	5.43
	Final	11:52 AM		11.20			
5	Initial	11:55 AM	10.00	10.40	0.70	1.65	4.62
	Final	12:05 PM		11.10			
6	Initial	12:06 PM	10.00	10.40	0.70	1.65	4.62
	Final	12:16 PM		11.10			
7	Initial	12:18 PM	10.00	10.40	0.70	1.65	4.62
	Final	12:28 PM		11.10			
8	Initial	12:29 PM	10.00	10.40	0.70	1.65	4.62
	Final	12:39 PM		11.10			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	11.70	(ft)

Infiltration Test Hole: I-4

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:56 AM	25.00	10.00	20.40	YES	SANDY SOILS
	Final	8:21 AM		11.70			
2	Initial	8:22 AM	25.00	10.00	20.40	YES	SANDY SOILS
	Final	8:47 AM		11.70			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	8:48 AM	10.00	10.30	0.50	1.15	4.56
	Final	8:58 AM		10.80			
2	Initial	8:59 AM	10.00	10.30	0.40	1.20	3.51
	Final	9:09 AM		10.70			
3	Initial	9:10 AM	10.00	10.30	0.30	1.25	2.54
	Final	9:20 AM		10.60			
4	Initial	9:20 AM	10.00	10.30	0.20	1.30	1.64
	Final	9:30 AM		10.50			
5	Initial	9:31 AM	10.00	10.10	0.50	1.35	3.96
	Final	9:41 AM		10.60			
6	Initial	9:42 AM	10.00	10.10	0.40	1.40	3.06
	Final	9:52 AM		10.50			
7	Initial	9:24 AM	10.00	10.10	0.40	1.40	3.06
	Final	9:34 AM		10.50			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	10.20	(ft)

Infiltration Test Hole: I-5

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:42 AM	25.00	8.10	20.40	YES	SANDY SOILS
	Final	8:07 AM		9.80			
2	Initial	8:08 AM	25.00	8.10	21.60	YES	SANDY SOILS
	Final	8:33 AM		9.90			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	8:35 AM	10.00	8.30	0.80	1.50	5.76
	Final	8:45 AM		9.10			
2	Initial	8:46 AM	10.00	8.80	0.60	1.10	5.68
	Final	8:56 AM		9.40			
3	Initial	8:57 AM	10.00	8.80	0.50	1.15	4.56
	Final	9:07 AM		9.30			
4	Initial	9:08 AM	10.00	8.80	0.50	1.15	4.56
	Final	9:18 AM		9.30			
5	Initial	9:19 AM	10.00	8.80	0.40	1.20	3.51
	Final	9:29 AM		9.20			
6	Initial	9:30 AM	10.00	8.80	0.40	1.20	3.51
	Final	9:40 AM		9.20			
7	Initial	9:42 AM	10.00	8.80	0.40	1.20	3.51
	Final	9:52 AM		9.20			
8	Initial	9:53 AM	10.00	8.80	0.40	1.20	3.51
	Final	10:03 AM		9.20			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	10.20	(ft)

Infiltration Test Hole: I-6

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:49 AM	25.00	8.10	19.20	YES	SANDY SOILS
	Final	8:14 AM		9.70			
2	Initial	8:15 AM	25.00	8.10	20.40	YES	SANDY SOILS
	Final	8:40 AM		9.80			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	10:17 AM	10.00	8.10	0.60	1.80	3.66
	Final	10:27 AM		8.70			
2	Initial	10:28 AM	10.00	8.10	0.70	1.75	4.38
	Final	10:38 AM		8.80			
3	Initial	10:39 AM	10.00	8.10	0.50	1.85	2.98
	Final	10:49 AM		8.60			
4	Initial	10:50 AM	10.00	8.10	0.60	1.80	3.66
	Final	11:00 AM		8.70			
5	Initial	11:05 AM	10.00	8.10	0.50	1.85	2.98
	Final	11:15 AM		8.60			
6	Initial	11:16 AM	10.00	8.10	0.50	1.85	2.98
	Final	11:26 AM		8.60			
7	Initial	11:27 AM	10.00	8.10	0.50	1.85	2.98
	Final	11:37 AM		8.60			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

Grain Size Distribution



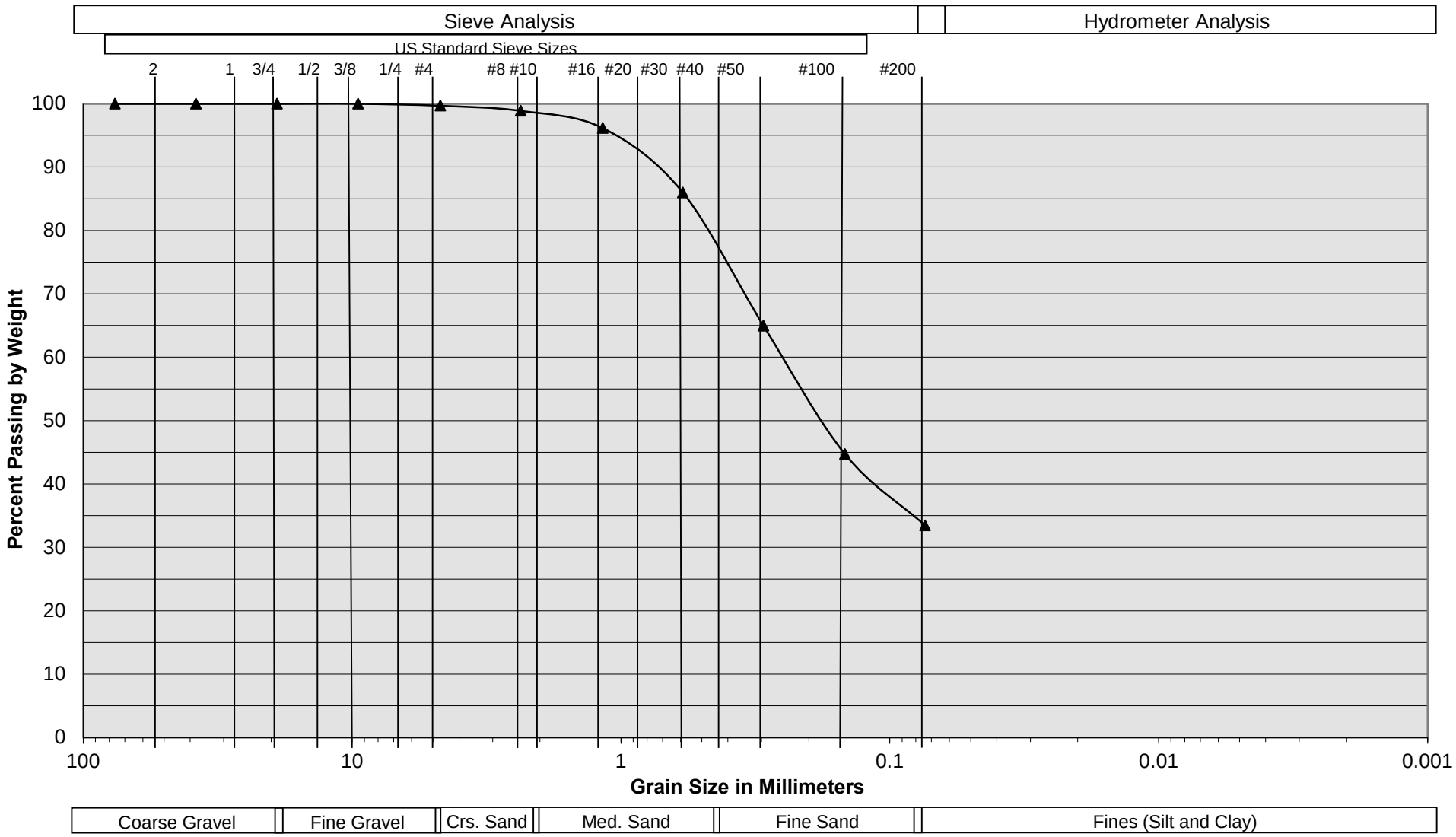
Sample Description	I-1 @ 8½'
Soil Classification	Light Brown to Brown Silty fine Sand, little medium Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 1

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

2506

Grain Size Distribution



Sample Description	I-2 @ 10½'
Soil Classification	Brown Silty fine to medium Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 2

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

2507

Grain Size Distribution

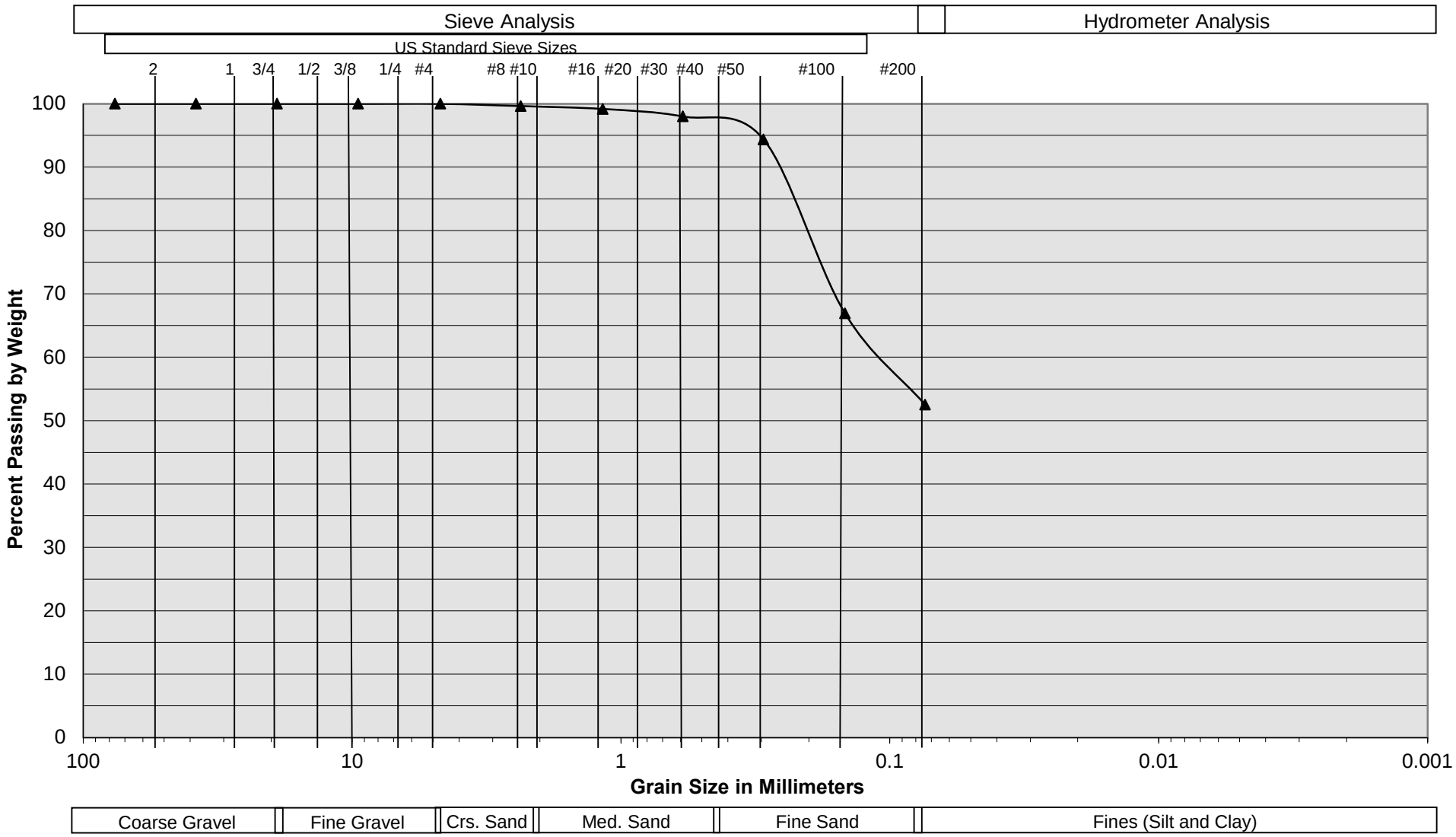


Sample Description	I-3 @ 10½'
Soil Classification	Brown to Dark Brown Silty fine to medium Sand, trace coarse Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 3

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Grain Size Distribution

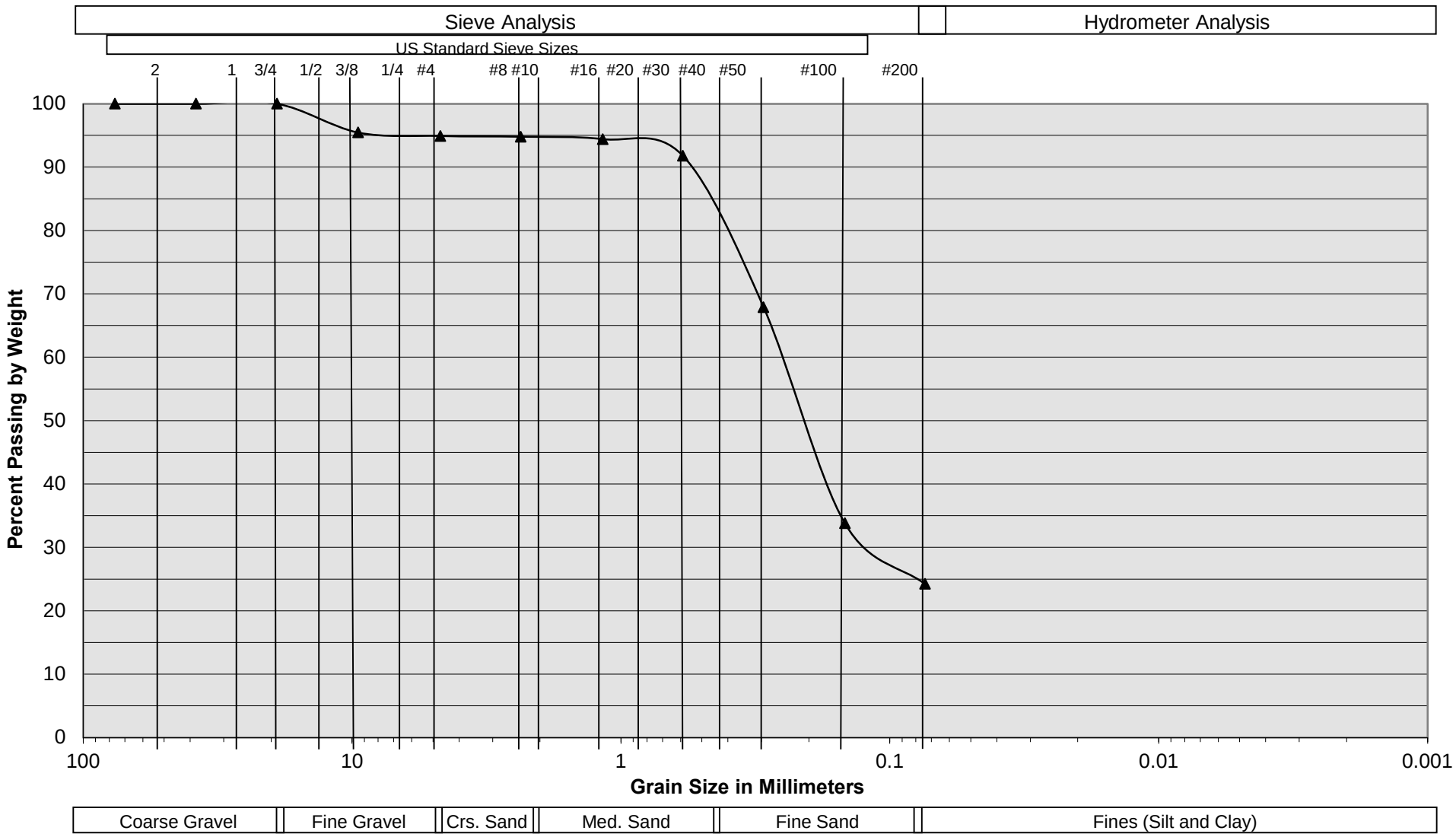


Sample Description	I-4 @ 10½'
Soil Classification	Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 4

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Grain Size Distribution



Sample Description	I-5 @ 9½'
Soil Classification	Gray Brown Silty fine Sand, little medium Sand, trace fine Gravel

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 5

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Grain Size Distribution



Sample Description	I-6 @ 8½'
Soil Classification	Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand, trace fine Gravel

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 6

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Preliminary Water Quality Management Plan (PWQMP)

For compliance with Santa Ana Regional Water Quality Control Board

Order Number R8-2010-0036 (NPDES Permit No. CAS618036)

for

Project Name:	**5355 Airport Drive**
Ontario Project #:	
Project Description:	**Proposed Industrial Building**
Applicant Name:	**Prologis (John Carter)**
Applicant Address:	**3546 Concours St. #100, Ontario Ca 91764**
Project Address:	**5355 E. Airport Dr. Ontario, CA 91761**
Size of Development:	**12.85 Acres**

Submittal Date: March 2022

Preliminary Water Quality Management Plan (PWQMP)

1. Introduction

The Preliminary Water Quality Management Plan (PWQMP) is a planning tool to improve integration of required water quality elements, stormwater management, water conservation, rainwater harvesting and re-use, and flood management in land use planning and the City's development process. The Preliminary WQMP will assist project applicants and planners in properly designing and laying out project sites so that water quality may be incorporated in the most effective manner and at the lowest cost for the developer.

The San Bernardino County Municipal Separate Storm Sewer System Permit (MS4 Permit) requires project-specific Water Quality Management plans (WQMP) to be prepared for all priority new development and significant redevelopment projects listed in Section 2 of this document. The MS4 Permit stipulates that the City of Ontario require priority project applicants to submit a Preliminary project-specific WQMP, as early as possible, during the environmental review or planning phase of a development project and that the Preliminary WQMP be approved prior to the issuance of land use entitlement.

2. Priority Projects (requiring a Preliminary WQMP)

Land Use entitlement shall not be issued for any of the listed projects, below, until a Preliminary WQMP has been approved by the City's Engineering Department. For construction projects not going through entitlement, a Preliminary and Final project-specific WQMP shall be approved, prior to the issuance of construction permits:

Check the appropriate project category below, for this project:

Check below	**Project Categories**
	1. All significant re-development projects. Significant re-development is defined as the addition or replacement of 5,000 or more square feet of impervious surface on an already developed site subject to discretionary approval of the Permittee. Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of the facility, or emergency redevelopment activity required to protect public health and safety. Where redevelopment results in an increase of less than fifty percent of the impervious surfaces of a previously existing developed site, and the existing development was not subject to WQMP requirements, the numeric sizing criteria discussed below applies only to the addition or replacement, and not to the entire developed site. Where redevelopment results in an increase of fifty percent or more of the impervious surfaces of a previously existing developed site, the numeric sizing criteria applies to the entire development (new and existing).

Check below	Project Categories
✓	2. New development projects that create 10,000 square feet or more of impervious surface (collectively over the entire project site) including commercial, industrial, residential housing subdivisions (i.e., detached single family home subdivisions, multi-family attached subdivisions or townhomes, condominiums, apartments, etc.), mixed-use, and public projects. This category includes development projects on public and private land, which fall under the planning and building authority of the permitting agency.
	3. Automotive repair shops (with SIC codes 5013, 5014, 5541, 7532- 7534, 7536-7539).
	4. Restaurants and Food Service Establishments where the land area of development is 5,000 square feet or more.
	5. Developments of 2,500 square feet of impervious surface or more adjacent to (within 200 feet) or discharging directly into environmentally sensitive areas (ESA's) such as areas designated in the Ocean Plan as areas of special biological significance or waterbodies listed on the CWA Section 303(d) list of impaired waters.
✓	6. Parking lots of 5,000 square feet or more exposed to storm water. Parking lot is defined as land area or facility for the temporary storage of motor vehicles.
	7. Retail Gasoline Outlets (RGOs) that are either 5,000 sq ft or more, or have a projected average daily traffic of 100 or more vehicles per day.
	8. *This project is not covered under any of the categories listed above.

* If the development is not covered under any of the project categories listed in Section 2, the project is not required to design and install Site Design/LID BMPs or Treatment Control BMPs to treat the design storm event (Design Capture Volume) described in Section 4.

3. Preliminary WQMP Objectives

Through a combination of Site Design/LID BMPs (where feasible), Source Control, and/or Treatment Control BMPs, project-specific WQMPs shall address all identified pollutants and hydrologic conditions of concern from new development and significant re-development projects for the categories of projects (priority projects) listed in Section 2. Under each type of BMP, listed below, please indicate which BMPs are planned to be implemented and included in the Final WQMP for the project:

A. Site Design/LID (Low Impact Design) for Reducing Stormwater Runoff:

The MS4 Permit requires each priority development project to infiltrate, harvest and use, evapotranspire, or bio-treat the runoff from a 2-yr, 24-hour storm event (Design Capture Volume). If site conditions do not permit infiltration, harvest and use, evapotranspiration, and/or bio-treatment of the entire Design Capture Volume, at the project site, Site Design/LID techniques are required to be implemented to the Maximum Extent Practicable, at the project site, and the remainder of the DCV shall be infiltrated, harvested, bio-treated or treated by alternative measures.

Project applicants shall submit a Preliminary WQMP that documents the LID/Site Design BMPs, proposed for the project. Please indicate, in the table below, which Site Design/LID BMPs will be utilized on this project to accomplish this requirement:

Site Design/LID Practice	Planned	Not Planned
Provide at least the minimum effective area required for LID BMPs, to comply with the WQMP (see Table 3-1 below).	✓	
Grade parking lot areas/drive aisles/roof drains to sheet flow runoff into landscaped swales, via curb cuts or zero-face curbs or otherwise disconnect direct drainage from MS4.		✓
Design landscaped areas as swales and grade to accept runoff from building roofs, parking lots and project roadways.		✓
Install surface retention basins or infiltration trenches to receive impervious area runoff.		✓
Install pervious pavement in parking stalls, alleys, driveways, gutters, walkways, trails or patios.		✓
Install underground stormwater retention chambers where downstream landscaped areas are limited.	✓	
Install approved Stormwater Drywells in detention areas.		✓
Construct streets, sidewalks, and parking lot stalls to the minimum widths necessary.	✓	
Install on-site Biotreatment basins/trenches with underdrains, where soil type is poorly draining.		✓
Install “Engineered Soil” to increase uptake/soil storage capacity and/or evapotranspiration.		✓
Install Rainwater Harvesting/Use Equipment.		✓
Utilize approved off-site retention/infiltration, biotreatment or proprietary treatment, where it is infeasible to install, on-site.		✓

Table 3-1 Minimum Effective Area[1] Required for LID BMPs (surface + subsurface facilities) for Project WQMP to Demonstrate Infeasibility[2] (% of site)

Project Type	New Development	Re-Development
SF/MF Residential < 7 du/ac	10%	5%
SF/MF Residential < 7 - 18 du/ac	7%	3.5%
SF/MF Residential > 18 du/ac	5%	2.5%
Mixed Use, Commercial/Industrial w/FAR< 1.0	10%	5%

Mixed Use, Commercial/Industrial w/FAR 1.0-2.0	7%	3.5%
Mixed Use, Commercial/Industrial w/FAR> 2.0	5%	2.5%
Podium (parking under > 75% of project)	3%	1.5%
Zoning allowing development to property lines	2%	1%
Transit Oriented Development[3]	5%	2.5%
Parking	5%	2.5%

[1] "Effective area" is defined as land area which 1) is suitable for a retention/infiltration BMP (based on infeasibility criteria) and 2) is located down-gradient from building roof or paved areas, so that it may receive gravity flow runoff.

[2] Criteria only required if the project WQMP seeks to demonstrate that the full DCV cannot be feasibly managed on-site.

[3] Transit oriented development is defined as a project with development center within one half mile of a mass transit center.

Key: du/ac = dwelling units/acre, FAR = Floor Area Ratio = ratio of gross floor area of building to gross lot area, MF = Multi Family, SF = Single Family

B. Source Control BMPs – The following BMPs are designed to control stormwater pollutants and runoff water at the location where it is generated. Please indicate which of the listed BMPs are planned to be implemented for the project:

Source Control BMPs	Planned	Not Planned
Minimize non-stormwater site runoff through efficient irrigation system design and controllers.	✓	
Minimize trash and debris in storm runoff through a regular parking lot, storage yard and roadway sweeping program.	✓	
Provide proper covers/roofs and secondary containment for outside material storage & work areas.	✓	
Provide solid roofs over all trash enclosures.	✓	
Site Owner(s)/Property Manager/HOA or POA will be familiar with the project WQMP and stormwater BMPs.	✓	
Owner or HOA or POA to provide Education/Training of site occupants and employees on stormwater BMPs.	✓	
Install stormwater placards/stenciled messages with a "No Dumping" message on all on-site/off-site storm drain inlets.	✓	
Provide contained equipment/vehicle wash rack areas that discharge to sanitary sewer.		✓

C. Treatment Control BMPs – The following BMPs are designed to control stormwater pollutants where it is not feasible to install on-site Site Design/LID BMPs, with the requisite capacity to treat the Design Capture Volume for identified Pollutants of Concern or where pretreatment of stormwater runoff is required, ahead of infiltration BMPs. Please indicate which of the listed BMPs are planned to be implemented for the project:

Treatment Control BMP	Planned	Not Planned
Gravity Separator devices for pretreatment of sediment, trash/litter or Oil & Grease	✓	
Proprietary Biofiltration vaults/devices		✓
Media Cartridge Filtration Vaults		✓
Proprietary Filter Inserts for on-site storm drain inlets or retention basin/trench overflow drains	✓	
Regional Treatment facilities are installed or are planned for installation, off-site, and provide a superior level of treatment or clear advantage to on-site treatment BMPs		✓

4. Volume-based calculation (approximate) for sizing on-site or off-site Stormwater Retention/Infiltration, Harvest & Re-Use or Biotreatment facilities

1) Calculate the "Watershed Imperviousness Ratio", i, which is equal to the percent of impervious area in the BMP Drainage Area divided by 100.

2) Calculate the composite runoff coefficient C_{BMP} for the Drainage Area above using the following equation:

$$\mathbf{C_{BMP} = 0.858i^3 - 0.78i^2 + 0.774i + 0.04}$$

where: $\mathbf{C_{BMP}}$ = composite runoff coefficient; and,

i = watershed imperviousness ratio.

3) Determine the area-averaged "6-hour Mean Storm Rainfall", P_6, for the Drainage Area. This is calculated by multiplying the area averaged 2-year 1-hour value (0.55"-0.6") by the appropriate regression coefficient from Table 1 (1.4807). The 2-yr, 1-hr value for southern Ontario is approximately to 0.5" (P_6 = 0.5*1.4807 = 0.74 and northern Ontario is approximately 0.6" in/hr (P_6 = 0.6*1.4807 = 0.89).

4) Determine the appropriate drawdown time. Use the regression constant a = 1.582 for 24 hours and a = 1.963 for 48 hours. *Note: Regression constants are provided for both 24 hour and 48 hour drawdown times; however, 48 hour drawdown times should be used in most areas of California. Drawdown times in excess of 48 hours should be used with caution as vector breeding can be a problem after water has stood in excess of 72 hours. (Use of the 24 hour drawdown time should be limited to drainage areas with coarse soils (Class 'A' soils, that readily drain.)*

5) Calculate the "Maximized Detention Volume", P_0, using the following equation:

$$\mathbf{P_0 = a \cdot C_{BMP} \cdot P_6}$$

where: $\mathbf{P_0}$ = Maximized Detention Volume, in inches

a = 1.582 for 24 hour and a = 1.963 for 48 hour drawdown,

C_{BMP} = composite runoff coefficient; and,

P_6 = 6-hour Mean Storm Rainfall, in inches

6) Calculate the "Target Capture Volume", V_0, using the following equation:

$$\mathbf{V_0 = (P_0 \cdot A) / 12}$$

where: **V_0** = Target Capture Volume, in acre-feet

P_0 = Maximized Detention Volume, in inches; and,

A = BMP Drainage Area, in acres

Project Volume-based calculation (approximate) for planned on-site or off-site Stormwater Retention/Infiltration, Harvest & Re-Use or Biotreatment facilities:

Variable	Factor/Formula	Area 1 Result	Area 2 Result	Area 3 Result	Area 4 Result
Ratio of impervious surface/total site surface	(i)	89%			
C_{BMP}= runoff coefficient	$0.858i^3 – 0.78i^2 + 0.774i + 0.04$ =	0.716			
P_6	**P_6 = 2-yr,1- hr depth*1.4807 =	0.78			
Detention Volume-acre inches	P_0 = a * C_{BMP} * P_6 =	1.09			
Drawdown rate of basin/trench (a)	1.582 for 24-hr drawdown or 1.963 for 48-hr drawdown =	1.963			
Project Total Area (ac)	(A)	12.85			
Design Capture Volume, cu. ft. (DCV)	$V_0 = [(P_0 * A)/12]*43560$ =	51,054			
Water Volume infiltrated in first 3 hrs of storm	Vol= in/hr/12 x ft^2 of infiltration area x 3 hrs	N/A			
Retention/treatment Volume provided, cu. ft.	Retention capacity of basins, trenches, underground system or biotreatment proposed	140,009			

**For P_6 value, use site coordinates and NOAA website to determine project's average 2-yr, 1-hr rainfall depth, at: http://hdsc.nws.noaa.gov/hdsc/pfds/sa/sca_pfds.html .

5. Hydrologic Conditions of Concern (HCOC) and use of the on-line San Bernardino County HCOC Map for determining necessary mitigation steps necessary if there are HCOCs downstream of a project:

Project applicants may access the on-line HCOC Map at: http://sbcounty.permitrack.com/WAP/ . The map will indicate any hydrology concerns with downstream waterways that are hydraulically connected to the project and will indicate if there are any approved regional projects downstream that could be utilized for off-site mitigation of HCOCs. Please indicate here if the project will or will not be able to retain/infilter, harvest and use or biotreat and detain the DCV, on-site, as calculated in Section 4 and if there are HCOCs identified downstream of the project:

Retain or Harvest/Use the DCV on site?	Yes	✓	No	
Biotreat the DCV but not infilter the runoff?	Yes		No	✓
HCOCs identified downstream of site?	Yes		No	✓

If the entire DCV will not be retained on site, the DCV is biotreated but not infiltered or additional detention capacity is needed to address identified HCOCs, downstream of the site, please list here, what additional mitigation measures will be utilized (on-site or off-site) to address HCOCs (see Section 4.2.1-4.2.3 of the SB County WQMP Technical Guidance):

The entire DCV is retained on site.

6. Site Plan and Conceptual Grading/Drainage Plan requirements for submission with the Preliminary WQMP:

Provide a Site Plan and Conceptual Grading/Drainage Plan along with this Preliminary WQMP, which conceptually shows the proposed locations of buildings, homes, parking lots, parks, new paved roadways, landscaped areas, drainage patterns and drainage sub-areas, methods of conveyance, proposed retention/infiltration, harvest & use or biotreatment facilities that are planned for installation. Where it is determined to be infeasible to capture and detain design storm runoff volumes, on-site, please include other design features, as described in Section 3, above. Include numbered or lettered notes on the Site Plan with a legend detailing other BMPs, as described in Section 3.

Appendices

Appendix A – Preliminary WQMP Exhibit

Appendix B – WAP Report

Appendix C – Soils Map

Appendix D – NOAA Precipitation Data

Appendix E – Preliminary BMP Details

Appendix F – Infiltration Report

Appendix G – Preliminary Grading Plan

APPENDIX A

PRELIMINARY WQMP EXHIBIT

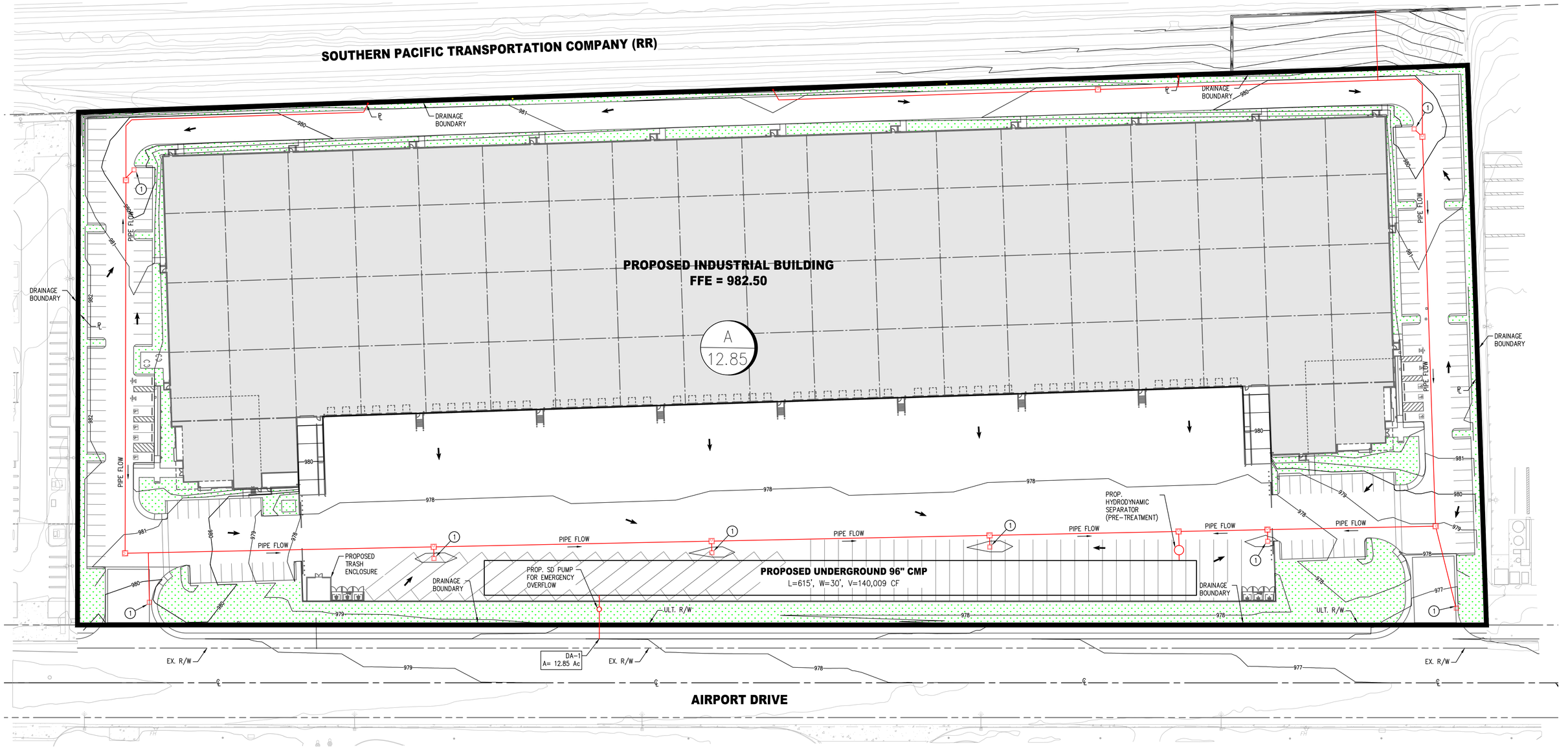


SITE VICINITY MAP

WestLAND Group, Inc.
Land Surveyors • Civil Engineers • GIS
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660

Job Number: 2021-502
Date: 03/23/2022
Scale: NOT TO SCALE

Drawing Name: P:\Year_2021\2021-502 5355 Airport - Prologis - John Carter\06 Engineering\Exhibits\1_Aerial View Map\2021-502_EXH_AERIAL.dwg



GENERAL NOTES

1. SEE PRELIMINARY WQMP REPORT, PREPARED BY LANGAN ENGINEERING, FOR THE COMPLETE DESIGN CAPTURE VOLUME AND INFILTRATION BASIN CALCULATIONS.
2. CALCULATIONS WERE BASED ON THE REQUIREMENTS ON THE SAN BERNARDINO TECHNICAL GUIDANCE DOCUMENT FOR WATER QUALITY MANAGEMENT PLANS – SANTA ANA RIVER.
3. PROPOSED ON-SITE DRAINAGE SYSTEM LAYOUT IS PRELIMINARY.
4. PROPOSED OFF-SITE WQMP WILL BE DESIGNED AND SHOWN ON THE FINAL WQMP REPORT.
5. PRELIMINARY DETAILS OF THE INFILTRATION CHAMBERS AND CDS UNITS ARE IN THE PRELIMINARY WQMP REPORT.
6. FIELD INFILTRATION RATES WERE OBTAINED FROM INFILTRATION REPORT, PREPARED BY SOUTHERN CALIFORNIA GEOTECHNICAL, INC., DATED MARCH 9, 2022.

ABBREVIATIONS

CF	CUBIC FEET
CL OR ℄	CENTERLINE
CMP	CORRUGATED METAL PIPE
DA	DRAINAGE AREA
EX	EXISTING
FS	FINISHED SURFACE ELEVATION
HR	HOUR
IN	INCH/INCHES
INV	INVERT ELEVATION
L	LENGTH
R/W	RIGHT OF WAY
PL OR ℄	PROPERTY LINE
PROP	PROPOSED
SD	STORM DRAIN
TYP	TYPICAL
ULT	ULTIMATE
V	VOLUME
W	WIDTH

PROJECT SITE SUMMARY

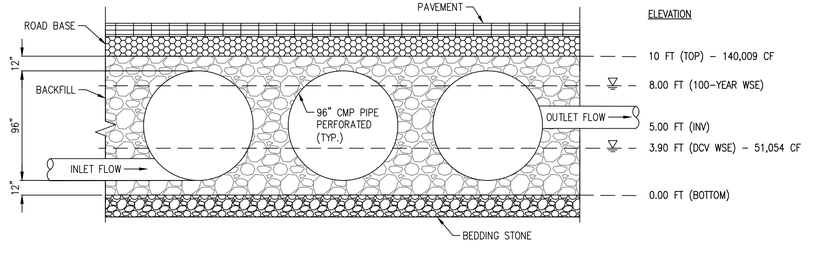
AREA A

SITE AREA:	12.85 ACRE	
SOIL GROUP:	A	(PER USDA WEB SOIL SURVEY)
IMPERVIOUS:	89%	(POST-DEVELOPMENT)
ISOHYETALS:	0.526"	(2-YEAR 1 HOUR)
CN NUMBER:	32	(SOIL GROUP A)
FREQUENCY:	100 YEAR	(FOR STORM DRAIN DESIGN)
METHOD:	SAN BERNARDINO COUNTY TGD - SANTA ANA RIVER	

LEGEND

- PROJECT DRAINAGE BOUNDARY/PROPERTY LINE
- SUB-AREA BOUNDARY
- FLOW PATH
- PROPOSED STORM DRAIN (PRELIMINARY)
- SUB-DRAINAGE AREA ID
- SUB-DRAINAGE AREA IDENTIFIER
- SUB-DRAINAGE SURFACE AREA (ACRE)
- FLOW ARROW
- SURFACE FLOW NODE
- PROPOSED BUILDING AREA
- PROPOSED LANDSCAPE AREA
- PROPOSED CHAMBER AREA
- PROPOSED CATCH BASIN WITH PROPRIETARY FILTER INSERT

CHAMBER SECTION DETAIL



BMP SUMMARY TABLE

DMA ID	SURFACE AREA		BMP TYPE	IMPERVIOUS FRACTION	C_{BMP}	FIELD INFILTRATION BASIN (IN/HR)	DESIGN PERCOLATION RATE (IN/HR)	DESIGN CAPTURE VOLUME (CU-FT)	PROPOSED CHAMBER VOLUME (CU-FT)	DESIGN CAPTURE VOLUME PONDING DEPTH (FT)	DRAWDOWN (HR)
	SF	ACRES									
A	559,755	12.85	UNDERGROUND INFILTRATION CHAMBER	89%	0.89	3.00	1.50	51,054	140,009	3.90	31.2

NOTE:
1. 2 YEAR, 1 HOUR RAINFALL DEPTH = 0.526 (NOAA ATLAS 14)
2. REGRESSION COEFFICIENT = 1.4807 (SB COUNTY TGD SECTION 4.1)
3. 48 HOUR DRAWDOWN COEFFICIENT = 1.963 (SB COUNTY TGD SECTION 4.1)

PREPARED BY:
WestLAND Group, Inc. Land Surveyors • Civil Engineers • GIS
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660
JOB NO: 2021-502

INDUSTRIAL BUILDING

POST-DEVELOPMENT WQMP EXHIBIT

5355 AIRPORT DRIVE

CITY OF ONTARIO

DATE: Mar 2022

FIGURE NO. 1

Drawing Name: P:\Year_2021\2021-502 5355 Airport - Prologis - John Carter\06 Engineering\Reports\WQMP\03 Exhibits\PRELIMINARY\2021-502_PRELIM_EXH_WQMP.dwg

APPENDIX B

WAP REPORT



WQMP Project Report

County of San Bernardino Stormwater Program

Santa Ana River Watershed Geodatabase

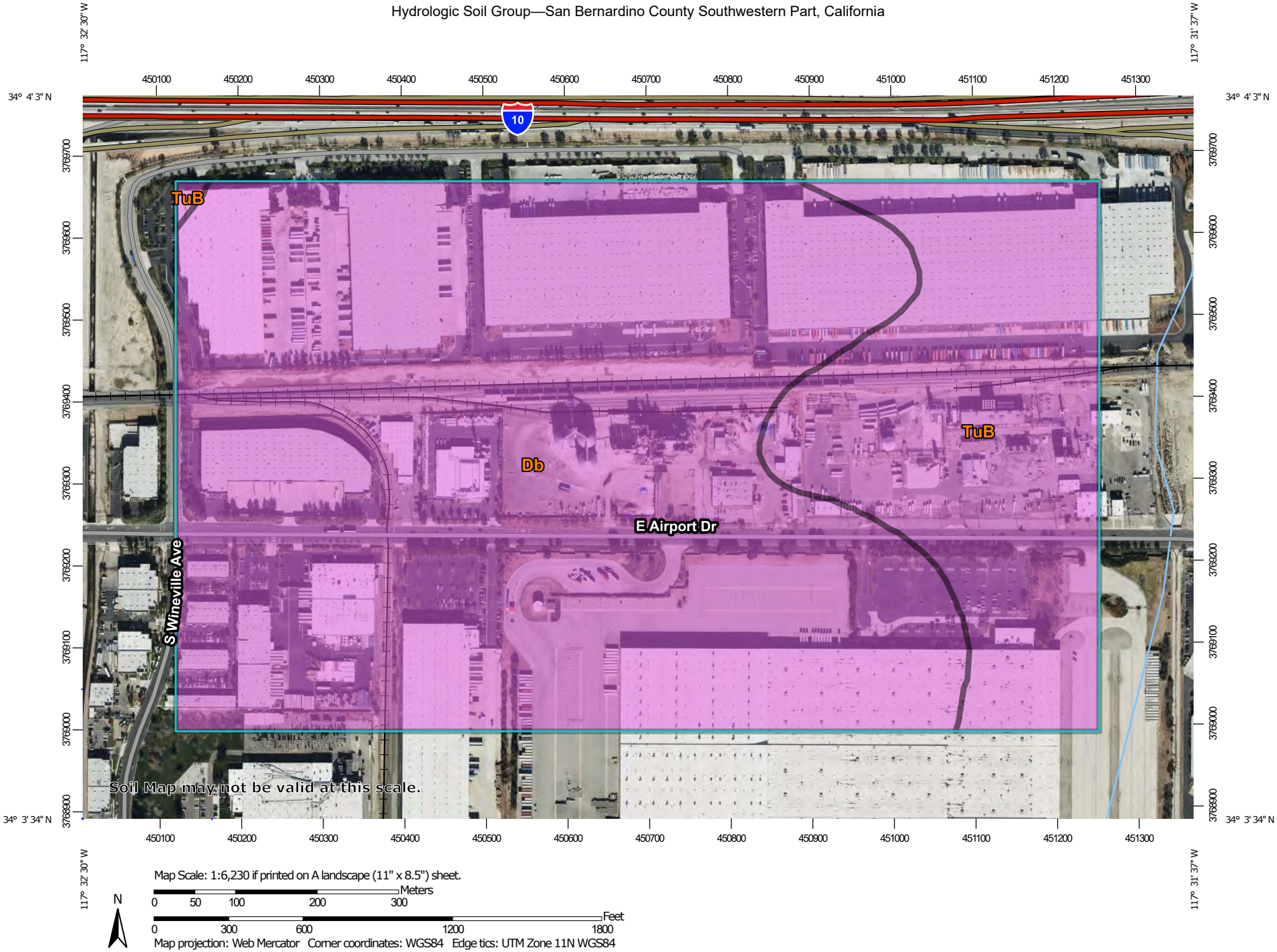
Tuesday, March 22, 2022

Note: The information provided in this report and on the Stormwater Geodatabase for the County of San Bernardino Stormwater Program is intended to provide basic guidance in the preparation of the applicant's Water Quality Management Plan (WQMP) and should not be relied upon without independent verification.

Project Site Parcel Number(s):	023805229, 023805208, 023805220
Project Site Acreage:	35.408
HCOC Exempt Area:	Yes. Verify that the project is completely with the HCOC exemption area.
Closest Receiving Waters: (Applicant to verify based on local drainage facilities and topography.)	**System Number** - 701 **Facility Name** - Lower Etiwanda Creek Channel **Owner** - OTHERS
Closest channel segment's susceptibility to Hydromodification:	EHM
Highest downstream hydromodification susceptibility:	EHM
Is this drainage segment subject to TMDLs?	No
Are there downstream drainage segments subject to TMDLs?	No
Is this drainage segment a 303d listed stream?	No
Are there 303d listed streams downstream?	No
Are there unlined downstream waterbodies?	No
Project Site Onsite Soil Group(s):	A
Environmentally Sensitive Areas within 200':	Grassland/Remanent RAFSS,DELHI SANDS
Groundwater Depth (FT):	-329
Parcels with potential septic tanks within 1000':	No
Known Groundwater Contamination Plumes within 1000':	Yes
Studies and Reports Related to Project Site:	City of Ontario Water Quality Report Chino Basin Recharge Master Plan Chino Basin Water Master 32nd Annual Report Sphere of Influence General Plan Amendment CSDP Project No. 1 CSDP 1 Comprehensive Storm Drain CSDP Drainage Study Calculations Review Report of the District Engineer Proposed East Etiwanda Channel Planning Study San Sevaine - Boyle Map 0001 San Sevaine - Boyle Map 0002 San Sevaine - Boyle Map 0003 SBCounty CSDP Project No.2 Volume 1 SBCounty CSDP Project No.2 Volume 2 Volume 2 Map SBCounty CSDP Project No.3 Volume I SBCounty CSDP Project No.3 Volume II

Appendix C

SOILS MAP



Map Scale: 1:6,230 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 50 100 200 300

Feet
0 300 600 1200 1800

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

A

A/D

B

B/D

C

C/D

D

Not rated or not available

Soil Rating Lines

A

A/D

B

B/D

C

C/D

D

Not rated or not available

Soil Rating Points

A

A/D

B

B/D

C

C/D

D

Not rated or not available

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: San Bernardino County Southwestern Part, California
Survey Area Data: Version 13, Sep 13, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 5, 2020—Feb 6, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Db	Delhi fine sand	A	143.7	76.2%
TuB	Tujunga loamy sand, 0 to 5 percent slopes	A	44.9	23.8%
Totals for Area of Interest			**188.6**	**100.0%**

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Appendix D

NOAA PRECIPITATION DATA

NOAA Atlas 14, Volume 6, Version 2
Location name: Ontario, California, USA*
Latitude: 34.0635°, Longitude: -117.5335°
Elevation: 983.19 ft**
* source: ESRI Maps
** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sarah Dietz, Sarah Heim, Lillian Hiner, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Carl Trypaluk, Dale Unruh, Fenglin Yan, Michael Yekta, Tan Zhao, Geoffrey Bonnin, Daniel Brewer, Li-Chuan Chen, Tye Parzybok, John Yarchoan

NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_&_aerials

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches)[1]

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.104 (0.087-0.126)	0.137 (0.114-0.166)	0.181 (0.150-0.220)	0.216 (0.178-0.265)	0.265 (0.210-0.336)	0.302 (0.235-0.392)	0.341 (0.258-0.454)	0.381 (0.281-0.522)	0.436 (0.307-0.623)	0.479 (0.326-0.710)
10-min	0.149 (0.124-0.180)	0.196 (0.164-0.238)	0.259 (0.215-0.315)	0.310 (0.255-0.380)	0.379 (0.302-0.482)	0.433 (0.337-0.562)	0.488 (0.370-0.650)	0.546 (0.402-0.748)	0.624 (0.441-0.894)	0.686 (0.467-1.02)
15-min	0.180 (0.150-0.218)	0.237 (0.198-0.288)	0.313 (0.260-0.381)	0.375 (0.308-0.460)	0.459 (0.365-0.583)	0.524 (0.408-0.680)	0.591 (0.448-0.787)	0.660 (0.486-0.905)	0.755 (0.533-1.08)	0.830 (0.565-1.23)
30-min	0.270 (0.225-0.327)	0.356 (0.297-0.432)	0.470 (0.390-0.571)	0.562 (0.463-0.690)	0.689 (0.548-0.875)	0.786 (0.612-1.02)	0.886 (0.672-1.18)	0.991 (0.730-1.36)	1.13 (0.800-1.62)	1.25 (0.848-1.85)
60-min	0.399 (0.332-0.483)	0.526 (0.438-0.638)	0.693 (0.576-0.843)	0.830 (0.683-1.02)	1.02 (0.808-1.29)	1.16 (0.903-1.51)	1.31 (0.993-1.74)	1.46 (1.08-2.00)	1.67 (1.18-2.39)	1.84 (1.25-2.73)
2-hr	0.598 (0.498-0.724)	0.777 (0.647-0.943)	1.01 (0.838-1.23)	1.20 (0.986-1.47)	1.45 (1.15-1.84)	1.65 (1.28-2.14)	1.84 (1.40-2.45)	2.05 (1.51-2.80)	2.32 (1.64-3.32)	2.54 (1.73-3.76)
3-hr	0.757 (0.631-0.917)	0.979 (0.815-1.19)	1.26 (1.05-1.54)	1.49 (1.23-1.83)	1.80 (1.43-2.29)	2.04 (1.58-2.64)	2.27 (1.72-3.02)	2.51 (1.85-3.45)	2.84 (2.00-4.06)	3.09 (2.11-4.58)
6-hr	1.08 (0.898-1.31)	1.39 (1.16-1.69)	1.79 (1.49-2.18)	2.11 (1.73-2.58)	2.52 (2.01-3.21)	2.84 (2.21-3.68)	3.15 (2.39-4.20)	3.47 (2.55-4.75)	3.89 (2.74-5.56)	4.20 (2.86-6.24)
12-hr	1.42 (1.18-1.72)	1.85 (1.54-2.24)	2.39 (1.98-2.90)	2.81 (2.31-3.45)	3.36 (2.67-4.26)	3.76 (2.93-4.88)	4.15 (3.15-5.53)	4.55 (3.35-6.23)	5.06 (3.57-7.24)	5.43 (3.70-8.06)
24-hr	1.89 (1.67-2.18)	2.51 (2.22-2.89)	3.27 (2.89-3.79)	3.87 (3.39-4.51)	4.64 (3.93-5.59)	5.20 (4.31-6.39)	5.74 (4.65-7.24)	6.28 (4.95-8.13)	6.97 (5.27-9.40)	7.48 (5.47-10.4)
2-day	2.31 (2.04-2.66)	3.13 (2.77-3.61)	4.17 (3.68-4.83)	4.99 (4.37-5.82)	6.07 (5.14-7.32)	6.87 (5.70-8.45)	7.66 (6.21-9.66)	8.46 (6.66-11.0)	9.50 (7.18-12.8)	10.3 (7.52-14.3)
3-day	2.52 (2.23-2.91)	3.47 (3.07-4.01)	4.70 (4.14-5.44)	5.68 (4.97-6.63)	6.99 (5.92-8.43)	7.98 (6.62-9.82)	8.98 (7.27-11.3)	9.99 (7.87-12.9)	11.3 (8.58-15.3)	12.4 (9.05-17.3)
4-day	2.76 (2.44-3.18)	3.84 (3.39-4.43)	5.23 (4.62-6.06)	6.36 (5.57-7.42)	7.89 (6.68-9.51)	9.05 (7.51-11.1)	10.2 (8.29-12.9)	11.4 (9.01-14.8)	13.1 (9.88-17.6)	14.3 (10.5-20.0)
7-day	3.24 (2.87-3.74)	4.54 (4.02-5.24)	6.26 (5.52-7.24)	7.66 (6.70-8.93)	9.57 (8.10-11.5)	11.0 (9.16-13.6)	12.6 (10.2-15.8)	14.1 (11.1-18.3)	16.2 (12.3-21.9)	17.9 (13.1-25.0)
10-day	3.50 (3.10-4.03)	4.93 (4.36-5.69)	6.83 (6.03-7.91)	8.40 (7.35-9.80)	10.6 (8.93-12.7)	12.2 (10.1-15.0)	13.9 (11.3-17.6)	15.7 (12.4-20.4)	18.2 (13.8-24.5)	20.1 (14.7-28.1)
20-day	4.07 (3.60-4.69)	5.82 (5.15-6.72)	8.18 (7.22-9.47)	10.2 (8.89-11.9)	12.9 (10.9-15.6)	15.1 (12.5-18.6)	17.4 (14.1-21.9)	19.8 (15.6-25.6)	23.2 (17.5-31.2)	25.8 (18.9-36.1)
30-day	4.80 (4.25-5.54)	6.90 (6.10-7.96)	9.75 (8.60-11.3)	12.2 (10.6-14.2)	15.6 (13.2-18.8)	18.3 (15.2-22.5)	21.2 (17.1-26.7)	24.2 (19.1-31.4)	28.5 (21.6-38.5)	32.0 (23.4-44.6)
45-day	5.71 (5.05-6.58)	8.17 (7.22-9.43)	11.6 (10.2-13.4)	14.5 (12.6-16.9)	18.6 (15.7-22.4)	21.9 (18.2-27.0)	25.5 (20.6-32.1)	29.3 (23.1-37.9)	34.7 (26.3-46.8)	39.1 (28.6-54.6)
60-day	6.64 (5.88-7.65)	9.42 (8.33-10.9)	13.3 (11.7-15.4)	16.6 (14.5-19.4)	21.4 (18.1-25.8)	25.3 (21.0-31.1)	29.5 (23.9-37.1)	33.9 (26.7-44.0)	40.4 (30.5-54.5)	45.7 (33.4-63.7)

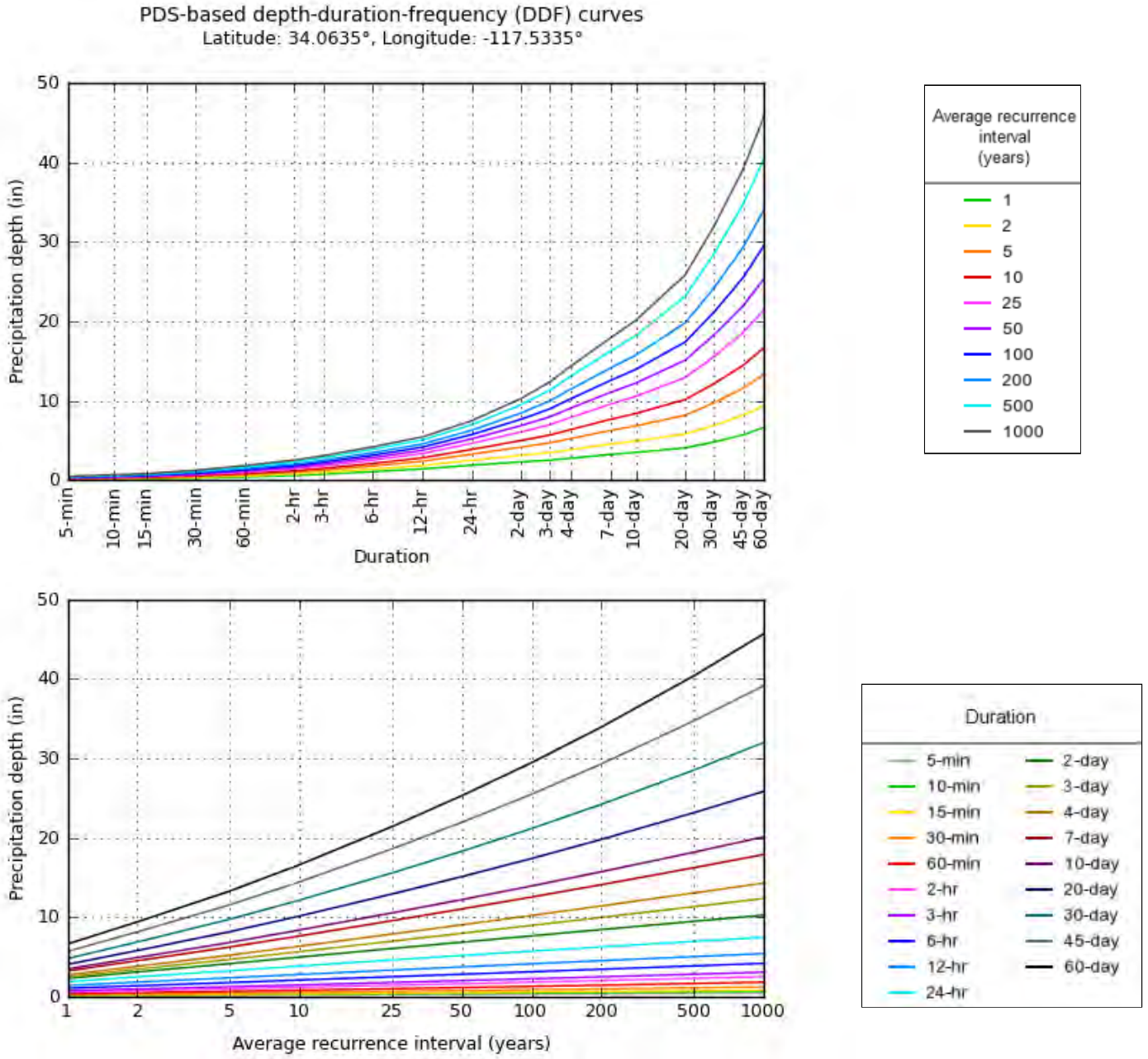
[1] Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

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PF graphical



NOAA Atlas 14, Volume 6, Version 2 Created (GMT): Tue Mar 1 22:56:03 2022

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Maps & aerials

Small scale terrain

APPENDIX E

PRELIMINARY BMP DETAILS

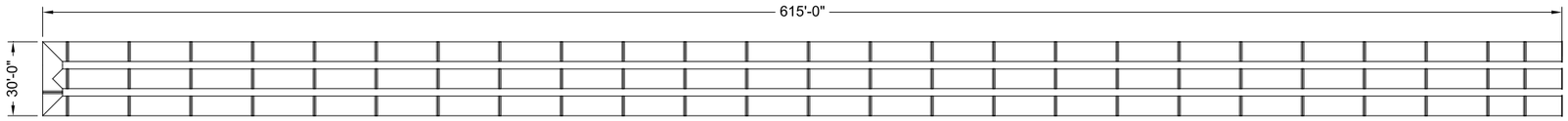
PROJECT SUMMARY

CALCULATION DETAILS
- LOADING = HS20/HS25
- APPROX. LINEAR FOOTAGE = 1,851 LF

STORAGE SUMMARY
- STORAGE VOLUME REQUIRED = 140,000 CF
- PIPE STORAGE VOLUME = 93,041 CF
- BACKFILL STORAGE VOLUME = 46,967 CF
- TOTAL STORAGE PROVIDED = 140,009 CF

PIPE DETAILS
- DIAMETER = 96"
- CORRUGATION = 5x1
- GAGE = 16
- COATING = ALT2
- WALL TYPE = PERFORATED
- BARREL SPACING = 36"

BACKFILL DETAILS
- WIDTH AT ENDS = 24"
- ABOVE PIPE = 12"
- WIDTH AT SIDES = 24"
- BELOW PIPE = 12"



NOTES

- ALL RISER AND STUB DIMENSIONS ARE TO CENTERLINE. ALL ELEVATIONS, DIMENSIONS, AND LOCATIONS OF RISERS AND INLETS, SHALL BE VERIFIED BY THE ENGINEER OF RECORD PRIOR TO RELEASING FOR FABRICATION.
- ALL FITTINGS AND REINFORCEMENT COMPLY WITH ASTM A998.
- ALL RISERS AND STUBS ARE $2\frac{2}{3}$" x $\frac{1}{2}$" CORRUGATION AND 16 GAGE UNLESS OTHERWISE NOTED.
- RISERS TO BE FIELD TRIMMED TO GRADE.
- QUANTITY OF PIPE SHOWN DOES NOT PROVIDE EXTRA PIPE FOR CONNECTING THE SYSTEM TO EXISTING PIPE OR DRAINAGE STRUCTURES. OUR SYSTEM AS DETAILED PROVIDES NOMINAL INLET AND/OR OUTLET PIPE STUB FOR CONNECTION TO EXISTING DRAINAGE FACILITIES. IF ADDITIONAL PIPE IS NEEDED IT IS THE RESPONSIBILITY OF THE CONTRACTOR.
- BAND TYPE TO BE DETERMINED UPON FINAL DESIGN.
- THE PROJECT SUMMARY IS REFLECTIVE OF THE DYODS DESIGN, QUANTITIES ARE APPROX. AND SHOULD BE VERIFIED UPON FINAL DESIGN AND APPROVAL. FOR EXAMPLE, TOTAL EXCAVATION DOES NOT CONSIDER ALL VARIABLES SUCH AS SHORING AND ONLY ACCOUNTS FOR MATERIAL WITHIN THE ESTIMATED EXCAVATION FOOTPRINT.
- THESE DRAWINGS ARE FOR CONCEPTUAL PURPOSES AND DO NOT REFLECT ANY LOCAL PREFERENCES OR REGULATIONS. PLEASE CONTACT YOUR LOCAL CONTECH REP FOR MODIFICATIONS.

ASSEMBLY
SCALE: 1" = 60'

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DATE	REVISION DESCRIPTION	BY

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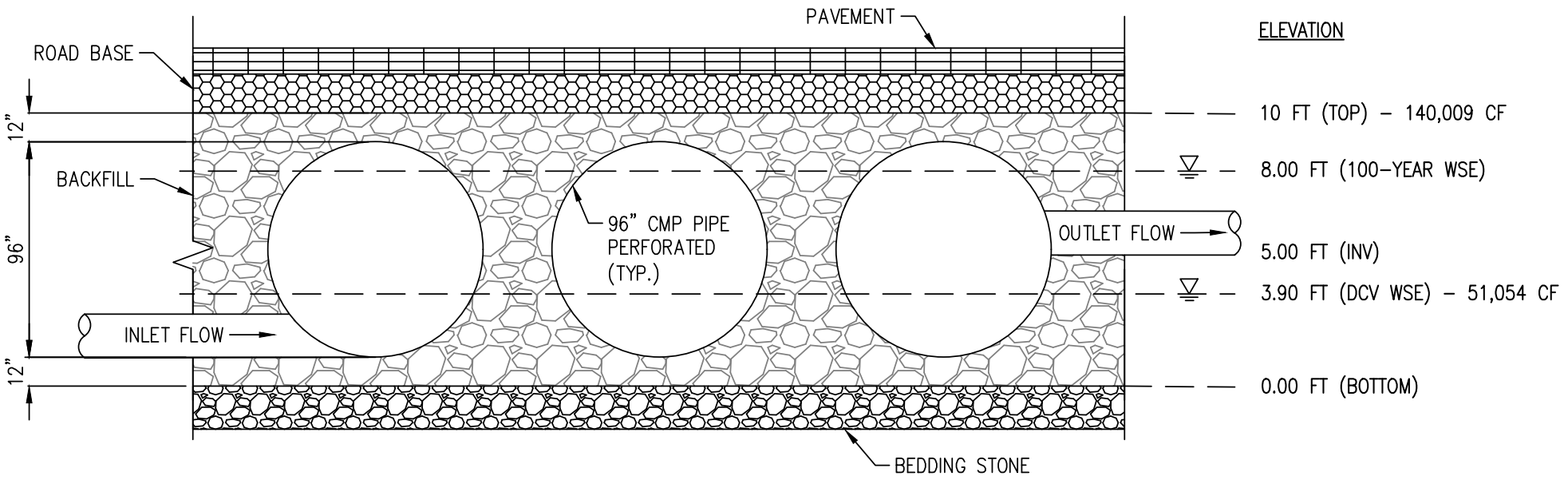
CONTECH® CMP DETENTION SYSTEMS
CONTECH DYODS DRAWING

DYO14828 5355 Airport Drive
Underground Infiltration Chamber #1
Ontario, CA
DETENTION SYSTEM

PROJECT No.:	SEQ. No.:	DATE:
9371	14828	3/23/2022
DESIGNED: DYO	DRAWN: DYO	
CHECKED: DYO	APPROVED: DYO	
SHEET NO.:		

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CHAMBER SECTION DETAIL



CONTECH ENGINEERED SOLUTIONS

CMP: Underground Detention System
Storage Volume Estimation

Date: 03-22-2022
Project Name: 5355 Airport Drive

City / County: Ontario
State: California

Designed By: JL
Company: WLG
Telephone:

=Adjustable Input Cells

Contech Engineered Solutions, LLC is pleased to offer the following estimate of storage volume for the above named project. The results are submitted as an estimate only, without liability on the part of Contech Engineered Solutions, LLC for accuracy or suitability to any particular applicaton and are subject to verification of the Engineer of Record. **This tool is only applicable for rectangular shaped systems.**

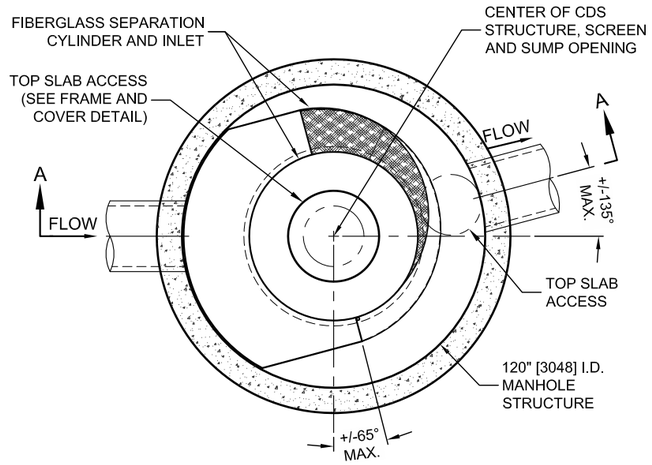
Summary of Inputs

System Information		Backfill Information		Pipe & Analysis Information	
Out-to-out length (ft):	615.0	Backfill Porosity (%):	40%	System Diameter (in):	96
Out-to-out width (ft):	30.0	Depth Above Pipe (in):	12.0	Pipe Spacing (in):	2
Number of Manifolds (ea):	1.0	Depth Below Pipe (in):	12.0	Incremental Analysis (in):	2
Number of Barrels (ea):	3.0	Width At Ends (ft):	2.0	System Invert (Elevation):	966
		Width At Sides (ft):	2.0		

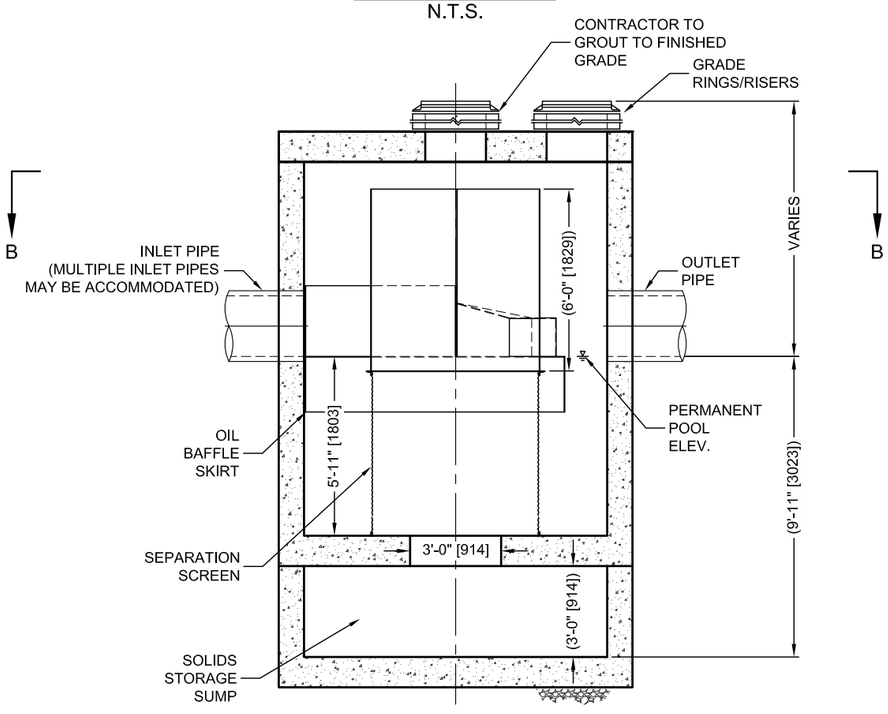
Storage Volume Estimation

System		Pipe		Stone		Total System		Miscellaneous		Staging	
Depth (ft)	Elevation (ft)	Incremental Storage (cf)	Cumulative Storage (cf)	Incremental Storage (cf)	Cumulative Storage (cf)	Incremental Storage (cf)	Cumulative Storage (cf)	Percent Open Storage (%)	Ave. Surface Area (sf)	Cumulative Storage (Ac-ft)	Outflow (cfs)
0.00	966.00	0.0	0.0	0.0	0.0	0.0	0.0	0.0%	8,418.4		
0.17	966.16	0.0	0.0	1,403.1	1,403.1	1,403.1	1,403.1	0.0%	8,418.4		
0.33	966.33	0.0	0.0	1,403.1	2,806.1	1,403.1	2,806.1	0.0%	8,418.4		
0.50	966.50	0.0	0.0	1,403.1	4,209.2	1,403.1	4,209.2	0.0%	8,418.4		
0.67	966.66	0.0	0.0	1,403.1	5,612.3	1,403.1	5,612.3	0.0%	8,418.4		
0.83	966.83	0.0	0.0	1,403.1	7,015.3	1,403.1	7,015.3	0.0%	8,418.4		
1.00	967.00	0.0	0.0	1,403.1	8,418.4	1,403.1	8,418.4	0.0%	8,418.4	0.19	0.00
1.17	967.16	472.0	472.0	1,214.3	9,632.7	1,686.3	10,104.7	4.7%	10,956.4		
1.33	967.33	854.5	1,326.5	1,061.3	10,693.9	1,915.8	12,020.4	11.0%	11,969.2		
1.50	967.50	1,094.7	2,421.2	965.2	11,659.1	2,059.9	14,080.3	17.2%	12,719.7		
1.67	967.66	1,282.1	3,703.3	890.2	12,549.4	2,172.3	16,252.6	22.8%	13,329.7		
1.83	967.83	1,437.8	5,141.1	827.9	13,377.3	2,265.8	18,518.4	27.8%	13,846.6		
2.00	968.00	1,571.5	6,712.6	774.5	14,151.7	2,346.0	20,864.4	32.2%	14,295.1	0.48	0.00
2.17	968.16	1,688.4	8,401.0	727.7	14,879.5	2,416.1	23,280.5	36.1%	14,690.0		
2.33	968.33	1,791.8	10,192.8	686.4	15,565.8	2,478.1	25,758.6	39.6%	15,040.7		
2.50	968.50	1,883.9	12,076.6	649.5	16,215.3	2,533.4	28,292.0	42.7%	15,354.1		
2.67	968.66	1,966.3	14,042.9	616.5	16,831.9	2,582.8	30,874.8	45.5%	15,634.9		
2.83	968.83	2,040.2	16,083.2	587.0	17,418.9	2,627.2	33,502.0	48.0%	15,886.9		
3.00	969.00	2,106.5	18,189.7	560.4	17,979.3	2,667.0	36,169.0	50.3%	16,112.9	0.83	0.00
3.17	969.16	2,166.0	20,355.7	536.7	18,516.0	2,702.6	38,871.7	52.4%	16,315.0		
3.33	969.33	2,219.0	22,574.7	515.5	19,031.5	2,734.5	41,606.1	54.3%	16,495.2		
3.50	969.50	2,266.2	24,840.9	496.6	19,528.1	2,762.8	44,368.9	56.0%	16,654.8		
3.67	969.66	2,307.8	27,148.7	479.9	20,008.0	2,787.8	47,156.7	57.6%	16,795.1		
3.83	969.83	2,344.2	29,492.9	465.4	20,473.4	2,809.6	49,966.3	59.0%	16,916.9		
4.00	970.00	2,375.6	31,868.4	452.8	20,926.2	2,828.4	52,794.7	60.4%	17,021.1	1.21	0.00
4.17	970.16	2,402.1	34,270.6	442.2	21,368.4	2,844.3	55,639.0	61.6%	17,108.2		
4.33	970.33	2,424.0	36,694.6	433.5	21,801.9	2,857.5	58,496.5	62.7%	17,178.9		
4.50	970.50	2,441.4	39,136.0	426.5	22,228.4	2,867.9	61,364.4	63.8%	17,233.5		
4.67	970.66	2,454.4	41,590.4	421.3	22,649.7	2,875.7	64,240.1	64.7%	17,272.3		
4.83	970.83	2,463.0	44,053.4	417.9	23,067.6	2,880.9	67,121.0	65.6%	17,295.5		
5.00	971.00	2,467.3	46,520.7	416.2	23,483.7	2,883.4	70,004.4	66.5%	17,303.2	1.61	4.00
5.17	971.16	2,467.3	48,988.0	416.2	23,899.9	2,883.4	72,887.9	67.2%	17,295.5		
5.33	971.33	2,463.0	51,451.0	417.9	24,317.7	2,880.9	75,768.7	67.9%	17,272.3		
5.50	971.50	2,454.4	53,905.4	421.3	24,739.0	2,875.7	78,644.4	68.5%	17,233.5		
5.67	971.66	2,441.4	56,346.8	426.5	25,165.5	2,867.9	81,512.4	69.1%	17,178.9		
5.83	971.83	2,424.0	58,770.8	433.5	25,599.0	2,857.5	84,369.8	69.7%	17,108.2		
6.00	972.00	2,402.1	61,173.0	442.2	26,041.2	2,844.3	87,214.2	70.1%	17,021.1	2.00	4.00
6.17	972.16	2,375.6	63,548.5	452.8	26,494.1	2,828.4	90,042.6	70.6%	16,916.9		
6.33	972.33	2,344.2	65,892.7	465.4	26,959.4	2,809.6	92,852.2	71.0%	16,795.1		
6.50	972.50	2,307.8	68,200.5	479.9	27,439.4	2,787.8	95,639.9	71.3%	16,654.8		
6.67	972.66	2,266.2	70,466.7	496.6	27,936.0	2,762.8	98,402.7	71.6%	16,495.2		
6.83	972.83	2,219.0	72,685.8	515.5	28,451.4	2,734.5	101,137.2	71.9%	16,315.0		
7.00	973.00	2,166.0	74,851.7	536.7	28,988.1	2,702.6	103,839.8	72.1%	16,112.9	2.38	4.00
7.17	973.16	2,106.5	76,958.3	560.4	29,548.6	2,667.0	106,506.8	72.3%	15,886.9		
7.33	973.33	2,040.2	78,998.5	587.0	30,135.5	2,627.2	109,134.0	72.4%	15,634.9		
7.50	973.50	1,966.3	80,964.8	616.5	30,752.1	2,582.8	111,716.9	72.5%	15,354.1		
7.67	973.66	1,883.9	82,848.6	649.5	31,401.6	2,533.4	114,250.2	72.5%	15,040.7		
7.83	973.83	1,791.8	84,640.4	686.4	32,088.0	2,478.1	116,728.4	72.5%	14,690.0		
8.00	974.00	1,688.4	86,328.8	727.7	32,815.7	2,416.1	119,144.5	72.5%	14,295.1	2.74	4.00
8.17	974.16	1,571.5	87,900.3	774.5	33,590.2	2,346.0	121,490.4	72.4%	13,846.6		
8.33	974.33	1,437.8	89,338.1	827.9	34,418.1	2,265.8	123,756.2	72.2%	13,329.7		
8.50	974.50	1,282.1	90,620.2	890.2	35,308.3	2,172.3	125,928.5	72.0%	12,719.7		
8.67	974.66	1,094.7	91,714.9	965.2	36,273.5	2,059.9	127,988.4	71.7%	11,969.2		
8.83	974.83	854.5	92,569.4	1,061.3	37,334.8	1,915.8	129,904.2	71.3%	10,956.4		
9.00	975.00	472.0	93,041.4	1,214.3	38,549.0	1,686.3	131,590.4	70.7%	8,418.4	3.02	4.00

These results are submitted to you as a guideline only, without liability on the part of CONTECH Engineered Solutions, LLC for accuracy or suitability to any particular application, and are subject to your verification.



PLAN VIEW B-B
N.T.S.



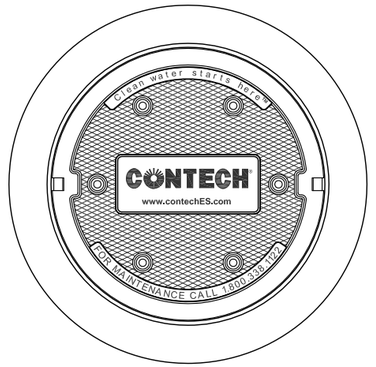
ELEVATION A-A
N.T.S.

THIS PRODUCT MAY BE PROTECTED BY ONE OR MORE OF THE FOLLOWING U.S. PATENTS: 5,766,849; 6,641,720; 6,511,595; 6,581,792; RELATED FOREIGN PATENTS, OR OTHER PATENTS PENDING.

CDS5653-10-C DESIGN NOTES

THE STANDARD CDS5653-10-C CONFIGURATION IS SHOWN. ALTERNATE CONFIGURATIONS ARE AVAILABLE AND ARE LISTED BELOW. SOME CONFIGURATIONS MAY BE COMBINED TO SUIT SITE REQUIREMENTS.

CONFIGURATION DESCRIPTION
GRATED INLET ONLY (NO INLET PIPE)
GRATED INLET WITH INLET PIPE OR PIPES
CURB INLET ONLY (NO INLET PIPE)
CURB INLET WITH INLET PIPE OR PIPES
SEPARATE OIL BAFFLE (SINGLE INLET PIPE REQUIRED FOR THIS CONFIGURATION)
SEDIMENT WEIR FOR NJDEP / NJCAT CONFORMING UNITS



FRAME AND COVER
(DIAMETER VARIES)
N.T.S.

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID	
WATER QUALITY FLOW RATE (CFS OR L/s)	*
PEAK FLOW RATE (CFS OR L/s)	*
RETURN PERIOD OF PEAK FLOW (YRS)	*
SCREEN APERTURE (2400 OR 4700)	*

PIPE DATA:	I.E.	MATERIAL	DIAMETER
INLET PIPE 1	*	*	*
INLET PIPE 2	*	*	*
OUTLET PIPE	*	*	*

RIM ELEVATION	*

ANTI-FLOTATION BALLAST	WIDTH	HEIGHT
	*	*

NOTES/SPECIAL REQUIREMENTS:

* PER ENGINEER OF RECORD

GENERAL NOTES
1. CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
2. DIMENSIONS MARKED WITH ( ) ARE REFERENCE DIMENSIONS. ACTUAL DIMENSIONS MAY VARY.
3. FOR FABRICATION DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHTS, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. www.contechEScom
4. CDS WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING.
5. STRUCTURE SHALL MEET AASHTO HS20 LOAD RATING, ASSUMING GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET HS20 (AASHTO M 306) AND BE CAST WITH THE CONTECH LOGO.
6. IF REQUIRED, PVC HYDRAULIC SHEAR PLATE IS PLACED ON SHELF AT BOTTOM OF SCREEN CYLINDER. REMOVE AND REPLACE AS NECESSARY DURING MAINTENANCE CLEANING.

INSTALLATION NOTES
A. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
B. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE CDS MANHOLE STRUCTURE (LIFTING CLUTCHES PROVIDED).
C. CONTRACTOR TO ADD JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS, AND ASSEMBLE STRUCTURE.
D. CONTRACTOR TO PROVIDE, INSTALL, AND GROUT PIPES. MATCH PIPE INVERTS WITH ELEVATIONS SHOWN.
E. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.

CONTECH ENGINEERED SOLUTIONS LLC
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CDS5653-10-C
INLINE CDS
STANDARD DETAIL

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APPENDIX F

INFILTRATION REPORT

March 9, 2022

Prologis
17777 Center Court Drive North, Suite 100
Cerritos, California 90703

Attention: Mr. John Carter
Director, Project Management

Project No.: 22G128-2

Subject: Results of Infiltration Testing
Proposed Warehouse
5355 East Airport Drive
Ontario, California

Reference: Geotechnical Investigation, Proposed Warehouse, 5355 East Airport Drive, Ontario, California, prepared by Southern California Geotechnical, Inc. (SCG) for Prologis, SCG Project No. 22G128-1, dated March 9, 2022.

Dear Mr. Carter:

In accordance with your request, we have conducted infiltration testing at the subject site. We are pleased to present this report summarizing the results of the infiltration testing and our design recommendations.

Scope of Services

The scope of services performed for this project was in general accordance with our Proposal No. 22P129, dated January 21, 2022. The scope of services included site reconnaissance, subsurface exploration, field testing, and engineering analysis to determine the infiltration rates of the on-site soils. The infiltration testing was performed in general accordance with the guidelines published in the Riverside County – Low Impact Development BMP Design Handbook – Section 2.3 of Appendix A, prepared for the Riverside County Department of Environmental Health (RCDEH), dated December, 2013. The San Bernardino County standards defer to the guidelines published by the RCDEH.

Site and Project Description

The subject site is located on the north side of East Airport Drive, 1,310± feet east of the intersection of South Wineville Avenue and East Airport Drive in Ontario, California. The site is also referenced by the street address 5355 East Airport Drive. The site is bounded to the north by Union Pacific railroad tracks, to the east and west by an industrial development, and to the south by East Airport Drive. The general location of the site is illustrated on the Site Location Map, enclosed as Plate 1 of this report.

The site consists of an irregular-shaped property, 14.58± acres in size. The site is developed to manufacture and store animal feed grains. The development includes several buildings and shed structures ranging in size from 2,200± ft^2 to 20,175± ft^2, and several silos and above-ground

storage tanks (ASTs) primarily located in the north-central region of the site. The existing structures are generally of concrete tilt-up and/or metal-framed construction, and are presumed to be supported on conventional shallow foundations with concrete slab-on-grade floors. The existing structures are generally surrounded by asphaltic concrete (AC) pavements, with isolated areas of Portland cement concrete (PCC), aggregate base pavements, and exposed soils in the south-central portion of the site. The existing pavements are in poor condition, with moderate to severe cracking throughout. Two medium-size trees are present in the south-central region of the site.

Detailed topographic information was not available at the time of this report. Based on elevations obtained from Google Earth and visual observations made at the time of the subsurface investigation, the site slopes gently to the south-southeast at a gradient of less than 1 percent.

Proposed Development

A preliminary site plan, identified as Scheme 01 and prepared by RGA, for the proposed development was provided to our office by the client. Based on this plan, the subject site will be developed with a 259,189± ft² warehouse, located in the north-central region of the site. Dock-high doors will be constructed along a portion of the south building wall. The proposed building is expected to be surrounded by AC pavements in the parking and drive areas, PCC pavements in the loading dock area, and concrete flatwork and landscaped planters throughout the site.

We understand that the proposed development will include on-site stormwater infiltration. Based on our experience with similar projects in the area, the infiltration systems are expected to be below-grade chambers. The bottoms of the infiltration systems are expected to be 10 to 12± feet below the existing site grades.

Concurrent Study

SCG concurrently conducted a geotechnical investigation at the subject site, referenced above. As a part of this study, five (5) borings (identified as Boring Nos. B-1 through B-5) were advanced to depths of 20 to 30± feet below the existing site grades.

AC pavements were encountered at the ground surface of Boring Nos. B-1 through B-4. The pavement sections generally consist of 0 to 2½± inches of AC, underlain by 1 to 3½± inches of aggregate base. Artificial fill soils were encountered beneath the existing pavements at Boring Nos. B-1 through B-4 and at the ground surface at Boring No. B-5, extending to depths of 2½ to 6½± feet below the existing site grades. The fill soils generally consist of loose to medium dense sands and silty sands, with occasional dense silty sands. Native alluvium was encountered beneath the artificial fill soils at all of the boring locations, extending to at least the maximum depth explored of 30± feet. The near-surface alluvium generally consists of loose to medium dense sands and sandy silts, extending to depths of 6½ to 12± feet. At greater depths, the alluvium generally consists of medium dense to dense sands, silty sands and sandy silts. Boring No. B-3 encountered a stratum of dense silty sands at a depth of 14½ to 17± feet. Boring No. B-5 encountered a stratum of loose well-graded sands at a depth of 12 to 17± feet.

Groundwater

Free water was not encountered during the drilling of any of the borings. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed at a depth in excess of 30± feet at the time of the subsurface exploration.

As part of our research, we reviewed available groundwater data in order to determine groundwater levels for the site. Water level data was obtained from the California Department of Water Resources Water Data Library website, https://wdl.water.ca.gov/waterdatalibrary/. The nearest monitoring well on record (identified as State Well Number: 01S06W29H001S) is located 3,400± feet southeast of the project site. Water level readings within this monitoring well indicate a high groundwater level of 277± feet below the ground surface in April 2019.

Subsurface Exploration

Scope of Exploration

The subsurface exploration conducted for the infiltration testing consisted of six (6) infiltration test borings, advanced to depths of 10 to 12± feet below the existing site grades. The infiltration borings were advanced using a truck-mounted drilling rig, equipped with 8-inch-diameter hollow-stem augers and were logged during drilling by a member of our staff. The approximate locations of the infiltration test borings (identified as I-1 through I-6) are indicated on the Infiltration Test Location Plan, enclosed as Plate 2 of this report.

Upon the completion of the infiltration borings, the bottom of each test boring was covered with 2± inches of clean ¾-inch gravel. A sufficient length of 3-inch-diameter perforated PVC casing was then placed into each test hole so that the PVC casing extended from the bottom of the test hole to the ground surface. Clean ¾-inch gravel was then installed in the annulus surrounding the PVC casing.

Geotechnical Conditions

AC pavements were encountered at the ground surface of Infiltration Test Nos. I-1 through I-5. The pavement sections generally consist of 0 to 6± inches of AC, underlain by 0 to 9± inches of aggregate base. An 8±-inch-thick PCC section was encountered at the ground surface at Infiltration Test Nos. I-6. Steel reinforcement was not encountered at this location. Artificial fill soils were encountered beneath the existing pavements at all of the infiltration boring location, extending to depths of 3 to 4± feet below the existing site grades. The fill soils generally consist of medium dense to dense silty sands, with occasional loose sands. The fill soils possess a disturbed mottled appearance resulting in their classification as artificial fill. Native alluvial soils were encountered beneath the fill soils at all of the infiltration boring locations, extending to at least the maximum depth explored of 12± feet. The alluvium generally consists of loose sands, silty sands and silty sands to sandy silts, with occasional medium dense silty sands. The Boring Logs, which illustrate the conditions encountered at the boring locations, are included with this report.

Infiltration Testing

As previously mentioned, the infiltration testing was performed in general accordance with the guidelines published in Riverside County – Low Impact Development BMP Design Handbook – Section 2.3 of Appendix A, which apply to San Bernardino County.

Pre-soaking

In accordance with the county infiltration standards for sandy soils, all infiltration test borings were pre-soaked 2 hours prior to the infiltration testing or until all of the water had percolated through the test holes. The pre-soaking process consisted of filling test borings by inverting a full 5-gallon bottle of clear water supported over each hole so that the water flow into the hole holds constant at a level at least 5 times the hole's radius above the gravel at the bottom of each hole. Pre-soaking was completed after all of the water had percolated through the test holes.

Infiltration Testing

Following the pre-soaking process of the infiltration test borings, SCG performed the infiltration testing. Each test hole was filled with water to a depth of at least 5 times the hole's radius above the gravel at the bottom of the test holes. In accordance with the Riverside County guidelines, since "sandy soils" (where 6 inches of water infiltrated into the surrounding soils in less than 25 minutes for two consecutive readings) were encountered at the bottom of the infiltration test borings, readings were taken at 10-minute intervals for a total of 1 hour. After each reading, water was added to the borings so that the depth of the water was at least 5 times the radius of the hole. The water level readings are presented on the spreadsheets enclosed with this report. The infiltration rates for each of the timed intervals are also tabulated on the spreadsheets.

The infiltration rates from the tests are tabulated in inches per hour. In accordance with the typically accepted practice, it is recommended that the most conservative reading from the latter part of the infiltration tests be used as the design infiltration rate. The rates are summarized below:

Infiltration Test No.	Depth (feet)	Soil Description	Infiltration Rate (inches/hour)
I-1	10	Silty fine Sand, little medium Sand	3.9
I-2	12	Silty fine to medium Sand	3.0
I-3	12	Silty fine to medium Sand, trace coarse Sand	4.6
I-4	12	Silty fine Sand to fine Sandy Silt, trace medium Sand	3.1
I-5	10	Silty fine Sand, little medium Sand, trace fine Gravel	3.5
I-6	10	Silty fine Sand to fine Sandy Silt, trace medium Sand, trace fine Gravel	3.0

Laboratory Testing

Moisture Content

The moisture contents for the recovered soil samples within the borings were determined in accordance with ASTM D-2216 and are expressed as a percentage of the dry weight. These test results are presented on the Boring Logs.

Grain Size Analysis

The grain size distribution of selected soils collected from the base of each infiltration test boring have been determined using a range of wire mesh screens. These tests were performed in general accordance with ASTM D-422 and/or ASTM D-1140. The weight of the portion of the sample retained on each screen is recorded and the percentage finer or coarser of the total weight is calculated. The results of these tests are presented on Plates C-1 through C-6 of this report.

Design Recommendations

Six (6) infiltration tests were performed at the subject site. As noted above, the infiltration rates at these locations vary from 3.0 to 4.6 inches per hour. The major factor affecting the difference in infiltration rates at the infiltration test locations is the presence of silt in the soils at the tested depths. Based on the infiltration test results, we recommend an infiltration rate of 3.0 inches per hour be used in the design of the infiltration systems, if the bottom of the infiltration systems extend between 10 to 12± feet below the existing site grades.

The design of the storm water infiltration systems should be performed by the project civil engineer, in accordance with the City of Ontario and/or County of San Bernardino guidelines. It is recommended that the system be constructed so as to facilitate removal of silt and clay, or other deleterious materials from any water that may enter the systems. The presence of such materials would decrease the effective infiltration rates. It is recommended that the project civil engineer apply an appropriate factor of safety. The infiltration rates recommended above is based on the assumption that only clean water will be introduced to the subsurface profile. Any fines, debris, or organic materials could significantly impact the infiltration rate. It should be noted that the recommended infiltration rates are based on infiltration testing at six (6) discrete locations and that the overall infiltration rates of the proposed infiltration systems could vary considerably.

Infiltration Rate Considerations

The infiltration rates presented herein was determined in accordance with the San Bernardino County guidelines and are considered valid only for the time and place of the actual test. Varying subsurface conditions will exist in other areas of the site, which could alter the recommended infiltration rates presented above. The infiltration rates will decline over time between maintenance cycles as silt or clay particles accumulate on the BMP surface. The infiltration rate is highly dependent upon a number of factors, including density, silt and clay content, grainsize distribution throughout the range of particle sizes, and particle shape. Small changes in these factors can cause large changes in the infiltration rates.

Infiltration rates are based on unsaturated flow. As water is introduced into soils by infiltration, the soils become saturated and the wetting front advances from the unsaturated zone to the saturated zone. Once the soils become saturated, infiltration rates become zero, and water can only move through soils by hydraulic conductivity at a rate determined by pressure head and soil permeability. Changes in soil moisture content will affect the infiltration rate. Infiltration rates should be expected to decrease until the soils become saturated. Soil permeability values will then govern groundwater movement. Permeability values may be on the order of 10 to 20 times less than infiltration rates. The system designer should incorporate adequate factors of safety and allow for overflow design into appropriate traditional storm drain systems, which would transport storm water off-site.

Construction Considerations

The infiltration rates presented in this report are specific to the tested locations and tested depths. Infiltration rates can be significantly reduced if the soils are exposed to excessive disturbance or compaction during construction. Compaction of the soils at the bottom of the infiltration system can significantly reduce the infiltration ability of the basins. Therefore, the subgrade soils within proposed infiltration system areas should not be over-excavated, undercut or compacted in any significant manner. It is recommended that a note to this effect be added to the project plans and/or specifications.

We recommend that a representative from the geotechnical engineer be on-site during the construction of the proposed infiltration systems to identify the soil classification at the base of each system. It should be confirmed that the soils at the base of the proposed infiltration systems correspond with those presented in this report to ensure that the performance of the systems will be consistent with the rates reported herein.

We recommend that scrapers and other rubber-tired heavy equipment not be operated on the basin bottom, or at levels lower than 2 feet above the bottom of the system, particularly within basins. As such, the bottom 24 inches of the infiltration systems should be excavated with non-rubber-tired equipment, such as excavators.

Basin Maintenance

The proposed project may include infiltration basins. Water flowing into these basins will carry some level of sediment. Wind-blown sediments and erosion of the basin side walls will also contribute to sediment deposition at the bottom of the basin. This layer has the potential to significantly reduce the infiltration rate of the basin subgrade soils. Therefore, a formal basin maintenance program should be established to ensure that these silt and clay deposits are removed from the basin on a regular basis. Appropriate vegetation on the basin sidewalls and bottom may reduce erosion and sediment deposition.

Basin maintenance should also include measures to prevent animal burrows, and to repair any burrows or damage caused by such. Animal burrows in the basin sidewalls can significantly increase the risk of erosion and piping failures.

Location of Infiltration Systems

The use of on-site storm water infiltration systems carries a risk of creating adverse geotechnical conditions. Increasing the moisture content of the soil can cause the soil to lose internal shear strength and increase its compressibility, resulting in a change in the designed engineering properties. Overlying structures and pavements in the infiltration area could potentially be damaged due to saturation of the subgrade soils. The proposed infiltration systems for this site should be located at least 25 feet away from any structures, including retaining walls. Even with this provision of locating the infiltration system at least 25 feet from the building(s), it is possible that infiltrating water into the subsurface soils could have an adverse effect on the proposed or existing structures. It should also be noted that utility trenches which happen to collect storm water can also serve as conduits to transmit storm water toward the structure, depending on the slope of the utility trench. Therefore, consideration should also be given to the proposed locations of underground utilities which may pass near the proposed infiltration system.

The infiltration system designer should also give special consideration to the effect that the proposed infiltration systems may have on nearby subterranean structures, open excavations, or descending slopes. In particular, infiltration systems should not be located near the crest of descending slopes, particularly where the slopes are comprised of granular soils. Such systems will require specialized design and analysis to evaluate the potential for slope instability, piping failures and other phenomena that typically apply to earthen dam design. This type of analysis is beyond the scope of this infiltration test report, but these factors should be considered by the infiltration system designer when locating the infiltration systems.

General Comments

This report has been prepared as an instrument of service for use by the client in order to aid in the evaluation of this property and to assist the architects and engineers in the design and preparation of the project plans and specifications. This report may be provided to the contractor(s) and other design consultants to disclose information relative to the project. However, this report is not intended to be utilized as a specification in and of itself, without appropriate interpretation by the project architect, structural engineer, and/or civil engineer. The design of the proposed storm water infiltration system is the responsibility of the civil engineer. The role of the geotechnical engineer is limited to determination of infiltration rate only. By using the design infiltration rate contained herein, the civil engineer agrees to indemnify, defend, and hold harmless the geotechnical engineer for all aspects of the design and performance of the proposed storm water infiltration system. The reproduction and distribution of this report must be authorized by the client and Southern California Geotechnical, Inc. Furthermore, any reliance on this report by an unauthorized third party is at such party's sole risk, and we accept no responsibility for damage or loss which may occur.

The analysis of this site was based on a subsurface profile interpolated from limited discrete soil samples. While the materials encountered in the project area are considered to be representative of the total area, some variations should be expected between boring locations and testing depths. If the conditions encountered during construction vary significantly from those detailed herein, we should be contacted immediately to determine if the conditions alter the recommendations contained herein.

This report has been based on assumed or provided characteristics of the proposed development. It is recommended that the owner, client, architect, structural engineer, and civil engineer carefully review these assumptions to ensure that they are consistent with the characteristics of the proposed development. If discrepancies exist, they should be brought to our attention to verify that they do not affect the conclusions and recommendations contained herein. We also recommend that the project plans and specifications be submitted to our office for review to verify that our recommendations have been correctly interpreted. The analysis, conclusions, and recommendations contained within this report have been promulgated in accordance with generally accepted professional geotechnical engineering practice. No other warranty is implied or expressed.

Closure

We sincerely appreciate the opportunity to be of service on this project. We look forward to providing additional consulting services during the course of the project. If we may be of further assistance in any manner, please contact our office.

Respectfully Submitted,

SOUTHERN CALIFORNIA GEOTECHNICAL, INC.

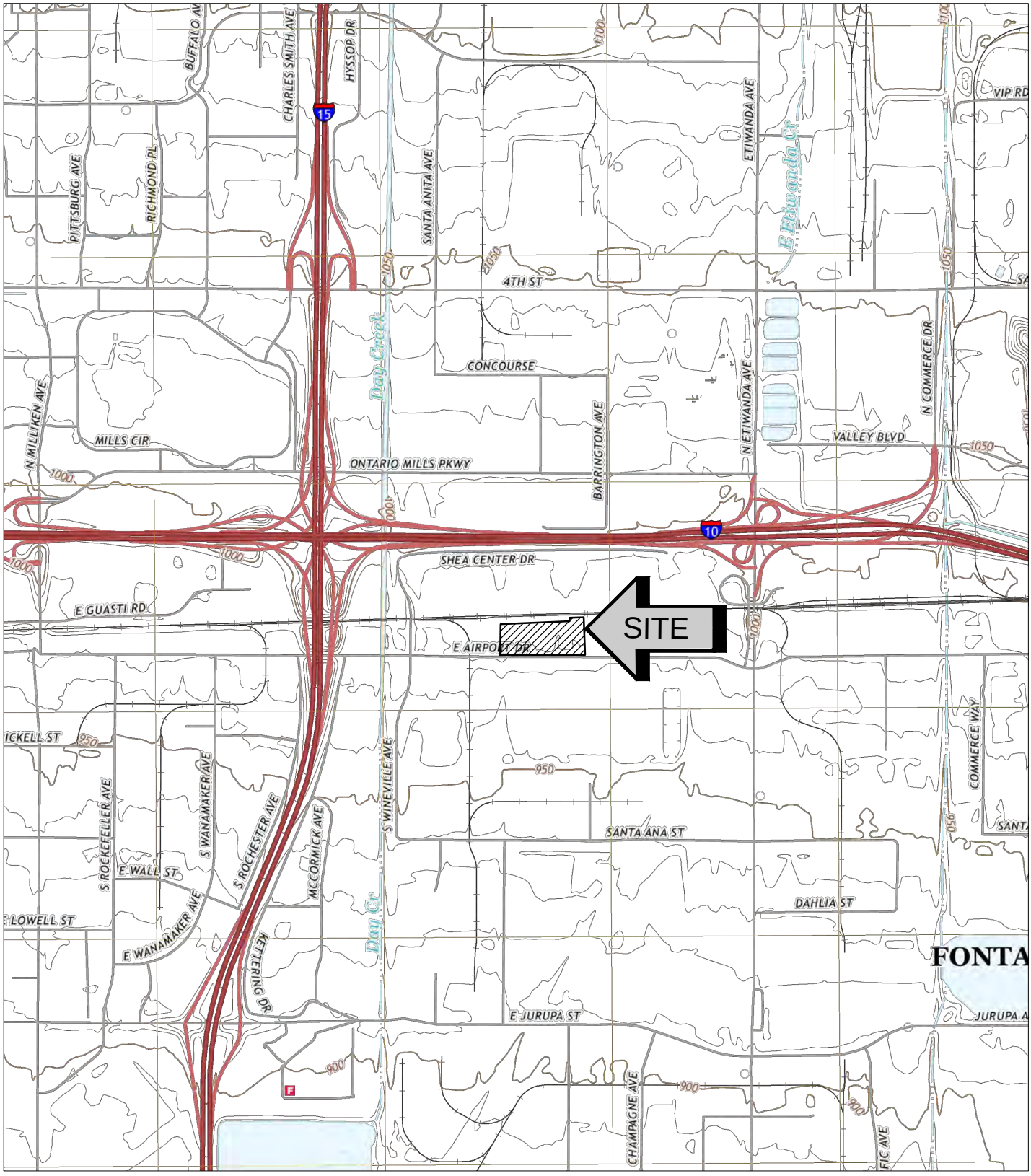
Joseph Lozano Leon
Staff Engineer

Robert G. Trazo, GE 2655
Principal Engineer



Distribution: (1) Addressee

Enclosures: Plate 1 - Site Location Map
Plate 2 - Infiltration Test Location Plan
Boring Log Legend and Logs (8 pages)
Infiltration Test Results Spreadsheets (6 pages)
Grain Size Distribution Graphs (6 pages)



SOURCE: USGS TOPOGRAPHIC MAP OF THE GUASTI QUADRANGLE, SAN BERNARDINO COUNTY, CALIFORNIA, 2021.

SITE LOCATION MAP

PROPOSED WAREHOUSE

ONTARIO, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: JLL CHKD: RGT	
SCG PROJECT 22G128-2	
PLATE 1	

SoCalGeo SOUTHERN CALIFORNIA GEOTECHNICAL

2549

N.A.P.

N.A.P.

N.A.P.

N.A.P.

N.A.P.

B-1

B-2

B-3

B-4

B-5

I-1

I-2

I-3

I-4

I-5

I-6

PROPOSED
BUILDING
259,189 SF

EAST AIRPORT DRIVE

E Airport Dr

GEOTECHNICAL LEGEND

- APPROXIMATE INFILTRATION TEST LOCATION
- APPROXIMATE BORING LOCATION FROM CONCURRENT STUDY (SCG PROJECT NO. 22G128-1)
- PROPERTY LINE

NORTH

SoCalGeo

NOTE: PRELIMINARY SITE PLAN PREPARED BY RGA.
AERIAL PHOTOGRAPH OBTAINED FROM GOOGLE EARTH.

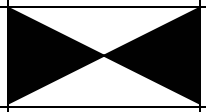
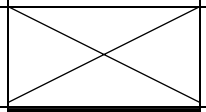
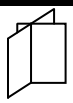
INFILTRATION TEST LOCATION PLAN

PROPOSED WAREHOUSE

ONTARIO, CALIFORNIA

SCALE: 1" = 80'	SoCalGeo SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: JLL CHKD: RGT	
SCG PROJECT 22G128-2	
PLATE 2	

BORING LOG LEGEND

SAMPLE TYPE	GRAPHICAL SYMBOL	SAMPLE DESCRIPTION
AUGER		SAMPLE COLLECTED FROM AUGER CUTTINGS, NO FIELD MEASUREMENT OF SOIL STRENGTH. (DISTURBED)
CORE		ROCK CORE SAMPLE: TYPICALLY TAKEN WITH A DIAMOND-TIPPED CORE BARREL. TYPICALLY USED ONLY IN HIGHLY CONSOLIDATED BEDROCK.
GRAB		SOIL SAMPLE TAKEN WITH NO SPECIALIZED EQUIPMENT, SUCH AS FROM A STOCKPILE OR THE GROUND SURFACE. (DISTURBED)
CS		CALIFORNIA SAMPLER: 2-1/2 INCH I.D. SPLIT BARREL SAMPLER, LINED WITH 1-INCH HIGH BRASS RINGS. DRIVEN WITH SPT HAMMER. (RELATIVELY UNDISTURBED)
NSR		NO RECOVERY: THE SAMPLING ATTEMPT DID NOT RESULT IN RECOVERY OF ANY SIGNIFICANT SOIL OR ROCK MATERIAL.
SPT		STANDARD PENETRATION TEST: SAMPLER IS A 1.4 INCH INSIDE DIAMETER SPLIT BARREL, DRIVEN 18 INCHES WITH THE SPT HAMMER. (DISTURBED)
SH		SHELBY TUBE: TAKEN WITH A THIN WALL SAMPLE TUBE, PUSHED INTO THE SOIL AND THEN EXTRACTED. (UNDISTURBED)
VANE		VANE SHEAR TEST: SOIL STRENGTH OBTAINED USING A 4 BLADED SHEAR DEVICE. TYPICALLY USED IN SOFT CLAYS-NO SAMPLE RECOVERED.

COLUMN DESCRIPTIONS

DEPTH: Distance in feet below the ground surface.

SAMPLE: Sample Type as depicted above.

BLOW COUNT: Number of blows required to advance the sampler 12 inches using a 140 lb hammer with a 30-inch drop. 50/3" indicates penetration refusal (>50 blows) at 3 inches. WH indicates that the weight of the hammer was sufficient to push the sampler 6 inches or more.

POCKET PEN.: Approximate shear strength of a cohesive soil sample as measured by pocket penetrometer.

GRAPHIC LOG: Graphic Soil Symbol as depicted on the following page.

DRY DENSITY: Dry density of an undisturbed or relatively undisturbed sample in lbs/ft^3.

MOISTURE CONTENT: Moisture content of a soil sample, expressed as a percentage of the dry weight.

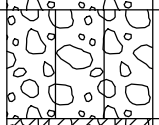
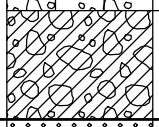
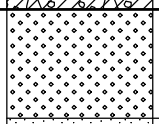
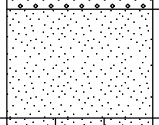
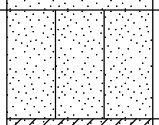
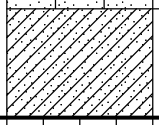
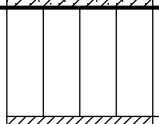
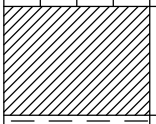
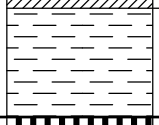
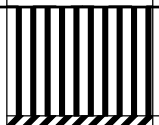
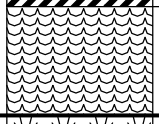
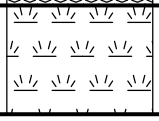
LIQUID LIMIT: The moisture content above which a soil behaves as a liquid.

PLASTIC LIMIT: The moisture content above which a soil behaves as a plastic.

PASSING #200 SIEVE: The percentage of the sample finer than the #200 standard sieve.

UNCONFINED SHEAR: The shear strength of a cohesive soil sample, as measured in the unconfined state.

SOIL CLASSIFICATION CHART

MAJOR DIVISIONS			SYMBOLS		TYPICAL DESCRIPTIONS
			GRAPH	LETTER	
COARSE GRAINED SOILS MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVEL AND GRAVELLY SOILS MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE	CLEAN GRAVELS (LITTLE OR NO FINES)		GW	WELL-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES
				GP	POORLY-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES
		GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)		GM	SILTY GRAVELS, GRAVEL - SAND - SILT MIXTURES
				GC	CLAYEY GRAVELS, GRAVEL - SAND - CLAY MIXTURES
	SAND AND SANDY SOILS MORE THAN 50% OF COARSE FRACTION PASSING ON NO. 4 SIEVE	CLEAN SANDS (LITTLE OR NO FINES)		SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES
				SP	POORLY-GRADED SANDS, GRAVELLY SAND, LITTLE OR NO FINES
		SANDS WITH FINES (APPRECIABLE AMOUNT OF FINES)		SM	SILTY SANDS, SAND - SILT MIXTURES
				SC	CLAYEY SANDS, SAND - CLAY MIXTURES
FINE GRAINED SOILS MORE THAN 50% OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYS	LIQUID LIMIT LESS THAN 50		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
				CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
				OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
	SILTS AND CLAYS	LIQUID LIMIT GREATER THAN 50		MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILTY SOILS
				CH	INORGANIC CLAYS OF HIGH PLASTICITY
				OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
HIGHLY ORGANIC SOILS				PT	PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS

NOTE: DUAL SYMBOLS ARE USED TO INDICATE BORDERLINE SOIL CLASSIFICATIONS

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-1

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					8± inches Aggregate Base							
		26			FILL: Gray Brown Silty fine to coarse Sand, little fine Gravel, medium dense-moist		10					
5		7			ALLUVIUM: Light Brown to Brown Silty fine Sand, loose-damp		4					
		9			@ 8½ feet, little medium Sand		5			31		
10					Boring Terminated at 10'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-1

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-2

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					5½± inches Aggregate Base							
		30			FILL: Brown Silty fine Sand, little medium Sand, trace coarse Sand, trace fine Gravel, dense-dry to damp		2					
5		4			ALLUVIUM: Gray Brown Silty fine Sand, little medium Sand, trace coarse Sand, loose-damp		6					
		6			Brown Silty fine Sand, trace medium Sand, loose-damp to moist		7					
10		23			Brown Silty fine to medium Sand, medium dense-moist		8			33		
					Boring Terminated at 12'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-2
2553

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-3

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					6± inches Asphaltic Concrete							
		8			FILL: Brown fine to medium Sand, little Silt, loose-damp to moist		7					
		4			ALLUVIUM: Brown fine to medium Sand, little Silt, loose-damp		5					
5		7					5					
10		6			Brown to Dark Brown Silty fine to medium Sand, trace coarse Sand, loose-damp to moist		7			20		
					Boring Terminated at 12'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-3
2554

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-4

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					3± inches Asphaltic Concrete, 9± inches of Aggregate Base							
		19			FILL: Gray Brown Silty fine to medium Sand, trace coarse Sand, medium dense-damp		5					
		4			ALLUVIUM: Gray Brown Silty fine Sand, little medium Sand, loose, damp to moist		7					
5		9					7					
10		6			Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand, loose-very moist		13			52		
					Boring Terminated at 12'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-4

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-5

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					2½± inches Asphaltic Concrete, 3½± inches of Aggregate Base							
		12			FILL: Brown Silty fine Sand, trace to little medium Sand, trace coarse Sand, medium dense-moist		8					
5		4			ALLUVIUM: Brown Silty fine Sand, trace to little medium Sand, loose-damp		6					
		9			Gray Brown to Dark Gray Brown Silty fine Sand to fine Sandy Silt, loose-very moist		14					
10					Gray Brown Silty fine Sand, little medium Sand, trace fine Gravel, loose-moist		9			24		
					Boring Terminated at 10'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-5

SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

BORING NO. I-6

JOB NO.: 22G128-2
PROJECT: Proposed Warehouse
LOCATION: Ontario, California

DRILLING DATE: 2/10/22
DRILLING METHOD: Hollow Stem Auger
LOGGED BY: Joseph Lozano Leon

WATER DEPTH: Dry
CAVE DEPTH: ---
READING TAKEN: At Completion

FIELD RESULTS						LABORATORY RESULTS						
DEPTH (FEET)	SAMPLE	BLOW COUNT	POCKET PEN. (TSF)	GRAPHIC LOG	DESCRIPTION SURFACE ELEVATION: --- MSL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LIQUID LIMIT	PLASTIC LIMIT	PASSING #200 SIEVE (%)	ORGANIC CONTENT (%)	COMMENTS
					8± inches Portland Cement Concrete							
		43			FILL: Gray Brown Silty fine Sand, little medium Sand, trace coarse Sand, dense-moist		9					
5		8			ALLUVIUM: Gray Brown Silty fine Sand, trace medium Sand, loose-moist		9					
		6			Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand, trace fine Gravel, loose-very moist		14			43		
10					Boring Terminated at 10'							

TBL 22G128-2.GPJ SOCALGEO.GDT 3/9/22

TEST BORING LOG

PLATE B-6

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Caleb Brackett

Test Hole Radius	4	(in)
Test Depth	10.20	(ft)

Infiltration Test Hole	I-1

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	8:28 AM	25.00	8.10	24.00	YES	SANDY SOILS
	Final	8:53 AM		10.10			
2	Initial	8:55 AM	25.00	8.10	24.00	YES	SANDY SOILS
	Final	9:20 AM		10.10			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	9:21 AM	10.00	8.20	0.80	1.60	5.43
	Final	9:31 AM		9.00			
2	Initial	9:31 AM	10.00	8.20	0.70	1.65	4.62
	Final	9:41 AM		8.90			
3	Initial	9:41 AM	10.00	8.20	0.60	1.70	3.86
	Final	9:51 AM		8.80			
4	Initial	9:51 AM	10.00	8.30	0.60	1.60	4.08
	Final	10:01 AM		8.90			
5	Initial	10:01 AM	10.00	8.20	0.60	1.70	3.86
	Final	10:11 AM		8.80			
6	Initial	10:11 AM	10.00	8.20	0.60	1.70	3.86
	Final	10:21 AM		8.80			
7	Initial	10:21 AM	10.00	8.20	0.60	1.70	3.86
	Final	10:31 AM		8.80			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Caleb Brackett

Test Hole Radius	4	(in)
Test Depth	12.00	(ft)

Infiltration Test Hole: I-2

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:07 AM	25.00	9.00	24.00	YES	SANDY SOILS
	Final	7:32 AM		11.00			
2	Initial	7:33 AM	25.00	9.00	22.80	YES	SANDY SOILS
	Final	7:58 AM		10.90			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	7:58 AM	10.00	9.00	0.80	2.60	3.47
	Final	8:08 AM		9.80			
2	Initial	8:09 AM	10.00	9.00	0.80	2.60	3.47
	Final	8:19 AM		9.80			
3	Initial	8:20 AM	10.00	9.00	0.70	2.65	2.98
	Final	8:30 AM		9.70			
4	Initial	8:30 AM	10.00	9.00	0.80	2.60	3.47
	Final	8:40 AM		9.80			
5	Initial	8:40 AM	10.00	9.00	0.70	2.65	2.98
	Final	8:50 AM		9.70			
6	Initial	8:50 AM	10.00	9.00	0.70	2.65	2.98
	Final	9:00 AM		9.70			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	12.40	(ft)

Infiltration Test Hole: I-3

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	10:15 AM	25.00	10.40	24.00	YES	SANDY SOILS
	Final	10:40 AM		12.40			
2	Initial	10:42 AM	25.00	10.40	24.00	YES	SANDY SOILS
	Final	11:07 AM		12.40			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	11:08 AM	10.00	10.40	0.80	1.60	5.43
	Final	11:18 AM		11.20			
2	Initial	11:20 AM	10.00	10.40	0.90	1.55	6.29
	Final	11:30 AM		11.30			
3	Initial	11:31 AM	10.00	10.40	0.80	1.60	5.43
	Final	11:41 AM		11.20			
4	Initial	11:42 AM	10.00	10.40	0.80	1.60	5.43
	Final	11:52 AM		11.20			
5	Initial	11:55 AM	10.00	10.40	0.70	1.65	4.62
	Final	12:05 PM		11.10			
6	Initial	12:06 PM	10.00	10.40	0.70	1.65	4.62
	Final	12:16 PM		11.10			
7	Initial	12:18 PM	10.00	10.40	0.70	1.65	4.62
	Final	12:28 PM		11.10			
8	Initial	12:29 PM	10.00	10.40	0.70	1.65	4.62
	Final	12:39 PM		11.10			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	11.70	(ft)

Infiltration Test Hole: I-4

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:56 AM	25.00	10.00	20.40	YES	SANDY SOILS
	Final	8:21 AM		11.70			
2	Initial	8:22 AM	25.00	10.00	20.40	YES	SANDY SOILS
	Final	8:47 AM		11.70			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	8:48 AM	10.00	10.30	0.50	1.15	4.56
	Final	8:58 AM		10.80			
2	Initial	8:59 AM	10.00	10.30	0.40	1.20	3.51
	Final	9:09 AM		10.70			
3	Initial	9:10 AM	10.00	10.30	0.30	1.25	2.54
	Final	9:20 AM		10.60			
4	Initial	9:20 AM	10.00	10.30	0.20	1.30	1.64
	Final	9:30 AM		10.50			
5	Initial	9:31 AM	10.00	10.10	0.50	1.35	3.96
	Final	9:41 AM		10.60			
6	Initial	9:42 AM	10.00	10.10	0.40	1.40	3.06
	Final	9:52 AM		10.50			
7	Initial	9:24 AM	10.00	10.10	0.40	1.40	3.06
	Final	9:34 AM		10.50			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	10.20	(ft)

Infiltration Test Hole	I-5

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:42 AM	25.00	8.10	20.40	YES	SANDY SOILS
	Final	8:07 AM		9.80			
2	Initial	8:08 AM	25.00	8.10	21.60	YES	SANDY SOILS
	Final	8:33 AM		9.90			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	8:35 AM	10.00	8.30	0.80	1.50	5.76
	Final	8:45 AM		9.10			
2	Initial	8:46 AM	10.00	8.80	0.60	1.10	5.68
	Final	8:56 AM		9.40			
3	Initial	8:57 AM	10.00	8.80	0.50	1.15	4.56
	Final	9:07 AM		9.30			
4	Initial	9:08 AM	10.00	8.80	0.50	1.15	4.56
	Final	9:18 AM		9.30			
5	Initial	9:19 AM	10.00	8.80	0.40	1.20	3.51
	Final	9:29 AM		9.20			
6	Initial	9:30 AM	10.00	8.80	0.40	1.20	3.51
	Final	9:40 AM		9.20			
7	Initial	9:42 AM	10.00	8.80	0.40	1.20	3.51
	Final	9:52 AM		9.20			
8	Initial	9:53 AM	10.00	8.80	0.40	1.20	3.51
	Final	10:03 AM		9.20			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

Q = Infiltration Rate (in inches per hour)
ΔH = Change in Height (Water Level) over the time interval
r = Test Hole (Borehole) Radius
Δt = Time Interval
H_{avg} = Average Head Height over the time interval

INFILTRATION CALCULATIONS

Project Name	Proposed Warehouse
Project Location	Ontario, California
Project Number	22G128-2
Engineer	Sam Bergeland

Test Hole Radius	4	(in)
Test Depth	10.20	(ft)

Infiltration Test Hole: I-6

Soil Criteria Test

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (in)	Did 6 inches of water seep away in less than 25 minutes?	Sandy Soils or Non-Sandy Soils?
1	Initial	7:49 AM	25.00	8.10	19.20	YES	SANDY SOILS
	Final	8:14 AM		9.70			
2	Initial	8:15 AM	25.00	8.10	20.40	YES	SANDY SOILS
	Final	8:40 AM		9.80			

Test Data

Interval Number		Time	Time Interval (min)	Water Depth (ft)	Change in Water Level (ft)	Average Head Height (ft)	Infiltration Rate Q (in/hr)
1	Initial	10:17 AM	10.00	8.10	0.60	1.80	3.66
	Final	10:27 AM		8.70			
2	Initial	10:28 AM	10.00	8.10	0.70	1.75	4.38
	Final	10:38 AM		8.80			
3	Initial	10:39 AM	10.00	8.10	0.50	1.85	2.98
	Final	10:49 AM		8.60			
4	Initial	10:50 AM	10.00	8.10	0.60	1.80	3.66
	Final	11:00 AM		8.70			
5	Initial	11:05 AM	10.00	8.10	0.50	1.85	2.98
	Final	11:15 AM		8.60			
6	Initial	11:16 AM	10.00	8.10	0.50	1.85	2.98
	Final	11:26 AM		8.60			
7	Initial	11:27 AM	10.00	8.10	0.50	1.85	2.98
	Final	11:37 AM		8.60			

Per County Standards, Infiltration Rate calculated as follows:

$$Q = \frac{\Delta H(60r)}{\Delta t(r + 2H_{avg})}$$

Where:

- Q = Infiltration Rate (in inches per hour)
- ΔH = Change in Height (Water Level) over the time interval
- r = Test Hole (Borehole) Radius
- Δt = Time Interval
- H_{avg} = Average Head Height over the time interval

Grain Size Distribution



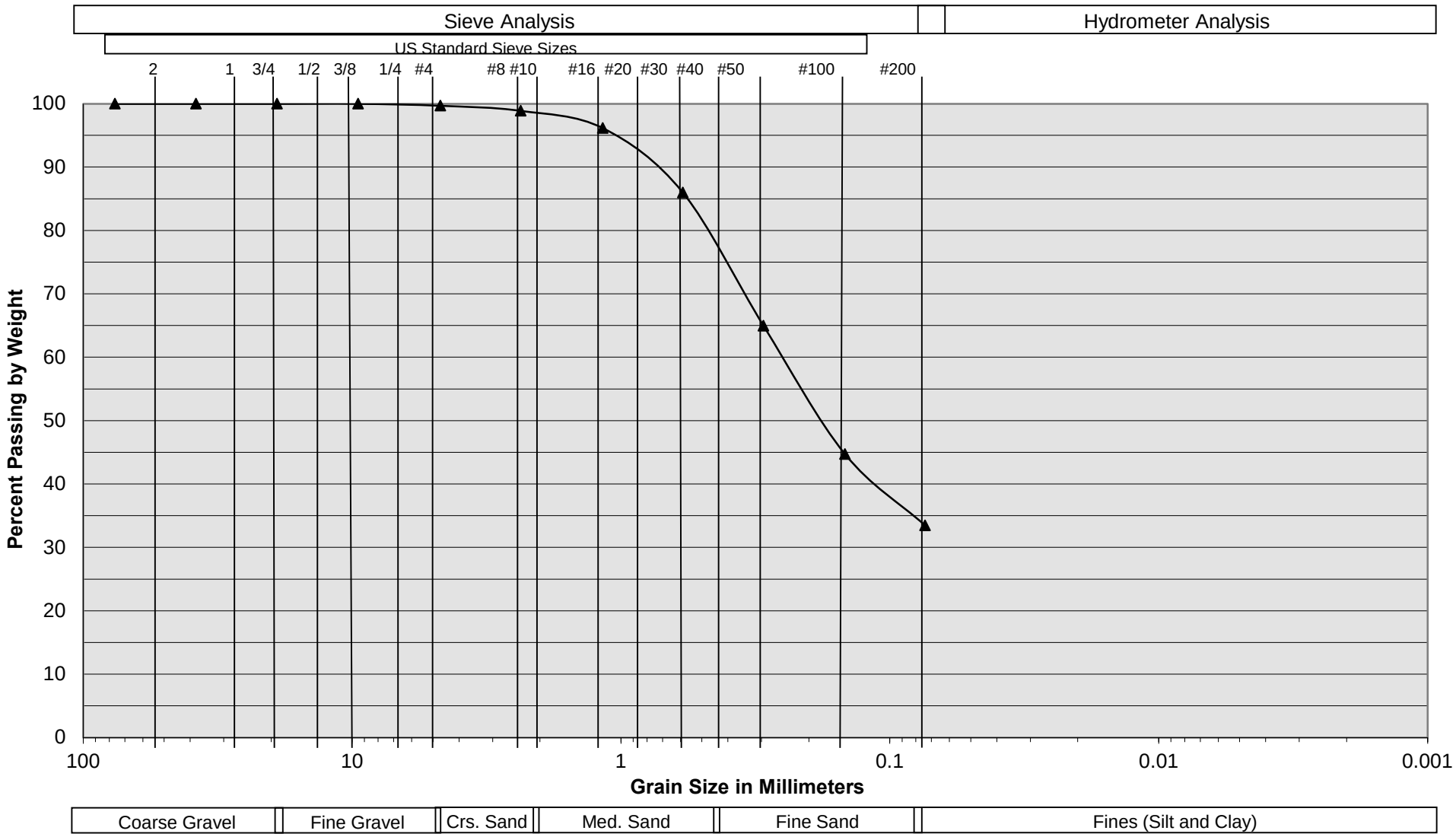
Sample Description	I-1 @ 8½'
Soil Classification	Light Brown to Brown Silty fine Sand, little medium Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 1

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

2564

Grain Size Distribution



Sample Description	I-2 @ 10½'
Soil Classification	Brown Silty fine to medium Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 2

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Grain Size Distribution

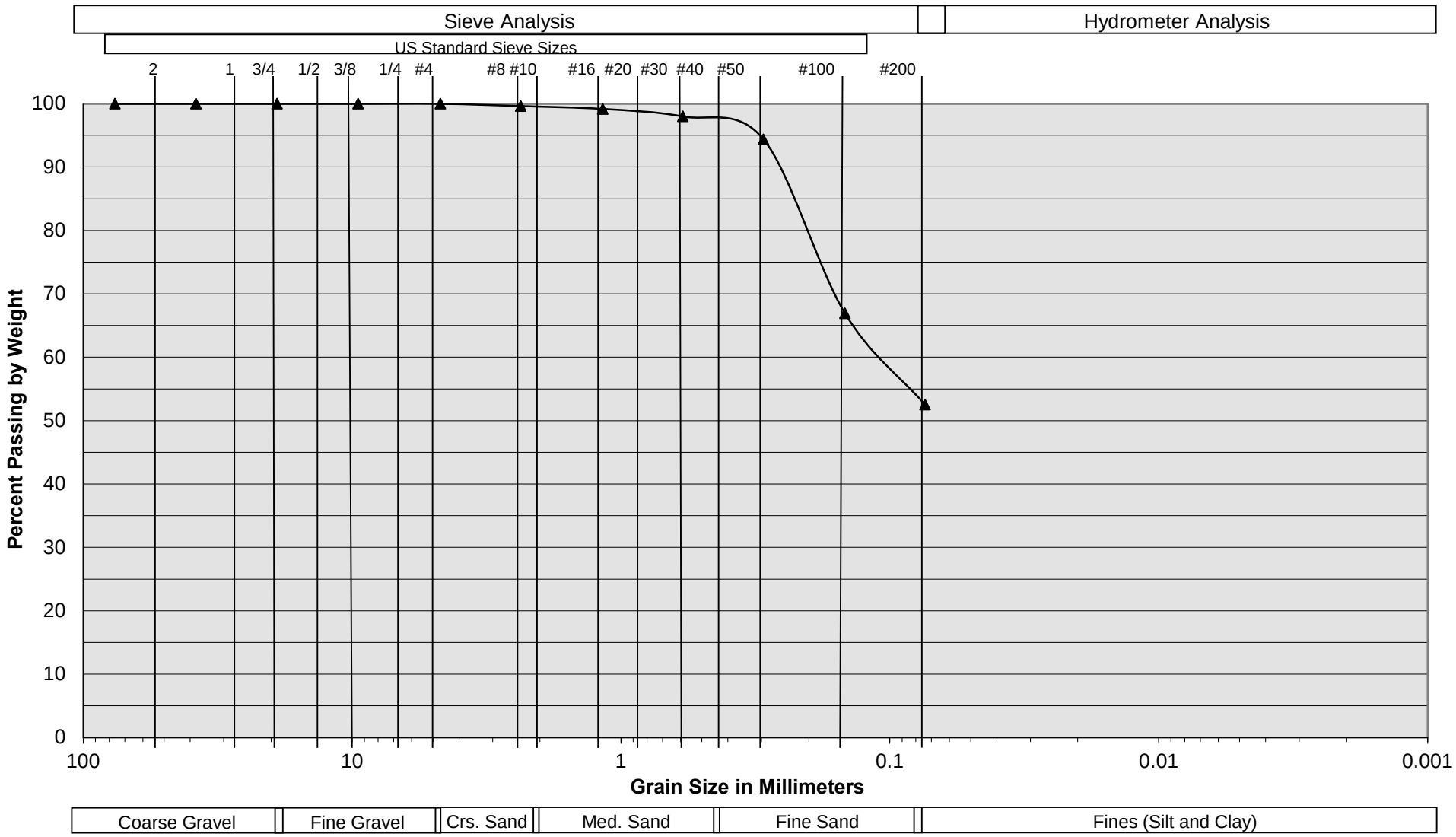


Sample Description	I-3 @ 10½'
Soil Classification	Brown to Dark Brown Silty fine to medium Sand, trace coarse Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 3

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Grain Size Distribution

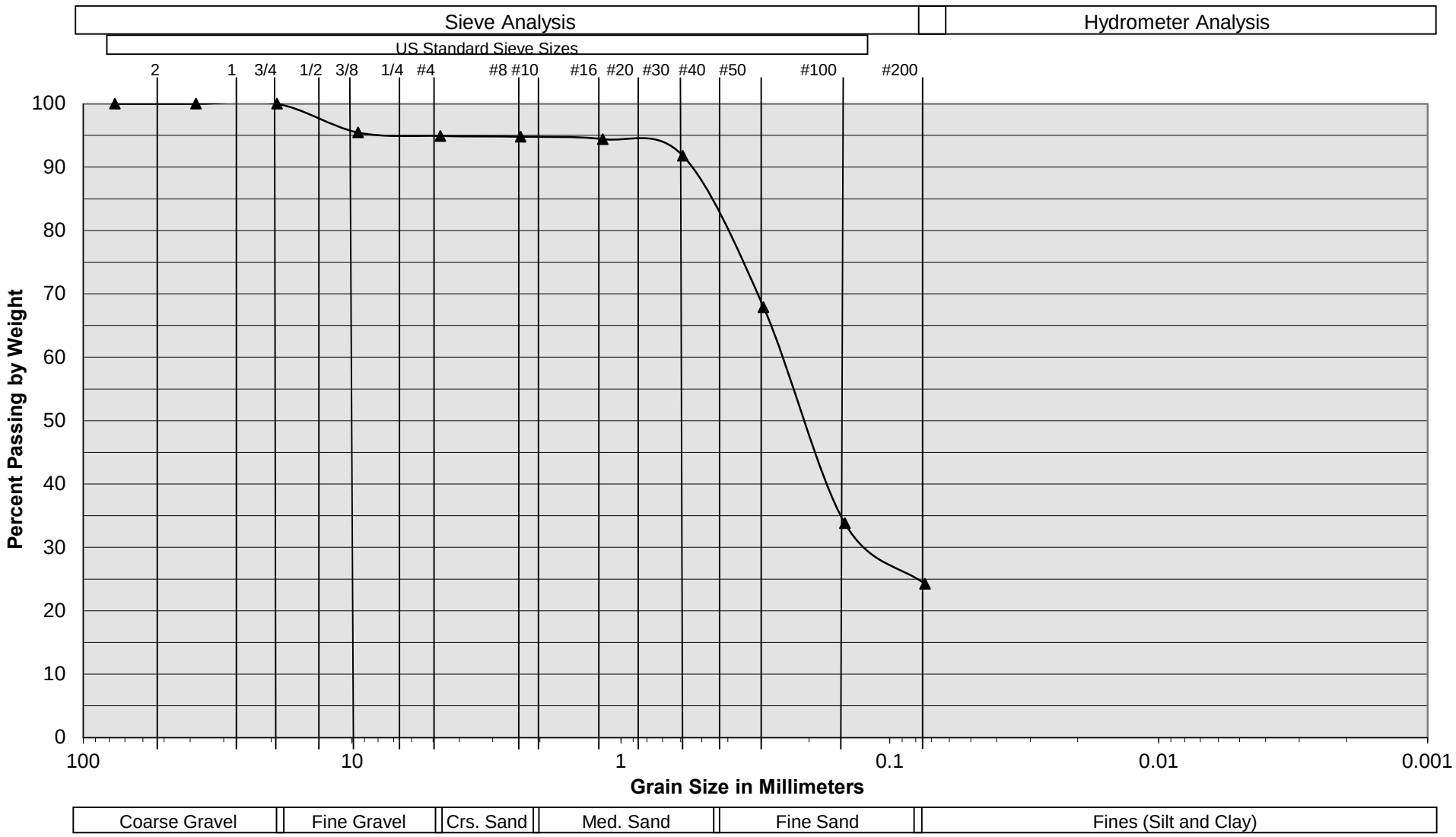


Sample Description	I-4 @ 10½'
Soil Classification	Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 4

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Grain Size Distribution



Sample Description	I-5 @ 9½'
Soil Classification	Gray Brown Silty fine Sand, little medium Sand, trace fine Gravel

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 5

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

Grain Size Distribution



Sample Description	I-6 @ 8½'
Soil Classification	Gray Brown Silty fine Sand to fine Sandy Silt, trace medium Sand, trace fine Gravel

Proposed Warehouse
Ontario, California
Project No. 22G128-2
PLATE C- 6

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL
A California Corporation

APPENDIX G

PRELIMINARY GRADING PLAN

5355 East Airport Drive

NOISE IMPACT ANALYSIS

CITY OF ONTARIO

PREPARED BY:

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(949) 584-3148

AUGUST 26, 2022

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LIST OF ABBREVIATED TERMS

(1)	Reference
ADT	Average Daily Traffic
ANSI	American National Standards Institute
CEQA	California Environmental Quality Act
CNEL	Community Noise Equivalent Level
dBA	A-weighted decibels
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
Hz	Hertz
INCE	Institute of Noise Control Engineering
L_{eq}	Equivalent continuous (average) sound level
L_{max}	Maximum level measured over the time interval
L_{min}	Minimum level measured over the time interval
OPR	Office of Planning and Research
PPV	Peak particle velocity
Project	5355 East Airport Drive
REMEL	Reference Energy Mean Emission Level
RMS	Root-mean-square
VdB	Vibration Decibels

EXECUTIVE SUMMARY

Urban Crossroads, Inc. has prepared this noise study to determine the potential noise impacts and the necessary noise mitigation measures, if any, for the proposed 5355 East Airport Drive development ("Project"). The proposed Project is to consist of a 270,337 square foot warehouse. This study has been prepared to satisfy applicable City of Ontario standards and thresholds of significance based on guidance provided by Appendix G of the California Environmental Quality Act (CEQA) Guidelines (1).

The results of this 5355 East Airport Drive Noise Impact Analysis are summarized below based on the significance criteria in Section 4 of this report. Table ES-1 shows the findings of significance for each potential noise and/or vibration impact under CEQA before and after any required mitigation measures.

TABLE ES-1: SUMMARY OF CEQA SIGNIFICANCE FINDINGS

Analysis	Report Section	Significance Findings	
		Unmitigated	Mitigated
Operational Noise	7	*Less Than Significant*	-
Construction Noise	8	*Less Than Significant*	-
Construction Vibration		*Less Than Significant*	-

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1 INTRODUCTION

This noise analysis has been completed to determine the noise impacts associated with the development of the proposed 5355 East Airport Drive ("Project"). This noise study briefly describes the proposed Project, provides information regarding noise fundamentals, sets out the local regulatory setting, presents the study methods and procedures for noise analysis, and evaluates the future exterior noise environment. In addition, this study includes an analysis of the potential Project-related long-term stationary-source operational noise and short-term construction noise and vibration impacts.

1.1 SITE LOCATION

The proposed Project is located at 5355 East Airport Drive in the City of Ontario as shown on Exhibit 1-A. The Project is located approximately 2.7 miles east of the Ontario International Airport (ONT).

1.2 PROJECT DESCRIPTION

The proposed Project is to consist of a 270,337 square foot warehouse.as shown on Exhibit 1-B. The on-site Project-related noise sources are expected to include: loading dock activity, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements. This noise analysis is intended to describe noise level impacts associated with the expected typical operational activities at the Project site.

EXHIBIT 1-A: LOCATION MAP

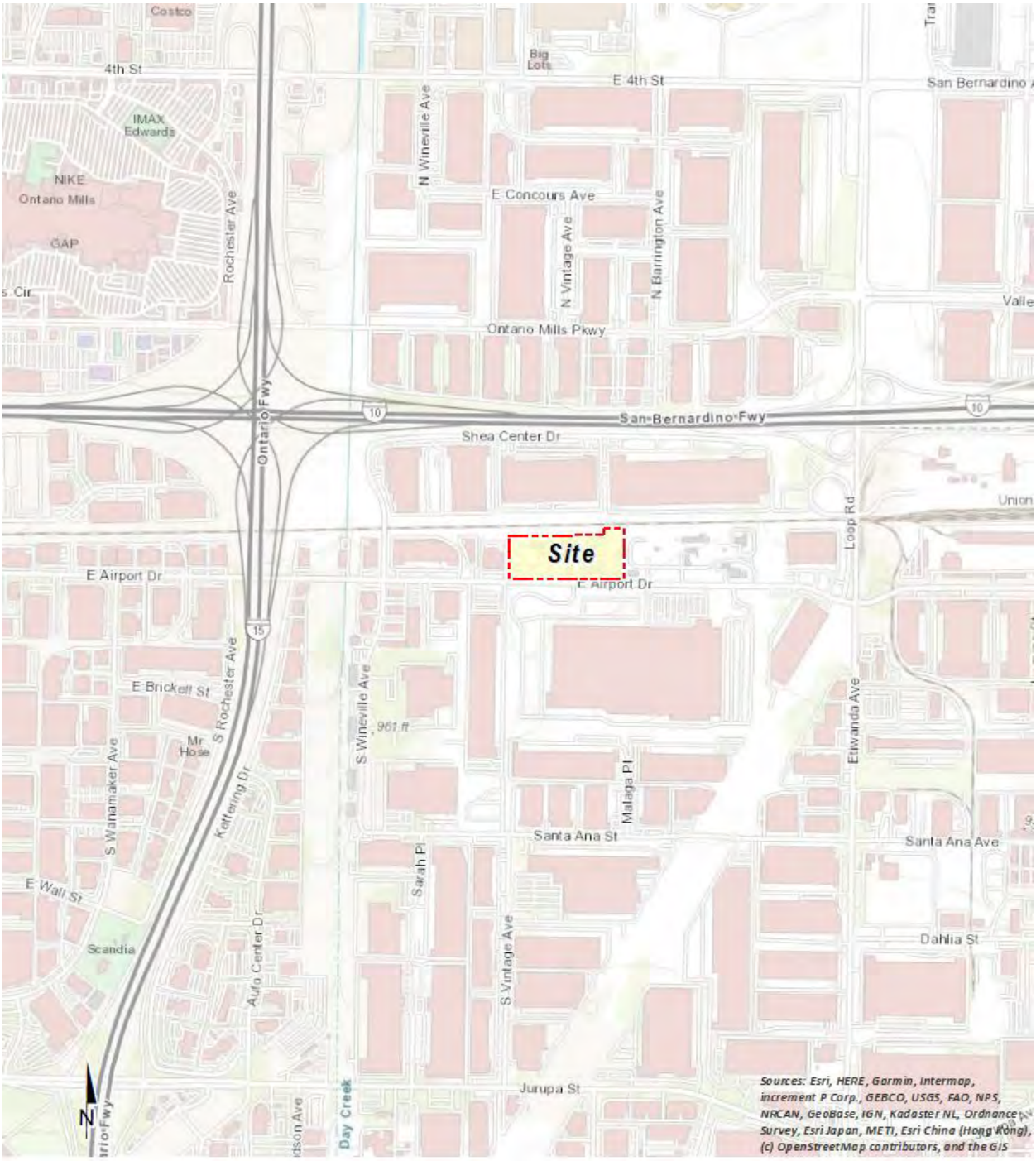
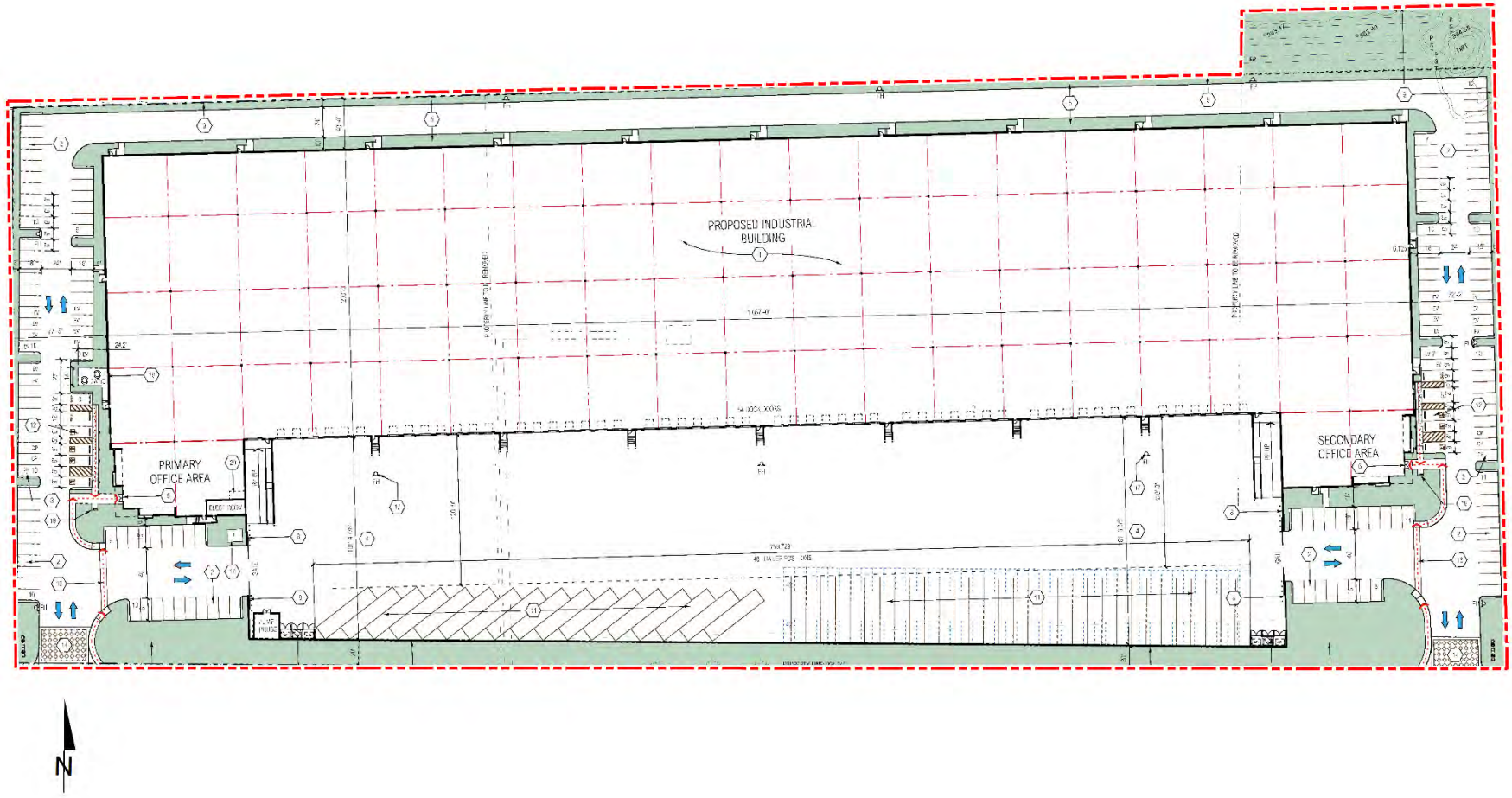


EXHIBIT 1-B: SITE PLAN



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2 FUNDAMENTALS

Noise is simply defined as "unwanted sound." Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear. Exhibit 2-A presents a summary of the typical noise levels and their subjective loudness and effects that are described in more detail below.

EXHIBIT 2-A: TYPICAL NOISE LEVELS

COMMON OUTDOOR ACTIVITIES	COMMON INDOOR ACTIVITIES	A - WEIGHTED SOUND LEVEL dBA	SUBJECTIVE LOUDNESS	EFFECTS OF NOISE
THRESHOLD OF PAIN		140	INTOLERABLE OR DEAFENING	HEARING LOSS
NEAR JET ENGINE		130		
		120		
JET FLY-OVER AT 300m (1000 ft)	ROCK BAND	110		
LOUD AUTO HORN		100	VERY NOISY	
GAS LAWN MOWER AT 1m (3 ft)		90		
DIESEL TRUCK AT 15m (50 ft), at 80 km/hr (50 mph)	FOOD BLENDER AT 1m (3 ft)	80		SPEECH INTERFERENCE
NOISY URBAN AREA, DAYTIME	VACUUM CLEANER AT 3m (10 ft)	70	LOUD	
HEAVY TRAFFIC AT 90m (300 ft)	NORMAL SPEECH AT 1m (3 ft)	60		
QUIET URBAN DAYTIME	LARGE BUSINESS OFFICE	50	MODERATE	SLEEP DISTURBANCE
QUIET URBAN NIGHTTIME	THEATER, LARGE CONFERENCE ROOM (BACKGROUND)	40		
QUIET SUBURBAN NIGHTTIME	LIBRARY	30	FAINT	NO EFFECT
QUIET RURAL NIGHTTIME	BEDROOM AT NIGHT, CONCERT HALL (BACKGROUND)	20		
	BROADCAST/RECORDING STUDIO	10	VERY FAINT	
LOWEST THRESHOLD OF HUMAN HEARING	LOWEST THRESHOLD OF HUMAN HEARING	0		

Source: Environmental Protection Agency Office of Noise Abatement and Control, Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (EPA/ONAC 550/9-74-004) March 1974.

2.1 RANGE OF NOISE

Since the range of intensities that the human ear can detect is so large, the scale frequently used to measure intensity is a scale based on multiples of 10, the logarithmic scale. The scale for measuring intensity is the decibel scale. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. (2) The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at three feet is roughly at 60 dBA, while loud jet engine noises equate to 110 dBA

at approximately 1,000 feet, which can cause serious discomfort. (3) Another important aspect of noise is the duration of the sound and the way it is described and distributed in time.

2.2 NOISE DESCRIPTORS

Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most used metric is the equivalent level (L_{eq}). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in A-weighted decibels (dBA). The equivalent sound level (L_{eq}) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period and is commonly used to describe the "average" noise levels within the environment.

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time-of-day corrections require the addition of 5 decibels to dBA L_{eq} sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 decibels to dBA L_{eq} sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and night hours when noise can become more intrusive. CNEL does not represent the actual sound level heard at any time, but rather represents the total sound exposure. The City of Ontario relies on the 24-hour CNEL level to assess land use compatibility with transportation related noise sources.

2.3 SOUND PROPAGATION

When sound propagates over a distance, it changes in level and frequency content. The way noise reduces with distance depends on the following factors.

2.3.1 GEOMETRIC SPREADING

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source. (2)

2.3.2 GROUND ABSORPTION

The propagation path of noise from a highway to a receiver is usually very close to the ground. Noise attenuation from ground absorption and reflective wave canceling adds to the attenuation associated with geometric spreading. Traditionally, the excess attenuation has also been expressed in terms of attenuation per doubling of distance. This approximation is usually

sufficiently accurate for distances of less than 200 ft. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receiver, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., those sites with an absorptive ground surface between the source and the receiver such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed. When added to the cylindrical spreading, the excess ground attenuation results in an overall drop-off rate of 4.5 dB per doubling of distance from a line source. (4)

2.3.3 ATMOSPHERIC EFFECTS

Receivers located downwind from a source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Sound levels can be increased at large distances (e.g., more than 500 feet) due to atmospheric temperature inversion (i.e., increasing temperature with elevation). Other factors such as air temperature, humidity, and turbulence can also have significant effects. (2)

2.3.4 SHIELDING

A large object or barrier in the path between a noise source and a receiver can substantially attenuate noise levels at the receiver. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Shielding by trees and other such vegetation typically only has an "out of sight, out of mind" effect. That is, the perception of noise impact tends to decrease when vegetation blocks the line-of-sight to nearby residents. However, for vegetation to provide a substantial, or even noticeable, noise reduction, the vegetation area must be at least 15 feet in height, 100 feet wide and dense enough to completely obstruct the line-of-sight between the source and the receiver. This size of vegetation may provide up to 5 dBA of noise reduction. The Federal Highway Administration (FHWA) does not consider the planting of vegetation to be a noise abatement measure. (5)

2.4 NOISE CONTROL

Noise control is the process of obtaining an acceptable noise environment for an observation point or receiver by controlling the noise source, transmission path, receiver, or all three. This concept is known as the source-path-receiver concept. In general, noise control measures can be applied to these three elements.

2.5 NOISE BARRIER ATTENUATION

Effective noise barriers can reduce noise levels by 10 to 15 dBA, cutting the loudness of traffic noise in half. A noise barrier is most effective when placed close to the noise source or receiver. Noise barriers, however, do have limitations. For a noise barrier to work, it must block the line-of-sight path of sound from the noise source.

2.6 LAND USE COMPATIBILITY WITH NOISE

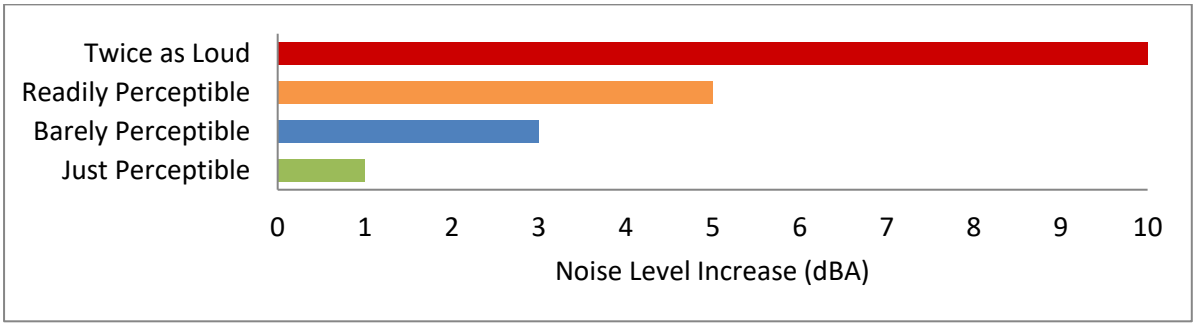
Some land uses are more tolerant of noise than others. For example, schools, hospitals, churches, and residences are more sensitive to noise intrusion than are commercial or industrial developments and related activities. As ambient noise levels affect the perceived amenity or livability of a development, so too can the mismanagement of noise impacts impair the economic health and growth potential of a community by reducing the area's desirability as a place to live, shop and work. For this reason, land use compatibility with the noise environment is an important consideration in the planning and design process. The FHWA encourages State and Local government to regulate land development in such a way that noise-sensitive land uses are either prohibited from being located adjacent to a highway, or that the developments are planned, designed, and constructed in such a way that noise impacts are minimized. (6)

2.7 COMMUNITY RESPONSE TO NOISE

Approximately sixteen percent of the population has a very low tolerance for noise and will object to any noise not of their making. Consequently, even in the quietest environment, some complaints may occur. Twenty to thirty percent of the population will not complain even in very severe noise environments. (7 pp. 8-6) Thus, a variety of reactions can be expected from people exposed to any given noise environment.

Surveys have shown that community response to noise varies from no reaction to vigorous action for newly introduced noises averaging from 10 dB below existing to 25 dB above existing. (8) According to research originally published in the Noise Effects Handbook (7), the percentage of high annoyance ranges from approximately 0 percent at 45 dB or less, 10 percent are highly annoyed around 60 dB, and increases rapidly to approximately 70 percent being highly annoyed at approximately 85 dB or greater. Despite this variability in behavior on an individual level, the population can be expected to exhibit the following responses to changes in noise levels as shown on Exhibit 2-B. A change of 3 dBA is considered barely perceptible, and changes of 5 dBA are considered readily perceptible. (4)

EXHIBIT 2-B: NOISE LEVEL INCREASE PERCEPTION



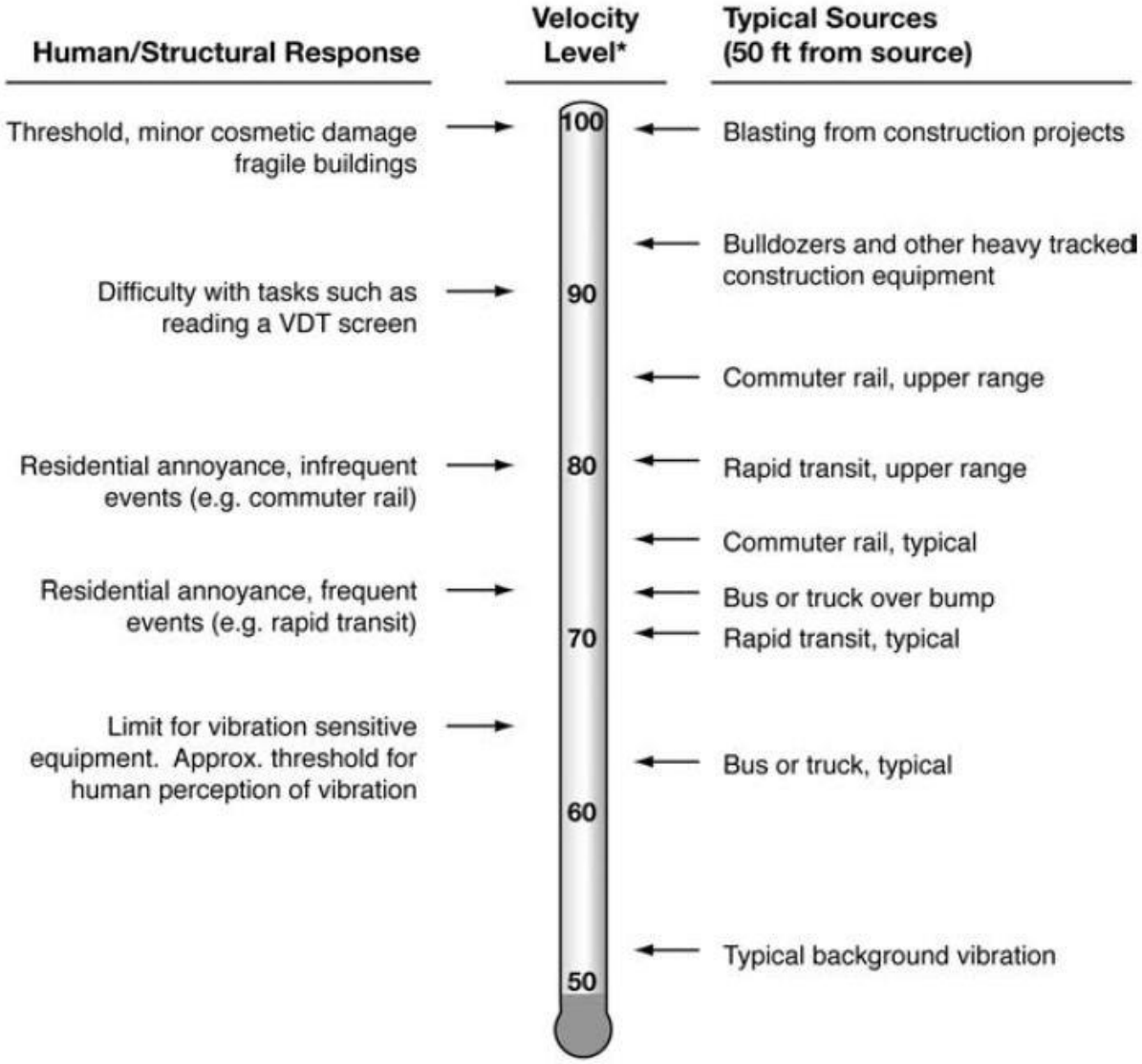
2.8 VIBRATION

Per the Federal Transit Administration (FTA) *Transit Noise Impact and Vibration Impact Assessment Manual* (8) , vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure-borne noise. Sources of ground-borne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, ground-borne vibrations may be described by amplitude and frequency.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings but is not always suitable for evaluating human response (annoyance) because it takes some time for the human body to respond to vibration signals. Instead, the human body responds to average vibration amplitude often described as the root mean square (RMS). The RMS amplitude is defined as the average of the squared amplitude of the signal and is most frequently used to describe the effect of vibration on the human body. Decibel notation (VdB) is commonly used to measure RMS. Decibel notation (VdB) serves to reduce the range of numbers used to describe human response to vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receivers for vibration include structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment and/or activities.

The background vibration-velocity level in residential areas is generally 50 VdB. Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. Exhibit 2-C illustrates common vibration sources and the human and structural response to ground-borne vibration.

EXHIBIT 2-C: TYPICAL LEVELS OF GROUND-BORNE VIBRATION



Source: Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual.

3 REGULATORY SETTING

The federal government, the State of California, various county governments, and most municipalities in the state have established standards and ordinances to control noise. In most areas, automobile and truck traffic is the major source of environmental noise. Traffic activity generally produces an average sound level that remains constant with time. Air and rail traffic, and commercial and industrial activities are also major sources of noise in some areas. Federal, state, and local agencies regulate different aspects of environmental noise. Federal and state agencies generally set noise standards for mobile sources such as aircraft and motor vehicles, while regulation of stationary sources is left to local agencies.

3.1 STATE OF CALIFORNIA NOISE REQUIREMENTS

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city adopt a General Plan that includes a Noise Element which is to be prepared per guidelines adopted by the Governor's Office of Planning and Research (OPR). (9) The purpose of the Noise Element is to *limit the exposure of the community to excessive noise levels*. In addition, the California Environmental Quality Act (CEQA) requires that all known environmental effects of a project be analyzed, including environmental noise impacts.

3.2 CITY OF ONTARIO GENERAL PLAN NOISE ELEMENT

The City of Ontario General Plan (Policy Plan) identifies several policies to minimize the impacts of excessive noise levels throughout the community. Policy Plan Section S4, Noise Hazards, establishes a goal of maintaining *an environment where noise does not adversely affect the public's health, safety, and welfare.* (10) To satisfy this goal, the Policy Plan identifies six policies related to: noise mitigation; coordination with transportation authorities; airport noise mitigation; truck traffic; roadway design; and airport noise compatibility. Noise criteria identified at Policy Plan Table LU-7 provide guidelines to evaluate land use compatibility within various noise environments. Table LU-7 is reproduced here as Exhibit 3-A *Noise Level Exposure and Land Use Compatibility Guidelines*. The Project industrial land uses are considered *clearly acceptable* within exterior noise level environments approaching 70 dBA CNEL and *normally acceptable* within noise level environments up to 75 dBA CNEL. For noise level environments greater than 80 dBA CNEL, the Project land uses would be considered *clearly unacceptable,* and no new construction should be permitted.

EXHIBIT 3-A: NOISE LEVEL EXPOSURE AND LAND USE COMPATIBILITY GUIDELINES

LAND USE CATEGORIES		COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)						
Category	Land Use	55	60	65	70	75	80	
Residential/ Lodging	Single Family / Duplex							
	Multi-Family							
	Mobile Homes							
	Hotel/Motels							
Public/Institutional	Schools/Hospitals							
	Churches/ Libraries							
	Auditoriums/Concert Halls							
Commercial	Offices							
	Retail							
Industrial	Manufacturing							
	Warehousing							
Recreational/ Open Space	Parks/Playgrounds							
	Golf Courses/ Riding Stables							
	Outdoor Spectator Sports							
	Outdoor Music Shells/ Amphitheaters							
	Livestock/Wildlife Preserves							
	Crop Agriculture							

LEGEND

Clearly Acceptable:	No special noise insulation required, assuming buildings of normal conventional construction.
Normally Acceptable:	Acoustical reports will be required for major new residential construction. Conventional construction with closed windows and fresh air supply systems of air conditioning will normally suffice.
Normally Unacceptable:	New construction should be discouraged. Noise/aviation easements required for all new construction. If new construction does proceed, a detailed analysis of noise reduction requirements must be made and necessary noise insulation features included.
Clearly Unacceptable:	No new construction should be permitted.

Source: The Ontario Plan Safety Section on Noise Hazards (Table LU-7).

3.3 OPERATIONAL NOISE STANDARDS

To analyze noise impacts originating from a designated fixed location or private property such as the 5355 East Airport Drive, stationary-source (operational) noise levels are evaluated against standards established under a City's Municipal Code. The City of Ontario requires that noise from new stationary sources in the City comply with the City's Noise Ordinance, which limits the acceptable noise at the property line of the impacted property, to reduce nuisances to sensitive land uses. Compliance with the City's Noise Ordinance would result in noise levels that are acceptable to the City and would result in less than significant noise impacts from stationary sources (11).

Section 5-29.04(a) identifies the allowable daytime and nighttime ambient exterior noise standards for each land use type. For Manufacturing and Industrial land uses (Noise Zone V), such as the Project, ambient exterior noise levels may not exceed 70 dBA L_{eq}. For residential land uses (Noise Zone I), ambient exterior noise levels may not exceed 65 dBA L_{eq} during the daytime hours (7:00 a.m. to 10:00 p.m.) and may not exceed 45 dBA L_{eq} during the nighttime hours (10:00 p.m. to 7:00 a.m.) (12). The lower noise level standard shall apply on the boundary between two (2) different noise zones. If the ambient noise level exceeds the resulting standard, the ambient noise level shall be the standard. The maximum acceptable Project-related operational noise levels received at off-site land uses in the City of Ontario are identified on Table 3-1.

TABLE 3-1: OPERATIONAL NOISE STANDARDS

Noise Zone	Land Use	Exterior Noise Levels (dBA Leq)[2]	
		Daytime (7am-10pm)	Nighttime (10pm-7am)
I	Single-Family Residential	65	45
II	Multi-Family Residential	65	50
III	Commercial	65	60
IV	Residential Mixed-Use	70	70
V	Manufacturing and Industrial	70	70

[1] Source: Section 5-29.04 of the City of Ontario Municipal Code (Appendix 3.1).
[2] L_{eq} represents a steady state sound level containing the same total energy as a time varying signal over a given period.

3.4 CONSTRUCTION NOISE STANDARDS

The City of Ontario has set restrictions to control noise impacts associated with construction. Section 5-29.09 of the Municipal Code states: No person, while engaged in construction, remodeling, digging, grading, demolition or any other related building activity, shall operate any tool, equipment or machine in a manner that produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a Police or Code Enforcement Officer, on any weekday except between the hours of 7:00 a.m. and 6:00 p.m. or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m. (12) While the City establishes limits to the hours during which construction activity may take place, it does not identify specific noise level limits for construction noise levels at potentially affected receiver locations for CEQA analysis purposes.

Therefore, a numerical construction threshold based on Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual is used for analysis of daytime construction impacts, as discussed below.

According to the FTA, local noise ordinances are typically not very useful in evaluating construction noise. They usually relate to nuisance and hours of allowed activity, and sometimes specify limits in terms of maximum levels, but are generally not practical for assessing the impact of a construction project. Project construction noise criteria should account for the existing noise environment, the absolute noise levels during construction activities, the duration of the construction, and the adjacent land use. Due to the lack of standardized construction noise thresholds, the FTA provides guidelines that can be considered reasonable criteria for construction noise assessment. The FTA considers a daytime exterior construction noise level of 80 dBA L_{eq} as a reasonable threshold for noise sensitive residential land use (8 p. 179).

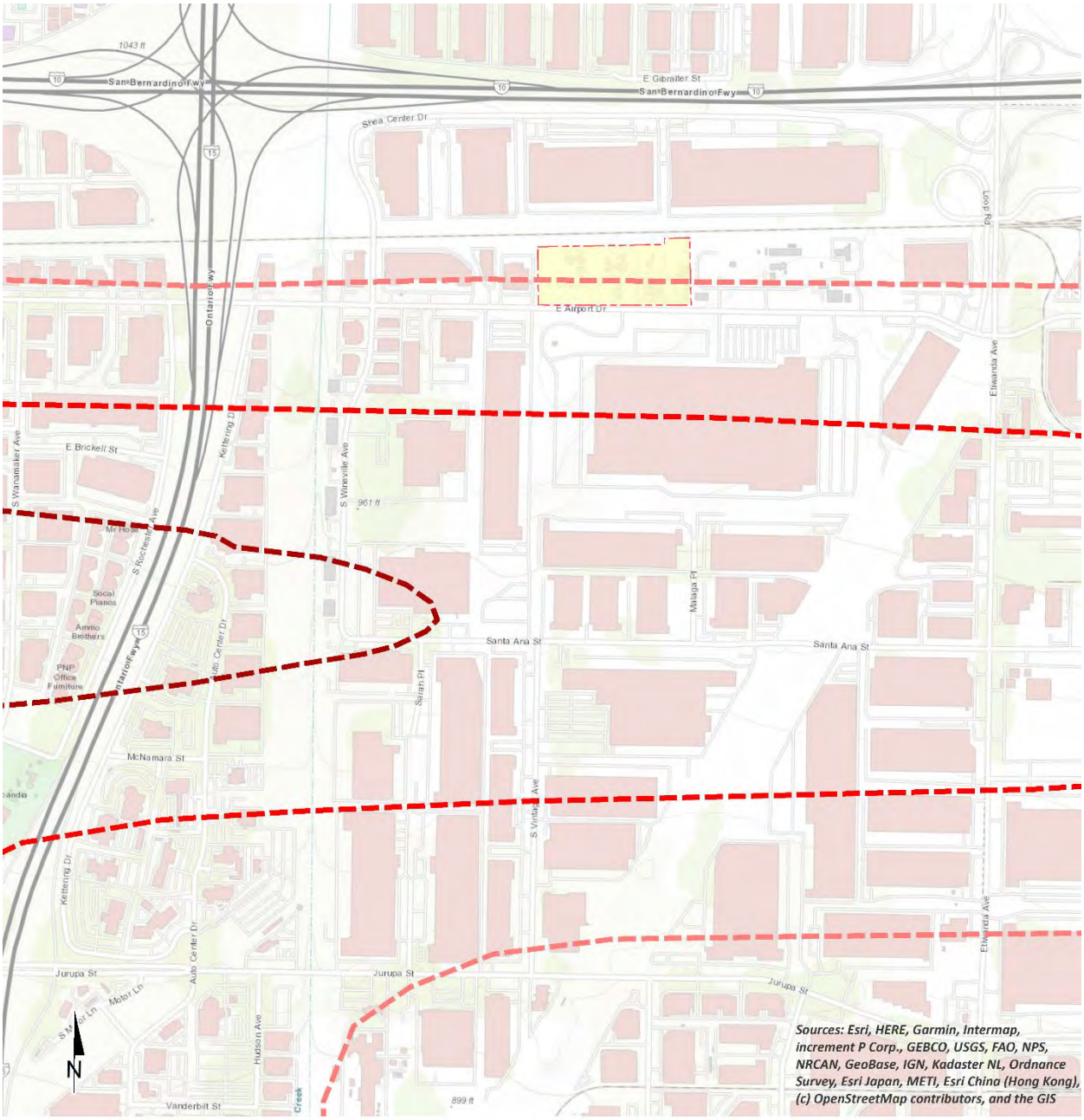
3.5 VIBRATION STANDARDS

Construction activity can result in varying degrees of ground-borne vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Other construction equipment such as air compressors, light trucks, hydraulic loaders, etc., generates little or no ground vibration. (8) To analyze vibration impacts originating from the operation and construction of 5355 East Airport Drive, vibration-generating activities are appropriately evaluated against standards established under a City's Municipal Code, if such standards exist. However, the City of Ontario does not identify specific vibration level limits. Therefore, for analysis purposes, the Caltrans *Transportation and Construction Vibration Guidance Manual*, (13 p. 38) Table 19, vibration damage are used in this noise study to assess potential temporary construction-related impacts at adjacent building locations. The nearest noise sensitive buildings adjacent to the Project site can best be described as "older residential structures" with a maximum acceptable continuous vibration threshold of 0.3 PPV (in/sec).

3.6 AIRPORT LAND USE COMPATIBILITY

The Project site is located approximately 2.7 miles east of the Ontario International Airport (ONT). This places the Project site within the ONT Airport Influence Area according to Policy Map 2-1 of the *Ontario International Airport Land Use Compatibility Plan (ONT ALUCP).* The ONT ALUCP was amended July 2018 to promote compatibility between airport and the land uses that surround it (14). Since the Project site is located within the ONT Airport Influence Area, the Project is subject to the Noise Criteria established on Table 2-3 in the ONT ALUCP. As shown on Exhibit 3-B, the Project site is located within the ONT Airport Influence Area but outside the 65 dBA CNEL airport noise impact zone consistent with Policy Map 2-3. According to Table 2-3 of the ONT ALUCP, industrial land uses located outside the 65 dBA CNEL noise level contours of ONT, such as the Project, are considered *normally compatible land use.* For *normally compatible land use,* either the activities associated with the land use are inherently noisy or standard construction methods will sufficiently attenuate exterior noise to an acceptable indoor community noise equivalent level (CNEL).

EXHIBIT 3-B: ONT FUTURE AIRPORT NOISE CONTOURS



LEGEND:

Project Site Boundary

Ontario Airport Noise Impact Zone

60 dBA CNEL Noise Contour

65 dBA CNEL Noise Contour

70 dBA CNEL Noise Contour

Source: Ontario International ALUCP Compatibility Policy Map: Noise Impact Zones, Map 2-3 (July 2018 Amendment)

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4 SIGNIFICANCE CRITERIA

The following significance criteria are based on currently adopted guidance provided by Appendix G of the California Environmental Quality Act (CEQA) Guidelines. (1) For the purposes of this report, impacts would be potentially significant if the Project results in or causes:

A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

B. Generation of excessive ground-borne vibration or ground-borne noise levels?

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

4.1 NOISE LEVEL INCREASES (THRESHOLD A)

Noise level increases resulting from the Project are evaluated based on the Appendix G CEQA Guidelines. Under CEQA, consideration must be given to the magnitude of the increase, the existing baseline ambient noise levels, and the location of receivers to determine if a noise increase represents a significant adverse environmental impact. This approach recognizes *that there is no single noise increase that renders the noise impact significant.* (15) This is primarily because of the wide variation in individual thresholds of annoyance and differing individual experiences with noise. Thus, an important way of determining a person's subjective reaction to a new noise is the comparison of it to the existing environment to which one has adapted—the so-called *ambient* environment. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will typically be judged.

The Federal Interagency Committee on Noise (FICON) (16) developed guidance to be used for the assessment of project-generated increases in noise levels that consider the ambient noise level. The FICON recommendations are based on studies that relate aircraft noise levels to the percentage of persons highly annoyed by aircraft noise. Although the FICON recommendations were specifically developed to assess aircraft noise impacts, these recommendations are often used in environmental noise impact assessments involving the use of cumulative noise exposure metrics, such as the average-daily noise level (CNEL) and equivalent continuous noise level (L_{eq}).

As previously stated, the approach used in this noise study recognizes *that there is no single noise increase that renders the noise impact significant*, based on a 2008 California Court of Appeal ruling on Gray v. County of Madera. (15) For example, if the ambient noise environment is quiet (<60 dBA) and the new noise source greatly increases the noise levels, an impact may occur if the noise criteria may be exceeded. Therefore, for this analysis, a *readily perceptible* 5 dBA or greater project-related noise level increase is considered a significant impact when the without project noise levels are below 60 dBA. Per the FICON, in areas where the without project noise levels range from 60 to 65 dBA, a 3 dBA *barely perceptible* noise level increase appears to be appropriate for most people. When the without project noise levels already exceed 65 dBA, any increase in community noise louder than 1.5 dBA or greater is considered a significant impact if

the noise criteria for a given land use is exceeded, since it likely contributes to an existing noise exposure exceedance. The FICON guidance provides an established source of criteria to assess the impacts of substantial temporary or permanent increase in baseline ambient noise levels. Based on the FICON criteria, the amount to which a given noise level increase is considered acceptable is reduced when the without Project (baseline) noise levels are already shown to exceed certain land-use specific exterior noise level criteria. The specific levels are based on typical responses to noise level increases of 5 dBA or *readily perceptible*, 3 dBA or *barely perceptible*, and 1.5 dBA depending on the underlying without Project noise levels for noise-sensitive uses. These levels of increases and their perceived acceptance are consistent with guidance provided by both the Federal Highway Administration (4 p. 9) and Caltrans (17 p. 2_48).

4.2 VIBRATION (THRESHOLD B)

As described in Section 3.5, the vibration impacts originating from the construction of the 5355 East Airport Drive, vibration-generating activities are appropriately evaluated using the Caltrans vibration damage thresholds to assess potential temporary construction-related impacts at adjacent building locations. The nearest noise sensitive buildings adjacent to the Project site can best be described as "older residential structures" with a maximum acceptable continuous vibration threshold of 0.3 PPV (in/sec).

4.3 CEQA GUIDELINES NOT FURTHER ANALYZED (THRESHOLD C)

CEQA Noise Threshold C applies when there are nearby public and private airports and/or air strips and focuses on land use compatibility of the Project to nearby airports and airstrips. The closest airport which would require additional noise analysis under CEQA guideline C is the Ontario International Airport. As previously indicated in Section 3.6, the Project site is located within the ONT Airport Influence Area but is located outside the 65 dBA CNEL airport noise impact zone. Therefore, airport noise impacts are considered *less than significant,* and no further noise analysis is provided under Guideline C.

4.4 SIGNIFICANCE CRITERIA SUMMARY

Noise impacts shall be considered significant if any of the following occur as a direct result of the proposed Project. Table 4-1 shows the significance criteria summary matrix that includes the allowable criteria used to identify potentially significant incremental noise level increases.

TABLE 4-1: SIGNIFICANCE CRITERIA SUMMARY

Analysis	Receiving Land Use	Condition(s)	Significance Criteria	
			Daytime	Nighttime
Operational	Noise-Sensitive	Exterior Noise Level Standards[1]	65 dBA L_{eq}	45 dBA L_{eq}
		If ambient is < 60 dBA Leq[2]	≥ 5 dBA L_{eq} Project increase	
		If ambient is 60 - 65 dBA Leq[2]	≥ 3 dBA L_{eq} Project increase	
		If ambient is > 65 dBA Leq[2]	≥ 1.5 dBA L_{eq} Project increase	
Construction		Permitted hours of 7:00 a.m. and 6:00 p.m. on weekdays[3]		
		Noise Level Threshold[4]	80 dBA L_{eq}	
		Vibration Level Threshold[5]	0.3 PPV (in/sec)	

[1] City of Ontario Municipal Code, 5-29.04(a) exterior noise standards for residential land uses (Noise Zone I).
[2] FICON, 1992.
[3] City of Ontario Municipal Code Section 5-29.09(a).
[4] Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual.
[5] Caltrans Transportation and Construction Vibration Manual, April 2020 Table 19.
"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

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5 EXISTING NOISE LEVEL MEASUREMENTS

To assess the existing noise level environment, 24-hour noise level measurements were taken at four locations in the Project study area. The receiver locations were selected to describe and document the existing noise environment within the Project study area. Exhibit 5-A provides the boundaries of the Project study area and the noise level measurement locations. To fully describe the existing noise conditions, noise level measurements were collected by Urban Crossroads, Inc. on Tuesday, March 8th, 2022. Appendix 5.1 includes study area photos.

5.1 MEASUREMENT PROCEDURE AND CRITERIA

To describe the existing noise environment, the hourly noise levels were measured during typical weekday conditions over a 24-hour period. By collecting individual hourly noise level measurements, it is possible to describe the equivalent daytime and nighttime hourly noise levels. The long-term noise readings were recorded using Piccolo Type 2 integrating sound level meter and dataloggers. The Piccolo sound level meters were calibrated using a Larson-Davis calibrator, Model CAL 150. All noise meters were programmed in "slow" mode to record noise levels in "A" weighted form. The sound level meters and microphones were equipped with a windscreen during all measurements. All noise level measurement equipment satisfies the American National Standards Institute (ANSI) standard specifications for sound level meters ANSI S1.4-2014/IEC 61672-1:2013. (18)

5.2 NOISE MEASUREMENT LOCATIONS

The long-term noise level measurements were positioned as close to the nearest sensitive receiver locations as possible to assess the existing ambient hourly noise levels surrounding the Project site. Both Caltrans and the FTA recognize that it is not reasonable to collect noise level measurements that can fully represent every part of a private yard, patio, deck, or balcony normally used for human activity when estimating impacts for new development projects. This is demonstrated in the Caltrans general site location guidelines which indicate that, *sites must be free of noise contamination by sources other than sources of interest. Avoid sites located near sources such as barking dogs, lawnmowers, pool pumps, and air conditioners unless it is the express intent of the analyst to measure these sources*. (2) Further, FTA guidance states, t*hat it is not necessary nor recommended that existing noise exposure be determined by measuring at every noise-sensitive location in the project area. Rather, the recommended approach is to characterize the noise environment for clusters of sites based on measurements or estimates at representative locations in the community*. (8)

Based on recommendations of Caltrans and the FTA, it is not necessary to collect measurements at each individual building or residence, because each receiver measurement represents a group of buildings that share acoustical equivalence. (8) In other words, the area represented by the receiver shares similar shielding, terrain, and geometric relationship to the reference noise source. Receivers represent a location of noise sensitive areas and are used to estimate the future noise level impacts. Collecting reference ambient noise level measurements at the nearby sensitive receiver locations allows for a comparison of the before and after Project noise levels

and is necessary to assess potential noise impacts due to the Project's contribution to the ambient noise levels.

5.3 NOISE MEASUREMENT RESULTS

The noise measurements presented below focus on the average or equivalent sound levels (L_{eq}). The equivalent sound level (L_{eq}) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period. Table 5-1 identifies the hourly daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) noise levels at each noise level measurement location.

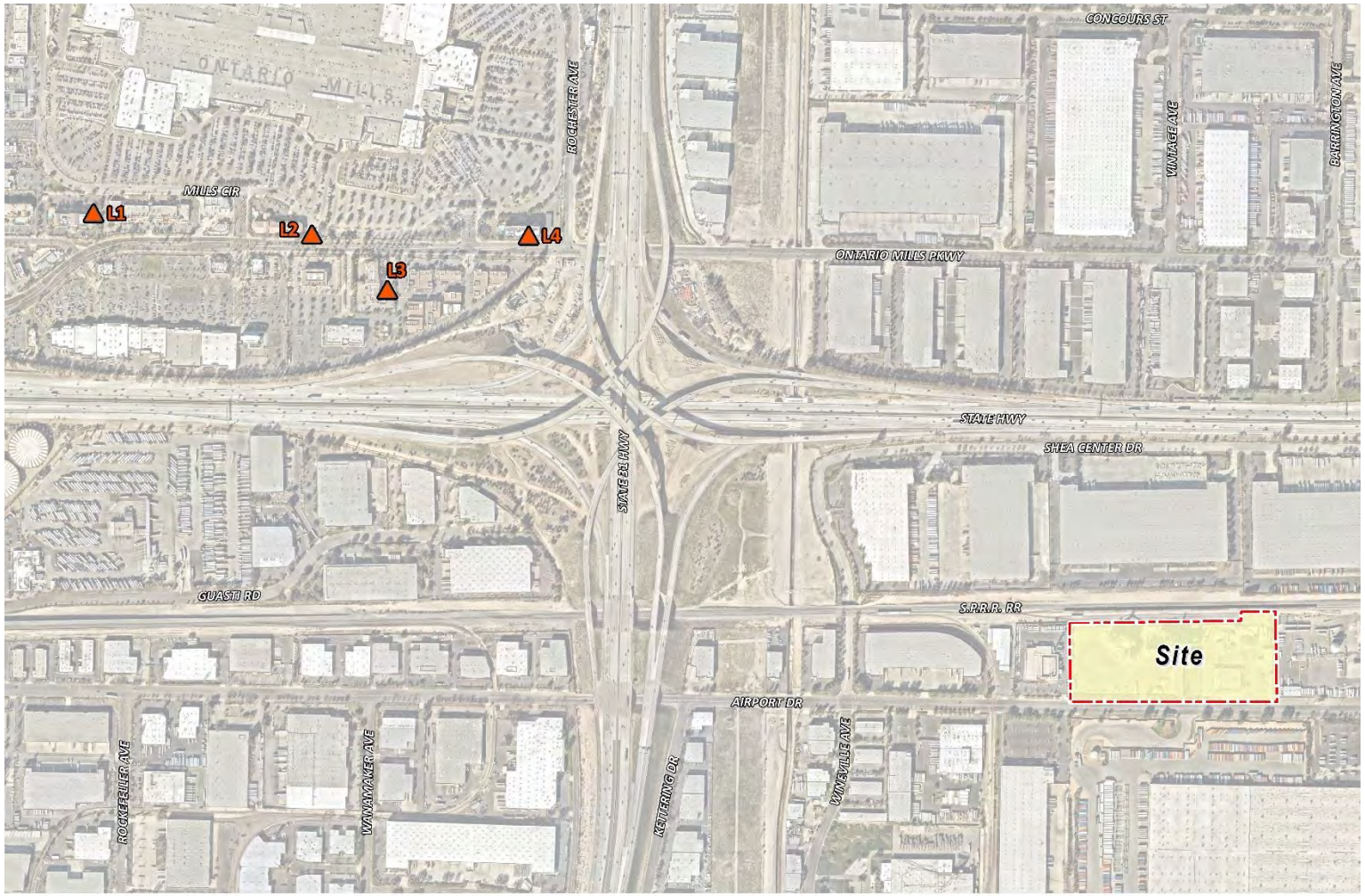
TABLE 5-1: 24-HOUR AMBIENT NOISE LEVEL MEASUREMENTS

Location[1]	Description	Energy Average Noise Level (dBA L_{eq})[2]	
		Daytime	Nighttime
L1	Located northwest of the Project site near Ayres Hotel Ontario Mills Mall at 4395 Ontario Mills Parkway.	58.4	59.0
L2	Located northwest of the Project site near Hampton Inn & Suites Ontario at 4500 Ontario Mills Parkway.	61.7	61.3
L3	Located northwest of the Project site near Country Inn & Suites by Radisson, Ontario at Ontario Mills at 4674 Ontario Mills Parkway.	67.1	62.2
L4	Located northwest of the Project site near Hyatt Place Ontario/Rancho Cucamonga at 4760 Mills Circle.	69.8	68.2

[1] See Exhibit 5-A for the noise level measurement locations.
[2] Energy (logarithmic) average levels. The long-term 24-hour measurement worksheets are included in Appendix 5.2.
"Daytime" = 7:00 a.m. to 7:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Table 5-1 provides the (energy average) noise levels used to describe the daytime and nighttime ambient conditions. These daytime and nighttime energy average noise levels represent the average of all hourly noise levels observed during these time periods expressed as a single number. Appendix 5.2 provides summary worksheets of the noise levels for each hour as well as the minimum, maximum, L_1, L_2, L_5, L_8, L_{25}, L_{50}, L_{90}, L_{95}, and L_{99} percentile noise levels observed during the daytime and nighttime periods.

EXHIBIT 5-A: NOISE MEASUREMENT LOCATIONS



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6 RECEIVER LOCATIONS

To assess the potential for long-term operational and short-term construction noise impacts, the following sensitive receiver locations, as shown on Exhibit 6-A, were identified as representative locations for analysis. Sensitive receivers are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. Moderately noise-sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, out-patient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs. Land uses that are considered relatively insensitive to noise include business, commercial, and professional developments. Land uses that are typically not affected by noise include: industrial, manufacturing, utilities, agriculture, undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.

To describe the potential off-site Project noise levels, four receiver locations in the vicinity of the Project site were identified. The selection of receiver locations is based on FHWA guidelines and is consistent with additional guidance provided by Caltrans and the FTA, as previously described in Section 5.2. Other sensitive land uses in the Project study area that are located at greater distances than those identified in this noise study will experience lower noise levels than those presented in this report due to the additional attenuation from distance and the shielding of intervening structures. Distance is measured in a straight line from the project boundary to each receiver location.

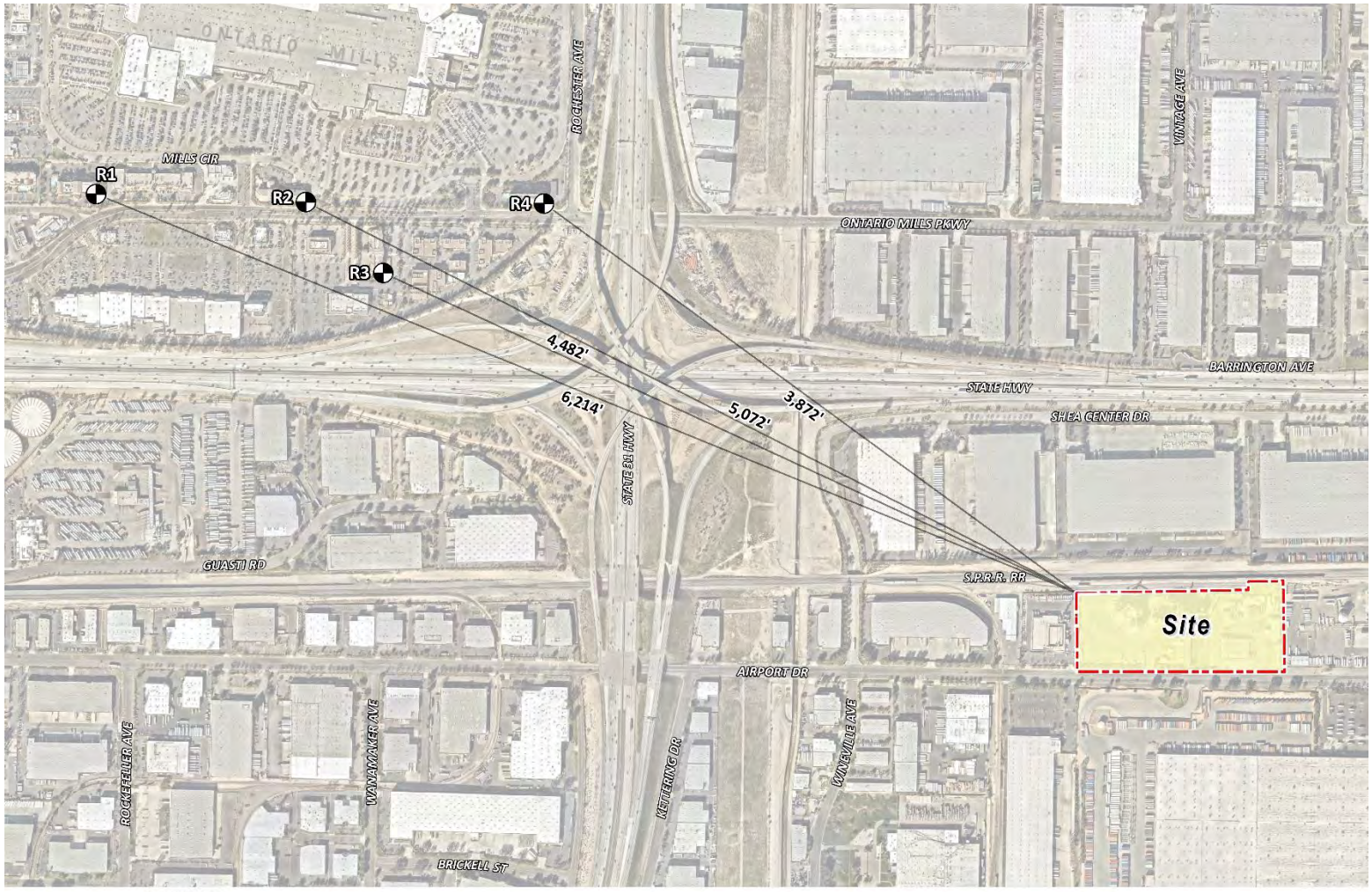
R1: Location R1 represents the existing noise sensitive Ayres Hotel Ontario Mills Mall at 4395 Ontario Mills Parkway, approximately 6,214 feet northwest of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R1 is placed at the building façade. A 24-hour noise measurement was taken near this location, L1, to describe the existing ambient noise environment.

R2: Location R2 represents the existing noise sensitive Hampton Inn & Suites Ontario at 4500 Ontario Mills Parkway, approximately 5,072 feet northwest of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R2 is placed at the building façade. A 24-hour noise measurement was taken near this location, L2, to describe the existing ambient noise environment.

R3: Location R3 represents the existing noise Country Inn & Suites by Radisson, Ontario at Ontario Mills at 4674 Ontario Mills Parkway, approximately 4,482 feet northwest of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R3 is placed at the building façade. A 24-hour noise measurement was taken near this location, L3, to describe the existing ambient noise environment.

R4: Location R4 represents the existing noise Hyatt Place Ontario/Rancho Cucamonga at 4760 Mills Circle, approximately 3,872 feet northwest of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R4 is placed at the building façade. A 24-hour noise measurement was taken near this location, L4, to describe the existing ambient noise environment.

EXHIBIT 6-A: RECEIVER LOCATIONS



7 OPERATIONAL NOISE ANALYSIS

This section analyzes the potential stationary-source operational noise impacts at the nearby receiver locations, identified in Section 6, resulting from the operation of the proposed 5355 East Airport Drive Project. Exhibit 7-A identifies the noise source locations used to assess the operational noise levels.

7.1 OPERATIONAL NOISE SOURCES

This operational noise analysis is intended to describe noise level impacts associated with the expected typical of daytime and nighttime activities at the Project site. To present the potential worst-case noise conditions, this analysis assumes the Project would be operational 24 hours per day, seven days per week. Consistent with similar warehouse and industrial uses, the Project business operations would primarily be conducted within the enclosed buildings, except for traffic movement, parking, as well as loading and unloading of trucks at designated loading bays. The on-site Project-related noise sources are expected to include: loading dock activity, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements.

7.2 REFERENCE NOISE LEVELS

To estimate the Project operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed Project. This section provides a detailed description of the reference noise level measurements shown on Table 7-1 used to estimate the Project operational noise impacts. It is important to note that the following projected noise levels assume the worst-case noise environment with the loading dock activity, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements all operating at the same time. These sources of noise activity will likely vary throughout the day.

7.2.1 MEASUREMENT PROCEDURES

The reference noise level measurements presented in this section were collected using a Larson Davis LxT Type 1 precisions sound level meter (serial number 01146). The LxT sound level meter was calibrated using a Larson-Davis calibrator, Model CAL 200, was programmed in "slow" mode to record noise levels in "A" weighted form and was located at approximately five feet above the ground elevation for each measurement. The sound level meters and microphones were equipped with a windscreen during all measurements. All noise level measurement equipment satisfies the American National Standards Institute (ANSI) standard specifications for sound level meters ANSI S1.4-2014/IEC 61672-1:2013. (18)

EXHIBIT 7-A: OPERATIONAL NOISE SOURCE LOCATIONS

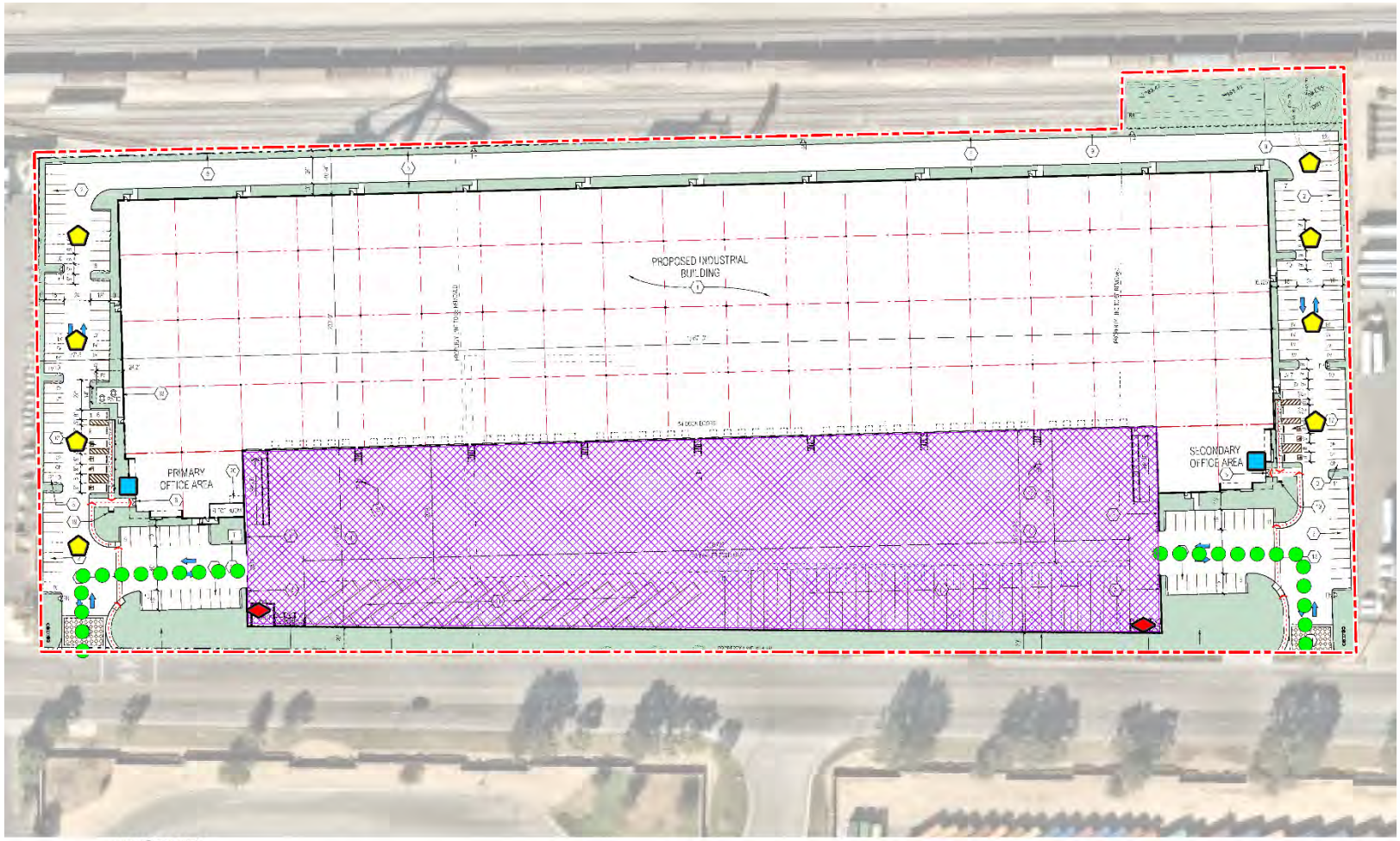


TABLE 7-1: REFERENCE NOISE LEVEL MEASUREMENTS

Noise Source[1]	Noise Source Height (Feet)	Min./ Hour[2]		Reference Noise Level (dBA L_{eq}) @ 50 Feet	Sound Power Level (dBA)[3]
		Day	Night		
Loading Dock Activity	8'	60	60	65.7	111.5
Roof-Top Air Conditioning Units	5'	39	28	57.2	88.9
Trash Enclosure Activity	5'	10	10	57.3	89.0
Parking Lot Vehicle Movements	5'	60	60	56.1	87.8
Truck Movements	8'	60	60	59.8	93.2

[1] As measured by Urban Crossroads, Inc.
[2] Anticipated duration (minutes within the hour) of noise activity during typical hourly conditions expected at the Project site. "Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.
[3] Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings. Sound power levels calculated using the CadnaA noise model at the reference distance to the noise source.

7.2.2 LOADING DOCK ACTIVITY

The reference loading dock activities are intended to describe the typical outdoor operational noise activities associated with the Project. This includes truck idling, reefer activity (refrigerator truck/cold storage), deliveries, backup alarms, trailer docking including a combination of tractor trailer semi-trucks, two-axle delivery trucks, and background operation activities. Since the noise levels generated by cold storage loading dock activity can be slightly higher due to the use of refrigerated trucks or reefers.

The reference noise level measurement was taken in the center of the loading dock activity area and represents multiple concurrent noise sources resulting in a combined noise level of 65.7 dBA L_{eq} at a uniform distance of 50 feet. Specifically, the reference noise level measurement represents one truck located approximately 30 feet from the noise level meter with another truck passing by to park roughly 20 feet away, both with their engines idling. Throughout the reference noise level measurement, a separate docked and running reefer truck was located approximately 50 feet east of the measurement location. Additional background noise sources included truck pass-by noise, truck drivers talking to each other next to docked trucks, and air brake release noise when trucks parked.

7.2.3 ROOF-TOP AIR CONDITIONING UNITS

The noise level measurements describe a single mechanical roof-top air conditioning unit. The reference noise level represents a Lennox SCA120 series 10-ton model packaged air conditioning unit. At the uniform reference distance of 50 feet, the reference noise levels are 57.2 dBA L_{eq}. Based on the typical operating conditions observed over a four-day measurement period, the roof-top air conditioning units are estimated to operate for and average 39 minutes per hour during the daytime hours, and 28 minutes per hour during the nighttime hours. These operating conditions reflect peak summer cooling requirements with measured temperatures approaching

96 degrees Fahrenheit (°F) with average daytime temperatures of 82°F. For this noise analysis, the air conditioning units are expected to be located on the roof of the Project buildings.

7.2.4 TRASH ENCLOSURE ACTIVITY

To describe the noise levels associated with a trash enclosure activity, Urban Crossroads collected a reference noise level measurement at an existing trash enclosure containing two dumpster bins. The trash enclosure noise levels describe metal gates opening and closing, metal scraping against concrete floor sounds, dumpster movement on metal wheels, and trash dropping into the metal dumpster. The reference noise levels describe trash enclosure noise activities when trash is dropped into an empty metal dumpster, as would occur at the Project Site. The measured reference noise level at the uniform 50-foot reference distance is 57.3 dBA L_{eq} for the trash enclosure activity. The reference noise level describes the expected noise source activities associated with the trash enclosures for the Project's proposed building. Typical trash enclosure activities are estimated to occur for 10 minutes per hour.

7.2.5 PARKING LOT VEHICLE MOVEMENTS

To describe the on-site parking lot activity, a long-term 29-hour reference noise level measurement was collected in the center of activity within the staff parking lot of a warehouse distribution center. At 50 feet from the center of activity, the parking lot produced a reference noise level of 56.1 dBA L_{eq}. Parking activities are expected to take place during the full hour (60 minutes) throughout the daytime and evening hours. The parking lot noise levels are mainly due cars pulling in and out of parking spaces in combination with car doors opening and closing.

7.2.6 TRUCK MOVEMENTS

The truck movements reference noise level measurement was collected over a period of 1 hour and 28 minutes and represents multiple heavy trucks entering and exiting the outdoor loading dock area producing a reference noise level of 59.8 dBA L_{eq} at 50 feet. The noise sources included at this measurement location account for trucks entering and existing the Project driveways and maneuvering in and out of the outdoor loading dock activity area.

7.3 CADNAA NOISE PREDICTION MODEL

To fully describe the exterior operational noise levels from the Project, Urban Crossroads, Inc. developed a noise prediction model using the CadnaA (Computer Aided Noise Abatement) computer program. CadnaA can analyze multiple types of noise sources using the spatially accurate Project site plan, georeferenced Nearmap aerial imagery, topography, buildings, and barriers in its calculations to predict outdoor noise levels.

Using the ISO 9613-2 protocol, CadnaA will calculate the distance from each noise source to the noise receiver locations, using the ground absorption, distance, and barrier/building attenuation inputs to provide a summary of noise level at each receiver and the partial noise level contributions by noise source. Consistent with the ISO 9613-2 protocol, the CadnaA noise prediction model relies on the reference sound power level (L_w) to describe individual noise sources. While sound pressure levels (e.g., L_{eq}) quantify in decibels the intensity of given sound

sources at a reference distance, sound power levels (L_w) are connected to the sound source and are independent of distance. Sound pressure levels vary substantially with distance from the source and diminish because of intervening obstacles and barriers, air absorption, wind, and other factors. Sound power is the acoustical energy emitted by the sound source and is an absolute value that is not affected by the environment.

The operational noise level calculations provided in this noise study account for the distance attenuation provided due to geometric spreading, when sound from a localized stationary source (i.e., a point source) propagates uniformly outward in a spherical pattern. A default ground attenuation factor of 0.5 was used in the CadnaA noise analysis to account for mixed ground representing a combination of hard and soft surfaces. Appendix 7.1 includes the detailed noise model inputs used to estimate the Project operational noise levels presented in this section.

7.4 PROJECT OPERATIONAL NOISE LEVELS

Using the reference noise levels to represent the proposed Project operations that include loading dock activity, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements, Urban Crossroads, Inc. calculated the operational source noise levels that are expected to be generated at the Project site and the Project-related noise level increases that would be experienced at each of the sensitive receiver locations. Table 7-2 shows the Project operational noise levels during the daytime hours of 7:00 a.m. to 10:00 p.m. The daytime hourly noise levels at the off-site receiver locations are expected to range from 22.2 to 27.4 dBA L_{eq}.

TABLE 7-2: DAYTIME PROJECT OPERATIONAL NOISE LEVELS

Noise Source[1]	Operational Noise Levels by Receiver Location (dBA Leq)			
	R1	R2	R3	R4
Loading Dock Activity	21.0	25.2	26.4	25.8
Roof-Top Air Conditioning Units	7.6	10.8	12.1	13.5
Trash Enclosure Activity	0.0	2.6	4.0	0.0
Parking Lot Vehicle Movements	11.5	15.6	16.9	18.5
Truck Movements	12.6	15.4	16.8	16.8
Total (All Noise Sources)	**22.2**	**26.2**	**27.4**	**27.2**

[1] See Exhibit 7-A for the noise source locations. CadnaA noise model calculations are included in Appendix 7.1.

Table 7-3 shows the Project operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. The nighttime hourly noise levels at the off-site receiver locations are expected to range from 22.1 to 27.4 dBA L_{eq}. The differences between the daytime and nighttime noise levels are largely related to the estimated duration of noise activity as outlined in Table 7-1 and Appendix 7.1.

TABLE 7-3: NIGHTTIME PROJECT OPERATIONAL NOISE LEVELS

Noise Source[1]	Operational Noise Levels by Receiver Location (dBA Leq)			
	R1	R2	R3	R4
Loading Dock Activity	21.0	25.2	26.4	25.8
Roof-Top Air Conditioning Units	5.2	8.4	9.7	11.0
Trash Enclosure Activity	0.0	1.7	3.0	0.0
Parking Lot Vehicle Movements	11.5	15.6	16.9	18.5
Truck Movements	12.6	15.4	16.8	16.8
Total (All Noise Sources)	**22.1**	**26.1**	**27.4**	**27.1**

[1] See Exhibit 7-A for the noise source locations. CadnaA noise model calculations are included in Appendix 7.1.

7.5 PROJECT OPERATIONAL NOISE LEVEL COMPLIANCE

To demonstrate compliance with local noise regulations, the Project-only operational noise levels are evaluated against exterior noise level thresholds based on the City of Ontario exterior noise level standards at nearby noise-sensitive receiver locations. Table 7-4 shows the operational noise levels associated with 5355 East Airport Drive Project will satisfy the City of Ontario exterior noise level standards.

TABLE 7-4: OPERATIONAL NOISE LEVEL COMPLIANCE

Receiver Location[1]	Project Operational Noise Levels (dBA Leq)[2]		Noise Level Standards (dBA Leq)[3]		Noise Level Standards Exceeded?[4]	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	22.2	22.1	65.0	45.0	No	No
R2	26.2	26.1	65.0	45.0	No	No
R3	27.4	27.4	65.0	45.0	No	No
R4	27.2	27.1	65.0	45.0	No	No

[1] See Exhibit 6-A for the receiver locations.
[2] Proposed Project operational noise levels as shown on Tables 7-2 and 7-3.
[3] Exterior noise level standards, for residential land use, as shown on Table 4-1.
[4] Do the estimated Project operational noise source activities exceed the noise level standards?
"Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.

7.6 PROJECT OPERATIONAL NOISE LEVEL INCREASES

To describe the Project operational noise level increases, the Project operational noise levels are combined with the existing ambient noise levels measurements for the nearby receiver locations potentially impacted by Project operational noise sources. Since the units used to measure noise, decibels (dB), are logarithmic units, the Project-operational and existing ambient noise levels cannot be combined using standard arithmetic equations. (2) Instead, they must be logarithmically added using the following base equation:

$$SPL_{Total} = 10\log_{10}[10^{SPL1/10} + 10^{SPL2/10} + \ldots 10^{SPLn/10}]$$

Where "SPL1," "SPL2," etc. are equal to the sound pressure levels being combined, or in this case, the Project-operational and existing ambient noise levels. The difference between the combined Project and ambient noise levels describes the Project noise level increases to the existing ambient noise environment. As indicated on Tables 7-5 and 7-6, the Project will not generate an unmitigated nighttime operational noise level increase at the nearest receiver locations. Project-related operational noise level increases will satisfy the operational noise level increase significance criteria presented on Table 4-1. Therefore, the incremental Project operational noise level increase is considered *less than significant* at all receiver locations.

TABLE 7-5: DAYTIME PROJECT OPERATIONAL NOISE LEVEL INCREASES

Receiver Location[1]	Total Project Operational Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Increase[6]	Increase Criteria[7]	Increase Criteria Exceeded?
R1	22.2	L1	58.4	58.4	0.0	5.0	No
R2	26.2	L2	61.7	61.7	0.0	5.0	No
R3	27.4	L3	67.1	67.1	0.0	1.5	No
R4	27.2	L4	69.8	69.8	0.0	1.5	No

[1] See Exhibit 6-A for the receiver locations.
[2] Total Project daytime operational noise levels as shown on Table 7-2.
[3] Reference noise level measurement locations as shown on Exhibit 5-A.
[4] Observed daytime ambient noise levels as shown on Table 5-1.
[5] Represents the combined ambient conditions plus the Project activities.
[6] The noise level increase expected with the addition of the proposed Project activities.
[7] Significance increase criteria as shown on Table 4-1.

TABLE 7-6: NIGHTTIME OPERATIONAL NOISE LEVEL INCREASES

Receiver Location[1]	Total Project Operational Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Increase[6]	Increase Criteria[7]	Increase Criteria Exceeded?
R1	22.1	L1	59.0	59.0	0.0	5.0	No
R2	26.1	L2	61.3	61.3	0.0	5.0	No
R3	27.4	L3	62.2	62.2	0.0	5.0	No
R4	27.1	L4	68.2	68.2	0.0	1.5	No

[1] See Exhibit 6-A for the receiver locations.
[2] Total Project nighttime operational noise levels as shown on Table 7-4.
[3] Reference noise level measurement locations as shown on Exhibit 5-A.
[4] Observed nighttime ambient noise levels as shown on Table 5-1.
[5] Represents the combined ambient conditions plus the Project activities.
[6] The noise level increase expected with the addition of the proposed Project activities.
[7] Significance increase criteria as shown on Table 4-1.

7.7 OFF-SITE TRAFFIC NOISE ANALYSIS

Traffic generated by the operation of the proposed Project will influence the traffic noise levels in surrounding off-site areas and at the Project site. The off-site Project-related traffic represents an incremental increase to the existing roadway volumes, which is not expected to generate a barely perceptible noise level increase of 3 dBA CNEL at nearby sensitive land uses adjacent to study area roadways, since a doubling of the existing traffic volumes would be required to generate a 3 dBA CNEL increase. Due to the low traffic volumes generated by the Project, the off-site traffic noise levels generated by the Project are considered less than significant and no further analysis is required.

8 CONSTRUCTION ANALYSIS

This section analyzes potential impacts resulting from the short-term construction activities associated with the development of the Project. Exhibit 8-A shows the construction activity boundaries in relation to the nearest sensitive receiver locations previously described in Section 6. According to Section 5-29.09 of the Municipal Code states: *No person, while engaged in construction, remodeling, digging, grading, demolition or any other related building activity, shall operate any tool, equipment or machine in a manner that produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a Police or Code Enforcement Officer, on any weekday except between the hours of 7:00 a.m. and 6:00 p.m. or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m.* (12)

In addition, since neither the City of Ontario General Plan or County Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers for CEQA analysis purposes. Therefore, a numerical construction threshold based on Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual is used for analysis of daytime construction impacts. The FTA considers a daytime exterior construction noise level of 80 dBA L_{eq} as a reasonable threshold for noise sensitive residential land use. (8 p. 179).

8.1 CONSTRUCTION NOISE LEVELS

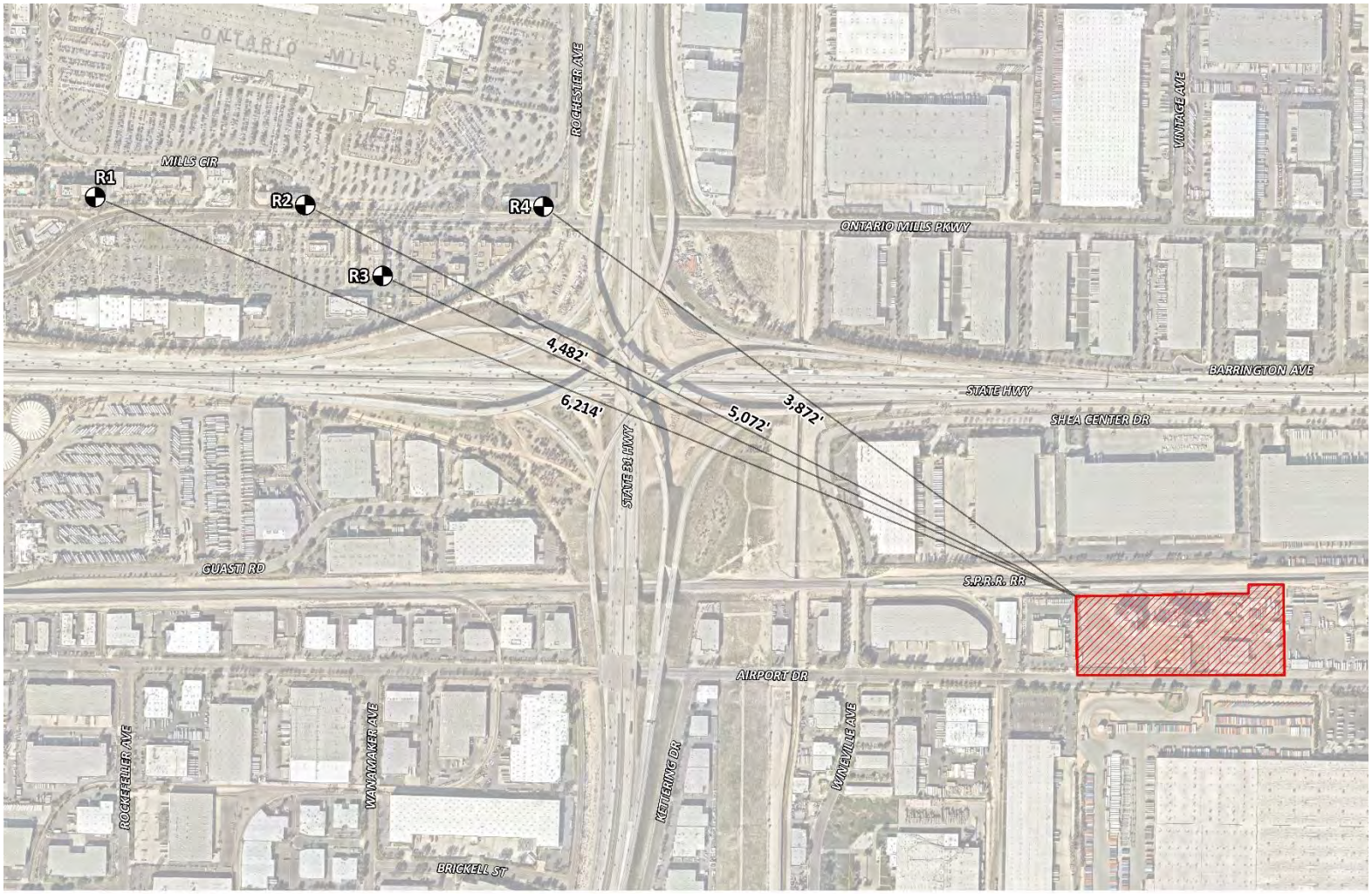
The FTA *Transit Noise and Vibration Impact Assessment Manual* recognizes that construction projects are accomplished in several different stages and outlines the procedures for assessing noise impacts during construction. Each stage has a specific equipment mix, depending on the work to be completed during that stage. As a result of the equipment mix, each stage has its own noise characteristics; some stages have higher continuous noise levels than others, and some have higher impact noise levels than others. The Project construction activities are expected to occur in the following stages:

- Demolition
- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating

8.2 CONSTRUCTION REFERENCE NOISE LEVELS

To describe construction noise activities, this construction noise analysis was prepared using reference construction equipment noise levels from the Federal Highway Administration (FHWA) published the Roadway Construction Noise Model (RCNM), which includes a national database of construction equipment reference noise emission levels. (21) The RCNM equipment database, provides a comprehensive list of the noise generating characteristics for specific types of construction equipment. In addition, the database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.

EXHIBIT 8-A: CONSTRUCTION NOISE SOURCE LOCATIONS



8.3 CONSTRUCTION NOISE ANALYSIS

Using the reference construction equipment noise levels and the CadnaA noise prediction model, calculations of the Project construction noise level impacts at the nearby sensitive receiver locations were completed. Consistent with FTA guidance for general construction noise assessment, Table 8-1 presents the combined noise levels for the loudest construction equipment, assuming they operate at the same time. As shown on Table 8-2, the construction noise levels are expected to range from 27.6 to 38.6 dBA L_{eq} at the nearby receiver locations. Appendix 8.1 includes the detailed CadnaA construction noise model inputs.

TABLE 8-1: CONSTRUCTION REFERENCE NOISE LEVELS

Construction Stage	Reference Construction Activity	Reference Noise Level @ 50 Feet (dBA L_{eq})[1]	Combined Noise Level (dBA L_{eq})[2]	Combined Sound Power Level (PWL)[3]
Demolition	Demolition Equipment	82	83	115
	Backhoes	74		
	Hauling Trucks	72		
Site Preparation	Crawler Tractors	78	80	112
	Hauling Trucks	72		
	Rubber Tired Dozers	75		
Grading	Graders	81	83	115
	Excavators	77		
	Compactors	76		
Building Construction	Cranes	73	81	113
	Tractors	80		
	Welders	70		
Paving	Pavers	74	83	115
	Paving Equipment	82		
	Rollers	73		
Architectural Coating	Cranes	73	77	109
	Air Compressors	74		
	Generator Sets	70		

[1] FHWA Roadway Construction Noise Model (RCNM).
[2] Represents the combined noise level for all equipment assuming they operate at the same time consistent with FTA Transit Noise and Vibration Impact Assessment guidance.
[3] Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings. Sound power levels calibrated using the CadnaA noise model at the reference distance to the noise source.

TABLE 8-2: CONSTRUCTION EQUIPMENT NOISE LEVEL SUMMARY

Receiver Location[1]	Construction Noise Levels (dBA L_{eq})						
	Demolition	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Highest Levels[2]
R1	33.6	30.6	33.6	31.6	33.6	27.6	33.6
R2	35.9	32.9	35.9	33.9	35.9	29.9	35.9
R3	37.1	34.1	37.1	35.1	37.1	31.1	37.1
R4	38.6	35.6	38.6	36.6	38.6	32.6	38.6

[1] Noise receiver locations are shown on Exhibit 8-A.
[2] Construction noise level calculations based on distance from the construction activity, which is measured from the Project site boundary to the nearest receiver locations. CadnaA construction noise model inputs are included in Appendix 8.1.

8.4 CONSTRUCTION NOISE LEVEL COMPLIANCE

To evaluate whether the Project will generate potentially significant short-term noise levels at nearest receiver locations, a construction-related daytime noise level threshold of 80 dBA L_{eq} is used as a reasonable threshold to assess the daytime construction noise level impacts. The construction noise analysis shows that the nearest receiver locations will satisfy the reasonable daytime 80 dBA L_{eq} significance threshold during Project construction activities as shown on Table 8-3. Therefore, the noise impacts due to Project construction noise are considered *less than significant* at all receiver locations.

TABLE 8-3: CONSTRUCTION NOISE LEVEL COMPLIANCE

Receiver Location[1]	Construction Noise Levels (dBA L_{eq})		
	Highest Construction Noise Levels[2]	Threshold[3]	Threshold Exceeded?[4]
R1	33.6	80	No
R2	35.9	80	No
R3	37.1	80	No
R4	38.6	80	No

[1] Noise receiver locations are shown on Exhibit 8-A.
[2] Highest construction noise level calculations based on distance from the construction noise source activity to the nearest receiver locations as shown on Table 8-2.
[3] Construction noise level thresholds as shown on Table 4-1.
[4] Do the estimated Project construction noise levels exceed the construction noise level threshold?

8.5 NIGHTTIME CONCRETE POUR NOISE ANALYSIS

It is our understanding that nighttime concrete pouring activities will occur as a part of Project building construction activities. Nighttime concrete pouring activities are often used to support reduced concrete mixer truck transit times and lower air temperatures than during the daytime hours and are generally limited to the actual building pad area as shown on Exhibit 8-B. Since the nighttime concrete pours will take place outside the permitted City of Ontario Municipal Code, Section 5-29.09 hours of *7:00 a.m. and 6:00 p.m.* or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m. The Project Applicant will be required to obtain authorization for nighttime work from the City of Ontario. Any nighttime construction noise activities shall satisfy the noise limits outlined in Table 4-1.

8.5.1 NIGHTTIME CONCRETE POUR REFERENCE NOISE LEVEL MEASUREMENTS

To estimate the noise levels due to nighttime concrete pour activities, sample reference noise level measurements were taken during a nighttime concrete pour at a construction site. Urban Crossroads, Inc. collected short-term nighttime concrete pour reference noise level measurements during the noise-sensitive nighttime hours between 1:00 a.m. to 2:00 a.m. at 27334 San Bernardino Avenue in the City of Redlands. The reference noise levels describe the expected concrete pour noise sources that may include concrete mixer truck movements and pouring activities, concrete paving equipment, rear mounted concrete mixer truck backup alarms, engine idling, air brakes, generators, and workers communicating/whistling.

To describe the nighttime concrete pour noise levels associated with the construction of the 5355 East Airport Drive, this analysis relies on reference sound power level of 100.3 dBA L_w. While the Project noise levels will depend on the actual duration of activities and specific equipment fleet in use at the time of construction, the reference sound power level of 100.3 dBA L_w is used to describe the expected Project nighttime concrete pour noise activities.

EXHIBIT 8-B: NIGHTTIME CONCRETE POUR NOISE SOURCE AND RECEIVER LOCATIONS



8.5.2 NIGHTTIME CONCRETE POUR NOISE LEVEL COMPLIANCE

As shown on Table 8-4, the noise levels associated with the nighttime concrete pour activities are estimated to range from 18.6 to 24.1 dBA L_{eq} and will satisfy the City of Ontario nighttime stationary-source exterior hourly average L_{eq} residential noise level threshold adjusted to reflect the ambient noise conditions at all the receiver locations. Based on the results of this analysis, all nearest noise receiver locations will experience *less than significant* impacts due to the Project related nighttime concrete pour activities. Appendix 8.2 includes the CadnaA nighttime concrete pour noise model inputs.

TABLE 8-4: NIGHTTIME CONCRETE POUR NOISE LEVEL COMPLIANCE

Receiver Location[1]	Use	Construction Noise Levels (dBA L_{eq})		
		Paving Construction[2]	Nighttime Threshold[3]	Threshold Exceeded?[4]
R1	Residence	18.6	45	No
R2	Residence	21.2	45	No
R3	Residence	22.5	45	No
R4	Residence	24.1	45	No

[1] Noise receiver locations are shown on Exhibit 8-B.
[2] Paving construction noise level calculations based on distance from the construction noise source activity to nearby receiver locations.
[3] Exterior nighttime noise level standards as shown on Table 5-1.
[4] Do the estimated Project construction noise levels exceed the nighttime construction noise level threshold?

8.6 CONSTRUCTION VIBRATION ANALYSIS

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods employed. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Ground vibration levels associated with various types of construction equipment are summarized on Table 8-5. Based on the representative vibration levels presented for various construction equipment types, it is possible to estimate the potential for human response (annoyance) and building damage using the following vibration assessment methods defined by the FTA. To describe the vibration impacts the FTA provides the following equation: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$

TABLE 8-5: VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT

Equipment	PPV (in/sec) at 25 feet
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089

Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual

Table 8-6 presents the expected Project related vibration levels at the nearby receiver locations. At distances ranging from 3,872 to 6,214 feet from Project construction activities, construction vibration velocity levels are estimated to be 0.000 in/sec PPV. Based on maximum acceptable continuous vibration threshold of 0.3 PPV (in/sec), the typical Project construction vibration levels will fall below the building damage thresholds at all the noise sensitive receiver locations. Therefore, the Project-related vibration impacts are considered *less than significant* during typical construction activities at the Project site.

Moreover, the vibration levels reported at the sensitive receiver locations are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating adjacent to the Project site perimeter.

TABLE 8-6: PROJECT CONSTRUCTION VIBRATION LEVELS

Receiver[1]	Distance to Const. Activity (Feet)[2]	Typical Construction Vibration Levels PPV (in/sec)[3]					Thresholds PPV (in/sec)[4]	Thresholds Exceeded?[5]
		Small bulldozer	Jackhammer	Loaded Trucks	Large bulldozer	Highest Vibration Level		
R1	6,214'	0.000	0.000	0.000	0.000	0.000	0.3	No
R2	5,072'	0.000	0.000	0.000	0.000	0.000	0.3	No
R3	4,482'	0.000	0.000	0.000	0.000	0.000	0.3	No
R4	3,872'	0.000	0.000	0.000	0.000	0.000	0.3	No

[1] Receiver locations are shown on Exhibit 8-A.
[2] Distance from receiver location to Project construction boundary (Project site boundary).
[3] Based on the Vibration Source Levels of Construction Equipment (Table 8-4).
[4] Caltrans Transportation and Construction Vibration Guidance Manual, April 2020, Table 19, p. 38.
[5] Does the peak vibration exceed the acceptable vibration thresholds?
"PPV" = Peak Particle Velocity

9 REFERENCES

1. **State of California.** *California Environmental Quality Act, Environmental Checklist Form Appendix G.* 2021.
2. **California Department of Transportation Environmental Program.** *Technical Noise Supplement - A Technical Supplement to the Traffic Noise Analysis Protocol.* Sacramento, CA : s.n., September 2013.
3. **Environmental Protection Agency Office of Noise Abatement and Control.** *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety.* March 1974. EPA/ONAC 550/9/74-004.
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6. **U.S. Department of Transportation, Federal Highway Administration.** *Highway Traffic Noise in the United States, Problem and Response.* April 2000. p. 3.
7. **U.S. Environmental Protection Agency Office of Noise Abatement and Control.** *Noise Effects Handbook-A Desk Reference to Health and Welfare Effects of Noise.* October 1979 (revised July 1981). EPA 550/9/82/106.
8. **U.S. Department of Transportation, Federal Transit Administration.** *Transit Noise and Vibration Impact Assessment Manual.* September 2018.
9. **Office of Planning and Research.** *State of California General Plan Guidlines.* October 2019.
10. **City of Ontario.** *The Ontario Plan Safety Section, S4, Noise Hazards.* March 2014.
11. —. *The Ontario Plan Draft EIR.* April 2009.
12. —. *Municipal Code, Chapter 29, Section 5- Noise.*
13. **California Department of Transportation.** *Transportation and Construction Vibration Guidance Manual.* April 2020.
14. **City of Ontario.** *Ontario International Airport Land Use Compatibility Plan.* July 2018.
15. **California Court of Appeal.** *Gray v. County of Madera, F053661.* 167 Cal.App.4th 1099; - Cal.Rptr.3d, October 2008.
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17. **California Department of Transportation.** *Technical Noise Supplement.* November 2009.
18. **American National Standards Institute (ANSI).** *Specification for Sound Level Meters ANSI S1.4-2014/IEC 61672-1:2013.*
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10 CERTIFICATIONS

The contents of this noise study report represent an accurate depiction of the noise environment and impacts associated with the proposed 5355 East Airport Drive Project. The information contained in this noise study report is based on the best available data at the time of preparation. If you have any questions, please contact me directly at (949) 584-3148.

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EDUCATION

Master of Science in Civil and Environmental Engineering
California Polytechnic State University, San Luis Obispo • December, 1993

Bachelor of Science in City and Regional Planning
California Polytechnic State University, San Luis Obispo • June, 1992

PROFESSIONAL REGISTRATIONS

PE – Registered Professional Traffic Engineer – TR 2537 • January, 2009
AICP – American Institute of Certified Planners – 013011 • June, 1997–January 1, 2012
PTP – Professional Transportation Planner • May, 2007 – May, 2013
INCE – Institute of Noise Control Engineering • March, 2004

PROFESSIONAL AFFILIATIONS

ASA – Acoustical Society of America
ITE – Institute of Transportation Engineers

PROFESSIONAL CERTIFICATIONS

Certified Acoustical Consultant – County of San Diego • March, 2018
Certified Acoustical Consultant – County of Orange • February, 2011
FHWA-NHI-142051 Highway Traffic Noise Certificate of Training • February, 2013

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APPENDIX 3.1:

CITY OF ONTARIO MUNICIPAL CODE

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CHAPTER 29: NOISE

5-29.01 Declaration of findings and policy

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Sec. 5-29.01. Declaration of findings and policy.

It is hereby found and declared that:

(a) The making and creation of excessive, unnecessary or unusually loud noises within the limits of the City is a condition that has existed for some time, however, the extent and volume of such noises is increasing;

(b) The making, creation or maintenance of such excessive, unnecessary, unnatural or unusually loud noises that are prolonged, unusual and unnatural in their time, place and use affect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents of the City; and

(c) The necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted, is declared as a matter of legislative determination and public policy, and it is further declared

that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the residents of the City.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.02. Definitions.

As used in this chapter, specific words and phrases are defined as follows:

(a) "Ambient noise level" shall mean the all-encompassing noise level associated with a given environment and is a composite of sounds from all sources, excluding the alleged offensive noise or excessive sound, at the location and approximate time at which a comparison with the alleged offensive noise is to be made.

(b) "Applicable (noise) zone" shall mean the noise zone category based on the actual use of the property, provided that the actual use is a legal use in the City.

(c) "A-weighted sound level" shall mean the sound pressure level in decibels (dBAs) as measured with a sound level meter using the A-weighted filter network (scale) at slow response and at a pressure of twenty (20) micropascals. The A-weighted filter de-emphasizes the very low and a very high frequency component of sound in a manner similar to the response of the human ear, and is a numerical method of rating human judgment of loudness.

(d) "Decibel (dBA)" shall mean a unit for measuring the amplitude of a sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of pressure of the sound measured to the reference pressure of twenty (20) micropascals.

(e) "Equivalent sound or noise level (Leq)" shall mean the International Electrotechnical Commission (IEC) 60804 Standard for measurement, or the most recent revision thereof, for the sound level corresponding to a steady state noise level over a given sample period with the same amount of acoustic energy as the actual time varying noise level or the energy average noise level during the sample period. The measurement period for the purposes of this chapter is fifteen (15) minutes.

(f) "Impulsive noise" shall mean a noise of short duration usually less than one (1) second and of high intensity, with an abrupt onset and rapid decay. Such objectionable noises may also be repetitive.

(g) "Intrusive noise" shall mean that noise that intrudes over and above the ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, time of occurrence and tonal information content, as well as the prevailing ambient noise level.

(h) "Maintenance" shall mean the upkeep, repair or preservation of existing property or structures.

(i) "Noise" shall mean any unwanted sound or sound that is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing or is otherwise annoying.

(j) "Noise level (sound level)" shall mean the weighted sound pressure level obtained by use of a sound level meter having a standard frequency filter for attenuating part of the sound spectrum. For purposes of this chapter, all noise levels (sound levels) shall be A-weighted sound pressure level.

(k) "Noise (sound) level meter" shall mean an instrument, including a microphone, an amplifier, an output meter and frequency weighting networks for the measurement and determination of noise and sound levels. For the purposes of this chapter, the sound level meter must meet the International Electrotechnical Commission (IEC) 60651 and 60804 Standards, or the most recent revisions thereof, for Type 1 sound level meters or an instrument and the associated recording and analyzing equipment that will provide equivalent data.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.03. Designated noise zones.

The properties hereinafter described shall be assigned to the following noise zones:

Noise Zone I:	All single-family residential properties;
Noise Zone II:	All multi-family residential properties and mobile home parks;
Noise Zone III:	All commercial property;
Noise Zone IV:	The residential portion of mixed use properties;
Noise Zone V:	All manufacturing or industrial properties and all other uses.

The actual use of the property, and not necessarily its zoning designation, shall be the determining factor in establishing whether a property is in Noise Zone I, II, III, IV or V, provided that the actual use is a legal use within the applicable zone.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.04. Exterior noise standards.

(a) The following exterior noise standards, unless otherwise specifically indicated, shall apply to all properties within a designated noise zone.

Allowable Exterior Noise Level (1)		***Allowed Equivalent Noise Level, Leq. (2)***	
Noise Zone	***Type of Land Use***	***7 a.m. to 10 p.m.***	***10 p.m. to 7 a.m.***
I	Single-Family Residential	65 dBA	45 dBA
II	Multi-Family Residential, Mobile Home Parks	65 dBA	50 dBA
III	Commercial Property	65 dBA	60 dBA
IV	Residential Portion of Mixed Use	70 dBA	70 dBA
V	Manufacturing and Industrial, Other Uses	70 dBA	70 dBA

(1) If the ambient noise level exceeds the resulting standard, the ambient noise level shall be the standard.

(2) Measurements for compliance are made on the affected property pursuant to § 5-29.15.

(b) It is unlawful for any person at any location within the incorporated area of the City to create noise, or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which noise causes the noise level, when measured at any location on any other property, to exceed either of the following:

(1) The noise standard for the applicable zone for any fifteen-minute (15) period; and

(2) A maximum instantaneous (single instance) noise level equal to the value of the noise standard plus twenty (20) dBA for any period of time (measured using A-weighted slow response).

(c) In the event the ambient noise level exceeds the noise standard, the maximum allowable noise level under such category shall be increased to reflect the maximum ambient noise level.

(d) The Noise Zone IV standard shall apply to that portion of residential property falling within one hundred (100) feet of a commercial property or use, if the noise originates from that commercial property or use.

(e) If the measurement location is on a boundary between two (2) different noise zones, the lower noise level standard applicable to the noise zone shall apply.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.05. Interior noise standards.

(a) The following interior noise standards, unless otherwise specifically indicated, shall apply to all properties within a designated noise zone.

Allowable Interior Noise Level (1)		**Allowed Equivalent Noise Level, Leq.** (2)	
Noise Zone	***Type of Land Use***	***7 a.m. to 10 p.m.***	***10 p.m. to 7 a.m.***
I	Single-Family Residential	45 dBA	40 dBA
II	Multi-Family Residential, Mobile Home Parks	45 dBA	40 dBA
IV	Residential Portion of Mixed Use	45 dBA	40 dBA

(1) If the ambient noise level exceeds the resulting standard, the ambient noise level shall be the standard.

(2) Measurements for compliance are made on the affected property pursuant to § 5-29.15.

(b) It is unlawful for any person at any location within the incorporated area of the City to create noise, or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which noise causes the noise level, when measured at any location on any other property, to exceed either of the following:

(1) The noise standard for the applicable zone for any fifteen-minute (15) period;

(2) A maximum instantaneous (single instance) noise level equal to the value of the noise standard plus twenty (20) dBA for any period of time (measured using A-weighted slow response).

(c) In the event the ambient noise level exceeds the noise standard, the maximum allowable noise level under such category shall be increased to reflect the maximum ambient noise level.

(d) The Noise Zone IV standard shall apply to that portion of residential property falling within one hundred (100) feet of a commercial property or use, if the noise originates from that commercial property or use.

(e) If the measurement location is on a boundary between two (2) different noise zones, the lower noise level standard applicable to the noise zone shall apply.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.06. Exemptions.

The following activities shall be exempted from the provisions of this chapter:

(a) Any activity conducted on public property, or on private property with the consent of the owner, by any public entity or its officers, employees, representatives, agents, subcontractors, permittees, licensees or lessees that the public entity has authorized are exempt from the provisions of this chapter. This includes, without limitation, sporting and recreational activities that are sponsored, co-sponsored, permitted or allowed by the City or any school district within the City's jurisdictional boundaries. This also includes, without limitation, occasional outdoor gatherings, public dances, shows or sporting and entertainment events, provided such events are conducted pursuant to an approval, authorization, contract, lease, permit or sublease by the appropriate public entity, specifically the planning commission or City Council;

(b) Occasional outdoor gatherings, public dances, show, sporting and entertainment events, provided said events are conducted pursuant to a permit or license issued by the appropriate jurisdiction relative to the staging of said events;

(c) Any mechanical device, apparatus or equipment used, related to or connected with emergency machinery, vehicle, work or warning alarm or bell, provided the sounding of any bell or alarm on any building or motor vehicle shall terminate its operation within forty-five (45) minutes in any hour of its being activated;

(d) Noise sources associated with construction, repair, remodeling, demolition or grading of any real property. Such activities shall instead be subject to the provisions of § 5-29.09;

(e) Noise sources associated with construction, repair, remodeling, demolition or grading of public rights-of-way or during authorized seismic surveys;

(f) All mechanical devices, apparatus or equipment associated with agriculture operations provided that:

(1) Operations do not take place between 8:00 p.m. and 7:00 a.m.;

(2) Such operations and equipment are utilized for the protection or salvage of agricultural crops during periods of potential or actual frost damage or other adverse weather conditions; or

(3) Such operations and equipment are associated with agricultural pest control through pesticide application, provided the application is made in accordance with permits issued by or regulations enforced by the California Department of Agriculture;

(g) Noise sources associated with the maintenance of real property. Such activities shall instead be subject to the provisions of § 5-29.08;

(h) Any activity to the extent regulation thereof has been preempted by state or federal law;

(i) Any noise sources associated with people and/or music associated with a party at a residential property. Such noise shall be subject to the provisions of OMC § 5-29.07;

(j) Any noise source emanating from an ice cream truck within the City. Such noise shall be subject to the provisions of OMC § 4-18.04;

(k) Any noise sources associated with barking dogs or other intermittent noises made by animals on any properly within the City. Such noise shall be subject to the provisions of OMC Chapter 1, Title 6;

(l) Noise sources related to uses approved by a permit or development agreement adopted prior to the date of adoption of this chapter and that contains acoustic or noise standard conditions of approval. This exemption shall only be applicable during the effective period of the City-approved permit or development agreement.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.07. Loud and disturbing noise.

(a) It is unlawful for any person or property owner within the City to make, cause or allow to be made any loud, excessive, impulsive or intrusive noise, disturbance or commotion that disturbs the peace or quiet of any area or that causes discomfort or annoyance to any reasonable person of normal sensitivities in the area, after a Police or Code Enforcement Officer has first requested that the person or property owner cease and desist from making such noise. The types of loud, disturbing, excessive, impulsive or intrusive noise may include, but shall not be limited to, yelling, shouting, hooting, whistling, singing, playing a musical instrument, or emitting or transmitting any loud music or noise from any mechanical or electrical sound making or sound-amplifying device.

(b) The factors, standards, and conditions that may be considered in determining whether a violation of the provisions of this section has been committed, included, but not limited to, the following:

(1) The level of the noise;

(2) The level and intensity of the background (ambient) noise, if any;

(3) The proximity of the noise to residential or commercial sleeping areas;

(4) The nature and zoning of the area within which the noise emanates;

(5) The density of inhabitation of the area within which the noise emanates;

(6) The time of day and night the noise occurs;

(7) The duration of the noise;

(8) Whether the noise is constant, recurrent or intermittent;

(9) Whether the noise is produced by a commercial or noncommercial activity; and

(10) Whether the use is lawful under the provisions of Title 5 of this Code and whether the noise is one that could reasonably be expected from the activity or allowed use.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.08. Real property maintenance noise regulations.

(a) No person, while engaged in maintenance of real property, shall operate any tool, equipment or machine in a manner that produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a Police or Code Enforcement Officer, except between the hours of 8:00 a.m. and 6:00 p.m.

(b) Trimming or pruning that requires the use of chainsaws or mulching machines shall only be allowed between the hours of 8:00 a.m. and 6:00 p.m. on a weekday and between the hours of 9:00 a.m. and 5:00 p.m. on Saturday or Sunday.

(c) The use of electrical or gasoline powered blowers, such as commonly used by gardeners or other persons for cleaning lawns, yards, driveways, gutters and other property shall only be allowed between the hours of 8:00 a.m. and 6:00 p.m. on a weekday and between the hours of 9:00 a.m. and 5:00 p.m. on Saturday or Sunday.

(d) No landowner, gardener, property maintenance service, contractor, subcontractor or employer shall permit or allow any person or persons working under his or her direction or control to operate any tool, equipment or machine in violation of the provisions of this section.

(e) Exceptions. The provisions of this section shall not apply to the following:

(1) Emergency property maintenance required by the building official;

(2) The maintenance, repair or improvement of any public work or facility by public employees, by any person or persons acting pursuant to a public works contract, or by any person or persons performing such work or pursuant to the direction of, or on behalf of, any public agency; provided, however, this exception shall not apply to the City, or its employees, contractors or agents, unless:

(i) The City Manager or department head determines that the maintenance, repair or improvement is immediately necessary to maintain public service,

(ii) The maintenance, repair or improvement is of a nature that cannot feasibly be conducted during normal business hours, or

(iii) The City Council has approved project specifications, contract provisions, or an environmental document that specifically authorizes maintenance during hours of the day that would otherwise be prohibited pursuant to this section; and

(3) Any maintenance that complies with the noise limits specified in § 5-29.04.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.09. Construction activity noise regulations.

(a) No person, while engaged in construction, remodeling, digging, grading, demolition or any other related building activity, shall operate any tool, equipment or machine in a manner that produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a Police or Code Enforcement Officer, on any weekday except between the hours of 7:00 a.m. and 6:00 p.m. or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m.

(b) No landowner, construction company owner, contractor, subcontractor, or employer shall permit or allow any person or persons working under their direction and control to operate any tool, equipment or machine in violation of the provisions of this section.

(c) Exceptions.

(1) The provisions of this section shall not apply to emergency construction work performed by a private party when authorized by the City Manager or his or her designee;

(2) The maintenance, repair or improvement of any public work or facility by public employees, by any person or persons acting pursuant to a public works contract, or by any person or persons performing such work or pursuant to the direction of, or on behalf of, any public agency; provided, however, this exception shall not apply to the City, or its employees, contractors or agents, unless:

(i) The City Manager or a department head determines that the maintenance, repair or improvement is immediately necessary to maintain public services,

(ii) The maintenance, repair or improvement is of a nature that cannot feasibly be conducted during normal business hours, or

(iii) The City Council has approved project specifications, contract provisions, or an environmental document that specifically authorizes construction during hours of the day that would otherwise be prohibited pursuant to this section; and

(3) Any construction that complies with the noise limits specified in §§ 5-29.04 or 5-29.05.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.10. Other public agency exceptions.

The provisions of this chapter shall not be construed to prohibit any work at different hours by or under the direction of any other public agency or public or private utility companies in cases of necessity or emergency.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.11. Schools, day care centers, churches, libraries, museums, health care institutions; Special provisions.

It is unlawful for any person to create any noise that causes the outdoor noise level at any school, day care center, hospital or similar health care institution, church, library or museum while the same is in use, to exceed the noise standards specified in § 5-29.04 prescribed for the assigned Noise Zone I.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.12. Sound amplifying equipment.

Loudspeakers, sound amplifiers, public address systems or similar devices used to amplify sounds shall be subject to the provisions of § 5-29.13. Such sound amplifying equipment shall not be construed to include electronic devices, including but not limited to, radios, tape players, tape recorders, compact disc players, MP3 players, electric keyboards, music synthesizers, record players or televisions, which are designed and operated for personal use, or used entirely within a building and are not designed or used to convey the human voice, music or any other sound to an audience outside such building, or which are used in vehicles and heard only by occupants of the vehicle in which installed.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.13. Amplified sound.

(a) The City Council enacts the following legislation for the sole purpose of securing and promoting the public health, comfort, safety and welfare for its citizenry. While recognizing that the use of sound amplifying equipment may be entitled to certain protection by the constitutional rights of freedom of speech and assembly, the City Council finds that in order to protect the public safety and the correlative rights of the citizens of this community to privacy and freedom from public nuisance of loud and unnecessary noise, reasonable regulation of the time, place and manner of the use of amplifying equipment is necessary. In no event shall approval or authorization required herein be withheld by reason of the constitutionally protected content of any material proposed to be broadcast through amplifying equipment.

(b) It is unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use or operate a loudspeaker or sound amplifying device in a fixed or movable position or mounted upon any vehicle within the City for the purpose of giving instructions, directions, talks, addresses or lectures to any persons or assemblages of persons in or upon any street, alley, sidewalk, park, place or public property without a permit to do so from the Police Chief or his or her designee. Notwithstanding any other provision of this chapter, the provisions of this section shall also apply to the use of sound amplifying equipment upon public or private property when used in connection with outdoor or indoor public or private events, whether or not admission is charged or food or beverages are sold, when such activity is to be attended by more than one hundred (100) persons and the noise emanating from the event will be audible at the property plane, or in the case of a street dance or concert on the nearest residential property. Those activities listed in § 5-29.06(a) are exempt from the requirements of this section.

(c) The Police Chief or his or her designee is authorized to approve and issue permits under this section.

(d) An application for a permit required by this section shall be filed with the Police Chief at least sixteen (16) days and no more than one hundred twenty (120) days prior to the date on which the sound amplifying equipment is intended to be used. Applications for events covered by the First Amendment of the United States Constitution are exempt from the time requirements of this section if it is shown that circumstances require a shorter filing period and the event will not constitute an unsafe condition. The application shall contain the following information:

(1) The name, address and telephone number of both the owner and the user of the sound amplifying equipment;

(2) The license number, if a sound truck is to be used;

(3) A general description of the sound amplifying equipment which is to be used;

(4) Whether sound amplifying equipment will be used for commercial or noncommercial purpose;

(5) The dates and times upon and within which, and the streets or property over or upon which, the equipment is proposed to be operated;

(6) The name or names of one (1) or more persons who will be present during the conduct of any activities for which registration is sought and who will have authority to reduce the volume of any sound amplifying equipment during the course of the activities if required pursuant to this chapter and, otherwise, to insure compliance with the provisions of this chapter;

(7) A statement by the applicant that he or she is willing and able to comply with the provisions of this chapter and the conditions of the permit; and

(8) A sketch of the area or facilities within which the activities are to be conducted, with approximate dimensions and illustration of the location and orientation of all sound-amplifying equipment.

(e) The Police Chief shall deny the permit application or revoke any permit if the chief finds any of the following:

(1) The application contains materially false or intentionally misleading information;

(2) The use of sound amplifying equipment at an event or activity proposed will be located in or upon a premises, building or structure that is hazardous to the health or safety of the employees or patrons of the premises, business, activity, or event, or the general public, under the standards established by the Uniform Building or Fire Codes, or other applicable codes, as set forth in OMC Titles 4 and 8;

(3) The use of sound amplifying equipment at an event or activity proposed in or upon a premises, building or structure that lacks adequate on-site parking for participants attending the proposed event or activity under the applicable standards set forth in OMC Title 9;

(4) The conditions of any motor vehicle movement are such that, in his or her opinion, the use of the equipment would constitute an unreasonable interference with traffic safety;

(5) The conditions of pedestrian movement are such that the use of the equipment would constitute a detriment to traffic safety;

(6) The application submitted by the applicant reveals that the applicant would violate the provisions of this section or any other provision of federal, state and/or local law;

(7) The applicant is unwilling or unable to comply with the provisions of this chapter or any conditions imposed upon any permit issued;

(8) There had already been a permitted event at the intended location, or within a two hundred (200) yard radius of the intended location and the prior permitted event was located on residentially zoned property or on a street, alley, public parking lot or neighborhood park within three (3) months prior to the intended event. Community parks are exempt from this subsection (8); or

(9) The applicant or location has had previous violations within the past calendar year, and in the judgment of the Police Chief, issuance would be contrary to the intent of this section.

(f) In determining whether the use of the equipment would constitute an unreasonable interference with or detriment to traffic safety, the Police Chief shall consider, but shall not necessarily be limited to:

(1) The volumes, patterns and speed of vehicular and pedestrian traffic in the proposed area of use;

(2) The relationship of the proposed use of equipment and potential impacts upon traffic patterns;

(3) Availability of sufficient room for the operation of the equipment without significantly interfering with the traffic patterns;

(4) Proximity to schools, playgrounds and similar facilities where use of such equipment might attract children into traffic patterns; or

(5) Proximity to busy intersections or other potentially hazardous conditions where use of such equipment might constitute a hazard by reason of its tendency to distract drivers of vehicles or pedestrians.

(g) Issuance or denial.

(1) If the application is approved, the Police Chief shall return an approved copy of the application to the applicant and shall issue a permit. The permit shall constitute permission for the use of the sound amplifying equipment as requested.

(2) Any application filed shall be either approved or disapproved within five (5) days of the filing thereof.

(3) If the application is disapproved, the Police Chief shall return a disapproved copy forthwith to the applicant with a written statement on the reason for disapproval.

(i) Any person aggrieved by a decision of the Police Chief or his or her designee may file an appeal to the City Manager. A complete and proper appeal shall be filed with the City Clerk within ten (10) calendar days of the action that is the subject of the appeal. If the applicant fails to file an appeal within the ten (10) day filing period provided herein, denial shall take effect immediately upon expiration of such filing period. All appeals shall be in writing and shall contain the following information: (a) name(s) of the person filing the appeal, (b) a brief statement in ordinary and concise language of the relief sought, and (c) the signatures of all parties named as appellants and their mailing addresses. After receiving the appeal, the City Clerk shall immediately forward the matter to the City Manager for handling.

(ii) The City Manager shall, upon receipt of the appeal, set the matter for hearing before the City Manager or a hearing officer. Any hearing officer shall be a licensed attorney or recognized mediator designated by the City Manager. The hearing shall be set for not more than ten (10) calendar days after the receipt of the appeal unless a longer time is requested or consented to by the appellant. Notice of such hearing shall be given in writing and mailed at least five (5) calendar days prior to the date of the hearing, by U.S. mail, with a proof of service attached, addressed to the address listed on the permit application, or the written appeal if different from the permit application. The notice shall state the grounds of the complaint or reason for the denial and shall state the time and place where such hearing will be held.

(iii) The City Manager or hearing officer shall, within ten (10) calendar days following the conclusion of the hearing, make a written finding and decision, which shall be delivered to the City and the appellant by first class mail. Notwithstanding any provision in this Code, the decision of the City Manager or hearing officer shall be the final administrative decision of the City. Any party dissatisfied with the decision of the City Manager or hearing officer may seek review of such decision under the provisions of Code Civil Procedure, §§ 1094.5 and 1094.8, as amended from time to time.

(h) In addition to any other provisions of this Code, the use of sound-amplifying equipment and sound trucks in the City shall be subject to the following regulations:

(1) The only sounds permitted are music and human speech;

(2) Sound shall not be emitted within one hundred (100) yards of hospitals, churches, schools and City Hall;

(3) The volume of sound shall be controlled so that it will not be audible for a distance in excess of one hundred (100) feet from the sound amplifying equipment or sound truck, and so that the volume is not unreasonably loud, raucous, jarring, disturbing or a nuisance to persons within the range of allowed audibility; or

(4) The sound amplifying equipment or sound truck shall not be used between the hours of 8:00 p.m. and 8:00 a.m.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.14. Motor vehicles.

The use of any motor vehicle in such a condition as to create excessive, impulsive or intrusive noises is prohibited. The discharge into the open air of the exhaust of any internal combustion engine, stationary or mounted on wheels, motorboat or motor vehicle, including motor cycle, whether or not discharged through a muffler or other similar device, which discharge creates excessive, unusual, impulsive or intrusive noise is prohibited. Motor vehicles shall comply with the noise regulations of the California Vehicle Code.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.15. Noise level measurement.

(a) The location selected for measuring exterior noise levels in a residential area shall be at any part of a private yard, patio, deck or balcony normally used for human activity and identified by the owner or, if occupied by someone other than the owner, the occupant of the affected property as suspected of exceeding the noise level standard. This location may be the closest point in the private yard or patio, or on the deck or balcony, to the noise source, but should not be located in nonhuman activity areas such as trash container storage areas, planter beds, above or contacting a property line fence, or other areas not normally used as part of the yard, patio, deck or balcony. The location selected for measuring exterior noise levels in a nonresidential area shall be at the closest point to the noise source. The measurement microphone height shall be five (5) feet above finish elevation or, in the case of a deck or balcony, the measurement microphone height shall be five (5) feet above the finished floor level.

(b) The location selected for measuring interior noise levels shall be made within the affected residential unit. The measurements shall be made at a point at least four (4) feet from the wall, ceiling or floor, or within the frame of a window opening, nearest the noise source. The measurements shall be made with windows in an open position.

(c) Any decibel measurement made pursuant to the provisions of this chapter shall be measured in decibels (dBAs) as measured with a sound level meter using the A-weighted sound pressure level.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.16. Prima facie violation.

Any noise exceeding the noise level standard as specified in §§ 5-29.04 and 5-29.05, shall be deemed to be prima facie evidence of a violation of the provisions of this chapter.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.17. Penalty.

(a) Any person who negligently or knowingly violates any provision of this chapter shall be guilty of an infraction and upon conviction shall be punishable by a fine specified in OMC § 1-2.01. Each day a violation occurs shall constitute a separate offense and shall be punishable as such.

(b) Any person who negligently or knowingly violates any provision of this chapter may also be subject to fine(s) specified in the administrative citation schedule of fines set forth in OMC § 1-5.04. The manner of issuing administrative citations shall comply with all the procedures specified in OMC Chapter 5, Title 1.

(c) As an additional remedy, the operation or maintenance of any device, instrument, vehicle or machinery in violation of any provisions of this chapter, which operation or maintenance causes or creates sound levels exceeding the allowable standards as specified in this chapter, shall be deemed and is declared to be a public nuisance and may be subject to abatement by a restraining order or injunction issued by a court of competent jurisdiction.

(d) Any violation of this chapter is declared to be a public nuisance and may be abated in accordance with law. The expense of enforcing this chapter is declared to be public nuisance and may be by resolution of the City Council declared to be a lien and special assessment against the property on which such nuisance is maintained, and any such charge shall also be a personal obligation of the property owner.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.18. Enforcement and administration.

(a) It shall be the responsibility of Police or Code Enforcement Officers to enforce the provisions of this chapter and to perform all other functions required by this chapter. Such duties shall include, but not be limited to investigating potential violations, issuing warning notices and citations, and providing evidence to the City prosecutor for legal action.

(b) For violations of § 5-29.07, Police or Code Enforcement Officers shall obtain a declaration under penalty of perjury from two (2) declarants living in separate households within a sixty (60) day period stating in detail all of the following:

(1) That the declarant is a resident of a residential neighborhood located within two hundred (200) yards of the noise source; and

(2) Within the past month declarant has heard noise for substantially long periods to the extreme annoyance of the declarant.

(3) Declarations from two (2) declarants are required to prove a violation of § 5-29.07, but are not required to prove that a person has violated any other provision of this chapter.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.19. City Manager waiver.

The City Manager is authorized to grant a temporary waiver to the provisions of this chapter for a period of time necessary to correct the violations of this chapter, if such temporary waiver would be in the public interest and there is no feasible and prudent alternative to the activity, or the method of conducting the activity, for which the temporary waiver is sought. This time period may include a commitment to a program that includes placing necessary orders and entering into necessary contracts within thirty (30) days for repair or installation.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.20. Noise abatement program.

(a) In circumstances where adopted community-wide noise standards and policies prove impractical in controlling noise generated from a specific source, the City Council may establish a noise abatement program that recognizes the characteristics of the noise source and affected property and that incorporates specialized mitigation measures.

(b) Noise abatement programs shall set forth in detail the approved terms, conditions and requirements for achieving maximum compliance with noise standards and policies. Said terms, conditions and requirements may include, but shall not be limited to, limitations, restrictions, or prohibitions on operating hours, location of operations, and the types of equipment.

(§ 2, Ord. 2888, eff. March 6, 2008)

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APPENDIX 5.1:

STUDY AREA PHOTOS

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JN: 14539 Study Area Photos

L1_E
34, 4' 13.650000"117, 33' 19.070000"



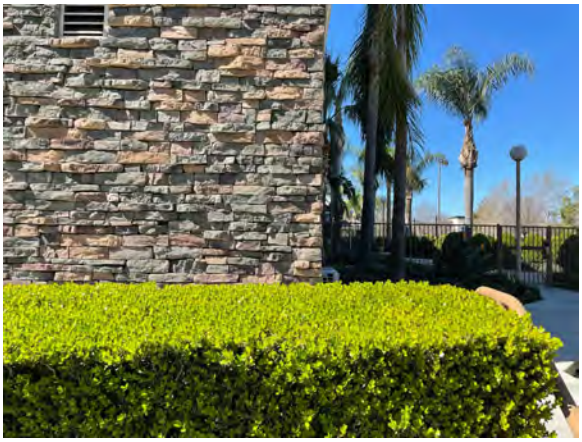
L1_N
34, 4' 13.610000"117, 33' 19.180000"



L1_S
34, 4' 13.560000"117, 33' 19.150000"



L1_W
34, 4' 13.660000"117, 33' 19.070000"



L2_E
34, 4' 12.440000"117, 33' 3.660000"



L2_N
34, 4' 12.590000"117, 33' 3.750000"



JN: 14539 Study Area Photos

L2_S
34, 4' 12.470000"117, 33' 3.640000"



L2_W
34, 4' 12.470000"117, 33' 3.720000"



L3_E
34, 4' 9.290000"117, 32' 58.420000"



L3_N
34, 4' 9.400000"117, 32' 58.420000"



L3_S
34, 4' 9.250000"117, 32' 58.390000"



L3_W
34, 4' 9.280000"117, 32' 58.470000"



JN: 14539 Study Area Photos

L4_E
34, 4' 12.660000"117, 32' 48.530000"



L4_N
34, 4' 12.620000"117, 32' 48.610000"



L4_S
34, 4' 12.670000"117, 32' 48.560000"



L4_W
34, 4' 12.640000"117, 32' 48.500000"



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APPENDIX 5.2:

NOISE LEVEL MEASUREMENT WORKSHEETS

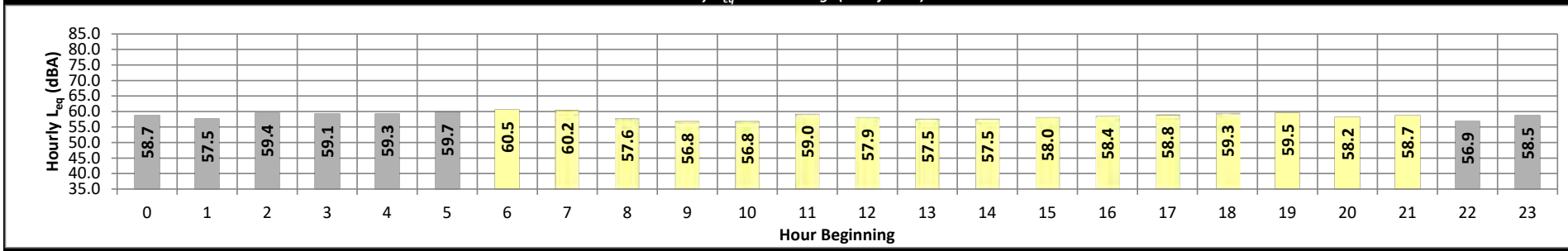
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24-Hour Noise Level Measurement Summary

Date: Tuesday, March 8, 2022 *Location:* L1 - Located northwest of the Project site near Ayres Hotel *Meter:* Piccolo II *JN:* 14539

Project: IE Distribution Center *Source:* Ontario Mills Mall at 4395 Ontario Mills Parkway. *Analyst:* A. Khan

Hourly L_{eq} dBA Readings (unadjusted)



Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%	L_{eq}	Adj.	Adj. L_{eq}
Night	0	58.7	61.8	57.1	61.6	61.3	60.7	60.3	59.1	58.4	57.5	57.3	57.2	58.7	10.0	68.7
	1	57.5	61.4	55.6	61.2	60.9	60.3	59.7	57.8	56.9	56.0	55.9	55.7	57.5	10.0	67.5
	2	59.4	63.3	57.5	63.1	62.9	62.3	61.4	59.6	58.9	57.9	57.7	57.6	59.4	10.0	69.4
	3	59.1	62.5	57.4	62.2	61.9	61.3	60.8	59.5	58.7	57.9	57.7	57.5	59.1	10.0	69.1
	4	59.3	63.0	57.4	62.7	62.4	61.8	61.2	59.6	58.8	57.8	57.7	57.5	59.3	10.0	69.3
	5	59.7	65.4	57.6	65.0	64.6	63.3	62.2	59.7	58.8	57.9	57.8	57.6	59.7	10.0	69.7
	6	60.5	66.9	57.5	66.5	66.1	64.4	63.3	60.8	59.2	57.9	57.7	57.5	60.5	10.0	70.5
Day	7	60.2	66.2	56.2	65.7	65.2	63.9	63.1	60.8	59.3	56.8	56.5	56.3	60.2	0.0	60.2
	8	57.6	64.1	53.5	63.7	63.1	61.5	60.5	58.2	56.4	54.3	53.9	53.6	57.6	0.0	57.6
	9	56.8	63.8	51.7	63.4	62.8	61.4	60.5	57.4	55.2	52.6	52.2	51.8	56.8	0.0	56.8
	10	56.8	63.2	52.2	62.8	62.2	61.0	60.0	57.4	55.5	53.0	52.6	52.3	56.8	0.0	56.8
	11	59.0	67.1	54.2	66.7	66.3	64.2	62.5	58.8	57.2	55.0	54.6	54.3	59.0	0.0	59.0
	12	57.9	65.6	53.0	65.2	64.8	62.4	60.8	58.2	56.6	54.1	53.5	53.1	57.9	0.0	57.9
	13	57.5	65.6	51.9	65.2	64.3	62.4	61.0	57.6	55.8	53.0	52.5	52.1	57.5	0.0	57.5
	14	57.5	64.4	52.7	64.0	63.5	61.9	60.8	57.8	56.1	53.7	53.3	52.8	57.5	0.0	57.5
	15	58.0	65.3	52.5	64.8	64.2	62.8	61.5	58.4	56.5	53.9	53.4	52.7	58.0	0.0	58.0
	16	58.4	67.8	52.6	67.3	66.4	63.9	61.8	57.9	56.1	53.5	53.0	52.7	58.4	0.0	58.4
	17	58.8	67.6	54.0	66.9	65.8	63.0	61.6	59.0	57.3	54.9	54.5	54.1	58.8	0.0	58.8
	18	59.3	66.5	54.8	66.1	65.5	64.0	62.7	59.6	57.8	55.6	55.3	54.9	59.3	0.0	59.3
	19	59.5	69.8	53.7	69.3	68.3	65.7	63.3	58.4	56.5	54.4	54.1	53.8	59.5	5.0	64.5
	20	58.2	68.0	52.7	67.4	66.4	63.3	61.7	57.8	55.8	53.6	53.2	52.8	58.2	5.0	63.2
	21	58.7	68.6	51.3	68.3	67.9	66.1	63.4	57.0	54.7	52.2	51.7	51.4	58.7	5.0	63.7
Night	22	56.9	64.2	52.7	63.9	63.4	61.9	60.9	57.0	54.9	53.1	52.9	52.7	56.9	10.0	66.9
	23	58.5	63.3	56.1	62.9	62.7	61.9	61.3	58.8	57.7	56.6	56.4	56.2	58.5	10.0	68.5

Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%
Day	Min	56.8	63.2	51.3	62.8	62.2	61.0	60.0	57.0	54.7	52.2	51.7	51.4
	Max	60.2	69.8	56.2	69.3	68.3	66.1	63.4	60.8	59.3	56.8	56.5	56.3
Energy Average		58.4	Average:		65.8	65.1	63.2	61.7	58.3	56.4	54.0	53.6	53.3
Night	Min	56.9	61.4	52.7	61.2	60.9	60.3	59.7	57.0	54.9	53.1	52.9	52.7
	Max	60.5	66.9	57.6	66.5	66.1	64.4	63.3	60.8	59.2	57.9	57.8	57.6
Energy Average		59.0	Average:		63.2	62.9	62.0	61.2	59.1	58.0	57.0	56.8	56.6

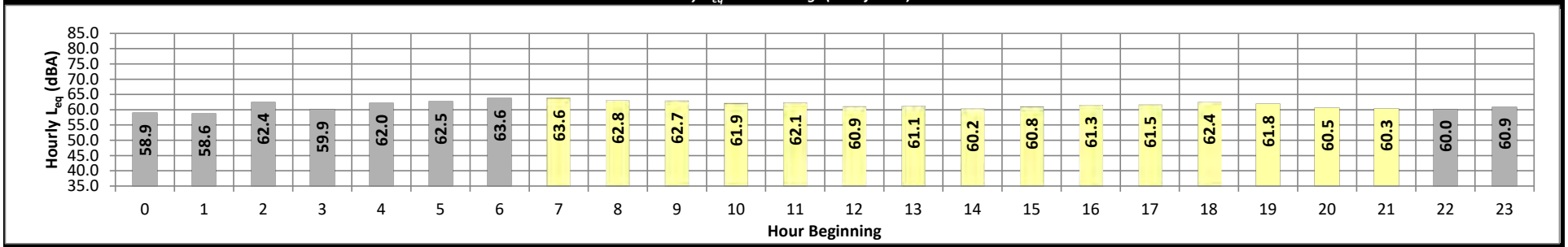
L_{eq} (dBA)		
24-Hour	Daytime (7am-10pm)	Nighttime (10pm-7am)
58.6	**58.4**	**59.0**

24-Hour Noise Level Measurement Summary

Date: Tuesday, March 8, 2022 | *Location:* L2 - Located northwest of the Project site near Hampton Inn & Suites Ontario at 4500 Ontario Mills Parkway. | *Meter:* Piccolo II | *JN:* 14539

Project: IE Distribution Center | *Analyst:* A. Khan

Hourly L_{eq} dBA Readings (unadjusted)



Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%	L_{eq}	Adj.	Adj. L_{eq}
Night	0	58.9	65.8	55.4	65.6	65.1	63.4	62.2	58.8	57.4	56.0	55.8	55.5	58.9	10.0	68.9
	1	58.6	67.0	54.5	66.7	66.1	63.8	61.7	58.2	56.5	55.1	54.8	54.6	58.6	10.0	68.6
	2	62.4	73.3	56.8	73.0	71.9	68.3	65.6	61.2	59.1	57.4	57.2	56.9	62.4	10.0	72.4
	3	59.9	68.0	56.6	67.7	67.0	64.6	62.9	59.6	58.2	57.1	56.9	56.7	59.9	10.0	69.9
	4	62.0	73.1	57.2	72.7	71.5	67.3	64.7	60.6	58.8	57.6	57.4	57.2	62.0	10.0	72.0
	5	62.5	70.9	58.9	70.6	69.8	67.2	65.5	62.4	60.6	59.3	59.1	59.0	62.5	10.0	72.5
	6	63.6	72.3	57.9	71.9	71.3	69.3	67.8	63.7	60.7	58.4	58.2	57.9	63.6	10.0	73.6
Day	7	63.6	72.5	56.1	72.1	71.4	69.2	68.1	64.1	60.6	56.8	56.5	56.2	63.6	0.0	63.6
	8	62.8	71.7	54.4	71.3	70.7	68.7	67.2	63.3	59.4	55.4	54.9	54.5	62.8	0.0	62.8
	9	62.7	72.6	53.1	72.2	71.5	69.0	67.2	62.7	58.6	54.2	53.6	53.2	62.7	0.0	62.7
	10	61.9	71.7	53.6	71.2	70.4	67.9	65.9	62.1	58.8	54.5	54.1	53.7	61.9	0.0	61.9
	11	62.1	70.9	55.1	70.4	69.6	67.6	66.4	62.4	59.3	56.1	55.7	55.3	62.1	0.0	62.1
	12	60.9	70.9	52.6	69.9	69.2	67.0	65.0	60.9	58.0	53.9	53.2	52.7	60.9	0.0	60.9
	13	61.1	71.3	52.1	70.8	70.0	67.2	65.1	60.8	57.4	53.3	52.7	52.3	61.1	0.0	61.1
	14	60.2	69.0	51.2	68.7	68.1	66.0	64.6	60.6	57.2	52.6	51.8	51.4	60.2	0.0	60.2
	15	60.8	69.9	52.1	69.5	68.8	66.7	65.2	61.2	57.7	53.4	52.7	52.2	60.8	0.0	60.8
	16	61.3	70.5	52.6	70.1	69.4	67.1	65.6	61.7	58.3	53.8	53.2	52.7	61.3	0.0	61.3
	17	61.5	70.1	54.4	69.7	69.1	66.9	65.3	61.9	59.1	55.6	55.0	54.5	61.5	0.0	61.5
	18	62.4	71.8	55.6	71.4	70.9	68.5	66.5	62.0	59.4	56.4	56.0	55.7	62.4	0.0	62.4
	19	61.8	72.5	53.9	72.1	71.3	68.0	65.8	60.7	57.8	54.7	54.3	54.0	61.8	5.0	66.8
	20	60.5	69.2	53.4	68.8	68.3	66.3	64.8	60.7	57.3	54.2	53.8	53.5	60.5	5.0	65.5
	21	60.3	70.4	52.4	69.9	69.1	66.5	64.9	60.0	56.3	53.2	52.9	52.5	60.3	5.0	65.3
Night	22	60.0	69.8	53.5	69.5	69.1	66.5	64.2	59.0	56.3	54.1	53.8	53.6	60.0	10.0	70.0
	23	60.9	71.0	56.0	70.3	69.4	66.4	64.4	60.0	58.0	56.6	56.3	56.1	60.9	10.0	70.9

Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%
Day	Min	60.2	69.0	51.2	68.7	68.1	66.0	64.6	60.0	56.3	52.6	51.8	51.4
	Max	63.6	72.6	56.1	72.2	71.5	69.2	68.1	64.1	60.6	56.8	56.5	56.2
Energy Average		61.7	Average:		70.5	69.8	67.5	65.8	61.7	58.3	54.5	54.0	53.6
Night	Min	58.6	65.8	53.5	65.6	65.1	63.4	61.7	58.2	56.3	54.1	53.8	53.6
	Max	63.6	73.3	58.9	73.0	71.9	69.3	67.8	63.7	60.7	59.3	59.1	59.0
Energy Average		61.3	Average:		69.8	69.0	66.3	64.3	60.4	58.4	56.8	56.6	56.4

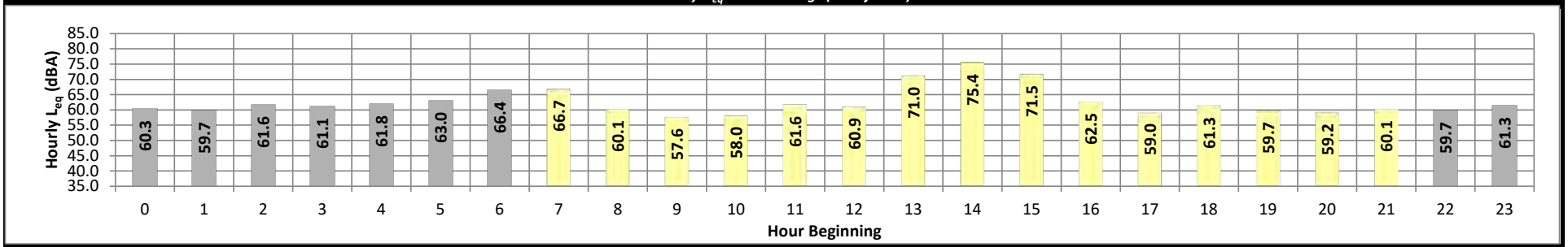
L_{eq} (dBA)		
24-Hour	Daytime (7am-10pm)	Nighttime (10pm-7am)
61.5	**61.7**	**61.3**

24-Hour Noise Level Measurement Summary

Date: Tuesday, March 8, 2022 | *Location:* L3 - Located northwest of the Project site near Country Inn & Suites by Radisson, Ontario at Ontario Mills at 4674 Ontario Mills Parkway. | *Meter:* Piccolo II | *JN:* 14539

Project: IE Distribution Center | *Source:* | *Analyst:* A. Khan

Hourly L_{eq} dBA Readings (unadjusted)



Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%	L_{eq}	Adj.	Adj. L_{eq}
Night	0	60.3	63.8	58.3	63.4	63.0	62.3	61.9	60.8	60.0	58.8	58.6	58.4	60.3	10.0	70.3
	1	59.7	63.0	57.6	62.7	62.5	61.8	61.4	60.2	59.3	58.2	57.9	57.7	59.7	10.0	69.7
	2	61.6	64.9	59.4	64.6	64.4	63.8	63.4	62.2	61.1	59.9	59.7	59.5	61.6	10.0	71.6
	3	61.1	64.6	59.1	64.3	64.0	63.3	62.7	61.5	60.7	59.6	59.4	59.2	61.1	10.0	71.1
	4	61.8	65.6	59.7	65.3	65.0	64.3	63.6	62.1	61.4	60.3	60.1	59.8	61.8	10.0	71.8
	5	63.0	65.7	61.4	65.5	65.2	64.7	64.3	63.4	62.7	61.9	61.7	61.4	63.0	10.0	73.0
	6	66.4	75.9	61.8	75.5	75.0	72.7	70.8	64.9	63.2	62.2	62.1	61.8	66.4	10.0	76.4
Day	7	66.7	70.4	63.6	70.1	69.8	69.2	68.7	67.2	66.4	64.6	64.2	63.7	66.7	0.0	66.7
	8	60.1	68.3	55.8	68.0	67.5	66.0	64.1	59.4	57.9	56.5	56.3	56.0	60.1	0.0	60.1
	9	57.6	62.4	54.6	62.1	61.7	60.8	60.1	58.2	56.9	55.2	54.9	54.7	57.6	0.0	57.6
	10	58.0	62.2	55.4	61.9	61.6	60.8	60.3	58.7	57.4	56.0	55.8	55.5	58.0	0.0	58.0
	11	61.6	65.8	58.9	65.3	64.8	63.9	63.4	62.2	61.2	59.8	59.5	59.1	61.6	0.0	61.6
	12	60.9	66.1	57.9	65.7	65.3	64.2	63.8	61.3	60.0	58.6	58.4	58.1	60.9	0.0	60.9
	13	71.0	83.9	77.2	83.8	83.6	82.9	82.4	80.4	78.9	77.5	77.4	77.2	71.0	0.0	71.0
	14	75.4	81.3	70.4	81.1	80.8	79.7	79.0	76.5	74.5	71.7	71.2	70.5	75.4	0.0	75.4
	15	71.5	78.8	67.5	78.6	78.3	77.4	76.8	73.9	71.8	69.3	68.9	68.1	71.5	0.0	71.5
	16	62.5	67.0	57.5	66.8	66.5	65.9	65.2	63.6	62.1	58.6	58.1	57.6	62.5	0.0	62.5
	17	59.0	64.7	56.2	64.2	63.8	62.4	61.5	59.3	58.2	56.8	56.6	56.3	59.0	0.0	59.0
	18	61.3	67.5	58.1	67.1	66.6	64.8	63.8	61.6	60.3	58.7	58.5	58.2	61.3	0.0	61.3
	19	59.7	64.4	57.0	64.0	63.5	62.5	61.9	60.3	59.2	57.6	57.3	57.1	59.7	5.0	64.7
	20	59.2	63.6	56.5	63.2	62.9	61.8	61.2	59.7	58.6	57.2	56.9	56.6	59.2	5.0	64.2
	21	60.1	66.3	57.1	65.8	65.3	63.7	62.5	60.3	59.2	57.7	57.4	57.2	60.1	5.0	65.1
Night	22	59.7	64.2	57.1	63.9	63.6	62.8	61.9	60.2	59.1	57.7	57.4	57.2	59.7	10.0	69.7
	23	61.3	64.8	59.2	64.6	64.4	63.7	63.2	61.7	60.9	59.7	59.5	59.2	61.3	10.0	71.3

Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%
Day	Min	57.6	62.2	54.6	61.9	61.6	60.8	60.1	58.2	56.9	55.2	54.9	54.7
	Max	75.4	83.9	77.2	83.8	83.6	82.9	82.4	80.4	78.9	77.5	77.4	77.2
Energy Average		67.1	Average:		68.5	68.1	67.1	66.3	64.2	62.8	61.1	60.7	60.4
Night	Min	59.7	63.0	57.1	62.7	62.5	61.8	61.4	60.2	59.1	57.7	57.4	57.2
	Max	66.4	75.9	61.8	75.5	75.0	72.7	70.8	64.9	63.2	62.2	62.1	61.8
Energy Average		62.2	Average:		65.5	65.2	64.4	63.7	61.9	60.9	59.8	59.6	59.4

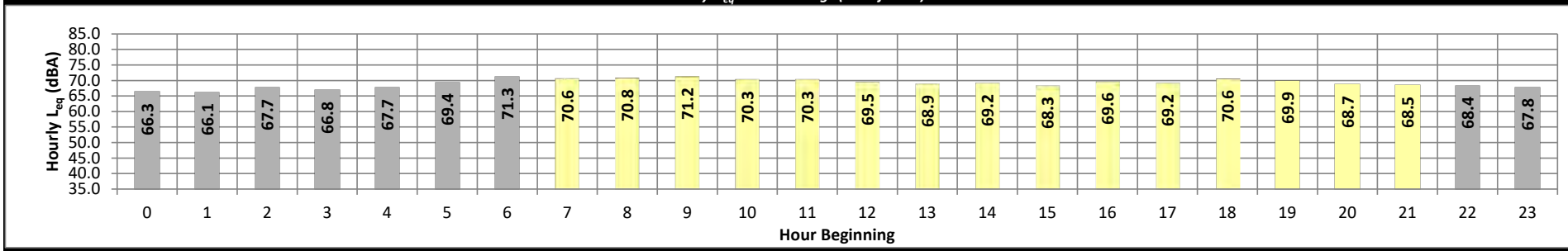
24-Hour	L_{eq} (dBA) Daytime (7am-10pm)	Nighttime (10pm-7am)
65.9	**67.1**	**62.2**

24-Hour Noise Level Measurement Summary

Date: Tuesday, March 8, 2022 *Location:* L4 - Located northwest of the Project site near Hyatt Place *Meter:* Piccolo II *JN:* 14539

Project: IE Distribution Center *Source:* Ontario/Rancho Cucamonga at 4760 Mills Circle. *Analyst:* A. Khan

Hourly L_{eq} dBA Readings (unadjusted)



Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%	L_{eq}	Adj.	Adj. L_{eq}
Night	0	66.3	74.6	62.4	74.0	73.1	71.0	69.5	66.1	64.5	62.9	62.7	62.5	66.3	10.0	76.3
	1	66.1	73.9	62.4	73.3	72.6	70.5	69.3	66.2	64.6	63.0	62.8	62.5	66.1	10.0	76.1
	2	67.7	76.8	63.3	76.2	75.3	72.6	70.8	67.4	65.7	63.8	63.6	63.4	67.7	10.0	77.7
	3	66.8	76.5	62.7	75.8	74.8	71.5	69.5	66.3	64.9	63.3	63.0	62.8	66.8	10.0	76.8
	4	67.7	75.6	64.2	75.0	74.1	72.1	70.6	67.7	66.3	64.7	64.5	64.3	67.7	10.0	77.7
	5	69.4	78.3	65.6	77.7	76.6	73.9	72.4	69.1	67.5	66.2	66.0	65.7	69.4	10.0	79.4
	6	71.3	81.9	65.8	81.5	80.5	77.0	74.7	70.2	68.0	66.4	66.2	65.9	71.3	10.0	81.3
Day	7	70.6	80.7	64.3	80.0	79.0	76.3	74.5	70.5	67.4	64.9	64.6	64.4	70.6	0.0	70.6
	8	70.8	81.1	65.4	80.6	79.6	76.1	73.9	70.3	68.0	66.0	65.7	65.5	70.8	0.0	70.8
	9	71.2	80.7	66.6	80.2	79.3	76.8	75.0	70.6	68.6	67.2	67.0	66.7	71.2	0.0	71.2
	10	70.3	80.5	65.8	79.8	78.5	75.3	73.4	69.7	67.8	66.3	66.0	65.8	70.3	0.0	70.3
	11	70.3	78.5	66.1	78.0	77.3	75.3	73.8	70.3	68.3	66.7	66.5	66.2	70.3	0.0	70.3
	12	69.5	77.1	65.8	76.6	75.9	73.9	72.6	69.7	67.8	66.3	66.1	65.8	69.5	0.0	69.5
	13	68.9	78.4	64.5	77.7	76.6	73.9	72.4	68.6	66.6	65.0	64.8	64.6	68.9	0.0	68.9
	14	69.2	78.5	65.0	78.0	77.0	74.2	72.2	69.0	67.0	65.5	65.3	65.1	69.2	0.0	69.2
	15	68.3	76.8	62.5	76.3	75.4	73.6	72.3	68.8	65.8	63.2	62.9	62.6	68.3	0.0	68.3
	16	69.6	78.8	63.8	78.4	77.5	75.2	73.5	69.7	66.9	64.5	64.2	63.9	69.6	0.0	69.6
	17	69.2	77.9	63.4	77.4	76.5	74.4	73.0	69.6	66.9	64.1	63.8	63.5	69.2	0.0	69.2
	18	70.6	80.3	65.7	79.7	78.8	76.0	74.2	70.1	67.8	66.3	66.1	65.8	70.6	0.0	70.6
	19	69.9	78.5	65.7	78.0	77.4	75.5	73.7	69.4	67.6	66.2	66.0	65.8	69.9	5.0	74.9
	20	68.7	75.2	65.8	74.8	74.2	72.2	71.3	68.9	67.6	66.4	66.2	65.9	68.7	5.0	73.7
	21	68.5	75.8	64.9	75.4	74.7	73.1	72.0	68.4	66.9	65.4	65.2	65.0	68.5	5.0	73.5
Night	22	68.4	77.0	63.9	76.6	75.9	74.1	72.3	67.8	66.1	64.4	64.2	64.0	68.4	10.0	78.4
	23	67.8	76.1	64.0	75.6	74.7	72.4	70.8	67.7	66.1	64.5	64.3	64.1	67.8	10.0	77.8

Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%
Day	Min	68.3	75.2	62.5	74.8	74.2	72.2	71.3	68.4	65.8	63.2	62.9	62.6
	Max	71.2	81.1	66.6	80.6	79.6	76.8	75.0	70.6	68.6	67.2	67.0	66.7
Energy Average		69.8	Average:		78.1	77.2	74.8	73.2	69.6	67.4	65.6	65.4	65.1
Night	Min	66.1	73.9	62.4	73.3	72.6	70.5	69.3	66.1	64.5	62.9	62.7	62.5
	Max	71.3	81.9	65.8	81.5	80.5	77.0	74.7	70.2	68.0	66.4	66.2	65.9
Energy Average		68.2	Average:		76.2	75.3	72.8	71.1	67.6	66.0	64.4	64.1	63.9

L_{eq} (dBA)		
24-Hour	Daytime (7am-10pm)	Nighttime (10pm-7am)
69.3	**69.8**	**68.2**

APPENDIX 7.1:

CADNAA OPERATIONAL NOISE MODEL INPUTS

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14539 - IE Distribution Center #14

CadnaA Noise Prediction Model: 14539-02.cna
Date: 25.07.22
Analyst: S. Shami

Calculation Configuration

Configuration	
Parameter	**Value**
General	
Max. Error (dB)	**0.00**
Max. Search Radius (#(Unit,LEN))	**2000.01**
Min. Dist Src to Rcvr	**0.00**
Partition	
Raster Factor	**0.50**
Max. Length of Section (#(Unit,LEN))	**999.99**
Min. Length of Section (#(Unit,LEN))	**1.01**
Min. Length of Section (%)	**0.00**
Proj. Line Sources	**On**
Proj. Area Sources	**On**
Ref. Time	
Reference Time Day (min)	**960.00**
Reference Time Night (min)	**480.00**
Daytime Penalty (dB)	**0.00**
Recr. Time Penalty (dB)	**5.00**
Night-time Penalty (dB)	**10.00**
DTM	
Standard Height (m)	**0.00**
Model of Terrain	**Triangulation**
Reflection	
max. Order of Reflection	**2**
Search Radius Src	**100.00**
Search Radius Rcvr	**100.00**
Max. Distance Source - Rcvr	**1000.00 1000.00**
Min. Distance Rvcr - Reflector	**1.00 1.00**
Min. Distance Source - Reflector	**0.10**
Industrial (ISO 9613)	
Lateral Diffraction	**some Obj**
Obst. within Area Src do not shield	**On**
Screening	**Incl. Ground Att. over Barrier**
	Dz with limit (20/25)
Barrier Coefficients C1,2,3	**3.0 20.0 0.0**
Temperature (#(Unit,TEMP))	**10**
rel. Humidity (%)	**70**
Ground Absorption G	**0.50**
Wind Speed for Dir. (#(Unit,SPEED))	**3.0**
Roads (TNM)	
Railways (FTA/FRA)	
Aircraft (???)	
Strictly acc. to AzB	

Receiver Noise Levels

Name	M.	ID	Level Lr			Limit. Value			Land Use			Height		Coordinates		
			Day	Night	CNEL	Day	Night	CNEL	Type	Auto	Noise Type			X	Y	Z
			(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)				(ft)		(ft)	(ft)	(ft)
RECEIVERS		R1	22.1	22.1	28.7	65.0	45.0	0.0				5.00	a	6166354.34	2335548.36	5.00
RECEIVERS		R2	26.2	26.1	32.8	65.0	45.0	0.0				5.00	a	6167586.75	2335500.55	5.00
RECEIVERS		R3	27.4	27.3	34.0	65.0	45.0	0.0				5.00	a	6168040.49	2335084.87	5.00
RECEIVERS		R4	27.2	27.1	33.8	65.0	45.0	0.0				5.00	a	6168984.89	2335492.36	5.00

Point Source(s)

Name	M.	ID	Result. PWL			Lw / Li			Operating Time			Height		Coordinates		
			Day	Evening	Night	Type	Value	norm.	Day	Special	Night			X	Y	Z
			(dBA)	(dBA)	(dBA)			dB(A)	(min)	(min)	(min)	(ft)		(ft)	(ft)	(ft)
POINTSOURCE		TRASH01	89.0	89.0	89.0	Lw	89.0		150.00	0.00	90.00	5.00	a	6173094.91	2332777.46	5.00
POINTSOURCE		TRASH02	89.0	89.0	89.0	Lw	89.0		150.00	0.00	90.00	5.00	a	6172317.38	2332781.06	5.00
POINTSOURCE		AC01	88.9	88.9	88.9	Lw	88.9		585.00	0.00	252.00	5.00	g	6172196.56	2332896.19	50.00
POINTSOURCE		AC02	88.9	88.9	88.9	Lw	88.9		585.00	0.00	252.00	5.00	g	6173241.85	2332919.06	50.00
POINTSOURCE		PARK01	87.8	87.8	87.8	Lw	87.8					5.00	a	6172137.90	2332843.70	5.00
POINTSOURCE		PARK02	87.8	87.8	87.8	Lw	87.8					5.00	a	6172137.12	2332947.90	5.00
POINTSOURCE		PARK03	87.8	87.8	87.8	Lw	87.8					5.00	a	6172133.27	2333035.12	5.00
POINTSOURCE		PARK04	87.8	87.8	87.8	Lw	87.8					5.00	a	6172127.86	2333143.17	5.00
POINTSOURCE		PARK05	87.8	87.8	87.8	Lw	87.8					5.00	a	6173305.95	2332942.58	5.00
POINTSOURCE		PARK06	87.8	87.8	87.8	Lw	87.8					5.00	a	6173305.95	2333040.09	5.00
POINTSOURCE		PARK07	87.8	87.8	87.8	Lw	87.8					5.00	a	6173303.27	2333139.40	5.00
POINTSOURCE		PARK08	87.8	87.8	87.8	Lw	87.8					5.00	a	6173299.69	2333226.18	5.00
POINTSOURCE		PARK09	87.8	87.8	87.8	Lw	87.8					5.00	a	6173256.74	2333243.18	5.00
POINTSOURCE		PARK10	87.8	87.8	87.8	Lw	87.8					5.00	a	6173166.38	2333243.18	5.00

Line Source(s)

Name	M.	ID	Result. PWL			Result. PWL'			Lw / Li			Operating Time			Moving Pt. Src				Height	
			Day	Evening	Night	Day	Evening	Night	Type	Value	norm.	Day	Special	Night	Number			Speed		
			(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)			dB(A)	(min)	(min)	(min)	Day	Evening	Night	(mph)	(ft)	
LINESOURCE		TRUCK01	93.2	93.2	93.2	73.8	73.8	73.8	Lw	93.2									8	a
LINESOURCE		TRUCK02	93.2	93.2	93.2	74.8	74.8	74.8	Lw	93.2									8	a

Name	Height				Coordinates			
	Begin		End		x	y	z	Ground
	(ft)		(ft)		(ft)	(ft)	(ft)	(ft)
LINESOURCE	8.00	a			6173104.76	2332844.63	8.00	0.00
					6173286.17	2332846.24	8.00	0.00
					6173287.75	2332742.15	8.00	0.00
LINESOURCE	8.00	a			6172308.47	2332817.94	8.00	0.00
					6172152.71	2332813.00	8.00	0.00
					6172154.29	2332742.76	8.00	0.00

Area Source(s)

Name	M.	ID	Result. PWL			Result. PWL''			Lw / Li			Operating Time			Height	
			Day	Evening	Night	Day	Evening	Night	Type	Value	norm.	Day	Special	Night	(ft)	
			(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)			dB(A)	(min)	(min)	(min)		
AREASOURCE		DOCK01	111.5	111.5	111.5	70.1	70.1	70.1	Lw	111.5					8	a

Name	Height				Coordinates			
	Begin		End		x	y	z	Ground
	(ft)		(ft)		(ft)	(ft)	(ft)	(ft)
AREASOURCE	8.00	a			6172330.01	2332949.14	8.00	0.00
					6173102.54	2332961.81	8.00	0.00
					6173104.12	2332898.48	8.00	0.00
					6173105.70	2332765.51	8.00	0.00
					6172307.84	2332768.67	8.00	0.00
					6172309.27	2332880.67	8.00	0.00
					6172328.42	2332881.07	8.00	0.00

Building(s)

Name	M.	ID	RB	Residents	Absorption	Height		Coordinates			
						Begin		x	y	z	Ground
						(ft)		(ft)	(ft)	(ft)	(ft)
BUILDING		BUILDING00001	x	0		45.00	a	6172170.12	2333172.35	45.00	0.00
								6173265.59	2333197.68	45.00	0.00
								6173268.76	2332898.48	45.00	0.00
								6173104.12	2332898.48	45.00	0.00
								6173102.54	2332961.81	45.00	0.00
								6172330.01	2332949.14	45.00	0.00
								6172328.42	2332881.07	45.00	0.00
								6172178.03	2332877.90	45.00	0.00

APPENDIX 8.1:

CADNAA CONSTRUCTION NOISE MODEL INPUTS

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14539 - IE Distribution Center #14

CadnaA Noise Prediction Model: 14539-02 - Construction.cna
Date: 25.07.22
Analyst: S. Shami

Calculation Configuration

Configuration	
Parameter	**Value**
General	
Max. Error (dB)	**0.00**
Max. Search Radius (#(Unit,LEN))	**2000.01**
Min. Dist Src to Rcvr	**0.00**
Partition	
Raster Factor	**0.50**
Max. Length of Section (#(Unit,LEN))	**999.99**
Min. Length of Section (#(Unit,LEN))	**1.01**
Min. Length of Section (%)	**0.00**
Proj. Line Sources	**On**
Proj. Area Sources	**On**
Ref. Time	
Reference Time Day (min)	**960.00**
Reference Time Night (min)	**480.00**
Daytime Penalty (dB)	**0.00**
Recr. Time Penalty (dB)	**5.00**
Night-time Penalty (dB)	**10.00**
DTM	
Standard Height (m)	**0.00**
Model of Terrain	**Triangulation**
Reflection	
max. Order of Reflection	**2**
Search Radius Src	**100.00**
Search Radius Rcvr	**100.00**
Max. Distance Source - Rcvr	**1000.00 1000.00**
Min. Distance Rvcr - Reflector	**1.00 1.00**
Min. Distance Source - Reflector	**0.10**
Industrial (ISO 9613)	
Lateral Diffraction	**some Obj**
Obst. within Area Src do not shield	**On**
Screening	**Incl. Ground Att. over Barrier**
	Dz with limit (20/25)
Barrier Coefficients C1,2,3	**3.0 20.0 0.0**
Temperature (#(Unit,TEMP))	**10**
rel. Humidity (%)	**70**
Ground Absorption G	**0.50**
Wind Speed for Dir. (#(Unit,SPEED))	**3.0**
Roads (TNM)	
Railways (FTA/FRA)	
Aircraft (???)	
Strictly acc. to AzB	

Receiver Noise Levels

Name	M.	ID	Level Lr			Limit. Value			Land Use			Height		Coordinates		
			Day	Night	CNEL	Day	Night	CNEL	Type	Auto	Noise Type			X	Y	Z
			(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)				(ft)		(ft)	(ft)	(ft)
RECEIVERS		R1	33.6	33.6	40.3	65.0	45.0	0.0				5.00	a	6166354.34	2335548.36	5.00
RECEIVERS		R2	35.9	35.9	42.5	65.0	45.0	0.0				5.00	a	6167586.75	2335500.55	5.00
RECEIVERS		R3	37.1	37.1	43.8	65.0	45.0	0.0				5.00	a	6168040.49	2335084.87	5.00
RECEIVERS		R4	38.6	38.6	45.3	65.0	45.0	0.0				5.00	a	6168984.89	2335492.36	5.00

Area Source(s)

Name	M.	ID	Result. PWL			Result. PWL''			Lw / Li			Operating Time			Height	
			Day	Evening	Night	Day	Evening	Night	Type	Value	norm.	Day	Special	Night	(ft)	
			(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)			dB(A)	(min)	(min)	(min)		
SITEBOUNDARY		CONSTRUCTION	115.0	115.0	115.0	67.6	67.6	67.6	Lw	115					8	a

Name	Height			Coordinates			
	Begin		End	x	y	z	Ground
	(ft)		(ft)	(ft)	(ft)	(ft)	(ft)
SITEBOUNDARY	8.00	a		6172109.54	2333205.54	8.00	0.00
				6173121.48	2333222.49	8.00	0.00
				6173122.48	2333272.51	8.00	0.00
				6173325.40	2333275.95	8.00	0.00
				6173334.39	2332742.12	8.00	0.00
				6172116.20	2332742.78	8.00	0.00

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APPENDIX 8.2:

CADNAA CONCRETE POUR NOISE MODEL INPUTS

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14539 - IE Distribution Center #14

CadnaA Noise Prediction Model: 14539-02 - ConcretePour.cna
Date: 25.07.22
Analyst: S. Shami

Calculation Configuration

Configuration	
Parameter	**Value**
General	
Max. Error (dB)	**0.00**
Max. Search Radius (#(Unit,LEN))	**2000.01**
Min. Dist Src to Rcvr	**0.00**
Partition	
Raster Factor	**0.50**
Max. Length of Section (#(Unit,LEN))	**999.99**
Min. Length of Section (#(Unit,LEN))	**1.01**
Min. Length of Section (%)	**0.00**
Proj. Line Sources	**On**
Proj. Area Sources	**On**
Ref. Time	
Reference Time Day (min)	**960.00**
Reference Time Night (min)	**480.00**
Daytime Penalty (dB)	**0.00**
Recr. Time Penalty (dB)	**5.00**
Night-time Penalty (dB)	**10.00**
DTM	
Standard Height (m)	**0.00**
Model of Terrain	**Triangulation**
Reflection	
max. Order of Reflection	**2**
Search Radius Src	**100.00**
Search Radius Rcvr	**100.00**
Max. Distance Source - Rcvr	**1000.00 1000.00**
Min. Distance Rvcr - Reflector	**1.00 1.00**
Min. Distance Source - Reflector	**0.10**
Industrial (ISO 9613)	
Lateral Diffraction	**some Obj**
Obst. within Area Src do not shield	**On**
Screening	**Incl. Ground Att. over Barrier**
	Dz with limit (20/25)
Barrier Coefficients C1,2,3	**3.0 20.0 0.0**
Temperature (#(Unit,TEMP))	**10**
rel. Humidity (%)	**70**
Ground Absorption G	**0.50**
Wind Speed for Dir. (#(Unit,SPEED))	**3.0**
Roads (TNM)	
Railways (FTA/FRA)	
Aircraft (???)	
Strictly acc. to AzB	

Receiver Noise Levels

Name	M.	ID	Level Lr			Limit. Value			Land Use			Height		Coordinates		
			Day	Night	CNEL	Day	Night	CNEL	Type	Auto	Noise Type			X	Y	Z
			(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)				(ft)		(ft)	(ft)	(ft)
RECEIVERS		R1	18.6	18.6	25.2	65.0	45.0	0.0				5.00	a	6166354.34	2335548.36	5.00
RECEIVERS		R2	21.2	21.2	27.9	65.0	45.0	0.0				5.00	a	6167586.75	2335500.55	5.00
RECEIVERS		R3	22.5	22.5	29.2	65.0	45.0	0.0				5.00	a	6168040.49	2335084.87	5.00
RECEIVERS		R4	24.1	24.1	30.7	65.0	45.0	0.0				5.00	a	6168984.89	2335492.36	5.00

Area Source(s)

Name	M.	ID	Result. PWL			Result. PWL''			Lw / Li			Operating Time			Height	
			Day	Evening	Night	Day	Evening	Night	Type	Value	norm.	Day	Special	Night	(ft)	
			(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)			dB(A)	(min)	(min)	(min)		
BUILDING		CONCRETEPOUR	100.3	100.3	100.3	56.3	56.3	56.3	Lw	100.3					8	a

Name	Height			Coordinates			
	Begin		End	x	y	z	Ground
	(ft)		(ft)	(ft)	(ft)	(ft)	(ft)
BUILDING	8.00	a		6172170.12	2333172.35	8.00	0.00
				6173265.59	2333197.68	8.00	0.00
				6173268.76	2332898.48	8.00	0.00
				6173104.12	2332898.48	8.00	0.00
				6173102.54	2332961.81	8.00	0.00
				6172330.01	2332949.14	8.00	0.00
				6172328.42	2332881.07	8.00	0.00
				6172178.03	2332877.90	8.00	0.00

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January 3, 2023

Ms. Tracy Zinn
T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

IE DISTRIBUTION CENTER #14 VEHICLE MILES TRAVELED (VMT) ANALYSIS

Ms. Tracy Zinn,

Urban Crossroads, Inc. is pleased to provide the following Vehicle Miles Traveled (VMT) Analysis for the IE Distribution Center #14 development (**Project**), which is located which is located at 5355 E. Airport Drive in the City of Ontario.

PROJECT OVERVIEW

It is our understanding that the Project consists of a single 270,377 square foot warehouse building. The proposed Project has been evaluated assuming a mix of warehousing (243,303 square feet or 90% of the total square footage) and high-cube cold storage use (27,034 square feet or 10% of the total square footage). The Project site is currently occupied and operating as a grain processing company and corn storage and distribution facility within warehousing space totaling 41,780 square feet. There are two driveways on Airport Drive. A preliminary site plan for the proposed Project is shown in Exhibit 1.

EXHIBIT 1: PRELIMINARY SITE PLAN



BACKGROUND

Changes to California Environmental Quality Act (CEQA) Guidelines were adopted in December 2018, which require all lead agencies to adopt VMT as a replacement for automobile delay-based level of service (LOS) as the measure for identifying transportation impacts for land use projects. This statewide mandate went into effect July 1, 2020. To aid in this transition, the Governor's Office of Planning and Research (OPR) released a Technical Advisory on Evaluating Transportation Impacts in CEQA (December of 2018) (**Technical Advisory**) (1). Based on the Technical Advisory, the City of Ontario has developed and adopted their own VMT methodologies and thresholds, which were adopted by City Council in June 2020 (**City Guidelines**) (2). This VMT analysis has been developed based on the adopted City Guidelines.

VMT SCREENING

City Guidelines identify Projects that meet certain VMT screening criteria may be presumed to result in a less than significant transportation impact. It is our understanding the City of Ontario utilizes the San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool (**Screening Tool**). The Screening Tool allows users to select an assessor's parcel number (APN) to determine if a project's location meets one or more of the screening thresholds for land use projects identified in the City Guidelines. The City Guidelines lists the following VMT screening criteria:

- Transit Priority Area (TPA) Screening
- Low VMT Area Screening
- Project Type Screening

A land use project need only meet one of the above screening criteria to result in a less than significant impact.

STEP 1: TPA SCREENING

Consistent with guidance identified in the City Guidelines, projects located within a Transit Priority Area (TPA) (i.e., within ½ mile of an existing "major transit stop"[1] or an existing stop along a "high-quality transit corridor"[2]) may be presumed to have a less than significant impact absent substantial evidence to the contrary. However, the presumption may not be appropriate if a project:

- Has a Floor Area Ratio (FAR) of less than 0.75;

[1] Pub. Resources Code, § 21064.3 ("'Major transit stop' means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.").
[2] Pub. Resources Code, § 21155 ("For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.").

- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization); or
- Replaces affordable residential units with a smaller number of moderate or high-income residential units.

The Screening Tool was utilized to locate the Project site and its proximity to a TPA. Results, as shown in Attachment A, the Project Site is not located within ½ mile of an existing major transit stop or along a high-quality transit corridor.

TPA screening criteria is not met.

STEP 2: LOW VMT AREA SCREENING

The City Guidelines state that projects may be presumed to have a less than significant VMT impact if located in an already low VMT generating traffic analysis zones (TAZs) that generates a VMT per service population that does not exceed the Citywide average under General Plan Buildout condition VMT per service population. The Screening Tool uses the sub-regional San Bernardino Transportation Analysis Model (SBTAM) to measure VMT performance within individual TAZ's within the region. The Project's physical location based on parcel number is selected in the Screening Tool to determine the TAZ in which the Project will reside. The Project's TAZs VMT per service population was compared to Citywide average buildout VMT per service population. The parcel containing the proposed Project was selected and the Screening Tool was run for origin-destination (OD) VMT per service population. The Project is not located within a low VMT generating zone (See Attachment A).

Low VMT Area screening criteria is not met.

STEP 3: PROJECT TYPE SCREENING

The City Guidelines identify that local serving retail less than 50,000 square feet or other local serving essential services (e.g., day care centers, public schools, medical/dental office buildings, etc.) are presumed to have a less than significant impact absent substantial evidence to the contrary. The Project, as intended, does not contain any local serving uses.

Additionally, the City Guidelines state that small projects generating net new trips fewer than 110 daily vehicle trips may be presumed to have a less than significant impact, subject to discretionary approval by the City.

EXISTING TRAFFIC

The Project site is currently occupied and operating as a grain processing company and corn storage and distribution facility within warehousing space totaling 41,780 square feet. In an effort to understand the existing traffic associated with the current use, traffic counts were collected at the driveways on Tuesday, March 1, 20220 through Thursday, March 3, 2022. Table 1 summarizes the trip generation by day and the average existing trip generation based on the count data

collected over two days. As shown in Table 1, the existing site currently generates an average of 316 vehicle trips per day.

TABLE 1: EXISTING TRIP GENERATION SUMMARY

	AM Peak Hour			PM Peak Hour			
Land Use	In	Out	Total	In	Out	Total	Daily
Average Existing Trip Generation							
Passenger Cars:	11	7	18	0	1	1	209
2-axle Trucks:	2	2	4	0	0	0	17
3-axle Trucks:	0	0	0	0	0	0	6
4+-axle Trucks:	3	4	8	1	0	1	84
Total Truck Trips:	6	6	12	1	0	1	107
Total Trips[1]	**17**	**13**	**30**	**1**	**1**	**2**	**316**

[1] Total Trips = Passenger Cars + Truck Trips.

PROPOSED PROJECT

It is our understanding that the Project consists of a single 270,377 square foot warehouse building. In order to develop the traffic characteristics of the proposed Project, trip-generation statistics published in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021) was used for the proposed uses. Table 3 summarizes the trip generation rates. For purposes of this assessment, the following land uses and vehicle mixes have been utilized:

- ITE land use code 150 (Warehousing) has been used to derive site specific trip generation estimates for up to 243,303 square feet (90% of the total square footage). A warehouse is primarily devoted to the storage of materials but may also include office and maintenance areas. The vehicle mix has been obtained from the ITE's Trip Generation Manual. The truck percentages were further broken down by axle type per the following SCAQMD recommended truck mix: 2-Axle = 16.7%; 3-Axle = 20.7%; 4+-Axle = 62.6%.
- ITE land use code 157 (High-Cube Cold Storage Warehouse) has been used to derive site specific trip generation estimates for up to 27,034 square feet (10% of the total square footage). High-cube cold storage warehouses include warehouses characterized by the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. High-cube cold storage warehouses are facilities typified by temperature-controlled environments for frozen food or other perishable products. The High-Cube Cold Storage Warehouse vehicle mix has been obtained from the ITE's Trip Generation Manual. The truck percentages were further broken down by axle type per the following SCAQMD recommended truck mix: 2-Axle = 34.7%; 3-Axle = 11.0%; 4+-Axle = 54.3%.

TABLE 3: TRIP GENERATION RATES

Land Use	Units[2]	ITE LU Code	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily
Actual Vehicle Trip Generation Rates									
Warehousing[1,3]	TSF	150	0.131	0.039	0.170	0.050	0.130	0.180	1.710
Passenger Cars			0.120	0.030	0.150	0.034	0.116	0.150	1.110
2-Axle Trucks			0.002	0.001	0.003	0.003	0.002	0.005	0.100
3-Axle Trucks			0.002	0.002	0.004	0.003	0.003	0.006	0.124
4+-Axle Trucks			0.007	0.006	0.013	0.010	0.009	0.019	0.376
High-Cube Cold Storage Warehouse[1,3]	TSF	157	0.085	0.025	0.110	0.034	0.086	0.120	2.120
Passenger Cars			0.076	0.004	0.080	0.019	0.071	0.090	1.370
2-Axle Trucks			0.003	0.007	0.010	0.005	0.005	0.010	0.260
3-Axle Trucks			0.001	0.002	0.003	0.002	0.001	0.003	0.083
4+-Axle Trucks			0.005	0.011	0.016	0.008	0.008	0.016	0.407

[1] Trip Generation & Vehicle Mix Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, Eleventh Edition (2021).

[2] TSF = thousand square feet

[3] Truck Mix: South Coast Air Quality Management District's (SCAQMD) recommended truck mix, by axle type.

Normalized % - Without Cold Storage: 16.7% 2-Axle trucks, 20.7% 3-Axle trucks, 62.6% 4-Axle trucks.

Normalized % - With Cold Storage: 34.7% 2-Axle trucks, 11.0% 3-Axle trucks, 54.3% 4-Axle trucks.

The trip generation summary illustrating daily trip generation estimates for the proposed Project are summarized on Table 4. The proposed Project is anticipated to generate 476 daily vehicle trips.

TABLE 4: PROJECT TRIP GENERATION SUMMARY

Land Use	Quantity	Units[1]	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily
Actual Vehicles:									
Warehousing	243.339	TSF							
Passenger Cars:			29	7	36	8	28	36	270
2-axle Trucks:			0	0	0	1	0	1	24
3-axle Trucks:			0	1	1	1	1	2	30
4+-axle Trucks:			2	1	3	2	2	4	92
Total Truck Trips (Actual Vehicles):			2	2	4	4	3	7	146
Warehousing Trips (Actual Vehicles)[2]			31	9	40	12	31	43	416
High-Cube Cold Storage	27.038	TSF							
Passenger Cars:			2	0	2	1	2	3	38
2-axle Trucks:			0	0	0	0	0	0	8
3-axle Trucks:			0	0	0	0	0	0	2
4+-axle Trucks:			0	0	0	0	0	0	12
Total Truck Trips (Actual Vehicles):			0	0	0	0	0	0	22
Cold Storage Trips (Actual Vehicles)[2]			2	0	2	1	2	3	60
Passenger Cars			31	7	38	9	30	39	308
Trucks			2	2	4	4	3	7	168
Total Project Trips (Actual Vehicles)[2]			**33**	**9**	**42**	**13**	**33**	**46**	**476**

[1] TSF = thousand square feet

[2] Total Trips = Passenger Cars + Truck Trips.

TRIP GENERATION COMPARISON

Table 5 shows the trip generation comparison between the existing use and proposed Project and identifies the resulting net new trips. As shown, the Project is anticipated to generate 160 net new average daily trips.

TABLE 5: TRIP GENERATION COMPARISON

	AM Peak Hour			PM Peak Hour			
Land Use	In	Out	Total	In	Out	Total	Daily
Actual Vehicles:							
Existing Use							
Passenger Cars:	11	7	18	0	1	1	209
Trucks:	6	6	12	1	0	1	107
Existing Trips (Actual Vehicles)[2]	**17**	**13**	**30**	**1**	**1**	**2**	**316**
Proposed Project							
Passenger Cars:	31	7	38	9	30	39	308
Trucks:	2	2	4	4	3	7	168
Total Project Trips (Actual Vehicles)[2]	**33**	**9**	**42**	**13**	**33**	**46**	**476**
Passenger Cars:	20	0	20	9	29	38	99
Trucks:	-4	-4	-8	3	3	6	61
Net New Project Trips (Actual Vehicles)[2]	**16**	**-4**	**12**	**12**	**32**	**44**	**160**

[1] TSF = thousand square feet

[2] Total Trips = Passenger Cars + Truck Trips.

The Project is anticipated to generate 160 net new daily vehicle trips. Therefore, the Project generates daily vehicle trips exceeding the 110 daily vehicle trip threshold.

Project Type screening criteria is not met.

As the Project was not found to meet any of the aforementioned VMT screening criteria, a project level VMT analysis is prepared to assess the Project's potential impact to VMT.

VMT ANALYSIS

VMT MODELING

The City Guidelines identify the San Bernardino Transportation Analysis Model (**SBTAM**) as the appropriate tool for conducting VMT analysis for land use projects in the City of Ontario, as it considers interaction between different land uses based on socio-economic data, such as population, households, and employment. Consistent with The City of Ontario Plan (TOP) The City has recently adopted an updated version of SBTAM also referred to as The Ontario Plan (**TOP**) model. This model contains updated roadway network and socio-economic data within the city

and includes a base year of 2019 and a General Plan Buildout of 2050. Outside of the City of Ontario, the model assumes datasets consistent with the 2016 Southern California Association of Governments (SCAG) Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Urban Crossroads has obtained the newly adopted TOP model from the City of Ontario.

VMT METRIC AND SIGNIFICANCE THRESHOLD

City Guidelines identify the efficiency based metric VMT per service population (i.e., population and employees) as the measure of potential impact within the City of Ontario. VMT per service population is an efficiency metric that allows a project's VMT to be compared to the remainder of the City. Projects found to increase the average VMT per service population within the City may be deemed to have a significant impact. More specifically, City Guidelines identify the following impact threshold for project level VMT analyses:

- A significant impact would occur if the project VMT per Service Population exceeds the Citywide average for Service Population under General Plan Buildout Conditions.

The City of Ontario's average VMT per service population under General Plan Buildout Conditions was calculated using the TOP 2050 model. Table 6 identifies a summary for the City of Ontario's Citywide average VMT per service population.

TABLE 6: CITYWIDE VMT PER SERVICE POPULATION

Ontario	Buildout
Service Population	706,494
VMT	19,508,184
VMT per Service Population	27.61

As shown in Table 6, the City of Ontario's VMT per service population for General Plan Buildout (2050) conditions has been calculated as **27.61 VMT per service population**.

PROJECT LAND USE CONVERSION

In order to evaluate Project VMT, standard land use information must first be converted into a SBTAM compatible dataset. The SBTAM model utilizes socio-economic data (SED) (e.g., population, households, employment, etc.) instead of land use information for the purposes of vehicle trip estimation. Project land use information such as building square footage must first be converted to SED for input into SBTAM. Adjustments in SED have been made to the appropriate TAZ 53699101 within the SBTAM model to reflect the Project's proposed land uses (i.e., warehouse). Table 7 summarizes the employment estimates for the Project. It should be noted that the employment estimates are consistent with the employment density factors identified in the Southern California Association of Governments (SCAG) Employment Density Study (October 2001) (3).

TABLE 7: EMPLOYMENT ESTIMATES

Land Use	Quantity (SF)	Employment Density Factor[3]	Estimated Employees
Warehouse	270,337	1 employee per 1,195 SF	226

PROJECT TOTAL VMT CALCULATION

Consistent with City Guidelines and standard VMT calculation methods, total VMT is calculated from SBTAM's OD trip matrices and then divided by a project's service population to derive the VMT efficiency metric VMT per service population.

Table 8 presents project-generated total VMT calculated as the total of passenger car, light-duty, medium-duty, and heavy-duty truck trips. Total trips by vehicle type are then multiplied by the average trip length for each vehicle type. The average trip length for heavy, medium, and light duty trucks used for this analysis was obtained from the South Coast Air Quality Management District (SCAQMD) documents for the implementation of the Facility-Based Mobile Source Measures (FBMSMs) adopted in the 2016 Air Quality Management Plan (AQMP). SCAQMD's "Preliminary Warehouse Emission Calculations" cites 39.9-mile trip length for heavy-duty trucks and 14.2-mile trip length for medium and light duty trucks based on SCAG 2016 Regional Transportation Plan (RTP).

TABLE 8: TOTAL VMT

	Base Year (2019)	Buildout Year (2050)	Baseline (2022)
Automobile VMT	4,337	3,939	4,299
Truck VMT	3,278	4,085	3,357
Total VMT	7,616	8,025	7,655

Table 9 presents the calculation of VMT per service population, which is simply the product of total VMT for the Project divided by the Project's service population or in this case the number of Project employees.

TABLE 9: PROJECT VMT PER SERVICE POPULATION

	Base Year (2019)	Buildout Year (2050)	Baseline (2022)
Service Population[4]	226	226	226
VMT	7,616	8,025	7,655
VMT per service population	33.67	35.47	33.84

Table 10 identifies the comparison between Project's baseline and cumulative VMT per service population to the City's impact threshold. The City of Ontario has identified a VMT per service population significance threshold of 27.61, which is the City of Ontario's General Plan Buildout with the TOP model. As shown below, the Project would exceed the City's VMT per service

[3] SCAG Employment Density Study; Table II-B
[4] Since the Project does not have a residential component, the service population consists entirely of employment.

population impact threshold for both the baseline conditions by 22.56%-28.47%, respectively. The Project VMT impact is therefore considered potentially significant.

TABLE 10: PROJECT COMPARISON TO CITY OF ONTARIO VMT THRESHOLD

	Baseline	Buildout Year
Impact Threshold	27.61	27.61
Project	33.84	35.47
Percent Change	+22.56%	+28.47%
Potentially Significant?	Yes	Yes

PROJECT'S CUMULATIVE EFFECT ON VMT

The City Guidelines, consistent with the Technical Advisory, states that cumulative impacts on VMT "… metrics such as VMT per capita or VMT per employee, i.e., metrics framed in terms of efficiency (as recommended below for use on residential and office projects), cannot be summed because they employ a denominator. A project that falls below an efficiency-based threshold that is aligned with long-term goals and relevant plans has no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa. This is similar to the analysis typically conducted for greenhouse gas emissions, air quality impacts, and impact that utilize plan compliance as a threshold of significance."[5] As the Project is consistent with the RTP/SCS and is found to have a potentially significant impact at the project level. The Project is also considered to have a potentially significant cumulative impact as well.

VMT REDUCTION STRATEGIES

Transportation Demand Management (TDM) strategies in the form of commute trip reduction program measures have been reviewed for the purpose of reducing Project related VMT impacts (i.e., commute trips) determined to be potentially significant. The level of effectiveness of each trip reduction measure has been determined based on the Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (CAPCOA, 2021) (**2021 Handbook**). As the future building tenants are not known for the Project, the effectiveness of each commute trip reduction measures may be limited. In addition to specific tenancy considerations, locational context is also a major factor relevant to the potential application and effectiveness of TDM measures. The three locational contexts identified by the 2021 Handbook are suburban, urban, and rural.[6] The locational context of the Project is characteristically suburban.

Under the most favorable circumstances and ideal conditions a project can realize a maximum reduction of 45% in commute VMT through implementation of the trip reduction program measures listed below.[7] However, ideal conditions are rarely realized as variables such as a

[5] OPR's Technical Advisory; Page 6
[6] 2021 Handbook; Page 43
[7] 2021 Handbook; Page 61

projects locational context limitation (i.e., non-urban areas). Additionally, to achieve ideal conditions a project must achieve one hundred percent employee participation and maximum employee eligibility, which are not generally expected. The proposed Project would require a minimum reduction of 25.58% to achieve a less than significant impact. The 2021 Handbook lists the following trip reduction measures. These measures can be implemented individually or grouped together to create either a voluntary or mandatory commute trip reduction (CTR) program.

- T-7 – Implement Commute Trip Reduction Marketing
- T-8 – Provide Ridesharing Program
- T-10 – Provide End-of-Trip Facilities

Other regional transportation measures that may reduce VMT include but are not limited to improving/increasing access to transit, increasing access to common goods and service, or orientating land uses towards alternative transportation. These regional transportation measures may be infeasible at the project level but will generally be implemented as the surrounding communities develop. There is no means, however, to quantify any VMT reductions that could result from implementation. Additionally, the effectiveness of the CTR program measures listed above have potential to reduce the Project VMT are dependent on as yet unknown building tenant(s); and as noted above, VMT reductions from various CTR measures cannot be guaranteed.

CONCLUSION

Based on the results of this analysis the following findings are made:

- The Project's was evaluated against screening criteria as outlined in the City Guidelines. The Project was not found to meet any available screening criteria, and a model based VMT analysis was performed.
- The Project's VMT analysis found the Project to exceed the City's VMT per employee threshold by 22.56% in baseline conditions and 28.47% in buildout conditions. The Project is determined to have a potentially significant transportation impact.
- Since the future tenants are unknown at this time, implementation of the feasible TDM measures discussed above cannot be guaranteed to reduce the Project generated VMT per employee; the Project's VMT impact is considered significant and unavoidable.

If you have any questions, please contact me directly at aso@urbanxroads.com.

Respectfully submitted,

URBAN CROSSROADS, INC.



Alexander So
Senior Associate

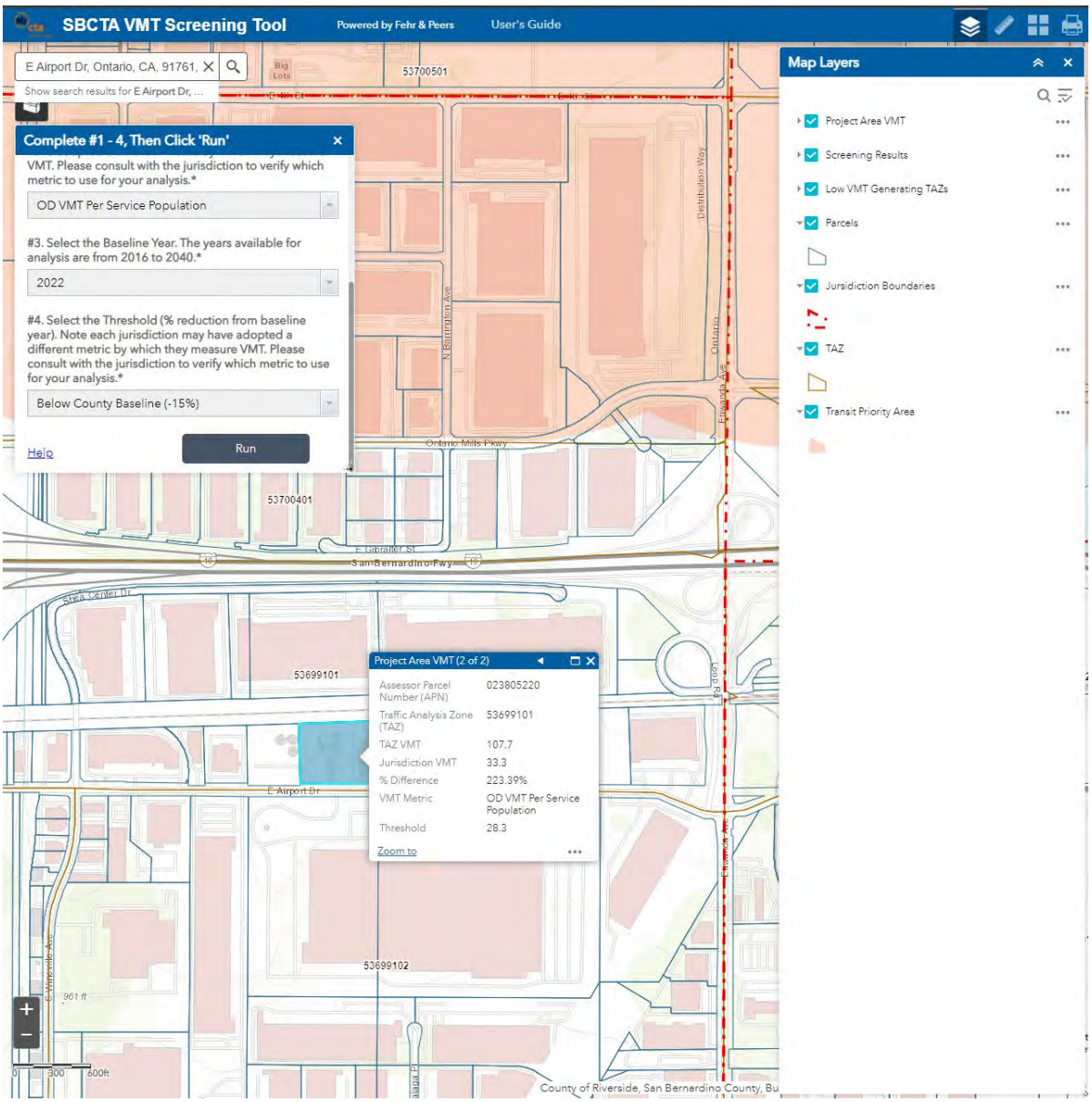
REFERENCES

1. **Office of Planning and Research.** *Technical Advisory on Evaluating Transportation Impacts in CEQA.* State of California : s.n., December 2018.
2. **City of Ontario.** *SB 743 VMT Thresholds.* City of Ontario : s.n., June 2020.
3. **Southern California Association of Governments.** *Employment Density Study.* October 2001.

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ATTACHMENT A

SBCTA SCREENING TOOL


SBCTA VMT Screening Tool
Powered by Fehr & Peers
User's Guide
E Airport Dr, Ontario, CA, 91761,
Show search results for E Airport Dr, ...
Complete #1 - 4, Then Click 'Run'
VMT. Please consult with the jurisdiction to verify which metric to use for your analysis.*
OD VMT Per Service Population
#3. Select the Baseline Year. The years available for analysis are from 2016 to 2040.*
2022
#4. Select the Threshold (% reduction from baseline year). Note each jurisdiction may have adopted a different metric by which they measure VMT. Please consult with the jurisdiction to verify which metric to use for your analysis.*
Below County Baseline (-15%)
Help
Run
Map Layers
Project Area VMT
Screening Results
Low VMT Generating TAZs
Parcels
Jurisdiction Boundaries
TAZ
Transit Priority Area
Project Area VMT (2 of 2)
Assessor Parcel Number (APN) 023805220
Traffic Analysis Zone (TAZ) 53699101
TAZ VMT 107.7
Jurisdiction VMT 33.3
% Difference 223.39%
VMT Metric OD VMT Per Service Population
Threshold 28.3
Zoom to
53700501
53700401
53699101
53699102
E Airport Dr
Ontario Mills Pkwy
San Bernardino Fwy
Distribution Way
N Barrington Ave
Ontario
961 ft
0 300 600ft
County of Riverside, San Bernardino County, Bu

MEMORANDUM

URBAN | CROSSROADS



DATE: January 3, 2023
TO: Jaime Maciel-Carrera, City of Ontario
FROM: Charlene So, Urban Crossroads
JOB NO: 14539-03 TG Memo

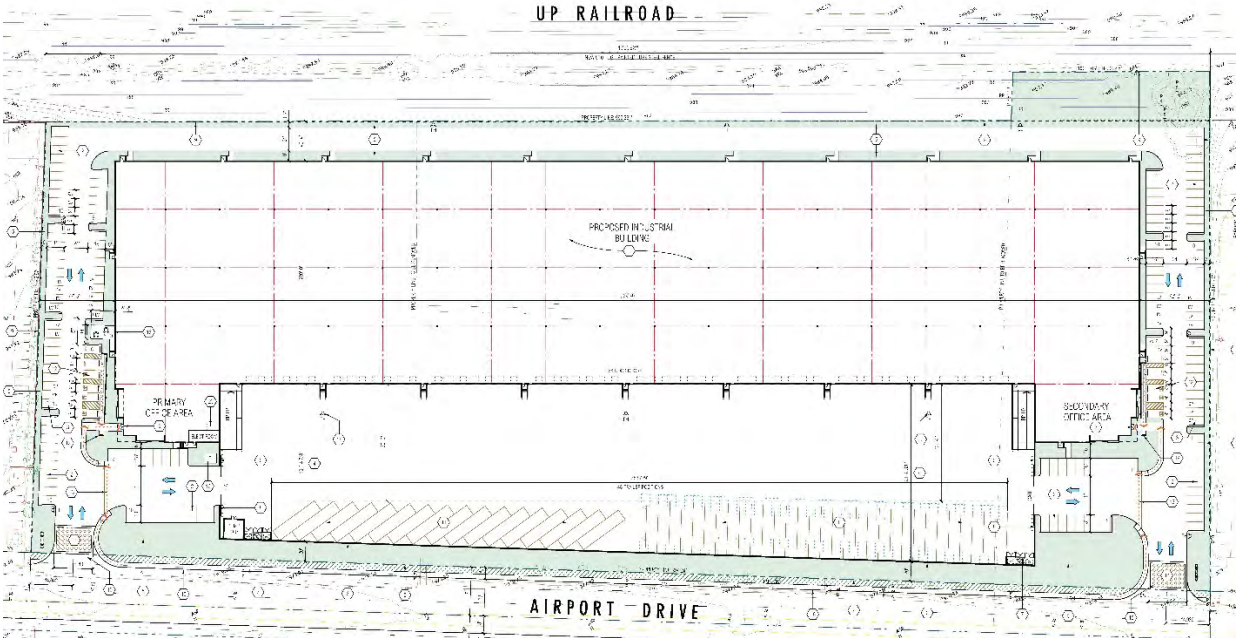
IE DISTRIBUTION CENTER #14 TRIP GENERATION ASSESSMENT

Urban Crossroads, Inc. is pleased to submit the following responses to the Trip Generation Assessment for the proposed IE Distribution Center #14 development (**Project**), which is located at 5355 E. Airport Drive in the City of Ontario. This letter describes the proposed Project trip generation and determines whether any traffic operations analysis is required based on the County's Transportation Impact Study Guidelines (July 9, 2019, referred to as **City Guidelines**) as the City does not have their own level of service (LOS) guidelines.

PROPOSED PROJECT

It is our understanding that the Project consists of a single 270,377 square foot warehouse building. The proposed Project has been evaluated assuming a mix of warehousing (243,303 square feet or 90% of the total square footage) and high-cube cold storage use (27,034 square feet or 10% of the total square footage). The Project site is currently occupied and operating as a grain processing company and corn storage and distribution facility within warehousing space totaling 41,780 square feet. There are two driveways on Airport Drive. A preliminary site plan for the proposed Project is shown in Exhibit 1.

EXHIBIT 1: PRELIMINARY SITE PLAN



TRIP GENERATION

EXISTING TRAFFIC

The Project site is currently occupied and operating as a grain processing company and corn storage and distribution facility within warehousing space totaling 41,780 square feet. In an effort to understand the existing traffic associated with the current use, traffic counts were collected at the driveways on Tuesday, March 1, 20220 through Thursday, March 3, 2022. Attachment A includes the driveway count data. Table 1 summarizes the trip generation by day and the average existing trip generation based on the count data collected over two days. The existing site currently generates an average of 316 two-way trips per day, with 30 trips during the AM peak hour and 2 trips during the PM peak hour (in actual vehicles).

TABLE 1: EXISTING TRIP GENERATION SUMMARY

	AM Peak Hour			PM Peak Hour			
Land Use	In	Out	Total	In	Out	Total	Daily
Average Existing Trip Generation							
Passenger Cars:	11	7	18	0	1	1	209
2-axle Trucks:	2	2	4	0	0	0	17
3-axle Trucks:	0	0	0	0	0	0	6
4+-axle Trucks:	3	4	8	1	0	1	84
Total Truck Trips:	6	6	12	1	0	1	107
Total Trips[1]	**17**	**13**	**30**	**1**	**1**	**2**	**316**

[1] Total Trips = Passenger Cars + Truck Trips.

PROPOSED PROJECT

It is our understanding that the Project consists of a single 270,377 square foot warehouse building. In order to develop the traffic characteristics of the proposed Project, trip-generation statistics published in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021) was used for the proposed uses. Table 2 summarizes the trip generation rates. For purposes of this assessment, the following land uses and vehicle mixes have been utilized:

- ITE land use code 150 (Warehousing) has been used to derive site specific trip generation estimates for up to 243,303 square feet (90% of the total square footage). A warehouse is primarily devoted to the storage of materials but may also include office and maintenance areas. The vehicle mix has been obtained from the ITE's Trip Generation Manual. The truck percentages were further broken down by axle type per the following SCAQMD recommended truck mix: 2-Axle = 16.7%; 3-Axle = 20.7%; 4+-Axle = 62.6%.
- ITE land use code 157 (High-Cube Cold Storage Warehouse) has been used to derive site specific trip generation estimates for up to 27,034 square feet (10% of the total square footage). High-cube cold storage warehouses include warehouses characterized by the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. High-cube cold storage warehouses are facilities typified by temperature-controlled environments for frozen food or other perishable products. The High-Cube Cold Storage Warehouse vehicle mix has been obtained from the ITE's Trip Generation Manual. The truck percentages were further broken down by axle type per the following SCAQMD recommended truck mix: 2-Axle = 34.7%; 3-Axle = 11.0%; 4+-Axle = 54.3%.

TABLE 2: TRIP GENERATION RATES

Land Use	Units[2]	ITE LU Code	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily
Actual Vehicle Trip Generation Rates									
Warehousing[1,3]	TSF	150	0.131	0.039	0.170	0.050	0.130	0.180	1.710
Passenger Cars			0.120	0.030	0.150	0.034	0.116	0.150	1.110
2-Axle Trucks			0.002	0.001	0.003	0.003	0.002	0.005	0.100
3-Axle Trucks			0.002	0.002	0.004	0.003	0.003	0.006	0.124
4+-Axle Trucks			0.007	0.006	0.013	0.010	0.009	0.019	0.376
High-Cube Cold Storage Warehouse[1,3]	TSF	157	0.085	0.025	0.110	0.034	0.086	0.120	2.120
Passenger Cars			0.076	0.004	0.080	0.019	0.071	0.090	1.370
2-Axle Trucks			0.003	0.007	0.010	0.005	0.005	0.010	0.260
3-Axle Trucks			0.001	0.002	0.003	0.002	0.001	0.003	0.083
4+-Axle Trucks			0.005	0.011	0.016	0.008	0.008	0.016	0.407

[1] Trip Generation & Vehicle Mix Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, Eleventh Edition (2021).

[2] TSF = thousand square feet

[3] Truck Mix: South Coast Air Quality Management District's (SCAQMD) recommended truck mix, by axle type.

Normalized % - Without Cold Storage: 16.7% 2-Axle trucks, 20.7% 3-Axle trucks, 62.6% 4-Axle trucks.

Normalized % - With Cold Storage: 34.7% 2-Axle trucks, 11.0% 3-Axle trucks, 54.3% 4-Axle trucks.

Passenger car equivalent (PCE) factors were applied to the trip generation rates for heavy trucks (large 2-axles, 3-axles, 4+-axles). PCEs allow the typical "real-world" mix of vehicle types to be represented as a single, standardized unit, such as the passenger car, to be used for the purposes of capacity and level of service analyses. The PCE factors are consistent with the recommended PCE factors in the County's Guidelines (City's Guidelines do not specify the factors).

The trip generation summary illustrating daily and peak hour trip generation estimates for the proposed Project are summarized on Table 3 for actual vehicles and on Table 4 for PCE. Any intersection operations analysis for a project would need to utilize the PCE trip generation consistent with the City's Guidelines. The proposed Project is anticipated to generate 476 vehicle trip-ends per day with 42 AM peak hour trips and 46 PM peak hour trips (actual vehicles). In comparison the Project is anticipated to generate 732 PCE vehicle trip-ends per day with 49 PCE AM peak hour trips and 57 PCE PM peak hour trips.

TABLE 3: PROJECT TRIP GENERATION SUMMARY (ACTUAL VEHICLES)

Land Use	Quantity	Units[1]	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily
Actual Vehicles:									
Warehousing	243.339	TSF							
Passenger Cars:			29	7	36	8	28	36	270
2-axle Trucks:			0	0	0	1	0	1	24
3-axle Trucks:			0	1	1	1	1	2	30
4+-axle Trucks:			2	1	3	2	2	4	92
Total Truck Trips (Actual Vehicles):			2	2	4	4	3	7	146
Warehousing Trips (Actual Vehicles)[2]			31	9	40	12	31	43	416
High-Cube Cold Storage	27.038	TSF							
Passenger Cars:			2	0	2	1	2	3	38
2-axle Trucks:			0	0	0	0	0	0	8
3-axle Trucks:			0	0	0	0	0	0	2
4+-axle Trucks:			0	0	0	0	0	0	12
Total Truck Trips (Actual Vehicles):			0	0	0	0	0	0	22
Cold Storage Trips (Actual Vehicles)[2]			2	0	2	1	2	3	60
Passenger Cars			31	7	38	9	30	39	308
Trucks			2	2	4	4	3	7	168
Total Project Trips (Actual Vehicles)[2]			**33**	**9**	**42**	**13**	**33**	**46**	**476**

[1] TSF = thousand square feet

[2] Total Trips = Passenger Cars + Truck Trips.

TABLE 4: PROJECT TRIP GENERATION SUMMARY (PCE)

Land Use	Quantity	Units[1]	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily
Passenger Car Equivalent (PCE):									
Warehousing	243.339	TSF							
Passenger Cars:			29	7	36	8	28	36	270
2-axle Trucks (PCE = 1.5):			0	0	0	2	0	2	36
3-axle Trucks (PCE = 2.0):			0	2	2	2	2	4	60
4+-axle Trucks (PCE = 3.0):			6	3	9	6	6	12	276
Total Truck Trips (PCE):			6	5	11	10	8	18	372
Warehousing Trips (PCE)[2]			35	12	47	18	36	54	642
High-Cube Cold Storage	27.038	TSF							
Passenger Cars:			2	0	2	1	2	3	38
2-axle Trucks (PCE = 1.5):			0	0	0	0	0	0	12
3-axle Trucks (PCE = 2.0):			0	0	0	0	0	0	4
4+-axle Trucks (PCE = 3.0):			0	0	0	0	0	0	36
Total Truck Trips (PCE):			0	0	0	0	0	0	52
Cold Storage Trips (PCE)[2]			2	0	2	1	2	3	90
Passenger Cars			31	7	38	9	30	39	308
Trucks			6	5	11	10	8	18	424
Total Project Trips (PCE)[2]			**37**	**12**	**49**	**19**	**38**	**57**	**732**

[1] TSF = thousand square feet

[2] Total Trips = Passenger Cars + Truck Trips.

TRIP GENERATION COMPARISON

Table 5 shows the trip generation comparison between the existing use and proposed Project and identifies the resulting net new trips. As shown, the Project is anticipated to generate 234 additional two-way trips per day with 1 net new AM peak hour trip and 53 net new PM peak hour trips as compared to the existing use.

TABLE 5: TRIP GENERATION COMPARISON

	AM Peak Hour			PM Peak Hour			
Land Use	In	Out	Total	In	Out	Total	Daily
Actual Vehicles:							
Existing Use							
Passenger Cars:	11	7	18	0	1	1	209
Trucks:	14	16	30	3	0	3	289
Existing Trips (PCE)[2]	**25**	**23**	**48**	**3**	**1**	**4**	**498**
Proposed Project							
Passenger Cars:	31	7	38	9	30	39	308
Trucks:	6	5	11	10	8	18	424
Total Project Trips (PCE)[2]	**37**	**12**	**49**	**19**	**38**	**57**	**732**
Passenger Cars:	20	0	20	9	29	38	99
Trucks:	-8	-11	-19	7	8	15	135
Net New Project Trips (PCE)[2]	**12**	**-11**	**1**	**16**	**37**	**53**	**234**

[1] TSF = thousand square feet

[2] Total Trips = Passenger Cars + Truck Trips.

FINDINGS

The City's Guidelines identify a project could potentially require further analysis if it meets the following criteria:

- If a project generates more than 100 peak hour trips in either peak hour. This presumption is based on the assumption that projects that generate less than 100 peak hour trips typically do not affect LOS significantly once distributed to the local roadway network.
- The minimum area to be studied should include any intersection at which the proposed project would add 50 or more peak hour trips.

Even without taking any credit for the existing use (which currently generates nominal traffic), the proposed Project is anticipated to generate fewer than 100 peak hour trips. Furthermore, taking into consideration the distribution of traffic to the west and east on E. Airport Drive, the Project is anticipated to contribute fewer than 50 peak hour trips to any off-site intersection. As such, no traffic operations analysis has been recommended based on the findings of this trip generation assessment.

If you have any questions or comments, I can be reached at cso@urbanxroads.com.

ATTACHMENT A: DRIVEWAY COUNTS

Table A-1

Summary of Weekday Peak Hour Driveway Counts

	AM Peak Hour			PM Peak Hour			
Land Use	In	Out	Total	In	Out	Total	Daily
Day 1: Tuesday, March 1, 2022	7-8 AM; 4-5 PM						
Passenger Cars:	10	6	16	0	3	3	260
2-axle Trucks:	4	2	6	0	0	0	28
3-axle Trucks:	0	0	0	0	0	0	6
4+-axle Trucks:	3	5	8	1	0	1	79
Total Truck Trips:	7	7	14	1	0	1	113
Total Trips[1]	17	13	30	1	3	4	373
Day 2: Wednesday, March 2, 2022	7:30-8:30 AM; 5-6 PM						
Passenger Cars:	9	6	15	0	0	0	154
2-axle Trucks:	2	1	3	0	0	0	7
3-axle Trucks:	0	0	0	0	0	0	7
4+-axle Trucks:	5	3	8	1	0	1	91
Total Truck Trips:	7	4	11	1	0	1	105
Total Trips[1]	16	10	26	1	0	1	259
Day 3: Thursday, March 3, 2022	8-9 AM; 5-6 PM						
Passenger Cars:	15	8	23	0	0	0	214
2-axle Trucks:	1	2	3	0	0	0	16
3-axle Trucks:	1	0	1	0	0	0	5
4+-axle Trucks:	2	5	7	1	0	1	81
Total Truck Trips:	4	7	11	1	0	1	102
Total Trips[1]	19	15	34	1	0	1	316

[1] Total Trips = Passenger Cars + Truck Trips.

City:	Ontario
Location:	5255 E Airport - TOTAL
Date:	3/1/2022
Count Type:	Classified Driveway Counts

	Entering				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	2	0	0	0	2
1:45	0	0	0	0	0
2:00	1	0	0	0	1
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	2	0	0	0	2
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	1	0	0	1	2
3:45	1	0	0	1	2
4:00	0	0	0	0	0
4:15	0	0	0	1	1
4:30	0	0	0	0	0
4:45	1	0	0	2	3
5:00	0	0	0	0	0
5:15	0	0	0	1	1
5:30	2	0	0	1	3
5:45	1	0	0	1	2
6:00	0	0	0	1	1
6:15	1	0	0	1	2
6:30	1	0	0	1	2
6:45	1	1	0	1	3
7:00	5	1	0	0	6
7:15	2	0	0	2	4
7:30	1	1	0	0	2
7:45	2	2	0	1	5
8:00	3	0	0	1	4
8:15	1	0	0	1	2
8:30	0	0	0	0	0
8:45	4	1	0	1	6
9:00	3	0	0	0	3
9:15	3	0	0	2	5
9:30	3	0	0	4	7
9:45	2	0	0	0	2
10:00	2	1	0	1	4
10:15	4	1	0	1	6
10:30	7	1	1	1	10
10:45	4	0	0	0	4
11:00	5	0	0	1	6
11:15	3	0	0	0	3
11:30	3	0	0	1	4
11:45	4	0	0	1	5

	Exiting				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	2	2
2:00	0	0	0	0	0
2:15	0	0	0	1	1
2:30	0	0	0	0	0
2:45	0	0	0	1	1
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	1	1
4:45	0	0	0	1	1
5:00	0	0	0	2	2
5:15	0	0	0	1	1
5:30	0	0	0	0	0
5:45	0	0	0	1	1
6:00	0	0	0	1	1
6:15	0	0	0	2	2
6:30	1	0	0	1	2
6:45	0	0	0	2	2
7:00	0	0	0	1	1
7:15	2	1	0	1	4
7:30	2	0	0	3	5
7:45	2	1	0	0	3
8:00	0	0	0	1	1
8:15	2	1	0	1	4
8:30	4	1	0	0	5
8:45	1	0	0	0	1
9:00	2	1	0	1	4
9:15	4	0	0	0	4
9:30	4	0	0	1	5
9:45	1	0	0	1	2
10:00	4	1	0	3	8
10:15	3	0	0	1	4
10:30	3	0	0	0	3
10:45	3	1	0	0	4
11:00	7	2	0	1	10
11:15	4	0	0	1	5
11:30	2	0	0	0	2
11:45	5	0	0	1	6

Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
(951) 268-6268

City:	Ontario
Location:	5255 E Airport - TOTAL
Date:	3/1/2022
Count Type:	Classified Driveway Counts

	Entering				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
12:00	8	1	0	1	10
12:15	5	0	0	0	5
12:30	4	1	0	0	5
12:45	1	0	0	3	4
13:00	5	1	0	0	6
13:15	3	1	1	0	5
13:30	5	0	0	1	6
13:45	5	0	1	1	7
14:00	3	0	0	0	3
14:15	3	1	0	0	4
14:30	5	0	0	0	5
14:45	3	0	0	0	3
15:00	2	0	0	1	3
15:15	3	0	0	0	3
15:30	0	0	0	0	0
15:45	0	0	0	0	0
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	0	0	0
16:45	0	0	0	1	1
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	1	0	1
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	1	1
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	**130**	**14**	**4**	**39**	**187**

	Exiting				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
12:00	3	0	0	1	4
12:15	4	0	0	1	5
12:30	5	0	0	0	5
12:45	3	1	0	1	5
13:00	6	1	0	0	7
13:15	6	1	0	0	7
13:30	8	0	0	1	9
13:45	4	0	0	0	4
14:00	7	1	0	2	10
14:15	1	0	0	0	1
14:30	6	1	1	0	8
14:45	7	0	0	1	8
15:00	1	0	0	0	1
15:15	2	0	0	0	2
15:30	5	0	0	0	5
15:45	2	0	0	0	2
16:00	2	0	0	0	2
16:15	0	0	0	0	0
16:30	1	0	0	0	1
16:45	0	0	0	0	0
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	1	0	1
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	1	0	0	0	1
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
	130	**14**	**2**	**40**	**186**

Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
(951) 268-6268

City:	Ontario
Location:	5255 E Airport - TOTAL
Date:	3/2/2022
Count Type:	Classified Driveway Counts

	Entering				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	1	0	0	0	1
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	1	0	0	0	1
2:30	1	0	0	0	1
2:45	1	0	0	1	2
3:00	1	0	0	0	1
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	3	3
4:45	0	0	0	2	2
5:00	0	0	0	1	1
5:15	1	0	0	1	2
5:30	0	0	0	0	0
5:45	0	0	0	1	1
6:00	2	0	0	0	2
6:15	1	0	0	0	1
6:30	0	0	0	0	0
6:45	2	0	0	1	3
7:00	5	0	0	1	6
7:15	1	0	0	1	2
7:30	2	1	0	1	4
7:45	3	0	0	1	4
8:00	1	1	0	1	3
8:15	3	0	0	2	5
8:30	1	0	0	1	2
8:45	2	0	0	1	3
9:00	0	0	0	1	1
9:15	2	0	2	3	7
9:30	5	0	0	0	5
9:45	1	0	0	0	1
10:00	2	0	0	1	3
10:15	2	0	0	0	2
10:30	3	0	0	1	4
10:45	2	0	0	0	2
11:00	4	0	0	2	6
11:15	3	1	0	3	7
11:30	3	0	0	1	4
11:45	3	0	0	1	4

	Exiting				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	1	1
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	1	1
3:00	0	0	0	1	1
3:15	0	0	0	0	0
3:30	0	0	0	1	1
3:45	0	0	0	0	0
4:00	0	0	0	1	1
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	1	1
5:00	0	0	0	1	1
5:15	0	0	0	3	3
5:30	0	0	0	1	1
5:45	0	0	0	2	2
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	1	0	0	1	2
7:00	0	0	0	0	0
7:15	0	0	0	2	2
7:30	2	0	0	1	3
7:45	1	1	0	1	3
8:00	2	0	0	1	3
8:15	1	0	0	0	1
8:30	2	0	0	1	3
8:45	2	0	0	1	3
9:00	1	1	0	0	2
9:15	1	0	0	2	3
9:30	2	0	0	1	3
9:45	1	0	0	2	3
10:00	4	1	0	2	7
10:15	0	0	0	1	1
10:30	2	0	0	0	2
10:45	3	0	0	1	4
11:00	2	0	0	1	3
11:15	1	0	0	2	3
11:30	8	1	0	1	10
11:45	2	0	0	0	2

Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
(951) 268-6268

City:	Ontario
Location:	5255 E Airport - TOTAL
Date:	3/2/2022
Count Type:	Classified Driveway Counts

	Entering				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
12:00	2	0	0	1	3
12:15	2	0	0	1	3
12:30	1	0	0	1	2
12:45	1	0	0	1	2
13:00	2	0	0	1	3
13:15	0	0	0	1	1
13:30	2	0	0	0	2
13:45	2	0	0	1	3
14:00	1	0	0	0	1
14:15	0	0	0	0	0
14:30	1	0	1	1	3
14:45	1	0	0	2	3
15:00	1	0	0	1	2
15:15	0	0	1	0	1
15:30	1	0	0	0	1
15:45	0	0	1	0	1
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	0	0	0
16:45	0	0	0	0	0
17:00	0	0	0	0	0
17:15	0	0	0	1	1
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	1	1
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	**76**	**3**	**5**	**45**	**129**

	Exiting				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
12:00	1	0	0	2	3
12:15	5	0	0	2	7
12:30	0	0	0	2	2
12:45	2	0	0	0	2
13:00	4	0	0	1	5
13:15	2	0	0	0	2
13:30	3	0	0	0	3
13:45	3	0	0	0	3
14:00	1	0	0	0	1
14:15	3	0	0	0	3
14:30	1	0	0	0	1
14:45	0	0	0	0	0
15:00	1	0	0	0	1
15:15	4	0	1	0	5
15:30	4	0	0	1	5
15:45	4	0	0	2	6
16:00	0	0	0	1	1
16:15	0	0	0	0	0
16:30	0	0	0	0	0
16:45	0	0	0	0	0
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	1	1
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	2	0	0	0	2
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	1	0	1
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
	78	**4**	**2**	**46**	**130**

Counts Unlimited, Inc.
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(951) 268-6268

City:	Ontario
Location:	5255 E Airport - TOTAL
Date:	3/3/2022
Count Type:	Classified Driveway Counts

	Entering				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	1	0	0	0	1
2:00	0	0	0	0	0
2:15	1	0	0	0	1
2:30	3	0	0	0	3
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	1	0	0	1	2
3:45	2	0	0	0	2
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	1	0	0	3	4
4:45	0	0	0	0	0
5:00	0	0	0	5	5
5:15	0	0	0	1	1
5:30	0	0	0	0	0
5:45	0	0	0	0	0
6:00	2	0	0	1	3
6:15	0	0	0	1	1
6:30	0	0	0	1	1
6:45	2	0	0	0	2
7:00	2	0	0	1	3
7:15	0	1	0	0	1
7:30	3	1	0	1	5
7:45	1	0	0	3	4
8:00	5	0	1	1	7
8:15	1	0	0	1	2
8:30	8	1	0	0	9
8:45	1	0	0	0	1
9:00	8	0	0	1	9
9:15	1	0	1	3	5
9:30	3	0	0	0	3
9:45	4	0	0	0	4
10:00	2	1	0	1	4
10:15	0	0	0	0	0
10:30	4	0	0	1	5
10:45	2	0	0	1	3
11:00	1	1	0	2	4
11:15	3	0	0	0	3
11:30	5	0	0	1	6
11:45	3	0	0	0	3

	Exiting				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	1	1
2:15	0	0	0	0	0
2:30	0	0	0	1	1
2:45	0	0	0	2	2
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	1	1
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	3	3
5:15	0	0	0	2	2
5:30	0	0	0	3	3
5:45	0	0	0	1	1
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	0	0	0	1	1
7:00	1	0	0	2	3
7:15	2	0	0	0	2
7:30	0	0	1	1	2
7:45	1	0	0	0	1
8:00	0	0	0	1	1
8:15	1	1	0	3	5
8:30	4	0	0	0	4
8:45	3	1	0	1	5
9:00	5	1	0	1	7
9:15	2	0	0	1	3
9:30	2	1	0	2	5
9:45	1	0	0	2	3
10:00	7	0	0	1	8
10:15	1	0	0	0	1
10:30	6	0	0	0	6
10:45	3	0	0	2	5
11:00	2	0	0	0	2
11:15	3	2	0	0	5
11:30	3	1	0	2	6
11:45	3	0	0	1	4

Counts Unlimited, Inc.
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City:	Ontario
Location:	5255 E Airport - TOTAL
Date:	3/3/2022
Count Type:	Classified Driveway Counts

	Entering				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
12:00	4	0	0	1	5
12:15	6	0	0	1	7
12:30	3	0	0	1	4
12:45	4	0	1	0	5
13:00	1	0	0	2	3
13:15	3	1	0	1	5
13:30	5	0	0	0	5
13:45	1	0	0	0	1
14:00	3	0	0	0	3
14:15	1	1	0	1	3
14:30	2	0	0	0	2
14:45	1	0	0	1	2
15:00	1	0	0	0	1
15:15	0	0	0	0	0
15:30	1	0	0	0	1
15:45	0	0	0	0	0
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	0	0	0
16:45	0	0	0	0	0
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	1	1
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	1	1
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	**106**	**7**	**3**	**40**	**156**

	Exiting				
	Pass Veh	Large 2 Axle	3 Axle	4+ Axle	Total
12:00	6	0	0	0	6
12:15	5	0	0	1	6
12:30	4	0	0	0	4
12:45	4	0	0	1	5
13:00	3	0	0	1	4
13:15	2	1	0	0	3
13:30	4	0	0	1	5
13:45	3	0	0	1	4
14:00	6	0	0	0	6
14:15	3	0	0	0	3
14:30	5	1	0	0	6
14:45	1	0	0	0	1
15:00	2	0	0	0	2
15:15	0	0	0	1	1
15:30	3	0	0	0	3
15:45	4	0	0	0	4
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	0	0	0
16:45	0	0	0	0	0
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	1	0	0	0	1
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	2	0	0	0	2
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	1	0	1
23:30	0	0	0	0	0
23:45	0	0	0	0	0
	108	**9**	**2**	**41**	**160**

Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
(951) 268-6268

From: Henry K. Noh
Sent: Monday, March 18, 2024 8:46 AM
To: Thomas Grahn
Cc: Gwen Berendsen; Lorena Mejia
Subject: FW: DAB Agenda Item D for March 18, 2024

FYI, he sent this to Lorena but this is your item.

Henry K. Noh
Planning Director
303 E. B Street, Ontario, CA 91764
P: 909-395-2996
hnoh@ontarioca.gov
www.ontarioca.gov

CITY OF ONTARIO PLANNING DEPARTMENT

From: rfs702@verizon.net <rfs702@verizon.net>
Sent: Sunday, March 17, 2024 8:02 PM
To: Lorena Mejia <LMejia@ontarioca.gov>; Planning Director <planningdirector@ontarioca.gov>
Cc: Henry K. Noh <HNoh@ontarioca.gov>; Chris Robles <chris@fairontario.com>
Subject: DAB Agenda Item D for March 18, 2024

Ms. Mejia,

- ***Please include this email as part of the public record.***

I would like to express several concerns I have about the referenced project as presented in the Board packet published on the City website. I hope you can clear these up for me.

1. Greenhouse Gas Emissions

It has been clearly demonstrated that our air pollution may be among the worst in the nation. As such it is in the best interest of the citizens of Ontario to reduce local pollution sources wherever possible. The recent warehouse approvals regularly refer to the city policy (CCAP) of limiting new projects to 3000 metric tons of CO2 equivalents per year. The proposal seems to claim that this project will only create 2590.77 metric tons. (pages 333, 334) In reality it is creating 4236.54 metric tons and wants to take credit for 1645.77 no longer emitted by the current occupants. This is their basis for saying no mitigation is needed. Why would they be entitled to claim this credit. They are generating 4236.54 units which exceeds the 3000 max proscribed by the city guidelines. Am I mistaken?

2. SCAQMD guidelines

On page 560 the consultant says the 2022 AQMP plan is not ready and does not need to be considered. I attach the cover sheet of said plan actually adopted in December of 2022.

3. Health & Equity (pages 770, 771)

It seems self-evident in reading these pages that we live in deplorable circumstances. It is incumbent on City leaders to give more consideration to the health of our citizens than to 100,000 sq ft warehouses. To wit:

a. Ozone in the 91st percentile in the State
b. Air Quality in the 95th percentile
c. Traffic in the 89th percentile

4. Mitigation Measures

It seems the least the City could do would be to mandate even the bare minimum of mitigation measures for all these projects as mentioned several times in the documents. (For example, Letter to Thomas Grahn from SQAQMD, page 495, "In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts." These could include:

a. Roof top solar
b. Reflective roofing
c. Electric charging stations
d. No or limited on site truck idling
e. Night time deliveries
f. Require deliveries via ZE of NZE vehicles
g. Energy Star appliances

Looking forward to hearing from you.

Raymond Smith
3937 San Lorenzo River Road
Ontario 91761

MEMORANDUM

TO: Thomas Grahn, Senior Planner
City of Ontario
303 East B Street
Ontario, CA 91764

FROM: Tracy Zinn, Principal
Tracy Chu, Assistant Project Manager

DATE: March 25, 2024

RE: 5355 East Airport Drive (PDEV22-017) – Response to Additional Comment Letter and Verbal Comments Expressed at DAB Meeting

T&B Planning, Inc. is the environmental consulting firm that prepared the Environmental Impact Report (EIR; SCH No. 2022090006) for the 5355 East Airport Drive Project (hereafter "Project"). The Project Applicant, Prologis, Inc., proposes to demolish the existing buildings and structures on the Project site and redevelop the property with a 270,337 square foot (s.f.) warehouse building. The Project's design also includes the installation of associated site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detention facilities, exterior lighting, walls/fencing, and signage as well as site-adjacent improvements to East Airport Drive. The Draft EIR for the Project was published on August 22, 2023, for a 45 day review period, with the local review period and State review period ending on October 5, 2023.

On March 17, 2024, a letter was sent to the City from Raymond Smith (hereinafter "Comment Letter") on the Project. Subsequently, on March 18, 2024, during the Development Advisory Board (DAB) meeting, verbal comments on the Project's potential environmental effects were made by an organization and individuals including Californians Allied for a Responsible Economy (CARECA).

T&B Planning prepared this memorandum in response to the comments received alleging deficiencies in the Draft EIR's environmental impact analysis. This memorandum addresses items in the Comment Letter and the verbal comments received during the DAB meeting that are applicable to CEQA compliance. The responses contained herein demonstrate that the Draft EIR's analyses and conclusions are correct and satisfy CEQA compliance requirements. For the reasons outlined in this memorandum, the comments do not present substantial new information, do not necessitate revisions to the Draft EIR or Final EIR, and do not trigger the need for recirculation of the Draft EIR or Final EIR, or the conduct of additional environmental review pursuant to CEQA Guidelines § 15088.5.

Commenter Letter: Raymond Smith dated March 17, 2024.

1-1 The commenter raises concern about the Project's greenhouse gas (GHG) emissions impacts and questions why the Draft EIR took credit for existing emissions to determine the level of significance. As discussed in Draft EIR Section 4.6, *Greenhouse Gas Emissions*, construction and operation of the Project would generate a total of approximately 4,236.54 $MTCO_2e$/yr. GHG emissions from existing land uses on the Project Site were appropriately subtracted from the Project's gross emissions to determine the net (or new) emissions attributed to the Project. Construction and operation of the Project less emissions from the existing onsite uses would result a net total of new GHG emissions of approximately 2,590.77 $MTCO_2e$/yr, which would fall below the significance threshold of 3,000 $MTCO_2e$/yr; therefore, Project-related GHG emissions are considered less than significant (refer to Draft EIR p. 4.6-22). The CEQA Statute and Guidelines explicitly describe how the baseline of existing environmental conditions is to be defined, against which an EIR measures the impacts of a proposed project. The baseline consists of the conditions at the time the environmental impact review process begins (refer to 14 Cal Code Regs §15126.2). Because existing uses were located on the Project Site when environmental review began, the GHG emissions produced from those uses are accounted for in the baseline. Because those uses would be demolished/cease operation as a result of the Project, and be replaced with a new use, the analysis appropriately considers elimination of the GHG emissions associated with the existing use and the addition of GHG emissions associated with the new use. Therefore, the net emissions generated from the Project demonstrates the overall increase of GHG emissions on the environment. No additions, revisions, or corrections to the Draft EIR or Final EIR are necessary and no further response is required.

1-2 The commenter points out that the Air Quality technical report (*Technical Appendix B1* of the Draft EIR) does not reference the 2022 Air Quality Management Plan (AQMP), which the SCAQMD adopted in December 2022, and instead relies upon the prior, 2016 AQMP. The comment is correct, but does not render the Draft EIR deficient. The Project's Air Quality Impact Analysis was published on August 30, 2022, prior to the adoption of the 2022 AQMP. Nevertheless, the Project would not be in conflict with either the 2016 AQMP or the 2022 AQMP. The criteria for determining consistency with the 2022 AQMP is the same criteria for determining consistency with the 2016 AQMP, and are analyzed below, demonstrating that the Project is in compliance.

- Consistency Criterion 1: The proposed Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

  Consistency Criterion No. 1 refers to violations of the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if localized or regional significance thresholds were exceeded. As discussed in Draft EIR Section 4.2, *Air Quality*, the Project's localized and regional construction-source emissions would not exceed applicable regional significance threshold and local significance thresholds (LSTs) during both Project construction and operation (refer to Draft EIR pp. 4.2-31 to 4.2-36). As such, a less than significant impact would occur. Accordingly, the Project is determined to be consistent with the first criterion.

- Consistency Criterion 2: The Project will not exceed the assumptions in the AQMP based on the years of Project buildout phase.

  The 2022 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the SCAQMD are provided to SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in City of Ontario Policy Plan is considered to be consistent with the AQMP. The City of Ontario Policy Plan designates the Project Site for Industrial uses. The Project's proposed warehouse building is consistent with the Site's land use designations and no General Plan Amendment is required. As such, the Project's proposed land use and development is consistent with the Policy Plan's land use designation. Accordingly, the Project is determined to be consistent with the second criterion.

Based on the preceding, the Project would be consistent with the 2022 AQMP and impacts would be less than significant. Information about the Project's consistency with the 2022 AQMP does not present substantial new information resulting in the need for recirculation or additional environmental review pursuant to CEQA Guidelines § 15088.5. No substantive additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

1-3 The commenter cites the CalEnviroScreen scores for the Project site's census tract as shown in the appendices of the Project's Air Quality technical report and raises concern over health impacts to residents. As shown on Draft EIR Figure 4.2-1, *Sensitive Receptor Locations*, there are no residential uses in immediate proximity to the Project Site. The nearest sensitive receptors are hotels, located on the opposite side of I-10 and I-15, and more than 3,800 feet from the Project Site. The Project Site is surrounded by industrial uses. As concluded in Draft EIR Section 4.2, *Air Quality*, (1) the Project's localized construction and operational emissions would not exceed the SCAQMD's localized significance thresholds; (2) based on the Project-specific mobile source health risk assessment (HRA) (*Technical Appendix B2* of the Draft EIR), the Project would not result in significant health impacts due to diesel particulate matter (DPM) emissions; and (3) the Project would not cause or contribute to any Carbon Monoxide (CO) "hot spots (refer to pp. 4.2-33 to 4.2-36 of the Draft EIR). Therefore, localized air quality impacts would be less than significant. No additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

1-4 The commenter recommends mitigation measures for GHG emissions and cites the SCAQMD's letter submitted on the EIR's Notice of Preparation (NOP). The commenter's suggested mitigation measures include adding roof top solar, reflective roofing, energy star appliances, and electric charging stations, limiting on site truck idling and nighttime deliveries, and requiring zero emission or net zero emission delivery vehicles. The commenter is referred to the Project's Final EIR, which evaluated the feasibility of additional GHG mitigation measures, including 38 measures recommended in the California Department of Justice Warehouse Project Best Practices manual (refer to Final EIR, response to comments B-41 to B-78). Specifically, the commenter is referred to response to comments B-59, B-56, and B-53 for responses to comments suggesting roof top solar, truck idling restrictions, and zero emission vehicles, respectively. Additionally, of the Project's 251 onsite passenger vehicle spaces, 25 spaces would be designated as

electric vehicle parking stalls (Refer to Draft EIR p. 3-6). The Project proposes a conventional warehouse use reflecting contemporary energy efficient/energy conserving designs and operational programs and would be required to comply with the applicable provisions of the California Green Building Standards Code (CalGreen), California Code of Regulations (CCR) Title 24 Part 6: The California Energy Code standards, that are in place at the time construction permit plan check submittals are made. As concluded in Draft EIR Section 4.2, *Air Quality*, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account the elimination of air pollutant emissions from existing uses on the site that would be demolished/cease operation as part of the Project (refer to Draft EIR pp. 4.2-31 to 4.2-32). Because impacts would be less than significant and a number of Project design features and regulatory requirements are already in place to reduce air pollutant emissions, additional mitigation is not warranted.

Comments Received During the DAB Meeting

The following responses are organized to correspond with the environmental topic issues that were mentioned during the Design Advisory Board (DAB) meeting held on March 18, 2024.

Transportation

Concerns about the Project's traffic volumes were raised. Specifically, one commenter stated that [level of service (LOS)] traffic impacts within a 5-mile radius of the Project Site should be analyzed to address impacts on nearby streets and a Traffic Impact Analysis report should be conducted.

First, it should be noted that the basis for evaluation of transportation impacts under CEQA is vehicle miles traveled (VMT) and not LOS. Nonetheless, as stated in the Project's Trip Generation Assessment (*Technical Appendix K* to the Draft EIR), the City's Guidelines identify that a project could potentially require further traffic analysis if the project generates more than 100 peak hour trips in either peak hour. This is based on the assumption that projects that generate fewer than 100 peak hour trips typically do not affect LOS significantly once distributed to the local roadway network. Also, the City's Guidelines state that the minimum area to be studied should include any intersection at which the proposed project would add 50 or more peak hour trips.

The Project is calculated to generate 476 vehicle trip-ends per day with 42 AM peak hour trips and 46 PM peak hour trips (actual vehicles) as shown in Draft EIR *Technical Appendix K*. Even without taking credit for elimination of traffic from the existing uses on the Site that would be demolished/cease operation as a result of the Project, fewer than 100 peak hour trips would be generated. Furthermore, taking into consideration the distribution of traffic to the west and east on East Airport Drive, the Project is would clearly contribute fewer than 50 peak hour trips to any off-site intersection. As such, a LOS-based traffic study is not required based on the findings of the Trip Generation Assessment. Moreover, and as stated above, automobile delay, as measured by LOS and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts. This statewide mandate went into effect July 1, 2020. CEQA Guidelines Section 15064.3, effective January 1, 2019, "describes specific considerations for evaluating a project's transportation impacts" and provides that, except for roadway capacity projects, "a project's effect on automobile delay (or LOS)" shall not constitute a significant environmental impact" (CEQA Guidelines Section 15064.3(a)). Moreover, vehicle congestion is not a CEQA issue as it pertains to LOS.

Additionally, a commenter questioned why the Project's truck traffic (which was incorrectly stated as comprising 300 daily trips), would not result in significant air quality impacts. As shown in Draft EIR Table 4.10-3, *Project Net New Daily Trips*, the Project would generate 168 total daily truck trip, but a net increase of only 61 daily truck trips when taking credit for the elimination of truck trips from the existing onsite uses that would be demolished/cease operation as a result of the Project. Refer below to the discussion related to air quality impacts, which the Draft EIR accurately concludes would be less than significant. The Draft EIR adequately addresses both transportation and air quality impacts and no additions, revisions, or corrections to the Draft EIR are necessary.

Air Quality

Comments were made related to the Project's air quality impacts and it was suggested that air filters be provided to nearby school and residents. As discussed in Draft EIR Section 4.2, *Air Quality*, the Project Site is primarily surrounded by industrial uses. The residential land use with the greatest potential exposure to Project's operational-source air pollutant emissions is located approximately 8,840 feet northwest of the Project Site (represented by an existing residence at 11210 Fourth Street) on the opposite side of I-15 and I-10 from the Project Site. At this Maximally Exposed Individual Resident (MEIR), the maximum incremental cancer risk attributable to Project operational-source DPM emissions is calculated at 0.01 in one million, which is far less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were calculated to be <0.01, which also fall far below the applicable significance threshold of 1.0. All other residential receptors are located at a greater distance from the Project Site than the MEIR and therefore would be exposed to less emissions and therefore less risk than the MEIR. There are no residential receptors located in immediate, close proximity to the Project Site. As concluded by the Draft EIR, the Project will not cause a significant human health or cancer risk to nearby residences. Moreover, there are no schools within one-quarter mile of the Project Site. The nearest school is Chaparral Elementary School, which is located approximately 11,200 feet southeast of the Project Site (over 2 miles away). Because there is no reasonable potential that the Project's air pollutant emissions would cause significant health impacts at distances to existing sensitive receptors, the Project would result in less-than-significant impacts (refer to Draft EIR pp. 4.2-35 to 4.2-36). Thus, the City determines that additional mitigation in the form of supplying air filters to residents and schools, or in any other form, is not warranted.

Electric Trucks

A comment was made suggesting that the truck fleet serving the Project Site be electric powered. Refer to Final EIR response to comment B-53, which explains the infeasibility of requiring zero emissions trucks. The City has determined that the suggestion is not feasible.

Cumulative Effects

A representative from CARECA incorrectly stated that the Draft EIR did not analyzed cumulative impacts in the surrounding areas as required by State law and only provided Project-level analysis. Refer to Final EIR response to comments A-12 to A-16, which is the comment letter submitted by Adams Broadwell Joseph & Cardozo on behalf of CARECA related to the Draft EIR's cumulative impacts discussion. The response was complete and no further response is required.

GHG Emission Impacts

A representative from CARECA claimed that the Draft EIR was inadequate due to conflicts with the State Attorney General's approach for analyzing air quality and GHG impacts. Refer to Final EIR response to comments A-14 to A-

15, and A-18 related to the methodology on determining impacts. The response was complete and no further response is required.

Attachment A:
Comment Letter

From: rfs702@verizon.net <rfs702@verizon.net>
Sent: Sunday, March 17, 2024 8:02 PM
To: Lorena Mejia <LMejia@ontarioca.gov>; Planning Director <planningdirector@ontarioca.gov>
Cc: Henry K. Noh <HNoh@ontarioca.gov>; Chris Robles <chris@fairontario.com>
Subject: DAB Agenda Item D for March 18, 2024

Ms. Mejia,

- ***Please include this email as part of the public record.***

I would like to express several concerns I have about the referenced project as presented in the Board packet published on the City website. I hope you can clear these up for me.

1. Greenhouse Gas Emissions

It has been clearly demonstrated that our air pollution may be among the worst in the nation. As such it is in the best interest of the citizens of Ontario to reduce local pollution sources wherever possible. The recent warehouse approvals regularly refer to the city policy (CCAP) of limiting new projects to 3000 metric tons of CO2 equivalents per year. The proposal seems to claim that this project will only create 2590.77 metric tons. (pages 333, 334) In reality it is creating 4236.54 metric tons and wants to take credit for 1645.77 no longer emitted by the current occupants. This is their basis for saying no mitigation is needed. Why would they be entitled to claim this credit. They are generating 4236.54 units which exceeds the 3000 max proscribed by the city guidelines. Am I mistaken?

1-1

2. SCAQMD guidelin

On page 560 the consultant says the 2022 AQMP plan is not ready and does not need to be considered. I attach the cover sheet of said plan actually adopted in December of 2022.

1-2

3. Health & Equity (pages 770, 771)

It seems self-evident in reading these pages that we live in deplorable circumstances. It is incumbent on City leaders to give more consideration to the health of our citizens than to 100,000 sq ft warehouses. To wit:

a. Ozone in the 91st percentile in the State
b. Air Quality in the 95th percentile
c. Traffic in the 89th percentile

1-3

4. Mitigation Measures

It seems the least the City could do would be to mandate even the bare minimum of mitigation measures for all these projects as mentioned several times in the documents. (For example, Letter to Thomas Grahn from SQAQMD, page 495, "In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts." These could include:

a. Roof top solar
b. Reflective roofing
c. Electric charging stations
d. No or limited on site truck idling
e. Night time deliveries
f. Require deliveries via ZE of NZE vehicles
g. Energy Star appliances

1-4

Looking forward to hearing from you.

Raymond Smith
3937 San Lorenzo River Road
Ontario 91761

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Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

April 15, 2024

Via Email and Overnight Mail
Scott Ochoa, City Manager
Members of the City of Ontario Development Advisory Board
303 East B Street
Ontario, CA 91764
Email: planningdirector@ontarioca.gov

Via Email Only
Thomas Grahn, Senior Planner
City of Ontario Planning Department
Email: TGrahn@ontarioca.gov

Re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Mr. Ochoa, Development Advisory Board Members and Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit these comments on the 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant"), including the Final Environmental Impact Report ("FEIR") prepared by the City of Ontario ("City"). The FEIR and development plan will be considered at the April 15, 2024 Development Advisory Board meeting as Agenda Item B. The Board will make a recommendation to the Planning Commission regarding certification of the EIR and approval of the Development Plan application.[1]

CARE CA submitted comments on the Draft EIR ("DEIR") on October 5, 2023, accompanied by expert comments, showing that the DEIR failed to comply with the requirements of CEQA by failing to accurately disclose and mitigate potentially significant cumulative impacts, air quality and public health impacts,

[1] Staff Report, pg. 1. The Staff Report incorrectly states that the Board recommendation to the Planning Commission is to "adopt the draft EIR." (pg. 8). However, the operative CEQA document for the Project is currently the FEIR, which includes both the Draft EIR and the City's responses to comments on the Draft EIR.

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greenhouse gas ("GHG") emissions, energy and transportation impacts. We reviewed the Board Staff Report, the FEIR, and its technical appendices with the assistance of transportation expert Norm Marshall[2] and air quality expert Dr. James Clark.[3] The FEIR contains responses to CARE CA's comments. However, it fails to meaningfully address or correct major flaws CARE CA and its experts identified in the DEIR.

As explained herein, the FEIR still underestimates the number of trips generated by the Project and the distance of Project-related truck trips, thus continuing to underestimate the severity of the Project's public health, air quality, GHG, and transportation impacts. The FEIR also continues to assume that cold storage uses would be limited to 10% of the Project, reasoning that a condition of approval will limit cold storage to 10% of the Project's square footage, but no such condition of approval is included in the conditions of approval attached to the Staff Report. The FEIR still fails to provide an adequate cumulative impacts analysis that considers the Project's combined impacts with other existing and proposed industrial developments near the Project, in violation of CEQA. And the FEIR's quantified health risk analysis still underestimates impacts. As a result, the FEIR's conclusions are not supported by substantial evidence. Rather, substantial evidence demonstrates that the Project's significant impacts are greater than analyzed in the FEIR.

The Staff Report incorrectly concludes that the "draft EIR contains a complete and accurate reporting of the environmental impacts associated with the Project" and complies with CEQA.[4] The Staff Report recommends that the Planning Commission adopt the draft EIR[5] and approve the Project's Development Plan Application.[6] These recommendations are unsupported due to the major flaws in the Project's environmental review.

CARE CA urges the Board to recommend that the City revise and recirculate the EIR to comply with CEQA before any further action is taken on the Project.

I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker

[2] Mr. Marshall's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[3] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit B**.
[4] Staff Report, PDEV22-017 – Draft Environmental Impact Report, pg. 7, Part 3: Decision, Section 1.
[5] *Id.*, pg. 8, Part 3, Section 4.
[6] Staff Report, PDEV22-017, Part 3, Section 5.

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health and safety hazards, and the environmental impacts of the Project. The coalition includes Ontario residents Daniel Brewer, David Audelo, Carlos Mendez, Rober Rubio, the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Ontario and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

A. CARE CA Has a Direct Interest in Enforcing Compliance with CEQA and Land Use Laws

The City, in FEIR Response A-3, claims that CARE CA's "primary interest is securing jobs through a project labor agreement."[7] This statement is an improper ad hominem attack on members of the public who submitted comments on the Draft EIR. It is also incorrect, unsupported by any facts in the record, and contrary to the purpose of an FEIR's responses to comments, which is to "describe the disposition of each significant environmental issue that is raised by commenters,"[8] not to attack the commenter.

The FEIR's statement appears intended solely to influence City decisionmakers to disregard the valid environmental concerns raised in CARE CA's

[7] FEIR, pg. 2-37.
[8] Pub Res. Code §21091(d); 14 Cal Code Regs §§15088(c), 15132(d), 15204(a); *City of Long Beach v Los Angeles Unified Sch. Dist.* (2009) 176 Cal. App. 4th 889, 904.

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comments, and distract from the substantial evidence presented by CARE CA's experts regarding the Project's unmitigated environmental and public health impacts. This is an improper use of an FEIR, which is intended to ensure that "public participation in the environmental review process is meaningful."[9] It is also irrelevant, because community groups, labor organizations, and other members of the public have standing under CEQA to participate in the public comment period required by law, and California courts have explained that ad hominem responses are irrelevant.[10]

The FEIR's statement is also factually incorrect. For decades, labor organizations like the union members of CARE CA have relied on the CEQA process to enforce environmental and public health protections – *including worker health protections* – for new development projects as a means of ensuring a safe working and living environment for the public, including themselves and their families. CEQA is especially important to union members who construct projects because they are the first in line to be exposed to health and safety impacts that exist onsite – impacts like soil contamination, air pollution from construction equipment, and excess noise. For many, CEQA has become the only place where communities of color, which includes workers represented by labor unions, have a voice in the process of developing projects in their communities.

California unions regularly participate as interested members of the public in the CEQA process. Their participation has led to decades of stronger air quality and toxic material controls at construction sites and housing developments, lowered emissions at industrial sites, increased electrification and renewable gas and fuels, reductions in GHG emissions, reduced construction noise and traffic in residential areas, improved water quality, water conservation, and protections for natural landscapes and sensitive biological resources. Union participation in the CEQA process has resulted in improved analysis and mitigation in agencies' CEQA documents, and, in some cases, successful litigation requiring agencies to comply with CEQA where the issues unions raised were not resolved during the administrative process. In short, ***union participation in the CEQA process leads to cleaner, safer, and more sustainable development in the State***. This is exactly what CEQA is designed to accomplish – protecting people and the environment through active public engagement in the environmental process.

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[9] *City of Long Beach,* 176 Cal. App. 4th at 904.

[10] *Bakersfield Citizens for Local Control v. City of Bakersfield* (Cal. Ct. App. 2004) 124 Cal.App.4th 1184, 1196 ("[W]e will not dignify with extended comment [developer]'s complaint that BCLC is just a 'front' for a grocery worker's union whose disgruntled members feel threatened by nonunionized Wal-Mart's entry into the grocery business. As will be explained, BCLC has standing to pursue this litigation and it exhausted its administrative remedies. This is sufficient.")

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Public agencies have also acknowledged unions for their valuable contribution to the environmental review process. For example, when approving the Elk Hills project, the California Energy Commission Presiding Commissioner Michal Moore praised and thanked union coalition California Unions for Reliable Energy ("CURE") for its participation in the proceeding: **"We never would've gotten to some of the places that we did, and the resolution that we did, if it hadn't been for the – the dogged efforts of [CURE]…we came to a good place, and probably couldn't have gotten to that good place without some of the tension and – and rigor that was applied. So, thank you very much**."[11] During the evidentiary hearings, a Commissioner "**thank[ed] CURE for the technical help that Phyllis Fox [CURE expert] offered us, and certainly offered me an education that I wasn't going to get any other place**."[12]

Some unions work on constructing and operating projects after they participate in the environmental permitting process. Some developers and critics allege this means that unions are using CEQA to induce developers to enter into project labor agreements, then abandon the environmental issues – just as the FEIR does here. These allegations are not only false, they demonstrate a fundamental misunderstanding of union participation. When the unions work on projects they have challenged, ***they do not walk away from the environmental and public health issues they raise. They enforce them through binding mitigation and environmental settlement agreements***. This is consistent with CEQA's environmental purpose, and with the historic values of organized labor to solve problems, engage in civic discourse and activism, advocate for safe working conditions, and effect changes that improve their members' lives and communities.[13]

CARE CA asks that the City revise the EIR to remove this inaccurate and improper statement about CARE CA, and any other unsupported statements of dislike made about other members of the public who commented on the DEIR.

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[11] Elk Hills Power Project, Docket No. 99-AFC-1, CEC Business Meeting Transcript, pp. 24-25 (Dec. 6, 2000).)
[12] Elk Hills Power Project, Docket No. 99-AFC-1, Transcript of Evidentiary Hearing, pg. 61 (Oct. 26, 2000).
[13] See U.S. Department of Labor, *Unions 101*, available at https://www.dol.gov/general/workcenter/unions-101 (last visited 5/21/23); Economic Policy Institute, *How Today's Unions Help Working People: Giving Workers The Power To Improve Their Jobs And Unrig The Economy*, August 24, 2017, available at https://www.epi.org/publication/how-todays-unions-help-working-people-giving-workers-the-power-to-improve-their-jobs-and-unrig-the-economy/ (last visited 5/21/23).

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II. THE FEIR FAILS TO ADEQUATELY ANALYZE, QUANTIFY, AND MITIGATE THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS

An EIR must fully disclose all potentially significant impacts of a project and implement all feasible mitigation to reduce those impacts to less than significant levels. The lead agency's significance determination with regard to each impact must be supported by accurate scientific and factual data.[14] An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.[15]

Moreover, the failure to provide information required by CEQA is a failure to proceed in the manner required by law.[16] Challenges to an agency's failure to proceed in the manner required by CEQA, such as the failure to address a subject required to be covered in an EIR or to disclose information about a project's environmental effects or alternatives, are subject to a less deferential standard than challenges to an agency's factual conclusions.[17] In reviewing challenges to an agency's approval of an EIR based on a lack of substantial evidence, the court will "determine de novo whether the agency has employed the correct procedures, scrupulously enforcing all legislatively mandated CEQA requirements."[18]

Even when the substantial evidence standard is applicable to agency decisions to certify an EIR and approve a project, reviewing courts will not 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference.'"[19]

CEQA requires that a lead agency evaluate and prepare written responses to comments in an FEIR.[20] Agencies are required to provide "detailed written response to comments . . . to ensure that the lead agency will fully consider the environmental consequences of a decision before it is made, that the decision is well informed and open to public scrutiny, and the public participation in the environmental review process is meaningful."[21] When a comment raises a "significant environmental issue," the written responses must describe the

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[14] 14 CCR § 15064(b).
[15] *Kings Cty. Farm Bur. v. Hanford* (1990) 221 Cal.App.3d 692, 732.
[16] *Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236.
[17] *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.
[18] *Id.*; *Madera Oversight Coal., Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102.
[19] *Berkeley Jets*, 91 Cal.App.4th at 1355.
[20] PRC § 21091(d); 14 CCR §§ 15088(a), 15132.
[21] *City of Long Beach v. Los Angeles Unified Sch. Dist.* (2009) 176 Cal.4th 889, 904.

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disposition of each such issue raised by commentators.[22] Specifically, the lead agency must address the comment "in detail giving reasons why" the comment was "not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice."[23]

A. The FEIR Still Fails to Adequately Evaluate Trips Generated by the Project

CARE CA's comments on the DEIR showed that the DEIR underestimated trips generated by the Project by relying on inappropriate Institute of Transportation Engineers ("ITE") land use codes, thus underestimating the Project's GHG and VMT impacts. Specifically, the DEIR relied on ITE land use code 150 (Warehousing) and ITE land use code 157 (High-Cube Cold Storage Warehouse), when other land use codes are applicable to the Project that have much higher trip generation rates. In particular, Mr. Marshall explained that the Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.[24]

The FEIR responds that the Project's design would not support a high-cube (sort) fulfillment center or high-cube parcel hub, pointing to the Project's square footage and number of parking spaces.[25] The FEIR states that the Project's anticipated use and size (270,377 sf) most closely aligns with the ITE Warehousing land use category. But Mr. Marshall explains that the Project's size equally aligns with ITE Land Use 156: High Cube Parcel Hub Warehouse, which accounts for warehouses with at least 200,000 gross square feet of floor area.[26] Mr. Marshall also explains that the Project's proposed number of parking spaces would further enable the Project to function as a High Cube Parcel Hub Warehouse.

In sum, the FEIR offers no support for is continued reliance on low trip generation rates. As a result, the City continues to rely on potentially underestimated trip generation rates which do not accurately reflect the Project's operational impacts. To the contrary, substantial evidence shows that trip generation rates could be 2.6 times greater than analyzed. To ensure adequate analysis and mitigation of this impact, Mr. Marshall recommends either applying a

[22] PRC §21091(d); 14 CCR §§15088(c), 15132(d), 15204(a).
[23] 14 CCR § 15088(c); *see Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1124 ("*Laurel II*"); *The Flanders Foundation v. City of Carmel-by-the-Sea* (2012) 202 Cal. App. 4th 603, 615.
[24] Marshall FEIR Comments, pg. 3.
[25] FEIR, pg. 2-38, 39.
[26] Marshall FEIR Comments, pg. 4.

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significantly more conservative trip generation rate, or implementing a condition of approval that trip generation will not exceed the number assumed in the EIR.[27] The EIR must be revised and recirculated to provide an accurate analysis of trip generation.

B. The FEIR Still Fails to Substantiate Its Estimate that Just 10% Percent of the Project Will be Used for Cold Storage

CARE CA's comments on the DEIR showed that the City lacked substantial evidence to assume that the Project would only include approximately 27,034 sf of high-cube cold storage uses (10% of the building space).[28] In Response A-7, the FEIR states that the City has added a condition of approval to the Project limiting cold storage to 27,034 sf (10% of the total sf).[29] But there is currently no indication any such condition of approval will be required. The April 15, 2024 Development Advisory Board agenda packet contains a Draft Development Advisory Board decision,[30] Land Development Division conditions of approval,[31] Landscape Planning Division conditions of approval,[32] Engineering Division conditions of approval,[33] and City of Ontario memoranda containing conditions of approval.[34] None of these documents contain a condition limiting the Project's cold storage uses. The FEIR's conclusion that the environmental impacts associated with cold storage would be limited to just 10% of the Project site therefore remains unsupported.

As explained in CARE CA's comments on the DEIR, cold storage warehouses generate greater environmental impacts than other types of warehouse.[35] CARE CA urges the City to revise and recirculate the EIR to analyze the impacts of additional cold storage use at the Project site, or to add a mitigation measure with a title restriction limiting cold storage to 10%.

C. The FEIR Still Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

CARE CA commented that the DEIR fails to consider the cumulative impacts of past, present, and probable future projects producing related or cumulative

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[27] Marshall FEIR Comments, pg. 4.
[28] DEIR, pg. 3-13.
[29] FEIR, pg. 2-39.
[30] April 15, 2024 Agenda Packet, pg. 3044.
[31] *Id.* at 3073.
[32] *Id.* at 3081.
[33] *Id.* at 3084.
[34] *Id.* at 3098, 3100.
[35] CARE CA DEIR Comments, pg. 8-10.

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impacts. The DEIR's approach to cumulative impacts, relying on South Coast Air Quality Management District ("SCAQMD") guidance, is that emissions of criteria air pollutants or toxic air contaminants that do not exceed individual project thresholds are also not cumulatively considerable.[36] CARE CA's comments explained that rote application of SCAQMD significance thresholds without analysis of the context in which the Project is being proposed fails to satisfy the analytical and information requirements of CEQA, per caselaw such as *Kings County Farm Bureau v. City of Hanford*.[37] CARE CA also explained that SCAQMD's cumulative impacts significance thresholds, adopted in 2003, are being revised to reflect current conditions. The updated cumulative impacts significance thresholds will reflect projects' existing background MATES cancer risk and additional criteria such as whether the project would generate a high volume of diesel-fueled trucks.[38] CARE CA also discussed the Attorney General's guidance on cumulative impacts, which states that best practices include "thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, *even if the project's individual impacts alone do not exceed the applicable significance threshold* [emphasis added]."[39]

In Responses 14, 15, and 16, the FEIR responds that "The Draft EIR and underlying technical studies were prepared in a matter consistent to the SCAQMD recommendation for determining cumulative impacts." The FEIR's response is non-responsive because it does not address the City's failure to comply with CEQA's legal standards for evaluating cumulative impacts that were discussed in CARE CA's comments. The FEIR also does not address the pending updates to SCAQMD's cumulative impacts methodology, which are statedly prepared in response to recent CEQA cases such as *People of the State of California v. City of Fontana.*[40]

In *People of the State of California v. City of Fontana,* the Attorney General's petition for writ of mandate challenged a Mitigated Negative Declaration ("MND")

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[36] DEIR, Appendix B, pg. 53.
[37] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("Kings County"); *see also, Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.
[38] SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=16; SCAQMD Working Group Meeting #5, Cumulative Impacts from Air Toxics for CEQA Projects (March 20, 2024) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20.
[39] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Updated September 2022), pg. 7, available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf.
[40] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;

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that erroneously applied SCAQMD guidance in the same way as the instant EIR. The petition explained:

> [T]he MND's cumulative air quality impact analysis does not account for—or even acknowledge—the multitude of other warehouses near the Project. Rather than consider the environmental setting within which the Project will be situated, the MND simply states that the Project will not result in a cumulatively considerable increase in emissions because the Project's individual air quality impacts will be less than significant. The MND even applies this reasoning to its analysis of health impacts from localized emissions, despite making no attempt to determine or disclose the severity of the existing health impacts from localized emissions in the community.[41]

The petition further explained that merely citing to SCAQMD guidance does not justify a failure to analyze a Project's cumulative impacts:

> The MND cites Appendix D of an August 2003 white paper published by the South Coast Air Quality Management District ("SCAQMD") entitled "White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution" ("2003 SCAQMD White Paper"). **To the extent that the 2003 SCAQMD White Paper asserts that any project with less than significant individual air quality impacts also necessarily has less than significant cumulative air quality impacts, it is inconsistent with CEQA** for at least the reasons stated above. Moreover, the 2003 SCAQMD White Paper lacks substantial evidence to support such a contention, and thus the MND's reliance on it violates CEQA. (Cal. Code Regs., tit. 14, § 15064.7, subd. (c).) The MND further violated CEQA by failing to provide substantial evidence to support its reliance on the 2003 SCAQMD White Paper, Appendix D as "guidance." (Ibid.) Finally, even if the MND's reliance on the 2003 SCAQMD White Paper were proper and supported by substantial evidence, the MND did not consider other evidence—such as public comments and the existence of many other sources of pollution near the Project site—showing that the Project could have a significant cumulative air quality impact. (See Cal. Code Regs., tit. 14, § 15064, subd. (b).) [emphasis added][42]

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[41] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 9, paragraph 32, available at https://climatecasechart.com/wp-content/uploads/case-documents/2021/20210723_docket-CIVSB2121829_petition-for-writ-of-mandate.pdf.
[42] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 13, paragraph 49.

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The Attorney General's litigation resulted in a settlement which requires compliance with an ordinance adopted on April 12, 2022 that establishes sustainability standards for warehouses in Fontana, including standards intended to address cumulative air quality impacts. For example, the standards include requirements that rooftop solar panels supply 100% of power for non-refrigerated portions of facilities with buildings over 400,000 square feet, trees in automobile parking areas, zero emission motorized operational equipment, other equipment electrification requirements, and solar-ready buildings roofs.[43] These are just a few examples of feasible mitigation available to reduce cumulative air quality impacts, in compliance with CEQA.

The FEIR for the instant Project suffers from the same lack of analysis and legal errors as the MND in the Attorney General's Fontana litigation. As a result of its refusal to analyze cumulative impacts, the FEIR fails to disclose or mitigate potentially significant local and regional cumulative impacts. In sum, the FEIR has not responded to CARE CA's comments on this issue and fails to remedy the City's inadequate cumulative impacts analysis. The Project cannot be approved until the City revises and recirculates an EIR that analyzes the Project's potentially significant cumulative impacts.

D. The FEIR's Quantified Health Risk Analysis Underestimates Impacts

The City prepared a Mobile Source Health Risk Assessment ("HRA") to analyze health risk impacts on residential and non-residential (worker) receptors in the vicinity of the Project.[44]

The HRA underestimates the Project's operational health risk impacts on residential receptors and workers by failing to account for building downwash in the AERMOD analysis.[45] Dr. Clark explains that building downwash occurs as the wind flows over and around buildings and impacts the dispersion of pollution.[46] This downwash effect leads to higher ground-level concentration of chemicals emitted from sources.[47]

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[43] *Id.*, Stipulation For Entry Of Final Judgment On Consent, available at https://climatecasechart.com/wp-content/uploads/case-documents/2022/20220414_docket-CIVSB2121605-CIVSB2121829_stipulation.pdf.
[44] DEIR, Appendix B2, pg. 25.
[45] Clark Comments, pg. 3.
[46] *Id.*
[47] *Id.*

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The HRA also underestimates the Project's health risk impacts by relying on non-standard daily breathing rates for sensitive receptors. Dr. Clark explains that the HRA unjustifiably relies on breathing rates lower than recommended by the Office of Environmental Health Hazard Assessment's Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments.[48]

CEQA requires an accurate analysis of human health impacts. CEQA Guidelines Section 15065(a)(4) provides that the City is required to find a project will have a significant impact on the environment and require an EIR if the environmental effects of a project will cause a substantial adverse effect on human beings. The Supreme Court has also explained that CEQA requires the lead agency to disclose the health consequences that result from exposure to a project's air emissions.[49] Courts have held that an environmental review document must disclose a project's potential health risks to a degree of specificity that would allow the public to make the correlation between the project's impacts and adverse effects to human health.[50]

Because the City's analysis underestimates the Project's health risk impacts, the City fails to meet CEQA's requirement to accurately disclose the Project's impacts on public health and support its conclusions with substantial evidence. A revised HRA must be included in a recirculated EIR.

E. The FEIR Still Underestimates Truck Trip Lengths and Resultant Impacts

CARE CA commented that the DEIR underestimates truck trip lengths by applying a truck trip length of 15.3 miles for 2-axle trucks, 14.2 miles for 3-axle trucks, and 40 miles for 4+-axle trucks. The DEIR states that these truck trip distances are recommended by SCAQMD, but Mr. Marshall explained that the City must consider the reasonably foreseeable distance to the Project's likely trip destinations.[51] These include the Ports of Los Angeles and Long Beach – approximately 60 miles away. The FEIR responds in Response A-18:

> The commenter fails to provide any evidentiary basis for the arbitrary number of 60 miles it suggests using… In fact, these recommendations are in direct opposition of the SCAQMD's recommended truck travel distance for warehousing projects within its jurisdiction (based on SCAG regional travel

[48] *Id.* at 5.
[49] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, 523.
[50] *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.
[51] Marshall Comments, pg. 7.

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> demand data)… The commenter's recommended trip lengths are not supported by any substantial evidence provided by the SCAQMD and contradicts published material from SCAQMD that was utilized in the underlying analysis.[52]

The FEIR misinterprets the SCAQMD guidance. SCAQMD itself regularly comments on warehouse projects that it is essential to analyze the distance from warehouse projects to likely destinations and has emphasized that agencies should not rely solely on the 40-mile average trip length identified in its guidance. For example, SCAQMD recently commented on a warehouse project proposed for a location at a similar distance from the Ports as the instant Project:

> South Coast AQMD recommended 15.3 miles, 14.2 miles, and 40 miles of truck trip lengths derived from the Southern California Association of Government's (SCAG) estimation of average truck trip length in its 2016 Regional Transportation Plan. However, it is essential to note that **the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way**. Thus, **South Coast AQMD staff is concerned about underestimating truck emissions** due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the **more conservative trip length between 40 to 70 miles**, of which 40 miles could be used for local and **70 miles for Port trips** and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.[53]

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[52] FEIR, pg. 2-43.

[53] **Exhibit C**, containing the following comment letters: SCAQMD, Comments on the Draft Subsequent Environmental Impact Report for the Hemlock Warehouse Development Project (SCH No.: 2009091089) (November 22, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/november-2023/SBC231011-05.pdf; also attached as Attachment B to Mr. Marshall's comments; SCAQMD, Comments on Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449) (October 9, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf; SCAQMD, Comments on Draft Environmental Impact Report (DEIR) for the Optimus Logistics Center 2 (September 11, 2015), pg. 3, available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/september/deiroptimus.pdf?sfvrsn=2 ("Since the port areas are over 70 miles away from the project site and that trucks will be serving other destinations within the basin and out of state, the SCAQMD staff recommends, absent a tenant-specific analysis with trip length information, that all applicable analyses be revised in the Final EIR using a one-way trip length that more accurately estimates air quality emission and related impacts based on the anticipated activities and distances

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In sum, the FEIR is incorrect when it states that CARE CA's recommendation to use a 60-mile truck trip length for trips to Ports of Los Angeles and Long Beach is not supported by substantial evidence. Rather, it is the FEIR's truck trip length assumptions which are not supported by substantial evidence – SCAQMD does not recommend blind reliance on truck trip lengths of 15.3 miles, 14.2 miles, and 40 miles for warehouse projects such as the instant Project for which longer trips to and from the ports are reasonably foreseeable.

Dr. Clark's comments also discuss the relationship between the ports and warehouses like this Project. Dr. Clark discusses the large percentage of goods passing through the ports, the number of truck trips generated by the ports, and observes that the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.[54] Substantial evidence therefore demonstrates that the Project's truck trip lengths are underestimated, resulting in underestimation of transportation, air quality, and GHG impacts. The Project cannot be approved until this error is corrected in a revised and recirculated EIR.

F. The FEIR Fails to Include Sufficient Investigation into Energy Conservation Measures

The DEIR and FEIR do not include sufficient investigation into energy conservation measures that might be available or appropriate for the Project. In the DEIR, the City concludes that energy impacts of the Project would be less than significant because the Project's construction and operations would comply with state regulations.[55] But as discussed below, the Project's environmental review does not sufficiently consider energy conservation measures like solar facilities, use of alternate fuel sources, and passive energy efficiency measures to ensure the Project's energy consumption would not be wasteful, inefficient, or unnecessary. The FEIR briefly addresses some energy conservation measures in Responses B-59, B-56, and B-53, but only to explain that none are required because air quality impacts are less than significant. This analysis fails to meet CEQA's requirements.

CEQA requires an environmental document to discuss mitigation measures for significant environmental impacts, including "measures to reduce the wasteful,

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described in the DEIR."); SCAQMD, Comments on Draft Environmental Impact Report (DEIR) for the Proposed Westgate Specific Plan (SCH No. 1995052002) (March 5, 2015), pg. 5, available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/march/deirwestgate.pdf?sfvrsn=4; SCAQMD, Comments on Draft Mitigated Negative Declaration (Draft MND) for the Proposed Colton – DEXUS Project (February 1, 2013), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2013/february/colton-dexus.pdf.

[54] Clark Comments, pg. 6.

[55] DEIR, pg. 4.4-5, 6.

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inefficient, and unnecessary consumption of energy."[56] The CEQA Guidelines require discussion of energy conservation measures when relevant, and provide examples in Appendix F:[57]

1) Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid waste.
3) The potential for reducing peak energy demand.
4) Alternate fuels (particularly renewable ones) or energy systems.
5) Energy conservation which could result from recycling efforts.

Courts have rejected EIRs that fail to include adequate analysis investigation into energy conservation measures that might be available or appropriate for a project.[58] In *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[59] the Court of Appeal reviewed an EIR for a shopping center on undeveloped agricultural land. The EIR concluded that, due to the proposed project's compliance with Title 24 guidelines and regulations, the project would be expected to have a less-than-significant impact regarding the wasteful, inefficient, or unnecessary consumption of energy. But the lead agency's EIR did not include discussion regarding the different renewable energy options that might be available or appropriate for the project. The Court held "the City's EIRs failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options."[60] The lead agency argued that compliance with the Building Code sufficed to address energy impact concerns for the project.[61] But the Court explained:

> Although the Building Code addresses energy savings for components of a new commercial construction, it does not address many of the considerations required under Appendix F of the CEQA Guidelines… These considerations include whether a building should be constructed at all, how large it should

[56] Pub. Resources Code, § 21100(b)(3); *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 930.
[57] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[58] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256; *Spring Valley Lake Ass'n v. City of Victorville* (2016) 248 CA4th 91.
[59] (2014) 225 CA4th 173.
[60] *Id.* at 213.
[61] *Id.* at 210, 211.

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> be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope. Here, a requirement that Gateway II comply with the Building Code does not, by itself, constitute an adequate assessment of mitigation measures that can be taken to address the energy impacts during construction and operation of the project.[62]

Here, the FEIR lacks analysis of common energy consumption measures in violation of CEQA Guidelines Appendix F. The FEIR fails to analyze the feasibility of onsite solar facilities, such as rooftop, parking lot, or ground-level solar photovoltaics. This analysis must address considerations such as the technical and economic feasibility of installing solar facilities on the Project site, the potential size of the Project's solar zone, and the potential magnitude of mitigation provided by installing solar facilities. The FEIR also fails to evaluate the extent to which mobile source energy consumption could be reduced during Project operations through electric vehicle charging infrastructure (above what is required by existing regulations).

The FEIR acknowledges that a diesel backup generator may be required for Project operations,[63] but fails to evaluate measures to reduce this source of energy consumption, such as use of alternative fuel sources.

The FEIR also fails to evaluate the feasibility of more stringent idling requirements over existing requirements.[64]

The FEIR's discussion of construction energy conservation measures also violates CEQA Guidelines Appendix F. The City's energy analysis fails to evaluate the feasibility of utilizing existing power sources (e.g., power poles) or alternative fuel generators rather than temporary power generators.[65]

The FEIR contains responses briefly addressing the measures discussed above.[66] But the responses simply state: "[a]s concluded in Section 4.2, Air Quality, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking

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[62] *CECC* (2014) 225 CA4th 173, 213.
[63] FEIR, pg. 2-40.
[64] Page 4.2-18 (CARB Rule 2485 (13 CCR 2485): Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling, which limits nonessential idling to five minutes or less for commercial trucks; CARB Rule 2449 (13 CCR 2449): In-Use Off-Road Diesel Idling Restricts, which limits nonessential idling to five minutes or less for diesel-powered off-road equipment.).
[65] DEIR, Appendix D, pg. 37.
[66] *See* FEIR, Responses B-59, B-56, and B-53.

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into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32)… Thus, the City determines that additional mitigation is not warranted."[67] This type of response does not evaluate the feasibility or effectiveness of energy-conservation measures, and thus does not provide the analysis required by CEQA Guidelines Appendix F.

In sum, the FEIR's energy analysis fails adequately analyze measures to reduce the wasteful, inefficient, and unnecessary consumption of energy, and fails to meaningfully address Appendix F's considerations of whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope.[68] This analysis must be provided in a revised and recirculated EIR.

III. THE BOARD CANNOT MAKE THE REQUISITE FINDINGS TO RECOMMEND APPROVAL OF THE PROJECT

Section 4.02.025(D) of the City of Ontario Municipal Code sets forth findings necessary to approve a development plan. The Code provides that an application for a development plan shall be denied if the following finding (among others) cannot be clearly established: "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project."[69]

The Staff Report states that the Project meets this requirement, but this finding lacks support.[70] The Project would have a significant and unavoidable VMT impact. And the Project has potentially significant health risk, air quality, GHG, and energy impacts which have been underestimated in the FEIR. Because the Project's impacts on public health, safety and general welfare have not been adequately analyzed and mitigated, the City cannot make the requisite findings to approve the Project.

[67] FEIR, Response B-57.
[68] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256, 264.
[69] Section 4.02.025(D)(3).
[70] Staff Report, PDEV22-017, Part 3, Section 4.

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For the same reason, the Staff Report lacks support to make the following finding in recommending adoption of the FEIR: "[t]he draft EIR contains a complete and accurate reporting of the environmental impacts associated with the Project."[71]

A revised EIR must be recirculated before the Project can be recommended for approval.

IV. CONCLUSION

As is explained herein, the FEIR's air quality, health risk, energy, and transportation analyses remain substantially inaccurate and incomplete, failing to comply with the requirements of CEQA. As a result, the FEIR still fails to adequately disclose and mitigate the Project's significant impacts. As a consequence of these impacts, the City cannot make the requisite findings under CEQA to recommend certification of the FEIR or under the City of Ontario Municipal Code to approve the Project's development plan. CARE CA urges the Board to recommend that the City revise and recirculate the EIR before any further action is taken on the Project.

Sincerely,



Aidan P. Marshall

Attachments
APM:acp

[71] Staff Report, PDEV22-017 – Draft EIR, Part 3, Section 1; Staff Report, PDEV22-017, Part 3, Section 1.

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EXHIBIT A

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April 15, 2023

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
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Subject: 5355 East Airport Drive Project

Dear Mr. Marshall,

In October 2023, I reviewed trip generation, vehicle miles traveled (VMT) impacts and greenhouse gas (GHG) impacts of the City of Ontario Draft Environmental Impact Report for a proposed warehouse project at 5355 East Airport Drive ("DEIR"). I made the following findings:

1) The DEIR acknowledges significant and unavoidable VMT impact. Furthermore, the DEIR documents that the project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.
2) The proposed VMT mitigation is not fully specified or quantified in the DEIR and appears to fall far short of what would be required to reduce project VMT below the City's threshold. Achieving significant VMT mitigation for this project may be impossible – but mitigation must be specified and quantified for the project to be properly evaluated.
3) Project trip generation could be much higher than assumed. Given the large uncertainty in the project's trip generation, the applicant should take one of two paths -either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.
4) Project GHG emissions could be much higher than assumed. In addition to trip generation possibly being underestimated, average trip lengths for both trucks and passenger vehicles are likely to be underestimated in the DEIR.

Now, I have reviewed the responses to these comments made in the project's Final Environmental Impact Review ("FEIR") dated February 2024.

Truck trip lengths – The FEIR repeats the false assertion that the truck trip lengths follow SCAQMD's recommendations (FEIR, A-18, p. 2-43). In my October 2023 comments, I addressed this, writing:

> The truck trip lengths are used in calculations of possible mitigation in *Second Draft Staff Report Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. And Proposed Rule 316 -Fees for Rule 2305*.[1] The reference for these numbers is the 2016 SCAG travel demand model (p. 117) and there is no indication that these numbers are intended for any use beyond this single document. The 40-mile heavy truck trip length also appears in a 2014 slide presentation.[2] In neither case, are these numbers presented as general recommendations for warehouse EIRs.

To prove that this is not a general SCAQMD recommendation for all warehouses, I attach SCAQMD's November 22, 2023 comments on the Hemlock Warehouse Development Project Draft SEIR in the City of Fontana. That Draft SEIR applied the same truck trip lengths as used in the 5355 East Airport Drive DEIR and FEIR. SCAQMD's comments state:

> However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project. (p. 2)

SCAQMD is making the same point I made in my October 2023 comments where I wrote:

> it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR. These include the Ports of Los Angeles and Long Beach that are approximately 60 miles away. It would be more conservative to assume longer average truck distances in the air quality and GHG analyses.

The FEIR does not use SCAQMD- recommended truck trip lengths. SCAQMD instead recommends: "**Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project**."

[1] www.aqmd.gov/docs/default-source/planning/fbmsm-docs/pr-2305_sr_2nd-draft_4-7-21_clean.pdf
[2] https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/sclc_warehouse-presentation-final.pdf

VMT mitigation – The FEIR continues to state that the proposed project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.

However, the FEIR states that these impacts cannot be mitigated because "measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant." (FEIR A-24, p. 2-44)

My October 2023 comments recommended requiring CAPCOA T-5 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) – that can provide up to 26% VMT reduction:

> The mandatory CTR program must include all other elements (i.e., Measures T-7 through T-11) described for the voluntary program (Measure T-5) plus include mandatory trip reduction requirements (including penalties for non-compliance) and regular monitoring and reporting to ensure the calculated VMT reduction matches the observed VMT reduction). (*Handbook*, p. 86)

A smaller mandatory reduction may be appropriate for this project, with this requirement passed on to the tenant, but it is not sufficient to claim that no significant mitigation is possible.

In addition, the attached SCAQMD comments on the Hemlock Warehouse Development Project recommends several mitigation measures targeting truck emissions, including:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks,
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the final CEQA document, and
- Provide electric vehicle (EV) charging stations and electrical hookups for truckers. (p.3)

Trip generation

In my October 2023 comments, I provided data on different types of warehouses that have significantly higher trip generation rates than the 1.75 trips per 1000 sq. ft. assumed in the DEIR and FEIR. These include:

> The Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.

The FEIR argues that the highest generators that I discussed in my October 2023 comments could not be accommodated because ". . . the layout of the site with 251 parking spaces would not reasonable accommodate the on-site parking required to support these uses."

This point about parking may be valid for the highest generators per 1000 sq. ft. but not for the intermediate generators. The DEIR and FEIR estimate only 270 passenger car trips per day (DEIR Appendix K, p. 5), i.e., 135 vehicles in and 135 cars out. Therefore, if all cars were employees and they all worked the same single shift, the parking lot utilization would never exceed 54%. With multiple shifts and non-employee passenger car trips, the parking lot utilization would be much

lower. Therefore, the parking lot is designed to support many more trips than assumed in the DEIR and FEIR.

The 251 parking spaces are consistent with ITE Land Use 156: High Cube Parcel Hub Warehouse. This use is described:

> A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/ or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. A typical HCW has a high level of on-site automation and logistics management. The automation and logistics enable highly-efficient processing of goods through the HCW. A high-cube warehouse can be free-standing or located in an industrial park. A high-cube parcel hub warehouse typically serves as a regional and local freight-forwarder facility for time sensitive shipments via airfreight and ground carriers. A site can also include truck maintenance, wash, or fueling facilities. Some limited assembly and repackaging may occur within the facility.

Given the uncertainty concerning the proposed project and its size, 270,377 sq. ft., it could foreseeably end up being a High-Cube-Parcel-Hub Warehouse as defined above.

The number of parking spaces provided also is consistent with this usage. The trip generation rate for this category is 4.63 trips per 1000 sq. ft., i.e. 2.6 times the rate used in the DEIR and FEIR. This rate includes 0.58 truck trips per 1000 sq. ft. Therefore, the passenger car rate is 4.05 trips per 1000 sq. ft. As a High-Cube-Parcel-Hub Warehouse, the proposed project would generate 1095 passenger car trips per day.

The DEIR states:

> For the purposes of this EIR, the Project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. (DEIR, p. 3-13)

This suggests multiple shifts each day.

Some of the passenger car trips would not be parking long term, including trips dropping off and picking up workers, and miscellaneous service trips, all of which include both and entering trip and an exiting trip. However, even if all passenger car trips involved parking long-term, all the trips could be accommodated with the planned 251 parking spaces if each space is occupied an average of 2.18 times per day.

As I stated in my October 2023 comment letter:

Given the large uncertainty in the project's trip generation, the applicant should take one of two paths - either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

Sincerely,

Norman L. Marshall

Norman L. Marshall

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (33 Years, 19 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovate Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in $250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additional analyzed using the City's Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka'ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Caroline including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

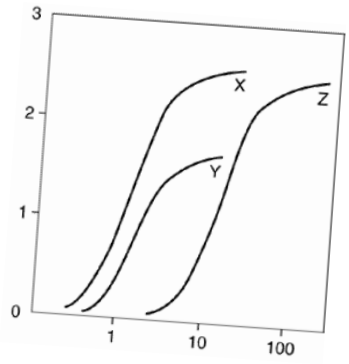
A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

EXHIBIT B



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April 15, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Attn: Mr. Aidan Marshall

Subject: Comments On Final Environmental Impact Report (FEIR) 5355 East Airport Drive, City of Ontario, CA SCH No. 202209006

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed materials related to the City of Ontario (the City) FEIR of the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

Project Description:

According to the City of Ontario's Development Advisory Board Decision File No. PDEV22-017 – Draft EIR (dated March 18, 2024), the Project consists of a Development Plan application to construct a 270,337 square-foot industrial building on the 13.08 acres of the Project site. The Project would require the demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The design would also include the installation of site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detection facilities, exterior lighting, walls/fencing, and signage along with improvements to East Airport Drive.



Figure 1: Site Location Map

Under existing conditions, the Project Site is developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site. Several subsurface septic systems are located beneath the Site to serve the existing uses.

Specific Comments

1. The City's Air Quality Analysis Did Not Incorporate Building Downwash In The AERMOD Analysis.

A review of the AQ Analysis and the Mobile Source Health Risk Assessment show that building downwash was not incorporated into the AERMOD analysis of the Project. Building downwash occurs as the wind flows over and around buildings and impacts the dispersion of pollution from nearby stacks. A plume caught in the path of this flow is drawn into the wake, temporarily trapping it in a recirculating cavity. This downwash effect leads to higher ground-level concentration of chemicals emitted from sources. The downwash effect increases as the relative difference between the release height and top of the building increases.[1] Using a lower height for the building will underestimate the potential ground level concentrations of pollutants associated with the Project operation.

For the closest receptors to the site, this difference will create an additional air quality impact that is not accounted for in the City's analysis. In addition to incorporating the building downwash impacts of the Project buildings, the AERMOD model should also incorporate the building downwash for receptors near the Project. Receptors farther away will still be subject to the downwash effect given the assumed emission height release incorporated into the model. Guidance from authoritative bodies in California regarding the preparation of health risk assessments of mobile sources of diesel emissions[2] requires the inclusion of building heights and dimensions for building downwash calculations. Omission of the building downwash effect underestimates the exposure point concentrations for receptors near the building(s). The City should address the impact of this issue in a revised DEIR.

[1] The so-called good engineering practice height (GEP) of the source. The GEP is defined in Section 123 of the Clean Air Act as "the height necessary to ensure that emissions from a stack do not result in excessive concentrations of any air pollutant in the immediate vicinity of the source as a result of atmospheric downwash, eddies or wakes which may be created by the source itself, nearby structures or nearby terrain obstacles."

[2] SCAQMD. 2003. Health Risk Assessment Guidance For Analyzing Cancer Risks From Mobile Source Diesel Emissions. August, 2003. Page 2.

2. The Air Quality Analysis Relies On An Input Value From AP-42 That Is Rated As Poor And May Be Unreliable

The CalEEMOD analysis of the construction emissions incorporates various factors from U.S. EPA's Emission Factors Handbook (AP-42). The AP-42 emission factor for crushing stones used in the CalEEMOD analysis is rated E. This is the worst rating in AP-42. According to the AP-42 FAQ - E = Poor. Factor is developed from C and D rated test data from a very few number of facilities, and there may be reason to suspect that the facilities tested do not represent a random sample of the industry. There also may be evidence of variability within the source category population. This means that there is a lot of uncertainty in the AQ analysis regarding the amount of particulate matter that will be emitted from the construction phase of the Project. The City should assess the impacts of this variable in a revised DEIR.

3. The Health Risk Analysis Incorporates Non-Standard Daily Breathing Rates For Sensitive Receptors Analyzed In The HRA

According to the FEIR, a health risk assessment was prepared in accordance with SCAQMD's guidance. For purposes of this Health Risk Assessment, receptors include both residential and non-residential (worker) land uses in the vicinity of the Project. These receptors are included in the Health Risk Assessment since residents and workers may be exposed at these locations over a long-term duration of 30 and 25 years, respectively.[3]

The input values utilized in the HRA analysis included a variety of daily breathing rates that are favorable to reducing the potential health impacts. The HRA states that "Discrete variants for daily breathing rates, exposure frequency, and exposure duration were obtained from relevant distribution profiles presented in the 2015 OEHHA Guidelines."[4] The values listed in Table 2-7 include both the 95 percent upper confidence limit (95% UCL) values (for age *in utero* exposure and age 0 to 2) and the 80th percentile values for the remaining age groups (age 2 to 16 and age 16 to 30).

[3] Urban Crossroads. 2022. 5355 East Airport Drive Mobile Source Health Risks Assessment. Prepared by Urban Crossroads. August 30, 2022. pg 5

[4] Urban Crossroads. 2022. 5355 East Airport Drive Mobile Source Health Risks Assessment. Prepared by Urban Crossroads. August 30, 2022. pg 19-20

The risk estimates for ages 2 to 30 is off by a factor of 1.3.

TABLE 2-7: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (30 YEAR RESIDENTIAL)

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	24
0 to 2	1,090	10	2	0.85	350	24
2 to 16	572	3	14	0.72	350	24
16 to 30	261	1	14	0.73	350	24

Figure 2: Daily Breathing Rates Utilized In HRA

The 2015 Air Toxic Hot Spots Program Guidance Manual [5] notes that residential estimates use 95th percentile breathing rates in Table 5.6. Table 5.6 shows values of 745 L/kg BW-day for children age 2 to 16 and 335 L/kg BW-day for adults age 16 to 30.

Table 5.6 Point Estimates of Residential Daily Breathing Rates for 3rd trimester, 0<2, 2<9, 2<16, 16<30 and 16-70 years (L/kg BW-day)

	3rd Trimester[a]	0<2 years	2<9 years	2<16 years	16<30 years	16<70 years
	L/kg-day					
Mean	225	658	535	452	210	185
95th Percentile	361	1090	861	745	335	290

[a] 3rd trimester **breathing rates** based on breathing rates of pregnant women using the assumption that the dose to the fetus during the 3rd trimester is the same as that to the mother.

The City's analysis is therefore incomplete, is not consistent with the guidance from OEHHA, and must be corrected in a revised final environmental impact report for the Project.

4. The Average Truck Trip Length Of 40 Miles Used In The Air Quality Analysis Does Not Match The Length(s) Used To Support Other Warehouse Projects.

According to the operations air quality analysis of Project,[6] the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for

[5] Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments, February 2015, http://oehha.ca.gov/air/hot_spots/hotspots2015.html

[6] Urban Crossroads. 2022. 5355 East Airport Drive Air Quality Impact Analysis. August 30. 2022. Pg 37

3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages.

This statement does not comport with the reality of where warehoused materials will ship from in the region. The 40-mile distance is insufficient to allow vehicles to travel to the major ports in the Southern California region – Los Angeles and Long Beach. These Ports are the largest source(s) of containerized products, and therefore the primary sources of heavy-duty truck traffic, on the West Coast of the United States are the Ports of Los Angeles and Long Beach. "In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade. The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day. Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately 700 million square feet, an increase of 20 percent over the last five years"),[7] citing data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units)[8] from 2020, the Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide.[9] The distance from the Port of LA to the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.

Using the 62-mile daily truck trip will nearly double the daily emissions of pollutants associated with the Project, increasing the Regional burden and resulting in a potentially significant impact. The City must address the impact of this issue in a revised DEIR.

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised final environmental impact report should be prepared to address these substantial concerns.

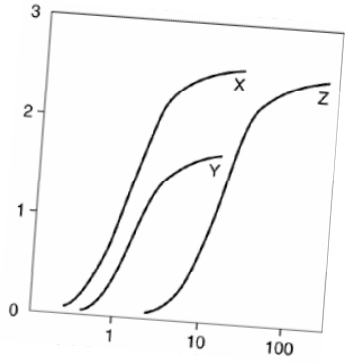
Sincerely,

[7] Available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

[8] https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/

[9] U.S. Dept. of Transportation, Federal Highway Administration, FHWA Operations Support – Port Peak Pricing Program Evaluation (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm





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James J. J. Clark, Ph.D.

Principal Toxicologist

Toxicology/Exposure Assessment Modeling

Risk Assessment/Analysis/Dispersion Modeling

Education:

Ph.D., Environmental Health Science, University of California, 1995

M.S., Environmental Health Science, University of California, 1993

B.S., Biophysical and Biochemical Sciences, University of Houston, 1987

Professional Experience:

Dr. Clark is a well recognized toxicologist, air modeler, and health scientist. He has 20 years of experience in researching the effects of environmental contaminants on human health including environmental fate and transport modeling (SCREEN3, AEROMOD, ISCST3, Johnson-Ettinger Vapor Intrusion Modeling); exposure assessment modeling (partitioning of contaminants in the environment as well as PBPK modeling); conducting and managing human health risk assessments for regulatory compliance and risk-based clean-up levels; and toxicological and medical literature research.

Significant projects performed by Dr. Clark include the following:

LITIGATION SUPPORT

Case: James Harold Caygle, et al, v. Drummond Company, Inc. Circuit Court for the Tenth Judicial Circuit, Jefferson County, Alabama. Civil Action. CV-2009

Client: Environmental Litgation Group, Birmingham, Alabama

Dr. Clark performed an air quality assessment of emissions from a coke factory located in Tarrant, Alabama. The assessment reviewed include a comprehensive review of air quality standards, measured concentrations of pollutants from factory, an inspection of the facility and detailed assessment of the impacts on the community. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Rose Roper V. Nissan North America, et al. Superior Court of the State Of California for the County Of Los Angeles – Central Civil West. Civil Action. NC041739

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to multiple chemicals, including benzene, who later developed a respiratory distress. A review of the individual's medical and occupational history was performed to prepare an exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to respiratory irritants. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: O'Neil V. Sherwin Williams, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to petroleum distillates who later developed a bladder cancer. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Summary judgment for defendants.

Case: Moore V., Shell Oil Company, et al. Superior Court of the State Of California for the County Of Los Angeles

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to chemicals while benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Raymond Saltonstall V. Fuller O'Brien, KILZ, and Zinsser, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Richard Boyer and Elizabeth Boyer, husband and wife, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-7G.

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: JoAnne R. Cook, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-9R

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of an individual exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Patrick Allen And Susan Allen, husband and wife, and Andrew Allen, a minor, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-W

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Michael Fahey, Susan Fahey V. Atlantic Richfield Company, et al. United States District Court Central District of California Civil Action Number CV-06 7109 JCL.

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Constance Acevedo, et al., V. California Spray-Chemical Company, et al., Superior Court of the State Of California, County Of Santa Cruz. Case No. CV 146344

Dr. Clark performed a comprehensive exposure assessment of community members exposed to toxic metals from a former lead arsenate manufacturing facility. The former manufacturing site had undergone a DTSC mandated removal action/remediation for the presence of the toxic metals at the site. Opinions were presented regarding the elevated levels of arsenic and lead (in attic dust and soils) found throughout the community and the potential for harm to the plaintiffs in question.

Case Result: Settlement in favor of defendant.

Case: Michael Nawrocki V. The Coastal Corporation, Kurk Fuel Company, Pautler Oil Service, State of New York Supreme Court, County of Erie, Index Number I2001-11247

Client: Richard G. Berger Attorney At Law, Buffalo, New York

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the

known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Judgement in favor of defendant.

SELECTED AIR MODELING RESEARCH/PROJECTS

Client – Confidential

Dr. Clark performed a comprehensive evaluation of criteria pollutants, air toxins, and particulate matter emissions from a carbon black production facility to determine the impacts on the surrounding communities. The results of the dispersion model will be used to estimate acute and chronic exposure concentrations to multiple contaminants and will be incorporated into a comprehensive risk evaluation.

Client – Confidential

Dr. Clark performed a comprehensive evaluation of air toxins and particulate matter emissions from a railroad tie manufacturing facility to determine the impacts on the surrounding communities. The results of the dispersion model have been used to estimate acute and chronic exposure concentrations to multiple contaminants and have been incorporated into a comprehensive risk evaluation.

Client – Los Angeles Alliance for a New Economy (LAANE), Los Angeles, California

Dr. Clark is advising the LAANE on air quality issues related to current flight operations at the Los Angeles International Airport (LAX) operated by the Los Angeles World Airport (LAWA) Authority. He is working with the LAANE and LAX staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client – City of Santa Monica, Santa Monica, California

Dr. Clark is advising the City of Santa Monica on air quality issues related to current flight operations at the facility. He is working with the City staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client: Omnitrans, San Bernardino, California

Dr. Clark managed a public health survey of three communities near transit fueling facilities in San Bernardino and Montclair California in compliance with California Senate Bill 1927. The survey included an epidemiological survey of the effected communities, emission surveys of local businesses, dispersion modeling to determine potential emission concentrations within the communities, and a comprehensive risk assessment of each community. The results of the study were presented to the Governor as mandated by Senate Bill 1927.

Client: Confidential, San Francisco, California

Summarized cancer types associated with exposure to metals and smoking. Researched the specific types of cancers associated with exposure to metals and smoking. Provided causation analysis of the association between cancer types and exposure for use by non-public health professionals.

Client: Confidential, Minneapolis, Minnesota

Prepared human health risk assessment of workers exposed to VOCs from neighboring petroleum storage/transport facility. Reviewed the systems in place for distribution of petroleum hydrocarbons to identify chemicals of concern (COCs), prepared comprehensive toxicological summaries of COCs, and quantified potential risks from carcinogens and non-carcinogens to receptors at or adjacent to site. This evaluation was used in the support of litigation.

Client – United Kingdom Environmental Agency

Dr. Clark is part of team that performed comprehensive evaluation of soil vapor intrusion of VOCs from former landfill adjacent residences for the United Kingdom's Environment

Agency. The evaluation included collection of liquid and soil vapor samples at site, modeling of vapor migration using the Johnson Ettinger Vapor Intrusion model, and calculation of site-specific health based vapor thresholds for chlorinated solvents, aromatic hydrocarbons, and semi-volatile organic compounds. The evaluation also included a detailed evaluation of the use, chemical characteristics, fate and transport, and toxicology of chemicals of concern (COC). The results of the evaluation have been used as a briefing tool for public health professionals.

EMERGING/PERSISTENT CONTAMINANT RESEARCH/PROJECTS

Client: Ameren Services, St. Louis, Missouri

Managed the preparation of a comprehensive human health risk assessment of workers and residents at or near an NPL site in Missouri. The former operations at the Property included the servicing and repair of electrical transformers, which resulted in soils and groundwater beneath the Property and adjacent land becoming impacted with PCB and chlorinated solvent compounds. The results were submitted to U.S. EPA for evaluation and will be used in the final ROD.

Client: City of Santa Clarita, Santa Clarita, California

Dr. Clark is managing the oversight of the characterization, remediation and development activities of a former 1,000 acre munitions manufacturing facility for the City of Santa Clarita. The site is impacted with a number of contaminants including perchlorate, unexploded ordinance, and volatile organic compounds (VOCs). The site is currently under a number of regulatory consent orders, including an Immanent and Substantial Endangerment Order. Dr. Clark is assisting the impacted municipality with the development of remediation strategies, interaction with the responsible parties and stakeholders, as well as interfacing with the regulatory agency responsible for oversight of the site cleanup.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of perchlorate in environment. Dr. Clark evaluated the production, use, chemical characteristics, fate and transport, toxicology, and remediation of perchlorate. Perchlorates form the basis of solid rocket fuels and have recently been detected in water supplies in the United States. The results of this research

were presented to the USEPA, National GroundWater, and ultimately published in a recent book entitled *Perchlorate in the Environment*.

Client – Confidential, Los Angeles, California

Dr. Clark is performing a comprehensive review of the potential for pharmaceuticals and their by-products to impact groundwater and surface water supplies. This evaluation will include a review if available data on the history of pharmaceutical production in the United States; the chemical characteristics of various pharmaceuticals; environmental fate and transport; uptake by xenobiotics; the potential effects of pharmaceuticals on water treatment systems; and the potential threat to public health. The results of the evaluation may be used as a briefing tool for non-public health professionals.

PUBLIC HEALTH/TOXICOLOGY

Client: Brayton Purcell, Novato, California

Dr. Clark performed a toxicological assessment of residents exposed to methyl-tertiary butyl ether (MTBE) from leaking underground storage tanks (LUSTs) adjacent to the subject property. The symptomology of residents and guests of the subject property were evaluated against the known outcomes in published literature to exposure to MTBE. The study found that residents had been exposed to MTBE in their drinking water; that concentrations of MTBE detected at the site were above regulatory guidelines; and, that the symptoms and outcomes expressed by residents and guests were consistent with symptoms and outcomes documented in published literature.

Client: Confidential, San Francisco, California

Identified and analyzed fifty years of epidemiological literature on workplace exposures to heavy metals. This research resulted in a summary of the types of cancer and non-cancer diseases associated with occupational exposure to chromium as well as the mortality and morbidity rates.

Client: Confidential, San Francisco, California

Summarized major public health research in United States. Identified major public health research efforts within United States over last twenty years. Results were used as a briefing tool for non-public health professionals.

Client: Confidential, San Francisco, California

Quantified the potential multi-pathway dose received by humans from a pesticide applied indoors. Part of team that developed exposure model and evaluated exposure concentrations in a comprehensive report on the plausible range of doses received by a specific person. This evaluation was used in the support of litigation.

Client: Covanta Energy, Westwood, California

Evaluated health risk from metals in biosolids applied as soil amendment on agricultural lands. The biosolids were created at a forest waste cogeneration facility using 96% whole tree wood chips and 4 percent green waste. Mass loading calculations were used to estimate Cr(VI) concentrations in agricultural soils based on a maximum loading rate of 40 tons of biomass per acre of agricultural soil. The results of the study were used by the Regulatory agency to determine that the application of biosolids did not constitute a health risk to workers applying the biosolids or to residences near the agricultural lands.

Client – United Kingdom Environmental Agency

Oversaw a comprehensive toxicological evaluation of methyl-*tertiary* butyl ether (M*t*BE) for the United Kingdom's Environment Agency. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of M*t*BE. The results of the evaluation have been used as a briefing tool for public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of *tertiary* butyl alcohol (TBA) in municipal drinking water system. TBA is the primary breakdown product of M*t*BE, and is suspected to be the primary cause of M*t*BE toxicity. This evaluation will include available information on the production, use, chemical characteristics, fate and transport in the environment, absorption, distribution, routes of detoxification, metabolites, carcinogenic potential, and remediation of TBA. The results of the evaluation were used as a briefing tool for non-public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of methyl *tertiary* butyl ether (MTBE) in municipal drinking water system. MTBE is a chemical added to gasoline to increase the octane

rating and to meet Federally mandated emission criteria. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MTBE. The results of the evaluation have been were used as a briefing tool for non-public health professionals.

Client – Ministry of Environment, Lands & Parks, British Columbia

Dr. Clark assisted in the development of water quality guidelines for methyl tertiary-butyl ether (MTBE) to protect water uses in British Columbia (BC). The water uses to be considered includes freshwater and marine life, wildlife, industrial, and agricultural (e.g., irrigation and livestock watering) water uses. Guidelines from other jurisdictions for the protection of drinking water, recreation and aesthetics were to be identified.

Client: Confidential, Los Angeles, California

Prepared physiologically based pharmacokinetic (PBPK) assessment of lead risk of receptors at middle school built over former industrial facility. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client: Kaiser Venture Incorporated, Fontana, California

Prepared PBPK assessment of lead risk of receptors at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

RISK ASSESSMENTS/REMEDIAL INVESTIGATIONS

Client: Confidential, Atlanta, Georgia

Researched potential exposure and health risks to community members potentially exposed to creosote, polycyclic aromatic hydrocarbons, pentachlorophenol, and dioxin compounds used at a former wood treatment facility. Prepared a comprehensive toxicological summary of the chemicals of concern, including the chemical characteristics, absorption, distribution, and carcinogenic potential. Prepared risk characterization of the carcinogenic and non-carcinogenic chemicals based on the exposure assessment to quantify the potential risk to members of the surrounding community. This evaluation was used to help settle class-action tort.

Client: Confidential, Escondido, California

Prepared comprehensive Preliminary Endangerment Assessment (PEA) of dense non-aqueous liquid phase hydrocarbon (chlorinated solvents) contamination at a former printed circuit board manufacturing facility. This evaluation was used for litigation support and may be used as the basis for reaching closure of the site with the lead regulatory agency.

Client: Confidential, San Francisco, California

Summarized epidemiological evidence for connective tissue and autoimmune diseases for product liability litigation. Identified epidemiological research efforts on the health effects of medical prostheses. This research was used in a meta-analysis of the health effects and as a briefing tool for non-public health professionals.

Client: Confidential, Bogotá, Columbia

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of a 13.7 hectares plastic manufacturing facility in Bogotá, Colombia The risk assessment was used as the basis for the remedial goals and closure of the site.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally cadmium) and VOCs from soil and soil vapor at 12-acre former crude oilfield and municipal landfill. The site is currently used as a middle school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and was used as the basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Managed remedial investigation (RI) of heavy metals and volatile organic chemicals (VOCs) for a 15-acre former manufacturing facility. The RI investigation of the site included over 800 different sampling locations and the collection of soil, soil gas, and groundwater samples. The site is currently used as a year round school housing approximately 3,000 children. The Remedial Investigation was performed in a manner

that did not interrupt school activities and met the time restrictions placed on the project by the overseeing regulatory agency. The RI Report identified the off-site source of metals that impacted groundwater beneath the site and the sources of VOCs in soil gas and groundwater. The RI included a numerical model of vapor intrusion into the buildings at the site from the vadose zone to determine exposure concentrations and an air dispersion model of VOCs from the proposed soil vapor treatment system. The Feasibility Study for the Site is currently being drafted and may be used as the basis for granting closure of the site by DTSC.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally lead), VOCs, SVOCs, and PCBs from soil, soil vapor, and groundwater at 15-acre former manufacturing facility. The site is currently used as a year round school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and will be basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of VOC vapor intrusion into classrooms of middle school that was former 15-acre industrial facility. Using the Johnson-Ettinger Vapor Intrusion model, the evaluation determined acceptable soil gas concentrations at the site that did not pose health threat to students, staff, and residents. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client –Dominguez Energy, Carson, California

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of 6-acre portion of a 500-acre oil and natural gas production facility in Carson, California. The risk assessment was used as the basis for closure of the site.

Kaiser Ventures Incorporated, Fontana, California

Prepared health risk assessment of semi-volatile organic chemicals and metals for a fifty-year old wastewater treatment facility used at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

ANR Freight - Los Angeles, California

Prepared a comprehensive Preliminary Endangerment Assessment (PEA) of petroleum hydrocarbon and metal contamination of a former freight depot. This evaluation was as the basis for reaching closure of the site with lead regulatory agency.

Kaiser Ventures Incorporated, Fontana, California

Prepared comprehensive health risk assessment of semi-volatile organic chemicals and metals for 23-acre parcel of a 1,100-acre former steel mill. The health risk assessment was used to determine clean up goals and as the basis for granting closure of the site by lead regulatory agency. Air dispersion modeling using ISCST3 was performed to determine downwind exposure point concentrations at sensitive receptors within a 1 kilometer radius of the site. The results of the health risk assessment were presented at a public meeting sponsored by the Department of Toxic Substances Control (DTSC) in the community potentially affected by the site.

Unocal Corporation - Los Angeles, California

Prepared comprehensive assessment of petroleum hydrocarbons and metals for a former petroleum service station located next to sensitive population center (elementary school). The assessment used a probabilistic approach to estimate risks to the community and was used as the basis for granting closure of the site by lead regulatory agency.

Client: Confidential, Los Angeles, California

Managed oversight of remedial investigation most contaminated heavy metal site in California. Lead concentrations in soil excess of 68,000,000 parts per billion (ppb) have been measured at the site. This State Superfund Site was a former hard chrome plating operation that operated for approximately 40-years.

Client: Confidential, San Francisco, California

Coordinator of regional monitoring program to determine background concentrations of metals in air. Acted as liaison with SCAQMD and CARB to perform co-location sampling and comparison of accepted regulatory method with ASTM methodology.

Client: Confidential, San Francisco, California

Analyzed historical air monitoring data for South Coast Air Basin in Southern California and potential health risks related to ambient concentrations of carcinogenic metals and volatile organic compounds. Identified and reviewed the available literature and calculated risks from toxins in South Coast Air Basin.

IT Corporation, North Carolina

Prepared comprehensive evaluation of potential exposure of workers to air-borne VOCs at hazardous waste storage facility under SUPERFUND cleanup decree. Assessment used in developing health based clean-up levels.

Professional Associations

American Public Health Association (APHA)
Association for Environmental Health and Sciences (AEHS)
American Chemical Society (ACS)
California Redevelopment Association (CRA)
International Society of Environmental Forensics (ISEF)
Society of Environmental Toxicology and Chemistry (SETAC)

Publications and Presentations:

Books and Book Chapters

Sullivan, P., **J.J. J. Clark,** F.J. Agardy, and P.E. Rosenfeld. (2007). *Synthetic Toxins In The Food, Water and Air of American Cities*. Elsevier, Inc. Burlington, MA.

Sullivan, P. and **J.J. J. Clark**. 2006. *Choosing Safer Foods, A Guide To Minimizing Synthetic Chemicals In Your Diet*. Elsevier, Inc. Burlington, MA.

Sullivan, P., Agardy, F.J., and **J.J.J. Clark**. 2005. *The Environmental Science of Drinking Water*. Elsevier, Inc. Burlington, MA.

Sullivan, P.J., Agardy, F.J., **Clark, J.J.J.** 2002. *America's Threatened Drinking Water: Hazards and Solutions*. Trafford Publishing, Victoria B.C.

Clark, J.J.J. 2001. "TBA: Chemical Properties, Production & Use, Fate and Transport, Toxicology, Detection in Groundwater, and Regulatory Standards" in *Oxygenates in the Environment.* Art Diaz, Ed.. Oxford University Press: New York.

Clark, J.J.J. 2000. "Toxicology of Perchlorate" in *Perchlorate in the Environment.* Edward Urbansky, Ed. Kluwer/Plenum: New York.

Clark, J.J.J. 1995. Probabilistic Forecasting of Volatile Organic Compound Concentrations At The Soil Surface From Contaminated Groundwater. UMI.

Baker, J.; **Clark, J.J.J.**; Stanford, J.T. 1994. Ex Situ Remediation of Diesel Contaminated Railroad Sand by Soil Washing. Principles and Practices for Diesel Contaminated Soils, Volume III. P.T. Kostecki, E.J. Calabrese, and C.P.L. Barkan, eds. Amherst Scientific Publishers, Amherst, MA. pp 89-96.

Journal and Proceeding Articles

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equialency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. Organohalogen Compounds, Volume 70 (2008) page 002254.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. Organohalogen Compounds, Volume 70 (2008) page 000527

Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** (2007). "Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." *Environmental Research.* 105:194-199.

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Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** 2006. "Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006, August 21 – 25, 2006. Radisson SAS Scandinavia Hotel in Oslo Norway.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2005. "The Value Of An Odor Quality Classification Scheme For Compost Facility Evaluations" The U.S. Composting Council's 13th Annual Conference January 23 - 26, 2005, Crowne Plaza Riverwalk, San Antonio, TX.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2004. "The Value Of An Odor Quality Classification Scheme For Urban Odor" WEFTEC 2004. 77th Annual Technical Exhibition & Conference October 2 - 6, 2004, Ernest N. Morial Convention Center, New Orleans, Louisiana.

Clark, J.J.J. 2003. "Manufacturing, Use, Regulation, and Occurrence of a Known Endocrine Disrupting Chemical (EDC), 2,4-Dichlorophnoxyacetic Acid (2,4-D) in California Drinking Water Supplies." National Groundwater Association Southwest Focus Conference: Water Supply and Emerging Contaminants. Minneapolis, MN. March 20, 2003.

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Clark, J.J.J., Brown, A., Rodriguez, R. 1998. The Public Health Implications of MtBE and Perchlorate in Water: Risk Management Decisions for Water Purveyors. Proceedings of the National Ground Water Association, Anaheim, CA, June 3-4, 1998.

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Ozone Exposures in Residents of Los Angeles County. American Review of Respiratory Disease. 141(4):A70.

Tierney, D.F. and **J.J.J. Clark.** (1990). Lung Polyamine Content Can Be Increased By Spermidine Infusions Into Hyperoxic Rats. American Review of Respiratory Disease. 139(4):A41.

EXHIBIT C

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November 22, 2023

Draft Subsequent Environmental Impact Report (Draft SEIR) for the Hemlock Warehouse Development Project (Proposed Project) (SCH No.: 2009091089)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Fontana is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the Draft SEIR

Based on the Draft SEIR, the Lead Agency proposes demolishing the existing development to construct and operate a warehouse facility for 882,000 square feet on the 40.01-acre site at 11115 Hemlock Avenue, Fontana.[1] A portion of the warehouse facility would be used for cold storage, approximately 220,500 square feet or 25 percent of the warehouse.[2] The Proposed Project would have 114 dock doors on the east and west sides of the building[3] associated with 562 truck trips per day.[4] Regional access to the Proposed Project site via Interstate 10, State Route 60, and Interstate 15, and local access via Santa Ana Avenue and Jurupa Avenue. [5] Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential units) is approximately 900 feet southeast and southwest of the Proposed Project site. Construction of the Proposed Project is anticipated to take approximately 15 months.[6]

South Coast AQMD Staff's Comments on the Draft SEIR

Potential Underestimation of Emissions Due to Imprecise Assumptions for Truck Trip Lengths and Trip Rates in Emissions Analysis

In the Draft SEIR, the Lead Agency discusses the determination of truck emissions for the Proposed Project and states that "…*CalEEMod defaults were utilized for trip length and the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2) trucks, 14.2*

[1] Draft SEIR. Page 3-1 and 3-2.
[2] *Ibid*. Page 3-9.
[3] *Ibid*.
[4] *Ibid*. Appendix F- Traffic Impact Analysis. Page 40.
[5] *Ibid*. Page 3-1.
[6] *Ibid*. Page 3-10.

miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages from the Traffic Impact Analysis prepared for the Project (Appendix F), which resulted in an overall truck trip length of 29.9 miles with an assumption of 100% primary trips for the proposed warehouse.[7]"

South Coast AQMD recommended 15.3 miles, 14.2 miles, and 40 miles of truck trip lengths derived from the Southern California Association of Government's (SCAG) estimation of average truck trip length in its 2016 Regional Transportation Plan.[8] However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

User-Defined Land Use Subtype in the California Emissions Estimator Model (CalEEMod) Analysis

In the operational CalEEMod output files, besides the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtypes, "user-defined industrial" is added.[9] According to the CalEEMod User Guide, the "user-defined" may be selected to characterize project land use subtypes not included in CalEEMod. If selected, all data on the Land Use screen will need to be input manually. [10] However, lot acreage and the floor square area use are all set to zero under the "user-defined industrial" land use subtype.

In addition, the truck information (e.g., truck trips) is input under the "user-defined industrial" but not in the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtypes for the Proposed Project. This possibly leads to underestimating the heavy-duty truck emissions for warehouse activities since no data is filled under this "user-defined industrial" land use subtype. Therefore, it is recommended that the Lead Agency explain why the land use is separated in the CalEEMod analysis and why the truck information is not under the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtype and revise the analysis as necessary in the final CEQA document.

Additional Recommended Air Quality and Greenhouse Gases Mitigation Measures

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts, and in addition to SWIP SP FEIR Mitigation Measures

[7] *Ibid*. Page 5.1-22
[8] South Coast Air Quality Management District, Preliminary Draft Staff Report: Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce.
[9] *Ibid*. Appendix B - Air Quality Impact Analysis. CalEEMod Operational and LST Output Files.
[10] California Emissions Estimator Model (CalEEMod) Version 2022.1 User Guide. Access at: https://www.caleemod.com/documents/user-guide/CalEEMod_User_Guide_v2022.1.pdf

MM 4.2-1a to MM 4.2-1f, MM 4.2-2a to MM4.2-2l, and MM 4.2-5a, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR.

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft SEIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule[11] and the Heavy-duty Low NOx Omnibus Regulation,[12] ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentivize the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of a 2010 model year[13] that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. All heavy-duty haul trucks should meet CARB's lowest optional low-NO_x standard starting in 2022.[14] Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft SEIR may include the following:

[11] CARB. June 25, 2020. Advanced Clean Trucks Rule. Accessed at: https://ww2.arb.ca.gov/our-work/programs/advanced-cleantrucks.

[12] CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in the state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox.

[13] CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.

[14] CARB's optional low-NOx emission standard is available at: https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards.

- Maximize the use of solar energy by installing solar energy arrays.
- Use light-colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices and appliances.

Design considerations for the Proposed Project that the Lead Agency should consider reducing air quality and health risk further impacts include the following:

- Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

The South Coast AQMD staff also suggests the Lead Agency review the references (listed below) and consider including the additional recommended mitigation measures in the final CEQA document:

- State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act[15]
- South Coast AQMD 2022 South Coast Air Quality Management Plan,[16] specifically:
    - Appendix IV-A – South Coast AQMD's Stationary and Mobile Source Control Measures
    - Appendix IV-B – CARB's Strategy for South Coast
    - Appendix IV-C – SCAG's Regional Transportation Strategy and Control Measures
- United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation[17]

South Coast AQMD Air Permits and Role as a Responsible Agency

The Draft SEIR assumes in the analysis that an emergency diesel-powered fire pump and emergency diesel-powered generator would be used for the Proposed Project.[18] Hence, air permits from South Coast AQMD would be required, and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead

[15] State of California – Department of Justice. Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. Access at: https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf
[16] 2022 South Coast AQMP. Access at: http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan
[17] United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation. Access at: https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation
[18] *Ibid*. Page 5.2-13.

Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at http://www.aqmd.gov/home/permits.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

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October 9, 2023

Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to review the above-mentioned document. The City of Jurupa Valley is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments which are organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the Recirculated Draft EIR

Based on the Recirculated Draft EIR, the Proposed Project is comprised of the development of the 80.8-acre property with five industrial buildings ("Building 1," "Building 2," "Building 3," "Building 4," and "Building 5") totaling 1,118,102 square feet (s.f.). Building 1 would include 309,870 s.f. of building area, Building 2 would include 388,222 s.f. of building area, Building 3 would include 174,364 s.f. of building area, Building 4 would include 275,958 s.f. of building area, and Building 5 would include 35,688 s.f. of building area. The Recirculated Draft EIR states that although the future tenant(s) of the building is not known, industrial uses would allow for high-cube fulfillment, manufacturing, and general light industrial services.[1] Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (residential development) is located adjacent to the Proposed Project site, approximately 240 feet southeast of the Proposed Project. Construction of the Proposed Project is anticipated to occur in a single phase, commence in January 2023, and be completed in June 2024.[2] The Proposed Project is located on the southeast corner of Montana Avenue and 25th Street.[3]

South Coast AQMD Staff's Comments

> *The CalEEMod Land Use(s) Subtype Assumptions (Combining Manufacturing and General Light Industrial) in the Appendix B- Air Quality Impact Analysis May Have Underestimated the Worst-Case Operational Air Quality Impacts*

In accordance with the project description outlined in the Recirculated Draft EIR, the construction of five industrial buildings totaling 1,194,170 square feet is proposed on 80.8 acres

[1] Recirculated Draft EIR Page 26.
[2] Appendix B, Air Quality Impact Analysis. Page 146.
[3] Recirculated Draft EIR Page 26.

of land. It is important to note that the document does not currently specify the future tenants for these five buildings.[4] However, based on the footnote in Appendix B- Air Quality Impact Analysis of the Recirculated Draft EIR, the analysis assumes that the project site will be divided into two equal parts for analytical purposes. Specifically, half of the site, totaling 597,085 square feet, is designated for manufacturing land uses, while the remaining half, also 597,085 square feet, is allocated for general light industrial land uses.[5]

According to the CalEEMod User Guide - Version 2022.1, it explicitly states the characteristics of "Light Industrial Land Use Subtype: *"Light industrial use facilities are free-standing facilities devoted to a single use, the facilities that have an emphasis on activities other than manufacturing and typically have minimal office space. Typical light industrial activities include printing, material testing, and assembly of data processing equipment. This land use subtype must be less than 50,000 square feet".*[6] Therefore, the allocation of 597,085 square feet for this purpose contradicts the guidelines provided in the CalEEMod User Guide. Moreover, the general light industrial activities are expected to generate less emissions and involve fewer total daily truck trips[7] compared to the manufacturing or other industrial land uses. The current assumption has led to an underestimation of emissions. South Coast AQMD staff recommends that the Lead Agency conduct a more conservative analysis using the "worst-case" scenario in CalEEMod modeling and correct the land use sub-type used in CalEEMod to ensure accuracy and compliance with guidelines.

Potential Underestimation of Emissions Due to Inaccurate On-site Distance for the Trucks and Passenger Vehicles During Project Operation

The Recirculated Draft EIR notes that CalEEMod Version 2022 lacks the capacity to distinguish between On-site and Off-site emissions during operation. Consequently, the analysis relies on the assumption that 0.5 mile is the maximum allowable On-site distance for both trucks and passenger vehicles. However, the aerial map of the On-site vehicle route (truck movements) as identified in Exhibit 2-B in Appendix C of the Recirculated Draft EIR indicates that the actual On-site distance of the route exceed 0.7 mile, which is greater than the 0.5-mile assumption upon which the emission estimates are based. Therefore, the On-site emissions appear to have been underestimated. For this reason, T the Lead Agency is recommended to either revise the calculations to reflect an On-site route distance of 0.7 mile or provide a comprehensive explanation and justification of the methodology employed in relying on the 0.5-mile On-site assumption parameter.

Potential Underestimation of Emissions Due to Imprecise Assumptions for Truck Trip Lengths and Trip Rates in Emissions Analysis

Appendix B of the Recirculated Draft EIR, explains that air quality impact analysis was based on the assumption that the average truck trip length is 30.34 miles for general light industrial and manufacturing uses. However, the project site is located 70 to 80 miles away from the Ports of Los Angeles and Long Beach which means that the air quality analysis underestimated the

[4] Recirculated Draft EIR Page 26.
[5] Appendix B, Air Quality Impact Analysis. Page 14 in PDF.
[6] *CalEEMod User Guide - Version 2022.1.
[7] Appendix Q, VMT Analysis. Page 12.

emissions from trucks traveling from the Ports to the project site. For this reason, the Lead Agency is recommended to revise the calculations in the Final EIR by taking a project-specific approach to the vehicle trip length and trip rates by applying more conservative trip lengths such as designating 40 miles for local trips and 80 miles for Port-related trips. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

Warehouse Cold Storage Land Use and the Associated Emissions from Transport Refrigeration Units (TRU)

The project description in the Recirculated Draft EIR does not explain whether the Proposed Project intends to allocate a portion of the warehouse land use for cold storage. Cold storage warehouses utilize more trucks and trailers equipped with TRUs than warehouses without cold storage. As a result, the Lead Agency is recommended to revise the project description in the Final EIR to explain whether cold storage would be a part of the Proposed Project and provide an estimate for the number of TRU trucks and trailers associated with the operation of the warehouses with cold storage. If there are potential uses for TRUs, the Lead Agency is recommended to revise the calculations in the Final EIR to quantify the emissions from the TRUs in addition to the operational truck emissions.

Incorrect Pollutant Averaging Time and Underestimation of Ground-Level Pollutants Near Buildings in Health Risk Assessment (HRA),

South Coast AQMD staff's review of the construction and operational HRA modeling files noted that the ANNUAL[8] keyword was selected for the pollutant averaging time in the control pathway in the AERMOD model. However, according to the South Coast AQMD Risk Assessment Procedures v8.1 and South Coast AQMD Modeling Guidance for AERMOD,[9] a detailed HRA utilizing AERMOD should be run using the pollutant averaging time PERIOD and 1-hour.

In addition, South Coast AQMD staff's review of the modeling files noted that industrial buildings were not included in the building downwash option in the AERMOD dispersion model during operation which resulted in an underestimation of the ground-level pollutant concentrations near the buildings.

Thus, the Lead Agency is recommended to: 1) re-run the construction and operational HRAs to utilize PERIOD and 1-hour averaging time to determine the health risk impacts to the sensitive receptors and off-site workers and include the industrial buildings in the building downwash to analyze more accurate ground-level concentrations; and 2) include the results in the Final EIR.

Inconsistent Emission Rates (lb/day) Calculated from CalEEMod vs. AERMOD

[8] South Coast AQMD Risk Assessment Procedures v8.1. Access at: http://www.aqmd.gov/docs/default-source/permitting/rule-1401-risk-assessment/riskassessproc-v8-1.pdf
[9] South Coast AQMD Modeling Guidance for AERMOD. Access at: South Coast AQMD Modeling Guidance for AERMOD

South Coast AQMD staff's review of the AERMOD files noted that the diesel particulate matter (DPM) emission rates do not match the data reported in Table 13: Localized Significant Summary of Operations (Onsite Emissions) in Appendix B of the Recirculated Draft EIR which were estimated using CalEEMod. For example, the operational PM10 emission rates presented in Table 13 d are 0.88 pounds per day (lb/day) but the PM10 emissions calculated via AERMOD modeling (including Idling and Onsite emissions) are 0.014 lb/day. This lack of continuity in the emission estimates raises questions about the accuracy of the calculations and warrants a more comprehensive and careful examination of the underlying factors and route causes contributing to this disparity. The Lead Agency is recommended to re-review these calculations and update the Final EIR accordingly with the appropriate corrections.

South Coast AQMD Air Permits and Role as a Responsible Agency

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, and etc., air permits from South Coast AQMD will be required and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this

comment letter. Please contact Sahar Ghadimi, Air Quality Specialist, at sghadimi@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

BR:SW:SG
RVC230901-01
Control Number

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SENT VIA E-MAIL AND USPS:
kphung@cityofperris.org

September 11, 2015

Mr. Kenneth Phung, Project Planner
City of Perris, Planning Division
135 North "D" Street
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Draft Environmental Impact Report (DEIR) for the Optimus Logistics Center 2

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

In the project description, the lead agency proposes the construction of two buildings for warehouse distribution and office space uses totaling approximately 1,037,811 square feet on a 48.4 acre site. The lead agency has projected 1,744 total daily vehicle trips including at least 357 daily truck trips operating at the site. In the Air Quality Section, the lead agency quantified the project's construction and operation air quality impacts and has compared those impacts with the SCAQMD's recommended regional and localized daily significance thresholds. Based on its analyses, the Lead Agency has determined that operational air quality impacts will exceed the recommended regional daily significance threshold for NOx.

The SCAQMD staff has concerns regarding the assumptions used in the air quality analysis, specifically the operational portion of the CalEEMod land use model. Since the proposed project will result in significant NOx impacts, all feasible mitigation measures should be included in the Final CEQA document to further reduce the significant impacts. Details are included in the attachment.

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the lead agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Jack Cheng, Air Quality Specialist, at (909) 396-2448, if you have any questions regarding the enclosed comments.

Sincerely,

Jillian Wong

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

Attachment
JW:JC
RVC150729-02
Control Number

Siting of an Incompatible Land Use

1. Based on information in the DEIR (air quality analyses, the project truck distribution, and by aerial map inspection), the lead agency shows a minimum distance of 15 meters to the nearest sensitive receptor; a residence located southeast of the project site. The SCAQMD staff is concerned that the existing sensitive receptors will be exposed to significant regional and localized operational impacts, mostly from the daily truck activities that will likely operate using diesel fuel.

   As a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land-use decision making process, the California Air Resources Board (CARB) has provided the CARB Air Quality and Land Use Handbook (CARB Land Use Handbook). Based on guidance from thin e CARB Land Use Handbook, CARB recommends a buffer of at least 1,000 feet between land uses that will have 100 or more trucks per day. [1]

   In accordance with the state CEQA Guidelines §15126.4 (a)(1)(D), the lead agency should discuss the proposed siting of this land use and any potential impacts resulting from any proposed mitigation related to the CARB Land Use Handbook guidance in the Final EIR.

Air Quality Analysis

Daily Truck Trip Rate

2. In the Air Quality Impact Analysis, the Lead Agency uses the Institute of Transportation Engineers Trip Generation Manual, 9th Edition, 2012 (ITE Manual) 1.68 overall trip generation rate (for cars and trucks totaling approximately 1,744 daily vehicles) for the proposed Project, but does not use the 0.64 (38.1%) daily truck trip rate from this same reference. Rather, the air quality analysis used a 0.343 daily truck trip rate (ITE 1.68 total daily trip rate minus 1.337 passenger vehicle trip rate = 0.343 (20.43%) daily truck trip rate) and truck vehicle fleet mixture percentages from the City of Fontana Truck Trip Generation Study (Fontana Study) to estimate project air quality operational impacts in the CalEEMod modeling. By using the 0.343 Fontana Study daily truck trip rate, trucks are estimated at 357 daily truck trips in the DEIR instead of approximately 664 daily truck trips using the ITE 0.64 daily truck trip rate.

   Specifically, the Fontana Study fleet mixture percentages include: 3.46 percent of the total fleet for 2-axle Trucks; 4.64 percent for 3-axle trucks; and 12.33 percent for 4-axle and larger trucks with truck categories totaling 20.43 percent of the total vehicle fleet. Passenger Vehicles would therefore comprise 79.57 percent of total vehicles during operations. However, the 0.343 daily truck trip rate resulted in fleet percentages for the CalEEMod truck subcategories that were not proportionally adjusted consistent with the percentage of trucks estimated using the ITE 0.64 daily truck trip rate. In order to avoid underestimating project operational and related air quality and health effect impacts, the Air Quality Analysis, HRA and Final EIR should be revised using the following truck percentages: LHD2 = 0.0645, MHD = 0.0865, HHD = 0.2300.

   Absent from a specific traffic study of known tenants, the Final EIR should be consistent using the associated ITE truck trip rate to estimate project daily truck trips so that project trips and associated emission and health effect impacts are not underestimated.

[1] CARB Air Quality and Land Use Handbook: http://www.arb.ca.gov/ch/handbook.pdf

On-Road Truck Trip Length

3. In the CalEEMod output sheets provided in Appendix E of the DEIR appendices, the modeling used a 60 mile one-way trip distance and a 20% trip percentage for trucks moving goods for perspective tenants (C-W) and a 6.9 one-way trip distance and an 80% trip percentage for trucks supporting the operation of the perspective tenants (C-NW). In electronic file "LOG 2 4.03 Air Quality – 7-15 Table 4.3-E Operational Vehicle Trip Assumption", the table indicates a 16.6 mile one-way trip distance and an 80% trip percentage for trucks moving goods for perspective tenants (C-W) and a 60 mile one-way trip distance and a 20% trip percentage for trucks supporting the operation of the perspective tenants (C-NW). The Air Quality Analysis is inconsistent and under estimates air quality impacts. A 60 mile one-way trip distance and 80% trip percentage should be used to model trucks moving goods for the perspective tenants (C-W) and a 6.9 – 16.6 one-way trip distance and 20 % trip percentage should be used by trucks supporting the operations of the proposed facility(C-NW).

   On page 3.0-8 in the project description, the lead agency describes potential truck activities that involve the proposed warehouse trucks. "Goods imported from the Ports of Long Beach and Los Angeles as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in- and out-of-state locations." Since the port areas are over 70 miles away from the project site and that trucks will be serving other destinations within the basin and out of state, the SCAQMD staff recommends, absent a tenant-specific analysis with trip length information, that all applicable analyses be revised in the Final EIR using a one-way trip length that more accurately estimates air quality emission and related impacts based on the anticipated activities and distances described in the DEIR.

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

4. Based on a review of the project's emissions calculations in Appendix E – RK Revised AQ, GHG, HRA: Air Quality Analysis[2] (CalEEMod Output Sheets), the lead agency determined the proposed Project's air quality impacts using emission factors for unrefrigerated warehouses/truck activity. However, in mitigation measure MM Air-12 to reduce operational emissions, the lead agency refers to the use of Transportation Refrigeration Units (TRUs) at the project site. The SCAQMD staff therefore recommends that the lead agency include a mitigation measure that precludes the use of refrigerated warehousing at the Project site or revise the air quality analysis to account for emissions from refrigerated warehouse uses. Further, if the lead agency chooses to include refrigerated warehouses in the air quality analysis then MM Air-12 should be incorporated into the project and remain in the Final EIR.

LST and Health Risk Assessment (HRA) Modeling

5. The lead agency used AERMOD (version 12345) to prepare the dispersion modeling for the HRA even though AERMOD (version 14134) was available for at the time of analysis (10/20/2014). Therefore, SCAQMD staff recommends using AERMOD (version 15181), the most recent available version, to revise the dispersion modeling for this project.

6. The HRA analysis involved the use of separate discrete receptors placed randomly for the sensitive receptors. SCAQMD staff recommends that the lead agency revise the HRA using a receptor grid over the existing residences and areas zoned or planned for residential development, in order to ensure that the maximum impacts to a residential receptor are properly analyzed.

[2] Appendix A: CalEEMod Emissions Model Output.

7. SLINE1, SLINE2, and SLINE3 onsite travel line volume sources do not span the entire docking area. SCAQMD staff recommends that the lead agency revise the HRA using a series of volume sources that spans the entire docking area to ensure that impacts are properly analyzed.

8. STCK1, STCK2, and STCK3 onsite idling point sources should span the entire docking area. SCAQMD staff recommends that the lead agency revise the HRA using a line volume that spans the entire docking area to ensure that impacts are properly analyzed.

9. Based on the site plan in the project description, there are two driveways that access Webster Street where residences are located across from the proposed project site. Traffic exiting the site from Webster Street can then access Ramona Expressway to get on the freeway. Although the project description in the Notice of Availability, the site plan and the computer modeling show truck traffic using only Patterson Avenue north towards Harvey Knox Boulevard to access the 215 Freeway, there is nothing, however, to preclude trucks from using the driveways on Webster Street, passing by existing residences and then accessing Ramona Expressway to get on the freeway. The SCAQMD staff recommends that the Final EIR include a discussion of how the project will stop trucks from using Webster Avenue or include a restriction that would formally restrict Webster Street to passenger vehicles only. If trucks are not formally restricted, then project impacts from truck movement on Webster Street and beyond (i.e., north on Webster Street, or south to Ramona Expressway to access the 215 Freeway) would have been underestimated in the DEIR. These potential impacts should therefore be analyzed in the HRA and included in the Final EIR.

Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)

10. Because the California Air Resources Board has classified the particulate portion of diesel exhaust emissions as carcinogenic and during project operations, the lead agency has determined that project operation emissions are significant for Oxides of Nitrogen (NOx), primarily from truck activity emissions, the SCAQMD staff therefore recommends the following changes and additional measures that should be incorporated in the Final EIR to reduce exposure to sensitive receptors and reduce potential significant project air quality impacts:

Recommended Changes

MM AQ 4.3H

- Prior to issuance of a building permit, the Project proponent shall provide the City with project specifications, drawings, and calculations that demonstrate that main electrical supply lines and panels have been sized to support heavy truck charging facilities~~ when these trucks become available. The calculations shall be based on reasonable predictions from currently available truck manufacturer's data. Electrical system upgrades that exceed reasonable costs shall not be required. In addition, the Project will incorporate 2 electric vehicle charging stations for light-duty vehicles.~~ Electrical lines shall be designed and sized to add additional charging stations when a demand is demonstrated. Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations.[3] Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.

[3] http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf

Additional Mitigation Measures

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

- Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors.
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.
- Design the site such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside of the facility.
- On-site equipment should be alternative fueled.
- Provide food options, fueling, truck repair and or convenience stores on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Improve traffic flow by signal synchronization.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Should the proposed Project generate significant regional emissions, the lead agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the lead agency should require a phase-in schedule for these cleaner operating trucks to reduce project impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the lead agency and project applicant.

Mitigation Measures for Operational Air Quality Impacts (Other)

11. In addition to the mobile source mitigation measures identified above the Lead Agency should incorporate the following on-site area source mitigation measures below to reduce the project's regional air quality impacts from NOx emissions during operation. These mitigation measure should be incorporated pursuant to CEQA Guidelines §15126.4, §15369.5.

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

South Coast
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SENT VIA USPS AND E-MAIL: March 5, 2015
DJohnson@fontana.org

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

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

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

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

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

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

Sincerely,

Jillian Wong

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

Attachment

JW:GM

SBC150121-02
Control Number

Health Risk Assessment

1. As of December 9, 2006, AERMOD is fully promulgated as a replacement to ISC3, in accordance with Appendix W (http://www.epa.gov/ttn/scram/dispersion_prefrec.htm). AERMOD is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. AERMOD-ready meteorological data for various meteorological stations within the South Coast Air Basin (SCAB) are available for download free of charge at http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/data-for-aermod. The Lead Agency used AERMOD (version 13350) to prepare the dispersion modeling for the Warehouse Health Risk Assessment (HRA) but used AERMOD (version 12060) for the Freeway HRA analysis. Furthermore, while the meteorological data from the SCAQMD Fontana meteorological station was used for both HRA analyses, two different versions of the meteorological data were used. Font2.pfl and Font2.sfc (meteorological data for 2005-2007) and Font7.sfc and Font7.pfl (meteorological data for 2008-2012) are for different years. Given the advancements and bug fixes that occurred in AERMOD between version 12060 and 13350 and 14134 (today's current version), SCAQMD staff recommends that the Lead Agency revise the HRA analyses for both warehouse and freeway using the latest version of AERMOD (version 14134) without the use of Lakes AERMOD-MPI. SCAQMD's modeling guidance for AERMOD can be found at http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/modeling-guidance. Please note that when using AERMOD, the regulatory default option should be used (i.e. without the use of the "FASTALL" or "FLAT" options) and the Lakes MPI should not be used without prior SCAQMD or EPA Region 9 approval.

2. The electronic files for the HRA analyses provided by the Lead Agency to SCAQMD staff were incomplete and did not include the receptor file. Therefore, SCAQMD staff was unable to verify the placement of receptors in the HRA analyses. In the event that receptors were not placed in the correct location using a receptor grid of no more than 100-meter spacing over the existing residences and areas zoned or planned for residential development, the health risks reported in the HRA analyses and DEIR could be underestimated. Therefore, SCAQMD staff recommends that the Lead Agency provide a graphic showing the receptor grid placement in the Final EIR.

3. The proposed project includes both two elementary schools and one high school. However, in the analysis, no receptors were placed in those locations to estimate the health risks to the students, teachers and administrative staff at those locations. SCAQMD staff recommends the Lead Agency update the HRA analyses to include the schools as receptors and estimate the health risks at those locations.

4. In the Warehouse HRA analysis, the Lead Agency assumed only 10 minutes of idling for each truck. Since trucks may idle several times on-site, the SCAQMD staff

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

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

Air Quality Analysis - Operations

Daily Truck Trip Rate

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

Vehicle Fleet Mixture Percentages

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

[1] ITE Manual, High Cube Warehouse Distribution Center (ITE Land Use – 152), 0.64 weighted average Truck Trip Generation Rate (trip ends per 1,000 square feet of gross floor area), Page 267.
[2] 1.337 + 0.343 = 1.68.
[3] DEIR, Traffic Impact Analysis, Project Trip Generation, Pages 31 and 37 Project (High Cube Warehouse Distribution Center) Trip Generation (Table 5, (3 of 3).

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

On-Road Truck Trip Lengths

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

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

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

[4] Appendix B: Air Quality Technical Appendix.

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

Mitigation During Operations (MERV Filters and HVAC Systems)

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

Limits to Enhanced Filtration Units

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

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

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

Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)

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

    Recommended Change:

    MM C-13

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

    Additional Mitigation Measures:

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

    - Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors based on guidance from the California Air Resource Board (CARB) guidance.[6]
    - Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site,

[6] CARB: Air Quality and Land Use Handbook: A Community Health Perspective, April 2005, Page4 for Distribution Centers.

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

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

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

Electric Vehicle (EV) Charging Stations

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

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

CNG Fueling Station and Convenience Site

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

Mitigation Measures for Operational Air Quality Impacts (Other)

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

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

Transportation

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

[7] http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf

Energy

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

Other

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

Mitigation Measures for Construction Air Quality Impacts

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

Recommended Change:

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

- ~~At least 50 percent of construction equipment greater than 250 hp, which are on-site for 6 or more consecutive days, shall meet Tier 3 emissions standards or better and be outfitted with BACT devices (e.g., Level 3 diesel emissions control devices) certified by CARB.~~

- Consistent with measures that other lead agencies in the region (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles)[8] have enacted, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following:

- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

[8] For example see the Metro Green Construction Policy at: http://www.metro.net/projects_studies/sustainability/images/Green_Construction_Policy.pdf

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

Recommended Additions

- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements.

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

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

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

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E-MAILED: FEBRUARY 1, 2013 February 1, 2013

Mr. Mark Tomich, Director, MTomich@ci.colton.ca.us
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City of Colton
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Colton, CA 92324

**Draft Mitigated Negative Declaration (Draft MND)
for the Proposed Colton – DEXUS Project**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final CEQA document. In the project description, the lead agency proposes demolition of the existing 28,000 square foot truck terminal and 18,000 square foot office building. Building construction would include a high-cube warehouse building on the 34.36 acre site. The proposed facility would have 600,046 square feet of building area (12,000 square feet of office area and 588,048 square feet of warehouse/distribution space). The proposed project would include 116 dock doors with parking for 425 standard and handicap spaces, and 42 trailer spaces. Construction is expected to last approximately 10 months and 2014 is the proposed opening year. Although basically zoned for industrial uses, there is a single-family residence located less than a quarter mile northwest of the project site along Agua Mansa Road.

The AQMD staff requests that the lead agency provide additional information regarding the fate of the existing facility. The CEQA analysis assumes it will cease its operations within the boundaries of the South Coast Air Basin (SCAB) by applying the emissions from the current operation to the baseline thus offsetting the projected emissions from the proposed high-cube warehouse use. In addition, the baseline itself may be overestimated by using generalized trip generation estimates instead of the on-site traffic count data to account for vehicle activity and the resulting air quality impacts for the existing operation. Because the determination of significance under CEQA is based on the difference between existing baseline and future project impacts, we recommend that the lead agency provide further substantial evidence for, and re-evaluate where necessary, the baseline and future impacts of this project. If impacts are found to be significant, then additional mitigation may be required to reduce these impacts to a less than significant level. Details regarding these comments and others follow in the attachment.

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

Sincerely,

Ian MacMillan
Program Supervisor, Inter-Governmental Review
Planning, Rule Development & Area Sources

IM:GM
Attachment

LAC130115-02
Control Number

Baseline Emissions and the Status of the Existing Use

1. In a telephone conversation staff on or about January 15, 2013, the lead agency staff expressed uncertainty to AQMD staff whether the existing truck terminal business would cease operations completely within the SCAB boundaries or continue its current operations at the site but at a lower level of activity. The lead agency's operational air quality analysis uses the emissions from the existing use as a baseline to offset the estimated long-term air quality impacts from the proposed warehouse use. It is unclear to AQMD staff if the incremental emissions benefit derived from the existing use would actually be realized. Unless there is assurance that the previous facility activities will cease and not move to another location within the SCAB, the lead agency should not include these emissions as a baseline when calculating regional impacts. AQMD staff requests that the lead agency provide additional discussion of the fate of the existing operations and revise the air quality and greenhouse gas analyses, if necessary.

Potential Overestimation of the Existing Facility Baseline Emissions

2. The lead agency has estimated project emissions for the existing truck terminal building activity using the California Emissions Estimator Model (CalEEMod) and using trip rates based on land uses shown in the Institute of Traffic Engineers (ITE) Trip Generation, 8th Edition (2008) and the Truck Trip Generation Study (City of Fontana, August 2003). In addition to these sources, the lead agency included traffic count worksheets in the Revised Traffic Impact Analysis (Kunzman Associates, Inc., October 2012). It is not clear to the AQMD staff why available project-specific traffic count data included in the Draft MND that could be used to analyze vehicle activity and associated emissions for the existing facility were not used to estimate baseline emissions.

   The AQMD staff believes that using the ITE trip rate to calculate baseline vehicle activity may substantially overestimate project vehicle activity and related on-road mobile source emissions compared with the data supplied in the traffic analysis. This is demonstrated, for example, by looking at the volumes supplied in the Traffic Impact Analysis (TIA) for vehicles entering the facility during the AM peak hour shown on page 11 (Figure 5, Existing Morning Peak Hour Intersection Turning Movement Volumes). For Intersection Six (the main entrance into the facility) in Figure 5, the number of vehicles entering and exiting the facility totals 70. From Table 3 of the TIA (Current Development {Truck Maintenance Facility}), the lead agency has estimated, using the ITE trip rate for the General Light Industrial (110) land use, 259 vehicles per hour. This is more than three times the 70 vehicles per hour found from actual traffic counts. Using the ITE trip rate instead of the vehicle data shown from the traffic counts appears to significantly overestimate the existing project baseline emissions. This results in the incremental emissions, i.e., the difference between the existing facility emissions and the emissions for the proposed warehouse facility being

underestimated. The AQMD staff therefore recommends that applicable analyses be revised in the Final MND using the project-specific traffic count data. Alternatively, the lead agency could explain why the project-specific traffic counts should be ignored.

On-Road Truck Trip Length

3. In the CalEEMod input files provided to AQMD staff by the lead agency, an average one-way trip length of 8.3 miles was used to estimate operational air quality impacts for trucks moving goods for the proposed facility. Trucks operating from these kinds of facilities often handle goods coming directly from the port areas over 70 miles away as well as potentially serving out of state destinations. Absent tenant-specific trip length information, the AQMD staff recommends a one-way trip length from the project site to the port areas as more appropriate trip length for on-road truck emissions and that applicable analyses in the Final MND be revised. If the lead agency is uncertain of the types of tenants or the trip lengths, the lead agency could alternatively limit activities, as a condition of a tenant's occupancy, to levels described in the analysis. Otherwise, long-term project air quality impacts for operations and other relative analyses will be substantially underestimated.

Use of Non-Default Truck Trip Rate

4. In the air quality and health effect analyses, the lead agency based its estimates on trip generation rates from the 8th Edition of the Institute of Transportation Engineers (ITE) Report using a non-default trip rate of 1.44 per thousand square of gross floor area (Land Use Code 152 – High-Cube Warehouse). Based on guidance from the California CalEEMod User's Guide, the AQMD staff recommends using a more conservative trip rate of 2.59 per 1,000 square feet. AQMD staff believes a more conservative trip rate is appropriate as the tenant is unknown, and there are no conditions on the project limiting activity to what is analyzed in the MND.

CalEEMod Fleet Mixture Percentage

5. On page 28 of the Draft IS/MND, the lead agency's narration lists the fleet mixture percentages used in the CalEEMod land use model to estimate operational emissions. The narration states that the estimated fleet mixture is approximately 37 percent truck traffic for the proposed warehouse use including 17 percent heavy-heavy duty (HHD); 8 percent medium-heavy duty (MND); and 12 percent light-heavy duty 1 (LHD1). The CalEEMod inputs, however, also include the 3.4 percent Light-Heavy Duty 2 (LHD2) category that was omitted in the narration total. The 3.4 percent LHD2 percentage would therefore increase the overall truck percentage from 37 to 40 percent. In the Final MND, the narration should be revised to be consistent with the CalEEMod fleet percentages shown in the actual modeling.

Localized Significance Thresholds Analysis: Construction and Operations

6. Under Sensitive receptors on page 13 of the Air Quality & Climate Change Assessment and upon an aerial map inspection, a single-family residential property appears to be located within one-quarter mile of the proposed warehouse. We therefore recommend that the lead agency evaluate localized air quality impacts. The AQMD staff requests this evaluation to ensure that any nearby sensitive receptors are not adversely affected by the construction and operational activities that are occurring in close proximity. AQMD guidance for performing a localized air quality analysis can be found at the following web address: http://www.aqmd.gov/ceqa/handbook/LST/LST.html .

Operational Mitigation Measures

7. In the event the lead agency determines that project air quality impacts (regional or localized) for operations will exceed recommended significance thresholds (mostly attributed to mobile source tailpipe emissions from vehicles operating at the proposed facility), the AQMD staff encourages the lead agency to develop a common set of enforceable mitigation measures to reduce those emissions to the maximum extent feasible. As the lead agency is aware, heavy-duty trucks are the largest source of NOx emissions in our basin and NOx emissions must be reduced by approximately two thirds beyond existing rules and regulations in order to meet air quality standards as required by 2023. Without meeting air quality standards, our region faces federally mandated sanctions, including possible loss of transportation funding. AQMD staff therefore recommends that the lead agency consider the feasibility of the following measures to reduce project impacts. Other lead agencies that have imposed these and similar measures include the City of Banning[1], Riverside County[2], City of San Bernardino[3], and the San Pedro Bay Ports[4], among others.

   Recommended additional measures:

   - Lease/purchase documents shall identify that tenants required to implement the following:
   - At project start, all heavy duty trucks entering the property must meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.
   - If the above clean truck requirements are infeasible, a phase-in schedule should be put forth that will feasibly achieve emission reductions as soon as possible, and faster than existing regulations. Should an alternative

[1] Banning Business Park http://banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf .
[2] Mira Loma Commerce Center: http://www.rctlma.org/online/content/conditions_of_approval.aspx?PERMITNO=pp17788 .
[3] Palm/Industrial Distribution Center http://www.ci.san-bernardino.ca.us/civica/filebank/blobdload.asp?BlobID=11793
[4] Clean Trucks Program http://www.cleanairactionplan.org/cleantrucks/ .

schedule be found necessary, the AQMD staff should be consulted prior to approving the schedule.

- Provide a phase-in schedule and goals for the introduction of zero or near-zero technology trucks (e.g., 10% by 2020, 20% by 2025, etc.) that visit warehouses.

The facility operator will maintain a log of all trucks entering the facility to ensure that on average, the daily truck fleet meets the quantities and emission standards listed in the Draft MND. This log should be available for inspection by city staff at any time.

- The facility operator will ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies [for example, by requiring attendance at CARB approved courses (such as the free, one-day Course #512)].

- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final MND. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.

- Require at least a portion of the fleet to utilize alternative fueled technologies.

- The 2012 Regional Transportation Plan includes a zero-near-zero emissions truck corridor along the SR-60 freeway west of I-15. Because at least a portion of the trucks serving this project may be expected to travel along this route, the project should consider providing onsite alternative fueling infrastructure, such as electric charging stations or natural gas fueling that will help facilitate these low-emitting trucks. This could include ensuring electrical panels and wiring are sufficiently sized to accommodate future needs.

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

- Restrict overnight parking in residential areas. Establish overnight parking within the warehouse/distribution center where trucks can rest overnight.

- Establish area(s) within the facility for repair needs.

- Post signs outside of the facility providing a phone number where neighbors can call if there is a specific issue.

- Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.

- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas.
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.
- Provide food options, fueling, truck repair and or convenience store on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Requiring all on-site vehicles (hostlers, forklifts, etc.) to utilize zero or near-zero emission technology.
- Use street sweepers that comply with SCAQMD Rules 1186 and 1186.1.
- Install solar panels on all available roof space. If this isn't feasible, then at a minimum all buildings and electrical infrastructure should be designed to accommodate potential future solar panel upgrades.

Off-Road Construction Equipment Reduced Load Factors

8. In Appendix B (CalEEMod Output) in the air quality assessment, the lead agency estimated project construction impacts using the CalEEMod land use emissions computer model. This model uses default and user-defined settings to estimate emissions based on the land use settings. In the CalEEMod inputs under User Entered Comments, the lead agency has reduced the Construction Phase Off-Road Equipment load factors by 33 percent citing the California Air Resources Board (CARB) as authority for the changes. For example, the default load factor in the CalEEMod model for rubber tired loaders of 54 percent was reduced to 36 percent.

   Based on communication with ARB staff[5] regarding this issue, the AQMD staff confirmed that CARB staff does not recommend reducing the default settings in the current OFFROAD2007 without considering all parameters besides the load factor. Other parameters such as activity level, horsepower, and population all contribute to the emission factor estimate, and selectively changing only one parameter will lead to inaccurate estimates at a project level. For some equipment types, OFFROAD2007 may underestimate emissions while others may be overestimated. Because of these revisions (and others), CARB developed the new OFFROAD2011. The AQMD staff therefore recommends that the lead agency either use existing OFFROAD2007 defaults until OFFROAD2011 is incorporated into CalEEMod later this year or run OFFROAD2011 outside CalEEMod and use those results to modify the CalEEMod construction calculations. Therefore, even though the reductions might not change the lead agency's determination of significance for construction air quality impacts, these reductions related to

[5] Personal communication with Nicole Dolney, June 1, 2012.

reduced off-road equipment load factors are not recommended by the AQMD staff without further substantial evidence to support those emission reductions resulting from their use. Otherwise, the lead agency should commit to enforcing the assumed lower non-substantiated emission factors.

Construction Mitigation Measures

9. Should the lead agency determine that project localized construction air quality impacts will exceed the AQMD recommended daily significance thresholds, the AQMD staff therefore recommends the following mitigation measures during the projected 10 month construction period to reduce adverse air quality impacts from on-site construction emission sources, if applicable and feasible.

   Recommended additions:

   - Limit the amounts of daily soil disturbance to the amounts analyzed in the Draft MND.
   - All clearing, grading, earth-moving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 miles per hour per SCAQMD guidelines in order to limit fugitive dust emissions.
   - Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
   - All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
   - Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads (recommend water sweepers with reclaimed water).

   Further, other lead agencies in the region including LA County Metro, the Port of Los Angeles, and the Port of Long Beach have also enacted the following mitigation measures. AQMD staff recommends the following measures to further reduce air quality impacts from construction equipment exhaust:

   - Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
   - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by

the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

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

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html .

MEMORANDUM

TO: Thomas Grahn, Senior Planner
City of Ontario
303 East B Street
Ontario, CA 91764

FROM: Tracy Zinn, Principal
Tracy Chu, Assistant Project Manager

DATE: May 20, 2024

RE: 5355 East Airport Drive (PDEV22-017) – Response to April 15, 2024 Comment Letter from CARE CA

T&B Planning, Inc. is the environmental consulting firm that prepared the Environmental Impact Report (EIR; SCH No. 2022090006) for the 5355 East Airport Drive Project (hereafter "Project"). The Project Applicant, Prologis, Inc., proposes to demolish the existing buildings and structures on the Project site and redevelop the property with a 270,337 square foot (s.f.) warehouse building. The Project's design also includes the installation of associated site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detention facilities, exterior lighting, walls/fencing, and signage as well as site-adjacent improvements to East Airport Drive. The Draft EIR for the Project was published on August 22, 2023, for a 45 day review period, with the local review period and State review period ending on October 5, 2023.

On April 15, 2024, a letter was sent to the City from Adams Broadwell Joseph & Cardozo on behalf of Californians Allied for a Responsible Economy (CARECA). In response, T&B Planning prepared this memorandum for the purpose of responding to the comments received alleging deficiencies in the Draft EIR and Final EIR. The responses contained herein demonstrate that the Draft EIR's analyses and conclusions are correct and that the Final EIR has been appropriately prepared to satisfy CEQA compliance requirements. For the reasons outlined in this memorandum, the comments do not present substantial new information, do not necessitate revisions to the Draft EIR or Final EIR, and do not trigger the need for recirculation of the Draft EIR or Final EIR, or the conduct of additional environmental review pursuant to CEQA Guidelines § 15088.5.

Commenter Letter: Adams Broadwell Joseph & Cardozo on behalf of Californians Allied for a Responsible Economy dated April 16, 2024.

1-1 This comment consists of introductory remarks and identifies that the comments in this letter are being provided by Adams Broadwell Joseph & Cardozo on behalf of the Californians Allied for a Responsible Economy (CARECA) and provides a summary of the past comments submitted on the Project during the Draft's EIR public review period. This comment also introduces the comment's supporting documents drafted by Norm Mashall and Dr. James Clark, and asserts that the Staff Report, Final EIR, and technical appendices fails to meaningfully address or correct major flaws CARECA identified in the Draft EIR. Response to the comments made are provided below in this memorandum. Thus, no further response is required.

1-2 The commenter provides a summary of the issues raised in the body of the comment letter. The commenter asserts that the Final EIR underestimates the number of vehicle trips that would be generated by the Project, the distance that Project-related truck trips would travel, and the quantified health risks and fails to provide an adequate cumulative impacts analysis. Additionally, the commenter states that the City did not add a condition of approval for the Project addressing a 10% limitation to cold storage uses. As described in the following responses, the commenter's assertions are incorrect. Refer to Response to Comments 1-8 to 1-27.

1-3 The commenter recommends that the City revise and recirculate the Draft EIR. As presented in this response memorandum, no additions, revisions, or corrections to the Draft EIR are necessary and no recirculation of the Draft EIR or Final EIR would thus be required.

1-4 The comment includes a statement of interest describing CARECA's organization, role, members, and purposes. The statement of interest is noted. Employment and business concerns raised in this comment do not raise any associated environmental issues and are therefore not within the purview of CEQA; however, this comment will be provided to the City's decision makers for their review and consideration of the Project as a whole. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

1-5 The commenter claims that a statement made about CARECA's business interests in Final EIR Response to Comment A-3 was improper and appears intended solely to influence City decisionmakers to disregard the valid environmental concerns raised in CARECA's comments. Irrespective of the statement, all comments submitted to the City on the Draft EIR and Final EIR about environmental topics have been thoughtfully considered and appropriately addressed. This comment does not raise any new issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

1-6 The commenter continues to state that the statement made about CARECA's business interests in Final EIR Response to Comment A-3 is incorrect and summarizes the past efforts that organized labor unions have made in the environmental review process. The commenter further requests that the EIR be revised to remove the statement. The Final EIR was published in the agenda packet for the Project's DAB meetings and Planning Commission hearing. The request for removal is acknowledge and this comment will be provided to the City's decision makers for their review and consideration of the Project as a whole. This

comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

1-7 The commenter summarizes Section 15064 of the CEQA Guidelines and case law related to CEQA processes and procedures. This comment is informational does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

1-8 The commenter reiterates previous statements alleging inadequacy of the Project's trip generation estimates disclosed in the Draft EIR. The City disagrees with the commenter's statements. The commenter's statements have been previously addressed in the Final EIR. Please refer to Response to Comment A-6 of the Final EIR (FEIR, pp. 2-38, 2-39). Response to Comment A-6 substantiates the EIR preparers' expertise and qualifications in preparing trip generation estimates as follows: "Urban Crossroads, a firm of professional traffic consultants and transportation engineers, was the author of the Project's traffic study and the study was reviewed and independently accepted by the City for accuracy" (FEIR, p. 2-38).

The basis for the EIR trip generation estimates is also fully substantiated at Final EIR Response A-6. As noted at Final EIR Response A-6:

"Although the Project's anticipated use and size most closely aligns with the ITE Warehousing land use category, a mix with the High-Cube Cold Storage Warehouse rate was selected because the overall daily trip rate would be more conservative (higher) as compared to the ITE Warehousing rate and would account for refrigerated vehicles for the purposes of other technical studies (air quality, health risk assessment, greenhouse gas, etc.) in the event that up to 10% of the building was used for a cold storage purpose. The Project (warehousing use) evaluates the trip generation based on a mix of the Warehousing (ITE 150) and High-Cube Cold Storage (ITE 157) rates which is a reasonable and conservative representation of the mix of potential uses for the Project" (FEIR, p. 2-39).

As indicated above, rather than an underestimation of Project trip generation asserted by the commenter, the Draft EIR trip generation estimates likely overstate Project trip generation. Moreover, the Draft EIR trip generation estimates assume Project development and occupancy at maximum allowable development intensities. Thus, irrespective of whether the Project is fully developed or fully occupied, the trip generation projection is a reasonable forecast. Additionally, the EIR trip generation estimates do not assume or take any credit for trip reduction that may be achieved through the EIR VMT mitigation measures. Based on the conservative trip generation rates and assumed maximum development intensity and occupancy, trip generation estimates presented in the EIR represent ta reasonable forecast of the likely maximum impact condition.

With regard to the commenter's suggested condition of approval to limit Project trip generation to the trip generation estimates presented in the Draft EIR, it is first important to recognize the purpose of trip generation modeling. The purpose of the Draft EIR trip generation modeling is to describe likely aggregate maximum impact conditions. It is not the intent or purpose of trip generation modeling to establish empirical limits on development trip generation. Further, trip generation for any development is periodically variable and is not practically monitored or controlled as means of effecting change. Trip

generation for the Project considered here would vary over the course of a day, a week, seasonally, and yearly. Trip generation would also vary as uses are occupied, vacated, and reoccupied. A "condition of approval limiting trip generation to the number assumed in the EIR" as offered by the commenter is not functionally meaningful. That said, should uses be proposed that could result in effects (e.g., trip generation) substantially different than are considered and addressed in the EIR, the City would evaluate those proposals as required under CEQA.

The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project trip generation. No additions, revisions, or corrections are necessary and no further response is required.

1-9 The commenter summarizes the previous comment made during the Draft EIR's period review period and the responses provided in the Final EIR related to the proposed 10% of high-cube cold storage uses. The commenter states that the condition of approval to limit cold storage use to no more than 27,034 square feet was not found in the agenda packet for the DAB meetings. In response, at the April 15, 2024 DAB meeting, the DAB recommended the Project for approval with an added condition of approval to limit cold storage warehouse use to no more than 27,034 square feet. If more than 27,034 square feet of cold storage square footage is proposed as part of building permits or tenant improvements and would produce greater adverse environmental effects than those disclosed in the EIR, an amendment to the Project approvals would be required, which would be subject to additional CEQA review.

1-10 The commenter reiterates previous comments alleging inadequacy of the Draft EIR analyses of cumulative air quality impacts. The City disagrees with the commenter's statements. The commenter's statements have been previously addressed in the Final EIR. Please refer to Final EIR Response to Comment A-14 (FEIR, pp. 2-41, 2-42). Response to Comment A-14 substantiates the Draft EIR basis for assessment of cumulative air quality impacts. In summary, Response A-14 clearly states and demonstrates that:

- The EIR air quality analysis, including the analysis of cumulative air quality impacts has been prepared by certified experts in the field; and

- The EIR analysis of cumulative air quality impacts conforms with South Coast Air Quality Management District (SCAQMD) protocols and methodology for evaluating cumulative air quality impacts.

The commenter is again advised that the SCAQMD is the regulatory authority on air quality charged with the responsibility of ensuring the improvement of air quality in the South Coast Air Basin. The commenter speculates on "updated thresholds" for air quality impacts. Absent these "updated thresholds" the EIR properly evaluates air quality impacts in the context of existing thresholds, protocols, and methodologies.

The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts

including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary and no further response is required

1-11 The commenter asserts that Final EIR Responses to Comments A-14, A-15, and A-16 are non-responsive to the commenter's remarks related to cumulative impacts analysis and summarizes recent case law in the City of Fontana on SCAQMD's cumulative impacts methodology. Refer to Response to Comment 1-10 above regarding the Project's methodology in determining cumulative air quality impacts, which follows SCAQMD directives. The City's experts disagree with the commenter and no further response is required.

1-12 The commenter states that the Project's Mobile Source Health Risk Assessment (HRA; *Technical Appendix B2 of the Draft EIR*) underestimates the Project's operational health risk impacts on residential receptors and workers by failing to account for building downwash in the AERMOD analysis. The City disagrees with the commenter's statements. Adequacy and accuracy of the HRA is substantiated in detail in the Draft EIR, Final EIR, and the whole record before the Lead Agency. Specific responses to various alleged inadequacies regarding the HRA and its modeling inputs and protocols are presented in detail at Final EIR Response to Comment A-17, B-34, B-35, B-36, et. al. (FEIR, pp. 2-43, 2-92, 2-93, et al.)

With specific regard to effects of building downwash, for the Project, idling emissions are effectively line volume sources and have been modeled as consistent with applicable AERMOD protocols. Per the User's Guide for the AMS/EPA Regulatory Model (AERMOD), Section 3.3.9, Specifying Building Downwash Information, the building downwash algorithms do not apply to volume or area sources. The Project's Air Quality Impact Analysis experts (*Technical Appendix B1 of the Draft EIR*) have therefore concluded that truck idling emissions sources resulting from the Project would not be materially affected by downwash. Further, it should be noted that the Project site is surrounded by industrial uses and the nearest sensitive receptor locations are short-term stay hotels located on the opposite side of freeways with the closest being approximately 3/4-mile from the Project site.

The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts including any effects of building downwash. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

1-13 The commenter asserts that the Project's HRA underestimates the Project's health risk impacts by relying on non-standard daily breathing rates for sensitive receptors. The commenter reiterates comments alleging inadequacy of the HRA, citing inconsistency with OEHHA guidance. Adequacy and accuracy of the HRA in total are addressed previously at Final EIR Response to Comment A-16, A-17, B-35, B-36, et. al. (FEIR, pp. 2-42, 2-43, 2-92, 2-93, et al.). First, it is important to note that the Project site is surrounded by industrial uses and the nearest sensitive receptor locations are short-term stay hotels located on the opposite side of freeways with the closest being approximately 3/4-mile from the Project site. Conformance with applicable OEHHA guidance and exposure rates is extensively documented in the Project's HRA pp. 19 to 21, and Mobile Source Health Risk Assessment Appendix 2.4 (*Technical Appendix B2 of the Draft EIR*). The Project air quality analysis experts have amassed more than 30 years of

experience in the field of Health Risk Analysis and are fully knowledgeable in the application of OEHHA guidance and all its nuances.

Moreover, the commenter's assertion that an alternative interpretation and application of OEHHA guidance would somehow materially affect the EIR conclusions regarding health risks is not supported by substantial evidence. In this latter regard, as presented in the Draft EIR:

- "At the Maximally Exposed Individual Resident (MEIR), the maximum incremental cancer risk attributable to Project construction-source DPM emissions is estimated at <0.01 in one million, which is far less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0" (DEIR, p. 4.2-35).

- "At the MEIR, the maximum incremental cancer risk attributable to Project operational-source DPM emissions is estimated at 0.01 in one million, which is far less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0" (DEIR, p. 4.2-35).

- "At the Maximally Exposed Individual Worker (MEIW), the maximum incremental cancer risk impact is 0.25 in one million which is far less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0" (DEIR, p. 4.2-36).

- "There are no schools within one-quarter mile of the Project Site. The nearest school is Chaparral Elementary School, which is located approximately 11,200 feet southeast of the Project Site. Because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than one-quarter mile from the air pollution source, the Project would result in less-than-significant impacts to any schools in the vicinity of the Project" (DEIR, p. 4.2-36).

As summarized above, none of the evaluated health risk scenarios even approach applicable significance thresholds. Project-source health risks are effectively orders of magnitude below applicable thresholds. Any variant in interpretation of OEHHA guidance such as is suggested by the commenter would not materially affect the EIR health risk significance conclusions.

The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

1-14 The commenter quotes Section 15065(a)(4) of the CEQA Guidelines and opines that the City failed to meet CEQA's requirement to accurately disclose the Project's impacts on public health and support its

conclusions with substantial evidence. The City and its experts disagree. Refer to Response to Comment 1-12 and 1-13 above regarding the Project's HRA analysis. No further response is required.

1-15 The commenter summarizes the previous comments made during the Project's Draft EIR public review period and Final EIR Response to Comment A-18 regarding the Draft EIR's alleged underestimation of truck trip lengths. The comment does not identify any specific concerns or provide evidence related to alleged deficiencies in the Draft and Final EIR. Refer to Response to Comment 1-16 for a response to the commenter's allegation about an underestimation of truck trip lengths and trip rates. Thus, no further response is required.

1-16 The commenter states that the Final EIR misinterprets the SCAQMD's guidance and provides examples of previous SCAQMD comments on other, unrelated warehouse projects alleging that the Project's truck trip length assumptions are not supported by substantial evidence. As discussed in Draft EIR Section 3.0, *Project Description*, the Project is proposed as a speculative development and the user(s) of the building is not known at this time (refer to Draft EIR p. 3-13). It is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. As stated in Response to Comment A-18 in the Final EIR, the trip lengths were derived by weighting the average trip lengths using traffic trip percentages. Commenter statements regarding truck trip lengths have been previously addressed in detail at Final EIR Response to Comments A-18, A-19, A-28 (FEIR, pp. 2-43, 2-44, 2-45). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of vehicle trip lengths and all impacts related to or attributable vehicle trip lengths. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

1-17 The commenter repeats comments made by Dr. Clark regarding the relationship between the Ports and warehouses and the alleged underestimation of trips, leading to alleged underestimations of transportation, air quality, and greenhouse gas emissions (GHG) impacts. Refer to Response to Comment 1-16 above regarding sufficiency of the Project's truck trip assumptions as reasonable projections. The City's experts disagree with the commenter and no further response is required.

1-18 The commenter states that the Draft and Final EIR do not include sufficient investigation into energy conservation measures that might be available or appropriate for the Project. Refer to Response to Comment 1-20 below for a detailed discussion of energy conservation measures.

1-19 The commenter states that CEQA requires an environmental document to discuss mitigation measures for significant environmental impacts, including "measures to reduce the wasteful, inefficient, and unnecessary consumption of energy" and lists recommended mitigation measure listed under Appendix F of the CEQA Guidelines. The comment does not identify any specific concerns or provide evidence related to alleged deficiencies in the Draft and Final EIR. Thus, no further response is required. Refer to Response to Comment 1-20 below for discussion of Appendix F of the CEQA Guidelines.

1-20 The commenter cites *California Clean Energy Commission v. City of Woodland* for the proposition that the Project's EIR failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options and that the Final EIR fails to analyze the feasibility of common energy consumption measures such as solar photovoltaics. As stated in Appendix F of the CEQA Guidelines, "potentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances specific items may not apply or additional items may be needed. Where items listed below are applicable or relevant to the project, they should be considered in the EIR." As discussed in Draft EIR Section 4.4, *Energy*, substantial evidence is provided that the Project would not result in significant energy impacts and impacts would be less than significant (refer to Draft EIR pp. 4.4-5 to 4.4-6). Nevertheless, an analysis of the factors identified in CEQA Guidelines Appendix F is provided in Table 1-1, *CEQA Guidelines Appendix F Energy Analysis*. As shown, the Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation; and impacts would be less than significant.

Table 1-1 CEQA Guidelines Appendix F Energy Analysis

CEQA Guidelines Appendix F Factors	Analysis
The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project, including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed. The effects of the project on energy resources. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.	The Project's energy requirements by fuel type during construction and operation are analyzed in Section 4.4, *Energy*, of the Draft EIR (refer to Draft EIR pp. 4.4-5 to 4.4-6). As discussed, construction equipment fuel use would be typical for the type of construction proposed because there are no aspects of the Project's proposed construction process that are unusual or energy intensive, and Project construction equipment would conform to the applicable CARB emissions standards. Construction contractors would be required to comply with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. The Project is located on an infill site that is surrounded by existing urban uses; the existing transportation facilities and infrastructure would provide future employees and visitors associated with the Project access to a mix of land uses near the Project, thus further reducing fuel consumption demand. Additionally, the Project would implement sidewalks, facilitating and encouraging pedestrian access as well as providing 25 electric vehicle parking stalls that would further promote fuel efficient vehicles. In compliance with the

CEQA Guidelines Appendix F Factors	Analysis
	California Green Building Standards Code and City requirements, the Project would promote the use of bicycles as an alternative means of transportation by providing bike racks near the building entrances and adjacent to the electrical room. For these reasons, both construction-related and operational-related transportation fuel consumption would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, impacts related to vehicle fuel consumption would be less than significant.
The effects of the project on local and regional energy supplies and on requirements for additional capacity. The effects of the project on energy resources.	Project building operations would result in the consumption of electricity, which would be supplied to the Project by SCE. The Project site is an infill development, and electricity was previously provided to the site by SCE for the prior industrial use. As disclosed in Draft EIR Section 4.4, *Energy*, operations for the Project are projected to result in 1,774,048 kWh of electricity use annually and demand a net of 746,675 kWh of electricity annually when taking account of energy consumption of existing uses on the Project site that would cease operation to develop the Project. Furthermore, the Project would be required to obtain a commitment of service from SCE, which would ensure that there would be no adverse and significant environmental effects on local or regional energy supplies beyond those appropriately planned for by SCE. Therefore, the Project would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be less than significant.
The effects of the project on peak and base period demands for electricity and other forms of energy.	The Project consists of a proposed warehouse development on a site that would be redeveloped and was previously used for industrial uses. The Project would not adversely affect peak and base period demands for electricity that would be atypical of other industrial uses. Furthermore, the Project would be required to obtain a will serve

CEQA Guidelines Appendix F Factors	Analysis
	letter/commitment of service from SCE to ensure that SCE will serve the Project's electricity requirements per the California Public Utilities Commission and Federal Energy Regulatory Commission tariffs. SCE considers effects on peak and base period demands for electricity when issuing will serve letters. Impacts would thus be less than significant.
The degree to which the project complies with existing energy standards.	As analyzed under Threshold b of Section 4.4 of the Draft EIR, the Project would comply with and not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. During construction, the Project would be obligated to comply with California Code of Regulations Title 13, Sections 2449 and 2485, which limit idling from both on- road and off-road diesel-powered equipment and are enforced by the Air Resources Board (ARB). During operation, the Project is required to be designed and constructed in accordance with California Building Standards Code Title 24 energy efficiency standards. Title 24 standards are widely regarded as the most advanced energy efficiency standards in the United States, and would help reduce the amount of energy required for lighting, water heating, and heating and air conditioning in buildings and promote energy conservation. Additionally, the Project would be constructed to achieve Leadership in Energy and Environmental Design (LEED) standards. The Project would comply with existing energy standards and impacts would be less than significant.

1-21 The commenter states that the Final EIR acknowledges that a diesel backup generator may be required for Project operations, but fails to evaluate measures to reduce this source of energy consumption, such as use of alternative fuel sources. As discussed in Final EIR Response to Comment A-10, if Project operations would require the use of an emergency water pump and generator, emissions would be negligible and less than SCAQMD's regional thresholds. Additionally, the intermittent use of a backup generator would not result in a substantial or measurable amount of emissions, since by the very nature of the activity, it would be short-term, intermittent, and infrequent. Thus, contrary to the commenter's assertion, measures to reduce this source of temporary and intermittent use of energy is not required. The City's experts disagree with the commenter and no further response is required.

1-22 The commenter states that the Final EIR fails to evaluate the feasibility of more stringent idling requirements over existing requirements. Although the Project Applicant can place signs on the Project site to advertise an on-site idling restriction that is shorter in duration than the current CARB requirement of 5 minutes, there would be no enforcement mechanism that the City can assure to enforce adherence. As such, a mitigation measure to this effect has not been added to the Final EIR.

1-23 The commenter asserts that the Final EIR discussion on construction energy conservation measures violates CEQA Guidelines Appendix F due to not evaluating the feasibility of utilizing existing power sources (e.g., power poles) or alternative fuel generators rather than temporary power generators. The commenter is incorrect in stating that the Project did not analyze the use of existing power source. As discussed in Section 3.0, *Project Description*, of the Draft EIR, new dry utility infrastructure would be installed underground and within the Project Site with the exception of any electrical lines carrying voltages that SCE does not allow to be undergrounded (refer to Draft EIR p. 3-10). Contrary to the commenter's assertion, the construction energy demands for the Project are based on using existing power sources. Thus, no additions, revisions, or corrections to the Draft EIR are necessary.

1-24 The commenter states that Final Response to Comment B-59, B-56, and B-53 does not evaluate the feasibility or effectiveness of energy conservation measures, and thus does not provide the analysis required by CEQA Guidelines Appendix F. The City recognizes that CEQA requires the incorporation of all feasible mitigation measures where there are significant and unavoidable impacts identified. An EIR must describe feasible measures that could minimize the project's significant adverse impacts. 14 Cal Code Regs §15126.4(a)(1). An EIR may decline to propose a mitigation measure that would not effectively address a significant impact. As discussed in Section 4.4, *Energy*, of the Draft EIR, the Project would not result in significant energy impacts and impacts would be than significant (refer to Draft EIR pp. 4.4-5 to 4.4-6). Additionally, refer to Response to Comment 1-20 above for the discussion of Appendix F of the CEQA Guidelines. Thus, no additions, revisions, or corrections to the Draft EIR are necessary.

1-25 The commenter states that the Final EIR's energy analysis fails adequately analyze measures to reduce the wasteful, inefficient, and unnecessary consumption of energy, and fails to meaningfully address Appendix F's considerations of whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope. Refer to Response to Comment 1-20 to 1-24 above. Thus, no additions, revisions, or corrections to the Draft EIR are necessary.

1-26 The commenter states the staff report stating that the Project does not meet the finding under Section 4.02.025(D) of the City's Municipal Code which states "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project." As presented in this memorandum and Final EIR, the Draft EIR adequately estimates the Project's health risk, air quality, GHG, and energy impacts and the City's experts disagree with the commenter. Thus, no additions, revisions, or corrections to the Draft EIR are necessary.

1-27 The commenter states the staff report lacks support to make the following finding in recommending adoption of the FEIR: the draft EIR contains a complete and accurate reporting of the environmental

impacts associated with the Project. Contrary to the commenter's assertion, this memorandum and Final EIR demonstrates that the Draft EIR's analyses and conclusions are correct and satisfy CEQA compliance requirements. Thus, no additions, revisions, or corrections to the Draft EIR are necessary.

1-28 The commenter provides a conclusionary statement, which does not present any additional information not covered in the previous comments. Thus, no additional response is required.

1-29 This comment consists of introductory remarks from Smart Mobility and summarizes the findings of the commenter's letter, stating that the Draft EIR acknowledges a significant and unavoidable VMT impact, asserting that the proposed VMT mitigation measure is not fully specified or quantified, and claiming that the Project's trip generation and GHG emissions could be much higher than assumed. As described in the following responses, the commenter's assertions are incorrect. Refer to Response to Comments 1-30 to 1-36. Thus, no further response is required.

1-30 The commenter claims that the truck trip lengths relied upon in the Draft EIR do not follow SCAQMD's recommendations. Refer to response to Comment 1-16 regarding the Project's assumed truck trip lengths and demonstrating that the trip lengths are a reasonable and reliable assumption.

1-31 The commenter reiterates previous comments presented by CARECA alleging inadequacy of the Draft EIR's VMT mitigation measures. The commenter misstates the previous Final EIR response. In context, the commenter's statements have been previously addressed at Final EIR Response to Comment A-24, excerpted in pertinent part below:

In response to the commenter's assertions, a supplemental VMT mitigation assessment has been prepared for the Project to evaluate further potential trip reduction measures under the California Air Pollution Control Officers Association (CAPCOA)'s Handbook (Attachment B to this Final EIR). As stated under the supplemental VMT mitigation assessment, when considering which transportation measures are applicable from the Handbook, factors such as project type, scale and locational context are each important considerations for determining measure applicability. Based on these factors, measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant (Final EIR, p. 2-44).

The Draft EIR does not state that the Project VMT impacts cannot be mitigated. Rather, the Draft EIR identifies feasible VMT mitigation measures available to the Project, and requires implementation of those feasible measures. Here, the Draft EIR has evaluated commenter-recommended CAPCOA VMT mitigation measures, and has determined that the recommended measures are of limited applicability to the Project, and would not substantially or demonstrably reduce the Project VMT impacts. Accordingly, CAPCOA measures recommended by the commentor are not included in the Draft EIR.

The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead

Agency maintains its position regarding accuracy and adequacy of the EIR analysis of VMT impacts and VMT mitigation. No additions, revisions, or corrections are necessary and no further response is required.

1-32 The commenter suggests requiring zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks. Refer to response to Comment B-53 in the Final EIR regarding the infeasibility of using zero-emission vehicles. Thus, the City determines that additional mitigation is not warranted.

1-33 The commenter suggests to limit the daily number of trucks allowed at the Project site to levels analyzed in the EIR. The recommendation to impose and enforce a truck trip cap is not feasible or practical nor required by CEQA. The Project entails the establishment of one warehouse building and the Project Applicant intends for the building to be occupied by a warehouse use with potentially up to 27,034 sf used for cold storage (chilled, cooled, or freezer space). CEQA requires that an EIR evaluate the proposed Project based on reasonable assumptions and foreseeable actions. The number of passenger vehicle and truck trips that the Project is expected to generate is based on Institute of Transportation Engineers (ITE) in their Trip Generation Manual (10th Edition), and SCAQMD recommendations for vehicle mix, which rely on surveyed data from other operating industrial warehouse buildings, which is reasonable and reliable information. The comment does not present any evidence that truck trips associated with the proposed Project would be greater than disclosed in the DEIR. There is no substantive information presented by this comment or by any of the information in the Project's administrative record that contradicts the reasonable assumptions made in the Draft EIR about the expected number of truck trips. Instituting a cap on the number of trucks that can access the Project's building is not required under CEQA, nor would it be reasonable or feasible for the City to monitor and enforce such a requirement. The Draft EIR has made reasonable assumptions based on substantial evidence by using ITE and SCAQMD recommendations based on a reasonable type of building occupant that would be permitted by the site's zoning. For this reason, the City respectfully rejects the commenter's recommendation to impose and enforce a numerical cap on the number of trucks that the Project attracts during its operation.

1-34 The commenter suggests to provide electric vehicle charging stations and hookups for truckers. Refer to response to Comment B-60 in the Final EIR regarding the infeasibility of using zero-emission vehicles. Thus, the City determines that additional mitigation is not warranted.

1-35 The commenter reiterates previous statements alleging inadequacy of the Draft EIR's trip generation estimates. The Lead Agency disagrees with the commenter's statements. The commenter's statements have been previously addressed in the Final EIR. Please refer to Final EIR Response to Comment A-6 (FEIR, pp. 2-38, 2-39). Further evidence supporting the EIR's trip generation methodology and results are presented in this response memorandum, including in Response to Comment 1-8.

The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project trip generation. No additions, revisions, or corrections are necessary and no further response is required

1-36 The commenter notes that the Draft EIR assumes that the Project would operate 24 hours per day, 7 days per week. By assuming 24 hours per day, 7 day per week operations, the Draft EIR appropriately assumes likely maximum impact conditions. This is not determinant of how the Project uses would function at their completion and occupancy.

Commenter speculation regarding parking space occupancy rates and term lengths is noted. Commenter statements regarding trip generation have been previously addressed herein. Basis for the EIR trip generation is extensively substantiated in the Draft EIR, Final EIR, the Responses provided in this response memorandum, including in Response to Comment 1-18. and the whole record before the Lead Agency. Refer also to Response to Comment 1-8.

The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of Project trip generation, and all impacts related to or attributable to Project trip generation. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

1-37 The commenter provides a conclusionary statement, which does not present any additional information not covered in the previous comments. Thus, no additional response is required.

1-38 The commenter Clark & Associates provides introductory comments and does not raise any issues concerning the environmental analysis provided in the Draft EIR. Thus no further response is required.

1-39 The commenter provides a summary of the Project. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

1-40 The commenter states that the Project's Mobile Source Health Risk Assessment (HRA; *Technical Appendix B2 of the Draft EIR*) shows that building downwash was not incorporated into the AERMOD analysis of the Project and the AERMOD model should also incorporate the building downwash for receptors near the Project. Refer to Response to Comment 1-12 regarding the discussion of building downwash. Thus, no further response is required.

1-41 The commenter states that air quality analysis relies on an input value from ap-42 that is rated as poor and may be unreliable. The commenter speculates on inadequacy of the Draft EIR construction-source emissions analysis based on the analysis' emissions factor for stone crushing. The Lead Agency disagrees. First, the commenter's speculative remarks regarding increased emissions due to an alternative "emission factor for crushing stones" are not supported by facts or quantified analysis. In contrast, the Draft EIR construction-source emissions analysis accurately calculates and quantifies all construction-source

emissions based on established and accepted CalEEMod protocols and methodologies.[1] The Project's air quality analysis experts have amassed more than 30 years in the field of air quality analyses, including construction-source emissions analyses, and are fully knowledgeable in the application of CalEEMod and all its nuances.

Moreover, the commenter's assertion that an alternative "emission factor for crushing stones" would somehow materially affect the EIR conclusions regarding construction-source emissions is not supported by substantial evidence. In this latter regard, as presented at Draft EIR Table 4.2-8, *Peak Construction Emissions Summary*, and Draft EIR Table 4.2-10, *Localized Construction-Source Emissions Summary* (both reproduced below for ease of reference), none of the Project construction source-emissions levels even approach applicable significance thresholds. Any variant in "emission factors for crushing stones" would not materially affect construction-source emissions levels or related significance conclusions.

Draft EIR Table 4.2-8 Peak Construction Emissions Summary

Year	Emissions (lbs./day)[1]					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
2023	1.77	39.60	71.80	0.13	9.9	4.32
2024	47.20	30.20	56.60	0.07	2.58	0.89
Winter						
2023	1.48	21.70	39.80	0.06	1.98	0.65
2024	47.10	30.40	53.50	0.07	2.58	0.89
Maximum Daily Emissions	**47.20**	**39.60**	**71.80**	**0.13**	**9.97**	**4.32**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

[1] PM_{10} and $PM_{2.5}$ emissions include fugitive dust from crushing activities.
CalEEMod construction-source (unmitigated) emissions are presented in Appendix 4.1 of the Project's AQIA. **Source**: (Urban Crossroads, 2022a, Table 4-5)

[1] The **Cal**ifornia **E**missions **E**stimator **Mod**el® (CalEEMod) is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operation activities (including vehicle use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user.
The model was developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts. Default data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) have been provided by the various California Air Districts to account for local requirements and conditions. The model is free of charge and will be periodically updated when modifications are warranted.
CalEEMod is a comprehensive tool for quantifying air quality impacts from land use projects located throughout California. The model can be used for a variety of situations where an air quality analysis is necessary or desirable such as preparing California Environmental Quality Act (CEQA) or National Environmental Policy Act (NEPA) documents, conducting pre-project planning, and, verifying compliance with local air quality rules and regulations, etc.

Draft EIR Table 4.2-10 Localized Construction-Source Emissions Summary

Construction Activity	Year	Scenario	Emissions (lbs./day)			
			NO_X	CO	SO_X	PM_{10}
Demolition/ Crushing	2023	Summer	12.70	18.70	0.70	0.29
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**12.70**	**18.70**	**0.70**	**0.29**
		SCAQMD Localized Threshold	118	863	280	141
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Site Preparation	2023	Summer	15.70	30.00	5.76	2.79
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**15.70**	**30.00**	**5.76**	**2.79**
		SCAQMD Localized Threshold	220	1,713	241	160
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Grading	2023	Summer	19.90	36.20	2.85	1.16
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**19.90**	**36.20**	**2.85**	**1.16**
		SCAQMD Localized Threshold	237	1,873	268	163
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

CalEEMod unmitigated localized construction-source emissions are presented in Appendix 4.1 of the Project's AQIA.
Source: (Urban Crossroads, 2022a, Table 4-11).

The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of construction-source air quality impacts. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

1-42 The commenter claims that Project's HRA incorporates non-standard daily breathing rates for sensitive receptors. Refer to Response to Comment 1-13 regarding appropriateness of the Project's HRA analysis and a discussion of non-standard daily breathing rates. No further response is required.

1-43 The commenter states that the average truck trip length of 40 miles used in the air quality analysis does not match the length(s) used to support other warehouse projects. The commenter reiterates previous statements alleging inadequacy of the EIR air quality analysis based on the commenter's assumed Project truck trip lengths. The Lead Agency disagrees with these statements. Commenter statements regarding truck trip lengths have been previously addressed in detail at Final EIR Response to Comments A-18, A-19, A-28 (FEIR, pp. 2-43, 2-44, 2-45).

The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of vehicle trip lengths and all impacts related to or attributable vehicle trip lengths. No additions, revisions, or corrections to the EIR are necessary and no further response is required

1-44 The commenter provides a conclusionary statement, which does not present any additional information not covered in the previous comments. Thus, no additional response is required.

Attachment A:
Comment Letter

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April 15, 2024

Via Email and Overnight Mail
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Via Email Only
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Re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Mr. Ochoa, Development Advisory Board Members and Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit these comments on the 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant"), including the Final Environmental Impact Report ("FEIR") prepared by the City of Ontario ("City"). The FEIR and development plan will be considered at the April 15, 2024 Development Advisory Board meeting as Agenda Item B. The Board will make a recommendation to the Planning Commission regarding certification of the EIR and approval of the Development Plan application.[1] 1-1

CARE CA submitted comments on the Draft EIR ("DEIR") on October 5, 2023, accompanied by expert comments, showing that the DEIR failed to comply with the requirements of CEQA by failing to accurately disclose and mitigate potentially significant cumulative impacts, air quality and public health impacts,

[1] Staff Report, pg. 1. The Staff Report incorrectly states that the Board recommendation to the Planning Commission is to "adopt the draft EIR." (pg. 8). However, the operative CEQA document for the Project is currently the FEIR, which includes both the Draft EIR and the City's responses to comments on the Draft EIR.

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greenhouse gas ("GHG") emissions, energy and transportation impacts. We reviewed the Board Staff Report, the FEIR, and its technical appendices with the assistance of transportation expert Norm Marshall[2] and air quality expert Dr. James Clark.[3] The FEIR contains responses to CARE CA's comments. However, it fails to meaningfully address or correct major flaws CARE CA and its experts identified in the DEIR. 1-1

As explained herein, the FEIR still underestimates the number of trips generated by the Project and the distance of Project-related truck trips, thus continuing to underestimate the severity of the Project's public health, air quality, GHG, and transportation impacts. The FEIR also continues to assume that cold storage uses would be limited to 10% of the Project, reasoning that a condition of approval will limit cold storage to 10% of the Project's square footage, but no such condition of approval is included in the conditions of approval attached to the Staff Report. The FEIR still fails to provide an adequate cumulative impacts analysis that considers the Project's combined impacts with other existing and proposed industrial developments near the Project, in violation of CEQA. And the FEIR's quantified health risk analysis still underestimates impacts. As a result, the FEIR's conclusions are not supported by substantial evidence. Rather, substantial evidence demonstrates that the Project's significant impacts are greater than analyzed in the FEIR. 1-2

The Staff Report incorrectly concludes that the "draft EIR contains a complete and accurate reporting of the environmental impacts associated with the Project" and complies with CEQA.[4] The Staff Report recommends that the Planning Commission adopt the draft EIR[5] and approve the Project's Development Plan Application.[6] These recommendations are unsupported due to the major flaws in the Project's environmental review. 1-3

CARE CA urges the Board to recommend that the City revise and recirculate the EIR to comply with CEQA before any further action is taken on the Project.

I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker 1-4

[2] Mr. Marshall's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[3] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit B**.
[4] Staff Report, PDEV22-017 – Draft Environmental Impact Report, pg. 7, Part 3: Decision, Section 1.
[5] *Id.*, pg. 8, Part 3, Section 4.
[6] Staff Report, PDEV22-017, Part 3, Section 5.

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health and safety hazards, and the environmental impacts of the Project. The coalition includes Ontario residents Daniel Brewer, David Audelo, Carlos Mendez, Rober Rubio, the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Ontario and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite. 1-4

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

A. CARE CA Has a Direct Interest in Enforcing Compliance with CEQA and Land Use Laws

The City, in FEIR Response A-3, claims that CARE CA's "primary interest is securing jobs through a project labor agreement."[7] This statement is an improper ad hominem attack on members of the public who submitted comments on the Draft EIR. It is also incorrect, unsupported by any facts in the record, and contrary to the purpose of an FEIR's responses to comments, which is to "describe the disposition of each significant environmental issue that is raised by commenters,"[8] not to attack the commenter. 1-5

The FEIR's statement appears intended solely to influence City decisionmakers to disregard the valid environmental concerns raised in CARE CA's

[7] FEIR, pg. 2-37.
[8] Pub Res. Code §21091(d); 14 Cal Code Regs §§15088(c), 15132(d), 15204(a); *City of Long Beach v Los Angeles Unified Sch. Dist.* (2009) 176 Cal. App. 4th 889, 904.

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comments, and distract from the substantial evidence presented by CARE CA's experts regarding the Project's unmitigated environmental and public health impacts. This is an improper use of an FEIR, which is intended to ensure that "public participation in the environmental review process is meaningful."[9] It is also irrelevant, because community groups, labor organizations, and other members of the public have standing under CEQA to participate in the public comment period required by law, and California courts have explained that ad hominem responses are irrelevant.[10]

1-5

The FEIR's statement is also factually incorrect. For decades, labor organizations like the union members of CARE CA have relied on the CEQA process to enforce environmental and public health protections – *including worker health protections* – for new development projects as a means of ensuring a safe working and living environment for the public, including themselves and their families. CEQA is especially important to union members who construct projects because they are the first in line to be exposed to health and safety impacts that exist onsite – impacts like soil contamination, air pollution from construction equipment, and excess noise. For many, CEQA has become the only place where communities of color, which includes workers represented by labor unions, have a voice in the process of developing projects in their communities.

1-6

California unions regularly participate as interested members of the public in the CEQA process. Their participation has led to decades of stronger air quality and toxic material controls at construction sites and housing developments, lowered emissions at industrial sites, increased electrification and renewable gas and fuels, reductions in GHG emissions, reduced construction noise and traffic in residential areas, improved water quality, water conservation, and protections for natural landscapes and sensitive biological resources. Union participation in the CEQA process has resulted in improved analysis and mitigation in agencies' CEQA documents, and, in some cases, successful litigation requiring agencies to comply with CEQA where the issues unions raised were not resolved during the administrative process. In short, ***union participation in the CEQA process leads to cleaner, safer, and more sustainable development in the State***. This is exactly what CEQA is designed to accomplish – protecting people and the environment through active public engagement in the environmental process.

[9] *City of Long Beach,* 176 Cal. App. 4th at 904.
[10] *Bakersfield Citizens for Local Control v. City of Bakersfield* (Cal. Ct. App. 2004) 124 Cal.App.4th 1184, 1196 ("[W]e will not dignify with extended comment [developer]'s complaint that BCLC is just a 'front' for a grocery worker's union whose disgruntled members feel threatened by nonunionized Wal-Mart's entry into the grocery business. As will be explained, BCLC has standing to pursue this litigation and it exhausted its administrative remedies. This is sufficient.")

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Public agencies have also acknowledged unions for their valuable contribution to the environmental review process. For example, when approving the Elk Hills project, the California Energy Commission Presiding Commissioner Michal Moore praised and thanked union coalition California Unions for Reliable Energy ("CURE") for its participation in the proceeding: **"We never would've gotten to some of the places that we did, and the resolution that we did, if it hadn't been for the – the dogged efforts of [CURE]…we came to a good place, and probably couldn't have gotten to that good place without some of the tension and – and rigor that was applied. So, thank you very much**."[11] During the evidentiary hearings, a Commissioner "**thank[ed] CURE for the technical help that Phyllis Fox [CURE expert] offered us, and certainly offered me an education that I wasn't going to get any other place**."[12]

Some unions work on constructing and operating projects after they participate in the environmental permitting process. Some developers and critics allege this means that unions are using CEQA to induce developers to enter into project labor agreements, then abandon the environmental issues – just as the FEIR does here. These allegations are not only false, they demonstrate a fundamental misunderstanding of union participation. When the unions work on projects they have challenged, ***they do not walk away from the environmental and public health issues they raise. They enforce them through binding mitigation and environmental settlement agreements***. This is consistent with CEQA's environmental purpose, and with the historic values of organized labor to solve problems, engage in civic discourse and activism, advocate for safe working conditions, and effect changes that improve their members' lives and communities.[13] 1-6

CARE CA asks that the City revise the EIR to remove this inaccurate and improper statement about CARE CA, and any other unsupported statements of dislike made about other members of the public who commented on the DEIR.

[11] Elk Hills Power Project, Docket No. 99-AFC-1, CEC Business Meeting Transcript, pp. 24-25 (Dec. 6, 2000).)
[12] Elk Hills Power Project, Docket No. 99-AFC-1, Transcript of Evidentiary Hearing, pg. 61 (Oct. 26, 2000).
[13] See U.S. Department of Labor, *Unions 101*, available at https://www.dol.gov/general/workcenter/unions-101 (last visited 5/21/23); Economic Policy Institute, *How Today's Unions Help Working People: Giving Workers The Power To Improve Their Jobs And Unrig The Economy*, August 24, 2017, available at https://www.epi.org/publication/how-todays-unions-help-working-people-giving-workers-the-power-to-improve-their-jobs-and-unrig-the-economy/ (last visited 5/21/23).

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II. THE FEIR FAILS TO ADEQUATELY ANALYZE, QUANTIFY, AND MITIGATE THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS

An EIR must fully disclose all potentially significant impacts of a project and implement all feasible mitigation to reduce those impacts to less than significant levels. The lead agency's significance determination with regard to each impact must be supported by accurate scientific and factual data.[14] An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.[15]

Moreover, the failure to provide information required by CEQA is a failure to proceed in the manner required by law.[16] Challenges to an agency's failure to proceed in the manner required by CEQA, such as the failure to address a subject required to be covered in an EIR or to disclose information about a project's environmental effects or alternatives, are subject to a less deferential standard than challenges to an agency's factual conclusions.[17] In reviewing challenges to an agency's approval of an EIR based on a lack of substantial evidence, the court will "determine de novo whether the agency has employed the correct procedures, scrupulously enforcing all legislatively mandated CEQA requirements."[18] 1-7

Even when the substantial evidence standard is applicable to agency decisions to certify an EIR and approve a project, reviewing courts will not 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference.'"[19]

CEQA requires that a lead agency evaluate and prepare written responses to comments in an FEIR.[20] Agencies are required to provide "detailed written response to comments . . . to ensure that the lead agency will fully consider the environmental consequences of a decision before it is made, that the decision is well informed and open to public scrutiny, and the public participation in the environmental review process is meaningful."[21] When a comment raises a "significant environmental issue," the written responses must describe the

[14] 14 CCR § 15064(b).
[15] *Kings Cty. Farm Bur. v. Hanford* (1990) 221 Cal.App.3d 692, 732.
[16] *Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236.
[17] *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.
[18] *Id.*; *Madera Oversight Coal., Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102.
[19] *Berkeley Jets*, 91 Cal.App.4th at 1355.
[20] PRC § 21091(d); 14 CCR §§ 15088(a), 15132.
[21] *City of Long Beach v. Los Angeles Unified Sch. Dist.* (2009) 176 Cal.4th 889, 904.

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disposition of each such issue raised by commentators.[22] Specifically, the lead agency must address the comment "in detail giving reasons why" the comment was "not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice."[23] 1-7

A. The FEIR Still Fails to Adequately Evaluate Trips Generated by the Project

CARE CA's comments on the DEIR showed that the DEIR underestimated trips generated by the Project by relying on inappropriate Institute of Transportation Engineers ("ITE") land use codes, thus underestimating the Project's GHG and VMT impacts. Specifically, the DEIR relied on ITE land use code 150 (Warehousing) and ITE land use code 157 (High-Cube Cold Storage Warehouse), when other land use codes are applicable to the Project that have much higher trip generation rates. In particular, Mr. Marshall explained that the Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.[24]

The FEIR responds that the Project's design would not support a high-cube (sort) fulfillment center or high-cube parcel hub, pointing to the Project's square footage and number of parking spaces.[25] The FEIR states that the Project's anticipated use and size (270,377 sf) most closely aligns with the ITE Warehousing land use category. But Mr. Marshall explains that the Project's size equally aligns with ITE Land Use 156: High Cube Parcel Hub Warehouse, which accounts for warehouses with at least 200,000 gross square feet of floor area.[26] Mr. Marshall also explains that the Project's proposed number of parking spaces would further enable the Project to function as a High Cube Parcel Hub Warehouse. 1-8

In sum, the FEIR offers no support for is continued reliance on low trip generation rates. As a result, the City continues to rely on potentially underestimated trip generation rates which do not accurately reflect the Project's operational impacts. To the contrary, substantial evidence shows that trip generation rates could be 2.6 times greater than analyzed. To ensure adequate analysis and mitigation of this impact, Mr. Marshall recommends either applying a

[22] PRC §21091(d); 14 CCR §§15088(c), 15132(d), 15204(a).
[23] 14 CCR § 15088(c); *see Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1124 ("*Laurel II*"); *The Flanders Foundation v. City of Carmel-by-the-Sea* (2012) 202 Cal. App. 4th 603, 615.
[24] Marshall FEIR Comments, pg. 3.
[25] FEIR, pg. 2-38, 39.
[26] Marshall FEIR Comments, pg. 4.

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significantly more conservative trip generation rate, or implementing a condition of approval that trip generation will not exceed the number assumed in the EIR.[27] The EIR must be revised and recirculated to provide an accurate analysis of trip generation. 1-8

B. The FEIR Still Fails to Substantiate Its Estimate that Just 10% Percent of the Project Will be Used for Cold Storage

CARE CA's comments on the DEIR showed that the City lacked substantial evidence to assume that the Project would only include approximately 27,034 sf of high-cube cold storage uses (10% of the building space).[28] In Response A-7, the FEIR states that the City has added a condition of approval to the Project limiting cold storage to 27,034 sf (10% of the total sf).[29] But there is currently no indication any such condition of approval will be required. The April 15, 2024 Development Advisory Board agenda packet contains a Draft Development Advisory Board decision,[30] Land Development Division conditions of approval,[31] Landscape Planning Division conditions of approval,[32] Engineering Division conditions of approval,[33] and City of Ontario memoranda containing conditions of approval.[34] None of these documents contain a condition limiting the Project's cold storage uses. The FEIR's conclusion that the environmental impacts associated with cold storage would be limited to just 10% of the Project site therefore remains unsupported. 1-9

As explained in CARE CA's comments on the DEIR, cold storage warehouses generate greater environmental impacts than other types of warehouse.[35] CARE CA urges the City to revise and recirculate the EIR to analyze the impacts of additional cold storage use at the Project site, or to add a mitigation measure with a title restriction limiting cold storage to 10%.

C. The FEIR Still Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

CARE CA commented that the DEIR fails to consider the cumulative impacts of past, present, and probable future projects producing related or cumulative 1-10

[27] Marshall FEIR Comments, pg. 4.
[28] DEIR, pg. 3-13.
[29] FEIR, pg. 2-39.
[30] April 15, 2024 Agenda Packet, pg. 3044.
[31] *Id.* at 3073.
[32] *Id.* at 3081.
[33] *Id.* at 3084.
[34] *Id.* at 3098, 3100.
[35] CARE CA DEIR Comments, pg. 8-10.

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impacts. The DEIR's approach to cumulative impacts, relying on South Coast Air Quality Management District ("SCAQMD") guidance, is that emissions of criteria air pollutants or toxic air contaminants that do not exceed individual project thresholds are also not cumulatively considerable.[36] CARE CA's comments explained that rote application of SCAQMD significance thresholds without analysis of the context in which the Project is being proposed fails to satisfy the analytical and information requirements of CEQA, per caselaw such as *Kings County Farm Bureau v. City of Hanford*.[37] CARE CA also explained that SCAQMD's cumulative impacts significance thresholds, adopted in 2003, are being revised to reflect current conditions. The updated cumulative impacts significance thresholds will reflect projects' existing background MATES cancer risk and additional criteria such as whether the project would generate a high volume of diesel-fueled trucks.[38] CARE CA also discussed the Attorney General's guidance on cumulative impacts, which states that best practices include "thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, *even if the project's individual impacts alone do not exceed the applicable significance threshold* [emphasis added]."[39] 1-10

In Responses 14, 15, and 16, the FEIR responds that "The Draft EIR and underlying technical studies were prepared in a matter consistent to the SCAQMD recommendation for determining cumulative impacts." The FEIR's response is non-responsive because it does not address the City's failure to comply with CEQA's legal standards for evaluating cumulative impacts that were discussed in CARE CA's comments. The FEIR also does not address the pending updates to SCAQMD's cumulative impacts methodology, which are statedly prepared in response to recent CEQA cases such as *People of the State of California v. City of Fontana.*[40] 1-11

In *People of the State of California v. City of Fontana,* the Attorney General's petition for writ of mandate challenged a Mitigated Negative Declaration ("MND")

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[36] DEIR, Appendix B, pg. 53.
[37] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("Kings County"); *see also, Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.
[38] SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=16; SCAQMD Working Group Meeting #5, Cumulative Impacts from Air Toxics for CEQA Projects (March 20, 2024) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20.
[39] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Updated September 2022), pg. 7, available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf.
[40] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;

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that erroneously applied SCAQMD guidance in the same way as the instant EIR. The petition explained:

> [T]he MND's cumulative air quality impact analysis does not account for—or even acknowledge—the multitude of other warehouses near the Project. Rather than consider the environmental setting within which the Project will be situated, the MND simply states that the Project will not result in a cumulatively considerable increase in emissions because the Project's individual air quality impacts will be less than significant. The MND even applies this reasoning to its analysis of health impacts from localized emissions, despite making no attempt to determine or disclose the severity of the existing health impacts from localized emissions in the community.[41]

The petition further explained that merely citing to SCAQMD guidance does not justify a failure to analyze a Project's cumulative impacts:

> The MND cites Appendix D of an August 2003 white paper published by the South Coast Air Quality Management District ("SCAQMD") entitled "White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution" ("2003 SCAQMD White Paper"). **To the extent that the 2003 SCAQMD White Paper asserts that any project with less than significant individual air quality impacts also necessarily has less than significant cumulative air quality impacts, it is inconsistent with CEQA** for at least the reasons stated above. Moreover, the 2003 SCAQMD White Paper lacks substantial evidence to support such a contention, and thus the MND's reliance on it violates CEQA. (Cal. Code Regs., tit. 14, § 15064.7, subd. (c).) The MND further violated CEQA by failing to provide substantial evidence to support its reliance on the 2003 SCAQMD White Paper, Appendix D as "guidance." (Ibid.) Finally, even if the MND's reliance on the 2003 SCAQMD White Paper were proper and supported by substantial evidence, the MND did not consider other evidence—such as public comments and the existence of many other sources of pollution near the Project site—showing that the Project could have a significant cumulative air quality impact. (See Cal. Code Regs., tit. 14, § 15064, subd. (b).) [emphasis added][42]

1-11

[41] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 9, paragraph 32, available at https://climatecasechart.com/wp-content/uploads/case-documents/2021/20210723_docket-CIVSB2121829_petition-for-writ-of-mandate.pdf.
[42] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 13, paragraph 49.

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The Attorney General's litigation resulted in a settlement which requires compliance with an ordinance adopted on April 12, 2022 that establishes sustainability standards for warehouses in Fontana, including standards intended to address cumulative air quality impacts. For example, the standards include requirements that rooftop solar panels supply 100% of power for non-refrigerated portions of facilities with buildings over 400,000 square feet, trees in automobile parking areas, zero emission motorized operational equipment, other equipment electrification requirements, and solar-ready buildings roofs.[43] These are just a few examples of feasible mitigation available to reduce cumulative air quality impacts, in compliance with CEQA. 1-11

The FEIR for the instant Project suffers from the same lack of analysis and legal errors as the MND in the Attorney General's Fontana litigation. As a result of its refusal to analyze cumulative impacts, the FEIR fails to disclose or mitigate potentially significant local and regional cumulative impacts. In sum, the FEIR has not responded to CARE CA's comments on this issue and fails to remedy the City's inadequate cumulative impacts analysis. The Project cannot be approved until the City revises and recirculates an EIR that analyzes the Project's potentially significant cumulative impacts.

D. The FEIR's Quantified Health Risk Analysis Underestimates Impacts

The City prepared a Mobile Source Health Risk Assessment ("HRA") to analyze health risk impacts on residential and non-residential (worker) receptors in the vicinity of the Project.[44]

1-12

The HRA underestimates the Project's operational health risk impacts on residential receptors and workers by failing to account for building downwash in the AERMOD analysis.[45] Dr. Clark explains that building downwash occurs as the wind flows over and around buildings and impacts the dispersion of pollution.[46] This downwash effect leads to higher ground-level concentration of chemicals emitted from sources.[47]

[43] *Id.*, Stipulation For Entry Of Final Judgment On Consent, available at https://climatecasechart.com/wp-content/uploads/case-documents/2022/20220414_docket-CIVSB2121605-CIVSB2121829_stipulation.pdf.
[44] DEIR, Appendix B2, pg. 25.
[45] Clark Comments, pg. 3.
[46] *Id.*
[47] *Id.*

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The HRA also underestimates the Project's health risk impacts by relying on non-standard daily breathing rates for sensitive receptors. Dr. Clark explains that the HRA unjustifiably relies on breathing rates lower than recommended by the Office of Environmental Health Hazard Assessment's Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments.[48] 1-13

CEQA requires an accurate analysis of human health impacts. CEQA Guidelines Section 15065(a)(4) provides that the City is required to find a project will have a significant impact on the environment and require an EIR if the environmental effects of a project will cause a substantial adverse effect on human beings. The Supreme Court has also explained that CEQA requires the lead agency to disclose the health consequences that result from exposure to a project's air emissions.[49] Courts have held that an environmental review document must disclose a project's potential health risks to a degree of specificity that would allow the public to make the correlation between the project's impacts and adverse effects to human health.[50] 1-14

Because the City's analysis underestimates the Project's health risk impacts, the City fails to meet CEQA's requirement to accurately disclose the Project's impacts on public health and support its conclusions with substantial evidence. A revised HRA must be included in a recirculated EIR.

E. The FEIR Still Underestimates Truck Trip Lengths and Resultant Impacts

CARE CA commented that the DEIR underestimates truck trip lengths by applying a truck trip length of 15.3 miles for 2-axle trucks, 14.2 miles for 3-axle trucks, and 40 miles for 4+-axle trucks. The DEIR states that these truck trip distances are recommended by SCAQMD, but Mr. Marshall explained that the City must consider the reasonably foreseeable distance to the Project's likely trip destinations.[51] These include the Ports of Los Angeles and Long Beach – approximately 60 miles away. The FEIR responds in Response A-18: 1-15

> The commenter fails to provide any evidentiary basis for the arbitrary number of 60 miles it suggests using… In fact, these recommendations are in direct opposition of the SCAQMD's recommended truck travel distance for warehousing projects within its jurisdiction (based on SCAG regional travel

[48] *Id.* at 5.
[49] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, 523.
[50] *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.
[51] Marshall Comments, pg. 7.

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> demand data)… The commenter's recommended trip lengths are not supported by any substantial evidence provided by the SCAQMD and contradicts published material from SCAQMD that was utilized in the underlying analysis.[52]

1-15

The FEIR misinterprets the SCAQMD guidance. SCAQMD itself regularly comments on warehouse projects that it is essential to analyze the distance from warehouse projects to likely destinations and has emphasized that agencies should not rely solely on the 40-mile average trip length identified in its guidance. For example, SCAQMD recently commented on a warehouse project proposed for a location at a similar distance from the Ports as the instant Project:

> South Coast AQMD recommended 15.3 miles, 14.2 miles, and 40 miles of truck trip lengths derived from the Southern California Association of Government's (SCAG) estimation of average truck trip length in its 2016 Regional Transportation Plan. However, it is essential to note that **the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way**. Thus, **South Coast AQMD staff is concerned about underestimating truck emissions** due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the **more conservative trip length between 40 to 70 miles**, of which 40 miles could be used for local and **70 miles for Port trips** and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.[53]

1-16

[52] FEIR, pg. 2-43.

[53] **Exhibit C**, containing the following comment letters: SCAQMD, Comments on the Draft Subsequent Environmental Impact Report for the Hemlock Warehouse Development Project (SCH No.: 2009091089) (November 22, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/november-2023/SBC231011-05.pdf; also attached as Attachment B to Mr. Marshall's comments; SCAQMD, Comments on Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449) (October 9, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf; SCAQMD, Comments on Draft Environmental Impact Report (DEIR) for the Optimus Logistics Center 2 (September 11, 2015), pg. 3, available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/september/deiroptimus.pdf?sfvrsn=2 ("Since the port areas are over 70 miles away from the project site and that trucks will be serving other destinations within the basin and out of state, the SCAQMD staff recommends, absent a tenant-specific analysis with trip length information, that all applicable analyses be revised in the Final EIR using a one-way trip length that more accurately estimates air quality emission and related impacts based on the anticipated activities and distances

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In sum, the FEIR is incorrect when it states that CARE CA's recommendation to use a 60-mile truck trip length for trips to Ports of Los Angeles and Long Beach is not supported by substantial evidence. Rather, it is the FEIR's truck trip length assumptions which are not supported by substantial evidence – SCAQMD does not recommend blind reliance on truck trip lengths of 15.3 miles, 14.2 miles, and 40 miles for warehouse projects such as the instant Project for which longer trips to and from the ports are reasonably foreseeable. 1-16

Dr. Clark's comments also discuss the relationship between the ports and warehouses like this Project. Dr. Clark discusses the large percentage of goods passing through the ports, the number of truck trips generated by the ports, and observes that the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.[54] Substantial evidence therefore demonstrates that the Project's truck trip lengths are underestimated, resulting in underestimation of transportation, air quality, and GHG impacts. The Project cannot be approved until this error is corrected in a revised and recirculated EIR. 1-17

F. The FEIR Fails to Include Sufficient Investigation into Energy Conservation Measures

The DEIR and FEIR do not include sufficient investigation into energy conservation measures that might be available or appropriate for the Project. In the DEIR, the City concludes that energy impacts of the Project would be less than significant because the Project's construction and operations would comply with state regulations.[55] But as discussed below, the Project's environmental review does not sufficiently consider energy conservation measures like solar facilities, use of alternate fuel sources, and passive energy efficiency measures to ensure the Project's energy consumption would not be wasteful, inefficient, or unnecessary. The FEIR briefly addresses some energy conservation measures in Responses B-59, B-56, and B-53, but only to explain that none are required because air quality impacts are less than significant. This analysis fails to meet CEQA's requirements. 1-18

CEQA requires an environmental document to discuss mitigation measures for significant environmental impacts, including "measures to reduce the wasteful, 1-19

described in the DEIR."); SCAQMD, Comments on Draft Environmental Impact Report (DEIR) for the Proposed Westgate Specific Plan (SCH No. 1995052002) (March 5, 2015), pg. 5, available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/march/deirwestgate.pdf?sfvrsn=4; SCAQMD, Comments on Draft Mitigated Negative Declaration (Draft MND) for the Proposed Colton – DEXUS Project (February 1, 2013), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2013/february/colton-dexus.pdf.

[54] Clark Comments, pg. 6.

[55] DEIR, pg. 4.4-5, 6.

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inefficient, and unnecessary consumption of energy."[56] The CEQA Guidelines require discussion of energy conservation measures when relevant, and provide examples in Appendix F:[57]

1) Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid waste.
3) The potential for reducing peak energy demand.
4) Alternate fuels (particularly renewable ones) or energy systems.
5) Energy conservation which could result from recycling efforts.

1-19

Courts have rejected EIRs that fail to include adequate analysis investigation into energy conservation measures that might be available or appropriate for a project.[58] In *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[59] the Court of Appeal reviewed an EIR for a shopping center on undeveloped agricultural land. The EIR concluded that, due to the proposed project's compliance with Title 24 guidelines and regulations, the project would be expected to have a less-than-significant impact regarding the wasteful, inefficient, or unnecessary consumption of energy. But the lead agency's EIR did not include discussion regarding the different renewable energy options that might be available or appropriate for the project. The Court held "the City's EIRs failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options."[60] The lead agency argued that compliance with the Building Code sufficed to address energy impact concerns for the project.[61] But the Court explained:

1-20

> Although the Building Code addresses energy savings for components of a new commercial construction, it does not address many of the considerations required under Appendix F of the CEQA Guidelines… These considerations include whether a building should be constructed at all, how large it should

[56] Pub. Resources Code, § 21100(b)(3); *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 930.
[57] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[58] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256; *Spring Valley Lake Ass'n v. City of Victorville* (2016) 248 CA4th 91.
[59] (2014) 225 CA4th 173.
[60] *Id.* at 213.
[61] *Id.* at 210, 211.

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> be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope. Here, a requirement that Gateway II comply with the Building Code does not, by itself, constitute an adequate assessment of mitigation measures that can be taken to address the energy impacts during construction and operation of the project.[62]

Here, the FEIR lacks analysis of common energy consumption measures in violation of CEQA Guidelines Appendix F. The FEIR fails to analyze the feasibility of onsite solar facilities, such as rooftop, parking lot, or ground-level solar photovoltaics. This analysis must address considerations such as the technical and economic feasibility of installing solar facilities on the Project site, the potential size of the Project's solar zone, and the potential magnitude of mitigation provided by installing solar facilities. The FEIR also fails to evaluate the extent to which mobile source energy consumption could be reduced during Project operations through electric vehicle charging infrastructure (above what is required by existing regulations). 1-20

The FEIR acknowledges that a diesel backup generator may be required for Project operations,[63] but fails to evaluate measures to reduce this source of energy consumption, such as use of alternative fuel sources. 1-21

The FEIR also fails to evaluate the feasibility of more stringent idling requirements over existing requirements.[64] 1-22

The FEIR's discussion of construction energy conservation measures also violates CEQA Guidelines Appendix F. The City's energy analysis fails to evaluate the feasibility of utilizing existing power sources (e.g., power poles) or alternative fuel generators rather than temporary power generators.[65] 1-23

The FEIR contains responses briefly addressing the measures discussed above.[66] But the responses simply state: "[a]s concluded in Section 4.2, Air Quality, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking 1-24

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[62] *CECC* (2014) 225 CA4th 173, 213.
[63] FEIR, pg. 2-40.
[64] Page 4.2-18 (CARB Rule 2485 (13 CCR 2485): Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling, which limits nonessential idling to five minutes or less for commercial trucks; CARB Rule 2449 (13 CCR 2449): In-Use Off-Road Diesel Idling Restricts, which limits nonessential idling to five minutes or less for diesel-powered off-road equipment.).
[65] DEIR, Appendix D, pg. 37.
[66] *See* FEIR, Responses B-59, B-56, and B-53.

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into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32)… Thus, the City determines that additional mitigation is not warranted."[67] This type of response does not evaluate the feasibility or effectiveness of energy-conservation measures, and thus does not provide the analysis required by CEQA Guidelines Appendix F. 1-24

In sum, the FEIR's energy analysis fails adequately analyze measures to reduce the wasteful, inefficient, and unnecessary consumption of energy, and fails to meaningfully address Appendix F's considerations of whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope.[68] This analysis must be provided in a revised and recirculated EIR. 1-25

III. THE BOARD CANNOT MAKE THE REQUISITE FINDINGS TO RECOMMEND APPROVAL OF THE PROJECT

Section 4.02.025(D) of the City of Ontario Municipal Code sets forth findings necessary to approve a development plan. The Code provides that an application for a development plan shall be denied if the following finding (among others) cannot be clearly established: "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project."[69]

1-26

The Staff Report states that the Project meets this requirement, but this finding lacks support.[70] The Project would have a significant and unavoidable VMT impact. And the Project has potentially significant health risk, air quality, GHG, and energy impacts which have been underestimated in the FEIR. Because the Project's impacts on public health, safety and general welfare have not been adequately analyzed and mitigated, the City cannot make the requisite findings to approve the Project.

[67] FEIR, Response B-57.
[68] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256, 264.
[69] Section 4.02.025(D)(3).
[70] Staff Report, PDEV22-017, Part 3, Section 4.

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For the same reason, the Staff Report lacks support to make the following finding in recommending adoption of the FEIR: "[t]he draft EIR contains a complete and accurate reporting of the environmental impacts associated with the Project."[71] 1-27

A revised EIR must be recirculated before the Project can be recommended for approval.

IV. CONCLUSION

As is explained herein, the FEIR's air quality, health risk, energy, and transportation analyses remain substantially inaccurate and incomplete, failing to comply with the requirements of CEQA. As a result, the FEIR still fails to adequately disclose and mitigate the Project's significant impacts. As a consequence of these impacts, the City cannot make the requisite findings under CEQA to recommend certification of the FEIR or under the City of Ontario Municipal Code to approve the Project's development plan. CARE CA urges the Board to recommend that the City revise and recirculate the EIR before any further action is taken on the Project. 1-28

Sincerely,



Aidan P. Marshall

Attachments
APM:acp

[71] Staff Report, PDEV22-017 – Draft EIR, Part 3, Section 1; Staff Report, PDEV22-017, Part 3, Section 1.

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EXHIBIT A

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Norman Marshall, President
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April 15, 2023

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Subject: 5355 East Airport Drive Project

Dear Mr. Marshall,

In October 2023, I reviewed trip generation, vehicle miles traveled (VMT) impacts and greenhouse gas (GHG) impacts of the City of Ontario Draft Environmental Impact Report for a proposed warehouse project at 5355 East Airport Drive ("DEIR"). I made the following findings:

1) The DEIR acknowledges significant and unavoidable VMT impact. Furthermore, the DEIR documents that the project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.
2) The proposed VMT mitigation is not fully specified or quantified in the DEIR and appears to fall far short of what would be required to reduce project VMT below the City's threshold. Achieving significant VMT mitigation for this project may be impossible – but mitigation must be specified and quantified for the project to be properly evaluated.
3) Project trip generation could be much higher than assumed. Given the large uncertainty in the project's trip generation, the applicant should take one of two paths -either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.
4) Project GHG emissions could be much higher than assumed. In addition to trip generation possibly being underestimated, average trip lengths for both trucks and passenger vehicles are likely to be underestimated in the DEIR.

1-29

Now, I have reviewed the responses to these comments made in the project's Final Environmental Impact Review ("FEIR") dated February 2024.

1-30

Truck trip lengths – The FEIR repeats the false assertion that the truck trip lengths follow SCAQMD's recommendations (FEIR, A-18, p. 2-43). In my October 2023 comments, I addressed this, writing:

> The truck trip lengths are used in calculations of possible mitigation in *Second Draft Staff Report Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. And Proposed Rule 316 -Fees for Rule 2305*.[1] The reference for these numbers is the 2016 SCAG travel demand model (p. 117) and there is no indication that these numbers are intended for any use beyond this single document. The 40-mile heavy truck trip length also appears in a 2014 slide presentation.[2] In neither case, are these numbers presented as general recommendations for warehouse EIRs.

To prove that this is not a general SCAQMD recommendation for all warehouses, I attach SCAQMD's November 22, 2023 comments on the Hemlock Warehouse Development Project Draft SEIR in the City of Fontana. That Draft SEIR applied the same truck trip lengths as used in the 5355 East Airport Drive DEIR and FEIR. SCAQMD's comments state:

> However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project. (p. 2)

1-30

SCAQMD is making the same point I made in my October 2023 comments where I wrote:

> it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR. These include the Ports of Los Angeles and Long Beach that are approximately 60 miles away. It would be more conservative to assume longer average truck distances in the air quality and GHG analyses.

The FEIR does not use SCAQMD- recommended truck trip lengths. SCAQMD instead recommends: "**Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project**."

[1] www.aqmd.gov/docs/default-source/planning/fbmsm-docs/pr-2305_sr_2nd-draft_4-7-21_clean.pdf
[2] https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/sclc_warehouse-presentation-final.pdf

VMT mitigation – The FEIR continues to state that the proposed project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.

However, the FEIR states that these impacts cannot be mitigated because "measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant." (FEIR A-24, p. 2-44)

1-31

My October 2023 comments recommended requiring CAPCOA T-5 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) – that can provide up to 26% VMT reduction:

> The mandatory CTR program must include all other elements (i.e., Measures T-7 through T-11) described for the voluntary program (Measure T-5) plus include mandatory trip reduction requirements (including penalties for non-compliance) and regular monitoring and reporting to ensure the calculated VMT reduction matches the observed VMT reduction). (*Handbook*, p. 86)

A smaller mandatory reduction may be appropriate for this project, with this requirement passed on to the tenant, but it is not sufficient to claim that no significant mitigation is possible.

1-32

In addition, the attached SCAQMD comments on the Hemlock Warehouse Development Project recommends several mitigation measures targeting truck emissions, including:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks,
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the final CEQA document, and

1-33

- Provide electric vehicle (EV) charging stations and electrical hookups for truckers. (p.3)

1-34

Trip generation

In my October 2023 comments, I provided data on different types of warehouses that have significantly higher trip generation rates than the 1.75 trips per 1000 sq. ft. assumed in the DEIR and FEIR. These include:

> The Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.

The FEIR argues that the highest generators that I discussed in my October 2023 comments could not be accommodated because ". . . the layout of the site with 251 parking spaces would not reasonable accommodate the on-site parking required to support these uses."

1-35

This point about parking may be valid for the highest generators per 1000 sq. ft. but not for the intermediate generators. The DEIR and FEIR estimate only 270 passenger car trips per day (DEIR Appendix K, p. 5), i.e., 135 vehicles in and 135 cars out. Therefore, if all cars were employees and they all worked the same single shift, the parking lot utilization would never exceed 54%. With multiple shifts and non-employee passenger car trips, the parking lot utilization would be much

lower. Therefore, the parking lot is designed to support many more trips than assumed in the DEIR and FEIR.

The 251 parking spaces are consistent with ITE Land Use 156: High Cube Parcel Hub Warehouse. This use is described:

> A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/ or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. A typical HCW has a high level of on-site automation and logistics management. The automation and logistics enable highly-efficient processing of goods through the HCW. A high-cube warehouse can be free-standing or located in an industrial park. A high-cube parcel hub warehouse typically serves as a regional and local freight-forwarder facility for time sensitive shipments via airfreight and ground carriers. A site can also include truck maintenance, wash, or fueling facilities. Some limited assembly and repackaging may occur within the facility.

1-35

Given the uncertainty concerning the proposed project and its size, 270,377 sq. ft., it could foreseeably end up being a High-Cube-Parcel-Hub Warehouse as defined above.

The number of parking spaces provided also is consistent with this usage. The trip generation rate for this category is 4.63 trips per 1000 sq. ft., i.e. 2.6 times the rate used in the DEIR and FEIR. This rate includes 0.58 truck trips per 1000 sq. ft. Therefore, the passenger car rate is 4.05 trips per 1000 sq. ft. As a High-Cube-Parcel-Hub Warehouse, the proposed project would generate 1095 passenger car trips per day.

The DEIR states:

> For the purposes of this EIR, the Project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. (DEIR, p. 3-13)

1-36

This suggests multiple shifts each day.

Some of the passenger car trips would not be parking long term, including trips dropping off and picking up workers, and miscellaneous service trips, all of which include both and entering trip and an exiting trip. However, even if all passenger car trips involved parking long-term, all the trips could be accommodated with the planned 251 parking spaces if each space is occupied an average of 2.18 times per day.

As I stated in my October 2023 comment letter:

Given the large uncertainty in the project's trip generation, the applicant should take one of two paths - either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

1-37

Sincerely,

Norman L. Marshall

Norman L. Marshall

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (33 Years, 19 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovate Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in $250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additional analyzed using the City's Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka'ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Caroline including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

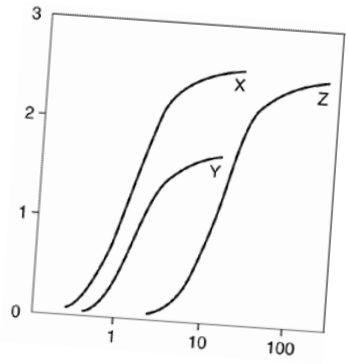
A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

EXHIBIT B



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April 15, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Attn: Mr. Aidan Marshall

Subject: Comments On Final Environmental Impact Report (FEIR) 5355 East Airport Drive, City of Ontario, CA SCH No. 202209006

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed materials related to the City of Ontario (the City) FEIR of the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item. 1-38

Project Description:

According to the City of Ontario's Development Advisory Board Decision File No. PDEV22-017 – Draft EIR (dated March 18, 2024), the Project consists of a Development Plan application to construct a 270,337 square-foot industrial building on the 13.08 acres of the Project site. The Project would require the demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The design would also include the installation of site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detection facilities, exterior lighting, walls/fencing, and signage along with improvements to East Airport Drive. 1-39



Figure 1: Site Location Map

Under existing conditions, the Project Site is developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site. Several subsurface septic systems are located beneath the Site to serve the existing uses.

1-39

Specific Comments

1. The City's Air Quality Analysis Did Not Incorporate Building Downwash In The AERMOD Analysis.

A review of the AQ Analysis and the Mobile Source Health Risk Assessment show that building downwash was not incorporated into the AERMOD analysis of the Project. Building downwash occurs as the wind flows over and around buildings and impacts the dispersion of pollution from nearby stacks. A plume caught in the path of this flow is drawn into the wake, temporarily trapping it in a recirculating cavity. This downwash effect leads to higher ground-level concentration of chemicals emitted from sources. The downwash effect increases as the relative difference between the release height and top of the building increases.[1] Using a lower height for the building will underestimate the potential ground level concentrations of pollutants associated with the Project operation.

For the closest receptors to the site, this difference will create an additional air quality impact that is not accounted for in the City's analysis. In addition to incorporating the building downwash impacts of the Project buildings, the AERMOD model should also incorporate the building downwash for receptors near the Project. Receptors farther away will still be subject to the downwash effect given the assumed emission height release incorporated into the model. Guidance from authoritative bodies in California regarding the preparation of health risk assessments of mobile sources of diesel emissions[2] requires the inclusion of building heights and dimensions for building downwash calculations. Omission of the building downwash effect underestimates the exposure point concentrations for receptors near the building(s). The City should address the impact of this issue in a revised DEIR.

1-40

[1] The so-called good engineering practice height (GEP) of the source. The GEP is defined in Section 123 of the Clean Air Act as "the height necessary to ensure that emissions from a stack do not result in excessive concentrations of any air pollutant in the immediate vicinity of the source as a result of atmospheric downwash, eddies or wakes which may be created by the source itself, nearby structures or nearby terrain obstacles."

[2] SCAQMD. 2003. Health Risk Assessment Guidance For Analyzing Cancer Risks From Mobile Source Diesel Emissions. August, 2003. Page 2.

2. The Air Quality Analysis Relies On An Input Value From AP-42 That Is Rated As Poor And May Be Unreliable

The CalEEMOD analysis of the construction emissions incorporates various factors from U.S. EPA's Emission Factors Handbook (AP-42). The AP-42 emission factor for crushing stones used in the CalEEMOD analysis is rated E. This is the worst rating in AP-42. According to the AP-42 FAQ - E = Poor. Factor is developed from C and D rated test data from a very few number of facilities, and there may be reason to suspect that the facilities tested do not represent a random sample of the industry. There also may be evidence of variability within the source category population. This means that there is a lot of uncertainty in the AQ analysis regarding the amount of particulate matter that will be emitted from the construction phase of the Project. The City should assess the impacts of this variable in a revised DEIR. 1-41

3. The Health Risk Analysis Incorporates Non-Standard Daily Breathing Rates For Sensitive Receptors Analyzed In The HRA

According to the FEIR, a health risk assessment was prepared in accordance with SCAQMD's guidance. For purposes of this Health Risk Assessment, receptors include both residential and non-residential (worker) land uses in the vicinity of the Project. These receptors are included in the Health Risk Assessment since residents and workers may be exposed at these locations over a long-term duration of 30 and 25 years, respectively.[3] 1-42

The input values utilized in the HRA analysis included a variety of daily breathing rates that are favorable to reducing the potential health impacts. The HRA states that "Discrete variants for daily breathing rates, exposure frequency, and exposure duration were obtained from relevant distribution profiles presented in the 2015 OEHHA Guidelines."[4] The values listed in Table 2-7 include both the 95 percent upper confidence limit (95% UCL) values (for age *in utero* exposure and age 0 to 2) and the 80th percentile values for the remaining age groups (age 2 to 16 and age 16 to 30).

[3] Urban Crossroads. 2022. 5355 East Airport Drive Mobile Source Health Risks Assessment. Prepared by Urban Crossroads. August 30, 2022. pg 5

[4] Urban Crossroads. 2022. 5355 East Airport Drive Mobile Source Health Risks Assessment. Prepared by Urban Crossroads. August 30, 2022. pg 19-20

The risk estimates for ages 2 to 30 is off by a factor of 1.3.

TABLE 2-7: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (30 YEAR RESIDENTIAL)

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	24
0 to 2	1,090	10	2	0.85	350	24
2 to 16	572	3	14	0.72	350	24
16 to 30	261	1	14	0.73	350	24

Figure 2: Daily Breathing Rates Utilized In HRA

The 2015 Air Toxic Hot Spots Program Guidance Manual [5] notes that residential estimates use 95th percentile breathing rates in Table 5.6. Table 5.6 shows values of 745 L/kg BW-day for children age 2 to 16 and 335 L/kg BW-day for adults age 16 to 30. 1-42

Table 5.6 Point Estimates of Residential Daily Breathing Rates for 3rd trimester, 0<2, 2<9, 2<16, 16<30 and 16-70 years (L/kg BW-day)

	3rd Trimester[a]	0<2 years	2<9 years	2<16 years	16<30 years	16<70 years
	L/kg-day					
Mean	225	658	535	452	210	185
95th Percentile	361	1090	861	745	335	290

[a] 3rd trimester **breathing rates** based on breathing rates of pregnant women using the assumption that the dose to the fetus during the 3rd trimester is the same as that to the mother.

The City's analysis is therefore incomplete, is not consistent with the guidance from OEHHA, and must be corrected in a revised final environmental impact report for the Project.

4. The Average Truck Trip Length Of 40 Miles Used In The Air Quality Analysis Does Not Match The Length(s) Used To Support Other Warehouse Projects. 1-43

According to the operations air quality analysis of Project,[6] the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for

[5] Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments, February 2015, http://oehha.ca.gov/air/hot_spots/hotspots2015.html

[6] Urban Crossroads. 2022. 5355 East Airport Drive Air Quality Impact Analysis. August 30. 2022. Pg 37

3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages.

This statement does not comport with the reality of where warehoused materials will ship from in the region. The 40-mile distance is insufficient to allow vehicles to travel to the major ports in the Southern California region – Los Angeles and Long Beach. These Ports are the largest source(s) of containerized products, and therefore the primary sources of heavy-duty truck traffic, on the West Coast of the United States are the Ports of Los Angeles and Long Beach. "In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade. The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day. Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately 700 million square feet, an increase of 20 percent over the last five years"),[7] citing data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units)[8] from 2020, the Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide.[9] The distance from the Port of LA to the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710. 1-43

Using the 62-mile daily truck trip will nearly double the daily emissions of pollutants associated with the Project, increasing the Regional burden and resulting in a potentially significant impact. The City must address the impact of this issue in a revised DEIR.

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised final environmental impact report should be prepared to address these substantial concerns. 1-44

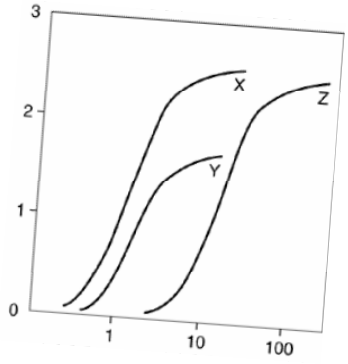
Sincerely,

[7] Available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

[8] https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/

[9] U.S. Dept. of Transportation, Federal Highway Administration, FHWA Operations Support – Port Peak Pricing Program Evaluation (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm





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James J. J. Clark, Ph.D.

Principal Toxicologist

Toxicology/Exposure Assessment Modeling

Risk Assessment/Analysis/Dispersion Modeling

Education:

Ph.D., Environmental Health Science, University of California, 1995

M.S., Environmental Health Science, University of California, 1993

B.S., Biophysical and Biochemical Sciences, University of Houston, 1987

Professional Experience:

Dr. Clark is a well recognized toxicologist, air modeler, and health scientist. He has 20 years of experience in researching the effects of environmental contaminants on human health including environmental fate and transport modeling (SCREEN3, AEROMOD, ISCST3, Johnson-Ettinger Vapor Intrusion Modeling); exposure assessment modeling (partitioning of contaminants in the environment as well as PBPK modeling); conducting and managing human health risk assessments for regulatory compliance and risk-based clean-up levels; and toxicological and medical literature research.

Significant projects performed by Dr. Clark include the following:

LITIGATION SUPPORT

Case: James Harold Caygle, et al, v. Drummond Company, Inc. Circuit Court for the Tenth Judicial Circuit, Jefferson County, Alabama. Civil Action. CV-2009

Client: Environmental Litgation Group, Birmingham, Alabama

Dr. Clark performed an air quality assessment of emissions from a coke factory located in Tarrant, Alabama. The assessment reviewed include a comprehensive review of air quality standards, measured concentrations of pollutants from factory, an inspection of the facility and detailed assessment of the impacts on the community. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Rose Roper V. Nissan North America, et al. Superior Court of the State Of California for the County Of Los Angeles – Central Civil West. Civil Action. NC041739

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to multiple chemicals, including benzene, who later developed a respiratory distress. A review of the individual's medical and occupational history was performed to prepare an exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to respiratory irritants. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: O'Neil V. Sherwin Williams, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to petroleum distillates who later developed a bladder cancer. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Summary judgment for defendants.

Case: Moore V., Shell Oil Company, et al. Superior Court of the State Of California for the County Of Los Angeles

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to chemicals while benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Raymond Saltonstall V. Fuller O'Brien, KILZ, and Zinsser, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Richard Boyer and Elizabeth Boyer, husband and wife, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-7G.

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: JoAnne R. Cook, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-9R

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of an individual exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Patrick Allen And Susan Allen, husband and wife, and Andrew Allen, a minor, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-W

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Michael Fahey, Susan Fahey V. Atlantic Richfield Company, et al. United States District Court Central District of California Civil Action Number CV-06 7109 JCL.

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Constance Acevedo, et al., V. California Spray-Chemical Company, et al., Superior Court of the State Of California, County Of Santa Cruz. Case No. CV 146344

Dr. Clark performed a comprehensive exposure assessment of community members exposed to toxic metals from a former lead arsenate manufacturing facility. The former manufacturing site had undergone a DTSC mandated removal action/remediation for the presence of the toxic metals at the site. Opinions were presented regarding the elevated levels of arsenic and lead (in attic dust and soils) found throughout the community and the potential for harm to the plaintiffs in question.

Case Result: Settlement in favor of defendant.

Case: Michael Nawrocki V. The Coastal Corporation, Kurk Fuel Company, Pautler Oil Service, State of New York Supreme Court, County of Erie, Index Number I2001-11247

Client: Richard G. Berger Attorney At Law, Buffalo, New York

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the

known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Judgement in favor of defendant.

SELECTED AIR MODELING RESEARCH/PROJECTS

Client – Confidential

Dr. Clark performed a comprehensive evaluation of criteria pollutants, air toxins, and particulate matter emissions from a carbon black production facility to determine the impacts on the surrounding communities. The results of the dispersion model will be used to estimate acute and chronic exposure concentrations to multiple contaminants and will be incorporated into a comprehensive risk evaluation.

Client – Confidential

Dr. Clark performed a comprehensive evaluation of air toxins and particulate matter emissions from a railroad tie manufacturing facility to determine the impacts on the surrounding communities. The results of the dispersion model have been used to estimate acute and chronic exposure concentrations to multiple contaminants and have been incorporated into a comprehensive risk evaluation.

Client – Los Angeles Alliance for a New Economy (LAANE), Los Angeles, California

Dr. Clark is advising the LAANE on air quality issues related to current flight operations at the Los Angeles International Airport (LAX) operated by the Los Angeles World Airport (LAWA) Authority. He is working with the LAANE and LAX staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client – City of Santa Monica, Santa Monica, California

Dr. Clark is advising the City of Santa Monica on air quality issues related to current flight operations at the facility. He is working with the City staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client: Omnitrans, San Bernardino, California

Dr. Clark managed a public health survey of three communities near transit fueling facilities in San Bernardino and Montclair California in compliance with California Senate Bill 1927. The survey included an epidemiological survey of the effected communities, emission surveys of local businesses, dispersion modeling to determine potential emission concentrations within the communities, and a comprehensive risk assessment of each community. The results of the study were presented to the Governor as mandated by Senate Bill 1927.

Client: Confidential, San Francisco, California

Summarized cancer types associated with exposure to metals and smoking. Researched the specific types of cancers associated with exposure to metals and smoking. Provided causation analysis of the association between cancer types and exposure for use by non-public health professionals.

Client: Confidential, Minneapolis, Minnesota

Prepared human health risk assessment of workers exposed to VOCs from neighboring petroleum storage/transport facility. Reviewed the systems in place for distribution of petroleum hydrocarbons to identify chemicals of concern (COCs), prepared comprehensive toxicological summaries of COCs, and quantified potential risks from carcinogens and non-carcinogens to receptors at or adjacent to site. This evaluation was used in the support of litigation.

Client – United Kingdom Environmental Agency

Dr. Clark is part of team that performed comprehensive evaluation of soil vapor intrusion of VOCs from former landfill adjacent residences for the United Kingdom's Environment

Agency. The evaluation included collection of liquid and soil vapor samples at site, modeling of vapor migration using the Johnson Ettinger Vapor Intrusion model, and calculation of site-specific health based vapor thresholds for chlorinated solvents, aromatic hydrocarbons, and semi-volatile organic compounds. The evaluation also included a detailed evaluation of the use, chemical characteristics, fate and transport, and toxicology of chemicals of concern (COC). The results of the evaluation have been used as a briefing tool for public health professionals.

EMERGING/PERSISTENT CONTAMINANT RESEARCH/PROJECTS

Client: Ameren Services, St. Louis, Missouri

Managed the preparation of a comprehensive human health risk assessment of workers and residents at or near an NPL site in Missouri. The former operations at the Property included the servicing and repair of electrical transformers, which resulted in soils and groundwater beneath the Property and adjacent land becoming impacted with PCB and chlorinated solvent compounds. The results were submitted to U.S. EPA for evaluation and will be used in the final ROD.

Client: City of Santa Clarita, Santa Clarita, California

Dr. Clark is managing the oversight of the characterization, remediation and development activities of a former 1,000 acre munitions manufacturing facility for the City of Santa Clarita. The site is impacted with a number of contaminants including perchlorate, unexploded ordinance, and volatile organic compounds (VOCs). The site is currently under a number of regulatory consent orders, including an Immanent and Substantial Endangerment Order. Dr. Clark is assisting the impacted municipality with the development of remediation strategies, interaction with the responsible parties and stakeholders, as well as interfacing with the regulatory agency responsible for oversight of the site cleanup.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of perchlorate in environment. Dr. Clark evaluated the production, use, chemical characteristics, fate and transport, toxicology, and remediation of perchlorate. Perchlorates form the basis of solid rocket fuels and have recently been detected in water supplies in the United States. The results of this research

were presented to the USEPA, National GroundWater, and ultimately published in a recent book entitled *Perchlorate in the Environment*.

Client – Confidential, Los Angeles, California

Dr. Clark is performing a comprehensive review of the potential for pharmaceuticals and their by-products to impact groundwater and surface water supplies. This evaluation will include a review if available data on the history of pharmaceutical production in the United States; the chemical characteristics of various pharmaceuticals; environmental fate and transport; uptake by xenobiotics; the potential effects of pharmaceuticals on water treatment systems; and the potential threat to public health. The results of the evaluation may be used as a briefing tool for non-public health professionals.

PUBLIC HEALTH/TOXICOLOGY

Client: Brayton Purcell, Novato, California

Dr. Clark performed a toxicological assessment of residents exposed to methyl-tertiary butyl ether (MTBE) from leaking underground storage tanks (LUSTs) adjacent to the subject property. The symptomology of residents and guests of the subject property were evaluated against the known outcomes in published literature to exposure to MTBE. The study found that residents had been exposed to MTBE in their drinking water; that concentrations of MTBE detected at the site were above regulatory guidelines; and, that the symptoms and outcomes expressed by residents and guests were consistent with symptoms and outcomes documented in published literature.

Client: Confidential, San Francisco, California

Identified and analyzed fifty years of epidemiological literature on workplace exposures to heavy metals. This research resulted in a summary of the types of cancer and non-cancer diseases associated with occupational exposure to chromium as well as the mortality and morbidity rates.

Client: Confidential, San Francisco, California

Summarized major public health research in United States. Identified major public health research efforts within United States over last twenty years. Results were used as a briefing tool for non-public health professionals.

Client: Confidential, San Francisco, California

Quantified the potential multi-pathway dose received by humans from a pesticide applied indoors. Part of team that developed exposure model and evaluated exposure concentrations in a comprehensive report on the plausible range of doses received by a specific person. This evaluation was used in the support of litigation.

Client: Covanta Energy, Westwood, California

Evaluated health risk from metals in biosolids applied as soil amendment on agricultural lands. The biosolids were created at a forest waste cogeneration facility using 96% whole tree wood chips and 4 percent green waste. Mass loading calculations were used to estimate Cr(VI) concentrations in agricultural soils based on a maximum loading rate of 40 tons of biomass per acre of agricultural soil. The results of the study were used by the Regulatory agency to determine that the application of biosolids did not constitute a health risk to workers applying the biosolids or to residences near the agricultural lands.

Client – United Kingdom Environmental Agency

Oversaw a comprehensive toxicological evaluation of methyl-*tertiary* butyl ether (M*t*BE) for the United Kingdom's Environment Agency. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of M*t*BE. The results of the evaluation have been used as a briefing tool for public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of *tertiary* butyl alcohol (TBA) in municipal drinking water system. TBA is the primary breakdown product of M*t*BE, and is suspected to be the primary cause of M*t*BE toxicity. This evaluation will include available information on the production, use, chemical characteristics, fate and transport in the environment, absorption, distribution, routes of detoxification, metabolites, carcinogenic potential, and remediation of TBA. The results of the evaluation were used as a briefing tool for non-public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of methyl *tertiary* butyl ether (MTBE) in municipal drinking water system. MTBE is a chemical added to gasoline to increase the octane

rating and to meet Federally mandated emission criteria. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MTBE. The results of the evaluation have been were used as a briefing tool for non-public health professionals.

Client – Ministry of Environment, Lands & Parks, British Columbia

Dr. Clark assisted in the development of water quality guidelines for methyl tertiary-butyl ether (MTBE) to protect water uses in British Columbia (BC). The water uses to be considered includes freshwater and marine life, wildlife, industrial, and agricultural (e.g., irrigation and livestock watering) water uses. Guidelines from other jurisdictions for the protection of drinking water, recreation and aesthetics were to be identified.

Client: Confidential, Los Angeles, California

Prepared physiologically based pharmacokinetic (PBPK) assessment of lead risk of receptors at middle school built over former industrial facility. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client: Kaiser Venture Incorporated, Fontana, California

Prepared PBPK assessment of lead risk of receptors at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

RISK ASSESSMENTS/REMEDIAL INVESTIGATIONS

Client: Confidential, Atlanta, Georgia

Researched potential exposure and health risks to community members potentially exposed to creosote, polycyclic aromatic hydrocarbons, pentachlorophenol, and dioxin compounds used at a former wood treatment facility. Prepared a comprehensive toxicological summary of the chemicals of concern, including the chemical characteristics, absorption, distribution, and carcinogenic potential. Prepared risk characterization of the carcinogenic and non-carcinogenic chemicals based on the exposure assessment to quantify the potential risk to members of the surrounding community. This evaluation was used to help settle class-action tort.

Client: Confidential, Escondido, California

Prepared comprehensive Preliminary Endangerment Assessment (PEA) of dense non-aqueous liquid phase hydrocarbon (chlorinated solvents) contamination at a former printed circuit board manufacturing facility. This evaluation was used for litigation support and may be used as the basis for reaching closure of the site with the lead regulatory agency.

Client: Confidential, San Francisco, California

Summarized epidemiological evidence for connective tissue and autoimmune diseases for product liability litigation. Identified epidemiological research efforts on the health effects of medical prostheses. This research was used in a meta-analysis of the health effects and as a briefing tool for non-public health professionals.

Client: Confidential, Bogotá, Columbia

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of a 13.7 hectares plastic manufacturing facility in Bogotá, Colombia The risk assessment was used as the basis for the remedial goals and closure of the site.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally cadmium) and VOCs from soil and soil vapor at 12-acre former crude oilfield and municipal landfill. The site is currently used as a middle school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and was used as the basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Managed remedial investigation (RI) of heavy metals and volatile organic chemicals (VOCs) for a 15-acre former manufacturing facility. The RI investigation of the site included over 800 different sampling locations and the collection of soil, soil gas, and groundwater samples. The site is currently used as a year round school housing approximately 3,000 children. The Remedial Investigation was performed in a manner

that did not interrupt school activities and met the time restrictions placed on the project by the overseeing regulatory agency. The RI Report identified the off-site source of metals that impacted groundwater beneath the site and the sources of VOCs in soil gas and groundwater. The RI included a numerical model of vapor intrusion into the buildings at the site from the vadose zone to determine exposure concentrations and an air dispersion model of VOCs from the proposed soil vapor treatment system. The Feasibility Study for the Site is currently being drafted and may be used as the basis for granting closure of the site by DTSC.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally lead), VOCs, SVOCs, and PCBs from soil, soil vapor, and groundwater at 15-acre former manufacturing facility. The site is currently used as a year round school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and will be basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of VOC vapor intrusion into classrooms of middle school that was former 15-acre industrial facility. Using the Johnson-Ettinger Vapor Intrusion model, the evaluation determined acceptable soil gas concentrations at the site that did not pose health threat to students, staff, and residents. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client –Dominguez Energy, Carson, California

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of 6-acre portion of a 500-acre oil and natural gas production facility in Carson, California. The risk assessment was used as the basis for closure of the site.

Kaiser Ventures Incorporated, Fontana, California

Prepared health risk assessment of semi-volatile organic chemicals and metals for a fifty-year old wastewater treatment facility used at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

ANR Freight - Los Angeles, California

Prepared a comprehensive Preliminary Endangerment Assessment (PEA) of petroleum hydrocarbon and metal contamination of a former freight depot. This evaluation was as the basis for reaching closure of the site with lead regulatory agency.

Kaiser Ventures Incorporated, Fontana, California

Prepared comprehensive health risk assessment of semi-volatile organic chemicals and metals for 23-acre parcel of a 1,100-acre former steel mill. The health risk assessment was used to determine clean up goals and as the basis for granting closure of the site by lead regulatory agency. Air dispersion modeling using ISCST3 was performed to determine downwind exposure point concentrations at sensitive receptors within a 1 kilometer radius of the site. The results of the health risk assessment were presented at a public meeting sponsored by the Department of Toxic Substances Control (DTSC) in the community potentially affected by the site.

Unocal Corporation - Los Angeles, California

Prepared comprehensive assessment of petroleum hydrocarbons and metals for a former petroleum service station located next to sensitive population center (elementary school). The assessment used a probabilistic approach to estimate risks to the community and was used as the basis for granting closure of the site by lead regulatory agency.

Client: Confidential, Los Angeles, California

Managed oversight of remedial investigation most contaminated heavy metal site in California. Lead concentrations in soil excess of 68,000,000 parts per billion (ppb) have been measured at the site. This State Superfund Site was a former hard chrome plating operation that operated for approximately 40-years.

Client: Confidential, San Francisco, California

Coordinator of regional monitoring program to determine background concentrations of metals in air. Acted as liaison with SCAQMD and CARB to perform co-location sampling and comparison of accepted regulatory method with ASTM methodology.

Client: Confidential, San Francisco, California

Analyzed historical air monitoring data for South Coast Air Basin in Southern California and potential health risks related to ambient concentrations of carcinogenic metals and volatile organic compounds. Identified and reviewed the available literature and calculated risks from toxins in South Coast Air Basin.

IT Corporation, North Carolina

Prepared comprehensive evaluation of potential exposure of workers to air-borne VOCs at hazardous waste storage facility under SUPERFUND cleanup decree. Assessment used in developing health based clean-up levels.

Professional Associations

American Public Health Association (APHA)
Association for Environmental Health and Sciences (AEHS)
American Chemical Society (ACS)
California Redevelopment Association (CRA)
International Society of Environmental Forensics (ISEF)
Society of Environmental Toxicology and Chemistry (SETAC)

Publications and Presentations:

Books and Book Chapters

Sullivan, P., **J.J. J. Clark,** F.J. Agardy, and P.E. Rosenfeld. (2007). *Synthetic Toxins In The Food, Water and Air of American Cities*. Elsevier, Inc. Burlington, MA.

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Sullivan, P.J., Agardy, F.J., **Clark, J.J.J.** 2002. *America's Threatened Drinking Water: Hazards and Solutions*. Trafford Publishing, Victoria B.C.

Clark, J.J.J. 2001. "TBA: Chemical Properties, Production & Use, Fate and Transport, Toxicology, Detection in Groundwater, and Regulatory Standards" in *Oxygenates in the Environment.* Art Diaz, Ed.. Oxford University Press: New York.

Clark, J.J.J. 2000. "Toxicology of Perchlorate" in *Perchlorate in the Environment.* Edward Urbansky, Ed. Kluwer/Plenum: New York.

Clark, J.J.J. 1995. Probabilistic Forecasting of Volatile Organic Compound Concentrations At The Soil Surface From Contaminated Groundwater. UMI.

Baker, J.; **Clark, J.J.J.**; Stanford, J.T. 1994. Ex Situ Remediation of Diesel Contaminated Railroad Sand by Soil Washing. Principles and Practices for Diesel Contaminated Soils, Volume III. P.T. Kostecki, E.J. Calabrese, and C.P.L. Barkan, eds. Amherst Scientific Publishers, Amherst, MA. pp 89-96.

Journal and Proceeding Articles

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equialency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. Organohalogen Compounds, Volume 70 (2008) page 002254.

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Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** (2007). "Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." *Environmental Research.* 105:194-199.

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Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** 2006. "Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006, August 21 – 25, 2006. Radisson SAS Scandinavia Hotel in Oslo Norway.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2005. "The Value Of An Odor Quality Classification Scheme For Compost Facility Evaluations" The U.S. Composting Council's 13th Annual Conference January 23 - 26, 2005, Crowne Plaza Riverwalk, San Antonio, TX.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2004. "The Value Of An Odor Quality Classification Scheme For Urban Odor" WEFTEC 2004. 77th Annual Technical Exhibition & Conference October 2 - 6, 2004, Ernest N. Morial Convention Center, New Orleans, Louisiana.

Clark, J.J.J. 2003. "Manufacturing, Use, Regulation, and Occurrence of a Known Endocrine Disrupting Chemical (EDC), 2,4-Dichlorophnoxyacetic Acid (2,4-D) in California Drinking Water Supplies." National Groundwater Association Southwest Focus Conference: Water Supply and Emerging Contaminants. Minneapolis, MN. March 20, 2003.

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Clark, J.J.J., Brown, A., Rodriguez, R. 1998. The Public Health Implications of MtBE and Perchlorate in Water: Risk Management Decisions for Water Purveyors. Proceedings of the National Ground Water Association, Anaheim, CA, June 3-4, 1998.

Clark J.J.J., Brown, A., Ulrey, A. 1997. Impacts of Perchlorate On Drinking Water In The Western United States. U.S. EPA Symposium on Biological and Chemical Reduction of Chlorate and Perchlorate, Cincinnati, OH, December 5, 1997.

Clark, J.J.J.; Corbett, G.E.; Kerger, B.D.; Finley, B.L.; Paustenbach, D.J. 1996. Dermal Uptake of Hexavalent Chromium In Human Volunteers: Measures of Systemic Uptake From Immersion in Water At 22 PPM. Toxicologist. 30(1):14.

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EXHIBIT C

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November 22, 2023

Draft Subsequent Environmental Impact Report (Draft SEIR) for the Hemlock Warehouse Development Project (Proposed Project) (SCH No.: 2009091089)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Fontana is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the Draft SEIR

Based on the Draft SEIR, the Lead Agency proposes demolishing the existing development to construct and operate a warehouse facility for 882,000 square feet on the 40.01-acre site at 11115 Hemlock Avenue, Fontana.[1] A portion of the warehouse facility would be used for cold storage, approximately 220,500 square feet or 25 percent of the warehouse.[2] The Proposed Project would have 114 dock doors on the east and west sides of the building[3] associated with 562 truck trips per day.[4] Regional access to the Proposed Project site via Interstate 10, State Route 60, and Interstate 15, and local access via Santa Ana Avenue and Jurupa Avenue. [5] Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential units) is approximately 900 feet southeast and southwest of the Proposed Project site. Construction of the Proposed Project is anticipated to take approximately 15 months.[6]

South Coast AQMD Staff's Comments on the Draft SEIR

Potential Underestimation of Emissions Due to Imprecise Assumptions for Truck Trip Lengths and Trip Rates in Emissions Analysis

In the Draft SEIR, the Lead Agency discusses the determination of truck emissions for the Proposed Project and states that "…*CalEEMod defaults were utilized for trip length and the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2) trucks, 14.2*

[1] Draft SEIR. Page 3-1 and 3-2.
[2] *Ibid*. Page 3-9.
[3] *Ibid*.
[4] *Ibid*. Appendix F- Traffic Impact Analysis. Page 40.
[5] *Ibid*. Page 3-1.
[6] *Ibid*. Page 3-10.

miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages from the Traffic Impact Analysis prepared for the Project (Appendix F), which resulted in an overall truck trip length of 29.9 miles with an assumption of 100% primary trips for the proposed warehouse.[7]"

South Coast AQMD recommended 15.3 miles, 14.2 miles, and 40 miles of truck trip lengths derived from the Southern California Association of Government's (SCAG) estimation of average truck trip length in its 2016 Regional Transportation Plan.[8] However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

User-Defined Land Use Subtype in the California Emissions Estimator Model (CalEEMod) Analysis

In the operational CalEEMod output files, besides the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtypes, "user-defined industrial" is added.[9] According to the CalEEMod User Guide, the "user-defined" may be selected to characterize project land use subtypes not included in CalEEMod. If selected, all data on the Land Use screen will need to be input manually. [10] However, lot acreage and the floor square area use are all set to zero under the "user-defined industrial" land use subtype.

In addition, the truck information (e.g., truck trips) is input under the "user-defined industrial" but not in the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtypes for the Proposed Project. This possibly leads to underestimating the heavy-duty truck emissions for warehouse activities since no data is filled under this "user-defined industrial" land use subtype. Therefore, it is recommended that the Lead Agency explain why the land use is separated in the CalEEMod analysis and why the truck information is not under the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtype and revise the analysis as necessary in the final CEQA document.

Additional Recommended Air Quality and Greenhouse Gases Mitigation Measures

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts, and in addition to SWIP SP FEIR Mitigation Measures

[7] *Ibid*. Page 5.1-22
[8] South Coast Air Quality Management District, Preliminary Draft Staff Report: Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce.
[9] *Ibid*. Appendix B - Air Quality Impact Analysis. CalEEMod Operational and LST Output Files.
[10] California Emissions Estimator Model (CalEEMod) Version 2022.1 User Guide. Access at: https://www.caleemod.com/documents/user-guide/CalEEMod_User_Guide_v2022.1.pdf

MM 4.2-1a to MM 4.2-1f, MM 4.2-2a to MM4.2-2l, and MM 4.2-5a, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR.

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft SEIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule[11] and the Heavy-duty Low NOx Omnibus Regulation,[12] ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentivize the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of a 2010 model year[13] that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. All heavy-duty haul trucks should meet CARB's lowest optional low-NO_x standard starting in 2022.[14] Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft SEIR may include the following:

[11] CARB. June 25, 2020. Advanced Clean Trucks Rule. Accessed at: https://ww2.arb.ca.gov/our-work/programs/advanced-cleantrucks.

[12] CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in the state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox.

[13] CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.

[14] CARB's optional low-NOx emission standard is available at: https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards.

- Maximize the use of solar energy by installing solar energy arrays.
- Use light-colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices and appliances.

Design considerations for the Proposed Project that the Lead Agency should consider reducing air quality and health risk further impacts include the following:

- Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

The South Coast AQMD staff also suggests the Lead Agency review the references (listed below) and consider including the additional recommended mitigation measures in the final CEQA document:

- State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act[15]
- South Coast AQMD 2022 South Coast Air Quality Management Plan,[16] specifically:
    - Appendix IV-A – South Coast AQMD's Stationary and Mobile Source Control Measures
    - Appendix IV-B – CARB's Strategy for South Coast
    - Appendix IV-C – SCAG's Regional Transportation Strategy and Control Measures
- United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation[17]

South Coast AQMD Air Permits and Role as a Responsible Agency

The Draft SEIR assumes in the analysis that an emergency diesel-powered fire pump and emergency diesel-powered generator would be used for the Proposed Project.[18] Hence, air permits from South Coast AQMD would be required, and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead

[15] State of California – Department of Justice. Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. Access at: https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf
[16] 2022 South Coast AQMP. Access at: http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan
[17] United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation. Access at: https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation
[18] *Ibid*. Page 5.2-13.

Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at http://www.aqmd.gov/home/permits.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

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October 9, 2023

Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to review the above-mentioned document. The City of Jurupa Valley is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments which are organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the Recirculated Draft EIR

Based on the Recirculated Draft EIR, the Proposed Project is comprised of the development of the 80.8-acre property with five industrial buildings ("Building 1," "Building 2," "Building 3," "Building 4," and "Building 5") totaling 1,118,102 square feet (s.f.). Building 1 would include 309,870 s.f. of building area, Building 2 would include 388,222 s.f. of building area, Building 3 would include 174,364 s.f. of building area, Building 4 would include 275,958 s.f. of building area, and Building 5 would include 35,688 s.f. of building area. The Recirculated Draft EIR states that although the future tenant(s) of the building is not known, industrial uses would allow for high-cube fulfillment, manufacturing, and general light industrial services.[1] Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (residential development) is located adjacent to the Proposed Project site, approximately 240 feet southeast of the Proposed Project. Construction of the Proposed Project is anticipated to occur in a single phase, commence in January 2023, and be completed in June 2024.[2] The Proposed Project is located on the southeast corner of Montana Avenue and 25th Street.[3]

South Coast AQMD Staff's Comments

> *The CalEEMod Land Use(s) Subtype Assumptions (Combining Manufacturing and General Light Industrial) in the Appendix B- Air Quality Impact Analysis May Have Underestimated the Worst-Case Operational Air Quality Impacts*

In accordance with the project description outlined in the Recirculated Draft EIR, the construction of five industrial buildings totaling 1,194,170 square feet is proposed on 80.8 acres

[1] Recirculated Draft EIR Page 26.
[2] Appendix B, Air Quality Impact Analysis. Page 146.
[3] Recirculated Draft EIR Page 26.

of land. It is important to note that the document does not currently specify the future tenants for these five buildings.[4] However, based on the footnote in Appendix B- Air Quality Impact Analysis of the Recirculated Draft EIR, the analysis assumes that the project site will be divided into two equal parts for analytical purposes. Specifically, half of the site, totaling 597,085 square feet, is designated for manufacturing land uses, while the remaining half, also 597,085 square feet, is allocated for general light industrial land uses.[5]

According to the CalEEMod User Guide - Version 2022.1, it explicitly states the characteristics of "Light Industrial Land Use Subtype: *"Light industrial use facilities are free-standing facilities devoted to a single use, the facilities that have an emphasis on activities other than manufacturing and typically have minimal office space. Typical light industrial activities include printing, material testing, and assembly of data processing equipment. This land use subtype must be less than 50,000 square feet".*[6] Therefore, the allocation of 597,085 square feet for this purpose contradicts the guidelines provided in the CalEEMod User Guide. Moreover, the general light industrial activities are expected to generate less emissions and involve fewer total daily truck trips[7] compared to the manufacturing or other industrial land uses. The current assumption has led to an underestimation of emissions. South Coast AQMD staff recommends that the Lead Agency conduct a more conservative analysis using the "worst-case" scenario in CalEEMod modeling and correct the land use sub-type used in CalEEMod to ensure accuracy and compliance with guidelines.

Potential Underestimation of Emissions Due to Inaccurate On-site Distance for the Trucks and Passenger Vehicles During Project Operation

The Recirculated Draft EIR notes that CalEEMod Version 2022 lacks the capacity to distinguish between On-site and Off-site emissions during operation. Consequently, the analysis relies on the assumption that 0.5 mile is the maximum allowable On-site distance for both trucks and passenger vehicles. However, the aerial map of the On-site vehicle route (truck movements) as identified in Exhibit 2-B in Appendix C of the Recirculated Draft EIR indicates that the actual On-site distance of the route exceed 0.7 mile, which is greater than the 0.5-mile assumption upon which the emission estimates are based. Therefore, the On-site emissions appear to have been underestimated. For this reason, T the Lead Agency is recommended to either revise the calculations to reflect an On-site route distance of 0.7 mile or provide a comprehensive explanation and justification of the methodology employed in relying on the 0.5-mile On-site assumption parameter.

Potential Underestimation of Emissions Due to Imprecise Assumptions for Truck Trip Lengths and Trip Rates in Emissions Analysis

Appendix B of the Recirculated Draft EIR, explains that air quality impact analysis was based on the assumption that the average truck trip length is 30.34 miles for general light industrial and manufacturing uses. However, the project site is located 70 to 80 miles away from the Ports of Los Angeles and Long Beach which means that the air quality analysis underestimated the

[4] Recirculated Draft EIR Page 26.
[5] Appendix B, Air Quality Impact Analysis. Page 14 in PDF.
[6] *CalEEMod User Guide - Version 2022.1.
[7] Appendix Q, VMT Analysis. Page 12.

emissions from trucks traveling from the Ports to the project site. For this reason, the Lead Agency is recommended to revise the calculations in the Final EIR by taking a project-specific approach to the vehicle trip length and trip rates by applying more conservative trip lengths such as designating 40 miles for local trips and 80 miles for Port-related trips. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

Warehouse Cold Storage Land Use and the Associated Emissions from Transport Refrigeration Units (TRU)

The project description in the Recirculated Draft EIR does not explain whether the Proposed Project intends to allocate a portion of the warehouse land use for cold storage. Cold storage warehouses utilize more trucks and trailers equipped with TRUs than warehouses without cold storage. As a result, the Lead Agency is recommended to revise the project description in the Final EIR to explain whether cold storage would be a part of the Proposed Project and provide an estimate for the number of TRU trucks and trailers associated with the operation of the warehouses with cold storage. If there are potential uses for TRUs, the Lead Agency is recommended to revise the calculations in the Final EIR to quantify the emissions from the TRUs in addition to the operational truck emissions.

Incorrect Pollutant Averaging Time and Underestimation of Ground-Level Pollutants Near Buildings in Health Risk Assessment (HRA),

South Coast AQMD staff's review of the construction and operational HRA modeling files noted that the ANNUAL[8] keyword was selected for the pollutant averaging time in the control pathway in the AERMOD model. However, according to the South Coast AQMD Risk Assessment Procedures v8.1 and South Coast AQMD Modeling Guidance for AERMOD,[9] a detailed HRA utilizing AERMOD should be run using the pollutant averaging time PERIOD and 1-hour.

In addition, South Coast AQMD staff's review of the modeling files noted that industrial buildings were not included in the building downwash option in the AERMOD dispersion model during operation which resulted in an underestimation of the ground-level pollutant concentrations near the buildings.

Thus, the Lead Agency is recommended to: 1) re-run the construction and operational HRAs to utilize PERIOD and 1-hour averaging time to determine the health risk impacts to the sensitive receptors and off-site workers and include the industrial buildings in the building downwash to analyze more accurate ground-level concentrations; and 2) include the results in the Final EIR.

Inconsistent Emission Rates (lb/day) Calculated from CalEEMod vs. AERMOD

[8] South Coast AQMD Risk Assessment Procedures v8.1. Access at: http://www.aqmd.gov/docs/default-source/permitting/rule-1401-risk-assessment/riskassessproc-v8-1.pdf
[9] South Coast AQMD Modeling Guidance for AERMOD. Access at: South Coast AQMD Modeling Guidance for AERMOD

South Coast AQMD staff's review of the AERMOD files noted that the diesel particulate matter (DPM) emission rates do not match the data reported in Table 13: Localized Significant Summary of Operations (Onsite Emissions) in Appendix B of the Recirculated Draft EIR which were estimated using CalEEMod. For example, the operational PM10 emission rates presented in Table 13 d are 0.88 pounds per day (lb/day) but the PM10 emissions calculated via AERMOD modeling (including Idling and Onsite emissions) are 0.014 lb/day. This lack of continuity in the emission estimates raises questions about the accuracy of the calculations and warrants a more comprehensive and careful examination of the underlying factors and route causes contributing to this disparity. The Lead Agency is recommended to re-review these calculations and update the Final EIR accordingly with the appropriate corrections.

South Coast AQMD Air Permits and Role as a Responsible Agency

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, and etc., air permits from South Coast AQMD will be required and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this

comment letter. Please contact Sahar Ghadimi, Air Quality Specialist, at sghadimi@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

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September 11, 2015

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135 North "D" Street
Perris, CA 92570

Draft Environmental Impact Report (DEIR) for the Optimus Logistics Center 2

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

In the project description, the lead agency proposes the construction of two buildings for warehouse distribution and office space uses totaling approximately 1,037,811 square feet on a 48.4 acre site. The lead agency has projected 1,744 total daily vehicle trips including at least 357 daily truck trips operating at the site. In the Air Quality Section, the lead agency quantified the project's construction and operation air quality impacts and has compared those impacts with the SCAQMD's recommended regional and localized daily significance thresholds. Based on its analyses, the Lead Agency has determined that operational air quality impacts will exceed the recommended regional daily significance threshold for NOx.

The SCAQMD staff has concerns regarding the assumptions used in the air quality analysis, specifically the operational portion of the CalEEMod land use model. Since the proposed project will result in significant NOx impacts, all feasible mitigation measures should be included in the Final CEQA document to further reduce the significant impacts. Details are included in the attachment.

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the lead agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Jack Cheng, Air Quality Specialist, at (909) 396-2448, if you have any questions regarding the enclosed comments.

Sincerely,

Jillian Wong

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

Attachment
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Siting of an Incompatible Land Use

1. Based on information in the DEIR (air quality analyses, the project truck distribution, and by aerial map inspection), the lead agency shows a minimum distance of 15 meters to the nearest sensitive receptor; a residence located southeast of the project site. The SCAQMD staff is concerned that the existing sensitive receptors will be exposed to significant regional and localized operational impacts, mostly from the daily truck activities that will likely operate using diesel fuel.

   As a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land-use decision making process, the California Air Resources Board (CARB) has provided the CARB Air Quality and Land Use Handbook (CARB Land Use Handbook). Based on guidance from thin e CARB Land Use Handbook, CARB recommends a buffer of at least 1,000 feet between land uses that will have 100 or more trucks per day. [1]

   In accordance with the state CEQA Guidelines §15126.4 (a)(1)(D), the lead agency should discuss the proposed siting of this land use and any potential impacts resulting from any proposed mitigation related to the CARB Land Use Handbook guidance in the Final EIR.

Air Quality Analysis

Daily Truck Trip Rate

2. In the Air Quality Impact Analysis, the Lead Agency uses the Institute of Transportation Engineers Trip Generation Manual, 9th Edition, 2012 (ITE Manual) 1.68 overall trip generation rate (for cars and trucks totaling approximately 1,744 daily vehicles) for the proposed Project, but does not use the 0.64 (38.1%) daily truck trip rate from this same reference. Rather, the air quality analysis used a 0.343 daily truck trip rate (ITE 1.68 total daily trip rate minus 1.337 passenger vehicle trip rate = 0.343 (20.43%) daily truck trip rate) and truck vehicle fleet mixture percentages from the City of Fontana Truck Trip Generation Study (Fontana Study) to estimate project air quality operational impacts in the CalEEMod modeling. By using the 0.343 Fontana Study daily truck trip rate, trucks are estimated at 357 daily truck trips in the DEIR instead of approximately 664 daily truck trips using the ITE 0.64 daily truck trip rate.

   Specifically, the Fontana Study fleet mixture percentages include: 3.46 percent of the total fleet for 2-axle Trucks; 4.64 percent for 3-axle trucks; and 12.33 percent for 4-axle and larger trucks with truck categories totaling 20.43 percent of the total vehicle fleet. Passenger Vehicles would therefore comprise 79.57 percent of total vehicles during operations. However, the 0.343 daily truck trip rate resulted in fleet percentages for the CalEEMod truck subcategories that were not proportionally adjusted consistent with the percentage of trucks estimated using the ITE 0.64 daily truck trip rate. In order to avoid underestimating project operational and related air quality and health effect impacts, the Air Quality Analysis, HRA and Final EIR should be revised using the following truck percentages: LHD2 = 0.0645, MHD = 0.0865, HHD = 0.2300.

   Absent from a specific traffic study of known tenants, the Final EIR should be consistent using the associated ITE truck trip rate to estimate project daily truck trips so that project trips and associated emission and health effect impacts are not underestimated.

[1] CARB Air Quality and Land Use Handbook: http://www.arb.ca.gov/ch/handbook.pdf

On-Road Truck Trip Length

3. In the CalEEMod output sheets provided in Appendix E of the DEIR appendices, the modeling used a 60 mile one-way trip distance and a 20% trip percentage for trucks moving goods for perspective tenants (C-W) and a 6.9 one-way trip distance and an 80% trip percentage for trucks supporting the operation of the perspective tenants (C-NW). In electronic file "LOG 2 4.03 Air Quality – 7-15 Table 4.3-E Operational Vehicle Trip Assumption", the table indicates a 16.6 mile one-way trip distance and an 80% trip percentage for trucks moving goods for perspective tenants (C-W) and a 60 mile one-way trip distance and a 20% trip percentage for trucks supporting the operation of the perspective tenants (C-NW). The Air Quality Analysis is inconsistent and under estimates air quality impacts. A 60 mile one-way trip distance and 80% trip percentage should be used to model trucks moving goods for the perspective tenants (C-W) and a 6.9 – 16.6 one-way trip distance and 20 % trip percentage should be used by trucks supporting the operations of the proposed facility(C-NW).

   On page 3.0-8 in the project description, the lead agency describes potential truck activities that involve the proposed warehouse trucks. "Goods imported from the Ports of Long Beach and Los Angeles as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in- and out-of-state locations." Since the port areas are over 70 miles away from the project site and that trucks will be serving other destinations within the basin and out of state, the SCAQMD staff recommends, absent a tenant-specific analysis with trip length information, that all applicable analyses be revised in the Final EIR using a one-way trip length that more accurately estimates air quality emission and related impacts based on the anticipated activities and distances described in the DEIR.

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

4. Based on a review of the project's emissions calculations in Appendix E – RK Revised AQ, GHG, HRA: Air Quality Analysis[2] (CalEEMod Output Sheets), the lead agency determined the proposed Project's air quality impacts using emission factors for unrefrigerated warehouses/truck activity. However, in mitigation measure MM Air-12 to reduce operational emissions, the lead agency refers to the use of Transportation Refrigeration Units (TRUs) at the project site. The SCAQMD staff therefore recommends that the lead agency include a mitigation measure that precludes the use of refrigerated warehousing at the Project site or revise the air quality analysis to account for emissions from refrigerated warehouse uses. Further, if the lead agency chooses to include refrigerated warehouses in the air quality analysis then MM Air-12 should be incorporated into the project and remain in the Final EIR.

LST and Health Risk Assessment (HRA) Modeling

5. The lead agency used AERMOD (version 12345) to prepare the dispersion modeling for the HRA even though AERMOD (version 14134) was available for at the time of analysis (10/20/2014). Therefore, SCAQMD staff recommends using AERMOD (version 15181), the most recent available version, to revise the dispersion modeling for this project.

6. The HRA analysis involved the use of separate discrete receptors placed randomly for the sensitive receptors. SCAQMD staff recommends that the lead agency revise the HRA using a receptor grid over the existing residences and areas zoned or planned for residential development, in order to ensure that the maximum impacts to a residential receptor are properly analyzed.

[2] Appendix A: CalEEMod Emissions Model Output.

7. SLINE1, SLINE2, and SLINE3 onsite travel line volume sources do not span the entire docking area. SCAQMD staff recommends that the lead agency revise the HRA using a series of volume sources that spans the entire docking area to ensure that impacts are properly analyzed.

8. STCK1, STCK2, and STCK3 onsite idling point sources should span the entire docking area. SCAQMD staff recommends that the lead agency revise the HRA using a line volume that spans the entire docking area to ensure that impacts are properly analyzed.

9. Based on the site plan in the project description, there are two driveways that access Webster Street where residences are located across from the proposed project site. Traffic exiting the site from Webster Street can then access Ramona Expressway to get on the freeway. Although the project description in the Notice of Availability, the site plan and the computer modeling show truck traffic using only Patterson Avenue north towards Harvey Knox Boulevard to access the 215 Freeway, there is nothing, however, to preclude trucks from using the driveways on Webster Street, passing by existing residences and then accessing Ramona Expressway to get on the freeway. The SCAQMD staff recommends that the Final EIR include a discussion of how the project will stop trucks from using Webster Avenue or include a restriction that would formally restrict Webster Street to passenger vehicles only. If trucks are not formally restricted, then project impacts from truck movement on Webster Street and beyond (i.e., north on Webster Street, or south to Ramona Expressway to access the 215 Freeway) would have been underestimated in the DEIR. These potential impacts should therefore be analyzed in the HRA and included in the Final EIR.

Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)

10. Because the California Air Resources Board has classified the particulate portion of diesel exhaust emissions as carcinogenic and during project operations, the lead agency has determined that project operation emissions are significant for Oxides of Nitrogen (NOx), primarily from truck activity emissions, the SCAQMD staff therefore recommends the following changes and additional measures that should be incorporated in the Final EIR to reduce exposure to sensitive receptors and reduce potential significant project air quality impacts:

Recommended Changes

MM AQ 4.3H

- Prior to issuance of a building permit, the Project proponent shall provide the City with project specifications, drawings, and calculations that demonstrate that main electrical supply lines and panels have been sized to support heavy truck charging facilities. ~~when these trucks become available. The calculations shall be based on reasonable predictions from currently available truck manufacturer's data. Electrical system upgrades that exceed reasonable costs shall not be required. In addition, the Project will incorporate 2 electric vehicle charging stations for light-duty vehicles.~~ Electrical lines shall be designed and sized to add additional charging stations when a demand is demonstrated. Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations.[3] Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.

[3] http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf

Additional Mitigation Measures

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

- Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors.
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.
- Design the site such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside of the facility.
- On-site equipment should be alternative fueled.
- Provide food options, fueling, truck repair and or convenience stores on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Improve traffic flow by signal synchronization.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Should the proposed Project generate significant regional emissions, the lead agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the lead agency should require a phase-in schedule for these cleaner operating trucks to reduce project impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the lead agency and project applicant.

Mitigation Measures for Operational Air Quality Impacts (Other)

11. In addition to the mobile source mitigation measures identified above the Lead Agency should incorporate the following on-site area source mitigation measures below to reduce the project's regional air quality impacts from NOx emissions during operation. These mitigation measure should be incorporated pursuant to CEQA Guidelines §15126.4, §15369.5.

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

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SENT VIA USPS AND E-MAIL: March 5, 2015
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Planning Division
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Draft Environmental Impact Report (DEIR)
for the Proposed Westgate Specific Plan (SCH No. 1995052002)

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

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

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

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

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

Sincerely,

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Planning, Rule Development & Area Sources

Attachment

JW:GM

SBC150121-02
Control Number

Health Risk Assessment

1. As of December 9, 2006, AERMOD is fully promulgated as a replacement to ISC3, in accordance with Appendix W (http://www.epa.gov/ttn/scram/dispersion_prefrec.htm). AERMOD is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. AERMOD-ready meteorological data for various meteorological stations within the South Coast Air Basin (SCAB) are available for download free of charge at http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/data-for-aermod. The Lead Agency used AERMOD (version 13350) to prepare the dispersion modeling for the Warehouse Health Risk Assessment (HRA) but used AERMOD (version 12060) for the Freeway HRA analysis. Furthermore, while the meteorological data from the SCAQMD Fontana meteorological station was used for both HRA analyses, two different versions of the meteorological data were used. Font2.pfl and Font2.sfc (meteorological data for 2005-2007) and Font7.sfc and Font7.pfl (meteorological data for 2008-2012) are for different years. Given the advancements and bug fixes that occurred in AERMOD between version 12060 and 13350 and 14134 (today's current version), SCAQMD staff recommends that the Lead Agency revise the HRA analyses for both warehouse and freeway using the latest version of AERMOD (version 14134) without the use of Lakes AERMOD-MPI. SCAQMD's modeling guidance for AERMOD can be found at http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/modeling-guidance. Please note that when using AERMOD, the regulatory default option should be used (i.e. without the use of the "FASTALL" or "FLAT" options) and the Lakes MPI should not be used without prior SCAQMD or EPA Region 9 approval.

2. The electronic files for the HRA analyses provided by the Lead Agency to SCAQMD staff were incomplete and did not include the receptor file. Therefore, SCAQMD staff was unable to verify the placement of receptors in the HRA analyses. In the event that receptors were not placed in the correct location using a receptor grid of no more than 100-meter spacing over the existing residences and areas zoned or planned for residential development, the health risks reported in the HRA analyses and DEIR could be underestimated. Therefore, SCAQMD staff recommends that the Lead Agency provide a graphic showing the receptor grid placement in the Final EIR.

3. The proposed project includes both two elementary schools and one high school. However, in the analysis, no receptors were placed in those locations to estimate the health risks to the students, teachers and administrative staff at those locations. SCAQMD staff recommends the Lead Agency update the HRA analyses to include the schools as receptors and estimate the health risks at those locations.

4. In the Warehouse HRA analysis, the Lead Agency assumed only 10 minutes of idling for each truck. Since trucks may idle several times on-site, the SCAQMD staff

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

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

Air Quality Analysis - Operations

Daily Truck Trip Rate

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

Vehicle Fleet Mixture Percentages

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

[1] ITE Manual, High Cube Warehouse Distribution Center (ITE Land Use – 152), 0.64 weighted average Truck Trip Generation Rate (trip ends per 1,000 square feet of gross floor area), Page 267.
[2] 1.337 + 0.343 = 1.68.
[3] DEIR, Traffic Impact Analysis, Project Trip Generation, Pages 31 and 37 Project (High Cube Warehouse Distribution Center) Trip Generation (Table 5, (3 of 3).

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

On-Road Truck Trip Lengths

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

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

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

[4] Appendix B: Air Quality Technical Appendix.

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

Mitigation During Operations (MERV Filters and HVAC Systems)

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

Limits to Enhanced Filtration Units

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

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

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

Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)

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

Recommended Change:

MM C-13

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

Additional Mitigation Measures:

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

- Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors based on guidance from the California Air Resource Board (CARB) guidance.[6]
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site,

[6] CARB: Air Quality and Land Use Handbook: A Community Health Perspective, April 2005, Page4 for Distribution Centers.

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

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

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

Electric Vehicle (EV) Charging Stations

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

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

CNG Fueling Station and Convenience Site

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

Mitigation Measures for Operational Air Quality Impacts (Other)

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

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

Transportation

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

[7] http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf

Energy

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

Other

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

Mitigation Measures for Construction Air Quality Impacts

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

Recommended Change:

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

- ~~At least 50 percent of construction equipment greater than 250 hp, which are on-site for 6 or more consecutive days, shall meet Tier 3 emissions standards or better and be outfitted with BACT devices (e.g., Level 3 diesel emissions control devices) certified by CARB.~~

- Consistent with measures that other lead agencies in the region (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles)[8] have enacted, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following:

- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

[8] For example see the Metro Green Construction Policy at: http://www.metro.net/projects_studies/sustainability/images/Green_Construction_Policy.pdf

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

Recommended Additions

- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements.

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

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

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

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E-MAILED: FEBRUARY 1, 2013 February 1, 2013

Mr. Mark Tomich, Director, MTomich@ci.colton.ca.us
Development Services, Planning Division
City of Colton
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Colton, CA 92324

**Draft Mitigated Negative Declaration (Draft MND)
for the Proposed Colton – DEXUS Project**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final CEQA document. In the project description, the lead agency proposes demolition of the existing 28,000 square foot truck terminal and 18,000 square foot office building. Building construction would include a high-cube warehouse building on the 34.36 acre site. The proposed facility would have 600,046 square feet of building area (12,000 square feet of office area and 588,048 square feet of warehouse/distribution space). The proposed project would include 116 dock doors with parking for 425 standard and handicap spaces, and 42 trailer spaces. Construction is expected to last approximately 10 months and 2014 is the proposed opening year. Although basically zoned for industrial uses, there is a single-family residence located less than a quarter mile northwest of the project site along Agua Mansa Road.

The AQMD staff requests that the lead agency provide additional information regarding the fate of the existing facility. The CEQA analysis assumes it will cease its operations within the boundaries of the South Coast Air Basin (SCAB) by applying the emissions from the current operation to the baseline thus offsetting the projected emissions from the proposed high-cube warehouse use. In addition, the baseline itself may be overestimated by using generalized trip generation estimates instead of the on-site traffic count data to account for vehicle activity and the resulting air quality impacts for the existing operation. Because the determination of significance under CEQA is based on the difference between existing baseline and future project impacts, we recommend that the lead agency provide further substantial evidence for, and re-evaluate where necessary, the baseline and future impacts of this project. If impacts are found to be significant, then additional mitigation may be required to reduce these impacts to a less than significant level. Details regarding these comments and others follow in the attachment.

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

Sincerely,

Ian MacMillan
Program Supervisor, Inter-Governmental Review
Planning, Rule Development & Area Sources

IM:GM
Attachment

LAC130115-02
Control Number

Baseline Emissions and the Status of the Existing Use

1. In a telephone conversation staff on or about January 15, 2013, the lead agency staff expressed uncertainty to AQMD staff whether the existing truck terminal business would cease operations completely within the SCAB boundaries or continue its current operations at the site but at a lower level of activity. The lead agency's operational air quality analysis uses the emissions from the existing use as a baseline to offset the estimated long-term air quality impacts from the proposed warehouse use. It is unclear to AQMD staff if the incremental emissions benefit derived from the existing use would actually be realized. Unless there is assurance that the previous facility activities will cease and not move to another location within the SCAB, the lead agency should not include these emissions as a baseline when calculating regional impacts. AQMD staff requests that the lead agency provide additional discussion of the fate of the existing operations and revise the air quality and greenhouse gas analyses, if necessary.

Potential Overestimation of the Existing Facility Baseline Emissions

2. The lead agency has estimated project emissions for the existing truck terminal building activity using the California Emissions Estimator Model (CalEEMod) and using trip rates based on land uses shown in the Institute of Traffic Engineers (ITE) Trip Generation, 8th Edition (2008) and the Truck Trip Generation Study (City of Fontana, August 2003). In addition to these sources, the lead agency included traffic count worksheets in the Revised Traffic Impact Analysis (Kunzman Associates, Inc., October 2012). It is not clear to the AQMD staff why available project-specific traffic count data included in the Draft MND that could be used to analyze vehicle activity and associated emissions for the existing facility were not used to estimate baseline emissions.

   The AQMD staff believes that using the ITE trip rate to calculate baseline vehicle activity may substantially overestimate project vehicle activity and related on-road mobile source emissions compared with the data supplied in the traffic analysis. This is demonstrated, for example, by looking at the volumes supplied in the Traffic Impact Analysis (TIA) for vehicles entering the facility during the AM peak hour shown on page 11 (Figure 5, Existing Morning Peak Hour Intersection Turning Movement Volumes). For Intersection Six (the main entrance into the facility) in Figure 5, the number of vehicles entering and exiting the facility totals 70. From Table 3 of the TIA (Current Development {Truck Maintenance Facility}), the lead agency has estimated, using the ITE trip rate for the General Light Industrial (110) land use, 259 vehicles per hour. This is more than three times the 70 vehicles per hour found from actual traffic counts. Using the ITE trip rate instead of the vehicle data shown from the traffic counts appears to significantly overestimate the existing project baseline emissions. This results in the incremental emissions, i.e., the difference between the existing facility emissions and the emissions for the proposed warehouse facility being

underestimated. The AQMD staff therefore recommends that applicable analyses be revised in the Final MND using the project-specific traffic count data. Alternatively, the lead agency could explain why the project-specific traffic counts should be ignored.

On-Road Truck Trip Length

3. In the CalEEMod input files provided to AQMD staff by the lead agency, an average one-way trip length of 8.3 miles was used to estimate operational air quality impacts for trucks moving goods for the proposed facility. Trucks operating from these kinds of facilities often handle goods coming directly from the port areas over 70 miles away as well as potentially serving out of state destinations. Absent tenant-specific trip length information, the AQMD staff recommends a one-way trip length from the project site to the port areas as more appropriate trip length for on-road truck emissions and that applicable analyses in the Final MND be revised. If the lead agency is uncertain of the types of tenants or the trip lengths, the lead agency could alternatively limit activities, as a condition of a tenant's occupancy, to levels described in the analysis. Otherwise, long-term project air quality impacts for operations and other relative analyses will be substantially underestimated.

Use of Non-Default Truck Trip Rate

4. In the air quality and health effect analyses, the lead agency based its estimates on trip generation rates from the 8th Edition of the Institute of Transportation Engineers (ITE) Report using a non-default trip rate of 1.44 per thousand square of gross floor area (Land Use Code 152 – High-Cube Warehouse). Based on guidance from the California CalEEMod User's Guide, the AQMD staff recommends using a more conservative trip rate of 2.59 per 1,000 square feet. AQMD staff believes a more conservative trip rate is appropriate as the tenant is unknown, and there are no conditions on the project limiting activity to what is analyzed in the MND.

CalEEMod Fleet Mixture Percentage

5. On page 28 of the Draft IS/MND, the lead agency's narration lists the fleet mixture percentages used in the CalEEMod land use model to estimate operational emissions. The narration states that the estimated fleet mixture is approximately 37 percent truck traffic for the proposed warehouse use including 17 percent heavy-heavy duty (HHD); 8 percent medium-heavy duty (MND); and 12 percent light-heavy duty 1 (LHD1). The CalEEMod inputs, however, also include the 3.4 percent Light-Heavy Duty 2 (LHD2) category that was omitted in the narration total. The 3.4 percent LHD2 percentage would therefore increase the overall truck percentage from 37 to 40 percent. In the Final MND, the narration should be revised to be consistent with the CalEEMod fleet percentages shown in the actual modeling.

Localized Significance Thresholds Analysis: Construction and Operations

6. Under Sensitive receptors on page 13 of the Air Quality & Climate Change Assessment and upon an aerial map inspection, a single-family residential property appears to be located within one-quarter mile of the proposed warehouse. We therefore recommend that the lead agency evaluate localized air quality impacts. The AQMD staff requests this evaluation to ensure that any nearby sensitive receptors are not adversely affected by the construction and operational activities that are occurring in close proximity. AQMD guidance for performing a localized air quality analysis can be found at the following web address: http://www.aqmd.gov/ceqa/handbook/LST/LST.html .

Operational Mitigation Measures

7. In the event the lead agency determines that project air quality impacts (regional or localized) for operations will exceed recommended significance thresholds (mostly attributed to mobile source tailpipe emissions from vehicles operating at the proposed facility), the AQMD staff encourages the lead agency to develop a common set of enforceable mitigation measures to reduce those emissions to the maximum extent feasible. As the lead agency is aware, heavy-duty trucks are the largest source of NOx emissions in our basin and NOx emissions must be reduced by approximately two thirds beyond existing rules and regulations in order to meet air quality standards as required by 2023. Without meeting air quality standards, our region faces federally mandated sanctions, including possible loss of transportation funding. AQMD staff therefore recommends that the lead agency consider the feasibility of the following measures to reduce project impacts. Other lead agencies that have imposed these and similar measures include the City of Banning[1], Riverside County[2], City of San Bernardino[3], and the San Pedro Bay Ports[4], among others.

   Recommended additional measures:

   - Lease/purchase documents shall identify that tenants required to implement the following:
   - At project start, all heavy duty trucks entering the property must meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.
   - If the above clean truck requirements are infeasible, a phase-in schedule should be put forth that will feasibly achieve emission reductions as soon as possible, and faster than existing regulations. Should an alternative

[1] Banning Business Park http://banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf .
[2] Mira Loma Commerce Center: http://www.rctlma.org/online/content/conditions_of_approval.aspx?PERMITNO=pp17788 .
[3] Palm/Industrial Distribution Center http://www.ci.san-bernardino.ca.us/civica/filebank/blobdload.asp?BlobID=11793
[4] Clean Trucks Program http://www.cleanairactionplan.org/cleantrucks/ .

schedule be found necessary, the AQMD staff should be consulted prior to approving the schedule.

- Provide a phase-in schedule and goals for the introduction of zero or near-zero technology trucks (e.g., 10% by 2020, 20% by 2025, etc.) that visit warehouses.

The facility operator will maintain a log of all trucks entering the facility to ensure that on average, the daily truck fleet meets the quantities and emission standards listed in the Draft MND. This log should be available for inspection by city staff at any time.

- The facility operator will ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies [for example, by requiring attendance at CARB approved courses (such as the free, one-day Course #512)].

- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final MND. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.

- Require at least a portion of the fleet to utilize alternative fueled technologies.

- The 2012 Regional Transportation Plan includes a zero-near-zero emissions truck corridor along the SR-60 freeway west of I-15. Because at least a portion of the trucks serving this project may be expected to travel along this route, the project should consider providing onsite alternative fueling infrastructure, such as electric charging stations or natural gas fueling that will help facilitate these low-emitting trucks. This could include ensuring electrical panels and wiring are sufficiently sized to accommodate future needs.

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

- Restrict overnight parking in residential areas. Establish overnight parking within the warehouse/distribution center where trucks can rest overnight.

- Establish area(s) within the facility for repair needs.

- Post signs outside of the facility providing a phone number where neighbors can call if there is a specific issue.

- Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.

- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas.
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.
- Provide food options, fueling, truck repair and or convenience store on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Requiring all on-site vehicles (hostlers, forklifts, etc.) to utilize zero or near-zero emission technology.
- Use street sweepers that comply with SCAQMD Rules 1186 and 1186.1.
- Install solar panels on all available roof space. If this isn't feasible, then at a minimum all buildings and electrical infrastructure should be designed to accommodate potential future solar panel upgrades.

Off-Road Construction Equipment Reduced Load Factors

8. In Appendix B (CalEEMod Output) in the air quality assessment, the lead agency estimated project construction impacts using the CalEEMod land use emissions computer model. This model uses default and user-defined settings to estimate emissions based on the land use settings. In the CalEEMod inputs under User Entered Comments, the lead agency has reduced the Construction Phase Off-Road Equipment load factors by 33 percent citing the California Air Resources Board (CARB) as authority for the changes. For example, the default load factor in the CalEEMod model for rubber tired loaders of 54 percent was reduced to 36 percent.

   Based on communication with ARB staff[5] regarding this issue, the AQMD staff confirmed that CARB staff does not recommend reducing the default settings in the current OFFROAD2007 without considering all parameters besides the load factor. Other parameters such as activity level, horsepower, and population all contribute to the emission factor estimate, and selectively changing only one parameter will lead to inaccurate estimates at a project level. For some equipment types, OFFROAD2007 may underestimate emissions while others may be overestimated. Because of these revisions (and others), CARB developed the new OFFROAD2011. The AQMD staff therefore recommends that the lead agency either use existing OFFROAD2007 defaults until OFFROAD2011 is incorporated into CalEEMod later this year or run OFFROAD2011 outside CalEEMod and use those results to modify the CalEEMod construction calculations. Therefore, even though the reductions might not change the lead agency's determination of significance for construction air quality impacts, these reductions related to

[5] Personal communication with Nicole Dolney, June 1, 2012.

reduced off-road equipment load factors are not recommended by the AQMD staff without further substantial evidence to support those emission reductions resulting from their use. Otherwise, the lead agency should commit to enforcing the assumed lower non-substantiated emission factors.

Construction Mitigation Measures

9. Should the lead agency determine that project localized construction air quality impacts will exceed the AQMD recommended daily significance thresholds, the AQMD staff therefore recommends the following mitigation measures during the projected 10 month construction period to reduce adverse air quality impacts from on-site construction emission sources, if applicable and feasible.

   Recommended additions:

   - Limit the amounts of daily soil disturbance to the amounts analyzed in the Draft MND.
   - All clearing, grading, earth-moving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 miles per hour per SCAQMD guidelines in order to limit fugitive dust emissions.
   - Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
   - All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
   - Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads (recommend water sweepers with reclaimed water).

   Further, other lead agencies in the region including LA County Metro, the Port of Los Angeles, and the Port of Long Beach have also enacted the following mitigation measures. AQMD staff recommends the following measures to further reduce air quality impacts from construction equipment exhaust:

   - Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
   - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by

the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

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

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html .

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Re: Agenda Item D – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Planning Commission Members and Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit these comments on the 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant") in the City of Ontario ("City"). The Project's Final Environmental Impact Report ("FEIR") and development plan will be considered at the May 28, 2024 Planning Commission meeting as Agenda Item D. The Commission will consider certification of the FEIR and approval of the Development Plan application.

CARE CA submitted comments on the DEIR and subsequently on the FEIR, accompanied by expert comments, showing that the FEIR failed to comply with the requirements of CEQA by failing to accurately disclose and mitigate potentially significant air quality, public health, greenhouse gas ("GHG"), energy, transportation, and cumulative impacts. The Staff Report contains responses[1] to CARE CA's comments on the FEIR. However, the responses fail to resolve the major flaws CARE CA and its experts identified in the DEIR.

[1] Letter from T&B Planning Inc. to City, re: 5355 East Airport Drive (PDEV22-017) – Response to April 15, 2024 Comment Letter from CARE CA (May 20, 2024).

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We reviewed the Planning Commission Staff Report with the assistance of air quality expert Dr. James Clark.[2]

The Staff Report fails to meaningfully address the flaws in the Project's environmental review. Regarding hazards, the FEIR identifies significant vapor intrusion impacts due to PCE contamination, but improperly defers formulation of mitigation measures. The FEIR also fails to analyze the full scope of the Project – CEQA requires that an EIR analyze the reasonably foreseeable consequences of the Project, but the Project's FEIR fails to analyze the Project's reasonably foreseeable use as a parcel hub (a use that generates more trips than analyzed), and fails to analyze reasonably foreseeable truck trips to the Ports of Los Angeles and Long Beach. Regarding cumulative impacts, the Staff Report still fails to meaningfully respond to the legal authority requiring analysis of the Project's impacts in the context of the numerous other warehouses existing and planned in the area. The Staff Report also fails to resolve flaws in the Project's health risk assessment, which still underestimates impacts on sensitive receptors. Regarding energy, the Staff Report provides an analysis of factors in Appendix F the CEQA Guidelines. But the analysis is wholly inadequate because it fails to address applicable energy consumption measures and renewable energy options. As a result, the FEIR's conclusions are not supported by substantial evidence. Rather, substantial evidence demonstrates that the Project's significant impacts are greater than analyzed in the FEIR.

The Staff Report incorrectly concludes that the "final EIR contains a complete and accurate reporting of the environmental impacts associated with the Project" and complies with CEQA.[3] The Staff Report recommends that the Planning Commission adopt the final EIR and approve the Project's Development Plan Application.[4] These recommendations are unsupported by evidence in the record due to the major flaws in the Project's environmental review.

CARE CA urges the Planning Commission to require the City revise and recirculate the EIR to comply with CEQA before any further action is taken on the Project.

I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker

[2] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[3] Staff Report, Item D - 2573 of 3296.
[4] Staff Report, Item D - 1 of 3296.

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health and safety hazards, and the environmental impacts of the Project. The coalition includes Ontario residents Daniel Brewer, David Audelo, Carlos Mendez, Rober Rubio, the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Ontario and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

II. THE FEIR FAILS TO ADEQUATELY ANALYZE, QUANTIFY, AND MITIGATE THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS

A. The FEIR Improperly Defers Formulation of Mitigation Measures for Hazardous Materials

The FEIR's Phase I/II Environmental Site Assessment ("ESA") identifies levels of tetrachloroethene ("PCE") in soil vapor samples in excess of current commercial/industrial calculated soil gas screening levels ("SGSLs").[5] The ESA concludes that "PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Site."[6] The FEIR identifies this contamination as a potentially significant impact.[7] Additionally, the ethylbenzene concentration in one soil vapor sample

[5] FEIR, Phase I/II Environmental Site Assessment, pg. vii.
[6] FEIR, Phase I/II Environmental Site Assessment, pg. 11-2.
[7] DEIR, pg. S-17.

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exceeded the calculated soil gas commercial/industrial screening level of 163 micrograms per cubic meter.[8] The FEIR fails to disclose this significant impact in the body of the FEIR, in violation of CEQA.

The FEIR states that the potentially significant vapor intrusion impacts would be mitigated through imposition of Mitigation Measure ("MM") 4.7-1. This measure requires future preparation of a Soil Management Plan ("SMP"). he SMP will include instructions for handling, storage, and disposal of any known or potentially impacted soil during soil moving activities. But MM 4.7-1 fails to explain how the PCE contamination at the Project site will actually be addressed – whether it will be remediated, capped in place, etc. – and the FEIR lacks a quantitative analysis of the construction impacts associated with that process. The measure states that contaminated soils will be monitored and provides guidance for proper soil handling, but does not specifically state that PCE-contaminated soil will be removed. Under MM 4.7-1, it is unclear if the City will remove PCE-contaminated soil or adopt passive/engineered vapor intrusion mitigation such as installing a vapor barrier or venting. Without clear performance standards and a quantitative analysis of the impacts of the PCE cleanup phase of construction, MM 4.7-1 remains incomplete and ineffective, and the FEIR's construction impact analysis remains incomplete.

MM 4.7-1 improperly defers formulation of mitigation measures related to PCE contamination to a future date.

CEQA Guidelines Section 15126.4 states that formulation of mitigation measures shall not be deferred until some future time. The Guidelines permit an agency to develop the "specific details of a mitigation measure" after project approval "when it is impractical or infeasible to include those details during the project's environmental review."[9] In such circumstances, deferral of mitigation details is permitted if the agency "(1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will [be] considered, analyzed, and potentially incorporated in the mitigation measure."[10] Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on

[8] FEIR, Phase I/II Environmental Site Assessment, pg. viii.
[9] Guidelines, § 15126.4, subd. (a)(1)(B) (Section 15126.4).
[10] Section 15126.4, subd. (a)(1)(B); *see Save Our Capitol! v. Department of General Services* (2022) 85 Cal.App.5th 1101, 1134 (*Save Our Capitol!*).)

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substantial evidence in the record, to reduce the significant impact to the specified performance standards.[11]

Here, the FEIR defers formulation of the PCE mitigation until after Project approval. But the City fails to present any evidence that it would be impractical or infeasible to do so during the Project's environmental review. Based on the evidence before the City, it should be feasible to require and formulate vapor intrusion mitigation. Even if deferral of formulation of mitigation were reasonable in this case, MM 4.7-1 fails to adopt specific performance standards for remediating PCE contamination and the associated vapor intrusion risks. MM 4.7-1 also fails to clearly identify the types of potential actions that may be taken to mitigate the vapor intrusion risk. Thus, the City improperly defers formulation of PCE contamination and vapor intrusion mitigation.

The City also improperly defers formulation of mitigation for the ethylbenzene contamination. As with the PCE contamination, MM 4.7-1 fails to substantiate how this contaminant will be addressed. The FEIR contains no evidence that formulation of mitigation for ethylbenzene contamination is impractical or infeasible, identifies no performance standards, and fails to identify potential mitigation measures. Mitigation for this impact is thus improperly deferred.

B. The City Still Fails to Adequately Evaluate Trips Generated by the Project

CARE CA's comments on the FEIR showed that the Project's size and number of parking spots would enable it to be used as a High Cube Parcel Hub Warehouse, which has a trip generation rate 2.6 times the rate used in the FEIR. In Response 1-8, the City reiterates its position that analyzing the Project as a combination of the "Warehousing" and "High-Cube Cold Storage Warehouse" land uses is reasonable due to the Project's anticipated use and size.[12]

The City's response ignores that an EIR must analyze reasonably foreseeable consequences of a Project. Public Resources Code Section 21065 provides, in part: "'Project' means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."[13] Here, the Project proposes a 270,337-square-foot industrial

[11] *Id.*
[12] Staff Report, Item D - 2466 of 3296; FEIR, pg. 2-39.
[13] *See* Cal. Code Regs., tit. 14, § 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376.

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building with a proposed height of 46 feet on 13.08 acres of land. A high-cube parcel hub warehouse is a reasonably foreseeable use of this project because "high-cube parcel hub warehouse" is defined in Institute of Transportation Engineers ("ITE") land use code 156 as a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/ or consolidation of manufactured goods prior to their distribution to retail locations or other warehouses. And Mr. Marshall's comments on the FEIR demonstrate that the Project site includes adequate parking to support this use. Even if less-intensive warehouse uses are possible for this Project (such as the FEIR's combination of "Warehousing" and "High-Cube Cold Storage Warehouse"), use as a high-cube parcel hub warehouse is a reasonably foreseeable outcome that must be analyzed.

The City's claim that the Project's "anticipated use" does not include a high-cube parcel hub warehouse is irrelevant to the analysis. Courts have held that in this situation, "the identity of a tenant is irrelevant to CEQA review."[14] The court in *Maintain Our Desert Environment v. Town of Apple Valley* explained that "land use entitlements such as conditional use permits and development approvals run with the land and do not belong to the permittee…. had [the developer] developed the Project and then held it out for sale to any interested buyer, no additional CEQA review would have been necessary for the new owner so long as the use was consistent with that that had already been approved."[15] Here, the project that is the subject of the FEIR is a Development Plan to develop an industrial building totaling 270,337 square feet of gross floor area on 13.08 acres and having a FAR of 0.47. This building could be used as a high-cube parcel hub warehouse, so this level of use must be analyzed in the FEIR.

C. The FEIR Still Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

CARE CA commented that the FEIR's analysis of cumulative impacts is inadequate because it fails to consider the cumulative impacts of past, present, and probable future projects. The City's approach to cumulative impacts, relying on South Coast Air Quality Management District ("SCAQMD") guidance, is that emissions of criteria air pollutants or toxic air contaminants that do not exceed individual project thresholds are also not cumulatively considerable.[16] CARE CA's

[14] *Am. Canyon Cmty. United for Responsible Growth v. City of Am. Canyon* (2006) 145 Cal. App. 4th 1062, 1074 (citing *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 124 Cal.App.4th 430, 443–449)).
[15] *Maintain Our Desert Environment v. Town of Apple Valley, supra,* 124 Cal.App.4th at 444.
[16] DEIR, Appendix B, pg. 53.

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comments provided a discussion of the controlling caselaw,[17] the Attorney General's recent litigation on this issue in *People of the State of California v. City of Fontana*,[18] and pending updates to the SCAQMD significance thresholds for cumulative impacts in response to this litigation. These authorities explain that the City's "drop in the bucket" approach to cumulative impacts does not comply with CEQA.

In Responses 1-10 and 1-11, the Staff Report states: "[t]he commenter is again advised that the SCAQMD is the regulatory authority on air quality charged with the responsibility of ensuring the improvement of air quality in the South Coast Air Basin… The commenter speculates on 'updated thresholds' for air quality impacts. Absent these 'updated thresholds' the EIR properly evaluates air quality impacts in the context of existing thresholds, protocols, and methodologies."[19]

The Staff Report and the FEIR continue to fail to address any of the controlling legal authority on this issue raised in CARE CA's comments. The court in *Environmental Protection Information Center v. California Dept. of Forestry Fire Protection* stated: "[w]e review an agency's decision regarding the inclusion of information in the cumulative impacts analysis under an abuse of discretion standard. 'The primary determination is whether it was reasonable and practical to include the projects and whether, without their inclusion, the severity and significance of the cumulative impacts were reflected adequately.'"[20] CARE CA's comments demonstrate that the SCAQMD individual project significance threshold fail to reflect the significance of cumulative air quality and public health impacts in areas burdened by extensive warehouse development – this Project would add a substantial number of diesel truck trips to routes in an area with a high existing background MATES cancer risk, combining with the emissions of trucks from numerous other warehouses. Analysis of cumulative impacts from past, present, and probable future warehouse projects is feasible. As an example, Dr. Clark's comments present data from Pitzer College's Warehouse CITY tool, which maps existing and proposed warehouses in Los Angeles, Riverside, and San Bernardino Counties.[21] The tool measures metrics including acreage, square footage, and diesel particulate matter and carbon emissions.[22]

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[17] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692; *Env't Prot. Info. Ctr. v. California Dep't of Forestry & Fire Prot.* (2008) 44 Cal. 4th 459;
[18] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;
[19] Staff Report, Item D - 2467 of 3296.
[20] *Id.* at 525 (citing *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 723.
[21] Available at https://www.pitzer.edu/redfordconservancy/mapping-data-visualization/.
[22] *Id.*; Clark, pg. 7.

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The Staff Report's statement that CARE CA speculates as to "updated thresholds" is erroneous because CARE CA's comments link directly to the materials for SCAQMD's working group meetings – these materials discuss updates to the thresholds.[23] The Staff Report's failure to discuss SCAQMD's pending updates is inconsistent with the Staff Report's statement that SCAQMD is the regulatory authority on air quality. In sum, the City's rote application of SCAQMD significance thresholds without analysis of the context in which the Project is being proposed fails to satisfy the analytical and informational requirements of CEQA.

D. The FEIR's Quantified Health Risk Analysis Underestimates Impacts

CARE CA's comments on the FEIR identify flaws in the City's Mobile Source Health Risk Assessment ("HRA") that underestimate health risk impacts on residential and non-residential (worker) receptors in the vicinity of the Project. In Responses 1-12 and 1-13, the Staff Report disputes these flaws. The Staff Report maintains that "[a]ny variant in interpretation of OEHHA guidance such as is suggested by the commenter would not materially affect the EIR health risk significance conclusions" because "the Project site is surrounded by industrial uses and the nearest sensitive receptor locations are short-term stay hotels located on the opposite side of freeways with the closest being approximately 3/4-mile from the Project site."[24]

The Staff Report's statement regarding distance from sensitive receptors ignores that the Project would generate truck trips impacting sensitive receptors along the City's designated truck routes.[25] The Project's primary truck routes would depend on the Project's future uses. Despite uncertainty regarding the Project's future tenants, the HRA makes an unsubstantiated assumption regarding the Project's primary truck route, shown in the exhibit below.[26]

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[23] SCAQMD, CEQA Policy Development, https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new); SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=16; SCAQMD Working Group Meeting #5, Cumulative Impacts from Air Toxics for CEQA Projects (March 20, 2024) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20.
[24] Staff Report, Item D – 2468-9 of 3296.
[25] The Ontario Plan, Mobility Element, Figure M-04, https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Mobility/FIgure%20M-04%20Truck%20Routes.pdf.
[26] FEIR, HRA Report, Exhibit 2-C.

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EXHIBIT 2-C: MODELED OFF-SITE EMISSION SOURCES



The HRA only analyzes trucks travelling east along Airport Drive, away from sensitive receptors located west of the Project. Trucks could easily travel west on Airport Drive and north along Milliken Avenue, which are both City-designated truck routes.[27] Sensitive receptors including Receptor R6 are located off Milliken Avenue, and could thus be impacted by cumulative truck trips from this Project and other warehouses. The HRA's assumption that trucks would not travel west along Airport Drive underestimates impacts. A revised HRA must be prepared.

E. The FEIR Still Underestimates Truck Trip Lengths and Resultant Impacts

CARE CA commented that the FEIR underestimates truck trip lengths by failing to account for the Project's distance to the Ports of Los Angeles and Long Beach. CARE CA presented numerous comment letters from SCAQMD

[27] The Ontario Plan, Mobility Element, Figure M-04, https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Mobility/FIgure%20M-04%20Truck%20Routes.pdf; Clark Comments, pg. 5.

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recommending analysis of trips to the Ports, and presented evidence showing that trips to the Ports are a reasonably foreseeable consequence for a warehouse in the City of Ontario. In Response 1-16, the Staff Report states:

> The commenter states that the Final EIR misinterprets the SCAQMD's guidance and provides examples of previous SCAQMD comments on other, unrelated warehouse projects alleging that the Project's truck trip length assumptions are not supported by substantial evidence. As discussed in Draft EIR Section 3.0, Project Description, the Project is proposed as a speculative development and the user(s) of the building is not known at this time (refer to Draft EIR p. 3-13). It is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. As stated in Response to Comment A-18 in the Final EIR, the trip lengths were derived by weighting the average trip lengths using traffic trip percentages.

The Staff Report apparently dismisses the SCAQMD comments as inapplicable without providing any evidence demonstrating that the Project's truck trips would be limited to the local 40-mile average trip lengths analyzed in the FEIR, and without considering the additional guidance from SCAQMD contained in the letters which explains that truck trips to and from the ports should be analyzed. Many of the SCAQMD letters recommending consideration of the distance to the Ports were in regard to "spec" warehouses with unknown tenants, just like the Project.[28] The Staff Report and the FEIR's responses fail to respond to this guidance with good faith, reasoned analysis,[29] and still fail to provide any evidence demonstrating that goods brought in and out of the Project's warehouses would primarily come from short-distance truck trips.

The Staff Report's statement that it is speculative to assume trucks may travel to the Ports of Los Angeles and Long Beach also misstates the applicable legal standard. The City's response ignores that an EIR must analyze reasonably foreseeable consequences of a Project. Public Resources Code Section 21065 provides, in part: "'Project' means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical

[28] SCAQMD, Comments on Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449) (October 9, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf ("the future tenant(s) of the building is not known").
[29] CEQA Guidelines, Section 15088 requires "good faith, reasoned analysis in response… Conclusory statements unsupported by factual information will not suffice." The level of detail contained in the response may correspond to the level of detail provided in the comment.

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change in the environment."[30] Here, the Project proposes a 270,337-square-foot industrial building with a proposed height of 46 feet on 13.08 acres of land. CARE CA's comments contain evidence showing that trips to the Ports are a reasonably foreseeable outcome of a warehouse like this (citing to the massive volume of goods moving to and from the Ports, and recommendations from SCAQMD).[31] In light of this evidence, the City's assumption that trucks would not travel to the Ports is speculative, unsupported by substantial evidence, and is a failure to analyze a reasonably foreseeable use permitted by the Development Plan.

This letter contains additional substantial evidence showing that trips to the Ports are reasonably foreseeable. The National Center for Sustainable Transportation ("NCST"), sponsored by the California Department of Transportation, prepared a research report titled "Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns" in 2017.[32] The report analyzed Southern California Association of Governments ("SCAG") data on warehouses in the six counties that comprise the SCAG region (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura). The report finds that **56% of the facilities in the SCAG region receive goods from the Port of Los Angeles and Long Beach**, and around 50% deliver to Southern California warehouses, retail stores or manufacturing plants.[33] This data suggests that trips to the Ports are reasonably foreseeable, and that it would be speculative not to account for distance to the Ports.

In June 2014, SCAQMD staff conducted a business survey of warehouse operators in the SCAQMD region.[34] The survey found that **42% of goods going to high-cube warehouses in the SCAQMD region originated from the Ports**, per the figure below.[35]

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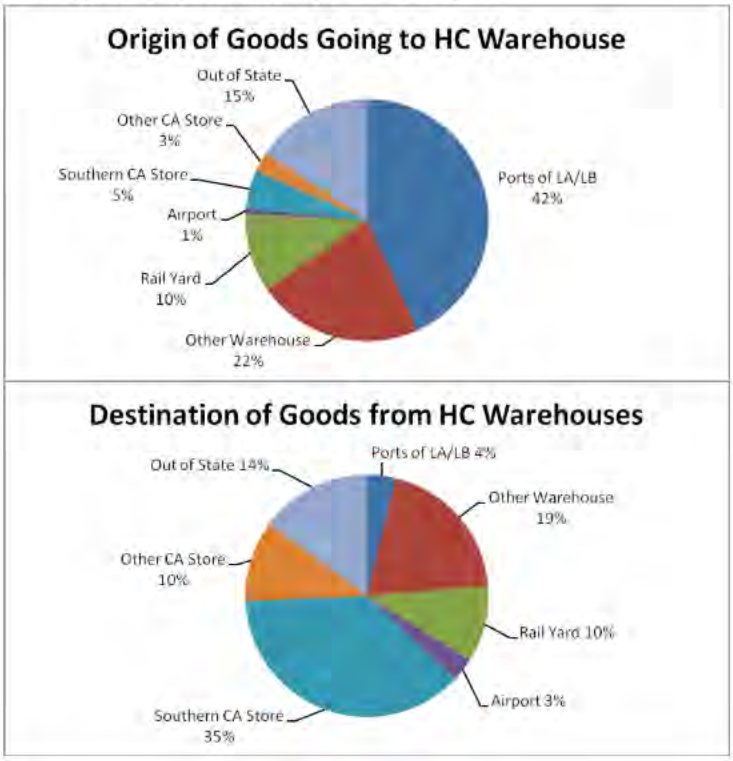
[30] *See* Cal. Code Regs., tit. 14, § 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376.
[31] ABJC, Letter to City re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (April 15, 2024), Clark Comments, pg. 6.
[32] NCST, Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns (July 2017), available at https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/final-reports/ca17-2975-finalreport-a11y.pdf.
[33] *Id.* at 6-7.
[34] SCAQMD, SCAQMD High Cube Warehouse Truck Trip Study White Paper Summary Of Business Survey Results (June 2014), available at https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/business-survey-summary.pdf.
[35] *Id.* at pg. 11.

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Origin and Destination of Goods

22 of 34 high cube warehouse respondents provided the origins and destinations of goods flowing to and from their facility. Major trends seen in the charts below include:

- The ports of Los Angeles and Long Beach make up a large share of imported goods yet only a minor component of exported goods
- Approximately 1 in 5 truck trips occurs between warehouses
- Approximately 1 in 7 truck trips involves an out of state location
- Approximately 1 in 10 truck trips involves a rail yard



During discussion at the April 15, 2024 Development Advisory Board hearing, a City consultant suggested that if the Project only makes truck trips to other warehouses, it would not be necessary to evaluate distance to the Ports. The figure above shows that only a small percentage of goods come from other warehouses and that the lion's share of goods are from the Ports. Thus, it would be speculative to disregard the Project's distance from the Ports in analyzing its impacts.

CARE CA's prior comments discussed the volume of goods passing through the Ports. 32 percent of all containers in the U.S. move through the Ports.[36]

[36] SCAG, ConnectSocal, Technical Report re Goods Movement (Adopted September 3, 2020), pg. 9, available at https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_goods-movement.pdf?1606001690.

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Approximately 40 percent of the total U.S.-Asia trade is served by the Ports, and 40 percent of the imports entering the Ports are transloaded or cross-docked.[37]

Substantial evidence also demonstrates the demand for port-related warehouse space is expected to expand. SCAG's 2012-2035 Regional Transportation Plan forecasts that "Demand for port-related warehouse space is projected to grow at a faster pace than demand for domestic warehousing… As space near the San Pedro Bay Ports reaches capacity, port warehousing will push out to the Inland Empire…. By 2035, the region may experience a shortfall of more than 228 million square feet in warehouse space relative to demand."[38] The table below reflects SCAG's forecasts for growth in demand for port-related warehouse space. The growth in the port-related market is expected to be much higher than the domestic market.[39]

Table 2.4 2014-2040 Minimum and Maximum Growth in Unconstrained Occupied Warehouse Space by Cargo Market across Alternate Scenarios

	Growth Percentage Range		Annualized Growth Rate Range	
Cargo Market	Min.	Max.	Min.	Max.
Port-related market	56%	83%	1.7%	2.4%
Border Crossing-related market	75%	165%	2.2%	3.8%
Domestic market	26%	39%	0.9%	1.3%
Total	**31%**	**45%**	**1.1%**	**1.4%**

Source: SCAG Warehouse Space Forecasting Model, Version 1.0, developed in June 30, 2016.

In sum, substantial evidence demonstrates that trips to the Ports are reasonably foreseeable for a spec warehouse proposed in the SCAG region, like this one. The lack of a specific tenant identified for the Project does not justify omission

[37] SCAG, Industrial Warehousing in the SCAG Region – Task 3: Assessment of Supply Chain Strategies and Implications for Future Development (April 2018), Pg. 1-4, 1-5, https://scag.ca.gov/sites/main/files/file-attachments/task3_supplychaintrends.pdf?1604268170. (Transloading refers to transferring of import cargo from ocean containers into domestic 53-foot containers and trailers for onward movement to U.S. inland destinations via rail or truck. Crossdocking is a type of transloading in which the cargo is transloaded within approximately 24 hours of arriving at the transload facility.).

[38] SCAG, 2012-2035 RTP/SCS, pg. 68, available at https://libraryarchives.metro.net/dpgtl/scag/2012-2035-regional-transportation-plan.pdf.

[39] SCAG, Industrial Warehousing in the SCAG Region – Task 5: Developing a Policy Evaluation Framework and Assessing the Implications (April 2018), Pg. 2-11, available at https://scag.ca.gov/sites/main/files/file-attachments/task5_developingpolicyevaluation.pdf?1604268239.

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of this analysis. As a result of this omission, the FEIR underestimates transportation, air quality, and GHG impacts.

F. The FEIR Still Fails to Include Sufficient Investigation into Energy Conservation Measures

CARE CA commented that the FEIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines.[40] CARE CA's comments discussed the decision in *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[41] in which the Court of Appeal held that an EIR failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options.[42]

In Response 1-20, the Staff Report suggests that discussion of energy consumption measures is not required for this Project because its energy impacts are less than significant.[43] The City continues to make the same error as the lead agency in *CCEC* because the EIR in that case also identified a less-than-significant energy impact.[44] The court held that the EIR must nonetheless analyze energy consumption measures.[45]

Response 1-20 provides a "CEQA Guidelines Appendix F Energy Analysis" in Table 1-1.[46] Table 1-1 addresses factors listed in Appendix F, subdv. II(C), but fails to include any discussion of renewable energy options. As explained in *CCEC*, an EIR fails to comply with the requirements of Appendix F by not discussing or analyzing renewable energy options.[47] And as explained in CARE CA's prior comments, this FEIR must analyze the feasibility and effectiveness of measures including onsite solar facilities, electric vehicle charging, alternative fuel sources for the backup generators, more stringent idling requirements, and use of existing power sources during construction rather than generators.

The Staff Report contains additional responses regarding energy in Responses 1-21 to 1-25, but none address the feasibility of reducing energy

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[40] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[41] (2014) 225 CA4th 173.
[42] *Id.* at 213.
[43] Staff Report, Item D - 2471 of 3296.
[44] *CCEC, supra*, 225 CA4th 173 at 183.
[45] *Id.* at 213.
[46] Staff Report, Item D - 2471 of 3296.
[47] *CCEC, supra*, 225 CA4th 173 at 213.

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consumption through onsite solar facilities. Response 1-21 states that the City need not evaluate using alternative fuel sources for backup generators because their emissions would be less-than-significant.[48] Again, the Staff Report makes the same mistake proscribed in *CCEC* by assuming no analysis of energy consumption measures is required if the Project's energy impact is less-than-significant.[49]

In Response 1-22, the City states that it would be infeasible to set more stringent idling requirements over existing requirements because there is no enforcement mechanism that the City can assure to enforce adherence.[50] But the City is authorized under Development Code Section 4.02.025(E) to impose conditions of approval to protect public health and mitigate environmental impacts. Section 4.02.025(E)(3) states that "All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code." Unenforceability is thus not a valid reason not to consider a more stringent idling requirement.

In Response 1-23, the Staff Report states that the FEIR adequately evaluated the feasibility of utilizing existing power sources (e.g., power poles) or alternative fuel generators rather than temporary power generators during construction. The Response seems to misunderstand the nature of CARE CA's comment by discussing how "new dry utility infrastructure would be installed underground."[51] Instead, the FEIR should have included a discussion on the feasibility of a measuring limiting use of diesel generators during construction.

In Response 1-25, the Staff Report states that it meaningfully addresses Appendix F's considerations of "whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope."[52] But neither the Staff Report nor the FEIR contain this analysis.

In sum, the FEIR's energy analysis remains wholly inadequate. The Staff Report and the FEIR make no attempt to evaluate the feasibility of onsite renewable energy generation and storage, and fail to consider the feasibility of electric vehicle charging beyond existing requirements. And the Staff Report's

[48] Staff Report, Item D - 2473 of 3296.
[49] *CCEC, supra*, 225 CA4th 173 at 213.
[50] Staff Report, Item D - 2474 of 3296.
[51] Staff Report, Item D - 2474 of 3296.
[52] Staff Report, Item D - 2474 of 3296.

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responses to proposed energy consumption measures in Responses 1-21 to 1-25 are generally nonresponsive and fail to meet CEQA's requirements.

III. THE COMMISSION CANNOT MAKE THE REQUISITE FINDINGS TO APPROVE THE PROJECT

Section 4.02.025(D) of the City of Ontario Municipal Code sets forth findings necessary to approve a development plan. The Code provides that an application for a development plan shall be denied if the following finding (among others) cannot be clearly established: "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project."[53]

The Project would have a significant and unavoidable VMT impact. And the Project has potentially significant vapor intrusion, health risk, air quality, GHG, and energy impacts which have been underestimated in the FEIR. Because the Project's impacts on public health, safety and general welfare have not been adequately analyzed and mitigated, the City cannot make the requisite findings to approve the Project. A revised EIR must be recirculated before the Project can be recommended for approval.

IV. CONCLUSION

As is explained herein, the FEIR's hazards, air quality, health risk, energy, and transportation analyses remain substantially inaccurate and incomplete, failing to comply with the requirements of CEQA. As a result, the FEIR still fails to adequately disclose and mitigate the Project's significant impacts. As a consequence of these impacts, the City cannot make the requisite findings under CEQA to certify the FEIR or under the City of Ontario Municipal Code to approve the Project's Development Plan. CARE CA urges the Commission to require the City revise and recirculate the EIR before any further action is taken on the Project.

Sincerely,



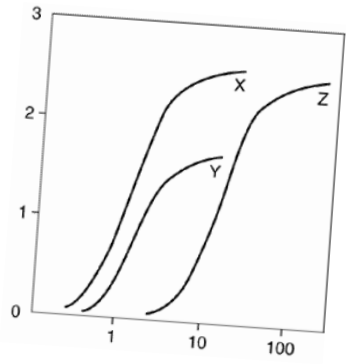
Aidan P. Marshall

Attachment
APM:acp

[53] Section 4.02.025(D)(3).

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EXHIBIT A



Clark & Associates
Environmental Consulting, Inc.

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310-907-6165

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310-398-7626

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May 28, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Attn: Mr. Aidan Marshall

Subject: Comments On Staff Report For Final Environmental Impact Report (DEIR) 5355 Esat Airport Drive, City of Ontario, CA SCH No. 202209006

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed materials related to the August 2023 City of Ontario's (the City) DEIR of the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

Project Description:

According to the City of Ontario's Development Advisory Board Decision File No. PDEV22-017 – Draft EIR (dated March 18, 2024), the draft EIR consists of a Development Plan application to construct a 270,337 square-foot industrial building on the 13.08 acres of the Project site. The Project would require the demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The design would also include the installation of site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detection facilities, exterior lighting, walls/fencing, and signage along with improvements to East Airport Drive.



Figure 1: Site Location Map

Under existing conditions, the Project Site is developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site. Several subsurface septic systems are located beneath the Site to serve the existing uses.

In the Meeting Agenda for the May 28th, 2024 City of Ontario Planning Commission/Historic Preservation Meeting Agenda, the City included responses from T&B Planning (T&B) to comments on the Final EIR for the Project provided by CARE CA. The responses from T&B for the City in total claim that no new information has been provided within the comments. This assertion is not supported by the information provided within the responses from CARE.

Specific Comments

1. Comment 1-12: The City's Air Quality Analysis Did Not Incorporate Building Downwash In The AERMOD Analysis.

T& B claims that building downwash is not appropriate for volume or area sources. This is incorrect. The choice to model the idling trucks, which are movable discrete point sources onsite below the line of the building roof, is a controllable feature in the AERMOD model. Volume sources are defined in the AERMOD Users Guide as included a variety of industrial sources, such as building roof monitors, multiple vents, and conveyor belts.[1] Volume sources are characterized as having a defined specific release height above the ground, an initial lateral dimension of the volume, and an initial vertical dimension. While the assumption that roadways and idling trucks in the Health Risk Assessment can be modeled as a line of volume sources, it must be pointed out that emissions from idling trucks and moving trucks will come from the exhaust pipe(s) to the engine, releasing diesel particulate matter (DPM) from a raised pipe at a specific rate (a point source). Therefore, the use of building downwash in the model to ensure that the modeled concentrations are not underestimated is appropriate. Omission of the building downwash effect underestimates the exposure point concentrations for receptors near the building(s). T&B, in Response 1-12, states that the Project's Air Quality Impact Analysis experts (Technical Appendix B1 of the Draft EIR) have concluded that truck idling emissions sources resulting from the Project would not be materially affected by downwash, but it is important to note that the HRA does not quantify the effects of downwash. The City should address the impact of this issue in a Revised DEIR.

2. Comment 1-41: The Air Quality Analysis Relies On An Input Value From AP-42 That

[1] U.S. EPA. 2023. User's Guide for the AMS/EPA Regulatory Model (AERMOD). Pg 3-68

Is Rated As Poor And Maybe Unreliable

T&B's response that the impact from a poorly rated AP-42 value is incorporated into the analysis is not new evidence is not supported by the evidence in the FEIR. As was noted in my prior comments, the CalEEMOD analysis of the construction emissions incorporates various factors from U.S. EPA's Emission Factors Handbook (AP-42). The AP-42 emission factor for crushing stones used in the CalEEMOD analysis is rated E. This is the worst rating in AP-42, which according to U.S. EPA may not represent a random sample of the industry. The City's response to the questioning of the rating of the emission factor was qualitative at best, failing to show any quantitative analysis of the potential impacts. The City should assess the impacts of this variable in a Revised DEIR.

3. Comment 1-16: The Average Truck Trip Length Of 40 Miles Used In The Air Quality Analysis Does Not Match The Length(s) Used To Support Other Warehouse Projects.

According to T&B's response, the Project is proposed as a speculative development and the user(s) of the building. T&B goes on to state that it is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. This line of reasoning clearly conflicts with the goals of CEQA to analyze the foreseeable and reasonable emissions from the Project.

This statement also does not comport with the reality of where warehoused materials will ship from in the region. The 40-mile distance is insufficient to allow vehicles to travel to the major ports in the Southern California region – Los Angeles and Long Beach. These Ports are the largest source(s) of containerized products, and therefore the primary sources of heavy-duty truck traffic, on the West Coast of the United States are the Ports of Los Angeles and Long Beach. "In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade. The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day. Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately

700 million square feet, an increase of 20 percent over the last five years"),[2] citing data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units)[3] from 2020, the Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide.[4] The distance from the Port of LA to the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.

Using the 62-mile daily truck trip will nearly double the daily emissions of pollutants associated with the Project, increasing the regional burden and resulting in a potentially significant impact. The City must address the impact of this issue in a R-FEIR.

4. Additional Comments On The FEIR

a. The Truck Route Assumed For The Project Site Ignores The Traffic Constraints Of The Project Site

The truck route assumed in the FEIR assumes traffic will only exit the Project Site and turn left on East Airport Drive to S. Etiwanda Avenue. This route requires the trucks using the Project Site to cross (turn left out of the Project Site) Airport drive and to cross South Etiwanda Drive (turn left onto S. Etiwanda Avenue). The assumed distance to the 10 freeway is approximately 0.8 mile. An alternate route for traffic was not assessed in the FEIR which is longer than the primary route, but would have fewer traffic challenges for the drivers. Assuming trucks exit the Project Site and turn right (avoiding the delay getting across Airport Drive) then turn right on South Milliken Avenue, the vehicles will also be able to reach the 10 Freeway. The distance for this route is approximately 1.6 miles and is closer to the residential properties identified in the FEIR. The City must consider this alternate route and the air quality impacts in a R-FEIR.

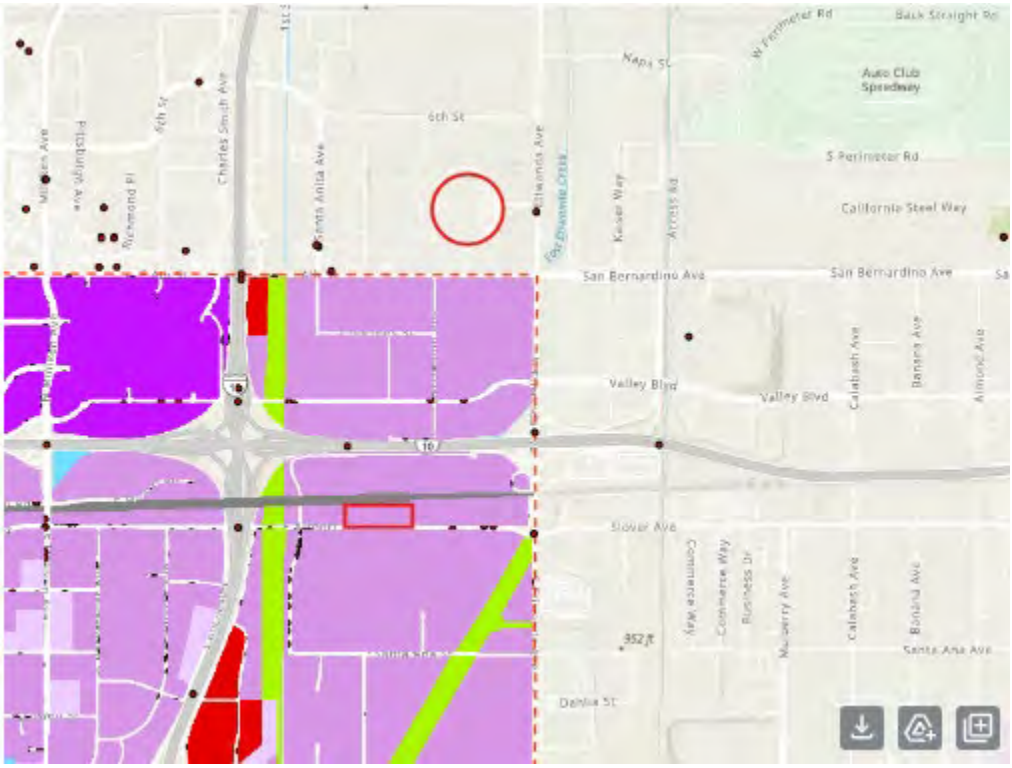
b. The HRA And Air Quality Analysis Failed To Assess A Receptor Closer To The Project Site Than The Residential Properties To The Northwest – The San Bernardino County West Valley Detention Center

[2] Available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

[3] https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/

[4] U.S. Dept. of Transportation, Federal Highway Administration, FHWA Operations Support – Port Peak Pricing Program Evaluation (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm

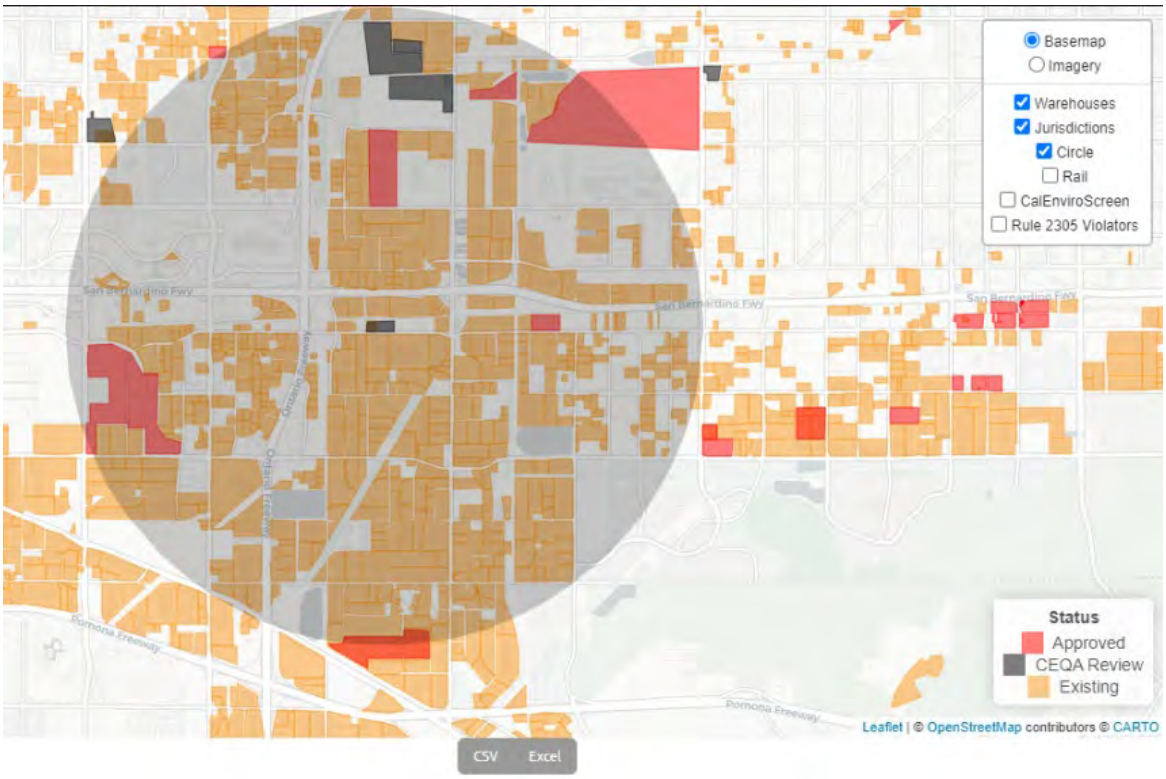
The HRA and Air Quality Analysis failed to consider a significant receptor near the Project Site. The San Bernardino County West Valley Detention Center is located approximately 5,600 feet north northeast of the Project Site at 9500 Etiwanda Ave in Rancho Cucamonga. The Detention Center houses approximately 3,347 inmates and 600 workers.



The Detention Center is nearly 3,000 feet closer to the Project Site, and is nearer the proposed truck route, than the residential property identified in the HRA. The City must assess the impacts of the Project emissions on this receptor center in a revised DEIR.

c. The Cumulative Analysis Of The Project Failed To Consider The Significant Number Of Existing Warehouse Projects In The Vicinity

Based on the current analysis of warehouse projects within a 5-kilometer radius (3.1 miles) of the Project Site, there are 595 current warehouses, totaling 126,400,000 square feet of floor space.



Those projects account for 85,000 truck trips per day, which emit 117.6 lbs of DPM and 13, 243 lbs of NOx per day. There is an additional 7,400,000 square feet of warehousing that is either approved or undergoing CEQA review (includes the Airport Site). The cumulative impacts must be considered in a revised DEIR.

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised draft environmental impact report should be prepared to address these substantial concerns.

Sincerely,

MEMORANDUM

TO: Thomas Grahn, Senior Planner
City of Ontario
303 East B Street
Ontario, CA 91764

FROM: Tracy Zinn, Principal
Tracy Chu, Project Manager

DATE: August 8, 2024

RE: 5355 East Airport Drive (PDEV22-017) – Response to May 28, 2024 Comment Letter from CARE CA

T&B Planning, Inc. is the environmental consulting firm that prepared the Environmental Impact Report (EIR; SCH No. 2022090006) for the 5355 East Airport Drive Project (hereafter "Project"). The Project Applicant, Prologis, Inc., proposes to demolish the existing buildings and structures on the Project site and redevelop the property with a 270,337 square foot (s.f.) warehouse building. The Project's design also includes the installation of associated site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detention facilities, exterior lighting, walls/fencing, and signage as well as site-adjacent improvements to East Airport Drive. The Draft EIR for the Project was published on August 22, 2023, for a 45 day review period, with the local review period and State review period ending on October 5, 2023.

On May 28, 2024, and after publication of the Final EIR, a letter was sent to the City from Adams Broadwell Joseph & Cardozo on behalf of Californians Allied for a Responsible Economy (CARECA). In response, T&B Planning prepared this memorandum for the purpose of responding to the comments received alleging deficiencies in the Draft EIR and Final EIR. The responses contained herein demonstrate that the Draft EIR's analyses and conclusions are correct and that the Final EIR has been appropriately prepared to satisfy CEQA compliance requirements. There are no CEQA compliance deficiencies as claimed by CARECA. For the reasons outlined in this memorandum, the comments provided by CARECA and the responses thereto contained in this memo do not present substantial new information, do not necessitate revisions to the Draft EIR or Final EIR, and do not trigger the need for recirculation of the Draft EIR or Final EIR, or the conduct of additional environmental review pursuant to CEQA Guidelines § 15088.5.

Commenter Letter: Adams Broadwell Joseph & Cardozo on behalf of Californians Allied for a Responsible Economy dated May 28, 2024.

CARE-1 This comment consists of introductory remarks and identifies that the comments in this letter are being provided by Adams Broadwell Joseph & Cardozo on behalf of the Californians Allied for a Responsible Economy (CARECA) and provides a summary of prior comments submitted concerning the Project during the Draft's EIR public review period, and on the Final EIR. The commenter claims that the Response to Comment Memorandum (RTC), dated May 20, 2024, failed to resolve asserted flaws that CARE CA and its experts identified in the Draft EIR. Response to the comments made are provided below in this memorandum.

CARE-2 This comment first introduces the comment's supporting documents drafted by Dr. James Clark, and asserts that the Project's Staff Report prepared by the City for the Planning Commission hearing failed to meaningfully address CARECA's claimed flaws in the Project's environmental review. The commenter then provides a summary of the issues raised in the body of the comment letter. The commenter asserts that the Final EIR defers formulation of mitigation measures related to vapor intrusion impacts, does not analyze the claim that the Project could be used as a parcel hub, and does not analyze trucks trips to the Ports of Los Angeles and Long Beach, cumulative analysis, underestimates impacts on sensitive receptors, and fails to address applicable energy consumption measures and renewable energy options. The commenter also recommends that the City revise and recirculate the Draft EIR. As described in the following responses, the commenter's assertions are incorrect and no additions, revisions, or corrections to the Draft EIR or Final EIR are necessary. Refer to Response to Comments CARE-4 to CARE-32.

CARE-3 The comment includes a statement of interest describing CARECA's organization, role, members, and purposes. The statement of interest is noted. Employment and business concerns raised in this comment do not raise any associated environmental issues and are therefore not within the purview of CEQA; however, this comment will be provided to the City's decision makers for their review and consideration of the Project as a whole. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

CARE-4 The commenter summarizes the findings of the Project's Phase I and II Environmental Site Assessment (ESA; *Technical Appendix G* to the Draft EIR) related to tetrachloroethylene (PCE) impacts and asserts that the Final EIR failed to disclose the impacts of ethylbenzene concentration. The commenter is referred to the Media Management Plan (*Attachment F* to the Final EIR), which thoroughly explains the mitigation procedures that will be undertaken for all earthwork that involves chemically impacted soil, intersects groundwater, or leads to the discovery of any unanticipated condition. All activities involving removal of chemically impacted soil, if required, will be performed under the management of a California State Professional Geologist or Professional Engineer. Implementation of the Media Management Plan is required and no additions, revisions, or corrections are necessary to the Final EIR.

CARE-5 The commenter summarizes Mitigation Measure MM 4.7-1 and states that the mitigation measure failed to explain how the tetrachloroethylene (PCE) contamination at the Project site will be addressed. The commenter further states that the Final EIR lacks quantitative analysis of the construction impacts

associated with that process and MM 4.7-1 defers formulative of mitigation measures related to PCE contamination to a future date. The commenter is incorrect and is referred to the Media Management Plan (*Attachment F* to the Final EIR), which thoroughly explains the mitigation procedures that will be undertaken. The Media Management Plan provides protocols for managing confirmed and potentially contaminated media that may be encountered during future improvement activities involving subsurface work at the Project site. Refer also to Response to Comment B-25 of the Final EIR (FEIR, pp. 2-89 and 2-90).

CARE-6 The commenter summarizes Section 15126.4 of the CEQA Guidelines and asserts that the Final EIR defers formulative of mitigation measures related to PCE contamination until after Project approval. Refer to Response to Comment CARE-5. The commenter is referred to the Media Management Plan (*Attachment F* to the Final EIR), which thoroughly explains the mitigation procedures that will be undertaken for all earthwork that involves chemically impacted soil, intersects groundwater, or leads to the discovery of any unanticipated condition. All activities involving removal of chemically impacted soil, if required, will be performed under the management of a California State Professional Geologist or Professional Engineer. Implementation of the Media Management Plan is required and no additions, revisions, or corrections are necessary to the Final EIR.

CARE-7 The commenter reiterates previous statements alleging inadequacy of the Project's trip generation estimates disclosed in the Draft EIR and that the Project's size and number of parking spots would enable it to be used as a High Cube Parcel Hub Warehouse. This comment is similar to Response to Comment A-6 in the Final EIR and 1-8 in the RTC dated May 20, 2024. Refer to FEIR Response to Comment A-6 (Final EIR, pp. 2-38, 2-39) and Response to Comment 1-8 (RTC, p. 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project trip generation. No additions, revisions, or corrections are necessary and no further response is required.

CARE-8 The commenter cites *Maintain Our Desert Environment v. Town of Apple Valley* for the proposition that "the identity of a tenant is irrelevant to CEQA review" and that the proposed building could be used as a high-cube parcel hub warehouse. Refer to Response to Comment CARE-7 above related to the adequacy of the trip generation assumptions used for the Project. Based on the Project's design, there is no reasonable possibility that the Project could be used as a parcel hub. Thus, no further response is required.

CARE-9 The commenter summarizes previous comments made on the Draft EIR analyses of cumulative air quality impacts and Response to Comment 1-10 and 1-11 in the RTC. This comment does not raise any new issues concerning the environmental analysis provided in the Draft EIR. The comments were responded to previously demonstrating that the analyses were properly prepared and thus no further response is required.

CARE-10 The commenter asserts that the Staff Report to the Planning Commission and the Final EIR failed to address any of the controlling legal authority on the issues raised related to cumulative impact analysis

and cites *Environmental Protection Information Center v. California Department of Forestry Fire Protection*. This comment is similar to Response to Comment A-14 in the Final EIR and 1-10 in the RTC dated May 20. Refer to FEIR Response to Comment A-14 (Final EIR, pp. 2-41, 2-42) and Response to Comment 1-8 (RTC, p. 4, 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary and no further response is required.

CARE-11 The commenter asserts that that statements in the Staff Report about speculative "updated thresholds" are erroneous because CARECA's comments link directly to materials from South Coast Air Quality Management District (SCAQMD)'s working group meetings. As documented on SCAQMD's website, SCAQMD is in the process of developing an "Air Quality Analysis Guidance Handbook", which includes updating existing and developing new air quality analysis guidance to support public agencies when they evaluate air quality impacts pursuant to the requirements of CEQA. Additionally, SCAQMD is initiating a public process for the development of additional guidance for public agencies when they evaluate cumulative air quality impacts from increased concentrations of air toxics for projects subject to the requirements of the CEQA[1]. At the March 20, 2024 Working Group meeting SCAQMD was still in the process of seeking stakeholders' feedback on the proposed methodology and thresholds. SCAQMD has not formally published a new handbook or updated thresholds for analyzing cumulative air quality impacts. Therefore, the Draft EIR's cumulative analysis which relies on the most recent SCAQMD's published approach for the analysis of cumulative air quality effects is appropriate and adequate. The City of Ontario serving as Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary and no further response is required.

CARE-12 The commenter summarizes previous comments made on the Project's Mobile Source Health Risk Assessment (HRA; *Technical Appendix B2 of the Draft EIR*) and Response to Comment 1-12 and 1-13 in the RTC. This comment does not raise any new issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

CARE-13 The commenter asserts that the Staff Report's statement regarding distance from sensitive receptors ignores that the Project would generate truck trips impacting sensitive receptors along the City's designated truck routes and states that the HRA's assumption that trucks would not travel west along Airport Drive underestimates impacts. The Project site is surrounded by industrial uses and the nearest sensitive receptor locations are short-term stay hotels located on the opposite side of freeways with the closest being approximately 3/4-mile from the Project site. Even if trucks travel to and from the Project site along the route as the commenter suggested, it would not materially affect the EIR health risk significance conclusions, as the risks are well below the significance threshold. The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency

[1] https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new)

maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

CARE-14 The commenter summarizes previous comments made on the Project's truck tip lengths and Response to Comment 1-16 in the RTC. This comment does not raise any new issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

CARE-15 The commenter states that the Staff Report dismisses the SCAQMD comments as inapplicable without providing any evidence demonstrating that the Project's truck trips would be limited to the local 40-mile average trip lengths analyzed in the Final EIR, and without considering the additional guidance from SCAQMD contained in the letters which explains that truck trips to and from the ports should be analyzed. This comment is similar to Response to Comment A-18, A-19, and A-28 in the Final EIR and 1-16 in the RTC dated May 20. Refer to FEIR Response to Comment A-18, A-19, A-28 (FEIR, pp. 2-43, 2-44, 2-45) and Response to Comment 1-16 (RTC, p. 7). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary and no further response is required.

CARE-16 The commenter provides additional information from the "Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns" by the National Center for Sustainable Transportation (NCST) and the truck trip study conducted by SCAQMD in June 2014 to substantiate that the Project's trips to the Ports are foreseeable. The commenter cites the study from NCST that 56% of the facilities in the SCAG region receive goods from the Port of Los Angeles and Long Beach. However, the study also stated that "around 62% of the facilities in the SCAG region (approximately 4,900 buildings) are facilities larger than 50,000 sf mainly serving non-port related services. Most of the flow of goods by truck (85% of trips) found in the area is associated with local or intra-regional trips while international shippers have a higher use share of rail and air networks. Activities at port-related warehouses which locate in the Gateway cities focus mainly in transloading, deconsolidation and some value added services. National and international distribution centers are found mainly in the Inland Empire region." The Project site is not located in a Gateway cities and is located in the Inland Empire region. Additionally, the sample size from the survey conducted only contained information from 61 businesses in the entire region from a database of 7,600 records. Similarly, the commenter cites from the SCAQMD's study that 42% of goods going to high-cube warehouses in the SCAQMD region originated from the Ports. However, SCAQMD sent out a survey to 400 warehouse operators in the region but only 63 of them participated and 34 of which were operating high cube warehouses. Therefore, due to the low sample size, the results from both studies are not inclusive and an accurate representation of warehouse facilities in the region.

CARE-17 The commenter provides a summary of previous comments made related to energy conservation measures and Response 1-20 in the RTC. This comment does not raise any new issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

CARE-18 The commenter referenced Responses 1-21 to 1-25 in the RTC and reiterates previous comments made related to energy consumption measures. The Project's building will be solar ready for future solar facilities. The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. No additions, revisions, or corrections are necessary and no further response is required.

CARE-19 The commenter summarizes Response 1-22 in the RTC and states that the it is not true that the City cannot enforce adherence to more stringent idling requirements due to the City's Development Code Section 4.02.025(E) to protect public health and mitigation environmental impacts. The City has added a Condition of Approval to the Project to require the posting of signs in the Project's truck court specifying a 3 minute idling restriction instead of the State-mandated 5 minute restriction.

CARE-20 The commenter summarizes Response 1-23 in the RTC and states that the response misunderstood the nature of the comment. The previous comment made was requesting that the Final EIR should have included a discussion on the feasibility of a measuring limiting use of diesel generators during construction. Refer to Response to Comment A-10 in the Final EIR for the use of diesel generators. The SCAQMD regional threshold for VOC and NOx during construction is higher than operation while the thresholds for all other emissions are the same. As shown in the table in Response to Comment A-10, , emissions would be negligible and less than SCAQMD threshold. The intermittent use of a backup generator during either construction or operation would not result in a substantial or measurable amount of emissions, since by the very nature of the activity, it would be short-term, intermittent, and infrequent. Thus, contrary to the commenter's assertion, measures to reduce this source of temporary and intermittent use of energy is not required. The City's experts disagree with the commenter and no further response is required.

CARE-21 The commenter summarizes Response 1-25 in the RTC and asserts that neither the Staff Report nor the Final EIR contain the analysis on Appendix F's considerations of whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope. The commenter is incorrect and Response to Comment 1-20 provides an analysis of the factors identified in CEQA Guidelines Appendix F. The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. No additions, revisions, or corrections are necessary and no further response is required.

CARE-22 The commenter cites to Section 4.02.025(D) of the City's Municipal Code and assets that the Project would have significant and unavoidable VMT impact, potential significant vapor intrusion, health risk, air quality GHG and energy impacts that have been underestimated. The commenter asserts that the City cannot make the requisite findings to approve the Project and a revised EIR must be recirculated before the Project can be recommended for approval. Contrary to the commenter's assertion, this

memorandum, RTC, and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated. Thus, no additions, revisions, or corrections are necessary are necessary.

CARE-23 The commenter provides a conclusionary statement, which does not present any additional information not covered in the previous comments. Thus, no additional response is required.

CARE-24 The commenter consists of introductory remarks and does not raise any issues concerning the environmental analysis provided in the Draft EIR. Thus no further response is required.

CARE-25 The commenter provides a general summary of the Project. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

CARE-26 The commenter states that the RTC's assertion that no new information has been provided is not supported. Response to the specific comments made are provided below in this memorandum. Refer to Response to Comment CARE-27 to CARE-32. Thus, no further response is required.

CARE-27 The commenter reiterates previous comments made that the Project's Mobile Source Health Risk Assessment (HRA; *Technical Appendix B2 of the Draft EIR*) failed to account for building downwash in the AERMOD analysis and disagree with Response to Comment 1-12 in the RTC. The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of building downwash. No additions, revisions, or corrections are necessary and no further response is required.

CARE-28 The commenter reiterates previous comments that air quality analysis relies on an input value from AP-42 that is rated as poor and may be unreliable. Refer to Response to Comment 1-41 (RTC, p. 14). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of construction air quality impacts. No additions, revisions, or corrections are necessary and no further response is required.

CARE-29 The commenter reiterates previous comments on the average truck trip length of 40 miles used in the air quality analysis does not match the length used to support other warehouse projects. Refer to Response to Comment CARE-15 regarding the discussion on the Project's truck trip assumptions. Thus, no further response is required.

CARE-30 The commenter states that the truck route assumed in the Draft EIR ignores the traffic constraints of the Project site. Response to Comment CARE-13 regarding the discussion on the Project's truck routes. Thus, no further response is required.

CARE-31 The commenter states that the Project's HRA did not assess the San Bernardino County West Valley Detention Center (WVDC) as a receptor that is located closer to the Project site than the residential properties assessed to the northwest. The WVDC is located approximately 1.0 mile from the Project site and between the Project site and the WVDC is the I-10 freeway and a cluster of industrial and distribution buildings. First, the WVDC does meet the criteria for long-term residential occupancy since the WVDC is a facility where an individual could remain only for a short-term period (not years). With a 3,347 bed capacity, the WVDC completes 50,000 to 60,000 bookings and releases each year, evidencing that stays are short term.[2] The Project's HRA analysis reports air pollutant impacts for residential occupancy based on a 30-year exposure duration, and which would be much more impactful at the residential location analyzed in the DEIR than a short-term exposure duration as would be experienced at the WVDC. Short-term exposure at the WVDC would be less than the emissions reported at Location R5, which represents the adjacent potential worker receptor approximately 58 feet east of the Project Site. At the Maximally Exposed Individual Worker (MEIW), the maximum incremental cancer risk impact is 0.25 in one million which is far less than the SCAQMD's threshold of 10 in one million. With the WVDC being located approximately one mile from the MEIW, the exposure would be much less than 0.25 in one million and clearly less than significant.

CARE-32 The commenter states that the cumulative analysis of the Project failed to consider the significant number of existing and pending warehouses in the vicinity. Refer to Response to Comment CARE-10 for the Project's cumulative analysis. Thus, no additional response is required.

CARE-33 The commenter provides a conclusionary statement, which does not present any additional information not covered in the previous comments. Thus, no additional response is required.

[2] West Valley Detention Center – San Bernardino County Sheriff's Department (sbcounty.gov)

Attachment A:
Comment Letter

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May 28, 2024

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Re: Agenda Item D – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Planning Commission Members and Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit these comments on the 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant") in the City of Ontario ("City"). The Project's Final Environmental Impact Report ("FEIR") and development plan will be considered at the May 28, 2024 Planning Commission meeting as Agenda Item D. The Commission will consider certification of the FEIR and approval of the Development Plan application.

CARE CA submitted comments on the DEIR and subsequently on the FEIR, accompanied by expert comments, showing that the FEIR failed to comply with the requirements of CEQA by failing to accurately disclose and mitigate potentially significant air quality, public health, greenhouse gas ("GHG"), energy, transportation, and cumulative impacts. The Staff Report contains responses[1] to CARE CA's comments on the FEIR. However, the responses fail to resolve the major flaws CARE CA and its experts identified in the DEIR.

CARE-1

[1] Letter from T&B Planning Inc. to City, re: 5355 East Airport Drive (PDEV22-017) – Response to April 15, 2024 Comment Letter from CARE CA (May 20, 2024).

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We reviewed the Planning Commission Staff Report with the assistance of air quality expert Dr. James Clark.[2]

The Staff Report fails to meaningfully address the flaws in the Project's environmental review. Regarding hazards, the FEIR identifies significant vapor intrusion impacts due to PCE contamination, but improperly defers formulation of mitigation measures. The FEIR also fails to analyze the full scope of the Project – CEQA requires that an EIR analyze the reasonably foreseeable consequences of the Project, but the Project's FEIR fails to analyze the Project's reasonably foreseeable use as a parcel hub (a use that generates more trips than analyzed), and fails to analyze reasonably foreseeable truck trips to the Ports of Los Angeles and Long Beach. Regarding cumulative impacts, the Staff Report still fails to meaningfully respond to the legal authority requiring analysis of the Project's impacts in the context of the numerous other warehouses existing and planned in the area. The Staff Report also fails to resolve flaws in the Project's health risk assessment, which still underestimates impacts on sensitive receptors. Regarding energy, the Staff Report provides an analysis of factors in Appendix F the CEQA Guidelines. But the analysis is wholly inadequate because it fails to address applicable energy consumption measures and renewable energy options. As a result, the FEIR's conclusions are not supported by substantial evidence. Rather, substantial evidence demonstrates that the Project's significant impacts are greater than analyzed in the FEIR.

The Staff Report incorrectly concludes that the "final EIR contains a complete and accurate reporting of the environmental impacts associated with the Project" and complies with CEQA.[3] The Staff Report recommends that the Planning Commission adopt the final EIR and approve the Project's Development Plan Application.[4] These recommendations are unsupported by evidence in the record due to the major flaws in the Project's environmental review.

CARE CA urges the Planning Commission to require the City revise and recirculate the EIR to comply with CEQA before any further action is taken on the Project.

CARE-2

I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker

CARE-3

[2] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[3] Staff Report, Item D - 2573 of 3296.
[4] Staff Report, Item D - 1 of 3296.

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health and safety hazards, and the environmental impacts of the Project. The coalition includes Ontario residents Daniel Brewer, David Audelo, Carlos Mendez, Rober Rubio, the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Ontario and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

CARE-3 (CONT.)

II. THE FEIR FAILS TO ADEQUATELY ANALYZE, QUANTIFY, AND MITIGATE THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS

A. The FEIR Improperly Defers Formulation of Mitigation Measures for Hazardous Materials

The FEIR's Phase I/II Environmental Site Assessment ("ESA") identifies levels of tetrachloroethene ("PCE") in soil vapor samples in excess of current commercial/industrial calculated soil gas screening levels ("SGSLs").[5] The ESA concludes that "PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Site."[6] The FEIR identifies this contamination as a potentially significant impact.[7] Additionally, the ethylbenzene concentration in one soil vapor sample

CARE-4

[5] FEIR, Phase I/II Environmental Site Assessment, pg. vii.
[6] FEIR, Phase I/II Environmental Site Assessment, pg. 11-2.
[7] DEIR, pg. S-17.

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exceeded the calculated soil gas commercial/industrial screening level of 163 micrograms per cubic meter.[8] The FEIR fails to disclose this significant impact in the body of the FEIR, in violation of CEQA.

CARE-4 (CONT.)

The FEIR states that the potentially significant vapor intrusion impacts would be mitigated through imposition of Mitigation Measure ("MM") 4.7-1. This measure requires future preparation of a Soil Management Plan ("SMP"). he SMP will include instructions for handling, storage, and disposal of any known or potentially impacted soil during soil moving activities. But MM 4.7-1 fails to explain how the PCE contamination at the Project site will actually be addressed – whether it will be remediated, capped in place, etc. – and the FEIR lacks a quantitative analysis of the construction impacts associated with that process. The measure states that contaminated soils will be monitored and provides guidance for proper soil handling, but does not specifically state that PCE-contaminated soil will be removed. Under MM 4.7-1, it is unclear if the City will remove PCE-contaminated soil or adopt passive/engineered vapor intrusion mitigation such as installing a vapor barrier or venting. Without clear performance standards and a quantitative analysis of the impacts of the PCE cleanup phase of construction, MM 4.7-1 remains incomplete and ineffective, and the FEIR's construction impact analysis remains incomplete.

MM 4.7-1 improperly defers formulation of mitigation measures related to PCE contamination to a future date.

CARE-5

CEQA Guidelines Section 15126.4 states that formulation of mitigation measures shall not be deferred until some future time. The Guidelines permit an agency to develop the "specific details of a mitigation measure" after project approval "when it is impractical or infeasible to include those details during the project's environmental review."[9] In such circumstances, deferral of mitigation details is permitted if the agency "(1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will [be] considered, analyzed, and potentially incorporated in the mitigation measure."[10] Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on

CARE-6

[8] FEIR, Phase I/II Environmental Site Assessment, pg. viii.
[9] Guidelines, § 15126.4, subd. (a)(1)(B) (Section 15126.4).
[10] Section 15126.4, subd. (a)(1)(B); *see Save Our Capitol! v. Department of General Services* (2022) 85 Cal.App.5th 1101, 1134 (*Save Our Capitol!*).)

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substantial evidence in the record, to reduce the significant impact to the specified performance standards.[11]

Here, the FEIR defers formulation of the PCE mitigation until after Project approval. But the City fails to present any evidence that it would be impractical or infeasible to do so during the Project's environmental review. Based on the evidence before the City, it should be feasible to require and formulate vapor intrusion mitigation. Even if deferral of formulation of mitigation were reasonable in this case, MM 4.7-1 fails to adopt specific performance standards for remediating PCE contamination and the associated vapor intrusion risks. MM 4.7-1 also fails to clearly identify the types of potential actions that may be taken to mitigate the vapor intrusion risk. Thus, the City improperly defers formulation of PCE contamination and vapor intrusion mitigation.

CARE-6 (CONT.)

The City also improperly defers formulation of mitigation for the ethylbenzene contamination. As with the PCE contamination, MM 4.7-1 fails to substantiate how this contaminant will be addressed. The FEIR contains no evidence that formulation of mitigation for ethylbenzene contamination is impractical or infeasible, identifies no performance standards, and fails to identify potential mitigation measures. Mitigation for this impact is thus improperly deferred.

B. The City Still Fails to Adequately Evaluate Trips Generated by the Project

CARE CA's comments on the FEIR showed that the Project's size and number of parking spots would enable it to be used as a High Cube Parcel Hub Warehouse, which has a trip generation rate 2.6 times the rate used in the FEIR. In Response 1-8, the City reiterates its position that analyzing the Project as a combination of the "Warehousing" and "High-Cube Cold Storage Warehouse" land uses is reasonable due to the Project's anticipated use and size.[12]

CARE-7

The City's response ignores that an EIR must analyze reasonably foreseeable consequences of a Project. Public Resources Code Section 21065 provides, in part: "'Project' means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."[13] Here, the Project proposes a 270,337-square-foot industrial

[11] *Id.*
[12] Staff Report, Item D - 2466 of 3296; FEIR, pg. 2-39.
[13] *See* Cal. Code Regs., tit. 14, § 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376.

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building with a proposed height of 46 feet on 13.08 acres of land. A high-cube parcel hub warehouse is a reasonably foreseeable use of this project because "high-cube parcel hub warehouse" is defined in Institute of Transportation Engineers ("ITE") land use code 156 as a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/ or consolidation of manufactured goods prior to their distribution to retail locations or other warehouses. And Mr. Marshall's comments on the FEIR demonstrate that the Project site includes adequate parking to support this use. Even if less-intensive warehouse uses are possible for this Project (such as the FEIR's combination of "Warehousing" and "High-Cube Cold Storage Warehouse"), use as a high-cube parcel hub warehouse is a reasonably foreseeable outcome that must be analyzed.

CARE-7 (CONT.)

The City's claim that the Project's "anticipated use" does not include a high-cube parcel hub warehouse is irrelevant to the analysis. Courts have held that in this situation, "the identity of a tenant is irrelevant to CEQA review."[14] The court in *Maintain Our Desert Environment v. Town of Apple Valley* explained that "land use entitlements such as conditional use permits and development approvals run with the land and do not belong to the permittee…. had [the developer] developed the Project and then held it out for sale to any interested buyer, no additional CEQA review would have been necessary for the new owner so long as the use was consistent with that that had already been approved."[15] Here, the project that is the subject of the FEIR is a Development Plan to develop an industrial building totaling 270,337 square feet of gross floor area on 13.08 acres and having a FAR of 0.47. This building could be used as a high-cube parcel hub warehouse, so this level of use must be analyzed in the FEIR.

CARE-8

C. The FEIR Still Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

CARE CA commented that the FEIR's analysis of cumulative impacts is inadequate because it fails to consider the cumulative impacts of past, present, and probable future projects. The City's approach to cumulative impacts, relying on South Coast Air Quality Management District ("SCAQMD") guidance, is that emissions of criteria air pollutants or toxic air contaminants that do not exceed individual project thresholds are also not cumulatively considerable.[16] CARE CA's

CARE-9

[14] *Am. Canyon Cmty. United for Responsible Growth v. City of Am. Canyon* (2006) 145 Cal. App. 4th 1062, 1074 (citing *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 124 Cal.App.4th 430, 443–449)).
[15] *Maintain Our Desert Environment v. Town of Apple Valley, supra,* 124 Cal.App.4th at 444.
[16] DEIR, Appendix B, pg. 53.

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comments provided a discussion of the controlling caselaw,[17] the Attorney General's recent litigation on this issue in *People of the State of California v. City of Fontana*,[18] and pending updates to the SCAQMD significance thresholds for cumulative impacts in response to this litigation. These authorities explain that the City's "drop in the bucket" approach to cumulative impacts does not comply with CEQA.

CARE-9 (CONT.)

In Responses 1-10 and 1-11, the Staff Report states: "[t]he commenter is again advised that the SCAQMD is the regulatory authority on air quality charged with the responsibility of ensuring the improvement of air quality in the South Coast Air Basin… The commenter speculates on 'updated thresholds' for air quality impacts. Absent these 'updated thresholds' the EIR properly evaluates air quality impacts in the context of existing thresholds, protocols, and methodologies."[19]

The Staff Report and the FEIR continue to fail to address any of the controlling legal authority on this issue raised in CARE CA's comments. The court in *Environmental Protection Information Center v. California Dept. of Forestry Fire Protection* stated: "[w]e review an agency's decision regarding the inclusion of information in the cumulative impacts analysis under an abuse of discretion standard. 'The primary determination is whether it was reasonable and practical to include the projects and whether, without their inclusion, the severity and significance of the cumulative impacts were reflected adequately.'"[20] CARE CA's comments demonstrate that the SCAQMD individual project significance threshold fail to reflect the significance of cumulative air quality and public health impacts in areas burdened by extensive warehouse development – this Project would add a substantial number of diesel truck trips to routes in an area with a high existing background MATES cancer risk, combining with the emissions of trucks from numerous other warehouses. Analysis of cumulative impacts from past, present, and probable future warehouse projects is feasible. As an example, Dr. Clark's comments present data from Pitzer College's Warehouse CITY tool, which maps existing and proposed warehouses in Los Angeles, Riverside, and San Bernardino Counties.[21] The tool measures metrics including acreage, square footage, and diesel particulate matter and carbon emissions.[22]

CARE-10

[17] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692; *Env't Prot. Info. Ctr. v. California Dep't of Forestry & Fire Prot.* (2008) 44 Cal. 4th 459;
[18] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;
[19] Staff Report, Item D - 2467 of 3296.
[20] *Id.* at 525 (citing *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 723.
[21] Available at https://www.pitzer.edu/redfordconservancy/mapping-data-visualization/.
[22] *Id.*; Clark, pg. 7.

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The Staff Report's statement that CARE CA speculates as to "updated thresholds" is erroneous because CARE CA's comments link directly to the materials for SCAQMD's working group meetings – these materials discuss updates to the thresholds.[23] The Staff Report's failure to discuss SCAQMD's pending updates is inconsistent with the Staff Report's statement that SCAQMD is the regulatory authority on air quality. In sum, the City's rote application of SCAQMD significance thresholds without analysis of the context in which the Project is being proposed fails to satisfy the analytical and informational requirements of CEQA.

CARE-11

D. The FEIR's Quantified Health Risk Analysis Underestimates Impacts

CARE CA's comments on the FEIR identify flaws in the City's Mobile Source Health Risk Assessment ("HRA") that underestimate health risk impacts on residential and non-residential (worker) receptors in the vicinity of the Project. In Responses 1-12 and 1-13, the Staff Report disputes these flaws. The Staff Report maintains that "[a]ny variant in interpretation of OEHHA guidance such as is suggested by the commenter would not materially affect the EIR health risk significance conclusions" because "the Project site is surrounded by industrial uses and the nearest sensitive receptor locations are short-term stay hotels located on the opposite side of freeways with the closest being approximately 3/4-mile from the Project site."[24]

CARE-12

The Staff Report's statement regarding distance from sensitive receptors ignores that the Project would generate truck trips impacting sensitive receptors along the City's designated truck routes.[25] The Project's primary truck routes would depend on the Project's future uses. Despite uncertainty regarding the Project's future tenants, the HRA makes an unsubstantiated assumption regarding the Project's primary truck route, shown in the exhibit below.[26]

CARE-13

[23] SCAQMD, CEQA Policy Development, https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new); SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=16; SCAQMD Working Group Meeting #5, Cumulative Impacts from Air Toxics for CEQA Projects (March 20, 2024) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20.
[24] Staff Report, Item D – 2468-9 of 3296.
[25] The Ontario Plan, Mobility Element, Figure M-04, https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Mobility/FIgure%20M-04%20Truck%20Routes.pdf.
[26] FEIR, HRA Report, Exhibit 2-C.

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EXHIBIT 2-C: MODELED OFF-SITE EMISSION SOURCES



The HRA only analyzes trucks travelling east along Airport Drive, away from sensitive receptors located west of the Project. Trucks could easily travel west on Airport Drive and north along Milliken Avenue, which are both City-designated truck routes.[27] Sensitive receptors including Receptor R6 are located off Milliken Avenue, and could thus be impacted by cumulative truck trips from this Project and other warehouses. The HRA's assumption that trucks would not travel west along Airport Drive underestimates impacts. A revised HRA must be prepared.

CARE-13 (CONT.)

E. The FEIR Still Underestimates Truck Trip Lengths and Resultant Impacts

CARE CA commented that the FEIR underestimates truck trip lengths by failing to account for the Project's distance to the Ports of Los Angeles and Long Beach. CARE CA presented numerous comment letters from SCAQMD

CARE-14

[27] The Ontario Plan, Mobility Element, Figure M-04, https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Mobility/FIgure%20M-04%20Truck%20Routes.pdf; Clark Comments, pg. 5.

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recommending analysis of trips to the Ports, and presented evidence showing that trips to the Ports are a reasonably foreseeable consequence for a warehouse in the City of Ontario. In Response 1-16, the Staff Report states:

> The commenter states that the Final EIR misinterprets the SCAQMD's guidance and provides examples of previous SCAQMD comments on other, unrelated warehouse projects alleging that the Project's truck trip length assumptions are not supported by substantial evidence. As discussed in Draft EIR Section 3.0, Project Description, the Project is proposed as a speculative development and the user(s) of the building is not known at this time (refer to Draft EIR p. 3-13). It is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. As stated in Response to Comment A-18 in the Final EIR, the trip lengths were derived by weighting the average trip lengths using traffic trip percentages.

CARE-14 (CONT.)

The Staff Report apparently dismisses the SCAQMD comments as inapplicable without providing any evidence demonstrating that the Project's truck trips would be limited to the local 40-mile average trip lengths analyzed in the FEIR, and without considering the additional guidance from SCAQMD contained in the letters which explains that truck trips to and from the ports should be analyzed. Many of the SCAQMD letters recommending consideration of the distance to the Ports were in regard to "spec" warehouses with unknown tenants, just like the Project.[28] The Staff Report and the FEIR's responses fail to respond to this guidance with good faith, reasoned analysis,[29] and still fail to provide any evidence demonstrating that goods brought in and out of the Project's warehouses would primarily come from short-distance truck trips.

CARE-15

The Staff Report's statement that it is speculative to assume trucks may travel to the Ports of Los Angeles and Long Beach also misstates the applicable legal standard. The City's response ignores that an EIR must analyze reasonably foreseeable consequences of a Project. Public Resources Code Section 21065 provides, in part: "'Project' means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical

[28] SCAQMD, Comments on Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449) (October 9, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf ("the future tenant(s) of the building is not known").
[29] CEQA Guidelines, Section 15088 requires "good faith, reasoned analysis in response… Conclusory statements unsupported by factual information will not suffice." The level of detail contained in the response may correspond to the level of detail provided in the comment.

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change in the environment."[30] Here, the Project proposes a 270,337-square-foot industrial building with a proposed height of 46 feet on 13.08 acres of land. CARE CA's comments contain evidence showing that trips to the Ports are a reasonably foreseeable outcome of a warehouse like this (citing to the massive volume of goods moving to and from the Ports, and recommendations from SCAQMD).[31] In light of this evidence, the City's assumption that trucks would not travel to the Ports is speculative, unsupported by substantial evidence, and is a failure to analyze a reasonably foreseeable use permitted by the Development Plan.

CARE-15 (CONT.)

This letter contains additional substantial evidence showing that trips to the Ports are reasonably foreseeable. The National Center for Sustainable Transportation ("NCST"), sponsored by the California Department of Transportation, prepared a research report titled "Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns" in 2017.[32] The report analyzed Southern California Association of Governments ("SCAG") data on warehouses in the six counties that comprise the SCAG region (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura). The report finds that **56% of the facilities in the SCAG region receive goods from the Port of Los Angeles and Long Beach**, and around 50% deliver to Southern California warehouses, retail stores or manufacturing plants.[33] This data suggests that trips to the Ports are reasonably foreseeable, and that it would be speculative not to account for distance to the Ports.

CARE-16

In June 2014, SCAQMD staff conducted a business survey of warehouse operators in the SCAQMD region.[34] The survey found that **42% of goods going to high-cube warehouses in the SCAQMD region originated from the Ports**, per the figure below.[35]

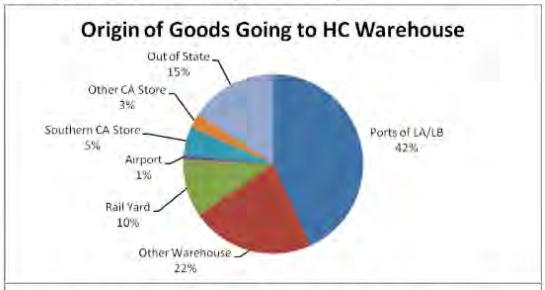
[30] *See* Cal. Code Regs., tit. 14, § 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376.
[31] ABJC, Letter to City re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (April 15, 2024), Clark Comments, pg. 6.
[32] NCST, Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns (July 2017), available at https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/final-reports/ca17-2975-finalreport-a11y.pdf.
[33] *Id.* at 6-7.
[34] SCAQMD, SCAQMD High Cube Warehouse Truck Trip Study White Paper Summary Of Business Survey Results (June 2014), available at https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/business-survey-summary.pdf.
[35] *Id.* at pg. 11.

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Origin and Destination of Goods

22 of 34 high cube warehouse respondents provided the origins and destinations of goods flowing to and from their facility. Major trends seen in the charts below include:

- The ports of Los Angeles and Long Beach make up a large share of imported goods yet only a minor component of exported goods
- Approximately 1 in 5 truck trips occurs between warehouses
- Approximately 1 in 7 truck trips involves an out of state location
- Approximately 1 in 10 truck trips involves a rail yard





During discussion at the April 15, 2024 Development Advisory Board hearing, a City consultant suggested that if the Project only makes truck trips to other warehouses, it would not be necessary to evaluate distance to the Ports. The figure above shows that only a small percentage of goods come from other warehouses and that the lion's share of goods are from the Ports. Thus, it would be speculative to disregard the Project's distance from the Ports in analyzing its impacts.

CARE CA's prior comments discussed the volume of goods passing through the Ports. 32 percent of all containers in the U.S. move through the Ports.[36]

CARE-16 (CONT.)

[36] SCAG, ConnectSocal, Technical Report re Goods Movement (Adopted September 3, 2020), pg. 9, available at https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_goods-movement.pdf?1606001690.

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Approximately 40 percent of the total U.S.-Asia trade is served by the Ports, and 40 percent of the imports entering the Ports are transloaded or cross-docked.[37]

Substantial evidence also demonstrates the demand for port-related warehouse space is expected to expand. SCAG's 2012-2035 Regional Transportation Plan forecasts that "Demand for port-related warehouse space is projected to grow at a faster pace than demand for domestic warehousing… As space near the San Pedro Bay Ports reaches capacity, port warehousing will push out to the Inland Empire…. By 2035, the region may experience a shortfall of more than 228 million square feet in warehouse space relative to demand."[38] The table below reflects SCAG's forecasts for growth in demand for port-related warehouse space. The growth in the port-related market is expected to be much higher than the domestic market.[39]

CARE-16 (CONT.)

Table 2.4 2014-2040 Minimum and Maximum Growth in Unconstrained Occupied Warehouse Space by Cargo Market across Alternate Scenarios

	Growth Percentage Range		Annualized Growth Rate Range	
Cargo Market	**Min.**	**Max.**	**Min.**	**Max.**
Port-related market	56%	83%	1.7%	2.4%
Border Crossing-related market	75%	165%	2.2%	3.8%
Domestic market	26%	39%	0.9%	1.3%
Total	**31%**	**45%**	**1.1%**	**1.4%**

Source: SCAG Warehouse Space Forecasting Model, Version 1.0, developed in June 30, 2016.

In sum, substantial evidence demonstrates that trips to the Ports are reasonably foreseeable for a spec warehouse proposed in the SCAG region, like this one. The lack of a specific tenant identified for the Project does not justify omission

[37] SCAG, Industrial Warehousing in the SCAG Region – Task 3: Assessment of Supply Chain Strategies and Implications for Future Development (April 2018), Pg. 1-4, 1-5, https://scag.ca.gov/sites/main/files/file-attachments/task3_supplychaintrends.pdf?1604268170. (Transloading refers to transferring of import cargo from ocean containers into domestic 53-foot containers and trailers for onward movement to U.S. inland destinations via rail or truck. Crossdocking is a type of transloading in which the cargo is transloaded within approximately 24 hours of arriving at the transload facility.).
[38] SCAG, 2012-2035 RTP/SCS, pg. 68, available at https://libraryarchives.metro.net/dpgtl/scag/2012-2035-regional-transportation-plan.pdf.
[39] SCAG, Industrial Warehousing in the SCAG Region – Task 5: Developing a Policy Evaluation Framework and Assessing the Implications (April 2018), Pg. 2-11, available at https://scag.ca.gov/sites/main/files/file-attachments/task5_developingpolicyevaluation.pdf?1604268239.

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of this analysis. As a result of this omission, the FEIR underestimates transportation, air quality, and GHG impacts.

CARE-16 (CONT.)

F. The FEIR Still Fails to Include Sufficient Investigation into Energy Conservation Measures

CARE CA commented that the FEIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines.[40] CARE CA's comments discussed the decision in *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[41] in which the Court of Appeal held that an EIR failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options.[42]

In Response 1-20, the Staff Report suggests that discussion of energy consumption measures is not required for this Project because its energy impacts are less than significant.[43] The City continues to make the same error as the lead agency in *CCEC* because the EIR in that case also identified a less-than-significant energy impact.[44] The court held that the EIR must nonetheless analyze energy consumption measures.[45]

Response 1-20 provides a "CEQA Guidelines Appendix F Energy Analysis" in Table 1-1.[46] Table 1-1 addresses factors listed in Appendix F, subdv. II(C), but fails to include any discussion of renewable energy options. As explained in *CCEC*, an EIR fails to comply with the requirements of Appendix F by not discussing or analyzing renewable energy options.[47] And as explained in CARE CA's prior comments, this FEIR must analyze the feasibility and effectiveness of measures including onsite solar facilities, electric vehicle charging, alternative fuel sources for the backup generators, more stringent idling requirements, and use of existing power sources during construction rather than generators.

CARE-17

The Staff Report contains additional responses regarding energy in Responses 1-21 to 1-25, but none address the feasibility of reducing energy

CARE-18

[40] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[41] (2014) 225 CA4th 173.
[42] *Id.* at 213.
[43] Staff Report, Item D - 2471 of 3296.
[44] *CCEC, supra*, 225 CA4th 173 at 183.
[45] *Id.* at 213.
[46] Staff Report, Item D - 2471 of 3296.
[47] *CCEC, supra*, 225 CA4th 173 at 213.

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consumption through onsite solar facilities. Response 1-21 states that the City need not evaluate using alternative fuel sources for backup generators because their emissions would be less-than-significant.[48] Again, the Staff Report makes the same mistake proscribed in *CCEC* by assuming no analysis of energy consumption measures is required if the Project's energy impact is less-than-significant.[49]

CARE-18 (CONT.)

In Response 1-22, the City states that it would be infeasible to set more stringent idling requirements over existing requirements because there is no enforcement mechanism that the City can assure to enforce adherence.[50] But the City is authorized under Development Code Section 4.02.025(E) to impose conditions of approval to protect public health and mitigate environmental impacts. Section 4.02.025(E)(3) states that "All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code." Unenforceability is thus not a valid reason not to consider a more stringent idling requirement.

CARE-19

In Response 1-23, the Staff Report states that the FEIR adequately evaluated the feasibility of utilizing existing power sources (e.g., power poles) or alternative fuel generators rather than temporary power generators during construction. The Response seems to misunderstand the nature of CARE CA's comment by discussing how "new dry utility infrastructure would be installed underground."[51] Instead, the FEIR should have included a discussion on the feasibility of a measuring limiting use of diesel generators during construction.

CARE-20

In Response 1-25, the Staff Report states that it meaningfully addresses Appendix F's considerations of "whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope."[52] But neither the Staff Report nor the FEIR contain this analysis.

In sum, the FEIR's energy analysis remains wholly inadequate. The Staff Report and the FEIR make no attempt to evaluate the feasibility of onsite renewable energy generation and storage, and fail to consider the feasibility of electric vehicle charging beyond existing requirements. And the Staff Report's

CARE-21

[48] Staff Report, Item D - 2473 of 3296.
[49] *CCEC, supra*, 225 CA4th 173 at 213.
[50] Staff Report, Item D - 2474 of 3296.
[51] Staff Report, Item D - 2474 of 3296.
[52] Staff Report, Item D - 2474 of 3296.

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responses to proposed energy consumption measures in Responses 1-21 to 1-25 are generally nonresponsive and fail to meet CEQA's requirements.

CARE-21 (CONT.)

III. THE COMMISSION CANNOT MAKE THE REQUISITE FINDINGS TO APPROVE THE PROJECT

Section 4.02.025(D) of the City of Ontario Municipal Code sets forth findings necessary to approve a development plan. The Code provides that an application for a development plan shall be denied if the following finding (among others) cannot be clearly established: "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project."[53]

The Project would have a significant and unavoidable VMT impact. And the Project has potentially significant vapor intrusion, health risk, air quality, GHG, and energy impacts which have been underestimated in the FEIR. Because the Project's impacts on public health, safety and general welfare have not been adequately analyzed and mitigated, the City cannot make the requisite findings to approve the Project. A revised EIR must be recirculated before the Project can be recommended for approval.

CARE-22

IV. CONCLUSION

As is explained herein, the FEIR's hazards, air quality, health risk, energy, and transportation analyses remain substantially inaccurate and incomplete, failing to comply with the requirements of CEQA. As a result, the FEIR still fails to adequately disclose and mitigate the Project's significant impacts. As a consequence of these impacts, the City cannot make the requisite findings under CEQA to certify the FEIR or under the City of Ontario Municipal Code to approve the Project's Development Plan. CARE CA urges the Commission to require the City revise and recirculate the EIR before any further action is taken on the Project.

CARE-23

Sincerely,

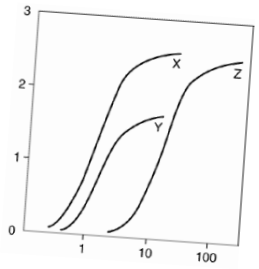
Aidan P. Marshall

Attachment
APM:acp

[53] Section 4.02.025(D)(3).

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EXHIBIT A



Clark & Associates
Environmental Consulting, Inc.

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May 28, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Attn: Mr. Aidan Marshall

Subject: Comments On Staff Report For Final Environmental Impact Report (DEIR) 5355 Esat Airport Drive, City of Ontario, CA SCH No. 202209006

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed materials related to the August 2023 City of Ontario's (the City) DEIR of the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

CARE-24

Project Description:

According to the City of Ontario's Development Advisory Board Decision File No. PDEV22-017 – Draft EIR (dated March 18, 2024), the draft EIR consists of a Development Plan application to construct a 270,337 square-foot industrial building on the 13.08 acres of the Project site. The Project would require the demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The design would also include the installation of site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detection facilities, exterior lighting, walls/fencing, and signage along with improvements to East Airport Drive.

CARE-25



Figure 1: Site Location Map

Under existing conditions, the Project Site is developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site. Several subsurface septic systems are located beneath the Site to serve the existing uses.

CARE-25 (CONT.)

In the Meeting Agenda for the May 28th, 2024 City of Ontario Planning Commission/Historic Preservation Meeting Agenda, the City included responses from T&B Planning (T&B) to comments on the Final EIR for the Project provided by CARE CA. The responses from T&B for the City in total claim that no new information has been provided within the comments. This assertion is not supported by the information provided within the responses from CARE.

CARE-26

Specific Comments

1. **Comment 1-12: The City's Air Quality Analysis Did Not Incorporate Building Downwash In The AERMOD Analysis.**

T& B claims that building downwash is not appropriate for volume or area sources. This is incorrect. The choice to model the idling trucks, which are movable discrete point sources onsite below the line of the building roof, is a controllable feature in the AERMOD model. Volume sources are defined in the AERMOD Users Guide as included a variety of industrial sources, such as building roof monitors, multiple vents, and conveyor belts.[1] Volume sources are characterized as having a defined specific release height above the ground, an initial lateral dimension of the volume, and an initial vertical dimension. While the assumption that roadways and idling trucks in the Health Risk Assessment can be modeled as a line of volume sources, it must be pointed out that emissions from idling trucks and moving trucks will come from the exhaust pipe(s) to the engine, releasing diesel particulate matter (DPM) from a raised pipe at a specific rate (a point source). Therefore, the use of building downwash in the model to ensure that the modeled concentrations are not underestimated is appropriate. Omission of the building downwash effect underestimates the exposure point concentrations for receptors near the building(s). T&B, in Response 1-12, states that the Project's Air Quality Impact Analysis experts (Technical Appendix B1 of the Draft EIR) have concluded that truck idling emissions sources resulting from the Project would not be materially affected by downwash, but it is important to note that the HRA does not quantify the effects of downwash. The City should address the impact of this issue in a Revised DEIR.

CARE-27

2. **Comment 1-41: The Air Quality Analysis Relies On An Input Value From AP-42 That**

[1] U.S. EPA. 2023. User's Guide for the AMS/EPA Regulatory Model (AERMOD). Pg 3-68

Is Rated As Poor And Maybe Unreliable

T&B's response that the impact from a poorly rated AP-42 value is incorporated into the analysis is not new evidence is not supported by the evidence in the FEIR. As was noted in my prior comments, the CalEEMOD analysis of the construction emissions incorporates various factors from U.S. EPA's Emission Factors Handbook (AP-42). The AP-42 emission factor for crushing stones used in the CalEEMOD analysis is rated E. This is the worst rating in AP-42, which according to U.S. EPA may not represent a random sample of the industry. The City's response to the questioning of the rating of the emission factor was qualitative at best, failing to show any quantitative analysis of the potential impacts. The City should assess the impacts of this variable in a Revised DEIR.

CARE-28

3. **Comment 1-16: The Average Truck Trip Length Of 40 Miles Used In The Air Quality Analysis Does Not Match The Length(s) Used To Support Other Warehouse Projects.**

According to T&B's response, the Project is proposed as a speculative development and the user(s) of the building. T&B goes on to state that it is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. This line of reasoning clearly conflicts with the goals of CEQA to analyze the foreseeable and reasonable emissions from the Project.

This statement also does not comport with the reality of where warehoused materials will ship from in the region. The 40-mile distance is insufficient to allow vehicles to travel to the major ports in the Southern California region – Los Angeles and Long Beach. These Ports are the largest source(s) of containerized products, and therefore the primary sources of heavy-duty truck traffic, on the West Coast of the United States are the Ports of Los Angeles and Long Beach. "In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade. The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day. Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately

CARE-29

700 million square feet, an increase of 20 percent over the last five years"),[2] citing data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units)[3] from 2020, the Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide.[4] The distance from the Port of LA to the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.

Using the 62-mile daily truck trip will nearly double the daily emissions of pollutants associated with the Project, increasing the regional burden and resulting in a potentially significant impact. The City must address the impact of this issue in a R-FEIR.

CARE-29 (CONT.)

4. Additional Comments On The FEIR

a. The Truck Route Assumed For The Project Site Ignores The Traffic Constraints Of The Project Site

The truck route assumed in the FEIR assumes traffic will only exit the Project Site and turn left on East Airport Drive to S. Etiwanda Avenue. This route requires the trucks using the Project Site to cross (turn left out of the Project Site) Airport drive and to cross South Etiwanda Drive (turn left onto S. Etiwanda Avenue). The assumed distance to the 10 freeway is approximately 0.8 mile. An alternate route for traffic was not assessed in the FEIR which is longer than the primary route, but would have fewer traffic challenges for the drivers. Assuming trucks exit the Project Site and turn right (avoiding the delay getting across Airport Drive) then turn right on South Milliken Avenue, the vehicles will also be able to reach the 10 Freeway. The distance for this route is approximately 1.6 miles and is closer to the residential properties identified in the FEIR. The City must consider this alternate route and the air quality impacts in a R-FEIR.

CARE-30

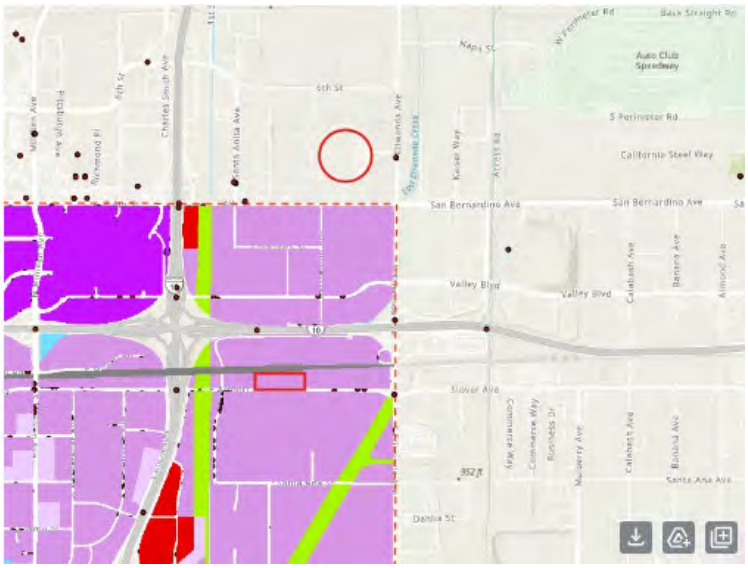
b. The HRA And Air Quality Analysis Failed To Assess A Receptor Closer To The Project Site Than The Residential Properties To The Northwest – The San Bernardino County West Valley Detention Center

[2] Available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

[3] https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/

[4] U.S. Dept. of Transportation, Federal Highway Administration, FHWA Operations Support – Port Peak Pricing Program Evaluation (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm

The HRA and Air Quality Analysis failed to consider a significant receptor near the Project Site. The San Bernardino County West Valley Detention Center is located approximately 5,600 feet north northeast of the Project Site at 9500 Etiwanda Ave in Rancho Cucamonga. The Detention Center houses approximately 3,347 inmates and 600 workers.



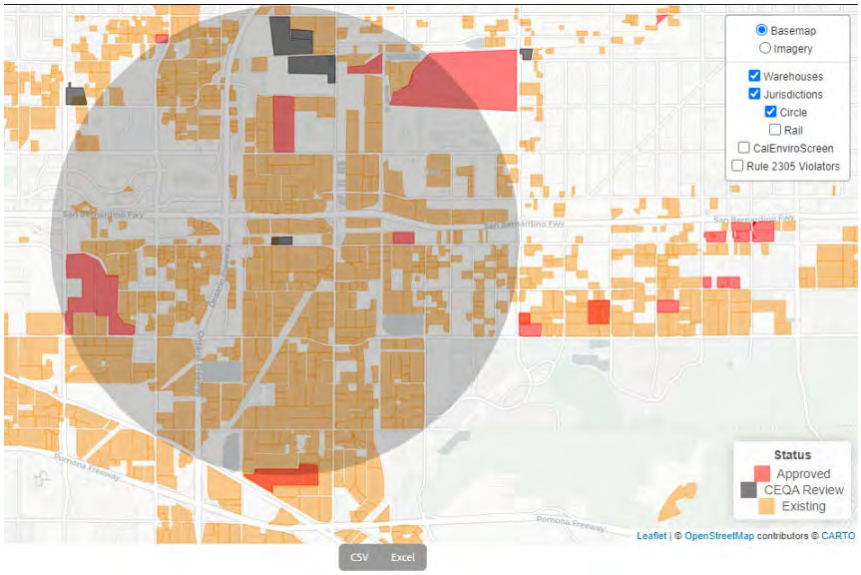
The Detention Center is nearer to the Project Site, and is nearer the proposed truck route, than the residential property identified in the HRA. The City must assess the impacts of the Project emissions on this receptor center in a revised DEIR.

CARE-31

c. The Cumulative Analysis Of The Project Failed To Consider The Significant Number Of Existing Warehouse Projects In The Vicinity

Based on the current analysis of warehouse projects within a 5-kilometer radius (3.1 miles) of the Project Site, there are 595 current warehouses, totaling 126,400,000 square feet of floor space.

CARE-32



Those projects account for 85,000 truck trips per day, which emit 117.6 lbs of DPM and 13, 243 lbs of NOx per day. There is an additional 7,400,000 square feet of warehousing that is either approved or undergoing CEQA review (includes the Airport Site). The cumulative impacts must be considered in a revised DEIR.

CARE-32 (CONT.)

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised draft environmental impact report should be prepared to address these substantial concerns.

CARE-33

Sincerely,

RESOLUTION NO. PC24-036

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, CERTIFYING THE 5355 EAST AIRPORT DRIVE FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2022090006) FOR A DEVELOPMENT PLAN TO CONSTRUCT A 270,337 SQUARE FOOT INDUSTRIAL BUILDING ON 13.08 ACRES OF LAND FOR PROPERTY LOCATED AT 5355 EAST AIRPORT DRIVE, WITHIN THE IH (HEAVY INDUSTRIAL) ZONING DISTRICT, AND ADOPT ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0238-052-29 AND 0238-052-20.

WHEREAS, PROLOGIS ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV22-017, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 13.08 acres of land located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district, and is presently improved with five industrial structures. All existing structures and improvements will be demolished to allow for construction of the 270,337 square-foot industrial warehouse building; and

WHEREAS, on April 5, 2022, the Applicant submitted a Development Plan (File No. PDEV22-017) to construct a 270,337 square-foot industrial building on 13.08 acres of land located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district; and

WHEREAS, the property abutting the Project site to the north is a Southern Pacific Railroad right-of-way, and properties beyond are developed with existing industrial land uses within the IH (Heavy Industrial) zoning district of the Shea Business Center. The property to the south of the Project site (across Airport Drive Street) is zoned IH (Heavy Industrial) and consists of two existing warehouse buildings. The property to the east of the Project site in the IH (Heavy Industrial) zoning district and is developed with an industrial gas supplier. The property to the west of the Project site in the IH (Heavy Industrial) zoning district and is developed with a Verizon facility; and

WHEREAS, the 5355 East Airport Drive Final Environmental Impact Report (State Clearinghouse No. 2022090006) was prepared (hereinafter referred to as "final EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations was made available to the public and to all

interested agencies for review and comment pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

WHEREAS, the final EIR, for the Project consists of the Draft SEIR and the comments and responses to comments made on the Draft SEIR; and

WHEREAS, the final EIR Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Project has been prepared in accordance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the City of Ontario Guidelines for implementation of CEQA; and

WHEREAS, the DEIR for the Project was circulated for a 45-day public review period and a notice of its availability was published in a local newspaper, submitted to the state clearinghouse, and posted in the Office of the Clerk of the Board of Supervisors of San Bernardino County; and

WHEREAS, copies of the final EIR was distributed to the Planning Commission, City departments, and federal, state, regional, local, and other agencies and individuals; and

WHEREAS, on March 18, 2024, the Development Advisory Board conducted a hearing regarding the subject Application and voted to continue the Project to the next available DAB meeting to allow staff to work with the applicant to revise draft conditions of approval; and

WHEREAS, on April 15, 2024, the Development Advisory Board of the City of Ontario conducted a hearing to consider the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines, and concluded said hearing on that date, voting to issue Decision No. DAB24-010, recommending that the Planning Commission approve the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations; and

WHEREAS, on May 28, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations and the Project, and continued the Project for further consideration; and

WHEREAS, on August 27, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations and the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: ***Environmental Determination and Findings.*** As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the final EIR and supporting documentation. Based upon the facts and information contained in the final EIR and supporting documentation, the Planning Commission makes the following findings:

(1) The final EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The final EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The final EIR reflects the independent judgment of the Planning Commission.

SECTION 2: ***Planning Commission Action.*** Based on the entire record before the Planning Commission and all written and oral evidence presented, the Planning Commission finds the final EIR complies with CEQA for the following reasons:

(a) The final EIR analyzes the environmental effects of the Development Plan (File No. PDEV22-017), and with the implementation of proposed mitigation measures, the following impact will still be significant and unavoidable: transportation (vehicle miles traveled); and

(b) The Planning Commission further finds that the Findings of Facts and Statement of Overriding Considerations, demonstrates that the benefits of the Development Plan (File No. PDEV22-017) outweigh its significant and unavoidable impact, and therefore the City would be justified in approving Development Plan notwithstanding said significant and unavoidable impact; and

(c) The Planning Commission hereby CERTIFIES the final EIR, adopts a Statement of Overriding Considerations, and the associated Mitigation Monitoring and Reporting Program subject to each and every condition set forth in the Department reports attached hereto as "Attachments A, B, and C" and incorporate by this reference.

SECTION 3: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees

to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 4: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 5: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of August 2024, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nicola Ricci
Planning Commission Chairperson

ATTEST:

Henry K. Noh
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC24-036, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 27, 2024, by the following roll call vote, to wit:

AYES: Dean, DeDiemar, Gage, Lampkin, Ricci

NOES: None

ABSENT: Anderson, Del Turco

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2022090006)

Final Environmental Impact Report
SCH No. 2022090006

5355 East Airport Drive Project
City of Ontario, California

Lead Agency
City of Ontario
303 East "B" Street
Ontario, CA 91764

CEQA Consultant
T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Project Applicant
Prologis. Inc.
17777 Center Court Drive N, Suite 100
Cerritos, CA 90703

Lead Agency Discretionary Permits
Development Plan PDEV22-017

February 2024

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SECTION 1.0 INTRODUCTION

In accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines, the City of Ontario, as the Lead Agency, has evaluated the comments received on the Draft Environmental Impact Report (Draft EIR) for the 5355 East Airport Drive Project (Project) (SCH No. 2022040177) and has prepared written responses to these comments. This Final Environmental Impact Report (Final EIR) has been prepared in accordance with the CEQA Statute and Guidelines and represents the independent judgment of the City of Ontario serving in its capacity as the CEQA Lead Agency.

According to CEQA Guidelines Section 15132, the Final EIR shall consist of:

(a) The Draft EIR or a revision of the draft;

(b) Comments and recommendations received on the Draft EIR either verbatim or in summary;

(c) A list of persons, organizations, and public agencies commenting on the Draft EIR;

(d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and

(e) Any other information added by the Lead Agency.

The City's Planning Commission will consider certification of the EIR, adoption of a Mitigation Monitoring and Reporting Program, and Findings of Facts as part of the approval process for the Project.

This Final EIR document is organized as follows:

Section 1 provides a brief introduction to this Final EIR document, a summary of the Draft EIR public review process, and a list of commenters.

Section 2 provides responses to the public comments that the City of Ontario received on the Draft EIR during the public review period. Responses are provided in the form of individual responses to each substantive environmental comment made in the comment letters received. Comment letters are presented and are followed by the responses to each substantive comment in each letter.

Section 3 contains revisions and clarifications to the Draft EIR as a result of the comments received. Changes to the Draft EIR that have been made in the Final EIR are presented as an Errata. This information does not constitute significant new information and recirculation of the EIR for further review pursuant to CEQA Guidelines Section 15088.5 is not required.

1.1 PUBLIC REVIEW PROCESS

In compliance with Section 15201 of the CEQA Guidelines, the City of Ontario (City) has taken steps to provide opportunities for public participation in the environmental review process. A Notice of Preparation (NOP) was distributed on September 1, 2022, to responsible agencies, local government agencies, and interested parties for a 30-day public review period (from September 1, 2022, to September 30, 2022) in order to solicit comments and inform agencies and the public of the Project. The NOP was also distributed to the State of California Office of Planning and Research, State Clearinghouse (SCH) for distribution to State agencies. The NOP was posted on the City's website and at the San Bernardino County Clerk's office on September 1, 2022. The Project was described; potential environmental effects associated with Project implementation were identified; and agencies and the public were invited to review and comment on the NOP. A copy of the NOP and comments received are included in *Appendix A* of the Draft EIR. The City received six comment letters in response to the NOP. Table 1-1 of the Draft EIR provides a brief summary of the NOP comments received that address environmental and related issues.

CEQA requires that a Draft EIR have a review period lasting at least 45 days for projects that have been submitted to the SCH for review (CEQA Guidelines§15105(a)). The Draft EIR was distributed to various public agencies, organizations, and individuals on August 22, 2023, for a 45 day review period, with the local review period and State review period ending on October 5, 2023. The City used several methods to elicit comments on the Draft EIR. A Notice of Availability (NOA) and the Draft EIR was distributed to the SCH for distribution to State agencies and was posted on the City's website. The NOA was also posted at the San Bernardino County Clerk's office on August 22, 2023. Also on August 22, 2023, the NOA was mailed to responsible agencies, local government agencies, and interested parties that received the NOP, to individuals who had previously requested the NOA or EIR, and to individuals who provided NOP comments. Finally, the NOA and Draft EIR were made available for review on the City's website at:

https://www.ontarioca.gov/Planning/Reports/EnvironmentalImpact.

The Planning Commission, as the final approval body, is scheduled to hold a public hearing to consider the proposed Project, associated actions, and certification of the Final EIR for the Project. A NOA for the Final EIR and the public hearing notice will be provided to all parties that submitted comments on the Draft EIR.

1.2 LIST OF EIR COMMENTERS

In accordance with Section 15132 of the CEQA Guidelines, following is a list of the parties that submitted comments on the Draft EIR. The City received two comment letters.

Responses to each comment are contained in Section 2.0. The two comment letters are assigned a letter (i.e., A and B) and the comments in each letter are divided into sequential numbered comments (i.e., A-1, A-2, A-3).

	Commenting Party	Date of Letter
A.	Adams Broadwell Joseph & Cardozo on behalf of Californians Allied for a Responsible Economy	October 5, 2023
B.	Blum, Collins & Ho LLP on behalf of Golden State Environmental Justice Alliance	October 4, 2023

SECTION 2.0 RESPONSES TO COMMENTS RECEIVED DURING THE PUBLIC REVIEW PERIOD

The two comment letters received by the City have been included and responded to in this Final Environmental Impact Report (Final EIR). Comments that address environmental concerns are thoroughly addressed. Comments that do not require a response are indicated below and include those that (1) do not address the adequacy or completeness of the Draft EIR (i.e., are outside the scope of CEQA); (2) do not raise environmental issues; (3) do not address the Project; or (4) request the incorporation of additional information not relevant to environmental issues.

CEQA Guidelines Section 15204(a) outlines the parameters for public agencies and interested parties to submit comments and the Lead Agency's responsibility for responding to specific comments. Per CEQA Guidelines Section 15204(a), comments should be related to:

> *[T]he sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible…CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or suggested by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

CEQA Guidelines Section 15204(c) further advises that, "[r]eviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence." Additionally, CEQA Guidelines Section 15204(d) notes that, "[e]ach responsible agency and trustee agency shall focus its comments on environmental information germane to that agency's statutory responsibility;" but, pursuant to CEQA Guidelines Section 15204(e), "[t]his section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section [CEQA Guidelines Section 15204]."

CEQA Guidelines Section 15088, Evaluation of and Response to Comments, states:

> a) *The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments raising significant environmental issues received during the noticed comment period and any extensions and may respond to late comments.*

b) *The lead agency shall provide a written proposed response, either in a printed copy or in an electronic format, to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report.*

c) *The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice. The level of detail contained in the response, however, may correspond to the level of detail provided in the comment (i.e., responses to general comments may be general). A general response may be appropriate when a comment does not contain or specifically refer to readily available information, or does not explain the relevance of evidence submitted with the comment.*

d) *The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:*

   1. *Revise the text in the body of the EIR; or*
   2. *Include marginal notes showing that the information is revised in the response to comments.*

This section includes responses to substantive Draft EIR comments received by the City. With respect to comment letters received, aside from certain courtesy statements, introductions, and closings, individual comments within the body of each letter have been identified and numbered. A copy of each comment letter and the City's responses to each applicable comment are included in this section. Brackets delineating the individual comments and a numeric identifier have been added to the right margin of the letter. Responses to each comment identified are included on the page(s) following each comment letter.

In accordance with Public Resources Code Section 21092.5, written responses to public agency comments shall be provided to the public agency at least 10 days prior to certifying an EIR.

As described in Section 3.0, *Draft EIR Clarifications and Revisions*, of this document, the Draft EIR, revisions and information presented in response to comments received do not result in any of the conditions set forth in Section 15088.5 of the CEQA Guidelines requiring recirculation; therefore, the Draft EIR does not need to be recirculated prior to its certification.

COMMENT LETTER A

ADAMS BROADWELL JOSEPH & CARDOZO
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Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

October 5, 2023

Via Overnight Mail and Email
Thomas Grahn, Senior Planner
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764
Email: TGrahn@ontarioca.gov

Via Email Only
Rudy Zeledon, Planning Director
Email: RZeledon@ontarioca.gov

Re: Comments on the Draft Environmental Impact Report for 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017)

Dear Mr. Grahn and Mr. Zeledon:

We are writing on behalf of Californians Allied for a Responsible Economy ("CARE CA") to provide comments on the Draft Environmental Impact Report ("DEIR") prepared by the City of Ontario ("City") for 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant").

The Project site is located on 13.08 acres at 5355 East Airport Drive in the City of Ontario, in San Bernardino County, California (Assessor Parcel Numbers: 0238-052-29 and 0238- 052-20). The Project proposes to demolish all existing on-site structures and redevelop the site as a warehouse distribution facility with approximately 270,337 square feet (sf") of building area and 54 south-facing loading dock doors. Of the total building square footage, the Project design allocates 255,337 sf for ground floor space and 15,000 sf for mezzanine space. Development of the Project site would require demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The proposed building would be a one-story, 49-foot-tall speculative warehouse/distribution facility with ancillary office space.

A-1

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The Project design includes surface parking with 251 parking spaces including 126 standard automobile parking stalls, 7 accessible parking stalls, 25 electric vehicle parking stalls, 93 additional standard stalls within the truck court, and 48 truck trailer parking spaces.

A-1 (CONT.)

Based on our review of the DEIR and supporting documentation, we conclude that the DEIR fails to comply with the requirements of the California Environmental Quality Act ("CEQA")[1]. The DEIR fails to adequately analyze the Project's cumulative impacts in light of the community's existing pollution burden resulting from similar warehouse projects, and fails to propose feasible and enforceable mitigation measures to reduce those impacts to a less than significant level, as required by CEQA. The DEIR also underestimates potentially significant air quality, greenhouse gas ("GHG"), and energy impacts by failing to concretely describe the Project – which may have significantly greater cold storage uses, transport refrigeration units ("TRUs"), and backup generators than disclosed in the DEIR. The DEIR also impermissibly fails to identify specific and effective mitigation to reduce the Project's significant Vehicle Miles Traveled ("VMT") impact to the greatest extent feasible before declaring the impact significant and unavoidable.[2] The DEIR's transportation analysis also underestimates VMT and resultant GHG emissions. We reviewed the DEIR and its technical appendices with the assistance of transportation expert Norm Marshall.[3] We reserve the right to supplement these comments at a later date, and at any later proceedings related to this Project.[4]

A-2

As explained in these comments, the DEIR lacks substantial evidence to support its conclusions with regard to the Projects' impacts relating to air quality, health risks, greenhouse gases, energy, and transportation. The City may not approve the Project until the City revises and recirculates the Project's DEIR to adequately analyze the Project's significant direct, indirect and cumulative impacts, and incorporates all feasible mitigation measures to avoid or minimize these impacts to the greatest extent feasible.

[1] Pub. Resources Code §§ 21000 et seq.; 14 Cal. Code Regs ("CEQA Guidelines") §§ 15000 et seq. ("CEQA Guidelines").
[2] Pub. Resources Code, § 21081(a)(3), (b); *Covington v. Great Basin Unif. Air Pollution Control Dist.* (2019) 43 Cal.App.5th 867, 879-883.
[3] Mr. Marshall's technical comments and curricula vitae are attached hereto as Exhibit A.
[4] Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* ("*Bakersfield*") (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.
6752-004j

I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker health and safety hazards, and the environmental impacts of the Project. The coalition includes the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Fontana and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

A-3

II. LEGAL BACKGROUND

CEQA requires public agencies to analyze the potential environmental impacts of their proposed actions in an EIR.[5] "The foremost principle under CEQA is that the Legislature intended the act to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language."[6]

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[5] PRC § 21100.
[6] *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal ("Laurel Heights I")* (1988) 47 Cal.3d 376, 390 (internal quotations omitted).
6752-004j

CEQA has two primary purposes. First, CEQA is designed to inform decisionmakers and the public about the potential significant environmental effects of a project.[7] "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'"[8] The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return."[9] As the CEQA Guidelines explain, "[t]he EIR serves not only to protect the environment but also to demonstrate to the public that it is being protected."[10]

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring consideration of environmentally superior alternatives and adoption of all feasible mitigation measures.[11] The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced."[12] If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment" to the greatest extent feasible and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns."[13]

A-4
(CONT.)

While courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference."[14] As the courts have explained, a

[7] Pub. Resources Code § 21061; CEQA Guidelines §§ 15002(a)(1); 15003(b)-(e); *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 517 ("[T]he basic purpose of an EIR is to provide public agencies and the public in general with detailed information about the effect [that] a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.").
[8] *Citizens of Goleta Valley,* 52 Cal.3d at p. 564 (quoting *Laurel Heights I*, 47 Cal.3d at 392).
[9] *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810; *see also Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs.* (2001) 91 Cal.App.4th 1344, 1354 ("*Berkeley Jets*") (purpose of EIR is to inform the public and officials of environmental consequences of their decisions *before* they are made).
[10] CEQA Guidelines § 15003(b).
[11] CEQA Guidelines § 15002(a)(2), (3); *see also Berkeley Jets*, 91 Cal.App.4th at 1354; *Citizens of Goleta Valley*, 52 Cal.3d at p. 564.
[12] CEQA Guidelines § 15002(a)(2).
[13] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090(a), 15091(a), 15092(b)(2)(A), (B); *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.
[14] *Berkeley Jets*, 91 Cal.App.4th at p. 1355 (emphasis added) (quoting *Laurel Heights I*, 47 Cal.3d at 391, 409, fn. 12).
6752-004j

prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the statutory goals of the EIR process."[15] "The ultimate inquiry, as case law and the CEQA guidelines make clear, is whether the EIR includes enough detail 'to enable who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.'"[16]

A-4 (CONT.)

III. THE PROJECT DESCRIPTION IS INADEQUATE

The DEIR does not meet CEQA's requirements because it fails to include an accurate and complete Project description, rendering the entire analysis inadequate. California courts have repeatedly held that "an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR."[17] CEQA requires that a project be described with enough particularity that its impacts can be assessed.[18] Without a complete project description, the environmental analysis under CEQA is impermissibly limited, thus minimizing the project's impacts and undermining meaningful public review.[19] Accordingly, a lead agency may not hide behind its failure to obtain a complete and accurate project description.[20]

A-5

CEQA Guidelines section 15378 defines "project" to mean "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."[21] "The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term project does not mean each separate governmental approval."[22]

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[15] *Berkeley Jets*, 91 Cal.App.4th at p. 1355; *see also San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722 (error is prejudicial if the failure to include relevant information precludes informed decision making and informed public participation, thereby thwarting the statutory goals of the EIR process); *Galante Vineyards*, 60 Cal.App.4th at p. 1117 (decision to approve a project is a nullity if based upon an EIR that does not provide decision-makers and the public with information about the project as required by CEQA); *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946 (prejudicial abuse of discretion results where agency fails to comply with information disclosure provisions of CEQA).
[16] *Sierra Club,* 6 Cal.5th at p. 516 (quoting *Laurel Heights I*, 47 Cal.3d at 405).
[17] *Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 17; *Communities for a Better Environment v. City of Richmond* ("*CBE v. Richmond*") (2010) 184 Cal.App.4th 70, 85–89; *County of Inyo v. City of Los Angeles* (3d Dist. 1977) 71 Cal.App.3d 185, 193.
[18] 14 CCR § 15124; *see, Laurel Heights I, supra,* 47 Cal.3d 376, 192-193.
[19] *Id.*
[20] *Sundstrom v. County of Mendocino* ("*Sundstrom*") (1988) 202 Cal.App.3d 296, 311.
[21] CEQA Guidelines § 15378.
[22] *Id.*, § 15378(c).
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Courts have explained that a complete description of a project must "address not only the immediate environmental consequences of going forward with the project, but also all "*reasonably foreseeable* consequence[s] of the initial project."[23] "If a[n]…EIR…does not adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project, informed decisionmaking cannot occur under CEQA and the final EIR is inadequate as a matter of law."[24]

A-5 (CONT.)

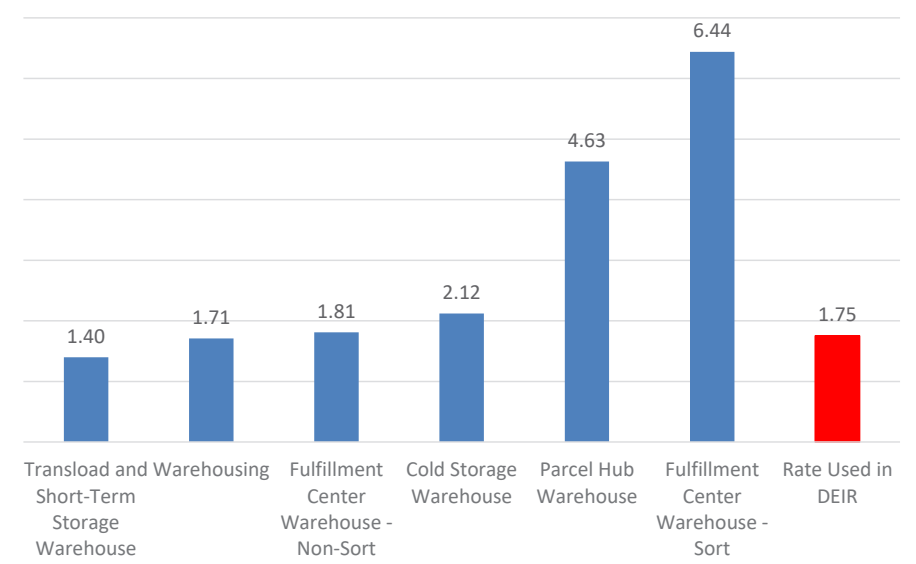
A. The DEIR Fails to Describe the Project's End Uses with Sufficient Particularity to Adequately Evaluate Trips Generated by the Project

The DEIR assumes that the Project would include approximately 27,034 sf of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses.[25] The DEIR explains that the Project's end users are unknown.[26] In order to develop the traffic characteristics of the proposed Project, trip-generation statistics published in the Institute of Transportation Engineers ("ITE") Trip Generation Manual for the proposed Project's land uses was utilized.[27] For purposes of the trip generation assessment, the DEIR used ITE land use code 150 (Warehousing) and ITE land use code 157 (High-Cube Cold Storage Warehouse). Transportation expert Norm Marshall explains that these land use codes are just one of many land use codes potentially applicable to the Project.[28] The figure below shows other warehousing land use codes and compares trips generated by each land use.

A-6

[23] *Laurel Heights I,* 47 Cal. 3d 376, 398 (emphasis added); *see also Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449-50.
[24] *Riverwatch v. Olivenhain Municipal Water Dist*. (2009) 170 Cal. App. 4th 1186, 1201.
[25] DEIR, pg. 3-13.
[26] DEIR, pg. 4.7-17.
[27] DEIR, pg. 4.10-5.
[28] Marshall Comments, pg. 4.
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Figure 1: Trip Generation Rates for Different Warehouse Categories (Trips Per 1000 Square Feet per Day)[29]



A-6 (CONT.)

The DEIR fails to address why the other land use codes shown above are inapplicable to the Project. And the DEIR fails to provide sufficient information about the Project's expected uses and configuration for the public and decisionmakers to ascertain which of these end uses are possible for the Project. This informational defect affects the entire DEIR, as different types of warehousing have different environmental impacts.

Mr. Marshall explains that the land use code selected by the DEIR may drastically underestimate the Project's GHG and VMT impacts. Specifically, the Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.[30] A greater number of trips generated results in greater traffic impacts and greater emissions of GHGs. Given the large uncertainty in the trips generated by the Project, the DEIR fails to meet CEQA's requirement that a project be

[29] Marshall Comments, pg. 5.
[30] *Id.*
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described with enough particularity that its impacts can be assessed.[31] Mr. Marshall recommends two approaches to resolve this issue: either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.[32] The City should revise and recirculate the DEIR to correct these deficiencies and to present a revised trip generation analysis which reflects reasonably foreseeable conditions at the Project site, or condition Project approval on the limitations assumed in the DEIR.

A-6 (CONT.)

B. The DEIR Fails to Substantiate Its Estimate that Just 10% Percent of the Project Will be Used for Cold Storage

The DEIR assumes, without support, that the Project would only include approximately 27,034 sf of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses.[33] The DEIR states that a limitation of 10% of the building for potential cold storage is based on the Project Applicant's understanding of the cold storage market demand.[34] However, this assumption, even if based on a reasonable interpretation of current market conditions, is subject to fluctuate during the life of the Project and is not otherwise reflected in any enforceable conditions related to Project use.

A-7

In order for the City to rely on the Applicant's 10% cold storage assumption in the CEQA document, the DEIR would need to include binding measures or conditions which limit warehouse use at the Project to no more than 10% cold storage. Absent such a restriction, the DEIR may substantially estimate the air quality, public health, and energy impacts of cold storage use at the Project site.

Cold storage warehouse generates greater environmental impacts than a high cube warehouse. Cold storage generates more trips per square foot and has higher energy impacts due to the low temperatures required by the facility's transport refrigeration units ("TRUs") and on-site storage. TRUs are refrigeration systems powered by integral diesel engines.[35] The refrigeration systems are used to control the environment of temperature-sensitive products transported in insulated

A-8

[31] 14 CCR § 15124; *see, Laurel Heights I, supra,* 47 Cal.3d 376, 192-193.
[32] Marshall Comments, pg. 5.
[33] DEIR, pg. 3-13.
[34] *Id.*
[35] California Air Resources Board, 2022 TRU Technology Assessment, pg. 1, https://ww2.arb.ca.gov/sites/default/files/2022-10/CARB%202022%20TRU%20Technology%20Assessment%2010-14-22.pdf.
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trucks, trailers, shipping containers, or railcars. The California Air Resources Board ("CARB") states that TRUs emit diesel particulate matter ("DPM"), fine particulate matter ("PM2.5"), oxides of nitrogen ("NOx"), and GHGs while in transit and during stationary operation at refrigerated warehouses or distribution centers, grocery stores, seaport facilities, intermodal railyards, and other locations of operation. CARB explains that communities near facilities where TRUs operate bear a disproportionate health burden:

> PM2.5 pollution contributes to more fatalities than other air pollutants and can lodge deep in the lungs or pass through the lungs to enter the blood stream and affect the heart, brain, and other organs. Adverse health effects from long-term exposure to PM2.5 pollution include increased risk of heart attacks and heart disease, impaired lung development in children, the development and exacerbation of asthma, and premature death. NOx is a precursor to ozone, which can cause irritation and damage lung tissue, worsen asthma and chronic illnesses including obstructive pulmonary disease and reduce lung function.[36]

CARB also explains that TRUs' emissions of GHGs contribute towards climate change,[37] and that TRUs generate noise impacts: "TRU operations produce noise that can be problematic when deliveries that often occur late evening or early morning are near residential neighborhoods, hotels, hospitals, and elder care facilities… One study conducted by LSA Associates found that a diesel-powered TRU operating at high idle produces an A-weighted decibel (dBA) noise rating of 104 dBA, while a diesel truck at idle produces a noise rating of 96 dBA."[38]

By assuming the Project will only include 10% cold storage, the DEIR may drastically underestimate the Project's impacts in each of these areas. The DEIR does not provide supporting evidence demonstrating that cold storage uses would be limited to 10% of the Project site for the duration of the Project's life. Due to ever-increasing population and market demands in Southern California, it is also reasonably foreseeable that the Project may attract end users, either now or in future years of the Project's life, which require more than 10% cold storage. As a result, the DEIR's assumption is not supported by substantial evidence.

A-8
(CONT.)

[36] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[37] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[38] California Air Resources Board, 2022 TRU Technology Assessment, pg. 17-18.
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In the California Attorney General's ("AG") guidance for warehouse projects, the AG recommends that, unless a developer adopts mitigation measures limiting cold storage impacts, the developer should record a covenant on the title of the underlying property to ensuring that the property cannot be used to provide refrigerated warehouse space.[39] The City should include such a title restriction for the Project unless the DEIR's 10% cold storage assumption is revised to analyze and mitigate impacts associated with a more conservative and fact-based cold-storage use percentage.

A-9

C. The Project Description Fails to Include Reasonably Foreseeable Backup Generators

The DEIR fails to disclose potential backup/emergency stationary generators for the Project's operations. The DEIR's project description does not address whether backup generators are a reasonably foreseeable component of the Project, and the DEIR's technical analyses assume no backup generators will be installed for operations. The DEIR does not disclose any conditions or mitigation measures that limit or prevent use of backup generators. Thus, the DEIR must disclose and analyze the potential use of backup generators because (1) they a reasonably foreseeable consequence of the Project, and (2) the use of backup generators will expand the Project's environmental effects.[40]

In *East Oakland Stadium Alliance v. City of Oakland*,[41] the Court of Appeal upheld an EIR's analysis of emissions from backup generators. The EIR's analysis assumed that generators would operate for 50 hours of testing and maintenance annually, while allocating no time for actual emergency use. In discussing the lead agency's duty to analyze backup generator emissions, the Court stated that "if the annual need for emergency generator use is reasonably foreseeable, the EIR was not entitled to disregard such use merely because it would occur at unpredictable times."[42] The Court explained that use of a generator was reasonably foreseeable because, "[a]s noted in the EIR, some parts of the Bay Area are subject to

A-10

[39] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act (Updated September 2022)*, pg. 9, available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf ("Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.").
[40] *Id.*
[41] (2023) 889 Cal. App. 5th 1226.
[42] *Id.* at 1252.
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predictable, sustained power outages undertaken to reduce the risk of fire."[43] Thus, "[t]he EIR was required to make neither a generally applicable nor a worst-case assumption; rather it was required to make a reasonable estimate of likely annual use of the generators at the project site."[44]

Here, as in *East Oakland Stadium Alliance*, back-up generators are a reasonably foreseeable consequence of the Project due to increasingly common Public Safety Power Shutoff ("PSPS") events and extreme heat events. Extreme heat events ("EHE") are defined as periods where in the temperatures throughout California exceed 100 degrees Fahrenheit.[45] From January 2019 through December 2019, Southern California Edison reported 158 of their circuits underwent a PSP event.[46] In Los Angeles County, two circuits had 4 PSPS events during that period, lasting an average of 35 to 38 hours. The total duration of the PSPS events lasted between 141 hours to 154 hours in 2019. According to the California Public Utilities Commission (CPUC) de-energization report[47] in October 2019, there were almost 806 PSPS events that impacted almost 973,000 customers (~7.5% of households in California) of which ~854,000 of them were residential customers. The California Air Resources Board estimates that with 973,000 customers impacted by PSPS events in October 2019, approximately 125,000 back-up generators were used by customers to provide electricity during power outage.[48] The widespread use of back-up generators to adapt to PSPS and EHE events suggests that back-up generators are a reasonably foreseeable consequence of the Project.

A-10
(CONT.)

Further demonstrating that backup generators are reasonably foreseeable is that the DEIR assumes that 10% of the building (27,034 sf) would be cold storage.[49] A cold storage warehouse has the ability to keep temperature sensitive items in a

[43] *Id.* at 1253.
[44] *Id.*
[45] Governor of California. 2021. Proclamation of a state of emergency. June 17, 2021.
[46] SCAQMD. 2020. Proposed Amendment To Rules (PARS) 1110.2, 1470, and 1472. Dated December 10, 2020. http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1110.2/1110-2_1470_1472/par1110-2_1470_wgm_121020.pdf?sfvrsn=6.
[47] https://www.cpuc.ca.gov/deenergization/ as cited in CARB, 2020. Potential Emission Impact of Public Safety Power Shutoff (PSPS), Emission Impact: Additional Generator Usage associated With Power Outage..
[48] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps.
[49] DEIR, pg. 3-2 (Although the future tenant(s) of the proposed building is unknown at this time, for purposes of analysis within this EIR it is assumed that the building would include approximately 27,034 s.f. of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses).
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temperature-controlled environment, which requires a constant energy supply to power refrigeration. Cold storage warehouses thus commonly utilize backup generators.[50] Backup generators commonly rely on fuels such as natural gas or diesel,[51] and thus can significantly impact air quality, GHG emissions, and public health through toxic DPM emissions.[52] Since the Project may include cold storage, it is reasonably foreseeable that the Project would require on-site backup generators.

A-10
(CONT.)

Generators can emit criteria air pollutants, greenhouse gases, and toxic air contaminants ("TACs"). Backup generators commonly rely on fuels such as natural gas or diesel,[53] and thus can significantly impact public health through DPM

[50] California Air Resources Board, Comments re: Notice of Preparation (NOP) for the United States Cold Storage Hesperia Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2020069036 (July 24, 2020), available at https://ww2.arb.ca.gov/sites/default/files/classic//toxics/ttdceqalist/uscoldstorage.pdf (stating that the HRA prepared for the Project should account for all potential health risks from Project-related diesel PM emission sources such as backup generators, TRUs, and heavy-duty truck traffic); Kusing Power Generator, http://ksdieselgenerator.com/2019/backup-generator-for-cold-storage-room.html, last visited 6/21/2021 ("Backup power supply is necessary for cold storage room to remain functional to avoid deterioration of high value-added goods such as vegetables and food stored in the room after long period of power failure"); East Coast Power Systems, Electrical Power Systems for Warehouses, https://www.ecpowersystems.com/resources/electrical-power-systems/electrical-power-systems-for-warehouses/ (explaining that some warehouses that deal with refrigeration have to have multiple power backup generators by law).

[51] SCAQMD, Fact Sheet on Emergency Backup Generators, http://www.aqmd.gov/home/permits/emergency-generators ("Most of the existing emergency backup generators use diesel as fuel").

[52] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps (showing that generators commonly rely on gasoline or diesel, and that use of generators during power outages results in excess emissions); California Air Resources Board, Use of Back-up Engines for Electricity Generation During Public Safety Power Shutoff Events (October 25, 2019), available at https://ww2.arb.ca.gov/resources/documents/use-back-engines-electricity-generation-during-public-safety-power-shutoff ("When electric utilities de-energize their electric lines, the demand for back-up power increases. This demand for reliable back-up power has health impacts of its own. Of particular concern are health effects related to emissions from diesel back-up engines. Diesel particulate matter (DPM) has been identified as a toxic air contaminant, composed of carbon particles and numerous organic compounds, including over forty known cancer-causing organic substances. The majority of DPM is small enough to be inhaled deep into the lungs and make them more susceptible to injury. Much of the back-up power produced during PSPS events is expected to come from engines regulated by CARB and California's 35 air pollution control and air quality management districts (air districts)").

[53] SCAQMD, Fact Sheet on Emergency Backup Generators, http://www.aqmd.gov/home/permits/emergency-generators ("Most of the existing emergency backup generators use diesel as fuel").

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emissions.[54] Diesel back-up generators emit significant amounts of Nitrogen Oxides ("NOx"), sulfur dioxides ("SO2"), particulate matter ("PM10"), carbon dioxide ("CO2"), carbon monoxide ("CO"), and volatile organic compounds ("VOC").[55] Omission of a generator system results in an underestimation of the Project's air quality, greenhouse gas, and health risk impacts.

A-10 (CONT.)

In sum, omission of the Project's generator results in an underestimation of the Project's air quality, greenhouse gas, energy, and health risk impacts. The DEIR must be revised to resolve this project description inconsistency and correct the affected impacts analyses to accurately disclose the Project's potentially significant impacts.

IV. THE DEIR FAILS TO DISCLOSE, ANALYZE AND MITIGATE POTENTIALLY SIGNIFICANT IMPACTS

An EIR must fully disclose all potentially significant impacts of a Project and implement all feasible mitigation to reduce those impacts to less than significant levels. The lead agency's significance determination with regard to each impact

A-11

[54] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps (showing that generators commonly rely on gasoline or diesel, and that use of generators during power outages results in excess emissions); California Air Resources Board, Use of Back-up Engines for Electricity Generation During Public Safety Power Shutoff Events (October 25, 2019), available at https://ww2.arb.ca.gov/resources/documents/use-back-engines-electricity-generation-during-public-safety-power-shutoff ("When electric utilities de-energize their electric lines, the demand for back-up power increases. This demand for reliable back-up power has health impacts of its own. Of particular concern are health effects related to emissions from diesel back-up engines. Diesel particulate matter (DPM) has been identified as a toxic air contaminant, composed of carbon particles and numerous organic compounds, including over forty known cancer-causing organic substances. The majority of DPM is small enough to be inhaled deep into the lungs and make them more susceptible to injury. Much of the back-up power produced during PSPS events is expected to come from engines regulated by CARB and California's 35 air pollution control and air quality management districts (air districts)").

[55] University of California, Riverside Bourns College of Engineering—Center for Environmental Research and Technology, Air Quality Implications Of Backup Generators In California, (March 2005), pg. 8, available at https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=84c8463118e4813a117db3d768151a8622c4bf6b; South Coast AQMD, Fact Sheet on Emergency Backup Generators ("Emissions of Nitrogen Oxides (NOx) from diesel-fired emergency engines are 200 to 600 times greater, per unit of electricity produced, than new or controlled existing central power plants fired on natural gas. Diesel-fired engines also produce significantly greater amounts of fine particulates and toxics emissions compared to natural gas fired equipment."), available at http://www.aqmd.gov/home/permits/emergency-generators#Fact2.

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must be supported by accurate scientific and factual data.[56] An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.[57]

Moreover, the failure to provide information required by CEQA is a failure to proceed in the manner required by CEQA.[58] Challenges to an agency's failure to proceed in the manner required by CEQA, such as the failure to address a subject required to be covered in an EIR or to disclose information about a project's environmental effects or alternatives, are subject to a less deferential standard than challenges to an agency's factual conclusions.[59] In reviewing challenges to an agency's approval of an EIR based on a lack of substantial evidence, the court will "determine de novo whether the agency has employed the correct procedures, scrupulously enforcing all legislatively mandated CEQA requirements."[60]

A-11
(CONT.)

Additionally, CEQA requires agencies to commit to all feasible mitigation measures to reduce significant environmental impacts.[61] In particular, the lead agency may not make required CEQA findings, including finding that a project impact is significant and unavoidable, unless the administrative record demonstrates that it has adopted all feasible mitigation to reduce significant environmental impacts to the greatest extent feasible.[62]

Even when the substantial evidence standard is applicable to agency decisions to certify an EIR and approve a project, reviewing courts will not 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference.'"[63]

[56] CEQA Guidelines § 15064(b).
[57] *Kings Cty. Farm Bur. v. Hanford* (1990) 221 Cal.App.3d 692, 732.
[58] *Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236.
[59] *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.
[60] *Id., Madera Oversight Coal., Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102.
[61] CEQA Guidelines § 15002(a)(2).
[62] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090, 15091; *Covington v. Great Basin Unified Air Pollution Control Dist.* (2019) 43 Cal.App.5th 867, 883.
[63] *Berkeley Jets*, 91 Cal.App.4th at 1355.
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A. The DEIR Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

An EIR must evaluate a cumulative impact if the project's incremental effect combined with the effects of other projects is "cumulatively considerable."[64] This determination is based on an assessment of the project's incremental impacts "viewed in connection with the effects of past project, the effects of other current projects, and the effects of probable future projects."[65] Proper cumulative impact analysis is vital because "the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact."[66]

A-12

1. The DEIR Fails to Provide a List of Cumulative Projects

The CEQA Guidelines set forth two methods for satisfying the cumulative impacts analysis requirement: the list of projects approach and the summary of projections approach.[67] Under the former, an adequate discussion of cumulative impacts requires "a list of past, present, and probable future projects producing related or cumulative impacts…"[68] Relevant factors when compiling a list of related projects include the environmental resource being examined and the location and type of the project.[69] The Guidelines expressly recognize that project type may be important "when the impact is specialized, such as a particular air pollutant or mode of traffic."[70]

A-13

Here, the DEIR states that it uses a combination of the two methods as appropriate for each impact analysis:

> The summary of projections approach is used in this EIR, except for the evaluation of cumulative transportation effects (for purposes of demonstrating General Plan policy compliance) and vehicular-related air

[64] CEQA Guidelines § 15130(a).
[65] *Id.*, §§ 15065(a)(3), 15355(b).
[66] *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 114.
[67] CEQA Guidelines, § 15130(b)(1) and (2).
[68] *Id.*, § 15130(b)(1)(A).
[69] *Id.*, § 15130(b)(2).
[70] *Id.*
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quality, greenhouse gas, and noise impacts, for which the analysis combines the summary of projections approach with the manual addition of past, present, and reasonably foreseeable projects ("combined approach"). The City determined the combined approach to be appropriate because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effect for all subject areas, with the exception of transportation (and vehicular-related air quality, greenhouse gas, and noise effects), which requires a greater level of detailed study.[71]

A-13 (CONT.)

However, the DEIR fails to provide a list of cumulative projects. And the appendices containing the air quality, greenhouse gas, and noise analyses do not consider past, present, and reasonably foreseeable projects. The air quality, greenhouse gas, and noise analyses should be revised to include consideration of cumulative projects, as recommended by the DEIR itself.

2. The DEIR's Cumulative Air Emissions Analysis Does Not Comply with CEQA or Attorney General Warehouse Guidance

The DEIR fails to adequately analyze the Project's cumulative air quality emissions. The DEIR asserts that, under South Coast Air Quality Management District ("SCAQMD") guidance, any exceedance of a regional or localized threshold for criteria pollutants also is considered to be a cumulatively-considerable effect, while air pollutant emissions that fall below applicable regional and/or localized thresholds are not considered cumulatively-considerable.[72]

A-14

The DEIR fails to note that SCAQMD's approach is outdated, as evidenced by its ongoing process to update its cumulative impacts guidance.[73] The DEIR's approach has been also rejected by the courts for failing to comply with CEQA's requirement that a project mitigate impacts that are "cumulatively considerable."[74] The City's failure to actually examine the Project's cumulative air quality impacts violates CEQA's requirement to analyze cumulative impacts.

[71] DEIR, pg. 4-2.
[72] DEIR, Appendix B, pg. 53.
[73] See e.g., http://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-3_20230124.pdf?sfvrsn=6.
[74] PRC § 21083(b)(2); 14 CCR § 15130; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692, 719-21.
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The leading case on this issue is *Kings County Farm Bureau v. City of Hanford*.[75] In *Kings County*, the city prepared an EIR for a 26.4-megawatt coal-fired cogeneration plant. Notwithstanding the fact that the EIR found that the project region was out of attainment for PM_{10} and ozone, the city failed to incorporate mitigation for the project's cumulative air quality impacts from project emissions because it concluded that the Project would contribute "less than one percent of area emissions for all criteria pollutants."[76] The city reasoned that, because the project's air emissions were small in ratio to existing air quality problems, that this necessarily rendered the project's "incremental contribution" minimal under CEQA. The court rejected this approach, finding it "contrary to the intent of CEQA." The court stated:

> We find the analysis used in the EIR and urged by GWF avoids analyzing the severity of the problem and allows the approval of projects which, when taken in isolation, appear insignificant, but when viewed together, appear startling. Under GWF's "ratio" theory, the greater the over-all problem, the less significance a project has in a cumulative impacts analysis. We conclude the standard for a cumulative impacts analysis is defined by the use of the term "collectively significant" in Guidelines section 15355 and the analysis must assess the collective or combined effect of energy development. The EIR improperly focused upon the individual project's relative effects and omitted facts relevant to an analysis of the collective effect this and other sources will have upon air quality.[77]

The DEIR's analysis is similarly flawed because while the DEIR admits that the Project region is out of attainment for ozone, PM_{10}, and $PM_{2.5}$, the City fails to analyze or mitigate the Project's emissions' cumulative air quality impacts.[78] Given that there are multiple existing large warehouses immediately adjacent to the proposed Project site,[79] as well as the proliferation of warehouse projects in the region and San Bernardino County, the DEIR is inadequate in its analysis of the Project's potentially significant cumulative air quality impacts.

A-14
(CONT.)

[75] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("Kings County"); *see also, Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.
[76] *Id.* at 719.
[77] *Id.* at 721.
[78] DEIR, pg. 5.2-17.
[79] DEIR, pg. 2-4, Figure 2-1.
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The SCAQMD approach used in the DEIR also directly conflicts with the AG recent guidance document setting forth best practices for evaluating the environmental impacts of warehouse projects like this one under CEQA.[80] With respect to cumulative air quality and GHG emissions analysis, the Attorney General's guidance states that best practices include "[w]hen analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, *even if the project's individual impacts alone do not exceed the applicable significance threshold* [emphasis added]."[81]

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The DEIR's cumulative air quality impacts analysis does not comply with CEQA. The City must prepare a revised EIR that properly evaluates and mitigates such impacts.

3. The DEIR's Health Risk Analysis Fails to Consider the Health Impacts of Cumulative Emissions from Nearby Warehouses

The DEIR's analysis of cumulative health risks is flawed for the same reason as the air quality analysis. The DEIR points to guidance from SCAQMD to reason that emissions of TACs are considered significant if a quantified health risk analysis ("HRA") shows an increased risk of greater than 10 in 1 million.[82] And the DEIR provides that Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable, and vice versa.[83] This approach is inadequate because it fails to analyze the Project's cumulative effects with the existing and proposed warehouses surrounding the Project site.

A-16

CEQA provides that the incremental effects of an individual project are cumulatively considerable if the effects are significant when "viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."[84] Courts have held that where a community already

[80] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Updated September 2022), available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf .
[81] *Id.*, pg. 7.
[82] DEIR, Appendix B2, pg. 5.
[83] *Id.*
[84] CEQA requires a lead agency consider whether the combined effects from both the proposed project and other projects would be "cumulatively considerable." (CEQA Guidelines, § 15130, subd. (a).) The incremental effects of an individual project are cumulatively considerable if the effects are
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bears a high pollution burden, a lead agency must consider "whether any additional amount" of pollution caused by the project "should be considered significant in light of the serious nature" of the existing problem.[85]

Here, the DEIR's approach of using a project-level analysis as a substitute for a cumulative impacts analysis fails to address that the Project would be impacting a community already bearing a high pollution burden. The DEIR's CalEEMod output sheets show the community' pollution burden as scoring 91.1 in AQ-Ozone, 95.7 in AQ-PM, and 96.6 in AQ-DPM.[86] A high score reflects a higher pollution burden compared to other census tracts in the state, with a maximum CalEnviroScreen score of 100.[87] Despite this high pollution burden, the DEIR concludes that the Project would not contribute to cumulative impacts because its own impacts would result in an increased risk of less than 10 in 1 million. This analysis violates principles of *Kings County Farm Bureau v. City of Hanford* and guidance from Attorney General. The City must revise and recirculate a DEIR that analyzes the Project's potentially significant cumulative health risk impacts.

A-16 (CONT.)

B. The DEIR's Quantified Health Risk Analysis Underestimates Operational Mobile Source Impacts

The DEIR includes an HRA addressing the Project's construction and operational impacts. The operational HRA is flawed because it omits analysis of TRUs.[88]

As explained above, TRUs emit DPM, PM2.5, NOx, and GHGs while in transit and during stationary operation at refrigerated warehouses or distribution centers, grocery stores, seaport facilities, intermodal railyards, and other locations of operation.[89] CARB explains that communities near facilities where TRUs operate bear a disproportionate health burden:

A-17

significant when "viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." (Id., §§ 15065, subd. (a)(3), 15355, subd. (b).)
[85] *Kings County Farm Bureau*, *supra*, 221 Cal.App.3d at 718; *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 720.
[86] DEIR, Appendix B2, PDF pg. 64-65.
[87] *Id.*
[88] DEIR, Appendix B2, pg. 13-18.
[89] California Air Resources Board, 2022 TRU Technology Assessment, pg. 1, https://ww2.arb.ca.gov/sites/default/files/2022-10/CARB%202022%20TRU%20Technology%20Assessment%2010-14-22.pdf.
6752-004j

> PM2.5 pollution contributes to more fatalities than other air pollutants and can lodge deep in the lungs or pass through the lungs to enter the blood stream and affect the heart, brain, and other organs. Adverse health effects from long-term exposure to PM2.5 pollution include increased risk of heart attacks and heart disease, impaired lung development in children, the development and exacerbation of asthma, and premature death. NOx is a precursor to ozone, which can cause irritation and damage lung tissue, worsen asthma and chronic illnesses including obstructive pulmonary disease and reduce lung function.[90]

A-17 (CONT.)

Thus, the omission of TRUs in the DEIR's HRA results in an underestimate of the Project's health risk impacts. The DEIR's significance findings are thus not supported by substantial evidence. The DEIR must be revised to adequately disclose the health risk impacts from TRUs.

C. The DEIR Underestimates Project VMT and Mobile Source GHGs

Transportation expert Norm Marshall explains that the DEIR potentially underestimates average trip lengths for both trucks and passenger vehicles.[91] Longer trip lengths results in greater impacts (including air quality, GHGs, and VMT). As a result, the analyses that rely on these trip lengths lack the support of substantial evidence. The DEIR air quality analysis relies on the follow trip lengths:

> To determine emissions from trucks for the proposed industrial uses, the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages.[92]

A-18

The DEIR states that these truck trip distances are recommended by SCAQMD, but Mr. Marshall explains that SCAQMD does not make a recommendation that these trip distances be used for warehouse project EIRs.[93] Rather, the AG's guidance document for warehouse projects states:

[90] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[91] Marshall Comments, pp. 6-7.
[92] DEIR, Appendix B1, pg. 37.
[93] Marshall Comments, pg. 6-7.
6752-004j

> CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur.[94]

A-18 (CONT.)

In contrast to the approach recommended by the AG, the DEIR's estimated trip distances did not account for the Project's likely trip destinations. Mr. Marshall explains that, while it may be too early to determine specific truck trip origins and destinations, it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR.[95] These include the Ports of Los Angeles and Long Beach – approximately 60 miles away. The DEIR's analysis thus likely underestimates trip distances.

The DEIR also underestimates lengths of passenger trips generated by the Project. Mr. Marshall observes that CalEEMod trip lengths were used for passenger trips.[96] But in the DEIR's VMT analysis, the DEIR acknowledges that the Project's VMT per service population, i.e., the VMT per worker, is significantly higher than the average for the City of Ontario, and therefore, also significantly higher than the regional average.[97] Mr. Marshall explains that the average auto trip lengths should be increased from the default values to account for the VMT-inefficient project location. Thus, the DEIR's analysis lacks the support of substantial evidence, and must be revised.

A-19

D. The DEIR Fails to Identify All Feasible VMT Mitigation Measures

The DEIR concludes that the Project would result in a significant and unavoidable VMT impact despite mitigation included in the DEIR. Specifically, the DEIR estimates that the Project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.[98] The DEIR identifies the following mitigation for this significant impact:

A-20

[94] Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act (Updated September 2022), pg. 7.
[95] Marshall Comments, pg. 7.
[96] *Id.*; DEIR, Appendix F, pg. 56
[97] Marshall Comments, pg. 7.
[98] Marshall Comments, pg. 1.
6752-004j

> MM 4.10-1: Prior to the issuance of a certificate of occupancy, the building operator shall prepare and submit for approval to the City of Ontario Community Development Department a Transportation Demand Management Program (TDMP). The TDMP shall specify measures that the building operator will commit to implementing in an effort to reduce vehicle miles traveled for its on-site employees. The TDMP shall include provisions, incentives, and programs for employee ridesharing programs, carpools, vanpools, transit use, bike travel, avoidance of peak periods of traffic congestion, and on-site parking preferences for zero-emission vehicles, among other items that have reasonable potential of reducing employee reliance on single-occupant gas-powered vehicles during peak time travel periods (rush hours).[99]

This measure fails to meet CEQA's standards for mitigation. CEQA provides that if the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment" to the greatest extent feasible and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns."[100] Further, EIRs must mitigate significant impacts through measures that are "fully enforceable through permit conditions, agreements, or other legally binding instruments."[101] Deferring formulation of mitigation measures is generally impermissible.[102] If identification of specific mitigation measures is impractical until a later stage in the Project, specific performance criteria must be articulated and further approvals must be made contingent upon meeting these performance criteria.[103] Mitigation that does no more than allow approval by a county department without setting enforceable standards is inadequate.[104]

Here, the measure improperly defers identification of specific VMT-reducing mitigation measures to a future date. MM 4.10-1 does not commit to any particular measures to reduce VMT. Nor does the DEIR articulate specific performance criteria to ensure that impacts would be mitigated to the greatest extent feasible. Mr. Marshall notes that, while MM 4.10-1 lists potential measures to reduce VMT,

A-20
(CONT.)

[99] DEIR, pg. S-24.
[100] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090(a), 15091(a), 15092(b)(2)(A), (B); *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.
[101] CEQA Guidelines, § 15126.4, subd. (a)(2).
[102] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308-309; Pub. Resources Code, § 21061.
[103] *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1393; *Quail Botanical*, *supra*, 29 Cal.App.4th at pg. 1604, fn. 5.
[104] *Endangered Habitats League, Inc. v. County of Orange,* (2005) 131 Cal.App.4th 777, 794.
6752-004j

there is no clear commitment or description of the measures.[105] Mr. Marshall explains that the measures listed in MM 4.10-1 can be formulated in a variety of ways that determine the magnitude of VMT reductions.[106] MM 4.10-1 is thus improperly deferred mitigation that does no more than allow approval by a county department without setting enforceable standards.[107]

A-20 (CONT.)

As a result of this improper deferral of mitigation, the DEIR also fails to comply with CEQA's requirement to reduce all significant effects on the environment to the greatest extent feasible. MM 4.10-1 must be revised to clearly require the all feasible VMT-reducing measures be adopted until the expected 28.47% excess VMT is mitigated.

V. CONCLUSION

For the reasons discussed above, the DEIR for the Project is inadequate under CEQA. It must be revised to provide legally adequate analysis of, and mitigation for, all of the Project's potentially significant impacts. These revisions will necessarily require that the DEIR be recirculated for additional public review. Until the DEIR has been revised and recirculated, as described herein, the City may not lawfully approve the Project.

A-21

Thank you for your consideration of these comments. Please include them in the record of proceedings for the Project.

Sincerely,

Aidan P. Marshall

APM:ljl

[105] Marshall Comments, pg. 2.
[106] *Id.*
[107] *Endangered Habitats League, Inc. v. County of Orange,* (2005) 131 Cal.App.4th 777, 794.
6752-004j

EXHIBIT A

794 Sawnee Bean Road
Thetford Center VT 05075

Norman Marshall, President
(802) 356-2969

nmarshall@smartmobility.com

October 4, 2023

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Subject: 5355 East Airport Drive Project

Dear Mr. Marshall,

I have reviewed trip generation, vehicle miles traveled (VMT) impacts and greenhouse gas (GHG) impacts of the City of Ontario Draft Environmental Impact Report for a proposed warehouse project at 5355 East Airport Drive ("DEIR"). I make the following findings:

1) The DEIR acknowledges significant and unavoidable VMT impact. Furthermore, the DEIR documents that the project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.
2) The proposed VMT mitigation is not fully specified or quantified in the DEIR and appears to fall far short of what would be required to reduce project VMT below the City's threshold. Achieving significant VMT mitigation for this project may be impossible – but mitigation must be specified and quantified for the project to be properly evaluated.
3) Project trip generation could be much higher than assumed. Given the large uncertainty in the project's trip generation, the applicant should take one of two paths -either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.
4) Project GHG emissions could be much higher than assumed. In addition to trip generation possibly being underestimated, average trip lengths for both trucks and passenger vehicles are likely to be underestimated in the DEIR.

A-22

1

Significant and Unavoidable VMT impact

The DEIR states that the project would have a "Significant and Unavoidable [VMT] Impact." (DEIR, p. S-24)

DEIR Appendix J, "IE Distribution Center #14 Vehicle Miles Traveled (VMT) Analysis," evaluates the project relative to the City of Ontario's VMT screens and concludes:

- TPA [Transit Priority Area] screening criteria is not met.
- Low VMT Area screening criteria is not met.
- Project Type screening criteria is not met.

As the project fails these screens, a full VMT analysis was performed using the San Bernardino Transportation Analysis Model (SBTAM). The table below copied from DEIR Appendix J, p. 9 summarizes the results of this analysis.

TABLE 10: PROJECT COMPARISON TO CITY OF ONTARIO VMT THRESHOLD

	Baseline	Buildout Year
Impact Threshold	27.61	27.61
Project	33.84	35.47
Percent Change	+22.56%	+28.47%
Potentially Significant?	Yes	Yes

As shown in the reproduced table, the proposed project would exceed the City's VMT threshold by 22.56% in the baseline year and by an even larger 28.47% in the buildout year (2050).

A-23

The VMT Mitigation Described in the VMT is Inadequate

The City of Ontario's VMT Resolution adopted June 16, 2020, reiterates General Plan Mobility Element M1-2: **"Mitigation of impacts. We require development to mitigate its traffic impacts."**

In the case of the proposed project, full mitigation would reduce VMT to below the threshold, i.e., the 28.47% excess VMT in the horizon year would be eliminated. The EIR should quantify the expected VMT reduction from mitigation. Unless the reduction is sufficient to achieve the VMT threshold, the EIR should justify why greater mitigation is infeasible.

The VMT mitigation described in the DEIR is:

> **MM 4.10-1** Prior to the issuance of a certificate of occupancy, the building operator shall prepare and submit for approval to the City of Ontario Community Development Department a Transportation Demand Management Program (TDMP). The TDMP shall specify measures that the building operator will commit to implementing in an effort to reduce vehicle miles traveled for its on-site employees. The TDMP shall include provisions, incentives, and programs for employee ridesharing programs, carpools, vanpools, transit use, bike travel, avoidance of peak periods of traffic congestion, and on-site parking preferences for zero-emission vehicles, among other items that have reasonable potential of reducing employee reliance on single-occupant gas-powered vehicles during peak time travel periods (rush hours). (DEIR, p. S-24)

A-24

2

The above wording is ambiguous. Is this a commitment to include all the measures listed, or only to a subset of the measures. For the included measures, what are the magnitudes of the different incentives. Are the included measures voluntary or mandatory? Is monitoring included? What is the total VMT reduction from the package, and is this reduction sufficient to adequately address the expected 28.47% excess VMT in the horizon year? If the planned reduction is not achieved, what are the consequences?

A-24 (CONT.)

The California Air Pollution Control Officers Association (CAPCOA) provides on quantifying VMT mitigation measures in its publication *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers (Final Draft, December 2021)*. It states:

> The Handbook builds on CAPCOA's previous efforts to provide accurate and reliable quantification measures. In 2010, CAPCOA published *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emissions Reductions from Greenhouse Gas Mitigation Measures* (hereafter referred to as the "2010 Handbook"). Since that time, climate science has evolved and GHG reduction practices have advanced in sophistication. New priorities have also arisen, such as strengthening climate resilience and infusing health and equity into integrated planning efforts. Therefore, CAPCOA decided it was time to develop an updated and expanded resource to provide the latest data and methods to quantify GHG emissions reductions, climate change vulnerability reductions, and equity improvements in a single resource: The Handbook. (p. 2-3)

The Handbook makes a critical distinction between voluntary and mandatory Commuter Trip Reduction ("CTR") programs:

A-25

T-5 Implement Commute Trip Reduction Program (Voluntary) – up to 4% VMT reduction:

> Voluntary CTR programs must include the following elements to apply the VMT reductions reported in literature. ▪ Employer-provided services, infrastructure, and incentives for alternative modes such as ridesharing (Measure T-8), discounted transit (Measure T-9), bicycling (Measure T-10), vanpool (Measure T-11), and guaranteed ride home. ▪ Information, coordination, and marketing for said services, infrastructure, and incentives (Measure T-7). (*Handbook*, p. 83)

T-5 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) – up to 26% VMT reduction:

> The mandatory CTR program must include all other elements (i.e., Measures T-7 through T-11) described for the voluntary program (Measure T-5) plus include mandatory trip reduction requirements (including penalties for non-compliance) and regular monitoring and reporting to ensure the calculated VMT reduction matches the observed VMT reduction). (*Handbook*, p. 86)

3

A 26% reduction at this site may be impossible given the relatively poor transit , bicycle and walk accessibility plus long commute distances that making walking and biking impractical. The DEIR states:

> Public transit service in the region is provided by Omnitrans, a public transit agency that serves various jurisdictions within San Bernardino County. There are no public transit routes that run adjacent to the Project Site under existing conditions. The nearest transit routes to the Project Site are Route 61 which has a stop located along Fourth Street, approximately 0.9 mile north of the Project Site and Route 82 which has a stop located at South Etiwanda and Jurupa Avenue, approximately 1.2 miles southeast of the Project Site. There are no existing bicycle facilities within the vicinity of the Project Site. The closest bike route to the Project Site is a Class III bike route located along Ontario Mills Parkway, approximately 0.4 mile north of the Project Site. There are no sidewalks on either side of East Airport Drive, with the exception of a small portion along the adjacent development frontage directly to the west at 5351 East Airport Drive. (DEIR, p. 2-11)

A-25 (CONT.)

Furthermore, ridesharing and vanpooling would be complicated by a geographically dispersed workforce and likely multiple shifts.

Joining with other employers would be beneficial. The more employers that support these VMT reduction programs, the stronger these programs will be, and the regional benefit of participating may be greater than just the onsite VMT reductions. For example, a vanpool could include multiple employers IE Commuter, a program of the San Bernardino County Transportation Authority in partnership with the Riverside County Transportation Commission, offers a full range of services to help employers set up and manage VMT reduction programs.[1]

Achieving significant VMT mitigation for this project may be impossible – but mitigation must be fully specified and quantified for the project to be properly evaluated.

A-26

Project Trip Generation Could Be Much Higher Than Assumed

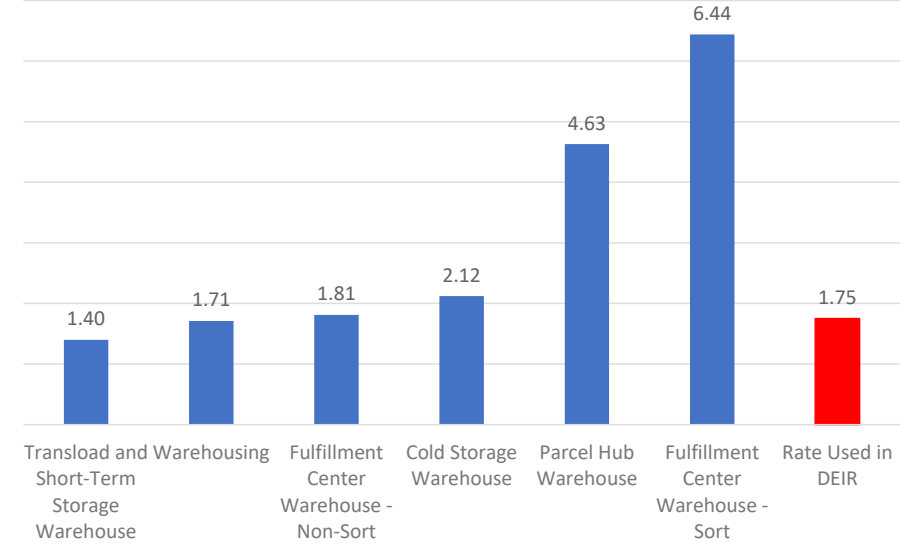
The project is comprised of a 270,377 square feet warehouse building. (DEIR, Appendix K, p. 1) The tenants have not been identified, and the nature of the operations are unknown at this time. For the purpose of estimating project trip generation, the DEIR assumes a mix of 90% warehousing and 10% high-cube cold storage. (DEIR, Appendix K, p. 1) This mix is highly speculative, and the project may not even include either of the assumed trip generation categories.

The DEIR estimates trip generation based on the rates in the Institute of Transportation Engineers ("ITE") *Trip Generation* manual. *Trip Generation* includes other categories of warehouses. As shown in the figure below, the trip generation rates applied in the DEIR are much lower than rates for some other warehouse categories.

A-27

[1] https://www.iecommufter.org/rp2/home/EmployerSupport

Trip Generation Rates for Different Warehouse Categories (Trips Per 1000 Square Feet per Day)



A-27 (CONT.)

The Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.

A 2019 study of warehouse trip generation done by WSP for the Western Riverside COG documented even higher trip generation rates.[2] This study was based on counts at 16 warehouses, segmented between 11 fulfillment centers and 5 parcel hubs.

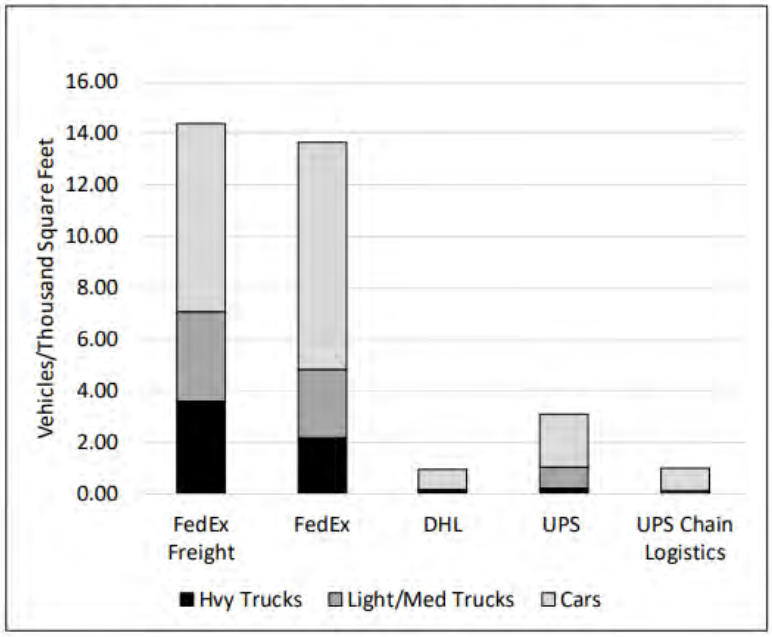
The observed trip generation rates at two of the parcel hub sites are even higher than the rates shown in the figure above.. As shown in the figure below, the highest trip generation rates were observed at two of the parcel hubs, with rates of about 14 trips per 1000 square feet per day, i.e., 8 times the rate used in the DEIR.

Given the large uncertainty in the project's trip generation, the applicant should take one of two paths - either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

[2] https://wrcog.us/AgendaCenter/ViewFile/Agenda/_02212019-292

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Exhibit 11: Daily Trip Generation Rates at Parcel Hubs



A-27 (CONT.)

Project VMT and GHG Emissions Could Be Much Higher Than Assumed

Any underestimate of trip generation translates into underestimated GHG emissions. It is likely that the DEIR also underestimates average trip lengths.

The DEIR air quality analysis (Appendix B1) states:

> To determine emissions from trucks for the proposed industrial uses, the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages. (DEIR, Appendix B1, p. 37)

A-28

The DEIR misstates that these truck trip distances are "recommended" by SCAQMD. The truck trip lengths are used in calculations of possible mitigation in *Second Draft Staff Report Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. And Proposed Rule 316 -Fees for Rule 2305*.[3] The reference for these numbers is the 2016 SCAG travel demand model (p. 117) and there is no indication that these numbers are intended for any

[3] www.aqmd.gov/docs/default-source/planning/fbmsm-docs/pr-2305_sr_2nd-draft_4-7-21_clean.pdf

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use beyond this single document. The 40-mile heavy truck trip length also appears in a 2014 slide presentation.[4] In neither case, are these numbers presented as general recommendations for warehouse EIRs.

The Attorney General's September 2022 guidance: *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*[5] states:

> CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur. (p. 7)

While it is too early to determine truck trip origins and destinations, it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR. These include the Ports of Los Angeles and Long Beach that are approximately 60 miles away. It would be more conservative to assume longer average truck distances in the air quality and GHG analyses.

The DEIR states that CalEEMod trip lengths were used for passenger trips:

> In order to determine emissions from passenger car vehicles, CalEEMod defaults for trip length and trip purpose were utilized. (DEIR, Appendix F, p. 56)

In the VMT analysis, the DEIR documents that the project's VMT per service population, i.e., the VMT per worker, is significantly higher than the average for the City of Ontario, and therefore, also significantly higher than the regional average. Therefore, the average auto trip lengths should be increased from the default values to account for the VMT-inefficient project location.

Underestimating truck and passenger vehicle VMT translates to underestimating GHG as well.

A-28
(CONT.)

Sincerely,

Norman L. Marshall

Norman L. Marshall

[4] https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/sclc_warehouse-presentation-final.pdf
[5] https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

7

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (33 Years, 19 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovate Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in $250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

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A-29

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additional analyzed using the City's Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka'ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

A-29
(CONT.)

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

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South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Caroline including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

A-29
(CONT.)

10

Responses to Comment A

Adams Broadwell Joseph & Cardozo on behalf of Californians Allied for a Responsible Economy dated October 5, 2023.

A-1 This comment consists of introductory remarks and identifies that the comments on the Draft EIR are being provided by Adams Broadwell Joseph & Cardozo on behalf of the Californians Allied for a Responsible Economy (CARECA) and provides a summary of the Project. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

A-2 This comment introduces the comment's supporting documents drafted by Norm Mashall, and asserts that the Draft EIR fails to fails to comply with the requirements of CEQA, adequately analyze the Project's cumulative impacts, proposed feasible and enforceable mitigation measures, underestimates potentially significant air quality, greenhouse gas (GHG) emissions, and energy impacts, fails to identify specific and effective mitigation measure to reduce the Project's significant Vehicle Miles Traveled (VMT) impacts, and underestimates VMT and GHG emissions. As described in the following responses, the commenter's assertions are incorrect. Refer to Response to Comments A-6 to A-28.

A-3 The comment includes a statement of interest describing CARECA's organization, role, members, and purposes. The statement of interest is noted. We note from this comment that the "coalition" is comprised of various labor unions, whose primary interest is securing jobs through a project labor agreement. Employment and business concerns raised in this comment do not raise any associated environmental issues and are therefore not within the purview of CEQA; however, this comment will be provided to the City's decision makers for their review and consideration of the Project as a whole. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

A-4 This comment interprets and provides a summary of CEQA requirements from the Guidelines and case law. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required. The comment incorrectly states that the Draft EIR does not satisfy CEQA's purpose to disclose significant environmental effects and avoid or reduce environmental impacts. This comment does not provide evidence that the Draft EIR does not meet the requirements of CEQA and thus no further response is required.

A-5 The commenter incorrectly asserts that the Draft EIR does not include an accurate and complete Project Description and summarizes CEQA requirements and case law related to describing a project. The comment generally criticizes the Draft EIR, is unsupported and does not identify any specific concerns or provide evidence that the Project Description is incomplete. The City agrees with the commenter that a Project Description must be "accurate, stable, and finite," which is exactly what is provided in the Draft EIR. Response to Comments A-6 through A-9, below, address specific comments related to the Project Description and demonstrate that the

Draft EIR includes an accurate and complete Project Description that adequately meets CEQA requirements.

A-6 The commenter first summarizes the trip generation assumptions used for the Project and provides a graph depicting trip generations rates for different warehouse categories. The commenter then asserts that the Draft EIR fails to address why other land use codes from the Institute of Transportation Engineers (ITE) Trip Generation Manual were inapplicable to the Project, that the land use code used for the Draft EIR underestimated the Project's GHG and VMT impacts, and that the Draft EIR should be revised by applying a significantly higher and more conservative trip generation rate, or requests as a condition of approval that trip generation will not exceed the number assumed in the Draft EIR.

Urban Crossroads, a firm of professional traffic consultants and transportation engineers, was the author of the Project's traffic study and the study was reviewed and independently accepted by the City for accuracy. Urban Crossroads considered a number of different ITE rates for various industrial land use categories, taking into consideration the proposed building size and orientation to determine an ITE rate that would be conservative, but realistic when considering potential future tenants. The Project is a proposed 270,377 square foot warehouse building that has been evaluated assuming 27,034 square feet of high-cube cold storage use (10% of the total square footage) and 243,303 square feet of warehousing use (90% of the total square footage).

The following land uses were considered but not evaluated as the descriptions did not fit the Project's description, size, or anticipated future tenant/use. The ITE General Light Industrial (ITE 110) land use category identifies an average of approximately 80,000 square feet or less for the sites surveyed and used to determine the weekday daily and peak hour of the adjacent street traffic trip generation rates. (Note: the peak hour of the adjacent street traffic refers to the traffic generated during the peak hours of 7-9 AM and 4-6 PM which are the peak commute periods.) Similarly, the ITE Manufacturing (ITE 140) land use category identifies an average of 130,000 to 200,000 square feet for the site surveyed and is used to determine the weekday daily and peak hour of the adjacent street traffic trip generation rates. The General Light Industrial and Manufacturing land use categories are not suitable for the Project as the average building square footage is much smaller than that being proposed for the Project at 230,377 square feet.

The High-Cube Fulfillment Center Warehouse land use category has two sub-categories in ITE: Non-Sort Facility and Sort Facility. The Non-Sort facilities are defined as those warehouses that ship large-boxed items and primarily use automation (as opposed to manual means). The Sort facilities are defined as those that ship out smaller goods/items, which require extensive sorting (manual means). The average size of the sites surveyed for the High-Cube Fulfillment Center Warehouse – Non-Sort land use category range between 780,000 to 820,000 square feet while the Sort land use category identifies an average square footage in excess of 1,300,000 square feet. In addition, the trip generation for the High-Cube Fulfillment Center Warehouse land use category is very low for truck trip generation, with the majority of trips being attributable to passenger cars/employee trips. The Project applicant is not proposing and

the Project's design would not support a high-cube (sort) fulfillment center or high-cube parcel hub user and the layout of the site with 251 parking spaces would not reasonably accommodate the on-site parking required to support these uses. The daily trip generation for these uses would range between 1,096 and 1,690 daily trips for the same 270,377 square feet of development, which is not feasible considering the design functionality of the site.

Although the Project's anticipated use and size most closely aligns with the ITE Warehousing land use category, a mix with the High-Cube Cold Storage Warehouse rate was selected because the overall daily trip rate would be more conservative (higher) as compared to the ITE Warehousing rate and would account for refrigerated vehicles for the purposes of other technical studies (air quality, health risk assessment, greenhouse gas, etc.) in the event that up to 10% of the building was used for a cold storage purpose. The Project (warehousing use) evaluates the trip generation based on a mix of the Warehousing (ITE 150) and High-Cube Cold Storage (ITE 157) rates which is a reasonable and conservative representation of the mix of potential uses for the Project. Thus, the City's experts disagree with the commenter. No additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

A-7 The commenter asserts that the Draft EIR's assumption for 10% of high-cube cold storage uses is subject to fluctuate during the life of the Project and is not otherwise reflected in any enforceable conditions related to Project use. The commenter further asserts that the Draft EIR would need to include binding measures or conditions which limit warehouse use at the Project to no more than 10% cold storage. In response to this comment, the City has added a condition of approval to the Project to limit cold storage use to no more than 27,034 square feet or a comparable amount of cold storage square footage that produces no greater adverse environmental effects than those disclosed in the EIR unless further studied under CEQA. If more than 27,034 square feet of cold storage square footage is proposed and analyzed and would produce greater adverse environmental effects than those disclosed in the EIR, an amendment to the Project approvals would be required, which would be subject to additional CEQA review.

A-8 The commenter states that cold storage warehouse generates greater environmental impacts than a high cube warehouse and opines that the Draft EIR may have underestimated the Project's air quality and GHG impacts by assuming that only 10% of the building space could include high-cube cold storage uses. As stated in Section 3.0, *Project Description*, of the Draft EIR, because the user(s) is speculative and some building users require small amounts of warehouse space to be temperature controlled, for purposes of analysis within the Draft EIR it is reasonably assumed that the building would include approximately 27,034 s.f. of high-cube cold storage uses (approximately 10% of the building space), with remaining portions of the building consisting of warehouse uses. This reasonable estimate is based on the Project Applicant's understanding of the cold storage space market demand in the Inland Empire for buildings in the Project's size range, which tend to have small cold storage needs for perishable products such as nutritional supplements, flowers and plants, medicines, candles, cosmetics, organic textiles, and specialized products, should the building user need to store these types of

products. (Refer to Draft EIR p. 3-13) Thus, no additions, revisions, or corrections to the Draft EIR are necessary and no further response is required. Regardless, in response to this comment, the City has added a condition of approval to the Project to limit cold storage use to no more than 27,034 square feet or a comparable amount of cold storage square footage that produces no greater adverse environmental effects than those disclosed in the EIR.

A-9 The commenter states a recommendation from the California Attorney General's guidance for warehouse projects that, unless a developer adopts mitigation measures limiting cold storage impacts, the developer should record a covenant on the title of the underlying property to ensuring that the property cannot be used to provide refrigerated warehouse space. The commenter further states that the City should include such a title restriction for the Project unless the Draft EIR's 10% cold storage assumption is revised to analyze and mitigate impacts associated with a more conservative and fact-based cold-storage use percentage. In response to this comment, the City has added a condition of approval to the Project to limit cold storage use to no more than 27,034 square feet or a comparable amount of cold storage square footage that produces no greater adverse environmental effects than those disclosed in the EIR.

A-10 The commenter asserts that the Draft EIR fails to disclose potential backup/emergency stationary generator use for the Project operations. The commenter cites *East Oakland Stadium Alliance v. City of Oakland* for the proposition that "if the annual need for emergency generator use is reasonably foreseeable, the EIR was not entitled to disregard such use merely because it would occur at unpredictable times" and further states that back-up generators are a reasonably foreseeable consequence of the Project due to increasingly common Public Safety Power Shutoff (PSPS) events and extreme heat events that had been occurring in 2019 in the Bay area and Los Angeles County. The commenter further states the omission of a generator system results in an underestimation of the Project's air quality, greenhouse gas, and health risk impacts.

According to the latest data from the California Public Safety Power Shutoff Interactive Map, the census tract containing the Project Site (Census Tract 6071012700) is not subjected to PSPS events with a zero frequency of PSPS outages annually.[1] However, in an event that emergency generators are used for Project operations, the generators would only be used in emergency power failure or for routine testing and maintenance. Such intermittent use would not result in a substantial or measurable amount of emissions, since by the very nature of the activity, it would be short-term, intermittent, and infrequent. Assuming the Project would utilize a 197 horsepower (hp) diesel-powered emergency water pump and a 762 hp diesel-powered emergency backup generator, calculations were performed by Urban Crossroads. For analytical purposes, it is anticipated that the fire pump and emergency generator would each operate for a maximum time of 0.5 hour per day and 26 hours per year for maintenance and testing purposes. As shown in the table below, if the Project operations would require the use of an emergency water pump and generator, emissions would be negligible and less than South Coast

[1] https://www.psehealthyenergy.org/our-work/interactive-tools/california-public-safety-power-shutoff-interactive-map/#frequency

Air Quality Management District (SCAQMD) regional thresholds. Therefore, the Draft EIR adequately estimates the Project's air quality, greenhouse gas, and health risk impacts and the City's experts disagree with the commenter. No revisions to the Draft EIR is required.

Emergency Water Pump and Backup Generator Emissions	Emissions (lbs/day)					
	VOC	NO_X	CO	SOx	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	0.79	3.25	2.00	0.00	0.11	0.11
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: Urban Crossroads, December 20, 2023.

A-11 The commenter states the requirements from CEQA Guidelines Section 15064(b) and case laws regarding agencies committing to all feasible mitigation measures to reduce significant environmental impacts. The comment incorrectly states that the Draft EIR fails to disclose, analyze, and mitigate significant environmental effects. This comment does not provide evidence that the Draft EIR does not meet the requirements of CEQA. As described in the following responses, the commenter's assertion is incorrect. Refer to Response to Comment A-12 to A-20. Thus, no further response is required.

A-12 The commenter states the requirements from CEQA Guidelines Sections 15130(a), 15065(a)(3), and 15355(b) regarding cumulative impacts and the importance of a proper cumulative impacts analysis. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

A-13 The commenter first states the requirements from CEQA Guidelines Sections 15130(b) regarding methods for satisfying the cumulative impacts analysis requirement. The commenter then cites part of Section 4.1.2, *Scope Of Cumulative Effects Analysis*, in the Draft EIR and further asserts that the Draft EIR fails to provide a list of cumulative projects and that the Draft EIR's air quality, greenhouse gas, and noise analyses should be revised to include consideration of cumulative projects. The Draft EIR relies on a summary of projections approach. Text stating that a combined approach was used for the evaluation of transportation, air quality, GHG, and noise impacts has been stricken in the Final EIR. This minor clarification of the approach in Section 4.1.2 of the Draft EIR does not change any of the analysis methodologies or conclusions drawn in the Draft EIR or its supporting technical studies and recirculation of the Draft EIR is not required pursuant to State CEQA Guidelines Section 15088.5.

A-14 The commenter asserts that the Draft EIR fails to adequately analyze the Project's cumulative air quality emissions, claiming that the South Coast Air Quality Management District (SCAQMD)'s approach is outdated. Commenter is advised that the SCAQMD is the regulatory authority on air quality charged with the responsibility of ensuring the improvement of air quality in the South Coast Air Basin. The SCAQMD's published approach for the analysis of cumulative air quality effects is reliable and has in fact "worked" to improve air quality as shown in the air quality improvement trend discussion included in Draft EIR Section 4.2.1.E,

"Regional Air Quality Improvement." Further, the SCAQMD has adopted and is enforcing Rule 2305 (Warehouse Indirect Source Rule) (DEIR p. 4.2-20) that requires all operators of warehouses having 100,000 square feet of indoor floor space or more to implement measures that reduce nitrogen oxides and particulate matter emissions and/or pay a fee to fund programs to improve regional air quality.

The Draft EIR and underlying technical studies were prepared in a matter consistent to the SCAQMD recommendation for determining cumulative impacts. The SCAQMD published a report on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution.* In this report SCAQMD states (Page D-3):

> "…the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.
>
> Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant."

Based on the Draft EIR and underlying technical studies the Project does not result in a cumulatively considerable impact with respect to air quality or greenhouse gas emissions. The City's experts disagree with the commenter and no revisions to the Draft EIR are required.

A-15 The commenter further asserts that the SCAQMD's approach used in the Draft EIR also directly conflicts with the Attorney's General recent guidance document setting forth best practices for evaluating the environmental impacts of warehouse projects like this one under CEQA. Refer to Response to Comment A-14 above regarding the Project's methodology in determining cumulative air quality impacts, which follows SCAQMD directives. The City's experts disagree with the commenter and no further response is required.

A-16 The commenter asserts that the Draft EIR's analysis of cumulative health risks is flawed for the same reason as the air quality analysis and that Draft EIR's approach of using a project-level analysis as a substitute for a cumulative impacts analysis fails to address that the Project would be impacting a community already bearing a high pollution burden. Contrary to the

commenter's assertions, the Project site is primarily surrounded by industrial uses. The residential land use with the greatest potential exposure to Project operational source emissions is located approximately 8,840 feet (1.67 miles) northwest of the Project site on the opposite side of I-15 and I-10. The nearest school is located 11,200 feet (2.12 miles) away from the Project site. The commenter provides no evidence to support its claim that the Project, which is converting an already developed industrial site in an industrial area of the City, to a contemporary industrial use, would in any way have a significant adverse effect to sensitive receptors located more than 1.6 away from the Project site. Refer to Response to Comment A-14 above regarding the Project's methodology in determining cumulative air quality impacts. Thus, the City's experts disagree with the commenter and no further response is required.

A-17 The commenter incorrectly asserts that the Project's operational health risk assessment is flawed because it omits analysis of Transportation Refrigeration Units (TRUs). The TRU emission assumptions used in the Project's Air Quality Impact Analysis (*Technical Appendix B1* to the Draft EIR) are the same assumptions used in the Project's Health Risk Assessment (*Technical Appendix B2* to the Draft EIR) as shown in *Technical Appendix B2* Table 2-4, *DPM Emissions From Project Trucks (2024 Analysis Year)*, under the daily truck emissions column. Therefore, the Draft EIR adequately estimates the Project's operational health risk impacts, which includes the analysis of TRUs and the City's experts disagree with the commenter. No revisions to the Draft EIR are required.

A-18 The commenter states that there is a potential underestimation of emissions due to imprecise assumptions for truck trip lengths and trip rates in emissions analysis and that the analysis understated the travel distance for trucks traveling from the ports to the Project Site and should apply a more conservative trip length of 60 miles for Port-related trips. The commenter fails to provide any evidentiary basis for the arbitrary number of 60 miles it suggests using. In fact, these recommendations are in direct opposition of the SCAQMD's recommended truck travel distance for warehousing projects within its jurisdiction (based on SCAG regional travel demand data).

As noted in the Project's Air Quality Impact Analysis (*Technical Appendix B1* to the Draft EIR), the air quality analysis utilized the average trip length for light-heavy (15.3-miles), medium-heavy (14.2-miles) and heavy-heavy trucks (39.9-miles) which is based on SCAQMD's recommendations outlined in their implementation of the Warehouse Actions and Investments to Reduce Emissions (WAIRE) adopted in 2021. The 30.58- and 28.62-mile trip lengths were derived by weighting the average trip lengths using traffic trip percentages. The commenter's recommended trip lengths are not supported by any substantial evidence provided by the SCAQMD and contradicts published material from SCAQMD that was utilized in the underlying analysis. The City's experts disagree with the commenter. Thus, no additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

A-19 The commenter asserts that the Draft EIR underestimates lengths of passenger trips generated by the Project. The commenter appears to conflate the VMT per worker metric with the trip lengths that were utilized in the underlying AQ/GHG modeling. The commenter is reminded

that the VMT per worker metric is not a trip length and only represents a portion of the trip length assigned to the worker trips. As such, use of CalEEMod for worker trip lengths is appropriate and the City's experts disagree with the commenter. No additions, revisions, or corrections to the Draft EIR are necessary.

A-20 The commenter summarizes the Project's significant and unavoidable VMT impacts and asserts that mitigation measure MM 4.10-1 fails to meet CEQA's standard for mitigation. This comment is thoroughly addressed below in Response to Comments A-24 through A-26. As described in the following responses, the commenter's assertion is incorrect. Thus, no further response is required.

A-21 The commenter provides a conclusionary statement, which does not present any additional information not covered in the previous comments. Thus, no additional response is required.

A-22 This comment consists of introductory remarks and summarize the findings of the commenter stating that the Draft EIR acknowledges a significant and unavoidable VMT impact, the commenter's assertion that the proposed VMT mitigation measure is not fully specified or quantified, and the Project's trip generation and GHG emissions could be much higher than assumed. As described in previous and following responses, the commenter's assertions are incorrect. Refer to Response to Comments A-6 to A-28. Thus, no further response is required.

A-23 This comment provides a general summary of the Project's significant and unavoidable VMT impact as provided in the Draft EIR. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

A-24 The commenter states the City's VMT Resolution, which reiterates Policy M-1.2 under the TOP 2050 to require development to mitigate its traffic impacts and summarizes the Project's VMT impacts and mitigation measure MM 4.10-1. The commenter then asserts that the language used in mitigation measure MM 4.10-1 is ambiguous and questions which measures will be implemented. In response to the commenter's assertions, a supplemental VMT mitigation assessment has been prepared for the Project to evaluate further potential trip reduction measures under the California Air Pollution Control Officers Association (CAPCOA)'s Handbook (*Attachment B to this Final EIR*). As stated under the supplemental VMT mitigation assessment, when considering which transportation measures are applicable from the Handbook, factors such as project type, scale and locational context are each important considerations for determining measure applicability. Based on these factors, measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant. However, the proposed Project does have the ability to provide design features that would promote non-motorized transportation alternatives such as measure T-10 End-of-Trip Bicycle Facilities. The Project is required to include building elements for bicycle trip end facilities (i.e., parking) for commuters that choose to bicycle as a mode of travel. This will promote an alternative mode choice of commuting for

employees. As calculated, the Project will reduce VMT by 0.1%. As discussed in Section 4.10, *Transportation*, of the Draft EIR, the Project was found to exceed the City's adopted VMT impact threshold by 22.6% under baseline conditions, while the horizon year buildout condition would exceed the impact threshold by 28.5% (refer to Draft EIR pp. 4.10-11 to 4.10-14) Therefore, with the inclusion of feasible VMT reduction measures, the Project is not able to reduce project generated VMT to a level of less than significant.

A-25 The commenter states that the difference between voluntary and mandatory Commuter Trip Reduction ("CTR") programs listed under the CAPCOA's Handbook and the Project site's existing transit and bicycle facilities setting as stated under the Draft EIR. Refer to Response to Comment A-24 regarding the feasibility of measures under the CAPCOA's Handbook. Thus, no further response is required.

A-26 The commenter states that the benefits for ridesharing and vanpooling to VMT reductions and that achieving significant VMT mitigation for this Project may be impossible – but mitigation must be fully specified and quantified for the Project to be properly evaluated. Refer to Response to Comment A-24 regarding the feasibility of measures under the CAPCOA's Handbook and the Project's supplemental VMT mitigation assessment (*Attachment B* to this Final EIR) for the quantification of reduction for the potential measures. Thus, no further response is required.

A-27 The commenter summarizes the trip generation assumptions used in the Draft EIR and provides a graph depicting trip generations rates for different warehouse categories. The commenter then asserts that that the Draft EIR should be revised by applying a significantly higher and more conservative trip generation rate, or requests as a condition of approval that trip generation will not exceed the number assumed in the Draft EIR. Refer to Response to Comment A-6 regarding the applicability of different ITE land use codes to the Project. The most appropriate and reasonable ITE land use codes were applied in the Project's analyses. It would not be necessary or appropriate, nor does the City have the capacity to enforce the counting of vehicles traveling to and from the Project site, nor would any environmental improvements be achieved from such an exercise. Further, the SCAQMD has adopted and is enforcing Rule 2305 (Warehouse Indirect Source Rule) (refer to Draft EIR p. 4.2-20) that will require the warehouse operator to implement measures that reduce nitrogen oxides and particulate matter emissions and/or pay a fee to fund programs to improve regional air quality. Thus, no further response is required.

A-28 The comment states that there is a potential underestimation of GHG emissions due to underestimation of trip generation and truck trip distance. Refer to Response to Comments A-18 and A-19 regarding the Project's truck trip lengths and passenger trips. The City's experts disagree, and thus, no further response is required.

A-29 This comment provides the resume of Mr. Marshall. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

COMMENT LETTER B

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October 4, 2023

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VIA EMAIL TO:
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SUBJECT: COMMENTS ON 5355 EAST AIRPORT DRIVE EIR (SCH NO. 2022090006)

Dear Mr. Grahn,

Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed 5355 East Airport Drive Project. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877. B-1

1.0 Summary

The project proposes to demolish all existing onsite structures to accommodate the construction and operation of a warehouse building with approximately 270,337 square feet (s.f.) of building floor area, including 255,337 s.f. of warehouse area and 15,000 s.f. of mezzanine area on an approximately 13 acre site. For purposes of environmental analysis within the EIR, it is assumed that the building would include approximately 27,034 s.f. of high-cube cold storage uses (10% of the building space) and the remainder of the building area would be used for dry, non-refrigerated warehousing. B-2

1.2 Project Piecemealing

The EIR does not accurately or adequately describe the project, meaning "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (CEQA § 15378). The proposed project is a piecemealed portion of a larger overall project to be developed within the B-3

City by the project applicant, Prologis, including at least one other known project identified as PDEV22-010 & PMTT22-008: East State Street Warehouse Project[1] (336,761 square foot warehouse). The MND for PDEV22-010 was published on December 22, 2022. The Notice of Preparation for the proposed project's EIR was published on September 1, 2022. This indicates that the Lead Agency was aware of both projects and processed them simultaneously but separately under CEQA.

B-3 (CONT.)

CEQA Section 15161 describes project EIRs as examining "the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation." The specific development project is the construction and operation of all Prologis buildings as a whole, including at minimum PDEV22-010 & PMTT22-008: East State Street Warehouse Project.

Additionally, CEQA Section 15146 requires that the degree of specificity in an EIR "will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. (a) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy." Because there are at least two developments as part of a single construction project, the project EIR must be more detailed in the specific effects of the project.

A project EIR must be prepared that accurately represents the whole of the action without piecemealing the project into separate, smaller development projects to present unduly low environmental impacts. CEQA Section 15161 describes project EIRs as examining "the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation." The specific development project is the construction and operation of both the proposed project and PDEV22-010. Additionally, CEQA Section 15146 requires that the degree of specificity in an EIR "will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. (a) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy." Because there are two proposed buildings as part of a single construction project, the project EIR must be more detailed in the specific effects of the project. The EIR must be revised to comply

B-4

[1] https://ceqanet.opr.ca.gov/2022120581

with CEQA § 15161 by preparing a Project EIR to adequately and accurately disclose the project-specific and cumulative impacts of all Prologis projects.

B-4 (CONT.)

3.0 Project Description

The EIR provides misleading information regarding project grading. The EIR states that "Based on the Project's preliminary grading plan depicted in Figure 3-8, Proposed Grading Plan - West, and Figure 3-9, Proposed Grading Plan – East, the Project's grading operation *would result in 9,000 more cubic yards of cut than fill*, but final earthwork quantities are subject to final civil engineering design and after final engineering, *the earthwork is expected to balance with no import or export of earth material required*." The EIR has provided evidence that 9,000 cy of export is required and simultaneously provides an unsupported claim that the earthwork will balance onsite, pending calculations to be provided after the CEQA public review process. There is no method for the public to verify the claim that the earthwork will balance onsite. Verification of the import/export materials is vital as it directly informs the quantity of necessary truck hauling trips due to soil import/export during the grading phase of construction. A revised EIR must be prepared to remove the misleading statement that earthwork will balance onsite due to Figure 3-8 and Figure 3-9 depicting 9,000 cy of exported material is required to construct the proposed project and ensure that all portions of environmental analysis utilize the fact that 9,000 cy of export is required.

B-5

4.2 Air Quality, 4.4 Energy, and 4.6 Greenhouse Gas Emissions

Please refer to attachments from SWAPE for a complete technical commentary and analysis.

B-6

The EIR does not include meaningful analysis of relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project. This is especially significant as the surrounding community is highly burdened by pollution. According to CalEnviroScreen 4.0[2], CalEPA's screening tool that ranks each census tract in the state for pollution and socioeconomic vulnerability, the proposed project's census tract (6071012700) is highly burdened by pollution. The EIR includes a summary of Calenviroscreen rankings and states that the proposed project is a Disadvantaged Community, but does not utilize this information meaningfully in its analysis. The surrounding community bears the impact of multiple sources of pollution and is more polluted than other census tracts in many pollution indicators measured by CalEnviroScreen. For example, the project census tract ranks in the 91st percentile for ozone burden, 96th percentile for particulate matter (PM) 2.5 burden, 97th percentile for diesel PM burden, and 89th percentile for traffic burdens. All of these environmental factors are attributed

B-7

[2] CalEnviroScreen 4.0 https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40

to heavy truck activity in the area. Ozone can cause lung irritation, inflammation, and worsening of existing chronic health conditions, even at low levels of exposure[3]. Exhaust fumes contain toxic chemicals that can damage DNA, cause cancer, make breathing difficult, and cause low weight and premature births[4]. The very small particles of diesel PM can reach deep into the lung, where they can contribute to a range of health problems. These include irritation to the eyes, throat and nose, heart and lung disease, and lung cancer[5].

The census tract also ranks in the 70th percentile for solid waste facility impacts and 79th percentile for hazardous waste facility impacts. Solid waste facilities can expose people to hazardous chemicals, release toxic gases into the air (even after these facilites are closed), and chemicals can leach into soil around the facility and pose a health risk to nearby populations[6]. Hazardous waste generators and facilities contribute to the contamination of air, water and soil near waste generators and facilities can harm the environment as well as people[7].

B-7
(CONT.)

The census tract ranks in the 93rd percentile for contaminated drinking water. Poor communities are exposed to contaminants in their drinking water more often than people in other parts of the state[8]. The census tract ranks in the 79th percentile for toxic releases. People living near facilities that emit toxic releases may breathe contaminated air regularly or if contaminants are released during an accident[9].

Further, the census tract is a diverse community including 60% Hispanic, 5% African-American, and 6% Asian-American residents, whom are especially vulnerable to the impacts of pollution. The community has a high rate of low educational attainment, meaning 40% of the census tract over age 25 has not attained a high school diploma, which is an indication that they may lack health insurance or access to medical care. Medical care is vital for this census tract as it ranks in the 67th percentile for incidence of cardiovascular disease and 47th percentile for incidence of asthma.

[3] OEHHA Ozone https://oehha.ca.gov/calenviroscreen/indicator/air-quality-ozone
[4] OEHHA Traffic https://oehha.ca.gov/calenviroscreen/indicator/traffic-density
[5] OEHHA Diesel Particulate Matter https://oehha.ca.gov/calenviroscreen/indicator/diesel-particulate-matter
[6] OEHHA Solid Waste Facilities https://oehha.ca.gov/calenviroscreen/indicator/solid-waste-sites-and-facilities
[7] OEHHA Hazardous Waste Generators and Facilities https://oehha.ca.gov/calenviroscreen/indicator/hazardous-waste-generators-and-facilities
[8] OEHHA Contaminated Drinking Water https://oehha.ca.gov/calenviroscreen/drinking-water
[9] OEHHA Toxic Releases https://oehha.ca.gov/calenviroscreen/indicator/toxic-releases-facilities

Additionally, the project's census tract (6071012700) and the census tracts adjacent to the project site (6071002204 (east), 6071002207 (north), 6065040607 (south), and 6071001600 (west)) are identified as SB 535 Disadvantaged Communities[10], which is not meaningfully discussed or presented for analysis in the EIR. This indicates that cumulative impacts of development and environmental impacts in the City and surrounding area are disproportionately impacting these communities. The EIR provides a brief statement that the project site is located in a Disadvantaged Community. However, it does not utilize this information in its analysis. The negative environmental, health, and quality of life impacts of industrial development in the City have become distinctly inequitable. The severity of environmental impacts particularly on these Disadvantaged Communities must be included for analysis as part of a revised EIR.

B-7 (CONT.)

California's Building Energy Code Compliance Software (CBECC) is the State's only approved energy compliance modeling software for non-residential buildings in compliance with Title 24[11]. CalEEMod is not listed as an approved software. The CalEEMod modeling does not comply with the 2022 Building Energy Efficiency Standards and under-reports the project's significant Energy impacts and fuel consumption to the public and decision makers. Since the EIR did not accurately or adequately model the energy impacts in compliance with Title 24, a finding of significance must be made. A revised EIR with modeling using the approved software (CBECC) must be circulated for public review in order to adequately analyze the project's significant environmental impacts. This is vital as the EIR utilizes CalEEMod as a source in its methodology and analysis, which is clearly not the approved software.

B-8

4.10 Transportation

Table 5: Trip Generation Comparison within Appendix K: Trip Generation Assessment provides trip generation reduction credits for existing uses. Notably, the Trip Counts were taken on March 1, 2, and 3, 2022, six months prior to the issuance of the NOP for the EIR on September 1, 2022. Utilizing trip counts prior to the date established and utilized for the Environmental Setting does not provide the most accurate picture practically possible of the project's impacts pursuant to CEQA Section 15125. Prologis acquired the project site in approximately 2016. Knowing that redevelopment was imminent, the project applicant requested vehicle trip counts be recorded at the project site very early on in the process (March 2022) in order to create artificially inflated trip reduction credits that do not match the Environmental Setting. By April 2023, tenant Verhoeven

B-9

[10] OEHHA SB 535 Census Tracts https://oehha.ca.gov/calenviroscreen/sb535
[11] California Energy Commission 2022 Energy Code Compliance Software https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-1

Grain filed with the Secretary of State that their principal business address had moved to Hanford, CA[12]. Notably this filling aligned with the company's required annual reporting date and it is highly likely that the date of the company closing operations at the proposed project site aligns with September 2022, rendering the Environmental Setting within the EIR inaccurate. The existing conditions of the site in September 2022 likely generated significantly lower VMT and significantly lower vehicle trips due to the existing site conditions.

Utilizing traffic counts that pre-date the physical conditions at the site in September 2022 serves to artificially reduce the project's significant environmental impacts by observing the businesses onsite as fully operational. The EIR has not provided meaningful evidence, such as business license records to demonstrate that the buildings onsite were occupied and operational at that time. The EIR must be revised to clarify the Environmental Setting and remove trip reduction credits given for traffic counts that pre-date the physical conditions at the site in September 2022.

B-9 (CONT.)

The EIR has not adequately analyzed the project's potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses; or the project's potential to result in inadequate emergency access. There are no exhibits adequately depicting the onsite turning radius available for trucks maneuvering throughout the site. Notably, the truck/trailer parking stalls and an outdoor storage area are adjacent to the south of truck/trailer loading docks on the building. These parking stalls and outdoor storage area may be in use at any time and further restrict truck/trailer movement on the site. The EIR also states that, "The City of Ontario Engineering Department reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced within the City public right-of-way through implementation of the Project." However, the City's determination/review of the project is not included for public review. This does not comply with CEQA's requirements for adequate informational documents and meaningful disclosure (CEQA § 15121 and 21003(b)). Incorporation by reference (CEQA § 15150 (f)) is not appropriate as the City's determination/review of the project contribute directly to analysis of the problem at hand. A revised EIR must be prepared to include the City's determination/review of the project for review, analysis, and comment by the public and decision makers.

B-10

The EIR also states that, "at the time of final grading, landscape, and street improvement plans, the City will review project access points to ensure adequate sight distance," which is deferred mitigation to after the CEQA public review process. Deferring this environmental analysis required by CEQA to the construction permitting phase is improper mitigation, deferred

B-11

[12] Verhoeven Grain Statement of Information April 2023
https://bizfileonline.sos.ca.gov/api/report/GetImageByNum/181123177111106114109212172063229254105192147110

mitigation, and does not comply with CEQA's requirement for meaningful disclosure and adequate informational documents. A revised EIR must be prepared to include a finding of significance due to these significant and unavoidable impacts.

B-11 (CONT.)

Table 4.10-4: SCAG's Connect SoCal Goal Consistency Analysis provides a misleading and erroneous consistency analysis with SCAG's 2020-2045 Connect SoCal RTP/SCS. Due to errors in modeling, modeling without supporting evidence (as noted throughout this comment letter and attachments), and the EIR's conclusion the project will result in significant and unavoidable impacts to Transportation (VMT), the proposed project is directly inconsistent with Goal 5 to reduce greenhouse gas emissions and improve air quality, Goal 6 to support healthy and equitable communities, and Goal 7 to adapt to a changing climate. The EIR must be revised to include a finding of significance due to these direct inconsistencies with SCAG's 2020-2045 Connect SoCal RTP/SCS.

B-12

5.2 Significant Irreversible Environmental Changes Which Would Be Caused By The Project Should It Be Implemented and 5.3 Growth Inducing Impacts

The EIR relies upon erroneous Energy modeling to determine that the project will meet sustainability requirements. As noted above, the EIR did not model the project's energy consumption in compliance with Title 24 modeling software. Further, the EIR states here that "the Project is required by law to comply with the California Building Standards Code which would minimize the Project's demand for nonrenewable resources," which is not relevant to the proposed project and its own contribution to significant irreversible environmental changes. The EIR must be revised to include a finding of significance due to an inaccurate and erroneous analysis regarding the project's Air Quality, Greenhouse Gas, and Energy impacts.

B-13

The EIR does not discuss the project's significant and unavoidable Transportation (VMT) impacts and thus the project's inability to comply with SB 743, which was adopted with legislative intent of SB 743 to reduce greenhouse gas emissions by reducing VMT. The EIR must be revised to include a finding of significance due to the project's significant and unavoidable Transportation (VMT) impacts and direct contribution to climate change.

B-14

The EIR utilizes uncertain and misleading language to support its conclusion that the project will not have growth inducing impacts. The EIR states that "it is *anticipated* that most of the Project's future employees would already be living in the City of Ontario *or the larger Inland Empire area*, the Project's introduction of employment opportunities on the Project Site would not induce substantial growth in the area." The proposed project will rely on the entire labor force within the

B-15

Inland Empire region to fill the project's construction and operational jobs will increase VMT and emissions during all phases of construction and operations and a revised EIR must be prepared to account for longer worker trip distances.

B-15 (CONT.)

The EIR has not provided an adequate or accurate cumulative analysis discussion here to demonstrate the impact of the proposed project in a cumulative setting. For example, the proposed project's 270,337 square feet and piecemealed project PDEV22-010 (336,761 square feet) totals 607,098 square feet, representing 0.33% of the General Plan buildout for this land use designation, which is significant to be attributed to only two recent projects. Further, other recent industrial projects such as PDEV21-003[13] (23,100 square foot industrial building), PDEV21-007[14] (808,639 sf of industrial buildings), PDEV21-010[15] (1,438,926 sf industrial building), PDEV21-016[16] (38,445 sf industrial building), PDEV21-018[17] (168,772 sf of industrial buildings), PDEV21-020[18] (50,121 sf industrial building), PDEV21-024[19] (198,496 sf industrial building), PDEV21-026[20] (45,000 sf industrial building), PDEV21-028[21] (32,425 sf industrial building), PDEV21-029[22] (15,132 sf industrial building), PDEV21-030[23] (175,047 sf industrial building), PDEV21-031[24] (38,155 sf industrial building), PDEV21-034[25] (32,000 sf industrial building), PDEV21-035[26]

B-16

[13] Ontario Monthly Application Activity February 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Monthly-Activity-Reports/2021/02-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[14] Ibid.
[15] Ontario Monthly Application Activity March 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Monthly-Activity-Reports/2021/03-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[16] Ontario Monthly Application Activity April 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/04-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[17] Ontario Monthly Application Activity May 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/05-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[18] Ontario Monthly Application Activity June 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/06-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[19] Ontario Monthly Application Activity July 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/07-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[20] Ibid.
[21] Ibid.
[22] Ontario Monthly Application Activity August 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/08-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[23] Ontario Monthly Application Activity September 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/09-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[24] Ibid.
[25] Ibid.
[26] Ontario Monthly Application Activity October 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/10-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf

(60,455 sf industrial building), PDEV21-040[27] (1,255,320 sf industrial building), PDEV21-047[28] (4,281,128 sf industrial building), PDEV21-037[29] (167,600 sf industrial building), PDEV22-010 & PMTT22-008: East State Street Warehouse Project[30] (336,761 square foot warehouse), and South Ontario Logistics Center Specific Plan[31] (5,333,518 sf industrial space) combined with the proposed project will cumulatively generate 14,769,377 sf of industrial space, which is approximately 8% of General Plan buildout. The EIR has not demonstrated that the proposed project is within the General Plan buildout scenario, including all cumulative development constructed, approved projects not yet constructed, and "projects in the pipeline." A revised EIR must be prepared to include this analysis in order to provide an adequate and accurate environmental analysis.

B-16 (CONT.)

5.4 Effects Found Not To Be Significant During The EIR Scoping Process
5.4.3 Land Use and Planning

The EIR does not provide a consistency analysis with all land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The project has significant potential to conflict with many of these items, including but not limited to the following from the General Plan:

1. Policy ER4-1 Land Use. We reduce GHG and other local pollutant emissions through compact, mixed use, and transit-oriented development and development that improves the regional jobs-housing balance.

2. Policy ER4-6 Particulate Matter. We support efforts to reduce particulate matter to meet State and Federal Clean Air Standards.

3. Policy CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

B-17

[27] Ontario Monthly Application Activity November 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/11-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[28] Ontario Monthly Application Activity December 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/12-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[29] PDEV21-037 https://ceqanet.opr.ca.gov/2022110019
[30] https://ceqanet.opr.ca.gov/2022120581
[31] https://ceqanet.opr.ca.gov/Project/2021010318

4. Policy CE3-1 Fiscal Impact Disclosure. We require requests for City Council action to disclose the full fiscal impacts, including direct and indirect costs.

5. Policy M1-1. Roadways maintain a peak hour Level of Service (LOS) E or better at all intersections.

6. Policy M1-5 Level of Service. Maintain a peak hour Level of Service (LOS) E or better at all intersections. Maintain Level of Service D or better on arterial streets in the City.

7. Policy CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.

8. Policy CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner.

9. Goal CE-1. A complete community that provides for all incomes and stages of life.

10. Policy CE-1.2 Jobs and Workforce Skills. We use our economic development resources to: 1. attract jobs suited for the skills and education of current and future City residents.

11. Policy CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

12. Policy CE-2.2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.

13. Policy CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

14. Policy M-1.6 Reduce Vehicle Miles Traveled. We will strive to reduce VMT through a combination of land use, transportation projects, travel demand management strategies, and other trip reduction measures in coordination with development projects and public capital improvement projects.

B-17
(CONT.)

Several project components, including the outdoor storage area fronting Airport Drive in Figure 3-4: Proposed Site Plan and the EIR's determination that the project will result in significant and unavoidable Transportation (VMT) impacts are directly inconsistent with goals and policies listed above and a finding of significance must be made in a revised EIR.

B-17 (CONT.)

The EIR has not provided any information or analysis on the buildout conditions of the General Plan. Table LU-03 Future Buildout Table of the General Plan[32] states that the Industrial land use designation will have a buildout of 183,596,786 total square feet. The proposed project's 270,337 square feet and piecemealed project PDEV22-010 (336,761 square feet) totals 607,098 square feet, representing 0.33% of the General Plan buildout for this land use designation, which is significant to be attributed to only two recent projects. Further, other recent industrial projects such as PDEV21-003[33] (23,100 square foot industrial building), PDEV21-007[34] (808,639 sf of industrial buildings), PDEV21-010[35] (1,438,926 sf industrial building), PDEV21-016[36] (38,445 sf industrial building), PDEV21-018[37] (168,772 sf of industrial buildings), PDEV21-020[38] (50,121 sf industrial building), PDEV21-024[39] (198,496 sf industrial building), PDEV21-026[40] (45,000 sf industrial building), PDEV21-028[41] (32,425 sf industrial building), PDEV21-029[42] (15,132 sf industrial

B-18

[32] Table LU-03 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Land%20Use/Figure%20LU-03%20Future%20Buildout%20Table_5.pdf
[33] Ontario Monthly Application Activity February 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Monthly-Activity-Reports/2021/02-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[34] Ibid.
[35] Ontario Monthly Application Activity March 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Monthly-Activity-Reports/2021/03-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[36] Ontario Monthly Application Activity April 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/04-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[37] Ontario Monthly Application Activity May 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/05-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[38] Ontario Monthly Application Activity June 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/06-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[39] Ontario Monthly Application Activity July 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/07-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[40] Ibid.
[41] Ibid.
[42] Ontario Monthly Application Activity August 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/08-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf

building), PDEV21-030[43] (175,047 sf industrial building), PDEV21-031[44] (38,155 sf industrial building), PDEV21-034[45] (32,000 sf industrial building), PDEV21-035[46] (60,455 sf industrial building), PDEV21-040[47] (1,255,320 sf industrial building), PDEV21-047[48] (4,281,128 sf industrial building), PDEV21-037[49] (167,600 sf industrial building), PDEV22-010 & PMTT22-008: East State Street Warehouse Project[50] (336,761 square foot warehouse), and South Ontario Logistics Center Specific Plan[51] (5,333,518 sf industrial space) combined with the proposed project will cumulatively generate 14,769,377 sf of industrial space, which is approximately 8% of General Plan buildout. The EIR has not demonstrated that the proposed project is within the General Plan buildout scenario, including all cumulative development constructed, approved projects not yet constructed, and "projects in the pipeline." A revised EIR must be prepared to include this analysis in order to provide an adequate and accurate environmental analysis.

B-18 (CONT.)

5.4.5 Population and Housing

The EIR utilizes uncertain and misleading language which does not provide any meaningful analysis of the project's impacts to population and employment generation. The EIR relies upon the 3,200 unemployed persons within Ontario to fill all of its jobs without providing any discussion of the City's unemployed population in terms of qualification for and/or interest in work in the industrial sector. A construction worker employment analysis must also be included to adequately and accurately analyze all potentially significant environmental impacts. In order to comply with CEQA's requirements for meaningful disclosure, a revised EIR must be prepared to provide an accurate estimate of employees generated by all uses of the proposed project. It must also provide demographic and geographic information on the location of qualified workers to fill these positions.

B-19

[43] Ontario Monthly Application Activity September 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/09-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[44] Ibid.
[45] Ibid.
[46] Ontario Monthly Application Activity October 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/10-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[47] Ontario Monthly Application Activity November 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/11-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[48] Ontario Monthly Application Activity December 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/12-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[49] PDEV21-037 https://ceqanet.opr.ca.gov/2022110019
[50] https://ceqanet.opr.ca.gov/2022120581
[51] https://ceqanet.opr.ca.gov/Project/2021010318

Thomas Grahn
October 4, 2023
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SCAG's 2020-2045 RTP/SCS Connect SoCal Demographics and Growth Forecast[52] notes that Ontario will add 55,400 jobs between 2016 - 2045. The EIR utilizes uncertain and misleading language in stating generally that SCAG anticipates Ontario to employ approximately 169,300 people by 2045, and "therefore the project generated jobs are well within the employment projections for the City." The EIR does not provide any cumulative analysis discussion of projects approved since 2016 and projects "in the pipeline" to determine if the project will exceed the employment/population growth forecasts by SCAG and/or the General Plan. For example, other recent industrial projects such as PDEV21-003[53] (23,100 square foot industrial building), PDEV21-007[54] (808,639 sf of industrial buildings), PDEV21-010[55] (1,438,926 sf industrial building), PDEV21-016[56] (38,445 sf industrial building), PDEV21-018[57] (168,772 sf of industrial buildings), PDEV21-020[58] (50,121 sf industrial building), PDEV21-024[59] (198,496 sf industrial building), PDEV21-026[60] (45,000 sf industrial building), PDEV21-028[61] (32,425 sf industrial building), PDEV21-029[62] (15,132 sf industrial building), PDEV21-030[63] (175,047 sf industrial building), PDEV21-031[64] (38,155 sf industrial building), PDEV21-034[65] (32,000 sf industrial

B-20

[52] SCAG Connect SoCal Demographics and Growth Forecast adopted September 3, 2020 https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579
[53] Ontario Monthly Application Activity February 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Monthly-Activity-Reports/2021/02-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[54] Ibid.
[55] Ontario Monthly Application Activity March 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Monthly-Activity-Reports/2021/03-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[56] Ontario Monthly Application Activity April 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/04-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[57] Ontario Monthly Application Activity May 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/05-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[58] Ontario Monthly Application Activity June 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/06-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[59] Ontario Monthly Application Activity July 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/07-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[60] Ibid.
[61] Ibid.
[62] Ontario Monthly Application Activity August 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/08-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[63] Ontario Monthly Application Activity September 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/09-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[64] Ibid.
[65] Ibid.

building), PDEV21-035[66] (60,455 sf industrial building), PDEV21-040[67] (1,255,320 sf industrial building), PDEV21-047[68] (4,281,128 sf industrial building), PDEV21-037[69] (167,600 sf industrial building), PDEV22-010 & PMTT22-008: East State Street Warehouse Project[70] (336,761 square foot warehouse), and South Ontario Logistics Center Specific Plan[71] (5,333,518 sf industrial space) combined with the proposed project will cumulatively generate 14,769,377 sf of industrial space. This is approximately 12,360 employees, which is 22.3% of the City's employment growth forecast over 29 years. This total increases exponentially when other industrial and commercial development activity is added to the calculation. A revised EIR must be prepared to include this information for analysis, and also provide a cumulative analysis discussion of projects approved since 2016 and projects "in the pipeline" to determine if the proposed project will exceed the employment/population growth forecasts by SCAG and/or the General Plan.

B-20 (CONT.)

6.0 Alternatives

The EIR is required to evaluate a reasonable range of alternatives to the proposed project which will avoid or substantially lessen any of the significant effects of the project (CEQA § 15126.6.) The alternatives chosen for analysis include the CEQA required "No Project" alternative and only two others - Reduced Building Area and Reduced Intensity. The EIR does not evaluate a reasonable range of alternatives as only two alternatives beyond the required No Project alternative is analyzed. The EIR must be revised to include analysis of a reasonable range of alternatives and foster informed decision making (CEQA § 15126.6). This could include alternatives such as development of the site with a mixed-use project that provides affordable housing and local-serving commercial uses that may reduce VMT, GHG emissions, and improve Air Quality.

B-21

Conclusion

For the foregoing reasons, GSEJA believes the EIR is flawed and a revised EIR must be prepared for the proposed project and circulated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental

B-22

[66] Ontario Monthly Application Activity October 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/10-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[67] Ontario Monthly Application Activity November 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/11-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[68] Ontario Monthly Application Activity December 2021 https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/12-2021%20Monthly%20Activity%20Report%20-%20New%20Apps.pdf
[69] PDEV21-037 https://ceqanet.opr.ca.gov/2022110019
[70] https://ceqanet.opr.ca.gov/2022120581
[71] https://ceqanet.opr.ca.gov/Project/2021010318

documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

B-22 (CONT.)

Sincerely,



Gary Ho
Blum, Collins & Ho LLP

Attachment: SWAPE Analysis

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Gary Ho
Blum, Collins & Ho LLP
707 Wilshire Blvd, Ste. 4880
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Subject: Comments on the 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Mr. Ho,

We have reviewed the August 2023 Draft Environmental Impact Report ("DEIR") for the 5355 East Airport Drive Project ("Project") located in the City of Ontario ("City"). The Project proposes to construct a 270,337-square-foot ("SF") warehouse building including 27,034-SF of refrigerated space and 291 parking spaces on the 8.15-acre site.

Our review concludes that the DEIR fails to adequately evaluate the hazards, hazardous materials, air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project may be underestimated and inadequately addressed. A revised EIR should be prepared to adequately assess and mitigate the potential hazards, hazardous materials, air quality, health risk, and greenhouse gas impacts that the project may have on the environment.

B-23

Hazards and Hazardous Materials

Inadequate Disclosure and Analysis of Impacts

The DEIR states with respect to the Hazards and Hazardous Materials section:

> "This information and analysis presented in this Subsection is based in part on the technical study titled Phase I/Phase II Environmental Site Assessment Report (Phase I/II ESA), dated March 31, 2022, that was prepared by Farallon Consulting, L.L.C. (referenced herein as "Farallon") to determine the presence or absence of hazardous materials on the Project Site under existing conditions. The report is provided as *Technical Appendix G* to this EIR," (p. 4.7-1).

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The Hazards and Hazardous Materials section documents tetrachloroethylene (PCE) soil vapor contamination in the vicinity of Building B at concentrations exceeding screening levels. Specifically, the DEIR concludes:

> "Therefore, PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Project Site and impacts would be potentially significant," (p. 4.7-14).

The DEIR provides the following mitigation measure:

> "MM 4.7-1 Prior to the issuance of a grading permit, the Project Applicant shall prepare a Soil Management Plan (SMP). The SMP shall include explicit instructions for the appropriate handling, storage, and disposal of any known or potentially impacted soil during soil moving activities. The general contractor will be required to follow the requirements of the SMP and stop work to make notification to the environmental team if any potential impacts are observed at any time the environmental team is not already on-site," (p. 4.7-19).

With regard to PCE contamination, MM 4.7-1 states:

> "Soil Monitoring: Soils impacted by PCE that are encountered during site redevelopment will be characterized and documented. The monitoring and sampling activities to be performed include:
>
> - Visual observation performed to detect areas of soil that may be impacted by PCE or other non-VOC hazardous materials, if encountered.
> - Screening for PCEs using field instruments to document new or previously undetected sources of PCEs.
> - Soil sampling and chemical testing performed to evaluate concentrations of PCE," (p. 4.7-20).

B-24 (CONT.)

Provisions in MM 4.7-1 fail to include the following recommendation in the Phase I/Phase II ESA:

> "Additionally, because PCE has been documented in soil vapor in the vicinity of Building B at concentrations exceeding calculated screening levels, and PCE was detected at concentrations in shallow soil vapor less than the calculated RSLs in other soil gas samples collected at the Site, the potential for vapor intrusion issues into the planned new Site building should be addressed. Additional investigation and characterization are recommended to delineate and design mitigation measures for PCE in soil vapor that may impact indoor air in the future building," (Appendix G, p. 11-3).

The DEIR fails to include results of any additional sampling to delineate and design mitigation measures for PCE in the indoor air of the future building as recommended in the Phase I/II. These design measures typically include soil vapor extraction, vapor barriers, and air filtration systems. A revised DEIR should be prepared to include mitigation that documents results of the recommended additional investigation and provides measures to address potential PCE vapor intrusion in indoor air as recommend in the Phase I/II.

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Air Quality

Failure to Provide Complete CalEEMod Output Files

Land use development projects under the California Environmental Quality Act ("CEQA") typically evaluate air quality impacts and calculate potential criteria air pollutant emissions using the California Emissions Estimator Model ("CalEEMod").[1] CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but CEQA requires that such changes be justified by substantial evidence. Once all of the values are inputted into the model, the Project's construction and operational emissions are calculated, and "output files" are generated. These output files disclose to the reader what parameters are utilized in calculating the Project's air pollutant emissions and make known which default values are changed as well as provide justification for the values selected.

According to the DEIR, CalEEMod Version 2022.1 is relied upon to estimate Project emissions (p. 4.2-20). However, this poses a problem, as the currently available version of CalEEMod 2022.1 is described as a "soft release" which fails to provide complete output files.[2] Specifically, the "User Changes to Default Data" table no longer provides the quantitative counterparts to the changes to the default values (see excerpt below) (Appendix B1, pp. 242):

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8. User Changes to Default Data

Screen	Justification
Land Use	Total Project Area is 13.08 acres
Operations: Vehicle Data	Trip rates based on information provided in ITE 11th Edition
Operations: Fleet Mix	Passenger Car Mix estimated based on the CalEEMod default fleet mix and the ratio of the vehicle classes (LDA, LDT1, LDT2, MDV, & MCY)
Operations: Refrigerants	As of 1 January 2022, new commercial refrigeration equipment may not use refrigerants with a GWP of 150 or greater.

However, previous CalEEMod Versions, such as 2020.4.0, include the specific numeric changes to the model's default values (see example excerpt below):

[1] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide.
[2] "CalEEMod California Emissions Estimator Model Soft Release." California Air Pollution Control Officers Association (CAPCOA), 2022, *available at:* https://caleemod.com/.

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	230.00	167.00
tblConstructionPhase	PhaseEndDate	11/22/2023	8/25/2023
tblConstructionPhase	PhaseEndDate	9/27/2023	6/30/2023
tblConstructionPhase	PhaseEndDate	10/25/2023	7/28/2023
tblConstructionPhase	PhaseStartDate	10/26/2023	7/29/2023
tblConstructionPhase	PhaseStartDate	9/28/2023	7/1/2023
tblLandUse	LandUseSquareFeet	160,000.00	160,371.00
tblLandUse	LandUseSquareFeet	119,000.00	41,155.00
tblLandUse	LotAcreage	3.67	3.68
tblLandUse	LotAcreage	2.73	2.74

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The output files associated with CalEEMod Version 2022.1 fail to present the exact parameters used to calculate Project emissions. To remedy this issue, the DEIR should have provided access to the model's ".JSON" output files, which allow third parties to review the model's revised input parameters.[3] Without access to the complete output files, including the specific numeric changes to the default values, we cannot verify that the DEIR's air modeling and subsequent analysis is an accurate reflection of the proposed Project. As a result, a revised EIR should be prepared to include an updated air quality analysis that correctly provides the complete output files for CalEEMod Version 2022.1, or includes an updated air model using an older release of CalEEMod.[4]

Unsubstantiated Input Parameters Used to Estimate Project Emissions

As previously discussed, the DEIR relies on CalEEMod Version 2022.1 to estimate the Project's air quality emissions and fails to provide the complete output files required to adequately evaluate model's analysis (p. 40). Regardless, when reviewing the Project's CalEEMod output files, provided Air Quality Impact Analysis ("AQ Analysis") as Appendix B1 to the DEIR, we were able to identify several model inputs that are inconsistent with information disclosed in the DEIR. As such, the Project's construction and operational emissions may be underestimated. A revised EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

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Unsubstantiated Changes to Individual Construction Phase Lengths

Review of the CalEEMod output files demonstrates that the "IE Distribution Center #14 (Construction)" model includes changes to the default construction schedule (see excerpt below) (Appendix B1, pp. 206).

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[3] "Video Tutorials for CalEEMod Version 2022.1." California Air Pollution Control Officers Association (CAPCOA), May 2022, *available at:* https://www.caleemod.com/tutorials.
[4] "CalEEMod Version 2020.4.0." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* http://www.aqmd.gov/caleemod/download-model.

Screen	Justification
Land Use	Total Project Site is 13.08 acres
Construction: Construction Phases	Construction anticipated to end in April 2024
Construction: Off-Road Equipment	Construction equipment based on equipment needed for other industrial projects within the area
Construction: Trips and VMT	Vendor Trips adjusted based on CalEEMod defaults for Building Construction and number of days for Demolition, Site Preparation, Grading, and Building Construction
Construction: Architectural Coatings	Rule 1113

As a result of these changes, the model includes the following construction schedule (see excerpt below) (Appendix B1, pp. 195):

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase
Demolition	Demolition	5/2/2023	7/24/2023	5.00	60.0
Site Preparation	Site Preparation	7/25/2023	9/4/2023	5.00	30.0
Grading	Grading	7/25/2023	9/4/2023	5.00	30.0
Building Construction	Building Construction	9/5/2023	4/15/2024	5.00	160
Paving	Paving	2/13/2024	4/15/2024	5.00	45.0
Architectural Coating	Architectural Coating	3/5/2024	4/15/2024	5.00	30.0

As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[5] As demonstrated above in the "User Changes to Default Data" table, the justification provided for these changes is:

> "Construction anticipated to end in April 2024" (Appendix B1, pp. 206).

Furthermore, the DEIR provides the following construction schedule (see excerpt below) (p. 3-12, Table 3-1):

Table 3-1 Estimated Construction Schedule

Construction Phase	Duration
Demolition	60 days
Site Preparation & Grading	30 days
Building Construction	160 days
Paving	45 days
Architectural Coating & Landscaping	30 days
Total	**12 months**

However, the changes to the individual construction phase lengths remain unsubstantiated. While the DEIR justifies a total length of Project construction of 12 months, the DEIR fails to provide a source for the individual construction phase lengths outlined in Table 3-1. Until a proper source is provided, the model should have included proportionately altered individual phase lengths to match the proposed construction duration of 12 months.[6]

B-28 (CONT.)

[5] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.
[6] See Attachment A for proportionately altered construction schedule.

5

The construction schedule included in the model presents an issue, as the construction emissions are improperly spread out over a longer period of time for some phases, but not for others. According to the CalEEMod User's Guide, each construction phase is associated with different emissions activities (see excerpt below).[7]

> *Demolition* involves removing buildings or structures.
>
> *Site Preparation* involves clearing vegetation (grubbing and tree/stump removal) and removing stones and other unwanted material or debris prior to grading.
>
> *Grading* involves the cut and fill of land to ensure that the proper base and slope is created for the foundation.
>
> *Building Construction* involves the construction of the foundation, structures and buildings.
>
> *Architectural Coating* involves the application of coatings to both the interior and exterior of buildings or structures, the painting of parking lot or parking garage striping, associated signage and curbs, and the painting of the walls or other components such as stair railings inside parking structures.
>
> *Paving* involves the laying of concrete or asphalt such as in parking lots, roads, driveways, or sidewalks.

By disproportionately altering and extending some of the individual construction phase lengths without proper justification, the model assumes there are a greater number of days to complete the construction activities required by the prolonged phases. As a result, there will be less construction activities required per day and, consequently, less pollutants emitted per day. Until we are able to verify the revised construction schedule, the model may underestimate the peak daily emissions associated with some phases of construction and should not be relied upon to determine Project significance.

B-28 (CONT.)

Unsubstantiated Changes to Architectural Coating Emission Factors

Review of the CalEEMod output files demonstrates that the "IE Distribution Center #14 (Construction)" model includes changes to the default architectural coating emission factors (see excerpt below) (Appendix B1, pp. 206).

Screen	Justification
Land Use	Total Project Site is 13.08 acres
Construction: Construction Phases	Construction anticipated to end in April 2024
Construction: Off-Road Equipment	Construction equipment based on equipment needed for other industrial projects within the area
Construction: Trips and VMT	Vendor Trips adjusted based on CalEEMod defaults for Building Construction and number of days for Demolition, Site Preparation, Grading, and Building Construction
Construction: Architectural Coatings	Rule 1113

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As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[8] As demonstrated above in the "User Changes to Default Data" table, the justification provided for these changes is:

[7] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 32.
[8] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.

"Rule 1113" (Appendix B1, pp. 206).

However, the reductions to the architectural coating emission factors remain unsubstantiated for two reasons.

First, we cannot verify the accuracy of the revised architectural coating emission factors based on SCAQMD Rule 1113 alone. The SCAQMD Rule 1113 Table of Standards provides the required volatile organic compound ("VOC") limits (grams of VOC per liter of coating) for 57 different coating categories.[9] The VOC limits for each coating varies from a minimum value of 50 g/L to a maximum value of 730 g/L. As such, we cannot verify that SCAQMD Rule 1113 substantiates reductions to the default coating values without more information regarding what category of coating will be used. As the DEIR fails to explicitly require the use of a specific type of coating which would adhere to a specific VOC limit, we are unable to verify the model's revised coating emission factors.

B-29 (CONT.)

Second, as previously discussed, the output files for CalEEMod 2022.1 do not present the numeric changes to any model defaults. Upon further review of the output files, Table 5.5 contains the only mention of architectural coatings (see excerpt below) (Appendix B1, pp. 198):

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	415,727	138,576	13,629

As demonstrated above, Table 5.5 only provides the *square footage* of area to be coated. Since the output files fail to demonstrate the architectural coating *emission factors* that the model relies on, we cannot verify that the values included in the model are accurate.

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These unsubstantiated reductions present an issue, as CalEEMod uses the architectural coating emission factors to calculate the Project's VOC emissions.[10] By including unsubstantiated reductions to the default architectural coating emission factors, the model may underestimate the Project's construction-related VOC emissions and should not be relied upon to determine Project significance.

Unsubstantiated Changes to Fleet Mix Values

Review of the CalEEMod output files demonstrates that the "IE Distribution Center #14 (Passenger Car Operations)" and "IE Distribution Center #14 (Truck Operations)" models include changes to the default operational vehicle fleet mix percentages (see excerpt below) (Appendix B1, pp. 242, 274).

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[9] "SCAQMD Rule 1113 Advisory Notice." SCAQMD, February 2016, *available at:* http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf?sfvrsn=24, p. 1113-14, Table of Standards 1.

[10] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 35, 40.

Screen	Justification
Land Use	Total Project Area is 13.08 acres
Operations: Vehicle Data	Trip rates based on information provided in ITE 11th Edition
Operations: Fleet Mix	Passenger Car Mix estimated based on the CalEEMod default fleet mix and the ratio of the vehicle classes (LDA, LDT1, LDT2, MDV, & MCY)
Operations: Refrigerants	As of 1 January 2022, new commercial refrigeration equipment may not use refrigerants with a GWP of 150 or greater.

These changes remain unsubstantiated. As previously discussed, the output files for CalEEMod 2022.1 do not present the numeric changes to any model defaults. Upon further review of the output files, changes to fleet mix percentages are not mentioned outside of the "User Changes to Default Data" table. Until the DEIR verifies the breakdown of heavy-heavy duty ("HHD"), medium-heavy duty ("MHD"), light-heavy duty ("LHD1, LDH2"), trucks used by the Project, we cannot verify that the values included in the model are accurate.[11]

These unsubstantiated changes present an issue, as CalEEMod uses operational vehicle fleet mix percentages to calculate the Project's operational emissions associated with on-road vehicles.[12] By including several unsubstantiated changes to the default operational vehicle fleet mix percentages, the model may underestimate the Project's mobile-source operational emissions and should not be relied upon to determine Project significance.

B-31 (CONT.)

Incorrect Application of Tier 4 Interim Mitigation

Review of the CalEEMod output files demonstrates that the "IE Distribution Center #14 (Construction)" model includes changes to the default off-road equipment engine tiers (see excerpt below) (Appendix B1, pp. 206).

Screen	Justification
Land Use	Total Project Site is 13.08 acres
Construction: Construction Phases	Construction anticipated to end in April 2024
Construction: Off-Road Equipment	Construction equipment based on equipment needed for other industrial projects within the area
Construction: Trips and VMT	Vendor Trips adjusted based on CalEEMod defaults for Building Construction and number of days for Demolition, Site Preparation, Grading, and Building Construction
Construction: Architectural Coatings	Rule 1113

As a result, the model assumes that the Project's off-road construction equipment fleet would meet Tier 4 interim emissions standards (see excerpt below) (Appendix B1, pp. 196).

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Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Demolition	Excavators	Diesel	Tier 4 Interim	3.00	8.00	36.0	0.38
Demolition	Concrete/Industrial Saws	Diesel	Tier 4 Interim	1.00	8.00	33.0	0.73
Site Preparation	Rubber Tired Dozers	Diesel	Tier 4 Interim	3.00	8.00	367	0.40
Grading	Graders	Diesel	Tier 4 Interim	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Grading	Scrapers	Diesel	Tier 4 Interim	2.00	8.00	423	0.48
Grading	Rubber Tired Dozers	Diesel	Tier 4 Interim	1.00	8.00	367	0.40

Note: Screenshot does not include all the applicable changes.

[11] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 38.
[12] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 36.

As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[13] According to the "User Entered Comments & Non-Default Data" table, the justification provided for these changes is:

> "Construction equipment based on equipment needed for other industrial projects within the area" (Appendix B1, pp. 206).

The assumption that the Project's off-road construction equipment fleet would meet Tier 4 interim emissions standards remains unsupported as the DEIR fails to explicitly require these standards through a formal mitigation measure. This is incorrect, as according to the Association of Environmental Professionals ("AEP") *CEQA Portal Topic Paper* on mitigation measures:

> "While not 'mitigation', a good practice is to include those project design feature(s) that address environmental impacts in the mitigation monitoring and reporting program (MMRP). Often the MMRP is all that accompanies building and construction plans through the permit process. If the design features are not listed as important to addressing an environmental impact, it is easy for someone not involved in the original environmental process to approve a change to the project that could eliminate one or more of the design features without understanding the resulting environmental impact" (emphasis added).[14]

As discussed above, measures that are not formally included in the mitigation monitoring and reporting program ("MMRP") may be eliminated from the Project's design altogether. As the use of construction equipment with Tier 4 interim emissions standards are not formally included as mitigation measures, we cannot guarantee that these standards would be implemented, monitored, and enforced on the Project site. Consequently, the model's assumption that the off-road construction equipment fleet would adhere to Tier 4 interim emissions standards is incorrect.

B-32 (CONT.)

Updated Analysis Indicates a Potentially Significant Air Quality Impact

In an effort to more accurately estimate the Project's construction-related and operational emissions, we used CalEEMod Version 2020.4.0, as well as the Project-specific information provided by the DEIR.[15] Consistent with the DEIR's models, we included 243,303-SF of "Unrefrigerated Warehouse-No Rail," 27,000-SF of "Refrigerated Warehouse-No Rail," 299 spaces of "Parking Lot," and 161,000-SF of "Other Asphalt Surfaces." Additionally, we omitted the unsubstantiated changes to the architectural and coating emission factors, Tier 4 Interim mitigation, and operational vehicle fleet mix; we also proportionately altered the individual construction phase lengths to match the 12-month construction schedule.[16]

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[13] "CalEEMod User's Guide Version 2020.4.0." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.
[14] "CEQA Portal Topic Paper Mitigation Measures." AEP, February 2020, *available at:* https://ceqaportal.org/tp/CEQA%20Mitigation%202020.pdf, p. 6.
[15] "CalEEMod Version 2020.4.0." California Air Pollution Control Officers Association (CAPCOA), March 2022, *available at:* http://www.aqmd.gov/caleemod/download-model.
[16] See Attachment B for updated air modeling.

Our updated analysis estimates that the Project's construction-related VOC emissions would exceed the applicable SCAQMD threshold of 75-pounds per day ("lbs/day"), as referenced by the DEIR (see table below).[17]

SWAPE Criteria Air Pollutant Emissions	
Construction	**VOC** (lbs/day)
DEIR	47.2
SWAPE	199.0
% Increase	322%
SCAQMD Threshold	**75**
Exceeds?	***Yes***

As demonstrated in the table above, the Project's construction-related VOC emissions, as estimated by SWAPE, increase by approximately 322% and exceed the applicable SCAQMD significance threshold. Our updated model demonstrates that the Project would result in a potentially significant air quality impact that was not previously identified or addressed in the DEIR. A revised EIR should be prepared to adequately assess and mitigate the potential air quality impacts that the Project may have on the surrounding environment.

B-33 (CONT.)

Diesel Particulate Matter Emissions Inadequately Evaluated

The DEIR concludes that the proposed Project would result in a less-than-significant health risk impact based on a quantified construction and operational health risk assessment ("HRA"), as detailed in the Mobile Source Health Risk Assessment ("HRA Report"), provided as Appendix B2 to the DEIR. Specifically, the HRA Report estimates that the cumulative maximum cancer risk posed to nearby, existing residential sensitive receptors associated with construction and operation would be 0.01 in one million, which would not exceed the SCAQMD significance threshold of 10 in one million (p. 4, Table ES-3). The DEIR's evaluation of the Project's potential health risk impacts, as well as the subsequent less-than-significant impact conclusion, is incorrect for three reasons.

First, the DEIR's HRAs are unreliable, as they rely upon emissions estimates from a flawed air model, as discussed above in the section titled "Unsubstantiated Input Parameters Used to Estimate Project Emissions." As such, the HRAs are based on potentially underestimated DPM concentrations to calculate the health risk associated with Project construction. As a result, the DEIR's HRAs and resulting cancer risk should not be relied upon to determine Project significance.

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[17] "South Coast AQMD Air Quality Significance Thresholds." SCAQMD, March 2023, *available at*: https://www.aqmd.gov/docs/default-source/ceqa/handbook/south-coast-aqmd-air-quality-significance-thresholds.pdf?sfvrsn=25.

Second, the DEIR's operational HRA underestimates the Fraction of Time At Home ("FAH") values for the third trimester, infant, and child receptors. Specifically, the HRA Report utilizes an FAH value of 0.85 for the third trimester (age -0.25 to 0) and infant (age 0 to 2) receptors, and an FAH value of 0.72 for the child receptors (age 2 to 16) (see excerpt below) (Appendix B2, Table 2-7, p. 20).

TABLE 2-7: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (30 YEAR RESIDENTIAL)

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	24
0 to 2	1,090	10	2	0.85	350	24
2 to 16	572	3	14	0.72	350	24
16 to 30	261	1	14	0.73	350	24

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The FAH values used for the third trimester, infant, and childhood receptors are incorrect, as SCAQMD guidance clearly states:

> "For Tiers 1, 2, and 3 screening purposes, the FAH is assumed to be 1 for ages third trimester to 16. As a default, children are assumed to attend a daycare or school in close proximity to their home and no discount should be taken for time spent outside of the area affected by the facility's emissions. People older than age 16 are assumed to spend only 73 percent of their time at home."[18]

Per SCAQMD guidance, the HRA Report should have used an FAH of 1 for the third trimester, infant, and child receptors. By relying on incorrect FAH values, the DEIR underestimates the cancer risk posed to nearby, existing sensitive receptors as a result of Project operation.

Third, further review of the HRA Report demonstrates that the HRAs may fail to include Age Sensitivity Factors ("ASFs"). Regarding ASFs, OEHHA guidance states:

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> "Studies have shown that young animals are more sensitive than adult animals to exposure to many carcinogens (OEHHA, 2009). Therefore, OEHHA developed age sensitivity factors (ASFs) to take into account the increased sensitivity to carcinogens during early-in-life exposure (Table 8.3). These factors were developed and described in detail in OEHHA (2009). In the absence of chemical-specific data, OEHHA recommends a default ASF of 10 for the third trimester to age 2 years, and an ASF of 3 for ages 2 through 15 years to account for potential increased sensitivity to carcinogens during childhood."

[18] "Risk Assessment Procedures." SCAQMD, August 2017, available at: http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures_2017_080717.pdf, p. 7.

However, while the HRA Report includes ASFs in their exposure assumption tables, the equation to produce carcinogenic risk estimates, as shown below, is incorrect and underestimated (p. 21).

$DOSE_{air} = (C_{air} \times [BR/BW] \times A \times EF) \times (1 \times 10^{-6})$

Where:

$DOSE_{air}$	=	chronic daily intake (mg/kg/day)
Cair	=	concentration of contaminant in air (ug/m^3)
[BR/BW]	=	daily breathing rate normalized to body weight (L/kg BW-day)
A	=	inhalation absorption factor
EF	=	exposure frequency (days/365 days)
BW	=	body weight (kg)
1×10^{-6}	=	conversion factors (µg to mg, L to m^3)

$RISK_{air} = DOSE_{air} \times CPF \times ED/AT$

Where:

$DOSE_{air}$	=	chronic daily intake (mg/kg/day)
CPF	=	cancer potency factor
ED	=	number of years within particular age group
AT	=	averaging time

Instead, the HRA Report should have used the following equation that includes ASFs:

$$Cancer\ Risk_{AIR} = Dose_{AIR} \times CPF \times ASF \times FAH \times \frac{ED}{AT}$$

By potentially failing to include ASF values in the carcinogenic risk estimate equation, the DEIR's HRA may underestimate the cancer risk posed to nearby, existing sensitive receptors as a result of Project construction and operation. As such, a revised EIR should be prepared to include an updated analysis correctly accounting for ASF values.

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Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

The DEIR estimates that the Project would generate net annual greenhouse gas ("GHG") emissions of 2,590.77 metric tons of carbon dioxide equivalents per year ("MT CO_2e/year") (see excerpt below) (Table 4.6-3, p. 4.6-22).

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Table 4.6-3 Project GHG Emissions

Emission Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
Annual construction-related emissions amortized over 30 years	30.43	6.67E-04	3.33E-04	0.01	30.77
Mobile Source	1,536.00	0.11	0.18	2.15	1,596.00
Area Source	5.48	0.00	0.00	0.00	5.64
Energy Source	847.00	0.08	0.00	0.00	850.00
Water Usage	88.10	2.04	0.05	0.00	154.00
Waste	22.70	2.27	0.00	0.00	79.30
Refrigerants	0.00	0.00	0.00	1,078.00	1,078.00
TRU Source					156.68
On-Site Equipment					286.15
Total CO_2e (All Sources)	**4,236.54**				
Subtraction of Emissions from Existing Land Uses	*-1,645.77*				
Total Net CO_2e (All Sources)	**2,590.77**				

(Urban Crossroads, 2022d, p. 58)

The DEIR concludes:

> "Construction and operation of the Project less emissions from the existing onsite uses would result a net total of new GHG emissions of approximately 2,590.77 MTCO2e/yr, which would fall below the significance threshold of 3,000 MTCO2e/yr; therefore, Project-related GHG emissions are considered less than significant" (p. 4.6-22).

The DEIR's analysis, as well as the subsequent less-than-significant impact conclusion, is incorrect for three reasons.

(1) The DEIR's quantitative GHG analysis relies upon a flawed air model;
(2) The DEIR's quantitative GHG analysis relies upon an outdated threshold; and
(3) The DEIR's unsubstantiated air model indicates a potentially significant impact.

B-37 (CONT.)

1) Incorrect and Unsubstantiated Quantitative Analysis of Emissions

The DEIR estimates that the Project would generate net annual GHG emissions of 2,590.77 MT CO_2e/year (Table 4.6-3, p. 4.6-22). However, the DEIR's quantitative GHG analysis is unsubstantiated because the DEIR relies on CalEEMod Version 2022.1 to estimate the Project's air quality emissions and fails to provide the complete output files required to adequately evaluate model's analysis. When reviewing the CalEEMod output files included in the AQ Analysis, we were able to identify several model inputs that are inconsistent with information disclosed in the DEIR. As a result, the models may underestimate the Project's emissions, and the DEIR's quantitative GHG analysis should not be relied upon to determine Project significance. A revised EIR should be prepared that adequately assesses the

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potential GHG impacts that construction and operation of the proposed Project may have on the environment.

B-38 (CONT.)

2) Incorrect Reliance on an Outdated Quantitative GHG Threshold

As previously stated, the DEIR estimates that the Project would generate net annual GHG emissions of 1,047.49 MT CO_2e/year, which would not exceed the SCAQMD threshold of 3,000 MT CO_2e/year (p. 4-37). However, the guidance that provided the 3,000 MT CO_2e/year threshold, the SCAQMD's 2008 *Interim CEQA GHG Significance Threshold for Stationary Sources, Rules, and Plans* report, was developed when the Global Warming Solutions Act of 2006, commonly known as "AB 32", was the governing statute for GHG reductions in California. AB 32 requires California to reduce GHG emissions to 1990 levels by 2020.[19] Furthermore, AEP guidance states:

> "[F]or evaluating projects with a post 2020 horizon, the threshold will need to be revised based on a new gap analysis that would examine 17 development and reduction potentials out to the next GHG reduction milestone."[20]

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As it is currently September 2023, thresholds for 2020 are not applicable to the proposed Project and should be revised to reflect the current GHG reduction target. As such, the SCAQMD bright-line threshold of 3,000 MT CO_2e/year is outdated and inapplicable to the proposed Project, and the DEIR's less-than-significant GHG impact conclusion should not be relied upon. Instead, we recommend that the Project apply the SCAQMD 2035 service population efficiency target of 3.0 metric tons of carbon dioxide equivalents per service population per year ("MT CO_2e/SP/year"), which was calculated by applying a 40% reduction to the 2020 targets.[21]

3) Failure to Identify a Potentially Significant GHG Impact

In an effort to quantitatively evaluate the Project's GHG emissions, we compared the Project's GHG emissions, as estimated by the DEIR, to the SCAQMD 2035 service population efficiency target of 3.0 MT CO_2e/SP/year. When applying this threshold, the Project's air model indicates a potentially significant GHG impact. As previously stated, the DEIR estimates that the Project would generate net annual GHG emissions of 2,590.77 MT CO_2e/year (Table 4.6-3, p. 4.6-22). According to CAPCOA's *CEQA & Climate Change* report, a service population ("SP") is defined as "the sum of the number of residents and the number of jobs supported by the project."[22] As the Project does not propose any residential land uses, we estimate that the Project would not support any residents. Furthermore, according to the DEIR, the Project would support approximately 226 employees (p. 4.10-13). Based on this estimate, we calculated

B-40

[19] "Health & Safety Code 38550." California State Legislature, January 2007, *available at:* https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&sectionNum=38550.
[20] "Beyond Newhall and 2020: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California." Association of Environmental Professionals (AEP), October 2016, *available at:* https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf, p. 39.
[21] "Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #15." SCAQMD, September 2010, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf, p. 2.
[22] CAPCOA (Jan. 2008) CEQA & Climate Change, p. 71-72, https://www.ourair.org/wp-content/uploads/CAPCOA-CEQA-and-Climate-Change.pdf.

an SP of 226 people. When dividing the Project's net annual GHG emissions, as estimated by the DEIR, by an SP of 226 people, we find that the Project would emit approximately 11.5 MT CO_2e/SP/year (see table below).[23]

DEIR Greenhouse Gas Emissions	
Annual Emissions (MT CO_2e/year)	2,590.77
Service Population	226
Service Population Efficiency (MT CO_2e/SP/year)	11.5
SCAQMD 2035 Threshold	**3.0**
Exceeds?	***Yes***

As demonstrated above, the Project's service population efficiency value, as estimated by the DEIR's provided net annual GHG emission estimates and SP, exceeds the SCAQMD 2035 efficiency target of 3.0 MT CO_2e/SP/year, indicating a potentially significant impact not previously identified or addressed by the DEIR. As a result, the DEIR's less-than-significant GHG impact conclusion should not be relied upon. A revised EIR should be prepared to include an updated GHG analysis which incorporates additional mitigation measures to reduce the Project's GHG emissions to less-than-significant levels.

B-40 (CONT.)

Mitigation

Feasible Mitigation Measures Available to Reduce Emissions

Our analysis demonstrates that the Project would result in potentially significant air quality and GHG impacts that should be mitigated further. In an effort to reduce emissions, the Project should consider the implementation of the following mitigation measures found in the California Department of Justice Warehouse Project Best Practices document.[24]

- Requiring off-road construction equipment to be hybrid electric-diesel or zero emission, where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Prohibiting off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day.
- Using electric-powered hand tools, forklifts, and pressure washers, and providing electrical hook ups to the power grid rather than use of diesel-fueled generators to supply their power.

B-41

B-42

B-43

[23] Calculated: (2,590.77 MT CO_2e/year) / (226 service population) = (11.5 MT CO_2e/SP/year).
[24] "Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act." State of California Department of Justice, September 2022, *available at*: https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf, p. 8 – 10.

- Designating an area in the construction site where electric-powered construction vehicles and equipment can charge. B-44
- Limiting the amount of daily grading disturbance area. B-45
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area. B-46
- Forbidding idling of heavy equipment for more than three minutes. B-47
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications. B-48
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts. B-49
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L. B-50
- Providing information on transit and ridesharing programs and services to construction employees. B-51
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees. B-52
- Requiring all heavy-duty vehicles engaged in drayage to or from the project site to be zero-emission beginning in 2030. B-53
- Requiring all on-site motorized operational equipment, such as forklifts and yard trucks, to be zero-emission with the necessary charging or fueling stations provided. B-54
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations. B-55
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use. B-56
- Posting both interior- and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the local air district, and the building manager. B-57
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building's projected energy needs, including all electrical chargers. B-58
- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible. B-59
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project. B-60
- Running conduit to designated locations for future electric truck charging stations. B-61
- Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks. B-62

- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability. B-63
- Constructing and maintaining electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance) B-64
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations. B-65
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project. B-66
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air. B-67
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel. B-68
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. B-69
- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking. B-70
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking. B-71
- Designing to LEED green building certification standards. B-72
- Providing meal options onsite or shuttles between the facility and nearby meal destinations. B-73
- Posting signs at every truck exit driveway providing directional information to the truck route. B-74
- Improving and maintaining vegetation and tree canopy for residents in and around the project area. B-75
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request. B-76
- Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers. B-77
- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets. B-78

These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation.

Furthermore, as it is policy of the State that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045, we emphasize the applicability of incorporating solar power system into the Project design. Until the feasibility of incorporating on-site renewable energy production is considered, the Project should not be approved.

B-79

A revised EIR should be prepared to include all feasible mitigation measures, as well as include updated air quality and GHG analyses to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. The revised EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project's significant emissions are reduced to the maximum extent possible.

B-80

Disclaimer

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

B-81

Sincerely,

Matt Hagemann, P.G., C.Hg.

Paul E. Rosenfeld, Ph.D.

Responses to Comment B

Blum, Collins & Ho LLP on behalf of Golden State Environmental Justice Alliance dated October 4, 2023.

B-1 This comment consists of introductory remarks and identifies that the comments on the Draft EIR are being provided by Blum Collins & Ho, LLP on behalf of the Golden State Environmental Justice Alliance (GSEJA). The statement of interest is acknowledged and the City will include GSEJA on the mailing list for future CEQA notices related to the Project.

B-2 This comment provides a general summary of the Project Description as provided in the Draft EIR. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

B-3` The commenter asserts that the Draft EIR does not accurately describe the Project and asserts that the Project is associated with another Project (East State Street Warehouse Project - PDEV22-010) that was approved by the City in January 2023. The commenter is incorrect in asserting that the EIR should examine all Prologis buildings as a whole. The East State Street Warehouse Project was approved by the City's Planning Commission on January 24, 2023. The project applicant for the East State Street Warehouse Project was previously Duke Realty Corporation until the acquisition of the company by Prologis, Inc. in October 2022. The East State Street Warehouse Project is separate from and has independent utility from the 5355 East Airport Drive Project. The two projects are in different locations within the City and have been processed under separate entitlements and discretionary approvals. Piecemealing or segmenting means dividing a project into two or more pieces and evaluating each piece in a separate environmental document, rather than evaluating the whole of the project in one environmental document. The East State Street Warehouse Project and the 5355 East Airport Drive Project are independent of each other and are not part of a larger development project. Therefore, the Draft EIR adequately analyzed the Project as a whole. No additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

B-4 The commenter states the requirements from CEQA Guidelines Sections 15146 and 15161 regarding the degree of specificity in an EIR and the definition of a Project EIR. The commenter is incorrect in stating that there are two proposed buildings as part of a single construction project. Refer to Response to Comment B-3 above regarding how the proposed Project and East State Street Warehouse Project are separate and independent development projects with independent utility. As stated in Section 1.0, *Introduction*, of the Draft EIR, the Draft EIR serves as an EIR for the proposed 5355 East Airport Drive Project. For purposes of this EIR, the term "Project" refers to all actions associated with implementation of the 5355 East Airport Drive project including its planning, construction, and ongoing operations. Additionally, acting as Lead Agency, the City of Ontario will consider the following items regarding the proposed Project and this Draft EIR: a) evaluation of this EIR to determine if the physical environmental impacts of the Project are adequately disclosed; b) assessment of the adequacy and feasibility of identified mitigation measures; c) consideration of alternatives to

the Project that could reduce or eliminate significant environmental effects of the Project; and, if necessary, d) consideration of Project benefits that override the Project's unavoidable and unmitigable significant effects on the environment. (Refer to Draft EIR pp. 1-1 and 1-5) Therefore, the Draft EIR adequately analyzed the Project as a whole. No additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

B-5 The commenter asserts that the Draft EIR provides misleading information regarding project grading stating that earthwork will balance whereas the grading plan shows that 9,000 cy of exported material is required. This assertion is incorrect. Draft EIR p. 3-313 discloses that the Project's grading operation would result in 9,000 more cubic yards of cut than fill, but final earthwork quantities are subject to final civil engineering design and after final engineering, the earthwork is expected to balance with no import or export of earth material required. Nonetheless, as stated in the Project's Air Quality Impact Analysis (*Technical Appendix B1* to this Draft EIR), under Section 4.4.1, *Construction Activities*, the Project is anticipated to require approximately 9,000 cubic yards of export soil. Therefore, even though the exact final earthwork quantities are subjected to final civil engineering design, the environmental analysis provided in the Draft EIR included that 9,000 cubic yards of export soils would be required under the Project's grading activities. The clarification in the Project Description is not substantial new information warranting recirculation, as the analysis in the Draft EIR included the possible export activity.

B-6 The commenter refers to the attachments from the Soil / Water / Air Protection Enterprise (SWAPE) letter. Comments related to potential environmental concerns in the SWAPE letter are responded to below in the response to Comments B-23 to B-82.

B-7 The commenter summarizes existing air quality conditions within the census tract where the Project site is located using data obtained from the California Environmental Protection Agency (CalEnviroScreen 4.0). The commenter also notes that the Project site and its surroundings are located in census tracts that are classified by the State of California as "disadvantaged communities" and states that air pollution from the Project represents an environmental justice issue. As discussed in Section 2.0, *Environmental Setting*, of the Draft EIR, details about the Project site and its surroundings in CalEnviroScreen 4.0 are disclosed in Pages 2-1 through 2-3 of the Draft EIR.

Environmental justice is not a topic that is required to be evaluated or considered pursuant to CEQA Guidelines Sections 15120-15132 (Contents of Environmental Impact Reports). In addition, air quality impacts are not required to be assessed based on census tract locations. Notwithstanding, the air quality analysis contained in the Draft EIR demonstrates that the Project would not expose any sensitive receptor, which includes receptors located in disadvantaged communities, to substantial concentrations of localized criteria pollutants or diesel particulate matter source emissions. To the contrary, the Project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be less than significant (refer to Pages 4.2-35 to 4.2-36 of the Draft EIR).

The commenter is reminded that the Project site is primarily surrounded by industrial uses. The residential land use with the greatest potential exposure to Project operational source emissions is located approximately 8,840 feet (1.67 miles) northwest of the Project site on the opposite side of I-15 and I-10. The nearest school is located 11,200 feet (2.12 miles) away from the Project site. The commenter provides no evidence to support its claim that the Project, which is converting an already developed industrial site in an industrial area of the City, to a contemporary industrial use, would in any way have a significant adverse effect to sensitive receptors located more than 1.6 miles away from the Project site.

B-8 The commenter states that the California Building Energy Code Compliance (CBECC) software is the State's only approved energy compliance software for non-residential buildings in compliance with Title 24. The commenter incorrectly states that CalEEMod-based modeling should not have been used to calculate the Project's potential impacts because it does not comply with 2022 Building Energy Efficiency Standards and underreports the Project's energy impacts and fuel consumption.

The commenter is correct that CBECC software is approved specifically for Title 24 compliance, which would be required to be used for any development project at the time of its physical building construction, which occurs approximately 12-18 months after entitlement. The compliance modeling software referenced by the commenter is used to confirm that a final building design, with detailed information included in its construction drawings, is Title 24 compliant. The proposed Project's final designs and construction drawings are not available at this time and are not typically prepared until after a proposed development project is approved/entitled.

The Draft EIR and underlying technical studies correctly use CalEEMod to estimate energy demand based on average intensity factors for similar land use types based on the Project's site plan provided to the City for entitlement. Since the occupant(s) of the Project's buildings are unknown at this time, and information about the future building user's energy use is also not available at this time, it is appropriate to rely upon the CalEEMod default assumptions which have been derived by the California Air Pollution Control Officers Association (CAPCOA) based on survey data. There is no requirement in CEQA to show specific compliance with 2022 Building Energy Efficiency Standards based on conceptual building designs proposed at the entitlement stage of a project's approval process, but such compliance is a standard regulatory requirement. This will be a requirement pursuant to State law prior to issuance of each building permit and verified by the City's Building and Safety Department.

B-9 The commenter asserts that the Project applicant requested vehicle trip counts be recorded at the project site very early on in the process (March 2022) in order to create artificially inflated trip reduction credits that do not match the Environmental Setting and that the trip reduction credits should be removed in the Draft EIR analysis. The commenter makes an incorrect assumption without substantial evidence that the tenant, Verhoeven Grain, closed its operation on the Project site in September 2022 at the time the Notice of Preparation was released. As discussed in Section 4.1, *Aesthetics*, of the Draft EIR, the Project Site is occupied by

Verhoeven, a grain processing facility (sub-tenant), and The Scoular Company, a corn storage and distribution facility, under existing conditions. (Refer to Draft EIR p. 4.1-1) Verhoeven and The Scoular Company occupied the Project site until April 2023. Therefore, the City's experts disagree with the comment and have determined that the trip counts taken at the Project site are an accurate representation of the Project's environmental setting. Thus, no additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

B-10 The commenter states that the Draft EIR has not adequately analyzed the project's potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses since there are no exhibits adequately depicting the onsite turning radius available for trucks maneuvering throughout the site. As the commenter's request, the Project's truck turning plan, titled, *Truck Turning Exhibit*, has been added *Attachment C* to the Final EIR. As shown, there is adequate turning radius for trucks to enter and exit the Project site. Therefore, the Project would not create or substantially increase safety hazards due to a design feature or incompatible use and impacts would be less than significant. Thus, no further response is required.

B-11 The commenter asserts that the Draft EIR is deferring analysis related to sight distance. As stated in Section 4.10, *Transportation*, of the Draft EIR, the Project's construction and operation would not create or substantially increase safety hazards due to a design feature or incompatible use. The Project has been designed to provide adequate truck access/circulation and the City of Ontario Engineering Department reviewed the Project's application materials including the Project's preliminary grading, landscape, truck turning, and street improvement plans, and determined that no hazardous transportation design features would be introduced within the City public right-of-way through implementation of the Project. (Refer to Draft EIR p. 4.10-14) The Draft EIR did not defer analysis related to sight distance since the City has already reviewed all Project's plans through the entitlement process, and there is a regulatory requirement for review of detailed construction drawings at the building permit plan check and street improvement plan check stages of Project implementation. Refer to the City of Ontario Municipal Code Sec. 7-3.11. Sight distance. "*No hedge, shrub, or other planting, and no fence or other structure, shall be planted, erected, or maintained in a right-of-way without a permit or upon any sidewalk or shoulder or in such a manner which impedes, obstructs, denies, or impairs the sight distance for safe pedestrian and vehicular traffic.*" Final grading, landscape, and street improvement plans would be submitted to the City for review once the Project's entitlement is approved. Thus, no additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

B-12 The commenter incorrectly asserts that the Project is not consistent with SCAG's Connect SoCal Goals 5, 6 and 7 due to the alleged error in modeling and significant and unavoidable impacts related to transportation (VMT). Goal 5 of the SCAG's Connect SoCal is to reduce greenhouse gas emissions and improve air quality. As stated in Section 4.10, *Transportation*, of the Draft EIR (refer to Draft EIR p. 4.10-8), the Project is not in conflict with this goal since the Project would have a less than significant impact under the topics of Air Quality (refer to EIR Subsection 4.2) and Greenhouse Gas Emissions (refer to EIR Subsection 4.6).

Additionally, and as discussed in EIR Section 3.0, *Project Description*, and Subsection 4.4, *Energy*, the Project would incorporate various measures required by the California Green Building Standards Code (CALGreen) related to building design, landscaping, and energy systems to promote the efficient use of energy. The Project also would construct roadway frontage improvements, including sidewalks which would encourage walking in the Project area. Therefore, the Project is consistent with Goal 5 of the SCAG's Connect SoCal, and no revisions to the Draft EIR are required.

Goal 6 of the SCAG's Connect SoCal is to support healthy and equitable communities. The proposed building design would support the health of occupants and users by using non-toxic building materials and finishes, and by using windows to maximize natural light and ventilation Additionally, as discussed in the Draft EIR under Threshold c in Section 4.1 (starting on Draft EIR p. 4.2-33), (1) the Project's localized construction and operational emissions would not exceed the SCAQMD localized significance thresholds; (2) based on the Project-specific mobile source health risk assessment (HRA) (*Technical Appendix B2* of the Draft EIR), the Project would not result in significant health impacts due to diesel particulate matter (DPM) emissions; and (3) the Project would not cause or contribute to any CO "hot spots". Therefore, the Project is consistent with Goal 6 of the SCAG's Connect SoCal, and no revisions to the Draft EIR are required.

Goal 7 of the SCAG's Connect SoCal is to adapt to a changing climate and support an integrated regional development. The Project is consistent with this goal because Connect SoCal indicates that since the adoption of the Connect SoCal, there have been significant drivers of change in the goods movement industry including emerging and new technologies, more complex supply chain strategies, evolving consumer demands and shifts in trade policies. Warehouse distribution and ecommerce continues to be one of the most influential factors shaping goods movement. The Project involves the redevelopment of the Project Site, historically used for corn storage and grain mill with a warehouse facility that would diversify the City of Ontario's economy and bring employment opportunities closer to the local workforce. Co-locating jobs near housing reduces greenhouse gas emissions caused by long commutes and contributes to integrated development patterns. Therefore, the Project is consistent with Goal 7 of the SCAG's Connect SoCal, and no revisions to the Draft EIR are required. As such, the Draft EIR provided ample information about the Project's impacts for informed decision-making.

B-13 The commenter states that Draft EIR did not model the Project's energy consumption in compliance with Title 24 modeling software. The Title 24 software is not the appropriate software for use as explained in Response to Comment B-8 regarding the use of the CBECC. The City's experts disagree and thus, no further response is required.

B-14 The commenter incorrectly asserts that the Draft EIR does not discuss the Project's significant and unavoidable Transportation (VMT) impacts and thus the Project's inability to comply with SB 743. The Project's significant and unavoidable VMT impacts are discussed in several sections of the Draft EIR. As discussed in Draft EIR Section 4.10, *Transportation*, the Project

did not meet any of the VMT screening criteria and a project level VMT analysis (*Technical Appendix J* to the Draft EIR) was prepared to assess the Project's potential impact to VMT. As shown in Table 4.10-7, the Project would exceed the City's VMT per SP impact threshold for both the baseline and TOP buildout conditions. Mitigation measure MM 4.10-1 will reduce the Project's VMT per service population by some percentage based on the level of participation achieved, but based on the above-described factors, it is not feasible to reduce VMT to below a level of significance. However, as the Project area and surrounding communities develop as envisioned under the City of Ontario General Plan (TOP), new residential, retail, and industrial development would be implemented. These actions could collectively alter transportation patterns, improve the region's jobs/housing ratio, reduce VMT, and support implementation of new or alternative TDM measures. With the implementation of mitigation measure MM 4.10-1, VMT is expected to be reduced, but the Project's impacts related to VMT would still be significant and unavoidable. (Refer to Draft EIR pp. 4.10-11 to 4.10-14; 4.10-16 to 4.10-17) Therefore, the Draft EIR adequately discloses the Project's significant and unavoidable VMT impacts. No additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

B-15 The commenter asserts that the Draft EIR utilizes uncertain and misleading language to support its conclusion that the project will not have growth inducing impacts and that a revised EIR must be prepared to account for longer worker trip distances. The commenter is conflating the Draft EIR's description of the availability of workforce in the area for purposes evaluating growth inducing impacts with worker commute VMT distances. As discussed in the Project's Air Quality Impact Analysis (*Technical Appendix B1* to this Draft EIR), in order to determine emissions from passenger car vehicles, CalEEMod defaults for trip length and trip purpose were utilized. Default vehicle trip lengths for primary trips was populated using data from the local metropolitan planning organizations/Regional Transportation Planning Agencies (MPO/RTPA). Trip type percentages and trip lengths provided by MPO/RTPAs truncate data at their demonstrative borders. Additionally, consistent with City Guidelines and standard VMT calculation methods, total VMT is calculated from San Bernardino Transportation Analysis Model's origin-destination trip matrices and then divided by a project's service population to derive the VMT efficiency metric VMT per service population. Therefore, the City's experts disagree and the Draft EIR adequately analyzes worker trip distances under for air quality, GHG and VMT. No additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

B-16 The commenter asserts that an EIR must be prepared to include a cumulative analysis of all cumulative development constructed, approved projects not yet constructed, and "projects in the pipeline" within the City to determine whether the Project would exceed the projected growth determined by The Ontario Plan (TOP 2050). As discussed in in Section 5.4.5, *Population and Housing*, of the Draft EIR, the Project would generate approximately 226 employees and TOP 2050 projected a total of 296,002 jobs in 2050. According to SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, the City of Ontario is anticipated to employ approximately 169,300 persons by 2045 Therefore, the Project's projected employment is well within SCAG's 2045 and the TOP 2050 employment

projection. Further, the Project does not require or include a General Plan Amendment and because the Project is consistent with TOP 2050 land use designation, it is within the growth projections relied upon by the City and other agencies. Additionally, the TOP 2050 growth projection, as analyzed in the City's TOP 2050 SEIR, assumes buildout of all land within the City, which provides a cumulative analysis of the Project in addition to potential projects that will be built in the future. Therefore, the Draft EIR provided an adequate or accurate cumulative analysis and no revisions to the Draft EIR are required.

B-17 The commenter states that the Draft EIR did not provide a consistency analysis for all applicable General Plan goals, policies, and programs. The comment lists a total of 8 goals and policies that should be added to the Draft EIR.

In numerous instances, CEQA case law has held that a project's consistency with a General Plan is not an environmental consideration and does not need to be addressed in a CEQA document (See, e.g., *North Coast Rivers Alliance et al. v. Marin Municipal Water District* (2013) 216 Cal.App.4th 614, 633; *City of Long Beach v. Los Angeles Unified Sch. Dist.*, (2009) 176 Cal. App. 4th 889, 919). What a CEQA document must address is whether the Project would conflict with the General Plan in such a way that it would result in an environmental effect. In the absence of a planning inconsistency that results in an environmental effect, it is adequate to state that no conflict would occur, which was done in the Draft EIR. Separately, as a matter of consistency with City planning documents, the City is required to determine whether the Project is consistent its General Plan, which will be provided in a staff report to the decision makers (Planning Commission and City Council). The commenter does not provide any evidence that the Project would result in an environmental effect due to a conflict with the City's General Plan. Notwithstanding, the reasoning for why each goal and policy was not included are as follows:

- *Policy ER-4.1 Land Use. We reduce GHG and other local pollutant emissions through compact, mixed use, and transit-oriented development and development that improves the regional jobs-housing balance.*

  The Project does not propose mixed use or transit-oriented development. However, as discussed in Draft EIR Section 4.6, *Greenhouse Gas Emissions*, construction and operation of the Project gross emissions from the existing onsite uses would result a net total of new GHG emissions of approximately 2,590.77 $MTCO_2e$/yr, which would fall below the significance threshold of 3,000 $MTCO_2e$/yr; therefore, Project-related GHG emissions are considered less than significant. (Refer to Draft EIR p. 4.6-22.) Therefore, the Project would be consistent with Policy ER-4.1.

- *Policy ER-4.6 Particulate Matter. We support efforts to reduce particulate matter to meet State and Federal Clean Air Standards.*

  As discussed in Draft EIR Section 4.2, *Air Quality*, Project construction and operations would not exceed the applicable SCAQMD thresholds for localized NO_X, CO, and particulate matter

(PM_{10} and $PM_{2.5}$) emissions. (Refer to Draft EIR pp. 4.2-33 to 4.2-34.) Therefore, the Project would be consistent with Policy ER-4.6.

- *Policy CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.*

  As discussed in Draft EIR Section 3.0, *Project Description*, the proposed building would be constructed with concrete tilt-up panels, with special architectural features and colors at the potential office locations at the southwest and southeast corners of the building, which also would feature green reflective glazing. The proposed building's exterior color palette would be comprised of various shades of white, grays, dark grays, and dark green. Moreover, the Project would be conditioned by the City of Ontario to achieve Leadership in Energy and Environmental Design (LEED) standards. (Refer to Draft EIR pp. 3-2 and 3-6.) Therefore, the Project would be consistent with Policy CE-2.4.

- *Policy CE-3.1 Fiscal Impact Disclosure. We require requests for City Council action to disclose the full fiscal impacts, including direct and indirect costs.*

  Policy CE-3.1 is not applicable to the Project since this policy does not mitigate an environmental effect. Thus, no further response is required.

- *Policy M-1.1. Roadways maintain a peak hour Level of Service (LOS) E or better at all intersections. Policy M-1.5 Level of Service. Maintain a peak hour Level of Service (LOS) E or better at all intersections. Maintain Level of Service D or better on arterial streets in the City.*

  Automobile delay, as measured by LOS and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts. This statewide mandate went into effect July 1, 2020. CEQA Guidelines Section 15064.3, effective January 1, 2019, "describes specific considerations for evaluating a project's transportation impacts" and provides that, except for roadway capacity projects, "a project's effect on automobile delay (or LOS)" shall not constitute a significant environmental impact" (CEQA Guidelines Section 15064.3(a)). Moreover, vehicle congestion is not a CEQA issue as it pertains to LOS. Therefore, Policies M-1.1 and M-1.5 are not applicable to the Project and no revision to the Draft EIR is required.

- *Policy CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.*

  As discussed in Draft EIR Section 4.10, *Transportation*, as a standard condition of approval, the Project would comply with all applicable federal, State, and local design and safety

standards. In addition, the Project would provide sidewalks for pedestrian access and bike racks to meet the needs of multiple transportation modes and users. The Project area is generally surrounded by industrial uses and the Project has been designed to be compatible with the streetscape and surrounding land uses. (Refer to Draft EIR p. 4.10-9.) Therefore, the Project would be consistent with Policy CD-2.8.

- *Policy CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner.*

  As discussed in Draft EIR Section 3.0, *Project Description*, the proposed building would have 54 loading docks and 48 truck trailer parking spaces within the truck court/loading area on the south side of the building. The truck court/loading area would be enclosed and screened from public viewing areas by landscaping and minimum 14-foot-tall concrete tilt screening walls, with 8-foot-tall black tube steel gate used at the access points. (Refer to Draft EIR p. 3-6.) Therefore, the Project would be consistent with Policy CD-2.8.

- *Goal CE-1. A complete community that provides for all incomes and stages of life.*

  Goal CE-1 is not applicable to the Project since this goal does not mitigate an environmental effect. Thus, no further response is required.

- *Policy CE-1.2 Jobs and Workforce Skills. We use our economic development resources to: 1. attract jobs suited for the skills and education of current and future City residents.*

  Policy CE-1.2 is not applicable to the Project since this policy does not mitigate an environmental effect. Thus, no further response is required.

- *Policy CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.*

  The Project would be subject to applicable development regulations and design standards, including, but not limited to the Ontario Development Code. Mandatory compliance to applicable development regulations and design standards would ensure that developments would incorporate high quality building materials, site design, and landscaping to the Project's design. Therefore, the Project would be consistent with Policy CE-2.1.

- *Policy CE-2.2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.*

  Policy CE-2.2 is not applicable to the Project since this policy does not mitigate an environmental effect. Thus, no further response is required.

- *Policy CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.*

  The Project involves the redevelopment of the Project Site (previously used for corn storage and grain mill with a warehouse facility) with a contemporary warehouse facility which has been designed to be visually compatible with the adjacent building field colors. The Project would be conditioned by the City of Ontario to achieve Leadership in Energy and Environmental Design (LEED) standards. Therefore, the Project would be consistent with Policy CE-2.4.

- *Policy M-1.6 Reduce Vehicle Miles Traveled. We will strive to reduce VMT through a combination of land use, transportation projects, travel demand management strategies, and other trip reduction measures in coordination with development projects and public capital improvement projects.*

  As discussed in Draft EIR Section 4.10, *Transportation*, the Project would result in significant and unavoidable VMT impacts. Although the Project would exceed the City's VMT per Service Population impact threshold for both the baseline and TOP buildout conditions, all feasible mitigation measures have been included to reduce VMT impacts. Therefore, the Project would be consistent with Policy M-1.6.

B-18 The commenter asserts that the Draft EIR does not provide information or analysis on the buildout conditions of the TOP 2050 and that the Project and the East State Street Warehouse Project (a separate previously approved project with independent utility from the proposed Project) represents 0.33% of the TOP 2050 buildout for Industrial uses, which is considered significant. Refer to Response to Comment B-4 regarding the relation between the proposed Project and the approved East State Street Warehouse Project and Response to Comment B-16 for a detailed discussion of the Project's cumulative analysis and its consistency with SCAG's and TOP 2050 growth projections. The City's experts disagree and no further response is warranted.

B-19 The commenter asserts that the Draft EIR utilizes uncertain and misleading language which does not provide any meaningful analysis of the Project's impacts to population and employment generation and that the EIR must be prepared to provide an accurate estimate of employees generated by all uses of the Project. As discussed in in Draft EIR Section 5.4.5, *Population and Housing*, the Project would generate approximately 226 employees and TOP 2050 projected a total of 296,002 jobs in 2050. Therefore, the Project's projected employment is well within TOP 2050 employment projection in 2050. No additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

B-20 The commenter asserts that a revised EIR must be prepared to provide a cumulative analysis discussion of projects approved since 2016 and projects "in the pipeline" to determine if the Project will exceed the employment/population growth forecasts by SCAG and/or the General

Plan. Refer to Response to Comment B-16 for a detailed discussion of the Project's cumulative analysis and its consistency with SCAG's and TOP 2050 growth projections. The City's experts disagree with the commenter and thus no further response is warranted.

B-21 The commenter incorrectly asserts that the Draft EIR does not evaluate a reasonable range of alternatives as only two alternatives beyond the No Project alternative are analyzed. As discussed in Section 6.0, *Alternatives*, of the Draft EIR, an alternative sites alternative was considered but rejected since an alternative location is not available that would avoid or substantially lessen the significant environmental effects of the Project, and because the Project Applicant does not have ownership control over, and cannot reasonably obtain ownership control over, any other parcels of land of adequate size in the jurisdiction of the City that could accommodate the Project. Pursuant to State CEQA Guidelines Section 15126.6(a) "[a]n EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. In determining an appropriate range of alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. In accordance with State CEQA Guidelines section 15126.6(c), alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, 2) they would not have resulted in a reduction of significant adverse environmental impacts, or 3) they were considered infeasible to construct or operate. (Refer to Draft EIR pp 6.4 to 6.5.) Therefore, contrary to the commenter's assertion, the Draft EIR adequately identities a range of alternatives and no revisions to the Draft EIR are required.

B-22 This comment provides conclusionary remarks. The City acknowledges the statement of interest and will include GSEJA on the mailing list for future CEQA notices related to the Project.

B-23 The commenter summarizes the Project description and incorrectly claims that the Draft EIR's hazards and hazardous materials, air quality, health risk and GHG emissions impacts are underestimated and request preparation of an updated EIR based on subsequent comments. This is a summary of the detailed comments provided in the body of the commenter letter, which are responded to the in following responses to Comments B-18 through 1-82. Thus, the City's experts disagree and no further response is required.

B-24 The commenter summarizes the Draft EIR's analysis related to the potential of tetrachloroethylene (PCE) onsite and mitigation measure MM 4.7-1. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required.

B-25 The commenter asserts that mitigation measure 4.7-1 failed to include the recommendation from the Project's Phase I/Phase II Environmental Site Assessment Report (*Technical Appendix G* to the Draft EIR) related to the potential of PCE in the indoor air of the future building. During additional soil investigations conducted at the site in December 2022 and

September 2023 (as shown in *Attachments D and E* to this Final EIR), tetrachloroethene (PCE) detections in soil gas either were not detected above laboratory reporting limits or were less than the calculated soil gas screening level using a 0.03 attenuation factor. Soil vapor sampling locations were chosen in areas of known impacts and sampling data from the last two sampling rounds at the Project site has not established the potential for an unacceptable vapor intrusion risk in the planned future building footprint. Soil impacts (if any) associated with previous industrial activities and features at the site that may be encountered during site redevelopment will be addressed and managed by the implementation of a Media Management Plan (*Attachment F* to this Final EIR). The purpose of a Media Management Plan is to provide protocols for managing confirmed and potentially contaminated media that may be encountered during future improvement activities involving subsurface work at the Project site. Thus, the City's experts disagree and no additions, revisions, or corrections to the Draft EIR are necessary.

B-26 The commenter states that the use of CalEEMod Version 2022.1 to estimate the Project emissions is an issue since it is a soft release and complete JavaScript Object Notation (JSON) output flies were not presented. The commenter is incorrect as CalEEMod 2022 is no longer a soft release and should be used over 2020 as it is the newest model that more accurately presents emissions as compared to CalEEMod 2020. Additionally, the JSON model input files are available for review and were also provided upon request during the public review process to SCAQMD. Therefore, the City's experts disagree and no additions, revisions, or corrections to the Draft EIR are necessary.

B-27 The commenter asserts that the Draft EIR understates the Project's construction and operational air pollutant emissions due to assumptions that are purported to be unsubstantiated. Refer to Response to Comment B-26 regarding the use of CalEEMod 2022.1 and complete output files. Therefore, the City's experts disagree and no additions, revisions, or corrections to the Draft EIR are necessary.

B-28 The commenter questions the changes made to the CalEEMod defaults used in the Project analysis and states that the changes to the individual construction phase lengths remain unsubstantiated or identified in the Draft EIR. The changes to the Project's construction schedule are summarized and disclosed in the Draft EIR and underlying the Project's Air Quality Impact Analysis (*Technical Appendix B1* to the Draft EIR), which provides a detailed summary of the start and end dates of construction along with the number of working days of activity. To the contrary, Page 33 of the Project's Air Quality Impact Analysis clearly states, that "The duration of construction and associated equipment represents a reasonable approximation of the expected construction fleet as required per CEQA Guidelines." In this case, site-specific information was provided by the Project Applicant relative to the Project's construction schedule and equipment list were reviewed and provided. Therefore, the City's experts disagree and no additions, revisions, or corrections to the Draft EIR are necessary.

B-29 The commenter claims that unsubstantiated architectural coating emissions parameters were used to estimate VOC emissions from Project construction since the accuracy of the revised

architectural coating emission factors based on SCAQMD Rule 1113 cannot be verified. As stated in Section 4.2, *Air Quality*, of the Draft EIR (refer to Draft EIR p. 4.2-19) and the Project's Air Quality Impact Analysis (*Technical Appendix B1* to the Draft EIR, p. 2), the Project would be required to comply with SCAQMD Rule 1113 which limits the VOC content of architectural coatings to 50 g/l for the building envelope. The "building envelope" coating category is appropriate to use for the Project because the primary painting activities would be for the physical interior and exterior structure (walls), which constitute the "building envelope." The SCAQMD's rule also serves as substantial evidence because SCAQMD is the applicable jurisdiction governing air quality in the Project's region. Therefore, the City's experts disagree and the Project's Draft EIR relied on appropriate assumptions to quantify construction-related VOC emissions. No additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

B-30 The commenter further claims that unsubstantiated architectural coating emissions parameters were used to estimate VOC emissions from Project construction by citing Table 5.5 in the Project's Air Quality Impact Analysis (*Technical Appendix B1* to the Draft EIR). The commenter goes on to cite notes that were added in the modeling output files to substantiate the changes to the model defaults but erroneously dismisses the notes. Refer to Response to Comment B-29 above regarding the assumption used. Thus, the City's experts disagree and no further response is required.

B-31 The commenter asserts that the Draft EIR understates the Project's operational air pollutant emissions due to the model changes to the fleet mix that are purported to be unsubstantiated. Pages 36 through 38 of the Project's Air Quality Impact Analysis clearly states that the Project-specific passenger car fleet mix used in this analysis is based on a proportional split utilizing the default CalEEMod percentages assigned to LDA, LDT1, LDT2, and MDV vehicle types and that the Project-specific truck fleet mix is based on the number of trips generated by each truck type (LHDT1, LHDT2, MHDT, and HHDT) e.g. 2, 3 & 4+ axle trucks, relative to the total number of truck trips. As such, the truck mix was adjusted according to the truck trips taken from the Project's Trip Generation Assessment (*Technical Appendix K* to the Draft EIR). This fleet mix adjustment was made to appropriately account for the emissions from passenger cars vs trucks. The Project's air quality analysis is technically sound and relied on appropriate assumptions and methodologies that are supported by substantial evidence. Also refer to Response to Comment B-26, B-27 and B-28. The City's experts disagree and thus, no additions, revisions, or corrections to the Draft EIR are necessary and no further response is required.

B-32 The commenter claims that the use of Tier 4 construction equipment modeled is not formally included as mitigation measures, and it cannot be guaranteed that these standards would be implemented, monitored, and enforced on the Project site. Contrary to what the commentor states, the Project's Air Quality Impact Analysis (*Technical Appendix B1* to the Draft EIR) state that under the City of Ontario General Plan, construction activities associated with future developments accommodated under the general plan would require the use of construction equipment meeting at least Tier 4 Interim exhaust emission limits (refer to *Technical Appendix*

B1 pp. 3 and 33). As such, the proposed Project will utilize equipment meeting at least Tier 4 Interim standards. The use of Tier 4 as stated above is required under the City of Ontario General Plan and as such will be enforced by the City.

B-33 The commenter provides an alternative air pollution analysis (CalEEMod v. 2020.4.0 with varying defaults set) that claims to demonstrate that the Project would result in a significant impact during construction from VOC emissions. First, the commenter does not provide any substantiation for the assumptions made in the alternative air quality modeling. Second, the version of the air quality analysis model used by the commenter (CalEEMod Version 2020.4.0) is outdated and has been replaced by a subsequent model update (CalEEMod Version 2022.1, which is the model used for the Project's analysis). Use of CalEEMod Version 2020.4.0 is no longer deemed acceptable by the South Coast Air Quality Management District. As demonstrated by Responses to Comments B-26 through B-32, the Project's air quality analysis is technically sound and relied on appropriate assumptions and methodologies that are supported by substantial evidence. Thus, the City's experts disagree and no additions, revisions, or corrections to the Draft EIR are necessary.

B-34 The commenter states that the Draft EIR' potential health risk impacts are incorrect since the Project' Health Risk Assessment (*Technical Appendix B2* of the Draft EIR) rely upon emissions estimates from a flawed air model. Refer to Response to Comment B-26 regarding the use of CalEEMod 2022.1. Thus, the City's experts disagree and no additions, revisions, or corrections to the Draft EIR are necessary.

B-35 The commenter states that Draft EIR's operational Health Risk Assessment underestimates the Fraction of Time At Home ("FAH") values for the third trimester, infant, and child receptors. The Draft EIR and Project' Health Risk Assessment (*Technical Appendix B2* of the Draft EIR), includes a construction and operational HRA, including the total combined risk for Project construction and operation combined. Contrary to the commenter's assertion that this data was not presented. Additionally, the Project correctly evaluates risk based on the fraction of time at home (FAH) based on SCAQMD and OEHHA guidance as discussed and disclosed in the technical Appendix B1.

Further, the analysis was performed based on SCAQMD and CARB RMP guidelines, which recommend using 95th percentile breathing rates for the -0.3<2 age group and 80th percentile breathing rates for all other ages.

Per OEHHA's 2015 Risk Assessment Guidelines, an FAH 0.85 for 3rd trimester and 0<2 years and 0.72 for 2<16 years should be utilized, unless a school is located within the 1.0E-6 cancer risk isopleth, in which case 1.0 should be utilized. As there are no schools located within the 1.0E-6 cancer risk isopleth, FAH values of 0.85 and 0.72 were used for the 3rd Trimester/0<2 years and 2<16 years age groups, respectively (See Air Toxics Hot Spots Program Guidance Manual February 2015, Page 8-5).

The FAH value is utilized in risk assessments to estimate potential exposures to environmental hazards. The conservative approach of using 0.85 provides an additional safety margin by assuming that exposure to hazards is reduced due to time spent away from home. This approach aligns with the principle of protecting public health and minimizing potential risks. Assuming an FAH value of 1.0 may lead to unrealistic scenarios in risk assessments and policy development. It does not accurately reflect real-world conditions and could result in unnecessary burdens. By using 0.85, OEHHA strikes a balance between protective measures and practicality, ensuring that risk assessments are grounded in realistic assumptions. Thus, the City's experts disagree and no further response is required.

B-36 The commenter states that Health Risk Assessment may fail to include Age Sensitivity Factors ("ASFs"). Refer to Response to Comment B-35 above regarding the Project's methodology for calculating health risk analysis. Thus, the City's experts disagree and no further response is required.

B-37 The commenter summarizes the Project's GHG emission impacts and asserts that the analysis is incorrect for three reasons which are discussed below under Response to Comment B-38 through B-40. Thus, the City's experts disagree and no further response is required.

B-38 The commenter states that the Project provides incorrect GHG analysis due to reliance on an outdated threshold and unsubstantiated air model. However, the commenter provides no substantial evidence of a significant environmental impact. The comment does not contain any information requiring further changes to the Draft EIR. Thus, the City's experts disagree and no further response is required.

B-39 The commenter opines that the Draft EIR relies on an outdated GHG threshold (2020) and that the threshold should instead be based on a recommendation discussed at a 2010 SCAQMD working group meeting, which is documented in meeting notes as 3.0 metric tons of carbon dioxide equivalents per service population per year. The City and its experts disagree with the use of the commenter's suggested service population threshold, primarily because it is not an adopted threshold whereas the threshold used in the Draft EIR is in fact adopted by the SCAAQMD and is a statistically sound threshold. The 3,000 $MTCO_2e$ per year threshold is based on a 90 percent emission "capture" rate methodology. Prior to its use by the SCAQMD, the 90 percent emissions capture approach was one of the options suggested by the California Air Pollution Control Officers Association (CAPCOA) in their CEQA and Climate Change white paper (2008). A 90 percent emission capture rate means that unmitigated GHG emissions from the top 90 percent of all GHG-producing projects within a geographic area – the SCAB in this instance – would be subject to a detailed analysis of potential environmental impacts from GHG emissions, while the bottom 10 percent of all GHG-producing projects would be excluded from detailed analysis. In setting the threshold at 3,000 $MTCO_2e$ per year, SCAQMD researched a database of projects kept by the Governor's Office of Planning and Research (OPR). That database contained 798 projects, 87 of which were removed because they were very large projects and/or outliers that would skew emissions values too high, leaving 711 as the sample population to use in determining the 90th percentile capture rate. The SCAQMD

analysis of the 711 projects within the sample population combined commercial, residential, and mixed-use projects. It should be noted that the sample of projects included warehouses and other light industrial land uses but did not include industrial processes (i.e., oil refineries, heavy manufacturing, electric generating stations, mining operations, etc.). Emissions from each of these projects were calculated by SCAQMD to provide a consistent method of emissions calculations across the sample population and from projects within the sample population. In calculating the emissions, the SCAQMD analysis determined that the 90th percentile ranged between 2,983 to 3,143 $MTCO_2e$ per year. The SCAQMD set their significance threshold at the low-end value of the range when rounded to the nearest hundred tons of emissions (i.e., 3,000 MTCO2e per year) to define small projects that are considered less than significant and do not need to provide further analysis.

The City understands that the 3,000 $MTCO_2e$ per year threshold for residential/commercial uses was proposed by SCAQMD a decade ago and was adopted as an interim policy; however, no permanent, superseding policy or threshold has since been adopted. The 3,000 $MTCO_2e$ per year threshold was developed and recommended by SCAQMD, an expert agency, based on substantial evidence as provided in the Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Threshold (2008) document and subsequent Working Group meetings (latest of which occurred in 2010). SCAQMD has not withdrawn its support of the interim threshold and all documentation supporting the interim threshold remains on the SCAQMD website on a page that provides guidance to CEQA practitioners for air quality analysis (and where all SCAQMD significance thresholds for regional and local criteria pollutants and toxic air contaminants also are listed). Further, as stated by SCAQMD, this threshold "uses the Executive Order S-3-05 goal [80 percent below 1990 levels by 2050] as the basis for deriving the screening level" and, thus, remains valid for use in 2022. Lastly, this threshold has been used for hundreds, if not thousands, of GHG analyses performed for projects located within the SCAQMD jurisdiction.[2]

B-40 The commenter states that the Project would result in a significant GHG impact when the suggested SCAQMD 2035 3.0 metric tons threshold is applied. As provided above in Response to Comment B-39, the Project applied the appropriate and SCAQMD adopted GHG threshold. Therefore, the GHG analysis is accurate, and the Project would result in less than significant GHG impacts. The comment does not contain any information requiring further changes to the Draft EIR. Thus, the City's experts disagree and no further response is required.

B-41 The commenter recommends consideration of measures (identified below) found in the Department of Justice Warehouse Project Best Practices document be included in the Draft EIR. The commenter requests requiring off-road construction equipment to be hybrid electric-diesel or zero emission, where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier IV-compliant engines or better. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, emissions resulting from the Project construction will not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant

[2] https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ghg-significance-thresholds

(Refer to Draft EIR p. 4.2-31). Thus, the City determines that additional mitigation is not warranted.

B-42 The commenter requests prohibition of off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, emissions resulting from the Project construction will not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant (Refer to Draft EIR p. 4.2-31). Thus, the City determines that additional mitigation is not warranted.

B-43 The commenter requests to use electric-powered hand tools, forklifts, and pressure washers, and providing electrical hook ups to the power grid rather than use of diesel-fueled generators to supply their power. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-44 The commenter requests designation of an area in the construction site where electric-powered construction vehicles and equipment can charge. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, emissions resulting from the Project construction will not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant (Refer to Draft EIR p. 4.2-31). Thus, the City determines that additional mitigation is not warranted.

B-45 The commenter requests mitigation to limit the amount of daily grading disturbance area, but does not provide an exact quantity. The construction analysis included extremely conservative assumptions on the amount of acres that could be actively graded per day to provide a worst case analysis of air quality impacts. Additionally, limiting the amount of grading per day will not change the overall amount of grading required for the Project, which would result in the same overall impact. Therefore, the Draft EIR made reasonable assumptions based on equipment and schedule and disclosed the maximum emissions per day, therefore, no further mitigation is required.

B-46 The commenter requests mitigation to prohibit grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.

Table 4.2-10, *Localized Construction-Source Emissions Summary*, of the Draft EIR, identifies the localized impacts at the nearest receptor location in the vicinity of the Project. For analytical purposes, emissions associated with peak grading activities are considered for purposes of LSTs since these phases represents the maximum localized emissions that would occur. Any other construction phases of development that overlap would result in lesser emissions and consequently lesser impacts than what is disclosed herein. As shown, Project-related construction emissions would not exceed the applicable SCAQMD LSTs for CO, NO_X, PM_{10}, or $PM_{2.5}$ at the maximally impacted receptor location. All other modeled locations in the study area would experience a lesser concentration and consequently a lesser impact. Accordingly,

construction of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations. Therefore, localized emissions from construction of the Project would result in less than significant impacts.

Furthermore, the land use with the greatest potential exposure to Project construction DPM source emissions is Location R6 which is located approximately 8,840 feet northwest of the Project Site at an existing residence located at 11210 Fourth Street on the opposite side of I-10 and SR-60 from the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receptor R6 is placed at the building façade facing the Project Site. At the maximally exposed individual receptor (MEIR), the maximum incremental cancer risk attributable to Project construction DPM source emissions is estimated at <0.01 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be (Refer to Draft EIR p. 4.2-35).

Lastly, with respect to the request to limit activities if the Air Quality Index (AQI) exceeds 100, it should be noted that pursuant to EPA documentation, an AQI of over 100 is generally correlated when the ambient air quality standards are exceeded. Further, AQI is monitored at a regional level and not necessarily representative of local conditions that would occur adjacent to the Project site – which is important for determining local construction impacts. As noted above, the Project does not exceed any of the applicable ambient air quality standards during construction activity as evidenced by the modeling conducted in support of the LST analysis. Because the Project would not result in a significant health risk to sensitive receptors during construction, there is no need to limit grading activities. Thus, the City determines that additional mitigation is not warranted.

B-47 The commenter requests mitigation to forbid idling of heavy equipment for more than three minutes. As discussed in Section 4.4, *Energy*, of the Draft EIR, CCR Title 13, Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment or potential additional pollutants generated by starting equipment as opposed to idling. Best Available Control Measure (BACMs) inform construction equipment operators of this requirement. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints (Refer to Draft EIR p. 4.4-5). Thus, the City determines that additional mitigation is not warranted.

B-48 The commenter requests that the contractor keep a record of all equipment maintenance and data sheets, including design specifications and emission control tier classifications; and furnish such list to the lead agency or other regulators upon request. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-49 The commenter requests the requirement of on-site inspections to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, emissions resulting from the Project construction will not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant (refer to Draft EIR p. 4.2-31). Thus, the City determines that additional mitigation is not warranted.

B-50 The commenter requests to use paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L. The Project would be required to comply with SCAQMD Rule 1113, which serves to limit the volatile organic compounds (VOC) content of architectural coatings used on projects in the SCAQMD. Any person who supplies, sells, offers for sale, or manufactures any architectural coating for use on projects. Thus, the City determines that additional mitigation is not warranted.

B-51 The commenter requests to provide information on transit and ridesharing programs and services to construction employees. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-52 The commenter requests the provision of meal options onsite or of shuttles between the facility and nearby meal destinations for construction employees. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-53 The commenter suggests requiring that all heavy-duty vehicles engaged in drayage to or from the project site to be zero emission beginning in 2030. As discussed further below, there are several economic and infrastructure constraints that make the suggested mitigation measure infeasible today and likely well into the future. The first major issue that makes requiring all trucks accessing the Project site to be zero-emissions infeasible, is that there is not enough electrical grid power to sustainably charge these trucks. For example, one trucking company tried to electrify just 30 trucks at a terminal in Joliet, Illinois. Shortly after this plan began, local officials shut it down, commenting that it would draw more electricity than is needed to power the entire city.[3] Even more relevant, a California company attempted to electrify 12 forklifts, which require significantly less power than trucks.[4] Local power utilities told the California company that it was not possible.[5] In a May 2023 report by Resources for the Future, titled "Medium- and Heavy-Duty Vehicle Electrification: Challenges, Policy Solutions, and

[3] https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates
[4] *Id*.
[5] *Id*.

Open Research Questions," the report states that medium- and heavy-duty electric vehicle (MHDEV) charging (which may exceed several MWs of demand for large fleets) could destabilize electricity distribution systems.[6] Therefore, significant investments into the grid, transmission system, and generation capacity is required.[7] If the Project requires each and every truck entering the facility to be zero-emissions, doing so would put a significant strain on California's power grid; and a strain that the grid cannot handle in the short-term, must less sustain in the long run.

Not only can local and state electrical infrastructure not sustain fully electric trucks, the logistical and operational barriers of using such trucks is also extremely prohibitive. To gain widespread use, MHDEVs must be comparable to diesel vehicles in model options, range, recharge time, payloads, and maintenance.[8] However, MHDEVs generally have ranges below 200 miles, versus more than 1,000 miles for diesel vehicles.[9] Additionally recharge times are substantially longer than diesel refueling. For example, a clean diesel truck can spend 15 minutes fueling anywhere in the country and then travel about 1,200 miles before fueling again.[10] In contrast, today's long-haul battery electric trucks have a range of about 150-330 miles and can take up to 10 hours to charge.[11]

Moreover, fleets without a charging depot will need to rely on public charging stations. Unfortunately, significant investment must first be made before widespread public charging is feasible.[12] Lastly, weight of MHDEVs is also a significant issue that will lead to increased operational barriers. Battery-electric trucks, which run on two approximately 8,000 pound lithium ion batteries, are far heavier than clean diesel trucks.[13] Because trucks are subject to strict federal and state weight limits, as seen by weighing stations throughout California and the United States, requiring zero-emission battery electric trucks will significantly decrease the payload of each truck, thus requiring more trucks to be on the road and increasing both traffic congestion and tailpipe emissions.[14]

Finally, if the above challenges were not enough, there is a significant constraint in sourcing enough raw minerals needed to produce the lithium-ion batteries uses in zero-emission trucks. For example, tens of millions of tons of cobalt, graphite, lithium, and nickel will need to be produced.[15] It is estimated that it could take up to 35 years to acquire all the minerals needed to generate enough truck batteries for current levels of global production.[16] Additionally,

[6] https://media.rff.org/documents/Report_23-03_v3.pdf.
[7] *Id*.
[8] *Id*.
[9] *Id*.
[10] https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates
[11] *Id*.
[12] https://media.rff.org/documents/Report_23-03_v3.pdf.
[13] https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates
[14] *Id*.
[15] https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates
[16] *Id*.

expanding capacity and sourcing this amount of material creates massive environmental effects, that in some respects could exceed the emissions of current clean-diesel trucks.[17]

An EIR must describe feasible measures that could minimize the project's significant adverse impacts. 14 Cal Code Regs §15126.4(a)(1). An EIR may decline to propose a mitigation measure that would not effectively address a significant impact. An EIR also need not identify and discuss mitigation measures that are infeasible. Nor must an EIR analyze in detail mitigation measures it concludes are infeasible.

Further, SCAQMD recently adopted a Warehouse Indirect Source Rule, Rule 2305, in May 2021. Rule 2305 applies to warehouse operators and owners of warehouses greater than or equal to 100,000 square feet of indoor floor space within a single building that may be used for warehousing activities. The Project includes the development of 270,337 sf speculative warehouse and office building and would be subject to compliance with Rule 2305. Since the proposed Project will not be operated by the current owner, it is not feasible to commit to specific provisions of Rule 2305; however, future tenants will be obligated to comply with its provisions. In general, the Rule establishes the Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, which is a points system that is based upon the actual number of trucks that come to and leave the warehouse. Each year the operator will be obligated to determine how many points the warehouse is required to achieve using a formula set out in the Rule. If the required number of points are not achieved, the warehouse operator would be required to pay a fee to the SCAQMD, which would use collected funds to improve air quality. Although compliance with Rule 2305 is not mitigation and the SCAQMD has not published a nexus study showing how the use of collected funds has nexus to the warehouse's air quality impacts, the program is intended to reduce air quality effects associated with the warehouse industry, including the Project, throughout the Air Basin. Compliance with Rule 2305 would reduce air quality effects associated with the warehouse industry, including the Project, throughout the air basin, although quantification of such reductions is not feasible at this time. Thus, the City determines that additional mitigation is not warranted.

B-54 The commenter requests to require all on-site motorized operational equipment, such as forklifts and yard trucks, to be zero-emission with the necessary charging or fueling stations provided. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-55 The commenter requests mitigation to require tenants to use zero-emission light- and medium-duty vehicles as part of business operations. Refer to response to Comment B-53 regarding the feasibility of using zero-emission vehicles.

[17] *Id*.

B-56 The commenter requests mitigation to forbid trucks from idling for more than three minutes and requiring operators to turn off engines when not in use. The Project shall comply with California Code of Regulations Title 13, Division 3, Chapter 10, Article 1, Section 2485, "Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling, limits nonessential idling to five minutes or less for commercial trucks. Thus, the City determines that additional mitigation is not warranted.

B-57 The commenter requests to post both interior- and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the local air district, and the building manager. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-58 The commenter requests installation of solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building's projected energy needs, including all electrical chargers. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-59 The commenter request to design all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-60 The commenter requests that the Project construct zero-emission truck charging/fueling stations proportional to the number of dock doors at the project. As stated in response to Comment B-53 requiring zero-emission vehicles is currently technologically infeasible; also, such vehicles are not available on a large enough scale to be relied upon. Therefore, the current technology required for EV truck charging stations is unknown and technologically infeasible. Thus, the City determines that additional mitigation is not warranted.

B-61 The commenter requests that the Project run conduit to designated locations for future electric truck charging stations. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-62 The commenter request that unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-63 The commenter requests mitigation to oversize electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-64 The commenter requests the Project construct and maintain electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance). As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Additionally, of the 251 on-site passenger vehicle spaces, 25 would be designated as electric vehicle parking stalls (Refer to Draft EIR p. 3-6). Thus, the City determines that additional mitigation is not warranted.

B-65 The commenter requests the Project run conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-66 The commenter requests the installation and maintenance, at the manufacturer's recommended maintenance intervals, of air filtration systems at sensitive receptors within a certain radius of facility for the life of the project. As discussed in Section 4.2, *Air Quality*, of the Draft EIR, the nearest maximally exposed individual receptor to the Project site is Location R6 which is located approximately 8,840 feet northwest of the Project Site at an existing residence located at 11210 Fourth Street on the opposite side of I-15 and I-10 from the Project Site. As concluded in Table 4.2-10, *Localized Construction-Source Emissions Summary*, construction of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations (refer to Draft EIR p. 4.2-33). Similarly, Table 4.2-11, *Localized Operational-Source Emissions Summary*, concluded that operational emissions would not exceed the

SCAQMD's localized significant thresholds at the maximally impacted receptor location. (refer to Draft EIR p. 4.2-34). Thus, the City determines that additional mitigation is not warranted.

B-67 The commenter requests the installation and maintenance, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. As stated above in response to Comment B-66, the Project would not result in significant air quality related health risk impacts during construction or operation, therefore additional mitigation is not warranted.

B-68 The commenter requests mitigation to require all stand-by emergency generators to be powered by a non-diesel fuel. Emergency generators would only be used in emergency power failure or for routine testing and maintenance. Such intermittent use would not a substantial amount of emissions, since by the very nature of the activity, it would be short-term, intermittent, and infrequent. Requiring that emergency generators to be powered by non-diesel fuel would not result in a significant reduction in air quality emission impacts. Thus, the City determines that additional mitigation is not warranted.

B-69 The commenter requests facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. Refer to response to Comment B-56 for a detailed discussion on idling of trucks and response to Comment B-74 regarding directional signs to truck routes. Thus, the City determines that additional mitigation is not warranted.

B-70 The commenter requests mitigation to establish and promote a rideshare program that discourages single occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-71 The commenter requests Project buildings meet CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Additionally, of the 251 on-site passenger vehicle spaces, 25 would be designated as electric vehicle parking stalls. Bike racks would also be provided near the building entrances and adjacent to the electrical room (Refer to Draft EIR p. 3-6). Thus, the City determines that additional mitigation is not warranted.

B-72 The commenter requests the Project design buildings to LEED green building certification standards. As discussed in Section 3.0, *Project Description*, of the Draft EIR, the Project building would be conditioned by the City of Ontario to achieve LEED standards (Refer to Draft EIR p. 3-2). Thus, the City determines that additional mitigation is not warranted.

B-73 The commenter requests mitigation requiring meal options onsite or shuttles between the facility and nearby meal destinations. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-74 The commenter requests mitigation to post signs at every truck exit driveway providing directional information to the truck route. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-75 The commenter requests that the Project Applicant improve and maintain vegetation and tree canopy for residents in and around the project area in order to reduce air quality and GHG emissions. Improving and maintaining vegetation and the tree canopy for residents in and around the Project site would not have any effect on reducing the Project's air quality and GHG emissions. Therefore, this measure is not warranted. However, the Project would provide extensive landscape on the Project site. As depicted on Figure 3-6, *Proposed Landscape Plan*, the Project would include 72,527 (12.72%) square feet of landscaping. Thus, the City determines that additional mitigation is not warranted.

B-76 The commenter requests that the Project Applicant require that every tenant (1) train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses; and (2) require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request. The Project would be subject to compliance with SCAQMD Rule 2305. As part of Rule 2305, facilities would be required to report information about facility operations to SCAQMD each year and recordkeeping of onsite operations. Therefore, the City determines that additional mitigation is not warranted.

B-77 The commenter requests that the Project Applicant require tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers. The US EPA SmartWay Program is a voluntary public-private program. The Project Applicant or City cannot control the types of trucks coming to the Project site. Because building occupants/tenants are not yet identified, it is highly speculative to assume that the building occupants/tenants will own or control a fleet of trucks. The large majority of warehouses are

served by contracted trucking companies and independent drivers and the building occupant/tenant may have no control over the truck engine type, in which case the building occupant/tenant would need to comply with Rule 2305's requirements through a suite of equivalent measures or payment of the required fee to reduce Air Quality impacts as required by the Rule. Thus, the City determines that additional mitigation is not warranted.

B-78 The commenter requests to provide tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets. As concluded in Section 4.2, *Air Quality*, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32). Thus, the City determines that additional mitigation is not warranted.

B-79 The commenter makes a concluding, conclusory comment that the suggested mitigation measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation. Refer to response to Comments B-41 to B-78 for a detailed discussion on the suggested mitigation measures.

The commenter also emphasizes the applicability of incorporating solar power system into the Project design as it is policy of the State that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. Refer to response to Comment B-58 related to solar photovoltaic systems onsite. Thus, no further response is required.

B-80 The commenter states that a revised Draft EIR should be prepared to include all feasible mitigation measures and include updated air quality analysis to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. Refer to response to Comments B-41 to B-78 for a detailed discussion on the suggested mitigation measures. Applicable mitigation measures have been incorporated to the Project at the commenter's request.

B-81 The commenter provides disclaimer remarks about the comment letter. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required.

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SECTION 3.0 CLARIFICATIONS AND REVISIONS

Corrections to the Draft Environmental Impact Report (EIR) text generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. The information included in this section does not constitute substantial new information that requires recirculation of the Draft EIR. Section 15088.5 of the State CEQA Guidelines states in part:

> *(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:*
>
> *(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
>
> *(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*
>
> *(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.*
>
> *(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.*
>
> *(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.*

None of the information contained in this section constitutes significant new information or changes to the analysis or conclusions of the Draft EIR. There were no new significant environmental impacts identified following circulation of the Draft EIR. Likewise, there were no substantial increases in the severity of environmental impacts identified after circulation of the Draft EIR. Therefore, recirculation of the Draft EIR is not required because no new information was added to the EIR.

CLARIFICATIONS AND REVISIONS TO THE DRAFT EIR

This section includes recommended clarifications and revisions to the Draft EIR. This section is organized by respective sections of the Draft EIR. Deleted text is shown as ~~strikeout~~ and new text is underlined.

Section 4.1.2

1. Page 4-2 is hereby modified in response to Comment A-13.

The summary of projections approach is used in this EIR.~~, except for the evaluation of cumulative transportation effects (for purposes of demonstrating General Plan policy compliance) and vehicular related air quality, greenhouse gas, and noise impacts, for which the analysis combines the summary of projections approach with the manual addition of past, present, and reasonably foreseeable projects ("combined approach"). The City determined the combined approach to be appropriate because long range planning documents contain a sufficient amount of information to enable an analysis of cumulative effect for all subject areas, with the exception of transportation (and vehicular-related air quality, greenhouse gas, and noise effects), which requires a greater level of detailed study. With the combined approach, the cumulative impact analyses for the air quality, greenhouse gas, noise, and transportation issue areas overstate the Project's potential cumulatively considerable impacts relative to analyses that rely solely on the list of projects approach or solely on the summary of projections approach; therefore, the combined approach provides a conservative, "worst case" analysis for the Project's cumulative air quality, greenhouse gas, noise, and transportation impacts.~~

~~For the cumulative impact analyses that rely on the summary projections approach (i.e., all issue areas with the exception of transportation and vehicular-related air quality, greenhouse gas, and noise – as described above), t~~The cumulative study area primarily includes the City of Ontario, City of Fontana, City of Upland, City of Chino, City of Rancho Cucamonga, City of Jurupa Valley, and small portions of unincorporated San Bernardino County. These jurisdictions encompass the southwestern area of San Bernardino County and nearby portion of Riverside County and have similar environmental characteristics as the Project area.

Attachment A: Updated Construction Schedule
Attachment B: Updated CalEEMod Output Files
Attachment C: Matt Hagemann CV
Attachment D: Paul Rosenfeld CV

Construction Schedule Calculations					
Phase	Default Phase Length	Construction Duration	%	Construction Duration	Revised Phase Length
Demolition	20	559	0.0358	351	13
Site Preparation	10	559	0.0179	351	6
Grading	30	559	0.0537	351	19
Construction	300	559	0.5367	351	188
Paving	20	559	0.0358	351	13
Architectural Coating	20	559	0.0358	351	13

	Total Default Construction Duration	Revised Construction Duration
Start Date	5/2/2023	5/2/2023
End Date	11/11/2024	4/17/2024
Total Days	559	351

Attachment B

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

IE Distribution Center #14 (Construction)

San Bernardino-South Coast County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Unrefrigerated Warehouse-No Rail	243.00	1000sqft	7.08	243,303.00	0
Refrigerated Warehouse-No Rail	27.00	1000sqft	0.79	27,000.00	0
Parking Lot	299.00	Space	1.53	119,600.00	0
Other Asphalt Surfaces	161.00	1000sqft	3.68	161,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	32
Climate Zone	10			**Operational Year**	2025
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	390.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics - Consistent with DEIR's model.

Land Use - Consistent with DEIR's model.

Construction Phase - See SWAPE comment on "Unsubstantiated Changes to Individual Construction Phase Lengths"

Grading - Consistent with DEIR's model.

Trips and VMT - Consistent with DEIR's model.

Architectural Coating - See SWAPE Comment on "Unsubstantiated Changes to Architectural Coating Emission Factors"

Construction Off-road Equipment Mitigation - See SWAPE comment on "Incorrect Application of Tier 4 Interim Mitigation"

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Table Name	Column Name	Default Value	New Value
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	5.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	9.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblConstructionPhase	NumDays	20.00	13.00
tblConstructionPhase	NumDays	300.00	188.00
tblConstructionPhase	NumDays	20.00	13.00
tblConstructionPhase	NumDays	30.00	19.00
tblConstructionPhase	NumDays	20.00	13.00
tblConstructionPhase	NumDays	10.00	6.00
tblConstructionPhase	PhaseEndDate	11/11/2024	4/17/2024
tblConstructionPhase	PhaseEndDate	9/16/2024	3/12/2024
tblConstructionPhase	PhaseEndDate	5/29/2023	5/18/2023
tblConstructionPhase	PhaseEndDate	7/24/2023	6/22/2023
tblConstructionPhase	PhaseEndDate	10/14/2024	3/29/2024
tblConstructionPhase	PhaseEndDate	6/12/2023	5/26/2023
tblConstructionPhase	PhaseStartDate	10/15/2024	3/30/2024
tblConstructionPhase	PhaseStartDate	7/25/2023	6/23/2023
tblConstructionPhase	PhaseStartDate	6/13/2023	5/27/2023
tblConstructionPhase	PhaseStartDate	9/17/2024	3/13/2024
tblConstructionPhase	PhaseStartDate	5/30/2023	5/19/2023
tblLandUse	LandUseSquareFeet	243,000.00	243,303.00
tblLandUse	LotAcreage	5.58	7.08
tblLandUse	LotAcreage	0.62	0.79
tblLandUse	LotAcreage	2.69	1.53
tblLandUse	LotAcreage	3.70	3.68
tblTripsAndVMT	HaulingTripNumber	0.00	3.00
tblTripsAndVMT	HaulingTripNumber	0.00	38.00
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripNumber	0.00	5.00
tblTripsAndVMT	VendorTripNumber	0.00	5.00
tblTripsAndVMT	VendorTripNumber	90.00	25.00
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripNumber	15.00	18.00
tblTripsAndVMT	WorkerTripNumber	231.00	114.00
tblTripsAndVMT	WorkerTripNumber	46.00	23.00

2.0 Emissions Summary

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2023	0.1964	1.6412	1.9050	4.1900e-003	0.2751	0.0727	0.3478	0.0996	0.0679	0.1675	0.0000	373.7245	373.7245	0.0669	8.9100e-003	378.0538
2024	1.3575	0.4600	0.6562	1.3900e-003	0.0504	0.0199	0.0702	0.0135	0.0186	0.0321	0.0000	124.6714	124.6714	0.0197	3.1800e-003	126.1120
Maximum	**1.3575**	**1.6412**	**1.9050**	**4.1900e-003**	**0.2751**	**0.0727**	**0.3478**	**0.0996**	**0.0679**	**0.1675**	**0.0000**	**373.7245**	**373.7245**	**0.0669**	**8.9100e-003**	**378.0538**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2023	0.1377	2.5149	2.1450	4.1900e-003	0.2751	0.0841	0.3592	0.0996	0.0841	0.1836	0.0000	373.7242	373.7242	0.0669	8.9100e-003	378.0535
2024	1.3465	0.7991	0.7181	1.3900e-003	0.0504	0.0289	0.0793	0.0135	0.0289	0.0424	0.0000	124.6713	124.6713	0.0197	3.1800e-003	126.1119
Maximum	**1.3465**	**2.5149**	**2.1450**	**4.1900e-003**	**0.2751**	**0.0841**	**0.3592**	**0.0996**	**0.0841**	**0.1836**	**0.0000**	**373.7242**	**373.7242**	**0.0669**	**8.9100e-003**	**378.0535**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**4.48**	**-57.72**	**-11.79**	**0.00**	**0.00**	**-22.19**	**-4.92**	**0.00**	**-30.49**	**-13.21**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	**5-2-2023**	**8-1-2023**	0.8599	1.2059
2	**8-2-2023**	**11-1-2023**	0.5912	0.8764
3	**11-2-2023**	**2-1-2024**	0.5800	0.8771
4	**2-2-2024**	**5-1-2024**	1.6719	1.8820
		Highest	1.6719	1.8820

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	1.1249	8.0000e-005	9.2900e-003	0.0000		3.0000e-005	3.0000e-005		3.0000e-005	3.0000e-005	0.0000	0.0181	0.0181	5.0000e-005	0.0000	0.0193
Energy	0.0102	0.0924	0.0777	5.5000e-004		7.0300e-003	7.0300e-003		7.0300e-003	7.0300e-003	0.0000	398.9265	398.9265	0.0271	4.9000e-003	401.0633
Mobile	0.2689	0.4550	3.0211	7.1300e-003	0.7757	5.6400e-003	0.7814	0.2072	5.2800e-003	0.2125	0.0000	675.3712	675.3712	0.0350	0.0320	685.7892
Waste						0.0000	0.0000		0.0000	0.0000	51.5191	0.0000	51.5191	3.0447	0.0000	127.6364
Water						0.0000	0.0000		0.0000	0.0000	19.8085	144.1817	163.9902	2.0467	0.0495	229.9130
Total	**1.4040**	**0.5475**	**3.1080**	**7.6800e-003**	**0.7757**	**0.0127**	**0.7884**	**0.2072**	**0.0123**	**0.2195**	**71.3277**	**1,218.4975**	**1,289.8251**	**5.1535**	**0.0864**	**1,444.4212**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	1.1249	8.0000e-005	9.2900e-003	0.0000		3.0000e-005	3.0000e-005		3.0000e-005	3.0000e-005	0.0000	0.0181	0.0181	5.0000e-005	0.0000	0.0193
Energy	0.0102	0.0924	0.0777	5.5000e-004		7.0300e-003	7.0300e-003		7.0300e-003	7.0300e-003	0.0000	398.9265	398.9265	0.0271	4.9000e-003	401.0633
Mobile	0.2689	0.4550	3.0211	7.1300e-003	0.7757	5.6400e-003	0.7814	0.2072	5.2800e-003	0.2125	0.0000	675.3712	675.3712	0.0350	0.0320	685.7892
Waste						0.0000	0.0000		0.0000	0.0000	51.5191	0.0000	51.5191	3.0447	0.0000	127.6364
Water						0.0000	0.0000		0.0000	0.0000	19.8085	144.1817	163.9902	2.0467	0.0495	229.9130
Total	**1.4040**	**0.5475**	**3.1080**	**7.6800e-003**	**0.7757**	**0.0127**	**0.7884**	**0.2072**	**0.0123**	**0.2195**	**71.3277**	**1,218.4975**	**1,289.8251**	**5.1535**	**0.0864**	**1,444.4212**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	5/2/2023	5/18/2023	5	13	
2	Site Preparation	Site Preparation	5/19/2023	5/26/2023	5	6	
3	Grading	Grading	5/27/2023	6/22/2023	5	19	

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4	Building Construction	Building Construction	6/23/2023	3/12/2024	5	188	
5	Paving	Paving	3/13/2024	3/29/2024	5	13	
6	Architectural Coating	Architectural Coating	3/30/2024	4/17/2024	5	13	

Acres of Grading (Site Preparation Phase): 9

Acres of Grading (Grading Phase): 57

Acres of Paving: 5.21

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 405,455; Non-Residential Outdoor: 135,152; Striped Parking Area: 16,836 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	7.00	231	0.29
Demolition	Excavators	3	8.00	158	0.38
Grading	Excavators	2	8.00	158	0.38
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Grading	Graders	1	8.00	187	0.41
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	18.00	0.00	3.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	5.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	5.00	38.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	114.00	25.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	23.00	0.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

3.2 Demolition - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0148	0.1397	0.1277	2.5000e-004		6.4800e-003	6.4800e-003		6.0300e-003	6.0300e-003	0.0000	22.0948	22.0948	6.1900e-003	0.0000	22.2495
Total	**0.0148**	**0.1397**	**0.1277**	**2.5000e-004**		**6.4800e-003**	**6.4800e-003**		**6.0300e-003**	**6.0300e-003**	**0.0000**	**22.0948**	**22.0948**	**6.1900e-003**	**0.0000**	**22.2495**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	1.7000e-004	5.0000e-005	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0834	0.0834	0.0000	1.0000e-005	0.0874
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.7000e-004	3.7000e-004	4.6300e-003	1.0000e-005	1.6100e-003	1.0000e-005	1.6200e-003	4.3000e-004	1.0000e-005	4.4000e-004	0.0000	1.2556	1.2556	3.0000e-005	3.0000e-005	1.2660
Total	**4.7000e-004**	**5.4000e-004**	**4.6800e-003**	**1.0000e-005**	**1.6400e-003**	**1.0000e-005**	**1.6500e-003**	**4.4000e-004**	**1.0000e-005**	**4.5000e-004**	**0.0000**	**1.3390**	**1.3390**	**3.0000e-005**	**4.0000e-005**	**1.3534**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	8.2000e-003	0.2123	0.1604	2.5000e-004		5.9400e-003	5.9400e-003		5.9400e-003	5.9400e-003	0.0000	22.0948	22.0948	6.1900e-003	0.0000	22.2495
Total	**8.2000e-003**	**0.2123**	**0.1604**	**2.5000e-004**		**5.9400e-003**	**5.9400e-003**		**5.9400e-003**	**5.9400e-003**	**0.0000**	**22.0948**	**22.0948**	**6.1900e-003**	**0.0000**	**22.2495**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	1.7000e-004	5.0000e-005	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0834	0.0834	0.0000	1.0000e-005	0.0874
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.7000e-004	3.7000e-004	4.6300e-003	1.0000e-005	1.6100e-003	1.0000e-005	1.6200e-003	4.3000e-004	1.0000e-005	4.4000e-004	0.0000	1.2556	1.2556	3.0000e-005	3.0000e-005	1.2660
Total	**4.7000e-004**	**5.4000e-004**	**4.6800e-003**	**1.0000e-005**	**1.6400e-003**	**1.0000e-005**	**1.6500e-003**	**4.4000e-004**	**1.0000e-005**	**4.5000e-004**	**0.0000**	**1.3390**	**1.3390**	**3.0000e-005**	**4.0000e-005**	**1.3534**

3.3 Site Preparation - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0590	0.0000	0.0590	0.0303	0.0000	0.0303	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	7.9800e-003	0.0826	0.0547	1.1000e-004		3.8000e-003	3.8000e-003		3.4900e-003	3.4900e-003	0.0000	10.0352	10.0352	3.2500e-003	0.0000	10.1164
Total	**7.9800e-003**	**0.0826**	**0.0547**	**1.1000e-004**	**0.0590**	**3.8000e-003**	**0.0628**	**0.0303**	**3.4900e-003**	**0.0338**	**0.0000**	**10.0352**	**10.0352**	**3.2500e-003**	**0.0000**	**10.1164**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.0000e-005	7.2000e-004	2.5000e-004	0.0000	1.4000e-004	1.0000e-005	1.5000e-004	4.0000e-005	1.0000e-005	5.0000e-005	0.0000	0.3741	0.3741	1.0000e-005	6.0000e-005	0.3908
Worker	2.2000e-004	1.7000e-004	2.1400e-003	1.0000e-005	7.5000e-004	0.0000	7.5000e-004	2.0000e-004	0.0000	2.0000e-004	0.0000	0.5795	0.5795	1.0000e-005	2.0000e-005	0.5843
Total	**2.4000e-004**	**8.9000e-004**	**2.3900e-003**	**1.0000e-005**	**8.9000e-004**	**1.0000e-005**	**9.0000e-004**	**2.4000e-004**	**1.0000e-005**	**2.5000e-004**	**0.0000**	**0.9536**	**0.9536**	**2.0000e-005**	**8.0000e-005**	**0.9751**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0590	0.0000	0.0590	0.0303	0.0000	0.0303	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.6300e-003	0.1012	0.0689	1.1000e-004		2.8400e-003	2.8400e-003		2.8400e-003	2.8400e-003	0.0000	10.0352	10.0352	3.2500e-003	0.0000	10.1163
Total	**3.6300e-003**	**0.1012**	**0.0689**	**1.1000e-004**	**0.0590**	**2.8400e-003**	**0.0618**	**0.0303**	**2.8400e-003**	**0.0332**	**0.0000**	**10.0352**	**10.0352**	**3.2500e-003**	**0.0000**	**10.1163**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.0000e-005	7.2000e-004	2.5000e-004	0.0000	1.4000e-004	1.0000e-005	1.5000e-004	4.0000e-005	1.0000e-005	5.0000e-005	0.0000	0.3741	0.3741	1.0000e-005	6.0000e-005	0.3908
Worker	2.2000e-004	1.7000e-004	2.1400e-003	1.0000e-005	7.5000e-004	0.0000	7.5000e-004	2.0000e-004	0.0000	2.0000e-004	0.0000	0.5795	0.5795	1.0000e-005	2.0000e-005	0.5843
Total	**2.4000e-004**	**8.9000e-004**	**2.3900e-003**	**1.0000e-005**	**8.9000e-004**	**1.0000e-005**	**9.0000e-004**	**2.4000e-004**	**1.0000e-005**	**2.5000e-004**	**0.0000**	**0.9536**	**0.9536**	**2.0000e-005**	**8.0000e-005**	**0.9751**

3.4 Grading - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0874	0.0000	0.0874	0.0347	0.0000	0.0347	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0316	0.3279	0.2665	5.9000e-004		0.0135	0.0135		0.0125	0.0125	0.0000	51.8085	51.8085	0.0168	0.0000	52.2274
Total	**0.0316**	**0.3279**	**0.2665**	**5.9000e-004**	**0.0874**	**0.0135**	**0.1010**	**0.0347**	**0.0125**	**0.0472**	**0.0000**	**51.8085**	**51.8085**	**0.0168**	**0.0000**	**52.2274**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Grading - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	4.0000e-005	2.2100e-003	6.4000e-004	1.0000e-005	3.3000e-004	2.0000e-005	3.5000e-004	9.0000e-005	2.0000e-005	1.1000e-004	0.0000	1.0558	1.0558	4.0000e-005	1.7000e-004	1.1068
Vendor	6.0000e-005	2.2900e-003	8.0000e-004	1.0000e-005	4.4000e-004	2.0000e-005	4.6000e-004	1.3000e-004	2.0000e-005	1.5000e-004	0.0000	1.1846	1.1846	3.0000e-005	1.7000e-004	1.2374
Worker	7.7000e-004	6.0000e-004	7.5200e-003	2.0000e-005	2.6200e-003	1.0000e-005	2.6300e-003	7.0000e-004	1.0000e-005	7.1000e-004	0.0000	2.0390	2.0390	5.0000e-005	5.0000e-005	2.0560
Total	**8.7000e-004**	**5.1000e-003**	**8.9600e-003**	**4.0000e-005**	**3.3900e-003**	**5.0000e-005**	**3.4400e-003**	**9.2000e-004**	**5.0000e-005**	**9.7000e-004**	**0.0000**	**4.2794**	**4.2794**	**1.2000e-004**	**3.9000e-004**	**4.4002**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0874	0.0000	0.0874	0.0347	0.0000	0.0347	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0172	0.4868	0.3489	5.9000e-004		0.0127	0.0127		0.0127	0.0127	0.0000	51.8084	51.8084	0.0168	0.0000	52.2273
Total	**0.0172**	**0.4868**	**0.3489**	**5.9000e-004**	**0.0874**	**0.0127**	**0.1001**	**0.0347**	**0.0127**	**0.0474**	**0.0000**	**51.8084**	**51.8084**	**0.0168**	**0.0000**	**52.2273**

3.4 Grading - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	4.0000e-005	2.2100e-003	6.4000e-004	1.0000e-005	3.3000e-004	2.0000e-005	3.5000e-004	9.0000e-005	2.0000e-005	1.1000e-004	0.0000	1.0558	1.0558	4.0000e-005	1.7000e-004	1.1068
Vendor	6.0000e-005	2.2900e-003	8.0000e-004	1.0000e-005	4.4000e-004	2.0000e-005	4.6000e-004	1.3000e-004	2.0000e-005	1.5000e-004	0.0000	1.1846	1.1846	3.0000e-005	1.7000e-004	1.2374
Worker	7.7000e-004	6.0000e-004	7.5200e-003	2.0000e-005	2.6200e-003	1.0000e-005	2.6300e-003	7.0000e-004	1.0000e-005	7.1000e-004	0.0000	2.0390	2.0390	5.0000e-005	5.0000e-005	2.0560
Total	**8.7000e-004**	**5.1000e-003**	**8.9600e-003**	**4.0000e-005**	**3.3900e-003**	**5.0000e-005**	**3.4400e-003**	**9.2000e-004**	**5.0000e-005**	**9.7000e-004**	**0.0000**	**4.2794**	**4.2794**	**1.2000e-004**	**3.9000e-004**	**4.4002**

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1070	0.9782	1.1046	1.8300e-003		0.0476	0.0476		0.0448	0.0448	0.0000	157.6272	157.6272	0.0375	0.0000	158.5647
Total	**0.1070**	**0.9782**	**1.1046**	**1.8300e-003**		**0.0476**	**0.0476**		**0.0448**	**0.0448**	**0.0000**	**157.6272**	**157.6272**	**0.0375**	**0.0000**	**158.5647**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.2300e-003	0.0821	0.0286	4.4000e-004	0.0158	6.6000e-004	0.0165	4.5700e-003	6.3000e-004	5.1900e-003	0.0000	42.3946	42.3946	1.1000e-003	6.2500e-003	44.2846
Worker	0.0313	0.0243	0.3069	9.0000e-004	0.1070	5.3000e-004	0.1075	0.0284	4.9000e-004	0.0289	0.0000	83.1922	83.1922	1.9500e-003	2.1500e-003	83.8827
Total	**0.0336**	**0.1064**	**0.3355**	**1.3400e-003**	**0.1228**	**1.1900e-003**	**0.1240**	**0.0330**	**1.1200e-003**	**0.0341**	**0.0000**	**125.5868**	**125.5868**	**3.0500e-003**	**8.4000e-003**	**128.1673**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0735	1.6017	1.2154	1.8300e-003		0.0614	0.0614		0.0614	0.0614	0.0000	157.6270	157.6270	0.0375	0.0000	158.5645
Total	**0.0735**	**1.6017**	**1.2154**	**1.8300e-003**		**0.0614**	**0.0614**		**0.0614**	**0.0614**	**0.0000**	**157.6270**	**157.6270**	**0.0375**	**0.0000**	**158.5645**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.2300e-003	0.0821	0.0286	4.4000e-004	0.0158	6.6000e-004	0.0165	4.5700e-003	6.3000e-004	5.1900e-003	0.0000	42.3946	42.3946	1.1000e-003	6.2500e-003	44.2846
Worker	0.0313	0.0243	0.3069	9.0000e-004	0.1070	5.3000e-004	0.1075	0.0284	4.9000e-004	0.0289	0.0000	83.1922	83.1922	1.9500e-003	2.1500e-003	83.8827
Total	**0.0336**	**0.1064**	**0.3355**	**1.3400e-003**	**0.1228**	**1.1900e-003**	**0.1240**	**0.0330**	**1.1200e-003**	**0.0341**	**0.0000**	**125.5868**	**125.5868**	**3.0500e-003**	**8.4000e-003**	**128.1673**

3.5 Building Construction - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0383	0.3495	0.4203	7.0000e-004		0.0160	0.0160		0.0150	0.0150	0.0000	60.2808	60.2808	0.0143	0.0000	60.6371
Total	**0.0383**	**0.3495**	**0.4203**	**7.0000e-004**		**0.0160**	**0.0160**		**0.0150**	**0.0150**	**0.0000**	**60.2808**	**60.2808**	**0.0143**	**0.0000**	**60.6371**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	8.3000e-004	0.0317	0.0107	1.6000e-004	6.0500e-003	2.5000e-004	6.3000e-003	1.7500e-003	2.4000e-004	1.9800e-003	0.0000	15.9876	15.9876	4.1000e-004	2.3600e-003	16.7000
Worker	0.0112	8.2400e-003	0.1093	3.3000e-004	0.0409	1.9000e-004	0.0411	0.0109	1.8000e-004	0.0110	0.0000	31.1319	31.1319	6.7000e-004	7.6000e-004	31.3758
Total	**0.0120**	**0.0400**	**0.1200**	**4.9000e-004**	**0.0469**	**4.4000e-004**	**0.0474**	**0.0126**	**4.2000e-004**	**0.0130**	**0.0000**	**47.1194**	**47.1194**	**1.0800e-003**	**3.1200e-003**	**48.0757**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0281	0.6124	0.4647	7.0000e-004		0.0235	0.0235		0.0235	0.0235	0.0000	60.2807	60.2807	0.0143	0.0000	60.6371
Total	**0.0281**	**0.6124**	**0.4647**	**7.0000e-004**		**0.0235**	**0.0235**		**0.0235**	**0.0235**	**0.0000**	**60.2807**	**60.2807**	**0.0143**	**0.0000**	**60.6371**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	8.3000e-004	0.0317	0.0107	1.6000e-004	6.0500e-003	2.5000e-004	6.3000e-003	1.7500e-003	2.4000e-004	1.9800e-003	0.0000	15.9876	15.9876	4.1000e-004	2.3600e-003	16.7000
Worker	0.0112	8.2400e-003	0.1093	3.3000e-004	0.0409	1.9000e-004	0.0411	0.0109	1.8000e-004	0.0110	0.0000	31.1319	31.1319	6.7000e-004	7.6000e-004	31.3758
Total	**0.0120**	**0.0400**	**0.1200**	**4.9000e-004**	**0.0469**	**4.4000e-004**	**0.0474**	**0.0126**	**4.2000e-004**	**0.0130**	**0.0000**	**47.1194**	**47.1194**	**1.0800e-003**	**3.1200e-003**	**48.0757**

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	6.4200e-003	0.0619	0.0951	1.5000e-004		3.0500e-003	3.0500e-003		2.8000e-003	2.8000e-003	0.0000	13.0173	13.0173	4.2100e-003	0.0000	13.1225
Paving	6.8300e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0133**	**0.0619**	**0.0951**	**1.5000e-004**		**3.0500e-003**	**3.0500e-003**		**2.8000e-003**	**2.8000e-003**	**0.0000**	**13.0173**	**13.0173**	**4.2100e-003**	**0.0000**	**13.1225**

3.6 Paving - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.7000e-004	2.7000e-004	3.5900e-003	1.0000e-005	1.3500e-003	1.0000e-005	1.3500e-003	3.6000e-004	1.0000e-005	3.6000e-004	0.0000	1.0241	1.0241	2.0000e-005	3.0000e-005	1.0321
Total	**3.7000e-004**	**2.7000e-004**	**3.5900e-003**	**1.0000e-005**	**1.3500e-003**	**1.0000e-005**	**1.3500e-003**	**3.6000e-004**	**1.0000e-005**	**3.6000e-004**	**0.0000**	**1.0241**	**1.0241**	**2.0000e-005**	**3.0000e-005**	**1.0321**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	6.0500e-003	0.1307	0.1124	1.5000e-004		4.3400e-003	4.3400e-003		4.3400e-003	4.3400e-003	0.0000	13.0172	13.0172	4.2100e-003	0.0000	13.1225
Paving	6.8300e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0129**	**0.1307**	**0.1124**	**1.5000e-004**		**4.3400e-003**	**4.3400e-003**		**4.3400e-003**	**4.3400e-003**	**0.0000**	**13.0172**	**13.0172**	**4.2100e-003**	**0.0000**	**13.1225**

3.6 Paving - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.7000e-004	2.7000e-004	3.5900e-003	1.0000e-005	1.3500e-003	1.0000e-005	1.3500e-003	3.6000e-004	1.0000e-005	3.6000e-004	0.0000	1.0241	1.0241	2.0000e-005	3.0000e-005	1.0321
Total	**3.7000e-004**	**2.7000e-004**	**3.5900e-003**	**1.0000e-005**	**1.3500e-003**	**1.0000e-005**	**1.3500e-003**	**3.6000e-004**	**1.0000e-005**	**3.6000e-004**	**0.0000**	**1.0241**	**1.0241**	**2.0000e-005**	**3.0000e-005**	**1.0321**

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.2919					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.1700e-003	7.9200e-003	0.0118	2.0000e-005		4.0000e-004	4.0000e-004		4.0000e-004	4.0000e-004	0.0000	1.6596	1.6596	9.0000e-005	0.0000	1.6620
Total	**1.2930**	**7.9200e-003**	**0.0118**	**2.0000e-005**		**4.0000e-004**	**4.0000e-004**		**4.0000e-004**	**4.0000e-004**	**0.0000**	**1.6596**	**1.6596**	**9.0000e-005**	**0.0000**	**1.6620**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.6000e-004	4.2000e-004	5.5100e-003	2.0000e-005	2.0600e-003	1.0000e-005	2.0700e-003	5.5000e-004	1.0000e-005	5.6000e-004	0.0000	1.5703	1.5703	3.0000e-005	4.0000e-005	1.5826
Total	**5.6000e-004**	**4.2000e-004**	**5.5100e-003**	**2.0000e-005**	**2.0600e-003**	**1.0000e-005**	**2.0700e-003**	**5.5000e-004**	**1.0000e-005**	**5.6000e-004**	**0.0000**	**1.5703**	**1.5703**	**3.0000e-005**	**4.0000e-005**	**1.5826**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.2919					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	7.4000e-004	0.0153	0.0119	2.0000e-005		6.2000e-004	6.2000e-004		6.2000e-004	6.2000e-004	0.0000	1.6596	1.6596	9.0000e-005	0.0000	1.6620
Total	**1.2926**	**0.0153**	**0.0119**	**2.0000e-005**		**6.2000e-004**	**6.2000e-004**		**6.2000e-004**	**6.2000e-004**	**0.0000**	**1.6596**	**1.6596**	**9.0000e-005**	**0.0000**	**1.6620**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.6000e-004	4.2000e-004	5.5100e-003	2.0000e-005	2.0600e-003	1.0000e-005	2.0700e-003	5.5000e-004	1.0000e-005	5.6000e-004	0.0000	1.5703	1.5703	3.0000e-005	4.0000e-005	1.5826
Total	**5.6000e-004**	**4.2000e-004**	**5.5100e-003**	**2.0000e-005**	**2.0600e-003**	**1.0000e-005**	**2.0700e-003**	**5.5000e-004**	**1.0000e-005**	**5.6000e-004**	**0.0000**	**1.5703**	**1.5703**	**3.0000e-005**	**4.0000e-005**	**1.5826**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.2689	0.4550	3.0211	7.1300e-003	0.7757	5.6400e-003	0.7814	0.2072	5.2800e-003	0.2125	0.0000	675.3712	675.3712	0.0350	0.0320	685.7892
Unmitigated	0.2689	0.4550	3.0211	7.1300e-003	0.7757	5.6400e-003	0.7814	0.2072	5.2800e-003	0.2125	0.0000	675.3712	675.3712	0.0350	0.0320	685.7892

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Other Asphalt Surfaces	0.00	0.00	0.00		
Parking Lot	0.00	0.00	0.00		
Refrigerated Warehouse-No Rail	57.24	57.24	57.24	245,314	245,314
Unrefrigerated Warehouse-No Rail	422.82	422.82	422.82	1,812,087	1,812,087
Total	480.06	480.06	480.06	2,057,401	2,057,401

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Other Asphalt Surfaces	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0
Parking Lot	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0
Refrigerated Warehouse-No	16.60	8.40	6.90	59.00	0.00	41.00	92	5	3
Unrefrigerated Warehouse-No	16.60	8.40	6.90	59.00	0.00	41.00	92	5	3

4.4 Fleet Mix

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Other Asphalt Surfaces	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606
Parking Lot	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606
Refrigerated Warehouse-No Rail	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606
Unrefrigerated Warehouse-No Rail	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	298.2957	298.2957	0.0252	3.0500e-003	299.8346
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	298.2957	298.2957	0.0252	3.0500e-003	299.8346
NaturalGas Mitigated	0.0102	0.0924	0.0777	5.5000e-004		7.0300e-003	7.0300e-003		7.0300e-003	7.0300e-003	0.0000	100.6308	100.6308	1.9300e-003	1.8400e-003	101.2288
NaturalGas Unmitigated	0.0102	0.0924	0.0777	5.5000e-004		7.0300e-003	7.0300e-003		7.0300e-003	7.0300e-003	0.0000	100.6308	100.6308	1.9300e-003	1.8400e-003	101.2288

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Refrigerated Warehouse-No Rail	1.39671e+006	7.5300e-003	0.0685	0.0575	4.1000e-004		5.2000e-003	5.2000e-003		5.2000e-003	5.2000e-003	0.0000	74.5338	74.5338	1.4300e-003	1.3700e-003	74.9767
Unrefrigerated Warehouse-No Rail	489039	2.6400e-003	0.0240	0.0201	1.4000e-004		1.8200e-003	1.8200e-003		1.8200e-003	1.8200e-003	0.0000	26.0970	26.0970	5.0000e-004	4.8000e-004	26.2521
Total		**0.0102**	**0.0924**	**0.0777**	**5.5000e-004**		**7.0200e-003**	**7.0200e-003**		**7.0200e-003**	**7.0200e-003**	**0.0000**	**100.6308**	**100.6308**	**1.9300e-003**	**1.8500e-003**	**101.2288**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Refrigerated Warehouse-No Rail	1.39671e+006	7.5300e-003	0.0685	0.0575	4.1000e-004		5.2000e-003	5.2000e-003		5.2000e-003	5.2000e-003	0.0000	74.5338	74.5338	1.4300e-003	1.3700e-003	74.9767
Unrefrigerated Warehouse-No Rail	489039	2.6400e-003	0.0240	0.0201	1.4000e-004		1.8200e-003	1.8200e-003		1.8200e-003	1.8200e-003	0.0000	26.0970	26.0970	5.0000e-004	4.8000e-004	26.2521
Total		**0.0102**	**0.0924**	**0.0777**	**5.5000e-004**		**7.0200e-003**	**7.0200e-003**		**7.0200e-003**	**7.0200e-003**	**0.0000**	**100.6308**	**100.6308**	**1.9300e-003**	**1.8500e-003**	**101.2288**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Parking Lot	41860	7.4237	6.3000e-004	8.0000e-005	7.4620
Refrigerated Warehouse-No Rail	1.07568e+006	190.7671	0.0161	1.9500e-003	191.7512
Unrefrigerated Warehouse-No Rail	564463	100.1050	8.4500e-003	1.0200e-003	100.6214
Total		**298.2957**	**0.0252**	**3.0500e-003**	**299.8346**

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Parking Lot	41860	7.4237	6.3000e-004	8.0000e-005	7.4620
Refrigerated Warehouse-No Rail	1.07568e+006	190.7671	0.0161	1.9500e-003	191.7512
Unrefrigerated Warehouse-No Rail	564463	100.1050	8.4500e-003	1.0200e-003	100.6214
Total		**298.2957**	**0.0252**	**3.0500e-003**	**299.8346**

6.0 Area Detail

6.1 Mitigation Measures Area

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	1.1249	8.0000e-005	9.2900e-003	0.0000		3.0000e-005	3.0000e-005		3.0000e-005	3.0000e-005	0.0000	0.0181	0.0181	5.0000e-005	0.0000	0.0193
Unmitigated	1.1249	8.0000e-005	9.2900e-003	0.0000		3.0000e-005	3.0000e-005		3.0000e-005	3.0000e-005	0.0000	0.0181	0.0181	5.0000e-005	0.0000	0.0193

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.1292					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.9949					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	8.6000e-004	8.0000e-005	9.2900e-003	0.0000		3.0000e-005	3.0000e-005		3.0000e-005	3.0000e-005	0.0000	0.0181	0.0181	5.0000e-005	0.0000	0.0193
Total	**1.1249**	**8.0000e-005**	**9.2900e-003**	**0.0000**		**3.0000e-005**	**3.0000e-005**		**3.0000e-005**	**3.0000e-005**	**0.0000**	**0.0181**	**0.0181**	**5.0000e-005**	**0.0000**	**0.0193**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.1292					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.9949					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	8.6000e-004	8.0000e-005	9.2900e-003	0.0000		3.0000e-005	3.0000e-005		3.0000e-005	3.0000e-005	0.0000	0.0181	0.0181	5.0000e-005	0.0000	0.0193
Total	**1.1249**	**8.0000e-005**	**9.2900e-003**	**0.0000**		**3.0000e-005**	**3.0000e-005**		**3.0000e-005**	**3.0000e-005**	**0.0000**	**0.0181**	**0.0181**	**5.0000e-005**	**0.0000**	**0.0193**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	163.9902	2.0467	0.0495	229.9130
Unmitigated	163.9902	2.0467	0.0495	229.9130

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Other Asphalt Surfaces	0 / 0	0.0000	0.0000	0.0000	0.0000
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Refrigerated Warehouse-No Rail	6.24375 / 0	16.3990	0.2047	4.9500e-003	22.9913
Unrefrigerated Warehouse-No Rail	56.1938 / 0	147.5912	1.8420	0.0446	206.9217
Total		**163.9902**	**2.0467**	**0.0495**	**229.9130**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Other Asphalt Surfaces	0 / 0	0.0000	0.0000	0.0000	0.0000
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Refrigerated Warehouse-No Rail	6.24375 / 0	16.3990	0.2047	4.9500e-003	22.9913
Unrefrigerated Warehouse-No Rail	56.1938 / 0	147.5912	1.8420	0.0446	206.9217
Total		**163.9902**	**2.0467**	**0.0495**	**229.9130**

8.0 Waste Detail

8.1 Mitigation Measures Waste

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	51.5191	3.0447	0.0000	127.6364
Unmitigated	51.5191	3.0447	0.0000	127.6364

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Refrigerated Warehouse-No Rail	25.38	5.1519	0.3045	0.0000	12.7636
Unrefrigerated Warehouse-No Rail	228.42	46.3672	2.7402	0.0000	114.8728
Total		**51.5191**	**3.0447**	**0.0000**	**127.6364**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Refrigerated Warehouse-No Rail	25.38	5.1519	0.3045	0.0000	12.7636
Unrefrigerated Warehouse-No Rail	228.42	46.3672	2.7402	0.0000	114.8728
Total		**51.5191**	**3.0447**	**0.0000**	**127.6364**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Equipment Type	Number

11.0 Vegetation

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

IE Distribution Center #14 (Construction)

San Bernardino-South Coast County, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Unrefrigerated Warehouse-No Rail	243.00	1000sqft	7.08	243,303.00	0
Refrigerated Warehouse-No Rail	27.00	1000sqft	0.79	27,000.00	0
Parking Lot	299.00	Space	1.53	119,600.00	0
Other Asphalt Surfaces	161.00	1000sqft	3.68	161,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	32
Climate Zone	10			**Operational Year**	2025
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	390.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics - Consistent with DEIR's model.

Land Use - Consistent with DEIR's model.

Construction Phase - See SWAPE comment on "Unsubstantiated Changes to Individual Construction Phase Lengths"

Grading - Consistent with DEIR's model.

Trips and VMT - Consistent with DEIR's model.

Architectural Coating - See SWAPE Comment on "Unsubstantiated Changes to Architectural Coating Emission Factors"

Construction Off-road Equipment Mitigation - See SWAPE comment on "Incorrect Application of Tier 4 Interim Mitigation"

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Table Name	Column Name	Default Value	New Value
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	5.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	9.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblConstructionPhase	NumDays	20.00	13.00
tblConstructionPhase	NumDays	300.00	188.00
tblConstructionPhase	NumDays	20.00	13.00
tblConstructionPhase	NumDays	30.00	19.00
tblConstructionPhase	NumDays	20.00	13.00
tblConstructionPhase	NumDays	10.00	6.00
tblConstructionPhase	PhaseEndDate	11/11/2024	4/17/2024
tblConstructionPhase	PhaseEndDate	9/16/2024	3/12/2024
tblConstructionPhase	PhaseEndDate	5/29/2023	5/18/2023
tblConstructionPhase	PhaseEndDate	7/24/2023	6/22/2023
tblConstructionPhase	PhaseEndDate	10/14/2024	3/29/2024
tblConstructionPhase	PhaseEndDate	6/12/2023	5/26/2023
tblConstructionPhase	PhaseStartDate	10/15/2024	3/30/2024
tblConstructionPhase	PhaseStartDate	7/25/2023	6/23/2023
tblConstructionPhase	PhaseStartDate	6/13/2023	5/27/2023
tblConstructionPhase	PhaseStartDate	9/17/2024	3/13/2024
tblConstructionPhase	PhaseStartDate	5/30/2023	5/19/2023
tblLandUse	LandUseSquareFeet	243,000.00	243,303.00
tblLandUse	LotAcreage	5.58	7.08
tblLandUse	LotAcreage	0.62	0.79
tblLandUse	LotAcreage	2.69	1.53
tblLandUse	LotAcreage	3.70	3.68
tblTripsAndVMT	HaulingTripNumber	0.00	3.00
tblTripsAndVMT	HaulingTripNumber	0.00	38.00
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripNumber	0.00	5.00
tblTripsAndVMT	VendorTripNumber	0.00	5.00
tblTripsAndVMT	VendorTripNumber	90.00	25.00
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripNumber	15.00	18.00
tblTripsAndVMT	WorkerTripNumber	231.00	114.00
tblTripsAndVMT	WorkerTripNumber	46.00	23.00

2.0 Emissions Summary

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2023	3.4230	35.0214	29.1274	0.0670	19.9575	1.4301	21.2266	10.1832	1.3159	11.3509	0.0000	6,527.3925	6,527.3925	1.9586	0.1339	6,589.8803
2024	199.0264	14.8878	21.4861	0.0471	1.8398	0.6303	2.4701	0.4932	0.5929	1.0861	0.0000	4,661.6684	4,661.6684	0.7177	0.1301	4,716.6803
Maximum	**199.0264**	**35.0214**	**29.1274**	**0.0670**	**19.9575**	**1.4301**	**21.2266**	**10.1832**	**1.3159**	**11.3509**	**0.0000**	**6,527.3925**	**6,527.3925**	**1.9586**	**0.1339**	**6,589.8803**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2023	1.9118	51.7444	37.7988	0.0670	19.9575	1.3389	20.9068	10.1832	1.3386	11.1323	0.0000	6,527.3925	6,527.3925	1.9586	0.1339	6,589.8803
2024	198.9596	24.9984	23.1930	0.0471	1.8398	0.9205	2.7604	0.4932	0.9195	1.4128	0.0000	4,661.6684	4,661.6684	0.7177	0.1301	4,716.6803
Maximum	**198.9596**	**51.7444**	**37.7988**	**0.0670**	**19.9575**	**1.3389**	**20.9068**	**10.1832**	**1.3386**	**11.1323**	**0.0000**	**6,527.3925**	**6,527.3925**	**1.9586**	**0.1339**	**6,589.8803**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	0.78	-53.77	-20.51	0.00	0.00	-9.66	0.12	0.00	-18.31	-0.87	0.00	0.00	0.00	0.00	0.00	0.00

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	6.1661	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702
Energy	0.0557	0.5065	0.4255	3.0400e-003		0.0385	0.0385		0.0385	0.0385		607.8160	607.8160	0.0117	0.0111	611.4279
Mobile	1.6822	2.3048	17.9617	0.0417	4.3441	0.0310	4.3751	1.1586	0.0290	1.1876		4,350.2494	4,350.2494	0.2065	0.1869	4,411.0998
Total	**7.9041**	**2.8120**	**18.4615**	**0.0447**	**4.3441**	**0.0698**	**4.4138**	**1.1586**	**0.0678**	**1.2263**		**4,958.2251**	**4,958.2251**	**0.2186**	**0.1980**	**5,022.6978**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	6.1661	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702
Energy	0.0557	0.5065	0.4255	3.0400e-003		0.0385	0.0385		0.0385	0.0385		607.8160	607.8160	0.0117	0.0111	611.4279
Mobile	1.6822	2.3048	17.9617	0.0417	4.3441	0.0310	4.3751	1.1586	0.0290	1.1876		4,350.2494	4,350.2494	0.2065	0.1869	4,411.0998
Total	**7.9041**	**2.8120**	**18.4615**	**0.0447**	**4.3441**	**0.0698**	**4.4138**	**1.1586**	**0.0678**	**1.2263**		**4,958.2251**	**4,958.2251**	**0.2186**	**0.1980**	**5,022.6978**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	5/2/2023	5/18/2023	5	13	
2	Site Preparation	Site Preparation	5/19/2023	5/26/2023	5	6	
3	Grading	Grading	5/27/2023	6/22/2023	5	19	
4	Building Construction	Building Construction	6/23/2023	3/12/2024	5	188	
5	Paving	Paving	3/13/2024	3/29/2024	5	13	
6	Architectural Coating	Architectural Coating	3/30/2024	4/17/2024	5	13	

Acres of Grading (Site Preparation Phase): 9

Acres of Grading (Grading Phase): 57

Acres of Paving: 5.21

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 405,455; Non-Residential Outdoor: 135,152; Striped Parking Area: 16,836 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	7.00	231	0.29
Demolition	Excavators	3	8.00	158	0.38
Grading	Excavators	2	8.00	158	0.38

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Grading	Graders	1	8.00	187	0.41
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	18.00	0.00	3.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	5.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	5.00	38.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	114.00	25.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	23.00	0.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.2691	21.4844	19.6434	0.0388		0.9975	0.9975		0.9280	0.9280		3,746.9840	3,746.9840	1.0494		3,773.2183
Total	**2.2691**	**21.4844**	**19.6434**	**0.0388**		**0.9975**	**0.9975**		**0.9280**	**0.9280**		**3,746.9840**	**3,746.9840**	**1.0494**		**3,773.2183**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	5.6000e-004	0.0254	7.7300e-003	1.3000e-004	4.0400e-003	2.7000e-004	4.3100e-003	1.1100e-003	2.6000e-004	1.3600e-003		14.1270	14.1270	6.0000e-004	2.2400e-003	14.8094
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0807	0.0512	0.8336	2.2500e-003	0.2532	1.2300e-003	0.2544	0.0671	1.1300e-003	0.0683		230.5180	230.5180	5.0000e-003	5.1700e-003	232.1822
Total	**0.0812**	**0.0766**	**0.8413**	**2.3800e-003**	**0.2572**	**1.5000e-003**	**0.2587**	**0.0682**	**1.3900e-003**	**0.0696**		**244.6450**	**244.6450**	**5.6000e-003**	**7.4100e-003**	**246.9916**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.2617	32.6638	24.6739	0.0388		0.9135	0.9135		0.9135	0.9135	0.0000	3,746.9840	3,746.9840	1.0494		3,773.2183
Total	**1.2617**	**32.6638**	**24.6739**	**0.0388**		**0.9135**	**0.9135**		**0.9135**	**0.9135**	**0.0000**	**3,746.9840**	**3,746.9840**	**1.0494**		**3,773.2183**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	5.6000e-004	0.0254	7.7300e-003	1.3000e-004	4.0400e-003	2.7000e-004	4.3100e-003	1.1100e-003	2.6000e-004	1.3600e-003		14.1270	14.1270	6.0000e-004	2.2400e-003	14.8094
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0807	0.0512	0.8336	2.2500e-003	0.2532	1.2300e-003	0.2544	0.0671	1.1300e-003	0.0683		230.5180	230.5180	5.0000e-003	5.1700e-003	232.1822
Total	**0.0812**	**0.0766**	**0.8413**	**2.3800e-003**	**0.2572**	**1.5000e-003**	**0.2587**	**0.0682**	**1.3900e-003**	**0.0696**		**244.6450**	**244.6450**	**5.6000e-003**	**7.4100e-003**	**246.9916**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					19.6570	0.0000	19.6570	10.1025	0.0000	10.1025			0.0000			0.0000
Off-Road	2.6595	27.5242	18.2443	0.0381		1.2660	1.2660		1.1647	1.1647		3,687.3081	3,687.3081	1.1926		3,717.1219
Total	**2.6595**	**27.5242**	**18.2443**	**0.0381**	**19.6570**	**1.2660**	**20.9230**	**10.1025**	**1.1647**	**11.2672**		**3,687.3081**	**3,687.3081**	**1.1926**		**3,717.1219**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.7900e-003	0.2289	0.0830	1.2800e-003	0.0473	1.9300e-003	0.0492	0.0136	1.8500e-003	0.0155		137.3494	137.3494	3.5800e-003	0.0202	143.4684
Worker	0.0807	0.0512	0.8336	2.2500e-003	0.2532	1.2300e-003	0.2544	0.0671	1.1300e-003	0.0683		230.5180	230.5180	5.0000e-003	5.1700e-003	232.1822
Total	**0.0875**	**0.2801**	**0.9166**	**3.5300e-003**	**0.3005**	**3.1600e-003**	**0.3036**	**0.0807**	**2.9800e-003**	**0.0837**		**367.8673**	**367.8673**	**8.5800e-003**	**0.0254**	**375.6506**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					19.6570	0.0000	19.6570	10.1025	0.0000	10.1025			0.0000			0.0000
Off-Road	1.2097	33.7214	22.9600	0.0381		0.9462	0.9462		0.9462	0.9462	0.0000	3,687.3081	3,687.3081	1.1926		3,717.1219
Total	**1.2097**	**33.7214**	**22.9600**	**0.0381**	**19.6570**	**0.9462**	**20.6032**	**10.1025**	**0.9462**	**11.0486**	**0.0000**	**3,687.3081**	**3,687.3081**	**1.1926**		**3,717.1219**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.7900e-003	0.2289	0.0830	1.2800e-003	0.0473	1.9300e-003	0.0492	0.0136	1.8500e-003	0.0155		137.3494	137.3494	3.5800e-003	0.0202	143.4684
Worker	0.0807	0.0512	0.8336	2.2500e-003	0.2532	1.2300e-003	0.2544	0.0671	1.1300e-003	0.0683		230.5180	230.5180	5.0000e-003	5.1700e-003	232.1822
Total	**0.0875**	**0.2801**	**0.9166**	**3.5300e-003**	**0.3005**	**3.1600e-003**	**0.3036**	**0.0807**	**2.9800e-003**	**0.0837**		**367.8673**	**367.8673**	**8.5800e-003**	**0.0254**	**375.6506**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Grading - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					9.2036	0.0000	9.2036	3.6538	0.0000	3.6538			0.0000			0.0000
Off-Road	3.3217	34.5156	28.0512	0.0621		1.4245	1.4245		1.3105	1.3105		6,011.4777	6,011.4777	1.9442		6,060.0836
Total	**3.3217**	**34.5156**	**28.0512**	**0.0621**	**9.2036**	**1.4245**	**10.6281**	**3.6538**	**1.3105**	**4.9643**		**6,011.4777**	**6,011.4777**	**1.9442**		**6,060.0836**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	4.8200e-003	0.2200	0.0670	1.1200e-003	0.0350	2.3100e-003	0.0373	9.6000e-003	2.2100e-003	0.0118		122.4344	122.4344	5.2200e-003	0.0194	128.3481
Vendor	6.7900e-003	0.2289	0.0830	1.2800e-003	0.0473	1.9300e-003	0.0492	0.0136	1.8500e-003	0.0155		137.3494	137.3494	3.5800e-003	0.0202	143.4684
Worker	0.0896	0.0569	0.9262	2.5000e-003	0.2813	1.3700e-003	0.2827	0.0746	1.2600e-003	0.0759		256.1311	256.1311	5.5600e-003	5.7400e-003	257.9802
Total	**0.1012**	**0.5058**	**1.0762**	**4.9000e-003**	**0.3636**	**5.6100e-003**	**0.3692**	**0.0978**	**5.3200e-003**	**0.1031**		**515.9148**	**515.9148**	**0.0144**	**0.0454**	**529.7967**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Grading - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					9.2036	0.0000	9.2036	3.6538	0.0000	3.6538			0.0000			0.0000
Off-Road	1.8106	51.2386	36.7226	0.0621		1.3333	1.3333		1.3333	1.3333	0.0000	6,011.4777	6,011.4777	1.9442		6,060.0836
Total	**1.8106**	**51.2386**	**36.7226**	**0.0621**	**9.2036**	**1.3333**	**10.5369**	**3.6538**	**1.3333**	**4.9871**	**0.0000**	**6,011.4777**	**6,011.4777**	**1.9442**		**6,060.0836**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	4.8200e-003	0.2200	0.0670	1.1200e-003	0.0350	2.3100e-003	0.0373	9.6000e-003	2.2100e-003	0.0118		122.4344	122.4344	5.2200e-003	0.0194	128.3481
Vendor	6.7900e-003	0.2289	0.0830	1.2800e-003	0.0473	1.9300e-003	0.0492	0.0136	1.8500e-003	0.0155		137.3494	137.3494	3.5800e-003	0.0202	143.4684
Worker	0.0896	0.0569	0.9262	2.5000e-003	0.2813	1.3700e-003	0.2827	0.0746	1.2600e-003	0.0759		256.1311	256.1311	5.5600e-003	5.7400e-003	257.9802
Total	**0.1012**	**0.5058**	**1.0762**	**4.9000e-003**	**0.3636**	**5.6100e-003**	**0.3692**	**0.0978**	**5.3200e-003**	**0.1031**		**515.9148**	**515.9148**	**0.0144**	**0.0454**	**529.7967**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555.2099	2,555.2099	0.6079		2,570.4061
Total	**1.5728**	**14.3849**	**16.2440**	**0.0269**		**0.6997**	**0.6997**		**0.6584**	**0.6584**		**2,555.2099**	**2,555.2099**	**0.6079**		**2,570.4061**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0340	1.1446	0.4151	6.4000e-003	0.2365	9.6600e-003	0.2461	0.0681	9.2400e-003	0.0773		686.7469	686.7469	0.0179	0.1012	717.3418
Worker	0.5109	0.3244	5.2794	0.0143	1.6034	7.7800e-003	1.6111	0.4252	7.1600e-003	0.4323		1,459.9470	1,459.9470	0.0317	0.0327	1,470.4873
Total	**0.5449**	**1.4690**	**5.6945**	**0.0207**	**1.8398**	**0.0174**	**1.8573**	**0.4932**	**0.0164**	**0.5096**		**2,146.6939**	**2,146.6939**	**0.0496**	**0.1339**	**2,187.8291**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0809	23.5544	17.8738	0.0269		0.9036	0.9036		0.9036	0.9036	0.0000	2,555.2099	2,555.2099	0.6079		2,570.4061
Total	**1.0809**	**23.5544**	**17.8738**	**0.0269**		**0.9036**	**0.9036**		**0.9036**	**0.9036**	**0.0000**	**2,555.2099**	**2,555.2099**	**0.6079**		**2,570.4061**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0340	1.1446	0.4151	6.4000e-003	0.2365	9.6600e-003	0.2461	0.0681	9.2400e-003	0.0773		686.7469	686.7469	0.0179	0.1012	717.3418
Worker	0.5109	0.3244	5.2794	0.0143	1.6034	7.7800e-003	1.6111	0.4252	7.1600e-003	0.4323		1,459.9470	1,459.9470	0.0317	0.0327	1,470.4873
Total	**0.5449**	**1.4690**	**5.6945**	**0.0207**	**1.8398**	**0.0174**	**1.8573**	**0.4932**	**0.0164**	**0.5096**		**2,146.6939**	**2,146.6939**	**0.0496**	**0.1339**	**2,187.8291**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.4716	13.4438	16.1668	0.0270		0.6133	0.6133		0.5769	0.5769		2,555.6989	2,555.6989	0.6044		2,570.8077
Total	**1.4716**	**13.4438**	**16.1668**	**0.0270**		**0.6133**	**0.6133**		**0.5769**	**0.5769**		**2,555.6989**	**2,555.6989**	**0.6044**		**2,570.8077**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0331	1.1565	0.4072	6.3200e-003	0.2365	9.5100e-003	0.2460	0.0681	9.1000e-003	0.0772		677.3311	677.3311	0.0173	0.0998	707.4951
Worker	0.4749	0.2875	4.9121	0.0139	1.6034	7.4800e-003	1.6108	0.4252	6.8800e-003	0.4321		1,428.6384	1,428.6384	0.0286	0.0303	1,438.3775
Total	**0.5080**	**1.4440**	**5.3193**	**0.0202**	**1.8398**	**0.0170**	**1.8568**	**0.4932**	**0.0160**	**0.5092**		**2,105.9695**	**2,105.9695**	**0.0459**	**0.1301**	**2,145.8726**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0809	23.5544	17.8738	0.0270		0.9036	0.9036		0.9036	0.9036	0.0000	2,555.6989	2,555.6989	0.6044		2,570.8077
Total	**1.0809**	**23.5544**	**17.8738**	**0.0270**		**0.9036**	**0.9036**		**0.9036**	**0.9036**	**0.0000**	**2,555.6989**	**2,555.6989**	**0.6044**		**2,570.8077**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0331	1.1565	0.4072	6.3200e-003	0.2365	9.5100e-003	0.2460	0.0681	9.1000e-003	0.0772		677.3311	677.3311	0.0173	0.0998	707.4951
Worker	0.4749	0.2875	4.9121	0.0139	1.6034	7.4800e-003	1.6108	0.4252	6.8800e-003	0.4321		1,428.6384	1,428.6384	0.0286	0.0303	1,438.3775
Total	**0.5080**	**1.4440**	**5.3193**	**0.0202**	**1.8398**	**0.0170**	**1.8568**	**0.4932**	**0.0160**	**0.5092**		**2,105.9695**	**2,105.9695**	**0.0459**	**0.1301**	**2,145.8726**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310		2,207.5472	2,207.5472	0.7140		2,225.3963
Paving	1.0500					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**2.0382**	**9.5246**	**14.6258**	**0.0228**		**0.4685**	**0.4685**		**0.4310**	**0.4310**		**2,207.5472**	**2,207.5472**	**0.7140**		**2,225.3963**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0625	0.0378	0.6463	1.8200e-003	0.2110	9.8000e-004	0.2120	0.0559	9.1000e-004	0.0569		187.9787	187.9787	3.7600e-003	3.9800e-003	189.2602
Total	**0.0625**	**0.0378**	**0.6463**	**1.8200e-003**	**0.2110**	**9.8000e-004**	**0.2120**	**0.0559**	**9.1000e-004**	**0.0569**		**187.9787**	**187.9787**	**3.7600e-003**	**3.9800e-003**	**189.2602**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9311	20.1146	17.2957	0.0228		0.6670	0.6670		0.6670	0.6670	0.0000	2,207.5472	2,207.5472	0.7140		2,225.3963
Paving	1.0500					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**1.9811**	**20.1146**	**17.2957**	**0.0228**		**0.6670**	**0.6670**		**0.6670**	**0.6670**	**0.0000**	**2,207.5472**	**2,207.5472**	**0.7140**		**2,225.3963**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0625	0.0378	0.6463	1.8200e-003	0.2110	9.8000e-004	0.2120	0.0559	9.1000e-004	0.0569		187.9787	187.9787	3.7600e-003	3.9800e-003	189.2602
Total	**0.0625**	**0.0378**	**0.6463**	**1.8200e-003**	**0.2110**	**9.8000e-004**	**0.2120**	**0.0559**	**9.1000e-004**	**0.0569**		**187.9787**	**187.9787**	**3.7600e-003**	**3.9800e-003**	**189.2602**

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	198.7499					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443
Total	**198.9306**	**1.2188**	**1.8101**	**2.9700e-003**		**0.0609**	**0.0609**		**0.0609**	**0.0609**		**281.4481**	**281.4481**	**0.0159**		**281.8443**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0958	0.0580	0.9910	2.7900e-003	0.3235	1.5100e-003	0.3250	0.0858	1.3900e-003	0.0872		288.2341	288.2341	5.7700e-003	6.1100e-003	290.1990
Total	**0.0958**	**0.0580**	**0.9910**	**2.7900e-003**	**0.3235**	**1.5100e-003**	**0.3250**	**0.0858**	**1.3900e-003**	**0.0872**		**288.2341**	**288.2341**	**5.7700e-003**	**6.1100e-003**	**290.1990**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	198.7499					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1139	2.3524	1.8324	2.9700e-003		0.0951	0.0951		0.0951	0.0951	0.0000	281.4481	281.4481	0.0159		281.8443
Total	**198.8638**	**2.3524**	**1.8324**	**2.9700e-003**		**0.0951**	**0.0951**		**0.0951**	**0.0951**	**0.0000**	**281.4481**	**281.4481**	**0.0159**		**281.8443**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0958	0.0580	0.9910	2.7900e-003	0.3235	1.5100e-003	0.3250	0.0858	1.3900e-003	0.0872		288.2341	288.2341	5.7700e-003	6.1100e-003	290.1990
Total	**0.0958**	**0.0580**	**0.9910**	**2.7900e-003**	**0.3235**	**1.5100e-003**	**0.3250**	**0.0858**	**1.3900e-003**	**0.0872**		**288.2341**	**288.2341**	**5.7700e-003**	**6.1100e-003**	**290.1990**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.6822	2.3048	17.9617	0.0417	4.3441	0.0310	4.3751	1.1586	0.0290	1.1876		4,350.2494	4,350.2494	0.2065	0.1869	4,411.0998
Unmitigated	1.6822	2.3048	17.9617	0.0417	4.3441	0.0310	4.3751	1.1586	0.0290	1.1876		4,350.2494	4,350.2494	0.2065	0.1869	4,411.0998

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Other Asphalt Surfaces	0.00	0.00	0.00		
Parking Lot	0.00	0.00	0.00		
Refrigerated Warehouse-No Rail	57.24	57.24	57.24	245,314	245,314
Unrefrigerated Warehouse-No Rail	422.82	422.82	422.82	1,812,087	1,812,087
Total	480.06	480.06	480.06	2,057,401	2,057,401

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Other Asphalt Surfaces	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0
Parking Lot	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0
Refrigerated Warehouse-No	16.60	8.40	6.90	59.00	0.00	41.00	92	5	3

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Unrefrigerated Warehouse-No	16.60	8.40	6.90	59.00	0.00	41.00	92	5	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Other Asphalt Surfaces	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606
Parking Lot	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606
Refrigerated Warehouse-No Rail	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606
Unrefrigerated Warehouse-No Rail	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0557	0.5065	0.4255	3.0400e-003		0.0385	0.0385		0.0385	0.0385		607.8160	607.8160	0.0117	0.0111	611.4279
NaturalGas Unmitigated	0.0557	0.5065	0.4255	3.0400e-003		0.0385	0.0385		0.0385	0.0385		607.8160	607.8160	0.0117	0.0111	611.4279

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Refrigerated Warehouse-No Rail	3826.6	0.0413	0.3752	0.3151	2.2500e-003		0.0285	0.0285		0.0285	0.0285		450.1886	450.1886	8.6300e-003	8.2500e-003	452.8638
Unrefrigerated Warehouse-No Rail	1339.83	0.0145	0.1314	0.1103	7.9000e-004		9.9800e-003	9.9800e-003		9.9800e-003	9.9800e-003		157.6274	157.6274	3.0200e-003	2.8900e-003	158.5641
Total		**0.0557**	**0.5065**	**0.4255**	**3.0400e-003**		**0.0385**	**0.0385**		**0.0385**	**0.0385**		**607.8160**	**607.8160**	**0.0117**	**0.0111**	**611.4279**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Refrigerated Warehouse-No Rail	3.8266	0.0413	0.3752	0.3151	2.2500e-003		0.0285	0.0285		0.0285	0.0285		450.1886	450.1886	8.6300e-003	8.2500e-003	452.8638
Unrefrigerated Warehouse-No Rail	1.33983	0.0145	0.1314	0.1103	7.9000e-004		9.9800e-003	9.9800e-003		9.9800e-003	9.9800e-003		157.6274	157.6274	3.0200e-003	2.8900e-003	158.5641
Total		**0.0557**	**0.5065**	**0.4255**	**3.0400e-003**		**0.0385**	**0.0385**		**0.0385**	**0.0385**		**607.8160**	**607.8160**	**0.0117**	**0.0111**	**611.4279**

6.0 Area Detail

6.1 Mitigation Measures Area

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	6.1661	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702
Unmitigated	6.1661	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.7079					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	5.4514					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	6.8400e-003	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702
Total	**6.1661**	**6.7000e-004**	**0.0743**	**1.0000e-005**		**2.6000e-004**	**2.6000e-004**		**2.6000e-004**	**2.6000e-004**		**0.1598**	**0.1598**	**4.2000e-004**		**0.1702**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.7079					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	5.4514					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	6.8400e-003	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702
Total	**6.1661**	**6.7000e-004**	**0.0743**	**1.0000e-005**		**2.6000e-004**	**2.6000e-004**		**2.6000e-004**	**2.6000e-004**		**0.1598**	**0.1598**	**4.2000e-004**		**0.1702**

7.0 Water Detail

7.1 Mitigation Measures Water

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

IE Distribution Center #14 (Construction)

San Bernardino-South Coast County, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Unrefrigerated Warehouse-No Rail	243.00	1000sqft	7.08	243,303.00	0
Refrigerated Warehouse-No Rail	27.00	1000sqft	0.79	27,000.00	0
Parking Lot	299.00	Space	1.53	119,600.00	0
Other Asphalt Surfaces	161.00	1000sqft	3.68	161,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	32
Climate Zone	10			**Operational Year**	2025
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	390.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics - Consistent with DEIR's model.

Land Use - Consistent with DEIR's model.

Construction Phase - See SWAPE comment on "Unsubstantiated Changes to Individual Construction Phase Lengths"

Grading - Consistent with DEIR's model.

Trips and VMT - Consistent with DEIR's model.

Architectural Coating - See SWAPE Comment on "Unsubstantiated Changes to Architectural Coating Emission Factors"

Construction Off-road Equipment Mitigation - See SWAPE comment on "Incorrect Application of Tier 4 Interim Mitigation"

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Table Name	Column Name	Default Value	New Value
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	5.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	9.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblConstructionPhase	NumDays	20.00	13.00
tblConstructionPhase	NumDays	300.00	188.00
tblConstructionPhase	NumDays	20.00	13.00
tblConstructionPhase	NumDays	30.00	19.00
tblConstructionPhase	NumDays	20.00	13.00
tblConstructionPhase	NumDays	10.00	6.00
tblConstructionPhase	PhaseEndDate	11/11/2024	4/17/2024
tblConstructionPhase	PhaseEndDate	9/16/2024	3/12/2024
tblConstructionPhase	PhaseEndDate	5/29/2023	5/18/2023
tblConstructionPhase	PhaseEndDate	7/24/2023	6/22/2023
tblConstructionPhase	PhaseEndDate	10/14/2024	3/29/2024
tblConstructionPhase	PhaseEndDate	6/12/2023	5/26/2023
tblConstructionPhase	PhaseStartDate	10/15/2024	3/30/2024
tblConstructionPhase	PhaseStartDate	7/25/2023	6/23/2023
tblConstructionPhase	PhaseStartDate	6/13/2023	5/27/2023
tblConstructionPhase	PhaseStartDate	9/17/2024	3/13/2024
tblConstructionPhase	PhaseStartDate	5/30/2023	5/19/2023
tblLandUse	LandUseSquareFeet	243,000.00	243,303.00
tblLandUse	LotAcreage	5.58	7.08
tblLandUse	LotAcreage	0.62	0.79
tblLandUse	LotAcreage	2.69	1.53
tblLandUse	LotAcreage	3.70	3.68
tblTripsAndVMT	HaulingTripNumber	0.00	3.00
tblTripsAndVMT	HaulingTripNumber	0.00	38.00
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripLength	6.90	10.20

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblTripsAndVMT	VendorTripLength	6.90	10.20
tblTripsAndVMT	VendorTripNumber	0.00	5.00
tblTripsAndVMT	VendorTripNumber	0.00	5.00
tblTripsAndVMT	VendorTripNumber	90.00	25.00
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripLength	14.70	18.50
tblTripsAndVMT	WorkerTripNumber	15.00	18.00
tblTripsAndVMT	WorkerTripNumber	231.00	114.00
tblTripsAndVMT	WorkerTripNumber	46.00	23.00

2.0 Emissions Summary

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2023	3.4204	35.0486	28.9591	0.0668	19.9575	1.4301	21.2267	10.1832	1.3159	11.3509	0.0000	6,503.6563	6,503.6563	1.9585	0.1352	6,566.2175
2024	199.0247	14.9646	20.5895	0.0458	1.8398	0.6303	2.4701	0.4932	0.5929	1.0861	0.0000	4,528.3866	4,528.3866	0.7177	0.1312	4,583.7350
Maximum	**199.0247**	**35.0486**	**28.9591**	**0.0668**	**19.9575**	**1.4301**	**21.2267**	**10.1832**	**1.3159**	**11.3509**	**0.0000**	**6,503.6563**	**6,503.6563**	**1.9585**	**0.1352**	**6,566.2175**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2023	1.9093	51.7716	37.6305	0.0668	19.9575	1.3389	20.9068	10.1832	1.3386	11.1323	0.0000	6,503.6563	6,503.6563	1.9585	0.1352	6,566.2175
2024	198.9579	25.0753	22.2964	0.0458	1.8398	0.9206	2.7604	0.4932	0.9196	1.4128	0.0000	4,528.3866	4,528.3866	0.7177	0.1312	4,583.7350
Maximum	**198.9579**	**51.7716**	**37.6305**	**0.0668**	**19.9575**	**1.3389**	**20.9068**	**10.1832**	**1.3386**	**11.1323**	**0.0000**	**6,503.6563**	**6,503.6563**	**1.9585**	**0.1352**	**6,566.2175**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	0.78	-53.65	-20.95	0.00	0.00	-9.66	0.12	0.00	-18.31	-0.87	0.00	0.00	0.00	0.00	0.00	0.00

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	6.1661	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702
Energy	0.0557	0.5065	0.4255	3.0400e-003		0.0385	0.0385		0.0385	0.0385		607.8160	607.8160	0.0117	0.0111	611.4279
Mobile	1.4842	2.4487	15.9232	0.0386	4.3441	0.0310	4.3751	1.1586	0.0290	1.1876		4,035.0170	4,035.0170	0.2097	0.1913	4,097.2745
Total	**7.7060**	**2.9559**	**16.4230**	**0.0417**	**4.3441**	**0.0698**	**4.4138**	**1.1586**	**0.0678**	**1.2264**		**4,642.9927**	**4,642.9927**	**0.2217**	**0.2025**	**4,708.8726**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	6.1661	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702
Energy	0.0557	0.5065	0.4255	3.0400e-003		0.0385	0.0385		0.0385	0.0385		607.8160	607.8160	0.0117	0.0111	611.4279
Mobile	1.4842	2.4487	15.9232	0.0386	4.3441	0.0310	4.3751	1.1586	0.0290	1.1876		4,035.0170	4,035.0170	0.2097	0.1913	4,097.2745
Total	**7.7060**	**2.9559**	**16.4230**	**0.0417**	**4.3441**	**0.0698**	**4.4138**	**1.1586**	**0.0678**	**1.2264**		**4,642.9927**	**4,642.9927**	**0.2217**	**0.2025**	**4,708.8726**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	5/2/2023	5/18/2023	5	13	
2	Site Preparation	Site Preparation	5/19/2023	5/26/2023	5	6	
3	Grading	Grading	5/27/2023	6/22/2023	5	19	
4	Building Construction	Building Construction	6/23/2023	3/12/2024	5	188	
5	Paving	Paving	3/13/2024	3/29/2024	5	13	
6	Architectural Coating	Architectural Coating	3/30/2024	4/17/2024	5	13	

Acres of Grading (Site Preparation Phase): 9

Acres of Grading (Grading Phase): 57

Acres of Paving: 5.21

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 405,455; Non-Residential Outdoor: 135,152; Striped Parking Area: 16,836 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	7.00	231	0.29
Demolition	Excavators	3	8.00	158	0.38
Grading	Excavators	2	8.00	158	0.38

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Grading	Graders	1	8.00	187	0.41
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	18.00	0.00	3.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	5.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	5.00	38.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	114.00	25.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	23.00	0.00	0.00	18.50	10.20	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.2691	21.4844	19.6434	0.0388		0.9975	0.9975		0.9280	0.9280		3,746.9840	3,746.9840	1.0494		3,773.2183
Total	**2.2691**	**21.4844**	**19.6434**	**0.0388**		**0.9975**	**0.9975**		**0.9280**	**0.9280**		**3,746.9840**	**3,746.9840**	**1.0494**		**3,773.2183**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	5.1000e-004	0.0268	7.8700e-003	1.3000e-004	4.0400e-003	2.7000e-004	4.3100e-003	1.1100e-003	2.6000e-004	1.3600e-003		14.1484	14.1484	6.0000e-004	2.2400e-003	14.8317
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0790	0.0538	0.6790	2.0400e-003	0.2532	1.2300e-003	0.2544	0.0671	1.1300e-003	0.0683		208.7797	208.7797	4.9200e-003	5.3300e-003	210.4905
Total	**0.0795**	**0.0806**	**0.6869**	**2.1700e-003**	**0.2572**	**1.5000e-003**	**0.2587**	**0.0682**	**1.3900e-003**	**0.0696**		**222.9281**	**222.9281**	**5.5200e-003**	**7.5700e-003**	**225.3221**

IE Distribution Center #14 (Construction) - San Bernardino-South Coast County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.2617	32.6638	24.6739	0.0388		0.9135	0.9135		0.9135	0.9135	0.0000	3,746.9840	3,746.9840	1.0494		3,773.2183
Total	**1.2617**	**32.6638**	**24.6739**	**0.0388**		**0.9135**	**0.9135**		**0.9135**	**0.9135**	**0.0000**	**3,746.9840**	**3,746.9840**	**1.0494**		**3,773.2183**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	5.1000e-004	0.0268	7.8700e-003	1.3000e-004	4.0400e-003	2.7000e-004	4.3100e-003	1.1100e-003	2.6000e-004	1.3600e-003		14.1484	14.1484	6.0000e-004	2.2400e-003	14.8317
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0790	0.0538	0.6790	2.0400e-003	0.2532	1.2300e-003	0.2544	0.0671	1.1300e-003	0.0683		208.7797	208.7797	4.9200e-003	5.3300e-003	210.4905
Total	**0.0795**	**0.0806**	**0.6869**	**2.1700e-003**	**0.2572**	**1.5000e-003**	**0.2587**	**0.0682**	**1.3900e-003**	**0.0696**		**222.9281**	**222.9281**	**5.5200e-003**	**7.5700e-003**	**225.3221**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					19.6570	0.0000	19.6570	10.1025	0.0000	10.1025			0.0000			0.0000
Off-Road	2.6595	27.5242	18.2443	0.0381		1.2660	1.2660		1.1647	1.1647		3,687.3081	3,687.3081	1.1926		3,717.1219
Total	**2.6595**	**27.5242**	**18.2443**	**0.0381**	**19.6570**	**1.2660**	**20.9230**	**10.1025**	**1.1647**	**11.2672**		**3,687.3081**	**3,687.3081**	**1.1926**		**3,717.1219**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.4100e-003	0.2413	0.0852	1.2800e-003	0.0473	1.9400e-003	0.0492	0.0136	1.8500e-003	0.0155		137.5820	137.5820	3.5600e-003	0.0203	143.7145
Worker	0.0790	0.0538	0.6790	2.0400e-003	0.2532	1.2300e-003	0.2544	0.0671	1.1300e-003	0.0683		208.7797	208.7797	4.9200e-003	5.3300e-003	210.4905
Total	**0.0854**	**0.2951**	**0.7643**	**3.3200e-003**	**0.3005**	**3.1700e-003**	**0.3036**	**0.0807**	**2.9800e-003**	**0.0837**		**346.3617**	**346.3617**	**8.4800e-003**	**0.0256**	**354.2050**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					19.6570	0.0000	19.6570	10.1025	0.0000	10.1025			0.0000			0.0000
Off-Road	1.2097	33.7214	22.9600	0.0381		0.9462	0.9462		0.9462	0.9462	0.0000	3,687.3081	3,687.3081	1.1926		3,717.1219
Total	**1.2097**	**33.7214**	**22.9600**	**0.0381**	**19.6570**	**0.9462**	**20.6032**	**10.1025**	**0.9462**	**11.0486**	**0.0000**	**3,687.3081**	**3,687.3081**	**1.1926**		**3,717.1219**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.4100e-003	0.2413	0.0852	1.2800e-003	0.0473	1.9400e-003	0.0492	0.0136	1.8500e-003	0.0155		137.5820	137.5820	3.5600e-003	0.0203	143.7145
Worker	0.0790	0.0538	0.6790	2.0400e-003	0.2532	1.2300e-003	0.2544	0.0671	1.1300e-003	0.0683		208.7797	208.7797	4.9200e-003	5.3300e-003	210.4905
Total	**0.0854**	**0.2951**	**0.7643**	**3.3200e-003**	**0.3005**	**3.1700e-003**	**0.3036**	**0.0807**	**2.9800e-003**	**0.0837**		**346.3617**	**346.3617**	**8.4800e-003**	**0.0256**	**354.2050**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Grading - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					9.2036	0.0000	9.2036	3.6538	0.0000	3.6538			0.0000			0.0000
Off-Road	3.3217	34.5156	28.0512	0.0621		1.4245	1.4245		1.3105	1.3105		6,011.4777	6,011.4777	1.9442		6,060.0836
Total	**3.3217**	**34.5156**	**28.0512**	**0.0621**	**9.2036**	**1.4245**	**10.6281**	**3.6538**	**1.3105**	**4.9643**		**6,011.4777**	**6,011.4777**	**1.9442**		**6,060.0836**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	4.4600e-003	0.2319	0.0682	1.1300e-003	0.0350	2.3200e-003	0.0373	9.6000e-003	2.2200e-003	0.0118		122.6191	122.6191	5.2100e-003	0.0194	128.5411
Vendor	6.4100e-003	0.2413	0.0852	1.2800e-003	0.0473	1.9400e-003	0.0492	0.0136	1.8500e-003	0.0155		137.5820	137.5820	3.5600e-003	0.0203	143.7145
Worker	0.0878	0.0598	0.7545	2.2700e-003	0.2813	1.3700e-003	0.2827	0.0746	1.2600e-003	0.0759		231.9775	231.9775	5.4700e-003	5.9200e-003	233.8783
Total	**0.0987**	**0.5330**	**0.9079**	**4.6800e-003**	**0.3636**	**5.6300e-003**	**0.3692**	**0.0978**	**5.3300e-003**	**0.1031**		**492.1786**	**492.1786**	**0.0142**	**0.0456**	**506.1339**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Grading - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					9.2036	0.0000	9.2036	3.6538	0.0000	3.6538			0.0000			0.0000
Off-Road	1.8106	51.2386	36.7226	0.0621		1.3333	1.3333		1.3333	1.3333	0.0000	6,011.4777	6,011.4777	1.9442		6,060.0836
Total	**1.8106**	**51.2386**	**36.7226**	**0.0621**	**9.2036**	**1.3333**	**10.5369**	**3.6538**	**1.3333**	**4.9871**	**0.0000**	**6,011.4777**	**6,011.4777**	**1.9442**		**6,060.0836**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	4.4600e-003	0.2319	0.0682	1.1300e-003	0.0350	2.3200e-003	0.0373	9.6000e-003	2.2200e-003	0.0118		122.6191	122.6191	5.2100e-003	0.0194	128.5411
Vendor	6.4100e-003	0.2413	0.0852	1.2800e-003	0.0473	1.9400e-003	0.0492	0.0136	1.8500e-003	0.0155		137.5820	137.5820	3.5600e-003	0.0203	143.7145
Worker	0.0878	0.0598	0.7545	2.2700e-003	0.2813	1.3700e-003	0.2827	0.0746	1.2600e-003	0.0759		231.9775	231.9775	5.4700e-003	5.9200e-003	233.8783
Total	**0.0987**	**0.5330**	**0.9079**	**4.6800e-003**	**0.3636**	**5.6300e-003**	**0.3692**	**0.0978**	**5.3300e-003**	**0.1031**		**492.1786**	**492.1786**	**0.0142**	**0.0456**	**506.1339**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555.2099	2,555.2099	0.6079		2,570.4061
Total	**1.5728**	**14.3849**	**16.2440**	**0.0269**		**0.6997**	**0.6997**		**0.6584**	**0.6584**		**2,555.2099**	**2,555.2099**	**0.6079**		**2,570.4061**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0320	1.2065	0.4261	6.4100e-003	0.2365	9.6800e-003	0.2461	0.0681	9.2600e-003	0.0773		687.9099	687.9099	0.0178	0.1014	718.5725
Worker	0.5004	0.3410	4.3005	0.0129	1.6034	7.7800e-003	1.6111	0.4252	7.1600e-003	0.4323		1,322.2715	1,322.2715	0.0312	0.0338	1,333.1063
Total	**0.5325**	**1.5475**	**4.7266**	**0.0193**	**1.8398**	**0.0175**	**1.8573**	**0.4932**	**0.0164**	**0.5097**		**2,010.1814**	**2,010.1814**	**0.0489**	**0.1352**	**2,051.6787**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0809	23.5544	17.8738	0.0269		0.9036	0.9036		0.9036	0.9036	0.0000	2,555.2099	2,555.2099	0.6079		2,570.4061
Total	**1.0809**	**23.5544**	**17.8738**	**0.0269**		**0.9036**	**0.9036**		**0.9036**	**0.9036**	**0.0000**	**2,555.2099**	**2,555.2099**	**0.6079**		**2,570.4061**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0320	1.2065	0.4261	6.4100e-003	0.2365	9.6800e-003	0.2461	0.0681	9.2600e-003	0.0773		687.9099	687.9099	0.0178	0.1014	718.5725
Worker	0.5004	0.3410	4.3005	0.0129	1.6034	7.7800e-003	1.6111	0.4252	7.1600e-003	0.4323		1,322.2715	1,322.2715	0.0312	0.0338	1,333.1063
Total	**0.5325**	**1.5475**	**4.7266**	**0.0193**	**1.8398**	**0.0175**	**1.8573**	**0.4932**	**0.0164**	**0.5097**		**2,010.1814**	**2,010.1814**	**0.0489**	**0.1352**	**2,051.6787**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.4716	13.4438	16.1668	0.0270		0.6133	0.6133		0.5769	0.5769		2,555.6989	2,555.6989	0.6044		2,570.8077
Total	**1.4716**	**13.4438**	**16.1668**	**0.0270**		**0.6133**	**0.6133**		**0.5769**	**0.5769**		**2,555.6989**	**2,555.6989**	**0.6044**		**2,570.8077**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0311	1.2188	0.4182	6.3300e-003	0.2365	9.5300e-003	0.2460	0.0681	9.1200e-003	0.0772		678.4871	678.4871	0.0172	0.1000	708.7168
Worker	0.4665	0.3021	4.0044	0.0126	1.6034	7.4800e-003	1.6108	0.4252	6.8800e-003	0.4321		1,294.2005	1,294.2005	0.0282	0.0312	1,304.2105
Total	**0.4976**	**1.5209**	**4.4226**	**0.0189**	**1.8398**	**0.0170**	**1.8568**	**0.4932**	**0.0160**	**0.5092**		**1,972.6877**	**1,972.6877**	**0.0454**	**0.1312**	**2,012.9273**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0809	23.5544	17.8738	0.0270		0.9036	0.9036		0.9036	0.9036	0.0000	2,555.6989	2,555.6989	0.6044		2,570.8077
Total	**1.0809**	**23.5544**	**17.8738**	**0.0270**		**0.9036**	**0.9036**		**0.9036**	**0.9036**	**0.0000**	**2,555.6989**	**2,555.6989**	**0.6044**		**2,570.8077**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0311	1.2188	0.4182	6.3300e-003	0.2365	9.5300e-003	0.2460	0.0681	9.1200e-003	0.0772		678.4871	678.4871	0.0172	0.1000	708.7168
Worker	0.4665	0.3021	4.0044	0.0126	1.6034	7.4800e-003	1.6108	0.4252	6.8800e-003	0.4321		1,294.2005	1,294.2005	0.0282	0.0312	1,304.2105
Total	**0.4976**	**1.5209**	**4.4226**	**0.0189**	**1.8398**	**0.0170**	**1.8568**	**0.4932**	**0.0160**	**0.5092**		**1,972.6877**	**1,972.6877**	**0.0454**	**0.1312**	**2,012.9273**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310		2,207.5472	2,207.5472	0.7140		2,225.3963
Paving	1.0500					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**2.0382**	**9.5246**	**14.6258**	**0.0228**		**0.4685**	**0.4685**		**0.4310**	**0.4310**		**2,207.5472**	**2,207.5472**	**0.7140**		**2,225.3963**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0614	0.0397	0.5269	1.6500e-003	0.2110	9.8000e-004	0.2120	0.0559	9.1000e-004	0.0569		170.2895	170.2895	3.7100e-003	4.1100e-003	171.6067
Total	**0.0614**	**0.0397**	**0.5269**	**1.6500e-003**	**0.2110**	**9.8000e-004**	**0.2120**	**0.0559**	**9.1000e-004**	**0.0569**		**170.2895**	**170.2895**	**3.7100e-003**	**4.1100e-003**	**171.6067**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9311	20.1146	17.2957	0.0228		0.6670	0.6670		0.6670	0.6670	0.0000	2,207.5472	2,207.5472	0.7140		2,225.3963
Paving	1.0500					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**1.9811**	**20.1146**	**17.2957**	**0.0228**		**0.6670**	**0.6670**		**0.6670**	**0.6670**	**0.0000**	**2,207.5472**	**2,207.5472**	**0.7140**		**2,225.3963**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0614	0.0397	0.5269	1.6500e-003	0.2110	9.8000e-004	0.2120	0.0559	9.1000e-004	0.0569		170.2895	170.2895	3.7100e-003	4.1100e-003	171.6067
Total	**0.0614**	**0.0397**	**0.5269**	**1.6500e-003**	**0.2110**	**9.8000e-004**	**0.2120**	**0.0559**	**9.1000e-004**	**0.0569**		**170.2895**	**170.2895**	**3.7100e-003**	**4.1100e-003**	**171.6067**

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	198.7499					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443
Total	**198.9306**	**1.2188**	**1.8101**	**2.9700e-003**		**0.0609**	**0.0609**		**0.0609**	**0.0609**		**281.4481**	**281.4481**	**0.0159**		**281.8443**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0941	0.0609	0.8079	2.5300e-003	0.3235	1.5100e-003	0.3250	0.0858	1.3900e-003	0.0872		261.1106	261.1106	5.6900e-003	6.3000e-003	263.1302
Total	**0.0941**	**0.0609**	**0.8079**	**2.5300e-003**	**0.3235**	**1.5100e-003**	**0.3250**	**0.0858**	**1.3900e-003**	**0.0872**		**261.1106**	**261.1106**	**5.6900e-003**	**6.3000e-003**	**263.1302**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	198.7499					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1139	2.3524	1.8324	2.9700e-003		0.0951	0.0951		0.0951	0.0951	0.0000	281.4481	281.4481	0.0159		281.8443
Total	**198.8638**	**2.3524**	**1.8324**	**2.9700e-003**		**0.0951**	**0.0951**		**0.0951**	**0.0951**	**0.0000**	**281.4481**	**281.4481**	**0.0159**		**281.8443**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0941	0.0609	0.8079	2.5300e-003	0.3235	1.5100e-003	0.3250	0.0858	1.3900e-003	0.0872		261.1106	261.1106	5.6900e-003	6.3000e-003	263.1302
Total	**0.0941**	**0.0609**	**0.8079**	**2.5300e-003**	**0.3235**	**1.5100e-003**	**0.3250**	**0.0858**	**1.3900e-003**	**0.0872**		**261.1106**	**261.1106**	**5.6900e-003**	**6.3000e-003**	**263.1302**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.4842	2.4487	15.9232	0.0386	4.3441	0.0310	4.3751	1.1586	0.0290	1.1876		4,035.0170	4,035.0170	0.2097	0.1913	4,097.2745
Unmitigated	1.4842	2.4487	15.9232	0.0386	4.3441	0.0310	4.3751	1.1586	0.0290	1.1876		4,035.0170	4,035.0170	0.2097	0.1913	4,097.2745

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Other Asphalt Surfaces	0.00	0.00	0.00		
Parking Lot	0.00	0.00	0.00		
Refrigerated Warehouse-No Rail	57.24	57.24	57.24	245,314	245,314
Unrefrigerated Warehouse-No Rail	422.82	422.82	422.82	1,812,087	1,812,087
Total	480.06	480.06	480.06	2,057,401	2,057,401

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Other Asphalt Surfaces	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0
Parking Lot	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0
Refrigerated Warehouse-No	16.60	8.40	6.90	59.00	0.00	41.00	92	5	3

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Unrefrigerated Warehouse-No	16.60	8.40	6.90	59.00	0.00	41.00	92	5	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Other Asphalt Surfaces	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606
Parking Lot	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606
Refrigerated Warehouse-No Rail	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606
Unrefrigerated Warehouse-No Rail	0.543085	0.056300	0.173085	0.134258	0.025645	0.007009	0.011926	0.017481	0.000552	0.000248	0.024848	0.000956	0.004606

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0557	0.5065	0.4255	3.0400e-003		0.0385	0.0385		0.0385	0.0385		607.8160	607.8160	0.0117	0.0111	611.4279
NaturalGas Unmitigated	0.0557	0.5065	0.4255	3.0400e-003		0.0385	0.0385		0.0385	0.0385		607.8160	607.8160	0.0117	0.0111	611.4279

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Refrigerated Warehouse-No Rail	3826.6	0.0413	0.3752	0.3151	2.2500e-003		0.0285	0.0285		0.0285	0.0285		450.1886	450.1886	8.6300e-003	8.2500e-003	452.8638
Unrefrigerated Warehouse-No Rail	1339.83	0.0145	0.1314	0.1103	7.9000e-004		9.9800e-003	9.9800e-003		9.9800e-003	9.9800e-003		157.6274	157.6274	3.0200e-003	2.8900e-003	158.5641
Total		**0.0557**	**0.5065**	**0.4255**	**3.0400e-003**		**0.0385**	**0.0385**		**0.0385**	**0.0385**		**607.8160**	**607.8160**	**0.0117**	**0.0111**	**611.4279**

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Refrigerated Warehouse-No Rail	3.8266	0.0413	0.3752	0.3151	2.2500e-003		0.0285	0.0285		0.0285	0.0285		450.1886	450.1886	8.6300e-003	8.2500e-003	452.8638
Unrefrigerated Warehouse-No Rail	1.33983	0.0145	0.1314	0.1103	7.9000e-004		9.9800e-003	9.9800e-003		9.9800e-003	9.9800e-003		157.6274	157.6274	3.0200e-003	2.8900e-003	158.5641
Total		**0.0557**	**0.5065**	**0.4255**	**3.0400e-003**		**0.0385**	**0.0385**		**0.0385**	**0.0385**		**607.8160**	**607.8160**	**0.0117**	**0.0111**	**611.4279**

6.0 Area Detail

6.1 Mitigation Measures Area

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	6.1661	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702
Unmitigated	6.1661	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.7079					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	5.4514					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	6.8400e-003	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702
Total	**6.1661**	**6.7000e-004**	**0.0743**	**1.0000e-005**		**2.6000e-004**	**2.6000e-004**		**2.6000e-004**	**2.6000e-004**		**0.1598**	**0.1598**	**4.2000e-004**		**0.1702**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.7079					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	5.4514					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	6.8400e-003	6.7000e-004	0.0743	1.0000e-005		2.6000e-004	2.6000e-004		2.6000e-004	2.6000e-004		0.1598	0.1598	4.2000e-004		0.1702
Total	**6.1661**	**6.7000e-004**	**0.0743**	**1.0000e-005**		**2.6000e-004**	**2.6000e-004**		**2.6000e-004**	**2.6000e-004**		**0.1598**	**0.1598**	**4.2000e-004**		**0.1702**

7.0 Water Detail

7.1 Mitigation Measures Water

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Geologic and Hydrogeologic Characterization
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
Industrial Stormwater Compliance
CEQA Review

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) and directed efforts to improve hydrogeologic characterization and water quality monitoring. For the past 15 years, as a founding partner with SWAPE, Matt has developed extensive client relationships and has managed complex projects that include consultation as an expert witness and a regulatory specialist, and a manager of projects ranging from industrial stormwater compliance to CEQA review of impacts from hazardous waste, air quality and greenhouse gas emissions.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2104, 2017;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of over 300 environmental impact reports and negative declarations since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at more than 100 industrial facilities.
- Expert witness on numerous cases including, for example, perfluorooctanoic acid (PFOA) contamination of groundwater, MTBE litigation, air toxins at hazards at a school, CERCLA compliance in assessment and remediation, and industrial stormwater contamination.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.
- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted

public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9.

Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific

principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt is currently a part time geology instructor at Golden West College in Huntington Beach, California where he taught from 2010 to 2014 and in 2017.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Coloradao.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal repesentatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F**. 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examinations, 2009-2011.

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Paul Rosenfeld, Ph.D.

Chemical Fate and Transport & Air Dispersion Modeling

Principal Environmental Chemist

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Focus on wastewater treatment.

Professional Experience

Dr. Rosenfeld has over 25 years of experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, industrial, military and agricultural sources, unconventional oil drilling operations, and locomotive and construction engines. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities. Dr. Rosenfeld has also successfully modeled exposure to contaminants distributed by water systems and via vapor intrusion.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, creosote, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at sites and has testified as an expert witness on numerous cases involving exposure to soil, water and air contaminants from industrial, railroad, agricultural, and military sources.

Professional History:

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner
UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)
UCLA School of Public Health; 2003 to 2006; Adjunct Professor
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
UCLA Institute of the Environment, 2001-2002; Research Associate
Komex H_2O Science, 2001 to 2003; Senior Remediation Scientist
National Groundwater Association, 2002-2004; Lecturer
San Diego State University, 1999-2001; Adjunct Professor
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor
King County, Seattle, 1996 – 1999; Scientist
James River Corp., Washington, 1995-96; Scientist
Big Creek Lumber, Davenport, California, 1995; Scientist
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist

Publications:

Rosenfeld P. E., Spaeth K., Hallman R., Bressler R., Smith, G., (2022) Cancer Risk and Diesel Exhaust Exposure Among Railroad Workers. *Water Air Soil Pollution.* **233,** 171.

Remy, L.L., Clay T., Byers, V., **Rosenfeld P. E.** (2019) Hospital, Health, and Community Burden After Oil Refinery Fires, Richmond, California 2007 and 2012. *Environmental Health.* 18:48

Simons, R.A., Seo, Y. **Rosenfeld, P**., (2015) Modeling the Effect of Refinery Emission On Residential Property Value. Journal of Real Estate Research. 27(3):321-342

Chen, J. A, Zapata A. R., Sutherland A. J., Molmen, D.R., Chow, B. S., Wu, L. E., **Rosenfeld, P. E.,** Hesse, R. C., (2012) Sulfur Dioxide and Volatile Organic Compound Exposure To A Community In Texas City Texas Evaluated Using Aermod and Empirical Data. *American Journal of Environmental Science*, 8(6), 622-632.

Rosenfeld, P.E. & Feng, L. (2011). *The Risks of Hazardous Waste.* Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2011). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Agrochemical Industry*, Amsterdam: Elsevier Publishing.

Gonzalez, J., Feng, L., Sutherland, A., Waller, C., Sok, H., Hesse, R., **Rosenfeld, P.** (2010). PCBs and Dioxins/Furans in Attic Dust Collected Near Former PCB Production and Secondary Copper Facilities in Sauget, IL. *Procedia Environmental Sciences*. 113–125.

Feng, L., Wu, C., Tam, L., Sutherland, A.J., Clark, J.J., **Rosenfeld, P.E.** (2010). Dioxin and Furan Blood Lipid and Attic Dust Concentrations in Populations Living Near Four Wood Treatment Facilities in the United States. *Journal of Environmental Health*. 73(6), 34-46.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2010). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Wood and Paper Industries.* Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2009). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Petroleum Industry*. Amsterdam: Elsevier Publishing.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. *WIT Transactions on Ecology and the Environment, Air Pollution,* 123 (17), 319-327.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. *Organohalogen Compounds*, 70, 002252-002255.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. *Organohalogen Compounds*, 70, 000527-000530.

Hensley, A.R. A. Scott, J. J. J. Clark, **Rosenfeld, P.E.** (2007). Attic Dust and Human Blood Samples Collected near a Former Wood Treatment Facility. *Environmental Research*. 105, 194-197.

Rosenfeld, P.E., J. J. J. Clark, A. R. Hensley, M. Suffet. (2007). The Use of an Odor Wheel Classification for Evaluation of Human Health Risk Criteria for Compost Facilities. *Water Science & Technology* 55(5), 345-357.

Rosenfeld, P. E., M. Suffet. (2007). The Anatomy Of Odour Wheels For Odours Of Drinking Water, Wastewater, Compost And The Urban Environment. *Water Science & Technology* 55(5), 335-344.

Sullivan, P. J. Clark, J.J.J., Agardy, F. J., **Rosenfeld, P.E.** (2007). *Toxic Legacy, Synthetic Toxins in the Food, Water, and Air in American Cities.* Boston Massachusetts: Elsevier Publishing

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*. 49(9),171-178.

Rosenfeld P. E., J.J. Clark, I.H. (Mel) Suffet (2004). The Value of An Odor-Quality-Wheel Classification Scheme For The Urban Environment. *Water Environment Federation's Technical Exhibition and Conference (WEFTEC) 2004.* New Orleans, October 2-6, 2004.

Rosenfeld, P.E., and Suffet, I.H. (2004). Understanding Odorants Associated With Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*. 49(9), 193-199.

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash, *Water Science and Technology*, 49(9), 171-178.

Rosenfeld, P. E., Grey, M. A., Sellew, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*. 76(4), 310-315.

Rosenfeld, P.E., Grey, M and Suffet, M. (2002). Compost Demonstration Project, Sacramento California Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Integrated Waste Management Board Public Affairs Office*, Publications Clearinghouse (MS–6), Sacramento, CA Publication #442-02-008.

Rosenfeld, P.E., and C.L. Henry. (2001). Characterization of odor emissions from three different biosolids. *Water Soil and Air Pollution*. 127(1-4), 173-191.

Rosenfeld, P.E., and Henry C. L., (2000). Wood ash control of odor emissions from biosolids application. *Journal of Environmental Quality.* 29, 1662-1668.

Rosenfeld, P.E., C.L. Henry and D. Bennett. (2001). Wastewater dewatering polymer affect on biosolids odor emissions and microbial activity. *Water Environment Research*. 73(4), 363-367.

Rosenfeld, P.E., and C.L. Henry. (2001). Activated Carbon and Wood Ash Sorption of Wastewater, Compost, and Biosolids Odorants. *Water Environment Research*, 73, 388-393.

Rosenfeld, P.E., and Henry C. L., (2001). High carbon wood ash effect on biosolids microbial activity and odor. *Water Environment Research*. 131(1-4), 247-262.

Chollack, T. and **P. Rosenfeld. (**1998). Compost Amendment Handbook For Landscaping. Prepared for and distributed by the City of Redmond, Washington State.

Rosenfeld, P. E. (1992). The Mount Liamuiga Crater Trail. *Heritage Magazine of St. Kitts*, 3(2).

Rosenfeld, P. E. (1993). High School Biogas Project to Prevent Deforestation On St. Kitts. *Biomass Users Network*, 7(1).

Rosenfeld, P. E. (1998). Characterization, Quantification, and Control of Odor Emissions From Biosolids Application To Forest Soil. Doctoral Thesis. University of Washington College of Forest Resources.

Rosenfeld, P. E. (1994). Potential Utilization of Small Diameter Trees on Sierra County Public Land. Masters thesis reprinted by the Sierra County Economic Council. Sierra County, California.

Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

Presentations:

Rosenfeld, P.E., "The science for Perfluorinated Chemicals (PFAS): What makes remediation so hard?" Law Seminars International, (May 9-10, 2018) 800 Fifth Avenue, Suite 101 Seattle, WA.

Rosenfeld, P.E., Sutherland, A; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society.* Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Feng, L.; Gonzalez, J.; Sok, H.L.; Sutherland, A.J.; Waller, C.C.; Wisdom-Stack, T.; Sahai, R.K.; La, M.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Bringing Environmental Justice to East St. Louis, Illinois. *Urban Environmental Pollution.* Lecture conducted from Boston, MA.

Rosenfeld, P.E. (April 19-23, 2009). Perfluoroctanoic Acid (PFOA) and Perfluoroactane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*, Lecture conducted from Tuscon, AZ.

Rosenfeld, P.E. (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States" Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (20-22 July, 2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

Rosenfeld, P. E. (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23rd Annual International Conferences on Soils Sediment and Water.* Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. The *23rd Annual International Conferences on Soils Sediment and Water*. Lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florala, Alabama. *The AEHS Annual Meeting.* Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition.* Lecture conducted from Boston Massachusetts.

Paul Rosenfeld Ph.D. (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's C8/PFOA. *Science, Risk & Litigation Conference.* Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, *Toxicology and Remediation PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference.* Lecture conducted from Hilton Hotel in Irvine, California.

Paul Rosenfeld Ph.D. (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference.* Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics: Focus On Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water And Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference.* Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D. (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.

Paul Rosenfeld, Ph.D. (April 7, 2004). A National Damage Assessment Model For PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

Rosenfeld, P. E., Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants*.. Lecture conducted from Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

Paul Rosenfeld, Ph.D. (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington..

Rosenfeld, P.E. and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conferenc*e. Lecture conducted from Indianapolis, Maryland.

Rosenfeld. P.E. (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation.* Lecture conducted from Anaheim California.

Rosenfeld. P.E. (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest.* Lecture conducted from Ocean Shores, California.

Rosenfeld, P.E. (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell.* Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest.* Lecture conducted from Lake Chelan, Washington.

Rosenfeld, P.E, C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

Teaching Experience:

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focused on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded:

California Integrated Waste Management Board. $41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: $10,000 grant awarded to San Diego State University.
Goal: investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. $100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. $20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: $10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: $15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. $500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

Deposition and/or Trial Testimony:

In the Superior Court of the State of California, County of San Bernardino
Billy Wildrick, Plaintiff vs. BNSF Railway Company
Case No. CIVDS1711810
Rosenfeld Deposition 10-17-2022

In the State Court of Bibb County, State of Georgia
Richard Hutcherson, Plaintiff vs Norfolk Southern Railway Company
Case No. 10-SCCV-092007
Rosenfeld Deposition 10-6-2022

In the Civil District Court of the Parish of Orleans, State of Louisiana
Millard Clark, Plaintiff vs. Dixie Carriers, Inc. et al.
Case No. 2020-03891
Rosenfeld Deposition 9-15-2022

In The Circuit Court of Livingston County, State of Missouri, Circuit Civil Division
Shirley Ralls, Plaintiff vs. Canadian Pacific Railway and Soo Line Railroad
Case No. 18-LV-CC0020
Rosenfeld Deposition 9-7-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jonny C. Daniels, Plaintiff vs. CSX Transportation Inc.
Case No. 20-CA-5502
Rosenfeld Deposition 9-1-2022

In The Circuit Court of St. Louis County, State of Missouri
Kieth Luke et. al. Plaintiff vs. Monsanto Company et. al.
Case No. 19SL-CC03191
Rosenfeld Deposition 8-25-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jeffery S. Lamotte, Plaintiff vs. CSX Transportation Inc.
Case No. NO. 20-CA-0049
Rosenfeld Deposition 8-22-2022

In State of Minnesota District Court, County of St. Louis Sixth Judicial District
Greg Bean, Plaintiff vs. Soo Line Railroad Company
Case No. 69-DU-CV-21-760
Rosenfeld Deposition 8-17-2022

In United States District Court Western District of Washington at Tacoma, Washington
John D. Fitzgerald Plaintiff vs. BNSF
Case No. 3:21-cv-05288-RJB
Rosenfeld Deposition 8-11-2022

In Circuit Court of the Sixth Judicial Circuit, Macon Illinois
Rocky Bennyhoff Plaintiff vs. Norfolk Southern
Case No. 20-L-56
Rosenfeld Deposition 8-3-2022

In Court of Common Pleas, Hamilton County Ohio
Joe Briggins Plaintiff vs. CSX
Case No. A2004464
Rosenfeld Deposition 6-17-2022

In the Superior Court of the State of California, County of Kern
George LaFazia vs. BNSF Railway Company.
Case No. BCV-19-103087
Rosenfeld Deposition 5-17-2022

In the Circuit Court of Cook County Illinois
Bobby Earles vs. Penn Central et. al.
Case No. 2020-L-000550
Rosenfeld Deposition 4-16-2022

In United States District Court Easter District of Florida
Albert Hartman Plaintiff vs. Illinois Central
Case No. 2:20-cv-1633
Rosenfeld Deposition 4-4-2022

In the Circuit Court of the 4th Judicial Circuit, in and For Duval County, Florida
Barbara Steele vs. CSX Transportation
Case No.16-219-Ca-008796
Rosenfeld Deposition 3-15-2022

In United States District Court Easter District of New York
Romano et al. vs. Northrup Grumman Corporation
Case No. 16-cv-5760
Rosenfeld Deposition 3-10-2022

In the Circuit Court of Cook County Illinois
Linda Benjamin vs. Illinois Central
Case No. No. 2019 L 007599
Rosenfeld Deposition 1-26-2022

In the Circuit Court of Cook County Illinois
Donald Smith vs. Illinois Central
Case No. No. 2019 L 003426
Rosenfeld Deposition 1-24-2022

In the Circuit Court of Cook County Illinois
Jan Holeman vs. BNSF
Case No. 2019 L 000675
Rosenfeld Deposition 1-18-2022

In the State Court of Bibb County State of Georgia
Dwayne B. Garrett vs. Norfolk Southern
Case No. 20-SCCV-091232
Rosenfeld Deposition 11-10-2021

In the Circuit Court of Cook County Illinois
Joseph Ruepke vs. BNSF
Case No. 2019 L 007730
Rosenfeld Deposition 11-5-2021

In the United States District Court For the District of Nebraska
Steven Gillett vs. BNSF
Case No. 4:20-cv-03120
Rosenfeld Deposition 10-28-2021

In the Montana Thirteenth District Court of Yellowstone County
James Eadus vs. Soo Line Railroad and BNSF
Case No. DV 19-1056
Rosenfeld Deposition 10-21-2021

In the Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al.cvs. Cerro Flow Products, Inc.
Case No. 0i9-L-2295
Rosenfeld Deposition 5-14-2021
Trial October 8-4-2021

In the Circuit Court of Cook County Illinois
Joseph Rafferty vs. Consolidated Rail Corporation and National Railroad Passenger Corporation d/b/a AMTRAK,
Case No. 18-L-6845
Rosenfeld Deposition 6-28-2021

In the United States District Court For the Northern District of Illinois
Theresa Romcoe vs. Northeast Illinois Regional Commuter Railroad Corporation d/b/a METRA Rail
Case No. 17-cv-8517
Rosenfeld Deposition 5-25-2021

In the Superior Court of the State of Arizona In and For the Cunty of Maricopa
Mary Tryon et al. vs. The City of Pheonix v. Cox Cactus Farm, L.L.C., Utah Shelter Systems, Inc.
Case No. CV20127-094749
Rosenfeld Deposition 5-7-2021

In the United States District Court for the Eastern District of Texas Beaumont Division
Robinson, Jeremy et al vs. CNA Insurance Company et al.
Case No. 1:17-cv-000508
Rosenfeld Deposition 3-25-2021

In the Superior Court of the State of California, County of San Bernardino
Gary Garner, Personal Representative for the Estate of Melvin Garner vs. BNSF Railway Company.
Case No. 1720288
Rosenfeld Deposition 2-23-2021

In the Superior Court of the State of California, County of Los Angeles, Spring Street Courthouse
Benny M Rodriguez vs. Union Pacific Railroad, A Corporation, et al.
Case No. 18STCV01162
Rosenfeld Deposition 12-23-2020

In the Circuit Court of Jackson County, Missouri
Karen Cornwell, Plaintiff, vs. Marathon Petroleum, LP, Defendant.
Case No. 1716-CV10006
Rosenfeld Deposition 8-30-2019

In the United States District Court For The District of New Jersey
Duarte et al, Plaintiffs, vs. United States Metals Refining Company et. al. Defendant.
Case No. 2:17-cv-01624-ES-SCM
Rosenfeld Deposition 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division
M/T Carla Maersk vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS "Conti Perdido" Defendant.
Case No. 3:15-CV-00106 consolidated with 3:15-CV-00237
Rosenfeld Deposition 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants
Case No. BC615636
Rosenfeld Deposition 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants
Case No. BC646857
Rosenfeld Deposition 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado
Bells et al. Plaintiffs vs. The 3M Company et al., Defendants
Case No. 1:16-cv-02531-RBJ
Rosenfeld Deposition 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112th Judicial District
Phillip Bales et al., Plaintiff vs. Dow Agrosciences, LLC, et al., Defendants
Cause No. 1923
Rosenfeld Deposition 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa
Simons et al., Plaintifs vs. Chevron Corporation, et al., Defendants
Cause No. C12-01481
Rosenfeld Deposition 11-20-2017

In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
Case No.: No. 0i9-L-2295
Rosenfeld Deposition 8-23-2017

In United States District Court For The Southern District of Mississippi
Guy Manuel vs. The BP Exploration et al., Defendants
Case No. 1:19-cv-00315-RHW
Rosenfeld Deposition 4-22-2020

In The Superior Court of the State of California, For The County of Los Angeles
Warrn Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC
Case No. LC102019 (c/w BC582154)
Rosenfeld Deposition 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division
Brenda J. Cooper, et al., Plaintiffs, vs. Meritor Inc., et al., Defendants
Case No. 4:16-cv-52-DMB-JVM
Rosenfeld Deposition July 2017

In The Superior Court of the State of Washington, County of Snohomish
Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants
Case No. 13-2-03987-5
Rosenfeld Deposition, February 2017
Trial March 2017

In The Superior Court of the State of California, County of Alameda
Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants
Case No. RG14711115
Rosenfeld Deposition September 2015

In The Iowa District Court In And For Poweshiek County
Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants
Case No. LALA002187
Rosenfeld Deposition August 2015

In The Circuit Court of Ohio County, West Virginia
Robert Andrews, et al. v. Antero, et al.
Civil Action No. 14-C-30000
Rosenfeld Deposition June 2015

In The Iowa District Court for Muscatine County
Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant
Case No. 4980
Rosenfeld Deposition May 2015

In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.
Case No. CACE07030358 (26)
Rosenfeld Deposition December 2014

In the County Court of Dallas County Texas
Lisa Parr et al, Plaintiff, vs. Aruba et al, Defendant.
Case No. cc-11-01650-E
Rosenfeld Deposition: March and September 2013
Rosenfeld Trial April 2014

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., Plaintiffs, vs. Republic Services, Inc., et al., Defendants
Case No. 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition October 2012

In the United States District Court for the Middle District of Alabama, Northern Division
James K. Benefield, et al., Plaintiffs, vs. International Paper Company, Defendant.
Civil Action No. 2:09-cv-232-WHA-TFM
Rosenfeld Deposition July 2010, June 2011

In the Circuit Court of Jefferson County Alabama
Jaeanette Moss Anthony, et al., Plaintiffs, vs. Drummond Company Inc., et al., Defendants
Civil Action No. CV 2008-2076
Rosenfeld Deposition September 2010

In the United States District Court, Western District Lafayette Division
Ackle et al., Plaintiffs, vs. Citgo Petroleum Corporation, et al., Defendants.
Case No. 2:07CV1052
Rosenfeld Deposition July 2009

MEMORANDUM

URBAN | CROSSROADS

DATE: November 21, 2023
TO: Tracy Zinn, T&B Planning, Inc.
FROM: Alex So, Urban Crossroads, Inc.
JOB NO: 14539-01 VMT - Mitigation

IE DISTRIBUTION CENTER #14 VEHICLE MILES TRAVELED (VMT) MITIGATION ASSESSMENT

Urban Crossroads, Inc. has prepared the following Vehicle Miles Traveled (VMT) Mitigation Assessment for the IE Distribution Center #14 (**Project**), which is located at 5355 E. Airport Drive in the City of Ontario.

BACKGROUND

The IE Distribution Center #14 Vehicle Miles Traveled (VMT) Analysis (Urban Crossroads, Inc. January 3, 2023) (**VMT Analysis**) previously evaluated a single 270,377 square foot warehouse building.

The VMT Analysis concluded that the Project would result in a potentially significant VMT impact based on project generated VMT. More specifically, the Project was found to exceed the City's adopted impact threshold by 22.6% under baseline conditions, while the horizon year buildout condition would exceed the impact threshold by 28.5%. The purpose of this assessment is to evaluate potential trip reduction measures to reduce VMT to the extent feasible.

VMT REDUCTION MEASURES

The effectiveness of trip reduction measures that have the ability to reduce VMT has been determined based on the California Air Pollution Control Officers Association (CAPCOA) Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (December 2021) (**Handbook**) (1). The Handbook provides methods to quantify reductions in greenhouse gas emissions and for transportation related measures associated reductions in VMT. This evaluation will focus on relevant transportation measures as described by the Handbook.

SELECTING MEASURES

When considering which transportation measures are applicable from the Handbook, factors such as project type, scale and locational context are each important considerations for determining measure applicability. Users of the Handbook must review the measure factsheets to determine those measures that align and are applicable with project characteristics.

PROJECT TYPE

Project type is an important consideration when determining which measures are applicable for review. For example, measures associated with neighborhood design are likely not applicable to employment generation land use projects, whereas trip reduction programs to reduce employee commute VMT would not be applicable to a residential land use project.

SCALE

It is important to note that measures can be applied at different scales or geographic levels. The Handbook states that, "some measures may only be applicable at the project-level, whereas others may be more appropriate within a broader planning context such as for a general plan or climate action plan." The geographic levels considered in the Handbook include Project/Site and Plan/Community. Project/Site applies to measures that can reduce VMT at the scale of an individual development project or employer. Plan/Community refers to measures that reduce VMT at the scale of a specific plan, general plan or climate action plan. Transportation measures can be quantified at either the Project/Site scale or the Plan/Community scale, but never both.[1]

LOCATIONAL CONTEXT

The Handbook states locational context is "used to identify trip reduction measures within the transportation sector that are appropriate in certain types of neighborhoods differentiated by transportation characteristics and level of development (e.g., urban, rural, suburban)." More specifically, rural, suburban and urban are defined as follows:

Rural: An area characterized by little development. Compared to urban and suburban areas, rural areas have a lower density of residences, higher numbers of single-family residences, and higher numbers of vehicle dependent land use patterns. Where applicable, the Handbook provides three land use distinctions within the rural locational context category—R_a, R_b, and R_c. R_a refers to rural areas within a master-planned community. These rural areas often include a broad offering of amenities and services, which may be accessed by walking or other alternative forms of transportation. R_b refers to rural areas adjacent to a commuter rail station with convenient rail service to a major employment center. As the name implies, these rural areas have greater access to commuter rail as an alternative mode of transportation. R_c refers to rural areas with transit service and that are near jobs/services.

Suburban: An area characterized by dispersed, low-density, single-use, automobile dependent land use patterns, usually outside of the central city. Also known as a suburb.

Urban: An area located within the central city with higher density land uses than in the suburbs. Often characterized by multi-family housing, tall office buildings and dense retail.

The Project's locational context is determined to be suburban.

TRANSPORTATION MEASURES

As noted in the Handbook, transportation measures "promote transit and alternative transportation, support use of alternatively fueled vehicles, or encourage land use planning

[1] Handbook, Page 37

practices that reduce vehicle trips and vehicle miles traveled (VMT). Measures within the transportation sector are separated into six subsectors: Land Use, Neighborhood Design, Parking or Road Pricing Management, Transit, Trip Reduction Programs, and Clean Vehicles and Fuels."[2] For the purposes of this evaluation, the Trip Reduction Programs subsector is most applicable to reducing employee commute VMT and would apply to the Project's industrial land use.

TRIP REDUCTION PROGRAMS SUBSECTOR

Attachment A lists the measures within the Trip Reduction Programs subsector (i.e., T-5 through T-13 and T-23) as described in the Handbook along with each measure's applicability to the Project. As the Project is being developed as a speculative building without a known tenant (i.e., employer), measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies (e.g., have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced.

The Project does have the ability to provide design features that would promote non-motorized transportation alternatives such as measure T-10 End-of-Trip Bicycle Facilities.

T-10 END-OF-TRIP BICYCLE FACILITIES

Measure T-10 Provide End-of-Trip Bicycle Facilities is listed in the Handbook as available to projects in a suburban setting. As described in the Handbook, "the measure will install and maintain end-of-trip facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions."[3] The Fact Sheet for T-10 Provide End-of-Trip Bicycle Facilities was utilized to calculate the Project's potential VMT reduction.

TABLE 2: T-10 CALCULATION VARIABLES

ID	Variable	Value	Unit	Source
A	Percent reduction in GHG emissions from project/site employee commute VMT	0.1-4.4	%	calculated
User Inputs				
	None			
Constants, Assumptions, and Available Defaults				
B	Bike mode adjustment factor	1.78 or 4.86[1]	unitless	Buehler 2012
C	Existing bicycle trip length for all trips in region	2.2	miles	FHWA 2017a
D	Existing vehicle trip length for all trips in region	11.7	miles	FHWA 2017a
E	Existing bicycle mode share for work trips in region	0.4	%	FHWA 2017b
F	Existing vehicle mode share for work trips in region	95.3	%	FHWA 2017b

[1]The bike mode adjustment factor should be provided by the user based on type of bike facility. A study found that commuters with showers, lockers, and bike parking at work are associated with 4.86 times greater likelihood to commute by bicycle when compared to individuals without any bicycle facilities at work. Individuals with bike parking, but no showers and lockers at the workplace, are associated with 1.78 times greater likelihood to cycle to work than those without trip-end facilities.

$$A = \frac{C \times \left(E - (B \times E)\right)}{D \times F}$$

[2] Handbook, Page 30
[3] Handbook, Page 133

$$0.1\% = \frac{2.2 \times \left(0.4\% - (1.78 \times 0.4\%)\right)}{11.7 \times 95.3\%}$$

The Project will include building elements for bicycle trip end facilities (i.e., parking) for commuters that choose to bicycle as a mode of travel. This will promote an alternative mode choice of commuting for employees. As calculated, the Project will reduce VMT by 0.1%.

TOTAL VMT REDUCTIONS

The 2021 Handbook states that effectiveness levels for multiple measures within a subsector may be multiplied to determine a combined effectiveness level. Because the combination of measures and independence of measures are complicated, the 2021 Handbook recommends that measure reductions within a subsector be multiplied unless the user can provide substantial evidence indicating that emission reductions are independent of one another and that they should therefore be added. Each subsector has a maximum allowable reduction. These were derived by combining the maximum allowable reduction of each individual non–mutually-exclusive measure within the subsector. As all the Project Design features above fall under the Subsector of "Trip Reduction Programs", the 2021 Handbook states that the "Trip Reduction Subsector" has a maximum reduction of 45%. Therefore, a project cannot exceed the maximum allowable reduction. 2021 Handbook provides the following equation for combining Subsector reductions:

$$Reduction_{Subsector} = 1 - [(1 - A) \times (1 - B) \times (1 - C) \dots]$$

Project's VMT reduction are as follows:

$$0.1\% = 1 - [(1 - 0.1\%)]$$

As outlined through the VMT reduction calculations presented above, with the inclusion of the VMT mitigation measure the Project is estimated to reduce its VMT impact by 0.1%, which would continue to exceed the City's VMT impact threshold.

Even with the inclusion of feasible VMT reduction measures, the Project is not able to reduce project generated VMT to a level of less than significant.

If you have any questions, please contact me directly at aso@urbanxroads.com.

REFERENCES

1. **CAPCOA.** *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity .* December 2021.

ATTACHMENT A
TRIP REDUCTION PROGRAMS SUBSECTOR

TABLE A-1: TRIP REDUCTION PROGRAMS SUBSECTOR

Subsector	Measure	Scale of Application	Applicable Locational Context	Applicability to Project
Trip Reduction Programs	**T-5 Implement Commute Trip Reduction Program (Voluntary)** This measure will implement a voluntary commute trip reduction (CTR) program with employers.	Project/ Site	Urban, Suburban	Reduction is not quantifiable nor enforceable due to a speculative building with an unknown employer.
	T-6 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) This measure will implement a mandatory CTR program with employers. CTR programs discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.	Project/ Site	Urban, Suburban	Reduction is not quantifiable nor enforceable due to a speculative building with an unknown employer.
	T-7 Implement Commute Trip Reduction Marketing This measure will implement a marketing strategy to promote the project site employer's CTR program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.	Project/ Site	Urban, Suburban	Reduction is not quantifiable nor enforceable due to a speculative building with an unknown employer.
	T-8 Provide Ridesharing Program This measure will implement a ridesharing program and establish a permanent transportation management association with funding requirements for employers.	Project/ Site	Urban, Suburban	Reduction is not quantifiable nor enforceable due to a speculative building with an unknown employer.
	T-9 Implement Subsidized or Discounted Transit Program This measure will provide subsidized or discounted, or free transit passes for employees and/or residents.	Project/ Site	Urban, Suburban	Reduction is not quantifiable nor enforceable due to a speculative building with an unknown employer.
	T-10 Provide End-of-Trip Bicycle Facilities This measure will install and maintain end-of-trip facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers.	Project/ Site	Urban, Suburban	Applicable and Quantifiable
	T-11 Provide Employer-Sponsored Vanpool This measure will implement an employer-sponsored vanpool service. Vanpooling is a flexible form of public transportation that provides groups of 5 to 15 people with a cost-effective and convenient rideshare option for commuting.	Project/ Site	Urban, Suburban, Rural	Reduction is not quantifiable nor enforceable due to a speculative building with an unknown employer.
	T-12 Price Workplace Parking This measure will price onsite parking at workplaces. Because free employee parking is a common benefit, charging employees to park onsite increases the cost of choosing to drive to work	Project/ Site	Urban, Suburban	Reduction is not quantifiable nor enforceable due to a speculative building with an unknown employer.
	T-13 Implement Employee Parking Cash-Out This measure will require project employers to offer employee parking cash-out. Cash-out is when employers provide employees with a choice of forgoing their current subsidized/free parking for a cash payment equivalent to or greater than the cost of the parking space. This encourages employees to use other modes of travel instead of single occupancy vehicles.	Project/ Site	Urban, Suburban	Reduction is not quantifiable nor enforceable due to a speculative building with an unknown employer.
	T-23 Provide Community-Based Travel Planning This measure will target residences in the plan/community with community-based travel planning (CBTP). CBTP is a residential-based approach to outreach that provides households with customized information, incentives, and support to encourage the use of transportation alternatives in place of single occupancy vehicles.	Plan/ Community	Urban, Suburban	Does not apply at the Project/Site scale.

Source: Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity , California Air Pollution Control Officers Association (CAPCOA), December 2021.

Notes:

1. Per CAPCOA Handbook, the combined maximum for each subsector or total across subsectors is calculated as:
1 - ((1-A)*(1-B)*(1-C)*(1-D)...); where, A, B, C, and D... represent the percent reduction for individual measures or subsectors.

SOUTHERN PACIFIC RAILROAD

PROPOSED INDUSTRIAL BUILDING
FFE = 982.50

DRIVEWAY #2

DRIVEWAY #1

AIRPORT DRIVE (PUBLIC)

PROP. R/W

EX. R/W

80'

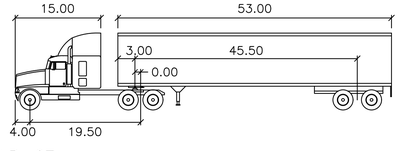
50'

20'

30'

14'

36'



WB-67

	feet		
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 28.4
Tractor Track	: 8.00	Articulating Angle	: 75.0
Trailer Track	: 8.50		

N

40 0 40 80
scale feet
1" = 40'

WestLAND Group, Inc.
Land Surveyors • Civil Engineers • GIS
4150 Concours Street Suite 100, Ontario, CA 91764
Phone: (909) 989-9789 Fax: (909) 989-9660

CITY OF ONTARIO

5355 AIRPORT DRIVE

TRUCK TURNING EXHIBIT

DRAWN BY:	SCALE:
WLG	AS SHOWN
DESIGNED BY: WLG	DATE: 6/29/2023
CHECKED BY: SM	SHT NO.: 6 OF 6

Drawing Name: P:\Projects\2021\2021-502 - 5355 Airport - Prologis - John Carter\06 Engineering\Sheets\CONCEPTUAL\PRELIMINARY SET\06_2021-502_TT.dwg
Last Opened: Jun 29, 2023 10:40am by: jbusty

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ADDITIONAL SUBSURFACE INVESTIGATION REPORT

5355 East Airport Drive
Ontario, California

Submitted by:
Farallon Consulting, L.L.C.
27 Mauchly, Suite 213
Irvine, California 92618

Farallon PN: 1071-080 (Task 2)

For:
Prologis, Inc.
Pier 1, Bay 1
San Francisco, California 94111

December 13, 2022

Prepared by:

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1.0 INTRODUCTION

Farallon Consulting, L.L.C. (Farallon) has prepared this Additional Subsurface Investigation Report (Investigation Report) for Prologis, Inc. (Prologis) to present the results from the subsurface investigation conducted in September 2022 at the property at 5355 East Airport Drive in Ontario, California (herein referred to as the Site) (Figure 1). The scope of work for this subsurface investigation was based on the recognized environmental conditions and subsurface investigation findings identified in the *Phase I/Phase II Environmental Site Assessment Report, 5355 East Airport Drive, Ontario, California* dated March 31, 2022 prepared by Farallon (2022a) for Prologis (Phase I/II Report). The potential for constituents of concern (COCs) to be present in Site subsurface media was identified as a recognized environmental condition due to petroleum underground storage tanks (USTs) formerly present in three areas, former and active septic systems, and a vehicle maintenance garage ("Building B" on Figure 2).

The Phase I/II Report summarized the subsurface investigation conducted by Farallon in March 2022 and a sampling event previously conducted at the Site. Tetrachloroethene (PCE) was detected at concentrations exceeding calculated industrial screening levels using a 0.03 attention factor in soil gas in several areas. Additional investigation was recommended to address the potential for vapor intrusion conditions at the warehouse proposed for construction at the Site. This additional subsurface investigation was conducted to provide that additional investigation. The scope of work for the additional subsurface investigation was presented in Work Change Order 1071-080-WCO 003[1] and the general locations, depths, rationale for the borings, and analytes are shown in Table 1.

This Investigation Report has been organized into the following sections:

- **Section 2, Site Background**, provides a description of the Site, and summarizes pertinent background information regarding its history and previous investigations conducted at the Site.
- **Section 3, Physical Setting**, describes the topography, geology, and hydrogeology of the Site.
- **Section 4, Additional Subsurface Investigation**, provides a description of the scope of work conducted as part of the additional subsurface investigation, and a summary of soil gas analytical results and the handling of investigation-derived waste.
- **Section 5, Conclusions and Recommendations**, presents Farallon's conclusions from the additional subsurface investigation, and recommendations based on the results.
- **Section 6, References**, provides a list of the documents cited in this Additional Subsurface Investigation Report.
- **Section 7, Limitations**, presents Farallon's standard limitations applicable to this Additional Subsurface Investigation Report.

[1] *Work Change Order 1071-080-WCO 003, Master Services Agreement, Farallon Consulting, L.L.C. and Prologis, Inc.* dated September 12,2022 between Gavin Polite Fisco of Prologis and Scott Allin of Farallon (2022b).

2.0 SITE BACKGROUND

This section provides a description of the Site, and summarizes pertinent background information regarding its history and previous investigations conducted at the Site.

2.1 SITE DESCRIPTION

The Site consists of two parcels totaling 14.2 acres: San Bernardino County Assessor Parcel Nos. 0238-052-20 (Eastern Parcel), and 0238-052-29 (Western Parcel). The Eastern Parcel is occupied by Verhoeven, a grain-processing company, and is developed with five buildings, grain storage silos, and a grain mill area. An office and warehouse building, referred to as "Building A," is located on the southern portion of the Site. The warehouse portion on the northeastern side of Building A contains a service shop used to repair machinery related to the grain mill. A maintenance shop, referred to as "Building B," is present on the eastern portion of the Site, and is used for light tractor and forklift services. Additional structures on the Eastern Parcel consist of a warehouse referred to as "Building C" on the north-central portion, used for assorted storage, and two grain storage structures on the southeastern and southwestern portions of the parcel, referred to as Buildings D and E, respectively.

The Western Parcel is occupied by The Scoular Company, a corn storage and distribution facility. The Western Parcel contains exterior grain storage areas, and an office trailer that contains a small hazardous substances storage area on secondary containment.

The Site is primarily asphalt-paved, with some gravel-paved areas on the western parcel. Access to the Site is gained from East Airport Drive, south of the Site.

A vehicle wash-down area with a sump is present on the northeastern portion of the Eastern Parcel. Three or four septic systems are associated with the Site: two or three on the Eastern Parcel, and one on the Western Parcel. The location of the septic system on the Western Parcel could not be determined from the records reviewed. A 499-gallon propane aboveground storage tank (AST), two 250-gallon diesel fuel ASTs, and a 220-gallon hydraulic oil AST are present on the Eastern Parcel. Two 12,000-gallon "fuel-storage" USTs formerly were located on the north-central portion of the Site near the grain mill area. A 12,000-gallon diesel fuel UST formerly was located southeast of Building C. The area west of Building B was identified as the location of one or more additional USTs.

2.2 SITE HISTORY

The Site was used as agricultural or grazing land from at least the late 1930s to the early 1970s. By 1973, the Eastern Parcel was developed with small grain storage silos and other features associated with milling operations in the grain mill area. By 1975, grain appeared to be stockpiled in Buildings A through C, located on the southwestern portion of the Site. By 1985 grain storage structures Buildings D and E had been developed. By 2002, grain processing operations at the Site

had expanded to the Western Parcel, which included the development of three large grain storage silos. The Site has appeared in its current configuration since 2002.

Site occupants have consisted of Verhoeven from 1973 to the present; Chino Grain and Milling, Inc. in 1985; Coast Grain Company from 1990 to 2003; The Scoular Company between 2004 and the present; and JD Heistell and Company in 2009.

2.3 PREVIOUS INVESTIGATIONS

Partner Engineering and Science, Inc. (Partner) prepared a Phase II Subsurface Investigation Report dated August 16, 2016 documenting an investigation conducted at the Site, which included an assessment to identify former on-Site USTs or associated features and reported septic systems, and soil and soil gas sampling to assess for indications of a release from historical Site activities. A geophysical survey was conducted to identify USTs remaining in-place, backfilled tank holds, septic tanks, and/or associated features, and to clear boring locations of utilities. One large anomaly indicative of a backfilled excavation was identified under the western canopy of Building B, which generally corresponds to the location of a former UST area. No large metallic features were identified, so Partner concluded that USTs formerly present in this area had been removed. One large anomaly resembling a septic system was identified north of Building A.

As part of the soil and soil gas sampling, 26 borings were advanced at depths of between 1 and 25 feet below ground surface (bgs) for collection of soil and/or soil gas samples. Soil samples were analyzed for total petroleum hydrocarbon carbon chain C6-C40 (TPH-cc) by U.S. Environmental Protection Agency (EPA) Method 8015C and for volatile organic compounds (VOCs) by EPA Method 8260B. Soil gas samples were analyzed for VOCs by either EPA Methods TO-15 or 8260B. No detectable concentrations of VOCs or TPH-cc were present in the soil samples. VOCs, including PCE, trichloroethene, toluene, ethylbenzene, and xylenes, were detected in soil gas samples at concentrations less than residential and commercial/industrial calculated soil gas screening levels in effect at the time the report was completed. Partner concluded that a discernable vapor intrusion condition did not appear to exist at the Site, and that the detections of VOCs in soil gas did not represent a threat to human health or the environment. Partner recommended no further investigation with respect to the on-Site grain-handling facility at the time of the report.

Although the reported concentrations of VOCs in soil gas were less than soil gas screening levels in effect in 2016 at the time the Partner report was prepared, in April 2020, California Department of Toxic Substances Control (DTSC) Human and Ecological Risk Office (2020) Human Health Risk Assessment Note Number 3 (HHRA Note 3) was updated with the more-conservative attenuation factor of 0.03 for use in screening level calculations. PCE concentrations in soil gas samples collected from sampling locations B5, B6, and SV-14 through SV-16 in 2016 exceeded the calculated soil gas commercial/industrial screening level of 67 micrograms per cubic meter ($\mu g/m^3$) using the calculated screening level for PCE with the 0.03 attenuation factor. Additionally, the ethylbenzene concentration in one soil gas sample (B4-SG, located west of Building B) exceeded the calculated commercial/industrial screening level of 163 $\mu g/m^3$ using the "low level" screening level for ethylbenzene. These samples were collected west of and beneath Building B at a depth of 4 to 5 feet bgs.

As part of its Phase I/II due diligence investigation, Farallon conducted soil and soil gas sampling at the Site in March 2022, focusing on assessing former UST areas and septic systems, and the proposed new building footprint for the potential for vapor intrusion issues. At the time of the assessment, Farallon was informed that an approximately 250,000-square-foot warehouse would be constructed on the north-central portion of the Site (Figure 2). The scope of work for the Phase II ESA portion of the investigation included advancement of 12 borings, installation of two subslab gas probes, and installation of 10 temporary soil gas probe locations with single- or multi-depth nested gas points for collection of soil and soil gas samples.

Petroleum hydrocarbons and VOCs were not detected at a concentration exceeding laboratory reporting limits in the soil samples. Concentrations of metals either were not detected at a concentration exceeding laboratory reporting limits or were detected at concentrations less than screening levels. Results from the laboratory analyses of the March 2022 sampling event are summarized in Tables 2 through 5. Table 5 also include results from the current round of sampling (September 2022) which is the subject of this report.

Soil gas data indicated that PCE was present at concentrations exceeding calculated industrial screening levels using the 0.03 attenuation factor in soil gas samples collected west of and beneath Building B (samples SS-1, SS-2, SVP-7, and SVP-8), proximate to the former location of the 12,000-gallon diesel fuel UST (sample SVP-5), proximate to the former location of the two 12,000-gallon USTs (sample SVP-1), and proximate to the vehicle washdown area with sump (sample SVP-6). These locations were mapped beneath the planned new building footprint. PCE also was detected at concentrations less than the calculated industrial screening levels in in soil gas in other soil gas samples collected at the Site. The extent of PCE in soil gas was not fully characterized.

In the Phase I/II Report, Farallon recommended that a Media Management Plan be prepared for use during Site redevelopment to address any unexpected impacts to soil associated with historical activities at the Site. Farallon also recommended additional investigation to delineate and design mitigation measures for PCE in soil gas that may impact indoor air in the planned new building at the Site.

3.0 PHYSICAL SETTING

The topography, geology, and hydrogeology of the Site are described in this section.

3.1 TOPOGRAPHY

Farallon reviewed the U.S. Geological Survey topographic map for Guasti, California, dated 2018 provided by Environmental Data Resources, Inc. The map depicts the Site at an elevation of approximately 980 feet above mean sea level. Site topography slopes gently downward to the south. Regional topography generally is sloped downward to the south.

3.2 GEOLOGY AND HYDROGEOLOGY

The Site is situated in the San Bernadino Valley of the Peninsular Ranges Geomorphic Province in Southern California. The Peninsular Ranges Province is bounded by the San Gabriel and San Bernardino mountains to the north, the Colorado Desert to the east, extends into lower California beyond the Mexican border to the south, and is bound by the Pacific Ocean to the west. The San Bernardino Mountains are approximately 7 miles north of the Site.

According to the Partner (2016) Phase II Report, soil beneath the Site generally consists of very fine-grained silty sand from the surface to a depth of approximately 20 feet bgs and transitions to very fine- to coarse-grained poorly graded sand between depths of 20 and 25 feet bgs. Groundwater was not encountered during Partner's investigation.

Soil encountered during the Phase II ESA, described in the Phase I/II Report, and during the September 2022 additional subsurface investigation was described as silty fine to medium sand to the total explored depth of 10 feet bgs, with an apparent coarse sand and gravel layer at a depth of 10 feet bgs (and as shallow as 5 feet bgs on the eastern portion of the Site at boring SB-2), and intermittent clayey sand to clay lenses approximately 1 foot thick at a depth of between 6 and 7 feet bgs (borings SVP-16 and SVP-19) and 10 to 11 feet bgs (borings SVP-12 and SVP-16). Groundwater was not encountered during drilling. Boring logs are provided in Appendix A.

Site-specific groundwater direction and depth information was not available in the records reviewed. Based on information obtained from the previous reports California State Water Resources Control Board (2022) GeoTracker database and topographic interpretation, groundwater beneath the Site is anticipated to be encountered at a depth of approximately 250 feet bgs, and is estimated to flow to the south.

4.0 ADDITIONAL SUBSURFACE INVESTIGATION

This section presents the scope of work for the additional subsurface investigation conducted at the Site in September 2022, and summarizes the results from soil gas sampling and analysis. The handling of waste generated during the additional subsurface investigation also is discussed.

4.1 SCOPE OF WORK

Before field work was initiated, a Site-specific Health and Safety Plan (HASP) was prepared, and underground utilities were cleared. Field work consisted of advancing borings and collecting soil gas samples at the Site to provide a better understanding of soil gas impacts detected during previous subsurface investigations. The following sections detail this scope of work.

4.1.1 Health and Safety Plan Preparation

A Site-specific HASP was required under Section 3202 of Title 8 of the California Code of Regulations (8 CCR 3202) for all field activities due to the potential for exposure to hazardous substances. Prior to commencement of field activities, Farallon prepared a HASP compliant with the requirements of the Occupational Safety and Health Act of 1970 and 8 CCR 3203. Personal protection equipment precautions related to COVID-19 were implemented for Farallon personnel during field activities in accordance with Farallon health and safety policy.

4.1.2 Underground Utility Clearance

Prior to commencement of drilling activities, Farallon marked the proposed boring locations at the Site and contacted Dig Alert for public utility notice. Farallon also engaged a private utility location service to pre-screen the proposed boring locations for utilities that may be encountered during advancement using hand tools.

4.1.3 Boring Advancement

Nine borings, designated SVP-11 through SVP-19, were advanced at the Site on September 16, 2022 to investigate the potential presence of VOCs in soil gas beneath the planned new building footprint. The boring locations are shown on Figure 2 and were generally evenly distributed across the planned new building footprint, with selected borings placed in previously identified impacted areas. The borings were advanced using a hand-auger to a depth of 5 feet bgs, and a direct-push drill rig for the remaining depth. The general locations, depths, rationale for the borings, and analyte are shown in Table 1.

Continuous soil cores were visually inspected and screened by a Farallon geologist using a photoionization detector, and were described and logged using the United Soil Classification System (Modified). Physical evidence of soil impacts, including staining and odors, was not observed; photoionization detector readings ranged from 0.0 to 1.4 parts per million. Boring logs with soil descriptions are provided in Appendix A.

Soil cuttings generated during drilling activities were containerized in a 55-gallon drum pending transport and disposal off the Site.

4.1.4 Soil Gas Probe Installation and Sampling

Following completion of boring advancement, Farallon converted the borings to temporary dual-nested soil gas probes. Borings SVP-11 through SVP-19 were constructed with soil gas probes at depths of 4 and 10 feet bgs.

Soil gas probe installation was performed in accordance with the *Advisory: Active Soil Gas Investigations* dated July 2015 prepared by the California Environmental Protection Agency et al. (2015) (Soil Gas Advisory). The probes consisted of an Airstone microporous gas implant or equivalent connected to 0.25-inch-outside-diameter Nylaflow tubing, finished at the surface with temporary plugs. The annulus around the gas implant was backfilled with approximately 1 foot of screen-washed No. 3 sand, followed by 0.5 foot of dry granular bentonite, and hydrated granular bentonite to create a seal from the top of the dry granular bentonite to near surface. Soil gas probe construction is illustrated in the boring logs provided in Appendix A; their locations are shown on Figure 2.

The temporary dual-nested soil gas probes were allowed to equilibrate for 4 days prior to sample collection on September 20, 2022. Soil gas sampling, including observance of equilibration times, performance of shut-in tests, and purging activities, was conducted in accordance with the Soil Gas Advisory. A total of 19 soil gas samples (18 primary and 1 duplicate) were collected into 1-liter Summa canisters at a rate of 200 milliliters per minute or less. Isopropanol was used as a tracer gas, introduced to ambient air surrounding the sampling train by soaking a cotton swab with liquid isopropanol and placing it at the location where the gas probe tubing exited the ground.

Upon completion of sample collection, soil gas samples were transported under chain-of-custody protocols to a California-certified laboratory, and were analyzed for VOCs by EPA Method 8260B with TO-15 detection limits, where attainable. The soil vapor probes were then abandoned by filling the probe with bentonite grout as practicable and removing.

4.2 SUMMARY OF ANALYTICAL RESULTS FOR SOIL GAS

The soil gas analytical results were compared to DTSC Screening Levels (SLs) for indoor air, EPA Regional Screening Levels (RSLs) for indoor air, and the San Francisco Water Quality Control Board (SFWQCB) Environmental Screening Levels (ESLs) for TPH-g, which were adjusted using suggested attenuation factors provided in the Vapor Intrusion Guidance prepared by DTSC and the California Environmental Protection Agency (2011). The attenuation factor used for this comparison was 0.001 for soil gas in industrial use settings. Farallon also used the more-conservative attenuation factor of 0.03 for “near-source” exterior soil gas published in HHRA Note 3.

A summary of soil gas analytical results from the September 2022 and historical Farallon investigations is provided in Table 5. Soil gas analytical results from the additional subsurface investigation are summarized below:

- The tracer gas isopropanol was not detected at a concentration exceeding laboratory reporting limits in the soil gas samples collected from the soil gas probes.
- PCE was not detected at a concentration exceeding the laboratory reporting limit of 25 $\mu g/m^3$ in the soil gas samples collected from the soil gas probes; the laboratory reporting limit was less than calculated screening levels using the 0.03 attenuation factor published in HHRA Note 3, the most-conservative attenuation factor for "near-source" exterior soil gas samples.
- Ethylbenzene and total xylenes were detected at concentrations exceeding laboratory reporting limits in the two soil gas samples collected from soil gas probe location SVP-16, which was installed in the vicinity of a gravel roadway under the new planned building. The detected concentrations are less than calculated commercial/industrial screening levels using the 0.03 attenuation factor published in HHRA Note 3, the most-conservative attenuation factor for "near-source" exterior soil gas samples.

Because some soil gas samples collected in September 2022 were proximate to areas that showed impacts in March 2022 but no impacts were detected in September 2022, Farallon worked with the original analytical laboratory to conduct a data quality review of both analytical data sets. No anomalies in the data sets were found to render the data from either event unusable. Laboratory analytical reports are provided in Appendix B. Because no COCs were detected in the duplicate sampling pair, laboratory reproducibility could not be evaluated.

4.3 INVESTIGATION-DERIVED WASTE

Soil cuttings were containerized in a 55-gallon drum at the Site. The contents were characterized as nonhazardous, and were transported off the Site for disposal. Copies of the waste disposal documentation are provided in Appendix C.

5.0 CONCLUSIONS AND RECOMMENDATIONS

Farallon conducted an additional subsurface investigation in September 2022 to further investigate impacts of VOCs previously identified in soil gas beneath the planned new building footprint at the Site. Previous soil gas data indicated that PCE was present at concentrations exceeding calculated industrial screening levels using the 0.03 attenuation factor in soil gas samples collected beneath and proximate to the planned new building footprint, specifically west of and beneath Building B, proximate to the former location of the 12,000-gallon diesel fuel UST, proximate to the former location of two 12,000 gallon USTs, and proximate to the vehicle washdown area with sump. PCE also was detected at concentrations less than the calculated industrial screening levels in soil gas in other soil gas samples collected at the Site. It was determined that the extent of PCE impacts to soil gas at the Site had not been fully characterized.

For the September 2022 additional subsurface investigation, nine borings were advanced in the planned new building footprint. Soil gas probes were generally evenly distributed across the planned new building footprint, with selected probes placed in previously identified impacted areas. The borings were converted to temporary dual-nested soil gas probes at depths of 4 and 10 feet bgs. No detectable concentrations of PCE exceeding the laboratory reporting limit of 25 $\mu g/m^3$ were identified during laboratory analysis of soil gas samples collected during this additional subsurface investigation. Concentrations of other, gasoline-related, VOCs, which may be attributable to road current use, did not exceed the calculated screening levels using the most-conservative 0.03 attenuation factor in soil gas samples collected during this additional subsurface investigation.

This additional subsurface investigation did not indicate that the previously identified PCE impacts to soil gas are present in the areas that were resampled, and did not identify additional areas under the proposed building slab. Farallon recommends that the the areas of highest impact previously encountered under the proposed building slab be resampled to aide in the determination of whether mitigation measures are recommended for the proposed building.

6.0 REFERENCES

California Department of Toxic Substances Control, Human and Ecological Risk Office. 2020. *Human Health Risk Assessment (HHRA) Note Number 3, DTSC-modified Screening Levels (DTSC-SLs)*. June.

California Department of Toxic Substances Control, and California Environmental Protection Agency. 2011. *Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (Vapor Intrusion Guidance)*. Final. October.

California Environmental Protection Agency, Department of Toxic Substances Control, Los Angeles Regional Water Quality Control Board, and San Francisco Regional Water Quality Control Board. 2015. *Advisory: Active Soil Gas Investigations*. July.

California State Water Resources Control Board. 2022. GeoTracker Database Search. <GeoTracker (ca.gov)>. (November 2022.)

Farallon Consulting, L.L.C. (Farallon). 2022a. *Phase I/Phase II Environmental Site Assessment Report, 5355 East Airport Drive, Ontario, California*. Prepared for Prologis, Inc. March 31.

———. 2022b. *Work Change Order 1071-080-WCO 003, Master Services Agreement, Farallon Consulting, L.L.C. and Prologis, Inc.* Between Gavin Polite Fisco, Prologis, Inc. and Scott Allin, Farallon Consulting, L.L.C. September 12.

Partner Engineering and Science, Inc. 2016. *Phase II Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California 91761*. Prepared for Prologis. August 16.

7.0 LIMITATIONS

7.1 GENERAL LIMITATIONS

The conclusions contained in this report/assessment are based on professional opinions with regard to the subject matter. These opinions have been arrived at in accordance with currently accepted hydrogeologic and engineering standards and practices applicable to this location. The conclusions contained herein are subject to the following inherent limitations:

- **Accuracy of Information**. Farallon obtained, reviewed, and evaluated certain information used in this report/assessment from sources that were believed to be reliable. Farallon's conclusions, opinions, and recommendations are based in part on such information. Farallon's services did not include verification of its accuracy or authenticity. Should the information upon which Farallon relied prove to be inaccurate or unreliable, Farallon reserves the right to amend or revise its conclusions, opinions, and/or recommendations.
- **Reconnaissance and/or Characterization**. Farallon performed a reconnaissance and/or characterization of the Site that is the subject of this report/assessment to document current conditions. Farallon focused on areas deemed more likely to exhibit hazardous materials conditions. Contamination may exist in other areas of the Site that were not investigated or were inaccessible. Site activities beyond Farallon's control could change at any time after the completion of this report/assessment.

For the foregoing reasons, Farallon cannot and does not warrant or guarantee that the Site is free of hazardous or potentially hazardous substances or conditions, or that latent or undiscovered conditions will not become evident in the future. Farallon's observations, findings, and opinions can be considered valid only as of the date of the report.

This report/assessment has been prepared in accordance with the contract for services between Farallon and Prologis, Inc. and currently accepted industry standards. No other warranties, representations, or certifications are made.

7.2 LIMITATION ON RELIANCE BY THIRD PARTIES

Reliance by third parties is prohibited. This report/assessment has been prepared for the exclusive use of Prologis, Inc. to address the unique needs of Prologis, Inc. at the Site at a specific point in time.

This is not a general grant of reliance. No one other than Prologis, Inc. may rely on this report unless Farallon agrees in advance to such reliance in writing. Any unauthorized use, interpretation, or reliance on this report/assessment is at the sole risk of that party, and Farallon will have no liability for such unauthorized use, interpretation, or reliance.

FIGURES

ADDITIONAL SUBSURFACE INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)



REFERENCE: 7.5 MINUTE USGS QUADRANGLE GUASTI, CALIFORNIA, DATED 2013

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FIGURE 1

SITE VICINITY MAP
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: lmurock | Checked By: PS | Date: 10/5/2022 | Disc Reference: Q:\Projects\1071 Prologis\080 2021 SoCal Due Diligence II\002 Airport Dr\Mapfiles\SSI_2022-10\Figure-01_SiteVicini



LEGEND

- SOIL GAS PROBE (FARALLON, SEPTEMBER 2022)
- SOIL GAS PROBE (FARALLON, MARCH 2022)
- SUBSLAB SOIL GAS PROBE (FARALLON, MARCH 2022)
- BORING (FARALLON, MARCH 2022)
- SOIL GAS PROBE (PARTNER, 2016)
- HAZARDOUS MATERIALS STORAGE AREA
- T TRANSFORMER
- FORMER SITE FEATURE
- OBSERVED TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- PROPOSED BUILDING FOOTPRINT
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

AST = ABOVEGROUND STORAGE TANK
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
GPR SURVEY AREA - 2022 (NO UST FOUND)

0 100
SCALE IN FEET

N

ALL LOCATIONS ARE APPROXIMATE.
FIGURES WERE PRODUCED IN COLOR.
GRAYSCALE COPIES MAY NOT
REPRODUCE ALL ORIGINAL INFORMATION.

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Issaquah | Bellingham | Seattle

Oregon
Portland | Baker City

California
Oakland | Irvine

FIGURE 2

SITE PLAN AND SAMPLING LOCATIONS
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: lmurock | Checked By: PS | Date: 1/27/2023 | Disc Refer
Q:\Projects\1071 Prologis\080 2021 SoCal Due Diligence II\002 Airport Dr\Mapfiles\SSI_2022-10\Figure-02_SitePlan_SampleLo



NOTES:
SAMPLE DATE, DEPTH, AND ANALYTICAL RESULTS AS:
SAMPLE DATE | SAMPLE DEPTH IN FEET BELOW GROUND SURFACE | PCE
SOIL GAS ANALYTICAL RESULTS IN MICROGRAMS PER CUBIC METER.
BOLD = DENOTES CONCENTRATIONS THAT EXCEED THE COMMERCIAL SUBSLAB/SOIL GAS VAPOR INTRUSION ENVIRONMENTAL SCREENING LEVEL.
< = DENOTES ANALYTE NOT DETECTED AT OR EXCEEDING THE LISTED REPORTING LIMIT.
PCE = TETRACHLOROETHENE

LEGEND

- SOIL GAS PROBE (FARALLON, SEPTEMBER 2022)
- SOIL GAS PROBE (FARALLON, MARCH 2022)
- SUBSLAB SOIL GAS PROBE (FARALLON, MARCH 2022)
- SOIL GAS PROBE (PARTNER, 2016)
- HAZARDOUS MATERIALS STORAGE AREA
- T TRANSFORMER
- FORMER SITE FEATURE
- OBSERVED TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- PROPOSED BUILDING FOOTPRINT
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

AST = ABOVEGROUND STORAGE TANK
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
GPR SURVEY AREA - 2022 (NO UST FOUND)

0 100
SCALE IN FEET

N

ALL LOCATIONS ARE APPROXIMATE.
FIGURES WERE PRODUCED IN COLOR.
GRAYSCALE COPIES MAY NOT
REPRODUCE ALL ORIGINAL INFORMATION.

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Washington
Issaquah | Bellingham | Seattle
Oregon
Portland | Baker City
California
Oakland | Irvine

FIGURE 3

PCE IN SOIL VAPOR
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: lmurock
Checked By: PS
Date: 2/3/2023
Disc Refer
Q:\Projects\1071 Prologis\080 2021 SoCal Due Diligence II\002 Airport Dr\Mapfiles\SSI_2022-10\Figure-03_PCE_S

TABLES

ADDITIONAL SUBSURFACE INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

Table 1
Sampling Rationale
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample ID	Location	Rationale	Matrix to Be Sampled	Boring Depth (feet bgs)	Proposed Sample Depth and Analysis (feet bgs)
SVP-11	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil Vapor	10	4 feet PCE 10 feet PCE
SVP-12	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil Vapor	10	4 feet PCE 10 feet PCE
SVP-13	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil Vapor	10	4 feet PCE 10 feet PCE
SVP-14	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil Vapor	10	4 feet PCE 10 feet PCE
SVP-15	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil Vapor	10	4 feet PCE 10 feet PCE
SVP-16	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil Vapor	10	4 feet PCE 10 feet PCE
SVP-17	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil Vapor	10	4 feet PCE 10 feet PCE
SVP-18	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil Vapor	10	4 feet PCE 10 feet PCE
SVP-19	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil Vapor	10	4 feet PCE 10 feet PCE

NOTES:
bgs = below ground surface
PCE = tetrachloroethene

Table 2
Cumulative Summary of Volatile Organic Compounds in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (milligrams per kilogram)[2]					
					PCE	Benzene	Toluene	Ethylbenzene	Total Xylenes	Other VOCs
B1	Partner	B1-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B2	Partner	B2-1	1.0	7/21/2016	< 0.0044	< 0.0044	< 0.0044	< 0.0044	< 0.0131	ND
B3	Partner	B3-15	15.0	7/21/2016	< 0.0043	< 0.0043	< 0.0043	< 0.0043	< 0.0129	ND
B4	Partner	B4-10	10.0	7/21/2016	< 0.0044	< 0.0044	< 0.0044	< 0.0044	< 0.0132	ND
B5	Partner	B5-15	15.0	7/21/2016	< 0.0041	< 0.0041	< 0.0041	< 0.0041	< 0.0123	ND
B6	Partner	B6-10	10.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B7	Partner	B7-10	10.0	7/21/2016	< 0.0043	< 0.0043	< 0.0043	< 0.0043	< 0.013	ND
B8	Partner	B8-10	10.0	7/21/2016	< 0.0044	< 0.0044	< 0.0044	< 0.0044	< 0.0133	ND
B9	Partner	B9-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B10	Partner	B10-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B11	Partner	B11-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B12	Partner	B12-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
SB-1	Farallon	SB-1-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SB-2	Farallon	SB-1-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-1	Farallon	SVP-1-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-2	Farallon	SVP-2-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-3	Farallon	SVP-3-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-4	Farallon	SVP-4-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-5	Farallon	SVP-5-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-6	Farallon	SVP-6-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
	Farallon	SVP-6-8'	8.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-7	Farallon	SVP-7-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-8	Farallon	SVP-8-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-9	Farallon	SVP-9-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-10	Farallon	SVP-10-8'	8.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
Commercial/Industrial Soil RSL[3]					**2.7**	**1.4**	**5,300**	**25**	**2,500**	**Various**

NOTES:

< denotes analyte not detected at or exceeding the reporting limit listed.

[1]Depth in feet below ground surface.

[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8260B. Only select VOCs shown in table; see lab reports for full list of analytes.

[3]June 2020 (Revised May 2022) Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, November 2022 EPA RSLs were used and noted in blue text.

Farallon = Farallon Consulting, LLC
ND = not detected at or above the laboratory reporting limit
Partner = Partner Engineering and Science, Inc.
PCE = Tetrachloroethene
RSL = Regional Screening Level
VOCs = volatile organic compounds

Table 3
Cumulative Summary of Total Petroleum Hydrocarbons in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (milligrams per kilogram)[2]		
					TPH-g (C4 - C12)	TPH-d (C13 - C22)	TPH-o (C23 - C40)
B1	Partner	B1-1	1.0	7/21/2016	< 10	< 10	< 10
B2	Partner	B2-1	1.0	7/21/2016	< 10	< 10	< 10
B3	Partner	B3-15	15.0	7/21/2016	< 10	< 10	< 10
B4	Partner	B4-10	10.0	7/21/2016	< 10	< 10	< 10
B5	Partner	B5-15	15.0	7/21/2016	< 10	< 10	< 10
B6	Partner	B6-10	10.0	7/21/2016	< 10	< 10	< 10
B7	Partner	B7-10	10.0	7/21/2016	< 10	< 10	< 10
B8	Partner	B8-10	10.0	7/21/2016	< 10	< 10	< 10
B9	Partner	B9-1	1.0	7/21/2016	< 10	< 10	< 10
B10	Partner	B10-1	1.0	7/21/2016	< 10	< 10	< 10
B11	Partner	B11-1	1.0	7/21/2016	< 10	< 10	< 10
B12	Partner	B12-1	1.0	7/21/2016	< 10	< 10	< 10
SB-1	Farallon	SB-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SB-2	Farallon	SB-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-1	Farallon	SVP-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-2	Farallon	SVP-2-4'	4.0	3/4/2022	< 0.20	---	---
SVP-3	Farallon	SVP-3-4'	4.0	3/4/2022	< 0.20	---	---
SVP-4	Farallon	SVP-4-4'	4.0	3/4/2022	< 0.20	---	---
SVP-5	Farallon	SVP-5-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-6	Farallon	SVP-6-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
	Farallon	SVP-6-8'	8.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-7	Farallon	SVP-7-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-8	Farallon	SVP-8-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-9	Farallon	SVP-9-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-10	Farallon	SVP-10-8'	8.0	3/4/2022	< 0.20	< 10.0	< 10.0
MSSL (< 20 feet Above Groundwater)[3]					**100**	**100**	**1,000**
MSSL (20-150 feet Above Groundwater)[3]					**500**	**1,000**	**10,000**
MSSL (> 150 feet Above Groundwater)[3]					**1,000**	**10,000**	**50,000**

NOTES:

< denotes analyte not detected at or exceeding the reporting limit listed.

--- denotes sample not analyzed.

[1]Depth in feet below ground surface.

[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8015M (2022 samples) or 8015C (2016 samples).

[3]Los Angeles Regional Water Quality Control Board April 27, 2004 MSSLs for groundwater at depths of less than 20 feet, 20 to 150 feet, and greater than 150 feet below ground surface.

C = carbon range (number of carbons)

Farallon = Farallon Consulting, LLC

MSSL = maximum soil screening level

Partner = Partner Engineering and Science, Inc.

TPH-d = total petroleum hydrocarbons as diesel

TPH-g = total petroleum hydrocarbons as gasoline

TPH-o = total petroleum hydrocarbons as oil

Table 4
Cumulative Summary of Metals in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sampled By	Sample Identification	Sample Depth (feet) [1]	Sample Date	Analytical Results (milligrams per kilogram)[2]									
					Barium	Cadmium	Chromium	Cobalt	Copper	Lead	Nickel	Vanadium	Zinc	Other Metals
SVP-6	Farallon	SVP-6-4'	4.0	3/4/2022	61.2	0.9	8.2	5.2	5.9	1.1	5.2	24.6	26.5	ND
	Farallon	SVP-6-8'	8.0	3/4/2022	59.6	0.9	8.5	5.2	6.0	1.2	5.2	23.1	27.0	ND
Residential Soil RSL[3]					**15,000**	**7.1**	**NE**	**23**	**3,100**	**80**	**820**	**390**	**23,000**	**Various**
Industrial Soil RSL[3]					**220,000**	**79**	**NE**	**350**	**47,000**	**500**	**11,000**	**5,800**	**350,000**	**Various**

NOTES:

< denotes analyte not detected at or exceeding the reporting limit listed.

[1]Depth in feet below ground surface.

[2]California Administrative Manual (CAM) Priority Pollutant List (PPL) 17 metals analyzed by U.S. Environmental Protection Agency (EPA) Method 6010B by 3050B; mercury analyzed by EPA Method 7471A. Only detected analytes shown; see lab report for full list of analytes.

[3]June 2020 (Revised May 2022) Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, November 2022 EPA RSLs were used and noted in blue text.

Farallon = Farallon Consulting, LLC

ND = not detected at or above the laboratory reporting limit

RSL = Regional Screening Level

Table 5
Cumulative Summary of Volatile Organic Compounds in Soil Gas
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per cubic meter)[2]													
					PCE	TCE	Cyclohexane	Trichloro-fluoro-methane (Freon 11)	Dichloro difluoro-methane (Freon 12)	Ethylbenzene	Toluene	Total Xylenes	1,2,4-Trimethyl-benzene	Carbon Disulfide	TPH-g	Methane	Other VOCs	Tracer
Subslab Soil Gas Samples																		
SS-1	Farallon	SS-1	0.5	3/11/2022	**220**	< 20	---	< 40	< 40	< 20	< 20	< 60	< 20	---	< 5,000	---	< 5,000	ND
SS-2	Farallon	SS-2	0.5	3/11/2022	**194**	< 20	---	< 40	< 40	< 20	< 20	< 60	< 20	---	< 5,000	---	< 5,000	ND
Soil Gas Samples																		
B3	Partner	B3-SG	5.0	7/21/2016	< 350 C	< 270 C	< 170 C	< 290 C	< 250 C	< 220 C	< 190 C	**460** C	< 250 C	< 160 C	---	---	ND C	ND
B4	Partner	B4-SG	5.0	7/21/2016	< 350 C	< 270 C	< 170 C	< 290 C	< 250 C	**280** C	< 190 C	**1,500** C	< 250 C	< 160 C	---	---	ND C	ND
B5	Partner	B5-SG	5.0	7/21/2016	**100**	< 5.5	< 3.5	< 5.7	< 5.0	< 4.4	< 3.8	**12**	< 5.0	< 3.2	---	---	ND	ND
B6	Partner	B6-SG	5.0	7/21/2016	**68**	**26**	< 3.5	< 5.7	< 5.0	< 4.4	**4.0**	**23.6**	< 5.0	< 3.2	---	---	ND	ND
B7	Partner	B7-SG	5.0	7/21/2016	< 6.9	< 5.5	< 3.5	< 5.7	< 5.0	**11**	**4.9**	**92**	< 5.0	< 3.2	---	---	ND	ND
B8	Partner	B8-SG	5.0	7/21/2016	**44**	**13**	< 3.5	< 5.7	< 5.0	**21**	**13**	**178**	< 5.0	< 3.2	---	---	ND	ND
SV-13	Partner	SV-13-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-14	Partner	SV-14-4'	4.0	7/29/2016	**230**	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-15	Partner	SV-15-5'	5.0	7/29/2016	**120**	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-16	Partner	SV-16-4'	4.0	7/29/2016	**180**	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-17	Partner	SV-17-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-18	Partner	SV-18-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-19	Partner	SV-19-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-20	Partner	SV-20-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-21	Partner	SV-21-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-22	Partner	SV-22-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-23	Partner	SV-23-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-24	Partner	SV-24-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-25	Partner	SV-25-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-26	Partner	SV-26-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
	Partner	SV-26-5' Dup	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SVP-1	Farallon	SVP-1-4'	4.0	3/11/2022	**31**	< 20	---	< 40	< 40	< 20	**21**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-1-10'	10.0	3/11/2022	**157**	< 20	---	< 40	< 40	< 20	**21**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-2	Farallon	SVP-2-4'	4.0	3/11/2022	**27**	< 20	---	< 40	< 40	< 20	**34**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-3	Farallon	SVP-3-4'	4.0	3/11/2022	< 20	< 20	---	< 40	< 40	< 20	**78**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-3-4'REP	4.0	3/11/2022	< 20	< 20	---	< 40	< 40	< 20	**45**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-4	Farallon	SVP-4-4'	4.0	3/11/2022	**62**	< 20	---	< 40	< 40	< 20	**80**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-4-4'REP	4.0	3/11/2022	**57**	< 20	---	< 40	< 40	< 20	**46**	< 60	< 20	---	< 5,000	---	ND	ND
Calculated Industrial SGSL with 0.03 Attenuation Factor[3]					**67**	**100**	**870,000**	**180,000**	**15,000**	**160**	**43,000**	**15,000**	**8,700**	**100,000**	**83,000**	**5%[4]**	**Varies**	**Varies**

Table 5
Cumulative Summary of Volatile Organic Compounds in Soil Gas
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per cubic meter)[2]													
					PCE	TCE	Cyclohexane	Trichloro-fluoro-methane (Freon 11)	Dichloro difluoro-methane (Freon 12)	Ethylbenzene	Toluene	Total Xylenes	1,2,4-Trimethyl-benzene	Carbon Disulfide	TPH-g	Methane	Other VOCs	Tracer
SVP-5	Farallon	SVP-5-4'	4.0	3/11/2022	**70**	< 20	---	< 40	< 40	< 20	**83**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-5-10'	10.0	3/11/2022	**234**	< 20	---	< 40	< 40	< 20	< 20	< 60	< 20	---	< 5,000	---	ND	ND
SVP-6	Farallon	SVP-6-4'	4.0	3/11/2022	**97**	< 20	---	< 40	< 40	< 20	**106**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-6-8'	8.0	3/11/2022	**34**	< 20	---	< 40	< 40	< 20	**65**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-7	Farallon	SVP-7-4'	4.0	3/11/2022	**247**	< 20	---	< 40	< 40	< 20	**91**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-8	Farallon	SVP-8-4'	4.0	3/11/2022	**232**	< 20	---	< 40	< 40	< 20	**89**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-9	Farallon	SVP-9-4'	4.0	3/11/2022	**24**	< 20	---	< 40	< 40	< 20	**87**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-10	Farallon	SVP-10-4'	4.0	3/11/2022	**31**	< 20	---	< 40	< 40	< 20	**60**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-10-8'	8.0	3/11/2022	**63**	< 20	---	< 40	**60**	< 20	**47**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-11	Farallon	SVP-11-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 50	< 25	< 250	---	---	ND	ND
	Farallon	SVP-11-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 50	< 25	< 250	---	---	ND	ND
SVP-12	Farallon	SVP-12-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 50	< 25	< 250	---	---	ND	ND
	Farallon	SVP-12-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-13	Farallon	SVP-13-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-13-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-14	Farallon	SVP-14-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-14-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-15	Farallon	SVP-15-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-15-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-16	Farallon	SVP-16-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	**50**	< 25	**90**	< 25	< 250	---	---	ND	ND
	Farallon	SVP-16-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	**30**	< 25	**90**	< 25	< 250	---	---	ND	ND
SVP-17	Farallon	SVP-17-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-17-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-18	Farallon	SVP-18-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-18-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-18-10-DUP	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
Calculated Industrial SGSL with 0.03 Attenuation Factor[3]					**67**	**100**	**870,000**	**180,000**	**15,000**	**160**	**43,000**	**15,000**	**8,700**	**100,000**	**83,000**	**5%[4]**	**Varies**	**Varies**

Table 5
Cumulative Summary of Volatile Organic Compounds in Soil Gas
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per cubic meter)[2]													
					PCE	TCE	Cyclohexane	Trichloro-fluoro-methane (Freon 11)	Dichloro difluoro-methane (Freon 12)	Ethylbenzene	Toluene	Total Xylenes	1,2,4-Trimethyl-benzene	Carbon Disulfide	TPH-g	Methane	Other VOCs	Tracer
SVP-19	Farallon	SVP-19-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-19-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
Calculated Industrial SGSL with 0.03 Attenuation Factor[3]					**67**	**100**	**870,000**	**180,000**	**15,000**	**160**	**43,000**	**15,000**	**8,700**	**100,000**	**83,000**	**5%[4]**	**Varies**	**Varies**

NOTES:

Results in **bold** denote concentrations detected at or above the laboratory reporting limit. Results in **bold** and highlighted yellow denote concentrations exceeding applicable SGSLs for the current property use (industrial/commercial).

< denotes analyte not detected at or exceeding the reporting limit listed.

--- denotes sample not analyzed or not applicable.

[1] Depth in feet below ground surface.

[2] Only detected VOCs shown in table; see lab reports for full list of analytes. Analyzed by EPA Methods 8260B/8260B-Modified (3/11/2022, 7/29/2016 (Modified), and 9/20/2022) or TO-15 (7/21/2016), unless otherwise noted.

[3] Except as noted (see Footnote 4), Calculated soil gas screening levels (SGSLs) were derived by dividing the May 2022 Department of Toxic Substances Control (DTSC) screening levels (shown in black) or November 2022 U.S. Environmental Protection Agency (EPA) Regional Screening Levels (shown in blue) for VOCs, and 2019 SFBWQCB Environmental Screening Levels (ESLs) for TPH-g (shown in green) for indoor air by the noted attenuation factor.

[4] Methane was compared against a Lower Exlosive Limit of 5% as measured by a hand-held GemTech 5000 Flame Ionizaton Detector

C = sample was analyzed via TO-14 due to high concentration of analytes
Farallon = Farallon Consulting, LLC
ND = not detected at or above the laboratory reporting limit
Partner = Partner Engineering and Science, Inc.
PCE = tetrachloroethene
SGSL = soil gas screening level
TCE = trichloroethene
TPH-g = total petroleum hydrocarbons, gasoline range

APPENDIX A
BORING LOGS

ADDITIONAL SUBSURFACE INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

Log of Boring: SVP-11

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Kathy Lehnus

Date/Time Started:	9/16/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	9/16/22	**Boring Diameter (in):**	3.0
Drilling Company:	ABC Liovin	**Total Boring Depth (ft bgs):**	11.0
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Hand Auger; Geoprobe 6600		
Drilling Operator:	Chris K		
Sampler Type:	Acetate sleeve		

Depth (ft bgs)	Sample Interval	Lithologic Description	USCS	USCS Graphic	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0		0.0-0.5': Gravel road base. Hand auger to 6.0' bgs to clear for utilities.	GW						Concrete
		0.5-11.0': Silty fine SAND (SM) with trace medium sand and gravel, brown (10YR 4/3), estimated loose, moist, no odor.	SM			0.9			Hydrated #8 Bentonite
		4.0': Cobbles.	SM				SVP-11-4.0		Dry #8 Bentonite; #3 Sand Pack with Vapor Probe; Dry #8 Bentonite
5		6.0': Becomes dark olive brown (2.5YR 3/3).	SM			0.0			Hydrated #8 Bentonite
		9.0': Becomes dark yellowish-brown (10YR 4/4), estimated dense.	SM		100				Dry #8 Bentonite; #3 Sand Pack with Vapor Probe; Dry #8 Bentonite
10		11.0': End of Boring.					SVP-11-10.0		

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4.0 and 10.0	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-12

Client:	Prologis Inc		
Project:	5355 Airport Drive		
Location:	Ontario, California		
Farallon PN:	1071-080		
Logged By:	Nate Montoy		
Reviewed By:	Kathy Lehnus		
Date/Time Started:	9/16/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	9/16/22	**Boring Diameter (in):**	3.0
Drilling Company:	ABC Liovin	**Total Boring Depth (ft bgs):**	11.0
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Hand Auger; Geoprobe 6600		
Drilling Operator:	Chris K		
Sampler Type:	Acetate sleeve		

Depth (ft bgs)	Sample Interval	Lithologic Description	USCS	USCS Graphic	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0		0.0-0.67': Concrete. Hand auger to 6.0' bgs to clear for utilities.	AC						Concrete
		0.67-9.5': Silty fine SAND (SM), brown (10YR 4/3), estimated loose, moist, no odor.	SM			0.9			Hydrated #8 Bentonite
									Dry #8 Bentonite
							SVP-12-4.0		#3 Sand Pack with Vapor Probe
									Dry #8 Bentonite
5									
						1.0			Hydrated #8 Bentonite
					90				
		9.5-11.0': Sandy CLAY with trace fine to coarse sand, dark yellowish-brown (10YR 4/4), moist, low to medium plasticity, no odor.	CL						Dry #8 Bentonite
10							SVP-12-10.0		#3 Sand Pack with Vapor Probe
									Dry #8 Bentonite
		11.0': End of Boring.							

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4.0 and 10.0	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

Log of Boring: SVP-13

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Kathy Lehnus

Date/Time Started:	9/16/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	9/16/22	**Boring Diameter (in):**	3.0
Drilling Company:	ABC Liovin	**Total Boring Depth (ft bgs):**	11.0
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Hand Auger; Geoprobe 6600		
Drilling Operator:	Chris K		
Sampler Type:	Acetate sleeve		

Depth (ft bgs)	Sample Interval	Lithologic Description	USCS	USCS Graphic	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0		0.0-0.5': Gravel road base. Hand auger to 6.0' bgs to clear for utilities.	GW						Concrete
		0.5-8.0': Silty Fine SAND with trace gravel, brown (10YR 4/3), estimated loose, moist, no odor.	SM			0.8			Hydrated #8 Bentonite
									Dry #8 Bentonite
							SVP-13-4.0		#3 Sand Pack with Vapor Probe
									Dry #8 Bentonite
5						1.2			Hydrated #8 Bentonite
		8.0-11.0': Becomes brown (10YR 5/3) with trace medium sand, moist, estimated dense, no odor.	SM		50				Dry #8 Bentonite
									#3 Sand Pack with Vapor Probe
10							SVP-13-10.0		Dry #8 Bentonite
		11.0': End of Boring.							

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4.0 and 10.0	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-14

Client:	Prologis Inc	**Date/Time Started:**	9/16/22
Project:	5355 Airport Drive	**Date/Time Completed:**	9/16/22
Location:	Ontario, California	**Drilling Company:**	ABC Liovin
Farallon PN:	1071-080	**Drilling Method:**	Direct Push
Logged By:	Nate Montoy	**Drilling Equipment:**	Hand Auger; Geoprobe 6600
Reviewed By:	Kathy Lehnus	**Drilling Operator:**	Chris K
		Sampler Type:	Acetate sleeve

Depth to Water ATD (ft bgs):	NE		
Boring Diameter (in):	3.0		
Total Boring Depth (ft bgs):	11.0		
Constructed Well Depth (ft bgs):	NA		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Boring/Well Construction Details
0	0.0-0.5': Concrete. Hand auger to 6.0' bgs to clear for utilities.	AC				Concrete
	0.5-5.5': Silty fine SAND (SM) with trace fine gravel, dark brown (10YR 3/3), estimated loose, moist, no odor.	SM		1.4		Hydrated #8 Bentonite
	3.0': Becomes dark yellow-brown (10YR 4/4)	SM				Dry #8 Bentonite
	4.0': Trace clay	SM			SVP-14-4.0	#3 Sand Pack with Vapor Probe
5						Dry #8 Bentonite
	5.5-11.0': Clayey SAND (SC) with fine sand and trace coarse sand, dark yellow-brown (10YR 4/4), moist, estimated medium dense, no odor.	SC		0.0		Hydrated #8 Bentonite
	8.0': with medium sand with cobbles.	SC	80			Dry #8 Bentonite
10	10.0': with coarse sand and trace coarse gravel.	SC			SVP-14-10.0	#3 Sand Pack with Vapor Probe
						Dry #8 Bentonite
	11.0': End of Boring.					

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4.0 and 10.0	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-15

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Kathy Lehnus

Date/Time Started:	9/16/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	9/16/22	**Boring Diameter (in):**	3.0
Drilling Company:	ABC Liovin	**Total Boring Depth (ft bgs):**	11.0
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Hand Auger; Geoprobe 6600		
Drilling Operator:	Chris K		
Sampler Type:	Acetate sleeve		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Boring/Well Construction Details
0	0.0-0.42': Asphalt. Hand auger to 6.0' bgs to clear for utilities.	AC				Concrete
	0.42-3.0': Silty SAND (SM) with fine sand and small and large subangular gravel, dark yellowish-brown (10YR 4/4), estimated loose, moist, no odor.	SM		0.3		Hydrated #8 Bentonite
	3.0': No gravel.	SM			SVP-15-4.0	Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
5	5.0': Trace fine gravel.	SM		0.1		Dry #8 Bentonite; Hydrated #8 Bentonite
	7.0-10.0': Medium SAND (SP) with trace coarse sand, brown (10YR 5/3), moist, estimated loose, no odor.	SP	80			Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
10	10.0': Becomes coarse SAND with trace fine and coarse gravel.	SP			SVP-15-10.0	Dry #8 Bentonite
	11.0': End of Boring.					

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4.0 and 10.0	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-16

Client:	Prologis Inc	**Date/Time Started:**	9/16/22
Project:	5355 Airport Drive	**Date/Time Completed:**	9/16/22
Location:	Ontario, California	**Drilling Company:**	ABC Liovin
Farallon PN:	1071-080	**Drilling Method:**	Direct Push
Logged By:	Nate Montoy	**Drilling Equipment:**	Hand Auger; Geoprobe 6600
Reviewed By:	Kathy Lehnus	**Drilling Operator:**	Chris K
		Sampler Type:	Acetate sleeve

Depth to Water ATD (ft bgs):	NE		
Boring Diameter (in):	3.0		
Total Boring Depth (ft bgs):	11.0		
Constructed Well Depth (ft bgs):	NA		

Depth (ft bgs)	Sample Interval	Lithologic Description	USCS	USCS Graphic	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0		0.0-0.42': Asphalt.	AC						Concrete
		0.42-1.0': Gravel road base. Hand auger to 6.0' bgs to clear for utilities.	GW			0.9			
		1.0-6.0': Silty fine SAND (SM), dark brown (10YR 3/3), estimated loose, moist, no odor.	SM						Hydrated #8 Bentonite
									Dry #8 Bentonite
							SVP-16-4.0		#3 Sand Pack with Vapor Probe
									Dry #8 Bentonite
5		5.0': Trace clay							
		6.0-7.0': Clayey fine SAND (SC), very dark grayish-brown (10YR 3/2), estimated dense, moist, no odor.	SC			0.1			Hydrated #8 Bentonite
		7.0-10.5': Fine SAND (SP), dark yellowish-brown (10YR 3/4), estimated loose, moist, no odor.	SP		75				
		9.5': Becomes coarse SAND (SP), grayish-brown (10YR 5/2)							Dry #8 Bentonite
10							SVP-16-10.0		#3 Sand Pack with Vapor Probe
		10.5-11.0': Sandy CLAY with trace fine to coarse sand, dark yellowish-brown (10YR 4/4), moist, low to medium plasticity, no odor.	CL						Dry #8 Bentonite
		11.0': End of Boring.							

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4.0 and 10.0	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-17

Client:	Prologis Inc		
Project:	5355 Airport Drive		
Location:	Ontario, California		
Farallon PN:	1071-080		
Logged By:	Nate Montoy		
Reviewed By:	Kathy Lehnus		
Date/Time Started:	9/16/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	9/16/22	**Boring Diameter (in):**	3.0
Drilling Company:	ABC Liovin	**Total Boring Depth (ft bgs):**	11.0
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Hand Auger; Geoprobe 6600		
Drilling Operator:	Chris K		
Sampler Type:	Acetate sleeve		

Depth (ft bgs)	Sample Interval	Lithologic Description	USCS	USCS Graphic	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0		0.0-0.5': Concrete. Hand auger to 6.0' bgs to clear for utilities.	AC						Concrete
		0.5-4.5': Silty medium SAND (SM) with trace fine to coarse gravel, dark brown (10YR 3/3), estimated loose, moist, no odor.	SM			0.1			Hydrated #8 Bentonite; Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
							SVP-17-4.0		
5		4.5-11.0': Coarse SAND (SP) with trace medium sand and fine to coarse subangular gravel, grayish-brown (10YR 5/2), estimated loose, moist, no odor.	SP		80	0.1			Dry #8 Bentonite; Hydrated #8 Bentonite
10		10.0': Cobbles					SVP-17-10.0		Dry #8 Bentonite; #3 Sand Pack with Vapor Probe; Dry #8 Bentonite
		11.0': End of Boring.							

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4.0 and 10.0	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-18

Client:	Prologis Inc	**Date/Time Started:**	9/16/22
Project:	5355 Airport Drive	**Date/Time Completed:**	9/16/22
Location:	Ontario, California	**Drilling Company:**	ABC Liovin
Farallon PN:	1071-080	**Drilling Method:**	Direct Push
Logged By:	Nate Montoy	**Drilling Equipment:**	Hand Auger; Geoprobe 6600
Reviewed By:	Kathy Lehnus	**Drilling Operator:**	Chris K
		Sampler Type:	Acetate sleeve
		Depth to Water ATD (ft bgs):	NE
		Boring Diameter (in):	3.0
		Total Boring Depth (ft bgs):	11.0
		Constructed Well Depth (ft bgs):	NA

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0	0.0-0.3': Asphalt. Hand auger to 6.0' bgs to clear for utilities.	AC					Concrete
	0.3-4.0': Silty fine SAND (SM) with trace cobbles, dark brown (10YR 3/3), estimated loose, moist, no odor.	SM		0.1			Hydrated #8 Bentonite; Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
	4.0-11.0': Coarse SAND (SP) with trace silt, grayish-brown (10YR 5/2), estimated loose, moist, no odor.	SP			SVP-18-4.0		Dry #8 Bentonite
5				0.0			Hydrated #8 Bentonite
	8.0-11.0': Cobbles		40				Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
10					SVP-18-10.0		Dry #8 Bentonite
	11.0': End of Boring.						

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4.0 and 10.0	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-19

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Kathy Lehnus

Date/Time Started:	9/16/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	9/16/22	**Boring Diameter (in):**	3.0
Drilling Company:	ABC Liovin	**Total Boring Depth (ft bgs):**	11.0
Drilling Method:	Direct Push	**Constructed Well Depth (ft bgs):**	NA
Drilling Equipment:	Hand Auger; Geoprobe 6600		
Drilling Operator:	Chris K		
Sampler Type:	Acetate sleeve		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Boring/Well Construction Details
0	0.0-0.3': Asphalt. Hand auger to 6.0' bgs to clear for utilities.	AC				Concrete
	0.3-4.0': Silty fine SAND (SM) with trace fine and coarse gravel, dark brown (10YR 3/3), estimated loose, moist, no odor.	SM		0.3		Hydrated #8 Bentonite; Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
5	4.0-5.5': Medium SAND (SP) with trace coarse sand, grayish-brown (10YR 5/2), estimated loose, moist, no odor.	SP			SVP-19-4.0	Dry #8 Bentonite
	5.5-7.0': Clayey fine SAND (SC), very dark grayish-brown (10YR 3/2), estimated medium dense, moist, no odor.	SC		0.1		Hydrated #8 Bentonite
	7.0-11.0': Silty fine SAND (SM) with trace medium sand, brown (10YR 4/3), esimated loose, moist, no odor.	SM	50			Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
10					SVP-19-10.0	Dry #8 Bentonite
	11.0': End of Boring.					

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4.0 and 10.0	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

APPENDIX B
LABORATORY ANALYTICAL REPORTS

ADDITIONAL SUBSURFACE INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

A & R Laboratories, Inc.

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CASE NARRATIVE

Authorized Signature Name / Title (print)	Ken Zheng, President
Signature / Date	Ken Zheng, President 09/23/2022 17:11:44
Laboratory Job No. (Certificate of Analysis No.)	2209-00150
Project Name / No.	5355 E. Airport Dr., Ontario, CA 91761 1071-080-002
Dates Sampled (from/to)	09/20/22 To 09/20/22
Dates Received (from/to)	09/20/22 To 09/20/22
Dates Reported (from/to)	09/23/22 To 9/23/2022
Chains of Custody Received	Yes

Comments:

Subcontracting

Organic Analyses

No analyses sub-contracted

Other Analyses

No analyses sub-contracted

Sample Condition(s)

All samples intact

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 001 **SVP-13-4** Date & Time Sampled: 09/20/22 @ 7:49
Sample Matrix: **Air**
Purge Volume Sampled: **3**

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 001 **SVP-13-4** Date & Time Sampled: 09/20/22 @ 7:49
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Sample: 001 **SVP-13-4**									Date & Time Sampled:		09/20/22 @ 7:49		
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
.....continued													
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	102		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	97		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	88		70-130	%REC							EPA 8260B	09/20/22	IG
Sample: 002 **SVP-13-10**									Date & Time Sampled:		09/20/22 @ 8:13		
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

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27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 002 **SVP-13-10** Date & Time Sampled: 09/20/22 @ 8:13
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 002 **SVP-13-10** Date & Time Sampled: 09/20/22 @ 8:13
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported 09/23/22
Date Received 09/20/22
Invoice No. 95963
Cust # F079
Permit Number
Customer P.O. 1071-080-002

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Sample: 002 **SVP-13-10**									Date & Time Sampled:		09/20/22 @ 8:13		
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
.....continued													
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	105		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	101		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	90		70-130	%REC							EPA 8260B	09/20/22	IG
Sample: 003 **SVP-11-4**									Date & Time Sampled:		09/20/22 @ 8:37		
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 003 **SVP-11-4** Date & Time Sampled: 09/20/22 @ 8:37
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 003 **SVP-11-4** Date & Time Sampled: 09/20/22 @ 8:37
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	100		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	104		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	106		70-130	%REC							EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 004 **SVP-11-10** Date & Time Sampled: 09/20/22 @ 9:01
Sample Matrix: **Air**
Purge Volume Sampled: **3**

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 004 **SVP-11-10** Date & Time Sampled: 09/20/22 @ 9:01
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 004 **SVP-11-10** Date & Time Sampled: 09/20/22 @ 9:01
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	105		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	107		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	106		70-130	%REC							EPA 8260B	09/20/22	IG

Sample: 005 **SVP-14-4** Date & Time Sampled: 09/20/22 @ 9:25
Sample Matrix: **Air**
Purge Volume Sampled: **3**

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 005 **SVP-14-4** Date & Time Sampled: 09/20/22 @ 9:25
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 005 **SVP-14-4** Date & Time Sampled: 09/20/22 @ 9:25
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Sample: 005 **SVP-14-4**													
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
.....continued													
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	103		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	107		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	110		70-130	%REC							EPA 8260B	09/20/22	IG
Sample: 006 **SVP-14-10**													
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 006 **SVP-14-10** Date & Time Sampled: 09/20/22 @ 9:50
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 006 **SVP-14-10** Date & Time Sampled: 09/20/22 @ 9:50
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	104		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	108		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	111		70-130	%REC							EPA 8260B	09/20/22	IG

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2209-00150

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BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 007 **SVP-16-4** Date & Time Sampled: 09/20/22 @ 10:13
Sample Matrix: **Air**
Purge Volume Sampled: **3**

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
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27 MAUCHLY
SUITE 213
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Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 007 **SVP-16-4** Date & Time Sampled: 09/20/22 @ 10:13
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	**0.050**	0.0125	0.025	µg/L	**50**	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Sample: 007 **SVP-16-4**									Date & Time Sampled:		09/20/22 @ 10:13		
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
.....continued													
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	**0.060**	0.025	0.050	µg/L	**60**	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	**0.030**	0.0125	0.025	µg/L	**30**	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	92		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	106		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	110		70-130	%REC							EPA 8260B	09/20/22	IG
Sample: 008 **SVP-16-10**									Date & Time Sampled:		09/20/22 @ 10:37		
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 008 **SVP-16-10** Date & Time Sampled: 09/20/22 @ 10:37
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 008 **SVP-16-10** Date & Time Sampled: 09/20/22 @ 10:37
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	**0.030**	0.0125	0.025	µg/L	**30**	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG

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Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Sample: 008 **SVP-16-10**									Date & Time Sampled:		09/20/22 @ 10:37		
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
.....continued													
m,p-Xylenes	**0.060**	0.025	0.050	µg/L	**60**	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	**0.030**	0.0125	0.025	µg/L	**30**	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L		125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	105		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	109		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	115		70-130	%REC							EPA 8260B	09/20/22	IG
Sample: 009 **SVP-18-4**									Date & Time Sampled:		09/20/22 @ 11:05		
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 009 **SVP-18-4** Date & Time Sampled: 09/20/22 @ 11:05
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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A & R Laboratories, Inc.

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 009 **SVP-18-4** Date & Time Sampled: 09/20/22 @ 11:05
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	100		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	103		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	109		70-130	%REC							EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 010 **SVP-18-10** Date & Time Sampled: 09/20/22 @ 11:29
Sample Matrix: **Air**
Purge Volume Sampled: **3**

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 010 **SVP-18-10** Date & Time Sampled: 09/20/22 @ 11:29
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

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FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 010 **SVP-18-10** Date & Time Sampled: 09/20/22 @ 11:29
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	103		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	108		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	110		70-130	%REC							EPA 8260B	09/20/22	IG

Sample: 011 **SVP-18-10-DUP** Date & Time Sampled: 09/20/22 @ 11:29
Sample Matrix: **Air**
Purge Volume Sampled: **3**

[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 011 **SVP-18-10-DUP** Date & Time Sampled: 09/20/22 @ 11:29
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 011 **SVP-18-10-DUP** Date & Time Sampled: 09/20/22 @ 11:29
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Sample: 011 **SVP-18-10-DUP**													
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
.....continued													
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	105		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	109		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	109		70-130	%REC							EPA 8260B	09/20/22	IG
Sample: 012 **SVP-17-4**													
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 012 **SVP-17-4** Date & Time Sampled: 09/20/22 @ 12:20
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 012 **SVP-17-4** Date & Time Sampled: 09/20/22 @ 12:20
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	107		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	109		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	111		70-130	%REC							EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 013 **SVP-17-10** Date & Time Sampled: 09/20/22 @ 12:52
Sample Matrix: **Air**
Purge Volume Sampled: **3**

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 013 **SVP-17-10** Date & Time Sampled: 09/20/22 @ 12:52
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Sample: 013 **SVP-17-10**													
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
.....continued													
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	104		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	111		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	108		70-130	%REC							EPA 8260B	09/20/22	IG
Sample: 014 **SVP-19-4**													
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 014 **SVP-19-4** Date & Time Sampled: 09/20/22 @ 13:16
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 014 **SVP-19-4** Date & Time Sampled: 09/20/22 @ 13:16
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported 09/23/22
Date Received 09/20/22
Invoice No. 95963
Cust # F079
Permit Number
Customer P.O. 1071-080-002

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Sample: 014 **SVP-19-4**									Date & Time Sampled:		09/20/22 @ 13:16		
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
.....continued													
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	104		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	109		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	110		70-130	%REC							EPA 8260B	09/20/22	IG
Sample: 015 **SVP-19-10**									Date & Time Sampled:		09/20/22 @ 13:40		
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 015 **SVP-19-10** Date & Time Sampled: 09/20/22 @ 13:40
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 015 **SVP-19-10** Date & Time Sampled: 09/20/22 @ 13:40
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	109		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	109		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	108		70-130	%REC							EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 016 **SVP-12-4** Date & Time Sampled: 09/20/22 @ 9:22
Sample Matrix: **Air**
Purge Volume Sampled: **3**

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 016 **SVP-12-4** Date & Time Sampled: 09/20/22 @ 9:22
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 016 **SVP-12-4** Date & Time Sampled: 09/20/22 @ 9:22
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	114		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	105		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	90		70-130	%REC							EPA 8260B	09/20/22	IG

Sample: 017 **SVP-12-10** Date & Time Sampled: 09/20/22 @ 9:46
Sample Matrix: **Air**
Purge Volume Sampled: **3**

[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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Date Reported	09/23/22
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Invoice No.	95963
Cust #	F079
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Customer P.O.	1071-080-002

Sample: 017 **SVP-12-10** Date & Time Sampled: 09/20/22 @ 9:46
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 017 **SVP-12-10** Date & Time Sampled: 09/20/22 @ 9:46
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG

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Customer P.O.	1071-080-002

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Sample: 017 **SVP-12-10**													
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
.....continued													
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	110		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	104		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	94		70-130	%REC							EPA 8260B	09/20/22	IG
Sample: 018 **SVP-15-4**													
Sample Matrix: **Air**													
Purge Volume Sampled: **3**													
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 018 **SVP-15-4** Date & Time Sampled: 09/20/22 @ 10:10
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 018 **SVP-15-4** Date & Time Sampled: 09/20/22 @ 10:10
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	108		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	103		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	91		70-130	%REC							EPA 8260B	09/20/22	IG

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Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 019 **SVP-15-10** Date & Time Sampled: 09/20/22 @ 10:34
Sample Matrix: **Air**
Purge Volume Sampled: **3**

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
[VOCs by GCMS]													
Acetone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Amyl Methyl Ether (TAME)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Benzene	<0.0060	0.006	0.025	µg/L	<6.0	6.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromodichloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromoform	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Bromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
t-Butanol (TBA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Butanone (MEK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
sec-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
tert-Butylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Disulfide	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Carbon Tetrachloride	<0.0063	0.00625	0.013	µg/L	<6.3	6.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloroform	<0.0078	0.00775	0.025	µg/L	<7.8	7.8	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Chloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Chlorotoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromochloromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromoethane (EDB)	<0.0031	0.003125	0.025	µg/L	<3.1	3.1	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dibromo-3-Chloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dibromomethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,4-Dichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Dichlorodifluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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Customer P.O.	1071-080-002

Sample: 019 **SVP-15-10** Date & Time Sampled: 09/20/22 @ 10:34
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,2-Dichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2,2-Dichloropropane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
cis-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
trans-1,3-Dichloropropene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Diisopropyl Ether (DiPE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Ethyl-t-Butyl Ether (EtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Hexachlorobutadiene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
2-Hexanone	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Isopropylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Isopropyltoluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methylene Chloride	<0.0125	0.0125	0.03	µg/L	<12.5	12.5	30	µg/m3		0.25	EPA 8260B	09/20/22	IG
4-Methyl-2-Pentanone (MIBK)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
Methyl-t-butyl Ether (MtBE)	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Naphthalene	<0.0053	0.00525	0.013	µg/L	<5.3	5.3	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
n-Propylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Styrene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,1,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2,2-Tetrachloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Tetrachloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Toluene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trichlorobenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG

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CERTIFICATE OF ANALYSIS

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

Project: 5355 E. Airport Dr., Ontario, CA 91761

Date Reported	09/23/22
Date Received	09/20/22
Invoice No.	95963
Cust #	F079
Permit Number	
Customer P.O.	1071-080-002

Sample: 019 **SVP-15-10** Date & Time Sampled: 09/20/22 @ 10:34
Sample Matrix: **Air**
Purge Volume Sampled: **3**
.....continued

Analysis	Result	MDL	RL	Units	Result	MDL	RL	Units	Qual	DF	Method	Date	Tech
1,1,1-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,1,2-Trichloroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichloroethene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,3-Trichloropropane	<0.0050	0.005	0.025	µg/L	<5.0	5.0	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorofluoromethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Trichlorotrifluoroethane	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,2,4-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
1,3,5-Trimethylbenzene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
Vinyl Chloride	<0.0006	0.0006	0.013	µg/L	<0.6	0.6	13	µg/m3		0.25	EPA 8260B	09/20/22	IG
m,p-Xylenes	<0.0250	0.025	0.050	µg/L	<25.0	25.0	50	µg/m3		0.25	EPA 8260B	09/20/22	IG
o-Xylene	<0.0125	0.0125	0.025	µg/L	<12.5	12.5	25	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Vapor Sampling Tracer]													
Isopropanol (IPA)	<0.1250	0.125	0.25	µg/L	<125.0	125.0	250	µg/m3		0.25	EPA 8260B	09/20/22	IG
[VOC Surrogates]													
Dibromofluoromethane	104		70-130	%REC							EPA 8260B	09/20/22	IG
Toluene-D8	103		70-130	%REC							EPA 8260B	09/20/22	IG
Bromofluorobenzene	88		70-130	%REC							EPA 8260B	09/20/22	IG

Respectfully Submitted: Ken Zheng

Ken Zheng - President

QUALIFIERS

B = Detected in the associated Method Blank at a concentration above the routine RL
B1= BOD blank is over specifications . The reported result may be biased high.
D = Surrogate recoveries are not calculated due to sample dilution
E = Estimated value
H = Analyte was prepared and/or analyzed outside of the analytical method holding time
I = Matrix Interference
J = Analyte concentration detected between RL and MDL

ABBREVIATIONS

DF = Dilution Factor
RL = Reporting Limit
MDL = Method Detection Limit
Qual = Qualifier
Tech = Technician

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QUALITY CONTROL DATA REPORT

FARALLON CONSULTING, LLC
BRENDEN TAYLOR
27 MAUCHLY
SUITE 213
IRVINE, CA 92618

2209-00150

Date Reported	**09/23/2022**
Date Received	**09/20/2022**
Date Sampled	**09/20/2022**
Invoice No.	**95963**
Customer #	**F079**
Customer P.O.	**1071-080-002**

Project: 5355 E. Airport Dr., Ontario, CA 91761

Method # EPA 8260B
QC Reference # 105072 **Date Analyzed:** 9/20/2022 **Technician:** IG
Samples 001 002 003 004 005 006 007 008 009 010 011 012 013 014 015 016 017 018 019

Results

	LCS %REC	LCS %DUP	LCS %RPD	BLKSRR% REC
1,1-Dichloroethene	81	71	13.2	
Benzene	106	87	19.7	
Bromofluorobenzene				111
Chlorobenzene	118	100	16.5	
Dibromofluoromethan				103
Toluene	120	97	21.2	
Toluene-D8				105
Trichloroethene	106	88	18.6	

Control Ranges

LCS %REC	LCS %RPD	BLKSRR%REC
70 - 130	0 - 25	
70 - 130	0 - 25	
		50 - 150
70 - 130	0 - 25	
		50 - 150
70 - 130	0 - 25	
		50 - 150
70 - 130	0 - 25	

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QUALITY CONTROL DATA REPORT

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR

Date Reported 09/23/2022
Date Received 09/20/2022
Date Sampled 09/20/2022

Project: 5355 E. Airport Dr., Ontario, CA 91761

Method blank results

Ref	Test Name	Result	Qualif	Units	MDL
105072	Acetone	<0.1250		µg/L	0.1250
	t-Amyl Methyl Ether (TAME)	<0.0125		µg/L	0.0125
	Benzene	<0.0060		µg/L	0.0060
	Bromobenzene	<0.0125		µg/L	0.0125
	Bromochloromethane	<0.0125		µg/L	0.0125
	Bromodichloromethane	<0.0125		µg/L	0.0125
	Bromoform	<0.0125		µg/L	0.0125
	Bromomethane	<0.0125		µg/L	0.0125
	t-Butanol (TBA)	<0.1250		µg/L	0.1250
	2-Butanone (MEK)	<0.1250		µg/L	0.1250
	n-Butylbenzene	<0.0125		µg/L	0.0125
	sec-Butylbenzene	<0.0125		µg/L	0.0125
	tert-Butylbenzene	<0.0125		µg/L	0.0125
	Carbon Disulfide	<0.1250		µg/L	0.1250
	Carbon Tetrachloride	<0.0063		µg/L	0.0063
	Chlorobenzene	<0.0125		µg/L	0.0125
	Chloroethane	<0.0125		µg/L	0.0125
	Chloroform	<0.0078		µg/L	0.0078
	Chloromethane	<0.0125		µg/L	0.0125
	2-Chlorotoluene	<0.0125		µg/L	0.0125
	4-Chlorotoluene	<0.0125		µg/L	0.0125
	Dibromochloromethane	<0.0125		µg/L	0.0125
	1,2-Dibromoethane (EDB)	<0.0031		µg/L	0.0031
	1,2-Dibromo-3-Chloropropane	<0.0125		µg/L	0.0125
	Dibromomethane	<0.0125		µg/L	0.0125
	1,2-Dichlorobenzene	<0.0125		µg/L	0.0125
	1,3-Dichlorobenzene	<0.0125		µg/L	0.0125
	1,4-Dichlorobenzene	<0.0125		µg/L	0.0125
	Dichlorodifluoromethane	<0.0125		µg/L	0.0125
	1,1-Dichloroethane	<0.0125		µg/L	0.0125
	1,2-Dichloroethane	<0.0125		µg/L	0.0125
	1,1-Dichloroethene	<0.0125		µg/L	0.0125
	cis-1,2-Dichloroethene	<0.0125		µg/L	0.0125
	trans-1,2-Dichloroethene	<0.0125		µg/L	0.0125
	1,2-Dichloropropane	<0.0125		µg/L	0.0125
	1,3-Dichloropropane	<0.0125		µg/L	0.0125
	2,2-Dichloropropane	<0.0125		µg/L	0.0125
	1,1-Dichloropropene	<0.0125		µg/L	0.0125
	cis-1,3-Dichloropropene	<0.0125		µg/L	0.0125
	trans-1,3-Dichloropropene	<0.0125		µg/L	0.0125
	Diisopropyl Ether (DiPE)	<0.0125		µg/L	0.0125
	Ethylbenzene	<0.0125		µg/L	0.0125
	Ethyl-t-Butyl Ether (EtBE)	<0.0125		µg/L	0.0125
	Hexachlorobutadiene	<0.0125		µg/L	0.0125
	2-Hexanone	<0.1250		µg/L	0.1250
	Isopropylbenzene	<0.0125		µg/L	0.0125
	4-Isopropyltoluene	<0.0125		µg/L	0.0125
	Methylene Chloride	<0.0125		µg/L	0.0125
	4-Methyl-2-Pentanone (MIBK)	<0.1250		µg/L	0.1250
	Methyl-t-butyl Ether (MtBE)	<0.0125		µg/L	0.0125
	Naphthalene	<0.0053		µg/L	0.0053
	n-Propylbenzene	<0.0125		µg/L	0.0125
	Styrene	<0.0125		µg/L	0.0125
	1,1,1,2-Tetrachloroethane	<0.0125		µg/L	0.0125
	1,1,2,2-Tetrachloroethane	<0.0125		µg/L	0.0125
	Tetrachloroethene	<0.0125		µg/L	0.0125
	Toluene	<0.0125		µg/L	0.0125
	1,2,3-Trichlorobenzene	<0.0125		µg/L	0.0125
	1,2,4-Trichlorobenzene	<0.0125		µg/L	0.0125
	1,1,1-Trichloroethane	<0.0125		µg/L	0.0125
	1,1,2-Trichloroethane	<0.0125		µg/L	0.0125
	Trichloroethene	<0.0125		µg/L	0.0125
	1,2,3-Trichloropropane	<0.0050		µg/L	0.0050
	Trichlorofluoromethane	<0.0125		µg/L	0.0125
	Trichlorotrifluoroethane	<0.0125		µg/L	0.0125
	1,2,4-Trimethylbenzene	<0.0125		µg/L	0.0125
	1,3,5-Trimethylbenzene	<0.0125		µg/L	0.0125
	Vinyl Chloride	<0.0006		µg/L	0.0006
	m,p-Xylenes	<0.0250		µg/L	0.0250
	o-Xylene	<0.0125		µg/L	0.0125
	Isopropanol (IPA)	<0.1250		µg/L	0.1250

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QUALITY CONTROL DATA REPORT

2209-00150

FARALLON CONSULTING, LLC
BRENDEN TAYLOR

Date Reported	**09/23/2022**
Date Received	**09/20/2022**
Date Sampled	**09/20/2022**

Project: 5355 E. Airport Dr., Ontario, CA 91761

Respectfully Submitted: Ken Zheng

Ken Zheng - President

3295

A & R Laboratories
1650 S. Grove Ave., Ste C, Ontario, CA 91761
Tel: 951-779-0310 / 909-781-6335 Fax: 951-779-0344
E-mail: office@arlaboratories.com

CHAIN OF CUSTODY

1071-080-002

A & R Work Order #: 2209-150

Page 1 of 2

Client Name: Farallon CONSULTING, LLC
E-mail: BTAYLOR@FARALLONCONSULTING.COM
Address: 27 MAUCHLY, STE. 213, IRVINE, CA 92618
Report Attention: BRENDEN T | Phone #: 213-215-0030 | Fax: #
Sampled By: IG
Project No./ Name:
Project Site: 5355 E Airport Dr, Ontario, CA 91761

☐ Chilled
☒ Intact
☐ Seal

Turn Around Time Requested
☐ Rush 8 12 24 48 Hours
☐ Normal
mobile

Lab # (Lab use)	Client Sample ID	Sample Collection Date	Sample Collection Time	Matrix Type	Sample Preserve	No., type* & size of container	EPA8260B (VOCs & Oxygenates)	EPA8260B(BTEX & Oxygenates)	8260B / 8015 (Gasoline)	8015 (Diesel)	EPA8081A (Organochlorine Pesticides)	EPA 8082 (PCBs)	EPA 8015M (Carbon Chain C4-C40)	EPA 6010B/7000 (CAM 17 Metals)	Micro: Plate Cnt., Coliform, E-Coli	Remarks
1	SVP-13-4	9/20/22	7:49	AIR		250 mL G	X									3X purge volume
2	SVP-13-10		8:13													
3	SVP-11-4		8:37													
4	SVP-11-10		9:01													
5	SVP-14-4		9:25													
6	SVP-14-10		9:50													
7	SVP-16-4		10:13													
8	SVP-16-10		10:37													
9	SVP-18-4		11:05													
10	SVP-18-10		11:29													
11	SVP-18-10-DUP		11:29													
12	SVP-17-4		12:20													
13	SVP-17-10		12:52													
14	SVP-19-4		13:16													
15	SVP-19-10	↓	13:40	↓		↓	↓									

Relinquished By	Company	Date	Time	Received By	Company	Date	Time
[signature]	FARALLON	9/20/22	1350	[signature]	A&R	9/20/22	1350
Relinquished By	Company	Date	Time	Received By	Company	Date	Time

Note: Samples are discarded 30 days after results are reported unless other arrangements are made.

Matrix Code: DW=Drinking Water; GW=Ground Water; WW=Waste Water; SD=Solid Waste; SL=Sludge; SS=Soil/Sediment; AR=Air; PP=Pure Product

Preservative Code: IC=Ice; HC=HCl; HN=HNO_3; SH=NaOH; ST=$Na_2S_2O_3$; HS=H_2SO_4

* Sample Container Types: T=Tedlar Air Bag; G=Glass Container; ST= Steel Tube; B= Brass Tube; P=Plastic Bottle; V=VOA Vial; E= EnCore

3296

A & R Laboratories
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Tel: 951-779-0310 / 909-781-6335 Fax: 951-779-0344
E-mail: office@arlaboratories.com

CHAIN OF CUSTODY

1071-080-002

A & R Work Order #: 2209-150

Client Name: Farallon CONSULTING, LLC
E-mail: BTAYLOR@FARALLONCONSULTING.COM
Address: 27 MAUCHLY, STE. 213, IRVINE, CA 92618
Report Attention: BRENDEN
Phone #: 213-215-0030
Fax: #
Sampled By: IG
Project No./ Name:
Project Site: 5355 E Airport Dr, Ontario, CA 91761

☐ Chilled
☒ Intact
☐ Seal

Turn Around Time Requested
☐ Rush 8 12 24 48 Hours
☐ Normal
mobile

Lab # (Lab use)	Client Sample ID	Sample Collection Date	Sample Collection Time	Matrix Type	Sample Preserve	No., type* & size of container	EPA8260B (VOCs & Oxygenates)	EPA8260B(BTEX & Oxygenates)	8260B / 8015 (Gasoline)	8015 (Diesel)	EPA8081A (Organochlorine Pesticides)	EPA 8082 (PCBs)	EPA 8015M (Carbon Chain C4-C40)	EPA 6010B/7000 (CAM 17 Metals)	Micro: Plate Cnt., Coliform, E-Coli	Remarks
16	SVP-12-4	9/20/22	9:22	AIR		250mL V	X									3X purge volume
17	SVP-12-10	↓	9:46	↓		↓	↓									
18	SVP-15-4		10:10													
19	SVP-15-10		10:34													
20																

Relinquished By	Company	Date	Time	Received By	Company	Date	Time
[signature]	FARALLON	9/20/22	1350	[signature]	A2R	9/20/22	1350
Relinquished By	Company	Date	Time	Received By	Company	Date	Time

Note: Samples are discarded 30 days after results are reported unless other arrangements are made.

Matrix Code: DW=Drinking Water; GW=Ground Water; WW=Waste Water; SD=Solid Waste; SL=Sludge; SS=Soil/Sediment; AR=Air; PP=Pure Product

Preservative Code: IC=Ice; HC=HCl; HN=HNO_3; SH=NaOH; ST=$Na_2S_2O_3$; HS=H_2SO_4

* Sample Container Types: T=Tedlar Air Bag; G=Glass Container; ST= Steel Tube; B= Brass Tube; P=Plastic Bottle; V=VOA Vial; E= EnCore

APPENDIX C
WASTE MANIFESTS

ADDITIONAL SUBSURFACE INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

Manifest

SOIL SAFE OF CA – TPST
Non-Hazardous Soils

↓ Manifest # ↓

Date of Shipment:	Responsible for Payment:	Transport Truck #:	Facility #:	Approval Number:	Load #
/ /			A07	A5-4211	002

Generator and/or Consultant

Generator's Name and Billing Address:
PROLOGIS INC
PIER 1 BAY 1
SAN FRANCISCO, CA 94111

Generator's Phone #: 415-733-9411
Person to Contact:
FAX#:
Customer Account Number

Consultant's Name and Billing Address:

Consultant's Phone #:
Person to Contact:
FAX#:
Customer Account Number

Generation Site (Transport from): *(name & address)*
5355 EAST AIRPORT DRIVE
5355 EAST AIRPORT DRIVE
ONTARIO, CA 91761

Site Phone #:
Person to Contact:
FAX#:

Designated Facility (Transport to): *(name & address)*
SOIL SAFE
12328 HIBISCUS AVENUE
ADELANTO, CA 92301

Facility Phone #: (800) 862-8001
Person to Contact: JOE PROVANSAL
FAX#: (760) 246-8004

Transporter Name and Mailing Address:
BELSHIRE
25971 TOWNE CENTRE DRIVE
FOOTHILL RANCH, CA 92610
BESI: 348606

Transporter's Phone #: 949-460-5200
CAR000183913
Person to Contact: LARRY MOOTHART
1629169
FAX#: 949-460-5210
Customer Account Number

Description of Soil	Moisture Content	Contaminated by:	Approx. Qty:	Description of Delivery	Gross Weight	Tare Weight	Net Weight
Sand ☐ Organic ☐ Clay ☐ Other ☐	0 - 10% ☐ 10 - 20% ☐ 20% - over ☐	Gas ☐ Diesel ☐ Other ☐	1 DM	SOIL	290		
Sand ☐ Organic ☐ Clay ☐ Other ☐	0 - 10% ☐ 10 - 20% ☐ 20% - over ☐	Gas ☐ Diesel ☐ Other ☐			38700	38100	600

List any exception to items listed above: Scale Ticket # 172571 .30

Generator's and/or consultant's certification: I/We certify that the soil referenced herein is taken entirely from those soils descried in the Soil Data Sheet completed and certified by me/us for the Generation Site shown above and nothing has been added or done to such soil that would alter it in any way.

Print or Type Name: Generator ☐ Consultant ☐
Larry Moothart of BESI on behalf of generator

Signature and date:

Month 10 Day 14 Year 22

Transporter

Transporter's certification: I/We acknowledge receipt of the soil referenced above and certify that such soil is being delivered in exactly the same condition as when received. I/We further certify that the soil is being directly transported from the Generation Site to the Designated Facility without off-loading, adding to, subtracting from or in any way delaying delivery to such site.

Print or Type Name: PAUL VENEGAS

Signature and date:

Month 10 Day 14 Year 22

Recycling Facility

Discrepancies:

Recycling Facility certifies the receipt of the soil covered by this manifest except as noted above:

Print or Type Name:
Joe Provansal / Barry Meek / Bill Bishop

Signature and date: 11-7-22

Please print or type.

3298

TRANSPORTER COPY

Soil Safe of California, Inc.

12328 Hibiscus Ave. Adelanto, CA 92301

ADE 172871

WEIGHMASTER CERTIFICATE

THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professional Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

Manifest Number: A5-4211 Load #: 2

11/7/2022

Generator Site Information:

5355 East Airport Drive

5355 East Airport Drive

Ontario, Ca 91791

Weighmaster Weighed at:

SOIL SAFE OF CALIFORNIA, INC..

12328 HIBISCUS AVE

ADELANTO, CA 92301

Joe Provansal **Time In:** 1:50:29 PM

Joe Provansal **Time out:** 1:50:30 PM

	Lbs	Tons	
Gross Weight:	38700	19.35	Manual Wt
Tare Weight:	38100	19.05	Manual Wt
Net Weight:	600	0.3	

Truck Number: 875

Trailer Number: 200

Commodity: Non Haz - Solids

Driver on Gross and Tare Transporter: Besi - Ed

SOIL GAS INVESTIGATION REPORT

5355 East Airport Drive
Ontario, California

Submitted by:
Farallon Consulting, L.L.C.
27 Mauchly, Suite 213
Irvine, California 92618

Farallon PN: 1071-080 (Task 2)

For:
Prologis, L.P.
Pier 1, Bay 1
San Francisco, California 94111

February 14, 2023

Prepared by:

Peter Sims, P.G.
Associate Geologist

Jared Eudell
Associate Scientist

Reviewed by:

Kathy Lehnus, P.G.
Senior Geologist



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1.0 INTRODUCTION

Farallon Consulting, L.L.C. (Farallon) has prepared this Soil Gas Investigation Report (Soil Gas Report) for Prologis, L.P. (Prologis) to present a summary of results from the soil gas investigation conducted in December 2022 at the property at 5355 East Airport Drive in Ontario, California (herein referred to as the Site) (Figure 1). The soil gas investigation was conducted to provide additional assessment of the potential for vapor intrusion related to tetrachloroethene (PCE), which was detected inconsistently in soil gas during subsurface investigations conducted by Partner Engineering and Science, Inc (Partner) in July 2016 and Farallon in February and September 2022. The scope of work for the historical investigations was based on the recognized environmental conditions and subsurface investigation findings identified in the Partner Phase II Subsurface Investigation Report (2016 SI Report),[1] the Farallon Phase I/Phase II Environmental Site Assessment Report (Phase I/II Report),[2] and the Farallon Additional Subsurface Investigation Report.[3] The potential for constituents of concern (COCs) to be present in Site subsurface media was identified as recognized environmental conditions due to petroleum underground storage tanks (USTs) formerly present in three areas, former and active septic systems, and a vehicle maintenance garage ("Building B"). These features are depicted on Figure 2.

According to the 2016 SI Report, the Phase I/II Report, and the Additional Subsurface Investigation Report, tetrachloroethene (PCE) was detected at concentrations exceeding calculated industrial screening levels using a 0.03 attention factor in soil gas in several areas during the July 2016 and March 2022 sampling events, but not during the September 2022 sampling event. Additional investigation was recommended to address the potential for vapor intrusion conditions at the warehouse proposed for construction at the Site. This soil gas investigation was conducted to provide that additional investigation. Additionally, Prologis requested that methane be screened during the soil gas investigation. The scope of work for the soil gas investigation was presented in Work Change Order 1071-080-002-WCO 004[4] and the general locations, depths, rationale for the borings, and analytes are shown in Table 1. Sample locations at the Site are shown on Figure 2.

This Soil Gas Report has been organized into the following sections:

- **Section 2, Site Background**, provides a description of the Site, and summarizes pertinent background information regarding its history and previous investigations conducted at the Site.

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[1] *Phase II Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California* dated August 16, 2016, prepared for Prologis, Inc. by Partner (2016).

[2] *Phase I/Phase II Environmental Site Assessment Report, 5355 East Airport Drive, Ontario, California* dated March 31, 2022 prepared by Farallon (2022a) for Prologis.

[3] *Additional Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California* dated December 13, 2022 prepared for Prologis, Inc. by Farallon (2022c).

[4] Work Change Order 1071-080-002-WCO 004, Master Services Agreement, Farallon Consulting, L.L.C. and Prologis, Inc. dated December 5, 2022 between Gavin Polite Fisco of Prologis and Scott Allin of Farallon (2022b).

- **Section 3, Physical Setting**, describes the topography, geology, and hydrogeology of the Site.
- **Section 4, Soil Gas Investigation**, provides a description of the scope of work conducted as part of the additional soil gas investigation, and a summary of soil gas analytical results.
- **Section 5, Conclusions and Recommendations**, presents Farallon's conclusions from the additional subsurface investigation, and recommendations based on the results.
- **Section 6, References**, provides a list of the documents cited in this Soil Gas Report.
- **Section 7, Limitations**, presents Farallon's standard limitations applicable to this Soil Gas Report.

2.0 SITE BACKGROUND

This section provides a description of the Site and summarizes pertinent background information regarding its history and previous investigations conducted at the Site.

2.1 SITE DESCRIPTION

The Site consists of two parcels totaling 14.2 acres of land: San Bernardino County Assessor Parcel Nos. 0238-052-20 (Eastern Parcel), and 0238-052-29 (Western Parcel). The Eastern Parcel is occupied by Verhoeven, a grain-processing company, and is developed with five buildings, grain storage silos, and a grain mill area. An office and warehouse building, referred to as "Building A," is located on the southern portion of the Site. The warehouse portion on the northeastern side of Building A contains a service shop used to repair machinery related to the grain mill. A maintenance shop, referred to as "Building B," is present on the eastern portion of the Site, and is used for light tractor and forklift services. Additional structures on the Eastern Parcel consist of a warehouse referred to as "Building C" on the north-central portion, used for assorted storage, and two grain storage structures on the southeastern and southwestern portions of the parcel, referred to as Buildings D and E, respectively.

The Western Parcel is occupied by The Scoular Company, a corn storage and distribution facility. The Western Parcel contains exterior grain storage areas, and an office trailer that contains a small hazardous substances storage area on secondary containment.

The Site is primarily asphalt-paved, with some gravel-paved areas on the western parcel. Access to the Site is gained from East Airport Drive, south of the Site.

A vehicle wash-down area with a sump is present on the northeastern portion of the Eastern Parcel. Three or four septic systems are associated with the Site: two or three on the Eastern Parcel, and one on the Western Parcel. The location of the septic system on the Western Parcel could not be determined from the records reviewed. A 499-gallon propane aboveground storage tank (AST), two 250-gallon diesel fuel ASTs, and a 220-gallon hydraulic oil AST are present on the Eastern Parcel. Two 12,000-gallon "fuel-storage" USTs formerly were located on the north-central portion of the Site near the grain mill area. A 12,000-gallon diesel fuel UST formerly was located southeast of Building C. The area west of Building B was identified as the former location of one or more additional USTs.

2.2 SITE HISTORY

The Site was used as agricultural or grazing land from at least the late 1930s to the early 1970s. By 1973, the Eastern Parcel was developed with small grain storage silos and other features associated with milling operations in the grain mill area. By 1975, grain appeared to be stockpiled in Buildings A through C, located on the southwestern portion of the Site. By 1985 grain storage structures Buildings D and E had been developed. By 2002, grain processing operations at the Site had expanded to the Western Parcel, which included the

development of three large grain storage silos. The Site has appeared in its current configuration since 2002.

Site occupants have consisted of Verhoeven from 1973 to the present; Chino Grain and Milling, Inc. in 1985; Coast Grain Company from 1990 to 2003; The Scoular Company between 2004 and the present; and JD Heistell and Company in 2009.

2.3 PREVIOUS INVESTIGATIONS

Partner's 2016 SI Report documented an investigation conducted at the Site. The scope of work consisted of a geophysical survey to identify former on-Site USTs or associated features and reported septic systems, and soil and soil gas sampling to assess for indications of a release from historical Site activities. The geophysical survey identified one large anomaly indicative of a backfilled UST excavation beneath the western canopy of Building B, which generally corresponds to the location of a former UST area. No large metallic features were identified, so Partner concluded that USTs formerly present in the area had been removed. One large anomaly resembling a septic system was identified north of Building A.

Partner advanced 26 borings with total depths ranging from 1 to 25 feet below ground surface (bgs) for collection of soil and/or soil gas samples. Soil samples were analyzed for total petroleum hydrocarbon carbon chain C6-C40 (TPH-cc) by U.S. Environmental Protection Agency (EPA) Method 8015C and for volatile organic compounds (VOCs) by EPA Method 8260B. Soil gas samples were analyzed for VOCs by either EPA Methods TO-14, TO-15, or 8260B. VOCs and TPH-cc were not detected in soil samples at concentrations exceeding laboratory reporting limits (Tables 2 and 3). VOCs, consisting of PCE, trichloroethene, toluene, ethylbenzene, and xylenes, were detected in soil gas samples at concentrations less than residential and industrial calculated soil gas screening levels in effect at the time the report was completed. Partner concluded that a discernable vapor intrusion condition did not appear to exist at the Site, and that the detections of VOCs in soil gas did not represent a threat to human health or the environment. Partner recommended no further investigation with respect to the on-Site grain-handling facility at the time of the report.

Although the reported concentrations of VOCs in soil gas were less than soil gas screening levels (SGSLs) in effect in 2016 at the time the Partner report was prepared, in April 2020, California Department of Toxic Substances Control (DTSC) Human and Ecological Risk Office (2022) Human Health Risk Assessment Note Number 3 (HHRA Note 3) was updated with the recommendation to use a more-conservative attenuation factor of 0.03 in screening level calculations. PCE concentrations ranging from 68 to 230 micrograms per cubic meter (µg/m^3) in soil gas samples collected by Partner in 2016 from sampling locations B5, B6, and SV-14 through SV-16 exceeded the calculated industrial SGSL of 67 µg/m^3 using the 0.03 attenuation factor. Additionally, the ethylbenzene concentration of 280 µg/m^3 in soil gas sample B4-SG, located west of Building B, exceeded the calculated industrial SGSL of 163 µg/m^3 using the 0.03 attenuation factor. These samples were collected west of and beneath Building B at a depth of 4 to 5 feet bgs. Soil gas results from Partner's 2016 SI Report and

calculated SGSLs using the 2020 HHRA Note 3 attenuation faction of 0.03 are presented in Table 5.

As part of its Phase I/II due diligence investigation, Farallon conducted soil and soil gas sampling at the Site in March 2022, focusing on assessing former UST areas and septic systems, and the proposed new building footprint for the potential for vapor intrusion issues. At the time of the assessment, Farallon was informed that an approximately 259,000-square-foot warehouse would be constructed on the north-central portion of the Site (Figure 2). The scope of work for the Phase II Environmental Site Assessment portion of the investigation included advancement of 12 borings, installation of two subslab gas probes, and installation of 10 temporary soil gas probe locations with single- or multi-depth nested gas points for collection of soil and soil gas samples.

VOCs and TPH-cc were not detected at concentrations exceeding laboratory reporting limits (Tables 2 and 3) in soil samples. Metals were either not detected in soil samples at concentrations exceeding laboratory reporting limits, or at concentrations less than screening levels (Table 4). Soil gas data indicated that PCE was present at concentrations exceeding calculated industrial SGSLs using the 0.03 attenuation factor in soil gas samples collected west of and beneath Building B (samples SS-1, SS-2, SVP-7, and SVP-8), proximate to the location of the former 12,000-gallon diesel fuel UST (sample SVP-5), proximate to the location of the two former 12,000-gallon USTs (sample SVP-1), and proximate to the vehicle washdown area with sump (sample SVP-6) as presented in Table 5. These locations were mapped beneath the planned new building footprint. PCE also was detected at concentrations less than the calculated industrial SGSLs in soil gas in other soil gas samples collected at the Site. The extent of PCE in soil gas was not fully characterized.

In September 2022, to further assess soil gas beneath the planned building footprint, Farallon advanced nine borings, designated SVP-11 through SVP-19, at the Site within the planned new building footprint. Dual-nested soil gas probes were constructed in each boring to investigate the potential presence of VOCs in soil gas beneath the planned new building. PCE was not detected at concentrations exceeding the laboratory reporting limit of 25 µg/m^3 in the soil gas samples collected from the soil gas probes. Ethylbenzene and total xylenes were detected at concentrations less than calculated industrial SGSLs. Because some of the soil gas samples collected in September 2022 were proximate to areas that showed impacts in March 2022, but no impacts were detected in September 2022, Farallon worked with the original analytical laboratory to conduct a data quality review of both analytical data sets. No anomalies in the data sets were found to render the data from either event unusable. Farallon recommended that the areas of highest impacts previously encountered under the proposed building slab be resampled to aid in the determination of whether mitigation measures would be recommended for the proposed building.

PCE in soil gas results are shown on Figure 3.

3.0 PHYSICAL SETTING

The topography, geology, and hydrogeology of the Site are described in this section.

3.1 TOPOGRAPHY

Farallon reviewed the U.S. Geological Survey topographic map for Guasti, California dated 2018 provided by Environmental Data Resources, Inc. The map depicts the Site at an elevation of approximately 980 feet above mean sea level. Site topography slopes gently downward to the south. Regional topography generally is sloped downward to the south.

3.2 GEOLOGY AND HYDROGEOLOGY

The Site is situated in the San Bernadino Valley of the Peninsular Ranges Geomorphic Province in Southern California. The Peninsular Ranges Province is bounded by the San Gabriel and San Bernardino mountains to the north and the Colorado Desert to the east, extends into lower California beyond the Mexican border to the south, and is bound by the Pacific Ocean to the west. The San Bernardino Mountains are approximately 7 miles north of the Site.

According to the 2016 SI Report, soil beneath the Site generally consists of very fine-grained silty sand from the surface to a depth of approximately 20 feet bgs and transitions to very fine- to coarse-grained poorly graded sand between depths of 20 and 25 feet bgs. Groundwater was not encountered during Partner's investigation.

Soil encountered during Farallon's previous subsurface investigations was described as silty fine to medium sand to the total explored depth of 4 to 10 feet bgs, with an apparent coarse sand and gravel layer at a depth of 10 feet bgs (and as shallow as 5 feet bgs on the eastern portion of the Site at boring SB-2), and intermittent clayey sand to clay lenses approximately 1 foot thick at a depth of between 6 and 7 feet bgs (borings SVP-16 and SVP-19) and 10 to 11 feet bgs (borings SVP-12 and SVP-16). Groundwater was not encountered during drilling.

Soil observed during the December 2022 sampling round can be generally described as silty fine sand with trace medium sand with some sub-angular gravel to the exploration depth of 4.5 feet bgs. Boring logs are provided in Appendix A.

Site-specific groundwater direction and depth information was not available in the records reviewed. Based on information obtained from the previous reports and California State Water Resources Control Board (2022) GeoTracker database and topographic interpretation, groundwater beneath the Site is anticipated to be encountered at a depth of approximately 250 feet bgs, and is estimated to flow to the south.

4.0 SOIL GAS INVESTIGATION

This section presents the scope of work for the soil gas investigation conducted at the Site in December 2022 and summarizes the results from this and prior soil gas sampling events.

4.1 SCOPE OF WORK

Before field work was initiated, the Site-specific Health and Safety Plan (HASP) was updated, and underground utilities were cleared. Field work consisted of advancing borings and collecting soil gas samples at the Site to provide a better understanding of soil gas impacts detected during previous subsurface investigations. The following sections detail this scope of work.

4.1.1 Health and Safety Plan Preparation

A Site-specific HASP was required under Section 3202 of Title 8 of the California Code of Regulations (8 CCR 3202) for all field activities due to the potential for exposure to hazardous substances. Prior to commencement of field activities, Farallon updated the HASP compliant with the requirements of the Occupational Safety and Health Act of 1970 and 8 CCR 3203. Personal protection equipment precautions related to COVID-19 were implemented for Farallon personnel during field activities in accordance with Farallon health and safety policy.

4.1.2 Underground Utility Clearance

Prior to commencement of drilling activities, Farallon marked the proposed boring locations at the Site and contacted Dig Alert for public utility notice. Farallon also engaged a private utility location service to pre-screen the proposed boring locations for utilities that may be encountered during advancement using hand tools.

4.1.3 Boring Advancement

Seven borings, designated SVP-20 through SVP-26, were advanced at the Site on December 9, 2022 to investigate the potential presence of VOCs in soil gas beneath the planned new building footprint. The boring locations are shown on Figure 2 and were generally evenly distributed across the planned new building footprint, with select borings placed in previously identified impacted areas. Borings SVP-20, SVP-21, SVP-22, SVP-24, SVP-25, and SVP-26 were advanced proximate to previous locations SVP-2, SVP-1, SVP-4, SVP-5, SVP-8, and SVP-7, respectively, to evaluate previous detections of PCE in soil gas. Borings were advanced in exterior locations paved with asphalt or concrete which required coring to access the subsurface. The borings were advanced using a hand-auger to a depth of 4.5 feet bgs to install soil gas probes at 4 feet bgs as described in Section 4.1.4, Soil Gas Probe Installation and Sampling. The general locations, depths, rationale for the borings, and analytes are shown in Table 1.

The displaced soil was visually inspected and screened by a Farallon geologist using a photoionization detector and was described and logged using the United Soil Classification System (Modified). Physical evidence of soil impacts, including staining and odors, was not observed; photoionization detector readings ranged from 0.1 to 1.0 parts per million. Boring logs with soil descriptions are provided in Appendix A.

4.1.4 Soil Gas Probe Installation and Sampling

Following completion of boring advancement, Farallon converted the borings to temporary soil gas probes. Borings SVP-20 through SVP-26 were constructed with soil gas probes at a depth of 4 feet bgs.

Soil gas probe installation was performed in accordance with the *Advisory: Active Soil Gas Investigations* dated July 2015 prepared by the California Environmental Protection Agency et al. (2015) (Soil Gas Advisory). The probes consisted of an Airstone microporous gas implant or equivalent connected to 0.25-inch-outside-diameter Nylaflow tubing, finished at the surface with temporary plugs. The annulus around the gas implant was backfilled with approximately 1 foot of screen-washed No. 3 sand, followed by 1 foot of dry #8 granular bentonite, and completed with hydrated #8 granular bentonite to create a seal from the top of the dry granular bentonite to near surface. Soil gas probe construction is illustrated in the boring logs provided in Appendix A; their locations are shown on Figure 2.

The temporary soil gas probes were allowed to equilibrate for 7 days prior to sample collection on December 16, 2022. Soil gas sampling, including observance of equilibration times, performance of shut-in tests, and purging activities, was conducted in accordance with the Soil Gas Advisory. Seven soil gas samples were collected into 1-liter Summa canisters at a rate of 200 milliliters per minute or less. The tracer gas 1,1-difluoroethane (1,1-DFA) was introduced to ambient air surrounding the sampling train by soaking a cotton swab with liquid 1,1-DFA and placing it at the location where the soil gas probe tubing exited the ground.

Upon completion of sample collection at each location, a 1-liter Tedlar bag was filled with soil gas by a syringe from the probe tubing at each soil gas location. Each Tedlar bag was then connected to a calibrated Landtec Gem5000 landfill gas monitor for on-site methane evaluation.

The Summa canisters were transported under chain-of-custody protocols to a California-certified laboratory, and were analyzed for VOCs by EPA Method TO-15. The soil gas probes were then abandoned by extracting as much tubing as practical, filling the boring with bentonite grout and restoring the surface to match surrounding conditions.

4.2 SUMMARY OF ANALYTICAL RESULTS FOR SOIL GAS

The soil gas analytical results were compared to DTSC Screening Levels for indoor air, EPA Regional Screening Levels for indoor air, and the San Francisco Water Quality Control Board Environmental Screening Levels for TPH-g, which were adjusted using suggested attenuation factors provided in the Vapor Intrusion Guidance prepared by DTSC and the California

Environmental Protection Agency (2011). The attenuation factor used for this comparison was 0.03 published in HHRA Note 3. The methane screening results were obtained in percent, and compared to the DTSC screening level for methane of 0.5 percent by volume[5] (10 percent of the lower explosive limit for methane).

A summary of soil gas analytical results from December 2022 is provided in Table 5 and PCE in soil gas results are shown on Figure 3. In order to provide a comprehensive understanding of analytical results for the Site, PCE in soil gas from previous investigations is also shown on Figure 3, and analytical results from previous investigations are included in the attached data tables.

Soil gas analytical and methane screening results from the December 2022 sampling event are summarized below. A written summary of previous results can be found in each related previous report.

- PCE was not detected at a concentration exceeding the laboratory reporting limit of 0.1 µg/m^3 in soil gas samples collected from locations SVP-20 or SVP-23 on the southwestern and central portions of the planned building, respectively.
- PCE was detected at concentrations of 3.5 ug/m^3 in SVP-21, 2.6 ug/m^3 in SVP-22, 5.7 ug/m^3 in SVP-24, 13.0 ug/m^3 in SVP-25, and 60.2 ug/m^3 in SVP-26, which are less than the calculated industrial SGSL of 67 ug/m^3 using the 0.03 attenuation factor. These samples were collected from beneath the north-central and east-central portions of the planned building. Borings SVP-24, SVP-25, and SVP-26 were located in the immediate vicinity of former borings that contained elevated concentrations of PCE in the soil gas samples collected at a depth of 4 feet bgs in March 2022: 70 ug/m^3 in SVP-5, 232 ug/m^3 in SVP-8, and 247 ug/m^3 in SVP-7, respectively.
- Trace concentrations of cyclohexane, trichlorofluoromethane (Freon 11), dichlorodifluoro-methane (Freon 12), ethylbenzene, toluene, total xylenes, 1,2,4-trimethyl-benzene, and carbon disulfide were detected in soil gas samples collected from various locations at concentrations exceeding their laboratory reporting limit of 1.0 µg/m^3, but well below their respective calculated industrial SGSLs using the 0.03 attenuation factor;
- Methane was not detected at concentrations exceeding the detection level of 0.1 percent in soil gas samples collected from locations SVP-20 through SVP-26 using a Landtec Gem5000 landfill gas monitor for methane evaluation.
- The tracer gas 1,1-DFA was not detected at a concentration exceeding the laboratory reporting limit in the soil gas samples collected from locations SVP-20 through SVP-26.

[5] *Advisory on Methane Assessment and Common Remedies at School Sites* dated June 16, 2005, prepared by Department of Toxic Substances Control (2005).

4.3 INVESTIGATION-DERIVED WASTE

Investigation-derived waste generated during this sampling event consisted of a small amount of excess soil removed from each boring. The excess soil did not display evidence of chemical impact based on visual, olfactory inspection, or photoionization detector screening. Previous soil sample analytical results indicate that Site soil is suitable for on-Site reuse. Excess soil was reused at the Site.

5.0 CONCLUSIONS AND RECOMMENDATIONS

Farallon conducted a soil gas investigation in December 2022 to further investigate impacts of VOCs previously identified in soil gas beneath the planned new building footprint at the Site. Previous soil gas data indicated that PCE was present at concentrations exceeding calculated industrial screening levels using the 0.03 attenuation factor in soil gas samples collected beneath and proximate to the planned new building footprint, specifically west of and beneath Building B; proximate to the former location of the 12,000-gallon diesel fuel UST; proximate to the former location of two 12,000 gallon USTs; and proximate to the vehicle washdown area with sump. PCE also was detected at concentrations less than the calculated industrial screening levels in soil gas in other soil gas samples collected at the Site.

For the December 2022 soil gas investigation, seven borings were advanced in the planned new building footprint. Soil gas probes were generally evenly distributed across the planned new building footprint, with selected probes placed proximate to areas previously identified as impacted by PCE. The borings were converted to temporary soil gas probes at a depth of 4 feet bgs and soil gas samples were collected and analyzed for VOCs and methane.

PCE was detected in five of the seven soil gas samples at concentrations exceeding the laboratory reporting limit of 0.1 ug/m^3. PCE detections in four of the soil gas samples ranged from 3.5 ug/m^3 to 13.0 ug/m^3; however, one detection of PCE (60.2 ug/m^3 in SVP-26) approached the calculated industrial SGSL of 67 ug/m^3 using a 0.3 attenuation factor. The detections of PCE in soil gas samples, which were collocated with soil gas samples collected during previous investigations, were less than detections of PCE in soil gas samples collected in 2016 by Partner and March 2022 by Farallon.

Other VOCs were not found during this investigation to be present in soil gas samples at concentrations approaching applicable screening levels. Methane was not detected in the soil gas samples.

Soil gas sampling at the Site has provided evidence of fluctuating concentrations of PCE. PCE concentrations detected in soil gas samples collected by Partner in July 2016 and by Farallon in March 2022 exceeded the calculated SGSL using a 0.03 attenuation factor at select locations. PCE was not detected above the laboratory reporting limit in soil gas samples collected by Farallon in September 2022. PCE was not detected at concentrations above the laboratory reporting limit or was detected at concentrations less than the calculated SGSL using a 0.03 attenuation factor in soil gas samples collected by Farallon in December 2022. The variability of reported concentrations of PCE in soil gas between the four soil gas sampling events suggests that PCE concentrations in soil gas may be influenced by variables such as seasonal changes. Because PCE detections in soil gas from the September and December 2022 investigations either were not detected above laboratory reporting limits or were less than the calculated SGSL using a 0.03 attenuation factor, and sampling locations were chosen in areas of known impacts, sampling data from the last two sampling rounds has not established the potential for an unacceptable vapor intrusion risk in the planned future building footprint. Based on the industrial nature of the use of the Site, Farallon recommends

implementation of a Media Management Plan to address any soil impacts associated with historical activities at the Site that may be encountered during Site redevelopment.

6.0 REFERENCES

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7.0 LIMITATIONS

7.1 GENERAL LIMITATIONS

The conclusions contained in this report/assessment are based on professional opinions with regard to the subject matter. These opinions have been arrived at in accordance with currently accepted hydrogeologic and engineering standards and practices applicable to this location. The conclusions contained herein are subject to the following inherent limitations:

- **Accuracy of Information**. Farallon obtained, reviewed, and evaluated certain information used in this report/assessment from sources that were believed to be reliable. Farallon's conclusions, opinions, and recommendations are based in part on such information. Farallon's services did not include verification of its accuracy or authenticity. Should the information upon which Farallon relied prove to be inaccurate or unreliable, Farallon reserves the right to amend or revise its conclusions, opinions, and/or recommendations.
- **Reconnaissance and/or Characterization**. Farallon performed a reconnaissance and/or characterization of the Site that is the subject of this report/assessment to document current conditions. Farallon focused on areas deemed more likely to exhibit hazardous materials conditions. Contamination may exist in other areas of the Site that were not investigated or were inaccessible. Site activities beyond Farallon's control could change at any time after the completion of this report/assessment.

For the foregoing reasons, Farallon cannot and does not warrant or guarantee that the Site is free of hazardous or potentially hazardous substances or conditions, or that latent or undiscovered conditions will not become evident in the future. Farallon's observations, findings, and opinions can be considered valid only as of the date of the report.

This report/assessment has been prepared in accordance with the contract for services between Farallon and Prologis, L.P. and currently accepted industry standards. No other warranties, representations, or certifications are made.

7.2 LIMITATION ON RELIANCE BY THIRD PARTIES

Reliance by third parties is prohibited. This report/assessment has been prepared for the exclusive use of Prologis, L.P. to address the unique needs of Prologis, L.P. at the Site at a specific point in time.

This is not a general grant of reliance. No one other than Prologis, L.P. may rely on this report unless Farallon agrees in advance to such reliance in writing. Any unauthorized use, interpretation, or reliance on this report/assessment is at the sole risk of that party, and Farallon will have no liability for such unauthorized use, interpretation, or reliance.

FIGURES

SOIL GAS INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)



REFERENCE: 7.5 MINUTE USGS QUADRANGLE GUASTI, CALIFORNIA, DATED 2013

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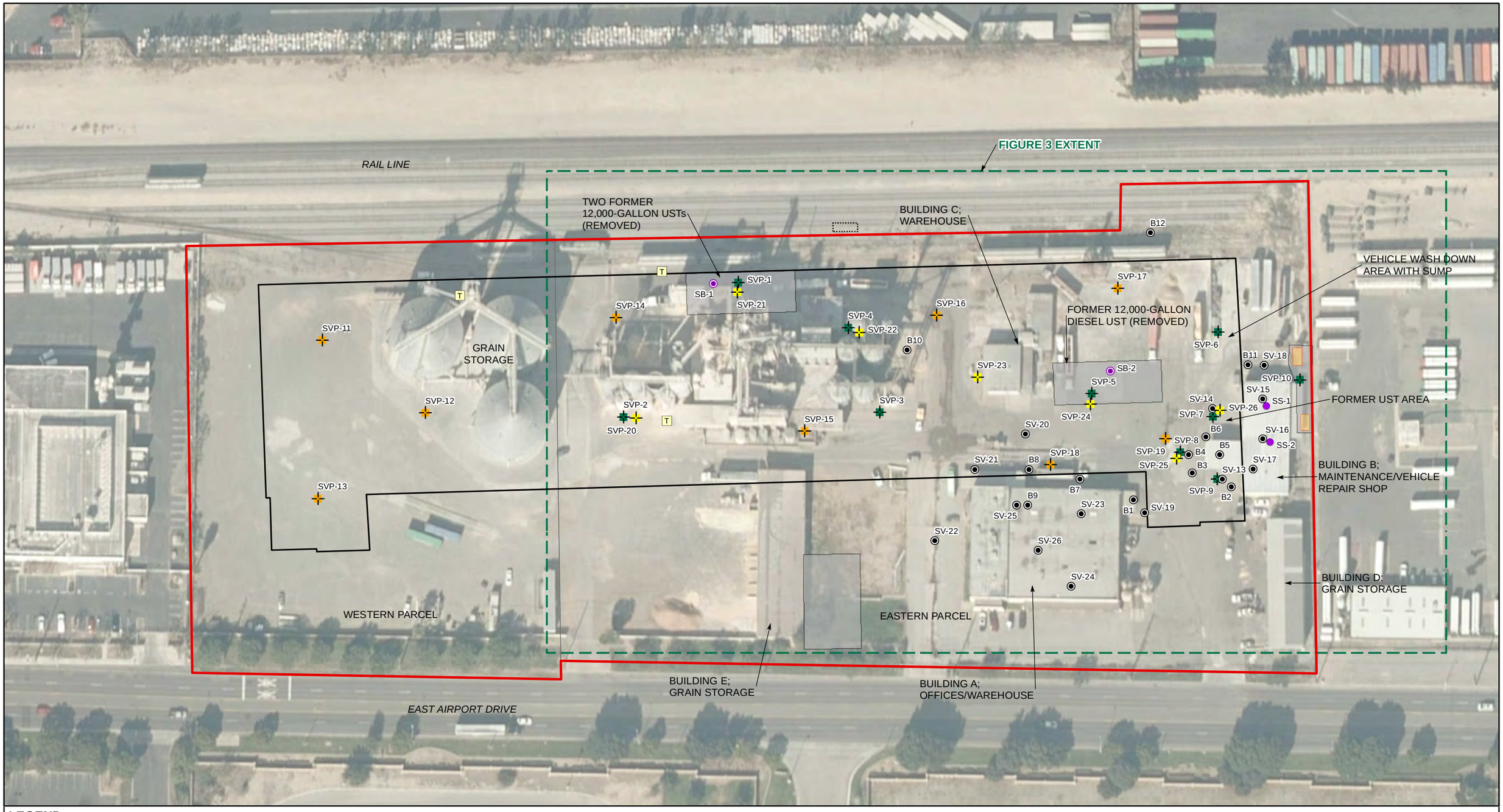
FIGURE 1

SITE VICINITY MAP
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-004

Drawn By: jjones | Checked By: PS | Date: 12/29/2022 | Disc Reference:

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LEGEND

- SOIL GAS PROBE (FARALLON, DECEMBER 2022)
- SOIL GAS PROBE (FARALLON, SEPTEMBER 2022)
- SOIL GAS PROBE (FARALLON, MARCH 2022)
- SUBSLAB SOIL GAS PROBE (FARALLON, MARCH 2022)
- BORING (FARALLON, MARCH 2022)
- SOIL GAS PROBE (PARTNER, 2016)
- T TRANSFORMER
- FORMER SITE FEATURE
- OBSERVED SEPTIC TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- PROPOSED BUILDING FOOTPRINT
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

AST = ABOVEGROUND STORAGE TANK
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
GPR SURVEY AREA - 2022 (NO UST FOUND)

0 100
SCALE IN FEET

N

ALL LOCATIONS ARE APPROXIMATE.
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FIGURE 2

SITE PLAN AND SAMPLING LOCATIONS
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-004

Drawn By: lmurock
Checked By: KL
Date: 2/1/2023
Disc Refer
Q:\Projects\1071 Prologis\080 2021 SoCal Due Diligence II\002 Airport Dr\Mapfiles\SSI_2022-12\Figure-02_SitePl

FORMER BRINE POND
(ESTIMATED)

TWO FORMER
12,000-GALLON USTs
(REMOVED)

SVP-1
3/11/2022|4.0'|31
3/11/2022|10.0'|**157**

SVP-14
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-21
12/16/2022|4.0'|3.5

SVP-4
3/11/2022|4.0'|62

SVP-22
12/16/2022|4.0'|2.6

SVP-16
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-17
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

VEHICLE WASH DOWN
AREA WITH SUMP

SVP-6
3/11/2022|4.0'|**97**
3/11/2022|8.0'|34

SV-18
7/29/2016|5.0'|<100

FORMER 12,000-GALLON
DIESEL UST (REMOVED)

BUILDING C;
WAREHOUSE

SVP-23
12/16/2022|4.0'|<1.0

SVP-5
3/11/2022|4.0'|**70**
3/11/2022|10.0'|**234**

FORMER UST AREA

SVP-26
12/16/2022|4.0'|60.2

SV-14
7/29/2016|4.0'|**230**

SVP-10
3/11/2022|4.0'|31
3/11/2022|8.0'|63

SV-15
7/29/2016|5.0'|**120**

SS-1
3/11/2022|0.5'|**220**

SVP-2
3/11/2022|4.0'|27

SVP-20
12/16/2022|4.0'|<1.0

SVP-3
3/11/2022|4.0'|<20

SVP-15
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-24
12/16/2022|4.0'|5.7

SVP-8
3/11/2022|4.0'|**232**

SVP-7
3/11/2022|4.0'|**247**

B6
7/21/2016|5.0'|**68**

SV-16
7/29/2016|4.0'|**180**

SS-2
3/11/2022|0.5'|**194**

SV-20
7/29/2016|5.0'|<100

SVP-19
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-18
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

B8
7/21/2016|5.0'|44

SVP-25
12/16/2022|4.0'|13.0

B5
7/21/2016|5.0'|**100**

SV-17
7/29/2016|5.0'|<100

SV-21
7/29/2016|5.0'|<100

BUILDING B;
MAINTENANCE/VEHICLE
REPAIR SHOP

SV-25
7/29/2016|5.0'|<100

B7
7/21/2016|5.0'|<6.9

B3
7/21/2016|5.0'|<350

SV-13
7/29/2016|5.0'|<100

SVP-9
3/11/2022|4.0'|24

B4
7/21/2016|5.0'|<350

SV-23
7/29/2016|5.0'|<100

SV-22
7/29/2016|5.0'|<100

SV-19
7/29/2016|5.0'|<100

SV-26
7/29/2016|5.0'|<100

BUILDING E;
GRAIN STORAGE

BUILDING A;
OFFICES/WAREHOUSE

SV-24
7/29/2016|5.0'|<100

BUILDING D:
GRAIN STORAGE

EASTERN PARCEL

NOTES:
SAMPLE DATE, DEPTH, AND ANALYTICAL RESULTS AS:
SAMPLE DATE | SAMPLE DEPTH IN FEET BELOW GROUND SURFACE | PCE
SOIL GAS ANALYTICAL RESULTS IN MICROGRAMS PER CUBIC METER.
BOLD = DENOTES CONCENTRATIONS THAT EXCEED THE COMMERCIAL SUBSLAB/SOIL GAS VAPOR INTRUSION ENVIRONMENTAL SCREENING LEVEL.
< = DENOTES ANALYTE NOT DETECTED AT OR EXCEEDING THE LISTED REPORTING LIMIT.
PCE = TETRACHLOROETHENE

LEGEND

- SOIL GAS PROBE (FARALLON, DECEMBER 2022)
- SOIL GAS PROBE (FARALLON, SEPTEMBER 2022)
- SOIL GAS PROBE (FARALLON, MARCH 2022)
- SUBSLAB SOIL GAS PROBE (FARALLON, MARCH 2022)
- SOIL GAS PROBE (PARTNER, 2016)
- T TRANSFORMER
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- SITE BOUNDARY
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AST = ABOVEGROUND STORAGE TANK
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
GPR SURVEY AREA - 2022 (NO UST FOUND)

0 60
SCALE IN FEET

N

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FIGURE 3

PCE IN SOIL GAS
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-004

Drawn By: lmurock
Checked By: KL
Date: 2/1/2023
Disc Refer
Q:\Projects\1071 Prologis\080 2021 SoCal Due Diligence II\002 Airport Dr\Mapfiles\SSI_2022-12\Figure-03_SoilGas-PC

TABLES

SOIL GAS INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

Table 1
Sampling Rationale
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample ID	Location	Rationale	Boring Depth (feet bgs)	Sample Depth (feet bgs)	Matrix to be Sampled	Analysis
SVP-20	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-2	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-21	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-1	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-22	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-4	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-23	Planned New Building Footprint	Assess the potential for soil gas under the future building	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-24	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-5	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-25	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-8	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-26	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-7	4.5	4	Soil Gas	VOCs via TO-15 Methane

NOTES:

bgs = below ground surface

VOC = volatile organic compound

TO-15 = US Environmental Protection Agency Method TO-15

Table 2
Cumulative Summary of Volatile Organic Compounds in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (milligrams per kilogram)[2]					
					PCE	Benzene	Toluene	Ethylbenzene	Total Xylenes	Other VOCs
B1	Partner	B1-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B2	Partner	B2-1	1.0	7/21/2016	< 0.0044	< 0.0044	< 0.0044	< 0.0044	< 0.0131	ND
B3	Partner	B3-15	15.0	7/21/2016	< 0.0043	< 0.0043	< 0.0043	< 0.0043	< 0.0129	ND
B4	Partner	B4-10	10.0	7/21/2016	< 0.0044	< 0.0044	< 0.0044	< 0.0044	< 0.0132	ND
B5	Partner	B5-15	15.0	7/21/2016	< 0.0041	< 0.0041	< 0.0041	< 0.0041	< 0.0123	ND
B6	Partner	B6-10	10.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B7	Partner	B7-10	10.0	7/21/2016	< 0.0043	< 0.0043	< 0.0043	< 0.0043	< 0.013	ND
B8	Partner	B8-10	10.0	7/21/2016	< 0.0044	< 0.0044	< 0.0044	< 0.0044	< 0.0133	ND
B9	Partner	B9-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B10	Partner	B10-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B11	Partner	B11-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B12	Partner	B12-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
SB-1	Farallon	SB-1-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SB-2	Farallon	SB-1-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-1	Farallon	SVP-1-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-2	Farallon	SVP-2-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-3	Farallon	SVP-3-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-4	Farallon	SVP-4-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-5	Farallon	SVP-5-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-6	Farallon	SVP-6-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
	Farallon	SVP-6-8'	8.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-7	Farallon	SVP-7-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-8	Farallon	SVP-8-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-9	Farallon	SVP-9-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-10	Farallon	SVP-10-8'	8.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
Commercial/Industrial Soil RSL[3]					**2.7**	**1.4**	**5,300**	**25**	**2,500**	**Various**

NOTES:

< denotes analyte not detected at or exceeding the reporting limit listed.

[1]Depth in feet below ground surface.

[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8260B. Only select VOCs shown in table; see lab reports for full list of analytes.

[3]June 2020 (Revised May 2022) Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, November 2022 EPA RSLs were used and noted in blue text.

Farallon = Farallon Consulting, LLC
ND = not detected at or above the laboratory reporting limit
Partner = Partner Engineering and Science, Inc.
PCE = Tetrachloroethene
RSL = Regional Screening Level
VOCs = volatile organic compounds

Table 3
Cumulative Summary of Total Petroleum Hydrocarbons in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (milligrams per kilogram)[2]		
					TPH-g (C4 - C12)	TPH-d (C13 - C22)	TPH-o (C23 - C40)
B1	Partner	B1-1	1.0	7/21/2016	< 10	< 10	< 10
B2	Partner	B2-1	1.0	7/21/2016	< 10	< 10	< 10
B3	Partner	B3-15	15.0	7/21/2016	< 10	< 10	< 10
B4	Partner	B4-10	10.0	7/21/2016	< 10	< 10	< 10
B5	Partner	B5-15	15.0	7/21/2016	< 10	< 10	< 10
B6	Partner	B6-10	10.0	7/21/2016	< 10	< 10	< 10
B7	Partner	B7-10	10.0	7/21/2016	< 10	< 10	< 10
B8	Partner	B8-10	10.0	7/21/2016	< 10	< 10	< 10
B9	Partner	B9-1	1.0	7/21/2016	< 10	< 10	< 10
B10	Partner	B10-1	1.0	7/21/2016	< 10	< 10	< 10
B11	Partner	B11-1	1.0	7/21/2016	< 10	< 10	< 10
B12	Partner	B12-1	1.0	7/21/2016	< 10	< 10	< 10
SB-1	Farallon	SB-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SB-2	Farallon	SB-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-1	Farallon	SVP-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-2	Farallon	SVP-2-4'	4.0	3/4/2022	< 0.20	---	---
SVP-3	Farallon	SVP-3-4'	4.0	3/4/2022	< 0.20	---	---
SVP-4	Farallon	SVP-4-4'	4.0	3/4/2022	< 0.20	---	---
SVP-5	Farallon	SVP-5-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-6	Farallon	SVP-6-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
	Farallon	SVP-6-8'	8.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-7	Farallon	SVP-7-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-8	Farallon	SVP-8-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-9	Farallon	SVP-9-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-10	Farallon	SVP-10-8'	8.0	3/4/2022	< 0.20	< 10.0	< 10.0
MSSL (< 20 feet Above Groundwater)[3]					**100**	**100**	**1,000**
MSSL (20-150 feet Above Groundwater)[3]					**500**	**1,000**	**10,000**
MSSL (> 150 feet Above Groundwater)[3]					**1,000**	**10,000**	**50,000**

NOTES:

< denotes analyte not detected at or exceeding the reporting limit listed.

--- denotes sample not analyzed.

[1]Depth in feet below ground surface.

[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8015M (2022 samples) or 8015C (2016 samples).

[3]Los Angeles Regional Water Quality Control Board April 27, 2004 MSSLs for groundwater at depths of less than 20 feet, 20 to 150 feet, and greater than 150 feet below ground surface.

C = carbon range (number of carbons)

Farallon = Farallon Consulting, LLC

MSSL = maximum soil screening level

Partner = Partner Engineering and Science, Inc.

TPH-d = total petroleum hydrocarbons as diesel

TPH-g = total petroleum hydrocarbons as gasoline

TPH-o = total petroleum hydrocarbons as oil

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Table 4
Cumulative Summary of Metals in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sampled By	Sample Identification	Sample Depth (feet) [1]	Sample Date	Analytical Results (milligrams per kilogram)[2]									
					Barium	Cadmium	Chromium	Cobalt	Copper	Lead	Nickel	Vanadium	Zinc	Other Metals
SVP-6	Farallon	SVP-6-4'	4.0	3/4/2022	61.2	0.9	8.2	5.2	5.9	1.1	5.2	24.6	26.5	ND
	Farallon	SVP-6-8'	8.0	3/4/2022	59.6	0.9	8.5	5.2	6.0	1.2	5.2	23.1	27.0	ND
Residential Soil RSL[3]					**15,000**	**7.1**	**NE**	**23**	**3,100**	**80**	**820**	**390**	**23,000**	**Various**
Industrial Soil RSL[3]					**220,000**	**79**	**NE**	**350**	**47,000**	**500**	**11,000**	**5,800**	**350,000**	**Various**

NOTES:

< denotes analyte not detected at or exceeding the reporting limit listed.

[1]Depth in feet below ground surface.

[2]California Administrative Manual (CAM) Priority Pollutant List (PPL) 17 metals analyzed by U.S. Environmental Protection Agency (EPA) Method 6010B by 3050B; mercury analyzed by EPA Method 7471A. Only detected analytes shown; see laboratory report for full list of analytes.

[3]June 2020 (Revised May 2022) Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, November 2022 EPA RSLs were used and noted in blue text.

Farallon = Farallon Consulting, LLC

ND = not detected at or above the laboratory reporting limit

RSL = Regional Screening Level

Table 5
Cumulative Summary of Volatile Organic Compounds in Soil Gas
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per cubic meter)[2]													
					PCE	TCE	Cyclohexane	Trichloro-fluoro-methane (Freon 11)	Dichloro difluoro-methane (Freon 12)	Ethylbenzene	Toluene	Total Xylenes	1,2,4-Trimethyl-benzene	Carbon Disulfide	TPH-g	Methane	Other VOCs	Tracer
Subslab Soil Gas Samples																		
SS-1	Farallon	SS-1	0.5	3/11/2022	**220**	< 20	---	< 40	< 40	< 20	< 20	< 60	< 20	---	< 5,000	---	< 5,000	ND
SS-2	Farallon	SS-2	0.5	3/11/2022	**194**	< 20	---	< 40	< 40	< 20	< 20	< 60	< 20	---	< 5,000	---	< 5,000	ND
Soil Gas Samples																		
B3	Partner	B3-SG	5.0	7/21/2016	< 350 C	< 270 C	< 170 C	< 290 C	< 250 C	< 220 C	< 190 C	**460** C	< 250 C	< 160 C	---	---	ND C	ND
B4	Partner	B4-SG	5.0	7/21/2016	< 350 C	< 270 C	< 170 C	< 290 C	< 250 C	**280** C	< 190 C	**1,500** C	< 250 C	< 160 C	---	---	ND C	ND
B5	Partner	B5-SG	5.0	7/21/2016	**100**	< 5.5	< 3.5	< 5.7	< 5.0	< 4.4	< 3.8	**12**	< 5.0	< 3.2	---	---	ND	ND
B6	Partner	B6-SG	5.0	7/21/2016	**68**	**26**	< 3.5	< 5.7	< 5.0	< 4.4	**4.0**	**23.6**	< 5.0	< 3.2	---	---	ND	ND
B7	Partner	B7-SG	5.0	7/21/2016	< 6.9	< 5.5	< 3.5	< 5.7	< 5.0	**11**	**4.9**	**92**	< 5.0	< 3.2	---	---	ND	ND
B8	Partner	B8-SG	5.0	7/21/2016	**44**	**13**	< 3.5	< 5.7	< 5.0	**21**	**13**	**178**	< 5.0	< 3.2	---	---	ND	ND
SV-13	Partner	SV-13-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-14	Partner	SV-14-4'	4.0	7/29/2016	**230**	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-15	Partner	SV-15-5'	5.0	7/29/2016	**120**	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-16	Partner	SV-16-4'	4.0	7/29/2016	**180**	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-17	Partner	SV-17-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-18	Partner	SV-18-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-19	Partner	SV-19-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-20	Partner	SV-20-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-21	Partner	SV-21-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-22	Partner	SV-22-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-23	Partner	SV-23-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-24	Partner	SV-24-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-25	Partner	SV-25-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-26	Partner	SV-26-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
	Partner	SV-26-5' Dup	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SVP-1	Farallon	SVP-1-4'	4.0	3/11/2022	**31**	< 20	---	< 40	< 40	< 20	**21**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-1-10'	10.0	3/11/2022	**157**	< 20	---	< 40	< 40	< 20	**21**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-2	Farallon	SVP-2-4'	4.0	3/11/2022	**27**	< 20	---	< 40	< 40	< 20	**34**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-3	Farallon	SVP-3-4'	4.0	3/11/2022	< 20	< 20	---	< 40	< 40	< 20	**78**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-3-4'REP	4.0	3/11/2022	< 20	< 20	---	< 40	< 40	< 20	**45**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-4	Farallon	SVP-4-4'	4.0	3/11/2022	**62**	< 20	---	< 40	< 40	< 20	**80**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-4-4'REP	4.0	3/11/2022	**57**	< 20	---	< 40	< 40	< 20	**46**	< 60	< 20	---	< 5,000	---	ND	ND
Calculated Industrial SGSL with 0.03 Attenuation Factor[3]					**67**	**100**	**870,000**	**180,000**	**15,000**	**160**	**43,000**	**15,000**	**8,700**	**100,000**	**83,000**	**5%[4]**	**Varies**	**Varies**

Table 5
Cumulative Summary of Volatile Organic Compounds in Soil Gas
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per cubic meter)[2]													
					PCE	TCE	Cyclohexane	Trichloro-fluoro-methane (Freon 11)	Dichloro difluoro-methane (Freon 12)	Ethylbenzene	Toluene	Total Xylenes	1,2,4-Trimethyl-benzene	Carbon Disulfide	TPH-g	Methane	Other VOCs	Tracer
SVP-5	Farallon	SVP-5-4'	4.0	3/11/2022	**70**	< 20	---	< 40	< 40	< 20	**83**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-5-10'	10.0	3/11/2022	**234**	< 20	---	< 40	< 40	< 20	< 20	< 60	< 20	---	< 5,000	---	ND	ND
SVP-6	Farallon	SVP-6-4'	4.0	3/11/2022	**97**	< 20	---	< 40	< 40	< 20	**106**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-6-8'	8.0	3/11/2022	**34**	< 20	---	< 40	< 40	< 20	**65**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-7	Farallon	SVP-7-4'	4.0	3/11/2022	**247**	< 20	---	< 40	< 40	< 20	**91**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-8	Farallon	SVP-8-4'	4.0	3/11/2022	**232**	< 20	---	< 40	< 40	< 20	**89**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-9	Farallon	SVP-9-4'	4.0	3/11/2022	**24**	< 20	---	< 40	< 40	< 20	**87**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-10	Farallon	SVP-10-4'	4.0	3/11/2022	**31**	< 20	---	< 40	< 40	< 20	**60**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-10-8'	8.0	3/11/2022	**63**	< 20	---	< 40	**60**	< 20	**47**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-11	Farallon	SVP-11-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 50	< 25	< 250	---	---	ND	ND
	Farallon	SVP-11-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 50	< 25	< 250	---	---	ND	ND
SVP-12	Farallon	SVP-12-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 50	< 25	< 250	---	---	ND	ND
	Farallon	SVP-12-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-13	Farallon	SVP-13-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-13-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-14	Farallon	SVP-14-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-14-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-15	Farallon	SVP-15-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-15-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-16	Farallon	SVP-16-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	**50**	< 25	**90**	< 25	< 250	---	---	ND	ND
	Farallon	SVP-16-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	**30**	< 25	**90**	< 25	< 250	---	---	ND	ND
SVP-17	Farallon	SVP-17-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-17-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-18	Farallon	SVP-18-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-18-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-18-10-DUP	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-19	Farallon	SVP-19-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-19-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
Calculated Industrial SGSL with 0.03 Attenuation Factor[3]					**67**	**100**	**870,000**	**180,000**	**15,000**	**160**	**43,000**	**15,000**	**8,700**	**100,000**	**83,000**	**5%[4]**	**Varies**	**Varies**

Table 5
Cumulative Summary of Volatile Organic Compounds in Soil Gas
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per cubic meter)[2]													
					PCE	TCE	Cyclohexane	Trichloro-fluoro-methane (Freon 11)	Dichloro difluoro-methane (Freon 12)	Ethylbenzene	Toluene	Total Xylenes	1,2,4-Trimethyl-benzene	Carbon Disulfide	TPH-g	Methane	Other VOCs	Tracer
SVP-20	Farallon	SVP-20	4.0	12/16/2022	< 1.0	< 1.0	**1.8**	**3.2**	**2.3**	**1.0**	**2.9**	**4.7**	< 1.0	< 1.0	---	0%	ND	ND
SVP-21	Farallon	SVP-21	4.0	12/16/2022	**3.5**	< 1.0	< 1.0	**2.6**	**2.6**	< 1.0	**1.6**	**4.4**	< 1.0	< 1.0	---	0%	ND	ND
SVP-22	Farallon	SVP-22	4.0	12/16/2022	**2.6**	< 1.0	**19.0**	**1.3**	**2.5**	**2.6**	**4.9**	**11.5**	< 1.0	< 1.0	---	0%	ND	ND
SVP-23	Farallon	SVP-23	4.0	12/16/2022	< 1.0	< 1.0	**1.3**	**1.3**	**2.1**	< 1.0	**1.6**	**4.1**	**4.6**	< 1.0	---	0%	ND	ND
SVP-24	Farallon	SVP-24	4.0	12/16/2022	**5.7**	< 1.0	< 1.0	**1.1**	**2.8**	< 1.0	< 1.0	< 2.0	< 1.0	< 1.0	---	0%	ND	ND
SVP-25	Farallon	SVP-25	4.0	12/16/2022	**13.0**	< 1.0	**1.0**	**1.1**	**4.7**	< 1.0	< 1.0	**1.4**	< 1.0	< 1.0	---	0%	ND	ND
SVP-26	Farallon	SVP-26	4.0	12/16/2022	**60.2**	< 1.0	**2.8**	**1.1**	**8.9**	**1.8**	**4.4**	**9.8**	< 1.0	**1.5**	---	0%	ND	ND
Calculated Industrial SGSL with 0.03 Attenuation Factor[3]					**67**	**100**	**870,000**	**180,000**	**15,000**	**160**	**43,000**	**15,000**	**8,700**	**100,000**	**83,000**	**5%[4]**	**Varies**	**Varies**

NOTES:

Results in **bold** denote concentrations detected at or above the laboratory reporting limit. Results in **bold** and highlighted yellow denote concentrations exceeding applicable SGSLs for the current property use (industrial/commercial).

< denotes analyte not detected at or exceeding the reporting limit listed.

--- denotes sample not analyzed or not applicable.

[1] Depth in feet below ground surface.

[2] Only detected VOCs shown in table; see lab reports for full list of analytes. Analyzed by EPA Methods 8260B/8260B-Modified (7/29/2016 (Modified), 3/11/2022, and 9/20/2022) or TO-15 (7/21/2016 and 12/16/2022), unless otherwise noted.

[3] Except as noted (see Footnote 4), Calculated soil gas screening levels (SGSLs) were derived by dividing the May 2022 Department of Toxic Substances Control (DTSC) screening levels (shown in black) or November 2022 U.S. Environmental Protection Agency (EPA) Regional Screening Levels (shown in blue) for VOCs, and 2019 SFBWQCB Environmental Screening Levels (ESLs) for TPH-g (shown in green) for indoor air by the noted attenuation factor.

[4] Methane was compared against a Lower Exlosive Limit of 5% as measured by a hand-held GemTech 5000 Flame Ionizaton Detector

C = sample was analyzed via TO-14 due to high concentration of analytes
Farallon = Farallon Consulting, LLC
ND = not detected at or above the laboratory reporting limit
Partner = Partner Engineering and Science, Inc.
PCE = tetrachloroethene
SGSL = soil gas screening level
TCE = trichloroethene
TPH-g = total petroleum hydrocarbons, gasoline range

APPENDIX A
BORING LOGS

SOIL GAS INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

FARALLON CONSULTING

Log of Boring: SVP-20

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Jared Eudell

Date/Time Started:	12/9/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	12/9/22	**Boring Diameter (in):**	3.25
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	4.5
Drilling Method:	Hand Auger	**Constructed Well Depth (ft bgs):**	4
Drilling Equipment:	Hand Auger		
Drilling Operator:	Andrew		
Sampler Type:	NA		

Depth (ft bgs)	Lithologic Description	USCS	PID (ppmv)	Sample ID	Boring/Well Construction Details
0	0.0-0.3': Asphalt. Hand auger to 4.5' bgs	AC			
	0.3-4.5': Silty fine SAND (SM), brown (10YR 5/3), estimated loose, moist, no odor.	SM	0.2		Hydrated #8 Bentonite
	3.5': Trace medium sand		0.3	SVP-20	Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
5	4.5': End of boring.				
10					

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-21

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Jared Eudell

Date/Time Started:	12/9/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	12/9/22	**Boring Diameter (in):**	3.25
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	4.5
Drilling Method:	Hand Auger	**Constructed Well Depth (ft bgs):**	4
Drilling Equipment:	Hand Auger		
Drilling Operator:	Andrew		
Sampler Type:	NA		

Depth (ft bgs)	Lithologic Description	USCS	Sample ID	Boring/Well Construction Details
0	0.0-1.2': Concrete. Hand auger to 4.5' bgs	AC		
	1.2-4.5': Silty fine SAND (SM), brown (10YR 5/3), estimated loose, moist, no odor.	SM	SVP-21 (PID 0.4)	Hydrated #8 Bentonite; Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
5	4.5': End of boring.			
10				

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-22

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Jared Eudell

Date/Time Started:	12/9/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	12/9/22	**Boring Diameter (in):**	3.25
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	4.5
Drilling Method:	Hand Auger	**Constructed Well Depth (ft bgs):**	4
Drilling Equipment:	Hand Auger		
Drilling Operator:	Andrew		
Sampler Type:	NA		

Depth (ft bgs)	Sample Interval	Lithologic Description	USCS	USCS Graphic	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0		0.0-0.4': Concrete: Hand auger to 4.5' bgs	AC						
		0.4-4.5': Silty fine SAND (SM), with trace medium sand, brown (10YR 5/3), estimated loose, moist, no odor.	SM			0.1			Hydrated #8 Bentonite
		3.0': Becomes brown (10YR 5/4), no medium sand.				0.3	SVP-22		Dry #8 Bentonite #3 Sand Pack with Vapor Probe
5		4.5': End of boring.							
10									

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-23

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Jared Eudell

Date/Time Started:	12/9/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	12/9/22	**Boring Diameter (in):**	3.25
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	4.5
Drilling Method:	Hand Auger	**Constructed Well Depth (ft bgs):**	4
Drilling Equipment:	Hand Auger		
Drilling Operator:	Andrew		
Sampler Type:	NA		

Depth (ft bgs)	Lithologic Description	USCS	PID (ppmv)	Sample ID	Boring/Well Construction Details
0	0.0-0.3': Asphalt. Hand auger to 4.5' bgs	AC			
	0.3-4.5': Silty fine SAND (SM) with trace sub-angular gravel, brown (10YR 5/3), estimated loose, moist, no odor.	SM	0.4		Hydrated #8 Bentonite
	3.0': Becomes brown (10YR 5/4)		0.2	SVP-23	Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
5	4.5': End of boring.				
10					

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-24

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Jared Eudell

Date/Time Started:	12/9/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	12/9/22	**Boring Diameter (in):**	3.25
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	4.5
Drilling Method:	Hand Auger	**Constructed Well Depth (ft bgs):**	4
Drilling Equipment:	Hand Auger		
Drilling Operator:	Andrew		
Sampler Type:	NA		

Depth (ft bgs)	Lithologic Description	USCS	PID (ppmv)	Sample ID	Boring/Well Construction Details
0	0.0-0.7': Asphalt. Hand auger to 4.5' bgs	AC			
	0.7-4.5': Silty fine SAND (SM) with sub-angular gravel, brown (10YR 5/3), estimated loose, moist, no odor.	SM	0.5	SVP-24	Hydrated #8 Bentonite; Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
5	4.5': End of boring.		0.4		
10					

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-25

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Jared Eudell

Date/Time Started:	12/9/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	12/9/22	**Boring Diameter (in):**	3.25
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	4.5
Drilling Method:	Hand Auger	**Constructed Well Depth (ft bgs):**	4
Drilling Equipment:	Hand Auger		
Drilling Operator:	Andrew		
Sampler Type:	NA		

Depth (ft bgs)	Lithologic Description	USCS	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0	0.0-0.4': Concrete. Hand auger to 4.5' bgs	AC					
	0.4-4.5': Silty fine SAND (SM) with sub-angular gravel, brown (10YR 5/4), estimated loose, moist, no odor.	SM		0.9	SVP-25		Hydrated #8 Bentonite; Dry #8 Bentonite; #3 Sand Pack with Vapor Probe
				0.4			
5	4.5': End of boring.						
10							

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

FARALLON CONSULTING

Log of Boring: SVP-26

Client: Prologis Inc
Project: 5355 Airport Drive
Location: Ontario, California
Farallon PN: 1071-080
Logged By: Nate Montoy
Reviewed By: Jared Eudell

Date/Time Started:	12/9/22	**Depth to Water ATD (ft bgs):**	NE
Date/Time Completed:	12/9/22	**Boring Diameter (in):**	3.25
Drilling Company:	Millenium	**Total Boring Depth (ft bgs):**	4.5
Drilling Method:	Hand Auger	**Constructed Well Depth (ft bgs):**	4
Drilling Equipment:	Hand Auger		
Drilling Operator:	Andrew		
Sampler Type:	NA		

Depth (ft bgs)	Sample Interval	Lithologic Description	USCS	USCS Graphic	% Recovery	PID (ppmv)	Sample ID	Sample Analyzed	Boring/Well Construction Details
0		0.0-0.4': Concrete. Hand auger to 4.5' bgs	AC						
		0.4-4.5': Silty fine SAND (SM), brown (10YR 5/3), estimated loose, moist, no odor.	SM			0.6 1.0	SVP-26		Hydrated #8 Bentonite Dry #8 Bentonite #3 Sand Pack with Vapor Probe
5		4.5': End of boring.							
10									

Well Construction Information

Monument Type:	NA	**Filter Pack:**	NA	**Ground Surface Elevation (ft):**	NA
Casing Diameter (in):	1/4" Nylaflow	**Surface Seal:**	NA	**Top of Casing Elevation (ft):**	NA
Screen Slot Size (in):	NA	**Annular Seal:**	NA	**Surveyed Location: X:** NA	**Y:** NA
Screened Interval (ft bgs):	4	**Boring Abandonment:**	NA	**Unique Well ID:** NA	

APPENDIX B
LABORATORY ANALYTICAL REPORTS

SOIL GAS INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

JONES ENVIRONMENTAL, INC.

714-449-9937
562-646-1611

11007 FOREST PLACE
SANTA FE SPRINGS, CA 90670
WWW.JONESENV.COM

22 December 2022

Kathy Lehnus
Farallon Consulting
27 Mauchly Suite 213
Irvine, CA 92618

Re: 5355 E. Airport Drive

Enclosed are the results of analyses for samples received by the laboratory on 12/16/22. If you have any questions concerning this report, please feel free to contact me.

Sincerely,



Colby Wakeman
Lab Director

JONES ENVIRONMENTAL, INC.

11007 FOREST PLACE
SANTA FE SPRINGS, CA 90670
714-449-9937 PHONE
562-646-1611 FAX

Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

ANALYTICAL REPORT FOR SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
SVP-20	JEI220368-01	Soil Gas	12/16/2022 08:51	12/16/2022 15:16
SVP-21	JEI220368-02	Soil Gas	12/16/2022 09:26	12/16/2022 15:16
SVP-22	JEI220368-03	Soil Gas	12/16/2022 10:07	12/16/2022 15:16
SVP-23	JEI220368-04	Soil Gas	12/16/2022 10:46	12/16/2022 15:16
SVP-24	JEI220368-05	Soil Gas	12/16/2022 11:35	12/16/2022 15:16
SVP-26	JEI220368-06	Soil Gas	12/16/2022 12:07	12/16/2022 15:16
SVP-25	JEI220368-07	Soil Gas	12/16/2022 12:39	12/16/2022 15:16

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Colby Wakeman
Lab Director

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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

DETECTIONS SUMMARY

Sample ID: SVP-20 **Laboratory ID:** JEI220368-01

Analyte	Result	Reporting Limit	Units	Method	Notes
Cyclohexane	1.8	1.0	µg/m3	EPA TO-15	
Ethylbenzene	1.0	1.0	µg/m3	EPA TO-15	
Freon 11	3.2	1.0	µg/m3	EPA TO-15	
Freon 12	2.3	1.0	µg/m3	EPA TO-15	
Toluene	2.9	1.0	µg/m3	EPA TO-15	
m+p-Xylene	4.7	1.0	µg/m3	EPA TO-15	

Sample ID: SVP-21 **Laboratory ID:** JEI220368-02

Analyte	Result	Reporting Limit	Units	Method	Notes
Freon 11	2.6	1.0	µg/m3	EPA TO-15	
Freon 12	2.6	1.0	µg/m3	EPA TO-15	
Tetrachloroethene	3.5	1.0	µg/m3	EPA TO-15	
Toluene	1.6	1.0	µg/m3	EPA TO-15	
m+p-Xylene	3.0	1.0	µg/m3	EPA TO-15	
o-Xylene	1.4	1.0	µg/m3	EPA TO-15	

Sample ID: SVP-22 **Laboratory ID:** JEI220368-03

Analyte	Result	Reporting Limit	Units	Method	Notes
Cyclohexane	19.0	1.0	µg/m3	EPA TO-15	
Ethylbenzene	2.6	1.0	µg/m3	EPA TO-15	
Freon 11	1.3	1.0	µg/m3	EPA TO-15	
Freon 12	2.5	1.0	µg/m3	EPA TO-15	
Tetrachloroethene	2.6	1.0	µg/m3	EPA TO-15	
Toluene	4.9	1.0	µg/m3	EPA TO-15	
m+p-Xylene	11.5	1.0	µg/m3	EPA TO-15	

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Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

DETECTIONS SUMMARY

Sample ID: SVP-23 **Laboratory ID:** JEI220368-04

Analyte	Result	Reporting Limit	Units	Method	Notes
Cyclohexane	1.3	1.0	µg/m3	EPA TO-15	
Freon 11	1.3	1.0	µg/m3	EPA TO-15	
Freon 12	2.1	1.0	µg/m3	EPA TO-15	
Toluene	1.6	1.0	µg/m3	EPA TO-15	
1,2,4-Trimethylbenzene	4.6	1.0	µg/m3	EPA TO-15	
m+p-Xylene	4.1	1.0	µg/m3	EPA TO-15	

Sample ID: SVP-24 **Laboratory ID:** JEI220368-05

Analyte	Result	Reporting Limit	Units	Method	Notes
Freon 11	1.1	1.0	µg/m3	EPA TO-15	
Freon 12	2.8	1.0	µg/m3	EPA TO-15	
Tetrachloroethene	5.7	1.0	µg/m3	EPA TO-15	

Sample ID: SVP-26 **Laboratory ID:** JEI220368-06

Analyte	Result	Reporting Limit	Units	Method	Notes
Carbon Disulfide	1.5	1.0	µg/m3	EPA TO-15	
Cyclohexane	2.8	1.0	µg/m3	EPA TO-15	
Ethylbenzene	1.8	1.0	µg/m3	EPA TO-15	
Freon 11	1.1	1.0	µg/m3	EPA TO-15	
Freon 12	8.9	1.0	µg/m3	EPA TO-15	
Tetrachloroethene	60.2	1.0	µg/m3	EPA TO-15	
Toluene	4.4	1.0	µg/m3	EPA TO-15	
m+p-Xylene	6.6	1.0	µg/m3	EPA TO-15	
o-Xylene	3.2	1.0	µg/m3	EPA TO-15	

Sample ID: SVP-25 **Laboratory ID:** JEI220368-07

Analyte	Result	Reporting Limit	Units	Method	Notes

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Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

DETECTIONS SUMMARY

Sample ID: SVP-25 **Laboratory ID:** JEI220368-07

Analyte	Result	Reporting Limit	Units	Method	Notes
Cyclohexane	1.0	1.0	µg/m3	EPA TO-15	
Freon 11	1.1	1.0	µg/m3	EPA TO-15	
Freon 12	4.7	1.0	µg/m3	EPA TO-15	
Tetrachloroethene	13.0	1.0	µg/m3	EPA TO-15	
m+p-Xylene	1.4	1.0	µg/m3	EPA TO-15	

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27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-20

JEI220368-01(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
Benzene	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
Bromodichloromethane	ND	1.0	µg/m3	"	"		"	"	
Bromoform	ND	1.0	µg/m3	"	"		"	"	
1,3-Butadiene	ND	1.0	µg/m3	"	"		"	"	
n-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
sec-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
tert-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
Carbon tetrachloride	ND	1.0	µg/m3	"	"		"	"	
Chlorobenzene	ND	1.0	µg/m3	"	"		"	"	
Chloroform	ND	1.0	µg/m3	"	"		"	"	
Carbon Disulfide	ND	1.0	µg/m3	"	"		"	"	
Cyclohexane	1.8	1.0	µg/m3	"	"		"	"	
Dibromochloromethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dibromoethane (EDB)	ND	1.0	µg/m3	"	"		"	"	
1,4-Dioxane	ND	1.0	µg/m3	"	"		"	"	
1,2- Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,3-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,4-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
cis-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
trans-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
Ethyl Acetate	ND	1.0	µg/m3	"	"		"	"	
Ethylbenzene	1.0	1.0	µg/m3	"	"		"	"	
Freon 11	3.2	1.0	µg/m3	"	"		"	"	
Freon 12	2.3	1.0	µg/m3	"	"		"	"	
Freon 113	ND	1.0	µg/m3	"	"		"	"	
Isopropylbenzene	ND	1.0	µg/m3	"	"		"	"	
4-Isopropyltoluene	ND	2.5	µg/m3	"	"		"	"	
Methylene chloride	ND	1.0	µg/m3	"	"		"	"	
Naphthalene	ND	1.0	µg/m3	"	"		"	"	
n-Propylbenzene	ND	1.0	µg/m3	"	"		"	"	
Styrene	ND	1.0	µg/m3	"	"		"	"	
1,1,1,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1,2,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
Tetrachloroethene	ND	1.0	µg/m3	"	"		"	"	
Toluene	2.9	1.0	µg/m3	"	"		"	"	

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Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-20

JEI220368-01(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
1,1,1-Trichloroethane	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
1,1,2-Trichloroethane	ND	1.0	µg/m3	"	"		"	"	
Trichloroethene	ND	1.0	µg/m3	"	"		"	"	
1,2,4-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
1,3,5-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Vinyl Chloride	ND	1.0	µg/m3	"	"		"	"	
m+p-Xylene	4.7	1.0	µg/m3	"	"		"	"	
o-Xylene	ND	1.0	µg/m3	"	"		"	"	
MTBE	ND	1.0	µg/m3	"	"		"	"	
Ethyl-tert-butylether	ND	1.0	µg/m3	"	"		"	"	
Di-isopropylether	ND	1.0	µg/m3	"	"		"	"	
tert-amylmethylether	ND	1.0	µg/m3	"	"		"	"	
1,1-DFA (LCC)	ND	10.0	µg/m3	"	"		"	"	

Surrogate: 4-Bromofluorobenzene *100.68 %* *80 - 120*

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27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-21

JEI220368-02(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
Benzene	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
Bromodichloromethane	ND	1.0	µg/m3	"	"		"	"	
Bromoform	ND	1.0	µg/m3	"	"		"	"	
1,3-Butadiene	ND	1.0	µg/m3	"	"		"	"	
n-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
sec-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
tert-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
Carbon tetrachloride	ND	1.0	µg/m3	"	"		"	"	
Chlorobenzene	ND	1.0	µg/m3	"	"		"	"	
Chloroform	ND	1.0	µg/m3	"	"		"	"	
Carbon Disulfide	ND	1.0	µg/m3	"	"		"	"	
Cyclohexane	ND	1.0	µg/m3	"	"		"	"	
Dibromochloromethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dibromoethane (EDB)	ND	1.0	µg/m3	"	"		"	"	
1,4-Dioxane	ND	1.0	µg/m3	"	"		"	"	
1,2- Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,3-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,4-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
cis-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
trans-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
Ethyl Acetate	ND	1.0	µg/m3	"	"		"	"	
Ethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Freon 11	2.6	1.0	µg/m3	"	"		"	"	
Freon 12	2.6	1.0	µg/m3	"	"		"	"	
Freon 113	ND	1.0	µg/m3	"	"		"	"	
Isopropylbenzene	ND	1.0	µg/m3	"	"		"	"	
4-Isopropyltoluene	ND	2.5	µg/m3	"	"		"	"	
Methylene chloride	ND	1.0	µg/m3	"	"		"	"	
Naphthalene	ND	1.0	µg/m3	"	"		"	"	
n-Propylbenzene	ND	1.0	µg/m3	"	"		"	"	
Styrene	ND	1.0	µg/m3	"	"		"	"	
1,1,1,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1,2,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
Tetrachloroethene	3.5	1.0	µg/m3	"	"		"	"	
Toluene	1.6	1.0	µg/m3	"	"		"	"	

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Lab Director

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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-21

JEI220368-02(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
1,1,1-Trichloroethane	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
1,1,2-Trichloroethane	ND	1.0	µg/m3	"	"		"	"	
Trichloroethene	ND	1.0	µg/m3	"	"		"	"	
1,2,4-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
1,3,5-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Vinyl Chloride	ND	1.0	µg/m3	"	"		"	"	
m+p-Xylene	3.0	1.0	µg/m3	"	"		"	"	
o-Xylene	1.4	1.0	µg/m3	"	"		"	"	
MTBE	ND	1.0	µg/m3	"	"		"	"	
Ethyl-tert-butylether	ND	1.0	µg/m3	"	"		"	"	
Di-isopropylether	ND	1.0	µg/m3	"	"		"	"	
tert-amylmethylether	ND	1.0	µg/m3	"	"		"	"	
1,1-DFA (LCC)	ND	10.0	µg/m3	"	"		"	"	
Surrogate: 4-Bromofluorobenzene	*100.71 %*	*80 - 120*							

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27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-22

JEI220368-03(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
Benzene	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
Bromodichloromethane	ND	1.0	µg/m3	"	"		"	"	
Bromoform	ND	1.0	µg/m3	"	"		"	"	
1,3-Butadiene	ND	1.0	µg/m3	"	"		"	"	
n-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
sec-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
tert-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
Carbon tetrachloride	ND	1.0	µg/m3	"	"		"	"	
Chlorobenzene	ND	1.0	µg/m3	"	"		"	"	
Chloroform	ND	1.0	µg/m3	"	"		"	"	
Carbon Disulfide	ND	1.0	µg/m3	"	"		"	"	
Cyclohexane	19.0	1.0	µg/m3	"	"		"	"	
Dibromochloromethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dibromoethane (EDB)	ND	1.0	µg/m3	"	"		"	"	
1,4-Dioxane	ND	1.0	µg/m3	"	"		"	"	
1,2- Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,3-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,4-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
cis-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
trans-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
Ethyl Acetate	ND	1.0	µg/m3	"	"		"	"	
Ethylbenzene	2.6	1.0	µg/m3	"	"		"	"	
Freon 11	1.3	1.0	µg/m3	"	"		"	"	
Freon 12	2.5	1.0	µg/m3	"	"		"	"	
Freon 113	ND	1.0	µg/m3	"	"		"	"	
Isopropylbenzene	ND	1.0	µg/m3	"	"		"	"	
4-Isopropyltoluene	ND	2.5	µg/m3	"	"		"	"	
Methylene chloride	ND	1.0	µg/m3	"	"		"	"	
Naphthalene	ND	1.0	µg/m3	"	"		"	"	
n-Propylbenzene	ND	1.0	µg/m3	"	"		"	"	
Styrene	ND	1.0	µg/m3	"	"		"	"	
1,1,1,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1,2,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
Tetrachloroethene	2.6	1.0	µg/m3	"	"		"	"	
Toluene	4.9	1.0	µg/m3	"	"		"	"	

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27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-22

JEI220368-03(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
1,1,1-Trichloroethane	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
1,1,2-Trichloroethane	ND	1.0	µg/m3	"	"		"	"	
Trichloroethene	ND	1.0	µg/m3	"	"		"	"	
1,2,4-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
1,3,5-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Vinyl Chloride	ND	1.0	µg/m3	"	"		"	"	
m+p-Xylene	11.5	1.0	µg/m3	"	"		"	"	
o-Xylene	ND	1.0	µg/m3	"	"		"	"	
MTBE	ND	1.0	µg/m3	"	"		"	"	
Ethyl-tert-butylether	ND	1.0	µg/m3	"	"		"	"	
Di-isopropylether	ND	1.0	µg/m3	"	"		"	"	
tert-amylmethylether	ND	1.0	µg/m3	"	"		"	"	
1,1-DFA (LCC)	ND	10.0	µg/m3	"	"		"	"	
Surrogate: 4-Bromofluorobenzene	*98.16 %*	*80 - 120*							

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Colby Wakeman
Lab Director

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JONES ENVIRONMENTAL, INC.

11007 FOREST PLACE
SANTA FE SPRINGS, CA 90670
714-449-9937 PHONE
562-646-1611 FAX

Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-23

JEI220368-04(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
Benzene	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
Bromodichloromethane	ND	1.0	µg/m3	"	"		"	"	
Bromoform	ND	1.0	µg/m3	"	"		"	"	
1,3-Butadiene	ND	1.0	µg/m3	"	"		"	"	
n-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
sec-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
tert-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
Carbon tetrachloride	ND	1.0	µg/m3	"	"		"	"	
Chlorobenzene	ND	1.0	µg/m3	"	"		"	"	
Chloroform	ND	1.0	µg/m3	"	"		"	"	
Carbon Disulfide	ND	1.0	µg/m3	"	"		"	"	
Cyclohexane	1.3	1.0	µg/m3	"	"		"	"	
Dibromochloromethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dibromoethane (EDB)	ND	1.0	µg/m3	"	"		"	"	
1,4-Dioxane	ND	1.0	µg/m3	"	"		"	"	
1,2- Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,3-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,4-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
cis-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
trans-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
Ethyl Acetate	ND	1.0	µg/m3	"	"		"	"	
Ethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Freon 11	1.3	1.0	µg/m3	"	"		"	"	
Freon 12	2.1	1.0	µg/m3	"	"		"	"	
Freon 113	ND	1.0	µg/m3	"	"		"	"	
Isopropylbenzene	ND	1.0	µg/m3	"	"		"	"	
4-Isopropyltoluene	ND	2.5	µg/m3	"	"		"	"	
Methylene chloride	ND	1.0	µg/m3	"	"		"	"	
Naphthalene	ND	1.0	µg/m3	"	"		"	"	
n-Propylbenzene	ND	1.0	µg/m3	"	"		"	"	
Styrene	ND	1.0	µg/m3	"	"		"	"	
1,1,1,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1,2,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
Tetrachloroethene	ND	1.0	µg/m3	"	"		"	"	
Toluene	1.6	1.0	µg/m3	"	"		"	"	

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Colby Wakeman
Lab Director

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JONES ENVIRONMENTAL, INC.

11007 FOREST PLACE
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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-23

JEI220368-04(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
1,1,1-Trichloroethane	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
1,1,2-Trichloroethane	ND	1.0	µg/m3	"	"		"	"	
Trichloroethene	ND	1.0	µg/m3	"	"		"	"	
1,2,4-Trimethylbenzene	4.6	1.0	µg/m3	"	"		"	"	
1,3,5-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Vinyl Chloride	ND	1.0	µg/m3	"	"		"	"	
m+p-Xylene	4.1	1.0	µg/m3	"	"		"	"	
o-Xylene	ND	1.0	µg/m3	"	"		"	"	
MTBE	ND	1.0	µg/m3	"	"		"	"	
Ethyl-tert-butylether	ND	1.0	µg/m3	"	"		"	"	
Di-isopropylether	ND	1.0	µg/m3	"	"		"	"	
tert-amylmethylether	ND	1.0	µg/m3	"	"		"	"	
1,1-DFA (LCC)	ND	10.0	µg/m3	"	"		"	"	

Surrogate: 4-Bromofluorobenzene *100.82 %* *80 - 120*

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Colby Wakeman
Lab Director

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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-24

JEI220368-05(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
Benzene	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
Bromodichloromethane	ND	1.0	µg/m3	"	"		"	"	
Bromoform	ND	1.0	µg/m3	"	"		"	"	
1,3-Butadiene	ND	1.0	µg/m3	"	"		"	"	
n-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
sec-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
tert-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
Carbon tetrachloride	ND	1.0	µg/m3	"	"		"	"	
Chlorobenzene	ND	1.0	µg/m3	"	"		"	"	
Chloroform	ND	1.0	µg/m3	"	"		"	"	
Carbon Disulfide	ND	1.0	µg/m3	"	"		"	"	
Cyclohexane	ND	1.0	µg/m3	"	"		"	"	
Dibromochloromethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dibromoethane (EDB)	ND	1.0	µg/m3	"	"		"	"	
1,4-Dioxane	ND	1.0	µg/m3	"	"		"	"	
1,2- Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,3-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,4-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
cis-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
trans-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
Ethyl Acetate	ND	1.0	µg/m3	"	"		"	"	
Ethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Freon 11	1.1	1.0	µg/m3	"	"		"	"	
Freon 12	2.8	1.0	µg/m3	"	"		"	"	
Freon 113	ND	1.0	µg/m3	"	"		"	"	
Isopropylbenzene	ND	1.0	µg/m3	"	"		"	"	
4-Isopropyltoluene	ND	2.5	µg/m3	"	"		"	"	
Methylene chloride	ND	1.0	µg/m3	"	"		"	"	
Naphthalene	ND	1.0	µg/m3	"	"		"	"	
n-Propylbenzene	ND	1.0	µg/m3	"	"		"	"	
Styrene	ND	1.0	µg/m3	"	"		"	"	
1,1,1,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1,2,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
Tetrachloroethene	5.7	1.0	µg/m3	"	"		"	"	
Toluene	ND	1.0	µg/m3	"	"		"	"	

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Colby Wakeman
Lab Director

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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-24

JEI220368-05(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
1,1,1-Trichloroethane	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
1,1,2-Trichloroethane	ND	1.0	µg/m3	"	"		"	"	
Trichloroethene	ND	1.0	µg/m3	"	"		"	"	
1,2,4-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
1,3,5-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Vinyl Chloride	ND	1.0	µg/m3	"	"		"	"	
m+p-Xylene	ND	1.0	µg/m3	"	"		"	"	
o-Xylene	ND	1.0	µg/m3	"	"		"	"	
MTBE	ND	1.0	µg/m3	"	"		"	"	
Ethyl-tert-butylether	ND	1.0	µg/m3	"	"		"	"	
Di-isopropylether	ND	1.0	µg/m3	"	"		"	"	
tert-amylmethylether	ND	1.0	µg/m3	"	"		"	"	
1,1-DFA (LCC)	ND	10.0	µg/m3	"	"		"	"	
Surrogate: 4-Bromofluorobenzene	*100.49 %*	*80 - 120*							

Jones Environmental, Inc.

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Colby Wakeman
Lab Director

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JONES ENVIRONMENTAL, INC.

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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-26

JEI220368-06(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
Benzene	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
Bromodichloromethane	ND	1.0	µg/m3	"	"		"	"	
Bromoform	ND	1.0	µg/m3	"	"		"	"	
1,3-Butadiene	ND	1.0	µg/m3	"	"		"	"	
n-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
sec-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
tert-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
Carbon tetrachloride	ND	1.0	µg/m3	"	"		"	"	
Chlorobenzene	ND	1.0	µg/m3	"	"		"	"	
Chloroform	ND	1.0	µg/m3	"	"		"	"	
Carbon Disulfide	1.5	1.0	µg/m3	"	"		"	"	
Cyclohexane	2.8	1.0	µg/m3	"	"		"	"	
Dibromochloromethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dibromoethane (EDB)	ND	1.0	µg/m3	"	"		"	"	
1,4-Dioxane	ND	1.0	µg/m3	"	"		"	"	
1,2- Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,3-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,4-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
cis-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
trans-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
Ethyl Acetate	ND	1.0	µg/m3	"	"		"	"	
Ethylbenzene	1.8	1.0	µg/m3	"	"		"	"	
Freon 11	1.1	1.0	µg/m3	"	"		"	"	
Freon 12	8.9	1.0	µg/m3	"	"		"	"	
Freon 113	ND	1.0	µg/m3	"	"		"	"	
Isopropylbenzene	ND	1.0	µg/m3	"	"		"	"	
4-Isopropyltoluene	ND	2.5	µg/m3	"	"		"	"	
Methylene chloride	ND	1.0	µg/m3	"	"		"	"	
Naphthalene	ND	1.0	µg/m3	"	"		"	"	
n-Propylbenzene	ND	1.0	µg/m3	"	"		"	"	
Styrene	ND	1.0	µg/m3	"	"		"	"	
1,1,1,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1,2,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
Tetrachloroethene	60.2	1.0	µg/m3	"	"		"	"	
Toluene	4.4	1.0	µg/m3	"	"		"	"	

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Colby Wakeman
Lab Director

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11007 FOREST PLACE
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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-26

JEI220368-06(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
1,1,1-Trichloroethane	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
1,1,2-Trichloroethane	ND	1.0	µg/m3	"	"		"	"	
Trichloroethene	ND	1.0	µg/m3	"	"		"	"	
1,2,4-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
1,3,5-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Vinyl Chloride	ND	1.0	µg/m3	"	"		"	"	
m+p-Xylene	6.6	1.0	µg/m3	"	"		"	"	
o-Xylene	3.2	1.0	µg/m3	"	"		"	"	
MTBE	ND	1.0	µg/m3	"	"		"	"	
Ethyl-tert-butylether	ND	1.0	µg/m3	"	"		"	"	
Di-isopropylether	ND	1.0	µg/m3	"	"		"	"	
tert-amylmethylether	ND	1.0	µg/m3	"	"		"	"	
1,1-DFA (LCC)	ND	10.0	µg/m3	"	"		"	"	
Surrogate: 4-Bromofluorobenzene	*99.26 %*	*80 - 120*							

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Colby Wakeman
Lab Director

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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-25

JEI220368-07(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
Benzene	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
Bromodichloromethane	ND	1.0	µg/m3	"	"		"	"	
Bromoform	ND	1.0	µg/m3	"	"		"	"	
1,3-Butadiene	ND	1.0	µg/m3	"	"		"	"	
n-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
sec-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
tert-Butylbenzene	ND	1.0	µg/m3	"	"		"	"	
Carbon tetrachloride	ND	1.0	µg/m3	"	"		"	"	
Chlorobenzene	ND	1.0	µg/m3	"	"		"	"	
Chloroform	ND	1.0	µg/m3	"	"		"	"	
Carbon Disulfide	ND	1.0	µg/m3	"	"		"	"	
Cyclohexane	1.0	1.0	µg/m3	"	"		"	"	
Dibromochloromethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dibromoethane (EDB)	ND	1.0	µg/m3	"	"		"	"	
1,4-Dioxane	ND	1.0	µg/m3	"	"		"	"	
1,2- Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,3-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,4-Dichlorobenzene	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,2-Dichloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
cis-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
trans-1,2-Dichloroethene	ND	1.0	µg/m3	"	"		"	"	
Ethyl Acetate	ND	1.0	µg/m3	"	"		"	"	
Ethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Freon 11	1.1	1.0	µg/m3	"	"		"	"	
Freon 12	4.7	1.0	µg/m3	"	"		"	"	
Freon 113	ND	1.0	µg/m3	"	"		"	"	
Isopropylbenzene	ND	1.0	µg/m3	"	"		"	"	
4-Isopropyltoluene	ND	2.5	µg/m3	"	"		"	"	
Methylene chloride	ND	1.0	µg/m3	"	"		"	"	
Naphthalene	ND	1.0	µg/m3	"	"		"	"	
n-Propylbenzene	ND	1.0	µg/m3	"	"		"	"	
Styrene	ND	1.0	µg/m3	"	"		"	"	
1,1,1,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
1,1,2,2-Tetrachloroethane	ND	1.0	µg/m3	"	"		"	"	
Tetrachloroethene	13.0	1.0	µg/m3	"	"		"	"	
Toluene	ND	1.0	µg/m3	"	"		"	"	

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Colby Wakeman
Lab Director

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11007 FOREST PLACE
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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

SVP-25

JEI220368-07(Soil Gas)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Volatile Organic Compounds by EPA TO-15									
1,1,1-Trichloroethane	ND	1.0	µg/m3	1	QC2212085		12/19/22	EPA TO-15	
1,1,2-Trichloroethane	ND	1.0	µg/m3	"	"		"	"	
Trichloroethene	ND	1.0	µg/m3	"	"		"	"	
1,2,4-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
1,3,5-Trimethylbenzene	ND	1.0	µg/m3	"	"		"	"	
Vinyl Chloride	ND	1.0	µg/m3	"	"		"	"	
m+p-Xylene	1.4	1.0	µg/m3	"	"		"	"	
o-Xylene	ND	1.0	µg/m3	"	"		"	"	
MTBE	ND	1.0	µg/m3	"	"		"	"	
Ethyl-tert-butylether	ND	1.0	µg/m3	"	"		"	"	
Di-isopropylether	ND	1.0	µg/m3	"	"		"	"	
tert-amylmethylether	ND	1.0	µg/m3	"	"		"	"	
1,1-DFA (LCC)	ND	10.0	µg/m3	"	"		"	"	
Surrogate: 4-Bromofluorobenzene	*100.81 %*	*80 - 120*							

Jones Environmental, Inc.

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Colby Wakeman
Lab Director

3356

JONES ENVIRONMENTAL, INC.

11007 FOREST PLACE
SANTA FE SPRINGS, CA 90670
714-449-9937 PHONE
562-646-1611 FAX

Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

Volatile Organic Compounds by EPA TO-15 - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	%REC Limits	Notes
Batch QC2212085 - EPA TO-15										
LCS 1										
Benzene	0.472	1.0	%	0.5		94	70 - 130			
Chlorobenzene	0.453	1.0	%	0.5		91	70 - 130			
1,1-Dichloroethene	0.427	1.0	%	0.5		85	70 - 130			
cis-1,2-Dichloroethene	0.540	1.0	%	0.5		108	70 - 130			
Ethylbenzene	0.469	1.0	%	0.5		94	70 - 130			
Tetrachloroethene	0.504	1.0	%	0.5		101	70 - 130			
Toluene	0.451	1.0	%	0.5		90	70 - 130			
1,1,1-Trichloroethane	0.453	1.0	%	0.5		91	70 - 130			
Trichloroethene	0.497	1.0	%	0.5		99	70 - 130			
1,2,4-Trimethylbenzene	0.506	1.0	%	0.5		101	70 - 130			
Vinyl chloride	0.476	1.0	%	0.5		95	70 - 130			
Surrogate: 4-Bromofluorobenzene		*97.10 %*		*80 - 120*						
LCSD 1										
Benzene	0.474	1.0	%	0.5		95		0.42		
Chlorobenzene	0.476	1.0	%	0.5		95		4.92		
1,1-Dichloroethene	0.434	1.0	%	0.5		87		1.81		
cis-1,2-Dichloroethene	0.551	1.0	%	0.5		110		2.05		
Ethylbenzene	0.452	1.0	%	0.5		90		3.69		
Tetrachloroethene	0.570	1.0	%	0.5		114		12.29		
Toluene	0.456	1.0	%	0.5		91		0.95		
1,1,1-Trichloroethane	0.449	1.0	%	0.5		90		0.86		
Trichloroethene	0.494	1.0	%	0.5		99		0.61		
1,2,4-Trimethylbenzene	0.456	1.0	%	0.5		91		10.40		
Vinyl chloride	0.433	1.0	%	0.5		87		9.64		
Surrogate: 4-Bromofluorobenzene		*98.48 %*		*80 - 120*						
Method Blank 1										
Benzene	ND	1.0	µg/m3							
Bromodichloromethane	ND	1.0	µg/m3							

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Colby Wakeman
Lab Director

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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

Volatile Organic Compounds by EPA TO-15 - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	%REC Limits	Notes
Batch QC2212085 - EPA TO-15										
Method Blank 1										
Bromoform	ND	1.0	µg/m3							
1,3-Butadiene	ND	1.0	µg/m3							
n-Butylbenzene	ND	1.0	µg/m3							
sec-Butylbenzene	ND	1.0	µg/m3							
tert-Butylbenzene	ND	1.0	µg/m3							
Carbon tetrachloride	ND	1.0	µg/m3							
Chlorobenzene	ND	1.0	µg/m3							
Chloroform	ND	1.0	µg/m3							
Carbon Disulfide	ND	1.0	µg/m3							
Cyclohexane	ND	1.0	µg/m3							
Dibromochloromethane	ND	1.0	µg/m3							
1,2-Dibromoethane (EDB)	ND	1.0	µg/m3							
1,4-Dioxane	ND	1.0	µg/m3							
1,2- Dichlorobenzene	ND	1.0	µg/m3							
1,3-Dichlorobenzene	ND	1.0	µg/m3							
1,4-Dichlorobenzene	ND	1.0	µg/m3							
1,1-Dichloroethane	ND	1.0	µg/m3							
1,2-Dichloroethane	ND	1.0	µg/m3							
1,1-Dichloroethene	ND	1.0	µg/m3							
cis-1,2-Dichloroethene	ND	1.0	µg/m3							
trans-1,2-Dichloroethene	ND	1.0	µg/m3							
Ethyl Acetate	ND	1.0	µg/m3							
Ethylbenzene	ND	1.0	µg/m3							
Freon 11	ND	1.0	µg/m3							
Freon 12	ND	1.0	µg/m3							
Freon 113	ND	1.0	µg/m3							
Isopropylbenzene	ND	1.0	µg/m3							
4-Isopropyltoluene	ND	2.5	µg/m3							
Methylene chloride	ND	1.0	µg/m3							
Naphthalene	ND	1.0	µg/m3							
n-Propylbenzene	ND	1.0	µg/m3							
Styrene	ND	1.0	µg/m3							
1,1,1,2-Tetrachloroethane	ND	1.0	µg/m3							
1,1,2,2-Tetrachloroethane	ND	1.0	µg/m3							
Tetrachloroethene	ND	1.0	µg/m3							
Toluene	ND	1.0	µg/m3							
1,1,1-Trichloroethane	ND	1.0	µg/m3							

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Colby Wakeman
Lab Director

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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

Volatile Organic Compounds by EPA TO-15 - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	%REC Limits	Notes
Batch QC2212085 - EPA TO-15										
Method Blank 1										
1,1,2-Trichloroethane	ND	1.0	µg/m3							
Trichloroethene	ND	1.0	µg/m3							
1,2,4-Trimethylbenzene	ND	1.0	µg/m3							
1,3,5-Trimethylbenzene	ND	1.0	µg/m3							
Vinyl Chloride	ND	1.0	µg/m3							
m+p-Xylene	ND	1.0	µg/m3							
o-Xylene	ND	1.0	µg/m3							
MTBE	ND	1.0	µg/m3							
Ethyl-tert-butylether	ND	1.0	µg/m3							
Di-isopropylether	ND	1.0	µg/m3							
tert-amylmethylether	ND	1.0	µg/m3							
1,1-DFA (LCC)	ND	10.0	µg/m3							
Surrogate: 4-Bromofluorobenzene		*100.85 %*		*80 - 120*						

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Colby Wakeman
Lab Director

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Farallon Consulting	Project: 5355 E. Airport Drive	
27 Mauchly Suite 213	Project Number: 1071-080	Reported
Irvine, CA 92618	Project Manager: Kathy Lehnus	12/22/22 11:54

Notes and Definitions

DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
dry	Sample results reported on a dry
RPD	Relative Percent Difference
E	Estimated Concentration; concentration exceeds calibration range.
LCC	Leak Check Compound
MDL	Compound Reported to Method Detection Limit

Jones Environmental, Inc.



Colby Wakeman
Lab Director

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11007 Forest Pl.
Santa Fe Springs, CA 90670
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Air Chain-of-Custody Record

Lab Use Only
Jones Project # JEI220368
Page 1 of 1

Client: FARALLON CONSULTING
Client Address: 27 MAUCHLY SUITE 213
Project Name: 5355 E. AIRPORT DRIVE
Project Address: 5355 E. AIRPORT DRIVE
ONTARIO, CA 9
Report To: KLEHNUS @ FARALLONCONSULTING.COM
JEUDELL @ "
Email/Phone: KATHY LEHNUS
JARED EUDELL
Sampler: N. MONTOY

Date: 12/16/22
Client Project #: 1071-080

Purge Rate: 200 cc/min
Shut In Test: (Y) / N

Turn Around Requested
- ☐ Immediate Attention - 200%
- ☐ Rush 24 Hours - 100%
- ☐ Rush 48 Hours - 50%
- ☐ Rush 72 Hours - 25%
- ☐ Rush 96 Hours - 10%
- ☑ Normal - No Surcharge

Tracer
- ☐ n-pentane
- ☐ n-hexane
- ☐ n-heptane
- ☐ Helium
- ☑ 1,1-DFA
- ☐ _____

Report Options
EDD ____
EDF* - 10% Surcharge ✓
*Global ID _____

Gasoline Range Organics
☐ Yes ☐ No

Summa Canister Size
☑ 1L ☐ 6L

Units Requested
☑ ug/m3 ☐ ug/L ☐ ppmV

Sample ID	Date Collected	Purge Number	Purge Volume	Laboratory Sample ID	Canister ID	Canister Start Pressure	Canister End Pressure	Flow Rate (cc/min)	Sampling Start Time	Sampling End Time	Analysis Requested: TO-15	8260B	Magnehelic Reading (in H_2O)	Number of Containers
SVP-20	12/16/22		1L	JEI 220368-01	01764	-28	-1		0842	0851	X			
SVP-21	"		"	JEI 220368-02	01609	-24	-1		0917	0926	X			
SVP-22	"		"	JEI 220368-03	01800	-29	-1		0956	1007	X			
SVP-23	"		"	JEI 220368-04	01819	-29	-1		1037	1046	X			
SVP-24	"		"	JEI 220368-05	01754	-30	-1		1124	1135	X			
SVP-26	"		"	JEI 220368-06	01820	-27	-1		1159	1207	X			
SVP-25	"		"	JEI 220368-07	01163	-28	-1		1232	1239	X			

Relinquished By (Signature): [signature] Date: 12/16/22
Company: FARALLON Time: 1516

Relinquished By (Signature): Date:
Company Time:

Recieved By (Signature): Date:
Company Time:

Recieved By Laboratory (Signature): [signature] Date: 12/16/22
Company: Farallon Time: 15:16

The delivery of samples and the signature on this Chain of Custody form constitutes authorization to perform the analyses specificied above under the Terms and Conditions set forth

3361

MEDIA MANAGEMENT PLAN

5355 East Airport Drive
Ontario, California 91761

Submitted by:
Farallon Consulting, L.L.C.
27 Mauchly, Suite 213
Irvine, California 92618

Farallon PN: 1071-080 (Task 2)

For:
Prologis, L.P.
Pier 1, Bay 1
San Francisco, California 94111

February 23, 2023

Prepared by:

Jared Eudell
Associate Scientist

Reviewed by:

Kathy Lehnus, P.G.
Senior Geologist

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Figure 2 Site Plan and Areas of Concern

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APPENDICES

Appendix A Previous Environmental Investigations and Regulatory Documents (Excerpts)

Appendix B DTSC Information Advisory Clean Imported Fill Material Fact Sheet

Appendix C South Coast Air Quality Management District *South Coast AQMD Rule Book, Rule 403, Fugitive Dust*

ACRONYMS AND ABBREVIATIONS

2016 Phase I ESA Report	*Phase I Environmental Site Assessment Report, The Scoular Company, 5355 East Airport Drive, Ontario, California 91761* dated August 18, 2016, prepared by Partner Engineering and Science, Inc. (Partner)
2016 Phase II Report	*Phase II Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California 91761* dated August 16, 2016, prepared by Partner
2022 Phase I ESA Report	*Phase I Environmental Site Assessment Report, 5355 East Airport Drive Ontario, California 91761* dated January 31, 2022, prepared by Farallon Consulting, L.L.C. (Farallon)
2022 Phase I/II Report	*Phase I/Phase II Environmental Site Assessment Report, 5355 East Airport Drive, Ontario, California 91761* dated March 30, 2022, prepared by Farallon
2022 Additional Subsurface Investigation Report	*Additional Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California* dated December 13, prepared by Farallon
2023 Soil Gas Report	*Soil Gas Investigation Report, 5355 East Airport Drive, Ontario, California* dated February 14, 2023, prepared by Farallon
ACM	asbestos-containing material
AST	aboveground storage tank
bgs	below ground surface
CCR	California Code of Regulations
COCs	constituents of concern
Contractor	the party appointed by Prologis, L.P. or by another party(ies) to conduct Site improvements or redevelopment
CREC	controlled recognized environmental condition
cVOCs	chlorinated volatile organic compounds
DTSC	California Department of Toxic Substances Control
DTSC-SLs	California-Modified Regional Screening Levels developed by the California Department of Toxic Substances Control Human and Ecological Risk Office in the *Human Health Risk Assessment (HHRA) Note Number 3, DTSC-modified Screening Levels (DTSC-SLs)* dated June 2020
Environmental Professional	the engineer or environmental consultant appointed by Prologis, L.P. and/or the Contractor (the party appointed by Prologis, L.P. or by

	another party(ies) to conduct Site improvements or redevelopment) to assist in monitoring environmental conditions or activities
EPA RSLs	U.S. Environmental Protection 2021 Agency Regional Screening Levels
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
Farallon	Farallon Consulting, L.L.C.
HASP	Health and Safety Plan
HREC	historical recognized environmental condition
mg/kg	milligrams per kilogram
MMP	Media Management Plan
Partner	Partner Engineering and Science, Inc.
PID	photoionization detector
potentially contaminated soil	soils exhibiting visual and/or olfactory evidence of impacts, elevated photoionization detector readings, or other evidence of impacts
Prologis	Prologis, L.P.
Proposition 65	California Safe Drinking Water and Toxic Enforcement Act of 1986
Subject Property	the property at 5355 East Airport Drive, Ontario, California
TPHd	total petroleum hydrocarbons as diesel-range organics
TPHg	total petroleum hydrocarbons as gasoline-range organics
TPHmo	total petroleum hydrocarbons as motor oil-range organics
UST	underground storage tank
ug/m^3	micrograms per cubic meter
VOCs	volatile organic compounds

1.0 INTRODUCTION

Farallon Consulting, L.L.C. (Farallon) has prepared this Media Management Plan (MMP) on behalf of Prologis, L.P. (Prologis) for the property at 5355 East Airport Drive in Ontario, California (herein referred to as the Subject Property) (Figure 1). The purpose of this MMP is to provide protocols for managing confirmed and potentially contaminated media that may be encountered during future improvement activities involving subsurface work at the Subject Property. According to the Prologis development team and a November 16, 2021 Preliminary Site Plan – Scheme 01, the Subject Property will be redeveloped with an approximately 250,000-square-foot (footprint) warehouse that will occupy the northern and central portions of the Subject Property.

This document has been organized into the following sections:

- **Section 2, Site Description and Background,** provides a description of the Subject Property and its historical use, the general site setting, regional geology and hydrogeology, and the Subject Property regulatory status.
- **Section 3, Known Environmental Conditions,** summarizes environmental investigations previously conducted at the Subject Property, the defining regulations applicable to the Subject Property, the constituents of concern (COCs), and the areas where COCs have been detected at or are presumed to be present at concentrations exceeding the defining regulations.
- **Section 4, Media Management Plan,** presents the details of this MMP, including the requirements for communication, health and safety, and reporting; and management of soil, groundwater, stormwater, and unanticipated subsurface features/conditions.
- **Section 5, Modifications to the Media Management Plan,** presents the conditions under which modifications to this MMP may be required.
- **Section 6, Scope, Representations, and Limitations,** provides the details of these subjects under this MMP.
- **Section 7**, **References**, lists the documents cited in this MMP.

2.0 SITE DESCRIPTION AND BACKGROUND

This section provides a description of the Subject Property and its historical use, the general site setting, regional geology and hydrogeology, and the Subject Property regulatory status.

2.1 SITE DESCRIPTION AND HISTORICAL USE

The Subject Property consists of San Bernardino County Assessor's Parcel Numbers 0238-052-20-0000 (Eastern Parcel) and 0238-052-29-0000 (Western Parcel), totaling 14.2 acres of land.

According to previous environmental investigations for the Subject Property (described in Section 3.1), a review of historical information for the Subject Property suggested that it was primarily undeveloped through at least the late-1930s until being used for agricultural purposes between the late 1930s through the early 1970s. The Subject Property was developed as a grain processing facility in 1973. The Scoular Company (Scoular) and Verhoeven Grain Company (Verhoeven) have occupied the Subject Property since 2006 and 2008, respectively.

The Eastern Parcel is occupied by Verhoeven, a grain processing company, and contains grain storage silos, a grain mill area, and five buildings. An office and warehouse building, referred to as "Building A," is located on the southern portion of the Subject Property. The warehouse portion on the northeastern side of Building A contains a service shop for the repair of machinery related to the grain mill. Wastes stored in this area include motor oil, hydraulic oil, and gear oil, primarily related to tractor and forklift operation. A maintenance and repair shop, referred to as "Building B," is used for light tractor and forklift service. New and waste vehicle fluids are stored in a hazardous substance storage area on the southwestern interior border of Building B. Additional structures on the Eastern Parcel consist of a warehouse referred to as "Building C" on the north-central portion, used for assorted storage; and two grain storage structures on the southeastern and southwestern portions of the parcel, referred to as Buildings D and E. The property is primarily asphalt-paved, with some gravel-paved areas on the western portion of the parcel. Access to the Subject Property is gained from East Airport Drive, south of the Subject Property.

The Western Parcel is occupied by Scoular, a corn storage and distribution facility. The Scoular portion of the Subject Property contains exterior grain storage, and an office trailer that contains a small hazardous substance storage area on secondary containment used for the storage of lubrication oils and greases for equipment.

A vehicle wash-down area is present on the northeastern portion of the Subject Property, and three to four septic systems are associated with the Subject Property: two or three on the Eastern Parcel, and one on the Western Parcel. The location of the septic system on the Western Parcel could not be determined from the records reviewed. At the time of Farallon's Phase I Environmental Site Assessment activities (in 2022), a 499-gallon propane aboveground storage tank (AST), two 250-gallon diesel fuel ASTs, and a 220-gallon hydraulic oil AST were present on the Eastern Parcel. Two 12,000-gallon "fuel-storage" underground storage tanks (USTs) formerly were located on the north-central portion of the Subject Property near the grain mill area. A 12,000-gallon diesel fuel

UST formerly was located southeast of Building C. The area west of Building B was identified as the former location of one or more additional USTs.

The locations of applicable Subject Property features are shown on Figure 2.

2.2 GENERAL SITE SETTING

The Subject Property is at an elevation of approximately 980 feet above mean sea level. The Subject Property topography slopes gently to the south. Regional topography generally is sloped to the south.

2.3 REGIONAL GEOLOGY AND HYDROGEOLOGY

The Subject Property is situated within the San Bernadino Valley of the Peninsular Ranges Geomorphic Province in Southern California. The Peninsular Range Province extends into lower California and is bounded by the Colorado Desert to the east, the Pacific Ocean to the west and the San Gabriel and San Bernardino mountains to the north. The San Bernardino Mountains are located approximately 7-miles north of the Subject Property.

According to the *Phase II Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California 91761* dated August 16, 2016 prepared by Partner, soil beneath the Site generally consists of very fine-grained silty sand from the surface to a depth of approximately 20 feet bgs (below ground surface) and transitions to very fine- to coarse-grained poorly graded sand between depths of 20 and 25 feet bgs. Groundwater was not encountered during Partner's investigation.

Soil encountered during Farallon's previous subsurface investigations was described as silty fine to medium sand to the total explored depth of 4 to 10 feet bgs, with an apparent coarse sand and gravel layer at a depth of 10 feet bgs (and as shallow as 5 feet bgs on the eastern portion of the Site at boring SB-2), and intermittent clayey sand to clay lenses approximately 1 foot thick at a depth of between 6 and 7 feet bgs (borings SVP-16 and SVP-19) and 10 to 11 feet bgs (borings SVP-12 and SVP-16). Groundwater was not encountered during drilling.

Site-specific groundwater direction and depth information was not available in the records reviewed. Based on information obtained from the previous reports and California State Water Resources Control Board (2022) GeoTracker database and topographic interpretation, groundwater beneath the Site is anticipated to be encountered at a depth of approximately 250 feet bgs, and is estimated to flow to the south.

3.0 KNOWN ENVIRONMENTAL CONDITIONS

This section summarizes environmental investigations previously conducted at the Subject Property, the defining regulations applicable to the Subject Property, the COCs and the areas where COCs have been detected or are presumed to be present at concentrations exceeding the defining regulations.

3.1 PREVIOUS ENVIRONMENTAL INVESTIGATIONS

This section summarizes the most recent and pertinent documents related to environmental assessments previously prepared for the Subject Property, including the following (pertinent portions of the reports attached in Appendix A):

- *Phase I Environmental Site Assessment Report, The Scoular Company, 5355 East Airport Drive, Ontario, California 91761* dated August 18, 2016 prepared by Partner Engineering and Science, Inc. (Partner) (2016 Phase I ESA Report);
- *Phase II Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California 91761* dated August 16, 2016 prepared by Partner (2016 Phase II Report);
- *Phase I Environmental Site Assessment Report, 5355 East Airport Drive Ontario, California 91761* dated January 31, 2022, prepared by Farallon (2022 Phase I ESA Report);
- *Phase I/Phase II Environmental Site Assessment Report, 5355 East Airport Drive, Ontario, California 91761* dated March 30, 2022, prepared by Farallon (2022 Farallon Phase I/II Report);
- *Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California* dated December 13, 2022, prepared by Farallon (2022 Subsurface Investigation Report); and
- *Soil Gas Investigation Report, 5355 East Airport Drive, Ontario, California* dated February 14, 2023, prepared by Farallon (2023 Soil Gas Report).

The 2016 Phase I ESA Report findings identified four recognized environmental conditions (RECs), two historical RECs (HRECs), and four environmental issues. The four RECs relate to the status of a potential unknown UST; surficial degradation and staining of asphalt around two 250-gallon diesel fuel ASTs; staining and historical use of petroleum products and hazardous materials in maintenance areas within Buildings A and B; and potential impacts associated with the vehicle wash-down area and drainage system. The two HRECs are related to the following: the two former 12,000-gallon diesel USTs, which were removed in 1989 and received a No Further Action (NFA) determination; and one former 12,000-gallon diesel UST and associated dispenser, which were removed in 2002 and also received an NFA determination. The four environmental issues identified relate to unknown locations of two septic systems; grain processing equipment and subsurface grain conveyance systems requiring lubrication oil; railroad spurs extending onto the Subject Property that may have impacted the Subject Property with pesticides, herbicides, and oils; and potential asbestos-containing materials associated with the age of the buildings.

According to the Partner 2016 Phase II Report, 26 borings were advanced to depths between 1 and 25 feet bgs for the collection of soil and/or soil gas samples. Analytical results of soil gas samples indicated detections of volatile organic compounds (VOCs), including tetrachloroethene (PCE), trichloroethene (TCE), toluene, ethylbenzene, and xylenes. Based on tabulated data, the concentrations of these detectable results were less than the residential and commercial/industrial calculated soil gas screening levels (SGSLs) at the time of the report beneath and west of Building B; however, the concentrations of PCE and ethylbenzene exceed current commercial/industrial calculated SGSLs, as discussed in Section 3.3.

RECs identified in the Farallon 2022 Phase I ESA Report included the use of hazardous materials and a known release of VOCs at Building B, possible releases to the Building B septic system, and two former petroleum USTs at the grain mill, reported as closed by regulatory authorities with impacts left in-place. HRECs identified during the 2022 Phase I ESA included a former UST area located east of Building B (investigated in 2016 with no petroleum releases detected), and a 12,000-gallon UST and fuel dispenser located southeast of Building C (closed with regulatory oversight in 2002 with minor petroleum impacts noted in backfilled soil). The 2022 Phase I ESA Report also identified the following de minimis conditions: a vehicle wash-down area on the northeastern portion of the Subject Property, reportedly used for washing truck exteriors; two or three septic systems that received only domestic water; petroleum ASTs with secondary containment and/or no evidence of leaking; rail spurs within or along the northern property boundary; transformers with no evidence of leaking; underground grain conveyance systems; and a former brine pond located on or just north of the Subject Property that was reportedly decommissioned in 1998 with no residual pH impacts.

As part of its Phase I/II due diligence investigation, Farallon conducted soil and soil gas sampling at the Subject property in March 2022, focusing on assessing former UST areas, septic systems, and the footprint of a proposed building to evaluate the potential for vapor intrusion. The scope of work for the Phase II Environmental Site Assessment portion of the investigation included advancement of 12 borings, installation of two subslab gas probes, and installation of 10 temporary soil gas probe locations with single- or multi-depth nested gas points for collection of soil and soil gas samples. Petroleum hydrocarbons and VOCs were not detected at a concentration exceeding laboratory reporting limits in the soil samples. According to soil gas data, PCE was present at concentrations exceeding calculated industrial screening levels using the 0.03 attenuation factor in soil gas samples collected in the eastern portion of the Subject Property (proximate to Building B, former diesel UST, and vehicle washdown area with sump), and in the north-central portion of the Subject Property (proximate to two former USTs). Low concentrations of naturally occurring metals, including barium, cadmium, cobalt, chromium, copper, nickel, lead, vanadium, and zinc, were detected in two soil samples submitted for analysis; these concentrations were considerably less than screening levels.

Farallon conducted additional soil gas investigations in September and December 2022 to delineate soil gas in the footprint for the proposed building and assist with design mitigation measures for PCE in soil gas that may impact indoor air. PCE was not detected at a concentration exceeding the laboratory reporting limit in September. Although PCE was detected in December,

the maximum concentration of 60.2 micrograms per cubic meter ($\mu g/m^3$) proximate to Building B did not exceed the calculated industrial screening level of 67 $\mu g/m^3$. The previously detected maximum concentration near this location was 247 $\mu g/m^3$ (SVP-7, March 11, 2022).

Although PCE has been documented in soil gas in the vicinity of Building B at concentrations exceeding calculated screening levels, these concentrations could not be confirmed with additional sampling rounds. Further, it is anticipated that shallow soils at the Subject Property will be reworked during redevelopment activities, potentially mitigating the potential for vapor intrusion conditions to exist.

Farallon recommended preparation of a MMP for use during redevelopment to address any unexpected impacts to soil associated with historical activities, and to address any issues related to the former brine pond, underground grain conveyance systems, septic systems, and former USTs at the Subject Property.

The locations of the features and findings discussed above are depicted on Figure 2. Pertinent portions of previous environmental investigation documents are provided in Appendix A.

3.2 DEFINING REGULATIONS

The published regulatory guidelines considered applicable to the Subject Property for evaluating COCs in soil are the June 2020 California-Modified Regional Screening Levels for soil developed by the California Department of Toxic Substances Control Office of Human and Ecological Risk modified in May 2022 (DTSC-SLs) or the U.S. Environmental Protection Agency (EPA) November 2022 Regional Screening Levels (EPA RSLs) if a DTSC-SL has not been developed for a COC.

The disposition of soil removed from the Subject Property should be performed in accordance with the procedures discussed in Section 4.4, Soil Management.

3.3 AREAS OF CONCERN AND CONSTITUENTS OF CONCERN EXCEEDING DEFINING REGULATIONS

Soil gas and subslab soil gas data indicate that soil gas beneath the slab at Building B, proximate to former UST areas and to the vehicle wash down area with sump, may contain PCE approaching or exceeding the calculated SGSL of 67 $\mu g/m^3$ using the 0.03 attenuation factor for industrial properties. PCE also was detected throughout the central portion of the Subject Property at concentrations less than the calculated industrial SGSL in the shallow zones assessed. One elevated concentration of PCE was detected at a depth of 10 feet bgs, which was collected on March 11, 2022 from the vicinity of the two former 12,000-gallon USTs north of the grain mill area; the shallow soil gas sample collected from this boring at 4 feet bgs did not contain PCE above the SGSL during the March or December 2022 sampling events. Soil gas data are presented on Figure 3.

Additionally, based on Farallon's review of data in the Partner 2016 Phase II Report, ethylbenzene was detected in soil gas at a concentration exceeding the EPA RSL of 160 µg/m^3 in a sample collected in the vicinity of Building B on the eastern portion of the Subject Property at a depth of 5 feet bgs. The presence of ethylbenzene in soil gas is likely related to incidental releases associated with the industrial use and appears to be isolated in nature.

Due to the historical USTs, septic systems, and underground features associated with the Subject Property, and use of petroleum products and hazardous materials, VOCs related to automotive fluids and total petroleum hydrocarbons (TPH) as gasoline range organics (TPHg), diesel-range organics (TPHd), and/or motor oil-range organics (TPHmo) may be present at the Subject Property.

Additionally, due to the current and/or historical presence of railroad tracks, a brine pond and a subsurface grain conveyance system, the potential exists for identification of additional areas of soil impacts and/or unknown subgrade features. Section 4.0 describes best practices for handling media and addressing undocumented conditions during redevelopment at the Subject Property.

4.0 MEDIA MANAGEMENT PLAN

This section presents the details of this MMP. This MMP was developed to provide protocols for managing media that are known to be or potentially are chemically impacted that may be encountered during future improvements or redevelopment activities conducted at the Subject Property. This MMP is applicable to all earthwork activities performed at the Subject Property. Elements of this MMP include:

- Project contacts;
- Communication requirements;
- Health and safety requirements;
- Soil management;
- Groundwater management;
- Stormwater management;
- Unanticipated subsurface conditions; and
- MMP reporting requirements.

The objective of this MMP is to minimize risk to human health, and to ensure protection of the environment during activities associated with improvements or redevelopment of the Subject Property. Before any earthwork activities commence at the Subject Property, this MMP should be made available to workers to address possible environmental risks associated with chemically impacted soil or unanticipated subsurface conditions.

4.1 PROJECT CONTACTS

The personnel associated with the Subject Property investigation and development of this MMP are provided in the table below. When communication pertaining to this MMP is warranted, Prologis will be contacted first.

TITLE NAME	**CONTACT INFORMATION**
Prologis Environmental Contact Gavin Polite Fisco	Office: (415) 733-9410 Email: gfisco@prologis.com
Prologis Development Contact John Carter	Office: (562) 345-9237 Email: jcarter@prologis.com
Farallon Project Manager Kathy Lehnus	Mobile: (657) 247-1304 Email: klehnus@farallonconsulting.com

4.2 COMMUNICATION REQUIREMENTS

Chemical- and petroleum-impacted soil encountered under anticipated conditions during subsurface activities conducted at the Subject Property should be managed in accordance with the procedures described in this MMP. In the event unanticipated conditions are encountered, earthwork should be stopped, and Prologis will be notified within 24 hours of discovery of such conditions; Prologis will subsequently notify the Environmental Professional. Any reuse of potentially contaminated soil to backfill excavations on the Subject Property requires prior laboratory analysis, as outlined in Section 4.4.5, On-Site Reuse of Soil and Off-Site Disposal of Soil, and subsequent written approval by Prologis. Reporting requirements related to earthwork activities are described in Section 4.8, Media Management Plan Reporting Requirements.

4.3 HEALTH AND SAFETY REQUIREMENTS

The Contractor or the Environmental Professional is responsible for preparing a Health and Safety Plan (HASP) for all tasks performed that require subsurface work at the Subject Property, with the exclusion of general maintenance activities (e.g., landscaping). The HASP will provide the following information:

- The health and safety considerations for the specific COCs detected or potentially present at the Subject Property;
- Personal protective equipment and monitoring requirements; and
- The physical hazards associated with the planned tasks.

The HASP will detail all planned construction activities and will describe standard safety precautions (e.g., protective gear for workers, proper soil handling techniques, etc). The HASP will describe the minimum safety measures to be implemented at the Subject Property during all activities. The Contractor or the Environmental Professional is responsible for ensuring that the safety precautions detailed in the HASP are implemented and monitored during all activities at the Subject Property.

The Contractor and the Environmental Professional will abide by all applicable federal, state, and local regulations and codes relating to health and safety and will adhere to all California Occupational Safety and Health Administration regulations contained in Title 8 of the California Code of Regulations (8 CCR), as they apply to the Subject Property activities. Applicable regulations may include but are not limited to the following:

- Injury and Illness Prevention Program (8 CCR 1509 and 3202);
- Hazardous Waste Operations and Emergency Response (8 CCR 5192);
- Hazard Communication (8 CCR 5194);
- Personal Protective Equipment (8 CCR 10);
- Respiratory Protective Equipment (8 CCR 5144);

- Control of Noise Exposure (8 CCR 5095 through 5100);
- Excavations (8 CCR 1503 and 1539 through 1547);
- Fire Prevention and Suppression Procedures (8 CCR 4848);
- Portable Fire Extinguishers (8 CCR 6151);
- Cleaning, Repairing, Servicing, and Adjusting Prime Movers, Machinery, and Equipment Lockout/Tagout (8 CCR 3314); and
- Medical Services and First Aid (8 CCR 3400).

Detected and potential chemicals in soil at the Subject Property have been identified under the California Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and are known to cause cancer and reproductive toxicity. Proposition 65 warnings are required if the estimated exposure to a person exceeds the California Office of Environmental Health Hazard Assessment "safe harbor level." The safe harbor level terms for carcinogens and chemicals with reproductive end points are "no significant risk levels" and "maximum allowable dose levels," respectively. The Contractor or Environmental Professional is responsible for conducting an independent evaluation to determine the need for Proposition 65 notifications for their workers.

If physical indications of potential contamination in soil (e.g., odor, staining) are observed during earthwork, a photoionization detector (PID) should be used to monitor air and soil for VOCs in the area where work is performed. Action levels will be established in the HASP by the Contractor or Environmental Professional. In accordance with South Coast Air Quality Management District Rule 1166, any soils exhibiting VOC concentrations exceeding 50 parts per million, as measured using a PID, will be treated as potentially contaminated soil and managed in accordance with the procedures described in this MMP.

Any equipment that has been in contact with known or potentially contaminated soil or groundwater during work conducted at the Subject Property requires decontamination before being used at another location at the Subject Property or before being removed from the Subject Property. It is recommended that dedicated equipment be used for earthwork activities conducted at the Subject Property to minimize decontamination procedures. The exterior of any vehicle that has been exposed to potentially contaminated soil requires decontamination using brooms or brushes to remove loose soil. If soil remains after brushing, the contaminated surfaces should be washed.

4.4 SOIL MANAGEMENT

This section describes the procedures for handling soil during earthwork activities conducted at the Subject Property. These procedures do not apply to routine maintenance activities such as landscaping.

4.4.1 Site Access

A fence, k-rail, or other appropriate means should be used to surround and limit access to construction areas or soil stockpiles where potentially contaminated soil is exposed.

4.4.2 Soil Excavation

A HASP prepared by the Contractor or the Environmental Professional is required for all earthwork activities conducted at the Subject Property, as specified in Section 4.3, Health and Safety Requirements. If contaminated soil is brought to the surface by grading, excavation, or trenching, provisions stipulated in California State and/or federal law will be followed. Any stockpiling or on-site reuse of excavated soil must be performed in accordance with the procedures described in this section.

4.4.3 Soil Confirmation Sampling

Soil confirmation sampling is defined as collecting soil samples at the limits of an excavation for laboratory analysis. Soil confirmation sampling typically is performed to document removal of chemically impacted soil to a specific cleanup level.

4.4.4 Soil Stockpiling

Stockpiled soil originating at the Subject Property that is suspected to be contaminated based on physical indications (e.g., odor, staining) or elevated PID readings is required to be covered at the end of each workday. Practical considerations (e.g., the size of the stockpile, weather conditions, the length of time the stockpile will remain) will be used in determining the appropriate covering method. Soil in the stockpile exhibiting physical indications (e.g., odor, staining) or elevated PID readings, will be presumed to be chemically impacted, and therefore the stockpile will be placed on an impermeable layer (e.g., Visqueen plastic sheeting), fenced, and otherwise protected and sampled as noted in Section 4.4.5, On-Site Reuse of Soil and Off-Site Disposal of Soil. Stormwater management regarding sediment runoff will be consistent with local, state, and federal rules and regulations, including those set forth by San Bernardino County. Additional measures must be taken to prevent runoff from entering storm drains leading to local creeks, rivers, and other water bodies, as outlined in Section 4.6, Stormwater Management.

4.4.5 On-Site Reuse of Soil and Off-Site Disposal of Soil

Soil stockpiled on the Subject Property that was noted with visual and/or olfactory impacts or elevated PID readings requires laboratory analysis prior to reuse at the Subject Property or off-site disposal. The frequency and specific laboratory analyses to be conducted will be established by the Environmental Professional on a case-by-case basis and approved by Prologis.

The laboratory analyses will likely include, but not be limited to, VOCs by EPA Method 8260 and TPHg, TPHd, and TPHmo by EPA Method 8015. Samples will be additionally analyzed for any additional constituents requested by the receiving facility, if applicable. Following analysis, if COCs are detected at concentrations less than the DTSC-SLs and EPA RSLs, the soil may be reused on the Subject Property at the discretion of the Environmental Professional. Soil containing

COCs at concentrations exceeding DTSC-SLs and EPA RSLs will be disposed of at a facility permitted to receive the soil for disposal.

4.4.6 Off-Site Reuse of Soil

Written approval from Prologis is required for any off-site reuse of soil generated from earthwork activities or excavated at the Subject Property. Soil intended for off-site reuse must be sampled and meet the characterization requirements outlined in Section 4.4.5, On-Site Reuse of Soil and Off-Site Disposal of Soil. The sampling frequency for soil being removed from the Subject Property will be determined by the Environmental Professional on a case-by-case basis, and by the receiving facility.

4.4.7 Imported Fill Material

Written approval from Prologis is required for any importation of fill material to the Subject Property. All imported fill is required to meet the minimum profile requirements outlined in the Department of Toxic Substances Control *Information Advisory, Clean Imported Fill Material* dated October 2001 and provided in Appendix B. The origin of and any analytical data for imported fill material must be provided to Prologis for review and approval prior to importation of fill material.

4.4.8 Dust Control

Implementation of dust-control measures to minimize dust generation is required during earthwork activities conducted at the Subject Property. Basic dust-control measures described in the *Rule 403 Dust Control Information* dated May 7, 1976, amended June 3, 2005, prepared by the South Coast Air Quality Management District, must be followed. It is the responsibility of the Contractor to ensure that the presence of dust is minimized during construction activities, and that all applicable local and state dust-control requirements are met. Should construction activities result in observable dust at the boundary of the Subject Property, enhanced control measures will be performed by the Contractor.

4.5 GROUNDWATER MANAGEMENT

Because the depth to groundwater is approximately 250 feet bgs, it is unlikely that groundwater will be encountered during foreseeable future development at the Subject Property. If groundwater is encountered, it should be presumed to be contaminated and managed accordingly unless analytical testing determines otherwise. Any contact, suspected contact, or proposed contact with the water table, must be reported to Prologis, which will subsequently report it to the Environmental Professional.

4.6 STORMWATER MANAGEMENT

Stormwater management regarding sediment runoff will be consistent with local, state, and federal rules and regulations. As outlined in Section 4.4.4, Soil Stockpiling, applicable stormwater pollution control measures will be implemented to prevent runoff of sediment in stormwater from flowing to nearby storm drains and from entering local creeks, rivers, and other water bodies. The

Contractor is required to obtain all necessary stormwater permits, and to implement best management practices during construction activities conducted at the Subject Property.

4.7 UNANTICIPATED SUBSURFACE CONDITIONS

It is unknown whether the locations of all utilities at the Subject Property have been identified and marked. Unknown historical features or other structures also may be present at the Subject Property and may be encountered during construction activities. Unanticipated subsurface features or conditions that may be present at the Subject Property include:

- USTs;
- Concrete vaults or slabs;
- Septic systems;
- Former oil-water separators;
- Underground piping containing chemicals;
- Buried brine pond;
- Underground equipment related to grain conveyance; and
- Chemically impacted soil.

If the Contractor encounters an unanticipated condition, the Contractor will stop work, secure the work area, and notify Prologis within 24 hours of discovery of the condition. Prologis will identify and contact the appropriate entity to respond to the unanticipated condition. The procedures that will be followed in the event that an unanticipated subsurface structure is discovered are summarized below:

- A licensed Contractor or an Environmental Professional will remove and containerize any observed residual liquid, sludge, or sediment in the subsurface structure, and will characterize the residual material(s) as required by the waste-receiving facility(ies);
- The Contractor will remove the subsurface structure in compliance with applicable laws and regulations, and under permit from and oversight by the applicable regulatory agency, if required;
- Soil removal actions will be performed in accordance with the procedures outlined in this MMP; and
- The area will be cleared after any required regulatory authorization has been obtained from the permitting agency, so work may proceed.

The Contractor will ensure that the health and safety requirements detailed in Section 4.3, Health and Safety Requirements, are met at all times, which will prepare workers for encountering unanticipated conditions during construction activities.

4.8 MEDIA MANAGEMENT PLAN REPORTING REQUIREMENTS

Any earthwork that involves chemically impacted soil, intersects groundwater, or leads to the discovery of any unanticipated condition will be documented and reported to Prologis, which will subsequently report it to the Environmental Professional. After MMP implementation activities are conducted, the Environmental Professional may document activities and prepare a report, if requested by Prologis. Minimum reporting requirements will consist of tabulated analytical results compared to unrestricted land use objectives, scaled site plans depicting sampling locations, disposal manifests, and descriptions of methods used. All activities involving removal of chemically impacted soil will be performed under the management of a California State Professional Geologist or Professional Engineer.

5.0 MODIFICATIONS TO THE MEDIA MANAGEMENT PLAN

This section presents the conditions under which modifications to this MMP may be required.

This MMP has been developed based on currently known environmental conditions at the Subject Property and current applicable regulations. This MMP may require modification for reasons including but not limited to the following:

- A change in site use;
- Receipt of additional information pertaining to environmental conditions;
- Intrusive activity not addressed by this MMP;
- Updated chemical toxicity information for contaminants detected at the Subject Property; and
- New legal or regulatory requirements applicable to the Subject Property.

6.0 SCOPE, REPRESENTATIONS, AND LIMITATIONS

This section discusses the scope, representations, and limitations of this MMP.

This MMP was developed exclusively to address the chemical constituents identified or potentially present during environmental investigations of the Subject Property, as summarized in Section 3.0, Known Environmental Conditions. Other chemicals or media that may be encountered or generated during construction projects (e.g., demolition and construction debris, asphalt, concrete, asbestos-containing materials, lead-based paint) are not addressed in this MMP. If hazardous construction materials are encountered or generated, it is the responsibility of the Contractor to ensure the proper handling and disposal of such materials.

Current site conditions, laws, policies, and regulations were used to develop this MMP. No representation is made to any present or future developer or owner of the Subject Property or portions of the Subject Property with respect to future site conditions, other than those specifically identified in this document.

This MMP was prepared for the sole use of Prologis and its authorized contractors. Unless specifically agreed to in writing, all other such use is unauthorized. Any use or interpretation of or reliance on this MMP is at the sole risk of the unauthorized user, for which Farallon will bear no liability to any party, including any present or future developer, owner, Contractor, agent, occupant, consultant, Environmental Professional, or any other party owning or visiting the Subject Property or portions of the Subject Property based on or arising out of implementation of this MMP. It is expressly understood that although this MMP is intended to provide guidance and establish a framework for management of residual chemicals at the Subject Property to protect human health and the environment, it in no way creates any warranties or obligations by Farallon as to the implementation, adequacy, or success of protective measures under this MMP.

7.0 REFERENCES

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FIGURES

MEDIA MANAGEMENT PLAN
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)



REFERENCE: 7.5 MINUTE USGS QUADRANGLE GUASTI, CALIFORNIA, DATED 2013



N

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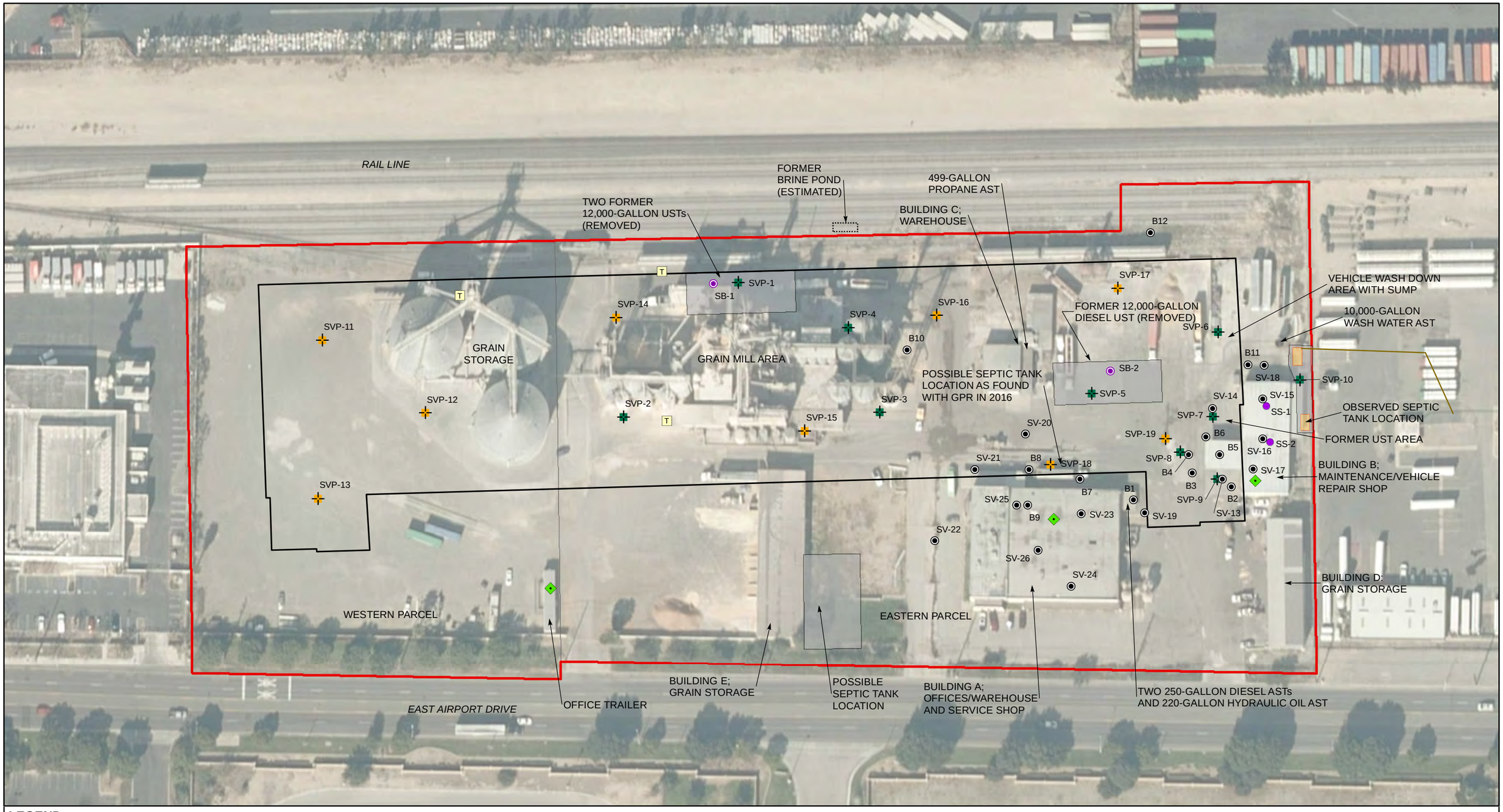
California
Oakland | Irvine

FIGURE 1

SITE VICINITY MAP
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: lmurock | Checked By: PS | Date: 10/5/2022 | Disc Reference:
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LEGEND

- SOIL GAS PROBE (FARALLON, SEPTEMBER 2022)
- SOIL GAS PROBE (FARALLON, MARCH 2022)
- SUBSLAB SOIL GAS PROBE (FARALLON, MARCH 2022)
- BORING (FARALLON, MARCH 2022)
- SOIL GAS PROBE (PARTNER, 2016)
- HAZARDOUS MATERIALS STORAGE AREA
- T TRANSFORMER
- FORMER SITE FEATURE
- OBSERVED TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- PROPOSED BUILDING FOOTPRINT
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

AST = ABOVEGROUND STORAGE TANK
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
GPR SURVEY AREA - 2022 (NO UST FOUND)

0 100
SCALE IN FEET

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ALL LOCATIONS ARE APPROXIMATE.
FIGURES WERE PRODUCED IN COLOR.
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Oakland | Irvine

FIGURE 2

SITE PLAN AND AREAS OF CONCERN
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: lmurock
Checked By: KL
Date: 2/17/2023
Disc Refer
Q:\Projects\1071 Prologis\080 2021 SoCal Due Diligence II\002 Airport Dr\Mapfiles\MMP_2023-02\Figure-02_SitePlan_AO

FORMER BRINE POND
(ESTIMATED)

TWO FORMER
12,000-GALLON USTs
(REMOVED)

SVP-1
3/11/2022|4.0'|31
3/11/2022|10.0'|**157**

SVP-14
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-21
12/16/2022|4.0'|3.5

SVP-4
3/11/2022|4.0'|62

SVP-22
12/16/2022|4.0'|2.6

SVP-16
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-17
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

VEHICLE WASH DOWN
AREA WITH SUMP

SVP-6
3/11/2022|4.0'|**97**
3/11/2022|8.0'|34

SV-18
7/29/2016|5.0'|<100

FORMER 12,000-GALLON
DIESEL UST (REMOVED)

BUILDING C;
WAREHOUSE

SVP-23
12/16/2022|4.0'|<1.0

SVP-5
3/11/2022|4.0'|**70**
3/11/2022|10.0'|**234**

FORMER UST AREA

SVP-26
12/16/2022|4.0'|60.2

SV-14
7/29/2016|4.0'|**230**

SVP-10
3/11/2022|4.0'|31
3/11/2022|8.0'|63

SV-15
7/29/2016|5.0'|**120**

SS-1
3/11/2022|0.5'|**220**

SVP-2
3/11/2022|4.0'|27

SVP-20
12/16/2022|4.0'|<1.0

SVP-3
3/11/2022|4.0'|<20

SVP-15
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-24
12/16/2022|4.0'|5.7

SVP-8
3/11/2022|4.0'|**232**

SVP-7
3/11/2022|4.0'|**247**

B6
7/21/2016|5.0'|**68**

SV-20
7/29/2016|5.0'|<100

SVP-19
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SV-16
7/29/2016|4.0'|**180**

SS-2
3/11/2022|0.5'|**194**

SVP-18
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

B8
7/21/2016|5.0'|44

SVP-25
12/16/2022|4.0'|13.0

B5
7/21/2016|5.0'|**100**

SV-17
7/29/2016|5.0'|<100

SV-21
7/29/2016|5.0'|<100

BUILDING B;
MAINTENANCE/VEHICLE
REPAIR SHOP

SV-25
7/29/2016|5.0'|<100

B7
7/21/2016|5.0'|<6.9

B3
7/21/2016|5.0'|<350

SV-13
7/29/2016|5.0'|<100

SVP-9
3/11/2022|4.0'|24

B4
7/21/2016|5.0'|<350

SV-23
7/29/2016|5.0'|<100

SV-22
7/29/2016|5.0'|<100

SV-19
7/29/2016|5.0'|<100

SV-26
7/29/2016|5.0'|<100

BUILDING E;
GRAIN STORAGE

BUILDING A;
OFFICES/WAREHOUSE

SV-24
7/29/2016|5.0'|<100

BUILDING D:
GRAIN STORAGE

EASTERN PARCEL

NOTES:
SAMPLE DATE, DEPTH, AND ANALYTICAL RESULTS AS:
SAMPLE DATE | SAMPLE DEPTH IN FEET BELOW GROUND SURFACE | PCE
SOIL GAS ANALYTICAL RESULTS IN MICROGRAMS PER CUBIC METER.
BOLD = DENOTES CONCENTRATIONS THAT EXCEED THE COMMERCIAL SUBSLAB/SOIL GAS VAPOR INTRUSION ENVIRONMENTAL SCREENING LEVEL.
< = DENOTES ANALYTE NOT DETECTED AT OR EXCEEDING THE LISTED REPORTING LIMIT.
PCE = TETRACHLOROETHENE

LEGEND

- SOIL GAS PROBE (FARALLON, DECEMBER 2022)
- SOIL GAS PROBE (FARALLON, SEPTEMBER 2022)
- SOIL GAS PROBE (FARALLON, MARCH 2022)
- SUBSLAB SOIL GAS PROBE (FARALLON, MARCH 2022)
- SOIL GAS PROBE (PARTNER, 2016)
- T TRANSFORMER
- FORMER SITE FEATURE
- OBSERVED SEPTIC TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- PROPOSED BUILDING FOOTPRINT
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

AST = ABOVEGROUND STORAGE TANK
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
GPR SURVEY AREA - 2022 (NO UST FOUND)

0 60
SCALE IN FEET

N

ALL LOCATIONS ARE APPROXIMATE.
FIGURES WERE PRODUCED IN COLOR.
GRAYSCALE COPIES MAY NOT
REPRODUCE ALL ORIGINAL INFORMATION.

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Portland | Baker City

California
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FIGURE 3

PCE IN SOIL GAS
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-004

Drawn By: lmurock
Checked By: KL
Date: 2/1/2023
Disc Refer
Q:\Projects\1071 Prologis\080 2021 SoCal Due Diligence II\002 Airport Dr\Mapfiles\SSI_2022-12\Figure-03_SoilGas-PC

APPENDIX A
PREVIOUS ENVIRONMENTAL INVESTIGATIONS (EXPERPTS)

MEDIA MANAGEMENT PLAN
5355 East Airplane Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

PARTNER
Engineering and Science, Inc.®

PHASE II SUBSURFACE INVESTIGATION REPORT

5355 East Airport Drive
Ontario, California 91761

August 16, 2016
Partner Project Number: 16-163550.2

Prepared for:

Prologis
Pier 1, Bay 1
San Francisco, California 94111



Engineers who understand your business

3389

Table 1: Summary of Investigation Scope
5355 E. Airport Drive
Ontario, California 91761
Partner Project Number 16-163550.2
August 2016

Boring Identification	Location	Terminal Depth (feet bgs)	Matrix Sampled	Sampling Depths* (feet bgs)	Target Analytes
B1	East of ASTs	1	Soil	***1***	TPH-cc, VOCs
B2	West of Hazardous Waste Storage in Building B	1	Soil	***1***	TPH-cc, VOCs
B3	Southwest of Former USTs	25	Soil Gas	5	VOCs
			Soil	5, 10, ***15***, 20, 25	TPH-cc, VOCs
B4	West of Former USTs	20**	Soil Gas	5	VOCs
			Soil	5, ***10***, 15, 20	TPH-cc, VOCs
B5	East of Former USTs	25	Soil Gas	5	VOCs
			Soil	5, 10, ***15***, 20, 25	TPH-cc, VOCs
B6	North of Former USTs	25	Soil Gas	5	VOCs
			Soil	5, ***10***, 15, 20, 25	TPH-cc, VOCs
B7	East of Septic System	15	Soil Gas	5	VOCs
			Soil	5, ***10***, 15	TPH-cc, VOCs
B8	Northwest of Septic System	15	Soil Gas	5	VOCs
			Soil	5, ***10***, 15	TPH-cc, VOCs
B9	North-Central Interior of Building A Maintenance Area	1	Soil	***1***	TPH-cc, VOCs
B10	East of Conveyor Belt	1	Soil	***1***	TPH-cc, VOCs
B11	West-Central Area of Vehicle Wash Down Area	1	Soil	***1***	TPH-cc, VOCs
B12	Southeast Area of Railroad Spur	1	Soil	***1***	TPH-cc, VOCs
SV-13	Southeast of Former USTs	5	Soil Gas	*5*	VOCs
SV-14	Northeast of Former USTs	4**	Soil Gas	*4*	VOCs
SV-15	North-Central Interior of Building B Maintenance Area	5	Soil Gas	*5*	VOCs
SV-16	Central Interior of Building B	4**	Soil Gas	*5*	VOCs
SV-17	Northeast of Hazardous Waste Storage in Building B	5	Soil Gas	*5*	VOCs
SV-18	East-Central Area of Vehicle Wash Down Area	5	Soil Gas	*5*	VOCs
SV-19	Southeast of ASTs	5	Soil Gas	*5*	VOCs
SV-20	Northwest of Septic System	5	Soil Gas	*5*	VOCs
SV-21	West of Septic Septic System	5	Soil Gas	*5*	VOCs
SV-22	West-Central Exterior Area of Building A	5	Soil Gas	*5*	VOCs
SV-23	Northeast Interior Area of Building A	5	Soil Gas	*5*	VOCs
SV-24	Southeast Interior Area of Building A	5	Soil Gas	*5*	VOCs
SV-25	Northwest Interior of Maintenance Area in Building A	5	Soil Gas	*5*	VOCs
SV-26	Southeast Interior of Maintenance Area in Building A; West of Hazardous Waste Storage	5	Soil Gas	*5*	VOCs

Notes:

*Depths in **bold** analyzed for carbon chain total petroleum hydrocarbons (TPH-cc) in accordance with United States Environmental Protection Agency (EPA) Method 8015M. Depths in *italics* analyzed for volatile organic compounds (VOCs) in accordance with EPA Method 8260B (soil) or EPA Method TO-15 (soil gas).

**Refusal encountered at the terminal depth

bgs = below ground surface

UST = underground storage tank

AST =aboveground storage tank

Table 2: Soil Sample TPH-cc Laboratory Results
5355 E. Airport Drive
Ontario, California 91761
Partner Project Number 16-163550.2
August 2016

EPA Method	VOCs via 8026B											
Units	mg/kg											
Analyte	Maximum SSL	B1-1	B2-1	B3-15	B4-10	B5-15	B6-10	B7-10	B8-10	B9-1	B10-1	B11-1	B12-1
TPH-g	**1,000**	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10
TPH-d	**10,000**	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10
TPH-o	**50,000**	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10

Notes:

TPH-cc = carbon chain total petroleum hydrocarbons

EPA = United States Environmental Protection Agency

TPH-g = total petroleum hydrocarbons as gasoline

TPH-d = total petroleum hydrocarbons as diesel

TPH-o = total petroleum hydrocarbons as oil

mg/kg = milligrams per kilogram

SSLs = Soil-screening levels (Los Angeles Regional Water Quality Control Board - April 27, 2004) for groundwater at a depth of between 250 and 350 feet.

< = not detected above indicated laboratory Reporting Limit (RL)

Table 3: Soil Sample VOCs Laboratory Results
5355 E. Airport Drive
Ontario, California 91761
Partner Project Number 16-163550.2
August 2016

EPA Method	VOCs via 8260B													
Units	(mg/kg)													
Analyte	Residential Soil RSL	Commercial /Industrial Soil RSL	B1-1	B2-1	B3-15	B4-10	B5-15	B6-10	B7-10	B8-10	B9-1	B10-1	B11-1	B12-1
Benzene	**0.097**	**420**	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005
Toluene	**310**	**1300**	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005
Xylenes*	**58**	**250**	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005
PCE	**0.6**	**2.7**	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005
TCE*	**0.94**	**6**	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005
Other VOCs	**NA**	**NA**	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

Notes:

VOCs = volatile organic compounds

EPA = United States Environmental Protection Agency

mg/kg = milligrams per kilogram

RSL = June 2016 Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, May 2016 EPA Region 9 RSLs were utilized, as denoted by *.

PCE = tetrachloroethene

TCE = trichloroethene

< = not detected above indicated laboratory Reporting Limit (RL)

NA = not applicable

ND = not detected above laboratory RLs

Table 4: Soil Gas Sample VOCs Laboratory Results
5355 E. Airport Drive
Ontario, California 91761
Partner Project Number 16-163550.2
August 2016

EPA Method	VOCs via TO-15 (7/21/2016) or 8260B (7/29/2016)							
Units	($\mu g/m^3$)							
Sample Identification	Date Sampled	PCE	TCE*	Toluene	Ethylbenzene*	m,p-Xylene*	o-Xylene*	Other VOCs
B3-SG	**7/21/2016**	< 6.9	< 5.5	< 3.8	< 4.4	**460**	< 4.4	ND
B4-SG	**7/21/2016**	< 6.9	< 5.5	< 3.8	**280**	**1,100**	**400**	ND
B5-SG	**7/21/2016**	**100**	< 5.5	< 3.8	< 4.4	**12**	< 4.4	ND
B6-SG	**7/21/2016**	**68**	**26**	**4**	< 4.4	**19**	**4.6**	ND
B7-SG	**7/21/2016**	< 6.9	< 5.5	**4.9**	**11**	**73**	**19**	ND
B8-SG	**7/21/2016**	**44**	**13**	**13**	**21**	**140**	**38**	ND
SV-13-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-14-4'	**7/29/2016**	**230**	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-15-5'	**7/29/2016**	**120**	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-16-4'	**7/29/2016**	**180**	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-17-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-18-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-19-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-20-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-21-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-22-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-23-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-24-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-25-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-26-5'	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
SV-26-5' Dup	**7/29/2016**	< 100	< 100	< 1000	< 400	< 1000	< 1000	ND
Residential SGSL^		**240**	**240**	**155,000**	**550**	**50,000**	**50,000**	**NA**
Commercial/Industrial SGSL^		**2,100**	**3,000**	**1,300,000**	**4,900**	**440,000**	**440,000**	**NA**

Notes:

^Calculated soil gas screening levels (SGSLs) for soil gas concentrations were derived by dividing the June 2016 Department of Toxic Substances Control (DTSC) or May 2016 United States Environmental Protection Agency (EPA) Regional Screening Level (RSL) with an attenuation factor of 0.05 for sub-slab samples or with an attenuation factor of 0.002 for residential settings and 0.001 for commercial/industrial settings for soil gas samples deeper than sub-slab samples. DTSC RSLs are provided in the June 2016 DTSC Human and Ecological Risk Office (HERO) Human Health Risk Assessment (HHRA) Note 3. Where DTSC RSLs were not available, EPA Region 9 RSLs were utilized as denoted by *.

VOCs = volatile organic compounds

EPA = United States Environmental Protection Agency

$\mu g/m^3$ = micrograms per cubic meter

PCE = tetrachloroethene

TCE = trichloroethene

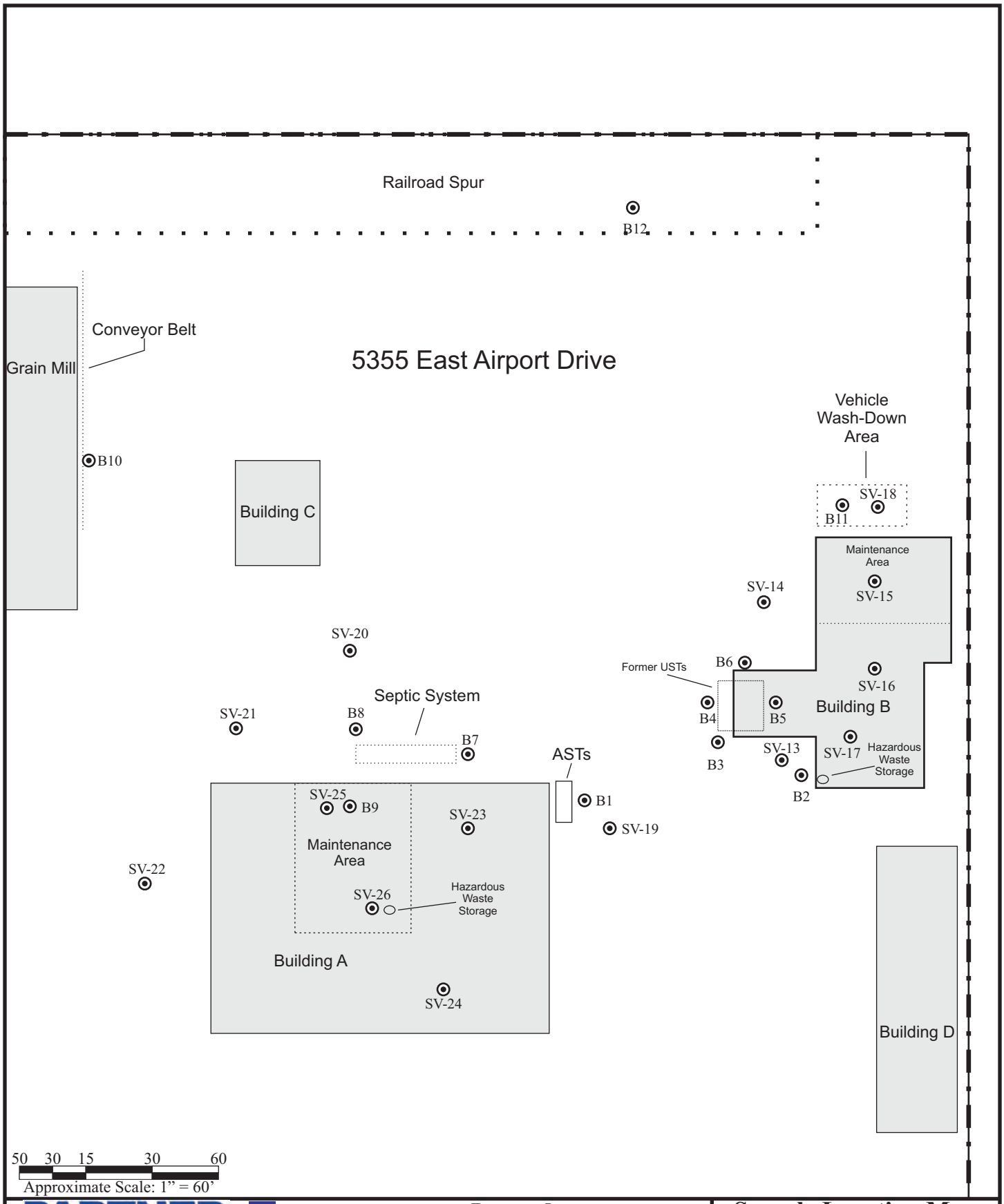
Dup = replicate analysis (duplicate)

< = not detected above indicated laboratory Reporting Limit (RL)

ND = not detected above laboratory RLs

Values in **bold** exceed laboratory RLs

FIGURES



Legend

Subject Site

Boring Location

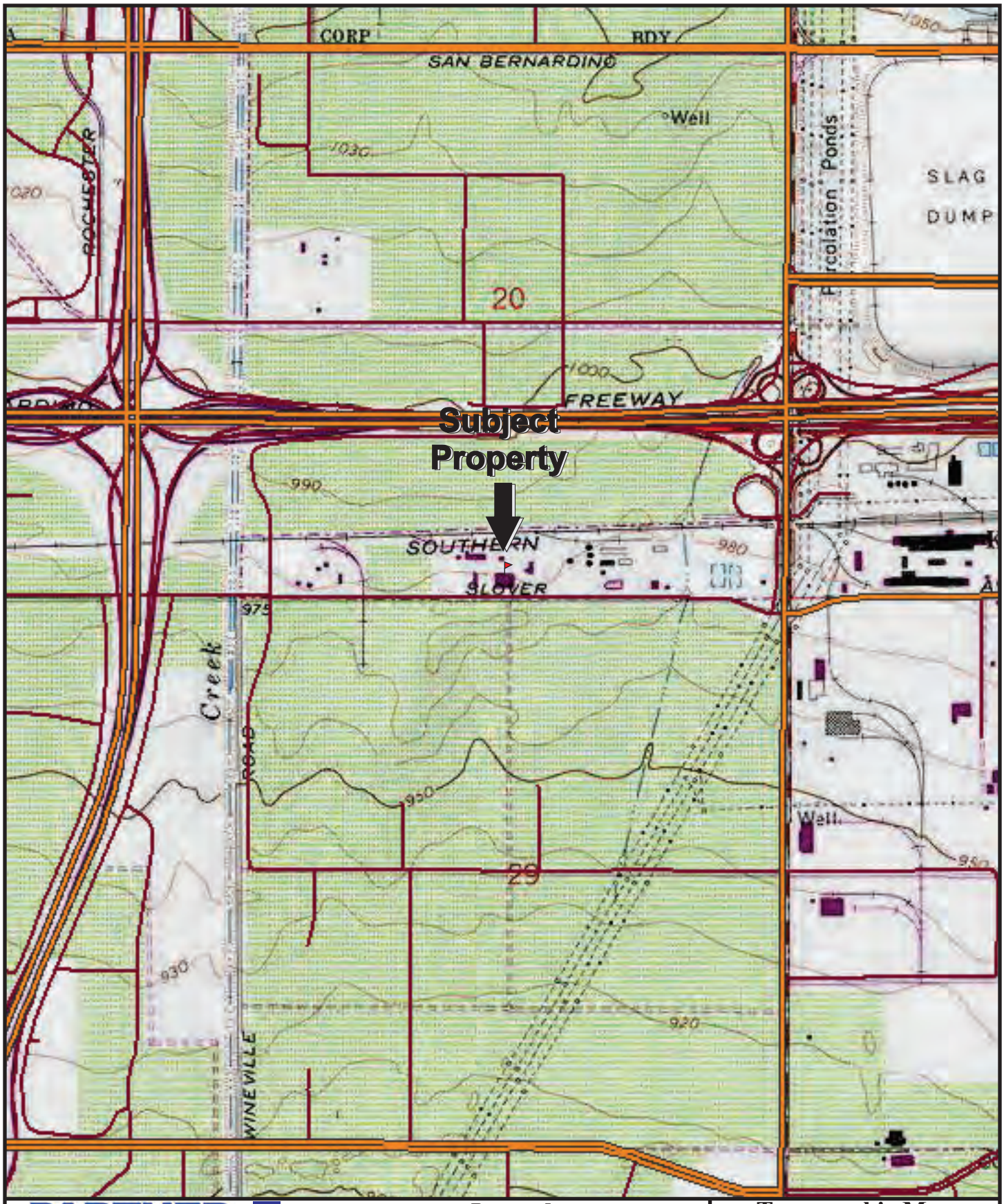
PARTNER
Engineering and Science, Inc.
2154 Torrance Boulevard, Suite 200
Torrance, California 90501

Project Number: 16-163550.2

Sample Location Map

Figure	Prepared By	Date
3	B. Godbois	August 2016

5355 East Airport Drive
Ontario, California 91761



PARTNER
Engineering and Science, Inc.
2154 Torrance Boulevard, Suite 200
Torrance, California 90501

Project Number: 16-163550.2

N

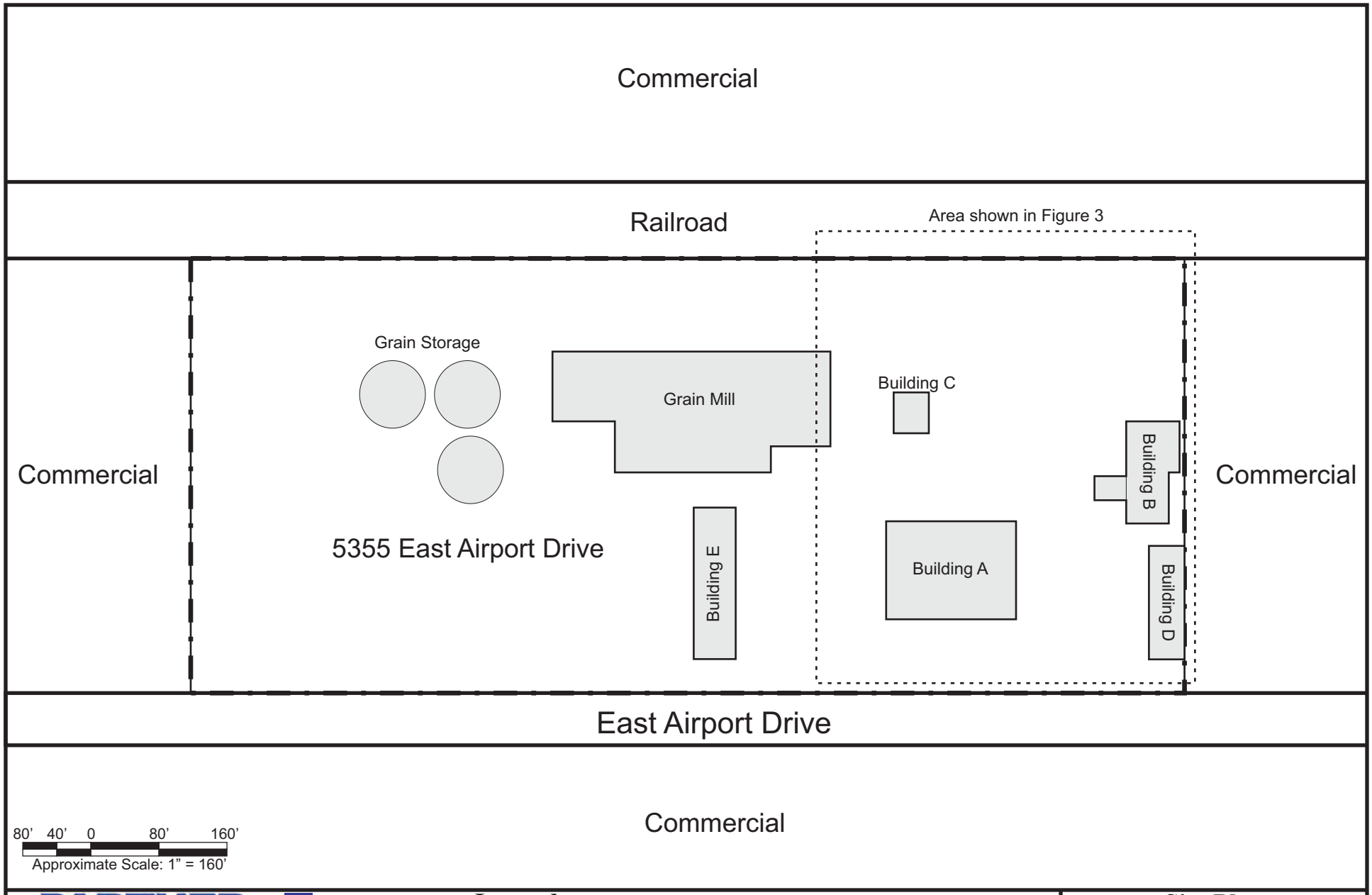
Legend

USGS Guasti, California
Quadrangle
Version: 1978 Current as of: 1981

Topographic Map

Figure	Prepared By	Date
2	B. Godbois	August 2016

5355 East Airport Drive
Ontario, California 91761



Legend

Subject Site

PARTNER
Engineering and Science, Inc.
2154 Torrance Boulevard, Suite 200
Torrance, California 90501

Project Number: 16-163550.2

Site Plan

Figure	Prepared By	Date
1	B. Godbois	August 2016

5355 East Airport Drive
Ontario, California 91761

3397

PARTNER
Engineering and Science, Inc.



PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

The Scoular Company
5355 East Airport Drive
Ontario, California 91761

Report Date: August 18, 2016
Partner Project No. 16-163550.1



Prepared for:

Prologis
Pier 1, Bay 1
San Francisco, CA 94111

3398

PARTNER
Engineering and Science, Inc.

August 18, 2016

Janet Frentzel
Prologis
Pier 1, Bay 1
San Francisco, CA 94111

Subject: Phase I Environmental Site Assessment
The Scoular Company
5355 East Airport Drive
Ontario, California 91761
Partner Project No. 16-163550.1

Dear Ms. Frentzel:

Partner Engineering and Science, Inc. (Partner) is pleased to provide the results of the *Phase I Environmental Site Assessment* (Phase I ESA) report of the abovementioned address (the "subject property"). This assessment was performed in general conformance with the scope and limitations as detailed in the ASTM Practice E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

This assessment included a site reconnaissance as well as research and interviews with representatives of the public, property ownership, site manager, and regulatory agencies. An assessment was made, conclusions stated, and recommendations outlined.

We appreciate the opportunity to provide environmental services to you. If you have any questions concerning this report, or if we can assist you in any other matter, please contact me at (818) 337-1203.

Sincerely,



Misty Vazquez Ponce
Principal

EXECUTIVE SUMMARY

Partner Engineering and Science, Inc. (Partner) has performed a Phase I Environmental Site Assessment (ESA) in general accordance with the scope of work and limitations of ASTM Standard Practice E1527-13, the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (AAI) (40 CFR Part 312) and as set forth by the Master Services Agreement between Prologis and Partner dated April 18, 2013 for the property located at 5355 East Airport Drive in the City of Ontario, San Bernardino County, California (the "subject property"). The Phase I Environmental Site Assessment is designed to provide Prologis with an assessment concerning environmental conditions (limited to those issues identified in the report) as they exist at the subject property.

Property Description

The subject property is located on the north side of East Airport Drive, approximately 2,700 feet west of the intersection of Etiwanda Avenue and Airport Drive, and southeast of the Interstates 10 and 15 Interchange. The subject property is located within a mixed commercial and industrial area of the City of Ontario in San Bernardino County. Please refer to the table below for further description of the subject property:

Subject Property Data	
Address:	5355 East Airport Drive, Ontario, California
Historical Address:	Before development Airport Drive was known as "Slover Avenue"
Property Use:	Commercial/Industrial
Land Acreage (Ac):	14.2 Ac
Number of Buildings:	5
Number of Floors:	1
Gross Building Area (SF):	17,000 square foot (SF) (Office/Warehouse); 7,000 SF (Truck Repair Shop); 1,600 SF (Warehouse); 3,600 SF (Grain Storage-East); and 9,000 (Grain Storage-West)*
Net Rentable Area (SF):	See above
Date of Construction:	Between 1965 and 1973
Assessor's Parcel Numbers (APNs):	0238-052-020 (Parcel A); 0238-052-022 (Parcel B); 0238-052-029 (Parcel C)
Type of Construction:	Office/Warehouse- Wood-Framed (Offices & Maintenance Area) Truck Repair Shop - Concrete Block (Maintenance Building) Warehouse - Concrete Block (Warehouse) Grain Storage-East - Wood-Framed Corrugated Metal (Retail Grain Distribution) Grain Storage-West - Wood-Framed Corrugated Metal (Wholesale Grain Distribution)
Current Tenants:	The Scoular Company, with a sub-lease on the subject property to Verhoeven Grain Company
Site Assessment Performed By:	Janet Tentler of Partner
Site Assessment Conducted On:	June 29, 2016

*Square footage was estimated from Google Earth

The subject property is a grain processing facility that has been in operation since at least 1973. Onsite operations consist of loading and unloading of multiple types of grain from trucks or the adjacent railyard and storing, milling, and processing for bulk and retail sale. Grain from the adjacent rail yard is off-loaded from the southern-most adjacent railroad spur and transported in an underground grain screw conveyor system to the centrally-located grain mill for processing, or to the grain silos for storage. The raw materials are steamed, rolled, and flattened into finish products. In addition to the current structures, the subject property is also improved with bulk storage silos, a vehicle wash-down area, and associated sheds. Maintenance areas are located within the Office/Warehouse and Truck Repair Shop buildings. One service pit was observed within the Truck Repair Shop building, in the maintenance area.

According to available historical sources, the subject property was formerly undeveloped as early as 1938; developed as agricultural land between 1938 and circa 1970; and developed with the current structures circa 1973. Previous owners have included Robertson Farm's Company (1946-1956) and Southern Pacific Grain Company (1956-1976), although aerial photographs indicate that no buildings/operations were present/conducted on the site until circa 1973. Since building construction, the following occupants have been located at the subject property: United Dairyman's Association (1976-1978), Chino Grain Company (1978-1985); Coast Grain Company (1985-2003); J.B. Heiskell & Co. (2008); The Scoular Company (2006-Present); and Verhoeven Grain Company (2008-Present).

The immediately surrounding properties consist of commercial warehouses to the north across the railroad tracks (Emser Tile Company at 5300 Shea Center Drive and Dorel Juvenile Group at 5400 Shea Center Drive); Kmart Distribution Center (5600 East Airport Drive) to the south across Airport Drive; Praxair (5735 East Airport Drive) to the east; and a commercial building to the west (5351 East Airport Drive).

According to a nearby investigation report (on GeoTracker), a well located approximately 4 miles to the east of the subject property contained groundwater at approximately 300 feet below ground surface (bgs). Based on topography is anticipated to flow toward the south.

Findings

A *recognized environmental condition (REC)* refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment. The following was identified during the course of this assessment:

- Based on information provided in the Environmental Data Resources, Inc. (EDR) regulatory database report, five former petroleum underground storage tanks (USTs) were located at the subject property since 1988; however, there are inconsistencies on the number and status of the USTs found in other documentation. Partner was able to identify removal/closure records for three of the USTS. Regulatory closure letters address the removal of the three 12,000-gallon diesel USTs (discussed as HRECs below). Separately, at least one UST was suspected to be adjacent to west of the Truck Repair Building. Partner observed evidence of concrete cuts for a possible fuel dispenser in this area. Records for the fifth possible UST were not clear. Based on

the lack of information regarding the status of at least two former suspect USTs at this facility, the former USTs are considered a REC.

- The subject property is currently equipped with two 250-gallon aboveground storage tanks (ASTs) containing diesel fuel. The original installation date is unknown. Diesel fuel is used to maintain the yard equipment, such as the front-end loaders, forklifts, and the bobcats. Minor to moderate staining was observed on the asphalt surface immediately surrounding the ASTs. The asphalt appeared to be in fair to poor condition with cracks observed in the area of the staining. Based on the lack of information regarding the age and installation dates of these ASTs at this facility and site observations, the ASTs are considered a REC.

- Maintenance areas and storage of automotive-related fluids such as motor oil, waste motor oil, and antifreeze was observed in the two central buildings (Office/Warehouse and Truck Repair Shop). Petroleum staining was observed on the concrete floor within these buildings and the condition of the concrete floor was pitted in some areas. In addition, minor staining was observed adjacent to a parts washer. Based on the long-term use of these buildings for maintenance, the usage of petroleum products and hazardous materials and evidence of staining, the historical operations in these areas are considered a REC.

- A former vehicle wash-down area was observed north of the Truck Repair Shop. Partner observed a sump and pump in this area, however, were reportedly no longer in use. According to the site contact, when the vehicle wash-down area was in use, water would collect into the associated sump and "wastewater was pumped into a tank and then stored in 55-gallon drums for off-site disposal." Previous reports indicated a violation was issued by the Regional Water Quality Control Board (RWQCB), which included truck wash water flowing into the parking lot.

  According to an inspection report from the RWQCB based on an inspection conducted on August 16, 2001, it was noted that housekeeping at the subject property was poor and that boiler blow-down water was being used for dust control. In April 2001, the RWQCB received an anonymous compliant stating that employees at the subject property were routinely pouring used oil into a drain located outside of the Truck Repair Shop. The RWQCB re-inspected the subject property and was told that water from the truck wash down area discharges through a filter and is pumped from a sump into a 2,810-gallon AST. Employees at the subject property stated that the tank had never been emptied. The subject property was cited with several violations at the time including: truck wash water flowing into the parking lot; storm water exceedances (December 2001); and condensate from the boiler room at the mill discharging onto the ground. Based on the use of this area as a truck wash and reported violations for past housekeeping practices, the historical operations in this area are considered a REC.

A *controlled recognized environmental condition (CREC)* refers to a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

- Partner did not identify controlled recognized environmental conditions during the course of this assessment.

A *historical recognized environmental condition (HREC)* refers to a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. The following was identified during the course of this assessment:

- Two 12,000 gallon USTs identified as containing diesel were removed from the subject property in July 1989; available file information maps these USTs north of the mill building. In a letter dated September 4, 1998 by the San Bernardino County Fire Department, Hazardous Materials Division (SBCFD), a report prepared by Babcock & Sons, Inc. and dated July 25, 1989 was reviewed by the SBCFD. The letter indicated the "contamination remaining in the excavation is below that which is generally considered a problem and further investigation is not warranted at this time." Based on the reported sampling conducted subsequent issuance of a No Further Action (NFA) letter by SBCFD, the two former 12,000 gallon USTs removed in 1989 are considered an HREC.
- One 12,000 gallon diesel fuel UST and associated dispenser was removed from the area north of the main office/warehouse building in December 2002. Confirmation sampling was conducted beneath the UST and the stockpiled soil which was re-used for backfill of the excavation. Residual petroleum impacts were identified in the stockpiled soil. The SBCFD issued an NFA letter on January 8, 2003 for the removal of the UST and associated dispenser. Based on the removal and subsequent issue of the NFA, the former 12,000 gallon diesel UST located north of the main office building (east of the "former vegetable oil processing center") is considered an HREC.

An *environmental issue* refers to environmental concerns identified by Partner, which do not qualify as RECs; however, warrant further discussion. The following was identified during the course of this assessment:

- The site contact indicated sanitary discharges from the restrooms in the office/warehouse and truck repair shop buildings are directed to on-site septic systems. The site contact was not aware of where the septic systems were located and Partner did not observe any evidence of the septic system during the site visit. Previous reports identified two potential areas of the septic systems on a site figure; however, the prior reports also indicated the location of the septic systems were unknown. No service sinks or floor drains, other than those located in the restrooms, were observed on the subject property. Septic systems are typically of environmental concern due to the potential discharge of petroleum products or hazardous substances; however, since there were no floor drains or evidence of discharges to the septic systems other than for domestic use, the septic system(s) do not appear to be a significant environmental concern.
- The grain processing mill has been in operation since circa 1973. The processing equipment within the mill and underground conveyor systems require lubrication oil; however, no leaking or

other indications of a release were observed during the site reconnaissance. Based on site observations, the equipment use does not appear to be a significant environmental concern.

- The area north of the subject property includes several railroad lines, including rail road spurs which extend onto the subject property. Railroad lines may be of environmental concern due to the use of pesticides, herbicides and oils used for the maintenance of the rail lines, regulated railroad bedding material (slag, gravel, etc.) or chemicals leaching from treated railroad crossties. Based on the commercial nature of the subject property, the presence of the rail lines do not appear to be a significant environmental concern.
- Due to the age of the subject property buildings, there is a potential that asbestos-containing material (ACM) is present. Overall, suspect ACMs were observed in good condition and do not pose a health and safety concern to the occupants of the subject property at this time.

Conclusions, Opinions and Recommendations

Partner has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13 of 5355 East Airport Drive in the City of Ontario, San Bernardino County, California (the "subject property"). Any exceptions to, or deletions from, this practice are described in Section 1.5 of this report.

This assessment has revealed evidence of recognized environmental conditions and/or environmental issues in connection with the subject property. Based on the conclusions of this assessment, Partner recommends the following:

- A limited subsurface investigation should be conducted in order to determine the presence or absence of soil and/or groundwater contamination due to the historical use of the subject property.
- An Operations and Maintenance (O&M) Program should be implemented in order to safely manage the suspect ACMs located at the subject property.

FIGURES

1 SITE LOCATION MAP

2 SITE PLAN

3 TOPOGRAPHIC MAP



N

KEY:

Subject Site

FIGURE 1: SITE LOCATION MAP

Project No. 16-163550.1

PARTNER 3406



N

GROUNDWATER FLOW

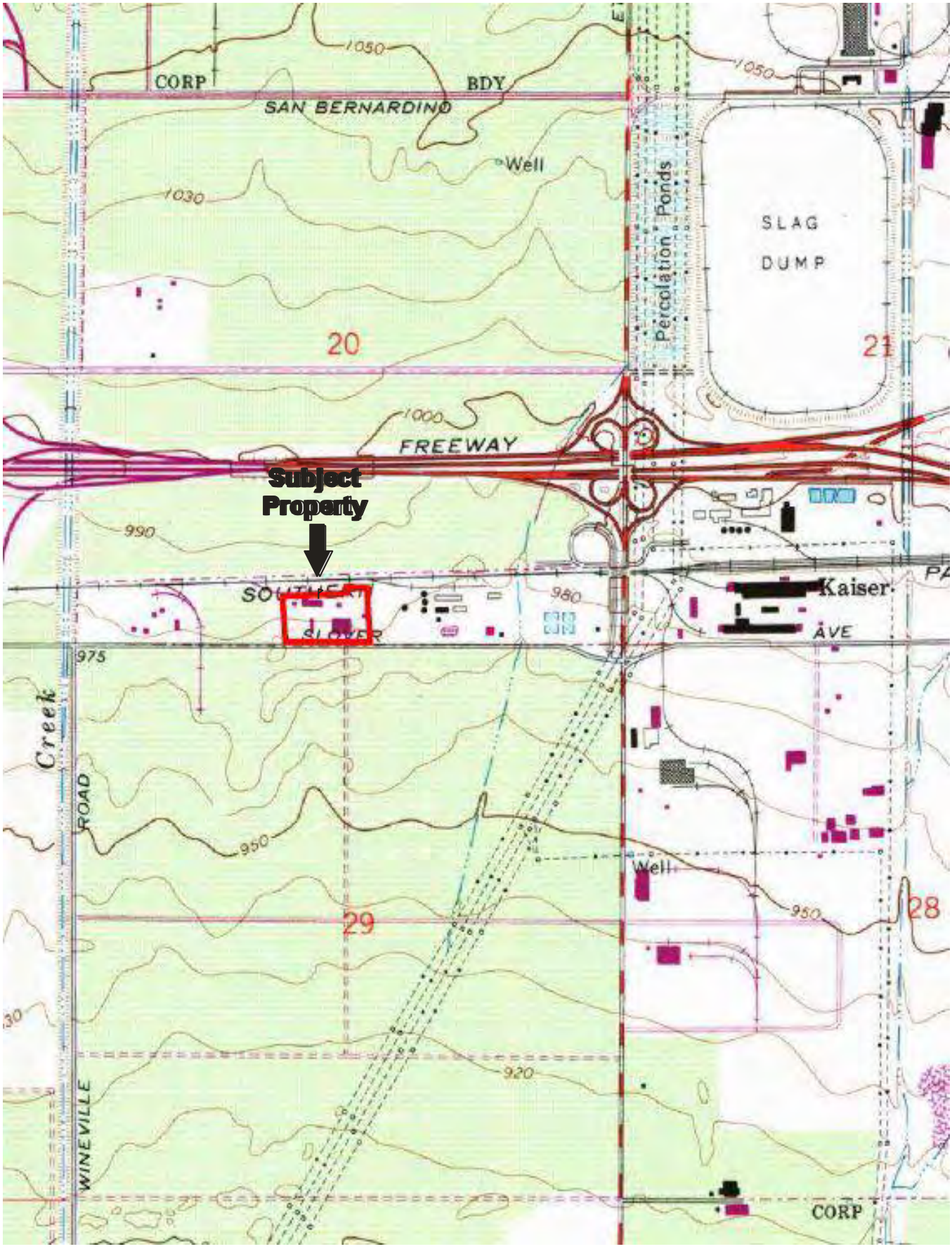
KEY:

Subject Site

FIGURE 2: SITE PLAN

Project No.16-163550.1

PARTNER 3407



USGS 7.5 Minute *Guasti, California* Quadrangle Created: 1981

FIGURE 3: TOPOGRAPHIC MAP
Project No.16-163550.1

APPENDIX A: SITE PHOTOGRAPHS



1. View of Main Building (Building A)



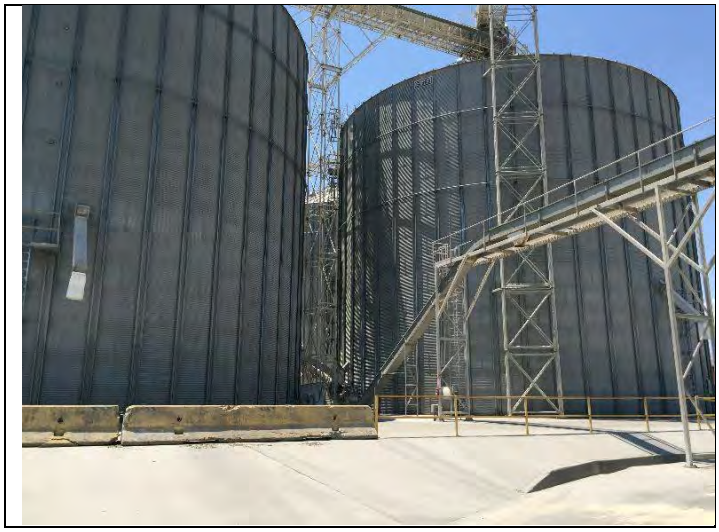
2. View of Warehouse Building (Building C)



3. View of Main Building (Building A)



4. View of Milling Area



5. View of Storage Silos



6. View of Grain Receiving Transfer Conveyor



7. View of Grain Receiving Transfer Conveyor



8. View of Storage Silos



9. View of Grain Storage (Building E)



10. View of Grain Storage (Building D)



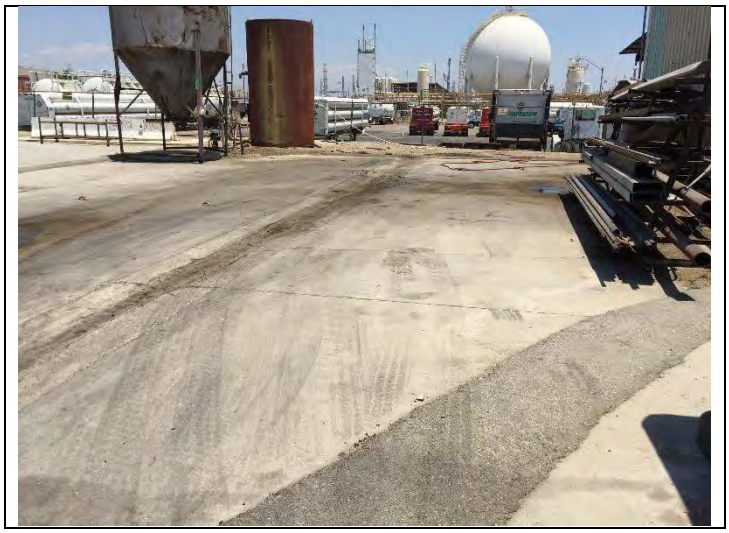
11. View of Propane near Warehouse Building (Building C)



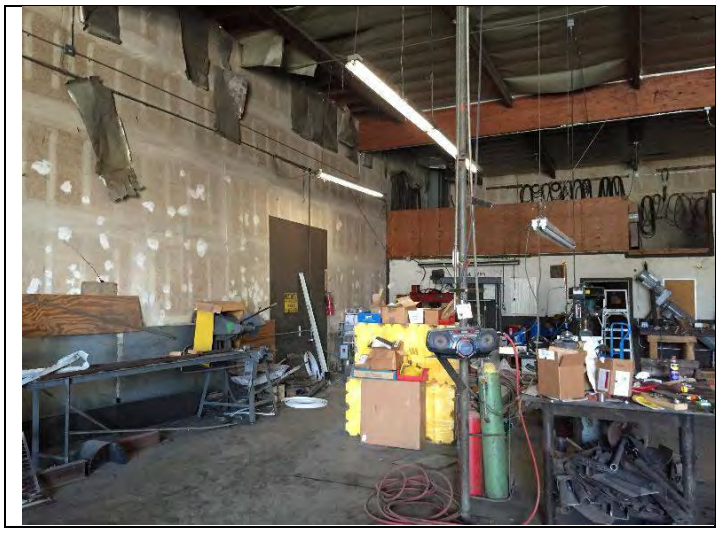
12. View of Diesel ASTs and Hydraulic Oil AST near Main Building (Building A)



13. View of Trash Dumpsters



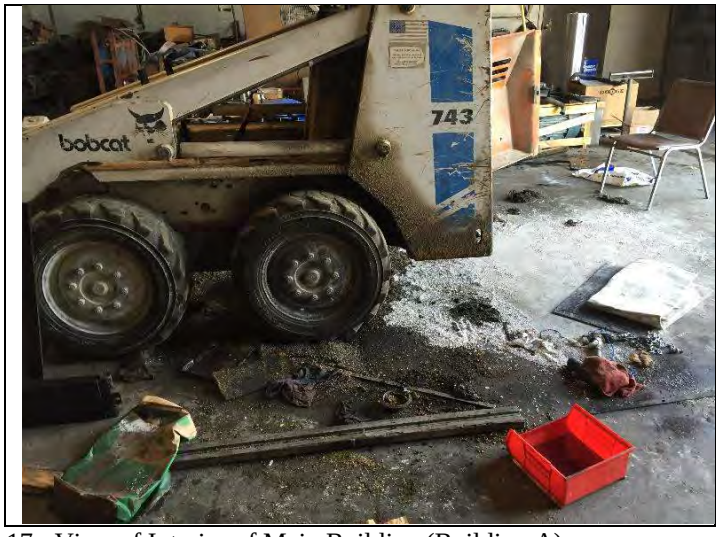
14. View of Former Vehicle Wash-Down Area



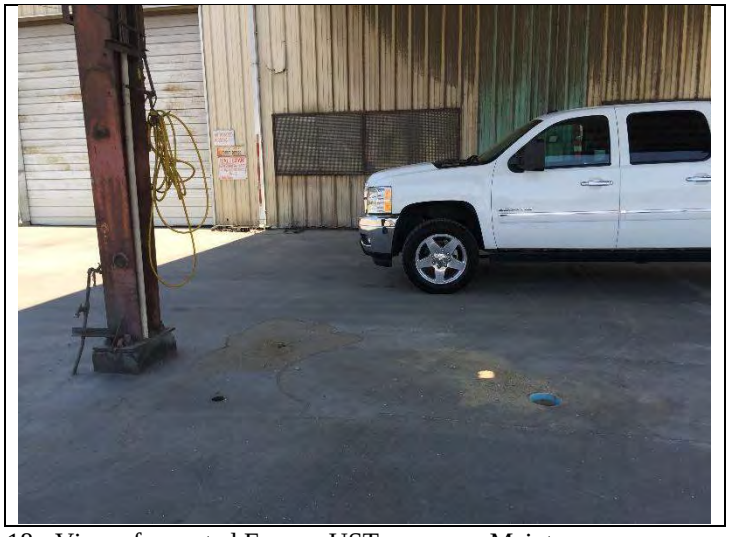
15. View of Interior of Main Building (Building A) Maintenance Area



16. View of Interior of Main Building (Building A) Maintenance Area



17. View of Interior of Main Building (Building A) Maintenance Area



18. View of reported Former UST area near Maintenance Building (Building B)



19. View of Service Pit within Building B



20. View of Waste Oil Storage within Building B



21. View of Maintenance Area within Building B



22. View of Interior Parking/Garage area within Main building (Building A)



23. View of 1 of 2 SCE Pad-Mounted Transformer labeled with No PCBs



24. View of 2 of 2 SCE Pad-Mounted Transformer labeled with No PCBs

APPENDIX B: HISTORICAL/REGULATORY DOCUMENTATION

FARALLON CONSULTING

Washington
Issaquah | Bellingham | Seattle
Oregon
Portland | Baker City
California
Oakland | Irvine

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT

5355 East Airport Drive
Ontario, California

Submitted by:
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27 Mauchly, Suite 213
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Farallon PN: 1071-080 (Task 2)

For:
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March 31, 2022

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ENVIRONMENTAL PROFESSIONALS' STATEMENT

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as established in Part 312.10 of Title 40 of the Code of Federal Regulations (40 CFR 312.10) and we have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR 312.



Name Brant Rotnem
Title Staff Geologist



Name Kathy Lehnus, L.E.P., P.G.
Title Senior Geologist



Name Scott Allin, R.E.P.A.
Title Principal Environmental Scientist

EXECUTIVE SUMMARY

Farallon Consulting, L.L.C. (Farallon) has prepared this Phase I/Phase II Environmental Site Assessment (Phase I/II ESA) Report for the property at 5355 East Airport Drive in Ontario, California (herein referred to as the Site). The Phase I/II ESA was conducted by Brant Rotnem and was reviewed and approved by Kathy Lehnus and Scott Allin. All are experienced Environmental Professionals in the field of Phase I/II ESAs and related environmental investigations.

This Phase I/II ESA Report was prepared for Prologis, L.P., and its subsidiaries, affiliates, related parties (specifically including any 1031 exchange entities), successors, and assigns (Prologis) in accordance the letter regarding Proposal for Phase I Environmental Site Assessment and Media Management Plan dated December 10, 2021, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis; and the letter regarding Proposal for Subsurface Investigation, 5355 East Airport Drive, Ontario, California dated February 14, 2022, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis. The scope of work for this Phase I/II ESA is consistent with ASTM International Standard E1527-13 and E1527-21, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM E1527-13 and -21). ASTM E1527-13 is intended to assist the user in satisfying one of the requirements to qualify for protection from potential liability under the Comprehensive Environmental Response, Compensation, and Liability Act as the innocent landowner, contiguous property owner, or bona fide prospective purchaser. ASTM E1527-13 constitutes "all appropriate inquiry" into the previous ownership, uses, and environmental conditions of a property consistent with good commercial or customary practice, as defined in Section 9601(35)(B) of Title 42 of the U.S. Code.

There were no deviations from ASTM E1527-13 or -21 during this Phase I/II ESA, with the exception of additional environmental services requested by Prologis. Limiting conditions encountered during the Phase I/II ESA were the presence of vehicles parked on exterior portions of the Site that prevented Farallon from observing the entire ground surface of the Site, and the presence of equipment in the Site buildings that prevented Farallon from observing the entire interior floor surfaces. Based on information obtained from the Site representative, historical records, previous reports, and data obtained during the subsurface investigation conducted in March 2022, these limiting conditions are not expected to alter the conclusions of this report.

The purpose of the Phase I/II ESA was to identify, as practicable, recognized environmental conditions on the Site or proximate to the Site that have caused and/or may cause an adverse environmental condition. This Phase I/II ESA Report provides the results of investigation into past and present ownership and uses of the Site, consistent with good commercial and/or customary practice.

The Site consists of two parcels totaling 14.2 acres: Assessor Parcel No. 0238-052-20 (Eastern Parcel), and Assessor Parcel No. 0238-052-29 (Western Parcel). The Site is occupied by George Verhoeven Grain Inc. (dba Verhoeven Grain Inc.) and The Scoular Company, grain processing companies. Operations consist of the processing of raw grain, which is received by truck or by rail from the rail line north of the Site. The exact location of the rail line and associated spurs with

respect to the northern Site boundary could not be confirmed in available files. The raw materials are off-loaded, weighed, and transported to grain storage silos or other storage areas either by an underground auger conveyance or by dedicated on-Site vehicles. Raw grain processing operations occur at the grain mill Area, located in the north-central portion of the Site. After production, the processed grain is weighed, packaged, and loaded onto trucks for distribution.

The Site includes five buildings on the Eastern Parcel, consisting of Building A, used for office and warehouse space; Building B, used for facility maintenance with a vehicle repair shop; Building C, used as a warehouse; and Buildings D and E, used for grain storage. In addition, an office trailer with a small hazardous materials storage area is present on the southern portion of the Western Parcel. On-Site buildings are reportedly connected to septic systems; septic tanks are reportedly located southeast of Building E and potentially east of Building B, and one septic system is reportedly located on the western portion of the Site (location unknown). In 2016, a suspected septic system appears to have been located with ground-penetrating radar north of Building A, which could be in addition to or instead of previously reported septic systems. A vehicle wash-down area with sump leading to an empty 10,000-gallon wash water aboveground storage tank (AST) is located north of Building B; this system is no longer used. Historical features associated with previous operations on the Site include two former "fuel storage" 12,000-gallon underground storage tanks (USTs) at the grain mill area, one former 12,000-gallon diesel UST east of Building C, and a former UST area containing an unspecified number of former USTs west of Building B. These USTs are discussed further below. Access to the Site is gained from East Airport Drive, south of the Site. According to the San Bernardino County Assessor's Office, the Site owner is Prologis Exchange 5355.

Historically, the Site was used as agricultural or grazing land from at least the late 1930s to the early 1970s. By 1973, the Eastern Parcel was developed with small grain storage silos and other features associated with milling operations in the grain mill area. In the 1975 aerial photograph, grain appeared to be stockpiled in the southwestern portion of the Site in Buildings A through C. By 1985, the grain storage structures, Buildings D and E, were developed. By 2002, the Site appeared in its existing configuration. The 2002 aerial photograph shows grain processing operations had expanded at the Site to the Western Parcel, which included the development of three large grain storage silos. The Site has been occupied by Verhoeven Grain Inc. from 1973 to the present; Chino Grain and Milling, Inc. in 1985; Coast Grain Company between 1990 and 2003; The Scoular Company between 2004 and the present; and JD Heistell and Company in 2009.

Adjacent properties at the time of Farallon's site reconnaissance included a rail line to the north followed by industrial buildings occupied by home furnishing businesses Emser Tile at 5300 Shea Center Drive and Dorel Home Furnishings at 5400 Shea Center Drive; Praxair, Inc. to the east at 5735 East Airport Drive; East Airport Drive to the south followed by industrial buildings occupied by distribution businesses K-Mart Distributions at 5600 East Airport Drive and XPO Logistics, Inc. at 5200 East Airport Drive; and a Verizon facility to the west at 5351 East Airport Drive.

Historically, adjacent properties consisted primarily of undeveloped and/or agricultural land. Railroad tracks were present on the north-adjacent property from at least the early 1900s through the 1960s, when the east-adjacent property was developed with the existing industrial facility. By

the early 1990s, the south-adjacent property was developed with an industrial building. By the early 2000s, the west- and north-adjacent properties were developed with industrial buildings and have remained relatively unchanged through the present.

A brine disposal pond owned by the Union Pacific Railroad Company and used by the Coast Grain Company for boiler blow-down water was installed in 1969 and removed in 1998 to allow for the addition of a rail line north of the grain mill area. According to the letter regarding Approval of Closure Report for the Brine Disposal Pond, Coast Grain Company, Ontario, California dated September 24, 1999, from the Santa Ana Regional Water Quality Control Board (Water Board), the closure of the pond included the removal of approximately 7,500 cubic yards of salt-contaminated soil and placement of a 40-mil high-density polyethylene liner. Miscellaneous analytical data available in the Water Board file indicated that soil was analyzed for pH, with no elevated readings noted. Based on mapping provided in the Water Board file, the pond was located south of the Southern Pacific Railroad Main Line between two sets of rail spurs; it appears to be just north of the current property line. However, a survey would be required to understand the northern property line in relation to the former brine disposal pond; this is considered a data gap for this report.

The EDR Radius Map Report with GeoCheck prepared for the Site by Environmental Data Resources, Inc. (EDR) dated December 9, 2021 (EDR Report) identified the Site address in several databases. The Site listings generally relate to hazardous material management, air quality permit requirements associated with grain processing equipment and operations, and historical USTs. Database listings did not indicate records of a release at the Site. Farallon searched the California State Water Resources Control Board online GeoTracker database and the California Department of Toxic Substances Control online EnviroStor database for records related to the Site, but found no listings.

Farallon reviewed a Phase I ESA report dated August 18, 2016, and a Phase II Subsurface Investigation report dated August 16, 2016, prepared by Partner Engineering and Science, Inc. (Partner) for the Site (Partner 2016 Phase I Report and Partner 2016 Phase II Report, respectively). According to the Partner 2016 Phase I Report, as many as five petroleum USTs were formerly in use at the Site, which was considered a recognized environmental condition, along with truck maintenance operations, ASTs, a vehicle wash-down area, conveyor belts, and at least one septic system. According to the Partner 2016 Phase II Report, 26 borings were advanced at depths between 1 and 25 feet below ground surface for the collection of soil and/or soil gas samples. Soil samples were analyzed for total petroleum hydrocarbons (TPH) carbon chain C6-C40 by U.S. Environmental Protection Agency (EPA) Method 8015C and volatile organic compounds (VOCs) by EPA Method 8260B; and soil gas samples were analyzed for VOCs by EPA Methods TO-15 and 8260B. No detectable concentrations of VOCs or TPH carbon chain C6-C40 were present in soil samples. Analytical results of soil gas samples indicated detections of VOCs including tetrachloroethene, trichloroethene, toluene, ethylbenzene, and xylenes. The concentrations of these detectable results were less than the residential and commercial/industrial calculated soil gas screening levels (SGSL) at the time of the report beneath and west of Building B; however, concentrations of tetrachloroethene (PCE) detected in soil vapor samples collected from beneath

and west of Building B exceed current commercial/industrial calculated SGSLs. Additionally, in comparison with the "low level" ethylbenzene SGSL, the ethylbenzene concentration in one soil vapor sample from this area exceeded the calculated soil gas commercial/industrial screening level of 163 micrograms per cubic meter.

The EDR Report identified several facilities adjacent or proximate to the Site in the regulatory databases. Several of these facilities have known or suspected releases of hazardous substances to soil and/or groundwater. Based on their current regulatory status, depth to groundwater, topographic location relative to the Site, and/or relative distance from the Site, these facilities do not represent recognized environmental conditions in connection with the Site.

Prologis provided Farallon with a *Preliminary Site Plan – Scheme 01, 5355 E. Airport Drive, City of Ontario* by RGA Office of Architectural Design dated November 16, 2021, which depicted a proposed building on the northern and central portions of the Site. In March 2022, Farallon conducted soil and soil vapor sampling at the Site to assess former UST areas and septic systems, and the new building footprint for the potential for vapor intrusion issues. The scope of work for the Phase II ESA portion of this assessment included the advancement of 12 borings and installation of 10 temporary soil vapor probe locations with single- or multi-depth nested vapor points for the collection of soil and soil vapor samples. The Phase II ESA portion of this assessment was conducted on March 4 and 11, 2022.

No TPH or VOCs were detected exceeding laboratory detection limits in the soil samples collected from the Site. Low concentrations of naturally occurring metals including barium, cadmium, cobalt, chromium, copper, nickel, lead, vanadium, and zinc were detected in two soil samples submitted for analysis; these concentrations were considerably less than screening levels.

Based on subslab soil vapor data, soil vapor beneath the slab at Building B contains PCE exceeding calculated screening levels. PCE is present west of Building B at concentrations exceeding current calculated industrial screening levels using the 0.03 attenuation factor, but less than screening levels using the less conservative attenuation factors. PCE was also detected in soil vapor in central and eastern portions of the Site at concentrations less than the calculated screening levels in the shallow zones that were assessed. One concentration of PCE was detected exceeding calculated screening levels in a deeper soil vapor sample collected from the vicinity of two former 12,000-gallon USTs north of the grail mill area; the shallow soil vapor sample collected from this boring did not contain PCE exceeding calculated screening levels. The extent of PCE in soil vapor was not fully characterized.

Based on review of the Site history, including subsurface investigation reports, interviews with persons knowledgeable about the Site, reconnaissance of the Site, review of regulatory agency lists, and the completion of subsurface investigation at the Site, this Phase I/II ESA identified the following recognized environmental condition in connection with the Site:

- PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Site.

In addition, Farallon identified the following historical recognized environmental conditions in association with the Site:

- Previous environmental reports note that one or more USTs were historically located west of Building B. Farallon was not able to find information regarding the UST in regulatory files, but did find some information regarding three to four diesel and unleaded gasoline USTs ranging in capacity from 4,000 to 10,000 gallons at unspecified locations at the Site preceding the presence of the three known 12,000-gallon USTs (noted in the grain mill area and southeast of Building C). In 2016, Partner conducted a subsurface investigation in this area and did not identify evidence of a petroleum release.
- In 2002, Tank Specialists of California removed a 12,000-gallon diesel steel UST and fuel dispenser mapped southeast of Building C. According to the letter regarding Soil Sampling Following the Removal of an Underground Storage Tank – Coast Grain Co., 5355 E. Airport Drive, Ontario, California dated December 18, 2002, from Advanced GeoEnvironmental, Inc., three confirmatory soil samples were collected beneath the bottom of the UST after removal, and soil samples were collected from stockpiles. The soil samples were analyzed for TPH as diesel; benzene, toluene, ethylbenzene, and xylenes; and methyl tertiary-butyl ether. Minor petroleum impacts were noted in stockpiled soil (800 milligrams per kilogram of TPH as diesel), which was reportedly used as backfill for the excavation. No constituents of concern were detected in the confirmatory soil samples collected from beneath the UST. Advanced GeoEnvironmental, Inc. recommended that San Bernardino County Fire Department (SBCFD) Hazardous Materials Division issue closure of the UST; and the letter regarding Removal of One Underground Storage Tank at Coast Grain Inc., Located at 5355 E. Airport Drive, Ontario, California dated January 8, 2002, from SBCFD was issued indicating that further investigation was not warranted.
- Based on sampling conducted as part of this Phase I/II ESA, no release was found in connection with the two 12,000-gallon "fuel storage" USTs historically located at the grain mill, which were removed from the Site in 1998. A No Further Action determination issued by SBCFD indicated that residual impacts were present, although "below that which is generally considered a problem."

The vehicle wash-down area located north of Building B was used for washing trucks (including molasses transportation trucks) and is no longer used. According to Site personnel, only truck exteriors were washed (not engines). Given the nature of use and that wash water was routed to an AST, with no discharge, the vehicle wash-down area is considered a de minimis condition for the Site. No release was found in the vicinity of the septic tanks located east of Building B, which provides a disposal pathway for a building that is known to have used chlorinated solvents and vehicular fluids.

Because two or three potential on-Site septic systems on the Western Parcel, located north of Building A and southeast of Building E, appear to be used for domestic sewer, with limited hazardous material use in the proximity that could be introduced to the septic systems as a release pathway, the presence of those septic systems is considered a de minimis condition for the Site. Additionally, the presence of petroleum ASTs with secondary containment and/or no evidence of

leaking, rail spurs within or along the northern property boundary, transformers with no evidence of leaking, and underground grain conveyance systems are considered de minimis conditions for the Site. Further, based on the location and nature of use (boiler blow-down), the former brine pond located in the vicinity of the northern property line is also considered a de minimis condition for the Site.

At the request of Prologis, Farallon has included additional opinions and recommendations for the Site beyond those specified in ASTM E1527-13 and -21 for de minimis and recognized environmental conditions.

Based on the findings from this Phase I/II ESA, Farallon recommends preparation of a Media Management Plan for use during Site redevelopment to address any unexpected impacts to soil associated with historical activities at the Site, and to address any issues related to the former brine pond, underground grain conveyance systems, septic systems, and former USTs at the Site. Additionally, because PCE has been documented in soil vapor in the vicinity of Building B at concentrations exceeding calculated screening levels, and PCE was detected in shallow soil vapor at concentrations less than the calculated RSLs in other soil gas samples collected at the Site, the potential for vapor intrusion into the planned new Site building should be addressed. Additional investigation and characterization are recommended to delineate and design mitigation measures for PCE in soil vapor that may impact indoor air in the future building.

1.0 INTRODUCTION

This Phase I/II Environmental Site Assessment (Phase I/II ESA) Report was prepared by Farallon Consulting, L.L.C. (Farallon) for the property at 5355 East Airport Drive in Ontario, California (herein referred to as the Site) (Figure 1). This section discusses the project authorization, and the qualifications of the Environmental Professionals conducting and reviewing the Phase I/II ESA work. Also included in this section are the project purpose, objective, scope of services, deviations, limiting conditions, and data gaps.

1.1 PROJECT AUTHORIZATION

This Phase I/II ESA Report was prepared for Prologis, L.P., and its subsidiaries, affiliates, related parties (specifically including any 1031 exchange entities), successors, and assigns (Prologis) in accordance with the letter regarding Proposal for Phase I Environmental Site Assessment and Media Management Plan dated December 10, 2021, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis; and the letter regarding Proposal for Subsurface Investigation, 5355 East Airport Drive, Ontario, California dated February 14, 2022, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis. The scope of work for this Phase I/II ESA is consistent with ASTM International Standard E1527-13 and E1527-21, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM E1527-13 and -21).

1.2 PROFESSIONAL QUALIFICATIONS

The Phase I/II ESA was conducted by Brant Rotnem and was reviewed and approved by Kathy Lehnus and Scott Allin. All have an understanding of surface and subsurface environmental conditions and the processes used to evaluate these conditions, and the ability to develop opinions regarding conditions indicative of a release or threatened release of hazardous substances and petroleum products. These Environmental Professionals have developed and performed all appropriate inquiry, in conformance with the standards and practices set forth in Part 312 of Title 40 of the Code of Federal Regulations. The professional qualifications of Brant Rotnem, Kathy Lehnus, and Scott Allin are provided in Appendix A.

1.3 PROJECT PURPOSE AND OBJECTIVE

The purpose of the Phase I/II ESA was to identify, as practicable, recognized environmental conditions on the Site and within the appropriate study area that have caused and/or may cause an adverse environmental impact. ASTM E1527-13 is intended to permit a user to satisfy one of the requirements to qualify for protection from potential liability under the Comprehensive Environmental Response, Compensation, and Liability Act as the innocent landowner, contiguous property owner, or bona fide prospective purchaser. ASTM E1527-13 constitutes "all appropriate inquiry" into the previous ownership, uses, and environmental conditions of a property consistent with good commercial or customary practice, as defined in Section 9601(35)(B) of Title 42 of the U.S. Code.

The objective of the Phase I/II ESA was to perform an appropriate inquiry into past and present ownership and uses of the Site, consistent with good commercial and/or customary practice. This Phase I/II ESA Report is to be used as a risk management tool to meet all appropriate inquiry requirements and the Comprehensive Environmental Response, Compensation, and Liability Act liability defense. The Phase I/II ESA does not guarantee that there are no impacts to the Site.

For the purpose of this Phase I/II ESA Report, the term "recognized environmental condition" is defined as the presence or likely presence of any hazardous substance or petroleum product in, on, or at the Site due to releases to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment. The term is not intended to include "de minimis conditions" that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of the applicable governmental agencies.

The term "controlled recognized environmental condition" is defined as a recognized environmental condition resulting from a past release of a hazardous substance or petroleum product that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in-place subject to implementation of required controls.

The term "historical recognized environmental condition" is defined as a past release of any hazardous substance or petroleum product that has occurred in connection with the Site and has been addressed to the satisfaction of the applicable regulatory authority, without subjecting the Site to any required controls.

1.4 PROJECT SCOPE OF SERVICES

This Phase I/II ESA Report was prepared for Prologis, L.P., and its subsidiaries, affiliates, related parties (specifically including any 1031 exchange entities), successors, and assigns (Prologis) in accordance with the letter regarding Proposal for Phase I Environmental Site Assessment and Media Management Plan dated December 10, 2021, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis; and the letter regarding Proposal for Subsurface Investigation, 5355 East Airport Drive, Ontario, California dated February 14, 2022, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis. In addition, this work was conducted in accordance with the *Master Services Agreement* between Prologis and Farallon dated August 4, 2011.

The scope of work for this Phase I/II ESA included a records review, literature research and review, site reconnaissance, interviews with individuals familiar with the Site, interviews with local governmental officials, an investigation of soil and soil vapor, and preparation of this report.

At the request of Prologis, Farallon provided additional environmental services and recommendations for further action based on the findings of the Phase I/II ESA. These services are considered non-scope items and are not required to satisfy ASTM E1527-13 and -21.

1.5 DEVIATIONS

There were no deviations from ASTM E1527-13 or -21 during this Phase I/II ESA, with the exception of additional environmental services requested by Prologis.

1.6 LIMITING CONDITIONS

Limiting conditions encountered during this Phase I/II ESA were the presence of vehicles parked on exterior portions of the Site that prevented Farallon from observing the entire ground surface of the Site, and the presence of equipment in the Site buildings that prevented Farallon from observing the entire interior floor surfaces. Based on information obtained from the Site representative, historical records, previous reports, and data obtained during the subsurface investigation conducted in March 2022, these limiting conditions are not expected to alter the conclusions of this report.

1.7 DATA GAPS

Data gaps may affect the ability to identify recognized environmental conditions and Farallon's ability to render opinions and conclusions for presentation in the Phase I/II ESA Report. The following data gap was identified during this Phase I/II ESA:

- George Verhoeven Grain Inc., dba Verhoeven Grain Inc. (Verhoeven), receives raw grain via a rail line north of the Site. The exact location of the rail line in relation to the northern property line has not been established in available records; part of the rail line could be located on portions of the Site. This constitutes a data gap for the Site. A land survey would be required to determine whether the rail spurs and/or a former brine pond in the area are present on the Site. If found to be located on the Site, further evaluation regarding the possible environmental issues related to rail lines, transportation of materials, and brine water disposal should be assessed.

Farallon did not identify other data gaps during this Phase I/II ESA.

2.0 SITE OVERVIEW

This section includes an overview of the Site location, improvements, and operations. A description of adjacent and surrounding land use also is provided.

2.1 SITE LOCATION

The Site is approximately 0.5 mile west of the intersection of Etiwanda Avenue and East Airport Drive, located at 5355 East Airport Drive in Ontario, San Bernardino County, California (Figure 1). The location is in an industrial area approximately 40 miles east of downtown Los Angeles and approximately 7 miles south of the San Bernardino Mountains. The nearest residential community is 1.8 mile southeast of the Site.

2.2 SITE DESCRIPTION

The Site consists of two parcels totaling 14.2 acres: Assessor Parcel No. 0238-052-20 (Eastern Parcel), and Assessor Parcel No. 0238-052-29 (Western Parcel).

The Eastern Parcel is occupied by Verhoeven, a grain processing company, and contains grain storage silos, a grain mill area, and five buildings. An office and warehouse building, referred to as "Building A," is located on the southern portion of the Site. The warehouse portion on the northeastern side of Building A contains a service shop for the repair of machinery related to the grain mill. Wastes stored in this area include motor oil, hydraulic oil, and gear oil, primarily related to tractor and forklift operation. A maintenance and repair shop, referred to as "Building B," is present on the eastern portion of the Site, and is used for light tractor and forklift service. New and waste vehicle fluids are stored in a hazardous substance storage area on the southwestern interior border of Building B. Additional structures on the Eastern Parcel consist of a warehouse referred to as "Building C" on the north-central portion, used for assorted storage; and two grain storage structures on the southeastern and southwestern portions of the parcel, referred to as Buildings D and E. The property is primarily asphalt-paved, with some gravel-paved areas on the western portion of the parcel. Access to the Site is gained from East Airport Drive, south of the Site.

The Western Parcel is occupied by The Scoular Company (Scoular), a corn storage and distribution facility. The Scoular portion of the Site contains exterior grain storage, with an office trailer that contains a small hazardous substance storage area on secondary containment used for the storage of lubrication oils and greases for equipment.

A vehicle wash-down area is present on the northeastern portion of the Site, and three to four septic systems are associated with the Site: two or three on the Eastern Parcel, and one on the Western Parcel. The location of the septic system on the Western Parcel could not be determined from the records reviewed. Additionally, aboveground storage tanks (ASTs) and three areas with former underground storage tank (USTs) are associated with the Site (detailed in Section 4.5).

Figure 2 presents a general plan map of the Site; additional details pertaining to the Site are provided in Section 8.2, Site Reconnaissance Observations. Site photographs are presented in Appendix B.

2.3 SITE OPERATIONS

According to the San Bernardino County Assessor's Office, the Site owner is Prologis Exchange 5355. Verhoeven has operated the Eastern Parcel as a grain processing facility since development in 1973. Raw grain, including corn and barley, is received at the facility via a rail line north of the Site (Assessor Parcel No. 0238-052-22) and distributed via conveyor belt from grain silos to Scoular on the Western Parcel; the exact location of the rail line in relation to the northern property line has not been established in the records reviewed. Raw grain product is transferred via conveyor from the Western Parcel or transloaded from rail cars via underground piping to four large storage silos in the grain mill on the Eastern Parcel.

In the grain mill, the raw grain is fed through a cleaner silo, which removes chaff, cobb pieces, and other excess matter with a water wash. The cleaned grain is gravity-fed through steam jackets, which use natural-gas-fired, boiler-generated steam to soften the product before fan-drying. After processing, the product is stored in silos for off-Site transfer via truck.

In addition to product processing at the grain mill, operations at Verhoeven consist of light tractor and forklift service in Building B. A 4- to 5-foot-deep repair pit is located in Building B that is not in use by Verhoeven. Service on tractors and forklifts includes minor repairs with use of a petroleum-based parts cleaner, and tire changes. The fleet of grain distribution trucks is not serviced on the Site, with the exception of oil changes performed by an external service technician, who reportedly collects and removes the waste oil from the Site.

A bermed truck-washing area equipped with an underground sump leading to an empty 10,000-gallon wash water AST is located north of Building B. Personnel reported that it is no longer in use, only truck exteriors were washed in this area, and no undercarriage/chassis or engine washing was conducted on the Site.

Scoular operates the Western Parcel as a grain storage and distribution facility. Raw grain product is brought onto the Site via rail to the north, and either off-loaded into trucks for direct distribution, or transloaded via underground piping to one of three grain storage silos. The storage silos use hydraulic augers to transfer the grain onto a conveyor system for processing at the Verhoeven grain mill. In addition to the storage silos, the Scoular parcel is developed with a mobile office trailer and a gravel-paved yard.

At the time of the site reconnaissance, Farallon observed hazardous materials in the warehouse in the northeastern portion of Building A, an aboveground fueling area northeast of Building A (consisting of two 250-gallon diesel ASTs and one 220-gallon hydraulic oil AST), and in Building B. Materials stored in these areas consisted of diesel, motor oil, waste oil, gasoline, grease, lubricant, gear oil, transmission oil, and parts cleaning solution. Hazardous materials consisting of

lubricating oils and greases for equipment were also stored in the office trailer on the Western Parcel.

Historical features associated with previous operations on the Site include two former petroleum 12,000-gallon USTs at the grain mill area, one former 12,000-gallon diesel UST east of Building C, and a former UST Area west of Building B. Historical operations, features, and reported septic systems are discussed further in Section 4.5. Figure 2 presents the locations of on-Site buildings and historical features.

2.4 ADJACENT AND SURROUNDING LAND USE

Adjacent properties at the time of Farallon's site reconnaissance included a rail line to the north followed by industrial buildings occupied by home furnishing businesses Emser Tile at 5300 Shea Center Drive and Dorel Home Furnishings at 5400 Shea Center Drive; Praxair, Inc. to the east at 5735 East Airport Drive; East Airport Drive to the south followed by industrial buildings occupied by distribution businesses K-Mart Distributions at 5600 East Airport Drive and XPO Logistics, Inc. at 5200 East Airport Drive; and a Verizon facility to the west at 5351 East Airport Drive.

No visual evidence of recognized environmental conditions was observed on abutting or nearby properties during the site reconnaissance. Observations were restricted to areas readily observable from the Site.

3.0 PHYSICAL SETTING

The physical setting of the Site, including topography, geology, and hydrogeology, is described in this section. Farallon's assessment of sensitive receptors in the area also is discussed.

3.1 TOPOGRAPHY

Farallon reviewed the U.S. Geological Survey (USGS) topographic maps for Guasti, California, dated 2018 and provided by Environmental Data Resources, Inc. (EDR). The maps depict the Site at an elevation of approximately 980 feet above mean sea level. Site topography slopes gently to the south. Regional topography generally is sloped to the south.

3.2 GEOLOGY AND HYDROGEOLOGY

The Site is situated within the San Bernadino Valley of the Peninsular Ranges Geomorphic Province in Southern California. The Peninsular Range Province extends into lower California, and is bounded by the Colorado Desert to the east, the Pacific Ocean to the west and the San Gabriel and San Bernardino mountains to the north. The San Bernardino Mountains are located approximately 7 miles north of the Site. According to *The EDR Radius Map Report with GeoCheck* prepared for the Site by EDR dated December 9, 2021 (EDR Report), surface soil at the Site consists primarily of Delhi fine sand, which is somewhat excessively well drained.

According to the *Phase II Subsurface Investigation Report* dated August 16, 2016 by Partner Engineering and Science, Inc. (Partner) for the Site (Partner 2016 Phase II Report), soil beneath the Site generally consists of very fine grained, silty sand from the surface to depths of approximately 20 feet below ground surface (bgs) and transitions to very fine to coarse grained, poorly graded sand between depths of 20 and 25 feet bgs. Groundwater was not encountered during Partner's investigation.

Soil encountered during the Phase II ESA investigation portion of this scope of work was described as silty fine to medium sand to a total explored depth of 10 feet bgs, with an apparent coarse sand and gravel layer at 10 feet bgs (and as shallow as 5 feet bgs on the eastern portion of the Site at boring SB-2). Boring logs are attached in Appendix F. Groundwater was not encountered during drilling.

Site-specific groundwater direction and depth information was not available in the records reviewed. Based on information obtained from the California State Water Resources Control Board GeoTracker database (GeoTracker database) and topographic interpretation, groundwater beneath the Site is anticipated at a depth of approximately 250 bgs and is estimated to flow to the south.

3.3 OIL AND GAS RECORDS

According to the California Department of Conservation, Geologic Energy Management Division Well Finder online database, there are no permitted oil or gas wells on the Site or at adjacent properties.

3.4 SENSITIVE RECEPTORS

Farallon conducted a limited assessment of sensitive receptors on or in the vicinity of the Site that was confined to visually apparent features such as surface water bodies (e.g., low-lying wet areas, streams, ponds) and residential and recreational areas. Farallon's assessment of sensitive receptors included a review of readily ascertainable information relating to the presence of private, semiprivate, public, and industrial water-supply wells.

According to the EDR Report, a groundwater monitoring well maintained by the San Bernardino County Water Resources Division is located between 0.125 and 0.25 mile of the Site, and groundwater monitoring wells maintained by the San Bernardino County Water Resources Division and Department of Public Health are located within 0.25 and 0.5 mile of the Site. In addition, a public drinking water well is located within 0.25 and 0.5 mile of the Site. No wetlands are mapped on the Site, and the Site is not mapped in a floodplain. The major water body nearest the Site was identified as the Santa Ana River, located approximately 6 miles south of the Site.

4.0 USER-PROVIDED INFORMATION

Farallon understands that the user of this report, Prologis, is seeking to follow the standards set forth in ASTM E1527-13 and -21 to complete an environmental assessment of the Site. The user has specific responsibilities for fulfilling ASTM E1527-13 and -21 requirements to help identify the possibility of recognized environmental conditions in connection with the Site. These responsibilities do not require the technical expertise of an Environmental Professional, and were not performed by the Environmental Professional who conducted the Phase I ESA at the Site.

To facilitate fulfillment of the ASTM E1527-13 and -21 requirements identified below, Farallon provided Prologis with a copy of the *Phase I ESA User Questionnaire* (User Questionnaire) to complete. The User Questionnaire is provided in Appendix C of this Phase I ESA Report.

4.1 TITLE AND LIEN RECORDS

Prologis indicated that it was not aware of environmental liens against the Site.

4.2 EXPERIENCE AND SPECIALIZED KNOWLEDGE

Prologis indicated that it has no experience or specialized knowledge regarding the Site.

4.3 COMMONLY KNOWN INFORMATION

Prologis indicated that it is not aware of commonly known information that would lead to identification of recognized environmental conditions in connection with the Site.

4.4 PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT USERS

Prologis will rely on this Phase I ESA Report.

4.5 PREVIOUS ENVIRONMENTAL STUDIES

Farallon was provided with the following environmental documents prepared for the Site:

- *Phase I Environmental Site Assessment Report, The Scoular Company, 5355 East Airport Drive, Ontario, California 91761* dated August 18, 2016, prepared by Partner Engineering and Science, Inc. (Partner 2016 Phase I Report); and
- *Phase II Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California 91761* dated August 16, 2016, prepared by Partner (Partner 2016 Phase II Report).

At the time of the Partner 2016 Phase I Report, the Site was developed as it is today and occupied by grain processing companies. Facility features and operations included the same buildings and grain processing equipment and procedures discussed in Section 2.3. Other features observed at the Site included bulk storage silos, a vehicle wash-down area with associated sheds in the northeastern portion of the Site, two subsurface grain conveyance systems in the northern portion

of the Site, and two maintenance areas within the office and warehouse building (Building A) and truck repair shop building (Building B). The maintenance area inside the truck repair shop (Building B) included a subsurface service pit for vehicle repairs; this pit was not observed during the Site visit due to the presence of stored equipment, but reported by the Site contact to be 4 feet wide by 25 to 30 feet long and between 4 and 5 feet deep. Domestic wastewater was reportedly disposed of by one or two septic systems. Information regarding the construction and locations of the septic systems was not provided from Site contacts. However, locations of the septic systems were speculated, based on previous reports, as being southeast of Building E and east of Building B. In 2016, a suspected septic system appears to have been located with ground-penetrating radar north of Building A, which could be in addition to or instead of previously reported septic system locations. Partner observed hazardous substances and petroleum products at the Site in hazardous material storage areas within Buildings A or B, which included antifreeze, motor oil, waste motor oil, grease, and waste grease. Three ASTs were located outside the northeastern corner of Building A, including one 85-gallon AST containing hydraulic oil, and two 250-gallon ASTs containing diesel fuel.

Previous investigations discussed in the Partner 2016 Phase I Report included four previous Phase I ESAs, three of which were prepared by Terracon Consultants, Inc. (Terracon), dated May 3, 2016, January 19, 2010, and May 5, 2009; and one of which was prepared by SECOR International Incorporated (SECOR), dated October 8, 2003 (SECOR 2003 Phase I Report). Only one of these reports was attached for Farallon's review: the 2016 Phase I Report by Terracon. Terracon did not identify recognized environmental conditions or controlled recognized environmental conditions in connection with the Site; however, a historical recognized environmental condition associated with total petroleum hydrocarbon (TPH) concentrations remaining in-place from a former UST was identified, based on a review of SECOR's 2003 Phase I Report. The SECOR 2003 Phase I Report was not included as an attachment in Terracon's report. The following information regarding SECOR's observations and findings was summarized in the Terracon 2016 Phase I Report. According to Terracon, SECOR did not identify recognized environmental conditions or historical recognized environmental conditions but noted several environmental concerns, including former USTs, the use of petroleum-impacted material as backfill following the removal of a UST, septic systems, and various wastewater and stormwater violations.

SECOR reported that four USTs were removed from the Site, including two 12,000-gallon USTs located north of the mill area, one 12,000-gallon UST located east of the former vegetable oil processing area, and one UST of unknown size located west of the former truck shop building (assumed as present-day Building B). This area was screened with ground-penetrating radar by Partner in 2016, and an assumed UST grave was identified beneath the overhang west of Building B.

Based on SECOR's review of records maintained by the San Bernardino County Fire Department (SBCFD), two 12,000-gallon USTs located north of the mill area were removed in 1989, and a letter issued by SBCFD on September 4, 1998 indicated "contamination remaining in the excavation is below that which is generally considered a problem and further investigation is not warranted." SECOR reported previous investigations were completed by Grisanti and Associates.

Soil samples were collected in the vicinity of a 12,000-gallon diesel UST located east of the "former vegetable oil processing" center, which was speculated by Partner to be located in the northern-central portion of the Site. Analytical results of soil samples indicated concentrations of TPH as diesel (TPH-d) up to 4,500 parts per million at a depth of 16 feet bgs. The 12,000-gallon diesel UST was removed in December 2002 and was granted regulatory closure from SBCFD on January 8, 2003.

During SECOR's site reconnaissance, a former fueling island was reportedly observed west of the truck repair shop (Building B). According to SECOR, no records were available regarding this former UST. However, an undated permit application for two 4,000-gallon diesel USTs was found on file with SBCFD. Additionally, a permit to operate five USTs, dated February 25, 1988, included a handwritten note indicating that the "number of tanks was amended from five to four per signed-off job card." In 2002, this area was investigated by Grisanti and Associates, who found concentrations of TPH-d at 11 parts per million at a depth of 15 feet bgs, and no detectable concentrations at a depth of 20 feet bgs. Farallon assumes that these tank graves were the anomalies identified by Partner under the Building B awning in 2016.

Based on a review of Santa Ana Regional Water Quality Control Board, SECOR found that stormwater discharge from the Site exceeded discharge permit limits in 2001 for pH, total suspended solids, oil and grease, total organic carbon, total Kjeldahl nitrogen, biological oxygen demand, copper, and/or zinc. A violation was issued by the Santa Ana Regional Water Quality Control Board in 2001 for the absence of a Storm Water Pollution Prevention Plan and a Storm Water Management Plan.

The Partner 2016 Phase I findings identified four recognized environmental conditions, two historical recognized environmental conditions, and four environmental issues. The four recognized environmental conditions relate to the statuses of a fourth or fifth UST located on the Site, based on conflicting database information and a lack of historical records available regarding the status and location of the USTs; surficial degradation and staining of asphalt around two 250-gallon diesel fuel ASTs; staining and historical use of petroleum products and hazardous materials in maintenance areas within Buildings A and B; and potential impacts associated with the vehicle wash-down area and drainage system, based on reported violations relating to wastewater runoff, poor housekeeping, and an anonymous complaint regarding the routine pouring of used oil into a drain in the vicinity of the vehicle wash-down area. The two historical recognized environmental conditions identified related to the following: the two former 12,000-gallon diesel USTs, which were removed in 1989 and received a No Further Action (NFA) determination issued by SBCFD; and one former 12,000-gallon diesel UST and associated dispenser, which were removed in 2002 and received an NFA determination issued by SBCFD. The four environmental issues identified relate to unknown locations of two on-Site septic systems; grain processing equipment and subsurface grain conveyance systems requiring lubrication oil; railroad spurs extending onto the Site that may have impacted the Site with pesticides, herbicides, and oils from rail line maintenance and/or construction; and potential asbestos-containing materials associated with the age of the buildings. Recommendations regarding these findings included a limited subsurface investigation to determine the presence or absence of soil and/or groundwater contamination due to the historical

use of the Site, and an operation and maintenance program to be implemented to safely manage the suspect asbestos-containing materials at the Site.

The Partner 2016 Phase II Report investigation completed at the Site included an assessment to identify former on-Site USTs or associated features, reported septic systems, and soil and soil gas sampling to assess for indications of a release from historical Site activities. A geophysical survey was completed to identify USTs remaining in-place, backfilled tankholds, septic tanks, and/or associated features, and to clear boring locations of utilities. One large anomaly, indicative of a backfilled excavation, was located under the western canopy of Building B, which generally corresponded to the location of the former USTs. There were no large metallic features identified, so Partner concluded that the USTs in this area had been removed. One large anomaly resembling a septic system was located north of Building A.

As part of the soil and soil gas investigation, 26 borings were advanced between depths of 1 and 25 feet bgs for the collection of soil and/or soil gas samples. Soil samples were analyzed for TPH carbon chain C6-C40 (TPH-cc) by U.S. Environmental Protection Agency (EPA) Method 8015C and volatile organic compounds (VOCs) by EPA Method 8260B; and soil gas samples were analyzed for VOCs by EPA Methods TO-15 and 8260B. No detectable concentrations of VOCs or TPH-cc were present in soil samples. Analytical results of soil gas samples indicated detections of VOCs including tetrachloroethene (PCE), trichloroethene, toluene, ethylbenzene, and xylenes. The concentrations of these detectable results were less than the residential and commercial/industrial calculated soil gas screening levels (SGSLs) at the time of the report. Partner concluded that there did not appear to be a discernable vapor intrusion condition to the Site, and the detections of VOCs in soil gas did not represent a threat to human health or the environment. Partner recommended no further investigation with respect to the on-Site grain handling facility at the time of the report.

Although the reported concentrations were less than regulatory criteria at the time of the report, the California Department of Toxic Substances Control *Human Health Risk Assessment Note Number 3* was updated in April 2020 to include the use of a more conservative attenuation factor of 0.03 in SGSL calculations. The 0.03 attenuation factor can be used to develop "low" level screening levels and can be used in conjunction with previously approved attenuation factors published in 2011 (known as "high" level screening levels). In comparison with the "low level" PCE SGSL, the PCE concentrations in soil vapor samples collected from five locations in 2016 exceeded the calculated soil gas commercial/industrial screening level of 67 micrograms per cubic meter ($\mu g/m^3$). Additionally, in comparison with the "low level" ethylbenzene SGSL, the ethylbenzene concentration in one soil vapor sample exceeded the calculated soil gas commercial/industrial screening level of 163 $\mu g/m^3$. These samples were located within and adjacent to Building B at a depth of 5 feet bgs.

No other reports were provided to Farallon for review.

5.0 SITE BACKGROUND AND HISTORY

Farallon reviewed the following historical sources as part of this Phase I/II ESA:

- Aerial photographs of the Ontario, California area dated 1938, 1948, 1953, 1959, 1966, 1975, 1985, 1990, 1994, 2002, 2005, 2009, 2012, and 2016 obtained from EDR;
- Cole Information Services, GTE, and Haines and Digital Business Directories of Ontario, California dated 1985, 1990, 1995, 1999, 2003, 2004, 2008, 2009, 2014, and 2017 obtained from EDR; and
- USGS topographic maps of Guasti, California dated 1897, 1900, 1903, 1941, 1944, 1953, 1954, 1966, 1973, 1976, 1981, 2012, 2015, and 2018 obtained from EDR.

A search for fire insurance maps resulted in notification that there was no coverage for the Site.

Farallon is not responsible for the accuracy or completeness of the historical sources reviewed. The historical sources documented were reasonably ascertainable and practically reviewable during this Phase I ESA. Historical sources are provided in Appendix D.

5.1 SITE

Topographic maps between 1897 and 1903 did not include significant detail regarding the Site. The Site was used as agricultural or grazing land from at least the late 1930s to the early 1970s. By 1973, the Eastern Parcel was developed with small grain storage silos and other features associated with milling operations in the grain mill area. In the 1975 aerial photograph, grain appeared to be stockpiled in the southwestern portion of the Site in Buildings A through C. Based on 1953, 1966, and 1981 topographic maps, Airport Drive was previously known as "Slover Avenue." By 1985, the grain storage structures, Buildings D and E, were developed. By 2002, the Site appeared in its existing configuration. The 2002 aerial photograph shows grain processing operations had expanded at the Site to the Western Parcel, which included the development of three large grain storage silos. The Site has been occupied by Verhoeven from 1973 to the present; Chino Grain and Milling, Inc. in 1985; Coast Grain Company between 1990 and 2003; Scoular between 2004 and the present; and JD Heistell and Company in 2009.

Additional information regarding the Site history is provided in Section 6.1, On-Site Listings, and Section 7.0, Interviews.

5.2 ADJACENT PROPERTIES

The Site is bound by industrial properties to the north beyond the railroad tracks, industrial properties to the east and west, and industrial properties to the south across East Airport Drive.

Adjacent properties consisted primarily of undeveloped and/or agricultural land. Railroad tracks were present on the north-adjacent property from at least the early 1900s through the 1960s, when the east-adjacent property was developed with the existing industrial facility. By the early 1990s,

the south-adjacent property was developed with an industrial building. By the early 2000s, the west- and north-adjacent properties were developed with industrial buildings and have remained relatively unchanged through the present.

Additional information regarding adjacent properties is provided in Section 6.2, Adjacent and Other Facility Listings.

6.0 REGULATORY REVIEW

EDR conducted a review of environmental regulatory agency database listings to identify reported environmental issues related to the Site and facilities in the Site vicinity. Farallon used the greater of each approximate minimum search distance from the Site for each of the referenced federal and state environmental databases, as specified in ASTM E1527-13 and -21.

Farallon reviewed the results from the EDR Report prepared for the Site to note reported facilities in the vicinity of the Site that were considered to have a potential to adversely impact the Site (i.e., are known to have resulted in or are expected to result in a recognized environmental condition). Reported facilities identified in the EDR Report were evaluated with respect to the nature and extent of a given release, the distance of the reported facility from the Site, the stratigraphy of soil, the expected soil permeability, and the location of a reported facility with respect to known or expected local and/or regional groundwater flow direction.

The descriptions of the databases searched, the complete database names for the abbreviations used in this Phase I/II ESA Report, and the associated search distances from the Site are provided in the EDR Report presented in Appendix E.

6.1 ON-SITE LISTINGS

JD Heiskell Holdings LLC, former occupant of the Site, was identified on HAZNET, HWTS, CA FID UST, EMI, CIWQS, CERS, and WDS databases. The listings relate to hazardous material management, air quality permits, records of USTs, and industrial stormwater permits associated with livestock feed manufacturing operations. Hazardous wastes listed as being disposed of between 2003 and 2010 consisted of waste oil and mixed oil, aqueous solution with total organic residues less than 10 percent, other organic solvents, and asbestos-containing waste. No violations were identified in the listings. The listings for the USTs did not provide new information regarding contents, locations, and removal dates of the first-generation USTs.

George Verhoeven Grain Inc., located on the Site, was identified on FINDS, ECHO, RCRA NonGen/NLR, EMI, and CIWQS databases. George Verhoeven Grain Inc. was identified in the CERS, AST, CERS HAZ WASTE, CERS TANKS, NPDES, and San Bern. Co. Permit databases (listed in the EDR Report under "Coast Grain Inc.)." The listings relate to hazardous material management, air quality permits, ASTs, and industrial stormwater permits associated with grain processing operations. The CERS TANKS listings indicated records of aboveground petroleum storage. No other information regarding ASTs was provided in the EDR database listings. The CERS listing indicated some administrative violations during inspections; however, there were no violations indicating a spill or a release occurred at the Site.

The Scoular Company, located on the Site, was identified as "John Powell," a manager of Scoular, based on information obtained online, in the HAZNET and HWTS databases. The listings related to hazardous material management between 2006 and 2010. Hazardous wastes in the listing included other organic solids, waste oil and mixed oil, unspecified aqueous solution, and unspecified organic liquid mixture. No violations were identified in the listings.

Coast Grain Inc./Coast Grain Company, former occupant of the Site, was identified on UST, CERS HAZ WASTE, SWEEPS UST, WDS, EMI, HAZNET, and HWTS databases. The listings related to records of USTs, industrial stormwater permits, air quality permits, and hazardous waste management associated with grain processing operations. The SWEEPS UST listing indicated the Site had five registered USTs. No specific information regarding the ASTs or USTs, including tank capacity, contents, or status, was provided in the listings. See Sections 4.5 and 7.3 for further discussion regarding USTs at the Site. Hazardous wastes in the listing between 2002 and 2003 included tank bottom waste with halogenated organics.

G&R Transportation, a freight shipping and trucking company, according to online resources, was listed as being associated with the Site address and identified in the HAULERS database. No pertinent information or violations were identified in the listing. No current or historical information regarding tenants at the Site has indicated G&R Transportation occupied the Site, and this listing may be incorrectly associated with the Site.

Farallon searched the GeoTracker database and the California Department of Toxic Substances Control online EnviroStor database (EnviroStor database) for records related to the Site, but found no listings. Additional information regarding the Site is provided in Section 7.5, Interview with Regional Water Quality Control Board.

6.2 ADJACENT AND OTHER FACILITY LISTINGS

Reported facilities within 0.25 mile up-gradient, 0.125 mile cross-gradient, or adjacent down-gradient of the Site with respect to the assumed groundwater flow direction are considered to have a potential to have impacted the Site. Facilities that were listed in the EDR Report but not identified as a reported facility (e.g., a facility listed as a hazardous waste generator but not as having had a release), and facilities that were listed as "Closed" were not considered to have a potential to have impacted the Site.

Praxair, Inc./Union Carbide Corp./Linde Inc./Kenan Advantage Group/Old Dominion Freight Line, at 5735 and 5705 East Airport Drive, east-adjacent to and cross-gradient of the Site with respect to assumed groundwater flow direction, were identified in the San Bern. Co. Permit**,** HIST UST, EMI, RCRA NonGen/NLR, UST, RCRA-SQG, LUST, CERS HAZ WASTE, CERS TANKS, TRIS, Cortese, NPDES, CIWQS, CERS, HWTS, AST, SWEEPS UST, CA FID UST, HIST CORTESE, NPDES, WDS, and/or CPS-SLIC databases. The listings relate to records of ASTs, USTs, industrial stormwater permits and discharge, air quality permits, hazardous materials management, and a leaking UST case that was granted case closure status in 1988. The LUST listing under Union Carbide Corp indicated solvents from a leaking UST had impacted soil. The listing indicated a case closure status as of September 7, 1988. HIST UST listings associated with

Union Carbide Corporation indicate the facility has or had between two and 18 registered USTs on the property. One HIST UST listing indicated two 1,000-gallon USTs used for waste were installed in 1975. The other HIST UST listing indicated 18 USTs or subsurface features were registered at the property, including four 10,000-gallon USTs and one 12,000-gallon UST used for diesel fuel; eight unlined concrete or carbon steel sumps used for sulfuric acid, chlorpyrifos (chromate), silica, sodium hydroxide, sodium bichromate, and/or waste oil; one 1,000-gallon UST used for waste oil; one 8,000-gallon UST used for unleaded fuel; one 6,000-gallon UST used for motor oil; and two 500-gallon USTs used for waste oil. No information regarding the status of the USTs or subsurface features was provided in the listings. Hazardous wastes in listings included ignitable waste, corrosive waste, reactive waste, chromium, lead, and spent nonhalogenated solvents. No other listing except for the one associated with the leaking UST case indicated a release had occurred at the property. A number of administrative violations associated with inspections were indicated in the San Bern. Co. Permit database listings. No information was provided in the violation listings that indicated a release had occurred at the property. Based on the status, depth to groundwater, and location of the property at a cross-gradient direction from the Site, no evidence was found to indicate that this property represents a recognized environmental condition in connection with the Site.

K-Mart Distribution Center/Ontario Distribution Center/Costco Wholesale/Costco Logistics, at 5600 East Airport Drive, located beyond Airport Drive, south-adjacent to and down-gradient of the Site with respect to assumed groundwater flow direction, was identified in the LUST, SWEEPS UST, HIST UST, Cortese, HIST CORTESE, CERS, CA FID UST, EMI, NPDES, WDS, CIWQS, RCRA NonGen/NLR, AST, HAZNET, San Bern. Co. Permit, HWTS, RCRA-SQG, and RCRA-LQG databases. The listings relate to records of USTs, ASTs, industrial stormwater permits, hazardous materials management, and a leaking UST case. According to the SWEEPS UST and HIST UST listings, three USTs were installed on the property, including two 15,000-gallon diesel USTs and one 2,000-gallon unleaded fuel UST. Information obtained from the GeoTracker database indicated a leaking UST containing diesel fuel impacted soil at the property in 1992. The case was granted case closure status in 1993. Based on the status, depth to groundwater, and location of the property at a down-gradient direction from the Site, this property does not represent a recognized environmental condition in connection with the Site.

6.3 UNMAPPABLE LISTINGS

EDR identified six facilities as “unplottable” that EDR was unable to map due to inaccurate or inadequate address information. Farallon did not identify any of the unplottable facilities in the immediate vicinity of the Site. Therefore, the unplottable facilities located do not represent a recognized environmental condition in connection with the Site.

7.0 INTERVIEWS

Farallon conducted interviews with individuals familiar with the Site and contacted relevant local governmental agencies to obtain additional Site information. The responses from the parties contacted are provided below.

7.1 INTERVIEW WITH SITE REPRESENTATIVE

During the site reconnaissance, Farallon interviewed Randy Verhoeven of Verhoeven, and Steve Schennum of Scoular on January 13, 2022. The following information was obtained from this interview:

- No known USTs are present at the Site;
- Hazardous materials on the Site generally consist of diesel fuel, hydraulic fluid, gear oil, transmission oil, waste oil, and cleaning solvent;
- Utilities and natural gas are provided by the local municipality and gas company; and
- The maintenance area inside the truck repair shop (Building B) included a subsurface service pit for vehicle repairs; this pit was not observed during the Site visit due to the presence of stored equipment, but reported by the Site contact to be 4 feet wide by 25 to 30 feet long and between 4 and 5 feet deep.

Randy Verhoeven and Steve Schennum stated that they had not been made aware of any pending, threatened, or past:

- Litigation relevant to hazardous substances or petroleum products in, on, or from the Site;
- Administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the Site; or
- Notices from a governmental entity regarding violations of environmental laws or liability relating to hazardous substances or petroleum products.

7.2 INTERVIEW WITH CITY

Farallon submitted a written information request to the City of Ontario on December 23, 2021 to inquire whether records of inspections, notices of violations and/or reported hazardous spills, building files, permits, wastewater discharge permits, and/or USTs for the Site were on file. On January 26, 2022, the City of Ontario provided Farallon with over 150 pages of files for the Site address related to building permits, City fire department inspections (for signage/fire safety violations), stormwater, and tenant improvement information. No information related to processing or storage locations, septic systems, or hazardous material use for the Site was found in the file.

7.3 INTERVIEW WITH THE COUNTY

Farallon submitted a written information request for records from SBCFD on December 16, 2021. SBCFD is the Certified Unified Program Agency for San Bernardino County, and maintains most records pertaining to hazardous substance use, storage, and waste generation; USTs and ASTs; hazardous substance inspections, and unauthorized releases. SBCFD allowed Farallon to copy files for Cast Grain Milling, Verhoeven, and Scoular at the Site addresses. In general, files were related to generator/handler information, USTs, and permit information. Pertinent files are summarized below.

Cast Grain Milling

In the letter regarding Removal of Two Underground Storage Tanks at 5355 Airport, Ontario dated September 4, 1998, from SBCFD, it was noted that a July 25, 1989 Babcock & Sons, Inc. report was reviewed by SBCFD and that contamination remaining after excavation is "below that which is generally considered a problem and further investigation is not warranted." No further information was in the file regarding the USTs and locations; however, Farallon has determined that SBCFD is likely referring to the two 12,000-gallon fueling USTs noted in previous reports as formerly located north of the grain mill.

A 2001 SBCFD inspection indicated similar quantities of automotive fluids and oils generated as wastes at the Site. It was also noted that a "parts washer" was present in the "Vehicle Maintenance Division," but the solvent used was not noted. It was also noted that molasses silos were in use at the Site, and a molasses storage tank was noted in the vicinity of the truck-washing area (containing molasses truck rinse water used as pig feed). A hazardous waste inventory dated 2001 noted perchloroethylene and trichloroethylene related to the parts washer, but volumes and locations were not noted.

In 2002, Tank Specialists of California removed a 12,000-gallon diesel steel UST and fuel dispenser mapped southeast of Building C. According to the letter regarding Soil Sampling Following the Removal of an Underground Storage Tank – Coast Grain Co., 5355 E. Airport Drive, Ontario, California dated December 18, 2002, from Advanced GeoEnvironmental, Inc., three confirmatory soil samples were collected beneath the bottom of the UST after removal, and soil samples were collected from stockpiles. The soil samples were analyzed for TPH-d; benzene, toluene, ethylbenzene, and xylenes; and methyl tertiary-butyl ether. Minor petroleum impacts were noted in stockpiled soil (800 milligrams per kilogram of TPH-d), which was reportedly used as backfill for the excavation. No constituents of concern were detected in the confirmatory soil samples collected from beneath the UST. Advanced GeoEnvironmental, Inc. recommended that SBCFD Hazardous Materials Division issue closure of the UST, and the letter regarding Removal of One Underground Storage Tank at Coast Grain Inc., Located at 5355 E. Airport Drive, Ontario, California dated January 8, 2002, from SBCFD was issued indicating that further investigation was not warranted. Farallon considers this UST a historical recognized environmental condition for the Site.

George Verhoeven Grain Inc.

Generator files dated 2016 through 2019 were maintained with SBCFD that noted the use and generation of automotive fluids and wastes on the Site. Violations were noted as requiring the completion of a Spill Prevention, Control, and Countermeasure plan and a business plan. Hazardous waste inventories noted oils and welding gases; no solvents were noted.

The Scoular Company

Generator files dated 2010 were maintained with SBCFD that noted the use and generation of automotive fluids and wastes on the Site. No violations were noted. Operations were noted as discontinued in 2011 (although Farallon noted Scoular active at the Site during the 2022 site reconnaissance).

7.4 INTERVIEW WITH SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Farallon accessed online records available from South Coast Air Quality Management District on January 26, 2022. South Coast Air Quality Management District maintains records for five facilities associated with the Site address: Chino Grain & Milling Inc. (ID 3037); Coast Grain Company (ID 52930); Unicorn, LLC (ID 131542); George Verhoeven Grain Inc. (ID 163123); and The Scoular Company (ID 17251). A summary of the files is provided below.

Chino Grain & Milling Inc. (ID 3037)

The online file indicates that the Chino Grain & Milling Inc. facility is out of business, and contained equipment for storage and dispensing of gasoline and milling operations including amine regeneration, livestock feed rolling, cyclone, bulk loading of trucks, and livestock feed pelletizing. No violations were noted, and no documents could be found related to the storage or dispensing of gasoline in the online files.

Coast Grain Company (ID 52930)

The online file indicates that the Chino Grain Company facility was sold, and contained equipment for livestock feed rolling, cyclone, bulk loading of trucks, livestock feed pelletizing, storage tank livestock feed, service station storage and dispensing of gasoline, afterburner, boiler, baghouse, and emission reduction. No violations were noted, and no documents could be found related to the storage or dispensing of gasoline in the online files.

Unicorn, LLC (ID 131542)

The online file indicates that the Unicorn LLC facility was sold, and contained equipment for railroad car unloading grains. No violations were noted.

George Verhoeven Grain Inc. (ID 163123)

The online file indicates that the Verhoeven facility was active, and contained equipment for livestock feed rolling, cyclone, bulk loading of trucks, and a boiler. One violation was noted on September 4, 2012 that was in compliance by September 19, 2012; the nature of the violation was not captured in the record.

The Scoular Company (ID 17251)

The online file indicates that the Scoular facility was active, and contained equipment for rail car unloading. No violations were noted.

7.5 INTERVIEW WITH REGIONAL WATER QUALITY CONTROL BOARD

Farallon received files available from the Santa Ana Regional Water Quality Control Board (Water Board) on December 27, 2021. Water Board records included information regarding a former brine disposal pond associated with the boilers at the grain mill area. A summary of files is provided below.

A brine disposal pond owned by the Union Pacific Railroad Company and used by the Coast Grain Company for boiler blow-down water was installed in 1969 and removed in 1998 to allow for the addition of a rail line north of the grain mill area. According to the letter regarding Approval of Closure Report for the Brine Disposal Pond, Coast Grain Company, Ontario, California dated September 24, 1999, from the Water Board, the closure of the pond included the removal of approximately 7,500 cubic yards of salt-contaminated soil and placement of a 40-mil high-density polyethylene liner. Miscellaneous analytical data available in the Water Board file indicated that soil was analyzed for pH, with no elevated readings noted. Based on mapping provided in the Water Board file, the pond was located south of the Southern Pacific Railroad Main Line between two sets of rail spurs; it appears to be just north of the current property line. However, a survey would be required to understand the northern property line in relation to the former brine disposal pond. Based on the location and nature of use (boiler blow-down), and the location of the former brine pond in the vicinity of the northern property line, this is considered a data gap for this report. In the event that the former brine pond is located off-Site, it would be considered a de minimis condition for the Site.

8.0 SITE RECONNAISSANCE

Farallon conducted a site reconnaissance on January 13, 2022 to observe the Site for physical evidence of recognized environmental conditions. The methodology used for the site reconnaissance and the observations made during the reconnaissance are discussed below. A description of the Site is provided in Section 2.2, Site Description. Photographs taken during the site reconnaissance are presented in Appendix B.

8.1 SITE RECONNAISSANCE METHODOLOGY

Farallon completed a walk around the entire perimeter of the Site and viewed interior operations.

There were no deviations from ASTM E1527-13 or -21 during the Phase I ESA, with the exception of additional environmental services requested by Prologis.

Limiting conditions encountered during this Phase I ESA were the presence of active and decommissioned equipment and vehicles on exterior portions of the Site that prevented Farallon from observing the entire ground surface of the Site, and the presence of equipment in the Site buildings that prevented Farallon from observing entire interior floor surfaces. Based on information obtained from the Site representative, historical records, previous reports, and data obtained during the subsurface investigation conducted in March 2022, these limiting conditions are not expected to alter the conclusions of this report.

8.2 SITE RECONNAISSANCE OBSERVATIONS

Weather conditions at the time of the reconnaissance were overcast, with a temperature of approximately 70 degrees Fahrenheit. No weather-related Site-access restrictions were encountered during the reconnaissance. Operations at the Site at the time of the reconnaissance were observed to be consistent with operations as described in Section 2.3, Site Operations.

8.2.1 Interior Observations

Farallon's observations of the interior of the Site buildings during the site reconnaissance are documented in the table below. Comments pertaining to notable interior observations follow in Section 8.2.2. Photographs taken during the site reconnaissance are provided in Appendix B.

INTERIOR OBSERVATIONS	YES	NO
Odor		X
Heating/Cooling System	X	
Drain(s) and/or Sump(s)		X
Staining and/or Corrosion		X
Storage Tank(s), Vent Pipe(s), Fuel Port(s), and/or Fill Pipe(s)		X

INTERIOR OBSERVATIONS	YES	NO
Clarifier(s)		X
Discharge Area		X
Drum(s) and/or Other Container(s)		X
Pool(s) of Liquid		X
Automobile Lift(s)		X
Monitoring Well(s)		X
Hazardous Material(s) and/or Petroleum Product(s)	X	
Hazardous Waste	X	
Other	X	

8.2.2 Interior Observation Comments

Heating/Cooling System

The Site buildings are primarily unconditioned. Electrical window air-conditioning units were observed in select office/administrative areas.

A natural-gas-powered boiler unit is present within the grain mill, and provides steam for the steam jackets. The grain mill is also equipped with a fan-cooled cooling area. No other heating systems were observed in the buildings.

Hazardous Material(s) and/or Petroleum Product(s)

Hazardous substances stored within the Building A warehouse on the Eastern Parcel included small quantities of oils and automotive fluids. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release.

Hazardous substances stored within Building B on the Eastern Parcel included two 55-gallon used oil drums; two 25-gallon grease carts; and a parts washer attached to a 55-gallon drum of Shellsol D43, a petroleum hydrocarbon-based mineral spirit. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release.

Hazardous substances within a fire cabinet in the Western Parcel office trailer included two 5-gallon gasoline canisters. Additional materials stored outside of the fire cabinet included ten 5-gallon pails containing truck lubricants, gear oil, and hydraulic oil; one 25-gallon grease cart; and one 5-gallon pail containing grease. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release.

Hazardous Waste

Hazardous wastes stored within the Building A warehouse on the Eastern Parcel included four 55-gallon drums of waste oil, five 25-gallon drums of waste oil, and approximately 20 five-gallon waste oil pails. The materials were observed to be stored on pallets, with no staining or other evidence of a significant release.

Other

The maintenance area inside the truck repair shop (Building B) included a subsurface service pit for vehicle repairs; this pit was not observed during the Site visit due to the presence of stored equipment, but reported by the Site contact to be 4 feet wide by 25 to 30 feet long and between 4 and 5 feet deep.

8.2.3 Exterior Observations

Farallon's observations of the exterior of the Site during the site reconnaissance are documented in the table below. Comments pertaining to notable exterior observations follow in Section 8.2.4. Photographs taken during the site reconnaissance are provided in Appendix B.

EXTERIOR OBSERVATIONS	YES	NO
Odor		X
Staining and/or Corrosion	X	
Storage Tank(s), Vent Pipe(s), and/or Fuel Port(s)	X	
Drum(s) and/or Other Container(s)		X
Pool(s) of Liquid		X
Hazardous Material(s) and/or Petroleum Product(s)		X
Hazardous Waste		X
Pit(s), Pond(s), and/or Lagoon(s)		X
Stressed Vegetation		X
Solid (Nonhazardous) Waste—Evidence of Dumping		X
Wastewater		X
Domestic Water	X	
Water Well(s)		X
Septic/Sewer System	X	
Stormwater	X	
Transformer(s)	X	

EXTERIOR OBSERVATIONS	YES	NO
Significant Amount of Fill Material		X
Other	X	

8.2.4 Exterior Observation Comments

Staining and/or Corrosion

Farallon observed incidental petroleum staining on several areas of the Site, generally near petroleum product storage areas. No drains, sumps, clarifiers, or other potential subsurface conduits were observed in these areas. The staining is considered de minimis and does not constitute a recognized environmental condition.

Storage Tank(s), Vent Pipe(s), and/or Fuel Port(s)

Four ASTs were present on the Site:

- Two 250-gallon, reportedly double-walled diesel ASTs within secondary containment. These ASTs are located on the northeastern exterior border of Building A and are used for fueling tractors and forklift equipment. One of the ASTs is used by Verhoeven, and the other by Scoular.
- One 220-gallon, reportedly double-walled hydraulic oil AST located on the northeastern exterior border of Building A. This AST is used to provide new hydraulic oil for equipment operation and maintenance.
- One 499-gallon, single-walled propane AST located east of Building C.

The ASTs were observed to be in good condition with de minimis staining to nearby concrete pads, and no evidence of a significant release.

Domestic Water

Domestic water is supplied to the Site buildings by the City of Ontario.

Septic/Sewer System

Sanitary sewage generated at the Site discharges to three or four on-Site septic systems, two or three of which are located on the Eastern Parcel and one of which is located on the Western Parcel. The estimated locations of the septic tanks and leach fields on the Eastern Parcel are identified on Figure 2. Property personnel on the Western Parcel were unaware of the location of the septic systems.

Because on-Site septic systems appear to be used for domestic sewer, with limited hazardous material use in the proximity that could be introduced to the septic systems as a release pathway, the presence of the septic systems at Building E, Building A, and on the Western Parcel is considered a de minimis condition for the Site. Because the septic system east of Building B is

connected to a building that has been subject to the use and release of chlorinated solvents, this septic system is considered a recognized environmental condition in connection with the Site.

Stormwater

Stormwater is removed from the Site via direct permeation through gravel-paved surfaces, and via concrete swale and paved surfaces to Airport Boulevard.

Transformer(s)

Three pad-mounted transformers were observed on the Site on the Western Parcel. No staining or leakage was observed in the vicinity of the transformers. Based on the good condition of the equipment, the transformers are not expected to represent a significant environmental concern.

An underground grain conveyance system is located within the grain mill area. Details of the underground system, including how grain is moved or whether hydraulic systems are present, was not provided to Farallon.

The presence of transformers, with no evidence or report of leaking, and underground grain conveyance systems are considered de minimis conditions for the Site. In the event that the conveyance systems are hydraulic and determined to have leaked, this conclusion should be reevaluated.

Other

The Eastern Parcel is equipped with a vehicle wash-down area with sump north of Building B, which is asphalt-paved and bermed, and was previously used for truck washing. Property personnel report that truck exteriors were washed in this area on an infrequent basis, and no undercarriage/chassis or engine washing was conducted on the Site. The wash area is equipped with a lined sump connected to an approximately 10,000-gallon AST via underground piping. The AST was empty at the time of the Site visit. Personnel report that the water tank has not been used in at least 11 years. Given the nature of use and that wash water was routed to an AST with no discharge, the vehicle wash-down area is considered a de minimis condition for the Site.

Rail spurs are present along the northern property boundary. Based on available mapping, it cannot be confirmed whether the rail spurs are located on the Site or to the north, which is a data gap for this report. Because of the nature of the conveyance of the rail spurs (for moving grain), the presence of rail spurs within or along the northern property boundary is considered a de minimis condition for the Site. If the spurs are determined to be on the Site, this conclusion should be reevaluated, as creosote and oils in rail spurs can lead to surficial releases to soil.

9.0 ADDITIONAL ENVIRONMENTAL SERVICES

At the request of Prologis, Farallon conducted environmental services in addition to those specified in ASTM E1527-13 and -21. These services are considered non-scope items, and are not required to satisfy ASTM E1527-13 and -21.

9.1 WETLANDS

Wetlands are defined jointly by EPA and the U.S. Army Corps of Engineers as "those areas that are inundated or saturated by surface or groundwater for a duration and frequency sufficient to support and under normal circumstances do support a prevalence of vegetation adapted for life in saturated soil conditions." According to the EDR Report, wetlands are not present on the Site.

9.2 ASBESTOS

In June 1978, EPA initiated a ban on the use of asbestos-containing material in spray application products such as structural fireproofing and acoustic ceilings, pipe lagging, joint compounds, and spackles. Based on the construction date of the Site buildings of approximately 1973, asbestos-containing materials may be present at the Site.

9.3 LEAD-BASED PAINT

In 1978, EPA initiated a ban on the manufacture and use of lead-based paints. Based on the construction date of the Site buildings of approximately 1973, lead-based paint may be present at the Site.

9.4 WATER SUPPLY/LEAD IN DRINKING WATER

Based on the Site buildings' construction date of approximately 1973, it is possible that lead solder was used during construction of plumbing fixtures.

9.5 RADON

Radon is a colorless, tasteless, radioactive gas with an EPA-specified action level of 4.0 picocuries per liter of air. Radon gas has a short half-life of 3.8 days. The health risk potential of radon is associated with its rate of accumulation within confined areas, particularly those near or in the ground such as basements, where vapors can readily transfer from the ground to indoor air through foundation cracks or other pathways.

According to the EDR Report, the Site is in EPA Radon Zone 2, with predicted average indoor screening levels of between 2.0 and 4.0 picocuries per liter. The EPA zone designation reflects the average short-term radon measurement that can be expected to be measured in a building without implementation of radon-control methods. Based on the EPA designation, radon is unlikely to pose an environmental concern to Site occupants.

9.6 WATER INTRUSION

Farallon inspected visually accessible building materials for evidence of water damage during the site reconnaissance. No visible evidence of water-damaged building materials was observed. Farallon did not detect high-humidity areas in the buildings that would suggest moisture concerns.

10.0 PHASE II ESA

In March 2022, Farallon conducted soil and soil vapor sampling at the Site to assess former UST areas and septic systems, and the new building footprint for the potential for vapor intrusion issues. The scope of work for the Phase II ESA portion of this assessment included the advancement of 12 borings and installation of 10 temporary soil vapor probe locations with single- or multi-depth nested vapor points for the collection of soil and soil vapor samples.

The general scope of work was proposed and authorized in the letter regarding Proposal for Subsurface Investigation, 5355 East Airport Drive, Ontario, California dated February 14, 2022, from Kathy Lehnus and Scott Allin of Farallon to Julia Smith of Prologis.

Sample locations are provided on Figures 2 and 3, with limited analytical data presented on Figure 3. Sampling rationale and analytical data from the sampling are included in Tables 1 through 5.

10.1 PERMITTING

No permitting was required for this work.

10.2 HEALTH AND SAFETY

Prior to conducting field investigation activities, a health and safety plan compliant with the requirements of the Occupational Safety and Health Act of 1970 and 8 CCR 3203 was prepared. Additionally, in accordance with Farallon health and safety policy, personal protection equipment precautions related to COVID-19 were implemented for field personnel during field activities.

Prior to commencement of drilling activities, Farallon marked the proposed boring locations at the Site and contacted Dig Alert for public utility notice. Farallon also engaged a private utility location service to screen the proposed boring locations for utilities that may be encountered during advancement with hand tools and direct-push drilling.

10.3 GEOPHYSICAL SURVEY

Farallon oversaw the completion of a geophysical survey at several areas at the Site to attempt to locate former UST areas and reported septic tank areas. No underground structures were found in the survey areas, with the exception of two connected septic tanks northeast of Building B: one north of the building and one east of the building. A vapor point was advanced at the northern septic tank (SVP-10). The septic system east of the building was not accessible (in fenced area). It could not be determined whether the two septic tanks were connected.

10.4 BORING LOCATIONS AND SAMPLING RATIONALE

Borings SB-1 and SVP-1 were advanced in the vicinity of the two former 12,000-gallon petroleum USTs on the northern portion of the Site to confirm conditions at the former USTs and assess soil vapor beneath the proposed building footprint. Borings SVP-2, SVP-3, and SVP-4 were advanced

on the central portion of the Site to assess soil vapor beneath the proposed building footprint. Borings SB-2 and SVP-5 were advanced in the vicinity of the former 12,000-gallon petroleum USTs on the central-eastern portion of the Site to confirm conditions at the former UST and assess soil vapor beneath the proposed building footprint. Boring SVP-6 was advanced at the vehicle wash-down area with sump to assess this area and the soil vapor beneath the proposed building footprint. Borings SVP-7, SVP-8, and SVP-9 were advanced west of Building B, and sub-slab points SS-1 and SS-2 were advanced beneath Building B to assess former PCE impacts encountered in soil vapor in these areas. Boring SVP-10 was advanced to the northwest of Building B to assess the likely location of the septic system associated with the building. Boring locations and rationale are presented in Table 1.

10.5 BORING ADVANCEMENT AND SOIL SAMPLING

For health and safety reasons, the borings were advanced using a hand auger to a depth of 5 feet bgs and subsequently completed to target (or attainable) depths with a direct-push drill rig. Concrete and asphalt coverings were cored prior to advancing the borings. Soil encountered during the investigation was described as silty fine to medium sand to a total explored depth of 10 feet bgs, with an apparent coarse sand and gravel layer at 10 feet bgs (and as shallow as 5 feet bgs on the eastern portion of the Site at boring SB-2). Groundwater was not encountered during drilling.

The soils were visually inspected and screened by a Farallon Scientist using a photoionization detector and were described and logged using the United Soil Classification System (Modified). No elevated photoionization detector readings or visual or olfactory evidence of a release were documented during the sampling activities.

Select soil samples were submitted under standard chain-of-custody protocols to Jones Environmental, Inc. of Santa Fe Springs, California for analysis of VOCs by EPA Method 8260 and TPH as gasoline (TPH-g) by EPA Method 8015M using EPA Method 5035 for preservation. In addition, select soil samples were analyzed for the presence of TPH as diesel (TPH-d) and TPH as oil (TPH-o) by EPA Method 8015M, and for California Administration Manual metals by EPA Method 6010B. The full soil sampling schedule is provided in Table 1.

10.6 SOIL VAPOR PROBE CONSTRUCTION AND SAMPLING

A total of 14 soil temporary soil vapor probes were installed in 10 soil vapor borings at locations SVP-1 through SVP-10. In general, soil vapor probes were installed at a depth of 4 feet bgs throughout the proposed building footprint, with some deeper probes installed at depths of 8 and 10 feet bgs to assess targeted deeper potential source areas. Soil vapor probe final installation depths are provided in Table 1.

On March 11, 2022, soil gas probe installation was performed in accordance with the *Advisory: Active Soil Gas Investigations* dated July 2015, prepared by the California Environmental Protection Agency (Soil Gas Advisory). The probes consisted of an Airstone microporous vapor implant (or equivalent) connected to 0.25-inch-outside-diameter Nylaflow tubing, finished at the surface with temporary plugs. The annulus around the vapor implant was backfilled with

approximately 0.5 foot of screen-washed No. 3 sand, followed by 6 inches of hydrated granular bentonite to create a seal from the top of the sand to near surface.

The soil gas probes were allowed to equilibrate for 1 week prior to sample collection. Farallon contracted with Jones Environmental Inc. of Santa Fe Springs, California to perform soil gas sampling and analyze samples with its on-Site mobile laboratory. Prior to sample collection, a shut-in test was conducted in accordance with Section 4.2.1 of the Soil Gas Advisory; purging was conducted in accordance with Section 4.2.3 of the Soil Gas Advisory.

The soil vapor samples were collected into glass syringes at a rate of no more than 200 milliliters per minute. A mixture of n-pentane, n-hexane, and n-heptane was used as tracer compounds, which was applied to rags and set at each sample fitting during sample collection; the tracer compounds were not detected in the sub-slab soil vapor samples.

10.7 SUMMARY OF SOIL SAMPLING RESULTS

Soil analytical results are summarized below with a comparison with the Los Angeles Regional Water Quality Control Board Maximum Soil Screening Levels for properties with groundwater at a depth greater than 150 feet bgs (for TPH in soil), and with the California Department of Toxic Substances Control (DTSC) CA-Modified Regional Screening Levels (RSLs) and EPA RSLs (in the event that DTSC CA-Modified RSLs are not available) for industrial soil (for metals in soil). Soil sampling results are summarized as follows:

- No TPH or VOCs were detected exceeding laboratory detection limits in the soil samples collected from the Site.
- Low concentrations of naturally occurring metals including barium, cadmium, cobalt, chromium, copper, nickel, lead, vanadium, and zinc were detected in two soil samples submitted for analysis (location SVP-6 from depths of 4 and 8 feet bgs). These concentrations were considerably less than screening levels.

Soil analytical results are tabulated in Tables 2 through 4. Soil analytical reports are attached in Appendix G.

10.8 SUMMARY OF SOIL VAPOR SAMPLING RESULTS

Soil vapor analytical results from the Phase II ESA are summarized below. These results were compared with DTSC calculated SGSLs using CA-Modified RSLs or EPA RSLs for indoor air with an attenuation factor of 0.03 or 0.001 for commercial/industrial settings, with an attenuation factor of 0.05 used for sub-slab soil vapor samples.

- PCE was detected in several of the soil vapor samples collected from the Site, as indicated below:
    - PCE was detected in sub-slab soil vapor at concentrations of 220 and 170 µg/m^3, exceeding calculated screening levels.

- PCE was detected at concentrations ranging between 24 and 247 µg/m^3 in soil gas samples collected from the soil vapor borings west and northwest of Building B (SVP-5, SVP-7, SVP-8, and SVP-9). The concentrations of PCE in soil vapor samples exceeded the calculated screening level using the 0.03 attenuation factor (but were less than the less conservative attenuation factor) in three of the four samples at the targeted 4-foot investigation zone.
- PCE was detected in shallow soil vapor in central and eastern portions of the planned building slab area at concentrations less than calculated screening levels.
- The soil vapor sample collected from a depth of 10 feet bgs at SVP-1 at the two former 12,000-gallon diesel USTs at the grain mill area contained PCE at a concentration of 157 µg/m^3, exceeding the calculated screening level using the 0.03 attenuation factor (but less than the less conservative attenuation factor). Shallow soil vapor from this area contained PCE at considerably less concentrations than the calculated screening level using the 0.03 attenuation factor.

- A trace concentration of dichlorodifluromethane was detected exceeding laboratory reporting limits in soil vapor sample SVP-10-8; however, this concentration (60 µg/m^3) did not exceed the Industrial SGSL and was not found in other samples.
- Low concentrations of toluene were detected at concentrations exceeding laboratory reporting limits in the soil vapor samples collected at the Site; however, none of these concentrations exceeded the Industrial SGSL for toluene (as high as 1,300,000 µg/m^3). The maximum toluene concentration was reported as 106 µg/m^3.
- No other VOCs were detected at concentrations exceeding laboratory reporting limits.

The results for the soil gas samples are considered valid because the tracer compounds were not detected in the samples.

Based on the sampling results, PCE has been documented in soil vapor in the vicinity of Building B at concentrations exceeding screening levels, and PCE is also present in central and eastern portions of the Site in shallow zones at concentrations less than calculated screening levels.

Soil vapor analytical results are summarized in Table 5. Soil vapor analytical reports are attached in Appendix G.

10.9 WASTE HANDLING DISPOSAL

Soil cuttings and decontamination water were accumulated into one 55-gallon drum. The drum was sampled and is currently being profiled for disposal. Waste disposal information can be forwarded when available.

11.0 SUMMARY AND CONCLUSIONS

Farallon conducted a Phase I/II ESA for 5355 East Airport Drive in Ontario, California in conformance with the scope and limitations of ASTM E1527-13 and -21. Any exceptions to or deletions from this practice are described in Section 1.5, Deviations.

The Phase I ESA indicated that the Site consists of two parcels totaling 14.2 acres: Assessor Parcel No. 0238-052-20 (Eastern Parcel), and Assessor Parcel No. 0238-052-29 (Western Parcel). The Site is occupied by George Verhoeven Grain Inc. (dba Verhoeven Grain Inc.) and The Scoular Company, grain processing companies. Operations consist of the processing of raw grain, which is received by truck or by rail from the rail line north of the Site. The exact location of the rail line and associated spurs with respect to the northern Site boundary could not be confirmed in available files. Former petroleum USTs in two areas, former and active septic systems, and a vehicle maintenance garage (Building B) were found in association with the Site during the Phase I ESA portion of this assessment.

According to the Partner 2016 Phase II Report, 26 borings were advanced at depths between 1 and 25 feet bgs for the collection of soil and/or soil gas samples. Analytical results of soil gas samples indicated detections of VOCs including tetrachloroethene, trichloroethene, toluene, ethylbenzene, and xylenes. The concentrations of these detectable results were less than the residential and commercial/industrial calculated SGSLs at the time of the report beneath and west of Building B. However, the concentrations of PCE detected in five of the six soil gas samples contained PCE exceeding current commercial/industrial calculated SGSLs; these samples were collected from beneath and west of building B. Additionally, in comparison with the "low level" ethylbenzene SGSL, the ethylbenzene concentration in one soil vapor sample from this area exceeded the calculated soil gas commercial/industrial screening level of 163 $\mu g/m^3$.

In March 2022, Farallon conducted soil and soil vapor sampling at the Site to assess former UST areas and septic systems, and the new building footprint for the potential for vapor intrusion issues. No underground structures were found in the survey, with the exception of the two septic tanks northeast of Building B. The scope of work for the Phase II ESA portion of this assessment included the advancement of 12 soil borings and installation of 10 temporary soil vapor probe locations with single- or multi-depth nested vapor points and two sub-slab soil vapor sampling points for the collection of soil and/or soil vapor samples. The Phase II ESA portion of this assessment was conducted on March 4 and 11, 2022.

No TPH or VOCs were detected exceeding laboratory detection limits in the soil samples collected from the Site. Low concentrations of naturally occurring metals including barium, cadmium, cobalt, chromium, copper, nickel, lead, vanadium, and zinc were detected in two soil samples submitted for analysis; these concentrations were considerably less than screening levels.

Based on sub-slab soil vapor data, soil vapor beneath the slab at Building B contains PCE exceeding calculated screening levels. PCE is present west of Building B at concentrations exceeding current calculated industrial screening levels using the 0.03 attenuation factor, but less than screening levels using the less conservative attenuation factors. PCE was also detected in

shallow soil vapor in the central and eastern portions of the Site at concentrations less than calculated screening levels in the shallow zones assessed. One concentration of PCE was detected exceeding calculated screening levels in the deeper sample collected from the vicinity of the two former 12,000-gallon USTs north of the grail mill area; the shallow soil vapor collected from this boring did not contain PCE exceeding calculated screening levels. The extent of PCE in soil vapor was not fully characterized.

Based on review of the Site history, including subsurface investigation reports, interviews with persons knowledgeable about the Site, reconnaissance of the Site, review of regulatory agency lists, and the completion of subsurface investigation at the Site, this Phase I/II ESA identified the following recognized environmental condition in connection with the Site:

- PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Site.

In addition, Farallon identified the following historical recognized environmental conditions in association with the Site:

- Previous environmental reports note that one or more USTs were historically located west of Building B. Farallon was not able to find information regarding the UST in regulatory files, but did find some information regarding three to four diesel and unleaded gasoline USTs ranging in capacity from 4,000 to 10,000 gallons at unspecified locations at the Site preceding the presence of the three known 12,000-gallon USTs (noted in the grain mill area and southeast of Building C). In 2016, Partner conducted a subsurface investigation in this area and did not identify evidence of a petroleum release.
- In 2002, Tank Specialists of California removed a 12,000-gallon diesel steel UST and fuel dispenser mapped southeast of Building C. According to the letter regarding Soil Sampling Following the Removal of an Underground Storage Tank – Coast Grain Co., 5355 E. Airport Drive, Ontario, California dated December 18, 2002, from Advanced GeoEnvironmental, Inc., three confirmatory soil samples were collected beneath the bottom of the UST after removal, and soil samples were collected from stockpiles. The soil samples were analyzed for TPH as diesel; benzene, toluene, ethylbenzene, and xylenes; and methyl tertiary-butyl ether. Minor petroleum impacts were noted in stockpiled soil (800 milligrams per kilogram of TPH as diesel), which was reportedly used as backfill for the excavation. No constituents of concern were detected in the confirmatory soil samples collected from beneath the UST. Advanced GeoEnvironmental, Inc. recommended that SBCFD Hazardous Materials Division issue closure of the UST; and the letter regarding Removal of One Underground Storage Tank at Coast Grain Inc., Located at 5355 E. Airport Drive, Ontario, California dated January 8, 2002, from SBCFD was issued indicating that further investigation was not warranted.
- Based on sampling conducted as part of this Phase I/II ESA, no release was found in connection with the two 12,000-gallon "fuel storage" USTs historically located at the grain mill, which were removed from the Site in 1998. A No Further Action determination issued by SBCFD indicated that residual impacts were present, although "below that which is

generally considered a problem." PCE was detected in a shallow soil vapor sample collected from this area at a concentration less than calculated screening levels.

The vehicle wash-down area located north of Building B was used for washing trucks (including molasses transportation trucks) and is no longer used. According to Site personnel, only truck exteriors were washed (not engines). Given the nature of use and that wash water was routed to an AST, with no discharge, the vehicle wash-down area is considered a de minimis condition for the Site. No release was found in the vicinity of the septic tanks located east of Building B, which provides a disposal pathway for a building that is known to have used chlorinated solvents and vehicular fluids.

Because two or three potential on-Site septic systems on the Western Parcel, located north of Building A and southeast of Building E, appear to be used for domestic sewer, with limited hazardous material use in the proximity that could be introduced to the septic systems as a release pathway, the presence of those septic systems is considered a de minimis condition for the Site. Additionally, the presence of petroleum ASTs with secondary containment and/or no evidence of leaking, rail spurs within or along the northern property boundary, transformers with no evidence of leaking, and underground grain conveyance systems are considered de minimis conditions for the Site. Further, based on the location and nature of use (boiler blow-down), the former brine pond located in the vicinity of the northern property line is also considered a de minimis condition for the Site.

At the request of Prologis, Farallon has included additional opinions and recommendations for the Site beyond those specified in ASTM E1527-13 and -21 for de minimis and recognized environmental conditions.

Based on the findings from this Phase I/II ESA, Farallon recommends preparation of a Media Management Plan for use during Site redevelopment to address any unexpected impacts to soil associated with historical activities at the Site, and to address any issues related to the former brine pond, underground grain conveyance systems, septic systems, and former USTs at the Site. Additionally, because PCE has been documented in soil vapor in the vicinity of Building B at concentrations exceeding calculated screening levels, and PCE was detected at concentrations in shallow soil vapor less than the calculated RSLs in other soil gas samples collected at the Site, the potential for vapor intrusion issues into the planned new Site building should be addressed. Additional investigation and characterization are recommended to delineate and design mitigation measures for PCE in soil vapor that may impact indoor air in the future building.

12.0 REFERENCES

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13.0 LIMITATIONS

13.1 GENERAL LIMITATIONS

The conclusions contained in this report/assessment are based on professional opinions with regard to the subject matter. These opinions have been arrived at in accordance with currently accepted hydrogeologic and engineering standards and practices applicable to this location. The conclusions contained herein are subject to the following inherent limitations:

- **Accuracy of Information.** Farallon obtained, reviewed, and evaluated certain information used in this report/assessment from sources that were believed to be reliable. Farallon's conclusions, opinions, and recommendations are based in part on such information. Farallon's services did not include verification of its accuracy or authenticity. Should the information upon which Farallon relied prove to be inaccurate or unreliable, Farallon reserves the right to amend or revise its conclusions, opinions, and/or recommendations.
- **Reconnaissance and/or Characterization.** Farallon performed a reconnaissance and/or characterization of the Site that is the subject of this report/assessment to document current conditions. Farallon focused on areas deemed more likely to exhibit hazardous materials conditions. Contamination may exist in other areas of the Site that were not investigated or were inaccessible. Site activities beyond Farallon's control could change at any time after the completion of this report/assessment.

For the foregoing reasons, Farallon cannot and does not warrant or guarantee that the Site is free of hazardous or potentially hazardous substances or conditions, or that latent or undiscovered conditions will not become evident in the future. Farallon's observations, findings, and opinions can be considered valid only as of the date of the report.

This report/assessment has been prepared in accordance with the contract for services between Farallon and Prologis, Inc. and currently accepted industry standards. No other warranties, representations, or certifications are made.

13.2 LIMITATION ON RELIANCE BY THIRD PARTIES

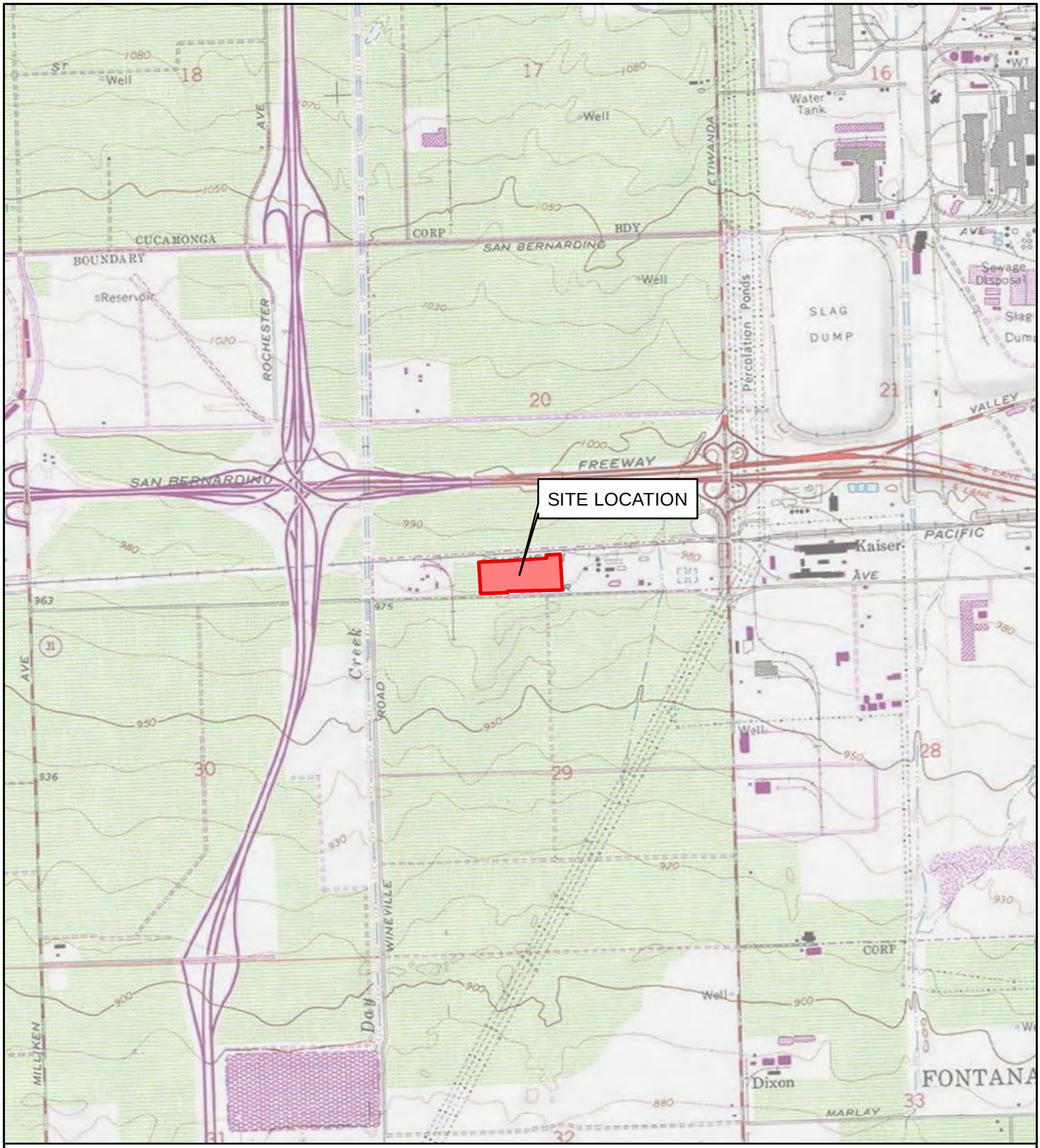
Reliance by third parties is prohibited. This report/assessment has been prepared for the exclusive use of Prologis, Inc. to address the unique needs of Prologis, Inc. at the Site at a specific point in time.

This is not a general grant of reliance. No one other than Prologis, Inc. may rely on this report unless Farallon agrees in advance to such reliance in writing. Any unauthorized use, interpretation, or reliance on this report/assessment is at the sole risk of that party, and Farallon will have no liability for such unauthorized use, interpretation, or reliance.

FIGURES

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)



REFERENCE: 7.5 MINUTE USGS QUADRANGLE GUASTI, CALIFORNIA, DATED 2013



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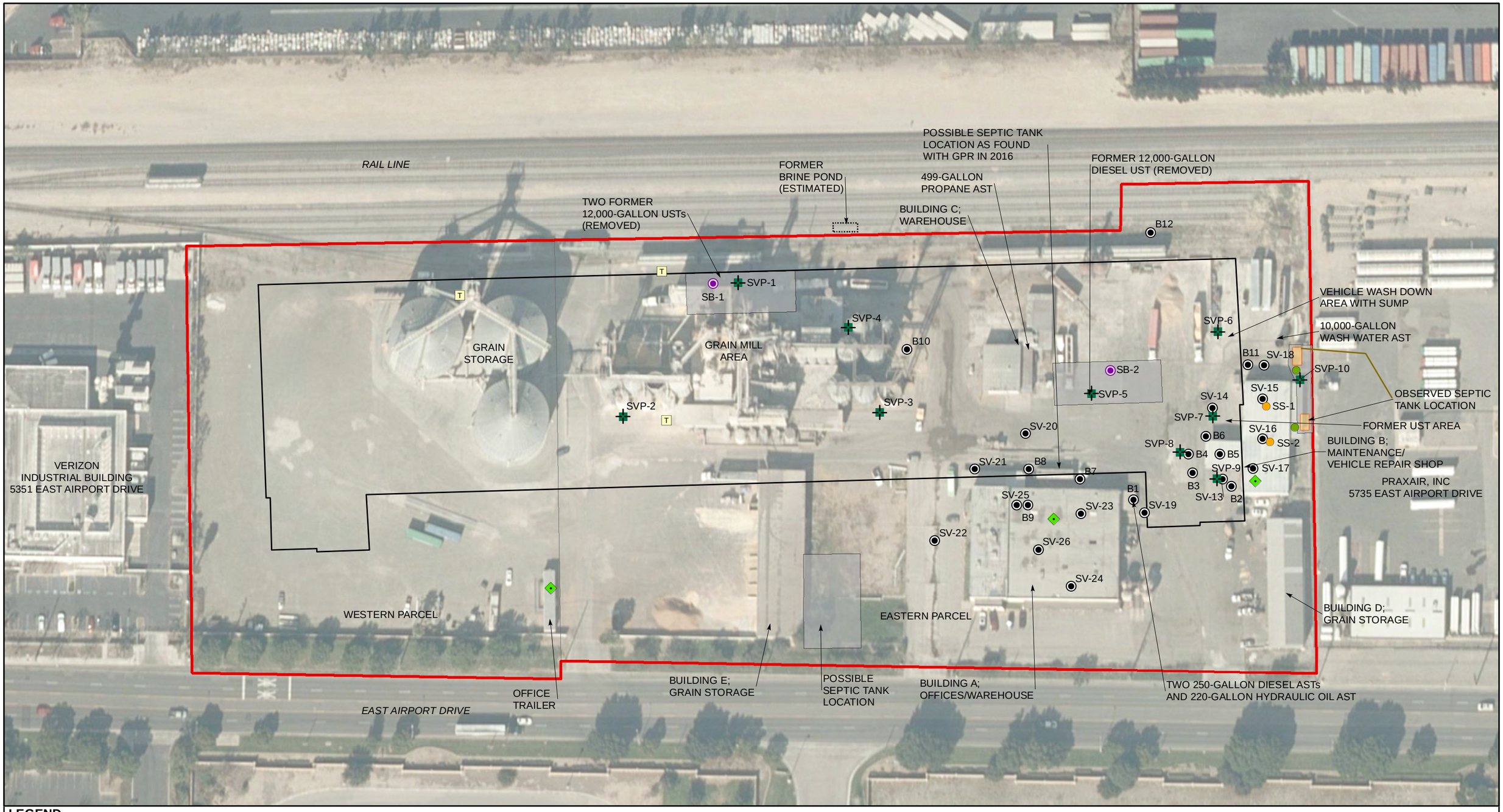
California
Oakland | Irvine

FIGURE 1

SITE VICINITY MAP
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: sgaynier Checked By: HH Date: 12/23/2021 Disc Reference:
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LEGEND

- SOIL VAPOR PROBE (FARALLON, 2022)
- GRAB SAMPLE (FARALLON, 2022)
- BORING (FARALLON, 2022)
- BORING (PARTNER, 2016)
- HAZARDOUS MATERIALS STORAGE AREA
- SEPTIC TANK
- TRANSFORMER
- FORMER SITE FEATURE
- OBSERVED TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- PROPOSED BUILDING FOOTPRINT
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

GPR SURVEY AREA - 2022 (NO UST FOUND)
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
AST = ABOVEGROUND STORAGE TANK

NOTES:
1. ALL LOCATIONS ARE APPROXIMATE.
2. FIGURES WERE PRODUCED IN COLOR. GRAYSCALE COPIES MAY NOT REPRODUCE ALL ORIGINAL INFORMATION.

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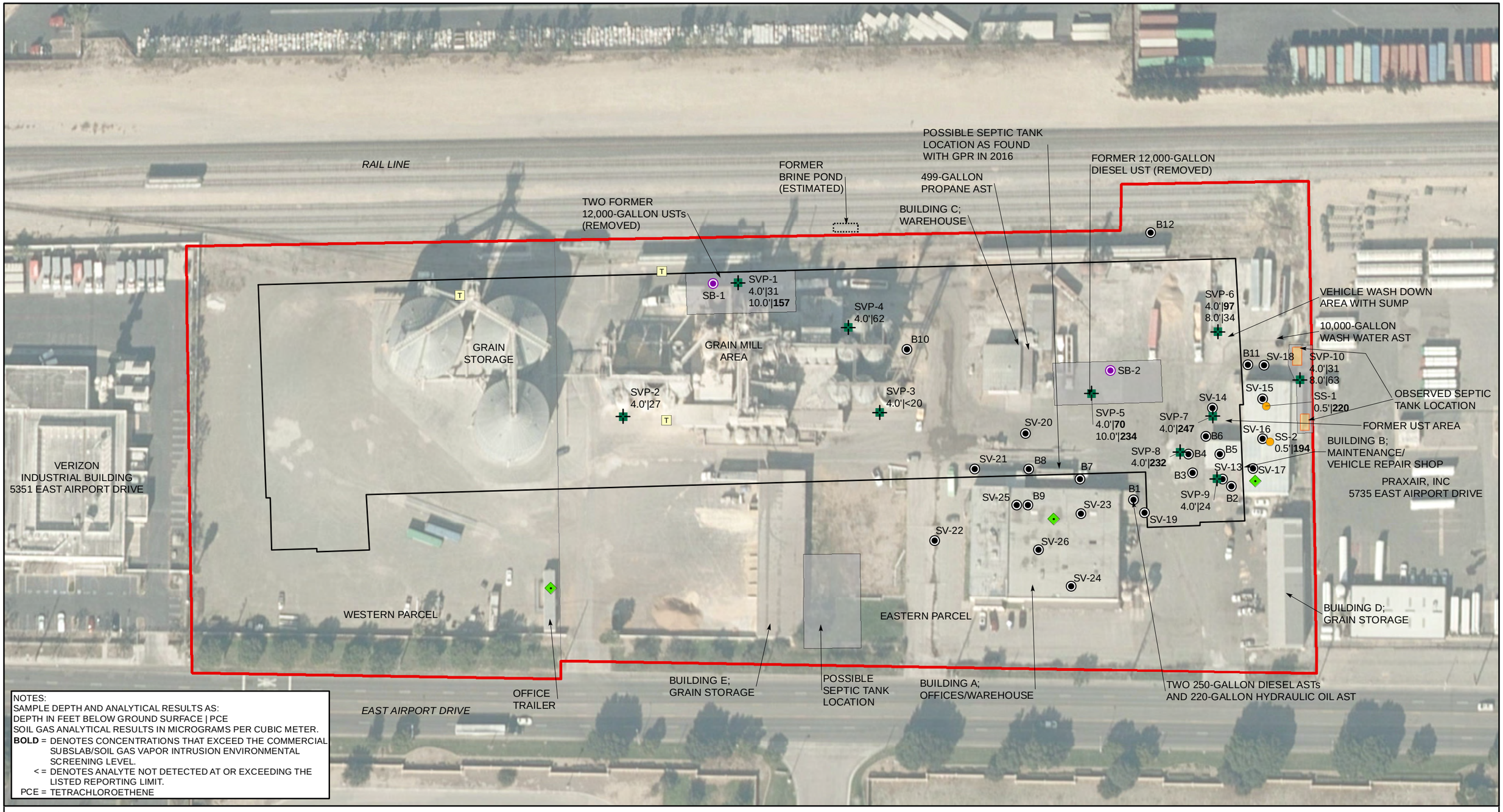
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FIGURE 2

SITE PLAN AND SAMPLING LOCATIONS
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: jjones
Checked By: KL
Date: 3/24/2022
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NOTES:
SAMPLE DEPTH AND ANALYTICAL RESULTS AS:
DEPTH IN FEET BELOW GROUND SURFACE | PCE
SOIL GAS ANALYTICAL RESULTS IN MICROGRAMS PER CUBIC METER.
BOLD = DENOTES CONCENTRATIONS THAT EXCEED THE COMMERCIAL SUBSLAB/SOIL GAS VAPOR INTRUSION ENVIRONMENTAL SCREENING LEVEL.
< = DENOTES ANALYTE NOT DETECTED AT OR EXCEEDING THE LISTED REPORTING LIMIT.
PCE = TETRACHLOROETHENE

LEGEND

- SOIL VAPOR PROBE (FARALLON, 2022)
- GRAB SAMPLE (FARALLON, 2022)
- BORING (FARALLON, 2022)
- BORING (PARTNER, 2016)
- HAZARDOUS MATERIALS STORAGE AREA
- T TRANSFORMER
- FORMER SITE FEATURE
- PROPOSED BUILDING FOOTPRINT
- OBSERVED TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

GPR SURVEY AREA - 2022 (NO UST FOUND)
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
AST = ABOVEGROUND STORAGE TANK

NOTES:
1. ALL LOCATIONS ARE APPROXIMATE.
2. FIGURES WERE PRODUCED IN COLOR. GRAYSCALE COPIES MAY NOT REPRODUCE ALL ORIGINAL INFORMATION.

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FIGURE 3

PCE IN SOIL VAPOR
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-002

Drawn By: jjones | Checked By: KL | Date: 3/24/2022 | Disc Refer
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TABLES

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

Table 1
Sampling Rationale
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample ID	Location	Rationale	Matrix Sampled	Boring Depth (feet bgs)	Sample Depth and Analysis (feet bgs)
SB-1	Former 12,000-gallon petroleum USTs (two)*	To assess former USTs and assess the potential for soil vapor under the future building	Soil	10	10 feet VOCs, TPH
SVP-1			Soil		10 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g 10 feet VOCs, TPH-g
SVP-2	Planned New Building Footprint	Assess the potential for soil vapor under the future building	Soil	4	4 feet VOCs, TPH-g
			Soil Vapor		4 feet VOCs, TPH-g
SVP-3			Soil	4	4 feet VOCs, TPH-g
			Soil Vapor		4 feet VOCs, TPH-g
SVP-4			Soil	4	4 feet VOCs, TPH-g
			Soil Vapor		4 feet VOCs, TPH-g
SB-2	Former 12,000-gallon diesel UST east of Building C	To assess the former UST and assess the potential for soil vapor under the future building	Soil	10	10 feet VOCs, TPH
SVP-5			Soil	10	10 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g 10 feet VOCs, TPH-g
SVP-6	Vehicle wash-down area with sump	To assess the vehicle wash-down area with sump and assess the potential for soil vapor under the future building	Soil	8	4 feet VOCs, TPH, Metals 8 feet VOCs, TPH, Metals
			Soil Vapor		4 feet VOCs, TPH-g 8 feet VOCs, TPH-g
SVP-7	Former PCE impacts	Assess the potential for soil vapor under the future building	Soil	4	4 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g
SVP-8	Former PCE impacts	Assess the potential for soil vapor under the future building	Soil	4	4 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g
SVP-9	Former PCE impacts	Assess the potential for soil vapor under the future building	Soil	4	4 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g
SVP-10	Building B Septic System	Assess the Building B Septic System	Soil	8	8 feet VOCs, TPH
			Soil Vapor		4 feet VOCs, TPH-g 8 feet VOCs, TPH-g
SS-1	Former PCE impacts	Assess current subslab conditions under Building B and to assess the potential for soil vapor under the future building	Soil Vapor	SS	0.5 foot VOCs, TPH-g
SS-2	Former PCE impacts		Soil Vapor	SS	0.5 foot VOCs, TPH-g

NOTES:
SS = subslab
TPH = total petroleum hydrocarbons
TPH-g = total petroleum hydrocarbons as gasoline
UST = underground storage tank
VOCs = volatile organic compounds
bgs = below ground surface
PCE = tetrachloroethene

3470

Table 2
Summary of Volatile Organic Compounds in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per kilogram)[2]					
				Tetrachloroethene	Benzene	Toluene	Ethylbenzene	Total Xylenes	Other VOCs
SB-1	SB-1-10'	10.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SB-2	SB-1-10'	10.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-1	SVP-1-10'	10.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-2	SVP-2-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-3	SVP-3-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-4	SVP-4-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-5	SVP-5-10'	10.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-6	SVP-6-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
	SVP-6-8'	8.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-7	SVP-7-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-8	SVP-8-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-9	SVP-9-4'	4.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
SVP-10	SVP-10-8'	8.0	3/4/2022	< 1.0	< 1.0	< 1.0	< 1.0	< 3.0	ND
Commercial/Industrial Soil RSL[3]				**2,700**	**1,400**	**5.3E+06**	**25,000**	**2.5E+06**	**NA**

NOTES:

Results in **bold** and highlighted yellow denote concentrations exceeding applicable RSLs for the current property use (industrial/commercial).

< denotes analyte not detected at or exceeding the reporting limit listed.

[1]Depth in feet below ground surface.

[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8260B. Only detected VOCs shown in table; see lab report for full list of analytes.

[3]June 2020 Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, April 2020 EPA RSLs were used and noted in blue text.

NA = not applicable
ND = not detected above the laboratory reporting limit
NE = not established
RSL = Regional Screening Level
VOCs = volatile organic compounds

Table 3
Summary of Total Petroleum Hydrocarbons in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (milligrams per kilogram)[2]		
				TPH-g (C4 - C12)	TPH-d (C13 - C22)	TPH-o (C23 - C40)
SB-1	SB-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SB-2	SB-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-1	SVP-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-2	SVP-2-4'	4.0	3/4/2022	< 0.20	---	---
SVP-3	SVP-3-4'	4.0	3/4/2022	< 0.20	---	---
SVP-4	SVP-4-4'	4.0	3/4/2022	< 0.20	---	---
SVP-5	SVP-5-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-6	SVP-6-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
	SVP-6-8'	8.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-7	SVP-7-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-8	SVP-8-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-9	SVP-9-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-10	SVP-10-8'	8.0	3/4/2022	< 0.20	< 10.0	< 10.0
MSSL (< 20 feet Above Groundwater)[3]				**100**	**100**	**1,000**
MSSL (20-150 feet Above Groundwater)[3]				**500**	**1,000**	**10,000**
MSSL (> 150 feet Above Groundwater)[3]				**1,000**	**10,000**	**50,000**

NOTES:

Results in **bold** and highlighted yellow denote concentrations exceeding applicable RSLs for the current property use (industrial/commercial).

< denotes analyte not detected at or exceeding the reporting limit listed.

--- denotes sample not analyzed.

[1]Depth in feet below ground surface.

[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8015M.

[3]Los Angeles Regional Water Quality Control Board April 27, 2004 MSSLs for groundwater at depths of less than 20 feet, 20 to 150 feet, and greater than 150 feet below ground surface.

C = carbon range (number of carbons)
MSSL = maximum soil screening level
TPH-d = total petroleum hydrocarbons as diesel
TPH-g = total petroleum hydrocarbons as gasoline
TPH-o = total petroleum hydrocarbons as oil

Table 4
Summary of Metals in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sample Identification	Sample Depth (feet) [1]	Sample Date	Analytical Results (milligrams per kilogram)2									
				Barium	Cadmium	Chromium	Cobalt	Copper	Lead	Nickel	Vanadium	Zinc	Other Metals
SVP-6	SVP-6-4'	4.0	3/4/2022	61.2	0.9	8.2	5.2	5.9	1.1	5.2	24.6	26.5	ND
	SVP-6-8'	8.0	3/4/2022	59.6	0.9	8.5	5.2	6.0	1.2	5.2	23.1	27.0	ND
Residential Soil RSL[3]				**15,000**	**2,100**	**NE**	**23**	**3,100**	**80**	**15,000**	**390**	**23,000**	Various
Industrial Soil RSL[3]				**220,000**	**9,300**	**NE**	**350**	**47,000**	**320**	**64,000**	**1,000**	**350,000**	Various

NOTES:

Results in **bold** and highlighted yellow denote concentrations exceeding applicable RSLs for the current property use (industrial/commercial).

< denotes analyte not detected at or exceeding the reporting limit listed.

--- denotes sample not analyzed.

[1]Depth in feet below ground surface.

[2]California Administrative Manual (CAM) Priority Pollutant List (PPL) 17 metals analyzed by U.S. Environmental Protection Agency (EPA) Method 6010B by 3050B; mercury analyzed by EPA Method 7471A.

[3]June 2020 Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, May 2020 EPA RSLs were used and noted in blue text.

Table 5
Summary of Volatile Organic Compounds in Soil Vapor
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sample Identification	Sample Depth (feet)[1]	Sample Date	AF	Analytical Results (micrograms per cubic meter)[2]				
					PCE	Dichloro difluoro-methane	Toluene	TPH-g	Other VOCs
Sub-slab Samples									
SS-1	SS-1	0.5	3/11/2022	---	**220**	< 40	< 20	< 5,000	ND
SS-2	SS-2	0.5	3/11/2022	---	**194**	< 40	< 20	< 5,000	ND
Industrial SGSL For Sub-Slab[3]				**0.05**	**40**	**8800**	**26000**	**50000**	**Varies**
Soil Vapor Samples									
SVP-1	SVP-1-4'	4.0	3/11/2022	---	**31**	< 40	**21**	< 5,000	ND
	SVP-1-10'	10.0	3/11/2022	---	**157**	< 40	**21**	< 5,000	ND
SVP-2	SVP-2-4'	4.0	3/11/2022	---	**27**	< 40	**34**	< 5,000	ND
SVP-3	SVP-3-4'	4.0	3/11/2022	---	< 20	< 40	**78**	< 5,000	ND
	SVP-3-4'REP	4.0	3/11/2022	---	< 20	< 40	**45**	< 5,000	ND
SVP-4	SVP-4-4'	4.0	3/11/2022	---	**62**	< 40	**80**	< 5,000	ND
	SVP-4-4'REP	4.0	3/11/2022	---	**57**	< 40	**46**	< 5,000	ND
SVP-5	SVP-5-4'	4.0	3/11/2022	---	**70**	< 40	**83**	< 5,000	ND
	SVP-5-10'	10.0	3/11/2022	---	**234**	< 40	< 20	< 5,000	ND
SVP-6	SVP-6-4'	4.0	3/11/2022	---	**97**	< 40	**106**	< 5,000	ND
	SVP-6-8'	8.0	3/11/2022	---	**34**	< 40	**65**	< 5,000	ND
SVP-7	SVP-7-4'	4.0	3/11/2022	---	**247**	< 40	**91**	< 5,000	ND
SVP-8	SVP-8-4'	4.0	3/11/2022	---	**232**	< 40	**89**	< 5,000	ND
SVP-9	SVP-9-4'	4.0	3/11/2022	---	**24**	< 40	**87**	< 5,000	ND
SVP-10	SVP-10-4'	4.0	3/11/2022	---	**31**	< 40	**60**	< 5,000	ND
	SVP-10-8'	8.0	3/11/2022	---	**63**	**60**	**47**	< 5,000	ND
Industrial SGSL For Soil Vapor[3]				**0.001**	**2000**	**440000**	**1,300,000**	**2,600,000**	**Varies**
Calculated SGSL with 2015 Attenuation Factor (Industrial)[3]				**0.03**	**67**	**14667**	**43,333**	**86,667**	**Varies**

NOTES:

Results in **bold** denote concentrations detected above the laboratory reporting limit.
Results in **bold** and highlighted yellow denote concentrations exceeding applicable RSLs for the current property use (industrial/commercial).
< denotes analyte not detected at or exceeding the reporting limit listed.
--- denotes not applicable

[1]Depth in feet below ground surface.
[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8260B. Only detected VOCs shown in table; see lab report for full list of analytes.
[3]Calculated soil gas screening levels (SGSLs) were derived by dividing the April 2020 Department of Toxic Substances Control (DTSC) or June 2021 EPA Regional Screening Levels (shown in blue) for VOCs, and January 2019 SFBWQCB Environmental Screening Levels (ESLs) for TPH-g for indoor air by the noted attenuation factor.

ND = not detected at or above the laboratory reporting limit
PCE = Tetrachloroethylene
AF = Attenuation Factor

APPENDIX A
PROFESSIONAL QUALIFICATIONS

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

BRANT ROTNEM
Staff Geologist

BA Environmental Policy
13 years' experience

Brant Rotnem is an Environmental Professional with over 13 years of experience in the environmental consulting industry. Professional experience includes project management, site inspection in support of environmental due diligence, and preparation of over 1,000 Phase I Environmental Site Assessment Reports. Brant also has prepared Transaction Screen Analyses, Limited Environmental Site Assessments, database reviews, peer reviews, and additional due diligence scopes.

KATHY LEHNUS, L.E.P., P.G.
Senior Geologist

BSc Environmental Science
MSc Applied Geology
24 years' experience

Kathy Lehnus has 24 years of experience in the environmental consulting industry. Her professional experience includes conducting Phase I and Phase II Environmental Site Assessments, managing investigation and remediation projects led by the California Department of Toxic Substances Control and California Regional Water Quality Control Boards, investigating environmental impacts on investment portfolios, and providing oversight for soil and groundwater assessments. Kathy's key skills include preparation of investigation and remediation work plans, regulatory navigation, and project quality and process improvement, including developing new policies and updating standard operating procedures.

SCOTT ALLIN, R.E.P.A.
Principal Environmental Scientist

BS Physical Science (Hydrology)
30 years' experience

Scott Allin has 30 years of project and program management experience in the evaluation and reporting of environmental liability associated with the sale or Brownfield redevelopment of impaired properties. He has supported the needs of developers and others in the acquisition of Cost Cap and Finite Risk environmental insurance to manage long-term environmental risks. He has provided clients with value-added due diligence services for single properties and large multimillion-dollar mixed-use portfolios, both nationally and internationally. Scott has provided guidance for evaluating environmental risks during complex mergers and acquisitions; and management services for implementation of remedial actions, asbestos abatement, environmental audit programs, and environmentally sensitive property improvements.

APPENDIX B
SITE PHOTOGRAPHS

PHASE I/PHASE II
ENVIRONMENTAL SITE ASSESSMENT REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

SITE PHOTOGRAPHS

Phase I Environmental Site Assessment Report
5355 East Airport Drive
Ontario, California
Farallon PN: 1071-080 (Task 2)

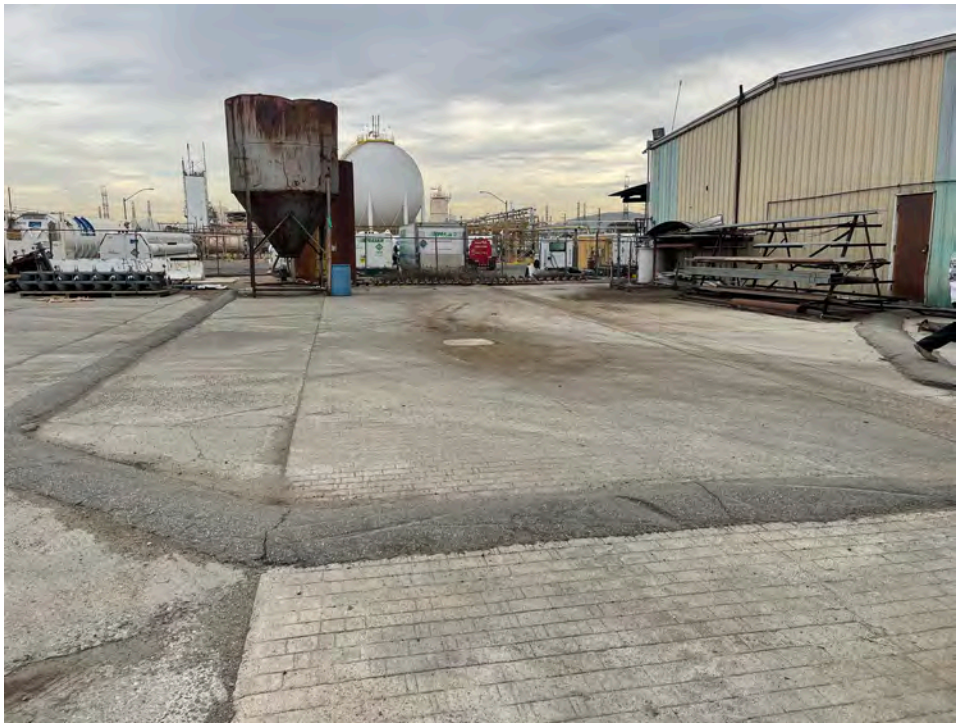
Photograph 1: Verhoeven grain mill.
Photograph 2: Wash water storage tank by truck-washing area.
Photograph 3: Bermed truck-washing area by Building B.
Photograph 4: Sump in truck-washing area.
Photograph 5: Diesel fueling area by Building A.
Photograph 6: Former underground storage tank area by Building B.
Photograph 7: Former underground storage tank area by Verhoeven Building C.
Photograph 8: Former underground storage tank area north of grain mill.
Photograph 9: Hydraulic augers at Scoular grain storage silos.
Photograph 10: Scoular grain storage silos.
Photograph 11: Septic tank location by Building A.
Photograph 12: Rail transloading area.
Photograph 13: Railway offloading area.
Photograph 14: Scoular hazardous materials storage area.
Photograph 15: Verhoeven equipment service area in Building A.
Photograph 16: Hazardous materials storage in Verhoeven equipment service area in Building A.
Photograph 17: Automotive service area in Verhoeven Building B.
Photograph 18: Parts washing equipment in Building B.
Photograph 19: Waste oil storage in Building B.



Photograph 1: Verhoeven grain mill.



Photograph 2: Wash water storage tank by truck-washing area.



Photograph 3: Bermed truck-washing area by Building B.



Photograph 4: Sump in truck-washing area.



Photograph 5: Diesel fueling area by Building A.



Photograph 6: Former underground storage tank area by Building B.



Photograph 7: Former underground storage tank area by Verhoeven Building C.



Photograph 8: Former underground storage tank area north of grain mill.



Photograph 9: Hydraulic augers at Scoular grain storage silos.



Photograph 10: Scoular grain storage silos.



Photograph 11: Septic tank location by Building A.



Photograph 12: Rail transloading area.



Photograph 13: Railway offloading area.



Photograph 14: Scoular hazardous materials storage area.



Photograph 15: Verhoeven equipment service area in Building A.



Photograph 16: Hazardous materials storage in Verhoeven equipment service area in Building A.



Photograph 17: Automotive service area in Verhoeven Building B.



Photograph 18: Parts washing equipment in Building B.



Photograph 19: Waste oil storage in Building B.

SOIL GAS INVESTIGATION REPORT

5355 East Airport Drive
Ontario, California

Submitted by:
Farallon Consulting, L.L.C.
27 Mauchly, Suite 213
Irvine, California 92618

Farallon PN: 1071-080 (Task 2)

For:
Prologis, L.P.
Pier 1, Bay 1
San Francisco, California 94111

February 14, 2023

Prepared by:

Peter Sims, P.G.
Associate Geologist

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Reviewed by:

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Senior Geologist



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APPENDICES

Appendix A Boring Logs
Appendix B Laboratory Analytical Report

1.0 INTRODUCTION

Farallon Consulting, L.L.C. (Farallon) has prepared this Soil Gas Investigation Report (Soil Gas Report) for Prologis, L.P. (Prologis) to present a summary of results from the soil gas investigation conducted in December 2022 at the property at 5355 East Airport Drive in Ontario, California (herein referred to as the Site) (Figure 1). The soil gas investigation was conducted to provide additional assessment of the potential for vapor intrusion related to tetrachloroethene (PCE), which was detected inconsistently in soil gas during subsurface investigations conducted by Partner Engineering and Science, Inc (Partner) in July 2016 and Farallon in February and September 2022. The scope of work for the historical investigations was based on the recognized environmental conditions and subsurface investigation findings identified in the Partner Phase II Subsurface Investigation Report (2016 SI Report),[1] the Farallon Phase I/Phase II Environmental Site Assessment Report (Phase I/II Report),[2] and the Farallon Additional Subsurface Investigation Report.[3] The potential for constituents of concern (COCs) to be present in Site subsurface media was identified as recognized environmental conditions due to petroleum underground storage tanks (USTs) formerly present in three areas, former and active septic systems, and a vehicle maintenance garage ("Building B"). These features are depicted on Figure 2.

According to the 2016 SI Report, the Phase I/II Report, and the Additional Subsurface Investigation Report, tetrachloroethene (PCE) was detected at concentrations exceeding calculated industrial screening levels using a 0.03 attention factor in soil gas in several areas during the July 2016 and March 2022 sampling events, but not during the September 2022 sampling event. Additional investigation was recommended to address the potential for vapor intrusion conditions at the warehouse proposed for construction at the Site. This soil gas investigation was conducted to provide that additional investigation. Additionally, Prologis requested that methane be screened during the soil gas investigation. The scope of work for the soil gas investigation was presented in Work Change Order 1071-080-002-WCO 004[4] and the general locations, depths, rationale for the borings, and analytes are shown in Table 1. Sample locations at the Site are shown on Figure 2.

This Soil Gas Report has been organized into the following sections:

- **Section 2, Site Background**, provides a description of the Site, and summarizes pertinent background information regarding its history and previous investigations conducted at the Site.

---

[1] *Phase II Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California* dated August 16, 2016, prepared for Prologis, Inc. by Partner (2016).

[2] *Phase I/Phase II Environmental Site Assessment Report, 5355 East Airport Drive, Ontario, California* dated March 31, 2022 prepared by Farallon (2022a) for Prologis.

[3] *Additional Subsurface Investigation Report, 5355 East Airport Drive, Ontario, California* dated December 13, 2022 prepared for Prologis, Inc. by Farallon (2022c).

[4] Work Change Order 1071-080-002-WCO 004, Master Services Agreement, Farallon Consulting, L.L.C. and Prologis, Inc. dated December 5, 2022 between Gavin Polite Fisco of Prologis and Scott Allin of Farallon (2022b).

- **Section 3, Physical Setting**, describes the topography, geology, and hydrogeology of the Site.
- **Section 4, Soil Gas Investigation**, provides a description of the scope of work conducted as part of the additional soil gas investigation, and a summary of soil gas analytical results.
- **Section 5, Conclusions and Recommendations**, presents Farallon's conclusions from the additional subsurface investigation, and recommendations based on the results.
- **Section 6, References**, provides a list of the documents cited in this Soil Gas Report.
- **Section 7, Limitations**, presents Farallon's standard limitations applicable to this Soil Gas Report.

2.0 SITE BACKGROUND

This section provides a description of the Site and summarizes pertinent background information regarding its history and previous investigations conducted at the Site.

2.1 SITE DESCRIPTION

The Site consists of two parcels totaling 14.2 acres of land: San Bernardino County Assessor Parcel Nos. 0238-052-20 (Eastern Parcel), and 0238-052-29 (Western Parcel). The Eastern Parcel is occupied by Verhoeven, a grain-processing company, and is developed with five buildings, grain storage silos, and a grain mill area. An office and warehouse building, referred to as "Building A," is located on the southern portion of the Site. The warehouse portion on the northeastern side of Building A contains a service shop used to repair machinery related to the grain mill. A maintenance shop, referred to as "Building B," is present on the eastern portion of the Site, and is used for light tractor and forklift services. Additional structures on the Eastern Parcel consist of a warehouse referred to as "Building C" on the north-central portion, used for assorted storage, and two grain storage structures on the southeastern and southwestern portions of the parcel, referred to as Buildings D and E, respectively.

The Western Parcel is occupied by The Scoular Company, a corn storage and distribution facility. The Western Parcel contains exterior grain storage areas, and an office trailer that contains a small hazardous substances storage area on secondary containment.

The Site is primarily asphalt-paved, with some gravel-paved areas on the western parcel. Access to the Site is gained from East Airport Drive, south of the Site.

A vehicle wash-down area with a sump is present on the northeastern portion of the Eastern Parcel. Three or four septic systems are associated with the Site: two or three on the Eastern Parcel, and one on the Western Parcel. The location of the septic system on the Western Parcel could not be determined from the records reviewed. A 499-gallon propane aboveground storage tank (AST), two 250-gallon diesel fuel ASTs, and a 220-gallon hydraulic oil AST are present on the Eastern Parcel. Two 12,000-gallon "fuel-storage" USTs formerly were located on the north-central portion of the Site near the grain mill area. A 12,000-gallon diesel fuel UST formerly was located southeast of Building C. The area west of Building B was identified as the former location of one or more additional USTs.

2.2 SITE HISTORY

The Site was used as agricultural or grazing land from at least the late 1930s to the early 1970s. By 1973, the Eastern Parcel was developed with small grain storage silos and other features associated with milling operations in the grain mill area. By 1975, grain appeared to be stockpiled in Buildings A through C, located on the southwestern portion of the Site. By 1985 grain storage structures Buildings D and E had been developed. By 2002, grain processing operations at the Site had expanded to the Western Parcel, which included the

development of three large grain storage silos. The Site has appeared in its current configuration since 2002.

Site occupants have consisted of Verhoeven from 1973 to the present; Chino Grain and Milling, Inc. in 1985; Coast Grain Company from 1990 to 2003; The Scoular Company between 2004 and the present; and JD Heistell and Company in 2009.

2.3 PREVIOUS INVESTIGATIONS

Partner's 2016 SI Report documented an investigation conducted at the Site. The scope of work consisted of a geophysical survey to identify former on-Site USTs or associated features and reported septic systems, and soil and soil gas sampling to assess for indications of a release from historical Site activities. The geophysical survey identified one large anomaly indicative of a backfilled UST excavation beneath the western canopy of Building B, which generally corresponds to the location of a former UST area. No large metallic features were identified, so Partner concluded that USTs formerly present in the area had been removed. One large anomaly resembling a septic system was identified north of Building A.

Partner advanced 26 borings with total depths ranging from 1 to 25 feet below ground surface (bgs) for collection of soil and/or soil gas samples. Soil samples were analyzed for total petroleum hydrocarbon carbon chain C6-C40 (TPH-cc) by U.S. Environmental Protection Agency (EPA) Method 8015C and for volatile organic compounds (VOCs) by EPA Method 8260B. Soil gas samples were analyzed for VOCs by either EPA Methods TO-14, TO-15, or 8260B. VOCs and TPH-cc were not detected in soil samples at concentrations exceeding laboratory reporting limits (Tables 2 and 3). VOCs, consisting of PCE, trichloroethene, toluene, ethylbenzene, and xylenes, were detected in soil gas samples at concentrations less than residential and industrial calculated soil gas screening levels in effect at the time the report was completed. Partner concluded that a discernable vapor intrusion condition did not appear to exist at the Site, and that the detections of VOCs in soil gas did not represent a threat to human health or the environment. Partner recommended no further investigation with respect to the on-Site grain-handling facility at the time of the report.

Although the reported concentrations of VOCs in soil gas were less than soil gas screening levels (SGSLs) in effect in 2016 at the time the Partner report was prepared, in April 2020, California Department of Toxic Substances Control (DTSC) Human and Ecological Risk Office (2022) Human Health Risk Assessment Note Number 3 (HHRA Note 3) was updated with the recommendation to use a more-conservative attenuation factor of 0.03 in screening level calculations. PCE concentrations ranging from 68 to 230 micrograms per cubic meter (µg/m^3) in soil gas samples collected by Partner in 2016 from sampling locations B5, B6, and SV-14 through SV-16 exceeded the calculated industrial SGSL of 67 µg/m^3 using the 0.03 attenuation factor. Additionally, the ethylbenzene concentration of 280 µg/m^3 in soil gas sample B4-SG, located west of Building B, exceeded the calculated industrial SGSL of 163 µg/m^3 using the 0.03 attenuation factor. These samples were collected west of and beneath Building B at a depth of 4 to 5 feet bgs. Soil gas results from Partner's 2016 SI Report and

calculated SGSLs using the 2020 HHRA Note 3 attenuation faction of 0.03 are presented in Table 5.

As part of its Phase I/II due diligence investigation, Farallon conducted soil and soil gas sampling at the Site in March 2022, focusing on assessing former UST areas and septic systems, and the proposed new building footprint for the potential for vapor intrusion issues. At the time of the assessment, Farallon was informed that an approximately 259,000-square-foot warehouse would be constructed on the north-central portion of the Site (Figure 2). The scope of work for the Phase II Environmental Site Assessment portion of the investigation included advancement of 12 borings, installation of two subslab gas probes, and installation of 10 temporary soil gas probe locations with single- or multi-depth nested gas points for collection of soil and soil gas samples.

VOCs and TPH-cc were not detected at concentrations exceeding laboratory reporting limits (Tables 2 and 3) in soil samples. Metals were either not detected in soil samples at concentrations exceeding laboratory reporting limits, or at concentrations less than screening levels (Table 4). Soil gas data indicated that PCE was present at concentrations exceeding calculated industrial SGSLs using the 0.03 attenuation factor in soil gas samples collected west of and beneath Building B (samples SS-1, SS-2, SVP-7, and SVP-8), proximate to the location of the former 12,000-gallon diesel fuel UST (sample SVP-5), proximate to the location of the two former 12,000-gallon USTs (sample SVP-1), and proximate to the vehicle washdown area with sump (sample SVP-6) as presented in Table 5. These locations were mapped beneath the planned new building footprint. PCE also was detected at concentrations less than the calculated industrial SGSLs in soil gas in other soil gas samples collected at the Site. The extent of PCE in soil gas was not fully characterized.

In September 2022, to further assess soil gas beneath the planned building footprint, Farallon advanced nine borings, designated SVP-11 through SVP-19, at the Site within the planned new building footprint. Dual-nested soil gas probes were constructed in each boring to investigate the potential presence of VOCs in soil gas beneath the planned new building. PCE was not detected at concentrations exceeding the laboratory reporting limit of 25 µg/m^3 in the soil gas samples collected from the soil gas probes. Ethylbenzene and total xylenes were detected at concentrations less than calculated industrial SGSLs. Because some of the soil gas samples collected in September 2022 were proximate to areas that showed impacts in March 2022, but no impacts were detected in September 2022, Farallon worked with the original analytical laboratory to conduct a data quality review of both analytical data sets. No anomalies in the data sets were found to render the data from either event unusable. Farallon recommended that the areas of highest impacts previously encountered under the proposed building slab be resampled to aid in the determination of whether mitigation measures would be recommended for the proposed building.

PCE in soil gas results are shown on Figure 3.

3.0 PHYSICAL SETTING

The topography, geology, and hydrogeology of the Site are described in this section.

3.1 TOPOGRAPHY

Farallon reviewed the U.S. Geological Survey topographic map for Guasti, California dated 2018 provided by Environmental Data Resources, Inc. The map depicts the Site at an elevation of approximately 980 feet above mean sea level. Site topography slopes gently downward to the south. Regional topography generally is sloped downward to the south.

3.2 GEOLOGY AND HYDROGEOLOGY

The Site is situated in the San Bernadino Valley of the Peninsular Ranges Geomorphic Province in Southern California. The Peninsular Ranges Province is bounded by the San Gabriel and San Bernardino mountains to the north and the Colorado Desert to the east, extends into lower California beyond the Mexican border to the south, and is bound by the Pacific Ocean to the west. The San Bernardino Mountains are approximately 7 miles north of the Site.

According to the 2016 SI Report, soil beneath the Site generally consists of very fine-grained silty sand from the surface to a depth of approximately 20 feet bgs and transitions to very fine- to coarse-grained poorly graded sand between depths of 20 and 25 feet bgs. Groundwater was not encountered during Partner's investigation.

Soil encountered during Farallon's previous subsurface investigations was described as silty fine to medium sand to the total explored depth of 4 to 10 feet bgs, with an apparent coarse sand and gravel layer at a depth of 10 feet bgs (and as shallow as 5 feet bgs on the eastern portion of the Site at boring SB-2), and intermittent clayey sand to clay lenses approximately 1 foot thick at a depth of between 6 and 7 feet bgs (borings SVP-16 and SVP-19) and 10 to 11 feet bgs (borings SVP-12 and SVP-16). Groundwater was not encountered during drilling.

Soil observed during the December 2022 sampling round can be generally described as silty fine sand with trace medium sand with some sub-angular gravel to the exploration depth of 4.5 feet bgs. Boring logs are provided in Appendix A.

Site-specific groundwater direction and depth information was not available in the records reviewed. Based on information obtained from the previous reports and California State Water Resources Control Board (2022) GeoTracker database and topographic interpretation, groundwater beneath the Site is anticipated to be encountered at a depth of approximately 250 feet bgs, and is estimated to flow to the south.

4.0 SOIL GAS INVESTIGATION

This section presents the scope of work for the soil gas investigation conducted at the Site in December 2022 and summarizes the results from this and prior soil gas sampling events.

4.1 SCOPE OF WORK

Before field work was initiated, the Site-specific Health and Safety Plan (HASP) was updated, and underground utilities were cleared. Field work consisted of advancing borings and collecting soil gas samples at the Site to provide a better understanding of soil gas impacts detected during previous subsurface investigations. The following sections detail this scope of work.

4.1.1 Health and Safety Plan Preparation

A Site-specific HASP was required under Section 3202 of Title 8 of the California Code of Regulations (8 CCR 3202) for all field activities due to the potential for exposure to hazardous substances. Prior to commencement of field activities, Farallon updated the HASP compliant with the requirements of the Occupational Safety and Health Act of 1970 and 8 CCR 3203. Personal protection equipment precautions related to COVID-19 were implemented for Farallon personnel during field activities in accordance with Farallon health and safety policy.

4.1.2 Underground Utility Clearance

Prior to commencement of drilling activities, Farallon marked the proposed boring locations at the Site and contacted Dig Alert for public utility notice. Farallon also engaged a private utility location service to pre-screen the proposed boring locations for utilities that may be encountered during advancement using hand tools.

4.1.3 Boring Advancement

Seven borings, designated SVP-20 through SVP-26, were advanced at the Site on December 9, 2022 to investigate the potential presence of VOCs in soil gas beneath the planned new building footprint. The boring locations are shown on Figure 2 and were generally evenly distributed across the planned new building footprint, with select borings placed in previously identified impacted areas. Borings SVP-20, SVP-21, SVP-22, SVP-24, SVP-25, and SVP-26 were advanced proximate to previous locations SVP-2, SVP-1, SVP-4, SVP-5, SVP-8, and SVP-7, respectively, to evaluate previous detections of PCE in soil gas. Borings were advanced in exterior locations paved with asphalt or concrete which required coring to access the subsurface. The borings were advanced using a hand-auger to a depth of 4.5 feet bgs to install soil gas probes at 4 feet bgs as described in Section 4.1.4, Soil Gas Probe Installation and Sampling. The general locations, depths, rationale for the borings, and analytes are shown in Table 1.

The displaced soil was visually inspected and screened by a Farallon geologist using a photoionization detector and was described and logged using the United Soil Classification System (Modified). Physical evidence of soil impacts, including staining and odors, was not observed; photoionization detector readings ranged from 0.1 to 1.0 parts per million. Boring logs with soil descriptions are provided in Appendix A.

4.1.4 Soil Gas Probe Installation and Sampling

Following completion of boring advancement, Farallon converted the borings to temporary soil gas probes. Borings SVP-20 through SVP-26 were constructed with soil gas probes at a depth of 4 feet bgs.

Soil gas probe installation was performed in accordance with the *Advisory: Active Soil Gas Investigations* dated July 2015 prepared by the California Environmental Protection Agency et al. (2015) (Soil Gas Advisory). The probes consisted of an Airstone microporous gas implant or equivalent connected to 0.25-inch-outside-diameter Nylaflow tubing, finished at the surface with temporary plugs. The annulus around the gas implant was backfilled with approximately 1 foot of screen-washed No. 3 sand, followed by 1 foot of dry #8 granular bentonite, and completed with hydrated #8 granular bentonite to create a seal from the top of the dry granular bentonite to near surface. Soil gas probe construction is illustrated in the boring logs provided in Appendix A; their locations are shown on Figure 2.

The temporary soil gas probes were allowed to equilibrate for 7 days prior to sample collection on December 16, 2022. Soil gas sampling, including observance of equilibration times, performance of shut-in tests, and purging activities, was conducted in accordance with the Soil Gas Advisory. Seven soil gas samples were collected into 1-liter Summa canisters at a rate of 200 milliliters per minute or less. The tracer gas 1,1-difluoroethane (1,1-DFA) was introduced to ambient air surrounding the sampling train by soaking a cotton swab with liquid 1,1-DFA and placing it at the location where the soil gas probe tubing exited the ground.

Upon completion of sample collection at each location, a 1-liter Tedlar bag was filled with soil gas by a syringe from the probe tubing at each soil gas location. Each Tedlar bag was then connected to a calibrated Landtec Gem5000 landfill gas monitor for on-site methane evaluation.

The Summa canisters were transported under chain-of-custody protocols to a California-certified laboratory, and were analyzed for VOCs by EPA Method TO-15. The soil gas probes were then abandoned by extracting as much tubing as practical, filling the boring with bentonite grout and restoring the surface to match surrounding conditions.

4.2 SUMMARY OF ANALYTICAL RESULTS FOR SOIL GAS

The soil gas analytical results were compared to DTSC Screening Levels for indoor air, EPA Regional Screening Levels for indoor air, and the San Francisco Water Quality Control Board Environmental Screening Levels for TPH-g, which were adjusted using suggested attenuation factors provided in the Vapor Intrusion Guidance prepared by DTSC and the California

Environmental Protection Agency (2011). The attenuation factor used for this comparison was 0.03 published in HHRA Note 3. The methane screening results were obtained in percent, and compared to the DTSC screening level for methane of 0.5 percent by volume[5] (10 percent of the lower explosive limit for methane).

A summary of soil gas analytical results from December 2022 is provided in Table 5 and PCE in soil gas results are shown on Figure 3. In order to provide a comprehensive understanding of analytical results for the Site, PCE in soil gas from previous investigations is also shown on Figure 3, and analytical results from previous investigations are included in the attached data tables.

Soil gas analytical and methane screening results from the December 2022 sampling event are summarized below. A written summary of previous results can be found in each related previous report.

- PCE was not detected at a concentration exceeding the laboratory reporting limit of 0.1 µg/m^3 in soil gas samples collected from locations SVP-20 or SVP-23 on the southwestern and central portions of the planned building, respectively.
- PCE was detected at concentrations of 3.5 ug/m^3 in SVP-21, 2.6 ug/m^3 in SVP-22, 5.7 ug/m^3 in SVP-24, 13.0 ug/m^3 in SVP-25, and 60.2 ug/m^3 in SVP-26, which are less than the calculated industrial SGSL of 67 ug/m^3 using the 0.03 attenuation factor. These samples were collected from beneath the north-central and east-central portions of the planned building. Borings SVP-24, SVP-25, and SVP-26 were located in the immediate vicinity of former borings that contained elevated concentrations of PCE in the soil gas samples collected at a depth of 4 feet bgs in March 2022: 70 ug/m^3 in SVP-5, 232 ug/m^3 in SVP-8, and 247 ug/m^3 in SVP-7, respectively.
- Trace concentrations of cyclohexane, trichlorofluoromethane (Freon 11), dichlorodifluoro-methane (Freon 12), ethylbenzene, toluene, total xylenes, 1,2,4-trimethyl-benzene, and carbon disulfide were detected in soil gas samples collected from various locations at concentrations exceeding their laboratory reporting limit of 1.0 µg/m^3, but well below their respective calculated industrial SGSLs using the 0.03 attenuation factor;
- Methane was not detected at concentrations exceeding the detection level of 0.1 percent in soil gas samples collected from locations SVP-20 through SVP-26 using a Landtec Gem5000 landfill gas monitor for methane evaluation.
- The tracer gas 1,1-DFA was not detected at a concentration exceeding the laboratory reporting limit in the soil gas samples collected from locations SVP-20 through SVP-26.

[5] *Advisory on Methane Assessment and Common Remedies at School Sites* dated June 16, 2005, prepared by Department of Toxic Substances Control (2005).

4.3 INVESTIGATION-DERIVED WASTE

Investigation-derived waste generated during this sampling event consisted of a small amount of excess soil removed from each boring. The excess soil did not display evidence of chemical impact based on visual, olfactory inspection, or photoionization detector screening. Previous soil sample analytical results indicate that Site soil is suitable for on-Site reuse. Excess soil was reused at the Site.

5.0 CONCLUSIONS AND RECOMMENDATIONS

Farallon conducted a soil gas investigation in December 2022 to further investigate impacts of VOCs previously identified in soil gas beneath the planned new building footprint at the Site. Previous soil gas data indicated that PCE was present at concentrations exceeding calculated industrial screening levels using the 0.03 attenuation factor in soil gas samples collected beneath and proximate to the planned new building footprint, specifically west of and beneath Building B; proximate to the former location of the 12,000-gallon diesel fuel UST; proximate to the former location of two 12,000 gallon USTs; and proximate to the vehicle washdown area with sump. PCE also was detected at concentrations less than the calculated industrial screening levels in soil gas in other soil gas samples collected at the Site.

For the December 2022 soil gas investigation, seven borings were advanced in the planned new building footprint. Soil gas probes were generally evenly distributed across the planned new building footprint, with selected probes placed proximate to areas previously identified as impacted by PCE. The borings were converted to temporary soil gas probes at a depth of 4 feet bgs and soil gas samples were collected and analyzed for VOCs and methane.

PCE was detected in five of the seven soil gas samples at concentrations exceeding the laboratory reporting limit of 0.1 ug/m^3. PCE detections in four of the soil gas samples ranged from 3.5 ug/m^3 to 13.0 ug/m^3; however, one detection of PCE (60.2 ug/m^3 in SVP-26) approached the calculated industrial SGSL of 67 ug/m^3 using a 0.3 attenuation factor. The detections of PCE in soil gas samples, which were collocated with soil gas samples collected during previous investigations, were less than detections of PCE in soil gas samples collected in 2016 by Partner and March 2022 by Farallon.

Other VOCs were not found during this investigation to be present in soil gas samples at concentrations approaching applicable screening levels. Methane was not detected in the soil gas samples.

Soil gas sampling at the Site has provided evidence of fluctuating concentrations of PCE. PCE concentrations detected in soil gas samples collected by Partner in July 2016 and by Farallon in March 2022 exceeded the calculated SGSL using a 0.03 attenuation factor at select locations. PCE was not detected above the laboratory reporting limit in soil gas samples collected by Farallon in September 2022. PCE was not detected at concentrations above the laboratory reporting limit or was detected at concentrations less than the calculated SGSL using a 0.03 attenuation factor in soil gas samples collected by Farallon in December 2022. The variability of reported concentrations of PCE in soil gas between the four soil gas sampling events suggests that PCE concentrations in soil gas may be influenced by variables such as seasonal changes. Because PCE detections in soil gas from the September and December 2022 investigations either were not detected above laboratory reporting limits or were less than the calculated SGSL using a 0.03 attenuation factor, and sampling locations were chosen in areas of known impacts, sampling data from the last two sampling rounds has not established the potential for an unacceptable vapor intrusion risk in the planned future building footprint. Based on the industrial nature of the use of the Site, Farallon recommends

implementation of a Media Management Plan to address any soil impacts associated with historical activities at the Site that may be encountered during Site redevelopment.

6.0 REFERENCES

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———. 2022b. *Work Change Order 1071-080-002-WCO 004, Master Services Agreement, Farallon Consulting, L.L.C. and Prologis, Inc.* Between Gavin Polite Fisco, Prologis, Inc. and Scott Allin, Farallon Consulting, L.L.C. December 5.

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7.0 LIMITATIONS

7.1 GENERAL LIMITATIONS

The conclusions contained in this report/assessment are based on professional opinions with regard to the subject matter. These opinions have been arrived at in accordance with currently accepted hydrogeologic and engineering standards and practices applicable to this location. The conclusions contained herein are subject to the following inherent limitations:

- **Accuracy of Information**. Farallon obtained, reviewed, and evaluated certain information used in this report/assessment from sources that were believed to be reliable. Farallon's conclusions, opinions, and recommendations are based in part on such information. Farallon's services did not include verification of its accuracy or authenticity. Should the information upon which Farallon relied prove to be inaccurate or unreliable, Farallon reserves the right to amend or revise its conclusions, opinions, and/or recommendations.
- **Reconnaissance and/or Characterization**. Farallon performed a reconnaissance and/or characterization of the Site that is the subject of this report/assessment to document current conditions. Farallon focused on areas deemed more likely to exhibit hazardous materials conditions. Contamination may exist in other areas of the Site that were not investigated or were inaccessible. Site activities beyond Farallon's control could change at any time after the completion of this report/assessment.

For the foregoing reasons, Farallon cannot and does not warrant or guarantee that the Site is free of hazardous or potentially hazardous substances or conditions, or that latent or undiscovered conditions will not become evident in the future. Farallon's observations, findings, and opinions can be considered valid only as of the date of the report.

This report/assessment has been prepared in accordance with the contract for services between Farallon and Prologis, L.P. and currently accepted industry standards. No other warranties, representations, or certifications are made.

7.2 LIMITATION ON RELIANCE BY THIRD PARTIES

Reliance by third parties is prohibited. This report/assessment has been prepared for the exclusive use of Prologis, L.P. to address the unique needs of Prologis, L.P. at the Site at a specific point in time.

This is not a general grant of reliance. No one other than Prologis, L.P. may rely on this report unless Farallon agrees in advance to such reliance in writing. Any unauthorized use, interpretation, or reliance on this report/assessment is at the sole risk of that party, and Farallon will have no liability for such unauthorized use, interpretation, or reliance.

FIGURES

SOIL GAS INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)



REFERENCE: 7.5 MINUTE USGS QUADRANGLE GUASTI, CALIFORNIA, DATED 2013



N

0 5,000

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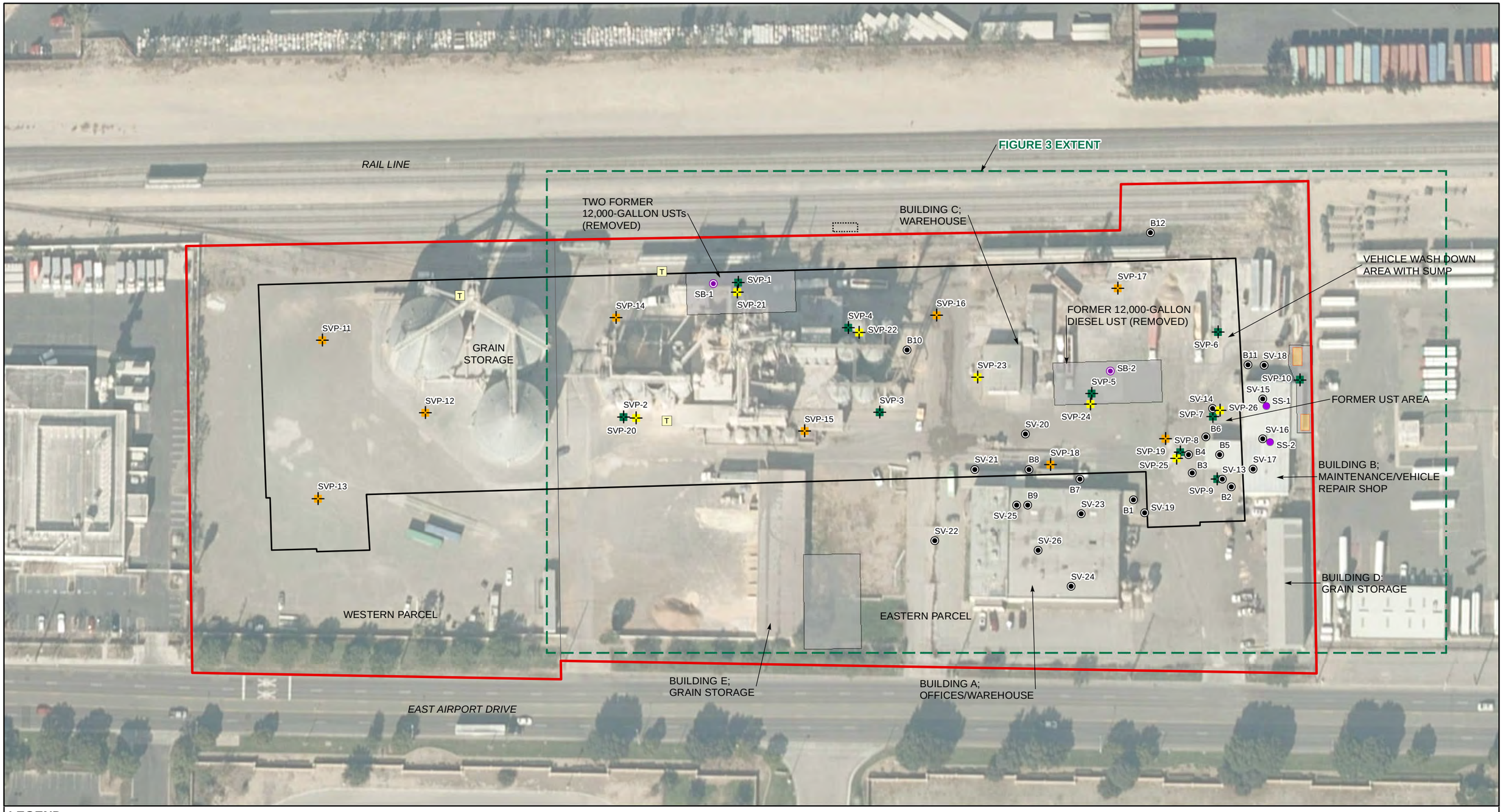
FIGURE 1

SITE VICINITY MAP
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-004

Drawn By: jjones | Checked By: PS | Date: 12/29/2022 | Disc Reference:

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LEGEND

- SOIL GAS PROBE (FARALLON, DECEMBER 2022)
- SOIL GAS PROBE (FARALLON, SEPTEMBER 2022)
- SOIL GAS PROBE (FARALLON, MARCH 2022)
- SUBSLAB SOIL GAS PROBE (FARALLON, MARCH 2022)
- BORING (FARALLON, MARCH 2022)
- SOIL GAS PROBE (PARTNER, 2016)
- T TRANSFORMER
- FORMER SITE FEATURE
- OBSERVED SEPTIC TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- PROPOSED BUILDING FOOTPRINT
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

AST = ABOVEGROUND STORAGE TANK
GPR = GROUND-PENETRATING RADAR
UST = UNDERGROUND STORAGE TANK
GPR SURVEY AREA - 2022 (NO UST FOUND)

0 100
SCALE IN FEET

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FIGURE 2

SITE PLAN AND SAMPLING LOCATIONS
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-004

Drawn By: lmurock
Checked By: KL
Date: 2/1/2023
Disc Refer
Q:\Projects\1071 Prologis\080 2021 SoCal Due Diligence II\002 Airport Dr\Mapfiles\SSI_2022-12\Figure-02_SitePl

FORMER BRINE POND
(ESTIMATED)

TWO FORMER
12,000-GALLON USTs
(REMOVED)

SVP-1
3/11/2022|4.0'|31
3/11/2022|10.0'|**157**

SVP-14
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-21
12/16/2022|4.0'|3.5

SVP-4
3/11/2022|4.0'|62

SVP-22
12/16/2022|4.0'|2.6

SVP-16
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-17
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

VEHICLE WASH DOWN
AREA WITH SUMP

SVP-6
3/11/2022|4.0'|**97**
3/11/2022|8.0'|34

SV-18
7/29/2016|5.0'|<100

FORMER 12,000-GALLON
DIESEL UST (REMOVED)

BUILDING C;
WAREHOUSE

SVP-23
12/16/2022|4.0'|<1.0

SVP-5
3/11/2022|4.0'|**70**
3/11/2022|10.0'|**234**

FORMER UST AREA

SVP-26
12/16/2022|4.0'|60.2

SV-14
7/29/2016|4.0'|**230**

SVP-10
3/11/2022|4.0'|31
3/11/2022|8.0'|63

SV-15
7/29/2016|5.0'|**120**

SS-1
3/11/2022|0.5'|**220**

SVP-2
3/11/2022|4.0'|27

SVP-20
12/16/2022|4.0'|<1.0

SVP-3
3/11/2022|4.0'|<20

SVP-15
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-24
12/16/2022|4.0'|5.7

SVP-8
3/11/2022|4.0'|**232**

SVP-7
3/11/2022|4.0'|**247**

B6
7/21/2016|5.0'|**68**

SV-16
7/29/2016|4.0'|**180**

SS-2
3/11/2022|0.5'|**194**

SV-20
7/29/2016|5.0'|<100

SVP-19
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

SVP-18
9/20/2022|4.0'|<25
9/20/2022|10.0'|<25

B8
7/21/2016|5.0'|44

SVP-25
12/16/2022|4.0'|13.0

B5
7/21/2016|5.0'|**100**

SV-17
7/29/2016|5.0'|<100

SV-21
7/29/2016|5.0'|<100

BUILDING B;
MAINTENANCE/VEHICLE
REPAIR SHOP

SV-25
7/29/2016|5.0'|<100

B7
7/21/2016|5.0'|<6.9

B3
7/21/2016|5.0'|<350

SV-13
7/29/2016|5.0'|<100

SVP-9
3/11/2022|4.0'|24

B4
7/21/2016|5.0'|<350

SV-23
7/29/2016|5.0'|<100

SV-22
7/29/2016|5.0'|<100

SV-19
7/29/2016|5.0'|<100

SV-26
7/29/2016|5.0'|<100

BUILDING E;
GRAIN STORAGE

BUILDING A;
OFFICES/WAREHOUSE

SV-24
7/29/2016|5.0'|<100

BUILDING D:
GRAIN STORAGE

EASTERN PARCEL

NOTES:
SAMPLE DATE, DEPTH, AND ANALYTICAL RESULTS AS:
SAMPLE DATE | SAMPLE DEPTH IN FEET BELOW GROUND SURFACE | PCE
SOIL GAS ANALYTICAL RESULTS IN MICROGRAMS PER CUBIC METER.
BOLD = DENOTES CONCENTRATIONS THAT EXCEED THE COMMERCIAL SUBSLAB/SOIL GAS VAPOR INTRUSION ENVIRONMENTAL SCREENING LEVEL.
< = DENOTES ANALYTE NOT DETECTED AT OR EXCEEDING THE LISTED REPORTING LIMIT.
PCE = TETRACHLOROETHENE

LEGEND

- SOIL GAS PROBE (FARALLON, DECEMBER 2022)
- SOIL GAS PROBE (FARALLON, SEPTEMBER 2022)
- SOIL GAS PROBE (FARALLON, MARCH 2022)
- SUBSLAB SOIL GAS PROBE (FARALLON, MARCH 2022)
- SOIL GAS PROBE (PARTNER, 2016)
- T TRANSFORMER
- FORMER SITE FEATURE
- OBSERVED SEPTIC TANK LOCATION
- GROUND-PENETRATING RADAR SCAN AREA
- PROPOSED BUILDING FOOTPRINT
- SITE BOUNDARY
- SAN BERNARDINO COUNTY PARCEL BOUNDARY

AST = ABOVEGROUND STORAGE TANK
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UST = UNDERGROUND STORAGE TANK
GPR SURVEY AREA - 2022 (NO UST FOUND)

0 60
SCALE IN FEET

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FIGURE 3

PCE IN SOIL GAS
5355 EAST AIRPORT DRIVE
ONTARIO, CALIFORNIA

FARALLON PN: 1071-080-004

Drawn By: lmurock
Checked By: KL
Date: 2/1/2023
Disc Refer
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TABLES

SOIL GAS INVESTIGATION REPORT
5355 East Airport Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

Table 1
Sampling Rationale
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample ID	Location	Rationale	Boring Depth (feet bgs)	Sample Depth (feet bgs)	Matrix to be Sampled	Analysis
SVP-20	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-2	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-21	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-1	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-22	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-4	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-23	Planned New Building Footprint	Assess the potential for soil gas under the future building	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-24	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-5	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-25	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-8	4.5	4	Soil Gas	VOCs via TO-15 Methane
SVP-26	Planned New Building Footprint	Assess the potential for soil gas at former soil vapor point SVP-7	4.5	4	Soil Gas	VOCs via TO-15 Methane

NOTES:

bgs = below ground surface

VOC = volatile organic compound

TO-15 = US Environmental Protection Agency Method TO-15

Table 2
Cumulative Summary of Volatile Organic Compounds in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (milligrams per kilogram)[2]					
					PCE	Benzene	Toluene	Ethylbenzene	Total Xylenes	Other VOCs
B1	Partner	B1-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B2	Partner	B2-1	1.0	7/21/2016	< 0.0044	< 0.0044	< 0.0044	< 0.0044	< 0.0131	ND
B3	Partner	B3-15	15.0	7/21/2016	< 0.0043	< 0.0043	< 0.0043	< 0.0043	< 0.0129	ND
B4	Partner	B4-10	10.0	7/21/2016	< 0.0044	< 0.0044	< 0.0044	< 0.0044	< 0.0132	ND
B5	Partner	B5-15	15.0	7/21/2016	< 0.0041	< 0.0041	< 0.0041	< 0.0041	< 0.0123	ND
B6	Partner	B6-10	10.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B7	Partner	B7-10	10.0	7/21/2016	< 0.0043	< 0.0043	< 0.0043	< 0.0043	< 0.013	ND
B8	Partner	B8-10	10.0	7/21/2016	< 0.0044	< 0.0044	< 0.0044	< 0.0044	< 0.0133	ND
B9	Partner	B9-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B10	Partner	B10-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B11	Partner	B11-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
B12	Partner	B12-1	1.0	7/21/2016	< 0.0050	< 0.0050	< 0.0050	< 0.0050	< 0.015	ND
SB-1	Farallon	SB-1-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SB-2	Farallon	SB-1-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-1	Farallon	SVP-1-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-2	Farallon	SVP-2-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-3	Farallon	SVP-3-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-4	Farallon	SVP-4-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-5	Farallon	SVP-5-10'	10.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-6	Farallon	SVP-6-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
	Farallon	SVP-6-8'	8.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-7	Farallon	SVP-7-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-8	Farallon	SVP-8-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-9	Farallon	SVP-9-4'	4.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
SVP-10	Farallon	SVP-10-8'	8.0	3/4/2022	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	ND
Commercial/Industrial Soil RSL[3]					**2.7**	**1.4**	**5,300**	**25**	**2,500**	**Various**

NOTES:

< denotes analyte not detected at or exceeding the reporting limit listed.

[1]Depth in feet below ground surface.

[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8260B. Only select VOCs shown in table; see lab reports for full list of analytes.

[3]June 2020 (Revised May 2022) Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, November 2022 EPA RSLs were used and noted in blue text.

Farallon = Farallon Consulting, LLC
ND = not detected at or above the laboratory reporting limit
Partner = Partner Engineering and Science, Inc.
PCE = Tetrachloroethene
RSL = Regional Screening Level
VOCs = volatile organic compounds

Table 3
Cumulative Summary of Total Petroleum Hydrocarbons in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (milligrams per kilogram)[2]		
					TPH-g (C4 - C12)	TPH-d (C13 - C22)	TPH-o (C23 - C40)
B1	Partner	B1-1	1.0	7/21/2016	< 10	< 10	< 10
B2	Partner	B2-1	1.0	7/21/2016	< 10	< 10	< 10
B3	Partner	B3-15	15.0	7/21/2016	< 10	< 10	< 10
B4	Partner	B4-10	10.0	7/21/2016	< 10	< 10	< 10
B5	Partner	B5-15	15.0	7/21/2016	< 10	< 10	< 10
B6	Partner	B6-10	10.0	7/21/2016	< 10	< 10	< 10
B7	Partner	B7-10	10.0	7/21/2016	< 10	< 10	< 10
B8	Partner	B8-10	10.0	7/21/2016	< 10	< 10	< 10
B9	Partner	B9-1	1.0	7/21/2016	< 10	< 10	< 10
B10	Partner	B10-1	1.0	7/21/2016	< 10	< 10	< 10
B11	Partner	B11-1	1.0	7/21/2016	< 10	< 10	< 10
B12	Partner	B12-1	1.0	7/21/2016	< 10	< 10	< 10
SB-1	Farallon	SB-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SB-2	Farallon	SB-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-1	Farallon	SVP-1-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-2	Farallon	SVP-2-4'	4.0	3/4/2022	< 0.20	---	---
SVP-3	Farallon	SVP-3-4'	4.0	3/4/2022	< 0.20	---	---
SVP-4	Farallon	SVP-4-4'	4.0	3/4/2022	< 0.20	---	---
SVP-5	Farallon	SVP-5-10'	10.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-6	Farallon	SVP-6-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
	Farallon	SVP-6-8'	8.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-7	Farallon	SVP-7-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-8	Farallon	SVP-8-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-9	Farallon	SVP-9-4'	4.0	3/4/2022	< 0.20	< 10.0	< 10.0
SVP-10	Farallon	SVP-10-8'	8.0	3/4/2022	< 0.20	< 10.0	< 10.0
MSSL (< 20 feet Above Groundwater)[3]					**100**	**100**	**1,000**
MSSL (20-150 feet Above Groundwater)[3]					**500**	**1,000**	**10,000**
MSSL (> 150 feet Above Groundwater)[3]					**1,000**	**10,000**	**50,000**

NOTES:

< denotes analyte not detected at or exceeding the reporting limit listed.

--- denotes sample not analyzed.

[1]Depth in feet below ground surface.

[2]Analyzed by U.S. Environmental Protection Agency (EPA) Method 8015M (2022 samples) or 8015C (2016 samples).

[3]Los Angeles Regional Water Quality Control Board April 27, 2004 MSSLs for groundwater at depths of less than 20 feet, 20 to 150 feet, and greater than 150 feet below ground surface.

C = carbon range (number of carbons)

Farallon = Farallon Consulting, LLC

MSSL = maximum soil screening level

Partner = Partner Engineering and Science, Inc.

TPH-d = total petroleum hydrocarbons as diesel

TPH-g = total petroleum hydrocarbons as gasoline

TPH-o = total petroleum hydrocarbons as oil

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Table 4
Cumulative Summary of Metals in Soil
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-002

Sample Location	Sampled By	Sample Identification	Sample Depth (feet) [1]	Sample Date	Analytical Results (milligrams per kilogram)[2]									
					Barium	Cadmium	Chromium	Cobalt	Copper	Lead	Nickel	Vanadium	Zinc	Other Metals
SVP-6	Farallon	SVP-6-4'	4.0	3/4/2022	61.2	0.9	8.2	5.2	5.9	1.1	5.2	24.6	26.5	ND
	Farallon	SVP-6-8'	8.0	3/4/2022	59.6	0.9	8.5	5.2	6.0	1.2	5.2	23.1	27.0	ND
Residential Soil RSL[3]					**15,000**	**7.1**	**NE**	**23**	**3,100**	**80**	**820**	**390**	**23,000**	**Various**
Industrial Soil RSL[3]					**220,000**	**79**	**NE**	**350**	**47,000**	**500**	**11,000**	**5,800**	**350,000**	**Various**

NOTES:

< denotes analyte not detected at or exceeding the reporting limit listed.

[1]Depth in feet below ground surface.

[2]California Administrative Manual (CAM) Priority Pollutant List (PPL) 17 metals analyzed by U.S. Environmental Protection Agency (EPA) Method 6010B by 3050B; mercury analyzed by EPA Method 7471A. Only detected analytes shown; see laboratory report for full list of analytes.

[3]June 2020 (Revised May 2022) Department of Toxic Substances Control (DTSC) Regional Screening Levels (RSLs). If DTSC RSLs do not exist, November 2022 EPA RSLs were used and noted in blue text.

Farallon = Farallon Consulting, LLC

ND = not detected at or above the laboratory reporting limit

RSL = Regional Screening Level

Table 5
Cumulative Summary of Volatile Organic Compounds in Soil Gas
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per cubic meter)[2]													
					PCE	TCE	Cyclohexane	Trichloro-fluoro-methane (Freon 11)	Dichloro difluoro-methane (Freon 12)	Ethylbenzene	Toluene	Total Xylenes	1,2,4-Trimethyl-benzene	Carbon Disulfide	TPH-g	Methane	Other VOCs	Tracer
Subslab Soil Gas Samples																		
SS-1	Farallon	SS-1	0.5	3/11/2022	**220**	< 20	---	< 40	< 40	< 20	< 20	< 60	< 20	---	< 5,000	---	< 5,000	ND
SS-2	Farallon	SS-2	0.5	3/11/2022	**194**	< 20	---	< 40	< 40	< 20	< 20	< 60	< 20	---	< 5,000	---	< 5,000	ND
Soil Gas Samples																		
B3	Partner	B3-SG	5.0	7/21/2016	< 350 C	< 270 C	< 170 C	< 290 C	< 250 C	< 220 C	< 190 C	**460** C	< 250 C	< 160 C	---	---	ND C	ND
B4	Partner	B4-SG	5.0	7/21/2016	< 350 C	< 270 C	< 170 C	< 290 C	< 250 C	**280** C	< 190 C	**1,500** C	< 250 C	< 160 C	---	---	ND C	ND
B5	Partner	B5-SG	5.0	7/21/2016	**100**	< 5.5	< 3.5	< 5.7	< 5.0	< 4.4	< 3.8	**12**	< 5.0	< 3.2	---	---	ND	ND
B6	Partner	B6-SG	5.0	7/21/2016	**68**	**26**	< 3.5	< 5.7	< 5.0	< 4.4	**4.0**	**23.6**	< 5.0	< 3.2	---	---	ND	ND
B7	Partner	B7-SG	5.0	7/21/2016	< 6.9	< 5.5	< 3.5	< 5.7	< 5.0	**11**	**4.9**	**92**	< 5.0	< 3.2	---	---	ND	ND
B8	Partner	B8-SG	5.0	7/21/2016	**44**	**13**	< 3.5	< 5.7	< 5.0	**21**	**13**	**178**	< 5.0	< 3.2	---	---	ND	ND
SV-13	Partner	SV-13-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-14	Partner	SV-14-4'	4.0	7/29/2016	**230**	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-15	Partner	SV-15-5'	5.0	7/29/2016	**120**	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-16	Partner	SV-16-4'	4.0	7/29/2016	**180**	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-17	Partner	SV-17-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-18	Partner	SV-18-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-19	Partner	SV-19-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-20	Partner	SV-20-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-21	Partner	SV-21-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-22	Partner	SV-22-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-23	Partner	SV-23-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-24	Partner	SV-24-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-25	Partner	SV-25-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SV-26	Partner	SV-26-5'	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
	Partner	SV-26-5' Dup	5.0	7/29/2016	< 100	< 100	< 1,000	< 1,000	< 1,000	< 400	< 1,000	< 2,000	---	---	---	---	ND	ND
SVP-1	Farallon	SVP-1-4'	4.0	3/11/2022	**31**	< 20	---	< 40	< 40	< 20	**21**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-1-10'	10.0	3/11/2022	**157**	< 20	---	< 40	< 40	< 20	**21**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-2	Farallon	SVP-2-4'	4.0	3/11/2022	**27**	< 20	---	< 40	< 40	< 20	**34**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-3	Farallon	SVP-3-4'	4.0	3/11/2022	< 20	< 20	---	< 40	< 40	< 20	**78**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-3-4'REP	4.0	3/11/2022	< 20	< 20	---	< 40	< 40	< 20	**45**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-4	Farallon	SVP-4-4'	4.0	3/11/2022	**62**	< 20	---	< 40	< 40	< 20	**80**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-4-4'REP	4.0	3/11/2022	**57**	< 20	---	< 40	< 40	< 20	**46**	< 60	< 20	---	< 5,000	---	ND	ND
Calculated Industrial SGSL with 0.03 Attenuation Factor[3]					**67**	**100**	**870,000**	**180,000**	**15,000**	**160**	**43,000**	**15,000**	**8,700**	**100,000**	**83,000**	**5%[4]**	**Varies**	**Varies**

Table 5
Cumulative Summary of Volatile Organic Compounds in Soil Gas
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per cubic meter)[2]													
					PCE	TCE	Cyclohexane	Trichloro-fluoro-methane (Freon 11)	Dichloro difluoro-methane (Freon 12)	Ethylbenzene	Toluene	Total Xylenes	1,2,4-Trimethyl-benzene	Carbon Disulfide	TPH-g	Methane	Other VOCs	Tracer
SVP-5	Farallon	SVP-5-4'	4.0	3/11/2022	**70**	< 20	---	< 40	< 40	< 20	**83**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-5-10'	10.0	3/11/2022	**234**	< 20	---	< 40	< 40	< 20	< 20	< 60	< 20	---	< 5,000	---	ND	ND
SVP-6	Farallon	SVP-6-4'	4.0	3/11/2022	**97**	< 20	---	< 40	< 40	< 20	**106**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-6-8'	8.0	3/11/2022	**34**	< 20	---	< 40	< 40	< 20	**65**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-7	Farallon	SVP-7-4'	4.0	3/11/2022	**247**	< 20	---	< 40	< 40	< 20	**91**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-8	Farallon	SVP-8-4'	4.0	3/11/2022	**232**	< 20	---	< 40	< 40	< 20	**89**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-9	Farallon	SVP-9-4'	4.0	3/11/2022	**24**	< 20	---	< 40	< 40	< 20	**87**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-10	Farallon	SVP-10-4'	4.0	3/11/2022	**31**	< 20	---	< 40	< 40	< 20	**60**	< 60	< 20	---	< 5,000	---	ND	ND
	Farallon	SVP-10-8'	8.0	3/11/2022	**63**	< 20	---	< 40	**60**	< 20	**47**	< 60	< 20	---	< 5,000	---	ND	ND
SVP-11	Farallon	SVP-11-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 50	< 25	< 250	---	---	ND	ND
	Farallon	SVP-11-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 50	< 25	< 250	---	---	ND	ND
SVP-12	Farallon	SVP-12-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 50	< 25	< 250	---	---	ND	ND
	Farallon	SVP-12-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-13	Farallon	SVP-13-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-13-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-14	Farallon	SVP-14-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-14-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-15	Farallon	SVP-15-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-15-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-16	Farallon	SVP-16-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	**50**	< 25	**90**	< 25	< 250	---	---	ND	ND
	Farallon	SVP-16-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	**30**	< 25	**90**	< 25	< 250	---	---	ND	ND
SVP-17	Farallon	SVP-17-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-17-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-18	Farallon	SVP-18-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-18-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-18-10-DUP	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
SVP-19	Farallon	SVP-19-4	4.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
	Farallon	SVP-19-10	10.0	9/20/2022	< 25	< 25	---	< 25	< 25	< 25	< 25	< 75	< 25	< 250	---	---	ND	ND
Calculated Industrial SGSL with 0.03 Attenuation Factor[3]					**67**	**100**	**870,000**	**180,000**	**15,000**	**160**	**43,000**	**15,000**	**8,700**	**100,000**	**83,000**	**5%[4]**	**Varies**	**Varies**

Table 5
Cumulative Summary of Volatile Organic Compounds in Soil Gas
5355 East Airport Road
Ontario, California
Farallon PN: 1071-080-004

Sample Location	Sampled By	Sample Identification	Sample Depth (feet)[1]	Sample Date	Analytical Results (micrograms per cubic meter)[2]													
					PCE	TCE	Cyclohexane	Trichloro-fluoro-methane (Freon 11)	Dichloro difluoro-methane (Freon 12)	Ethylbenzene	Toluene	Total Xylenes	1,2,4-Trimethyl-benzene	Carbon Disulfide	TPH-g	Methane	Other VOCs	Tracer
SVP-20	Farallon	SVP-20	4.0	12/16/2022	< 1.0	< 1.0	**1.8**	**3.2**	**2.3**	**1.0**	**2.9**	**4.7**	< 1.0	< 1.0	---	0%	ND	ND
SVP-21	Farallon	SVP-21	4.0	12/16/2022	**3.5**	< 1.0	< 1.0	**2.6**	**2.6**	< 1.0	**1.6**	**4.4**	< 1.0	< 1.0	---	0%	ND	ND
SVP-22	Farallon	SVP-22	4.0	12/16/2022	**2.6**	< 1.0	**19.0**	**1.3**	**2.5**	**2.6**	**4.9**	**11.5**	< 1.0	< 1.0	---	0%	ND	ND
SVP-23	Farallon	SVP-23	4.0	12/16/2022	< 1.0	< 1.0	**1.3**	**1.3**	**2.1**	< 1.0	**1.6**	**4.1**	**4.6**	< 1.0	---	0%	ND	ND
SVP-24	Farallon	SVP-24	4.0	12/16/2022	**5.7**	< 1.0	< 1.0	**1.1**	**2.8**	< 1.0	< 1.0	< 2.0	< 1.0	< 1.0	---	0%	ND	ND
SVP-25	Farallon	SVP-25	4.0	12/16/2022	**13.0**	< 1.0	**1.0**	**1.1**	**4.7**	< 1.0	< 1.0	**1.4**	< 1.0	< 1.0	---	0%	ND	ND
SVP-26	Farallon	SVP-26	4.0	12/16/2022	**60.2**	< 1.0	**2.8**	**1.1**	**8.9**	**1.8**	**4.4**	**9.8**	< 1.0	**1.5**	---	0%	ND	ND
Calculated Industrial SGSL with 0.03 Attenuation Factor[3]					**67**	**100**	**870,000**	**180,000**	**15,000**	**160**	**43,000**	**15,000**	**8,700**	**100,000**	**83,000**	**5%[4]**	**Varies**	**Varies**

NOTES:

Results in **bold** denote concentrations detected at or above the laboratory reporting limit. Results in **bold** and highlighted yellow denote concentrations exceeding applicable SGSLs for the current property use (industrial/commercial).

< denotes analyte not detected at or exceeding the reporting limit listed.

--- denotes sample not analyzed or not applicable.

[1] Depth in feet below ground surface.

[2] Only detected VOCs shown in table; see lab reports for full list of analytes. Analyzed by EPA Methods 8260B/8260B-Modified (7/29/2016 (Modified), 3/11/2022, and 9/20/2022) or TO-15 (7/21/2016 and 12/16/2022), unless otherwise noted.

[3] Except as noted (see Footnote 4), Calculated soil gas screening levels (SGSLs) were derived by dividing the May 2022 Department of Toxic Substances Control (DTSC) screening levels (shown in black) or November 2022 U.S. Environmental Protection Agency (EPA) Regional Screening Levels (shown in blue) for VOCs, and 2019 SFBWQCB Environmental Screening Levels (ESLs) for TPH-g (shown in green) for indoor air by the noted attenuation factor.

[4] Methane was compared against a Lower Exlosive Limit of 5% as measured by a hand-held GemTech 5000 Flame Ionizaton Detector

C = sample was analyzed via TO-14 due to high concentration of analytes
Farallon = Farallon Consulting, LLC
ND = not detected at or above the laboratory reporting limit
Partner = Partner Engineering and Science, Inc.
PCE = tetrachloroethene
SGSL = soil gas screening level
TCE = trichloroethene
TPH-g = total petroleum hydrocarbons, gasoline range

APPENDIX B
DTSC INFORMATION ADVISORY, CLEAN IMPORTED FILL MATERIAL

MEDIA MANAGEMENT PLAN
5355 East Airplane Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

Information Advisory
Clean Imported Fill Material

October 2001

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

It is DTSC's mission to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality, by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

State of California

California Environmental Protection Agency

Executive Summary

This fact sheet has been prepared to ensure that inappropriate fill material is not introduced onto sensitive land use properties under the oversight of the DTSC or applicable regulatory authorities. Sensitive land use properties include those that contain facilities such as hospitals, homes, day care centers, and schools. This document only focuses on human health concerns and ecological issues are not addressed. It identifies those types of land use activities that may be appropriate when determining whether a site may be used as a fill material source area. It also provides guidelines for the appropriate types of analyses that should be performed relative to the former land use, and for the number of samples that should be collected and analyzed based on the estimated volume of fill material that will need to be used. The information provided in this fact sheet is not regulatory in nature, rather is to be used as a guide, and in most situations the final decision as to the acceptability of fill material for a sensitive land use property is made on a case-by-case basis by the appropriate regulatory agency.

Introduction

The use of imported fill material has recently come under scrutiny because of the instances where contaminated soil has been brought onto an otherwise clean site. However, there are currently no established standards in the statutes or regulations that address environmental requirements for imported fill material. Therefore, the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) has prepared this fact sheet to identify procedures that can be used to minimize the possibility of introducing contaminated soil onto a site that requires imported fill material. Such sites include those that are undergoing site remediation, corrective action, and closure activities overseen by DTSC or the appropriate regulatory agency. These procedures may also apply to construction projects that will result in sensitive land uses. The intent of this fact sheet is to protect people who live on or otherwise use a sensitive land use property. By using this fact sheet as a guide, the reader will minimize the chance of introducing fill material that may result in potential risk to human health or the environment at some future time.

Overview

Both natural and manmade fill materials are used for a variety of purposes. Fill material properties are commonly controlled to meet the necessary site specific engineering specifications. Because most sites requiring fill material are located in or near urban areas, the fill materials are often obtained from construction projects that generate an excess of soil, and from demolition debris (asphalt, broken concrete, etc.). However, materials from those types of sites may or may not be appropriate, depending on the proposed use of the fill, and the quality of the assessment and/or mitigation measures, if necessary. Therefore, unless material from construction projects can be demonstrated to be free of contamination and/or appropriate for the proposed use, the use of that material as fill should be avoided.

Selecting Fill Material

In general, the fill source area should be located in nonindustrial areas, and not from sites undergoing an environmental cleanup. Nonindustrial sites include those that were previously undeveloped, or used solely for residential or agricultural purposes. If the source is from an agricultural area, care should be taken to insure that the fill does not include former agricultural waste process byproducts such as manure or other decomposed organic material. Undesirable sources of fill material include industrial and/or commercial sites where hazardous ma-

Potential Contaminants Based on the Fill Source Area

Fill Source:	Target Compounds
Land near to an existing freeway	Lead (EPA methods 6010B or 7471A), PAHs (EPA method 8310)
Land near a mining area or rock quarry	Heavy Metals (EPA methods 6010B and 7471A), asbestos (polarized light microscopy), pH
Agricultural land	Pesticides (Organochlorine Pesticides: EPA method 8081A or 8080A; Organophosphorus Pesticides: EPA method 8141A; Chlorinated Herbicides: EPA method 8151A), heavy metals (EPA methods 6010B and 7471A)
Residential/acceptable commercial land	VOCs (EPA method 8021 or 8260B, as appropriate and combined with collection by EPA Method 5035), semi-VOCs (EPA method 8270C), TPH (modified EPA method 8015), PCBs (EPA method 8082 or 8080A), heavy metals including lead (EPA methods 6010B and 7471A), asbestos (OSHA Method ID-191)

**The recommended analyses should be performed in accordance with USEPA SW-846 methods (1996). Other possible analyses include Hexavalent Chromium: EPA method 7199*

Recommended Fill Material Sampling Schedule

Area of Individual Borrow Area	Sampling Requirements
2 acres or less	Minimum of 4 samples
2 to 4 acres	Minimum of 1 sample every 1/2 acre
4 to 10 acres	Minimum of 8 samples
Greater than 10 acres	Minimum of 8 locations with 4 subsamples per location
Volume of Borrow Area Stockpile	**Samples per Volume**
Up to 1,000 cubic yards	1 sample per 250 cubic yards
1,000 to 5,000 cubic yards	4 samples for first 1000 cubic yards +1 sample per each additional 500 cubic yards
Greater than 5,000 cubic yards	12 samples for first 5,000 cubic yards + 1 sample per each additional 1,000 cubic yards

terials were used, handled or stored as part of the business operations, or unpaved parking areas where petroleum hydrocarbons could have been spilled or leaked into the soil. Undesirable commercial sites include former gasoline service stations, retail strip malls that contained dry cleaners or photographic processing facilities, paint stores, auto repair and/or painting facilities. Undesirable industrial facilities include metal processing shops, manufacturing facilities, aerospace facilities, oil refineries, waste treatment plants, etc. Alternatives to using fill from construction sites include the use of fill material obtained from a commercial supplier of fill material or from soil pits in rural or suburban areas. However, care should be taken to ensure that those materials are also uncontaminated.

Documentation and Analysis

In order to minimize the potential of introducing contaminated fill material onto a site, it is necessary to verify through documentation that the fill source is appropriate and/or to have the fill material analyzed for potential contaminants based on the location and history of the source area. Fill documentation should include detailed information on the previous use of the land from where the fill is taken, whether an environmental site assessment was performed and its findings, and the results of any testing performed. It is recommended that any such documentation should be signed by an appropriately licensed (CA-registered) individual. If such documentation is not available or is inadequate, samples of the fill material should be chemically analyzed. Analysis of the fill material should be based on the source of the fill and knowledge of the prior land use.

Detectable amounts of compounds of concern within the fill material should be evaluated for risk in accordance with the DTSC Preliminary Endangerment Assessment (PEA) Guidance Manual. If

metal analyses are performed, only those metals (CAM 17 / Title 22) to which risk levels have been assigned need to be evaluated. At present, the DTSC is working to establish California Screening Levels (CSL) to determine whether some compounds of concern pose a risk. Until such time as these CSL values are established, DTSC recommends that the DTSC PEA Guidance Manual or an equivalent process be referenced. This guidance may include the Regional Water Quality Control Board's (RWQCB) guidelines for reuse of non-hazardous petroleum hydrocarbon contaminated soil as applied to Total Petroleum Hydrocarbons (TPH) only. The RWQCB guidelines should not be used for volatile organic compounds (VOCs) or semi-volatile organic compounds (SVOCS). In addition, a standard laboratory data package, including a summary of the QA/QC (Quality Assurance/Quality Control) sample results should also accompany all analytical reports.

When possible, representative samples should be collected at the borrow area while the potential fill material is still in place, and analyzed prior to removal from the borrow area. In addition to performing the appropriate analyses of the fill material, an appropriate number of samples should also be determined based on the approximate volume or area of soil to be used as fill material. The table above can be used as a guide to determine the number of samples needed to adequately characterize the fill material when sampled at the borrow site.

Alternative Sampling

A Phase I or PEA may be conducted prior to sampling to determine whether the borrow area may have been impacted by previous activities on the property. After the property has been evaluated, any sampling that may be required can be determined during a meeting with DTSC or appropriate regulatory agency. However, if it is not possible to analyze the fill material at the borrow area or determine that it is appropriate for use via a Phase I or PEA, it is recommended that one (1) sample per truckload be collected and analyzed for all compounds of concern to ensure that the imported soil is uncontaminated and acceptable. (See chart on Potential Contaminants Based on the Fill Source Area for appropriate analyses). This sampling frequency may be modified upon consultation with the DTSC or appropriate regulatory agency if all of the fill material is derived from a common borrow area. However, fill material that is not characterized at the borrow area will need to be stockpiled either on or off-site until the analyses have been completed. In addition, should contaminants exceeding acceptance criteria be identified in the stockpiled fill material, that material will be deemed unacceptable and new fill material will need to be obtained, sampled and analyzed. Therefore, the DTSC recommends that all sampling and analyses should be completed prior to delivery to the site to ensure the soil is free of contamination, and to eliminate unnecessary transportation charges for unacceptable fill material.

Composite sampling for fill material characterization may or may not be appropriate, depending on quality and homogeneity of source/borrow area, and compounds of concern. Compositing samples for volatile and semivolatile constituents is not acceptable. Composite sampling for heavy metals, pesticides, herbicides or PAH's from unanalyzed stockpiled soil is also unacceptable, unless it is stockpiled at the borrow area and originates from the same source area. In addition, if samples are composited, they should be from the same soil layer, and not from different soil layers.

When very large volumes of fill material are anticipated, or when larger areas are being considered as borrow areas, the DTSC recommends that a Phase I or PEA be conducted on the area to ensure that the borrow area has not been impacted by previous activities on the property. After the property has been evaluated, any sampling that may be required can be determined during a meeting with the DTSC.

For further information, call Shahir Haddad, P.E. at (714) 484-5368.

APPENDIX C
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
SOUTH COAST AQMD RULE BOOK, RULE 403, FUGITIVE DUST

MEDIA MANAGEMENT PLAN
5355 East Airplane Drive
Ontario, California

Farallon PN: 1071-080 (Task 2)

(Adopted May 7, 1976) (Amended November 6, 1992)
(Amended July 9, 1993) (Amended February 14, 1997)
(Amended December 11, 1998)(Amended April 2, 2004)
(Amended June 3, 2005)

RULE 403. FUGITIVE DUST

(a) Purpose

The purpose of this Rule is to reduce the amount of particulate matter entrained in the ambient air as a result of anthropogenic (man-made) fugitive dust sources by requiring actions to prevent, reduce or mitigate fugitive dust emissions.

(b) Applicability

The provisions of this Rule shall apply to any activity or man-made condition capable of generating fugitive dust.

(c) Definitions

(1) ACTIVE OPERATIONS means any source capable of generating fugitive dust, including, but not limited to, earth-moving activities, construction/demolition activities, disturbed surface area, or heavy- and light-duty vehicular movement.

(2) AGGREGATE-RELATED PLANTS are defined as facilities that produce and / or mix sand and gravel and crushed stone.

(3) AGRICULTURAL HANDBOOK means the region-specific guidance document that has been approved by the Governing Board or hereafter approved by the Executive Officer and the U.S. EPA. For the South Coast Air Basin, the Board-approved region-specific guidance document is the Rule 403 Agricultural Handbook dated December 1998. For the Coachella Valley, the Board-approved region-specific guidance document is the Rule 403 Coachella Valley Agricultural Handbook dated April 2, 2004.

(4) ANEMOMETERS are devices used to measure wind speed and direction in accordance with the performance standards, and maintenance and calibration criteria as contained in the most recent Rule 403 Implementation Handbook.

(5) BEST AVAILABLE CONTROL MEASURES means fugitive dust control actions that are set forth in Table 1 of this Rule.

(6) BULK MATERIAL is sand, gravel, soil, aggregate material less than two inches in length or diameter, and other organic or inorganic particulate matter.

(7) CEMENT MANUFACTURING FACILITY is any facility that has a cement kiln at the facility.

(8) CHEMICAL STABILIZERS are any non-toxic chemical dust suppressant which must not be used if prohibited for use by the Regional Water Quality Control Boards, the California Air Resources Board, the U.S. Environmental Protection Agency (U.S. EPA), or any applicable law, rule or regulation. The chemical stabilizers shall meet any specifications, criteria, or tests required by any federal, state, or local water agency. Unless otherwise indicated, the use of a non-toxic chemical stabilizer shall be of sufficient concentration and application frequency to maintain a stabilized surface.

(9) COMMERCIAL POULTRY RANCH means any building, structure, enclosure, or premises where more than 100 fowl are kept or maintained for the primary purpose of producing eggs or meat for sale or other distribution.

(10) CONFINED ANIMAL FACILITY means a source or group of sources of air pollution at an agricultural source for the raising of 3,360 or more fowl or 50 or more animals, including but not limited to, any structure, building, installation, farm, corral, coop, feed storage area, milking parlor, or system for the collection, storage, or distribution of solid and liquid manure; if domesticated animals, including horses, sheep, goats, swine, beef cattle, rabbits, chickens, turkeys, or ducks are corralled, penned, or otherwise caused to remain in restricted areas for commercial agricultural purposes and feeding is by means other than grazing.

(11) CONSTRUCTION/DEMOLITION ACTIVITIES means any on-site mechanical activities conducted in preparation of, or related to, the building, alteration, rehabilitation, demolition or improvement of property, including, but not limited to the following activities: grading, excavation, loading, crushing, cutting, planing, shaping or ground breaking.

(12) CONTRACTOR means any person who has a contractual arrangement to conduct an active operation for another person.

(13) DAIRY FARM is an operation on a property, or set of properties that are contiguous or separated only by a public right-of-way, that raises cows or

produces milk from cows for the purpose of making a profit or for a livelihood. Heifer and calf farms are dairy farms.

(14) DISTURBED SURFACE AREA means a portion of the earth's surface which has been physically moved, uncovered, destabilized, or otherwise modified from its undisturbed natural soil condition, thereby increasing the potential for emission of fugitive dust. This definition excludes those areas which have:

(A) been restored to a natural state, such that the vegetative ground cover and soil characteristics are similar to adjacent or nearby natural conditions;

(B) been paved or otherwise covered by a permanent structure; or

(C) sustained a vegetative ground cover of at least 70 percent of the native cover for a particular area for at least 30 days.

(15) DUST SUPPRESSANTS are water, hygroscopic materials, or non-toxic chemical stabilizers used as a treatment material to reduce fugitive dust emissions.

(16) EARTH-MOVING ACTIVITIES means the use of any equipment for any activity where soil is being moved or uncovered, and shall include, but not be limited to the following: grading, earth cutting and filling operations, loading or unloading of dirt or bulk materials, adding to or removing from open storage piles of bulk materials, landfill operations, weed abatement through disking, and soil mulching.

(17) DUST CONTROL SUPERVISOR means a person with the authority to expeditiously employ sufficient dust mitigation measures to ensure compliance with all Rule 403 requirements at an active operation.

(18) FUGITIVE DUST means any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly as a result of the activities of any person.

(19) HIGH WIND CONDITIONS means that instantaneous wind speeds exceed 25 miles per hour.

(20) INACTIVE DISTURBED SURFACE AREA means any disturbed surface area upon which active operations have not occurred or are not expected to occur for a period of 20 consecutive days.

(21) LARGE OPERATIONS means any active operations on property which contains 50 or more acres of disturbed surface area; or any earth-moving operation with a daily earth-moving or throughput volume of 3,850 cubic

meters (5,000 cubic yards) or more three times during the most recent 365-day period.

(22) OPEN STORAGE PILE is any accumulation of bulk material, which is not fully enclosed, covered or chemically stabilized, and which attains a height of three feet or more and a total surface area of 150 or more square feet.

(23) PARTICULATE MATTER means any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

(24) PAVED ROAD means a public or private improved street, highway, alley, public way, or easement that is covered by typical roadway materials, but excluding access roadways that connect a facility with a public paved roadway and are not open to through traffic. Public paved roads are those open to public access and that are owned by any federal, state, county, municipal or any other governmental or quasi-governmental agencies. Private paved roads are any paved roads not defined as public.

(25) PM_{10} means particulate matter with an aerodynamic diameter smaller than or equal to 10 microns as measured by the applicable State and Federal reference test methods.

(26) PROPERTY LINE means the boundaries of an area in which either a person causing the emission or a person allowing the emission has the legal use or possession of the property. Where such property is divided into one or more sub-tenancies, the property line(s) shall refer to the boundaries dividing the areas of all sub-tenancies.

(27) RULE 403 IMPLEMENTATION HANDBOOK means a guidance document that has been approved by the Governing Board on April 2, 2004 or hereafter approved by the Executive Officer and the U.S. EPA.

(28) SERVICE ROADS are paved or unpaved roads that are used by one or more public agencies for inspection or maintenance of infrastructure and which are not typically used for construction-related activity.

(29) SIMULTANEOUS SAMPLING means the operation of two PM_{10} samplers in such a manner that one sampler is started within five minutes of the other, and each sampler is operated for a consecutive period which must be not less than 290 minutes and not more than 310 minutes.

(30) SOUTH COAST AIR BASIN means the non-desert portions of Los Angeles, Riverside, and San Bernardino counties and all of Orange

County as defined in California Code of Regulations, Title 17, Section 60104. The area is bounded on the west by the Pacific Ocean, on the north and east by the San Gabriel, San Bernardino, and San Jacinto Mountains, and on the south by the San Diego county line.

(31) STABILIZED SURFACE means any previously disturbed surface area or open storage pile which, through the application of dust suppressants, shows visual or other evidence of surface crusting and is resistant to wind-driven fugitive dust and is demonstrated to be stabilized. Stabilization can be demonstrated by one or more of the applicable test methods contained in the Rule 403 Implementation Handbook.

(32) TRACK-OUT means any bulk material that adheres to and agglomerates on the exterior surface of motor vehicles, haul trucks, and equipment (including tires) that have been released onto a paved road and can be removed by a vacuum sweeper or a broom sweeper under normal operating conditions.

(33) TYPICAL ROADWAY MATERIALS means concrete, asphaltic concrete, recycled asphalt, asphalt, or any other material of equivalent performance as determined by the Executive Officer, and the U.S. EPA.

(34) UNPAVED ROADS means any unsealed or unpaved roads, equipment paths, or travel ways that are not covered by typical roadway materials. Public unpaved roads are any unpaved roadway owned by federal, state, county, municipal or other governmental or quasi-governmental agencies. Private unpaved roads are all other unpaved roadways not defined as public.

(35) VISIBLE ROADWAY DUST means any sand, soil, dirt, or other solid particulate matter which is visible upon paved road surfaces and which can be removed by a vacuum sweeper or a broom sweeper under normal operating conditions.

(36) WIND-DRIVEN FUGITIVE DUST means visible emissions from any disturbed surface area which is generated by wind action alone.

(37) WIND GUST is the maximum instantaneous wind speed as measured by an anemometer.

(d) Requirements

(1) No person shall cause or allow the emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area such that:

(A) the dust remains visible in the atmosphere beyond the property line of the emission source; or

(B) the dust emission exceeds 20 percent opacity (as determined by the appropriate test method included in the Rule 403 Implementation Handbook), if the dust emission is the result of movement of a motorized vehicle.

(2) No person shall conduct active operations without utilizing the applicable best available control measures included in Table 1 of this Rule to minimize fugitive dust emissions from each fugitive dust source type within the active operation.

(3) No person shall cause or allow PM_{10} levels to exceed 50 micrograms per cubic meter when determined, by simultaneous sampling, as the difference between upwind and downwind samples collected on high-volume particulate matter samplers or other U.S. EPA-approved equivalent method for PM_{10} monitoring. If sampling is conducted, samplers shall be:

(A) Operated, maintained, and calibrated in accordance with 40 Code of Federal Regulations (CFR), Part 50, Appendix J, or appropriate U.S. EPA-published documents for U.S. EPA-approved equivalent method(s) for PM_{10}.

(B) Reasonably placed upwind and downwind of key activity areas and as close to the property line as feasible, such that other sources of fugitive dust between the sampler and the property line are minimized.

(4) No person shall allow track-out to extend 25 feet or more in cumulative length from the point of origin from an active operation. Notwithstanding the preceding, all track-out from an active operation shall be removed at the conclusion of each workday or evening shift.

(5) No person shall conduct an active operation with a disturbed surface area of five or more acres, or with a daily import or export of 100 cubic yards or more of bulk material without utilizing at least one of the measures listed in subparagraphs (d)(5)(A) through (d)(5)(E) at each vehicle egress from the site to a paved public road.

(A) Install a pad consisting of washed gravel (minimum-size: one inch) maintained in a clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long.

(B) Pave the surface extending at least 100 feet and at least 20 feet wide.

(C) Utilize a wheel shaker/wheel spreading device consisting of raised dividers (rails, pipe, or grates) at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages before vehicles exit the site.

(D) Install and utilize a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the site.

(E) Any other control measures approved by the Executive Officer and the U.S. EPA as equivalent to the actions specified in subparagraphs (d)(5)(A) through (d)(5)(D).

(6) Beginning January 1, 2006, any person who operates or authorizes the operation of a confined animal facility subject to this Rule shall implement the applicable conservation management practices specified in Table 4 of this Rule.

(e) Additional Requirements for Large Operations

(1) Any person who conducts or authorizes the conducting of a large operation subject to this Rule shall implement the applicable actions specified in Table 2 of this Rule at all times and shall implement the applicable actions specified in Table 3 of this Rule when the applicable performance standards can not be met through use of Table 2 actions; and shall:

(A) submit a fully executed Large Operation Notification (Form 403 N) to the Executive Officer within 7 days of qualifying as a large operation;

(B) include, as part of the notification, the name(s), address(es), and phone number(s) of the person(s) responsible for the submittal, and a description of the operation(s), including a map depicting the location of the site;

(C) maintain daily records to document the specific dust control actions taken, maintain such records for a period of not less than three years; and make such records available to the Executive Officer upon request;

(D) install and maintain project signage with project contact signage that meets the minimum standards of the Rule 403 Implementation Handbook, prior to initiating any earthmoving activities;

(E) identify a dust control supervisor that:

(i) is employed by or contracted with the property owner or developer;

(ii) is on the site or available on-site within 30 minutes during working hours;

(iii) has the authority to expeditiously employ sufficient dust mitigation measures to ensure compliance with all Rule requirements;

(iv) has completed the AQMD Fugitive Dust Control Class and has been issued a valid Certificate of Completion for the class; and

(F) notify the Executive Officer in writing within 30 days after the site no longer qualifies as a large operation as defined by paragraph (c)(18).

(2) Any Large Operation Notification submitted to the Executive Officer or AQMD-approved dust control plan shall be valid for a period of one year from the date of written acceptance by the Executive Officer. Any Large Operation Notification accepted pursuant to paragraph (e)(1), excluding those submitted by aggregate-related plants and cement manufacturing facilities must be resubmitted annually by the person who conducts or authorizes the conducting of a large operation, at least 30 days prior to the expiration date, or the submittal shall no longer be valid as of the expiration date. If all fugitive dust sources and corresponding control measures or special circumstances remain identical to those identified in the previously accepted submittal or in an AQMD-approved dust control plan, the resubmittal may be a simple statement of no-change (Form 403NC).

(f) Compliance Schedule

The newly amended provisions of this Rule shall become effective upon adoption. Pursuant to subdivision (e), any existing site that qualifies as a large operation will have 60 days from the date of Rule adoption to comply with the notification and recordkeeping requirements for large operations. Any Large Operation

Notification or AQMD-approved dust control plan which has been accepted prior to the date of adoption of these amendments shall remain in effect and the Large Operation Notification or AQMD-approved dust control plan annual resubmittal date shall be one year from adoption of this Rule amendment.

(g) Exemptions

(1) The provisions of this Rule shall not apply to:

(A) Dairy farms.

(B) Confined animal facilities provided that the combined disturbed surface area within one continuous property line is one acre or less.

(C) Agricultural vegetative crop operations provided that the combined disturbed surface area within one continuous property line and not separated by a paved public road is 10 acres or less.

(D) Agricultural vegetative crop operations within the South Coast Air Basin, whose combined disturbed surface area includes more than 10 acres provided that the person responsible for such operations:

(i) voluntarily implements the conservation management practices contained in the Rule 403 Agricultural Handbook;

(ii) completes and maintains the self-monitoring form documenting sufficient conservation management practices, as described in the Rule 403 Agricultural Handbook; and

(iii) makes the completed self-monitoring form available to the Executive Officer upon request.

(E) Agricultural vegetative crop operations outside the South Coast Air Basin whose combined disturbed surface area includes more than 10 acres provided that the person responsible for such operations:

(i) voluntarily implements the conservation management practices contained in the Rule 403 Coachella Valley Agricultural Handbook; and

(ii) completes and maintains the self-monitoring form documenting sufficient conservation management practices, as described in the Rule 403 Coachella Valley Agricultural Handbook; and

(iii) makes the completed self-monitoring form available to the Executive Officer upon request.

(F) Active operations conducted during emergency life-threatening situations, or in conjunction with any officially declared disaster or state of emergency.

(G) Active operations conducted by essential service utilities to provide electricity, natural gas, telephone, water and sewer during periods of service outages and emergency disruptions.

(H) Any contractor subsequent to the time the contract ends, provided that such contractor implemented the required control measures during the contractual period.

(I) Any grading contractor, for a phase of active operations, subsequent to the contractual completion of that phase of earth-moving activities, provided that the required control measures have been implemented during the entire phase of earth-moving activities, through and including five days after the final grading inspection.

(J) Weed abatement operations ordered by a county agricultural commissioner or any state, county, or municipal fire department, provided that:

(i) mowing, cutting or other similar process is used which maintains weed stubble at least three inches above the soil; and

(ii) any discing or similar operation which cuts into and disturbs the soil, where watering is used prior to initiation of these activities, and a determination is made by the agency issuing the weed abatement order that, due to fire hazard conditions, rocks, or other physical obstructions, it is not practical to meet the conditions specified in clause (g)(1)(H)(i). The provisions this clause shall not exempt the owner of any property from stabilizing, in accordance with paragraph (d)(2), disturbed surface areas which have been created as a result of the weed abatement actions.

(K) sandblasting operations.

(2) The provisions of paragraphs (d)(1) and (d)(3) shall not apply:

(A) When wind gusts exceed 25 miles per hour, provided that:

(i) The required Table 3 contingency measures in this Rule are implemented for each applicable fugitive dust source type, and;

(ii) records are maintained in accordance with subparagraph (e)(1)(C).

(B) To unpaved roads, provided such roads:

(i) are used solely for the maintenance of wind-generating equipment; or

(ii) are unpaved public alleys as defined in Rule 1186; or

(iii) are service roads that meet all of the following criteria:

(a) are less than 50 feet in width at all points along the road;

(b) are within 25 feet of the property line; and

(c) have a traffic volume less than 20 vehicle-trips per day.

(C) To any active operation, open storage pile, or disturbed surface area for which necessary fugitive dust preventive or mitigative actions are in conflict with the federal Endangered Species Act, as determined in writing by the State or federal agency responsible for making such determinations.

(3) The provisions of (d)(2) shall not apply to any aggregate-related plant or cement manufacturing facility that implements the applicable actions specified in Table 2 of this Rule at all times and shall implement the applicable actions specified in Table 3 of this Rule when the applicable performance standards of paragraphs (d)(1) and (d)(3) can not be met through use of Table 2 actions.

(4) The provisions of paragraphs (d)(1), (d)(2), and (d)(3) shall not apply to:

(A) Blasting operations which have been permitted by the California Division of Industrial Safety; and

(B) Motion picture, television, and video production activities when dust emissions are required for visual effects. In order to obtain this exemption, the Executive Officer must receive notification in writing at least 72 hours in advance of any such activity and no nuisance results from such activity.

(5) The provisions of paragraph (d)(3) shall not apply if the dust control actions, as specified in Table 2, are implemented on a routine basis for

each applicable fugitive dust source type. To qualify for this exemption, a person must maintain records in accordance with subparagraph (e)(1)(C).

(6) The provisions of paragraph (d)(4) shall not apply to earth coverings of public paved roadways where such coverings are approved by a local government agency for the protection of the roadway, and where such coverings are used as roadway crossings for haul vehicles provided that such roadway is closed to through traffic and visible roadway dust is removed within one day following the cessation of activities.

(7) The provisions of subdivision (e) shall not apply to:

(A) officially-designated public parks and recreational areas, including national parks, national monuments, national forests, state parks, state recreational areas, and county regional parks.

(B) any large operation which is required to submit a dust control plan to any city or county government which has adopted a District-approved dust control ordinance.

(C) any large operation subject to Rule 1158, which has an approved dust control plan pursuant to Rule 1158, provided that all sources of fugitive dust are included in the Rule 1158 plan.

(8) The provisions of subparagraph (e)(1)(A) through (e)(1)(C) shall not apply to any large operation with an AQMD-approved fugitive dust control plan provided that there is no change to the sources and controls as identified in the AQMD-approved fugitive dust control plan.

(h) Fees

Any person conducting active operations for which the Executive Officer conducts upwind/downwind monitoring for PM_{10} pursuant to paragraph (d)(3) shall be assessed applicable Ambient Air Analysis Fees pursuant to Rule 304.1. Applicable fees shall be waived for any facility which is exempted from paragraph (d)(3) or meets the requirements of paragraph (d)(3).

TABLE 1
BEST AVAILABLE CONTROL MEASURES
(Applicable to All Construction Activity Sources)

Source Category	Control Measure	Guidance
Backfilling	01-1 Stabilize backfill material when not actively handling; and 01-2 Stabilize backfill material during handling; and 01-3 Stabilize soil at completion of activity.	✓ Mix backfill soil with water prior to moving ✓ Dedicate water truck or high capacity hose to backfilling equipment ✓ Empty loader bucket slowly so that no dust plumes are generated ✓ Minimize drop height from loader bucket
Clearing and grubbing	02-1 Maintain stability of soil through pre-watering of site prior to clearing and grubbing; and 02-2 Stabilize soil during clearing and grubbing activities; and 02-3 Stabilize soil immediately after clearing and grubbing activities.	✓ Maintain live perennial vegetation where possible ✓ Apply water in sufficient quantity to prevent generation of dust plumes
Clearing forms	03-1 Use water spray to clear forms; or 03-2 Use sweeping and water spray to clear forms; or 03-3 Use vacuum system to clear forms.	✓ Use of high pressure air to clear forms may cause exceedance of Rule requirements
Crushing	04-1 Stabilize surface soils prior to operation of support equipment; and 04-2 Stabilize material after crushing.	✓ Follow permit conditions for crushing equipment ✓ Pre-water material prior to loading into crusher ✓ Monitor crusher emissions opacity ✓ Apply water to crushed material to prevent dust plumes

TABLE 1
BEST AVAILABLE CONTROL MEASURES
(Applicable to All Construction Activity Sources)

Source Category	Control Measure	Guidance
Cut and fill	05-1 Pre-water soils prior to cut and fill activities; and 05-2 Stabilize soil during and after cut and fill activities.	✓ For large sites, pre-water with sprinklers or water trucks and allow time for penetration ✓ Use water trucks/pulls to water soils to depth of cut prior to subsequent cuts
Demolition – mechanical/manual	06-1 Stabilize wind erodible surfaces to reduce dust; and 06-2 Stabilize surface soil where support equipment and vehicles will operate; and 06-3 Stabilize loose soil and demolition debris; and 06-4 Comply with AQMD Rule 1403.	✓ Apply water in sufficient quantities to prevent the generation of visible dust plumes
Disturbed soil	07-1 Stabilize disturbed soil throughout the construction site; and 07-2 Stabilize disturbed soil between structures	✓ Limit vehicular traffic and disturbances on soils where possible ✓ If interior block walls are planned, install as early as possible ✓ Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes
Earth-moving activities	08-1 Pre-apply water to depth of proposed cuts; and 08-2 Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction; and 08-3 Stabilize soils once earth-moving activities are complete.	✓ Grade each project phase separately, timed to coincide with construction phase ✓ Upwind fencing can prevent material movement on site ✓ Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes

TABLE 1
BEST AVAILABLE CONTROL MEASURES
(Applicable to All Construction Activity Sources)

Source Category	Control Measure	Guidance
Importing/exporting of bulk materials	09-1 Stabilize material while loading to reduce fugitive dust emissions; and 09-2 Maintain at least six inches of freeboard on haul vehicles; and 09-3 Stabilize material while transporting to reduce fugitive dust emissions; and 09-4 Stabilize material while unloading to reduce fugitive dust emissions; and 09-5 Comply with Vehicle Code Section 23114.	✓ Use tarps or other suitable enclosures on haul trucks ✓ Check belly-dump truck seals regularly and remove any trapped rocks to prevent spillage ✓ Comply with track-out prevention/mitigation requirements ✓ Provide water while loading and unloading to reduce visible dust plumes
Landscaping	10-1 Stabilize soils, materials, slopes	✓ Apply water to materials to stabilize ✓ Maintain materials in a crusted condition ✓ Maintain effective cover over materials ✓ Stabilize sloping surfaces using soil binders until vegetation or ground cover can effectively stabilize the slopes ✓ Hydroseed prior to rain season
Road shoulder maintenance	11-1 Apply water to unpaved shoulders prior to clearing; and 11-2 Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance.	✓ Installation of curbing and/or paving of road shoulders can reduce recurring maintenance costs ✓ Use of chemical dust suppressants can inhibit vegetation growth and reduce future road shoulder maintenance costs

TABLE 1
BEST AVAILABLE CONTROL MEASURES
(Applicable to All Construction Activity Sources)

Source Category	Control Measure	Guidance
Screening	12-1 Pre-water material prior to screening; and 12-2 Limit fugitive dust emissions to opacity and plume length standards; and 12-3 Stabilize material immediately after screening.	✓ Dedicate water truck or high capacity hose to screening operation ✓ Drop material through the screen slowly and minimize drop height ✓ Install wind barrier with a porosity of no more than 50% upwind of screen to the height of the drop point
Staging areas	13-1 Stabilize staging areas during use; and 13-2 Stabilize staging area soils at project completion.	✓ Limit size of staging area ✓ Limit vehicle speeds to 15 miles per hour ✓ Limit number and size of staging area entrances/exists
Stockpiles/ Bulk Material Handling	14-1 Stabilize stockpiled materials. 14-2 Stockpiles within 100 yards of off-site occupied buildings must not be greater than eight feet in height; or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.	✓ Add or remove material from the downwind portion of the storage pile ✓ Maintain storage piles to avoid steep sides or faces

TABLE 1
BEST AVAILABLE CONTROL MEASURES
(Applicable to All Construction Activity Sources)

Source Category	Control Measure	Guidance
Traffic areas for construction activities	15-1 Stabilize all off-road traffic and parking areas; and 15-2 Stabilize all haul routes; and 15-3 Direct construction traffic over established haul routes.	✓ Apply gravel/paving to all haul routes as soon as possible to all future roadway areas ✓ Barriers can be used to ensure vehicles are only used on established parking areas/haul routes
Trenching	16-1 Stabilize surface soils where trencher or excavator and support equipment will operate; and 16-2 Stabilize soils at the completion of trenching activities.	✓ Pre-watering of soils prior to trenching is an effective preventive measure. For deep trenching activities, pre-trench to 18 inches soak soils via the pre-trench and resuming trenching ✓ Washing mud and soils from equipment at the conclusion of trenching activities can prevent crusting and drying of soil on equipment
Truck loading	17-1 Pre-water material prior to loading; and 17-2 Ensure that freeboard exceeds six inches (CVC 23114)	✓ Empty loader bucket such that no visible dust plumes are created ✓ Ensure that the loader bucket is close to the truck to minimize drop height while loading
Turf Overseeding	18-1 Apply sufficient water immediately prior to conducting turf vacuuming activities to meet opacity and plume length standards; and 18-2 Cover haul vehicles prior to exiting the site.	✓ Haul waste material immediately off-site

TABLE 1
BEST AVAILABLE CONTROL MEASURES
(Applicable to All Construction Activity Sources)

Source Category	Control Measure		Guidance
Unpaved roads/parking lots	19-1	Stabilize soils to meet the applicable performance standards; and	✓ Restricting vehicular access to established unpaved travel paths and parking lots can reduce stabilization requirements
	19-2	Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.	
Vacant land	20-1	In instances where vacant lots are 0.10 acre or larger and have a cumulative area of 500 square feet or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access by installing barriers, curbs, fences, gates, posts, signs, shrubs, trees or other effective control measures.	

Table 2
DUST CONTROL MEASURES FOR LARGE OPERATIONS

FUGITIVE DUST SOURCE CATEGORY		CONTROL ACTIONS
Earth-moving (except construction cutting and filling areas, and mining operations)	(1a)	Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the Executive Officer, the California Air Resources Board, and the U.S. EPA. Two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations each subsequent four-hour period of active operations; OR
	(1a-1)	For any earth-moving which is more than 100 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 100 feet in length in any direction.
Earth-moving: Construction fill areas:	(1b)	Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the Executive Officer, the California Air Resources Board, and the U.S. EPA. For areas which have an optimum moisture content for compaction of less than 12 percent, as determined by ASTM Method 1557 or other equivalent method approved by the Executive Officer and the California Air Resources Board and the U.S. EPA, complete the compaction process as expeditiously as possible after achieving at least 70 percent of the optimum soil moisture content. Two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations during each subsequent four-hour period of active operations.

Table 2 (Continued)

FUGITIVE DUST SOURCE CATEGORY	CONTROL ACTIONS	
Earth-moving: Construction cut areas and mining operations:	(1c)	Conduct watering as necessary to prevent visible emissions from extending more than 100 feet beyond the active cut or mining area unless the area is inaccessible to watering vehicles due to slope conditions or other safety factors.
Disturbed surface areas (except completed grading areas)	(2a/b)	Apply dust suppression in sufficient quantity and frequency to maintain a stabilized surface. Any areas which cannot be stabilized, as evidenced by wind driven fugitive dust must have an application of water at least twice per day to at least 80 percent of the unstabilized area.
Disturbed surface areas: Completed grading areas	(2c)	Apply chemical stabilizers within five working days of grading completion; OR
	(2d)	Take actions (3a) or (3c) specified for inactive disturbed surface areas.
Inactive disturbed surface areas	(3a)	Apply water to at least 80 percent of all inactive disturbed surface areas on a daily basis when there is evidence of wind driven fugitive dust, excluding any areas which are inaccessible to watering vehicles due to excessive slope or other safety conditions; OR
	(3b)	Apply dust suppressants in sufficient quantity and frequency to maintain a stabilized surface; OR
	(3c)	Establish a vegetative ground cover within 21 days after active operations have ceased. Ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all times thereafter; OR
	(3d)	Utilize any combination of control actions (3a), (3b), and (3c) such that, in total, these actions apply to all inactive disturbed surface areas.

Table 2 (Continued)

FUGITIVE DUST SOURCE CATEGORY	CONTROL ACTIONS	
Unpaved Roads	(4a)	Water all roads used for any vehicular traffic at least once per every two hours of active operations [3 times per normal 8 hour work day]; OR
	(4b)	Water all roads used for any vehicular traffic once daily and restrict vehicle speeds to 15 miles per hour; OR
	(4c)	Apply a chemical stabilizer to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface.
Open storage piles	(5a)	Apply chemical stabilizers; OR
	(5b)	Apply water to at least 80 percent of the surface area of all open storage piles on a daily basis when there is evidence of wind driven fugitive dust; OR
	(5c)	Install temporary coverings; OR
	(5d)	Install a three-sided enclosure with walls with no more than 50 percent porosity which extend, at a minimum, to the top of the pile. This option may only be used at aggregate-related plants or at cement manufacturing facilities.
All Categories	(6a)	Any other control measures approved by the Executive Officer and the U.S. EPA as equivalent to the methods specified in Table 2 may be used.

TABLE 3
CONTINGENCY CONTROL MEASURES FOR LARGE OPERATIONS

FUGITIVE DUST SOURCE CATEGORY	CONTROL MEASURES
Earth-moving	(1A) Cease all active operations; OR (2A) Apply water to soil not more than 15 minutes prior to moving such soil.
Disturbed surface areas	(0B) On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than four consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface for a period of six months; OR (1B) Apply chemical stabilizers prior to wind event; OR (2B) Apply water to all unstabilized disturbed areas 3 times per day. If there is any evidence of wind driven fugitive dust, watering frequency is increased to a minimum of four times per day; OR (3B) Take the actions specified in Table 2, Item (3c); OR (4B) Utilize any combination of control actions (1B), (2B), and (3B) such that, in total, these actions apply to all disturbed surface areas.
Unpaved roads	(1C) Apply chemical stabilizers prior to wind event; OR (2C) Apply water twice per hour during active operation; OR (3C) Stop all vehicular traffic.
Open storage piles	(1D) Apply water twice per hour; OR (2D) Install temporary coverings.
Paved road track-out	(1E) Cover all haul vehicles; OR (2E) Comply with the vehicle freeboard requirements of Section 23114 of the California Vehicle Code for both public and private roads.
All Categories	(1F) Any other control measures approved by the Executive Officer and the U.S. EPA as equivalent to the methods specified in Table 3 may be used.

Table 4
(Conservation Management Practices for Confined Animal Facilities)

SOURCE CATEGORY	CONSERVATION MANAGEMENT PRACTICES
Manure Handling **(Only applicable to Commercial Poultry Ranches)**	(1a) Cover manure prior to removing material off-site; AND (1b) Spread the manure before 11:00 AM and when wind conditions are less than 25 miles per hour; AND (1c) Utilize coning and drying manure management by removing manure at laying hen houses at least twice per year and maintain a base of no less than 6 inches of dry manure after clean out; or in lieu of complying with conservation management practice (1c), comply with conservation management practice (1d). (1d) Utilize frequent manure removal by removing the manure from laying hen houses at least every seven days and immediately thin bed dry the material.
Feedstock Handling	(2a) Utilize a sock or boot on the feed truck auger when filling feed storage bins.
Disturbed Surfaces	(3a) Maintain at least 70 percent vegetative cover on vacant portions of the facility; OR (3b) Utilize conservation tillage practices to manage the amount, orientation and distribution of crop and other plant residues on the soil surface year-round, while growing crops (if applicable) in narrow slots or tilled strips; OR (3c) Apply dust suppressants in sufficient concentrations and frequencies to maintain a stabilized surface.
Unpaved Roads	(4a) Restrict access to private unpaved roads either through signage or physical access restrictions and control vehicular speeds to no more than 15 miles per hour through worker notifications, signage, or any other necessary means; OR (4b) Cover frequently traveled unpaved roads with low silt content material (i.e., asphalt, concrete, recycled road base, or gravel to a minimum depth of four inches); OR (4c) Treat unpaved roads with water, mulch, chemical dust suppressants or other cover to maintain a stabilized surface.
Equipment Parking Areas	(5a) Apply dust suppressants in sufficient quantity and frequency to maintain a stabilized surface; OR (5b) Apply material with low silt content (i.e., asphalt, concrete, recycled road base, or gravel to a depth of four inches).

ATTACHMENT B:

CEQA FINDINGS OF FACTS

AND

STATEMENT OF OVERRIDING CONSIDERATIONS

Facts and Findings and Statement of Overriding Considerations for the:

5355 East Airport Drive Project

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February 2024

"EXHIBIT X"

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"EXHIBIT X"

1.0 INTRODUCTION AND PURPOSE

The Planning Commission of the City of Ontario (the "Planning Commission") in approving the 5355 East Airport Drive Project (the "Project") makes the Findings described below. The Findings are based upon the entire record before the Planning Commission, as described in Subsection 1.3 below, including the Environmental Impact Report ("EIR") prepared for the Project with the City of Ontario (the "City") acting as lead agency under the California Environmental Quality Act ("CEQA").

Hereafter, the Notice of Preparation, Notice of Availability, Draft EIR ("DEIR"), Technical Studies, and Final EIR (containing responses to public comments on the DEIR and textual revisions to the Final EIR), will be referred to collectively herein as the "EIR" unless otherwise specified.

1.1 FINDINGS REQUIRED UNDER CEQA

Public Resources Code Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The statute also provides that the procedures required by CEQA are "intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or lessen such significant effects." Finally, Section 21002 indicates that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate described in Public Resources Code Section 21002 is implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. The second finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. The third finding is that specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR. (CEQA Guidelines, §15091.) Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors."

1.2 PROJECT SUMMARY

1.2.1 SITE LOCATION

The 13.08-acre Project Site is located in southwestern San Bernardino County, within the City of Ontario. The Project Site is located at 5355 East Airport Drive (APN: 0238-052-29 and 0238- 052-20). The Project Site is bordered by East Airport Drive to the south, industrial uses to the east and west, and railroad tracks to the north.

1.2.2 PROJECT OVERVIEW

The Project Applicant seeks to demolish all existing on-site structures and redevelop the site as a warehouse distribution facility with approximately 270,337 square feet (s.f.) of building area and 54 south-facing loading dock doors. Of the total building square footage, the Project design allocates 255,337 s.f. for ground floor space and 15,000 s.f. for mezzanine space. Development of the Project site would require demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The proposed building would be a one-story, 49-foot-tall speculative warehouse/ distribution facility with ancillary office space. The Project design includes surface parking with 251 parking spaces including 126 standard automobile parking stalls, 7 accessible parking stalls, 25 electric vehicle parking stalls, 93 additional standard stalls within the truck court, and 48 truck trailer parking spaces. The truck court/loading area would be enclosed and screened from public viewing areas by landscaping and minimum 14-foot-tall concrete tilt screening walls, with an 8-foot-tall black tube steel gate used at the access points. Vehicular access would be provided via 2 driveways connecting with East Airport Drive. A new sidewalk would be constructed along East Airport Drive to provide pedestrian access from the public street to the primary building entrances. Bike racks also would be provided near the building entrance and electrical room. Ornamental landscaping, lighting, walls, and utility infrastructure improvements/connections would be installed in compliance with the City's Municipal Code. Although the future building user is not presently known, the proposed building is assumed to operate 24 hours a day, 7 days a week.

1.2.3 PROJECT OBJECTIVES

The fundamental purpose and goal of the 5355 East Airport Drive Project is to accomplish the orderly redevelopment of the Project Site with a modern warehouse distribution facility. The Project would achieve this goal through the following objectives.

A. To expand economic development and facilitate job creation in the City of Ontario by redeveloping the property with a new, in-demand industrial use adjacent to an already established industrial area.

B. To attract employment-generating businesses to the City of Ontario to reduce the need for members of the local workforce to commute outside the area for employment.

C. To develop industrial buildings with loading bays in close proximity to designated truck routes and the State highway system to avoid or shorten heavy truck-trip lengths on City and regional roads.

D. To attract businesses that can expedite the delivery of goods to consumers and businesses in the City of Ontario and beyond.

E. To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity of the Project Site and minimize conflicts with other nearby land uses.

F. To develop a property that has access to available infrastructure, including roads and utilities.

1.2.4 CITY OF ONTARIO ACTIONS COVERED BY THE EIR

The following discretionary and administrative actions are required of the City to implement the Project. The EIR prepared for the Project covers all discretionary and administrative approvals which may be needed to construct or implement the Project, whether or not they are explicitly listed below.

- Development Plan (PDEV22-017)

1.2.5 APPROVALS FROM OTHER AGENCIES

The California Public Resource Code (§ 21104) requires that all EIRs be reviewed by responsible and trustee agencies (see also CEQA Guidelines Section 15082 and Section 15086(a)). As defined by CEQA Guidelines Section 15381, "the term 'Responsible Agency' includes all public agencies other than the Lead Agency that have discretionary approval power over the project." A "Trustee Agency" is defined in CEQA Guidelines Section 15386 as "a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California."

The anticipated agencies expected to use the EIR are described below. However, the EIR can be used by any Trustee Agency or Responsible Agency, whether explicitly noted in the table below or not, as part of their decision-making processes in relation to the proposed Project.

Agency	Action
Responsible and Trustee Agencies	
Santa Ana Regional Water Quality Control Board ("RWQCB")	Santa Ana RWQCB is responsible for the protection of California's water resources and water quality. The Santa Ana RWQCB is responsible for issuance of a National Pollutant Discharge Elimination System ("NPDES") Permit to ensure that during and after Project construction, on-site water flows do not result in siltation, other erosional actions, or degradation of surface or subsurface water quality.
San Bernardino County Flood Control District ("SBCFCD")	Responsible for the proposed drainage infrastructure that would be utilized by the Project.
Ontario Fire Department ("OFD")	Approvals required for the installation of new fire hydrant locations and fire protection features for the proposed building.
South Coast Air Quality Management District ("South Coast AQMD")	Responsible for the issuance of permits that allow for the construction and operation of the Project to ensure that during and post-Project construction and during Project operation, Project emissions do not result in significant impacts to air quality
Ontario Municipal Utilities Company ("OMUC")	Approvals for the installation of proposed water improvements and connections.
Inland Empire Utilities Agency ("IEUA")	Approval of proposed sewer improvements and connections.
Southern California Edison ("SCE")	Approvals required for the installation of new SCE facilities/connections to service the Project
Southern California Gas Company ("SoCal Gas")	Approvals required for the installation of new SoCal Gas facilities/connections to service the Project

1.3 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City conducted an extensive environmental review of the Project to ensure that the City's decision makers and the public are fully informed about the potential significant environmental effects of the Project; to identify ways that environmental damage can be avoided or significantly reduced; and to prevent significant, avoidable damage to the environment by requiring changes in the Project using mitigation measures which have been found to be feasible. To do this, the City, acting as Lead Agency under CEQA, undertook the following:

- Circulated a Notice of Preparation (NOP) to the California Office of Planning and Research (the "State Clearinghouse"), Responsible Agencies, Trustee Agencies, other interested parties, and all property owners and occupants within a 600-foot radius of the Project site on September 1, 2022 for a 30-day review period beginning on September 1;

- Held a publicly noticed virtual EIR Scoping Meeting on September 13, 2022 to solicit comments from the public on the environmental issue areas that should be analyzed in the EIR;

- Sent a Notice of Completion (NOC) and copies of the Draft EIR to the California Office of Planning and Research, State Clearinghouse, on August 22, 2023, for a 45-day public review period from August 22, 2023 to October 5, 2023;

- Mailed a Notice of Availability (NOA) to all Responsible Agencies, Trustee Agencies, the Riverside County Clerk, other interested parties, and organizations, individuals who had previously requested the Notice, and all property owners and occupants within a 600-foot radius of the Project site to inform recipients that the Draft EIR was available for a 45-day review period beginning on August 22, 2023, and ending on October 5, 2023;

- Made an electronic copy of the Draft EIR available on the City's website;

- Prepared responses to comments on the Draft EIR received during the 45-day comment period on the Draft EIR, which have been included in the Final EIR;

- Mailed notice of the Planning Commission hearing to all property owners and occupants within a 600-foot radius of the Project site.

- Sent individual responses to all public agencies, organizations, and individuals who submitted comments the Draft EIR on April 10, 2023; and

- Held a Planning Commission hearing on April 23, 2023.

All the documents identified above and all the documents which are required to be part of the record pursuant to Public Resources Code §21167.6(e) are on file with the City of Ontario Planning Department located at 303 East B Street in Ontario, CA 91764. Questions should be directed to Thomas Grahn, Senior Planner.

2.0 ENVIRONMENTAL IMPACTS AND FINDINGS

The EIR was prepared by T&B Planning, Inc., an independent, professional consulting firm. The professional qualifications and reputation of the EIR Consultant, the supervision and direction of the EIR Consultant by City staff, the thorough and independent review of the DEIR and Final EIR, including comments and responses by City staff, and the review and careful consideration of the Final EIR by the Planning Commission, including comments and responses, all conclusively show that the Final EIR is the product of and reflects the independent judgment and analysis of the City as the Lead Agency.

Based on the NOP, Technical Appendix A to the Draft EIR, and the responses to the NOP, the EIR analyzed 12 potential areas where significant environmental impacts could result from the development of the Project. The 12 potential areas where significant environmental impacts could result from the development of the Project include: aesthetics, air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, transportation, tribal cultural resources, and utilities and service systems.

3.0 ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Planning Commission hereby finds that the following potential environmental impacts associated with the implementation of the 5355 East Airport Drive Project are less-than-significant and therefore do not require the imposition of mitigation measures, or there are no impacts at all.

3.1 AESTHETICS

3.1.1 THRESHOLD A

Impact Statement: The Project would not have a substantial effect on a scenic vista.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.1.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

A significant impact would occur if a project were to introduce incompatible scenic elements within a field of view containing a scenic vista or substantially block views of a scenic vista. Viewsheds refer to the visual qualities of the geographical area that is defined by the horizon, topography, and other natural features that give an area its visual boundary and context, or by artificial developments that have become prominent visual components of an area. The City of Ontario's General Plan (Policy Plan) does not identify scenic vistas within the City; however, The Policy Plan (Policy CD1-5) requires all major require north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The Project Site is located at East Airport Drive, a minor east-west minor arterial street, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. Additionally, the Project Site is bordered by industrial uses to the east and west. The San Gabriel Mountains are partially visible from the East Airport Drive segment that abuts the Project Site (while looking north); however, views of the Mountains are largely obstructed by existing onsite structures and improvements. The proposed warehouse building would not obscure views of the San Gabriel Mountains substantially more than views of the Mountains are already obscured under existing conditions, and views of the San Bernardino Mountains would continue to be available above the proposed building. Therefore, the visibility – or lack thereof – of the San Gabriel Mountains from public viewing areas along the Project Site frontage would not change substantially with implementation of the Project. Accordingly, given that the Project Site is not a scenic vista, is not located near a designated scenic resource, and unique, prominent, and scenic views would not be obscured by the Project, implementation of the Project would not have a substantial adverse effect on a scenic vista and less-than-significant impacts would occur. (DEIR, p. 4.1-8)

3.1.2 THRESHOLD B

Impact Statement: The Project would not damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.1.5 of the DEIR. This Planning Commission finds that the development of the proposed Project would result in no impacts with respect to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east–west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. The nearest eligible State scenic highway is SR-142, approximately 12.7 miles to the southwest of the Project Site. In addition, there are no historic buildings or any scenic resources identified on or in the vicinity of the Project Site. Therefore, the Project would not substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway. No impacts are anticipated. (DEIR, pp. 4.1-8)

3.1.3 THRESHOLD C

Impact Statement: The Project would not, in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.1.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

According to CEQA Guidelines Section 15387, urban areas mean a central city or group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile. According to the 2010 Census Urbanized Area Reference Map, the Project is located within an urbanized area. As such, the potential impacts of the Project under this threshold are assessed based on whether the Project would conflict with applicable zoning and other regulations governing scenic quality.

The Project Site is zoned Heavy Industrial (IH) and the Project is required to comply with the development standards established in Section 6.01.025, Industrial Zoning Districts, of the City's Development Code. The intent and purpose of Section 6.01.025 are to ensure that development within the industrial zoning districts of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan component of The Ontario Plan (TOP). Furthermore, these regulations are to ensure that the appearance of industrial buildings and uses are compatible with the visual character of the area in which they are located. Table 4.1-1, *Zoning District Development Standards Consistency Analysis*, addresses the Project's consistency with applicable development

standards outlined in the City's Development Code. As shown below, the Project would not conflict with the applicable development standards in the City's Development Code established for the IH zone. Therefore, no adverse impacts are anticipated. (DEIR, pp. 4.1-9 – 4.1-12)

3.1.4 THRESHOLD D

Impact Statement: The Project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

❑ **Findings**

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.1.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in impacts related to Threshold d; therefore, no mitigation is required.

❑ **Substantial Evidence**

The analysis of light and glare describes the existing light and glare environments in the Project area, identifies the light- and glare-sensitive land uses in the area, describes the light and glare sources under the Project, and qualitatively evaluates whether the Project would result in a substantial increase in nighttime lighting and daytime glare as seen from the area's sensitive uses. The analysis of lighting impacts focuses on whether the Project would cause or substantially increase adverse night time lighting effects on light sensitive uses. Included in this analysis is consideration of the affected street frontages, the direction in which Project lighting would be directed, the potential for sunlight to reflect off the exterior surfaces of the proposed buildings, and the extent to which glare would interfere with the operation of motor vehicles or other activities.

Under existing conditions, the Project Site is surrounded by industrial uses and railroad tracks and street lights are located along East Airport Drive. New lighting would be introduced to the Site with the development of the Project. Pursuant to the requirements of the City's Development Code, on-site lighting is required to be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures are required to be selected and located to confine the area of illumination to within the Project Site and minimize light spillage. Furthermore, Site lighting plans are subject to review by the City's Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance).

With respect to glare, a majority of Project building materials would consist of tilt-up concrete panels which are low reflective. Although the building would incorporate some glass elements, the glass would result in minimal glare effects because proposed window glazing would be low reflective, would be set back from East Airport Drive at a distance and would be buffered from East Airport Drive by landscaping. Therefore, implementation of the Project would not result in a significant source of light or glare that would adversely affect daytime or nighttime views and impacts would be less than significant. (DEIR, p. 4.1-12.)

3.2 AGRICULTURAL AND FORESTRY RESOURCES

3.2.1 THRESHOLD A

Impact Statement: The Project would not the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 5.4.1 of the DEIR. This Planning Commission finds that the development of the proposed Project would not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantive Evidence**

The Project Site is presently industrial and does not contain any agricultural uses. Further, the Site is identified as Urban and Built-up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program (DOC, 2018). The Project does not have the potential to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use. As a result, no adverse environmental impacts are anticipated. (DEIR, p. 5-5-4)

3.2.2 THRESHOLD B

Impact Statement: The Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed in detail in Section 5.4.1 of the DEIR. This Planning Commission finds that the development of the proposed Project would not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantive Evidence**

The Project Site is not zoned for agricultural use. The Project Site is zoned Heavy Industrial. The Project's implementation would not require a zone change and would not result in a loss of land zoned for agriculture. The Project is consistent with the development standards and allowed land uses of the proposed zone. Furthermore, there is no Williamson Act contract in effect on the subject Site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing or Williamson Act contracts. (DEIR, p. 5-5-4)

3.2.3 THRESHOLD C

Impact Statement: The Project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public

Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g).

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed in detail in Section 5.4.1 of the DEIR. This Planning Commission finds that the development of the proposed Project would not result in significant impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantive Evidence**

The Project is zoned Heavy Industrial and does not contain forest land. The Project is consistent with the development standards and allowed land uses of the Heavy Industrial zone. The City's Zoning Map does not designate any parcels of land in the Project area for forest land, timberland, or timberland zoned Timberland Production. Therefore, no adverse impacts are anticipated. (DEIR, p. 5-5-4)

3.2.4 THRESHOLD D

Impact Statement: The Project would not result in the loss of forest land or conversion of forest land to non-forest use.

❑ **Findings**

Potential impacts of the Project related to Threshold d are discussed in detail in Section 5.4.1 of the DEIR. This Planning Commission finds that the development of the proposed Project would not result in significant impacts related to Threshold d; therefore, no mitigation is required.

❑ **Substantive Evidence**

There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither the Policy Plan nor the City's Zoning Code provide designations for forest land. Consequently, the Project would not result in the loss or conversion of forest land. (DEIR, p. 5-5-5)

3.2.5 THRESHOLD E

Impact Statement: The Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

❑ **Findings**

Potential impacts of the Project related to Threshold e are discussed in detail in Section 5.4.1 of the DEIR. This Planning Commission finds that the development of the proposed Project would not result in significant impacts related to Threshold e; therefore, no mitigation is required.

❑ **Substantive Evidence**

The Project Site is currently zoned Heavy Industrial and is not designated as Farmland. The Project Site is currently developed with industrial uses and there are no agricultural uses occurring onsite. As a result, to the extent that the Project would result in changes to the existing environment those changes would not result in the loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither the Policy Plan nor the City's Development Code provide designations for forest land. Consequently, to the extent that the Project would result in changes to the existing environment, those changes would not impact forest land. (DEIR, p. 5-5)

3.3 AIR QUALITY

3.3.1 THRESHOLD A

Impact Statement: The Project would conflict with and/or obstruct implementation of the applicable air quality plan.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.2.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

Consistency Criterion No. 1 refers to violations of the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). CAAQS and NAAQS violations would occur if LSTs or regional significance thresholds were exceeded. As disclosed under the analysis for Thresholds "b" and "c" below, Project localized and regional construction and operational-source emissions would not exceed applicable South Coast Air Quality Management District (SCAQMD) regional significance thresholds and Localized significance thresholds (LST) thresholds. As such, the Project is determined to be consistent with the first criterion.

With regard to Consistency Criterion No. 2, the 2016 Air Quality Management Plan (AQMP) demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the Air District are provided to the Southern California Association of Governments (SCAG), which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in City of Ontario Policy Plan is considered to be consistent with the AQMP.

Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and maximum area of disturbance. Irrespective of the site's land use designation, development of the site to its maximum potential would

likely occur, with disturbance of the entire site occurring during construction activities. As such, when considering that no emissions thresholds will be exceeded, a less than significant impact would result.

The Project is designated for Industrial uses within the Policy Plan. The Industrial designation allows for a variety of light industrial uses, including warehousing/distribution, assembly, light manufacturing, research and development, storage, repair facilities, and supporting retail and professional office uses. This designation also accommodates activities that could potentially generate impacts, such as noise, dust, and other nuisances. The Project is proposed to consist of a single 270,337 s.f. warehouse building. As previously stated, this analysis assumes up to 27,034 s.f. of high-cube cold storage use (10% of the total building s.f.) and 243,303 s.f. of warehouse use (90% of total building) which is consistent with the proposed Industrial designation and therefore, the Project does not propose or require amendment of the Site's underlying land use designation.

Furthermore, as discussed below, the Project would not result in or cause exceedances of regional or localized air quality significance thresholds. Emissions generated by the Project are accurately represented in the AQMP emissions modeling, air pollution control strategies, and associated assumptions for emissions affecting the South Coast Air Basin (SCAB). On the basis of the preceding discussion, the Project would not exceed the assumptions in the AQMP based on the years of Project build-out phase. The Project is therefore determined to be consistent with the second criterion.

The Project would not result in or cause NAAQS or CAAQS violations and the Project is consistent with the land use and growth intensities reflected in the adopted City of Ontario Policy Plan. Furthermore, the Project would not exceed any applicable regional or local thresholds. As such, the Project is considered to be consistent with the AQMP and impacts would be less than significant. (DEIR, pp. 4.2-29 – 4.2-30)

3.3.2 THRESHOLD B

Impact Statement: The Project would result in a cumulatively considerable net increase of criteria pollutants for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.2.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

Construction Emissions Impact Analysis: The Project's peak construction-related emissions are summarized in Table 4.2-8, *Peak Construction Emissions Summary*, of the DEIR. Detailed air model outputs are presented in Appendix 4.1 of the Project's Air Quality Impact Analysis (AQIA). As shown in Table 4.2-8, peak construction-related emissions of VOC, NO_X, CO, SO_X, and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed the applicable South Coast Air Quality Management District (SCAQMD) regional thresholds. Accordingly, the Project's construction activities would not emit

substantial concentrations for all pollutants and would not contribute to an existing or projected air quality violation on a cumulatively-considerable basis, and Project construction impacts would be less than significant.

Operational Emissions Impact Analysis: Peak emissions from Project operations are presented in Table 4.2-9, *Peak Operational Emissions Summary*, of the DEIR. Detailed air model outputs for the operational analysis are provided in Appendices 4.2 and 4.3 of the Project's AQIA contained as *Technical Appendix B1* of the DEIR. As shown, Project operational emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would not exceed SCAQMD regional criteria thresholds. Moreover, existing emissions from operation of the existing uses on the Project Site summarized in Table 4.2-4, *Existing Project Site Operation-Source Emissions,* were subtracted from the Project operational emissions to determine the new emissions from the proposed Project. As summarized in Table 4.2-9, Project operational emissions of VOCs, NOX, CO, SO_X, PM_{10} and $PM_{2.5}$ would not exceed SCAQMD regional criteria thresholds. Accordingly, the Project would not emit substantial concentrations of these pollutants during long-term operation and would not contribute to an existing or projected air quality violation. The Project's long-term emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would be less than significant. (DEIR, pp. 4.2-31 – 4.2-32)

3.3.3 THRESHOLD C

Impact Statement: The Project would not expose sensitive receptors to substantial pollutant concentrations.

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.2.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

During both construction and operation, the Project has the potential to expose nearby sensitive receptors to substantial pollutant concentrations. The following provides an analysis based on the applicable LSTs established by the State of California and SCAQMD, an analysis of the Project's potential to result in or contribute to CO "hot spots," and an analysis of the Project's potential to result in cancer risks and non-cancer health hazards.

1. Localized Criteria Pollutant Analysis

Construction Analysis: Table 4.2-10, *Localized Construction-Source Emissions Summary*, of the DEIR shows that localized emissions of NO_X, CO, and particulate matter (PM_{10} and $PM_{2.5}$) during Project construction would not exceed applicable SCAQMD thresholds. Accordingly, Project construction would not expose any sensitive receptors in the vicinity of the Project Site to substantial criteria pollutant concentrations. Impacts would be less than significant.

Operational Analysis: As shown in Table 4.2-11, *Localized Operational-Source Emissions Summary*, Project operations would not exceed the applicable SCAQMD thresholds for localized NO_X, CO, and particulate matter (PM_{10} and $PM_{2.5}$) emissions. Accordingly, the Project would not expose any sensitive receptors in the vicinity of the Project Site to substantial pollutant concentrations. Impacts would be less than significant.

2. CO Hot Spot Impact Analysis

An adverse CO concentration, known as a "hot spot", would occur if an exceedance of the State one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur. It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the SCAB is now designated as attainment.

A CO "hot spot" analysis was not performed for the Project because CO attainment in the SCAB was thoroughly analyzed as part of SCAQMD's 2003 AQMP and the 1992 Federal Attainment for Carbon Monoxide Plan (1992 CO Plan). For context, the CO "hot spot" analysis performed for the 2003 AQMP recorded a CO concentration of 8.4 parts per million (8-hour) at the Long Beach Boulevard/Imperial Highway intersection in Los Angeles County; however, only a small portion of the recorded CO concentrations (0.7 parts per million) were attributable to traffic congestion at the intersection. The vast majority of the recorded CO concentrations at the Long Beach Boulevard/Imperial Highway intersection (7.7 parts per million) were attributable to ambient air concentrations. In comparison, the ambient 1-hr and 8-hr CO concentration within the Project study area is estimated to be 1.6 ppm and 1.3 ppm, respectively (data from I-10 Near Road monitoring station for 2020). Therefore, even if the traffic volumes for the Project were double or even triple of the traffic volumes generated at the Long Beach Blvd. and Imperial Hwy. intersection, coupled with the on-going improvements in ambient air quality, the Project would not be capable of resulting in a CO "hot spot" at any study area intersections. Furthermore, data from several air studies indicate that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection by between 24,000 and 44,000 vehicles per hour in order to generate a significant CO impact; the Project would generate nowhere near this volume of traffic. Based on the relatively low traffic congestion levels, low existing ambient CO concentrations, and the lack of any unusual meteorological and/or topographical conditions in the Project Site vicinity, the Project is not expected to cause or contribute to a CO "hot spot". (Urban Crossroads, 2022a, pp. 47-49) Impacts would be less than significant.

3. Toxic Air Contaminant Impact Analysis

Construction Analysis: Construction activity would occur over the entire Project Site. Therefore, the sensitive receptor land use with the greatest potential exposure to Project construction-source DPM emissions is Location R6 which is located approximately 8,840 feet northwest of the Project Site at an existing residence located at 11210 Fourth Street on the opposite side of I-10 and SR-60 from the

Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receptor R6 is placed at the building façade facing the Project Site. At the Maximally Exposed Individual Resident (MEIR), the maximum incremental cancer risk attributable to Project construction-source DPM emissions is estimated at <0.01 in one million, which is far less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. There are no sensitive receptors located in immediate, close proximity to the Project Site. As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity. All other receptors during construction activity would experience less risk than what is identified for Location R6.

Operational Analysis: The Project Site primarily surrounded by industrial uses. Therefore, the residential land use with the greatest potential exposure to Project operational-source DPM emissions is Location R6 which is located approximately 8,840 feet northwest of the Project Site at an existing residence located at 11210 Fourth Street on the opposite side of I-15 and I-10 from the Project Site. Since there are no private outdoor living areas (backyards) facing the Project Site, receptor R6 is placed at the building façade facing the Project Site. At the MEIR, the maximum incremental cancer risk attributable to Project operational-source DPM emissions is estimated at 0.01 in one million, which is far less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be residential receptors located in immediate, close proximity to the Project Site. As such, the Project will not cause a significant human health or cancer risk to nearby residences.

The worker receptor land use with the greatest potential exposure to Project operational-source DPM emissions is Location R5, which represents the adjacent potential worker receptor approximately 58 feet east of the Project Site. At the Maximally Exposed Individual Worker (MEIW), the maximum incremental cancer risk impact is 0.25 in one million which is far less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled worker receptors are located at a greater distance than the MEIW analyzed herein, and DPM dissipates with distance from the source, all other worker receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project will not cause a significant human health or cancer risk to adjacent workers.

Proximity to sources of toxics is critical to determining the impact. In traffic-related studies, the additional non-cancer health risk attributable to proximity was seen within 1,000 feet and was strongest within 300 feet. California freeway studies show about a 70-percent drop-off in particulate pollution levels at 500 feet. Based on California Air Resources Board (CARB) and SCAQMD emissions and modeling analyses, an 80-percent drop-off in pollutant concentrations is expected at approximately 1,000 feet from a distribution center. The 1,000-foot evaluation distance is supported by research-based findings concerning TAC emission dispersion rates from roadways and large sources showing that emissions diminish substantially between 500 and 1,000 feet from emission sources. A one-quarter mile radius, or 1,320 feet, is commonly utilized for identifying sensitive receptors, such as schools, that may be impacted by a proposed project. This radius is more robust than, and therefore provides a more health protective scenario for evaluation than the 1,000-foot impact radius identified above.

There are no schools within one-quarter mile of the Project Site. The nearest school is Chaparral Elementary School, which is located approximately 11,200 feet southeast of the Project Site. Because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than one-quarter mile from the air pollution source, the Project would result in less-than-significant impacts to any schools in the vicinity of the Project. (DEIR, pp. 4.2-33 – 4.2-36)

3.3.4 THRESHOLD D

Impact Statement: The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

❑ **Findings**

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.2.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold d; therefore, no mitigation is required.

❑ **Substantial Evidence**

During construction activities on the Project Site, odors could be produced by construction equipment exhaust or from the application of asphalt and/or architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. In addition, construction activities on the Project Site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance. Accordingly, the Project's construction would not create objectionable odors affecting a substantial number of people and all impacts would be less than significant.

During long-term operation, the Project would operate as a warehouse distribution facility, which is not typically associated with the emission of objectionable odors. Temporary outdoor refuse storage could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the occupant(s) of the proposed warehouse building would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance, during long-term operation. As such, long-term operation of the Project would not create objectionable odors affecting a substantial number of people and all impacts would be less than significant. (DEIR, pp. 4.2-36 – 4.2-37)

3.4 BIOLOGICAL RESOURCES

3.4.1 THRESHOLD A

Impact Statement: The Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in

local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed Section 5.4.2 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Thresholds a; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is currently developed with a grain processing company and a corn storage and distribution facility. The Project Site is in an urbanized and industrialized area in the City of Ontario and vegetation onsite is limited to ornamental species. The Project Site is located within an area that has not been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS). As a part of the Project, existing vegetation within the developed portion of the Project Site would be removed and replaced with a variety of trees and ornamental vegetation. The relocation and/or replacement of on-site vegetation and trees would not have a substantial adverse effect on candidate, sensitive or special status species, as defined by the CDFW or the USFWS. Therefore, no adverse impacts are anticipated. (DEIR, p. 5-5-5)

3.4.2 THRESHOLD B

Impact Statement: The Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed Section 5.4.2 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is currently developed with industrial uses and is in a highly urbanized and industrialized area in the City. The Project Site does not contain any riparian habitat or other sensitive natural community identified by the CDFW or the USFWS (USFWS, 2020). Therefore, no adverse environmental impacts are anticipated. (DEIR, p. 5-5-6)

3.4.3 THRESHOLD C

Impact Statement: The Project would not have a substantial adverse effect on federally protected wetlands [as defined by Section 404 of the Clean Water Act] (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed Section 5.4.2 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

There are no wetlands habitat present on site (USFWS, 2020). Therefore, Project implementation would have no impact on these resources. (DEIR, p. 5-5-6)

3.4.4 THRESHOLD D

Impact Statement: The Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

❑ **Findings**

Potential impacts of the Project related to Threshold d are discussed Section 5.4.2 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold d; therefore, no mitigation is required.

❑ **Substantial Evidence**

No surface water bodies, streams or waterways occur on the Project Site. The Project Site does not provide nursery sites for wildlife, nor is it conducive to function as a corridor for migratory wildlife. There are a limited number of ornamental trees on site that would be removed and replaced with new trees and landscaping. The Migratory Bird Treaty Act of 1918 (MBTA) implements the United States' commitment to four treaties with Canada, Japan, Mexico, and Russia for the protection of shared migratory bird resources. Nesting migratory birds are protected under the MBTA (United States Code, Title 16, Sections 703–712) and California Fish and Game Code Sections 3503 et seq. Compliance with federal MBTA and California Fish and Game Code would eliminate any potential impacts. The Project would not interfere with the movement of any native resident or migratory species or impede the use of native wildlife nursery sites. Therefore, no adverse environmental impacts are anticipated. (DEIR, p. 5-5-6)

3.4.5 THRESHOLD E

Impact Statement: The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

❑ **Findings**

Potential impacts of the Project related to Threshold e are discussed Section 5.4.2 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold e; therefore, no mitigation is required.

❑ **Substantial Evidence**

The City of Ontario does not have any ordinances protecting biological resources. Further, the Site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated. (DEIR, p. 5-5-6)

3.4.6 THRESHOLD F

Impact Statement: The Project would not conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

❑ **Findings**

Potential impacts of the Project related to Thresholds f are discussed Section 5.4.2 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold f; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is not part of an adopted HCP, NCCP or other approved habitat conservation plan (CDFW, 2019). As a result, no adverse environmental impacts are anticipated. (DEIR, p. 5-5-7)

3.5 CULTURAL RESOURCES

3.5.1 THRESHOLD A

Impact Statement: The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.3.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

Under existing conditions, the Project Site is currently developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed silo grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site, and three known septic systems are located beneath the Site. Implementation of the Project would require the demolition of all structures that are located on the Project Site under existing conditions.

Brian F. Smith & Associates, Inc. (BFSA) conducted a cultural resources record search of the Project Site and concluded that no recorded historical resources pursuant to CEQA Guidelines Section 15064.5

are located within the Project boundaries or a one-half mile radius of the Project Site. The structures on the Project Site have a construction date of 1975 and after; and, the buildings and features within the Project Site were assessed and found not to be historically or architecturally significant under CEQA. Accordingly, implementation of the Project would not result in a substantial adverse change to any historical resource as defined by CEQA Guidelines Section 15064.5. No impact to a historical resource would occur. (DEIR, pp. 4.3-7 – 4.3-8)

3.5.2 THRESHOLD C

Impact Statement: The Project would not disturb any human remains, including those interred outside of formal cemeteries.

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.3.4 of the DEIR. This Planning Commission finds that the development of the proposed Project would not result in significant impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site does not contain a cemetery and no known formal cemeteries are located within the immediate Site vicinity. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction.

If human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code Section 7050.5 "Disturbance of Human Remains." According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the Project Site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant. (DEIR, pp. 4.3-8 – 4.3-9)

3.6 ENERGY

3.6.1 THRESHOLD A

Impact Statement: The Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.4.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

1. Construction

The Project's construction process would consume electrical energy and diesel fuel. Project-related construction would represent a "single-event" energy demand and would not require on-going or permanent commitment of diesel fuel resources. Project construction activities are estimated to consume approximately 113,853 kWh of electricity, 67,491 gallons of diesel fuel from operation of construction equipment, 15,066 gallons of fuel from construction worker trips, and 11,965 gallons of fuel related to construction vendor trips (Urban Crossroads, 2022c, p. 30-38). Detailed calculations for all components of the Project's construction energy use are provided in subsection 5.3 of the Project's energy analysis (refer to *Technical Appendix D* of Draft EIR). Construction equipment use of fuel would not be atypical for the type of construction proposed because there are no aspects of the Project's proposed construction process that are unusual or energy-intensive, and Project construction equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. (Urban Crossroads, 2022c, p. 41) CCR Title 13, Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Best Available Control Measures (BACMs) inform construction equipment operators of this requirement. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints. (Urban Crossroads, 2022c, p. 41) As supported by the preceding discussion, the Project's construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

2. Operation

Energy consumption in support of or related to Project operations would include transportation fuel demands (fuel consumed by passenger car and truck vehicles accessing the Project Site), fuel demands from operational equipment, and facilities energy demands (energy consumed by building operations, site maintenance activities, and on-site cargo handling equipment). The Project energy demand is calculated to be 179,406 gallons of fuel, 5,337,545 kBTU of natural gas per year, and 1,774,048 kWh of electricity per year The energy consumption of existing uses on the Project Site (refer to Subsection 4.4.1) were subtracted from the Project's gross energy totals to determine the new, net energy demands

from the proposed Project. The net Project energy demand is calculated to be 45,152 gallons of fuel, 4,543,279 kBTU of natural gas per year, and 746,675 kWh of electricity per year. Project on-site cargo handling equipment would consume an estimated 4,642 gallons of natural gas per year (Urban Crossroads, 2022c, pp. 38-40). Refer to subsection 5.4 of the Project's energy analysis (see *Technical Appendix D* of the Draft EIR) for detailed calculations of all components of the Project's operational energy use.

Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. The Project would implement sidewalks, facilitating and encouraging pedestrian access. Facilitating pedestrian and bicycle access would reduce VMT and associated energy consumption. In compliance with the California Green Building Standards Code and City requirements, the Project would promote the use of bicycles as an alternative mean of transportation by providing short-term and/or long-term bicycle parking accommodations. (Urban Crossroads, 2022c, p. 42)

Project on-site equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. The Project proposes a conventional warehouse use reflecting contemporary energy efficient/energy conserving designs and operational programs. The Project does not propose uses that are inherently energy intensive and the energy demands in total would be comparable to other industrial uses of similar scale and configuration. Lastly, the Project will comply with the applicable California Green Building Standard Code Title 24 standards. (Urban Crossroads, 2022c, p. 43) As supported by the preceding discussion, the Project's operational energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. (DEIR, pp. 4.4-5 – 4.4-6)

3.6.2 THRESHOLD B

Impact Statement: The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.4.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project was analyzed for consistency with the Intermodal Surface Transportation Efficiency Act of 1991, the Transportation Equity Act for the 21st Century, Integrated Energy Policy Report, the State of California Energy Plan, California Code Title 24, Part 6, Energy Efficiency Standards, California Code Title 24, Part 11, CALGreen, Pavley Fuel Efficiency Standards, Renewable Portfolio Standard, Senate Bill 350, and the City of Ontario Community Climate Action Plan. The Project would not

conflict with any of the preceding state and local plans. As such impacts would be less than significant. (DEIR, pp. 4.4-6 – 4.4-8)

3.7 GEOLOGY AND SOILS

3.7.1 THRESHOLD A

Impact Statement: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed Section 4.5.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

1. Rupture of a Known Earthquake Fault

There are no known active or potentially active faults on or trending toward the Project Site. Research of available maps indicates that the Project Site is not located within an Alquist-Priolo Earthquake Fault Zone. No evidence of faulting was identified during the geotechnical investigation. (SoCal Geotechnical, 2022a, p. 10) Because there are no known faults located on or trending towards the Project Site, there is no potential for the Project to directly or indirectly expose people or structures to substantial adverse effects related to ground rupture. Impacts would be less than significant.

2. Strong Seismic Ground Shaking

The Project Site is located in a seismically active area of southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. The risk is not substantially different than the risk to other properties throughout the southern California area. As a mandatory condition of Project approval, the Project Applicant would be required to construct the proposed building in accordance with the California Building Standards Commission (CBSC) and the Ontario Development Code. The CBSC and Ontario Development Code, which have been specifically tailored for California earthquake conditions, provide building standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures. In addition, the CBSC (Chapter 18) require development project sites to be evaluated in preliminary soil reports to identify site-specific geologic and seismic conditions and provide site-specific recommendations to preclude adverse effects involving unstable soils and strong seismic ground-shaking, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems. The Project Applicant retained a professional geotechnical firm, Southern California Geotechnical, to prepare a geotechnical investigation for the Project Site, which is included as *Technical Appendix E1* to the DEIR. The geotechnical investigation included recommendations for design, construction, and grading

considerations based on the site-specific geological conditions and the Project's specific design. The recommendations included seismic design considerations, geotechnical design considerations, site grading, construction, foundation design and construction, floor slab design and construction, retaining wall design and construction, and pavement design parameters. This geotechnical investigation complies with the requirements of Chapter 18 of the CBSC. With mandatory compliance with these standards and site-specific design and construction measures, implementation of the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Impacts would be less than significant.

3. Seismic-Related Ground Failure

The Project would be required to be designed and constructed in accordance with applicable seismic safety guidelines, including the standard requirements of the CBSC, as noted above. Furthermore, the Project would be required (via conditions of approval) to comply with the grading and construction recommendations contained within the geotechnical investigation for the Project Site to further reduce the risk of seismic-related ground failure due to liquefaction. Therefore, implementation of the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards. Impacts would be less than significant.

4. Landslides

The Project Site is relatively flat, as is the immediately surrounding area. The Project Site slopes gently to the south-southeast at a gradient of less than 1 percent. There is no evidence of historical landslides or rockfalls on the Project Site (CGS, 2021). The Project includes retaining walls, which would be constructed in accordance with the site-specific recommendations contained within the geotechnical report to ensure their structural soundness. The City would condition the Project to comply with the site-specific design and engineering recommendations contained within the geotechnical investigation to ensure these measures are implemented. Mandatory compliance with the recommendations contained within the Project Site's geotechnical report would ensure that the Project is engineered and constructed to maximize stability and preclude safety hazards to on-site and abutting off-site areas. Accordingly, the Project would not be exposed to substantial landslide risks, and implementation of the Project would not pose a substantial direct or indirect landslide risk to surrounding properties. Impacts would be less than significant. (DEIR, pp. 4.5-8 – 4.5-9)

3.7.2 THRESHOLD B

Impact Statement: The Project would not result in substantial soil erosion or the loss of topsoil.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed Section 4.5.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

- **Substantial Evidence**

1. Construction

Development of the Project would result in the demolition of all structures on-site, and grading and construction activities would occur that would expose and disturb soils that are currently covered by impervious surfaces. Disturbed soils would be subject to potential erosion during rainfall events or high winds due to the removal of stabilizing vegetation and building materials (e.g., existing concrete foundations) and exposure of these erodible materials to wind and water.

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (National Pollutant Discharge Elimination System [NPDES] permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least 1 acre of total land area. In addition, the Project would be required to comply with the Santa Ana Regional Water Quality Control Board's (RWQCB's) Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of Best Management Practices (BMPs) that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Mandatory compliance with the SWPPP would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required..

2. Operation

Upon Project build-out, the Project Site would be covered by buildings, landscaping, and impervious surfaces. Stormwater runoff from the Project Site would be captured, treated to reduce waterborne pollutants (including sediment), and conveyed off-site via an on-site storm drain system. The Project would be required to implement erosion control measures pursuant to Ontario Municipal Code Title 6, Chapter 12. During operation of the Project, the Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP) to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site specific post-construction water quality management program designed to address the potential release of pollutants of concern for downstream receiving waters and other water pollutants through the use of BMPs. Implementation of the WQMP ensures on-going, long-term protection of the watershed basin. The Preliminary WQMP for the Project was prepared by Westland and is included as *Technical Appendix H2* to the DEIR. Because the Project Applicant would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, Project operation

would result in less-than-significant impacts related to soil erosion and sedimentation. (DEIR, pp. 4.5-10 – 4.5-11)

3.7.3 THRESHOLD C

Impact Statement: The Project would not be located on a geologic unit or soil that is unstable, or that would become unstable because of the Project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse.

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed Section 4.5.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is relatively flat, as is the immediately surrounding area. The Project Site slopes gently to the south-southeast at a gradient of less than 1 percent. There is no evidence of historical landslides or rockfalls on the Project Site (CGS, 2021). As noted in the response to Threshold "a", the Project includes retaining walls and manufactured slopes that would be engineered for structural soundness and constructed in accordance with the site-specific recommendations contained within the geotechnical investigation for the Project. Accordingly, the Project would result in less than significant impacts associated with landslide hazards.

Southern California Geotechnical indicated that there is a low potential for subsidence to affect the Project Site. Removal and recompaction of the near-surface existing soils is estimated to result in an average shrinkage of 5 to 15 percent. Minor ground subsidence is expected to occur in the soils below the zone of removal, due to settlement and machinery working. The subsidence is estimated to be 0.15 feet. The City will condition the Project to comply with the Site-specific ground preparation and construction recommendations contained in the Project's geotechnical report. Based on the foregoing, potential impacts related to soil shrinkage/subsidence and collapse would be less than significant.

Southern California Geotechnical indicated that there is a low potential for lateral spreading to affect the Project Site. Lateral spreading is primarily associated with liquefaction hazards. As noted above under the discussion of Threshold "a," the Project Site is not susceptible to liquefaction. Accordingly, impacts associated with lateral spreading would be less than significant. (DEIR, p. 4.5-11)

3.7.4 THRESHOLD D

Impact Statement: The Project would not be located on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property.

❑ **Findings**

Potential impacts of the Project related to Threshold d are discussed Section 4.5.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold d; therefore, no mitigation is required.

❑ **Substantial Evidence**

The near-surface soils consist of sands and silty sands with no appreciable clay content. These materials have been visually classified as non-expansive. Therefore, no design considerations related to expansive soils are considered warranted for this Site. (SoCal Geotechnical, 2022a, p. 13) Accordingly, the Project Site does not contain expansive soils and as such, would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. No impacts would occur. (DEIR, p. 4.5-11)

3.7.5 THRESHOLD E

Impact Statement: The Project would not propose the use of septic tanks.

❑ **Findings**

Potential impacts of the Project related to Threshold e are discussed Section 4.5.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold e; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project would connect to an existing sewer line installed beneath Airport Drive. The existing onsite septic systems would be removed and there would be no continued use of Project-site related septic systems upon implementation of the proposed Project. The Project would not utilize septic tanks or alternative wastewater systems. No impact related to the use of alternative waste water systems would thus occur. (DEIR, p. 4.5-12)

3.8 GREENHOUSE GAS EMISSIONS

3.8.1 THRESHOLD A

Impact Statement: The Project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.6.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

As previously stated, Supplemental Environmental Impact Report (SEIR) prepared for The Ontario Plan 2050 identifies that the measures included in the 2022 update to the Community Climate Action Plan (CCAP) are not substantially different than that of the 2014 CCAP and therefore there is no change in the environmental impacts associated with the CCAP. As such, and consistent with the 2014 CCAP, this analysis relies on the annual screening threshold of 3,000 $MTCO_2e$/yr to define small projects that are considered less than significant and do not require further GHG emissions calculations or analysis. Projects that do not exceed an annual 3,000 $MTCO_2e$/yr are therefore considered less than significant and would not require further analysis or mitigation. (Urban Crossroads, 2022d, p. 51)

The annual GHG emissions associated with the operation of the proposed Project are summarized in Table 4.6-3, *Project GHG Emissions*, of the DEIR. As shown, construction and operation of the Project would generate a total of approximately 4,236.54 $MTCO_2e$/yr. GHG emissions from existing land uses on the Project Site were subtracted from the Project's gross emissions to determine the net (or new) emissions attributed to the Project. Construction and operation of the Project less emissions from the existing onsite uses would result a net total of new GHG emissions of approximately 2,590.77 $MTCO_2e$/yr, which would fall below the significance threshold of 3,000 $MTCO_2e$/yr; therefore, Project-related GHG emissions are considered less than significant. (DEIR, pp. 4.6-22 – 4.5-23)

3.8.2 THRESHOLD B

Impact Statement: The Project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.6.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project's consistency with the City's CCAP, Assembly Bill (AB) 32 and Senate Bill (SB) 32 are discussed below. It should be noted that the Project's consistency with the SB 32 (2017 Scoping Plan) also satisfies consistency with AB 32 since the 2017 Scoping Plan is based on the overall targets established by AB 32. Consistency with the 2008 Scoping Plan is not necessary, since the target year for the 2008 Scoping Plan was 2020, and the Project's buildout year is 2024. As such the 2008 Scoping Plan does not apply and consistency with the 2017 Scoping Plan is relevant. (Urban Crossroads, 2022d, p. 59)

Since the Project does not exceed the established annual screening threshold of 3,000 $MTCO_2e$/yr, the Project is considered less than significant, does not require further GHG emissions calculations or analysis, and is presumed to be consistent with the City's CCAP. (Urban Crossroads, 2022d, p. 59)

In April 2015, Governor Brown signed EO B-30-15, which advocated for a statewide GHG-reduction target of 40 percent below year 1990 levels by 2030 and 80 percent below 1990 levels by 2050. In September 2016, Governor Brown signed the SB 32. SB 32 formally established a statewide goal to reduce GHG emissions to 40 percent below year 1990 levels by 2030. To date, no statues or regulations have been adopted to translate the year 2050 GHG reduction goal into comparable, scientifically-based statewide emission reduction targets.

CARB prepared the 2017 Scoping Plan Update to identify the measures that would achieve the emissions reduction goals of SB 32 (and, thus, also would achieve the emissions reductions goals of AB 32). Research conducted by the Lawrence Berkeley National Laboratory confirmed that California, under its existing GHG reduction policy framework (i.e., Scoping Plan Update), is on track to meet the year 2030 reduction targets established by the SB 32 (Urban Crossroads, 2022d, p. 37). As explained in point-by-point detail in Table 4-7 of the Project's GHG Analysis (Refer to *Technical Appendix F* of the DEIR), the Project would not conflict with applicable measures of the 2017 Scoping Plan Update and, therefore, would not interfere with the State's ability to achieve the year GHG-reduction targets established by AB 32 and SB32. Further, recent studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40% below 1990 levels by 2030 (Urban Crossroads, 2022d, p. 59-64)

In relation to CARB's 2022 Scoping Plan, the Project would not impede the State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Some of the current transportation sector policies that the Project would comply with (through vehicle manufacturer compliance) include: Advanced Clean Cars II, Advanced Clean Trucks, Advanced Clean Fleets, Zero Emission Forklifts, the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Off-Road Zero Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation, carbon pricing through the Cap-and-Trade Program, and the Low Carbon Fuel Standard. Further, the Project would be required to comply with applicable elements outlined in the City's CAP. As such, the Project would not be inconsistent with the 2022 Scoping Plan.

As described on the preceding pages, implementation of the Project would not conflict with the State's ability to achieve the State-wide GHG reduction mandates and would be consistent with applicable policies and plans related to GHG emissions reductions. Implementation of the Project would not actively interfere with any future federally-, State-, or locally-mandated retrofit obligations (such as requirements to use new technologies such as diesel particulate filters, emissions upgrades to a higher tier equipment, etc.) enacted or promulgated to legally require development projects to assist in meeting State-adopted GHG emissions reduction targets, including those established under Executive Order (EO) S-3- 05, EO B-30-15, or SB 32. Therefore, the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and would result in a less-than significant impact. (DEIR, pp. 4.6-23 – 4.5-24)

3.9 HAZARDS AND HAZARDOUS MATERIALS

3.9.1 THRESHOLD C

Impact Statement: The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.7.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is not within one-quarter mile of an existing or proposed school. The nearest school to the Project Site is the Chaparral Elementary School, which is located approximately 2.23 miles southeast of the Project Site. Accordingly, the Project has no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, and/or wastes within one-quarter mile of an existing or proposed school. No impact would occur. (DEIR, p. 4.7-16)

3.9.2 THRESHOLD D

Impact Statement: The Project site would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment.

❑ **Findings**

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.7.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in impacts related to Threshold d; therefore, no mitigation is required.

❑ **Substantial Evidence**

Government Code Section 65962.5 requires State Department of Health Services (DTSC), State Water Resources Control Board, and the State Department of Resources Recycling and Recovery to maintain a list of hazardous materials sites that fall within specific, defined categories. As discussed in Subsection 4.7.1A.2, current and previous uses of the Project Site are included in several listings. No violations indicating a spill or a release were identified in the listings. Therefore, theses listings are not considered to represent a significant environmental concern. Additionally, Farallon searched the GeoTracker database and the California Department of Toxic Substances Control online EnviroStor database (EnviroStor database) for records related to the Site, but found no listings.

Two facilities (Costco Distribution Center to the south and Praxair, Inc. to the east) in the Project's vicinity were also recorded in several listings. However, based on the status, depth to groundwater, and location of the property at a cross-gradient direction from the Project Site, no evidence was found

to indicate that these properties represent a recognized environmental condition in connection with the Project Site. (Farallon, 2022, pp. 6-2 to 6-3) Therefore, impacts would be less than significant. (DEIR, p. 4.7-16)

3.9.3 THRESHOLD E

Impact Statement: The Project site is not within two miles of an airport and the Project site is not identified as within an airport influence area.

❑ **Findings**

Potential impacts of the Project related to Threshold e are discussed in detail in Section 4.7.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in impacts related to Threshold e; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is located approximately 2.7 miles east of the Ontario International Airport (ONT). According to the Ontario International Airport (ONT) Land Use Compatibility Plan (ALUCP), the Project Site is located within the ONT Airport Influence Area (Ontario, 2011). Moreover, the Project Site is located outside the 65 community noise equivalent level (CNEL) noise impact zone and is subject to the Noise Criteria established on Table 2-3 in the ONT ALUCP. According to Table 2-3 of the ONT ALUCP, industrial land uses located outside the 65 dBA CNEL noise level contours of ONT, such as the Project, are considered normally compatible land use. For normally compatible land use, either the activities associated with the land use are inherently noisy or standard construction methods will sufficiently attenuate exterior noise to an acceptable indoor CNEL. Therefore, the Project would not result in excessive noise for people residing or working in the Project area.

Furthermore, the Project Site is not located in an ONT safety hazard zone (Ontario, 2011). Accordingly, implementation of the Project would not result in a safety hazard for people living or working on the Project area and impacts would be less than significant. (DEIR, p. 4.7-16 – 4.7-17)

3.9.4 THRESHOLD F

Impact Statement: The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

❑ **Findings**

Potential impacts of the Project related to Threshold f are discussed in detail in Section 4.7.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in impacts related to Threshold f; therefore, no mitigation is required.

❑ **Substantial Evidence**

The City's Safety Element includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and interjurisdictional coordination and collaboration to be

prepared for, respond to and recover from everyday and disaster emergencies. The City manages disaster preparedness through the Technical Services Bureau of the Ontario Fire Department. This bureau is responsible for the preparation of the community for disasters and the organization of recovery efforts. The City updated a Local Hazard Mitigation Plan prepared by the Office of Emergency Services of the Ontario Fire Department in 2018. Because the Project Site has been historically used for industrial uses, it is not identified in any of these plans as being an evacuation area.

Furthermore, construction of the Project would be generally confined to the Project Site and would not physically impair access to the Site or the Project area. During both construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles as required by the City and the Ontario Fire Department. In addition, the Project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the Project is required to comply with all applicable City codes, impacts would be less than significant level. (DEIR, p. 4.7-17)

3.9.5 THRESHOLD G

Impact Statement: The Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

❑ **Findings**

Potential impacts of the Project related to Threshold g are discussed in detail in Section 4.7.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in impacts related to Threshold g; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is not located adjacent to wildlands nor is the Project Site located within or adjacent to a very high fire hazard severity zone (CAL FIRE, 2008). Accordingly, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur. (DEIR, p. 4.7-17)

3.10 HYDROLOGY AND WATER QUALITY

3.10.1 THRESHOLD A

Impact Statement: The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.8.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Applicant would be required to comply with Section 402 of the Clean Water Act, which authorizes the NPDES permit program that covers point sources of pollution discharging to a water body. The NPDES program would require the Project Applicant and/or construction contractor to prepare a Stormwater Pollution Prevention Plan (SWPPP) and obtain authorization to discharge stormwater under a NPDES construction stormwater permit because the Project would result in construction on a site that is larger than 1 acre. The Project Applicant also would be required to comply with the California Porter-Cologne Water Quality Control Act (Section 13000 et seq., of the California Water Code), which requires that comprehensive water quality control plans be developed for all waters within the State of California. The Project Site is located within the jurisdiction of the Santa Ana RWQCB.

1. Construction-Related Water Quality Impacts

Construction of the Project would include demolition, site preparation and grading, building construction, paving, utility installation, and architectural coating and landscaping, which have the potential to generate silt, debris, organic waste, chemicals, paints, and other solvents; should these materials come into contact with water that reaches the groundwater table or flows off-site, the potential exists for the Project's construction activities to adversely affect water quality. As such, short term water quality impacts have the potential to occur during Project construction in the absence of any protective or avoidance measures.

Pursuant to the requirements of the Santa Ana RWQCB and Ontario Municipal Code Title 6, Chapter 6, Article IV and V, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project Applicant would be required to comply with the Sana Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a SWPPP for construction related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project's construction contractors would be required to implement during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydroseeding. Pursuant to Ontario Municipal Code Title 6, Chapter 12, the Project Applicant also would be required to implement erosion control measures to prevent soil erosion by wind. Mandatory compliance with the SWPPP and erosion control measures would ensure that the Project construction does not violate any water quality standards or waste discharge requirements. Therefore, water quality impacts associated with construction activities would be less than significant.

2. Post-Development Water Quality Impact

The Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP) to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site-specific post-construction water quality management program designed to address the potential release of pollutants of concern for downstream receiving waters and other water pollutants through the use of BMPs. Implementation of the WQMP ensures on-going, long-term protection of the watershed basin. The preliminary WQMP for the Project was prepared by Westland and is included as *Technical Appendix H2* to the DEIR. As identified in the WQMP, the Project is designed to include underground stormwater retention chambers, source control BMPs, and treatment control BMPs to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows for pollutants of concern before they are discharged into the municipal storm drain system (Westland, 2022b, pp. 4 to 6). Compliance with the preliminary WQMP would be required as a condition or Project approval pursuant to Ontario Municipal Code Title 6, Chapter 6, Article V, and long-term maintenance of on-site BMPs would be required to ensure their long-term effectiveness. Therefore, water quality impacts associated with long-term operational activities would be less than significant.

Additionally, pursuant to Ontario Municipal Code Title 6, Chapter 6, Article IV, all businesses that own or operate facilities described in 40 CFR 122.26(b)(14)(i)-(xi) are required to obtain coverage under the State's General Permit for Discharges of Stormwater Associated with Industrial Activities, at least 14 days prior to the startup of business activities. All listed businesses are required to submit a completed Notice of Intent (NOI) form, site map and application fee to the SWRCB. The SWRCB also requires the listed businesses to prepare a SWPPP, retain a copy of the SWPPP on site and comply with all the requirements of the general permit. The Project would be required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. Because the permit is dependent upon a detailed accounting of all operational activities and procedures, and the Project's building users and their operational characteristics are not known at this time, details of the operational SWPPP (including BMPs) or potential exemption to the SWPPP operational activities requirement cannot be determined with certainty at this time. However, based on the performance requirements of the NPDES Industrial General Permit, the Project's mandatory compliance with all applicable water quality regulations would further reduce potential water quality impacts during long-term operation. Additionally, the Project would comply with the State Trash Amendments and the MS4 Permit by installing the appropriate Full Capture System or equivalent.

Based on the foregoing analysis, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during long term operation. Impacts would be less than significant. (DEIR, pp. 4.8-10 – 4.8-11)

3.10.2 THRESHOLD B

Impact Statement: The Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the basin.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.8.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

Water service to the Project Site would be provided by the Ontario Municipal Utilities Company (OMUC). As depicted in Figure 3-7, *Proposed Utility Plan*, water would be accommodated via proposed water lines that would extend from the southeastern and southwestern corners of the building to an existing 12-inch water main at East Airport Drive. The Project Applicant does not propose the use of any wells or other groundwater extraction activities. Therefore, the Project would not directly draw water from the groundwater table. Implementation of the Project has no potential to substantially deplete or decrease groundwater supplies and the Project's impact to groundwater supplies would be less than significant. Development of the Project would slightly increase impervious surface coverage on the Project Site, which would, in turn, slightly reduce the amount of water percolating down into the underground aquifer that underlies the Project Site and a majority of the City and surrounding areas (i.e., Chino Groundwater Basin). Percolation is just one of several sources of groundwater recharge for the Subbasin. A majority of the groundwater recharge in the Chino Groundwater Basin occurs within percolation basins ("recharge basins") that are located in the northern and western portions of the Basin (CBWM, 2021, Exhibit 3-5). The Project Site is located in the central portion of the Chino Groundwater Basin and would not physically impact any of the major groundwater recharge facilities in the Basin. Therefore, the Project would not result in substantial, adverse effects to local groundwater levels. Additionally, the Project includes design features that would maximize the percolation of onsite stormwater runoff into the groundwater basin, such as underground infiltration chambers and permeable landscape areas. Accordingly, buildout of the Project with these design features would not interfere substantially with groundwater recharge or impede sustainable groundwater management of the Chino Groundwater Basin. Based on the foregoing information, the Project would not interfere substantially with groundwater recharge. For the reasons stated above, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the basin. Impacts would be less than significant. (DEIR, pp. 4.8-11 – 4.8-12)

3.10.3 THRESHOLD C

Impact Statement: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding

on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows.

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.8.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

The proposed Project entails redevelopment of the Project Site with one warehouse building supported by drive aisles and parking areas for passenger vehicles and trailers. Docking areas are located south facing façade of the proposed building. Landscape areas are proposed around the perimeter of the Site. The proposed development would consist of approximately 89% of impervious areas.

The proposed development would maintain the same drainage pattern as the existing condition. Stormwater is designed to sheet flow from north to south and be captured by proposed onsite catch basins. The proposed on-site storm drain system is designed to convey the flow into a proposed underground infiltration chamber. This system is designed to meet project's water quality requirements and provide sufficient storage to meet the 100-year storm hydrology requirement. In a large storm event, stormwater would exit the underground chamber system via pipes and be pumped out through a proposed parkway drain on Airport Drive. Runoff would sheet flow east along Airport Drive and discharge into the existing catch basin to maintain the same point of discharge as the existing condition. (Westland, 2022a, p. 2) See Figure 4.8-1, *Proposed Post-Development Hydrology Map*, for the post development drainage map.

The following analysis evaluates the potential for Project-related development activities to adversely affect water quality or cause or exacerbate local flooding.

A. Erosion and Siltation

The Project would not alter the existing drainage pattern. Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects, including the Project, that include construction activities, such as clearing, grading, and/or excavation, that disturb at least 1 acre of total land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP will specify the BMPs that would be required to be implemented during construction activities to ensure that waterborne pollution – including erosion/siltation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection,

sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project would be required to implement erosion control measures pursuant to Ontario Municipal Code Title 6, Chapter 12, and to ensure compliance with SCAQMD Rule 403. Mandatory compliance with the SWPPP and the Cityrequired erosion control measures would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Based on the foregoing information, erosion and sedimentation impacts associated with Project construction activities would be less than significant.

During operation of the Project, the Project Applicant would be required to prepare and implement a WQMP to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site-specific post-construction water quality management program designed to address the potential release of pollutants of concern for downstream receiving waters and other water pollutants through the use of BMPs. Implementation of the WQMP ensures on-going, long-term protection of the watershed basin. The PWQMP for the Project was prepared by Westland and is included as *Technical Appendix H2* to the DEIR. Because the Project Applicant would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, Project operation would result in less-than-significant impacts related to soil erosion and sedimentation.

B. Stormwater Runoff Discharge

Based on the 100-year rational method analysis presented in Table 4.8-1, *Pre-Development Hydrology Summary Table*, and Table 4.8-2, *Post-Development Hydrology Summary Table*, the post-development flow rate within the disturbed area decreased compared to the pre-development flow rate. Furthermore, the post- development runoff volume decreased compared to the pre-development runoff volume. The decrease in flow rate and runoff volume was a result from a decrease in impervious areas.

The proposed Project would not create or contribute runoff that would exceed the capacity of the existing downstream storm drain system. At buildout, the Project would discharge approximately 35.24 cubic feet per second (cfs) to the existing storm drain system, which is an approximately 7 percent decrease relative to existing conditions. Furthermore, the underground infiltration system is designed to accommodate the 100-year storm event and would not exceed the flow rates and runoff volumes generated by the existing condition. Once construction is complete, there would not be any substantial increase in flood boundaries, levels, or frequencies in any areas outside the development. (Westland, 2022a, p. 4)

Based on the foregoing information, the Project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Impacts would be less than significant.

C. Stormwater Drainage System Capacity & Polluted Runoff

As described above, buildout of the Project would reduce the cfs of runoff discharged into the existing municipal storm drain system during peak storm events relative to existing conditions. Accordingly,

the Project would not create or contribute runoff that would exceed the capacity of any existing storm water drainage system, and impacts would be less than significant.

As discussed in the response to Threshold "a" and this Threshold (refer to sub-item "A"), the Project's construction contractors would be required to comply with a SWPPP and the Project's owner or operator would be required to comply with the WQMP to ensure that Project-related construction activities and operational activities do not result in substantial amounts of polluted runoff. Additionally, the Project would comply with the State Trash Amendments and the MS4 Permit by installing the appropriate Full Capture System or equivalent. The Project would not result in substantial additional sources of polluted runoff and impacts would be less than significant.

D. Flood Flows

The Project Site is not located within a special flood hazard area (FEMA, 2016). Accordingly, the Project Site is not expected to be inundated by flood flows during the lifetime of the Project and the Project would not impede flood flows. No impact would occur. (DEIR, pp. 4.8-12 – 4.8-16)

3.10.4 THRESHOLD D

Impact Statement: The Project would not result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

❑ **Findings**

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.8.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in impacts related to Threshold d; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is located approximately 38 miles northeast of the Pacific Ocean; consequently, there is no potential for the Project Site to be impacted by a tsunamis as tsunamis typically only reach up to a few miles inland. The Project Site also is not subject to flooding hazards associated with a seiche because the nearest body of water is the San Antonio Dam, approximately 10 miles to the north of the Project Site, which is too far away from the subject property to impact the property with a seiche (Google Earth, 2021). According to The Ontario Plan 2050 EIR, the Project Site is not located within the potential inundation from San Antonio Dam; however, the Project Site is adjacent to an area with potential inundation from debris basins (Ontario, 2022a, Figure 5.10-3). The probability of dam failure is very low, and Ontario has never been impacted by a major dam failure. In addition, dam owners are required to maintain emergency action plans that include procedures for damage assessment and emergency warnings. (Ontario, 2022a, p. 5.10-26) Accordingly, impacts would be less than significant. (DEIR, p. 4.8-16)

3.10.5 THRESHOLD E

Impact Statement: The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

❑ **Findings**

Potential impacts of the Project related to Threshold e are discussed in detail in Section 4.8.6 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold e; therefore, no mitigation is required.

❑ **Substantial Evidence**

As discussed under Threshold "a" above, the Project Site is located within the Santa Ana River Basin and Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Plan by preparing and adhering to a SWPPP and WQMP. As also discussed in Threshold "a" above, implementation of the Project would not conflict with or obstruct the Santa Ana River Basin Water Quality Control Plan and impacts would be less than significant.

The Project Site is located within the Chino Groundwater Basin, which is an adjudicated groundwater basin. Adjudicated basins, like the Chino Groundwater Basin, are exempt from the 2014 Sustainable Groundwater Management Act (SGMA) because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the basin. No component of the Project would obstruct with or prevent implementation of the management plan for the Chino Groundwater Basin. As such, the Project's construction and operation would not conflict with any sustainable groundwater management plan. Impacts would be less than significant. (DEIR, p. 4.8-17)

3.11 LAND USE AND PLANNING

3.11.1 THRESHOLD A

Impact Statement: The Project would not physically divide an established community.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 5.4.3 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is located in an area that is currently developed with urban land uses. Existing industrial development borders the Site to the south, west, and east; the BNSF railroad track borders the Site to the north. The Project Applicant would redevelop the Site with another industrial use with associated parking and landscaping improvements. The Project will be of similar design and size to surrounding development. The Project would not have the potential to physically divide an established community. No adverse impacts are anticipated.. (DEIR, p. 5-5-7)

3.11.2 THRESHOLD B

Impact Statement: The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed in detail in Section 5.4.3 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is designated for Industrial by the City's Policy Plan and the Heavy Industrial zoning district. The Project Applicant would redevelop the Project Site in accordance with the underlying land use designation and applicable zoning ordinance development standards. No change to the existing land use designation or zoning is required or proposed by the Project. The Project is consistent with the Policy Plan and does not interfere with any policies for environmental protection. As such, no impacts are anticipated. (DEIR, p. 5-5-7)

3.12 MINERAL RESOURCES

3.12.1 THRESHOLD A

Impact Statement: The Project would not result in the loss of availability of a known mineral resource of value to the region and residents of the state.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed Section 5.4.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is located within a mostly developed area surrounded by urban land uses. As shown in Figure 5.12-1 of The Ontario Plan 2050 Final Supplemental EIR, the Project Site is designated as Mineral Resource Zone MRZ-3 (Ontario, 2022b). Areas designated by the State of California Geologist as MRZ-3 include land that the significance of mineral deposits cannot be determined from the available data. According to the Policy Plan, there are no permitted mining operations in the City. Significant mineral resources within Ontario are limited to construction aggregate. These areas have been developed with urban uses and are not suitable for mineral resource extraction (Ontario, 2022a). There are no known mineral resources in the area. Therefore, no impacts are anticipated. (DEIR, p. 5-5-7)

3.12.2 THRESHOLD B

Impact Statement: The Project would not result in the loss of availability of a locally important mineral resource recovery site delineated on any land use plan.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed Section 5.4.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

As discussed in threshold a above, there are no known mineral resources in the area. The Project would not result in the loss of availability of locally-important mineral resources. No impacts are anticipated. (DEIR, p. 5-5-8)

3.13 NOISE

3.13.1 THRESHOLD A

Impact Statement: The Project will not generate substantial increase in ambient noise levels in the vicinity of the Project site in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.9.6 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

The analysis presented on the following pages summarizes the Project's potential construction noise levels and operational noise levels, including operational noise that would be generated on-site as well as off-site noise that would be generated by Project-related traffic. The detailed noise calculations for the analysis presented here are provided in Appendices 7.1 and 8.1 of the Project's noise impact analysis (see *Technical Appendix I*).

A. Construction Noise Impact Analysis

Construction activities on the Project Site would proceed in 6 stages: 1) demolition; 2) site preparation; 3) grading; 4) building construction; 5) paving, and 6) application of architectural coatings. These activities would create temporary periods of noise when heavy construction equipment (i.e. trucks, concrete mixer, portable generators, power tools) is in operation and would cause a short-term increase in ambient noise levels. The Project construction noise levels at nearby receiver locations are summarized in Table 4.9-5, *Construction Equipment Noise Level Summary*.

To evaluate whether the Project will generate potentially significant short-term noise levels at nearest receiver locations, a construction-related daytime noise level threshold of 80 dBA Leq is used as a reasonable threshold to assess the daytime construction noise level impacts. The construction noise analysis shows that the nearest receiver locations will satisfy the reasonable daytime 80 dBA Leq significance threshold during Project construction activities as shown in Table 4.9-5. Additionally, Project-related construction activities are expected to occur on weekdays (and, potentially, on Saturdays) during the hours when the City's Municipal Code does not restrict construction noise (i.e., between the hours 7:00 a.m. and 6:00 p.m. on any weekday or between the hours of 9:00 a.m. and 6:00 p.m on Saturday or Sunday). Accordingly, construction noise impacts would be less than significant. If the Project's construction requires concrete pouring during nighttime hours, the resulting noise levels are summarized in Table 4.9-6, *Nighttime Concrete Pouring Noise Level Summary*. At all receiver locations, the Project's nighttime concrete pouring noise levels would not exceed the standards established by the City and impacts would be less than significant

B. Operational Noise Impact Analysis – Stationary Noise

Stationary (on-site) noise sources associated with long-term Project operation are expected to include idling trucks, delivery truck and automobile parking, delivery truck backup alarms, roof-top air conditioning units, loading and unloading of dry goods, and parking lot vehicle movements. The Project also is expected to generate noise during the loading and unloading of delivery trailers on-site. The daytime and nighttime Project stationary noise levels at nearby sensitive receptor locations are summarized Table 4.9-7, *Daytime Project Operational Noise Levels*, and Table 4.9-8, *Nighttime Project Operational Noise Levels*. Table 4.9-7, *Daytime Project Operational Noise Levels*, shows the Project operational noise levels during the daytime hours of 7:00 a.m. to 10:00 p.m. The daytime hourly noise levels at the off-site receiver locations are expected to range from 22.2 to 27.4 dBA Leq.

Table 4.9-8, *Nighttime Project Operational Noise Levels*, shows the Project operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. The nighttime hourly noise levels at the off-site receiver locations are expected to range from 22.1 to 27.4 dBA Leq. The daytime and nighttime Project stationary noise levels at nearby receiver locations are summarized in Table 4.9-9, Project Operational Noise Summary – Stationary Noise. As shown, Project stationary noise would not expose nearby receivers to unacceptable daytime or nighttime noise levels during Project operations following Project buildout. Accordingly, Project operation would not result in the exposure of receivers near the Project Site to stationary noise levels that exceed the exterior noise level standards established in the City. Impacts would be less than significant.

Noise levels that would be experienced at receiver locations when unmitigated Project-source noise is added to the ambient daytime, evening, and nighttime conditions are presented on Table 4.9-10, *Project Operational Noise Level Contributions – Daytime* and Table 4.9-11, *Project Operational Noise Level Contributions – Nighttime*. As shown, the Project-related operational noise level increases will satisfy the operational noise level increase criteria at the nearest sensitive receiver locations. On this basis, although the Project would increase noise level in the Project vicinity, Project operational stationary source noise would not result in a substantial temporary/periodic, or permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project. Noise impacts associated with long-term on-site operations would be less than significant.

C. Off-Site Transportation Noise Impact Analysis

Traffic generated by the operation of the proposed Project will influence the traffic noise levels in surrounding off-site areas and at the Project Site. The off-site Project-related traffic represents an incremental increase to the existing roadway volumes, which is not expected to generate a barely perceptible noise level increase of 3 dBA CNEL at nearby sensitive land uses adjacent to study area roadways, since a doubling of the existing traffic volumes would be required to generate a 3 dBA CNEL increase. Due to the low traffic volumes generated by the Project, the off-site traffic noise levels generated by the Project are considered less than significant and no further analysis is required. (DEIR, pp. 4.9-16 – 4.9-21)

3.13.2 THRESHOLD B

Impact Statement: The Project will not generate excessive groundborne vibration or groundborne noise levels.

❑ Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.9.6 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in impacts related to Threshold b; therefore, no mitigation is required.

❑ Substantial Evidence

Construction Analysis: Construction activities on the Project Site would utilize equipment that has the potential to generate vibration. Vibration levels at sensitive receptors near the Project Site during Project construction are summarized on Table 4.9-12, *Construction Equipment Vibration Levels*. As shown, none of the receiver locations in the vicinity of the Project Site would be exposed to vibration levels that exceed the applicable significance threshold. Accordingly, Project construction would not generate excessive or substantial temporary groundborne vibration or noise levels and a less-than-significant impact would occur.

Operational Analysis: Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not result in the exposure of persons to excessive groundborne vibration or noise levels during long-term operation. (DEIR, pp. 4.10-21 – 4.10-22)

3.13.3 THRESHOLD C

Impact Statement: The Project is not located within vicinity of a private airstrip or airport land use plan, or within two miles of a public airport or public use airport.

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.10.6 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site is located approximately 2.7 miles east of ONT. The Project Site is located within the ONT Airport Influence Area but is located outside the 65 dBA CNEL airport noise impact zone. According to Table 2-3 of the ONT ALUCP, industrial land uses located outside the 65 dBA CNEL noise level contours of ONT, such as the Project, are considered normally compatible land use. For normally compatible land use, either the activities associated with the land use are inherently noisy or standard construction methods will sufficiently attenuate exterior noise to an acceptable indoor CNEL. Accordingly, the Project would be a compatible use within the ONT Noise Impact Zone and operation of the Project would not expose people working on the Project Site to excessive noise levels. The Project's impact would be less than significant. (DEIR, p. 4.9-22)

3.14 POPULATION AND HOUSING

3.14.1 THRESHOLD A

Impact Statement: The Project would not induce substantial unplanned population growth in the area.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed Section 5.4.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project would result in the development of approximately 270,337 s.f. warehouse facility, replacing an existing grain processing and corn storage and distribution facility. According to Southern California Association of Governments' (SCAG) Employment Density Study, the Project would generate approximately 226 employees (Urban Crossroads, 2022f). According to the California Employment Development Department (EDD), as of June 2022, the City of Ontario has a labor force of 92,300 persons and of that labor force, 3,200 are unemployed (unemployment rate of 3.5 percent) (EDD, 2022). According to SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, the City of Ontario is anticipated to employ approximately 169,300 persons by 2045 (SCAG, 2020b). As discussed above, TOP 2050 projected a total of 296,002 jobs in 2050. Therefore, the Project is consistent with the SCAG's 2045 and the TOP 2050 employment projections for the City. Project-generated jobs are well within the employment projections for the City of Ontario. Operation of the Project would not induce substantial unplanned population growth in the Project area, either directly or indirectly and would not exceed regional or local growth projections. Therefore, no impacts are anticipated. (DEIR, p. 5-5-8)

3.14.2 THRESHOLD B

Impact Statement: The Project would not displace substantial numbers of existing people or housing.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed Section 5.4.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project Site does not contain any housing and there are no people living at the Project Site that would be displaced by the Project. Therefore, no impacts are anticipated. (DEIR, p. 5-5-8)

3.15 PUBLIC SERVICES

3.15.1 THRESHOLD A

Impact Statement: The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of public services.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed Section 5.4.6 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

A. Fire Protection

Fire protection services are provided by the Ontario Fire Department (OFD). OFD serves these residents from 10 strategically located fire stations, including the Ontario International Airport fire station, with a daily staffing level of 59 sworn firefighters. These fire stations house nine 4-person paramedic engine companies, three 4-person truck companies, an 8-person Aircraft Rescue and Fire Fighting (ARFF) station, 1 fire investigation supervisor, and 2 battalion chiefs (Ontario, 2022c). The closest fire station to the Project Site is Station 7, located at 4901 Vanderbilt Street, approximately 1.3 miles to the southwest of the Project Site. The proposed building would be in accordance with the applicable provisions of the adopted California Fire Code (CFC) and the City's Municipal Code Section 4-4.01, ordinances, and standard conditions regarding fire prevention and suppression measures related to water improvement plans, fire hydrants, fire access, and water availability. The Project Site is in a developed area currently served by OFD. The Project will not require the construction of any new fire protection facilities or alteration of any existing fire protection facilities or cause a decline in the levels of service, which could cause the need to construct new fire protection

facilities. Development impact fees (DIF) would also be collected in order to build and supply necessary infrastructure for fire protection services, as necessary. No impacts are anticipated.

B. Police Protection

Police protection services are provided by the Ontario Police Department (OPD). OPD's headquarters is located at 2500 S. Archibald Avenue, approximately 4.16 miles to the southwest of the Project Site. The Project Site is in a developed area, currently served by OPD. The Project will not require the construction of any new police protection facilities or alteration of any existing police protection facilities or cause a decline in the levels of service, which could cause the need to construct new police protection facilities. DIF would also be collected in order to build and supply necessary infrastructure for police protection services, as necessary. No impacts are anticipated.

C. Schools

The Project is located within the attendance boundaries of the Cucamonga Elementary School District and Chaffey Joint Union High School District. The Project Applicant proposes to demolish the existing grain processing and corn storage and distribution facility and redevelop the Site with a single industrial building. Implementation of the Project does not have the potential to result in substantial direct growth in the population, nor an increase in student population. The Project would be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

D. Parks

The City of Ontario Recreation & Community Services Department operates and manages parks and park programs for the City. The Project would not introduce new residents to the City necessitating the need for additional parks. The Project will not require the construction of any new parks or alteration of any existing parks or cause a decline in the levels of service, which could cause the need to construct new park facilities. No impacts are anticipated.

E. Other Public Facilities

The Project would not introduce new residents to the City necessitating the need for additional public facilities. The Project will not require the construction of any new public facilities or alteration of any existing public facilities or cause a decline in the levels of service, which could cause the need to construct new public facilities. No impacts are anticipated. (DEIR, pp. 5-5-9 – 5-5-10)

3.16 RECREATION

3.16.1 THRESHOLD A

Impact Statement: The Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed Section 5.4.7 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project is not proposing any significant new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated. (DEIR, p. 5-5-10)

3.16.2 THRESHOLD B

Impact Statement: The Project would not require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed Section 5.4.7 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project does not include recreational facilities or require the construction or expansion of recreational facilities. Implementation of the Project would not result in any adverse physical effects on the environment due to the construction of recreational facilities. No impacts are anticipated. (DEIR, p. 5-5-10)

3.17 TRANSPORTATION

3.17.1 THRESHOLD A

Impact Statement: The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.10.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

This response provides an analysis of a project's potential to conflict with plans, programs, ordinances, or policies that address the circulation system, including transit, roadway, bicycle, and pedestrian facilities. A project that generally conforms with, and does not obstruct, applicable development plans, programs, ordinances, and policies is considered to be consistent. The transportation plans, policies,

programs, ordinances, and standards that are relevant to the Project are identified in the analysis below. For context, the Project is expected to generate approximately 160 more vehicle trips than are being generated by the uses at the Project Site under existing conditions. (Urban Crossroads, 2023a.) In order to develop the traffic characteristics of the proposed Project, trip-generation statistics published in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021) for the proposed Project's land uses was utilized. As shown in Table 4.10-2, *Project Trip Generation*, the proposed Project is anticipated to generate 476 vehicle trip-ends per day with 42 AM peak hour trips and 46 PM peak hour trips. Taking into consideration that the existing structures proposed for demolition generate 316 daily trips (see Table 4.10-1), the net number of new trips that would be generated by the Project is 160 trips with 12 AM peak hour trips and 44 PM peak hour trips above the trips generated by existing uses. The comparison is shown below in Table 4.10-3, *Project Net New Daily Trips*.

Connect SoCal: The fundamental goals of SCAG's Connect SoCal are to make the SCAG region a better place to live, work, and play for all residents regardless of race, ethnicity, or income class. As shown in Table 4.10- 4, *SCAG's Connect SoCal Goal Consistency Analysis*, the Project would not conflict with any applicable goals and policies of SCAG's regional planning program. As such, Project impacts would be less than significant.

City of Ontario Policy Plan: As demonstrated in Table 4.10-5, *Mobility Element Policy Consistency Analysis*, the Project would not conflict with the City's Mobility Element, and impacts associated with conflict of an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities would be less than significant. (DEIR, pp. 4.10-5 – 4.10.11)

3.17.2 THRESHOLD C

Impact Statement: The Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.10.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project's potential to increase hazards as a result of a geometric design feature has been assessed to provide adequate truck access/circulation. The Project's circulation plan is designed to be compatible with all foreseeable vehicles. Vehicular access would be provided via two driveways that would connect with East Airport Drive. Both driveways would include enhanced decorative paving and would provide inbound/outbound access for passenger vehicles and trucks. The driveways are designed as 40 feet wide to accommodate the wide turning radius of the heavy trucks. The types of traffic generated during operation of the Project (i.e., passenger cars and trucks) would be compatible with the type of traffic generated by surrounding development. All proposed improvements within the

public right-of-way would be installed in conformance with City design standards. If any component of Project construction would occur in the public right-of-way and require the partial or full closure of a sidewalk and/or travel lane, all work would be required to adhere to the applicable construction control practices that are specified in the *State of California Department of Transportation Construction Manual and the California Manual on Uniform Traffic Control Devices*, to minimize potential safety hazards. The City of Ontario Engineering Department reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced within the City public right-of-way through implementation of the Project. At the time of final grading, landscape, and street improvement plans, the City will review project access points to ensure adequate sight distance. Based on the foregoing information, the Project's construction and operation would not create or substantially increase safety hazards due to a design feature or incompatible use and impacts would be less than significant. (DEIR, p. 4.10-14)

3.17.3 THRESHOLD D

Impact Statement: The Project would not result in inadequate emergency access.

❑ **Findings**

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.11.6 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold d; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project is designed to provide access for all emergency vehicles and meet all applicable City of Ontario Fire and Police Department access requirements to ensure that adequate access would be provided for emergency vehicles at Project build out. During construction activities that include road and sidewalk improvements, the Project would provide adequate emergency access along abutting roadways during temporary construction activities within the public right-of-way. Any Project construction activities that would occur within the East Airport Drive public right-of-way and requires a partial or full closure of a sidewalk or vehicle travel lane would require a traffic control plan that complies with the *California Manual on Uniform Traffic Control Devices* and that must be approved by the City of Ontario to ensure that emergency response is not adversely affected. As a result, the Project would not a less than significant impact to emergency access. (DEIR, pp. 4.10-14 – 4.10-15)

3.18 UTILITIES AND SERVICE SYSTEMS

3.18.1 THRESHOLD A

Impact Statement: The Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

- ❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.12.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

- ❑ **Substantial Evidence**

A. Water and Wastewater

The Project would include the installation of water lines within the Project Site. Water would be accommodated via proposed water lines that would extend from the southeastern and southwestern corners of the building to an existing 12-inch water main at East Airport Drive. Additionally, recycled water to the Project Site would be provided via a proposed 8-inch recycled water main along East Airport Drive. The proposed 8-inch recycled water main would extend from the west of South Wineville Avenue to the eastern boundary of the Project Site and connect to the existing 24-inch recycled water main. Sanitary sewer service to the Project Site would be provided by OMUC's sanitary sewer wastewater collection system and conveyed to the Inland Empire Utilities Agency (IEUA) for wastewater treatment. Sewer would be accommodated via proposed 6-inch sewer line that would extend from the southwestern corners of the building to a proposed 8-inch OMUC sewer main on East Airport Drive. There is an existing 8-inch OMUC sewer main on East Airport Drive that ends approximately at the western boundary of the Project Site where the proposed 8-inch sewer main would connect to. Although the Project would result in new water and wastewater line connections, these connections would be part of the Project's construction phase, which is evaluated throughout the DEIR. The construction of the Project's water and wastewater lines necessary to serve the Project would not result in any significant physical effects on the environment that are not already identified and disclosed as part of the DEIR. Impacts would be less than significant.

B. Stormwater Drainage

Stormwater will sheet flow from north to south and will be captured by proposed on-site catch basins. The proposed on-site storm drain system will convey the flow into a proposed underground infiltration chamber. In a large storm event, stormwater will exit the underground chamber system via pipes and will be pumped out through a proposed parkway drain on Airport Drive. Runoff will sheet flow east along Airport Drive and discharge into the existing catch basin, located approximately 1,500 feet east of the Project Site, to maintain the same point of discharge as the existing condition.

Refer to the analysis under Section 4.8, *Hydrology and Water Quality*, Threshold c.ii. As discussed, stormwater runoff would be treated on-site and would not require relocation or construction of new or expanded storm water drainage infrastructure which could cause significant environmental effects. Therefore, impacts would be less than significant.

C. Dry Utilities

Electricity will be provided by SCE. All new dry utility infrastructure would be installed underground and within the Project Site. Connections to the existing utility networks are available in the Project area and any offsite improvements would occur within improved rights-of-way, which are inherent to

the Project's construction phase and have been evaluated throughout the DEIR. Because the Project Site has been previously developed with industrial uses that requires electric power and telecommunication services, implementation of the Project is not anticipated to limit the ability of service providers to provide service to Project. Therefore, the Project would not require or result in the construction or expansion of new facilities, and impacts would be less than significant. (DEIR, pp. 4.12-9 – 4.12-10)

3.18.2 THRESHOLD B

Impact Statement: The Project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.12.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

OMUC is responsible for supplying potable water to the Project Site. The OMUC's 2020 UWMP includes an analysis of water supply reliability projected through 2045 under normal years, single dry year, and multiple dry years. OMUC's total water demand for 2020 was approximately 32,109 AF (OMUC, 2021). OMUC's forecasts for projected water demand based on the population projections of the Southern California Associations of Governments (SCAG), which rely on the adopted land use designations contained within the general plans that cover the geographic area within OMUC's service. Because the Project Applicant would redevelop the Site with a use permitted under the Heavy Industrial land use designation, the Project would be consistent with the City's Policy Plan and, therefore, the water demand associated with the Project was considered in the demand anticipated by the 2020 UWMP and analyzed therein. As stated above, the City is anticipated to have adequate water supplies to meet all its demands until the year 2045 under a normal year, single dry year, and multiple dry years. Therefore, the City has sufficient water supplies available to serve the Project from existing entitlements/resources and no new or expanded entitlements are needed. Impacts would be less than significant. (DEIR, p. 4.12-10)

3.18.3 THRESHOLD C

Impact Statement: The Project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

❑ **Findings**

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.12.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

IEUA is responsible for supplying wastewater treatment services to the Project Site. There are four recycling plants (RPs) within the IEUA's service area. Regional Water Recycling Plant No. 1 (RP-1) is located in the City of Ontario and has been in operation since 1948. According to IEUA's 2020 UWMP, the current wastewater treatment capacity of RP-1 is 44 MGD, although it currently treats approximately 21 MGD. (IEUA, 2021) The Project Site is currently developed and served by septic tank systems. The Project Applicant would demolish the existing structures and redevelop the Site with an approximately 270,337 s.f. building. The Project is calculated to generate 28,776 gallons per day (gpd) of wastewater (2,200 gpd/acre × 13.08 acres = 28,776 gpd). The wastewater generated by the Project would only represent approximately 0.13 percent of the excess treatment capacity of RP-1 ([28,776 gpd ÷ 23 million gpd] × 100 = 0.13 %); therefore, it is anticipated that RP-1 have sufficient treatment capacity to provide service to the Project. The associated increase in wastewater generation would have a negligible effect on the wastewater treatment provider. As such, the IEUA's existing wastewater treatment facilities are anticipated to have adequate capacity to serve the Project's project demand in addition to its existing commitments. Impacts would be less than significant. (DEIR, p. 4.12-11)

3.18.4 THRESHOLD D

Impact Statement: The Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

❑ **Findings**

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.12.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold d; therefore, no mitigation is required.

❑ **Substantial Evidence**

Solid waste generated during the operation of the Project is anticipated to be collected by the City of Ontario and is anticipated to be hauled to either Badlands Sanitary Landfill or El Sobrante Landfill. As previously discussed, the Badlands Sanitary Landfill has a permitted disposal capacity of 4,800 tons per day with a remaining capacity of 15,748,799 cubic yards. The Badlands Sanitary Landfill is estimated to reach capacity, at the earliest time, in the year 2022 (CalRecycle, 2022a). The El Sobrante Landfill is permitted to received 16,054 tons of solid waste per day with a remaining capacity of 143,977,170 ton. The El Sobrante Landfill is estimated to reach capacity, at the earliest time, in the year 2051. (CalRecycle, 2022b; CalRecycle, 2022c) Based on the generation rate of 1.42 pounds per 100 s.f. per day, the proposed 270,337 s.f. building would result in approximately 3,838 pounds per day (1.91 tons per day). As previously stated, the Badlands Sanitary Landfill has a permitted disposal capacity of 4,800 tons per day and the El Sobrante Landfill has a permitted disposal capacity of 16,054 tons per day. The Project generated solid waste represents a nominal portion of the landfill's capacity and would not contribute significantly to the daily landfill capacity, and the landfill facilities are sufficient. Accordingly, impacts would be less than significant. (DEIR, p. 4.12-11)

3.18.5 THRESHOLD E

Impact Statement: The Project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

❑ **Findings**

Potential impacts of the Project related to Threshold e are discussed in detail in Section 4.12.4 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold e; therefore, no mitigation is required.

❑ **Substantial Evidence**

The following federal and state laws and regulations govern solid waste disposal:

- AB 939 (Chapter 1095, Statutes of 1989), the California Integrated Waste Management Act of 1989 required each city, county, and regional agency to develop a source reduction and recycling element of an integrated waste management plan that contained specified components, including a source reduction component, a recycling component, and a composting component. With certain exceptions, the source reduction and recycling components were required to divert 50 percent of all solid waste from landfill disposal or transformation by January 1, 2000, through source reduction, recycling, and composting activities.

- AB 32 (Chapter 488, Statutes of 2006), the California Global Warming Solutions Act, established mandatory recycling as one of the measures to reduce GHG emissions adopted in the Scoping Plan by the California Air Resources Board.

- AB 341 (Chapter 476, Statutes of 2011) requires that all "commercial" generators of solid waste (businesses, institutions, and multifamily dwellings) establish recycling and/or composting programs. AB 341 goes beyond AB 939 and establishes the new recycling goal of 75 percent by 2020.

The Project would implement the requirements of the City's Integrated Waste Department's Refuse & Recycling Planning Manual on refuse and recycling storage and access for service, as well as addressing the City's recycling goals. The requirements of Chapter 3, Integrated Waste Management, of the Municipal Code will also be implemented to ensure that the Project complies with all applicable state and federal laws. Therefore, no impacts would occur. (DEIR, p. 4.12-12)

3.19 WILDFIRE

3.19.1 THRESHOLD A

Impact Statement: The Project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

❑ **Findings**

Potential impacts of the Project related to Threshold a is discussed Section 5.4.8 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

❑ **Substantial Evidence**

The State Responsibility Area (SRA) is the land where the State of California is financially responsible for the preservation and suppression of wildfires. The SRA does not include lands within City boundaries or in federal ownership; therefore, the Project Site does not have the potential to be in an SRA. According to the California Department of Forestry and Fire Protection's fire hazard map for the Local Responsibility Area (LRA), the Project Site is not within a Very High Fire Hazard Severity Zone (CAL FIRE, 2008). The City updated the Local Hazard Mitigation Plan prepared by the Office of Emergency Management in 2018. The purpose of the Hazard Mitigation Plan (HMP) is to demonstrate the plan for reducing and/or eliminating risk in the City. The HMP process encourages communities to develop goals and projects that will reduce risk and build a more disaster resilient community by analyzing potential hazards. Construction of the Project would be generally confined to the Project Site and would not physically impair access to the Site or Project area. During both construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles as required by the City and OFD. Because the Project is required to comply with all applicable City codes and is not located within a Very High Fire Hazard Severity Zone (VHFHSZ), any emergency evacuation or emergency response plan impacts would be reduced to a less than significant level. Therefore, impacts are less than significant. (DEIR, p. 5-5-11)

3.19.2 THRESHOLD B

Impact Statement: Due to slope, prevailing winds, and other factors, the Project would not exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

❑ **Findings**

Potential impacts of the Project related to Threshold b is discussed Section 5.4.8 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

❑ **Substantial Evidence**

As demonstrated above, the Project Site is not in or near an SRA or LRA or lands classified as VHFHSZ. Implementation of the Project would not add wildland vegetation to the Project Site or change site topography (such as adding large slopes) so as to exacerbate wildfire spread. Adjacent areas to the Project Site are also urbanized; therefore, there are no wildlands adjacent to the Site that may expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope and prevailing winds. Therefore, no impacts are anticipated. (DEIR, p. 5-5-11)

3.19.3 THRESHOLD C

Impact Statement: The Project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

❑ **Findings**

Potential impacts of the Project related to Threshold c is discussed Section 5.4.8 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

❑ **Substantial Evidence**

The Project would not require the installation of infrastructure that would exacerbate fire risk. The Project would connect to the existing Ontario Municipal Utilities Company (OMUC) 12-inch water main on East Airport Drive. Sanitary sewer service to the Project Site would be provided by Inland Empire Utilities Agency (IEUA). Sewer would be accommodated via proposed 6-inch sewer line that would extend from the southwestern corners of the building to a proposed 8-inch sewer main on East Airport Drive. The proposed 8-inch sewer main would connect to an existing 8-inch sewer main on East Airport Drive that ends approximately at the western boundary of the Project Site. Although the Project would require the installation of utility infrastructure connection, the construction of these improvements is inherent to the Project's construction phase and impacts associated with the Project construction phase are evaluated throughout the DEIR. In addition to the Project's utility infrastructure, the Project would result in the installation of on-site fire hydrants, that are designed in accordance with the OFD standards. The internal waterlines are anticipated to supply sufficient fire flows and pressure to meet the demands required for on-site fire hydrants. Therefore, the proposed connections to existing infrastructure would not be anticipated to exacerbate fire risk on or off-site or result in temporary or ongoing impacts to the environment. Impacts would be less than significant. (DEIR, p. 5-5-12)

3.19.4 THRESHOLD D

Impact Statement: The Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

❑ **Findings**

Potential impacts of the Project related to Threshold d is discussed Section 5.4.8 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Threshold d; therefore, no mitigation is required.

❑ **Substantial Evidence**

As discussed above, the Project Site is not located within a landslide zone (DOC, 2021) or in a FEMA flood zone (FEMA, 2016). Regardless of the landslide susceptibility, the Project would be required by the California Building Code (CBC) and City's Building Code to comply with the recommendations

identified in the Project's Preliminary Geotechnical Investigation, which would ensure that the Project is engineered and constructed to maximize stability and preclude safety hazards to on-site areas. The implementation of the Project would not increase the risk of landslides after a wildfire compared to existing conditions. Impacts would be less than significant. Moreover, the Project would result in minor changes to the existing drainage patterns of the Project Site. However, such changes would not increase the rate or amount of surface runoff in a manner which would result in flooding or result in substantial erosion or siltation on- or off-site. The Project would replace the existing developed Site with a single industrial building and would not add wildland vegetation that would not readily transmit wildfire. Therefore, the Project would reduce the risk of wildfire spread. In the event that wildfire occurs in the Project vicinity, the Project would not result in an increased risk of downslope or downstream flooding because it is within an area of minimal flooding and Project runoff would be adequately conveyed by the existing storm drain infrastructure. Therefore, the implementation of the Project would not increase the risk of downslope or downstream flooding. Impacts would be less than significant. (DEIR, p. 5-5-12)

4.0 ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

4.1 CULTURAL RESOURCES

4.1.1 THRESHOLD B

Impact Statement: The Project has the potential to cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.

❑ **Findings**

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.3.4 of the DEIR. A potential exists for ground disturbing activities to unearth previously unknown archaeological resources and result in a potentially significant impact. The Project is required to comply with Mitigation Measures MM 4.3-1 through MM 4.3-3, which would reduce impacts to less than significant. The Planning Commission has determined that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

❑ **Substantial Evidence**

BFSA conducted a cultural resources record search of the Project Site and one-half mile radius around the Project Site. The results of this records search indicate that no pre/protohistoric cultural resources are located on or within a one-half mile of the Project Site. Additionally, no pre/protohistoric resources were observed on the Project Site. Therefore, implementation of the Project would not cause a substantial adverse change in the significance of a known prehistoric archaeological resource pursuant to CEQA Guidelines Section 15064.5. Given the lack of any previously identified pre/protohistoric sites within or near the property and the magnitude of ground disturbances on the Project Site over the previous 47 years including the presence of subsurface septic systems, there is little potential for any pre/protohistoric resources to be present or disturbed by the proposed development. Notwithstanding, excavations on portions of the Project Site would occur within previously undisturbed soils that have the potential to contain pre/protohistoric archaeological resources. If any pre/protohistoric cultural resources are unearthed during Project construction that meet the definition of a significant archaeological resource pursuant to CEQA Guidelines Section 15064.5 and are disturbed/damaged by Project construction activities, impacts to those pre/protohistoric cultural resources would be significant. Based on the tribal consultation process conducted under AB 52, mitigation is presented in Subsection 4.3.7 consisting of monitoring and treatment procedures for any discovered resources that would lessen potential impacts to below a level of significance. Refer to Section 4.11, *Tribal Cultural Resources*, for details on the tribal consultation process. (DEIR, p. 4.3-8)

MM 4.3-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities:

a. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The

monitor shall be retained prior to the commencement of any "ground disturbing activity" for the subject project at all project locations (i.e., both onsite and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching[1]

b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground disturbing activity.

c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

e. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

MM 4.3-2 Unanticipated Discovery of Human Remains and Associated Funerary Objects:

[1] Tribal monitoring shall cease once all ground disturbance activities have been completed with respect to the property or portion thereof. Example: Once excavation, grading, trenching, etc. have occurred tribal monitoring shall cease.

a. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

b. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.

c. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

d. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f))

e. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

f. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

MM 4.3-3 Procedures for Burials and Funerary Remains:

a. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more

than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.

b. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

c. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

d. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

e. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.

f. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

g. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data

recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

Implementation of MM 4.3-1 through MM 4.3-3 would ensure the proper identification and subsequent treatment of any significant archaeological resources that may be encountered during ground-disturbing activities associated with Project construction. With implementation of the required mitigation, the Project's potential impacts to important archaeological resources would be reduced to less-than-significant. Cumulatively considerable impacts would likewise be reduced to less-than-significant.

4.2 GEOLOGY AND SOILS

4.2.1 THRESHOLD F

Impact Statement: The Project has the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

❑ **Findings**

Potential impacts of the Project related to Threshold f are discussed in detail in Section 4.5.4. of the DEIR The Project site contains sediment with a high paleontological sensitivity. Ground disturbing activities have the potential to unearth previously unknown paleontological and/or unique geologic features. The Project is required to comply with Mitigation Measures MMs 4.5-1 through 4.5-4, which would reduce impacts to less than significant. The Planning Commission has determined that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the DEIR.

❑ **Substantial Evidence**

The Project Site is underlain by Young Eolian Deposits (Qye) and Very Young Alluvial Fan Deposits (Qf). Qye are wind-deposited Holocene sediments consisting of silt and fine- to medium-grained sand which are generally about 10 feet thick and are underlain by alluvial fan deposits. Qf are Late Holocene and consist predominantly of sand, gravel, cobbles, and boulders that form the active and recently active portions of the fan. These deposits are generally unconsolidated to slightly consolidated, and where they have not been graded, they have a network of braided channels on the surface (Ontario, 2022b, p. 5.7-5 through 5.7-7). The possibility of finding additional paleontological resources within City boundaries is moderate to high. However, geologic maps indicate that the Project Site is situated on surface exposures of recent alluvium. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. However, these recent sediments overlie older Pleistocene sediments with high potential to contain paleontological resources. (Ontario, 2022b, p. 5.7-17) In the event that the Project's construction activities encroach into previously

undisturbed older alluvium deposits, the Project could result in impacts to important paleontological resources if such resources are unearthed and not properly treated. Therefore, the Project's potential to directly or indirectly destroy a unique paleontological resource buried beneath the ground surface is determined to be a potentially significant impact and mitigation is required. (DEIR, p. 4.5-12)

MM 4.5-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Ontario that a qualified paleontologist ("paleontologist") has been retained by the Project Applicant or contractor to conduct monitoring of excavation activities in olde alluvium soils and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

MM 4.5-2 The paleontologist shall conduct full-time monitoring during grading and excavation operations in undisturbed Holocene and late Pleistocene old alluvial fan deposits starting at a depth of five (5) feet below the existing ground surface. The paleontologist shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resources.

MM 4.5-3 Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, shall be required for discoveries of significance as determined by the paleontological monitor.

MM 4.5-4 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Ontario prior to issuance of the first occupancy permit.

MMs 4.5-1 through 4.5-4 would ensure the proper identification and subsequent treatment of any paleontological resources that may be encountered during ground-disturbing activities associated with implementation of the proposed Project. Therefore, with implementation of MMs 4.5-1 through 4.5-4, the Project's potential impact to paleontological resources would be reduced to less-than-significant.

4.3 HAZARDS AND HAZARDOUS MATERIALS

4.3.1 THRESHOLDS A AND B

Impact Statement: The Project would not create a significant hazard to the public or the environment through the routine transport, use, disposal of hazardous materials or reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

❑ **Findings**

Potential impacts of the Project related to Thresholds a and b are discussed in detail in Section 4.7.5 of the DEIR. This Planning Commission finds that the development of the proposed Project will not result in significant impacts related to Thresholds a and b; therefore, no mitigation is required.

❑ **Substantial Evidence**

Implementation of the Project would require demolition and removal of all existing structures and improvements on the Project Site, as well as the removal of all materials stored on the Site, and would result in the construction and long-term operation of one warehouse distribution building on the Site. In the event any hazards or hazardous materials were to be present on the Project Site or any hazardous materials were to be used or stored on the Project Site during construction or long-term operation, the Project would have the potential to expose workers on-site, the public, and/or the environment to a substantial hazard. The analysis below evaluates the potential for the Project to result in a substantial hazard to people or the environment during any stage of the Project.

A. Impact Analysis for Existing Site Conditions

1. Soil Vapor

In March 2022, Farallon conducted soil and soil vapor sampling at the Site to assess former UST areas and septic systems, and the new building footprint for the potential for vapor intrusion issues. Results showed that no total petroleum hydrocarbons (TPH) or volatile organic compounds (VOCs) were detected exceeding laboratory detection limits in the soil samples collected from the Project Site. Low concentrations of naturally occurring metals including barium, cadmium, cobalt, chromium, copper, nickel, lead, vanadium, and zinc were detected in two soil samples submitted for analysis; and these concentrations were considerably less than screening levels. (Farallon, 2022, pp. 10-3)

Based on the sampling results, tetrachloroethylene (PCE) has been documented in soil vapor in the vicinity of Building B at concentrations exceeding screening levels, and PCE is also present in central and eastern portions of the Site in shallow zones at concentrations less than calculated screening levels. (Farallon, 2022, pp. 10-4) Therefore, PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Project Site and impacts would be potentially significant.

2. Building Materials

The use of ACMs (a known carcinogen) and lead paint (a known toxin) was common in building construction prior to 1978. Because the Project Site contains structures known to be constructed before

1978, there is potential for ACMs and surfaces covered with lead paint to be present on the Project Site.

Asbestos is a carcinogen and is categorized as a hazardous air pollutant by the federal EPA. Federal asbestos requirements are found in National Emission Standards for Hazardous Air Pollutants (NESHAP) within the CFR Title 40, Part 61, Subpart M, and are enforced in the Project area by the SCAQMD via Rule 1403. Rule 1403 establishes survey requirements, notification, and work practice requirements to prevent asbestos emissions from emanating during building renovation and demolition activities. Because ACMs are present in the existing construction debris and/or structures located on the property, then Rule 1403 requires notification of the SCAQMD prior to commencing any demolition or renovation activities. Rule 1403 also sets forth specific procedures for the removal of asbestos, and requires that an on-site representative trained in the requirements of Rule 1403 be present during the stripping, removing, handling, or disturbing of ACM. Mandatory compliance with the provisions of Rule 1403 would ensure that construction-related grading, clearing and demolition activities do not expose construction workers or nearby sensitive receptors to significant health risks associated with ACMs. Because the Project's demolition and construction contractors would be required to comply with AQMD Rule 1403 during demolition activities, impacts due to asbestos would be less than significant.

During demolition of the existing buildings on-site, there also is a potential to expose construction workers to health hazards associated with lead-based paint (LBP). The Project's demolition and construction contractors would be required to comply with CCR Title 17, Division 1, Chapter 8, which includes requirements such as employer provided training, air monitoring, protective clothing, respirators, and hand washing facilities. Mandatory compliance with the requirements of CCR Title 17, Division 1, Chapter 8 would ensure that construction workers and the public are not exposed to significant LBP health hazards during demolition and/or during transport of demolition waste to an appropriate disposal facility, and would ensure that impacts related to LBP remain less than significant.

B. Impact Analysis for Temporary Construction-Related Activities

Heavy equipment (e.g., dozers, excavators, tractors) would be operated on the Project Site during construction. This heavy equipment likely would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project Site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the Project than would occur on any other similar construction site. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the EPA, DTSC, and the Santa Ana RWQCB. With mandatory compliance with applicable hazardous materials regulations, the Project would not create significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase, nor would the Project increase the

potential for accident conditions which could result in the release of hazardous materials into the environment. A less-than-significant impact would occur.

C. Impact Analysis for Long-Term Operations

The future building occupant(s) for the Project Site are not yet identified. However, the Project is designed to house warehouse distribution occupants and it is possible that hazardous materials could be used during the course of a future building user's daily operations. State and federal Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals in use at local businesses. Laws also are in place that requires businesses to plan and prepare for possible chemical emergencies. Any business that occupies the warehouse building on the Project Site and that handles hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) will require a permit from the San Bernardino County Fire Department Hazardous Materials Division in order to register the business as a hazardous materials handler. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the County of San Bernardino Fire Department and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan (HMBEP). An HMBEP is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material. With mandatory regulatory compliance, the Project would not pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment. Based on the foregoing information, potential hazardous materials impacts associated with long-term operation of the Project are regarded as less than significant. (DEIR, p. 4.7-13 – 4.7-16)

MM 4.7-1 Prior to the issuance of a grading permit, the Project Applicant shall prepare a Soil Management Plan (SMP). The SMP shall include explicit instructions for the appropriate handling, storage, and disposal of any known or potentially impacted soil during soil moving activities. The general contractor will be required to follow the requirements of the SMP and stop work to make notification to the environmental team if any potential impacts are observed at any time the environmental team is not already on-site. The SMP also requires air monitoring activities to monitor the air downwind of the Project Site and appropriate Health and Safety Plans that will be employed by site workers. The SMP shall identify specific requirements intended to protect human health when soil in certain areas of known or suspected impacts are disturbed for any reason, including, without limitation, as a result of demolition, utility installation/repair, soil excavation, drilling, grading/filling activities, stockpile generation, soil management, loading, and transportation. Requirements of the SMP include:

a. Health and Safety Plan (HASP): A HASP will be prepared and in effect for all activities associated with the SMP and other activities at the Project Site.

Contractors working onsite are expected to be operating under their own health and safety plans.

b. Environmental Monitoring: In accordance with SCAQMD Rules, air monitoring will be necessary in areas where potential PCE contaminated soil are to be disturbed. Air monitoring for dust may also be required in other areas. An air monitoring/health and safety professional will be present during relevant activities and responsibilities will include recording monitoring data on field sheets, which will be kept as part of Project documentation. c. Soil Monitoring: Soils impacted by PCE that are encountered during site redevelopment will be characterized and documented. The monitoring and sampling activities to be performed include:

- Visual observation performed to detect areas of soil that may be impacted by PCE or other non-VOC hazardous materials, if encountered.
- Screening for PCEs using field instruments to document new or previously undetected sources of PCEs.
- Soil sampling and chemical testing performed to evaluate concentrations of PCE.

d. Proper Soil Handling: If impacted soil is encountered, the area will be delineated as necessary with cones, caution tape, stakes, chalk, or flagging, and the area will not be disturbed further until an environmental professional is onsite for observation and determination of whether testing and/or excavation work is required. Stockpile staging areas will be delineated prior to the start of excavation. All excavations will conform to applicable regulations, including Cal/OSHA Construction Safety Orders. The specific equipment, means, and methods to be utilized for soil removal, handling, and disposition will be selected based on the nature of the work to be conducted and its location on the site. If excavation is conducted during the rainy season (October through April), provisions will need to be made to prevent offsite migration of sediment in runoff.

e. Fugitive Dust and Vapor Control: Appropriate procedures will be implemented to control the generation of airborne dust by soil removal activities, including, but not limited to, the use of water as a dust suppressant or stopping activities that have the potential to generate fugitive dust in the event wind conditions change creating an uncontrollable condition.

f. Excavation and Stockpiling: Impacted soil that is excavated and not immediately removed from the site will be stockpiled onsite and covered with plastic sheeting to control dust and minimize exposure to precipitation and wind. If a stockpile remains onsite during the rainy season, a perimeter

sediment barrier, constructed of material, such as straw bales or fiber roll, will also be installed. The stockpiles will be inspected biweekly at a minimum. During stockpile removal, only the working face of the stockpile will be uncovered. If the stockpiled impacted soil is to be transported offsite for disposal or recycling, the soil will be profiled for waste characteristics. Soil samples will be analyzed for parameters required by the disposal/recycling facility.

g. Responding to Unknown Conditions: If previously unknown impacted soil is suspected (based on visual staining, odors, photo ionization detector readings, or other observations), the area will be delineated and construction activity will cease in this area, and sampling of the unknown material will occur using USEPA methodology. Analysis will be conducted for TPH, metals, and/or VOCs, as appropriate. Analytical results will be compared to applicable regulatory screening levels. Based on this comparison, a determination will be made regarding soil disposition (reuse on-site, off-site transport, and disposal/recycling, etc.). Additionally, if any UST or other subsurface features are encountered, a similar approach will be taken, and appropriate permitting, as necessary, will be obtained for the removal of the feature(s). Any permitted removals will be conducted with appropriate regulatory oversight, documentation, and reporting.

h. Imported fill: As appropriate, offsite soils brought to the site for use as backfill (import fill), if necessary, will be tested in general conformance with the DTSC Information Advisory Clean Imported Fill Material document.

i. Post-construction Requirements: If contaminated soil is left in place, the location of this soil will be surveyed or recorded by use of geographic positioning system equipment. Following the completion of construction, excavation, and disposition activities, a summary report will be prepared. The report will include a summary of activities, locations of soil sources and final disposition of contaminated soil, and estimated quantities of materials. Additionally, removal of any USTs or other subsurface features, if encountered, will be conducted under appropriate permits (if any) and documented in applicable reports for submittal to the Ontario Fire Department, or other regulatory agency, as appropriate.

Mitigation measure MM 4.7-1 would result in the preparation of a SMP for the Project. The SMP identifies requirements intended to protect human health when soil in certain areas of known or suspected areas are disturbed for any reason, including, without limitation, as a result of demolition, utility installation/repair, soil excavation, drilling, grading/filling activities, stockpile generation, soil management, loading, and transportation. Requirements of the SMP include protocols for the HASP, environmental monitoring, proper soil handling (if impacted soil is encountered), fugitive dust and vapor control, excavation and stockpiling, soil monitoring, soil monitoring, responding to unknown

conditions, imported fill, and postconstruction requirements. With the implementation of mitigation measure MM 4.7-1, the risk of exposure of hazardous materials to the workers and the public through the routine transport, use, or disposal of contaminated or potentially contaminated soils or accident conditions would be less than significant.

4.4 TRIBAL CULTURAL RESOURCES

4.4.1 THRESHOLD A

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

a. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code Section 5024.1(k), or*

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

❑ **Finding**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.11.5 of the DEIR. Due to the Project Site's location in an area where Native American tribes are known to have a cultural affiliation, there is the possibility that pre/protohistoric archaeological resources, including tribal cultural resources, could be encountered during ground-disturbing construction activities. The Project is required to comply with Mitigation Measures MM 4.3-1 through 4.3-3, which would reduce impacts to less than significant. The Planning Commission has determined that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

❑ **Substantial Evidence**

No prehistoric resource sites, features, places, or landscapes were identified on the Project Site that are either listed or eligible for listing in the California Register of Historic Places. No resources were identified on the Project Site that meet any of the four criteria listed above to be eligible for the California Register and no pre/protohistoric resource sites or isolates are known to exist on the Project Site. (BFSA, 2022) Furthermore, no substantial evidence was presented to or found by the City that led to the identification of any resources on the Project Site that in the City's discretion had the potential to be considered a tribal cultural resource.

As part of the AB 52 consultation process required by State law, the City sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area. The City consulted with each tribe that requested consultation. During the course of the tribal consultation process, tribal monitoring was requested during the Project's ground-disturbing construction activities. Due to the Project Site's location in an area where Native American tribes are known to have a cultural affiliation, there is the possibility that pre/protohistoric archaeological resources, including tribal cultural resources, could be encountered during ground-disturbing construction activities. In the event that a tribal cultural resource, as defined in Public Resources Code Section 21074, were to be found on the Project Site during construction – and not properly identified and treated – a significant impact would occur. Mitigation is required.

As discussed under EIR Subsection 4.3, the Project Site does not contain a known cemetery site and human remains have not been previously discovered on the Site. Mandatory compliance with State law (California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98) would ensure that, in the unlikely event that human remains are discovered during Project construction, the remains would be identified in accordance with proper protocols and the remains would be treated or disposed with appropriate dignity. Accordingly, the Project would not result in a substantial adverse effect to tribal cultural resources associated with human remains. (DEIR, pp. 4.11-4 – 4.11-5)

Refer to Mitigation Measures MM 4.3-1 and MM 4.3-3, above.

Implementation of MMs 4.3-1 through 4.3-3 would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less-than-significant.

5.0 ENVIRONMENTAL IMPACTS THAT REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION

The Ontario Planning Commission finds the project would result in significant and unavoidable impacts in the following impact categories after implementation of all feasible mitigation measures: Transportation. In accordance with CEQA Guidelines Section 15092(b)(2), the Planning Commission of the City of Ontario cannot approve the project unless it first finds (1) under Public Resources Code Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations has been prepared.

5.1 TRANSPORTATION

5.1.1 THRESHOLD B

Impact Statement: The Project would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

❑ **Findings**

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.11.6 of the DEIR. The Project is required to implement Mitigation Measure 4.10-1, which would reduce VMT impacts to the extent feasible.

❑ **Substantial Evidence**

Changes to State CEQA Guidelines were adopted in December 2018, which requires all lead agencies to adopt vehicle miles traveled (VMT) as a replacement for automobile delay-based level of service (LOS) as the new measurement for identifying transportation impacts for land use projects. This statewide mandate took effect on July 1, 2020. To aid in this transition, the Governor's Office of Planning and Research (OPR) released a Technical Advisory on Evaluating Transportation Impacts in CEQA. Based on the Technical Advisory, the City of Ontario has developed and adopted their own VMT methodologies and thresholds, which were adopted by City Council in June 2020. City Guidelines identify projects that meet certain VMT screening criteria may be presumed to result in a less than significant transportation impact. The City of Ontario utilizes the San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool. The Screening Tool allows users to select an assessor's parcel number (APN) to determine if a project's location meets one or more of the screening thresholds for land use projects identified in the City Guidelines. The City Guidelines lists the following VMT screening criteria:

- Transit Priority Area (TPA) Screening
- Low VMT Area Screening

- Project Type Screening

A land use project need only meet one of the above screening criteria to result in a less than significant impact.

A. TPA Screening

Consistent with guidance identified in the City Guidelines, projects located within a Transit Priority Area (TPA) (i.e., within ½ mile of an existing "major transit stop" or an existing stop along a "high quality transit corridor") may be presumed to have a less than significant impact absent substantial evidence to the contrary. However, the presumption may not be appropriate if a project:

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

The Screening Tool was utilized to locate the Project Site and its proximity to a TPA. The Project Site is not located within ½ mile of an existing major transit stop, or along a high-quality transit corridor. Therefore, the Project would not meet the TPA Screening threshold.

B. Low VMT Area Screening

As noted in the Technical Advisory, "Residential and office projects that locate in areas with low VMT and that incorporate similar features (density, mix of uses, and transit accessibility) will tend to exhibit similarly low VMT." The City Guidelines state that projects may be presumed to have a less than significant VMT impact if located in an already low VMT generating traffic analysis zones (TAZs) that generates a VMT per service population (SP) that does not exceed the Citywide average under General Plan Buildout condition VMT per service population. The Screening Tool uses the subregional San Bernardino Transportation Analysis Model (SBTAM) to measure VMT performance within individual TAZ's within the region. The Project's physical location based on parcel number is selected in the Screening Tool to determine the TAZ in which the Project will reside. The Project's TAZs VMT per service population was compared to Citywide average buildout VMT per service population. The parcel containing the Project was selected and the Screening Tool was run for origin destination (OD) VMT per service population, and results showed the Project is not located within a low VMT generating zone. Therefore, the Project would not meet the Low VMT Area Screening threshold.

C. Project Type Screening

The City Guidelines identify that local serving retail less than 50,000 square feet or other local serving essential services (e.g., day care centers, public schools, medical/dental office buildings, etc.) are presumed to have a less than significant impact absent substantial evidence to the contrary. The Project

as intended does not contain any local serving uses. Additionally, the City Guidelines state that small projects generating fewer than 110 daily vehicle trips or less may be presumed to have a less than significant impact, subject to discretionary approval by the City. As shown in Table 4.10-1, the Project currently generates an average of 316 vehicle trips per day. Trips generated by the Project's proposed land uses have been estimated based on trip generation rates collected by the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, 2021. The Project is anticipated to generate 476 daily vehicle trip-ends per day. Therefore, the Project is anticipated to generate 160 net new average daily trips, exceeding the 110 daily vehicle trip threshold, and the Project would not meet the Project Type Screening threshold.

D. VMT Analysis

As the Project was not found to meet any of the aforementioned VMT screening criteria, a project level VMT analysis (Technical Appendix J to the DEIR) was prepared to assess the Project's potential impact to VMT. Consistent with City Guidelines and standard VMT calculation methods, total VMT is calculated from SBTAM's OD trip matrices and then divided by a project's service population to derive the VMT efficiency metric VMT per service population. Table 4.10-6, Total VMT, presents Project generated total VMT calculated as the total of passenger car, light-duty, medium-duty, and heavy-duty truck trips.

The City Guidelines have identified following recommended threshold: a significant impact would occur if the project VMT per Service Population exceeds the Citywide average for Service Population under General Plan Buildout Conditions. The Project's baseline and buildout VMT per service population is calculated by dividing by the total VMT the service population or in this case the number of employees generated1 . As shown in Table 4.10-7, Project VMT per Service Population, the City of Ontario has identified a VMT per SP significance threshold of 27.61, which is the City of Ontario's General Plan Buildout with the TOP model. As shown below, the Project would exceed the City's VMT per SP impact threshold for both the baseline and TOP buildout conditions (Urban Crossroads, 2023a). Therefore, impacts would be significant. (DEIR, pp. 4.10-11 – 4.10-14)

MM 4.10-1 Prior to the issuance of a certificate of occupancy, the building operator shall prepare and submit for approval to the City of Ontario Community Development Department a Transportation Demand Management Program (TDMP). The TDMP shall specify measures that the building operator will commit to implementing in an effort to reduce vehicle miles traveled for its on-site employees. The TDMP shall include provisions, incentives, and programs for employee ridesharing programs, carpools, vanpools, transit use, bike travel, avoidance of peak periods of traffic congestion, and on-site parking preferences for zero-emission vehicles, among other items that have reasonable potential of reducing employee reliance on single-occupant gas-powered vehicles during peak time travel periods (rush hours).

Transportation Demand Management Plan (TDMP) strategies in the form of commute trip reduction program measures were reviewed for the purpose of reducing Project related VMT impacts (i.e., commute trips). The feasibility and level of effectiveness of each trip reduction measure was determined based on the location of the Project Site and the Handbook for Analyzing Greenhouse Gas

Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (2021 Handbook). As the future building tenant(s) is not currently known for the Project, the effectiveness of commute trip reduction measures such as carpooling and vanpooling cannot be determined with certainty. In addition to specific tenancy considerations, locational context is also a major factor relevant to the potential application and effectiveness of TDMP measures. Given the Project Site's location in an industrial area with no nearby transit routes, an incomplete sidewalk and bikeway system, and a lack of nearby residential areas that made walking or biking to work easy, the Project Site location is not favorable to reduce VMT per service population to below a level of significance.

Under the most favorable circumstances and ideal conditions a project can realize a maximum reduction of 45% in commute VMT through implementation of the trip reduction program measures listed below. However, ideal conditions are rarely realized as variables such as a project's locational context limitation (i.e., non-urban areas). Additionally, to achieve ideal conditions a project must achieve one hundred percent employee participation and maximum employee eligibility, which are not generally expected. The proposed Project would require a minimum VMT per service population reduction of 25.58% to achieve a less than significant impact, which cannot be assured for the proposed Project. The 2021 Handbook lists the following possible trip reduction measures.

- T-5 – Implement Commute Trip Reduction Marketing (up to 4.0% reduction)
- T-8 – Provide Ridesharing Program (up to 8% reduction)
- T-9 – Implement Subsidized or Discounted Transit Program (up to 5.5% reduction)
- T-10 – Provide End-of-Trip Facilities (up to 4.4% reduction)
- T-11 – Provide Employer-Sponsored Vanpool (up to 20.4% reduction)
- T-12 – Price Workplace Parking (up to 20.0% reduction)
- T-13 – Implement Employee Parking Cash-Out (up to 12.0% reduction)

Mitigation measure MM 4.10-1 will reduce the Project's VMT per service population by some percentage based on the level of participation achieved, but based on the above-described factors, it is not feasible to reduce VMT to below a level of significance. However, as the Project area and surrounding communities develop as envisioned under the City of Ontario General Plan (TOP), new residential, retail, and industrial development would be implemented. These actions could collectively alter transportation patterns, improve the region's jobs/housing ratio, reduce VMT, and support implementation of new or alternative TDM measures. With the implementation of mitigation measure MM 4.10-1, VMT is expected to be reduced, but the Project's impacts related to VMT would still be significant and unavoidable.

6.0 CUMULATIVE IMPACTS

The CEQA Guidelines define a "cumulative impact" as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines Section 15355). Regarding the Project's potential to result in cumulative impacts, the City hereby finds as follows:

6.1 AESTHETICS

The Project's effects to scenic views of the San Gabriel Mountains, if any, would be localized to the immediate Project Site area and would not extend beyond the public viewing areas that immediately about the Project Site (East Airport Drive). The views that would be affected only occur abutting the Project Site and the Project does not contain any off-site components that could adversely affect scenic views that occur elsewhere in the City. Furthermore, the Project's impacts to local scenic views are inherently site specific and not influenced or exacerbated by effects to scenic views that may occur at other, off-site properties. Because of the site-specific nature of these impacts, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties pursuant to Threshold "a."

As noted under the analysis of Threshold "b," the Project Site is not located within close proximity to any designated State scenic routes and does not contain any scenic resources. Therefore, the Project has no potential contribute to a cumulatively significant impact to scenic resources within a designated scenic route corridor.

Under existing conditions, the area surrounding the Project Site is entirely developed with industrial land uses. No new or pending development projects are known to occur in the area surrounding the Project Site. Accordingly, the Project would not contribute to cumulatively considerable impacts to local visual quality. Notwithstanding, as with the Project, any re-development in the surrounding area would be subject to applicable development regulations and design standards, including, but not limited to the Ontario Development Code. Mandatory compliance to applicable development regulations and design standards would ensure that developments would incorporate high quality building materials, site design, and landscaping to preclude potential conflicts with applicable zoning and other regulations governing visual quality.

With respect to potential cumulative light and glare impacts, the Project would be required to comply with City's Development Code, which sets standards for exterior lighting/fixtures. The restriction on unshielded light fixtures and "spill over" lighting enforced by these lighting regulations has the effect of minimizing light and glare that would affect daytime views and/or create sky glow. Additionally, development projects with artificial light sources in surrounding jurisdictions would be required to comply with the light reduction requirements applicable in their respective jurisdiction. Although cumulative development in the Project's surrounding area is expected to introduce new sources of lighting and potentially reflective materials, the required compliance with the applicable legal standard and code requirements would ensure that future cumulative development does not introduce substantial sources of lighting or glare. As such, the Project would not contribute to cumulatively-considerable, adverse impacts to the existing daytime or nighttime views of the Project Site or its surroundings. (DEIR, pp. 4.1-12 – 4.1-13)

6.2 AIR QUALITY

Based on SCAQMD guidance, any exceedance of a regional or localized threshold for criteria pollutants also is considered to be a cumulatively-considerable effect, while air pollutant emissions that fall below applicable regional and/or localized thresholds are not considered cumulatively considerable. As discussed in the analysis under Threshold "b," the criteria pollutant emissions from Project construction and operation would be far less than the SCAQMD regional thresholds of significance. Therefore, the Project's emissions would not be considered cumulatively considerable. Furthermore, the Project would not conflict with the 2016 AQMP and is not considered cumulatively considerable.

As discussed under the analysis for Threshold "c," all Project-related construction- and operational localized air pollutant emissions – including DPM – would not exceed the applicable SCAQMD thresholds of significance. According to the SCAQMD's Mates V study and data visualization tool, which includes an emissions inventory of toxic air contaminants based on 2016-2018 data, the cancer risk in the Project Site's zip code (91761) is 600 per million, which indicates that the air toxics cancer risk in this zip code was higher than 93.0% of the SCAQMD population at the time the data was collected (SCAQMD, 2021). As regulatory requirements have become more stringent, however, air quality has improved and health risks have decreased, despite an increase in the number of warehouses across the Inland Empire and the SCAB (Ramboll, 2023). Because the Project's contribution to health risk would fall far below the SCAQMD's threshold of significance, and the SCAQMD is the regulatory authority responsible for air quality in the SCAB in which the Project site is located, the Project's contribution is not considered cumulatively-considerable.

As indicated in the analysis of Threshold "d," above, there are no Project components that would expose a substantial number of sensitive receptors to objectionable odors. There are no known sources of offensive odors in the Project area. Because the Project's construction and operation would not create substantial and objectionable odors and because there are no sources of objectionable odors in the areas immediately surrounding the Project Site, there is no potential for odors from the Project Site to commingle with odors from nearby development projects and expose nearby sensitive receptors to substantial, offensive odors. Accordingly, implementation of the Project would result in a less-than significant cumulative impact related to odors. (DEIR, pp. 4.2-36 – 4.2-37)

6.3 CULTURAL RESOURCES

Record searches indicate the absence of significant historical sites and resources on the Project Site; therefore, implementation of the Project has no potential to contribute towards a significant cumulative impact to historical sites and/or resources.

The potential for Project construction to result in cumulatively-considerable impacts to prehistoric archaeological resources were also analyzed in conjunction with other projects located in the traditional use areas of Native American tribes that are affiliated to the Project Site. Development activities on the Project Site would not impact any known prehistoric archaeological resources and the likelihood of uncovering previously unknown prehistoric archaeological resources during Project construction are low due to the magnitude of surface and subsurface disturbance that has occurred on the Site to-date. Nonetheless, the remote potential exists for subsurface prehistoric archaeological resource that meet the CCR Section 15064.5 definition of a significant archaeological resource to be discovered

beneath the surface of the Project Site during Project-related construction activities and on and beneath other development project sites in the region during construction activities. Accordingly, the Project has the potential to contribute to a significant cumulatively-considerable impact to prehistoric archaeological resources, if such resources are unearthed during Project construction, for which mitigation is required. As discussed below, with implementation of mitigation, cumulatively considerable impacts would be less than significant.

Mandatory compliance with the provisions of California Health and Safety Code Section 7050.5 as well as Public Resources Code Section 5097 et seq., would assure that all future development projects within the region treat human remains that may be uncovered during development activities in accordance with prescribed, respectful and appropriate practices, thereby avoiding significant cumulative impacts. (DEIR, pp. 4.3-9 – 4.3-10)

6.4 ENERGY

The Project and other new development projects within the cumulative study area would be required to comply with all of the same applicable federal, State, and local regulatory measures aimed at reducing fossil fuel consumption and the conservation of energy. Accordingly, the Project would not cause or contribute to a significant cumulatively considerable impact related to conflicts with a State\ or local plan for renewable energy efficiency. (DEIR, p. 4.4-8)

6.5 GEOLOGY AND SOILS

With the exception of erosion hazards, potential hazardous effects related to geologic and soil conditions addressed under Thresholds "a," "c," "d," and "e" are unique to the Project Site, and inherently restricted to the specific property proposed for development. That is, issues including fault rupture, seismic ground shaking, liquefaction, landslides, and expansive soils would involve effects to (and not from) a proposed development project, are specific to conditions on the subject property, and are not influenced or exacerbated by the geologic and/or soil hazards that may occur on other, off-site properties. Further, as noted in the foregoing analysis, all potential Project-related direct and indirect impacts related to potential hazardous effects related to geologic and soil conditions would be precluded through mandatory conformance with the CBSC, Ontario Development Code, other standard regulatory requirements, and the site-specific geotechnical recommendations contained within the Project's geotechnical investigation, which will be incorporated into the Project's design via conditions of approval. Because of the site-specific nature of these potential hazards and the measures to address them, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties. As discussed under Threshold "b", regulatory requirements mandate that the Project incorporate design measures during construction and long-term operation to ensure that significant erosion impacts do not occur. Other development projects in the vicinity of the Project Site would be required to comply with the same regulatory requirements as the Project to preclude substantial adverse water and wind erosion impacts. Because the Project and other projects within the cumulative study area would be subject to similar mandatory regulatory requirements to control erosion hazards during construction and longterm operation, cumulative impacts associated with wind and water erosion hazards would be less than significant. The Project's potential to result in cumulative impacts to paleontological resources (Threshold "f") is similar to that of other projects located in the region that are underlain by older alluvial soils. Because the older alluvial soils present on the Project

Site contain high paleontological sensitivity and because this geologic layer is present throughout the City of Ontario and southern California, the potential to impact paleontological resources is a cumulatively. (DEIR, pp. 4.5-12 – 4.5-13)

6.6 GREENHOUSE GAS EMISSIONS

GCC occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (See CEQA Guidelines Section 15130[f]). Accordingly, the analysis provided in subsection 4.6.4 reflects a cumulative impact analysis of the effects related to the Project's GHG emissions, which concludes that the Project would not exceed the applicable threshold of significance and that the Project would not conflict with an applicable GHG-reduction plans, policies, or regulations. (DEIR, pp. 4.6-24)

6.7 HAZARDOUS AND HAZARDOUS MATERIALS

As discussed above under the responses to Thresholds "a" and "b," the Project's construction and operation would be required to comply with all applicable federal, state, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Although the end user(s) of the Project Site are not presently known, if businesses that use or store hazardous materials occupy the Project, the business owners and operators would be required to comply with all applicable federal, state, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Such uses also would be subject to additional review and permitting requirements by the San Bernardino County Fire Department. Similarly, any other developments in the area proposing the construction of uses with the potential for use, storage, or transport of hazardous materials also would be required to comply with applicable federal, State, and local regulations, and such uses would be subject to additional review and permits from their local oversight agency. Although there is on-site contamination present, compliance with mitigation measure MM 4.7-1 would ensure isolation of any impacts to the Project Site and would not have the ability to impact the surrounding area. Therefore, the potential for release of toxic substances or hazardous materials into the environment, either through accidents or due to routine transport, use, or disposal of such materials, would be reduced to a less-than-significant cumulative level. Accordingly, the Project's potential to contribute to a cumulatively significant hazardous materials impact would be less than significant.

The Project Site is not located within one-quarter mile of a school; therefore, the Project has no potential effect on students in relation to the use, handling, and transport of hazardous materials and would have no impact.

As indicated under Threshold "d," facilities in the site vicinity are not considered to be an REC to the Site. Because the Project Site is not classified as a hazardous materials site, there is no potential for the Project to contribute to, or exacerbate, adverse environmental effects resulting from other hazardous materials sites in the Project vicinity.

As discussed above under the response to Threshold "e," the Project is not a noise-sensitive land use and would not be adversely affected by noise from operations at the ONT. In addition, the Project would not introduce any land use to the Project Site that would conflict with the ONT ALUCP. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or

working in the Project area and would not contribute to a cumulatively considerable impact associated with airport hazards. The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route; thus, there is no potential for the Project to contribute to any cumulative impacts associated with an adopted emergency response plan or emergency evacuation plan.

As discussed above under Threshold "g," the Project Site is not located within or in close proximity to areas identified as being subject to wildland fire hazards and would have no potential to contribute to adverse, cumulative wildland fire hazards. (DEIR, pp. 4.7-17 – 4.7-18)

6.8 HYDROLOGY AND WATER QUALITY

The cumulative impact analysis considers construction and operation of the Project in conjunction with other development projects in the vicinity of the Project Site and projects located in the Santa Ana River Basin and Chino Groundwater Basin.

A. Water Quality

Project construction and the construction of other projects in the cumulative study area would have the potential to contribute waterborne pollution, including erosion and siltation, to the Santa Ana River Watershed. Pursuant to the requirements of the State Water Resources Control Board and the Santa Ana RWQCB, all construction projects that disturb 1 or more acres of land area are required to obtain coverage for construction activities under the State's General Construction NPDES Permit. In order to obtain coverage, an effective Site-specific SWPPP is required to be developed and implemented. The SWPPP must identify potential on-site pollutants and identify an effective combination of erosion control and sediment control measures to reduce or eliminate discharge of pollutants to surface waters. In addition, the Project Applicant and all cumulative developments in the Santa Ana River Basin would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program, which establishes water quality standards for ground and surface waters of the region. Compliance with these mandatory regulatory requirements, would ensure that development projects within the Santa Ana River watershed, including the proposed Project, would not contribute substantially to water quality impairments during construction. Operational activities on the Project Site would be required to comply with the Project's WQMP to minimize the amount of waterborne pollution, including erosion and sediment, discharged from the Site. Other development projects within the watershed would similarly be required by law to prepare and implement Site-specific WQMPs to ensure that runoff does not substantially contribute to water quality violations. Accordingly, operation of the Project would not contribute to cumulatively considerable water quality effects.

B. Groundwater Supplies and Management

The Project incorporates design features that would allow surface runoff to infiltrate into the groundwater basin. Other development projects would similarly be required by applicable lead agencies to incorporate design features that facilitate percolation (e.g., through minimum landscaped/permeable area requirements, water quality/detention basins, infiltration basins). Also, as previously noted, implementation of the Project would not result in substantial adverse effects to local groundwater supplies or groundwater recharge. Thus, no component of the Project would obstruct with or prevent implementation of the management plan for the Chino Groundwater Basin, and other development projects within the Chino Groundwater Basin would be prohibited from any activity that would endanger the health and sustainability of the groundwater basin. Based on the lack of impacts

to groundwater, the provision of design measures that would facilitate percolation, and compliance with applicable Chino Groundwater Basin management plans, cumulative development would not result in a considerable, adverse effect to local groundwater supplies.

C. Flooding

Construction of the Project and other development projects within the Santa Ana River watershed would be required to comply with federal, State, and local regulations and applicable regional and local master drainage plans in order to mitigate flood hazards both on- and off-site. Compliance with federal, State, and local regulations and applicable drainage plans would require development sites to be protected from flooding during peak storm events (i.e., 100-year storm) and also would not allow development projects to expose downstream properties to increased flooding risks during peak storm events. In addition, future development proposals within the Santa Ana River Basin would be required to prepare hydrologic and hydraulic calculations, subject to review and approval by the responsible City Engineer, to demonstrate that substantial on- and/or off-site flood hazards would not occur. As discussed under the response to Threshold "c," the Project is designed to ensure that runoff from the Project Site during peak storm events is reduced relative to existing conditions. Because the Project and all other developments throughout the Santa Ana River Basin, would need to comply with federal, State, and local regulations to ensure that stormwater discharges do not substantially exceed existing volumes or exceed the volume of available conveyance infrastructure, a substantial cumulative impact related to flood hazards would not occur.

Additionally, the Project Site is not located within a special flood hazard area or in an area subject to inundation. Accordingly, development on the Project Site would have no potential to impede or redirect flood flows and a cumulatively-considerable impact would not occur. (DEIR, pp. 4.8-17 – 4.8-18)

6.9 NOISE

A. Construction Noise

Construction activities associated with the proposed Project, especially activities involving heavy equipment, would create intermittent periods of noise when construction equipment is in operation and cause a short-term increase in ambient noise levels. As shown in Table 4.9-5, the peak noise level anticipated during construction activities are estimated to reach a maximum noise level of 38.6 dBA Leq at receiver R4 (represents the existing noise Hyatt Place Ontario/Rancho Cucamonga at 4760 Mills Circle, approximately 3,872 feet northwest of the Project Site) which does not exceed the construction noise threshold of 80 dBA Leq. Therefore, Project construction-related activities would result in less than significant noise impacts. Because the Project's construction noise levels would be less than significant, construction noise would be temporary in nature, and the Project and other cumulative projects would not combine with Projectrelated construction; cumulative construction impacts would be less than significant.

B. Stationary Noise

The analysis presented for Threshold "a" addresses the Project's contribution of noise to existing cumulative noise sources (i.e., ambient noise) in the Project area. As previously shown in this Subsection, the Project's noise contribution would not be perceptible to noise-sensitive receptors in the

Project area during daytime or nighttime hours. The Project's permanent stationary noise impacts would not be cumulatively-considerable.

C. Traffic Noise

The analysis presented under Threshold "a" evaluates the Project's traffic noise contribution along study area roadways. As summarized in that analysis, due to the low traffic volumes generated by the Project, the off-site traffic noise levels generated by the Project are considered less than significant, therefore, would not be cumulatively-considerable under near- or long-term conditions.

D. Groundborne Vibration and Noise

During construction, the Project's peak vibration impacts would occur during the grading phase when large pieces of equipment, like bulldozers, are operating on-site. (During the non-grading phases of Project construction, when smaller pieces of equipment are used on-site, the Project's vibration would be minimal.) Vibration effects diminish rapidly from the source; therefore, the only reasonable sources of cumulative vibration in the vicinity of the Project Site could occur on properties abutting these sites. As described above, there are no known active or pending construction projects abutting the Project Site that would overlap with the Project's proposed construction schedule. Accordingly, there is no potential for the Project to contribute to the exposure of persons to substantial temporary groundborne vibration or noise. Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not cumulatively-contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

E. Airport Noise

The Project would not involve the construction, operation, or use of any public airports or public use airports. There are no conditions associated with implementation of the Project that would contribute airport noise or exposure of additional people to unacceptable levels of airport noise. Accordingly, the Project would have no potential to cumulatively-contribute to impacts associated with noise from a public airport, public use airport, or private airstrip. Additionally, the Project Site and the immediately surrounding area are not subject to substantial airport- or air traffic-related noise. Accordingly, there is no potential for cumulative development to expose persons residing or working in the Project area to excessive airport-related noise levels. (DEIR, pp. 4.9-22 – 4.9-23)

6.10 TRANSPORTATION

As described under the response to Threshold "a," the Project would not conflict with an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities and, thus, would not cumulatively contribute to a conflict or obstruction with an applicable transportation-related program. The City Guidelines, consistent with OPR's Technical Advisory states that cumulative impacts on VMT "… metrics such as VMT per capita or VMT per employee, i.e., metrics framed in terms of efficiency (as recommended below for use on residential and office projects), cannot be summed because they employ a denominator. A project that falls below an efficiency-based threshold that is aligned with long-term goals and relevant plans has

no cumulative impact distinct from the project impact. Accordingly, a finding of a less than significant project impact would imply a less than significant cumulative impact and vice versa. This is similar to the analysis typically conducted for greenhouse gas emissions, air quality impacts, and impacts that utilize plan compliance as a threshold of significance." Since the Project was found to have a significant and unavoidable impact at the project level, it is considered to be cumulatively-considerable and therefore to have a significant cumulative impact as well. The Project would not contribute to a significant cumulative impact under the topics discussed under Thresholds "c" and "d" because the Project would not cause or exacerbate existing transportation design safety concerns or adversely affect emergency access and there are no cumulative development projects adjacent to the Project Site that could contribute additive effects that could degrade motor vehicle or pedestrian safety or emergency vehicle access in proximity to the Project Site. (DEIR, p. 4.10-15)

6.11 TRIBAL CULTURAL RESOURCES

The potential for Project construction to result in cumulatively-considerable impacts to tribal, religious, and cultural resources were analyzed in conjunction with other projects located in southwestern San Bernardino County and northwestern Riverside County that occur in the same tribal influence areas as the Project Site. The other development projects within these areas would have a similar potential to uncover tribal cultural resources during construction activities. Therefore, the potential for Project construction to impact tribal cultural resources is a cumulatively-considerable impact for which mitigation is required. (DEIR, p. 4.11-5)

6.12 UTILITIES AND SERVICE SYSTEMS

This cumulative impact analysis considers development of the Project Site in conjunction with other development projects and planned development within the service area for the respective utility provides or the service area for specific facilities (e.g., wastewater treatment facilities). As with the Project, each individual related development project would require the construction of necessary infrastructure (water and wastewater lines, storm drain facilities, dry utilities, and others) to serve the project. Each individual development project is subject to review for utility capacity to avoid unanticipated interruption of service or inadequate supplies. Coordination with the utility providers would allow for the provision of utility services to the Project and other developments. The Project and other planned projects are subject to connection and service fees to offset increased demand and assist in facility expansion and service (at the time of need). Therefore, the Project impacts would not contribute to a significant cumulative impact associated with construction of utility infrastructure or provision of utility services. OMUC has sufficient potable water supplies to meet existing and future demands through the year 2040 under normal, single-dry, and multiple dry years. As such, the Project would not contribute to a cumulatively considerable impact on water supply. According to IEUA's 2020 UWMP, the current wastewater treatment capacity of RP-1 is 44 MGD, although it currently treats approximately 21 MGD. As such, there is adequate existing and proposed capacity to provide wastewater treatment for the Project and cumulative development. Therefore, the Project would not result in a significant cumulative impact on wastewater treatment facilities. The City, including the Project Site and cumulative development, are within the service area of the Badlands Sanitary Landfill or El Sobrante Landfill and a majority of the City's solid waste is disposed of at the Badlands Sanitary Landfill or El Sobrante Landfill. The remaining portions of the City's solid waste are disposed of at landfills with adequate capacity throughout the County and surrounding counties within the State. The

solid waste generated by construction and operation of the Project would represent nominal portions of daily disposal capacities at existing landfill facilities. The existing landfill facilities have sufficient daily capacity to handle solid waste during the Project's construction and operation and would not directly result in the need for expanded solid waste disposal facilities. Further, the Project would adhere to applicable local and State regulations during both construction and long-term operation to reduce solid waste generation. Other cumulative development would be required to comply with such regulations. Therefore, the Project would not have a significant cumulative impact related to solid waste disposal and compliance with regulations addressing the reduction of solid waste generation and disposal. (DEIR, pp. 4.12-12 – 4.12-13)

7.0 OTHER CEQA CONSIDERATIONS

7.1 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

The State CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved with the proposed action should it be implemented (CEQA Guidelines § 15126.2[c]). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy).

❑ Finding

The Project's potential to result in significant irreversible impacts is discussed in detail in Section5.2 of the DEIR. Based on the entire record, the City finds that the Project the Project would not result in significant irreversible environmental changes.

❑ Substantial Evidence

Determining whether the Project may result in significant irreversible environmental changes requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. Natural resources, in the form of construction materials and energy resources, would be used in the construction of the proposed Project. The consumption of these natural resources would represent an irreversible change to the environment; however, development of the Project Site would have no measurable adverse effect on the availability of such resources, including resources that may be non-renewable (e.g., construction aggregates, fossil fuels). Additionally, the Project is required by law to comply with the California Green Building Standards Code (CALGreen), which will minimize the Project's demand for energy, including energy produced from non-renewable sources. A more detailed discussion of Project energy consumption is provided in EIR Subsection 4.4, *Energy*.

Implementation of the Project would commit the Project Site to one light industrial building. The potential warehouse land uses for the Project are compatible with the existing industrial land uses that are located east, west, and south of the Project Site and also compatible with the use of East Airport Drive (which abuts the Project Site on the south) as a City-designated truck route. Accordingly, the Project and its environmental effects would not compel or commit surrounding properties to land uses other than those that are existing today or those that are planned by the City of Ontario General Plan. For this reason, the Project would not result in a significant, irreversible change to nearby, offsite properties.

EIR Subsection 4.7, *Hazards and Hazardous Materials*, provides an analysis of the potential for hazardous materials to be transported to/from the Project Site and/or used on the Project Site during construction and operation. As concluded in Subsection 4.7, mandatory compliance with federal, State, and local regulations related to hazardous materials handling, storage, and use by all Project construction contractors (near term) and occupants (long-term) would ensure that any hazardous

materials used on-site would be safely and appropriately handled to preclude any irreversible damage to the environment that could result if hazardous materials were released from the Site.

As discussed in detail under EIR Subsection 4.5, *Energy*, use of the Project for warehouse would not result in a wasteful, inefficient, or unnecessary consumption of energy. Accordingly, the Project would not result in a significant, irreversible change to the environment related to energy use.

Based on the above, Project construction and operation would require the commitment of limited, slowly renewable and non-renewable resources. This commitment of resources would not be substantial and would be consistent with regional and local growth forecasts and development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions, and such resources would not be used in an inefficient or wasteful manner. Project construction and operation would adhere to the sustainability requirements of Title 24, Green Building Code, and CALGreen. Therefore, the Project would not result in the commitment of large quantities of natural resources that would result in significant irreversible environmental changes. (DEIR, pp. 5.5-1 – 5.5-2)

7.2 GROWTH INDUCING IMPACTS

CEQA requires a discussion of the ways in which the Project could be growth-inducing. The State CEQA Guidelines identify a project as growth-inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines § 15126.2[d]).

❑ Finding

The Project's potential to result in growth-inducing impacts is discussed in detail in Section 5.3 of the DEIR. Based on the entire record, the City finds that the Project would not directly or indirectly induce growth in the surrounding area which could result in a significant adverse effect to the environment.

❑ Substantial Evidence

CEQA requires a discussion of the ways in which the proposed Project could be growth inducing. The CEQA Guidelines identify a project as growth inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines Section 15126.2(d)). New employees and new residential populations represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area..

A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with an increase in population or employment and thus reducing or removing the barriers to growth. This typically occurs in suburban or rural environs where population growth results in increased demand for service and commodity markets responding to the new population of residents or employees.

According to regional population projections included in SCAG's Connect SoCal, the City of Ontario's population is projected to grow by 96,900 residents between 2016 and 2045 (approximately 1.94% annual growth). Over this same time period, employment in the City is expected to add 55,400 new jobs (approximately 1.6% annual job growth) (SCAG, 2020b) Additionally, The Ontario Plan 2050 (TOP 2050) projected a total of 129,562 dwelling units, 261,91,779 sq ft of non-residential uses, 410,492 residents and 296,002 jobs in 2050. (Ontario, 2022b) Economic growth would likely take place as a result of the Project's operation. The Project's employees (short-term construction and long term operational) would purchase goods and services in the region, but any secondary increase in employment associated with meeting these goods and services demands is expected to be accommodated by existing goods and service providers and, based on the amount of existing and planned future commercial and retail services available in areas near the Project Site, would be highly unlikely to result in any unanticipated, adverse physical impacts to the environment. In addition, the Project would generate approximately 75 employees per shift, a majority of which would likely be filled by residents of the housing units either already built or planned for development within the City of Ontario and nearby incorporated and unincorporated areas. Accordingly, because it is anticipated that most of the Project's future employees would already be living in the City of Ontario or the larger Inland Empire area, the Project's introduction of employment opportunities on the Project Site would not induce substantial growth in the area.

Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in applicable master plans, land use plans, or in projections made by regional planning agencies such as SCAG. Significant growth impacts also could occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way.

The Project is consistent with the industrial land use designations applied to the Project Site by the Policy Plan. The area surrounding the Project Site consists of industrial warehouses to the south, east, and west and Southern Pacific railroad to the north with industrial uses beyond. Development of the Project Site is not expected to place short-term development pressure on abutting properties because these areas are already built-out. Based on the foregoing analysis, the Project would not result in substantial, adverse growth-inducing impacts. (DEIR, pp. 5.5-2 – 5.5-3)

7.3 IMPACTS CONSIDERED LESS THAN SIGNIFICANT

Section 15128 of the State CEQA Guidelines states that "an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR." The Project's Notice of Preparation for the DEIR, both of which are included in *Technical Appendix A* to the DEIR, determined that implementation of the Project would clearly have no potential to result in significant impacts under eight (8) environmental issue areas: agriculture and forestry resources, biological resources, land use

and planning, mineral resources, population and housing, public services, recreation, and wildfire. These impacts are addressed in Section 3.0 of these Findings. (DEIR, pp. 5.5-3 – 5.5-4)

8.0 ALTERNATIVES

8.4.1 ALTERNATIVES CONSIDERED AND REJECTED

An EIR is required to identify any alternatives that were considered by the Lead Agency but were rejected as infeasible. Among the factors described by CEQA Guidelines §15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR are: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the proposed Project, CEQA Guidelines §15126.6(f)(1) notes:

> *"Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries…and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site…"*

In determining an appropriate range of alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. Alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, 2) they would not have resulted in a reduction of significant adverse environmental impacts, or 3) they were considered infeasible to construct or operate.

1. Alternative Sites

CEQA requires that the discussion of alternatives focus on alternatives to the Project or its location that are capable of avoiding or substantially lessening any significant effects of the Project. The key question and first step in the analysis is determining whether any of the significant effects of the project would be avoided or substantially lessened by developing the project at another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines §15126.6(f)(2)).

As discussed above, the Project would result in a significant and unavoidable VMT impact. Development of the Project in an alternative location in the general vicinity of the Project site would not reduce the VMT impact, as trip lengths would not substantially reduce such that the VMT impact could be relieved. Also, placing the Project in a different location would result in similar less-than-significant environmental impacts as would occur with implementation of the Project at its proposed location because the Project's environmental effects are primarily related to vehicles traveling to/from the Project site (air pollutant and greenhouse gas emissions) and not related to the presence of sensitive resources on the Project site or its location near sensitive receptors. Vehicle-related impacts are a direct reflection of the Project's expected operational characteristics, regardless of the property where the Project is located. In fact, if an alternative site were selected for the Project that was located farther from major arterial roads that are designated truck routes, like East Airport Drive for example, or

regional freeways like I-15 and I-10, than the Project Site, the severity of the Project's VMT impacts would increase as miles traveled for vehicles going to/from the Project would increase.
Similarly, there are no existing, developed sites for sale that are a similar size as the Project site within close proximity to the key freeway infrastructure and that could reasonably be controlled by the Project Applicant for the purpose of developing the Project. Furthermore, the Project Applicant does not hold ownership control over any other adequately sized parcels of land in or near the Project site that could be used as an alternative location for the proposed Project. CEQA does not require sites that are not owned by the landowner or that could not be reasonably acquired by the landowner to be considered as an alternative to the Project.

Therefore, because an alternative location is not available that would avoid or substantially lessen the significant environmental effects of the Project, and because the Project Applicant does not have ownership control over, and cannot reasonably obtain ownership control over, any other parcels of land of adequate size in the jurisdiction of the City that could accommodate the Project, an alternative location alternative is not required to be analyzed. Accordingly, this alternative is not further considered in the DEIR.. (DEIR, pp. 6-4 – 6-5)

8.4.2 NO PROJECT/ NO DEVELOPMENT

The No Project/No Development Alternative considers no development on the Project site beyond what occurs on the site under existing conditions (as described in EIR Section 3.0). As such, the Alternative is considered to be the scenario where the existing grain processing company and corn storage and distribution facility are retained and the facility continues to its current operation into the future. It is acknowledged, however, that continuing the existing uses is a presumption for purposes of analysis herein and in reality the operator of those facilities may not continue operations and the site could become unoccupied and unused under the scenario of the No Project Alternative. Under this alternative, no improvements would be made to the Project site and none of the Project's internal parking, utility, and other infrastructure improvements would occur. This alternative was selected by the City to compare the environmental effects of the proposed Project with an alternative that would leave the Project site undeveloped in its general existing conditions.

Implementation of the No Project/No Development Alternative would result in no physical environmental impacts to the Project Site beyond those that have historically occurred on the Project Site. All potentially significant effects of the Project would be avoided by the selection of this Alternative. Because the No Project/No Development Alternative would not redevelop the Project Site and would not expand economic development or facilitate job creation, the No Project Alternative would fail to meet all of the Project's objectives. (DEIR, pp. 6-6 – 6-9)

Thus, the Planning Commission finds that each of the reasons set forth above is an independent ground for rejecting the No Project/No Development Alternative, and by itself, independent of any other reason, justifies rejection of the No Project/No Development Alternative, and hereby rejects the No Project/No Development Alternative.

8.4.3 REDUCED BUILDING AREA ALTERNATIVE

The Reduced Building Area Alternative considers a proposal where the Project site would be redeveloped with two uses: a light industrial building and a trailer parking lot. Under this Alternative, a 135,169 s.f. light industrial building (including related site improvements such as truck loading/unloading areas and parking, passenger vehicle parking, landscaping, signage, and public utility connections) would be developed on the eastern portion of the Project site and a trailer parking lot would be developed on the western portion of the Project site. This alternative was selected to evaluate a scenario that would reduce the total building area on the Project site relative to the Project but still allow productive industrial use of the entire Project site.

Based on the reduced building size, daily net new vehicle trip-ends per day would be proportionally decrease by approximately 50 percent and net new average daily trips under this alternative would be less than 110 daily vehicle trips. The Reduced Building Area Alternative would meet the Project Type Screening threshold and VMT impacts would be less than significant and would eliminate the Project's significant and unavoidable VMT impact. Additionally, the Reduced Building Area Alternative would reduce the Project's less-than-significant impacts to air quality, energy, greenhouse gas emissions, and utilities and service systems. All other impacts from the Reduced Building Alternative would be similar to the Project. However, the Reduced Building Area Alternative would meet Project Objectives "A" and "B" less effectively than the Project due to the reduction in building area on-site. The Reduced Building Area Alternative would meet all of the Project's other objectives. (DEIR, pp. 6-10 – 6-14)

Thus, the Planning Commission finds that each of the reasons set forth above is an independent ground for rejecting the Reduced Intensity Alternative, and by itself, independent of any other reason, justifies rejection of the Reduced Building Area Alternative, and hereby rejects the Reduced Building Area Alternative.

8.4.4 REDUCED INTENSITY ALTERNATIVE

The Reduced Intensity Alternative considers a proposal where the Project site would be redeveloped with an industrial building with a total square footage of 63,500 s.f. and the balance of the site would be cleared of existing uses but would not be developed. This represents a reduction in development of 206,837 s.f. compared to the Project (an approximate 76.5 percent reduction). Under this alternative, no high-cube cold storage uses would occur. Access to the site would be similar to the Project with a proportional reduction in the number of passenger vehicle and truck parking spaces. This alternative was selected to evaluate a scenario that would reduce the total building size on the Project site, eliminate the high-cube cold storage use, and would not take into account elimination of existing trips generated by the existing uses in order to achieve a less-than-significant VMT impact. With a building size of 63,500 s.f. and taking no credit for the elimination of existing vehicle trips serving the existing uses on the site, a 63,500 s.f building would generate fewer than 110 daily trips and meet the City's small project screening criteria for a less-than-significant VMT impact.

Based on the reduced building size, the Reduced Intensity Alternative is calculated to generate 108 daily vehicle trip-ends per day; therefore, net new average daily trips under this alternative would be less than 110 daily vehicle trips. The Reduced Intensity Alternative would meet the Project Type

Screening threshold and VMT impacts would be less than significant. The Reduced Intensity Alternative would eliminate the Project's significant and unavoidable VMT impacts. The Reduced Intensity Area Alternative would reduce the Project's less-than-significant impacts to air quality, energy, greenhouse gas emissions, noise, and utilities and service systems and reduce the potential for impacts to cultural, paleontological, and tribal cultural resources. All other impacts from the Reduced Intensity Alternative would be similar to the Project. However, the Reduced Intensity Alternative would meet Project Objectives "A" and "B" less effectively than the Project due to the reduction in building area on-site and employees compared to the Project. The Reduced Intensity Alternative would meet all of the Project's other objectives. (DEIR, pp. 6-14 – 6-18)

Thus, the Planning Commission finds that each of the reasons set forth above is an independent ground for rejecting the Reduced Intensity Alternative, and by itself, independent of any other reason, justifies rejection of the Reduced Intensity Alternative, and hereby rejects the Reduced Intensity Alternative.

8.4.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The No Project/No Development Alternative has the least impact to the environment because it would not involve any construction activities or warehouse operations. There would be no impacts associated with a cumulatively considerable VMT impact. This impact is considered significant and unavoidable for the Project. While this alternative would avoid the significant effect of the Project, it would not receive any benefits from the drainage improvements or water quality features that would be constructed by the Project. Additionally, none of the Project objectives would be met. If a "no project" alternative is identified as the environmentally superior alternative then the EIR shall also identify an environmentally superior alternative among the other alternatives (see CEQA Guidelines Section 15126.6(e)(2)). The Reduced Building Area Alternative is identified as the environmentally superior alternative because the Reduced Building Area Alternative would result in the greatest reduction of environmental impacts among the remaining alternatives as summarized in Table 6-1. The reduction in impacts is due to the fact that the use would have reduced vehicular trips, which would result in a reduction in VMT impacts; however, the Reduced Building Area Alternative would only partially meet two of the Project's objectives. (DEIR, pp. 6-18 – 6-19)

9.0 STATEMENT OF OVERRIDING CONSIDERATIONS

This Section specifically addresses §15093 of the CEQA Guidelines, which requires the City, acting as the Lead Agency, to balance the benefits of the Project against its significant and unavoidable adverse environmental impacts and determine whether the benefits which will accrue from the development of the Project outweigh its significant and unavoidable impacts. If the City finds that the major benefits of the Project outweigh its significant and unavoidable adverse environmental impacts, the City may approve the Project. Each of the separate benefits listed below are hereby determined to be, in itself, and independent of the Project's other benefits, the basis for overriding all significant and unavoidable environmental impacts identified in the EIR.

As set forth in Section 3.0, above, the EIR identified all of the Project's adverse environmental impacts and mitigation measures that can reduce the Project's impacts to less-than-significant level where feasible, or to the lowest feasible levels. Mitigation imposed by the City must have a proportional nexus to the Project's impacts. As further set forth in Section 5.0, the DEIR presents evidence that implementing the Project would cause or contribute to impacts that would remain significant and unavoidable even after the imposition of all feasible mitigation measures. Finally, as set forth in Section 7.0, there are no feasible alternatives to the Project that would mitigate the Project's significant and avoidable impacts to less-than-significant level or avoid those environmental impacts while still attaining most of the Project's basic objectives. Based on the facts presented throughout this document, the City makes the following finding:

- ❑ **Finding**

As the CEQA Lead Agency for the proposed Project, the City has reviewed the Project description and the alternatives to the Project, as presented in the EIR, and the City fully understands the Project and its alternatives. Further, the City finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the Project have been identified in the DEIR, FEIR, and public testimony. Having considered the potential for the Project to cause or contribute to significant and unavoidable adverse impacts to Transportation, the City's Planning Commission hereby determines that all feasible mitigation measures with proportional nexus to the Project's impacts have been adopted to reduce or avoid the significant and unavoidable impacts identified in the EIR, and that no additional feasible mitigation or alternatives are available to further reduce or avoid significant impacts. Further, the City's Planning Commission finds that economic, social, and other considerations of the Project outweigh the Project's unavoidable impacts to Transportation and that approval of the Project is appropriate. In making this finding, the Planning Commission finds that each of the Project benefits separately and individually outweighs all of the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable. The Project would meet the following objectives:

A. To expand economic development and facilitate job creation in the City of Ontario by redeveloping the property with a new, in-demand industrial use adjacent to an already-established industrial area.

B. To attract employment-generating businesses to the City of Ontario to reduce the need for members of the local workforce to commute outside the area for employment.

C. To develop industrial buildings with loading bays in close proximity to designated truck routes and the State highway system to avoid or shorten heavy truck-trip lengths on City and regional roads.

D. To attract businesses that can expedite the delivery of goods to consumers and businesses in the City of Ontario and beyond.

E. To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity of the Project Site and minimize conflicts with other nearby land uses.

F. To develop a property that has access to available infrastructure, including roads and utilities.

Furthermore, substantial evidence in the record demonstrates that approval and implementation of the Project will provide the benefits listed below:

a) As set forth in detail in the Findings, all feasible mitigation measures have been imposed to reduce Project environmental effects to less than significant levels.

b) The Project would develop the property with an employment-generating use;

c) The Project would attract new employment-generating business to Ontario, thereby reducing the needs for the local workforce to commute outside the area for employment;

d) The Project would increase the amount of available warehouse space in the City of Ontario;

e) The new jobs provided by the Project will create direct and indirect economic benefits, such as increased tax income to the City and increased spending on goods and services;

f) Approval of the Project will result in the Project's monetary contributions to established fee programs including, but not limited to, the City's Development Impact Fee (DIF) which will be directed to needed local road improvements;

In conclusion, the Planning Commission finds that the foregoing benefits provided through approval of the Project outweigh the identified significant adverse environmental impacts. The Planning Commission further finds that each of the individual benefits discussed above outweighs the unavoidable adverse environmental effects identified in the Final EIR and, therefore, finds those impacts to be acceptable. The Planning Commission further finds that each of the benefits listed above, standing alone, is sufficient justification for the Planning Commission to override these unavoidable environmental impacts.

10.0 ADDITIONAL FACTS ON RECORD

10.1 CUSTODIAN OF RECORD

The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario Planning Department, 303 East B Street, Ontario, CA 91764. The custodian for these records is Thomas Grahn, Senior Planner. This information is provided in compliance with Public Resources Code § 21081.6.

ATTACHMENT C:

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program
5355 East Airport Drive Project

State Clearinghouse No. 2021090399

Prepared for:

City of Ontario
303 East "B" Street
Ontario, CA 91764

Prepared by:

T&B Planning, Inc.
3200 El Camino Real, Suite 100
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714-505-6360

May 2024

CEQA Requirements

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document that includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a Mitigation Monitoring and Reporting Program (MMRP) for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant environmental impacts. The appropriate reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code §21081.6).

The City of Ontario will coordinate the monitoring of the mitigation measures and regulatory requirements with each applicable City department or division, while various City departments/divisions would be responsible for monitoring and verifying compliance of specific mitigation measures and regulatory requirements (see the beginning on page 3). Monitoring will include: 1) verification that each mitigation measure and regulatory requirement has been implemented; 2) recordation of the actions taken to implement each mitigation measure and regulatory requirement; and 3) retention of records in the project file.

Project Objectives

The objectives of the proposed 5355 East Airport Drive Project (the "Project") include the following:

A. To expand economic development and facilitate job creation in the City of Ontario by re-developing the property with a new, in-demand industrial use adjacent to an already-established industrial area.

B. To attract employment-generating businesses to the City of Ontario to reduce the need for members of the local workforce to commute outside the area for employment.

C. To develop industrial buildings with loading bays in close proximity to designated truck routes and the State highway system to avoid or shorten heavy truck-trip lengths on City and regional roads.

D. To attract businesses that can expedite the delivery of goods to consumers and businesses in the City of Ontario and beyond.

E. To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity of the Project Site and minimize conflicts with other nearby land uses.

F. To develop a property that has access to available infrastructure, including roads and utilities.

Overview of the Project

The Project site is located at 5355 East Airport Drive in the City of Ontario, San Bernardino County, California. The Project entails a Development Plan (PDEV22-017). The Project Applicant is proposing to redevelop the site with approximately 270,337 square feet (s.f.) of building floor area, including

255,337 s.f. of warehouse space and 15,000 s.f. of mezzanine. Refer to EIR Section 3.0, *Project Description*, for a detailed description of the Project.

Mitigation Monitoring and Reporting Plan

This MMRP delegates responsibilities for monitoring the implementation of the 5355 East Airport Drive Project mitigation measures and applicable regulatory requirements, and allows responsible City entities flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure or regulatory requirement. The timing for monitoring and reporting is described in the monitoring and reporting summary table, below. Adequate monitoring requires demonstration of monitoring procedures and implementation of mitigation measures and regulatory requirements.

In order to enhance the effectiveness of the monitoring program, the City will utilize existing systems where appropriate. These inspectors are familiar with a broad range of regulatory issues and will provide first line oversight for much of the monitoring program during construction activities.

Program Changes

If minor changes are required to this MMRP, they will be made in accordance with the California Environmental Quality Act (CEQA) and would be permitted after further review by the City. Such changes could include reassignment of monitoring and reporting responsibilities and/or minor modifications to mitigation measures that achieve the same or better end results. No change will be permitted unless the Mitigation Monitoring and Reporting Program continues to satisfy the requirements of Public Resources Code §21081.6.

No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
Aesthetics						
The Project would not result in significant adverse impacts related to aesthetics. No mitigation is required.						
Air Quality						
The Project would not result in significant adverse impacts related to air quality. No mitigation is required.						
Cultural Resources						
MM 4.3-1	Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities: a. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching[1]	Prior to the issuance of a grading permit.; Project Applicant/Project Archaeologist	During Ground-Disturbing Activities; City of Ontario Community Development Department (Planning)			

[1] Tribal monitoring shall cease once all ground disturbance activities have been completed with respect to the property or portion thereof. Example: Once excavation, grading, trenching, etc. have occurred tribal monitoring shall cease.

No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe. d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to					

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	the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs. e. Upon discovery of any TCRs, all construction activities in the immediate vicinity of thediscovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.					
MM 4.3-2	Unanticipated Discovery of Human Remains and Associated Funerary Objects: a. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. b. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5	During grading and excavation operation; Project Archaeologist/ Native American Monitor	During grading and excavation operation; City of Ontario Community Development Department (Planning)			

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	dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed. c. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). d. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f)) e. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American					

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	in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes. f. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.					
MM 4.3-3	Procedures for Burials and Funerary Remains: a. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. b. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created. c. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture,	During grading and excavation operation; Project Archaeologist	During grading and excavation operation; City of Ontario Community Development Department (Planning)			

No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials. d. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to					
Energy						
The Project would not result in significant adverse impacts related to energy. No mitigation is required.						
Geology and Soils						
MM 4.5-1	Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Ontario that a qualified paleontologist ("paleontologist") has been retained by the Project Applicant or contractor to conduct monitoring of excavation activities in olde alluvium soils and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.	Prior to the issuance of a grading permit; Project Applicant	Prior to the issuance of a grading permit; City of Ontario Community Development Department (Planning)			
MM 4.5-2	The paleontologist shall conduct full-time monitoring during grading and excavation operations in undisturbed Holocene and late Pleistocene old alluvial fan deposits starting at a depth of five (5) feet	During grading and excavation operations; Project Contractor, Project	During grading and excavation operations; City of Ontario Community			

No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
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	below the existing ground surface. The paleontologist shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resource.	Paleontologist	Development Department (Planning)			
MM 4.5-3	Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, shall be required for discoveries of significance as determined by the paleontological monitor.	During grading and excavation operations; Project Paleontologist	During grading and excavation operations; City of Ontario Community Development Department (Planning)			
MM 4.5-4	A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Ontario prior to issuance of the first occupancy permit.	Prior to issuance of first occupancy permit; Project Paleontologist	Prior to issuance of first occupancy permit; City of Ontario Community Development Department (Planning)			
Greenhouse Gas Emissions						

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The Project would not result in significant adverse impacts related to greenhouse gas emissions. No mitigation is required.						
Hazards and Hazardous Materials						
MM 4.7-1	Prior to the issuance of a grading permit, the Project Applicant shall prepare a Soil Management Plan (SMP). The SMP shall include explicit instructions for the appropriate handling, storage, and disposal of any known or potentially impacted soil during soil moving activities. The general contractor will be required to follow the requirements of the SMP and stop work to make notification to the environmental team if any potential impacts are observed at any time the environmental team is not already on-site. The SMP also requires air monitoring activities to monitor the air downwind of the Project Site and appropriate Health and Safety Plans that will be employed by site workers. The SMP shall identify specific requirements intended to protect human health when soil in certain areas of known or suspected impacts are disturbed for any reason, including, without limitation, as a result of demolition, utility installation/repair, soil excavation, drilling, grading/filling activities, stockpile generation, soil management, loading, and transportation. Requirements of the SMP include: a. Health and Safety Plan (HASP): A HASP will be prepared and in effect for all activities associated with the SMP and other activities at the Project Site. Contractors working onsite are expected to be operating under their own health and safety plans.	Prior to the issuance of a grading permit; Project Applicant	Prior to the issuance of a grading permit; City of Ontario Community Development Department (Planning & Building)			

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	b. Environmental Monitoring: In accordance with SCAQMD Rules, air monitoring will be necessary in areas where potential PCE contaminated soil are to be disturbed. Air monitoring for dust may also be required in other areas. An air monitoring/health and safety professional will be present during relevant activities and responsibilities will include recording monitoring data on field sheets, which will be kept as part of Project documentation. c. Soil Monitoring: Soils impacted by PCE that are encountered during site redevelopment will be characterized and documented. The monitoring and sampling activities to be performed include: · Visual observation performed to detect areas of soil that may be impacted by PCE or other non-VOC hazardous materials, if encountered. · Screening for PCEs using field instruments to document new or previously undetected sources of PCEs. · Soil sampling and chemical testing performed to evaluate concentrations of PCE. d. Proper Soil Handling: If impacted soil is encountered, the area will be delineated as necessary with cones, caution tape, stakes, chalk, or flagging, and the area will not be disturbed further until an environmental professional is onsite for observation					

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	and determination of whether testing and/or excavation work is required. Stockpile staging areas will be delineated prior to the start of excavation. All excavations will conform to applicable regulations, including Cal/OSHA Construction Safety Orders. The specific equipment, means, and methods to be utilized for soil removal, handling, and disposition will be selected based on the nature of the work to be conducted and its location on the site. If excavation is conducted during the rainy season (October through April), provisions will need to be made to prevent offsite migration of sediment in runoff. e. Fugitive Dust and Vapor Control: Appropriate procedures will be implemented to control the generation of airborne dust by soil removal activities, including, but not limited to, the use of water as a dust suppressant or stopping activities that have the potential to generate fugitive dust in the event wind conditions change creating an uncontrollable condition. f. Excavation and Stockpiling: Impacted soil that is excavated and not immediately removed from the site will be stockpiled onsite and covered with plastic sheeting to control dust and minimize exposure to precipitation and wind. If a stockpile remains onsite during the rainy season, a perimeter sediment barrier, constructed of material, such as straw bales or fiber roll, will also be installed. The stockpiles will be inspected biweekly at a minimum. During stockpile					

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	removal, only the working face of the stockpile will be uncovered. If the stockpiled impacted soil is to be transported offsite for disposal or recycling, the soil will be profiled for waste characteristics. Soil samples will be analyzed for parameters required by the disposal/recycling facility. g. Responding to Unknown Conditions: If previously unknown impacted soil is suspected (based on visual staining, odors, photo ionization detector readings, or other observations), the area will be delineated and construction activity will cease in this area, and sampling of the unknown material will occur using USEPA methodology. Analysis will be conducted for TPH, metals, and/or VOCs, as appropriate. Analytical results will be compared to applicable regulatory screening levels. Based on this comparison, a determination will be made regarding soil disposition (reuse on-site, off-site transport, and disposal/recycling, etc.). Additionally, if any UST or other subsurface features are encountered, a similar approach will be taken, and appropriate permitting, as necessary, will be obtained for the removal of the feature(s). Any permitted removals will be conducted withappropriate regulatory oversight, documentation, and reporting. h. Imported fill: As appropriate, offsite soils brought to the site for use as backfill (import fill), if necessary, will be tested in general conformance with the DTSC Information Advisory Clean Imported Fill Material					

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	document. i. Post-construction Requirements: If contaminated soil is left in place, the location of this soil will be surveyed or recorded by use of geographic positioning system equipment. Following the completion of construction, excavation, and disposition activities, a summary report will be prepared. The report will include a summary of activities, locations of soil sources and final disposition of contaminated soil, and estimated quantities of materials. Additionally, removal of any USTs or other subsurface features, if encountered, will be conducted under appropriate permits (if any) and documented in applicable reports for submittal to the Ontario Fire Department, or other regulatory agency, as appropriate.					
Hydrology and Water Quality						
The Project would not result in significant adverse impacts related to hydrology and water quality. No mitigation is required.						
Noise						
The Project would not result in significant adverse impacts related to noise. No mitigation is required.						
Transportation						
MM 4.10-1	Prior to the issuance of a certificate of occupancy, the building operator shall prepare and submit for approval to the City of Ontario Community Development Department a Transportation Demand Management Program (TDMP). The TDMP shall specify measures that the building operator will	Prior to the issuance of a certificate of occupancy; Building operator	Prior to the issuance of a certificate of occupancy; City of Ontario Community Development Department (Planning)			

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	commit to implementing in an effort to reduce vehicle miles traveled for its on-site employees. The TDMP shall include provisions, incentives, and programs for employee ridesharing programs, carpools, vanpools, transit use, bike travel, avoidance of peak periods of traffic congestion, and on-site parking preferences for zero-emission vehicles, among other items that have reasonable potential of reducing employee reliance on single-occupant gas-powered vehicles during peak time travel periods (rush hours).					
Tribal Cultural Resources						
MM 4.3-1	Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities: a. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching[2]	Prior to the issuance of a grading permit.; Project Applicant/Project Archaeologist	During Ground-Disturbing Activities; City of Ontario Community Development Department (Planning)			

[2] Tribal monitoring shall cease once all ground disturbance activities have been completed with respect to the property or portion thereof. Example: Once excavation, grading, trenching, etc. have occurred tribal monitoring shall cease.

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	b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe. d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to					

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	the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs. e. Upon discovery of any TCRs, all construction activities in the immediate vicinity of thediscovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.					
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	dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed. c. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). d. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f)) e. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American					

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	a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials. d. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to					
Utilities and Service Systems						
The Project would not result in significant adverse impacts related to utilities and service systems. No mitigation is required.						

RESOLUTION NO. PC24-037

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV22-017, A DEVELOPMENT PLAN TO CONSTRUCT A 270,337 SQUARE FOOT INDUSTRIAL BUILDING ON 13.08 ACRES OF LAND FOR PROPERTY LOCATED AT 5355 EAST AIRPORT DRIVE, WITHIN THE IH (HEAVY INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0238-052-29 AND 0238-052-20.

WHEREAS, PROLOGIS ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV22-017, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 13.08 acres of land located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district, and is presently improved with five industrial structures. All existing structures and improvements will be demolished to allow for construction of the 270,337 square-foot industrial warehouse building; and

WHEREAS, on April 5, 2022, the Applicant submitted the Application to construct a 270,337 square-foot industrial building on 13.08 acres of land located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district; and

WHEREAS, the property abutting the Project site to the north is a Southern Pacific Railroad right-of-way, and properties beyond are developed with existing industrial land uses within the IH (Heavy Industrial) zoning district of the Shea Business Center. The property to the south of the Project site (across Airport Drive Street) is zoned IH (Heavy Industrial) and consists of two existing warehouse buildings. The property to the east of the Project site is in the IH (Heavy Industrial) zoning district and is developed with an industrial gas supplier. The property to the west of the Project site is in the IH (Heavy Industrial) zoning district and is developed with a Verizon facility; and

WHEREAS, the proposed building has been situated on the center of the site, and is set back approximately 180 to 200 feet from Airport Drive, 77 feet from the west property line, 72 feet from the east property line, and 40 feet from the north property line; and

WHEREAS, the building is designed to accommodate up to two tenants, with offices located at the southeast and southwest corners of the building, fronting East Airport Drive. Off-street parking is located all around the building, with the heaviest concentration around the office areas; and

WHEREAS, a truck yard area, with 54 dock-high loading doors, is located on the south side of the building (center of building). The loading area will be screened from

street views by portions of the building and 14-foot-tall decorative screen walls with decorative tube steel gates, that have been designed to match the building architecture; and

WHEREAS, the Project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The Project requires and provides 251 passenger vehicle parking spaces. Additionally, the Project requires 14 tractor-trailer parking spaces and has provided 48 tractor-trailer parking spaces; and

WHEREAS, the proposed industrial warehouse building will be of concrete tilt-up construction and designed in a Contemporary Architectural style that exemplifies the type of high-quality architecture promoted by the Ontario Development Code and The Ontario Plan; and

WHEREAS, the IH (Heavy Industrial) zoning district requires a minimum 10 percent landscape coverage for interior lots, and 12.72 percent will be provided, in compliance with the Ontario Development Code requirements; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000, et seq. (hereinafter referred to as "CEQA"); and

WHEREAS, the 5355 East Airport Drive Final Environmental Impact Report (State Clearinghouse No. 2022090006) was prepared (hereinafter referred to as "final EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations was made available to the public and to all interested agencies for review and comment pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on March 18, 2024, the Development Advisory Board (DAB) conducted a hearing regarding the subject Application and voted to continue the Project to the next available DAB meeting to allow staff to work with the applicant to revise draft conditions of approval; and

WHEREAS, on April 15, 2024, the DAB conducted a hearing to consider the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines, and concluded said hearing on that date, voting to issue Decision No. DAB24-010, recommending that the Planning Commission approve the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations; and

WHEREAS, on April 15, 2024, the DAB conducted a hearing regarding the subject Application and concluded said hearing on that date, voting to issue Decision No. DAB24-011, recommending the Planning Commission approve the Project, subject to the conditions of approval appended to the attached Resolution; and

WHEREAS, as the first action on the Project, on May 28, 2024, the Planning Commission conducted a hearing to consider for the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations, each prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines, and continued the Project for further consideration; and

WHEREAS, on May 28, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider the Development Plan (File No. PDEV22-017), and continued the Project for further consideration; and

WHEREAS, on August 27, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider the Development Plan (File No. PDEV22-017), and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Housing Element Sites Inventory contained in Tables B-1 and B-2 of the Housing Element Technical Report.

SECTION 2: ***Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

(1) On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ONT ALUCP; and

SECTION 3: ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing,

and upon the specific findings set forth in Sections 1 and 2, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and the IH (Heavy Industrial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed development is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of a dynamic, progressive city containing distinct neighborhoods and districts that foster a positive sense of identity and belonging among residents, visitors, and businesses (Goal CD1). Furthermore, the Project will promote the City's policy to take actions that are consistent with the City being a leading urban center in Southern California, while recognizing the diverse character of our existing viable neighborhoods (Policy CD1-1*)*; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the IH (Heavy Industrial) zoning district, including standards relative to the particular land use proposed (270,337 square foot industrial warehouse), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Planning Commission has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable***

***specific plan or planned unit development*.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (industrial warehouse with a 0.47 FAR). As a result of this review, the Planning Commission has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 4: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 5: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the Applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of August 2024, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nicola Ricci
Planning Commission Chairperson

ATTEST:

Henry K. Noh
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC24-037, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 27, 2024, by the following roll call vote, to wit:

AYES: Dean, DeDiemar, Gage, Lampkin, Ricci

NOES: None

ABSENT: Anderson, Del Turco

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV22-017
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Date Prepared: 5/28/2024

File No: PDEV22-017

Related Files:

Project Description: A Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district**;** (APN(s): 0238-052-20 & 0238-052-29); **submitted by Prologis.**

Prepared By: Thomas Grahn, Senior Planner
Phone: 909.395.2413 (direct)
Email: tgrahn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Architecture.

(a) Exterior building wall materials, roof types and colors shall be shown on development construction drawings.

(b) Roof access ladders shall be located on the inside of the building.

(c) All building drainage gutters, down spouts, vents, etc., shall be completely concealed from public view or shall be architecturally compatible (decorative) with the exterior building design and color.

(d) All tower elements on the building(s) shall be fully walled and finished on all sides and include detailing appropriate to the architectural style proposed, so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director. The term "tower elements" means architectural elements of the building that are that are substantially taller than the adjacent parapet wall or roof, as determined by the Planning Director.

(e) At locations where changes in parapet wall height meet, the taller parapet must return into the building for a minimum distance of 6 FT, so that the actual thickness of the parapet wall cannot be observed or readily discerned.

2.4 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.5 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

(a) Within industrial zoning districts, walls and fences within the front yard building setback area shall not exceed 6 feet in height, with at least 90 percent of the vertical surface open and non-view obstructing and shall be setback a minimum of 5 feet behind the street property line.

(b) Long expanses of fence or wall (50 or more FT in length) adjacent to a public right-of-way shall have offset areas (decorative pilasters or a jog in the wall) along its length and shall be architecturally designed to prevent monotony. Construction plans shall include wall plans and details that show compliance with this condition of approval.

(c) The height of a wall or fence shall be measured on the exterior side, at the highest point of the natural ground or finished grade at the base of the fence or wall to the top of the fence or wall above the same base point.

(d) For gated sites, sufficient area shall be provided in front (exterior side) of vehicular access gates, to allow stacking of at least one tractor/trailer outside of the public street right-of-way.

(e) Development plans and construction drawings shall indicate materials, colors, and height of proposed and existing walls/fences and shall include a cross-section of walls/fences indicating adjacent grades. Walls shall be designed as an integral part of the architecture for the development.

(f) Walls shall be treated with a graffiti-proof coating at locations visible to the public.

2.6 Refuse Storage (Trash Enclosures).

(a) All refuse shall be stored in an appropriate container. Furthermore, all refuse containers shall be stored within a City-approved enclosure, which shall be designed so as to be consistent with the building architecture on the project site.

(b) The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with the *Solid Waste Department Refuse and Recycling Planning Manual* (the manual may be obtain online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update.pdf).

(c) Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

(d) Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates.

2.7 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Implementation and operation of access restrictions such as gates and/or barrier arms shall provide proper access to police, fire, emergency services and waste and recycling collection services, subject to City review and approval.

(g) The use of compact parking spaces is not permitted.

(h) Wheel stops shall be provided where necessary, to protect structures and parked vehicles.

(i) Striping of parking spaces, aisles, and driveways conforming to the provisions of Development Code Division 6.03 (Off-Street Parking and Loading), and directional signs conforming to the provisions of Development Code Division 8.01 (Sign Regulations), shall be provided.

(j) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

2.8 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or
(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The development shall maintain a minimum of 47 off-street trailer parking spaces. Dock-high loading zones intended for tractor-trailers shall have a clear dimension of 12 FT wide by 45 FT long. All at-grade loading doors shall have a 12-FT wide by 18-FT deep unobstructed loading zone directly in front of the door, free of access drives.

(f) Truck loading and maneuvering areas in front of dock-high loading areas shall require a clear area of 120 FT.

(g) Loading areas shall be designed to provide for backing and maneuvering completely on-site, and not from a public street.

(h) Loading areas shall not encroach into landscape or building setbacks.

(i) All loading doors, areas, and activities shall be completely screened from public view, as well as from public, residential, and commercial uses, whether on the same lot or on neighboring properties, by a decorative masonry wall. Chain link fencing with slats or tennis windscreen material shall not be used as screening for storage areas.

(j) The height of screen and wing walls shall be determined by a sight-line analysis/wall section plan. The sight-line analysis/wall section plan shall show that all roll-up doors will be screened from view from adjoining parcels and public streets. The following criteria shall apply:

(i) Roll-up doors and openings in the screen wall shall be positioned such that the doors are not visible from the street.
(ii) Screening shall include a combination of screen walls, sight-obscuring gates, ornamental landscaping, and/or portions of the building such that the roll-up doors are not visible from the public street.
(iii) Upon Planning Department request, a "horizontal height mockup" shall be constructed for review and approval by Planning Department staff to verify adequacy of screen wall height from the freeway and streets. Mockup should be located at the lowest elevation on the site.

(k) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	***Minimum Gate Height***
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet

Screen Wall Height	*Minimum Gate Height*
8 feet:	8 feet
6 feet:	6 feet

2.9 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.10 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.11 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.12 Signs.

(a) All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.13 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noise levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.14 Environmental Requirements.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-001, a Specific Plan for which the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079) was previously adopted by the City Council on 2/2/2021. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act ("CEQA")" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously

adopted mitigation measures shall be a condition of project approval and are incorporated herein by this reference.

(b) The Project shall be designed and constructed in compliance with the associated Greenhouse Gas Reduction Measures Screening Table for this Project.

(c) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(d) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.15 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.16 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination ("NOD") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). Failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.17 Public Art. The Project is subject to the requirements of the City's Public Art Ordinance (Ontario Municipal Code Section 5-33.05. Private Art for Public Enjoyment in Commercial and Industrial Development Projects).

2.18 Final Occupancy. The Project Architect of record will certify that construction of each building site and the exterior elevations of each structure shall be completed in compliance with the approved plans. Any deviation to approved plans shall require a resubmittal to the Planning Department for review and approval prior to construction. The Occupancy Release Request Form/Architect Certificate of Compliance shall be provided prior to final occupancy. After the receipt of this Certification, the Planning Department will conduct a final site and exterior elevations inspection. The Owner's Representative and Contractor shall be present.

2.19 Additional Requirements.

(a) The Project requires minimum 251 passenger vehicle parking spaces and provides 167 passenger vehicle parking spaces within the passenger vehicle only parking lots on the east and west sides of the proposed building. The remaining 84 parking spaces shall be provided within the truck yard area when required by tenant operations, provided a minimum of 14 trailer parking spaces are maintained.

(b) Cold storage shall not exceed 10 percent of the building floor area.

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off

Jamie Richardson, Sr. Landscape Planner	08/03/2023 Date

Reviewer's Name:	Phone:
Jamie Richardson, Sr. Landscape Planner	**(909) 395-2615**

D.A.B. File No.:	Case Planner:
PDEV22-017	Thomas Grahn

Project Name and Location:

Industrial Building
5355 East Airport Drive

Applicant/Representative:

Prologis – John Carter jcarter@prologis.com (562) 345-9237
3546 Concours Street, Suite 100
Ontario, CA 91764

☒	**Preliminary Plans (dated 7/14/2023) meet the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.**
☐	**Preliminary Plans (dated) have not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.**

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
Landscape construction plans with plan check number may be emailed to:
landscapeplancheck@ontarioca.gov

PREVIOUS COMMENTS – Fourth Request

Civil/ Site Plans

1. Before permit issuance, stormwater infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division. Any stormwater devices in parkway areas shall not displace street trees.
2. Show and dimension transformers set back 5' from paving all sides. Coordinate with landscape plans.
3. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
4. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
5. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide

certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications

Landscape Plans

6. During plan check, coordinate with Ontario Municipal Utilities Company (OMUC) to submit irrigation plans for recycled water systems to omucwaterquality@ontarioca.gov. OMUC shall review and approve irrigation systems utilizing recycled water prior to final landscape approval. Submit an electronic approval letter or memo from OMUC with resubmittal of the landscape package.
7. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
8. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV22-017

Address: 5355 East Airport Drive

APN: 0238-052-29 & 20

Existing Land Use: Grain manufacturing

Proposed Land Use: Development Plan to construct 270,337 SF industrial building

Site Acreage: 13.08 Proposed Structure Height: 50 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Thomas Grahn

Date: 1/30/2023

CD No.: 2022-061

PALU No.: N/A

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
○ Zone 1	○ 75+ dB CNEL	☐ High Terrain Zone	☐ Avigation Easement Dedication
○ Zone 1A	○ 70 - 75 dB CNEL	☑ FAA Notification Surfaces	☑ Recorded Overflight Notification
☐ Zone 2	☐ 65 - 70 dB CNEL	☑ Airspace Obstruction Surfaces	☐ Real Estate Transaction Disclosure
☐ Zone 3	☑ 60 - 65 dB CNEL	☐ Airspace Avigation Easement Area	
☐ Zone 4		Allowable Height: 170 FT	
○ Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

○ Zone 1 ○ Zone 2 ○ Zone 3 ○ Zone 4 ○ Zone 5 ☐ Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: ○ Exempt from the ALUCP ◉ Consistent ○ Consistent with Conditions ○ Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: Lorena Mejia

CITY OF ONTARIO

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Land Development Division, Environmental Section, Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

☒ **DEVELOPMENT PLAN** ☐ OTHER	☐ PARCEL MAP ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV22-017 **RELATED FILE NO(S). _____**	
☐ ORIGINAL ☒ **REVISED: 3/27/2024**	

CITY PROJECT ENGINEER & PHONE NO: Frederick Addison (909) 395-2125

CITY PROJECT PLANNER & PHONE NO: Thomas Grahn (909) 395-2413

DAB MEETING DATE: ~~03/18/24~~ 04/15/24

PROJECT NAME / DESCRIPTION: **A development plan to construct a 270,337 square foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (heavy Industrial) zoning districts (APNs: 0238-052-28 & 0238-052-20)**

LOCATION: **5355 East Airport Drive**

APPLICANT: **Prologis**

REVIEWED BY:

Raymond Lee — 3/27/24

Raymond Lee, P.E.
Assistant City Engineer — **Date**

APPROVED BY:

3-27-24

Khoi Do, P.E.
City Engineer — **Date**

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL:

Check When Complete

☐ 1.01 Dedicate to the City of Ontario, the right-of-way, described below: ☐

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.

☐ 1.02 Dedicate to the City of Ontario, the following easement(s): _____ ☐

_____

☐ 1.03 Restrict vehicular access to the site as follows: _____ ☐

☐ 1.04 Vacate the following street(s) and/or easement(s): ☐

A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

☐ 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. ☐

☐ 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. ☐

☐ 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at *http://tceplumecleanup.com/*), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at *http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.* ☐

☐ 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement. ☐

(1) _____

(2) _____

☐ 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements. ☐

☐ 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater. ☐

☐ 1.11 Provide a preliminary title report current to within 30 days. ☐

☐ 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process. ☐

☐ 1.13 Ontario Ranch Developments: ☐

☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

☐ 1.14 Other conditions: _____ ☐

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

A. GENERAL
(Permits includes Grading, Building, Demolition and Encroachment)

☐ 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. ☐

☐ 2.02 Submit a PDF of the recorded map to the City Engineer's office. ☐

☐ 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____. ☐

☐ 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972. ☐

☒ **2.05 Apply for a:** ☐

☐ Certificate of Compliance with a Record of Survey;

☒ **Lot Line Adjustment to merge APNs 0238-052-29, 0238-052-20, & 0238-052-22 (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);**

☐ Make a Dedication of Easement.

☐ 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. ☐

☐ 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658. ☐

☒ **2.08 Submit a soils/geology report.** ☐

☒ **2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:** ☐

- ☐ State of California Department of Transportation (Caltrans)
- ☐ San Bernardino County Road Department (SBCRD)
- ☐ San Bernardino County Flood Control District (SBCFCD)
- ☐ Federal Emergency Management Agency (FEMA)
- ☐ Cucamonga Valley Water District (CVWD) for sewer/water service
- ☐ United States Army Corps of Engineers (USACE)
- ☐ California Department of Fish & Game
- ☒ **Inland Empire Utilities Agency (IEUA) – for connection to existing IEUA Recycled Water Line**
- ☐ Other: _____

☒ **2.10 Dedicate to the City of Ontario the right-of-way described below:** ☐

- **20 feet on East Airport Drive to achieve ultimate ROW of 50 feet on property frontage of APN 0238-052-29.**

Property line corner 'cut-back' required at the intersection of _____ and _____.

☐ 2.11 Dedicate to the City of Ontario the following easement(s):_____ ☐

_____

☒ **2.12 Vacate the following street(s) and/or easement(s):** ☐

A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

☐ 2.13 Ontario Ranch Developments: ☐

☐ 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

☐ 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

☐ 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.

☒ **2.14** **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.** ☐

☒ **2.15** **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.** ☐

☒ **2.16** **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately $293,401.95, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.** ☐

☒ **2.17** **Other conditions:** ☐

- **Provide a preliminary title report current to within 30 days.**

B. PUBLIC IMPROVEMENTS
(See attached Exhibit 'A' for plan check submittal requirements.)

☒ **2.18** **Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):**

Improvement	East Airport Drive (3)			
Curb and Gutter	☒ **New; 36 ft. from C/L (1)** ☐ Replace damaged ☒ **Remove and replace (2)**	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement	☐ Replacement ☒ **Widen 11 additional feet along frontage, including pavm't Transitions for APN: 0238-052-29**	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Sidewalk	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
ADA Access Ramp	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace

Fire Hydrant	☒ **New / Upgrade** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation
Sewer (see Sec. 2.C)	☒ **Main** ☒ **Lateral**	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Water (see Sec. 2.D)	☐ Main ☒ **Service**	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Recycled Water (see Sec. 2.E)	☒ **Main** ☒ **Service**	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Traffic Signal System (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Traffic Signing and Striping (see Sec. 2.F)	☒ **New** ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Street Light (see Sec. 2.F)	☒ **New / Upgrade** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Storm Drain (see Sec. 2G)	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Fiber Optics (see Sec. 2K)	☒ **Conduit / Appurtenances**	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances
Overhead Utilities	☒ **Underground** ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate
Removal of Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____

Specific notes for improvements listed in item no. 2.18, above:

1. **From West Property Line to about 399' Easterly.**
2. **From East Property Line to about 813' Westerly.**
3. **New curb & gutter, sidewalk, parkway is required for any removal of driveways.**

☒ **2.19** **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):** ☐
1. East Airport Drive along property frontage from curb to centerline.

☐ 2.20 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. ☐

☐ 2.21 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide ☐ water service ☐ sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid. ☐

☒ **2.22** **Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, for undergrounding of utilities in accordance with Section 7-7.302.e of the City's Municipal Code based on estimate approved by the City Engineer.** ☐

☐ 2.23 Other conditions: ☐
_____

C. SEWER

☐ 2.24 A _____inch sewer main is available for connection by this project in _____ ☐
(Ref: Sewer Drawing Number: _____)

☒ **2.25** **Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 20 feet away.** ☐
(Ref: Sewer Drawing Number: S10194)

☐ 2.26 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer. ☐

☒ **2.27** **Other conditions:** ☐
1. See attached Exhibit B for additional Sewer Conditions of approval from OMUC.

D. WATER

☒ **2.28** **A 12 inch water main is available for connection by this project in East Airport Drive.** ☐
(Ref: Water Drawing Number: W11120 & W11121)

☐ 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☒ **2.30** **Other conditions:** ☐
1. See attached Exhibit B for additional Water Conditions of approval from OMUC.

E. RECYCLED WATER

☒ **2.31** **An 8-inch recycled IEUA recycled water main is available for connection by this project west of Wineville Avenue.** ☐

☒ **2.32** **Design and construct an on-site recycled water system for this project.** ☐

☐ 2.33 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant. ☐

☒ **2.34** **Submit one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and subsequent submittal to the California State Water Board (Division of Drinking Water) for final approval.** ☐

Note: Review and approval process may take up to three (3) months. Contact the OMUC's Water Quality Programs at (909) 395-2678 or email OMUCWQPlanCheck@ontarioca.gov regarding this requirement.

☒ **2.35** **Submit one (1) electronic copy, in PDF format, of the Landscape Plans (on-site & off-site) to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and approval.**

☒ **2.36** **Other conditions:** ☐

1. **See attached Exhibit B for additional Recycled Water Conditions of approval from OMUC.**

F. TRAFFIC / TRANSPORTATION

☐ 2.37 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: ☐

1. On-site and off-site circulation
2. Traffic level of service (LOS) at 'build-out' and future years
3. Impact at specific intersections as selected by the City Engineer

☐ 2.38 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877. ☐

☒ **2.39** **Other conditions:** ☐

1. **The Applicant/Developer shall be responsible to design and construct street improvements along property frontage on Airport Drive in accordance with conditions issued by City's Land Development Division. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, and parkway landscaping.**
2. **Design and construct all proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveways.**
3. **The Applicant/Developer shall restripe and maintain striping on Airport Drive along project frontage limits.**
4. **Property frontage along Airport Drive shall be signed "No Parking Anytime".**
5. **The Applicant/Developer shall be responsible to design and construct in-fill public street lights and a potential new service along its project frontage on Airport Drive. Street lighting shall be LED-type and in accordance with City's Approved Material List LED Luminaires. The Applicant/Developer shall also install smart nodes on all new street light fixtures along project frontage.**
6. **All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**
7. **The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the signing/striping and street lighting design plans to define limits of improvements.**

G. DRAINAGE / HYDROLOGY

☒ **2.40** **A 14-foot-wide catch basin is available to accept flows from this project on the Northeast corner of Airport Drive and Wineville Ave. (Ref: Storm Drain Drawing Number: D10420).** ☐

☒ **2.41** **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.** ☐

☐ 2.42 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100-year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans. ☐

☐ 2.43 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. ☐

☐ 2.44 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100-year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. ☐

☐ 2.45 Other conditions: _____ ☐

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

☐ 2.46 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. ☐

☒ **2.47** **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☐ 2.48 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning. ☐

☐ 2.49 Other conditions: _____ ☐

J. SPECIAL DISTRICTS

☐ 2.50 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process. ☐

☐ 2.51 Other conditions: _____ ☐

K. FIBER OPTIC

☒ **2.52 A 2" fiber optic line is available for connection by this project in East Airport Drive. (Ref: Fiber Optic Drawing Number: O10174)** ☐

☒ **2.53 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located approximately 250 feet from the west side of the property line on the south side of East Airport Drive.** ☐

☒ **2.54 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.** ☐

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

☒ **3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.** ☐

☒ **3.02 Complete all requirements for recycled water usage.** ☐

☒ 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☒ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☒ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☒ **3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.** ☐

☐ 3.04 Ontario Ranch Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals. ☐

☒	3.05	**Confirm payment of all Development Impact Fees (DIF) to the Building Department.**	☐
☒	3.06	**Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**	☐

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

☒	4.01	**Complete all Conditions of Approval listed under Sections 1-3 above.**	☐
☒	4.02	**Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**	☐
☒	4.03	**The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**	☐
☒	4.04	**Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**	☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV22-017

The following items are required to be included with the first plan check submittal:

1. ☒ **A copy of this check list**
2. ☒ **Payment of fee for Plan Checking**
3. ☒ **Digital copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. ☒ **Digital copy of project Conditions of Approval**
5. ☒ **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. ☐ Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
7. ☒ **Digital copy of Public Street improvement plan with street cross-sections**
8. ☐ Digital copy of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. ☒ **Digital copy of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
10. ☒ **Digital copy of Public Sewer improvement plan**
11. ☐ Digital copy of Public Storm Drain improvement plan
12. ☒ **Digital copy of Public Street Light improvement plan**
13. ☒ **Digital copy of Signing and Striping improvement plan**
14. ☒ **Digital copy of Fiber Optic plan (include Auto CAD electronic submittal)**
15. ☐ Digital copy of HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
16. ☐ Digital copy of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
17. ☒ **Digital copy of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
18. ☐ Digital copy of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
19. ☒ **Digital copy of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**

20. ☒ **Digital copy of Hydrology/Drainage study**

21. ☒ **Digital copy of Soils/Geology report**

22. ☐ Payment for Final Map/Parcel Map processing fee

23. ☐ Digital copy of Final Map/Parcel Map

24. ☐ Digital copy of approved Tentative Map

25. ☒ **Digital copy of Preliminary Title Report (current within 30 days)**

26. ☐ Digital copy of Traverse Closure Calculations

27. ☐ One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.

28. ☒ **Digital copy of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**

29. ☒ **Other:**
    - **Digital copy of the LLA form (include all the items in the LLA application checklist)**

Exhibit 'B'

CITY OF ONTARIO
MEMORANDUM

ONTARIO MUNICIPAL UTILITIES COMPANY

DATE: August 10, 2023
TO: Angela Truong, Engineering Department
Fred Addison, Engineering Department
CC: Thomas Grahn, Planning Department

FROM: Jeff Krizek, Utilities Engineering Division (QCR: HY)
SUBJECT: DPR4 (Sub04 Rev03) & Utilities Engineering Conditions of Approval (COAs) (**#9409**)
PROJECT NO.: **PDEV22-017**

BRIEF DESCRIPTION:

PDEV22-017: *PDEV22-017 - A Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district (APNs: 0238-052-29 and 0238-052-20).*

OMUC UTILITIES ENGINEERING DIVISION
CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division recommends this application for approval subject to the Conditions of Approval outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards. The Applicant shall be responsible for the compliance with and the completion of all the following applicable Conditions of Approval prior to the following milestones and subject to compliance with City's Design Development Guidelines, Specifications Design Criteria, and City Standards:*

General Conditions:

1. Standard Conditions of Approval: Project shall comply with the requirements set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017, or as amended or superseded by Council Resolution; as well as project-specific conditions/requirements as outlined below.

Prior to Issuance of Any Permits (Grading, Building, Demolition and Encroachment), unless other timeline milestones are specified by individual conditions below, the Applicant Shall:

General Conditions (Section 2.A, Other conditions): The Applicant shall comply with the following:

2. Inherited Requirements and Conditions of Approval: Not Applicable.
3. Final Utilities Systems Map (USM): Submit a Final Utilities Systems Map (USM) as part of the precise grading plan submittal that meets all the City's USM requirements. These requirements include to show and label all existing and proposed utilities (including all appurtenances such as backflow devices, DCDAs, etc.), sizes, points of connection, and any easements. The final utility design shall comply with all Division of Drinking Water (CCR §64572) Separation Requirements. See Utility Systems Map (USM) Requirements document for details.
4. Unused Service Abandonment: All adjacent water services (along with connected appurtenances) and sewer laterals and main stubs along the frontages of the project site not used to provide service to this Development Project shall be abandoned back to the main in accordance with City Standards and Practices.

Sanitary Sewer Conditions (Section 2.C): The Applicant shall comply with the following:

5. Sanitary Sewer Main Improvements:
    a. Install 8-inch Public Sewer Main in Airport Drive connecting to existing public sewer manhole west of the Project site and extend easterly in Airport Drive to a point that will serve the entire Project.
6. Sanitary Sewer Service:
    a. Each building and its onsite private sewer system shall discharge wastewater to the Public Sanitary Sewer System through a Public Sewer Lateral per Standard #2003. The quantity of Public Sewer Laterals for each building shall be limited to the minimum necessary to meet all of the conditions of approved and as limited by the City.
    b. Public Sewer Laterals and Storm Water Quality Improvements: No storm water quality improvements (infiltration, detention, retention, bioswale, etc) shall be installed above or within 5 feet of any Public Sewer Lateral.
7. Private Onsite Sewer System and Plumbing: The Onsite Sewer System shall be privately maintained by the property owner and shall meet the following requirements:
    a. For wastewater flows for non-residential uses:
        i. The Onsite sewer system and building plumbing shall be designed in such a way that the sanitary domestic wastewater flows leave the building separately from non-sanitary wastewater flows (industrial, process, or kitchen, etc.) and the line for non-sanitary wastewater flows can be upgraded in the future to have pretreatment equipment and devices on it, as required by a Wastewater Discharge Permit.
        ii. Each building and each connection from the Onsite Sewer System to the Public Sewer System shall have an onsite monitoring manhole prior to the point of connection with the Public Sewer System.
    b. Private Onsite Sewer and Storm Water Quality Improvements: No storm water quality improvements (infiltration, detention, retention, bioswale, etc) shall be installed above or within 5 feet of any Private Onsite Sewer pipes.
8. Wastewater Discharge: For Non-Residential Uses: each Occupant of the building, or units, as applicable, shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not limited to include installing a monitoring manhole, clarifier, interceptor, or other wastewater pretreatment equipment.
9. Septic Systems:
    a. Abandon any existing septic tank(s) on the property per State, County, and City standards.
    b. Onsite Wastewater Treatment Systems (OWTS) are not allowed. Entire Project shall connect to Public Sewer.

Potable Water Conditions (Section 2.D): The Applicant shall comply with the following:

10. Potable Water Service:
    a. Domestic Service:
        i. Each building shall have its own potable water service and meter with backflow prevention device connected to the Public Potable Water System.
    b. Irrigation Service: For landscape irrigation uses that are not served by Recycled Water, the landscape irrigation uses shall have a separate irrigation water service and meter with backflow prevention device connected to the Public Potable Water System separate from the domestic water uses and the onsite plumbing systems shall be also separate from each other.
        i. Community Service District (CFD) Maintained Irrigation Areas: Any irrigated areas that are to be maintained by a Community Service District (CFD) and not by the property owner or owners association require irrigation services and meters separate from those that are maintained by the property owner or owners association.
    c. Backflow Prevention: Each Meter connected to the Public Potable Water System that serves any use that is more than one (1) single family residential unit or any non-residential use requires a backflow prevention device.

d. Fire Water Service: For onsite private Fire System uses:

   i. Where the domestic water service and meters connected to the Public Potable Water System that serves any use that is more than one (1) single family detached residential unit, or any non-residential use: if an onsite private fire system is required, then a separate Fire Service with Double Check Detector Assembly (DCDA) per City Standard #4208 connected to the Public Potable Water System is required, to serve the onsite private fire system. The onsite fire system and onsite domestic water plumbing system shall be separate.

e. Fire Hydrants:

   i. Fire Hydrants along Public Potable Water Mains shall be installed to be spaced a maximum of 300 feet apart or per Fire Department Standards/Requirements, whichever is closer.

   ii. Existing Public Fire Hydrants along the Project frontage that do not meet current City Standards shall be abandoned back to main and replaced with new Fire Hydrants that meet current City Standards.

f. Private Onsite Water System and Plumbing: The Onsite Water Systems (Domestic, Fire, Irrigation) shall be privately maintained by the property owner.

g. Relocated Services: For any existing service with appurtenances to be relocated, the service shall be abandoned back to the main connection and the service and appurtenances shall be installed new per related City Standards.

Recycled Water Conditions (Section 2.E): The Applicant shall comply with the following:

11. City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscape irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be installed throughout the Project to meet this requirement, as approved by the City.

12. Recycled Water Mains Improvements:

    a. Install 8-inch Recycled Water main in Airport Drive connecting to the existing IEUA Recycled Water west of Wineville Avenue and extending easterly in Airport Drive to the easterly property line of the Project.

13. Recycled Water Service: In order to comply with City Ordinance 2689:

    a. Recycled Water Services with Meters:
       i. Private Property Owner Maintained Uses: Each parcel/lot shall have its own separate Recycled Water Service with Meter serving the parcel/lot for Private Property Owner Maintained Landscape Irrigation Uses. If Recycled Water is going to be used for uses other than Landscape Irrigation, then a second separate Recycled Water Service with Meter is required to serve the non-Landscape Irrigation uses.
       ii. Community Service District (CFD) Maintained Irrigation Areas: Any irrigated areas that are to be maintained by a Community Service District (CFD) and not by the property owner or owners association require irrigation services and meters separate from those that are maintained by the property owner or owners association

14. RW Program Requirements: In order to receive RW service, the applicant shall comply with each of the following:
    a. Prior to Precise Grading Plan Approval and Building Permits Issuance:
       i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
       ii. Submit an **Engineering Report (ER)** to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
       iii. For details, contact OMUCWQPlanCheck@ontarioca.gov.
    b. Prior to Occupancy Release/Finalizing:
       i. Pass start-up and cross-connection test successfully.
       ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

CITY OF ONTARIO
MEMORANDUM

FROM: **Heather Lugo, MA, Police Department**

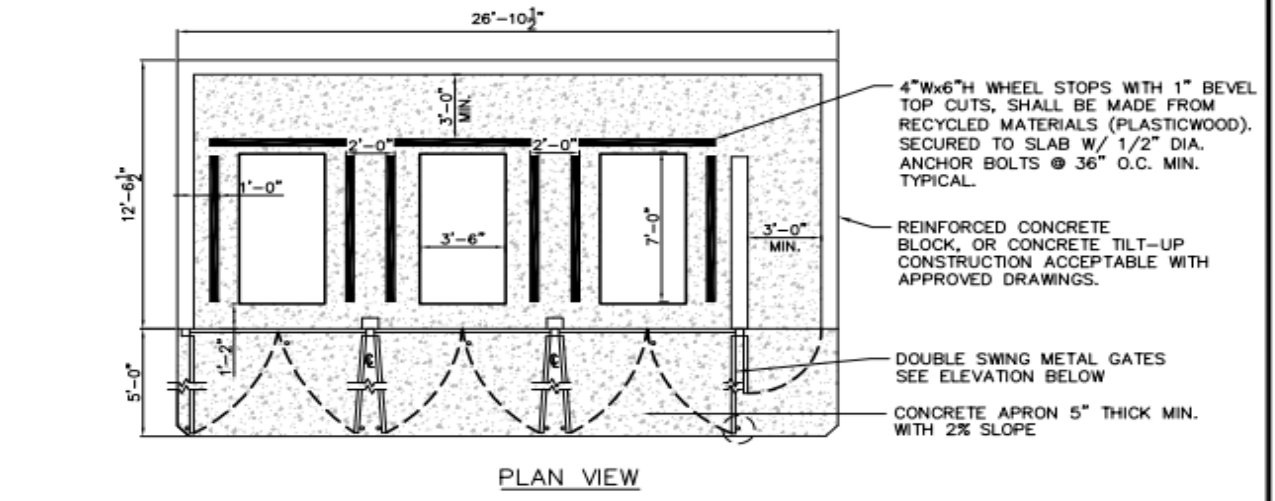
DATE: **March 6, 2024 REVISED March 26, 2024**

SUBJECT: **PDEV22-017 - A Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district (APNs: 0238-052-29 and 0238-052-20).**

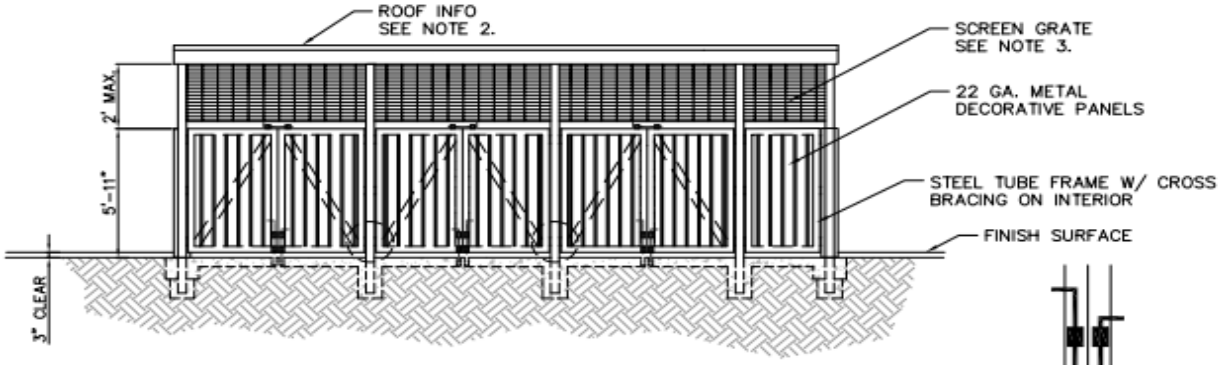
The "Standard Conditions of Approval" contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- Per conversation with John Carter – Prologis is building the "shell" of the building. Cameras would be added during the tenant build of the project. Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- All exterior electrical outlets shall be secured and locked.
- All exterior water spigots / water supply sources shall be secured and locked.
- Trash enclosure shall be fully secured/enclosed by locks, mesh, and screen grate to reduce crime and encampment opportunities for homeless persons.

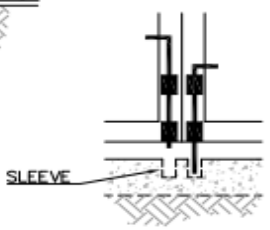
The Applicant is invited to contact Heather Lugo at (909) 408-1074 with any questions or concerns regarding these conditions.



PLAN VIEW



ELEVATION



SLEEVE DETAIL

NOTES:

① THIS DRAWING SERVES AS A GUIDELINE TO THE TRASH ENCLOSURE BIN LAYOUT. PLANS MUST BE SUBMITTED TO THE BUILDING DEPARTMENT FOR REVIEW AND APPROVAL TO MEET CURRENT BUILDING CODES.

② SOLID ROOF TO MEET ARCHITECTURAL AND STRUCTURAL DESIGN CRITERIA FROM PLANNING AND BUILDING DEPARTMENTS.

③ TRASH ENCLOSURE SHALL BE FULLY SECURED/ENCLOSED BY LOCKS, MESH, AND SCREEN GRATE.

CITY OF ONTARIO - INTEGRATED WASTE DEPARTMENT

EXAMPLE 1

COMMERCIAL/INDUSTRIAL REFUSE, RECYCLING AND ORGANICS ENCLOSURE (THREE 4–6 CU. YD. BINS)

CITY OF ONTARIO
MEMORANDUM

TO: **Thomas Grahn, Senior Planner**
Planning Department

FROM: **Paul Ehrman, Sr. Deputy Fire Chief/Fire Marshal**
Fire Department

DATE: **October 3, 2023**

SUBJECT: **PDEV22-017 - A Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district (APNs: 0238-052-29 and 0238-052-20). (*Revision 3*).**

☒ The plan **does** adequately address Fire Department requirements at this time.

☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2019 CBC Type of Construction: III-B

B. Type of Roof Materials: Panelized

C. Ground Floor Area(s): 255,337 Sq. Ft.

D. Number of Stories: 1 w/ Mezzanine

E. Total Square Footage: 270,337 Sq. Ft.

F. 2019 CBC Occupancy Classification(s): S-1

CONDITIONS OF APPROVAL:

1.0 GENERAL

☒ 1.1 The following are the Ontario Fire Department ("Fire Department") requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards ("Standards.") It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov/Fire/Prevention.

☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.

☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.

☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.

☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.

☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.

☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.

☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

CITY OF ONTARIO PLANNING DEPARTMENT

Appeal Application Form

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Dear Applicant:

In an effort to improve customer service and ensure development projects are processed as quickly as possible, the Planning Department finds it necessary to remind its clients that complete application submittals are crucial to the plan review process. In the past, accepting incomplete applications has led to errors and time delays at the end of the review process. I do not want this to happen to you.

Consequently, the Planning Department staff will only accept complete applications at time of submittal. All items listed on the enclosed application form must be provided before the Planning Department counter staff can accept your application for filing. Please review these minimum requirements prior to submitting your application, as counter staff do not have the authority to waive these requirements.

Please remember that failure to provide all of the required plans and information will result in significant time delays in the processing of your application. If you have any questions regarding the necessity of any particular item requested on the application form, please feel free to contact the Planning Department counter supervisor to discuss your questions.

The Planning Department looks forward to a continued efficient and professional relationship with you in the future. If you have any questions, comments, or concerns regarding this matter, please feel free to contact the Planning Department at (909) 395-2036.

Respectfully,

Henry K. Noh
Planning Director

ATTENTION!

The City of Ontario strives to provide you with efficient and effective service in a businesslike manner. We are committed to the principle that every interaction you have with the City must be based on honesty and integrity.

City employees are prohibited by law from soliciting or accepting money, services, or gifts of any kind in connection with the discharge of their duties.

If you are approached or are aware of any violation of this policy, please immediately contact any of the following:

Scott Ochoa, City Manager .....(909) 395-2396 or sochoa@ontarioca.gov
Mike Lorenz, Police Chief ..... (909) 395-2710 or mlorenz@ontarioca.gov
Ethics Line .....(800) 500-0333

CITY OF ONTARIO PLANNING DEPARTMENT

Appeal Application Form

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Instructions:

1. *Pursuant to Ontario Development Code Division 2.04 (Appeals), any person having legal standing may appeal and action or decision to the Appeal Authority, including but not limited to an applicant, resident, business owner, or any person owning real property within the City, that is aggrieved by an interpretation, action, or decision made by any City agency or department, or by an Approving Authority.*

2. *Within 10 days following the action or decision being appealed, an appeal request must be filed with the Planning Department on an Appeal Application Form, along with the required filing fees. The appeal request must include a statement identifying the specific action or decision that is being appealed, the specific grounds for the appeal, and the relief requested from the Appeal Authority.*

3. *An appeal of an action or decision made by an Approving Authority following a hearing, is limited to those matters raised during the hearing and contained in an appeal statement. The Appeal Authority cannot consider any matter that was not raised during the hearing before the Approving Authority and contained in the appeal statement.*

4. *The Appeal Authority that will hear the appeal request is limited to taking testimony and making its decision based solely on the specific grounds specified by the appellant in the Appeal Application Form, insofar as they make an adequate claim pursuant to Ontario Development Code Section 2.04.010. When the decision of an Approving Authority is appealed, you are limited to raising only those issues you or someone else raised during the hearing before the Approving Authority and stated in the Appeal Application Form.*

GENERAL INFORMATION (PRINT OR TYPE)

Appellant: CARE CA c/o Aidan P. Marshall

Address: Adams Broadwell Joseph & Cardozo

601 Gateway Blvd. Ste. 1000, South San Francisco, CA 94080

Phone: (650) 589-1660

Email: amarshall@adamsbroadwell.com

Appellant's Representative: Aidan P. Marshall

Address: Adams Broadwell Joseph & Cardozo

601 Gateway Blvd. Ste. 1000, South San Francisco, CA 94080

Phone: (650) 589-1660

Email: amarshall@adamsbroadwell.com

(For staff use only)

File No(s): _____

_____

Date: _____

Rec'd by: _____

Fees Paid: _____

☐ *Cash* ☐ *Check (#* _____*)*

☐ *Credit Card*

Receipt No.: _____

Date Paid: _____

SUBJECT OF APPEAL

This application is hereby filed pursuant to Ontario Development Code Division 2.04 (Appeals), appealing a decision or action of the following Authority:

☐ Department/Agency Head ☐ Development Advisory Board ☐ Zoning Administrator

☐ Historic Preservation Subcommittee ☐ Historic Preservation Commission ☒ Planning Commission

Project File No(s).: PDEV22-017; SCH No. 2022090006 Date of Action/Decision: August 27, 2024

The application being appealed requests the following *(attach additional sheets as necessary)*:

File No. PDEV22-017 seeks certification of a Final Environmental Impact Report (State Clearinghouse No. 202209006) and approval of a Development Plan.

Please see attached letter.

List the specific action(s) or decision(s) that is/are being appealed (attach additional sheets as necessary):

CARE CA appeals all actions taken by the Planning Commission at the August 27, 2024 hearing relating to File No. PDEV22-017.

These actions include certification of a Final Environmental Impact Report (State Clearinghouse No. 202209006), adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with approval of a Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land located at 5355 East Airport Drive, and related findings.

APPEAL STATEMENT

Please check the box that best describes your reason(s) for the appeal:

- ☐ Abuse of discretion.
- ☐ Decision was not supported by the record.
- ■ Abuse of discretion and decision was not supported by the record.

State the specific grounds for the appeal and the relief requested (please be specific and attach additional sheets if necessary):

The Planning Commission's certification of the Final EIR and approval of the development plan were contrary to law and unsupported by the record. The Final EIR failed to comply with CEQA by failing to accurately disclose potentially significant impacts, failing to support its significance findings with substantial evidence, and failing to mitigate the Project's significant impacts to the greatest extent feasible. The Planning Commission lacked substantial evidence to make the findings in Section 4.02.025(D) of the City of Ontario Municipal Code necessary to approve the development plan.

CARE CA respectfully requests that the City set a hearing on this appeal, and that the City Council uphold this appeal, vacate the Planning Commission's approval of the Project, and direct staff to revise and recirculate the EIR to comply with CEQA before the Project can be reconsidered for approval.

Please see attached letter.

APPELLANT ACKNOWLEDGEMENT

I, the undersigned, hereby certify that the statements and information provided in this **Appeal Application Form**, and in any attached exhibits, present the data and information required for this application to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: September 5, 2024 Signature: 

Name (print or type): Aidan P. Marshall

CITY OF ONTARIO PLANNING DEPARTMENT

Appeal Application Form —
Minimum Filing Requirements Checklist

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

MINIMUM FILING REQUIREMENTS

The following submittal documents are required to be submitted through our Citizen Portal Access website at https://automation.ontarioca.gov/onlinePermits or over the counter to the Planning Department at Ontario City Hall.

☐ Completed *Appeal Application Form*.

☐ Filing fee (see Planning Department Fee Schedule found here: https://www.ontarioca.gov/Planning/Applications). This fee will be invoiced upon confirmation by staff that all minimum filing requirements were provided.

ADAMS BROADWELL JOSEPH & CARDOZO
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037
TEL: (650) 589-1660
FAX: (650) 589-5062
amarshall@adamsbroadwell.com

SACRAMENTO OFFICE
520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721
TEL: (916) 444-6201
FAX: (916) 444-6209

KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSTON
RACHAEL E. KOSS
AIDAN P. MARSHALL
ALAURA R. McGUIRE
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September 5, 2024

Via Online Portal Submission
Ontario City Council
Mayor Paul S. Leon
Mayor pro tem Debra Porada
City Council Members
Online Portal: https://automation.ontarioca.gov/onlinePermits
Email: PlanningCounter@ontarioca.gov

Via Email and Overnight Mail
Attn: Thomas Grahn, Senior Planner
City of Ontario Planning Department
303 E B St, Ontario, CA 91764
Email: TGrahn@ontarioca.gov

Re: Appeal to City Council of Planning Commission Approval of the 5355 East Airport Drive Project (File No. PDEV22-017; SCH No. 2022090006)

Dear Mayor Leon, Mayor pro tem Porada, City Council Members, Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit this appeal to the City Council of the Planning Commission's ("Commission") August 27, 2024 approvals of the 5355 East Airport Drive Project (File No. PDEV22-017; SCH No. 2022090006) ("Project"), proposed by Prologis Inc. ("Applicant").

The scope of the Commission's determination for File No. PDEV22-017 includes certification of a Final Environmental Impact Report (State Clearinghouse No. 202209006) ("FEIR"), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with approval of a Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land located at 5355 East Airport Drive, and related findings.

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CARE CA submitted comments on the Project's Draft EIR ("DEIR") on October 5, 2023 during the public review period required by Section 15087 of the California Environmental Quality Act ("CEQA") Guidelines.[1] CARE CA's comments on the DEIR demonstrated that the DEIR failed to comply with CEQA by failing to accurately disclose potentially significant health risk, air quality, GHG, energy, and soil contamination impacts, failing to support its significance findings with substantial evidence, and failing to mitigate the Project's significant impacts to the greatest extent feasible, in violation of CEQA.

The City subsequently prepared the FEIR, which the City claims fully resolves the issues identified in CARE CA's comments and by other commenters. But CARE CA submitted comments demonstrating that the FEIR fails to meet CEQA's requirements. Staff reports prepared for the Planning Commission erroneously claim that that the FEIR has adequately addressed CARE CA's comments. This is incorrect. The staff reports mainly reiterate the flawed reasoning and conclusions of the FEIR. As such, although the City has prepared several documents which purport to respond to CARE CA's comments, the City has not resolved the issues raised in CARE CA's comments and the FEIR remains in violation of CEQA. The Planning Commission's approval of the Project and certification of the FEIR violated CEQA and land use laws because the City has not complied with its duty to disclose and mitigate the Project's potentially significant environmental and land use impacts, and the Planning Commission's approval findings were not supported by substantial evidence.

CARE CA hereby appeals all actions taken by the Commission with regard to the Project under File No. PDEV22-017. This appeal is timely filed in compliance with the Ontario Development Code.[2] The reasons for this appeal are set forth herein and in the attachments, which include CARE CA's comments on the DEIR,[3] FEIR,[4] and two letters to the Planning Commission responding to staff reports

[1] 14 Cal. Code Regs. §§ 15000 et seq.; *see* Cal. Pub. Res. Code §§ 21000 et seq.
[2] Section 2.04.010(B)(1).
[3] **Attachment A**: Letter from Adams Broadwell Joseph & Cardozo ("ABJC") to City re: Comments on the Draft Environmental Impact Report for 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) (October 5, 2023).
[4] **Attachment B**: Letter from ABJC to City re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (April 15, 2024).

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prepared for the Project.[5] We incorporate by reference the attached comments and exhibits, which are in the City's record of proceedings for the Project.[6]

The Commission abused its discretion and failed to proceed in the manner required by law by approving the Project in reliance on a deficient CEQA document and without substantial evidence to support the approval findings.[7] CARE CA respectfully requests that the City Council vacate the Commission's approval of the Project.

A. Standing to Appeal and Statement of Interest

Section 2.04.010(B)(1) of the Ontario Development Code provides that the decision of the Approving Authority may be appealed within 10 days of the action or decision. Because the Planning Commission approved the Project on August 27, the final day to submit an appeal is September 6. Thus, this appeal is timely filed.

Section 2.04.005 of the Code provides that "[a]ny person having legal standing, including but not limited to an applicant, resident, business owner, or any person owning real property within the City, that is aggrieved by an interpretation, action or decision made pursuant to this Development Code by any City agency or department, or by an Approving Authority, may appeal such action to the Appeal Authority in accordance with the provisions of this Division."

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker health and safety hazards, and the environmental impacts of the Project. The coalition includes Ontario residents Daniel Brewer, David Audelo, Carlos Mendez, Rober Rubio, the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County. CARE CA's comments on the DEIR, FEIR, to the Planning Commission, and this appeal, detail the specific issues over which CARE CA is aggrieved by the Planning Commission's decision.

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[5] **Attachment C**: Letter from ABJC to City Re: Agenda Item D – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (May 28, 2024); **Attachment D**: Letter from ABJC to City Re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (August 27, 2024).

[6] We reserve the right to supplement these comments at later hearings and proceedings on the Project. Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; *see Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121,

[7] Code Civ. Proc § 1094.5(b); *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515.

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CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Ontario and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

B. The Commission's Certification of the FEIR Was Contrary to Law and Unsupported by the Record

As summarized below, and demonstrated fully in the attached comments, the FEIR fails to adequately analyze and mitigate the project's potentially significant impacts.

The FEIR fails to analyze the full scope of the Project – CEQA requires that an EIR analyze the reasonably foreseeable consequences of the Project, but the Project's FEIR fails to analyze the Project's reasonably foreseeable use as a parcel hub (a use that generates 2.6 times more trips than analyzed). The City has argued that the Project is not envisioned as a parcel hub and its design would not support use as a parcel hub, but the Project plainly meets the description of a potential high cube parcel hub in Institute of Transportation Engineers ("ITE") land use code 156 (the Project would have adequate parking, square footage, and ceiling height). Any claim that the Project is not envisioned as a parcel hub is not supported by substantial evidence because the City has acknowledged that the Project is proposed as a speculative development and the user(s) of the building is not known at this time. Thus, the FEIR must be revised to analyze the heightened environmental impacts from the Project's potential use as a parcel hub.

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Similarly, the FEIR fails to analyze reasonably foreseeable truck trips to the Ports of Los Angeles and Long Beach, which are longer than the trips analyzed in the FEIR. Longer truck trips are associated with greater emissions of criteria air pollutants and GHG emissions. CARE CA presented numerous comment letters from the South Coast Air Quality Management District ("SCAQMD") recommending that warehouses just like this one analyze trips to the Ports, and presented studies showing that trips to the Ports are a reasonably foreseeable consequence for a warehouse in the City of Ontario.

The FEIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines. CARE CA's comments discussed the decision in *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[8] in which the Court of Appeal held that an EIR failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options.[9] Here, the FEIR fails to analyze the feasibility and effectiveness of measures including onsite solar facilities, electric vehicle charging, and others discussed in CARE CA's comments. The City maintains that discussion of energy consumption measures is not required for this Project because its energy impacts are less than significant, but makes the same error as the lead agency in *CCEC* because the EIR in that case also identified a less-than-significant energy impact.[10]

The FEIR's analysis of cumulative air quality impacts is inadequate because it fails to consider the Project's impacts in the context of the numerous other warehouses existing and planned in the area. The City's approach to cumulative impacts, relying on SCAQMD guidance, is that emissions of criteria air pollutants or toxic air contaminants that do not exceed individual project thresholds are also not cumulatively considerable. CARE CA's comments demonstrated that this approach fails to meet CEQA's standards in light of the controlling caselaw,[11] the Attorney General's recent litigation on this issue in *People of the State of California v. City of Fontana*,[12] and pending updates to the SCAQMD significance thresholds for cumulative impacts in response to this litigation. At no point have the City's responses meaningfully addressed the caselaw proscribing the City's invalid approach to cumulative impacts. The responses primarily reiterate that the City is complying with current SCAQMD guidance (as opposed to the pending updates to

[8] (2014) 225 CA4th 173.
[9] *Id.* at 213.
[10] *CCEC, supra*, 225 CA4th 173 at 183.
[11] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692; *Env't Prot. Info. Ctr. v. California Dep't of Forestry & Fire Prot.* (2008) 44 Cal. 4th 459;
[12] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;

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the guidance). The FEIR must be revised to include a legally adequate discussion of cumulative impacts.

Regarding the Project's individual health risk impacts, CARE CA's air quality expert presented substantial evidence demonstrating that the FEIR's quantified health risk analysis underestimates impacts. For example, the HRA only analyzes trucks travelling east along Airport Drive, away from sensitive receptors located west of the Project. CARE CA's air quality expert also demonstrated that the HRA failed to account for building downwash and relied on unreliable input values. The City has not revised its HRA to address these flaws and others identified in Dr. Clark's comments.

Regarding hazards, the FEIR identifies significant vapor intrusion impacts due to PCE contamination, but improperly defers formulation of mitigation measures. The FEIR fails to specify whether passive/engineered vapor intrusion mitigation may be employed as opposed to removal of all impacted soil, does not quantify the impacts associated with each form of mitigation (e.g. construction impacts associated with excavation, removal and backfilling contaminated soil versus impacts of installing vapor intrusion barriers), and does not commit the City or the Applicant to specific binding mitigation. The body of the FEIR also fails to disclose potentially significant impacts resulting from ethylbenzene concentrations in excess of the commercial/industrial screening level of 163 micrograms per cubic meter.

As a result of these issues and others raised in CARE CA's prior comments, the FEIR is deficient as a matter of law and its conclusions are not supported by substantial evidence. Rather, substantial evidence demonstrates that the Project's significant impacts are greater than analyzed in the FEIR. As such, the Commission's certification of the FEIR was contrary to law and unsupported by the record. The Planning Commission's approval decision must be vacated, and the EIR must be revised and recirculated in compliance with CEQA.

C. The Commission's Approval of the Development Plan Was Contrary to Law and Unsupported by the Record

Section 4.02.025(D) of the City of Ontario Municipal Code sets forth findings necessary to approve a development plan. The Code provides that an application for a development plan shall be denied if the following finding (among others) cannot be clearly established: "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the

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minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project."[13]

The Project would have a significant and unavoidable VMT impact. And the Project has potentially health risk, air quality, GHG, energy, and soil contamination impacts which have been underestimated in the FEIR. Because the Project's impacts on public health, safety and general welfare have not been adequately analyzed and mitigated, the City lacked substantial evidence to make the requisite findings to approve the Project. A revised EIR must be recirculated before the Project can be approved.

D. CONCLUSION

CARE CA respectfully requests that the City set a hearing on this appeal, and that the City Council uphold this appeal, vacate the Planning Commission's approval of the Project, and direct staff to revise and recirculate the EIR to comply with CEQA before the Project can be reconsidered for approval.

Sincerely,



Aidan P. Marshall

Attachments
APM:acp

[13] Section 4.02.025(D)(3).

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ATTACHMENT A

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October 5, 2023

Via Overnight Mail and Email
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Via Email Only
Rudy Zeledon, Planning Director
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Re: Comments on the Draft Environmental Impact Report for 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017)

Dear Mr. Grahn and Mr. Zeledon:

We are writing on behalf of Californians Allied for a Responsible Economy ("CARE CA") to provide comments on the Draft Environmental Impact Report ("DEIR") prepared by the City of Ontario ("City") for 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant").

The Project site is located on 13.08 acres at 5355 East Airport Drive in the City of Ontario, in San Bernardino County, California (Assessor Parcel Numbers: 0238-052-29 and 0238- 052-20). The Project proposes to demolish all existing on-site structures and redevelop the site as a warehouse distribution facility with approximately 270,337 square feet (sf') of building area and 54 south-facing loading dock doors. Of the total building square footage, the Project design allocates 255,337 sf for ground floor space and 15,000 sf for mezzanine space. Development of the Project site would require demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The proposed building would be a one-story, 49-foot-tall speculative warehouse/distribution facility with ancillary office space.

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The Project design includes surface parking with 251 parking spaces including 126 standard automobile parking stalls, 7 accessible parking stalls, 25 electric vehicle parking stalls, 93 additional standard stalls within the truck court, and 48 truck trailer parking spaces.

Based on our review of the DEIR and supporting documentation, we conclude that the DEIR fails to comply with the requirements of the California Environmental Quality Act ("CEQA")[1]. The DEIR fails to adequately analyze the Project's cumulative impacts in light of the community's existing pollution burden resulting from similar warehouse projects, and fails to propose feasible and enforceable mitigation measures to reduce those impacts to a less than significant level, as required by CEQA. The DEIR also underestimates potentially significant air quality, greenhouse gas ("GHG"), and energy impacts by failing to concretely describe the Project – which may have significantly greater cold storage uses, transport refrigeration units ("TRUs"), and backup generators than disclosed in the DEIR. The DEIR also impermissibly fails to identify specific and effective mitigation to reduce the Project's significant Vehicle Miles Traveled ("VMT") impact to the greatest extent feasible before declaring the impact significant and unavoidable.[2] The DEIR's transportation analysis also underestimates VMT and resultant GHG emissions. We reviewed the DEIR and its technical appendices with the assistance of transportation expert Norm Marshall.[3] We reserve the right to supplement these comments at a later date, and at any later proceedings related to this Project.[4]

As explained in these comments, the DEIR lacks substantial evidence to support its conclusions with regard to the Projects' impacts relating to air quality, health risks, greenhouse gases, energy, and transportation. The City may not approve the Project until the City revises and recirculates the Project's DEIR to adequately analyze the Project's significant direct, indirect and cumulative impacts, and incorporates all feasible mitigation measures to avoid or minimize these impacts to the greatest extent feasible.

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[1] Pub. Resources Code §§ 21000 et seq.; 14 Cal. Code Regs ("CEQA Guidelines") §§ 15000 et seq. ("CEQA Guidelines").
[2] Pub. Resources Code, § 21081(a)(3), (b); *Covington v. Great Basin Unif. Air Pollution Control Dist.* (2019) 43 Cal.App.5th 867, 879-883.
[3] Mr. Marshall's technical comments and curricula vitae are attached hereto as Exhibit A.
[4] Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* ("*Bakersfield*") (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist*. (1997) 60 Cal. App. 4th 1109, 1121.
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I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker health and safety hazards, and the environmental impacts of the Project. The coalition includes the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Fontana and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

II. LEGAL BACKGROUND

CEQA requires public agencies to analyze the potential environmental impacts of their proposed actions in an EIR.[5] "The foremost principle under CEQA is that the Legislature intended the act to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language."[6]

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[5] PRC § 21100.

[6] *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal ("Laurel Heights I")* (1988) 47 Cal.3d 376, 390 (internal quotations omitted).

CEQA has two primary purposes. First, CEQA is designed to inform decisionmakers and the public about the potential significant environmental effects of a project.[7] "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'"[8] The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return."[9] As the CEQA Guidelines explain, "[t]he EIR serves not only to protect the environment but also to demonstrate to the public that it is being protected."[10]

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring consideration of environmentally superior alternatives and adoption of all feasible mitigation measures.[11] The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced."[12] If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment" to the greatest extent feasible and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns."[13]

While courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference."[14] As the courts have explained, a

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[7] Pub. Resources Code § 21061; CEQA Guidelines §§ 15002(a)(1); 15003(b)-(e); *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 517 ("[T]he basic purpose of an EIR is to provide public agencies and the public in general with detailed information about the effect [that] a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.").
[8] *Citizens of Goleta Valley,* 52 Cal.3d at p. 564 (quoting *Laurel Heights I*, 47 Cal.3d at 392).
[9] *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810; *see also Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs*. (2001) 91 Cal.App.4th 1344, 1354 ("*Berkeley Jets*") (purpose of EIR is to inform the public and officials of environmental consequences of their decisions *before* they are made).
[10] CEQA Guidelines § 15003(b).
[11] CEQA Guidelines § 15002(a)(2), (3); *see also Berkeley Jets*, 91 Cal.App.4th at 1354; *Citizens of Goleta Valley*, 52 Cal.3d at p. 564.
[12] CEQA Guidelines § 15002(a)(2).
[13] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090(a), 15091(a), 15092(b)(2)(A), (B); *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.
[14] *Berkeley Jets*, 91 Cal.App.4th at p. 1355 (emphasis added) (quoting *Laurel Heights I*, 47 Cal.3d at 391, 409, fn. 12).
6752-004j

prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the statutory goals of the EIR process."[15] "The ultimate inquiry, as case law and the CEQA guidelines make clear, is whether the EIR includes enough detail 'to enable who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.'"[16]

III. THE PROJECT DESCRIPTION IS INADEQUATE

The DEIR does not meet CEQA's requirements because it fails to include an accurate and complete Project description, rendering the entire analysis inadequate. California courts have repeatedly held that "an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR."[17] CEQA requires that a project be described with enough particularity that its impacts can be assessed.[18] Without a complete project description, the environmental analysis under CEQA is impermissibly limited, thus minimizing the project's impacts and undermining meaningful public review.[19] Accordingly, a lead agency may not hide behind its failure to obtain a complete and accurate project description.[20]

CEQA Guidelines section 15378 defines "project" to mean "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."[21] "The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term project does not mean each separate governmental approval."[22]

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[15] *Berkeley Jets*, 91 Cal.App.4th at p. 1355; *see also San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722 (error is prejudicial if the failure to include relevant information precludes informed decision making and informed public participation, thereby thwarting the statutory goals of the EIR process); *Galante Vineyards*, 60 Cal.App.4th at p. 1117 (decision to approve a project is a nullity if based upon an EIR that does not provide decision-makers and the public with information about the project as required by CEQA); *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946 (prejudicial abuse of discretion results where agency fails to comply with information disclosure provisions of CEQA).
[16] *Sierra Club,* 6 Cal.5th at p. 516 (quoting *Laurel Heights I*, 47 Cal.3d at 405).
[17] *Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 17; *Communities for a Better Environment v. City of Richmond* ("*CBE v. Richmond*") (2010) 184 Cal.App.4th 70, 85–89; *County of Inyo v. City of Los Angeles* (3d Dist. 1977) 71 Cal.App.3d 185, 193.
[18] 14 CCR § 15124; *see, Laurel Heights I, supra,* 47 Cal.3d 376, 192-193.
[19] *Id.*
[20] *Sundstrom v. County of Mendocino* ("*Sundstrom*") (1988) 202 Cal.App.3d 296, 311.
[21] CEQA Guidelines § 15378.
[22] *Id.*, § 15378(c).
6752-004j

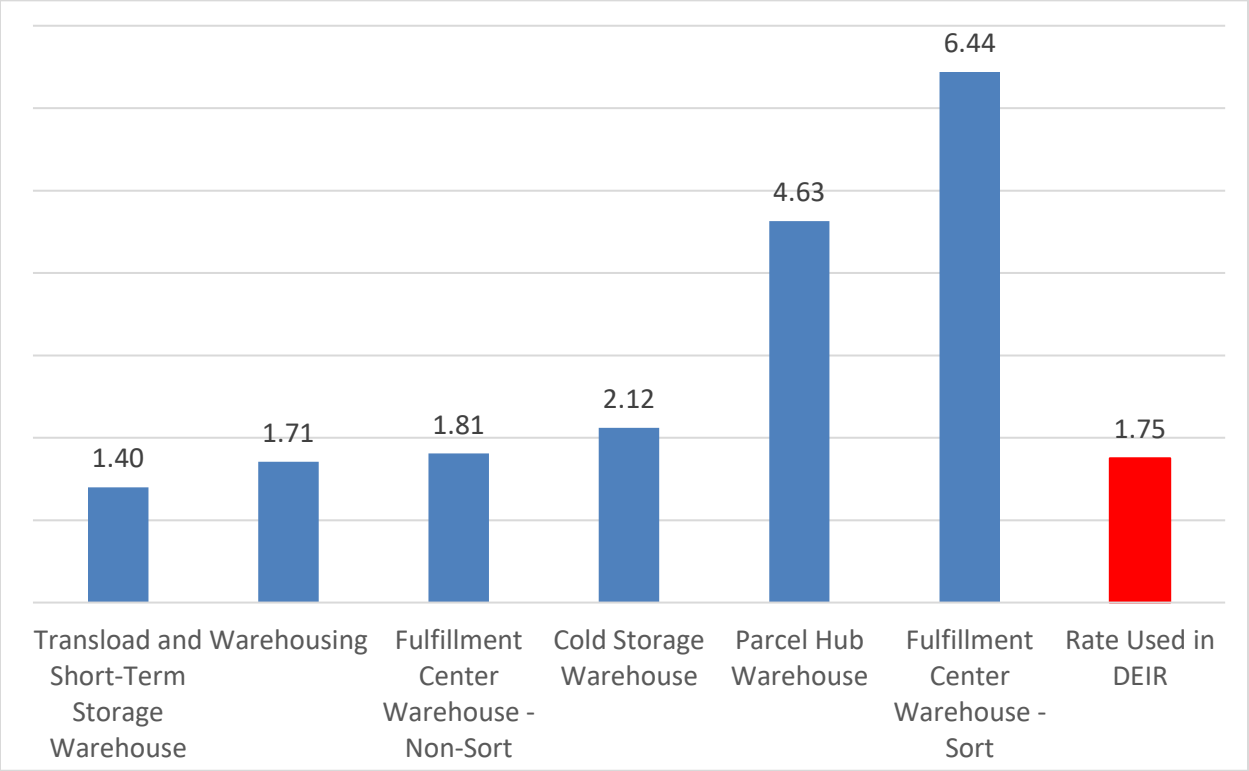
Courts have explained that a complete description of a project must "address not only the immediate environmental consequences of going forward with the project, but also all "*reasonably foreseeable* consequence[s] of the initial project."[23] "If a[n]…EIR…does not adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project, informed decisionmaking cannot occur under CEQA and the final EIR is inadequate as a matter of law."[24]

A. The DEIR Fails to Describe the Project's End Uses with Sufficient Particularity to Adequately Evaluate Trips Generated by the Project

The DEIR assumes that the Project would include approximately 27,034 sf of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses.[25] The DEIR explains that the Project's end users are unknown.[26] In order to develop the traffic characteristics of the proposed Project, trip-generation statistics published in the Institute of Transportation Engineers ("ITE") Trip Generation Manual for the proposed Project's land uses was utilized.[27] For purposes of the trip generation assessment, the DEIR used ITE land use code 150 (Warehousing) and ITE land use code 157 (High-Cube Cold Storage Warehouse). Transportation expert Norm Marshall explains that these land use codes are just one of many land use codes potentially applicable to the Project.[28] The figure below shows other warehousing land use codes and compares trips generated by each land use.

[23] *Laurel Heights I,* 47 Cal. 3d 376, 398 (emphasis added); *see also Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449-50.
[24] *Riverwatch v. Olivenhain Municipal Water Dist*. (2009) 170 Cal. App. 4th 1186, 1201.
[25] DEIR, pg. 3-13.
[26] DEIR, pg. 4.7-17.
[27] DEIR, pg. 4.10-5.
[28] Marshall Comments, pg. 4.
6752-004j

Figure 1: Trip Generation Rates for Different Warehouse Categories (Trips Per 1000 Square Feet per Day)[29]



The DEIR fails to address why the other land use codes shown above are inapplicable to the Project. And the DEIR fails to provide sufficient information about the Project's expected uses and configuration for the public and decisionmakers to ascertain which of these end uses are possible for the Project. This informational defect affects the entire DEIR, as different types of warehousing have different environmental impacts.

Mr. Marshall explains that the land use code selected by the DEIR may drastically underestimate the Project's GHG and VMT impacts. Specifically, the Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.[30] A greater number of trips generated results in greater traffic impacts and greater emissions of GHGs. Given the large uncertainty in the trips generated by the Project, the DEIR fails to meet CEQA's requirement that a project be

[29] Marshall Comments, pg. 5.
[30] *Id.*

described with enough particularity that its impacts can be assessed.[31] Mr. Marshall recommends two approaches to resolve this issue: either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.[32] The City should revise and recirculate the DEIR to correct these deficiencies and to present a revised trip generation analysis which reflects reasonably foreseeable conditions at the Project site, or condition Project approval on the limitations assumed in the DEIR.

B. The DEIR Fails to Substantiate Its Estimate that Just 10% Percent of the Project Will be Used for Cold Storage

The DEIR assumes, without support, that the Project would only include approximately 27,034 sf of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses.[33] The DEIR states that a limitation of 10% of the building for potential cold storage is based on the Project Applicant's understanding of the cold storage market demand.[34] However, this assumption, even if based on a reasonable interpretation of current market conditions, is subject to fluctuate during the life of the Project and is not otherwise reflected in any enforceable conditions related to Project use.

In order for the City to rely on the Applicant's 10% cold storage assumption in the CEQA document, the DEIR would need to include binding measures or conditions which limit warehouse use at the Project to no more than 10% cold storage. Absent such a restriction, the DEIR may substantially estimate the air quality, public health, and energy impacts of cold storage use at the Project site.

Cold storage warehouse generates greater environmental impacts than a high cube warehouse. Cold storage generates more trips per square foot and has higher energy impacts due to the low temperatures required by the facility's transport refrigeration units ("TRUs") and on-site storage. TRUs are refrigeration systems powered by integral diesel engines.[35] The refrigeration systems are used to control the environment of temperature-sensitive products transported in insulated

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[31] 14 CCR § 15124; *see, Laurel Heights I, supra,* 47 Cal.3d 376, 192-193.
[32] Marshall Comments, pg. 5.
[33] DEIR, pg. 3-13.
[34] *Id.*
[35] California Air Resources Board, 2022 TRU Technology Assessment, pg. 1, https://ww2.arb.ca.gov/sites/default/files/2022-10/CARB%202022%20TRU%20Technology%20Assessment%2010-14-22.pdf.

trucks, trailers, shipping containers, or railcars. The California Air Resources Board ("CARB") states that TRUs emit diesel particulate matter ("DPM"), fine particulate matter ("PM2.5"), oxides of nitrogen ("NOx"), and GHGs while in transit and during stationary operation at refrigerated warehouses or distribution centers, grocery stores, seaport facilities, intermodal railyards, and other locations of operation. CARB explains that communities near facilities where TRUs operate bear a disproportionate health burden:

> PM2.5 pollution contributes to more fatalities than other air pollutants and can lodge deep in the lungs or pass through the lungs to enter the blood stream and affect the heart, brain, and other organs. Adverse health effects from long-term exposure to PM2.5 pollution include increased risk of heart attacks and heart disease, impaired lung development in children, the development and exacerbation of asthma, and premature death. NOx is a precursor to ozone, which can cause irritation and damage lung tissue, worsen asthma and chronic illnesses including obstructive pulmonary disease and reduce lung function.[36]

CARB also explains that TRUs' emissions of GHGs contribute towards climate change,[37] and that TRUs generate noise impacts: "TRU operations produce noise that can be problematic when deliveries that often occur late evening or early morning are near residential neighborhoods, hotels, hospitals, and elder care facilities… One study conducted by LSA Associates found that a diesel-powered TRU operating at high idle produces an A-weighted decibel (dBA) noise rating of 104 dBA, while a diesel truck at idle produces a noise rating of 96 dBA."[38]

By assuming the Project will only include 10% cold storage, the DEIR may drastically underestimate the Project's impacts in each of these areas. The DEIR does not provide supporting evidence demonstrating that cold storage uses would be limited to 10% of the Project site for the duration of the Project's life. Due to ever-increasing population and market demands in Southern California, it is also reasonably foreseeable that the Project may attract end users, either now or in future years of the Project's life, which require more than 10% cold storage. As a result, the DEIR's assumption is not supported by substantial evidence.

[36] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[37] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[38] California Air Resources Board, 2022 TRU Technology Assessment, pg. 17-18.

In the California Attorney General's ("AG") guidance for warehouse projects, the AG recommends that, unless a developer adopts mitigation measures limiting cold storage impacts, the developer should record a covenant on the title of the underlying property to ensuring that the property cannot be used to provide refrigerated warehouse space.[39] The City should include such a title restriction for the Project unless the DEIR's 10% cold storage assumption is revised to analyze and mitigate impacts associated with a more conservative and fact-based cold-storage use percentage.

C. The Project Description Fails to Include Reasonably Foreseeable Backup Generators

The DEIR fails to disclose potential backup/emergency stationary generators for the Project's operations. The DEIR's project description does not address whether backup generators are a reasonably foreseeable component of the Project, and the DEIR's technical analyses assume no backup generators will be installed for operations. The DEIR does not disclose any conditions or mitigation measures that limit or prevent use of backup generators. Thus, the DEIR must disclose and analyze the potential use of backup generators because (1) they a reasonably foreseeable consequence of the Project, and (2) the use of backup generators will expand the Project's environmental effects.[40]

In *East Oakland Stadium Alliance v. City of Oakland*,[41] the Court of Appeal upheld an EIR's analysis of emissions from backup generators. The EIR's analysis assumed that generators would operate for 50 hours of testing and maintenance annually, while allocating no time for actual emergency use. In discussing the lead agency's duty to analyze backup generator emissions, the Court stated that "if the annual need for emergency generator use is reasonably foreseeable, the EIR was not entitled to disregard such use merely because it would occur at unpredictable times."[42] The Court explained that use of a generator was reasonably foreseeable because, "[a]s noted in the EIR, some parts of the Bay Area are subject to

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[39] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act (Updated September 2022)*, pg. 9, available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf ("Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.").
[40] *Id.*
[41] (2023) 889 Cal. App. 5th 1226.
[42] *Id.* at 1252.
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predictable, sustained power outages undertaken to reduce the risk of fire."[43] Thus, "[t]he EIR was required to make neither a generally applicable nor a worst-case assumption; rather it was required to make a reasonable estimate of likely annual use of the generators at the project site."[44]

Here, as in *East Oakland Stadium Alliance*, back-up generators are a reasonably foreseeable consequence of the Project due to increasingly common Public Safety Power Shutoff ("PSPS") events and extreme heat events. Extreme heat events ("EHE") are defined as periods where in the temperatures throughout California exceed 100 degrees Fahrenheit.[45] From January 2019 through December 2019, Southern California Edison reported 158 of their circuits underwent a PSP event.[46] In Los Angeles County, two circuits had 4 PSPS events during that period, lasting an average of 35 to 38 hours. The total duration of the PSPS events lasted between 141 hours to 154 hours in 2019. According to the California Public Utilities Commission (CPUC) de-energization report[47] in October 2019, there were almost 806 PSPS events that impacted almost 973,000 customers (~7.5% of households in California) of which ~854,000 of them were residential customers. The California Air Resources Board estimates that with 973,000 customers impacted by PSPS events in October 2019, approximately 125,000 back-up generators were used by customers to provide electricity during power outage.[48] The widespread use of back-up generators to adapt to PSPS and EHE events suggests that back-up generators are a reasonably foreseeable consequence of the Project.

Further demonstrating that backup generators are reasonably foreseeable is that the DEIR assumes that 10% of the building (27,034 sf) would be cold storage.[49] A cold storage warehouse has the ability to keep temperature sensitive items in a

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[43] *Id.* at 1253.
[44] *Id.*
[45] Governor of California. 2021. Proclamation of a state of emergency. June 17, 2021.
[46] SCAQMD. 2020. Proposed Amendment To Rules (PARS) 1110.2, 1470, and 1472. Dated December 10, 2020. http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1110.2/1110-2_1470_1472/par1110-2_1470_wgm_121020.pdf?sfvrsn=6.
[47] https://www.cpuc.ca.gov/deenergization/ as cited in CARB, 2020. Potential Emission Impact of Public Safety Power Shutoff (PSPS), Emission Impact: Additional Generator Usage associated With Power Outage..
[48] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps.
[49] DEIR, pg. 3-2 (Although the future tenant(s) of the proposed building is unknown at this time, for purposes of analysis within this EIR it is assumed that the building would include approximately 27,034 s.f. of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses).
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temperature-controlled environment, which requires a constant energy supply to power refrigeration. Cold storage warehouses thus commonly utilize backup generators.[50] Backup generators commonly rely on fuels such as natural gas or diesel,[51] and thus can significantly impact air quality, GHG emissions, and public health through toxic DPM emissions.[52] Since the Project may include cold storage, it is reasonably foreseeable that the Project would require on-site backup generators.

Generators can emit criteria air pollutants, greenhouse gases, and toxic air contaminants ("TACs"). Backup generators commonly rely on fuels such as natural gas or diesel,[53] and thus can significantly impact public health through DPM

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[50] California Air Resources Board, Comments re: Notice of Preparation (NOP) for the United States Cold Storage Hesperia Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2020069036 (July 24, 2020), available at https://ww2.arb.ca.gov/sites/default/files/classic//toxics/ttdceqalist/uscoldstorage.pdf (stating that the HRA prepared for the Project should account for all potential health risks from Project-related diesel PM emission sources such as backup generators, TRUs, and heavy-duty truck traffic); Kusing Power Generator, http://ksdieselgenerator.com/2019/backup-generator-for-cold-storage-room.html, last visited 6/21/2021 ("Backup power supply is necessary for cold storage room to remain functional to avoid deterioration of high value-added goods such as vegetables and food stored in the room after long period of power failure"); East Coast Power Systems, Electrical Power Systems for Warehouses, https://www.ecpowersystems.com/resources/electrical-power-systems/electrical-power-systems-for-warehouses/ (explaining that some warehouses that deal with refrigeration have to have multiple power backup generators by law).

[51] SCAQMD, Fact Sheet on Emergency Backup Generators, http://www.aqmd.gov/home/permits/emergency-generators ("Most of the existing emergency backup generators use diesel as fuel").

[52] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps (showing that generators commonly rely on gasoline or diesel, and that use of generators during power outages results in excess emissions); California Air Resources Board, Use of Back-up Engines for Electricity Generation During Public Safety Power Shutoff Events (October 25, 2019), available at https://ww2.arb.ca.gov/resources/documents/use-back-engines-electricity-generation-during-public-safety-power-shutoff ("When electric utilities de-energize their electric lines, the demand for back-up power increases. This demand for reliable back-up power has health impacts of its own. Of particular concern are health effects related to emissions from diesel back-up engines. Diesel particulate matter (DPM) has been identified as a toxic air contaminant, composed of carbon particles and numerous organic compounds, including over forty known cancer-causing organic substances. The majority of DPM is small enough to be inhaled deep into the lungs and make them more susceptible to injury. Much of the back-up power produced during PSPS events is expected to come from engines regulated by CARB and California's 35 air pollution control and air quality management districts (air districts)").

[53] SCAQMD, Fact Sheet on Emergency Backup Generators, http://www.aqmd.gov/home/permits/emergency-generators ("Most of the existing emergency backup generators use diesel as fuel").

emissions.[54] Diesel back-up generators emit significant amounts of Nitrogen Oxides ("NOx"), sulfur dioxides ("SO2"), particulate matter ("PM10"), carbon dioxide ("CO2"), carbon monoxide ("CO"), and volatile organic compounds ("VOC").[55] Omission of a generator system results in an underestimation of the Project's air quality, greenhouse gas, and health risk impacts.

In sum, omission of the Project's generator results in an underestimation of the Project's air quality, greenhouse gas, energy, and health risk impacts. The DEIR must be revised to resolve this project description inconsistency and correct the affected impacts analyses to accurately disclose the Project's potentially significant impacts.

IV. THE DEIR FAILS TO DISCLOSE, ANALYZE AND MITIGATE POTENTIALLY SIGNIFICANT IMPACTS

An EIR must fully disclose all potentially significant impacts of a Project and implement all feasible mitigation to reduce those impacts to less than significant levels. The lead agency's significance determination with regard to each impact

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[54] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps (showing that generators commonly rely on gasoline or diesel, and that use of generators during power outages results in excess emissions); California Air Resources Board, Use of Back-up Engines for Electricity Generation During Public Safety Power Shutoff Events (October 25, 2019), available at https://ww2.arb.ca.gov/resources/documents/use-back-engines-electricity-generation-during-public-safety-power-shutoff ("When electric utilities de-energize their electric lines, the demand for back-up power increases. This demand for reliable back-up power has health impacts of its own. Of particular concern are health effects related to emissions from diesel back-up engines. Diesel particulate matter (DPM) has been identified as a toxic air contaminant, composed of carbon particles and numerous organic compounds, including over forty known cancer-causing organic substances. The majority of DPM is small enough to be inhaled deep into the lungs and make them more susceptible to injury. Much of the back-up power produced during PSPS events is expected to come from engines regulated by CARB and California's 35 air pollution control and air quality management districts (air districts)").

[55] University of California, Riverside Bourns College of Engineering—Center for Environmental Research and Technology, Air Quality Implications Of Backup Generators In California, (March 2005), pg. 8, available at https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=84c8463118e4813a117db3d768151a8622c4bf6b; South Coast AQMD, Fact Sheet on Emergency Backup Generators ("Emissions of Nitrogen Oxides (NOx) from diesel-fired emergency engines are 200 to 600 times greater, per unit of electricity produced, than new or controlled existing central power plants fired on natural gas. Diesel-fired engines also produce significantly greater amounts of fine particulates and toxics emissions compared to natural gas fired equipment."), available at http://www.aqmd.gov/home/permits/emergency-generators#Fact2.

must be supported by accurate scientific and factual data.[56] An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.[57]

Moreover, the failure to provide information required by CEQA is a failure to proceed in the manner required by CEQA.[58] Challenges to an agency's failure to proceed in the manner required by CEQA, such as the failure to address a subject required to be covered in an EIR or to disclose information about a project's environmental effects or alternatives, are subject to a less deferential standard than challenges to an agency's factual conclusions.[59] In reviewing challenges to an agency's approval of an EIR based on a lack of substantial evidence, the court will "determine de novo whether the agency has employed the correct procedures, scrupulously enforcing all legislatively mandated CEQA requirements."[60]

Additionally, CEQA requires agencies to commit to all feasible mitigation measures to reduce significant environmental impacts.[61] In particular, the lead agency may not make required CEQA findings, including finding that a project impact is significant and unavoidable, unless the administrative record demonstrates that it has adopted all feasible mitigation to reduce significant environmental impacts to the greatest extent feasible.[62]

Even when the substantial evidence standard is applicable to agency decisions to certify an EIR and approve a project, reviewing courts will not 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference.'"[63]

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[56] CEQA Guidelines § 15064(b).
[57] *Kings Cty. Farm Bur. v. Hanford* (1990) 221 Cal.App.3d 692, 732.
[58] *Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236.
[59] *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.
[60] *Id., Madera Oversight Coal., Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102.
[61] CEQA Guidelines § 15002(a)(2).
[62] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090, 15091; *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.
[63] *Berkeley Jets*, 91 Cal.App.4th at 1355.
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A. The DEIR Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

An EIR must evaluate a cumulative impact if the project's incremental effect combined with the effects of other projects is "cumulatively considerable."[64] This determination is based on an assessment of the project's incremental impacts "viewed in connection with the effects of past project, the effects of other current projects, and the effects of probable future projects."[65] Proper cumulative impact analysis is vital because "the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact."[66]

1. The DEIR Fails to Provide a List of Cumulative Projects

The CEQA Guidelines set forth two methods for satisfying the cumulative impacts analysis requirement: the list of projects approach and the summary of projections approach.[67] Under the former, an adequate discussion of cumulative impacts requires "a list of past, present, and probable future projects producing related or cumulative impacts…"[68] Relevant factors when compiling a list of related projects include the environmental resource being examined and the location and type of the project.[69] The Guidelines expressly recognize that project type may be important "when the impact is specialized, such as a particular air pollutant or mode of traffic."[70]

Here, the DEIR states that it uses a combination of the two methods as appropriate for each impact analysis:

> The summary of projections approach is used in this EIR, except for the evaluation of cumulative transportation effects (for purposes of demonstrating General Plan policy compliance) and vehicular-related air

[64] CEQA Guidelines § 15130(a).
[65] *Id.,* §§ 15065(a)(3), 15355(b).
[66] *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 114.
[67] CEQA Guidelines, § 15130(b)(1) and (2).
[68] *Id.*, § 15130(b)(1)(A).
[69] *Id.*, § 15130(b)(2).
[70] *Id.*

quality, greenhouse gas, and noise impacts, for which the analysis combines the summary of projections approach with the manual addition of past, present, and reasonably foreseeable projects ("combined approach"). The City determined the combined approach to be appropriate because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effect for all subject areas, with the exception of transportation (and vehicular-related air quality, greenhouse gas, and noise effects), which requires a greater level of detailed study.[71]

However, the DEIR fails to provide a list of cumulative projects. And the appendices containing the air quality, greenhouse gas, and noise analyses do not consider past, present, and reasonably foreseeable projects. The air quality, greenhouse gas, and noise analyses should be revised to include consideration of cumulative projects, as recommended by the DEIR itself.

2. The DEIR's Cumulative Air Emissions Analysis Does Not Comply with CEQA or Attorney General Warehouse Guidance

The DEIR fails to adequately analyze the Project's cumulative air quality emissions. The DEIR asserts that, under South Coast Air Quality Management District ("SCAQMD") guidance, any exceedance of a regional or localized threshold for criteria pollutants also is considered to be a cumulatively-considerable effect, while air pollutant emissions that fall below applicable regional and/or localized thresholds are not considered cumulatively-considerable.[72]

The DEIR fails to note that SCAQMD's approach is outdated, as evidenced by its ongoing process to update its cumulative impacts guidance.[73] The DEIR's approach has been also rejected by the courts for failing to comply with CEQA's requirement that a project mitigate impacts that are "cumulatively considerable."[74] The City's failure to actually examine the Project's cumulative air quality impacts violates CEQA's requirement to analyze cumulative impacts.

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[71] DEIR, pg. 4-2.
[72] DEIR, Appendix B, pg. 53.
[73] See e.g., http://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-3_20230124.pdf?sfvrsn=6.
[74] PRC § 21083(b)(2); 14 CCR § 15130; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692, 719-21.

The leading case on this issue is *Kings County Farm Bureau v. City of Hanford*.[75] In *Kings County*, the city prepared an EIR for a 26.4-megawatt coal-fired cogeneration plant. Notwithstanding the fact that the EIR found that the project region was out of attainment for PM_{10} and ozone, the city failed to incorporate mitigation for the project's cumulative air quality impacts from project emissions because it concluded that the Project would contribute "less than one percent of area emissions for all criteria pollutants."[76] The city reasoned that, because the project's air emissions were small in ratio to existing air quality problems, that this necessarily rendered the project's "incremental contribution" minimal under CEQA. The court rejected this approach, finding it "contrary to the intent of CEQA." The court stated:

> We find the analysis used in the EIR and urged by GWF avoids analyzing the severity of the problem and allows the approval of projects which, when taken in isolation, appear insignificant, but when viewed together, appear startling. Under GWF's "ratio" theory, the greater the over-all problem, the less significance a project has in a cumulative impacts analysis. We conclude the standard for a cumulative impacts analysis is defined by the use of the term "collectively significant" in Guidelines section 15355 and the analysis must assess the collective or combined effect of energy development. The EIR improperly focused upon the individual project's relative effects and omitted facts relevant to an analysis of the collective effect this and other sources will have upon air quality.[77]

The DEIR's analysis is similarly flawed because while the DEIR admits that the Project region is out of attainment for ozone, PM_{10}, and $PM_{2.5}$, the City fails to analyze or mitigate the Project's emissions' cumulative air quality impacts.[78] Given that there are multiple existing large warehouses immediately adjacent to the proposed Project site,[79] as well as the proliferation of warehouse projects in the region and San Bernardino County, the DEIR is inadequate in its analysis of the Project's potentially significant cumulative air quality impacts.

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[75] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("Kings County"); *see also, Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.

[76] *Id.* at 719.

[77] *Id.* at 721.

[78] DEIR, pg. 5.2-17.

[79] DEIR, pg. 2-4, Figure 2-1.

The SCAQMD approach used in the DEIR also directly conflicts with the AG recent guidance document setting forth best practices for evaluating the environmental impacts of warehouse projects like this one under CEQA.[80] With respect to cumulative air quality and GHG emissions analysis, the Attorney General's guidance states that best practices include "[w]hen analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, *even if the project's individual impacts alone do not exceed the applicable significance threshold* [emphasis added]."[81]

The DEIR's cumulative air quality impacts analysis does not comply with CEQA. The City must prepare a revised EIR that properly evaluates and mitigates such impacts.

3. The DEIR's Health Risk Analysis Fails to Consider the Health Impacts of Cumulative Emissions from Nearby Warehouses

The DEIR's analysis of cumulative health risks is flawed for the same reason as the air quality analysis. The DEIR points to guidance from SCAQMD to reason that emissions of TACs are considered significant if a quantified health risk analysis ("HRA") shows an increased risk of greater than 10 in 1 million.[82] And the DEIR provides that Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable, and vice versa.[83] This approach is inadequate because it fails to analyze the Project's cumulative effects with the existing and proposed warehouses surrounding the Project site.

CEQA provides that the incremental effects of an individual project are cumulatively considerable if the effects are significant when "viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."[84] Courts have held that where a community already

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[80] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Updated September 2022), available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf .
[81] *Id.*, pg. 7.
[82] DEIR, Appendix B2, pg. 5.
[83] *Id.*
[84] CEQA requires a lead agency consider whether the combined effects from both the proposed project and other projects would be "cumulatively considerable." (CEQA Guidelines, § 15130, subd. (a).) The incremental effects of an individual project are cumulatively considerable if the effects are

bears a high pollution burden, a lead agency must consider "whether any additional amount" of pollution caused by the project "should be considered significant in light of the serious nature" of the existing problem.[85]

Here, the DEIR's approach of using a project-level analysis as a substitute for a cumulative impacts analysis fails to address that the Project would be impacting a community already bearing a high pollution burden. The DEIR's CalEEMod output sheets show the community' pollution burden as scoring 91.1 in AQ-Ozone, 95.7 in AQ-PM, and 96.6 in AQ-DPM.[86] A high score reflects a higher pollution burden compared to other census tracts in the state, with a maximum CalEnviroScreen score of 100.[87] Despite this high pollution burden, the DEIR concludes that the Project would not contribute to cumulative impacts because its own impacts would result in an increased risk of less than 10 in 1 million. This analysis violates principles of *Kings County Farm Bureau v. City of Hanford* and guidance from Attorney General. The City must revise and recirculate a DEIR that analyzes the Project's potentially significant cumulative health risk impacts.

B. The DEIR's Quantified Health Risk Analysis Underestimates Operational Mobile Source Impacts

The DEIR includes an HRA addressing the Project's construction and operational impacts. The operational HRA is flawed because it omits analysis of TRUs.[88]

As explained above, TRUs emit DPM, PM2.5, NOx, and GHGs while in transit and during stationary operation at refrigerated warehouses or distribution centers, grocery stores, seaport facilities, intermodal railyards, and other locations of operation.[89] CARB explains that communities near facilities where TRUs operate bear a disproportionate health burden:

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significant when "viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." (Id., §§ 15065, subd. (a)(3), 15355, subd. (b).)
[85] *Kings County Farm Bureau*, *supra*, 221 Cal.App.3d at 718; *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 720.
[86] DEIR, Appendix B2, PDF pg. 64-65.
[87] *Id.*
[88] DEIR, Appendix B2, pg. 13-18.
[89] California Air Resources Board, 2022 TRU Technology Assessment, pg. 1, https://ww2.arb.ca.gov/sites/default/files/2022-10/CARB%202022%20TRU%20Technology%20Assessment%2010-14-22.pdf.
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> PM2.5 pollution contributes to more fatalities than other air pollutants and can lodge deep in the lungs or pass through the lungs to enter the blood stream and affect the heart, brain, and other organs. Adverse health effects from long-term exposure to PM2.5 pollution include increased risk of heart attacks and heart disease, impaired lung development in children, the development and exacerbation of asthma, and premature death. NOx is a precursor to ozone, which can cause irritation and damage lung tissue, worsen asthma and chronic illnesses including obstructive pulmonary disease and reduce lung function.[90]

Thus, the omission of TRUs in the DEIR's HRA results in an underestimate of the Project's health risk impacts. The DEIR's significance findings are thus not supported by substantial evidence. The DEIR must be revised to adequately disclose the health risk impacts from TRUs.

C. The DEIR Underestimates Project VMT and Mobile Source GHGs

Transportation expert Norm Marshall explains that the DEIR potentially underestimates average trip lengths for both trucks and passenger vehicles.[91] Longer trip lengths results in greater impacts (including air quality, GHGs, and VMT). As a result, the analyses that rely on these trip lengths lack the support of substantial evidence. The DEIR air quality analysis relies on the follow trip lengths:

> To determine emissions from trucks for the proposed industrial uses, the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages.[92]

The DEIR states that these truck trip distances are recommended by SCAQMD, but Mr. Marshall explains that SCAQMD does not make a recommendation that these trip distances be used for warehouse project EIRs.[93] Rather, the AG's guidance document for warehouse projects states:

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[90] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[91] Marshall Comments, pp. 6-7.
[92] DEIR, Appendix B1, pg. 37.
[93] Marshall Comments, pg. 6-7.
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> CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur.[94]

In contrast to the approach recommended by the AG, the DEIR's estimated trip distances did not account for the Project's likely trip destinations. Mr. Marshall explains that, while it may be too early to determine specific truck trip origins and destinations, it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR.[95] These include the Ports of Los Angeles and Long Beach – approximately 60 miles away. The DEIR's analysis thus likely underestimates trip distances.

The DEIR also underestimates lengths of passenger trips generated by the Project. Mr. Marshall observes that CalEEMod trip lengths were used for passenger trips.[96] But in the DEIR's VMT analysis, the DEIR acknowledges that the Project's VMT per service population, i.e., the VMT per worker, is significantly higher than the average for the City of Ontario, and therefore, also significantly higher than the regional average.[97] Mr. Marshall explains that the average auto trip lengths should be increased from the default values to account for the VMT-inefficient project location. Thus, the DEIR's analysis lacks the support of substantial evidence, and must be revised.

D. The DEIR Fails to Identify All Feasible VMT Mitigation Measures

The DEIR concludes that the Project would result in a significant and unavoidable VMT impact despite mitigation included in the DEIR. Specifically, the DEIR estimates that the Project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.[98] The DEIR identifies the following mitigation for this significant impact:

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[94] Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act (Updated September 2022), pg. 7.
[95] Marshall Comments, pg. 7.
[96] *Id.*; DEIR, Appendix F, pg. 56
[97] Marshall Comments, pg. 7.
[98] Marshall Comments, pg. 1.
6752-004j

> MM 4.10-1: Prior to the issuance of a certificate of occupancy, the building operator shall prepare and submit for approval to the City of Ontario Community Development Department a Transportation Demand Management Program (TDMP). The TDMP shall specify measures that the building operator will commit to implementing in an effort to reduce vehicle miles traveled for its on-site employees. The TDMP shall include provisions, incentives, and programs for employee ridesharing programs, carpools, vanpools, transit use, bike travel, avoidance of peak periods of traffic congestion, and on-site parking preferences for zero-emission vehicles, among other items that have reasonable potential of reducing employee reliance on single-occupant gas-powered vehicles during peak time travel periods (rush hours).[99]

This measure fails to meet CEQA's standards for mitigation. CEQA provides that if the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment" to the greatest extent feasible and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns."[100] Further, EIRs must mitigate significant impacts through measures that are "fully enforceable through permit conditions, agreements, or other legally binding instruments."[101] Deferring formulation of mitigation measures is generally impermissible.[102] If identification of specific mitigation measures is impractical until a later stage in the Project, specific performance criteria must be articulated and further approvals must be made contingent upon meeting these performance criteria.[103] Mitigation that does no more than allow approval by a county department without setting enforceable standards is inadequate.[104]

Here, the measure improperly defers identification of specific VMT-reducing mitigation measures to a future date. MM 4.10-1 does not commit to any particular measures to reduce VMT. Nor does the DEIR articulate specific performance criteria to ensure that impacts would be mitigated to the greatest extent feasible. Mr. Marshall notes that, while MM 4.10-1 lists potential measures to reduce VMT,

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[99] DEIR, pg. S-24.
[100] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090(a), 15091(a), 15092(b)(2)(A), (B); *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.
[101] CEQA Guidelines, § 15126.4, subd. (a)(2).
[102] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308-309; Pub. Resources Code, § 21061.
[103] *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1393; *Quail Botanical*, *supra*, 29 Cal.App.4th at pg. 1604, fn. 5.
[104] *Endangered Habitats League, Inc. v. County of Orange,* (2005) 131 Cal.App.4th 777, 794.
6752-004j

there is no clear commitment or description of the measures.[105] Mr. Marshall explains that the measures listed in MM 4.10-1 can be formulated in a variety of ways that determine the magnitude of VMT reductions.[106] MM 4.10-1 is thus improperly deferred mitigation that does no more than allow approval by a county department without setting enforceable standards.[107]

As a result of this improper deferral of mitigation, the DEIR also fails to comply with CEQA's requirement to reduce all significant effects on the environment to the greatest extent feasible. MM 4.10-1 must be revised to clearly require the all feasible VMT-reducing measures be adopted until the expected 28.47% excess VMT is mitigated.

V. CONCLUSION

For the reasons discussed above, the DEIR for the Project is inadequate under CEQA. It must be revised to provide legally adequate analysis of, and mitigation for, all of the Project's potentially significant impacts. These revisions will necessarily require that the DEIR be recirculated for additional public review. Until the DEIR has been revised and recirculated, as described herein, the City may not lawfully approve the Project.

Thank you for your consideration of these comments. Please include them in the record of proceedings for the Project.

Sincerely,



Aidan P. Marshall

APM:ljl

[105] Marshall Comments, pg. 2.
[106] *Id.*
[107] *Endangered Habitats League, Inc. v. County of Orange,* (2005) 131 Cal.App.4th 777, 794.
6752-004j

EXHIBIT A

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Norman Marshall, President
(802) 356-2969

nmarshall@smartmobility.com

October 4, 2023

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Subject: 5355 East Airport Drive Project

Dear Mr. Marshall,

I have reviewed trip generation, vehicle miles traveled (VMT) impacts and greenhouse gas (GHG) impacts of the City of Ontario Draft Environmental Impact Report for a proposed warehouse project at 5355 East Airport Drive ("DEIR"). I make the following findings:

1) The DEIR acknowledges significant and unavoidable VMT impact. Furthermore, the DEIR documents that the project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.
2) The proposed VMT mitigation is not fully specified or quantified in the DEIR and appears to fall far short of what would be required to reduce project VMT below the City's threshold. Achieving significant VMT mitigation for this project may be impossible – but mitigation must be specified and quantified for the project to be properly evaluated.
3) Project trip generation could be much higher than assumed. Given the large uncertainty in the project's trip generation, the applicant should take one of two paths -either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.
4) Project GHG emissions could be much higher than assumed. In addition to trip generation possibly being underestimated, average trip lengths for both trucks and passenger vehicles are likely to be underestimated in the DEIR.

Significant and Unavoidable VMT impact

The DEIR states that the project would have a "Significant and Unavoidable [VMT] Impact." (DEIR, p. S-24)

DEIR Appendix J, "IE Distribution Center #14 Vehicle Miles Traveled (VMT) Analysis," evaluates the project relative to the City of Ontario's VMT screens and concludes:

- TPA [Transit Priority Area] screening criteria is not met.
- Low VMT Area screening criteria is not met.
- Project Type screening criteria is not met.

As the project fails these screens, a full VMT analysis was performed using the San Bernardino Transportation Analysis Model (SBTAM). The table below copied from DEIR Appendix J, p. 9 summarizes the results of this analysis.

TABLE 10: PROJECT COMPARISON TO CITY OF ONTARIO VMT THRESHOLD

	Baseline	Buildout Year
Impact Threshold	27.61	27.61
Project	33.84	35.47
Percent Change	+22.56%	+28.47%
Potentially Significant?	Yes	Yes

As shown in the reproduced table, the proposed project would exceed the City's VMT threshold by 22.56% in the baseline year and by an even larger 28.47% in the buildout year (2050).

The VMT Mitigation Described in the VMT is Inadequate

The City of Ontario's VMT Resolution adopted June 16, 2020, reiterates General Plan Mobility Element M1-2: **"Mitigation of impacts. We require development to mitigate its traffic impacts."**

In the case of the proposed project, full mitigation would reduce VMT to below the threshold, i.e., the 28.47% excess VMT in the horizon year would be eliminated. The EIR should quantify the expected VMT reduction from mitigation. Unless the reduction is sufficient to achieve the VMT threshold, the EIR should justify why greater mitigation is infeasible.

The VMT mitigation described in the DEIR is:

> **MM 4.10-1** Prior to the issuance of a certificate of occupancy, the building operator shall prepare and submit for approval to the City of Ontario Community Development Department a Transportation Demand Management Program (TDMP). The TDMP shall specify measures that the building operator will commit to implementing in an effort to reduce vehicle miles traveled for its on-site employees. The TDMP shall include provisions, incentives, and programs for employee ridesharing programs, carpools, vanpools, transit use, bike travel, avoidance of peak periods of traffic congestion, and on-site parking preferences for zero-emission vehicles, among other items that have reasonable potential of reducing employee reliance on single-occupant gas-powered vehicles during peak time travel periods (rush hours). (DEIR, p. S-24)

The above wording is ambiguous. Is this a commitment to include all the measures listed, or only to a subset of the measures. For the included measures, what are the magnitudes of the different incentives. Are the included measures voluntary or mandatory? Is monitoring included? What is the total VMT reduction from the package, and is this reduction sufficient to adequately address the expected 28.47% excess VMT in the horizon year? If the planned reduction is not achieved, what are the consequences?

The California Air Pollution Control Officers Association (CAPCOA) provides on quantifying VMT mitigation measures in its publication *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers (Final Draft, December 2021)*. It states:

> The Handbook builds on CAPCOA's previous efforts to provide accurate and reliable quantification measures. In 2010, CAPCOA published *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emissions Reductions from Greenhouse Gas Mitigation Measures* (hereafter referred to as the "2010 Handbook"). Since that time, climate science has evolved and GHG reduction practices have advanced in sophistication. New priorities have also arisen, such as strengthening climate resilience and infusing health and equity into integrated planning efforts. Therefore, CAPCOA decided it was time to develop an updated and expanded resource to provide the latest data and methods to quantify GHG emissions reductions, climate change vulnerability reductions, and equity improvements in a single resource: The Handbook. (p. 2-3)

The Handbook makes a critical distinction between voluntary and mandatory Commuter Trip Reduction ("CTR") programs:

T-5 Implement Commute Trip Reduction Program (Voluntary) – up to 4% VMT reduction:

> Voluntary CTR programs must include the following elements to apply the VMT reductions reported in literature. ▪ Employer-provided services, infrastructure, and incentives for alternative modes such as ridesharing (Measure T-8), discounted transit (Measure T-9), bicycling (Measure T-10), vanpool (Measure T-11), and guaranteed ride home. ▪ Information, coordination, and marketing for said services, infrastructure, and incentives (Measure T-7). (*Handbook*, p. 83)

T-5 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) – up to 26% VMT reduction:

> The mandatory CTR program must include all other elements (i.e., Measures T-7 through T-11) described for the voluntary program (Measure T-5) plus include mandatory trip reduction requirements (including penalties for non-compliance) and regular monitoring and reporting to ensure the calculated VMT reduction matches the observed VMT reduction). (*Handbook*, p. 86)

A 26% reduction at this site may be impossible given the relatively poor transit , bicycle and walk accessibility plus long commute distances that making walking and biking impractical. The DEIR states:

> Public transit service in the region is provided by Omnitrans, a public transit agency that serves various jurisdictions within San Bernardino County. There are no public transit routes that run adjacent to the Project Site under existing conditions. The nearest transit routes to the Project Site are Route 61 which has a stop located along Fourth Street, approximately 0.9 mile north of the Project Site and Route 82 which has a stop located at South Etiwanda and Jurupa Avenue, approximately 1.2 miles southeast of the Project Site. There are no existing bicycle facilities within the vicinity of the Project Site. The closest bike route to the Project Site is a Class III bike route located along Ontario Mills Parkway, approximately 0.4 mile north of the Project Site. There are no sidewalks on either side of East Airport Drive, with the exception of a small portion along the adjacent development frontage directly to the west at 5351 East Airport Drive. (DEIR, p. 2-11)

Furthermore, ridesharing and vanpooling would be complicated by a geographically dispersed workforce and likely multiple shifts.

Joining with other employers would be beneficial. The more employers that support these VMT reduction programs, the stronger these programs will be, and the regional benefit of participating may be greater than just the onsite VMT reductions. For example, a vanpool could include multiple employers IE Commuter, a program of the San Bernardino County Transportation Authority in partnership with the Riverside County Transportation Commission, offers a full range of services to help employers set up and manage VMT reduction programs.[1]

Achieving significant VMT mitigation for this project may be impossible – but mitigation must be fully specified and quantified for the project to be properly evaluated.

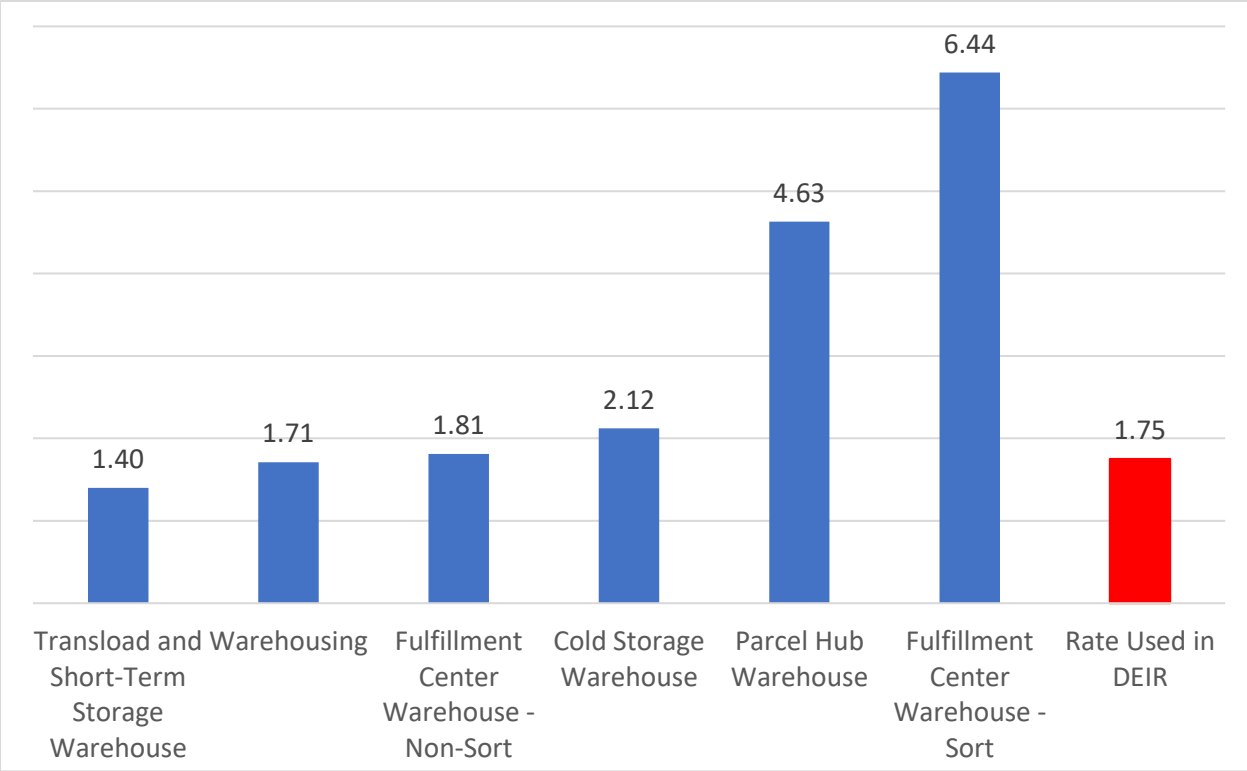
Project Trip Generation Could Be Much Higher Than Assumed

The project is comprised of a 270,377 square feet warehouse building. (DEIR, Appendix K, p. 1) The tenants have not been identified, and the nature of the operations are unknown at this time. For the purpose of estimating project trip generation, the DEIR assumes a mix of 90% warehousing and 10% high-cube cold storage. (DEIR, Appendix K, p. 1) This mix is highly speculative, and the project may not even include either of the assumed trip generation categories.

The DEIR estimates trip generation based on the rates in the Institute of Transportation Engineers ("ITE") *Trip Generation* manual. *Trip Generation* includes other categories of warehouses. As shown in the figure below, the trip generation rates applied in the DEIR are much lower than rates for some other warehouse categories.

[1] https://www.iecommufter.org/rp2/home/EmployerSupport

Trip Generation Rates for Different Warehouse Categories (Trips Per 1000 Square Feet per Day)



The Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.

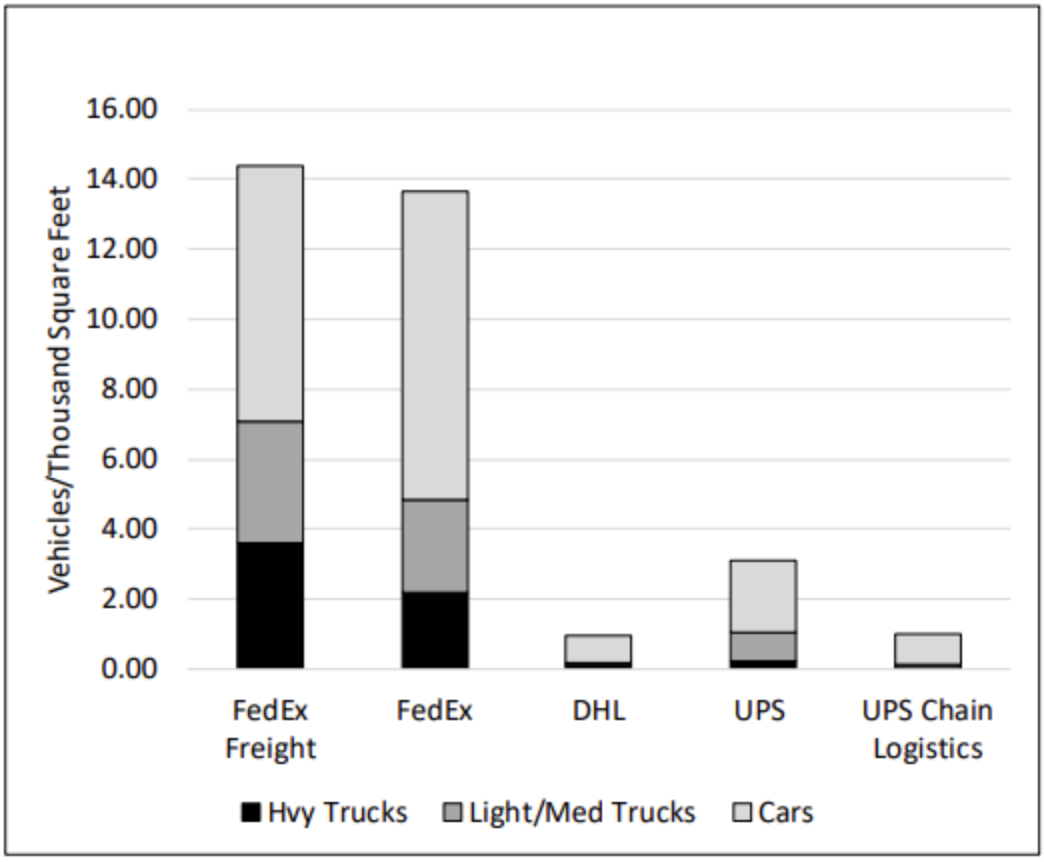
A 2019 study of warehouse trip generation done by WSP for the Western Riverside COG documented even higher trip generation rates.[2] This study was based on counts at 16 warehouses, segmented between 11 fulfillment centers and 5 parcel hubs.

The observed trip generation rates at two of the parcel hub sites are even higher than the rates shown in the figure above.. As shown in the figure below, the highest trip generation rates were observed at two of the parcel hubs, with rates of about 14 trips per 1000 square feet per day, i.e., 8 times the rate used in the DEIR.

Given the large uncertainty in the project's trip generation, the applicant should take one of two paths - either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

[2] https://wrcog.us/AgendaCenter/ViewFile/Agenda/_02212019-292

Exhibit 11: Daily Trip Generation Rates at Parcel Hubs



Project VMT and GHG Emissions Could Be Much Higher Than Assumed

Any underestimate of trip generation translates into underestimated GHG emissions. It is likely that the DEIR also underestimates average trip lengths.

The DEIR air quality analysis (Appendix B1) states:

> To determine emissions from trucks for the proposed industrial uses, the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages. (DEIR, Appendix B1, p. 37)

The DEIR misstates that these truck trip distances are "recommended" by SCAQMD. The truck trip lengths are used in calculations of possible mitigation in *Second Draft Staff Report Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. And Proposed Rule 316 -Fees for Rule 2305*.[3] The reference for these numbers is the 2016 SCAG travel demand model (p. 117) and there is no indication that these numbers are intended for any

[3] www.aqmd.gov/docs/default-source/planning/fbmsm-docs/pr-2305_sr_2nd-draft_4-7-21_clean.pdf

use beyond this single document. The 40-mile heavy truck trip length also appears in a 2014 slide presentation.[4] In neither case, are these numbers presented as general recommendations for warehouse EIRs.

The Attorney General's September 2022 guidance: *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*[5] states:

> CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur. (p. 7)

While it is too early to determine truck trip origins and destinations, it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR. These include the Ports of Los Angeles and Long Beach that are approximately 60 miles away. It would be more conservative to assume longer average truck distances in the air quality and GHG analyses.

The DEIR states that CalEEMod trip lengths were used for passenger trips:

> In order to determine emissions from passenger car vehicles, CalEEMod defaults for trip length and trip purpose were utilized. (DEIR, Appendix F, p. 56)

In the VMT analysis, the DEIR documents that the project's VMT per service population, i.e., the VMT per worker, is significantly higher than the average for the City of Ontario, and therefore, also significantly higher than the regional average. Therefore, the average auto trip lengths should be increased from the default values to account for the VMT-inefficient project location.

Underestimating truck and passenger vehicle VMT translates to underestimating GHG as well.

Sincerely,

Norman L. Marshall

Norman L. Marshall

[4] https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/sclc_warehouse-presentation-final.pdf

[5] https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (33 Years, 19 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovate Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in $250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additional analyzed using the City's Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka'ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Caroline including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

ATTACHMENT B

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Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

April 15, 2024

Via Email and Overnight Mail
Scott Ochoa, City Manager
Members of the City of Ontario Development Advisory Board
303 East B Street
Ontario, CA 91764
Email: planningdirector@ontarioca.gov

Via Email Only
Thomas Grahn, Senior Planner
City of Ontario Planning Department
Email: TGrahn@ontarioca.gov

Re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Mr. Ochoa, Development Advisory Board Members and Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit these comments on the 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant"), including the Final Environmental Impact Report ("FEIR") prepared by the City of Ontario ("City"). The FEIR and development plan will be considered at the April 15, 2024 Development Advisory Board meeting as Agenda Item B. The Board will make a recommendation to the Planning Commission regarding certification of the EIR and approval of the Development Plan application.[1]

CARE CA submitted comments on the Draft EIR ("DEIR") on October 5, 2023, accompanied by expert comments, showing that the DEIR failed to comply with the requirements of CEQA by failing to accurately disclose and mitigate potentially significant cumulative impacts, air quality and public health impacts,

[1] Staff Report, pg. 1. The Staff Report incorrectly states that the Board recommendation to the Planning Commission is to "adopt the draft EIR." (pg. 8). However, the operative CEQA document for the Project is currently the FEIR, which includes both the Draft EIR and the City's responses to comments on the Draft EIR.

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greenhouse gas ("GHG") emissions, energy and transportation impacts. We reviewed the Board Staff Report, the FEIR, and its technical appendices with the assistance of transportation expert Norm Marshall[2] and air quality expert Dr. James Clark.[3] The FEIR contains responses to CARE CA's comments. However, it fails to meaningfully address or correct major flaws CARE CA and its experts identified in the DEIR.

As explained herein, the FEIR still underestimates the number of trips generated by the Project and the distance of Project-related truck trips, thus continuing to underestimate the severity of the Project's public health, air quality, GHG, and transportation impacts. The FEIR also continues to assume that cold storage uses would be limited to 10% of the Project, reasoning that a condition of approval will limit cold storage to 10% of the Project's square footage, but no such condition of approval is included in the conditions of approval attached to the Staff Report. The FEIR still fails to provide an adequate cumulative impacts analysis that considers the Project's combined impacts with other existing and proposed industrial developments near the Project, in violation of CEQA. And the FEIR's quantified health risk analysis still underestimates impacts. As a result, the FEIR's conclusions are not supported by substantial evidence. Rather, substantial evidence demonstrates that the Project's significant impacts are greater than analyzed in the FEIR.

The Staff Report incorrectly concludes that the "draft EIR contains a complete and accurate reporting of the environmental impacts associated with the Project" and complies with CEQA.[4] The Staff Report recommends that the Planning Commission adopt the draft EIR[5] and approve the Project's Development Plan Application.[6] These recommendations are unsupported due to the major flaws in the Project's environmental review.

CARE CA urges the Board to recommend that the City revise and recirculate the EIR to comply with CEQA before any further action is taken on the Project.

I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker

[2] Mr. Marshall's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[3] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit B**.
[4] Staff Report, PDEV22-017 – Draft Environmental Impact Report, pg. 7, Part 3: Decision, Section 1.
[5] *Id.*, pg. 8, Part 3, Section 4.
[6] Staff Report, PDEV22-017, Part 3, Section 5.

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health and safety hazards, and the environmental impacts of the Project. The coalition includes Ontario residents Daniel Brewer, David Audelo, Carlos Mendez, Rober Rubio, the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Ontario and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

A. CARE CA Has a Direct Interest in Enforcing Compliance with CEQA and Land Use Laws

The City, in FEIR Response A-3, claims that CARE CA's "primary interest is securing jobs through a project labor agreement."[7] This statement is an improper ad hominem attack on members of the public who submitted comments on the Draft EIR. It is also incorrect, unsupported by any facts in the record, and contrary to the purpose of an FEIR's responses to comments, which is to "describe the disposition of each significant environmental issue that is raised by commenters,"[8] not to attack the commenter.

The FEIR's statement appears intended solely to influence City decisionmakers to disregard the valid environmental concerns raised in CARE CA's

[7] FEIR, pg. 2-37.
[8] Pub Res. Code §21091(d); 14 Cal Code Regs §§15088(c), 15132(d), 15204(a); *City of Long Beach v Los Angeles Unified Sch. Dist.* (2009) 176 Cal. App. 4th 889, 904.

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comments, and distract from the substantial evidence presented by CARE CA's experts regarding the Project's unmitigated environmental and public health impacts. This is an improper use of an FEIR, which is intended to ensure that "public participation in the environmental review process is meaningful."[9] It is also irrelevant, because community groups, labor organizations, and other members of the public have standing under CEQA to participate in the public comment period required by law, and California courts have explained that ad hominem responses are irrelevant.[10]

The FEIR's statement is also factually incorrect. For decades, labor organizations like the union members of CARE CA have relied on the CEQA process to enforce environmental and public health protections – *including worker health protections* – for new development projects as a means of ensuring a safe working and living environment for the public, including themselves and their families. CEQA is especially important to union members who construct projects because they are the first in line to be exposed to health and safety impacts that exist onsite – impacts like soil contamination, air pollution from construction equipment, and excess noise. For many, CEQA has become the only place where communities of color, which includes workers represented by labor unions, have a voice in the process of developing projects in their communities.

California unions regularly participate as interested members of the public in the CEQA process. Their participation has led to decades of stronger air quality and toxic material controls at construction sites and housing developments, lowered emissions at industrial sites, increased electrification and renewable gas and fuels, reductions in GHG emissions, reduced construction noise and traffic in residential areas, improved water quality, water conservation, and protections for natural landscapes and sensitive biological resources. Union participation in the CEQA process has resulted in improved analysis and mitigation in agencies' CEQA documents, and, in some cases, successful litigation requiring agencies to comply with CEQA where the issues unions raised were not resolved during the administrative process. In short, ***union participation in the CEQA process leads to cleaner, safer, and more sustainable development in the State***. This is exactly what CEQA is designed to accomplish – protecting people and the environment through active public engagement in the environmental process.

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[9] *City of Long Beach,* 176 Cal. App. 4th at 904.

[10] *Bakersfield Citizens for Local Control v. City of Bakersfield* (Cal. Ct. App. 2004) 124 Cal.App.4th 1184, 1196 ("[W]e will not dignify with extended comment [developer]'s complaint that BCLC is just a 'front' for a grocery worker's union whose disgruntled members feel threatened by nonunionized Wal-Mart's entry into the grocery business. As will be explained, BCLC has standing to pursue this litigation and it exhausted its administrative remedies. This is sufficient.")

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Public agencies have also acknowledged unions for their valuable contribution to the environmental review process. For example, when approving the Elk Hills project, the California Energy Commission Presiding Commissioner Michal Moore praised and thanked union coalition California Unions for Reliable Energy ("CURE") for its participation in the proceeding: **"We never would've gotten to some of the places that we did, and the resolution that we did, if it hadn't been for the – the dogged efforts of [CURE]…we came to a good place, and probably couldn't have gotten to that good place without some of the tension and – and rigor that was applied. So, thank you very much**."[11] During the evidentiary hearings, a Commissioner "**thank[ed] CURE for the technical help that Phyllis Fox [CURE expert] offered us, and certainly offered me an education that I wasn't going to get any other place**."[12]

Some unions work on constructing and operating projects after they participate in the environmental permitting process. Some developers and critics allege this means that unions are using CEQA to induce developers to enter into project labor agreements, then abandon the environmental issues – just as the FEIR does here. These allegations are not only false, they demonstrate a fundamental misunderstanding of union participation. When the unions work on projects they have challenged, ***they do not walk away from the environmental and public health issues they raise. They enforce them through binding mitigation and environmental settlement agreements***. This is consistent with CEQA's environmental purpose, and with the historic values of organized labor to solve problems, engage in civic discourse and activism, advocate for safe working conditions, and effect changes that improve their members' lives and communities.[13]

CARE CA asks that the City revise the EIR to remove this inaccurate and improper statement about CARE CA, and any other unsupported statements of dislike made about other members of the public who commented on the DEIR.

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[11] Elk Hills Power Project, Docket No. 99-AFC-1, CEC Business Meeting Transcript, pp. 24-25 (Dec. 6, 2000).)
[12] Elk Hills Power Project, Docket No. 99-AFC-1, Transcript of Evidentiary Hearing, pg. 61 (Oct. 26, 2000).
[13] See U.S. Department of Labor, *Unions 101*, available at https://www.dol.gov/general/workcenter/unions-101 (last visited 5/21/23); Economic Policy Institute, *How Today's Unions Help Working People: Giving Workers The Power To Improve Their Jobs And Unrig The Economy*, August 24, 2017, available at https://www.epi.org/publication/how-todays-unions-help-working-people-giving-workers-the-power-to-improve-their-jobs-and-unrig-the-economy/ (last visited 5/21/23).

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II. THE FEIR FAILS TO ADEQUATELY ANALYZE, QUANTIFY, AND MITIGATE THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS

An EIR must fully disclose all potentially significant impacts of a project and implement all feasible mitigation to reduce those impacts to less than significant levels. The lead agency's significance determination with regard to each impact must be supported by accurate scientific and factual data.[14] An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.[15]

Moreover, the failure to provide information required by CEQA is a failure to proceed in the manner required by law.[16] Challenges to an agency's failure to proceed in the manner required by CEQA, such as the failure to address a subject required to be covered in an EIR or to disclose information about a project's environmental effects or alternatives, are subject to a less deferential standard than challenges to an agency's factual conclusions.[17] In reviewing challenges to an agency's approval of an EIR based on a lack of substantial evidence, the court will "determine de novo whether the agency has employed the correct procedures, scrupulously enforcing all legislatively mandated CEQA requirements."[18]

Even when the substantial evidence standard is applicable to agency decisions to certify an EIR and approve a project, reviewing courts will not 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference.'"[19]

CEQA requires that a lead agency evaluate and prepare written responses to comments in an FEIR.[20] Agencies are required to provide "detailed written response to comments . . . to ensure that the lead agency will fully consider the environmental consequences of a decision before it is made, that the decision is well informed and open to public scrutiny, and the public participation in the environmental review process is meaningful."[21] When a comment raises a "significant environmental issue," the written responses must describe the

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[14] 14 CCR § 15064(b).
[15] *Kings Cty. Farm Bur. v. Hanford* (1990) 221 Cal.App.3d 692, 732.
[16] *Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236.
[17] *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.
[18] *Id.*; *Madera Oversight Coal., Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102.
[19] *Berkeley Jets*, 91 Cal.App.4th at 1355.
[20] PRC § 21091(d); 14 CCR §§ 15088(a), 15132.
[21] *City of Long Beach v. Los Angeles Unified Sch. Dist.* (2009) 176 Cal.4th 889, 904.

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disposition of each such issue raised by commentators.[22] Specifically, the lead agency must address the comment "in detail giving reasons why" the comment was "not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice."[23]

A. The FEIR Still Fails to Adequately Evaluate Trips Generated by the Project

CARE CA's comments on the DEIR showed that the DEIR underestimated trips generated by the Project by relying on inappropriate Institute of Transportation Engineers ("ITE") land use codes, thus underestimating the Project's GHG and VMT impacts. Specifically, the DEIR relied on ITE land use code 150 (Warehousing) and ITE land use code 157 (High-Cube Cold Storage Warehouse), when other land use codes are applicable to the Project that have much higher trip generation rates. In particular, Mr. Marshall explained that the Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.[24]

The FEIR responds that the Project's design would not support a high-cube (sort) fulfillment center or high-cube parcel hub, pointing to the Project's square footage and number of parking spaces.[25] The FEIR states that the Project's anticipated use and size (270,377 sf) most closely aligns with the ITE Warehousing land use category. But Mr. Marshall explains that the Project's size equally aligns with ITE Land Use 156: High Cube Parcel Hub Warehouse, which accounts for warehouses with at least 200,000 gross square feet of floor area.[26] Mr. Marshall also explains that the Project's proposed number of parking spaces would further enable the Project to function as a High Cube Parcel Hub Warehouse.

In sum, the FEIR offers no support for is continued reliance on low trip generation rates. As a result, the City continues to rely on potentially underestimated trip generation rates which do not accurately reflect the Project's operational impacts. To the contrary, substantial evidence shows that trip generation rates could be 2.6 times greater than analyzed. To ensure adequate analysis and mitigation of this impact, Mr. Marshall recommends either applying a

[22] PRC §21091(d); 14 CCR §§15088(c), 15132(d), 15204(a).
[23] 14 CCR § 15088(c); *see Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1124 ("*Laurel II*"); *The Flanders Foundation v. City of Carmel-by-the-Sea* (2012) 202 Cal. App. 4th 603, 615.
[24] Marshall FEIR Comments, pg. 3.
[25] FEIR, pg. 2-38, 39.
[26] Marshall FEIR Comments, pg. 4.

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significantly more conservative trip generation rate, or implementing a condition of approval that trip generation will not exceed the number assumed in the EIR.[27] The EIR must be revised and recirculated to provide an accurate analysis of trip generation.

B. The FEIR Still Fails to Substantiate Its Estimate that Just 10% Percent of the Project Will be Used for Cold Storage

CARE CA's comments on the DEIR showed that the City lacked substantial evidence to assume that the Project would only include approximately 27,034 sf of high-cube cold storage uses (10% of the building space).[28] In Response A-7, the FEIR states that the City has added a condition of approval to the Project limiting cold storage to 27,034 sf (10% of the total sf).[29] But there is currently no indication any such condition of approval will be required. The April 15, 2024 Development Advisory Board agenda packet contains a Draft Development Advisory Board decision,[30] Land Development Division conditions of approval,[31] Landscape Planning Division conditions of approval,[32] Engineering Division conditions of approval,[33] and City of Ontario memoranda containing conditions of approval.[34] None of these documents contain a condition limiting the Project's cold storage uses. The FEIR's conclusion that the environmental impacts associated with cold storage would be limited to just 10% of the Project site therefore remains unsupported.

As explained in CARE CA's comments on the DEIR, cold storage warehouses generate greater environmental impacts than other types of warehouse.[35] CARE CA urges the City to revise and recirculate the EIR to analyze the impacts of additional cold storage use at the Project site, or to add a mitigation measure with a title restriction limiting cold storage to 10%.

C. The FEIR Still Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

CARE CA commented that the DEIR fails to consider the cumulative impacts of past, present, and probable future projects producing related or cumulative

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[27] Marshall FEIR Comments, pg. 4.
[28] DEIR, pg. 3-13.
[29] FEIR, pg. 2-39.
[30] April 15, 2024 Agenda Packet, pg. 3044.
[31] *Id.* at 3073.
[32] *Id.* at 3081.
[33] *Id.* at 3084.
[34] *Id.* at 3098, 3100.
[35] CARE CA DEIR Comments, pg. 8-10.

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impacts. The DEIR's approach to cumulative impacts, relying on South Coast Air Quality Management District ("SCAQMD") guidance, is that emissions of criteria air pollutants or toxic air contaminants that do not exceed individual project thresholds are also not cumulatively considerable.[36] CARE CA's comments explained that rote application of SCAQMD significance thresholds without analysis of the context in which the Project is being proposed fails to satisfy the analytical and information requirements of CEQA, per caselaw such as *Kings County Farm Bureau v. City of Hanford*.[37] CARE CA also explained that SCAQMD's cumulative impacts significance thresholds, adopted in 2003, are being revised to reflect current conditions. The updated cumulative impacts significance thresholds will reflect projects' existing background MATES cancer risk and additional criteria such as whether the project would generate a high volume of diesel-fueled trucks.[38] CARE CA also discussed the Attorney General's guidance on cumulative impacts, which states that best practices include "thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, *even if the project's individual impacts alone do not exceed the applicable significance threshold* [emphasis added]."[39]

In Responses 14, 15, and 16, the FEIR responds that "The Draft EIR and underlying technical studies were prepared in a matter consistent to the SCAQMD recommendation for determining cumulative impacts." The FEIR's response is non-responsive because it does not address the City's failure to comply with CEQA's legal standards for evaluating cumulative impacts that were discussed in CARE CA's comments. The FEIR also does not address the pending updates to SCAQMD's cumulative impacts methodology, which are statedly prepared in response to recent CEQA cases such as *People of the State of California v. City of Fontana.*[40]

In *People of the State of California v. City of Fontana,* the Attorney General's petition for writ of mandate challenged a Mitigated Negative Declaration ("MND")

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[36] DEIR, Appendix B, pg. 53.
[37] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("Kings County"); *see also, Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.
[38] SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=16; SCAQMD Working Group Meeting #5, Cumulative Impacts from Air Toxics for CEQA Projects (March 20, 2024) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20.
[39] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Updated September 2022), pg. 7, available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf.
[40] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;

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that erroneously applied SCAQMD guidance in the same way as the instant EIR. The petition explained:

> [T]he MND's cumulative air quality impact analysis does not account for—or even acknowledge—the multitude of other warehouses near the Project. Rather than consider the environmental setting within which the Project will be situated, the MND simply states that the Project will not result in a cumulatively considerable increase in emissions because the Project's individual air quality impacts will be less than significant. The MND even applies this reasoning to its analysis of health impacts from localized emissions, despite making no attempt to determine or disclose the severity of the existing health impacts from localized emissions in the community.[41]

The petition further explained that merely citing to SCAQMD guidance does not justify a failure to analyze a Project's cumulative impacts:

> The MND cites Appendix D of an August 2003 white paper published by the South Coast Air Quality Management District ("SCAQMD") entitled "White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution" ("2003 SCAQMD White Paper"). **To the extent that the 2003 SCAQMD White Paper asserts that any project with less than significant individual air quality impacts also necessarily has less than significant cumulative air quality impacts, it is inconsistent with CEQA** for at least the reasons stated above. Moreover, the 2003 SCAQMD White Paper lacks substantial evidence to support such a contention, and thus the MND's reliance on it violates CEQA. (Cal. Code Regs., tit. 14, § 15064.7, subd. (c).) The MND further violated CEQA by failing to provide substantial evidence to support its reliance on the 2003 SCAQMD White Paper, Appendix D as "guidance." (Ibid.) Finally, even if the MND's reliance on the 2003 SCAQMD White Paper were proper and supported by substantial evidence, the MND did not consider other evidence—such as public comments and the existence of many other sources of pollution near the Project site—showing that the Project could have a significant cumulative air quality impact. (See Cal. Code Regs., tit. 14, § 15064, subd. (b).) [emphasis added][42]

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[41] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 9, paragraph 32, available at https://climatecasechart.com/wp-content/uploads/case-documents/2021/20210723_docket-CIVSB2121829_petition-for-writ-of-mandate.pdf.
[42] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 13, paragraph 49.

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The Attorney General's litigation resulted in a settlement which requires compliance with an ordinance adopted on April 12, 2022 that establishes sustainability standards for warehouses in Fontana, including standards intended to address cumulative air quality impacts. For example, the standards include requirements that rooftop solar panels supply 100% of power for non-refrigerated portions of facilities with buildings over 400,000 square feet, trees in automobile parking areas, zero emission motorized operational equipment, other equipment electrification requirements, and solar-ready buildings roofs.[43] These are just a few examples of feasible mitigation available to reduce cumulative air quality impacts, in compliance with CEQA.

The FEIR for the instant Project suffers from the same lack of analysis and legal errors as the MND in the Attorney General's Fontana litigation. As a result of its refusal to analyze cumulative impacts, the FEIR fails to disclose or mitigate potentially significant local and regional cumulative impacts. In sum, the FEIR has not responded to CARE CA's comments on this issue and fails to remedy the City's inadequate cumulative impacts analysis. The Project cannot be approved until the City revises and recirculates an EIR that analyzes the Project's potentially significant cumulative impacts.

D. The FEIR's Quantified Health Risk Analysis Underestimates Impacts

The City prepared a Mobile Source Health Risk Assessment ("HRA") to analyze health risk impacts on residential and non-residential (worker) receptors in the vicinity of the Project.[44]

The HRA underestimates the Project's operational health risk impacts on residential receptors and workers by failing to account for building downwash in the AERMOD analysis.[45] Dr. Clark explains that building downwash occurs as the wind flows over and around buildings and impacts the dispersion of pollution.[46] This downwash effect leads to higher ground-level concentration of chemicals emitted from sources.[47]

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[43] *Id.*, Stipulation For Entry Of Final Judgment On Consent, available at https://climatecasechart.com/wp-content/uploads/case-documents/2022/20220414_docket-CIVSB2121605-CIVSB2121829_stipulation.pdf.
[44] DEIR, Appendix B2, pg. 25.
[45] Clark Comments, pg. 3.
[46] *Id.*
[47] *Id.*

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The HRA also underestimates the Project's health risk impacts by relying on non-standard daily breathing rates for sensitive receptors. Dr. Clark explains that the HRA unjustifiably relies on breathing rates lower than recommended by the Office of Environmental Health Hazard Assessment's Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments.[48]

CEQA requires an accurate analysis of human health impacts. CEQA Guidelines Section 15065(a)(4) provides that the City is required to find a project will have a significant impact on the environment and require an EIR if the environmental effects of a project will cause a substantial adverse effect on human beings. The Supreme Court has also explained that CEQA requires the lead agency to disclose the health consequences that result from exposure to a project's air emissions.[49] Courts have held that an environmental review document must disclose a project's potential health risks to a degree of specificity that would allow the public to make the correlation between the project's impacts and adverse effects to human health.[50]

Because the City's analysis underestimates the Project's health risk impacts, the City fails to meet CEQA's requirement to accurately disclose the Project's impacts on public health and support its conclusions with substantial evidence. A revised HRA must be included in a recirculated EIR.

E. The FEIR Still Underestimates Truck Trip Lengths and Resultant Impacts

CARE CA commented that the DEIR underestimates truck trip lengths by applying a truck trip length of 15.3 miles for 2-axle trucks, 14.2 miles for 3-axle trucks, and 40 miles for 4+-axle trucks. The DEIR states that these truck trip distances are recommended by SCAQMD, but Mr. Marshall explained that the City must consider the reasonably foreseeable distance to the Project's likely trip destinations.[51] These include the Ports of Los Angeles and Long Beach – approximately 60 miles away. The FEIR responds in Response A-18:

> The commenter fails to provide any evidentiary basis for the arbitrary number of 60 miles it suggests using… In fact, these recommendations are in direct opposition of the SCAQMD's recommended truck travel distance for warehousing projects within its jurisdiction (based on SCAG regional travel

[48] *Id.* at 5.
[49] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, 523.
[50] *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.
[51] Marshall Comments, pg. 7.

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> demand data)… The commenter's recommended trip lengths are not supported by any substantial evidence provided by the SCAQMD and contradicts published material from SCAQMD that was utilized in the underlying analysis.[52]

The FEIR misinterprets the SCAQMD guidance. SCAQMD itself regularly comments on warehouse projects that it is essential to analyze the distance from warehouse projects to likely destinations and has emphasized that agencies should not rely solely on the 40-mile average trip length identified in its guidance. For example, SCAQMD recently commented on a warehouse project proposed for a location at a similar distance from the Ports as the instant Project:

> South Coast AQMD recommended 15.3 miles, 14.2 miles, and 40 miles of truck trip lengths derived from the Southern California Association of Government's (SCAG) estimation of average truck trip length in its 2016 Regional Transportation Plan. However, it is essential to note that **the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way**. Thus, **South Coast AQMD staff is concerned about underestimating truck emissions** due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the **more conservative trip length between 40 to 70 miles**, of which 40 miles could be used for local and **70 miles for Port trips** and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.[53]

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[52] FEIR, pg. 2-43.

[53] **Exhibit C**, containing the following comment letters: SCAQMD, Comments on the Draft Subsequent Environmental Impact Report for the Hemlock Warehouse Development Project (SCH No.: 2009091089) (November 22, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/november-2023/SBC231011-05.pdf; also attached as Attachment B to Mr. Marshall's comments; SCAQMD, Comments on Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449) (October 9, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf; SCAQMD, Comments on Draft Environmental Impact Report (DEIR) for the Optimus Logistics Center 2 (September 11, 2015), pg. 3, available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/september/deiroptimus.pdf?sfvrsn=2 ("Since the port areas are over 70 miles away from the project site and that trucks will be serving other destinations within the basin and out of state, the SCAQMD staff recommends, absent a tenant-specific analysis with trip length information, that all applicable analyses be revised in the Final EIR using a one-way trip length that more accurately estimates air quality emission and related impacts based on the anticipated activities and distances

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In sum, the FEIR is incorrect when it states that CARE CA's recommendation to use a 60-mile truck trip length for trips to Ports of Los Angeles and Long Beach is not supported by substantial evidence. Rather, it is the FEIR's truck trip length assumptions which are not supported by substantial evidence – SCAQMD does not recommend blind reliance on truck trip lengths of 15.3 miles, 14.2 miles, and 40 miles for warehouse projects such as the instant Project for which longer trips to and from the ports are reasonably foreseeable.

Dr. Clark's comments also discuss the relationship between the ports and warehouses like this Project. Dr. Clark discusses the large percentage of goods passing through the ports, the number of truck trips generated by the ports, and observes that the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.[54] Substantial evidence therefore demonstrates that the Project's truck trip lengths are underestimated, resulting in underestimation of transportation, air quality, and GHG impacts. The Project cannot be approved until this error is corrected in a revised and recirculated EIR.

F. The FEIR Fails to Include Sufficient Investigation into Energy Conservation Measures

The DEIR and FEIR do not include sufficient investigation into energy conservation measures that might be available or appropriate for the Project. In the DEIR, the City concludes that energy impacts of the Project would be less than significant because the Project's construction and operations would comply with state regulations.[55] But as discussed below, the Project's environmental review does not sufficiently consider energy conservation measures like solar facilities, use of alternate fuel sources, and passive energy efficiency measures to ensure the Project's energy consumption would not be wasteful, inefficient, or unnecessary. The FEIR briefly addresses some energy conservation measures in Responses B-59, B-56, and B-53, but only to explain that none are required because air quality impacts are less than significant. This analysis fails to meet CEQA's requirements.

CEQA requires an environmental document to discuss mitigation measures for significant environmental impacts, including "measures to reduce the wasteful,

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described in the DEIR."); SCAQMD, Comments on Draft Environmental Impact Report (DEIR) for the Proposed Westgate Specific Plan (SCH No. 1995052002) (March 5, 2015), pg. 5, available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/march/deirwestgate.pdf?sfvrsn=4; SCAQMD, Comments on Draft Mitigated Negative Declaration (Draft MND) for the Proposed Colton – DEXUS Project (February 1, 2013), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2013/february/colton-dexus.pdf.

[54] Clark Comments, pg. 6.

[55] DEIR, pg. 4.4-5, 6.

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inefficient, and unnecessary consumption of energy."[56] The CEQA Guidelines require discussion of energy conservation measures when relevant, and provide examples in Appendix F:[57]

1) Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid waste.
3) The potential for reducing peak energy demand.
4) Alternate fuels (particularly renewable ones) or energy systems.
5) Energy conservation which could result from recycling efforts.

Courts have rejected EIRs that fail to include adequate analysis investigation into energy conservation measures that might be available or appropriate for a project.[58] In *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[59] the Court of Appeal reviewed an EIR for a shopping center on undeveloped agricultural land. The EIR concluded that, due to the proposed project's compliance with Title 24 guidelines and regulations, the project would be expected to have a less-than-significant impact regarding the wasteful, inefficient, or unnecessary consumption of energy. But the lead agency's EIR did not include discussion regarding the different renewable energy options that might be available or appropriate for the project. The Court held "the City's EIRs failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options."[60] The lead agency argued that compliance with the Building Code sufficed to address energy impact concerns for the project.[61] But the Court explained:

> Although the Building Code addresses energy savings for components of a new commercial construction, it does not address many of the considerations required under Appendix F of the CEQA Guidelines… These considerations include whether a building should be constructed at all, how large it should

[56] Pub. Resources Code, § 21100(b)(3); *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 930.
[57] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[58] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256; *Spring Valley Lake Ass'n v. City of Victorville* (2016) 248 CA4th 91.
[59] (2014) 225 CA4th 173.
[60] *Id.* at 213.
[61] *Id.* at 210, 211.

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> be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope. Here, a requirement that Gateway II comply with the Building Code does not, by itself, constitute an adequate assessment of mitigation measures that can be taken to address the energy impacts during construction and operation of the project.[62]

Here, the FEIR lacks analysis of common energy consumption measures in violation of CEQA Guidelines Appendix F. The FEIR fails to analyze the feasibility of onsite solar facilities, such as rooftop, parking lot, or ground-level solar photovoltaics. This analysis must address considerations such as the technical and economic feasibility of installing solar facilities on the Project site, the potential size of the Project's solar zone, and the potential magnitude of mitigation provided by installing solar facilities. The FEIR also fails to evaluate the extent to which mobile source energy consumption could be reduced during Project operations through electric vehicle charging infrastructure (above what is required by existing regulations).

The FEIR acknowledges that a diesel backup generator may be required for Project operations,[63] but fails to evaluate measures to reduce this source of energy consumption, such as use of alternative fuel sources.

The FEIR also fails to evaluate the feasibility of more stringent idling requirements over existing requirements.[64]

The FEIR's discussion of construction energy conservation measures also violates CEQA Guidelines Appendix F. The City's energy analysis fails to evaluate the feasibility of utilizing existing power sources (e.g., power poles) or alternative fuel generators rather than temporary power generators.[65]

The FEIR contains responses briefly addressing the measures discussed above.[66] But the responses simply state: "[a]s concluded in Section 4.2, Air Quality, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking

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[62] *CECC* (2014) 225 CA4th 173, 213.
[63] FEIR, pg. 2-40.
[64] Page 4.2-18 (CARB Rule 2485 (13 CCR 2485): Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling, which limits nonessential idling to five minutes or less for commercial trucks; CARB Rule 2449 (13 CCR 2449): In-Use Off-Road Diesel Idling Restricts, which limits nonessential idling to five minutes or less for diesel-powered off-road equipment.).
[65] DEIR, Appendix D, pg. 37.
[66] *See* FEIR, Responses B-59, B-56, and B-53.

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into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32)… Thus, the City determines that additional mitigation is not warranted."[67] This type of response does not evaluate the feasibility or effectiveness of energy-conservation measures, and thus does not provide the analysis required by CEQA Guidelines Appendix F.

In sum, the FEIR's energy analysis fails adequately analyze measures to reduce the wasteful, inefficient, and unnecessary consumption of energy, and fails to meaningfully address Appendix F's considerations of whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope.[68] This analysis must be provided in a revised and recirculated EIR.

III. THE BOARD CANNOT MAKE THE REQUISITE FINDINGS TO RECOMMEND APPROVAL OF THE PROJECT

Section 4.02.025(D) of the City of Ontario Municipal Code sets forth findings necessary to approve a development plan. The Code provides that an application for a development plan shall be denied if the following finding (among others) cannot be clearly established: "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project."[69]

The Staff Report states that the Project meets this requirement, but this finding lacks support.[70] The Project would have a significant and unavoidable VMT impact. And the Project has potentially significant health risk, air quality, GHG, and energy impacts which have been underestimated in the FEIR. Because the Project's impacts on public health, safety and general welfare have not been adequately analyzed and mitigated, the City cannot make the requisite findings to approve the Project.

[67] FEIR, Response B-57.
[68] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256, 264.
[69] Section 4.02.025(D)(3).
[70] Staff Report, PDEV22-017, Part 3, Section 4.

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For the same reason, the Staff Report lacks support to make the following finding in recommending adoption of the FEIR: "[t]he draft EIR contains a complete and accurate reporting of the environmental impacts associated with the Project."[71]

A revised EIR must be recirculated before the Project can be recommended for approval.

IV. CONCLUSION

As is explained herein, the FEIR's air quality, health risk, energy, and transportation analyses remain substantially inaccurate and incomplete, failing to comply with the requirements of CEQA. As a result, the FEIR still fails to adequately disclose and mitigate the Project's significant impacts. As a consequence of these impacts, the City cannot make the requisite findings under CEQA to recommend certification of the FEIR or under the City of Ontario Municipal Code to approve the Project's development plan. CARE CA urges the Board to recommend that the City revise and recirculate the EIR before any further action is taken on the Project.

Sincerely,



Aidan P. Marshall

Attachments
APM:acp

[71] Staff Report, PDEV22-017 – Draft EIR, Part 3, Section 1; Staff Report, PDEV22-017, Part 3, Section 1.

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EXHIBIT A

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Thetford Center VT 05075

Norman Marshall, President
(802) 356-2969

nmarshall@smartmobility.com

April 15, 2023

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Subject: 5355 East Airport Drive Project

Dear Mr. Marshall,

In October 2023, I reviewed trip generation, vehicle miles traveled (VMT) impacts and greenhouse gas (GHG) impacts of the City of Ontario Draft Environmental Impact Report for a proposed warehouse project at 5355 East Airport Drive ("DEIR"). I made the following findings:

1) The DEIR acknowledges significant and unavoidable VMT impact. Furthermore, the DEIR documents that the project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.
2) The proposed VMT mitigation is not fully specified or quantified in the DEIR and appears to fall far short of what would be required to reduce project VMT below the City's threshold. Achieving significant VMT mitigation for this project may be impossible – but mitigation must be specified and quantified for the project to be properly evaluated.
3) Project trip generation could be much higher than assumed. Given the large uncertainty in the project's trip generation, the applicant should take one of two paths -either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.
4) Project GHG emissions could be much higher than assumed. In addition to trip generation possibly being underestimated, average trip lengths for both trucks and passenger vehicles are likely to be underestimated in the DEIR.

Now, I have reviewed the responses to these comments made in the project's Final Environmental Impact Review ("FEIR") dated February 2024.

Truck trip lengths – The FEIR repeats the false assertion that the truck trip lengths follow SCAQMD's recommendations (FEIR, A-18, p. 2-43). In my October 2023 comments, I addressed this, writing:

> The truck trip lengths are used in calculations of possible mitigation in *Second Draft Staff Report Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. And Proposed Rule 316 -Fees for Rule 2305*.[1] The reference for these numbers is the 2016 SCAG travel demand model (p. 117) and there is no indication that these numbers are intended for any use beyond this single document. The 40-mile heavy truck trip length also appears in a 2014 slide presentation.[2] In neither case, are these numbers presented as general recommendations for warehouse EIRs.

To prove that this is not a general SCAQMD recommendation for all warehouses, I attach SCAQMD's November 22, 2023 comments on the Hemlock Warehouse Development Project Draft SEIR in the City of Fontana. That Draft SEIR applied the same truck trip lengths as used in the 5355 East Airport Drive DEIR and FEIR. SCAQMD's comments state:

> However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project. (p. 2)

SCAQMD is making the same point I made in my October 2023 comments where I wrote:

> it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR. These include the Ports of Los Angeles and Long Beach that are approximately 60 miles away. It would be more conservative to assume longer average truck distances in the air quality and GHG analyses.

The FEIR does not use SCAQMD- recommended truck trip lengths. SCAQMD instead recommends: "**Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project**."

[1] www.aqmd.gov/docs/default-source/planning/fbmsm-docs/pr-2305_sr_2nd-draft_4-7-21_clean.pdf
[2] https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/sclc_warehouse-presentation-final.pdf

VMT mitigation – The FEIR continues to state that the proposed project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.

However, the FEIR states that these impacts cannot be mitigated because "measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant." (FEIR A-24, p. 2-44)

My October 2023 comments recommended requiring CAPCOA T-5 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) – that can provide up to 26% VMT reduction:

> The mandatory CTR program must include all other elements (i.e., Measures T-7 through T-11) described for the voluntary program (Measure T-5) plus include mandatory trip reduction requirements (including penalties for non-compliance) and regular monitoring and reporting to ensure the calculated VMT reduction matches the observed VMT reduction). (*Handbook*, p. 86)

A smaller mandatory reduction may be appropriate for this project, with this requirement passed on to the tenant, but it is not sufficient to claim that no significant mitigation is possible.

In addition, the attached SCAQMD comments on the Hemlock Warehouse Development Project recommends several mitigation measures targeting truck emissions, including:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks,
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the final CEQA document, and
- Provide electric vehicle (EV) charging stations and electrical hookups for truckers. (p.3)

Trip generation

In my October 2023 comments, I provided data on different types of warehouses that have significantly higher trip generation rates than the 1.75 trips per 1000 sq. ft. assumed in the DEIR and FEIR. These include:

> The Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.

The FEIR argues that the highest generators that I discussed in my October 2023 comments could not be accommodated because ". . . the layout of the site with 251 parking spaces would not reasonable accommodate the on-site parking required to support these uses."

This point about parking may be valid for the highest generators per 1000 sq. ft. but not for the intermediate generators. The DEIR and FEIR estimate only 270 passenger car trips per day (DEIR Appendix K, p. 5), i.e., 135 vehicles in and 135 cars out. Therefore, if all cars were employees and they all worked the same single shift, the parking lot utilization would never exceed 54%. With multiple shifts and non-employee passenger car trips, the parking lot utilization would be much

lower. Therefore, the parking lot is designed to support many more trips than assumed in the DEIR and FEIR.

The 251 parking spaces are consistent with ITE Land Use 156: High Cube Parcel Hub Warehouse. This use is described:

> A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/ or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. A typical HCW has a high level of on-site automation and logistics management. The automation and logistics enable highly-efficient processing of goods through the HCW. A high-cube warehouse can be free-standing or located in an industrial park. A high-cube parcel hub warehouse typically serves as a regional and local freight-forwarder facility for time sensitive shipments via airfreight and ground carriers. A site can also include truck maintenance, wash, or fueling facilities. Some limited assembly and repackaging may occur within the facility.

Given the uncertainty concerning the proposed project and its size, 270,377 sq. ft., it could foreseeably end up being a High-Cube-Parcel-Hub Warehouse as defined above.

The number of parking spaces provided also is consistent with this usage. The trip generation rate for this category is 4.63 trips per 1000 sq. ft., i.e. 2.6 times the rate used in the DEIR and FEIR. This rate includes 0.58 truck trips per 1000 sq. ft. Therefore, the passenger car rate is 4.05 trips per 1000 sq. ft. As a High-Cube-Parcel-Hub Warehouse, the proposed project would generate 1095 passenger car trips per day.

The DEIR states:

> For the purposes of this EIR, the Project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. (DEIR, p. 3-13)

This suggests multiple shifts each day.

Some of the passenger car trips would not be parking long term, including trips dropping off and picking up workers, and miscellaneous service trips, all of which include both and entering trip and an exiting trip. However, even if all passenger car trips involved parking long-term, all the trips could be accommodated with the planned 251 parking spaces if each space is occupied an average of 2.18 times per day.

As I stated in my October 2023 comment letter:

Given the large uncertainty in the project's trip generation, the applicant should take one of two paths - either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

Sincerely,



Norman L. Marshall

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (33 Years, 19 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovate Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in $250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additional analyzed using the City's Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka'ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Caroline including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

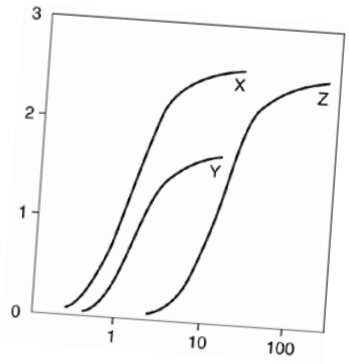
A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

EXHIBIT B



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April 15, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Attn: Mr. Aidan Marshall

Subject: Comments On Final Environmental Impact Report (FEIR) 5355 East Airport Drive, City of Ontario, CA SCH No. 202209006

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed materials related to the City of Ontario (the City) FEIR of the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

Project Description:

According to the City of Ontario's Development Advisory Board Decision File No. PDEV22-017 – Draft EIR (dated March 18, 2024), the Project consists of a Development Plan application to construct a 270,337 square-foot industrial building on the 13.08 acres of the Project site. The Project would require the demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The design would also include the installation of site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detection facilities, exterior lighting, walls/fencing, and signage along with improvements to East Airport Drive.



Figure 1: Site Location Map

Under existing conditions, the Project Site is developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site. Several subsurface septic systems are located beneath the Site to serve the existing uses.

Specific Comments

1. The City's Air Quality Analysis Did Not Incorporate Building Downwash In The AERMOD Analysis.

A review of the AQ Analysis and the Mobile Source Health Risk Assessment show that building downwash was not incorporated into the AERMOD analysis of the Project. Building downwash occurs as the wind flows over and around buildings and impacts the dispersion of pollution from nearby stacks. A plume caught in the path of this flow is drawn into the wake, temporarily trapping it in a recirculating cavity. This downwash effect leads to higher ground-level concentration of chemicals emitted from sources. The downwash effect increases as the relative difference between the release height and top of the building increases.[1] Using a lower height for the building will underestimate the potential ground level concentrations of pollutants associated with the Project operation.

For the closest receptors to the site, this difference will create an additional air quality impact that is not accounted for in the City's analysis. In addition to incorporating the building downwash impacts of the Project buildings, the AERMOD model should also incorporate the building downwash for receptors near the Project. Receptors farther away will still be subject to the downwash effect given the assumed emission height release incorporated into the model. Guidance from authoritative bodies in California regarding the preparation of health risk assessments of mobile sources of diesel emissions[2] requires the inclusion of building heights and dimensions for building downwash calculations. Omission of the building downwash effect underestimates the exposure point concentrations for receptors near the building(s). The City should address the impact of this issue in a revised DEIR.

[1] The so-called good engineering practice height (GEP) of the source. The GEP is defined in Section 123 of the Clean Air Act as "the height necessary to ensure that emissions from a stack do not result in excessive concentrations of any air pollutant in the immediate vicinity of the source as a result of atmospheric downwash, eddies or wakes which may be created by the source itself, nearby structures or nearby terrain obstacles."

[2] SCAQMD. 2003. Health Risk Assessment Guidance For Analyzing Cancer Risks From Mobile Source Diesel Emissions. August, 2003. Page 2.

2. The Air Quality Analysis Relies On An Input Value From AP-42 That Is Rated As Poor And May Be Unreliable

The CalEEMOD analysis of the construction emissions incorporates various factors from U.S. EPA's Emission Factors Handbook (AP-42). The AP-42 emission factor for crushing stones used in the CalEEMOD analysis is rated E. This is the worst rating in AP-42. According to the AP-42 FAQ - E = Poor. Factor is developed from C and D rated test data from a very few number of facilities, and there may be reason to suspect that the facilities tested do not represent a random sample of the industry. There also may be evidence of variability within the source category population. This means that there is a lot of uncertainty in the AQ analysis regarding the amount of particulate matter that will be emitted from the construction phase of the Project. The City should assess the impacts of this variable in a revised DEIR.

3. The Health Risk Analysis Incorporates Non-Standard Daily Breathing Rates For Sensitive Receptors Analyzed In The HRA

According to the FEIR, a health risk assessment was prepared in accordance with SCAQMD's guidance. For purposes of this Health Risk Assessment, receptors include both residential and non-residential (worker) land uses in the vicinity of the Project. These receptors are included in the Health Risk Assessment since residents and workers may be exposed at these locations over a long-term duration of 30 and 25 years, respectively.[3]

The input values utilized in the HRA analysis included a variety of daily breathing rates that are favorable to reducing the potential health impacts. The HRA states that "Discrete variants for daily breathing rates, exposure frequency, and exposure duration were obtained from relevant distribution profiles presented in the 2015 OEHHA Guidelines."[4] The values listed in Table 2-7 include both the 95 percent upper confidence limit (95% UCL) values (for age *in utero* exposure and age 0 to 2) and the 80th percentile values for the remaining age groups (age 2 to 16 and age 16 to 30).

[3] Urban Crossroads. 2022. 5355 East Airport Drive Mobile Source Health Risks Assessment. Prepared by Urban Crossroads. August 30, 2022. pg 5

[4] Urban Crossroads. 2022. 5355 East Airport Drive Mobile Source Health Risks Assessment. Prepared by Urban Crossroads. August 30, 2022. pg 19-20

The risk estimates for ages 2 to 30 is off by a factor of 1.3.

TABLE 2-7: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (30 YEAR RESIDENTIAL)

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	24
0 to 2	1,090	10	2	0.85	350	24
2 to 16	572	3	14	0.72	350	24
16 to 30	261	1	14	0.73	350	24

Figure 2: Daily Breathing Rates Utilized In HRA

The 2015 Air Toxic Hot Spots Program Guidance Manual [5] notes that residential estimates use 95th percentile breathing rates in Table 5.6. Table 5.6 shows values of 745 L/kg BW-day for children age 2 to 16 and 335 L/kg BW-day for adults age 16 to 30.

Table 5.6 Point Estimates of Residential Daily Breathing Rates for 3rd trimester, 0<2, 2<9, 2<16, 16<30 and 16-70 years (L/kg BW-day)

	3rd Trimester[a]	0<2 years	2<9 years	2<16 years	16<30 years	16<70 years
	L/kg-day					
Mean	225	658	535	452	210	185
95th Percentile	361	1090	861	745	335	290

[a] 3rd trimester **breathing rates** based on breathing rates of pregnant women using the assumption that the dose to the fetus during the 3rd trimester is the same as that to the mother.

The City's analysis is therefore incomplete, is not consistent with the guidance from OEHHA, and must be corrected in a revised final environmental impact report for the Project.

4. The Average Truck Trip Length Of 40 Miles Used In The Air Quality Analysis Does Not Match The Length(s) Used To Support Other Warehouse Projects.

According to the operations air quality analysis of Project,[6] the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for

[5] Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments, February 2015, http://oehha.ca.gov/air/hot_spots/hotspots2015.html

[6] Urban Crossroads. 2022. 5355 East Airport Drive Air Quality Impact Analysis. August 30. 2022. Pg 37

3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages.

This statement does not comport with the reality of where warehoused materials will ship from in the region. The 40-mile distance is insufficient to allow vehicles to travel to the major ports in the Southern California region – Los Angeles and Long Beach. These Ports are the largest source(s) of containerized products, and therefore the primary sources of heavy-duty truck traffic, on the West Coast of the United States are the Ports of Los Angeles and Long Beach. "In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade. The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day. Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately 700 million square feet, an increase of 20 percent over the last five years"),[7] citing data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units)[8] from 2020, the Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide.[9] The distance from the Port of LA to the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.

Using the 62-mile daily truck trip will nearly double the daily emissions of pollutants associated with the Project, increasing the Regional burden and resulting in a potentially significant impact. The City must address the impact of this issue in a revised DEIR.

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised final environmental impact report should be prepared to address these substantial concerns.

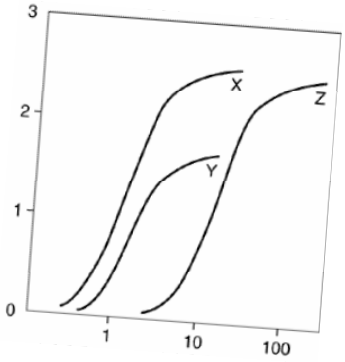
Sincerely,

[7] Available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

[8] https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/

[9] U.S. Dept. of Transportation, Federal Highway Administration, FHWA Operations Support – Port Peak Pricing Program Evaluation (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm





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James J. J. Clark, Ph.D.

Principal Toxicologist

Toxicology/Exposure Assessment Modeling

Risk Assessment/Analysis/Dispersion Modeling

Education:

Ph.D., Environmental Health Science, University of California, 1995

M.S., Environmental Health Science, University of California, 1993

B.S., Biophysical and Biochemical Sciences, University of Houston, 1987

Professional Experience:

Dr. Clark is a well recognized toxicologist, air modeler, and health scientist. He has 20 years of experience in researching the effects of environmental contaminants on human health including environmental fate and transport modeling (SCREEN3, AEROMOD, ISCST3, Johnson-Ettinger Vapor Intrusion Modeling); exposure assessment modeling (partitioning of contaminants in the environment as well as PBPK modeling); conducting and managing human health risk assessments for regulatory compliance and risk-based clean-up levels; and toxicological and medical literature research.

Significant projects performed by Dr. Clark include the following:

LITIGATION SUPPORT

Case: James Harold Caygle, et al, v. Drummond Company, Inc. Circuit Court for the Tenth Judicial Circuit, Jefferson County, Alabama. Civil Action. CV-2009

Client: Environmental Litgation Group, Birmingham, Alabama

Dr. Clark performed an air quality assessment of emissions from a coke factory located in Tarrant, Alabama. The assessment reviewed include a comprehensive review of air quality standards, measured concentrations of pollutants from factory, an inspection of the facility and detailed assessment of the impacts on the community. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Rose Roper V. Nissan North America, et al. Superior Court of the State Of California for the County Of Los Angeles – Central Civil West. Civil Action. NC041739

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to multiple chemicals, including benzene, who later developed a respiratory distress. A review of the individual's medical and occupational history was performed to prepare an exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to respiratory irritants. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: O'Neil V. Sherwin Williams, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to petroleum distillates who later developed a bladder cancer. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Summary judgment for defendants.

Case: Moore V., Shell Oil Company, et al. Superior Court of the State Of California for the County Of Los Angeles

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to chemicals while benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Raymond Saltonstall V. Fuller O'Brien, KILZ, and Zinsser, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Richard Boyer and Elizabeth Boyer, husband and wife, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-7G.

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: JoAnne R. Cook, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-9R

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of an individual exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Patrick Allen And Susan Allen, husband and wife, and Andrew Allen, a minor, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-W

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Michael Fahey, Susan Fahey V. Atlantic Richfield Company, et al. United States District Court Central District of California Civil Action Number CV-06 7109 JCL.

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Constance Acevedo, et al., V. California Spray-Chemical Company, et al., Superior Court of the State Of California, County Of Santa Cruz. Case No. CV 146344

Dr. Clark performed a comprehensive exposure assessment of community members exposed to toxic metals from a former lead arsenate manufacturing facility. The former manufacturing site had undergone a DTSC mandated removal action/remediation for the presence of the toxic metals at the site. Opinions were presented regarding the elevated levels of arsenic and lead (in attic dust and soils) found throughout the community and the potential for harm to the plaintiffs in question.

Case Result: Settlement in favor of defendant.

Case: Michael Nawrocki V. The Coastal Corporation, Kurk Fuel Company, Pautler Oil Service, State of New York Supreme Court, County of Erie, Index Number I2001-11247

Client: Richard G. Berger Attorney At Law, Buffalo, New York

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the

known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Judgement in favor of defendant.

SELECTED AIR MODELING RESEARCH/PROJECTS

Client – Confidential

Dr. Clark performed a comprehensive evaluation of criteria pollutants, air toxins, and particulate matter emissions from a carbon black production facility to determine the impacts on the surrounding communities. The results of the dispersion model will be used to estimate acute and chronic exposure concentrations to multiple contaminants and will be incorporated into a comprehensive risk evaluation.

Client – Confidential

Dr. Clark performed a comprehensive evaluation of air toxins and particulate matter emissions from a railroad tie manufacturing facility to determine the impacts on the surrounding communities. The results of the dispersion model have been used to estimate acute and chronic exposure concentrations to multiple contaminants and have been incorporated into a comprehensive risk evaluation.

Client – Los Angeles Alliance for a New Economy (LAANE), Los Angeles, California

Dr. Clark is advising the LAANE on air quality issues related to current flight operations at the Los Angeles International Airport (LAX) operated by the Los Angeles World Airport (LAWA) Authority. He is working with the LAANE and LAX staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client – City of Santa Monica, Santa Monica, California

Dr. Clark is advising the City of Santa Monica on air quality issues related to current flight operations at the facility. He is working with the City staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client: Omnitrans, San Bernardino, California

Dr. Clark managed a public health survey of three communities near transit fueling facilities in San Bernardino and Montclair California in compliance with California Senate Bill 1927. The survey included an epidemiological survey of the effected communities, emission surveys of local businesses, dispersion modeling to determine potential emission concentrations within the communities, and a comprehensive risk assessment of each community. The results of the study were presented to the Governor as mandated by Senate Bill 1927.

Client: Confidential, San Francisco, California

Summarized cancer types associated with exposure to metals and smoking. Researched the specific types of cancers associated with exposure to metals and smoking. Provided causation analysis of the association between cancer types and exposure for use by non-public health professionals.

Client: Confidential, Minneapolis, Minnesota

Prepared human health risk assessment of workers exposed to VOCs from neighboring petroleum storage/transport facility. Reviewed the systems in place for distribution of petroleum hydrocarbons to identify chemicals of concern (COCs), prepared comprehensive toxicological summaries of COCs, and quantified potential risks from carcinogens and non-carcinogens to receptors at or adjacent to site. This evaluation was used in the support of litigation.

Client – United Kingdom Environmental Agency

Dr. Clark is part of team that performed comprehensive evaluation of soil vapor intrusion of VOCs from former landfill adjacent residences for the United Kingdom's Environment

Agency. The evaluation included collection of liquid and soil vapor samples at site, modeling of vapor migration using the Johnson Ettinger Vapor Intrusion model, and calculation of site-specific health based vapor thresholds for chlorinated solvents, aromatic hydrocarbons, and semi-volatile organic compounds. The evaluation also included a detailed evaluation of the use, chemical characteristics, fate and transport, and toxicology of chemicals of concern (COC). The results of the evaluation have been used as a briefing tool for public health professionals.

EMERGING/PERSISTENT CONTAMINANT RESEARCH/PROJECTS

Client: Ameren Services, St. Louis, Missouri

Managed the preparation of a comprehensive human health risk assessment of workers and residents at or near an NPL site in Missouri. The former operations at the Property included the servicing and repair of electrical transformers, which resulted in soils and groundwater beneath the Property and adjacent land becoming impacted with PCB and chlorinated solvent compounds. The results were submitted to U.S. EPA for evaluation and will be used in the final ROD.

Client: City of Santa Clarita, Santa Clarita, California

Dr. Clark is managing the oversight of the characterization, remediation and development activities of a former 1,000 acre munitions manufacturing facility for the City of Santa Clarita. The site is impacted with a number of contaminants including perchlorate, unexploded ordinance, and volatile organic compounds (VOCs). The site is currently under a number of regulatory consent orders, including an Immanent and Substantial Endangerment Order. Dr. Clark is assisting the impacted municipality with the development of remediation strategies, interaction with the responsible parties and stakeholders, as well as interfacing with the regulatory agency responsible for oversight of the site cleanup.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of perchlorate in environment. Dr. Clark evaluated the production, use, chemical characteristics, fate and transport, toxicology, and remediation of perchlorate. Perchlorates form the basis of solid rocket fuels and have recently been detected in water supplies in the United States. The results of this research

were presented to the USEPA, National GroundWater, and ultimately published in a recent book entitled *Perchlorate in the Environment.*

Client – Confidential, Los Angeles, California

Dr. Clark is performing a comprehensive review of the potential for pharmaceuticals and their by-products to impact groundwater and surface water supplies. This evaluation will include a review if available data on the history of pharmaceutical production in the United States; the chemical characteristics of various pharmaceuticals; environmental fate and transport; uptake by xenobiotics; the potential effects of pharmaceuticals on water treatment systems; and the potential threat to public health. The results of the evaluation may be used as a briefing tool for non-public health professionals.

PUBLIC HEALTH/TOXICOLOGY

Client: Brayton Purcell, Novato, California

Dr. Clark performed a toxicological assessment of residents exposed to methyl-tertiary butyl ether (MTBE) from leaking underground storage tanks (LUSTs) adjacent to the subject property. The symptomology of residents and guests of the subject property were evaluated against the known outcomes in published literature to exposure to MTBE. The study found that residents had been exposed to MTBE in their drinking water; that concentrations of MTBE detected at the site were above regulatory guidelines; and, that the symptoms and outcomes expressed by residents and guests were consistent with symptoms and outcomes documented in published literature.

Client: Confidential, San Francisco, California

Identified and analyzed fifty years of epidemiological literature on workplace exposures to heavy metals. This research resulted in a summary of the types of cancer and non-cancer diseases associated with occupational exposure to chromium as well as the mortality and morbidity rates.

Client: Confidential, San Francisco, California

Summarized major public health research in United States. Identified major public health research efforts within United States over last twenty years. Results were used as a briefing tool for non-public health professionals.

Client: Confidential, San Francisco, California

Quantified the potential multi-pathway dose received by humans from a pesticide applied indoors. Part of team that developed exposure model and evaluated exposure concentrations in a comprehensive report on the plausible range of doses received by a specific person. This evaluation was used in the support of litigation.

Client: Covanta Energy, Westwood, California

Evaluated health risk from metals in biosolids applied as soil amendment on agricultural lands. The biosolids were created at a forest waste cogeneration facility using 96% whole tree wood chips and 4 percent green waste. Mass loading calculations were used to estimate Cr(VI) concentrations in agricultural soils based on a maximum loading rate of 40 tons of biomass per acre of agricultural soil. The results of the study were used by the Regulatory agency to determine that the application of biosolids did not constitute a health risk to workers applying the biosolids or to residences near the agricultural lands.

Client – United Kingdom Environmental Agency

Oversaw a comprehensive toxicological evaluation of methyl-*tertiary* butyl ether (M*t*BE) for the United Kingdom's Environment Agency. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of M*t*BE. The results of the evaluation have been used as a briefing tool for public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of *tertiary* butyl alcohol (TBA) in municipal drinking water system. TBA is the primary breakdown product of M*t*BE, and is suspected to be the primary cause of M*t*BE toxicity. This evaluation will include available information on the production, use, chemical characteristics, fate and transport in the environment, absorption, distribution, routes of detoxification, metabolites, carcinogenic potential, and remediation of TBA. The results of the evaluation were used as a briefing tool for non-public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of methyl *tertiary* butyl ether (MTBE) in municipal drinking water system. MTBE is a chemical added to gasoline to increase the octane

rating and to meet Federally mandated emission criteria. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MTBE. The results of the evaluation have been were used as a briefing tool for non-public health professionals.

Client – Ministry of Environment, Lands & Parks, British Columbia

Dr. Clark assisted in the development of water quality guidelines for methyl tertiary-butyl ether (MTBE) to protect water uses in British Columbia (BC). The water uses to be considered includes freshwater and marine life, wildlife, industrial, and agricultural (e.g., irrigation and livestock watering) water uses. Guidelines from other jurisdictions for the protection of drinking water, recreation and aesthetics were to be identified.

Client: Confidential, Los Angeles, California

Prepared physiologically based pharmacokinetic (PBPK) assessment of lead risk of receptors at middle school built over former industrial facility. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client: Kaiser Venture Incorporated, Fontana, California

Prepared PBPK assessment of lead risk of receptors at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

RISK ASSESSMENTS/REMEDIAL INVESTIGATIONS

Client: Confidential, Atlanta, Georgia

Researched potential exposure and health risks to community members potentially exposed to creosote, polycyclic aromatic hydrocarbons, pentachlorophenol, and dioxin compounds used at a former wood treatment facility. Prepared a comprehensive toxicological summary of the chemicals of concern, including the chemical characteristics, absorption, distribution, and carcinogenic potential. Prepared risk characterization of the carcinogenic and non-carcinogenic chemicals based on the exposure assessment to quantify the potential risk to members of the surrounding community. This evaluation was used to help settle class-action tort.

Client: Confidential, Escondido, California

Prepared comprehensive Preliminary Endangerment Assessment (PEA) of dense non-aqueous liquid phase hydrocarbon (chlorinated solvents) contamination at a former printed circuit board manufacturing facility. This evaluation was used for litigation support and may be used as the basis for reaching closure of the site with the lead regulatory agency.

Client: Confidential, San Francisco, California

Summarized epidemiological evidence for connective tissue and autoimmune diseases for product liability litigation. Identified epidemiological research efforts on the health effects of medical prostheses. This research was used in a meta-analysis of the health effects and as a briefing tool for non-public health professionals.

Client: Confidential, Bogotá, Columbia

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of a 13.7 hectares plastic manufacturing facility in Bogotá, Colombia The risk assessment was used as the basis for the remedial goals and closure of the site.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally cadmium) and VOCs from soil and soil vapor at 12-acre former crude oilfield and municipal landfill. The site is currently used as a middle school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and was used as the basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Managed remedial investigation (RI) of heavy metals and volatile organic chemicals (VOCs) for a 15-acre former manufacturing facility. The RI investigation of the site included over 800 different sampling locations and the collection of soil, soil gas, and groundwater samples. The site is currently used as a year round school housing approximately 3,000 children. The Remedial Investigation was performed in a manner

that did not interrupt school activities and met the time restrictions placed on the project by the overseeing regulatory agency. The RI Report identified the off-site source of metals that impacted groundwater beneath the site and the sources of VOCs in soil gas and groundwater. The RI included a numerical model of vapor intrusion into the buildings at the site from the vadose zone to determine exposure concentrations and an air dispersion model of VOCs from the proposed soil vapor treatment system. The Feasibility Study for the Site is currently being drafted and may be used as the basis for granting closure of the site by DTSC.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally lead), VOCs, SVOCs, and PCBs from soil, soil vapor, and groundwater at 15-acre former manufacturing facility. The site is currently used as a year round school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and will be basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of VOC vapor intrusion into classrooms of middle school that was former 15-acre industrial facility. Using the Johnson-Ettinger Vapor Intrusion model, the evaluation determined acceptable soil gas concentrations at the site that did not pose health threat to students, staff, and residents. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client –Dominguez Energy, Carson, California

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of 6-acre portion of a 500-acre oil and natural gas production facility in Carson, California. The risk assessment was used as the basis for closure of the site.

Kaiser Ventures Incorporated, Fontana, California

Prepared health risk assessment of semi-volatile organic chemicals and metals for a fifty-year old wastewater treatment facility used at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

ANR Freight - Los Angeles, California

Prepared a comprehensive Preliminary Endangerment Assessment (PEA) of petroleum hydrocarbon and metal contamination of a former freight depot. This evaluation was as the basis for reaching closure of the site with lead regulatory agency.

Kaiser Ventures Incorporated, Fontana, California

Prepared comprehensive health risk assessment of semi-volatile organic chemicals and metals for 23-acre parcel of a 1,100-acre former steel mill. The health risk assessment was used to determine clean up goals and as the basis for granting closure of the site by lead regulatory agency. Air dispersion modeling using ISCST3 was performed to determine downwind exposure point concentrations at sensitive receptors within a 1 kilometer radius of the site. The results of the health risk assessment were presented at a public meeting sponsored by the Department of Toxic Substances Control (DTSC) in the community potentially affected by the site.

Unocal Corporation - Los Angeles, California

Prepared comprehensive assessment of petroleum hydrocarbons and metals for a former petroleum service station located next to sensitive population center (elementary school). The assessment used a probabilistic approach to estimate risks to the community and was used as the basis for granting closure of the site by lead regulatory agency.

Client: Confidential, Los Angeles, California

Managed oversight of remedial investigation most contaminated heavy metal site in California. Lead concentrations in soil excess of 68,000,000 parts per billion (ppb) have been measured at the site. This State Superfund Site was a former hard chrome plating operation that operated for approximately 40-years.

Client: Confidential, San Francisco, California

Coordinator of regional monitoring program to determine background concentrations of metals in air. Acted as liaison with SCAQMD and CARB to perform co-location sampling and comparison of accepted regulatory method with ASTM methodology.

Client: Confidential, San Francisco, California

Analyzed historical air monitoring data for South Coast Air Basin in Southern California and potential health risks related to ambient concentrations of carcinogenic metals and volatile organic compounds. Identified and reviewed the available literature and calculated risks from toxins in South Coast Air Basin.

IT Corporation, North Carolina

Prepared comprehensive evaluation of potential exposure of workers to air-borne VOCs at hazardous waste storage facility under SUPERFUND cleanup decree. Assessment used in developing health based clean-up levels.

Professional Associations

American Public Health Association (APHA)
Association for Environmental Health and Sciences (AEHS)
American Chemical Society (ACS)
California Redevelopment Association (CRA)
International Society of Environmental Forensics (ISEF)
Society of Environmental Toxicology and Chemistry (SETAC)

Publications and Presentations:

Books and Book Chapters

Sullivan, P., **J.J. J. Clark,** F.J. Agardy, and P.E. Rosenfeld. (2007). *Synthetic Toxins In The Food, Water and Air of American Cities*. Elsevier, Inc. Burlington, MA.

Sullivan, P. and **J.J. J. Clark**. 2006. *Choosing Safer Foods, A Guide To Minimizing Synthetic Chemicals In Your Diet*. Elsevier, Inc. Burlington, MA.

Sullivan, P., Agardy, F.J., and **J.J.J. Clark**. 2005. *The Environmental Science of Drinking Water*. Elsevier, Inc. Burlington, MA.

Sullivan, P.J., Agardy, F.J., **Clark, J.J.J.** 2002. *America's Threatened Drinking Water: Hazards and Solutions*. Trafford Publishing, Victoria B.C.

Clark, J.J.J. 2001. "TBA: Chemical Properties, Production & Use, Fate and Transport, Toxicology, Detection in Groundwater, and Regulatory Standards" in *Oxygenates in the Environment.* Art Diaz, Ed.. Oxford University Press: New York.

Clark, J.J.J. 2000. "Toxicology of Perchlorate" in *Perchlorate in the Environment.* Edward Urbansky, Ed. Kluwer/Plenum: New York.

Clark, J.J.J. 1995. Probabilistic Forecasting of Volatile Organic Compound Concentrations At The Soil Surface From Contaminated Groundwater. UMI.

Baker, J.; **Clark, J.J.J.**; Stanford, J.T. 1994. Ex Situ Remediation of Diesel Contaminated Railroad Sand by Soil Washing. Principles and Practices for Diesel Contaminated Soils, Volume III. P.T. Kostecki, E.J. Calabrese, and C.P.L. Barkan, eds. Amherst Scientific Publishers, Amherst, MA. pp 89-96.

Journal and Proceeding Articles

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equialency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. Organohalogen Compounds, Volume 70 (2008) page 002254.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. Organohalogen Compounds, Volume 70 (2008) page 000527

Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** (2007). "Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." *Environmental Research.* 105:194-199.

Rosenfeld, P.E., **Clark, J. J.,** Hensley, A.R., and Suffet, I.H. 2007. "The Use Of An Odor Wheel Classification For The Evaluation of Human Health Risk Criteria For Compost Facilities" Water Science & Technology. 55(5): 345-357.

Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** 2006. "Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006, August 21 – 25, 2006. Radisson SAS Scandinavia Hotel in Oslo Norway.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2005. "The Value Of An Odor Quality Classification Scheme For Compost Facility Evaluations" The U.S. Composting Council's 13th Annual Conference January 23 - 26, 2005, Crowne Plaza Riverwalk, San Antonio, TX.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2004. "The Value Of An Odor Quality Classification Scheme For Urban Odor" WEFTEC 2004. 77th Annual Technical Exhibition & Conference October 2 - 6, 2004, Ernest N. Morial Convention Center, New Orleans, Louisiana.

Clark, J.J.J. 2003. "Manufacturing, Use, Regulation, and Occurrence of a Known Endocrine Disrupting Chemical (EDC), 2,4-Dichlorophnoxyacetic Acid (2,4-D) in California Drinking Water Supplies." National Groundwater Association Southwest Focus Conference: Water Supply and Emerging Contaminants. Minneapolis, MN. March 20, 2003.

Rosenfeld, P. and **J.J.J. Clark**. 2003. "Understanding Historical Use, Chemical Properties, Toxicity, and Regulatory Guidance" National Groundwater Association Southwest Focus Conference: Water Supply and Emerging Contaminants. Phoenix, AZ. February 21, 2003.

Clark, J.J.J., Brown A. 1999. Perchlorate Contamination: Fate in the Environment and Treatment Options. In Situ and On-Site Bioremediation, Fifth International Symposium. San Diego, CA, April, 1999.

Clark, J.J.J. 1998. Health Effects of Perchlorate and the New Reference Dose (RfD). Proceedings From the Groundwater Resource Association Seventh Annual Meeting, Walnut Creek, CA, October 23, 1998.

Browne, T., **Clark, J.J.J.** 1998. Treatment Options For Perchlorate In Drinking Water. Proceedings From the Groundwater Resource Association Seventh Annual Meeting, Walnut Creek, CA, October 23, 1998.

Clark, J.J.J., Brown, A., Rodriguez, R. 1998. The Public Health Implications of MtBE and Perchlorate in Water: Risk Management Decisions for Water Purveyors. Proceedings of the National Ground Water Association, Anaheim, CA, June 3-4, 1998.

Clark J.J.J., Brown, A., Ulrey, A. 1997. Impacts of Perchlorate On Drinking Water In The Western United States. U.S. EPA Symposium on Biological and Chemical Reduction of Chlorate and Perchlorate, Cincinnati, OH, December 5, 1997.

Clark, J.J.J.; Corbett, G.E.; Kerger, B.D.; Finley, B.L.; Paustenbach, D.J. 1996. Dermal Uptake of Hexavalent Chromium In Human Volunteers: Measures of Systemic Uptake From Immersion in Water At 22 PPM. Toxicologist. 30(1):14.

Dodge, D.G.; **Clark, J.J.J.**; Kerger, B.D.; Richter, R.O.; Finley, B.L.; Paustenbach, D.J. 1996. Assessment of Airborne Hexavalent Chromium In The Home Following Use of Contaminated Tapwater. Toxicologist. 30(1):117-118.

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Harber, P.H.; Gong, H., Jr.; Lachenbruch, A.; **Clark, J.**; Hsu, P. (1992). Respiratory Pattern Effect of Acute Sulfur Dioxide Exposure in Asthmatics. American Review of Respiratory Disease. 145(4):A88.

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Ozone Exposures in Residents of Los Angeles County. American Review of Respiratory Disease. 141(4):A70.

Tierney, D.F. and **J.J.J. Clark.** (1990). Lung Polyamine Content Can Be Increased By Spermidine Infusions Into Hyperoxic Rats. American Review of Respiratory Disease. 139(4):A41.

EXHIBIT C

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL: November 22, 2023

rleung@fontanaca.gov
Rina Leung, Senior Planner
City of Fontana - Planning Department
8353 Sierra Avenue
Fontana, CA 92335

Draft Subsequent Environmental Impact Report (Draft SEIR) for the Hemlock Warehouse Development Project (Proposed Project) (SCH No.: 2009091089)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Fontana is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the Draft SEIR

Based on the Draft SEIR, the Lead Agency proposes demolishing the existing development to construct and operate a warehouse facility for 882,000 square feet on the 40.01-acre site at 11115 Hemlock Avenue, Fontana.[1] A portion of the warehouse facility would be used for cold storage, approximately 220,500 square feet or 25 percent of the warehouse.[2] The Proposed Project would have 114 dock doors on the east and west sides of the building[3] associated with 562 truck trips per day.[4] Regional access to the Proposed Project site via Interstate 10, State Route 60, and Interstate 15, and local access via Santa Ana Avenue and Jurupa Avenue. [5] Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential units) is approximately 900 feet southeast and southwest of the Proposed Project site. Construction of the Proposed Project is anticipated to take approximately 15 months.[6]

South Coast AQMD Staff's Comments on the Draft SEIR

Potential Underestimation of Emissions Due to Imprecise Assumptions for Truck Trip Lengths and Trip Rates in Emissions Analysis

In the Draft SEIR, the Lead Agency discusses the determination of truck emissions for the Proposed Project and states that "…*CalEEMod defaults were utilized for trip length and the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2) trucks, 14.2*

[1] Draft SEIR. Page 3-1 and 3-2.
[2] *Ibid*. Page 3-9.
[3] *Ibid*.
[4] *Ibid*. Appendix F- Traffic Impact Analysis. Page 40.
[5] *Ibid*. Page 3-1.
[6] *Ibid*. Page 3-10.

miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages from the Traffic Impact Analysis prepared for the Project (Appendix F), which resulted in an overall truck trip length of 29.9 miles with an assumption of 100% primary trips for the proposed warehouse.[7]"

South Coast AQMD recommended 15.3 miles, 14.2 miles, and 40 miles of truck trip lengths derived from the Southern California Association of Government's (SCAG) estimation of average truck trip length in its 2016 Regional Transportation Plan.[8] However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

User-Defined Land Use Subtype in the California Emissions Estimator Model (CalEEMod) Analysis

In the operational CalEEMod output files, besides the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtypes, "user-defined industrial" is added.[9] According to the CalEEMod User Guide, the "user-defined" may be selected to characterize project land use subtypes not included in CalEEMod. If selected, all data on the Land Use screen will need to be input manually. [10] However, lot acreage and the floor square area use are all set to zero under the "user-defined industrial" land use subtype.

In addition, the truck information (e.g., truck trips) is input under the "user-defined industrial" but not in the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtypes for the Proposed Project. This possibly leads to underestimating the heavy-duty truck emissions for warehouse activities since no data is filled under this "user-defined industrial" land use subtype. Therefore, it is recommended that the Lead Agency explain why the land use is separated in the CalEEMod analysis and why the truck information is not under the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtype and revise the analysis as necessary in the final CEQA document.

Additional Recommended Air Quality and Greenhouse Gases Mitigation Measures

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts, and in addition to SWIP SP FEIR Mitigation Measures

[7] *Ibid*. Page 5.1-22
[8] South Coast Air Quality Management District, Preliminary Draft Staff Report: Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce.
[9] *Ibid*. Appendix B - Air Quality Impact Analysis. CalEEMod Operational and LST Output Files.
[10] California Emissions Estimator Model (CalEEMod) Version 2022.1 User Guide. Access at: https://www.caleemod.com/documents/user-guide/CalEEMod_User_Guide_v2022.1.pdf

MM 4.2-1a to MM 4.2-1f, MM 4.2-2a to MM4.2-2l, and MM 4.2-5a, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR.

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft SEIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule[11] and the Heavy-duty Low NOx Omnibus Regulation,[12] ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentivize the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of a 2010 model year[13] that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. All heavy-duty haul trucks should meet CARB's lowest optional low-NO_x standard starting in 2022.[14] Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft SEIR may include the following:

[11] CARB. June 25, 2020. Advanced Clean Trucks Rule. Accessed at: https://ww2.arb.ca.gov/our-work/programs/advanced-cleantrucks.

[12] CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in the state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox.

[13] CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.

[14] CARB's optional low-NOx emission standard is available at: https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards.

- Maximize the use of solar energy by installing solar energy arrays.
- Use light-colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices and appliances.

Design considerations for the Proposed Project that the Lead Agency should consider reducing air quality and health risk further impacts include the following:

- Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

The South Coast AQMD staff also suggests the Lead Agency review the references (listed below) and consider including the additional recommended mitigation measures in the final CEQA document:

- State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act[15]
- South Coast AQMD 2022 South Coast Air Quality Management Plan,[16] specifically:
    - Appendix IV-A – South Coast AQMD's Stationary and Mobile Source Control Measures
    - Appendix IV-B – CARB's Strategy for South Coast
    - Appendix IV-C – SCAG's Regional Transportation Strategy and Control Measures
- United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation[17]

South Coast AQMD Air Permits and Role as a Responsible Agency

The Draft SEIR assumes in the analysis that an emergency diesel-powered fire pump and emergency diesel-powered generator would be used for the Proposed Project.[18] Hence, air permits from South Coast AQMD would be required, and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead

[15] State of California – Department of Justice. Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. Access at: https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf
[16] 2022 South Coast AQMP. Access at: http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan
[17] United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation. Access at: https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation
[18] *Ibid*. Page 5.2-13.

Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at http://www.aqmd.gov/home/permits.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

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October 9, 2023

Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to review the above-mentioned document. The City of Jurupa Valley is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments which are organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the Recirculated Draft EIR

Based on the Recirculated Draft EIR, the Proposed Project is comprised of the development of the 80.8-acre property with five industrial buildings ("Building 1," "Building 2," "Building 3," "Building 4," and "Building 5") totaling 1,118,102 square feet (s.f.). Building 1 would include 309,870 s.f. of building area, Building 2 would include 388,222 s.f. of building area, Building 3 would include 174,364 s.f. of building area, Building 4 would include 275,958 s.f. of building area, and Building 5 would include 35,688 s.f. of building area. The Recirculated Draft EIR states that although the future tenant(s) of the building is not known, industrial uses would allow for high-cube fulfillment, manufacturing, and general light industrial services.[1] Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (residential development) is located adjacent to the Proposed Project site, approximately 240 feet southeast of the Proposed Project. Construction of the Proposed Project is anticipated to occur in a single phase, commence in January 2023, and be completed in June 2024.[2] The Proposed Project is located on the southeast corner of Montana Avenue and 25th Street.[3]

South Coast AQMD Staff's Comments

> *The CalEEMod Land Use(s) Subtype Assumptions (Combining Manufacturing and General Light Industrial) in the Appendix B- Air Quality Impact Analysis May Have Underestimated the Worst-Case Operational Air Quality Impacts*

In accordance with the project description outlined in the Recirculated Draft EIR, the construction of five industrial buildings totaling 1,194,170 square feet is proposed on 80.8 acres

[1] Recirculated Draft EIR Page 26.
[2] Appendix B, Air Quality Impact Analysis. Page 146.
[3] Recirculated Draft EIR Page 26.

of land. It is important to note that the document does not currently specify the future tenants for these five buildings.[4] However, based on the footnote in Appendix B- Air Quality Impact Analysis of the Recirculated Draft EIR, the analysis assumes that the project site will be divided into two equal parts for analytical purposes. Specifically, half of the site, totaling 597,085 square feet, is designated for manufacturing land uses, while the remaining half, also 597,085 square feet, is allocated for general light industrial land uses.[5]

According to the CalEEMod User Guide - Version 2022.1, it explicitly states the characteristics of "Light Industrial Land Use Subtype: *"Light industrial use facilities are free-standing facilities devoted to a single use, the facilities that have an emphasis on activities other than manufacturing and typically have minimal office space. Typical light industrial activities include printing, material testing, and assembly of data processing equipment. This land use subtype must be less than 50,000 square feet"*.[6] Therefore, the allocation of 597,085 square feet for this purpose contradicts the guidelines provided in the CalEEMod User Guide. Moreover, the general light industrial activities are expected to generate less emissions and involve fewer total daily truck trips[7] compared to the manufacturing or other industrial land uses. The current assumption has led to an underestimation of emissions. South Coast AQMD staff recommends that the Lead Agency conduct a more conservative analysis using the "worst-case" scenario in CalEEMod modeling and correct the land use sub-type used in CalEEMod to ensure accuracy and compliance with guidelines.

Potential Underestimation of Emissions Due to Inaccurate On-site Distance for the Trucks and Passenger Vehicles During Project Operation

The Recirculated Draft EIR notes that CalEEMod Version 2022 lacks the capacity to distinguish between On-site and Off-site emissions during operation. Consequently, the analysis relies on the assumption that 0.5 mile is the maximum allowable On-site distance for both trucks and passenger vehicles. However, the aerial map of the On-site vehicle route (truck movements) as identified in Exhibit 2-B in Appendix C of the Recirculated Draft EIR indicates that the actual On-site distance of the route exceed 0.7 mile, which is greater than the 0.5-mile assumption upon which the emission estimates are based. Therefore, the On-site emissions appear to have been underestimated. For this reason, T the Lead Agency is recommended to either revise the calculations to reflect an On-site route distance of 0.7 mile or provide a comprehensive explanation and justification of the methodology employed in relying on the 0.5-mile On-site assumption parameter.

Potential Underestimation of Emissions Due to Imprecise Assumptions for Truck Trip Lengths and Trip Rates in Emissions Analysis

Appendix B of the Recirculated Draft EIR, explains that air quality impact analysis was based on the assumption that the average truck trip length is 30.34 miles for general light industrial and manufacturing uses. However, the project site is located 70 to 80 miles away from the Ports of Los Angeles and Long Beach which means that the air quality analysis underestimated the

[4] Recirculated Draft EIR Page 26.
[5] Appendix B, Air Quality Impact Analysis. Page 14 in PDF.
[6] *CalEEMod User Guide - Version 2022.1.
[7] Appendix Q, VMT Analysis. Page 12.

emissions from trucks traveling from the Ports to the project site. For this reason, the Lead Agency is recommended to revise the calculations in the Final EIR by taking a project-specific approach to the vehicle trip length and trip rates by applying more conservative trip lengths such as designating 40 miles for local trips and 80 miles for Port-related trips. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

Warehouse Cold Storage Land Use and the Associated Emissions from Transport Refrigeration Units (TRU)

The project description in the Recirculated Draft EIR does not explain whether the Proposed Project intends to allocate a portion of the warehouse land use for cold storage. Cold storage warehouses utilize more trucks and trailers equipped with TRUs than warehouses without cold storage. As a result, the Lead Agency is recommended to revise the project description in the Final EIR to explain whether cold storage would be a part of the Proposed Project and provide an estimate for the number of TRU trucks and trailers associated with the operation of the warehouses with cold storage. If there are potential uses for TRUs, the Lead Agency is recommended to revise the calculations in the Final EIR to quantify the emissions from the TRUs in addition to the operational truck emissions.

Incorrect Pollutant Averaging Time and Underestimation of Ground-Level Pollutants Near Buildings in Health Risk Assessment (HRA),

South Coast AQMD staff's review of the construction and operational HRA modeling files noted that the ANNUAL[8] keyword was selected for the pollutant averaging time in the control pathway in the AERMOD model. However, according to the South Coast AQMD Risk Assessment Procedures v8.1 and South Coast AQMD Modeling Guidance for AERMOD,[9] a detailed HRA utilizing AERMOD should be run using the pollutant averaging time PERIOD and 1-hour.

In addition, South Coast AQMD staff's review of the modeling files noted that industrial buildings were not included in the building downwash option in the AERMOD dispersion model during operation which resulted in an underestimation of the ground-level pollutant concentrations near the buildings.

Thus, the Lead Agency is recommended to: 1) re-run the construction and operational HRAs to utilize PERIOD and 1-hour averaging time to determine the health risk impacts to the sensitive receptors and off-site workers and include the industrial buildings in the building downwash to analyze more accurate ground-level concentrations; and 2) include the results in the Final EIR.

Inconsistent Emission Rates (lb/day) Calculated from CalEEMod vs. AERMOD

[8] South Coast AQMD Risk Assessment Procedures v8.1. Access at: http://www.aqmd.gov/docs/default-source/permitting/rule-1401-risk-assessment/riskassessproc-v8-1.pdf
[9] South Coast AQMD Modeling Guidance for AERMOD. Access at: South Coast AQMD Modeling Guidance for AERMOD

South Coast AQMD staff's review of the AERMOD files noted that the diesel particulate matter (DPM) emission rates do not match the data reported in Table 13: Localized Significant Summary of Operations (Onsite Emissions) in Appendix B of the Recirculated Draft EIR which were estimated using CalEEMod. For example, the operational PM10 emission rates presented in Table 13 d are 0.88 pounds per day (lb/day) but the PM10 emissions calculated via AERMOD modeling (including Idling and Onsite emissions) are 0.014 lb/day. This lack of continuity in the emission estimates raises questions about the accuracy of the calculations and warrants a more comprehensive and careful examination of the underlying factors and route causes contributing to this disparity. The Lead Agency is recommended to re-review these calculations and update the Final EIR accordingly with the appropriate corrections.

South Coast AQMD Air Permits and Role as a Responsible Agency

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, and etc., air permits from South Coast AQMD will be required and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this

comment letter. Please contact Sahar Ghadimi, Air Quality Specialist, at sghadimi@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

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September 11, 2015

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Draft Environmental Impact Report (DEIR) for the Optimus Logistics Center 2

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

In the project description, the lead agency proposes the construction of two buildings for warehouse distribution and office space uses totaling approximately 1,037,811 square feet on a 48.4 acre site. The lead agency has projected 1,744 total daily vehicle trips including at least 357 daily truck trips operating at the site. In the Air Quality Section, the lead agency quantified the project's construction and operation air quality impacts and has compared those impacts with the SCAQMD's recommended regional and localized daily significance thresholds. Based on its analyses, the Lead Agency has determined that operational air quality impacts will exceed the recommended regional daily significance threshold for NOx.

The SCAQMD staff has concerns regarding the assumptions used in the air quality analysis, specifically the operational portion of the CalEEMod land use model. Since the proposed project will result in significant NOx impacts, all feasible mitigation measures should be included in the Final CEQA document to further reduce the significant impacts. Details are included in the attachment.

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the lead agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Jack Cheng, Air Quality Specialist, at (909) 396-2448, if you have any questions regarding the enclosed comments.

Sincerely,

Jillian Wong

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

Attachment
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Control Number

Siting of an Incompatible Land Use

1. Based on information in the DEIR (air quality analyses, the project truck distribution, and by aerial map inspection), the lead agency shows a minimum distance of 15 meters to the nearest sensitive receptor; a residence located southeast of the project site. The SCAQMD staff is concerned that the existing sensitive receptors will be exposed to significant regional and localized operational impacts, mostly from the daily truck activities that will likely operate using diesel fuel.

   As a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land-use decision making process, the California Air Resources Board (CARB) has provided the CARB Air Quality and Land Use Handbook (CARB Land Use Handbook). Based on guidance from thin e CARB Land Use Handbook, CARB recommends a buffer of at least 1,000 feet between land uses that will have 100 or more trucks per day. [1]

   In accordance with the state CEQA Guidelines §15126.4 (a)(1)(D), the lead agency should discuss the proposed siting of this land use and any potential impacts resulting from any proposed mitigation related to the CARB Land Use Handbook guidance in the Final EIR.

Air Quality Analysis

Daily Truck Trip Rate

2. In the Air Quality Impact Analysis, the Lead Agency uses the Institute of Transportation Engineers Trip Generation Manual, 9th Edition, 2012 (ITE Manual) 1.68 overall trip generation rate (for cars and trucks totaling approximately 1,744 daily vehicles) for the proposed Project, but does not use the 0.64 (38.1%) daily truck trip rate from this same reference. Rather, the air quality analysis used a 0.343 daily truck trip rate (ITE 1.68 total daily trip rate minus 1.337 passenger vehicle trip rate = 0.343 (20.43%) daily truck trip rate) and truck vehicle fleet mixture percentages from the City of Fontana Truck Trip Generation Study (Fontana Study) to estimate project air quality operational impacts in the CalEEMod modeling. By using the 0.343 Fontana Study daily truck trip rate, trucks are estimated at 357 daily truck trips in the DEIR instead of approximately 664 daily truck trips using the ITE 0.64 daily truck trip rate.

   Specifically, the Fontana Study fleet mixture percentages include: 3.46 percent of the total fleet for 2-axle Trucks; 4.64 percent for 3-axle trucks; and 12.33 percent for 4-axle and larger trucks with truck categories totaling 20.43 percent of the total vehicle fleet. Passenger Vehicles would therefore comprise 79.57 percent of total vehicles during operations. However, the 0.343 daily truck trip rate resulted in fleet percentages for the CalEEMod truck subcategories that were not proportionally adjusted consistent with the percentage of trucks estimated using the ITE 0.64 daily truck trip rate. In order to avoid underestimating project operational and related air quality and health effect impacts, the Air Quality Analysis, HRA and Final EIR should be revised using the following truck percentages: LHD2 = 0.0645, MHD = 0.0865, HHD = 0.2300.

   Absent from a specific traffic study of known tenants, the Final EIR should be consistent using the associated ITE truck trip rate to estimate project daily truck trips so that project trips and associated emission and health effect impacts are not underestimated.

[1] CARB Air Quality and Land Use Handbook: http://www.arb.ca.gov/ch/handbook.pdf

On-Road Truck Trip Length

3. In the CalEEMod output sheets provided in Appendix E of the DEIR appendices, the modeling used a 60 mile one-way trip distance and a 20% trip percentage for trucks moving goods for perspective tenants (C-W) and a 6.9 one-way trip distance and an 80% trip percentage for trucks supporting the operation of the perspective tenants (C-NW). In electronic file "LOG 2 4.03 Air Quality – 7-15 Table 4.3-E Operational Vehicle Trip Assumption", the table indicates a 16.6 mile one-way trip distance and an 80% trip percentage for trucks moving goods for perspective tenants (C-W) and a 60 mile one-way trip distance and a 20% trip percentage for trucks supporting the operation of the perspective tenants (C-NW). The Air Quality Analysis is inconsistent and under estimates air quality impacts. A 60 mile one-way trip distance and 80% trip percentage should be used to model trucks moving goods for the perspective tenants (C-W) and a 6.9 – 16.6 one-way trip distance and 20 % trip percentage should be used by trucks supporting the operations of the proposed facility(C-NW).

   On page 3.0-8 in the project description, the lead agency describes potential truck activities that involve the proposed warehouse trucks. "Goods imported from the Ports of Long Beach and Los Angeles as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in- and out-of-state locations." Since the port areas are over 70 miles away from the project site and that trucks will be serving other destinations within the basin and out of state, the SCAQMD staff recommends, absent a tenant-specific analysis with trip length information, that all applicable analyses be revised in the Final EIR using a one-way trip length that more accurately estimates air quality emission and related impacts based on the anticipated activities and distances described in the DEIR.

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

4. Based on a review of the project's emissions calculations in Appendix E – RK Revised AQ, GHG, HRA: Air Quality Analysis[2] (CalEEMod Output Sheets), the lead agency determined the proposed Project's air quality impacts using emission factors for unrefrigerated warehouses/truck activity. However, in mitigation measure MM Air-12 to reduce operational emissions, the lead agency refers to the use of Transportation Refrigeration Units (TRUs) at the project site. The SCAQMD staff therefore recommends that the lead agency include a mitigation measure that precludes the use of refrigerated warehousing at the Project site or revise the air quality analysis to account for emissions from refrigerated warehouse uses. Further, if the lead agency chooses to include refrigerated warehouses in the air quality analysis then MM Air-12 should be incorporated into the project and remain in the Final EIR.

LST and Health Risk Assessment (HRA) Modeling

5. The lead agency used AERMOD (version 12345) to prepare the dispersion modeling for the HRA even though AERMOD (version 14134) was available for at the time of analysis (10/20/2014). Therefore, SCAQMD staff recommends using AERMOD (version 15181), the most recent available version, to revise the dispersion modeling for this project.

6. The HRA analysis involved the use of separate discrete receptors placed randomly for the sensitive receptors. SCAQMD staff recommends that the lead agency revise the HRA using a receptor grid over the existing residences and areas zoned or planned for residential development, in order to ensure that the maximum impacts to a residential receptor are properly analyzed.

[2] Appendix A: CalEEMod Emissions Model Output.

7. SLINE1, SLINE2, and SLINE3 onsite travel line volume sources do not span the entire docking area. SCAQMD staff recommends that the lead agency revise the HRA using a series of volume sources that spans the entire docking area to ensure that impacts are properly analyzed.

8. STCK1, STCK2, and STCK3 onsite idling point sources should span the entire docking area. SCAQMD staff recommends that the lead agency revise the HRA using a line volume that spans the entire docking area to ensure that impacts are properly analyzed.

9. Based on the site plan in the project description, there are two driveways that access Webster Street where residences are located across from the proposed project site. Traffic exiting the site from Webster Street can then access Ramona Expressway to get on the freeway. Although the project description in the Notice of Availability, the site plan and the computer modeling show truck traffic using only Patterson Avenue north towards Harvey Knox Boulevard to access the 215 Freeway, there is nothing, however, to preclude trucks from using the driveways on Webster Street, passing by existing residences and then accessing Ramona Expressway to get on the freeway. The SCAQMD staff recommends that the Final EIR include a discussion of how the project will stop trucks from using Webster Avenue or include a restriction that would formally restrict Webster Street to passenger vehicles only. If trucks are not formally restricted, then project impacts from truck movement on Webster Street and beyond (i.e., north on Webster Street, or south to Ramona Expressway to access the 215 Freeway) would have been underestimated in the DEIR. These potential impacts should therefore be analyzed in the HRA and included in the Final EIR.

Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)

10. Because the California Air Resources Board has classified the particulate portion of diesel exhaust emissions as carcinogenic and during project operations, the lead agency has determined that project operation emissions are significant for Oxides of Nitrogen (NOx), primarily from truck activity emissions, the SCAQMD staff therefore recommends the following changes and additional measures that should be incorporated in the Final EIR to reduce exposure to sensitive receptors and reduce potential significant project air quality impacts:

Recommended Changes

MM AQ 4.3H

- Prior to issuance of a building permit, the Project proponent shall provide the City with project specifications, drawings, and calculations that demonstrate that main electrical supply lines and panels have been sized to support heavy truck charging facilities. ~~when these trucks become available. The calculations shall be based on reasonable predictions from currently available truck manufacturer's data. Electrical system upgrades that exceed reasonable costs shall not be required. In addition, the Project will incorporate 2 electric vehicle charging stations for light-duty vehicles.~~ Electrical lines shall be designed and sized to add additional charging stations when a demand is demonstrated. Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations.[3] Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.

[3] http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf

Additional Mitigation Measures

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

- Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors.
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.
- Design the site such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside of the facility.
- On-site equipment should be alternative fueled.
- Provide food options, fueling, truck repair and or convenience stores on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Improve traffic flow by signal synchronization.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Should the proposed Project generate significant regional emissions, the lead agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the lead agency should require a phase-in schedule for these cleaner operating trucks to reduce project impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the lead agency and project applicant.

Mitigation Measures for Operational Air Quality Impacts (Other)

11. In addition to the mobile source mitigation measures identified above the Lead Agency should incorporate the following on-site area source mitigation measures below to reduce the project's regional air quality impacts from NOx emissions during operation. These mitigation measure should be incorporated pursuant to CEQA Guidelines §15126.4, §15369.5.

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

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SENT VIA USPS AND E-MAIL: March 5, 2015
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Planning Division
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Draft Environmental Impact Report (DEIR)
for the Proposed Westgate Specific Plan (SCH No. 1995052002)

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

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

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

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

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

Sincerely,

Jillian Wong

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

Attachment

JW:GM

SBC150121-02
Control Number

Health Risk Assessment

1. As of December 9, 2006, AERMOD is fully promulgated as a replacement to ISC3, in accordance with Appendix W (http://www.epa.gov/ttn/scram/dispersion_prefrec.htm). AERMOD is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. AERMOD-ready meteorological data for various meteorological stations within the South Coast Air Basin (SCAB) are available for download free of charge at http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/data-for-aermod. The Lead Agency used AERMOD (version 13350) to prepare the dispersion modeling for the Warehouse Health Risk Assessment (HRA) but used AERMOD (version 12060) for the Freeway HRA analysis. Furthermore, while the meteorological data from the SCAQMD Fontana meteorological station was used for both HRA analyses, two different versions of the meteorological data were used. Font2.pfl and Font2.sfc (meteorological data for 2005-2007) and Font7.sfc and Font7.pfl (meteorological data for 2008-2012) are for different years. Given the advancements and bug fixes that occurred in AERMOD between version 12060 and 13350 and 14134 (today's current version), SCAQMD staff recommends that the Lead Agency revise the HRA analyses for both warehouse and freeway using the latest version of AERMOD (version 14134) without the use of Lakes AERMOD-MPI. SCAQMD's modeling guidance for AERMOD can be found at http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/modeling-guidance. Please note that when using AERMOD, the regulatory default option should be used (i.e. without the use of the "FASTALL" or "FLAT" options) and the Lakes MPI should not be used without prior SCAQMD or EPA Region 9 approval.

2. The electronic files for the HRA analyses provided by the Lead Agency to SCAQMD staff were incomplete and did not include the receptor file. Therefore, SCAQMD staff was unable to verify the placement of receptors in the HRA analyses. In the event that receptors were not placed in the correct location using a receptor grid of no more than 100-meter spacing over the existing residences and areas zoned or planned for residential development, the health risks reported in the HRA analyses and DEIR could be underestimated. Therefore, SCAQMD staff recommends that the Lead Agency provide a graphic showing the receptor grid placement in the Final EIR.

3. The proposed project includes both two elementary schools and one high school. However, in the analysis, no receptors were placed in those locations to estimate the health risks to the students, teachers and administrative staff at those locations. SCAQMD staff recommends the Lead Agency update the HRA analyses to include the schools as receptors and estimate the health risks at those locations.

4. In the Warehouse HRA analysis, the Lead Agency assumed only 10 minutes of idling for each truck. Since trucks may idle several times on-site, the SCAQMD staff

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

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

Air Quality Analysis - Operations

Daily Truck Trip Rate

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

Vehicle Fleet Mixture Percentages

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

[1] ITE Manual, High Cube Warehouse Distribution Center (ITE Land Use – 152), 0.64 weighted average Truck Trip Generation Rate (trip ends per 1,000 square feet of gross floor area), Page 267.
[2] 1.337 + 0.343 = 1.68.
[3] DEIR, Traffic Impact Analysis, Project Trip Generation, Pages 31 and 37 Project (High Cube Warehouse Distribution Center) Trip Generation (Table 5, (3 of 3).

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

On-Road Truck Trip Lengths

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

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

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

[4] Appendix B: Air Quality Technical Appendix.

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

Mitigation During Operations (MERV Filters and HVAC Systems)

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

Limits to Enhanced Filtration Units

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

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

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

Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)

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

Recommended Change:

MM C-13

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

Additional Mitigation Measures:

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

- Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors based on guidance from the California Air Resource Board (CARB) guidance.[6]
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site,

[6] CARB: Air Quality and Land Use Handbook: A Community Health Perspective, April 2005, Page4 for Distribution Centers.

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

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

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

Electric Vehicle (EV) Charging Stations

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

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

CNG Fueling Station and Convenience Site

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

Mitigation Measures for Operational Air Quality Impacts (Other)

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

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

Transportation

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

[7] http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf

Energy

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

Other

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

Mitigation Measures for Construction Air Quality Impacts

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

Recommended Change:

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

- ~~At least 50 percent of construction equipment greater than 250 hp, which are on-site for 6 or more consecutive days, shall meet Tier 3 emissions standards or better and be outfitted with BACT devices (e.g., Level 3 diesel emissions control devices) certified by CARB.~~

- Consistent with measures that other lead agencies in the region (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles)[8] have enacted, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following:

- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

[8] For example see the Metro Green Construction Policy at: http://www.metro.net/projects_studies/sustainability/images/Green_Construction_Policy.pdf

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

Recommended Additions

- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements.

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

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

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

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E-MAILED: FEBRUARY 1, 2013 February 1, 2013

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Colton, CA 92324

**Draft Mitigated Negative Declaration (Draft MND)
for the Proposed Colton – DEXUS Project**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final CEQA document. In the project description, the lead agency proposes demolition of the existing 28,000 square foot truck terminal and 18,000 square foot office building. Building construction would include a high-cube warehouse building on the 34.36 acre site. The proposed facility would have 600,046 square feet of building area (12,000 square feet of office area and 588,048 square feet of warehouse/distribution space). The proposed project would include 116 dock doors with parking for 425 standard and handicap spaces, and 42 trailer spaces. Construction is expected to last approximately 10 months and 2014 is the proposed opening year. Although basically zoned for industrial uses, there is a single-family residence located less than a quarter mile northwest of the project site along Agua Mansa Road.

The AQMD staff requests that the lead agency provide additional information regarding the fate of the existing facility. The CEQA analysis assumes it will cease its operations within the boundaries of the South Coast Air Basin (SCAB) by applying the emissions from the current operation to the baseline thus offsetting the projected emissions from the proposed high-cube warehouse use. In addition, the baseline itself may be overestimated by using generalized trip generation estimates instead of the on-site traffic count data to account for vehicle activity and the resulting air quality impacts for the existing operation. Because the determination of significance under CEQA is based on the difference between existing baseline and future project impacts, we recommend that the lead agency provide further substantial evidence for, and re-evaluate where necessary, the baseline and future impacts of this project. If impacts are found to be significant, then additional mitigation may be required to reduce these impacts to a less than significant level. Details regarding these comments and others follow in the attachment.

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

Sincerely,

Ian MacMillan
Program Supervisor, Inter-Governmental Review
Planning, Rule Development & Area Sources

IM:GM
Attachment

LAC130115-02
Control Number

Baseline Emissions and the Status of the Existing Use

1. In a telephone conversation staff on or about January 15, 2013, the lead agency staff expressed uncertainty to AQMD staff whether the existing truck terminal business would cease operations completely within the SCAB boundaries or continue its current operations at the site but at a lower level of activity. The lead agency's operational air quality analysis uses the emissions from the existing use as a baseline to offset the estimated long-term air quality impacts from the proposed warehouse use. It is unclear to AQMD staff if the incremental emissions benefit derived from the existing use would actually be realized. Unless there is assurance that the previous facility activities will cease and not move to another location within the SCAB, the lead agency should not include these emissions as a baseline when calculating regional impacts. AQMD staff requests that the lead agency provide additional discussion of the fate of the existing operations and revise the air quality and greenhouse gas analyses, if necessary.

Potential Overestimation of the Existing Facility Baseline Emissions

2. The lead agency has estimated project emissions for the existing truck terminal building activity using the California Emissions Estimator Model (CalEEMod) and using trip rates based on land uses shown in the Institute of Traffic Engineers (ITE) Trip Generation, 8th Edition (2008) and the Truck Trip Generation Study (City of Fontana, August 2003). In addition to these sources, the lead agency included traffic count worksheets in the Revised Traffic Impact Analysis (Kunzman Associates, Inc., October 2012). It is not clear to the AQMD staff why available project-specific traffic count data included in the Draft MND that could be used to analyze vehicle activity and associated emissions for the existing facility were not used to estimate baseline emissions.

   The AQMD staff believes that using the ITE trip rate to calculate baseline vehicle activity may substantially overestimate project vehicle activity and related on-road mobile source emissions compared with the data supplied in the traffic analysis. This is demonstrated, for example, by looking at the volumes supplied in the Traffic Impact Analysis (TIA) for vehicles entering the facility during the AM peak hour shown on page 11 (Figure 5, Existing Morning Peak Hour Intersection Turning Movement Volumes). For Intersection Six (the main entrance into the facility) in Figure 5, the number of vehicles entering and exiting the facility totals 70. From Table 3 of the TIA (Current Development {Truck Maintenance Facility}), the lead agency has estimated, using the ITE trip rate for the General Light Industrial (110) land use, 259 vehicles per hour. This is more than three times the 70 vehicles per hour found from actual traffic counts. Using the ITE trip rate instead of the vehicle data shown from the traffic counts appears to significantly overestimate the existing project baseline emissions. This results in the incremental emissions, i.e., the difference between the existing facility emissions and the emissions for the proposed warehouse facility being

underestimated. The AQMD staff therefore recommends that applicable analyses be revised in the Final MND using the project-specific traffic count data. Alternatively, the lead agency could explain why the project-specific traffic counts should be ignored.

On-Road Truck Trip Length

3. In the CalEEMod input files provided to AQMD staff by the lead agency, an average one-way trip length of 8.3 miles was used to estimate operational air quality impacts for trucks moving goods for the proposed facility. Trucks operating from these kinds of facilities often handle goods coming directly from the port areas over 70 miles away as well as potentially serving out of state destinations. Absent tenant-specific trip length information, the AQMD staff recommends a one-way trip length from the project site to the port areas as more appropriate trip length for on-road truck emissions and that applicable analyses in the Final MND be revised. If the lead agency is uncertain of the types of tenants or the trip lengths, the lead agency could alternatively limit activities, as a condition of a tenant's occupancy, to levels described in the analysis. Otherwise, long-term project air quality impacts for operations and other relative analyses will be substantially underestimated.

Use of Non-Default Truck Trip Rate

4. In the air quality and health effect analyses, the lead agency based its estimates on trip generation rates from the 8th Edition of the Institute of Transportation Engineers (ITE) Report using a non-default trip rate of 1.44 per thousand square of gross floor area (Land Use Code 152 – High-Cube Warehouse). Based on guidance from the California CalEEMod User's Guide, the AQMD staff recommends using a more conservative trip rate of 2.59 per 1,000 square feet. AQMD staff believes a more conservative trip rate is appropriate as the tenant is unknown, and there are no conditions on the project limiting activity to what is analyzed in the MND.

CalEEMod Fleet Mixture Percentage

5. On page 28 of the Draft IS/MND, the lead agency's narration lists the fleet mixture percentages used in the CalEEMod land use model to estimate operational emissions. The narration states that the estimated fleet mixture is approximately 37 percent truck traffic for the proposed warehouse use including 17 percent heavy-heavy duty (HHD); 8 percent medium-heavy duty (MND); and 12 percent light-heavy duty 1 (LHD1). The CalEEMod inputs, however, also include the 3.4 percent Light-Heavy Duty 2 (LHD2) category that was omitted in the narration total. The 3.4 percent LHD2 percentage would therefore increase the overall truck percentage from 37 to 40 percent. In the Final MND, the narration should be revised to be consistent with the CalEEMod fleet percentages shown in the actual modeling.

Localized Significance Thresholds Analysis: Construction and Operations

6. Under Sensitive receptors on page 13 of the Air Quality & Climate Change Assessment and upon an aerial map inspection, a single-family residential property appears to be located within one-quarter mile of the proposed warehouse. We therefore recommend that the lead agency evaluate localized air quality impacts. The AQMD staff requests this evaluation to ensure that any nearby sensitive receptors are not adversely affected by the construction and operational activities that are occurring in close proximity. AQMD guidance for performing a localized air quality analysis can be found at the following web address: http://www.aqmd.gov/ceqa/handbook/LST/LST.html .

Operational Mitigation Measures

7. In the event the lead agency determines that project air quality impacts (regional or localized) for operations will exceed recommended significance thresholds (mostly attributed to mobile source tailpipe emissions from vehicles operating at the proposed facility), the AQMD staff encourages the lead agency to develop a common set of enforceable mitigation measures to reduce those emissions to the maximum extent feasible. As the lead agency is aware, heavy-duty trucks are the largest source of NOx emissions in our basin and NOx emissions must be reduced by approximately two thirds beyond existing rules and regulations in order to meet air quality standards as required by 2023. Without meeting air quality standards, our region faces federally mandated sanctions, including possible loss of transportation funding. AQMD staff therefore recommends that the lead agency consider the feasibility of the following measures to reduce project impacts. Other lead agencies that have imposed these and similar measures include the City of Banning[1], Riverside County[2], City of San Bernardino[3], and the San Pedro Bay Ports[4], among others.

   Recommended additional measures:

   - Lease/purchase documents shall identify that tenants required to implement the following:
   - At project start, all heavy duty trucks entering the property must meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.
   - If the above clean truck requirements are infeasible, a phase-in schedule should be put forth that will feasibly achieve emission reductions as soon as possible, and faster than existing regulations. Should an alternative

[1] Banning Business Park http://banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf .
[2] Mira Loma Commerce Center: http://www.rctlma.org/online/content/conditions_of_approval.aspx?PERMITNO=pp17788 .
[3] Palm/Industrial Distribution Center http://www.ci.san-bernardino.ca.us/civica/filebank/blobdload.asp?BlobID=11793
[4] Clean Trucks Program http://www.cleanairactionplan.org/cleantrucks/ .

schedule be found necessary, the AQMD staff should be consulted prior to approving the schedule.

- Provide a phase-in schedule and goals for the introduction of zero or near-zero technology trucks (e.g., 10% by 2020, 20% by 2025, etc.) that visit warehouses.

The facility operator will maintain a log of all trucks entering the facility to ensure that on average, the daily truck fleet meets the quantities and emission standards listed in the Draft MND. This log should be available for inspection by city staff at any time.

- The facility operator will ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies [for example, by requiring attendance at CARB approved courses (such as the free, one-day Course #512)].

- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final MND. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.

- Require at least a portion of the fleet to utilize alternative fueled technologies.

- The 2012 Regional Transportation Plan includes a zero-near-zero emissions truck corridor along the SR-60 freeway west of I-15. Because at least a portion of the trucks serving this project may be expected to travel along this route, the project should consider providing onsite alternative fueling infrastructure, such as electric charging stations or natural gas fueling that will help facilitate these low-emitting trucks. This could include ensuring electrical panels and wiring are sufficiently sized to accommodate future needs.

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

- Restrict overnight parking in residential areas. Establish overnight parking within the warehouse/distribution center where trucks can rest overnight.

- Establish area(s) within the facility for repair needs.

- Post signs outside of the facility providing a phone number where neighbors can call if there is a specific issue.

- Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.

- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas.
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.
- Provide food options, fueling, truck repair and or convenience store on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Requiring all on-site vehicles (hostlers, forklifts, etc.) to utilize zero or near-zero emission technology.
- Use street sweepers that comply with SCAQMD Rules 1186 and 1186.1.
- Install solar panels on all available roof space. If this isn't feasible, then at a minimum all buildings and electrical infrastructure should be designed to accommodate potential future solar panel upgrades.

Off-Road Construction Equipment Reduced Load Factors

8. In Appendix B (CalEEMod Output) in the air quality assessment, the lead agency estimated project construction impacts using the CalEEMod land use emissions computer model. This model uses default and user-defined settings to estimate emissions based on the land use settings. In the CalEEMod inputs under User Entered Comments, the lead agency has reduced the Construction Phase Off-Road Equipment load factors by 33 percent citing the California Air Resources Board (CARB) as authority for the changes. For example, the default load factor in the CalEEMod model for rubber tired loaders of 54 percent was reduced to 36 percent.

   Based on communication with ARB staff[5] regarding this issue, the AQMD staff confirmed that CARB staff does not recommend reducing the default settings in the current OFFROAD2007 without considering all parameters besides the load factor. Other parameters such as activity level, horsepower, and population all contribute to the emission factor estimate, and selectively changing only one parameter will lead to inaccurate estimates at a project level. For some equipment types, OFFROAD2007 may underestimate emissions while others may be overestimated. Because of these revisions (and others), CARB developed the new OFFROAD2011. The AQMD staff therefore recommends that the lead agency either use existing OFFROAD2007 defaults until OFFROAD2011 is incorporated into CalEEMod later this year or run OFFROAD2011 outside CalEEMod and use those results to modify the CalEEMod construction calculations. Therefore, even though the reductions might not change the lead agency's determination of significance for construction air quality impacts, these reductions related to

[5] Personal communication with Nicole Dolney, June 1, 2012.

reduced off-road equipment load factors are not recommended by the AQMD staff without further substantial evidence to support those emission reductions resulting from their use. Otherwise, the lead agency should commit to enforcing the assumed lower non-substantiated emission factors.

Construction Mitigation Measures

9. Should the lead agency determine that project localized construction air quality impacts will exceed the AQMD recommended daily significance thresholds, the AQMD staff therefore recommends the following mitigation measures during the projected 10 month construction period to reduce adverse air quality impacts from on-site construction emission sources, if applicable and feasible.

   Recommended additions:

   - Limit the amounts of daily soil disturbance to the amounts analyzed in the Draft MND.
   - All clearing, grading, earth-moving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 miles per hour per SCAQMD guidelines in order to limit fugitive dust emissions.
   - Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
   - All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
   - Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads (recommend water sweepers with reclaimed water).

   Further, other lead agencies in the region including LA County Metro, the Port of Los Angeles, and the Port of Long Beach have also enacted the following mitigation measures. AQMD staff recommends the following measures to further reduce air quality impacts from construction equipment exhaust:

   - Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
   - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by

the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

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

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html .

ATTACHMENT C

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May 28, 2024

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Re: Agenda Item D – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Planning Commission Members and Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit these comments on the 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant") in the City of Ontario ("City"). The Project's Final Environmental Impact Report ("FEIR") and development plan will be considered at the May 28, 2024 Planning Commission meeting as Agenda Item D. The Commission will consider certification of the FEIR and approval of the Development Plan application.

CARE CA submitted comments on the DEIR and subsequently on the FEIR, accompanied by expert comments, showing that the FEIR failed to comply with the requirements of CEQA by failing to accurately disclose and mitigate potentially significant air quality, public health, greenhouse gas ("GHG"), energy, transportation, and cumulative impacts. The Staff Report contains responses[1] to CARE CA's comments on the FEIR. However, the responses fail to resolve the major flaws CARE CA and its experts identified in the DEIR.

[1] Letter from T&B Planning Inc. to City, re: 5355 East Airport Drive (PDEV22-017) – Response to April 15, 2024 Comment Letter from CARE CA (May 20, 2024).

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We reviewed the Planning Commission Staff Report with the assistance of air quality expert Dr. James Clark.[2]

The Staff Report fails to meaningfully address the flaws in the Project's environmental review. Regarding hazards, the FEIR identifies significant vapor intrusion impacts due to PCE contamination, but improperly defers formulation of mitigation measures. The FEIR also fails to analyze the full scope of the Project – CEQA requires that an EIR analyze the reasonably foreseeable consequences of the Project, but the Project's FEIR fails to analyze the Project's reasonably foreseeable use as a parcel hub (a use that generates more trips than analyzed), and fails to analyze reasonably foreseeable truck trips to the Ports of Los Angeles and Long Beach. Regarding cumulative impacts, the Staff Report still fails to meaningfully respond to the legal authority requiring analysis of the Project's impacts in the context of the numerous other warehouses existing and planned in the area. The Staff Report also fails to resolve flaws in the Project's health risk assessment, which still underestimates impacts on sensitive receptors. Regarding energy, the Staff Report provides an analysis of factors in Appendix F the CEQA Guidelines. But the analysis is wholly inadequate because it fails to address applicable energy consumption measures and renewable energy options. As a result, the FEIR's conclusions are not supported by substantial evidence. Rather, substantial evidence demonstrates that the Project's significant impacts are greater than analyzed in the FEIR.

The Staff Report incorrectly concludes that the "final EIR contains a complete and accurate reporting of the environmental impacts associated with the Project" and complies with CEQA.[3] The Staff Report recommends that the Planning Commission adopt the final EIR and approve the Project's Development Plan Application.[4] These recommendations are unsupported by evidence in the record due to the major flaws in the Project's environmental review.

CARE CA urges the Planning Commission to require the City revise and recirculate the EIR to comply with CEQA before any further action is taken on the Project.

I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker

[2] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[3] Staff Report, Item D - 2573 of 3296.
[4] Staff Report, Item D - 1 of 3296.

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health and safety hazards, and the environmental impacts of the Project. The coalition includes Ontario residents Daniel Brewer, David Audelo, Carlos Mendez, Rober Rubio, the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Ontario and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

II. THE FEIR FAILS TO ADEQUATELY ANALYZE, QUANTIFY, AND MITIGATE THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS

A. The FEIR Improperly Defers Formulation of Mitigation Measures for Hazardous Materials

The FEIR's Phase I/II Environmental Site Assessment ("ESA") identifies levels of tetrachloroethene ("PCE") in soil vapor samples in excess of current commercial/industrial calculated soil gas screening levels ("SGSLs").[5] The ESA concludes that "PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Site."[6] The FEIR identifies this contamination as a potentially significant impact.[7] Additionally, the ethylbenzene concentration in one soil vapor sample

[5] FEIR, Phase I/II Environmental Site Assessment, pg. vii.
[6] FEIR, Phase I/II Environmental Site Assessment, pg. 11-2.
[7] DEIR, pg. S-17.

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exceeded the calculated soil gas commercial/industrial screening level of 163 micrograms per cubic meter.[8] The FEIR fails to disclose this significant impact in the body of the FEIR, in violation of CEQA.

The FEIR states that the potentially significant vapor intrusion impacts would be mitigated through imposition of Mitigation Measure ("MM") 4.7-1. This measure requires future preparation of a Soil Management Plan ("SMP"). he SMP will include instructions for handling, storage, and disposal of any known or potentially impacted soil during soil moving activities. But MM 4.7-1 fails to explain how the PCE contamination at the Project site will actually be addressed – whether it will be remediated, capped in place, etc. – and the FEIR lacks a quantitative analysis of the construction impacts associated with that process. The measure states that contaminated soils will be monitored and provides guidance for proper soil handling, but does not specifically state that PCE-contaminated soil will be removed. Under MM 4.7-1, it is unclear if the City will remove PCE-contaminated soil or adopt passive/engineered vapor intrusion mitigation such as installing a vapor barrier or venting. Without clear performance standards and a quantitative analysis of the impacts of the PCE cleanup phase of construction, MM 4.7-1 remains incomplete and ineffective, and the FEIR's construction impact analysis remains incomplete.

MM 4.7-1 improperly defers formulation of mitigation measures related to PCE contamination to a future date.

CEQA Guidelines Section 15126.4 states that formulation of mitigation measures shall not be deferred until some future time. The Guidelines permit an agency to develop the "specific details of a mitigation measure" after project approval "when it is impractical or infeasible to include those details during the project's environmental review."[9] In such circumstances, deferral of mitigation details is permitted if the agency "(1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will [be] considered, analyzed, and potentially incorporated in the mitigation measure."[10] Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on

[8] FEIR, Phase I/II Environmental Site Assessment, pg. viii.
[9] Guidelines, § 15126.4, subd. (a)(1)(B) (Section 15126.4).
[10] Section 15126.4, subd. (a)(1)(B); *see Save Our Capitol! v. Department of General Services* (2022) 85 Cal.App.5th 1101, 1134 (*Save Our Capitol!*).)

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substantial evidence in the record, to reduce the significant impact to the specified performance standards.[11]

Here, the FEIR defers formulation of the PCE mitigation until after Project approval. But the City fails to present any evidence that it would be impractical or infeasible to do so during the Project's environmental review. Based on the evidence before the City, it should be feasible to require and formulate vapor intrusion mitigation. Even if deferral of formulation of mitigation were reasonable in this case, MM 4.7-1 fails to adopt specific performance standards for remediating PCE contamination and the associated vapor intrusion risks. MM 4.7-1 also fails to clearly identify the types of potential actions that may be taken to mitigate the vapor intrusion risk. Thus, the City improperly defers formulation of PCE contamination and vapor intrusion mitigation.

The City also improperly defers formulation of mitigation for the ethylbenzene contamination. As with the PCE contamination, MM 4.7-1 fails to substantiate how this contaminant will be addressed. The FEIR contains no evidence that formulation of mitigation for ethylbenzene contamination is impractical or infeasible, identifies no performance standards, and fails to identify potential mitigation measures. Mitigation for this impact is thus improperly deferred.

B. The City Still Fails to Adequately Evaluate Trips Generated by the Project

CARE CA's comments on the FEIR showed that the Project's size and number of parking spots would enable it to be used as a High Cube Parcel Hub Warehouse, which has a trip generation rate 2.6 times the rate used in the FEIR. In Response 1-8, the City reiterates its position that analyzing the Project as a combination of the "Warehousing" and "High-Cube Cold Storage Warehouse" land uses is reasonable due to the Project's anticipated use and size.[12]

The City's response ignores that an EIR must analyze reasonably foreseeable consequences of a Project. Public Resources Code Section 21065 provides, in part: "'Project' means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."[13] Here, the Project proposes a 270,337-square-foot industrial

[11] *Id.*
[12] Staff Report, Item D - 2466 of 3296; FEIR, pg. 2-39.
[13] *See* Cal. Code Regs., tit. 14, § 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376.

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building with a proposed height of 46 feet on 13.08 acres of land. A high-cube parcel hub warehouse is a reasonably foreseeable use of this project because "high-cube parcel hub warehouse" is defined in Institute of Transportation Engineers ("ITE") land use code 156 as a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/ or consolidation of manufactured goods prior to their distribution to retail locations or other warehouses. And Mr. Marshall's comments on the FEIR demonstrate that the Project site includes adequate parking to support this use. Even if less-intensive warehouse uses are possible for this Project (such as the FEIR's combination of "Warehousing" and "High-Cube Cold Storage Warehouse"), use as a high-cube parcel hub warehouse is a reasonably foreseeable outcome that must be analyzed.

The City's claim that the Project's "anticipated use" does not include a high-cube parcel hub warehouse is irrelevant to the analysis. Courts have held that in this situation, "the identity of a tenant is irrelevant to CEQA review."[14] The court in *Maintain Our Desert Environment v. Town of Apple Valley* explained that "land use entitlements such as conditional use permits and development approvals run with the land and do not belong to the permittee…. had [the developer] developed the Project and then held it out for sale to any interested buyer, no additional CEQA review would have been necessary for the new owner so long as the use was consistent with that that had already been approved."[15] Here, the project that is the subject of the FEIR is a Development Plan to develop an industrial building totaling 270,337 square feet of gross floor area on 13.08 acres and having a FAR of 0.47. This building could be used as a high-cube parcel hub warehouse, so this level of use must be analyzed in the FEIR.

C. The FEIR Still Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

CARE CA commented that the FEIR's analysis of cumulative impacts is inadequate because it fails to consider the cumulative impacts of past, present, and probable future projects. The City's approach to cumulative impacts, relying on South Coast Air Quality Management District ("SCAQMD") guidance, is that emissions of criteria air pollutants or toxic air contaminants that do not exceed individual project thresholds are also not cumulatively considerable.[16] CARE CA's

[14] *Am. Canyon Cmty. United for Responsible Growth v. City of Am. Canyon* (2006) 145 Cal. App. 4th 1062, 1074 (citing *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 124 Cal.App.4th 430, 443–449)).
[15] *Maintain Our Desert Environment v. Town of Apple Valley, supra,* 124 Cal.App.4th at 444.
[16] DEIR, Appendix B, pg. 53.

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comments provided a discussion of the controlling caselaw,[17] the Attorney General's recent litigation on this issue in *People of the State of California v. City of Fontana*,[18] and pending updates to the SCAQMD significance thresholds for cumulative impacts in response to this litigation. These authorities explain that the City's "drop in the bucket" approach to cumulative impacts does not comply with CEQA.

In Responses 1-10 and 1-11, the Staff Report states: "[t]he commenter is again advised that the SCAQMD is the regulatory authority on air quality charged with the responsibility of ensuring the improvement of air quality in the South Coast Air Basin… The commenter speculates on 'updated thresholds' for air quality impacts. Absent these 'updated thresholds' the EIR properly evaluates air quality impacts in the context of existing thresholds, protocols, and methodologies."[19]

The Staff Report and the FEIR continue to fail to address any of the controlling legal authority on this issue raised in CARE CA's comments. The court in *Environmental Protection Information Center v. California Dept. of Forestry Fire Protection* stated: "[w]e review an agency's decision regarding the inclusion of information in the cumulative impacts analysis under an abuse of discretion standard. 'The primary determination is whether it was reasonable and practical to include the projects and whether, without their inclusion, the severity and significance of the cumulative impacts were reflected adequately.'"[20] CARE CA's comments demonstrate that the SCAQMD individual project significance threshold fail to reflect the significance of cumulative air quality and public health impacts in areas burdened by extensive warehouse development – this Project would add a substantial number of diesel truck trips to routes in an area with a high existing background MATES cancer risk, combining with the emissions of trucks from numerous other warehouses. Analysis of cumulative impacts from past, present, and probable future warehouse projects is feasible. As an example, Dr. Clark's comments present data from Pitzer College's Warehouse CITY tool, which maps existing and proposed warehouses in Los Angeles, Riverside, and San Bernardino Counties.[21] The tool measures metrics including acreage, square footage, and diesel particulate matter and carbon emissions.[22]

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[17] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692; *Env't Prot. Info. Ctr. v. California Dep't of Forestry & Fire Prot.* (2008) 44 Cal. 4th 459;
[18] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;
[19] Staff Report, Item D - 2467 of 3296.
[20] *Id.* at 525 (citing *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 723.
[21] Available at https://www.pitzer.edu/redfordconservancy/mapping-data-visualization/.
[22] *Id.*; Clark, pg. 7.

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The Staff Report's statement that CARE CA speculates as to "updated thresholds" is erroneous because CARE CA's comments link directly to the materials for SCAQMD's working group meetings – these materials discuss updates to the thresholds.[23] The Staff Report's failure to discuss SCAQMD's pending updates is inconsistent with the Staff Report's statement that SCAQMD is the regulatory authority on air quality. In sum, the City's rote application of SCAQMD significance thresholds without analysis of the context in which the Project is being proposed fails to satisfy the analytical and informational requirements of CEQA.

D. The FEIR's Quantified Health Risk Analysis Underestimates Impacts

CARE CA's comments on the FEIR identify flaws in the City's Mobile Source Health Risk Assessment ("HRA") that underestimate health risk impacts on residential and non-residential (worker) receptors in the vicinity of the Project. In Responses 1-12 and 1-13, the Staff Report disputes these flaws. The Staff Report maintains that "[a]ny variant in interpretation of OEHHA guidance such as is suggested by the commenter would not materially affect the EIR health risk significance conclusions" because "the Project site is surrounded by industrial uses and the nearest sensitive receptor locations are short-term stay hotels located on the opposite side of freeways with the closest being approximately 3/4-mile from the Project site."[24]

The Staff Report's statement regarding distance from sensitive receptors ignores that the Project would generate truck trips impacting sensitive receptors along the City's designated truck routes.[25] The Project's primary truck routes would depend on the Project's future uses. Despite uncertainty regarding the Project's future tenants, the HRA makes an unsubstantiated assumption regarding the Project's primary truck route, shown in the exhibit below.[26]

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[23] SCAQMD, CEQA Policy Development, https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new); SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=16; SCAQMD Working Group Meeting #5, Cumulative Impacts from Air Toxics for CEQA Projects (March 20, 2024) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20.
[24] Staff Report, Item D – 2468-9 of 3296.
[25] The Ontario Plan, Mobility Element, Figure M-04, https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Mobility/FIgure%20M-04%20Truck%20Routes.pdf.
[26] FEIR, HRA Report, Exhibit 2-C.

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EXHIBIT 2-C: MODELED OFF-SITE EMISSION SOURCES



The HRA only analyzes trucks travelling east along Airport Drive, away from sensitive receptors located west of the Project. Trucks could easily travel west on Airport Drive and north along Milliken Avenue, which are both City-designated truck routes.[27] Sensitive receptors including Receptor R6 are located off Milliken Avenue, and could thus be impacted by cumulative truck trips from this Project and other warehouses. The HRA's assumption that trucks would not travel west along Airport Drive underestimates impacts. A revised HRA must be prepared.

E. The FEIR Still Underestimates Truck Trip Lengths and Resultant Impacts

CARE CA commented that the FEIR underestimates truck trip lengths by failing to account for the Project's distance to the Ports of Los Angeles and Long Beach. CARE CA presented numerous comment letters from SCAQMD

[27] The Ontario Plan, Mobility Element, Figure M-04, https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Mobility/FIgure%20M-04%20Truck%20Routes.pdf; Clark Comments, pg. 5.

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recommending analysis of trips to the Ports, and presented evidence showing that trips to the Ports are a reasonably foreseeable consequence for a warehouse in the City of Ontario. In Response 1-16, the Staff Report states:

> The commenter states that the Final EIR misinterprets the SCAQMD's guidance and provides examples of previous SCAQMD comments on other, unrelated warehouse projects alleging that the Project's truck trip length assumptions are not supported by substantial evidence. As discussed in Draft EIR Section 3.0, Project Description, the Project is proposed as a speculative development and the user(s) of the building is not known at this time (refer to Draft EIR p. 3-13). It is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. As stated in Response to Comment A-18 in the Final EIR, the trip lengths were derived by weighting the average trip lengths using traffic trip percentages.

The Staff Report apparently dismisses the SCAQMD comments as inapplicable without providing any evidence demonstrating that the Project's truck trips would be limited to the local 40-mile average trip lengths analyzed in the FEIR, and without considering the additional guidance from SCAQMD contained in the letters which explains that truck trips to and from the ports should be analyzed. Many of the SCAQMD letters recommending consideration of the distance to the Ports were in regard to "spec" warehouses with unknown tenants, just like the Project.[28] The Staff Report and the FEIR's responses fail to respond to this guidance with good faith, reasoned analysis,[29] and still fail to provide any evidence demonstrating that goods brought in and out of the Project's warehouses would primarily come from short-distance truck trips.

The Staff Report's statement that it is speculative to assume trucks may travel to the Ports of Los Angeles and Long Beach also misstates the applicable legal standard. The City's response ignores that an EIR must analyze reasonably foreseeable consequences of a Project. Public Resources Code Section 21065 provides, in part: "'Project' means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical

[28] SCAQMD, Comments on Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449) (October 9, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf ("the future tenant(s) of the building is not known").
[29] CEQA Guidelines, Section 15088 requires "good faith, reasoned analysis in response… Conclusory statements unsupported by factual information will not suffice." The level of detail contained in the response may correspond to the level of detail provided in the comment.

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change in the environment."[30] Here, the Project proposes a 270,337-square-foot industrial building with a proposed height of 46 feet on 13.08 acres of land. CARE CA's comments contain evidence showing that trips to the Ports are a reasonably foreseeable outcome of a warehouse like this (citing to the massive volume of goods moving to and from the Ports, and recommendations from SCAQMD).[31] In light of this evidence, the City's assumption that trucks would not travel to the Ports is speculative, unsupported by substantial evidence, and is a failure to analyze a reasonably foreseeable use permitted by the Development Plan.

This letter contains additional substantial evidence showing that trips to the Ports are reasonably foreseeable. The National Center for Sustainable Transportation ("NCST"), sponsored by the California Department of Transportation, prepared a research report titled "Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns" in 2017.[32] The report analyzed Southern California Association of Governments ("SCAG") data on warehouses in the six counties that comprise the SCAG region (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura). The report finds that **56% of the facilities in the SCAG region receive goods from the Port of Los Angeles and Long Beach**, and around 50% deliver to Southern California warehouses, retail stores or manufacturing plants.[33] This data suggests that trips to the Ports are reasonably foreseeable, and that it would be speculative not to account for distance to the Ports.

In June 2014, SCAQMD staff conducted a business survey of warehouse operators in the SCAQMD region.[34] The survey found that **42% of goods going to high-cube warehouses in the SCAQMD region originated from the Ports**, per the figure below.[35]

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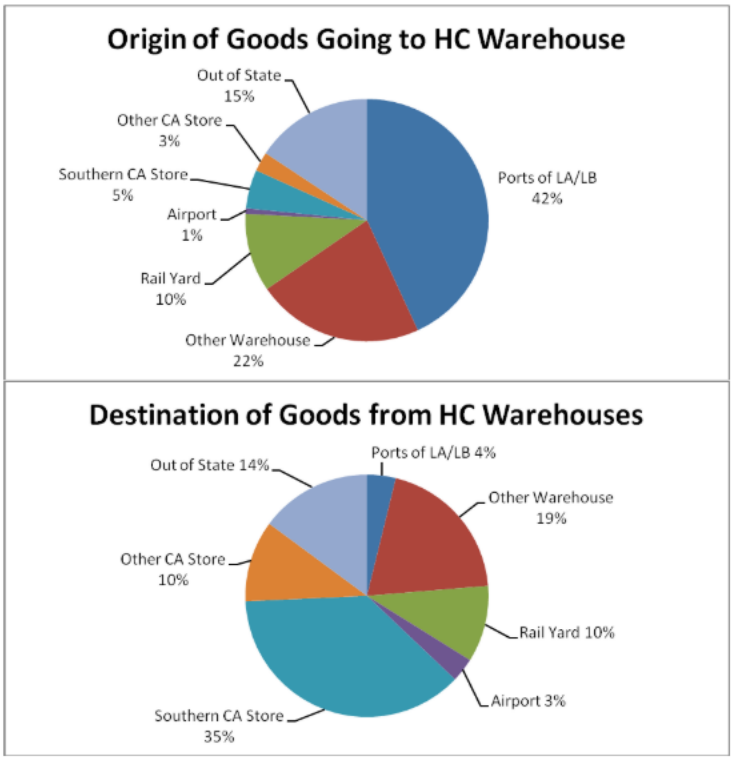
[30] *See* Cal. Code Regs., tit. 14, § 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376.
[31] ABJC, Letter to City re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (April 15, 2024), Clark Comments, pg. 6.
[32] NCST, Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns (July 2017), available at https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/final-reports/ca17-2975-finalreport-a11y.pdf.
[33] *Id.* at 6-7.
[34] SCAQMD, SCAQMD High Cube Warehouse Truck Trip Study White Paper Summary Of Business Survey Results (June 2014), available at https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/business-survey-summary.pdf.
[35] *Id.* at pg. 11.

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Origin and Destination of Goods

22 of 34 high cube warehouse respondents provided the origins and destinations of goods flowing to and from their facility. Major trends seen in the charts below include:

- The ports of Los Angeles and Long Beach make up a large share of imported goods yet only a minor component of exported goods
- Approximately 1 in 5 truck trips occurs between warehouses
- Approximately 1 in 7 truck trips involves an out of state location
- Approximately 1 in 10 truck trips involves a rail yard



During discussion at the April 15, 2024 Development Advisory Board hearing, a City consultant suggested that if the Project only makes truck trips to other warehouses, it would not be necessary to evaluate distance to the Ports. The figure above shows that only a small percentage of goods come from other warehouses and that the lion's share of goods are from the Ports. Thus, it would be speculative to disregard the Project's distance from the Ports in analyzing its impacts.

CARE CA's prior comments discussed the volume of goods passing through the Ports. 32 percent of all containers in the U.S. move through the Ports.[36]

[36] SCAG, ConnectSocal, Technical Report re Goods Movement (Adopted September 3, 2020), pg. 9, available at https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_goods-movement.pdf?1606001690.

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Approximately 40 percent of the total U.S.-Asia trade is served by the Ports, and 40 percent of the imports entering the Ports are transloaded or cross-docked.[37]

Substantial evidence also demonstrates the demand for port-related warehouse space is expected to expand. SCAG's 2012-2035 Regional Transportation Plan forecasts that "Demand for port-related warehouse space is projected to grow at a faster pace than demand for domestic warehousing… As space near the San Pedro Bay Ports reaches capacity, port warehousing will push out to the Inland Empire…. By 2035, the region may experience a shortfall of more than 228 million square feet in warehouse space relative to demand."[38] The table below reflects SCAG's forecasts for growth in demand for port-related warehouse space. The growth in the port-related market is expected to be much higher than the domestic market.[39]

Table 2.4 2014-2040 Minimum and Maximum Growth in Unconstrained Occupied Warehouse Space by Cargo Market across Alternate Scenarios

	Growth Percentage Range		Annualized Growth Rate Range	
Cargo Market	Min.	Max.	Min.	Max.
Port-related market	56%	83%	1.7%	2.4%
Border Crossing-related market	75%	165%	2.2%	3.8%
Domestic market	26%	39%	0.9%	1.3%
Total	**31%**	**45%**	**1.1%**	**1.4%**

Source: SCAG Warehouse Space Forecasting Model, Version 1.0, developed in June 30, 2016.

In sum, substantial evidence demonstrates that trips to the Ports are reasonably foreseeable for a spec warehouse proposed in the SCAG region, like this one. The lack of a specific tenant identified for the Project does not justify omission

[37] SCAG, Industrial Warehousing in the SCAG Region – Task 3: Assessment of Supply Chain Strategies and Implications for Future Development (April 2018), Pg. 1-4, 1-5, https://scag.ca.gov/sites/main/files/file-attachments/task3_supplychaintrends.pdf?1604268170. (Transloading refers to transferring of import cargo from ocean containers into domestic 53-foot containers and trailers for onward movement to U.S. inland destinations via rail or truck. Crossdocking is a type of transloading in which the cargo is transloaded within approximately 24 hours of arriving at the transload facility.).

[38] SCAG, 2012-2035 RTP/SCS, pg. 68, available at https://libraryarchives.metro.net/dpgtl/scag/2012-2035-regional-transportation-plan.pdf.

[39] SCAG, Industrial Warehousing in the SCAG Region – Task 5: Developing a Policy Evaluation Framework and Assessing the Implications (April 2018), Pg. 2-11, available at https://scag.ca.gov/sites/main/files/file-attachments/task5_developingpolicyevaluation.pdf?1604268239.

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of this analysis. As a result of this omission, the FEIR underestimates transportation, air quality, and GHG impacts.

F. The FEIR Still Fails to Include Sufficient Investigation into Energy Conservation Measures

CARE CA commented that the FEIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines.[40] CARE CA's comments discussed the decision in *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[41] in which the Court of Appeal held that an EIR failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options.[42]

In Response 1-20, the Staff Report suggests that discussion of energy consumption measures is not required for this Project because its energy impacts are less than significant.[43] The City continues to make the same error as the lead agency in *CCEC* because the EIR in that case also identified a less-than-significant energy impact.[44] The court held that the EIR must nonetheless analyze energy consumption measures.[45]

Response 1-20 provides a "CEQA Guidelines Appendix F Energy Analysis" in Table 1-1.[46] Table 1-1 addresses factors listed in Appendix F, subdv. II(C), but fails to include any discussion of renewable energy options. As explained in *CCEC*, an EIR fails to comply with the requirements of Appendix F by not discussing or analyzing renewable energy options.[47] And as explained in CARE CA's prior comments, this FEIR must analyze the feasibility and effectiveness of measures including onsite solar facilities, electric vehicle charging, alternative fuel sources for the backup generators, more stringent idling requirements, and use of existing power sources during construction rather than generators.

The Staff Report contains additional responses regarding energy in Responses 1-21 to 1-25, but none address the feasibility of reducing energy

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[40] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[41] (2014) 225 CA4th 173.
[42] *Id.* at 213.
[43] Staff Report, Item D - 2471 of 3296.
[44] *CCEC, supra*, 225 CA4th 173 at 183.
[45] *Id.* at 213.
[46] Staff Report, Item D - 2471 of 3296.
[47] *CCEC, supra*, 225 CA4th 173 at 213.

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consumption through onsite solar facilities. Response 1-21 states that the City need not evaluate using alternative fuel sources for backup generators because their emissions would be less-than-significant.[48] Again, the Staff Report makes the same mistake proscribed in *CCEC* by assuming no analysis of energy consumption measures is required if the Project's energy impact is less-than-significant.[49]

In Response 1-22, the City states that it would be infeasible to set more stringent idling requirements over existing requirements because there is no enforcement mechanism that the City can assure to enforce adherence.[50] But the City is authorized under Development Code Section 4.02.025(E) to impose conditions of approval to protect public health and mitigate environmental impacts. Section 4.02.025(E)(3) states that "All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code." Unenforceability is thus not a valid reason not to consider a more stringent idling requirement.

In Response 1-23, the Staff Report states that the FEIR adequately evaluated the feasibility of utilizing existing power sources (e.g., power poles) or alternative fuel generators rather than temporary power generators during construction. The Response seems to misunderstand the nature of CARE CA's comment by discussing how "new dry utility infrastructure would be installed underground."[51] Instead, the FEIR should have included a discussion on the feasibility of a measuring limiting use of diesel generators during construction.

In Response 1-25, the Staff Report states that it meaningfully addresses Appendix F's considerations of "whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope."[52] But neither the Staff Report nor the FEIR contain this analysis.

In sum, the FEIR's energy analysis remains wholly inadequate. The Staff Report and the FEIR make no attempt to evaluate the feasibility of onsite renewable energy generation and storage, and fail to consider the feasibility of electric vehicle charging beyond existing requirements. And the Staff Report's

[48] Staff Report, Item D - 2473 of 3296.
[49] *CCEC, supra*, 225 CA4th 173 at 213.
[50] Staff Report, Item D - 2474 of 3296.
[51] Staff Report, Item D - 2474 of 3296.
[52] Staff Report, Item D - 2474 of 3296.

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responses to proposed energy consumption measures in Responses 1-21 to 1-25 are generally nonresponsive and fail to meet CEQA's requirements.

III. THE COMMISSION CANNOT MAKE THE REQUISITE FINDINGS TO APPROVE THE PROJECT

Section 4.02.025(D) of the City of Ontario Municipal Code sets forth findings necessary to approve a development plan. The Code provides that an application for a development plan shall be denied if the following finding (among others) cannot be clearly established: "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project."[53]

The Project would have a significant and unavoidable VMT impact. And the Project has potentially significant vapor intrusion, health risk, air quality, GHG, and energy impacts which have been underestimated in the FEIR. Because the Project's impacts on public health, safety and general welfare have not been adequately analyzed and mitigated, the City cannot make the requisite findings to approve the Project. A revised EIR must be recirculated before the Project can be recommended for approval.

IV. CONCLUSION

As is explained herein, the FEIR's hazards, air quality, health risk, energy, and transportation analyses remain substantially inaccurate and incomplete, failing to comply with the requirements of CEQA. As a result, the FEIR still fails to adequately disclose and mitigate the Project's significant impacts. As a consequence of these impacts, the City cannot make the requisite findings under CEQA to certify the FEIR or under the City of Ontario Municipal Code to approve the Project's Development Plan. CARE CA urges the Commission to require the City revise and recirculate the EIR before any further action is taken on the Project.

Sincerely,

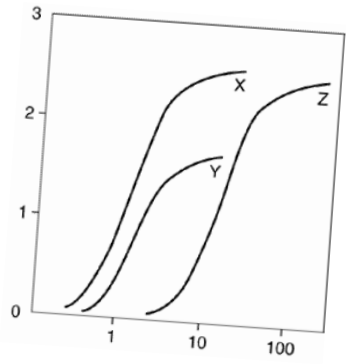
Aidan P. Marshall

Attachment
APM:acp

[53] Section 4.02.025(D)(3).

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EXHIBIT A



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May 28, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Attn: Mr. Aidan Marshall

Subject: Comments On Staff Report For Final Environmental Impact Report (DEIR) 5355 Esat Airport Drive, City of Ontario, CA SCH No. 202209006

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed materials related to the August 2023 City of Ontario's (the City) DEIR of the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

Project Description:

According to the City of Ontario's Development Advisory Board Decision File No. PDEV22-017 – Draft EIR (dated March 18, 2024), the draft EIR consists of a Development Plan application to construct a 270,337 square-foot industrial building on the 13.08 acres of the Project site. The Project would require the demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The design would also include the installation of site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detection facilities, exterior lighting, walls/fencing, and signage along with improvements to East Airport Drive.



Figure 1: Site Location Map

Under existing conditions, the Project Site is developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site. Several subsurface septic systems are located beneath the Site to serve the existing uses.

In the Meeting Agenda for the May 28th, 2024 City of Ontario Planning Commission/Historic Preservation Meeting Agenda, the City included responses from T&B Planning (T&B) to comments on the Final EIR for the Project provided by CARE CA. The responses from T&B for the City in total claim that no new information has been provided within the comments. This assertion is not supported by the information provided within the responses from CARE.

Specific Comments

1. Comment 1-12: The City's Air Quality Analysis Did Not Incorporate Building Downwash In The AERMOD Analysis.

T& B claims that building downwash is not appropriate for volume or area sources. This is incorrect. The choice to model the idling trucks, which are movable discrete point sources onsite below the line of the building roof, is a controllable feature in the AERMOD model. Volume sources are defined in the AERMOD Users Guide as included a variety of industrial sources, such as building roof monitors, multiple vents, and conveyor belts.[1] Volume sources are characterized as having a defined specific release height above the ground, an initial lateral dimension of the volume, and an initial vertical dimension. While the assumption that roadways and idling trucks in the Health Risk Assessment can be modeled as a line of volume sources, it must be pointed out that emissions from idling trucks and moving trucks will come from the exhaust pipe(s) to the engine, releasing diesel particulate matter (DPM) from a raised pipe at a specific rate (a point source). Therefore, the use of building downwash in the model to ensure that the modeled concentrations are not underestimated is appropriate. Omission of the building downwash effect underestimates the exposure point concentrations for receptors near the building(s). T&B, in Response 1-12, states that the Project's Air Quality Impact Analysis experts (Technical Appendix B1 of the Draft EIR) have concluded that truck idling emissions sources resulting from the Project would not be materially affected by downwash, but it is important to note that the HRA does not quantify the effects of downwash. The City should address the impact of this issue in a Revised DEIR.

2. Comment 1-41: The Air Quality Analysis Relies On An Input Value From AP-42 That

[1] U.S. EPA. 2023. User's Guide for the AMS/EPA Regulatory Model (AERMOD). Pg 3-68

Is Rated As Poor And Maybe Unreliable

T&B's response that the impact from a poorly rated AP-42 value is incorporated into the analysis is not new evidence is not supported by the evidence in the FEIR. As was noted in my prior comments, the CalEEMOD analysis of the construction emissions incorporates various factors from U.S. EPA's Emission Factors Handbook (AP-42). The AP-42 emission factor for crushing stones used in the CalEEMOD analysis is rated E. This is the worst rating in AP-42, which according to U.S. EPA may not represent a random sample of the industry. The City's response to the questioning of the rating of the emission factor was qualitative at best, failing to show any quantitative analysis of the potential impacts. The City should assess the impacts of this variable in a Revised DEIR.

3. Comment 1-16: The Average Truck Trip Length Of 40 Miles Used In The Air Quality Analysis Does Not Match The Length(s) Used To Support Other Warehouse Projects.

According to T&B's response, the Project is proposed as a speculative development and the user(s) of the building. T&B goes on to state that it is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. This line of reasoning clearly conflicts with the goals of CEQA to analyze the foreseeable and reasonable emissions from the Project.

This statement also does not comport with the reality of where warehoused materials will ship from in the region. The 40-mile distance is insufficient to allow vehicles to travel to the major ports in the Southern California region – Los Angeles and Long Beach. These Ports are the largest source(s) of containerized products, and therefore the primary sources of heavy-duty truck traffic, on the West Coast of the United States are the Ports of Los Angeles and Long Beach. "In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade. The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day. Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately

700 million square feet, an increase of 20 percent over the last five years"),[2] citing data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units)[3] from 2020, the Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide.[4] The distance from the Port of LA to the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.

Using the 62-mile daily truck trip will nearly double the daily emissions of pollutants associated with the Project, increasing the regional burden and resulting in a potentially significant impact. The City must address the impact of this issue in a R-FEIR.

4. Additional Comments On The FEIR

a. The Truck Route Assumed For The Project Site Ignores The Traffic Constraints Of The Project Site

The truck route assumed in the FEIR assumes traffic will only exit the Project Site and turn left on East Airport Drive to S. Etiwanda Avenue. This route requires the trucks using the Project Site to cross (turn left out of the Project Site) Airport drive and to cross South Etiwanda Drive (turn left onto S. Etiwanda Avenue). The assumed distance to the 10 freeway is approximately 0.8 mile. An alternate route for traffic was not assessed in the FEIR which is longer than the primary route, but would have fewer traffic challenges for the drivers. Assuming trucks exit the Project Site and turn right (avoiding the delay getting across Airport Drive) then turn right on South Milliken Avenue, the vehicles will also be able to reach the 10 Freeway. The distance for this route is approximately 1.6 miles and is closer to the residential properties identified in the FEIR. The City must consider this alternate route and the air quality impacts in a R-FEIR.

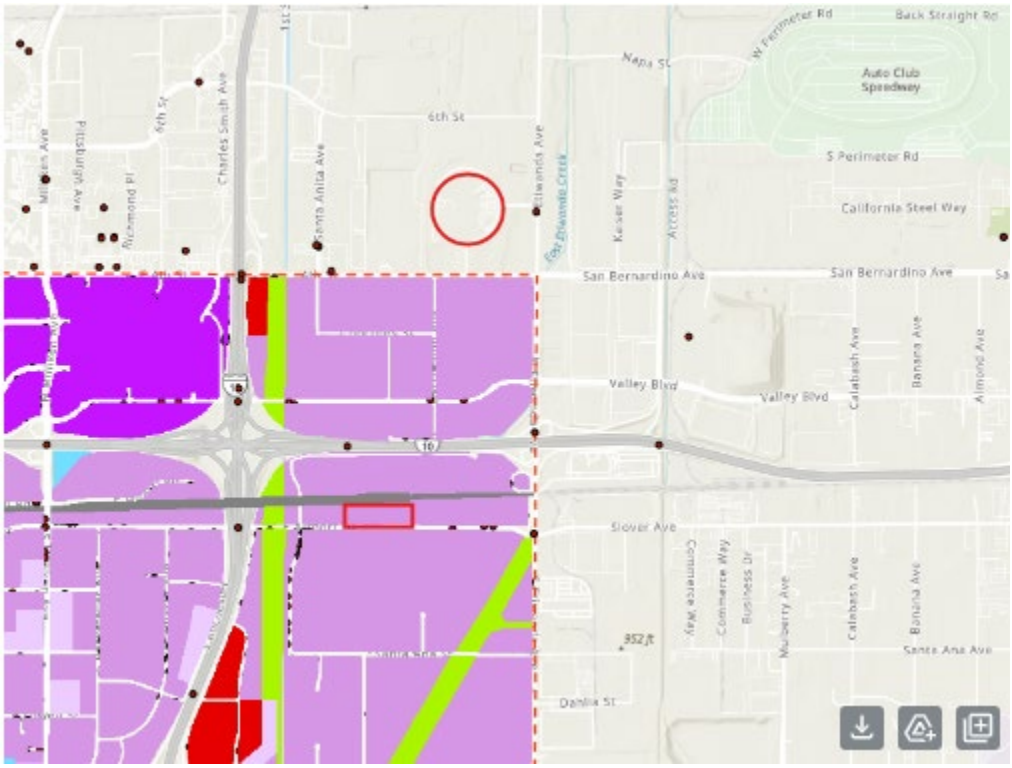
b. The HRA And Air Quality Analysis Failed To Assess A Receptor Closer To The Project Site Than The Residential Properties To The Northwest – The San Bernardino County West Valley Detention Center

[2] Available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

[3] https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/

[4] U.S. Dept. of Transportation, Federal Highway Administration, FHWA Operations Support – Port Peak Pricing Program Evaluation (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm

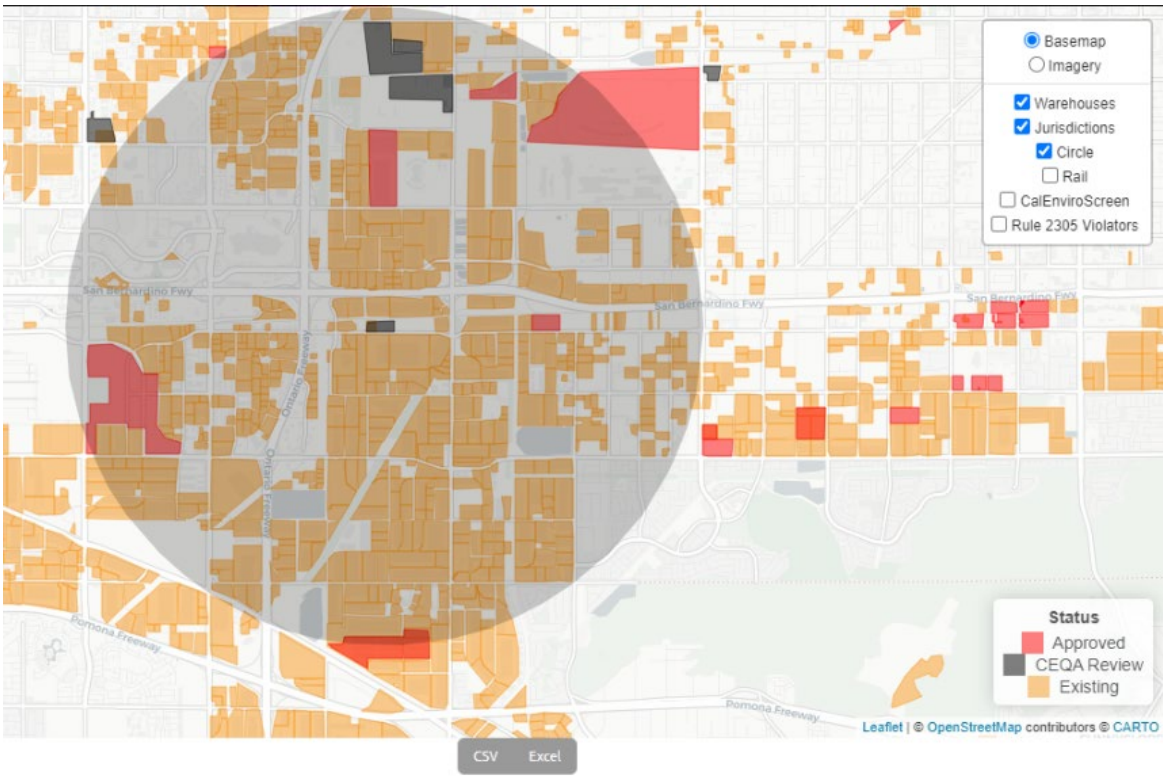
The HRA and Air Quality Analysis failed to consider a significant receptor near the Project Site. The San Bernardino County West Valley Detention Center is located approximately 5,600 feet north northeast of the Project Site at 9500 Etiwanda Ave in Rancho Cucamonga. The Detention Center houses approximately 3,347 inmates and 600 workers.



The Detention Center is nearly 3,000 feet closer to the Project Site, and is nearer the proposed truck route, than the residential property identified in the HRA. The City must assess the impacts of the Project emissions on this receptor center in a revised DEIR.

c. The Cumulative Analysis Of The Project Failed To Consider The Significant Number Of Existing Warehouse Projects In The Vicinity

Based on the current analysis of warehouse projects within a 5-kilometer radius (3.1 miles) of the Project Site, there are 595 current warehouses, totaling 126,400,000 square feet of floor space.



Those projects account for 85,000 truck trips per day, which emit 117.6 lbs of DPM and 13, 243 lbs of NOx per day. There is an additional 7,400,000 square feet of warehousing that is either approved or undergoing CEQA review (includes the Airport Site). The cumulative impacts must be considered in a revised DEIR.

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised draft environmental impact report should be prepared to address these substantial concerns.

Sincerely,

ATTACHMENT D

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August 27, 2024

Via Email
City of Ontario Planning Commission
303 East B Street
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Thomas Grahn, Senior Planner
City of Ontario Planning Department
Email: TGrahn@ontarioca.gov

Re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Planning Commission Members and Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit these comments on the 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant") in the City of Ontario ("City"). The Project's Final Environmental Impact Report ("FEIR") and development plan will be considered at the August 27, 2024 Planning Commission meeting as Agenda Item B. The Commission will consider certification of the FEIR and approval of the Development Plan application.

On May 28, 2024, the Planning Commission conducted a hearing to consider the Project and continued the Project for further consideration. In advance of the hearing, CARE CA submitted comments on the FEIR showing that the FEIR failed to comply with the requirements of CEQA by failing to accurately disclose and mitigate potentially significant air quality, public health, greenhouse gas ("GHG"), energy, transportation, and cumulative impacts. The Staff Report contains responses[1] to CARE CA's comments on the FEIR. However, the responses fail to resolve the major flaws CARE CA and its experts identified in the FEIR. The

[1] Letter from T&B Planning Inc. to City, re: 5355 East Airport Drive (PDEV22-017) – Response to May 28, 2024 Comment Letter from CARE CA (August 8, 2024).

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responses primarily claim that any issues raised by CARE CA have already been addressed in the FEIR and prior responses. This is incorrect. As shown herein, the City's responses fail to resolve the legal deficiencies identified in CARE CA's comments, and do not bring the FEIR into compliance with CEQA. The Project's environmental review remains inadequate.

We reviewed the Planning Commission Staff Report with the assistance of air quality expert Dr. James Clark[2] and transportation expert Norm Marshall.[3]

CARE CA urges the Planning Commission to require the City revise and recirculate the EIR to comply with CEQA before any further action is taken on the Project.

A. The FEIR Improperly Defers Formulation of Mitigation Measures for Hazardous Materials

The Project's Phase I/II Environmental Site Assessment shows that ethylbenzene concentration in one soil vapor sample exceeded the calculated soil gas commercial/industrial screening level of 163 micrograms per cubic meter.[4] CARE CA commented that the FEIR fails to disclose this impact in the body of the FEIR or analyze the resultant health impacts on people, in violation of CEQA.[5] The Court in *Banning Ranch Conservancy v. City of Newport Beach* explained:

> The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project. "[I]nformation 'scattered here and there in EIR appendices,' or a report 'buried in an appendix,' is not a substitute for "a good faith reasoned analysis...."[6]

In Responses CARE-5 and CARE-6, the Staff Report still fails to address this critical informational defect. The responses simply state that the Media Management Plan explains the mitigation procedures that will be undertaken for all earthwork that involves chemically impacted soil.[7] But the Media Management Plan provides only general guidance on how impacted soil would generally be

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[2] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[3] Mr. Marshall's technical comments and curricula vitae are attached hereto as **Exhibit B.**
[4] FEIR, Phase I/II Environmental Site Assessment, pg. viii.
[5] DEIR, Page 4.7-13 (discussing contaminants in excess of thresholds).
[6] *Banning Ranch Conservancy v. City of Newport Beach*, 2 Cal.5th 918, 941 (citing *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442).
[7] Staff Report, Letter from T&B Planning Inc., pg. 2-3.

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addressed – it does not address the FEIR's informational flaw of failing to disclose whether ethylbenzene contamination is a significant impact requiring mitigation.

CARE CA also commented that the FEIR improperly defers formulation of mitigation for PCE and ethylbenzene contamination. It is unclear whether the City will remove PCE and ethylbenzene contaminated soil or adopt passive/engineered vapor intrusion mitigation such as installing a vapor barrier or venting. Responses CARE-5 and CARE-6 state that the Media Management Plan explains the mitigation procedures that will be undertaken for all earthwork that involves chemically impacted soil.[8] But the Media Management Plan simply describes best practices for any required earthwork activities at the Project site. The Plan does not specify whether passive/engineered vapor intrusion mitigation may be employed as opposed to removal of all impacted soil, does not quantify the impacts associated with each form of mitigation (e.g. construction impacts associated with excavation, removal and backfilling contaminated soil versus impacts of installing vapor intrusion barriers), and does not commit the City of the Applicant to specific binding mitigation. As such, the Staff Report fails to address CARE CA's comments regarding the Project's significant soil contamination issues.

B. The City Still Fails to Adequately Evaluate Trips Generated by the Project

CARE CA's comments on the FEIR demonstrated that the Project's size and number of parking spots would enable it to be used as a High Cube Parcel Hub Warehouse, which has a trip generation rate 2.6 times the rate used in the FEIR. Responses CARE-7 and CARE-8 state that "the Lead Agency maintains its position regarding accuracy and adequacy of the EIR trip generation estimates" and "no further response is required."[9] Response CARE-8 further states that "[b]ased on the Project's design, there is no reasonable possibility that the Project could be used as a parcel hub."[10]

The City has not provided substantial evidence in support of this claim. Conversely, transportation expert Mr. Marshall discusses the Project's features in detail, demonstrating that it could be used as a parcel hub.[11] Mr. Marshall and CARE CA's comments demonstrate that the proposed structure has adequate square feet to support use as a parcel hub (at least 200,000 sf), has a ceiling height

[8] Staff Report, Letter from T&B Planning Inc., pg. 2-3.
[9] Staff Report, Letter from T&B Planning Inc., pg. 3.
[10] *Id.*
[11] Marshall Comments, pg. 4-5.

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of 24 feet or more, and has adequate parking.[12] The City fails to rebut this evidence with any evidence.

C. The FEIR Still Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

CARE CA commented that the FEIR's analysis of cumulative impacts is inadequate because it fails to consider the cumulative impacts of past, present, and probable future projects. In summary, the City's approach to cumulative impacts is that emissions of criteria air pollutants or toxic air contaminants that do not exceed *individual* project thresholds set by South Coast Air Quality Management District ("SCAQMD") are also not *cumulatively* considerable.[13] CARE CA's comments explained that rote application of SCAQMD significance thresholds without analysis of the context in which the Project is being proposed fails to satisfy the analytical and information requirements of CEQA, per caselaw such as *Kings County Farm Bureau v. City of Hanford*.[14]

Responses CARE-9 and CARE-10 state that the FEIR and prior responses to comments already adequately responded to these comments, and no further response is necessary.[15] But at no point have the City's responses meaningfully addressed the caselaw proscribing the City's invalid approach to cumulative impacts. Response CARE-11 reiterates that the City is complying with current South Coast Air Quality Management District ("SCAQMD") guidance, as opposed to pending updates to the cumulative impacts guidance. Again, this response ignores the underlying legal mandates for these updates, which include recent CEQA cases such as *People of the State of California v. City of Fontana.*[16]

D. The FEIR's Quantified Health Risk Analysis Underestimates Impacts

CARE CA commented that the City's Mobile Source Health Risk Assessment ("HRA") underestimates health risk impacts on sensitive receptors. One issue is that the HRA only analyzes trucks travelling east along Airport Drive, away from sensitive receptors located west of the Project. Trucks could easily travel west on

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[12] *Id.*; CARE CA letter to City re: Agenda Item D – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (May 28, 2024), pg. 6.
[13] DEIR, Appendix B, pg. 53.
[14] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("Kings County"); *see also, Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.
[15] Staff Report, Letter from T&B Planning Inc., pg. 3-4.
[16] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;

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Airport Drive and north along Milliken Avenue, which are both City-designated truck routes. Response CARE-13 states that "[e]ven if trucks travel to and from the Project site along the route as the commenter suggested, it would not materially affect the EIR health risk significance conclusions, as the risks are well below the significance threshold."[17] This statement is not supported by any quantitative analysis. Further, the claim that risks are well below the significance threshold is based on calculations that assume trucks would travel east, away from sensitive receptors. Thus, the City's response is not supported by substantial evidence.

CARE CA's air quality expert also demonstrated that the HRA failed to account for building downwash and relied on unreliable input values. Responses CARE-27 and CARE-28 state that no additional response is required regarding these issues. Dr. Clark's comments, attached, demonstrate that the HRA's methodological flaws and unsupported conclusions have not been resolved.

E. The FEIR Still Underestimates Truck Trip Lengths and Resultant Impacts

CARE CA commented that the FEIR underestimates truck trip lengths by failing to account for the Project's distance to the Ports of Los Angeles and Long Beach. CARE CA presented numerous comment letters from SCAQMD recommending that warehouse project's analyze trips to the Ports, and presented evidence showing that trips to the Ports are a reasonably foreseeable consequence for a warehouse in the City of Ontario. Responses CARE-14 and CARE-15 respond that "[t]he commenter raises no new or additional environmental issues" and "no further response is required."[18]

Further response is necessary because the City's previous response (Response 1-16) in the May 28, 2024 Staff Report erroneously stated that the SCAQMD guidance is inapplicable to this Project because this Project would be a speculative warehouse.[19] But as explained in CARE CA's prior comments, SCAQMD advises

[17] Staff Report, Letter from T&B Planning Inc., pg. 4.
[18] Staff Report, Letter from T&B Planning Inc., pg. 5.
[19] "The commenter states that the Final EIR misinterprets the SCAQMD's guidance and provides examples of previous SCAQMD comments on other, unrelated warehouse projects alleging that the Project's truck trip length assumptions are not supported by substantial evidence. As discussed in Draft EIR Section 3.0, Project Description, the Project is proposed as a speculative development and the user(s) of the building is not known at this time (refer to Draft EIR p. 3-13). It is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. As stated in Response to Comment A-18 in the Final EIR, the trip lengths were derived by weighting the average trip lengths using traffic trip percentages."

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speculative warehouses to analyze trips to the Ports.[20] The City has not corrected this omission or meaningfully addressed this issue.

In response to the studies presented in CARE CA's comments showing that trips to the Ports are reasonably foreseeable, Response CARE-16 argues that the studies show that it is more likely that the Project will not service the Ports.[21] But as explained in CARE CA's prior comments, an EIR must analyze reasonably foreseeable consequences of a project.[22] Here, the Project proposes a 270,337-square-foot industrial building with a proposed height of 46 feet on 13.08 acres of land. CARE CA's comments contain evidence showing that trips to the Ports are a reasonably foreseeable outcome of a warehouse like this (citing to quantitative evidence regarding the massive volume of goods moving to and from the Ports, as well as specific recommendations from SCAQMD).[23] In light of this evidence, the City's assumption that trucks would not travel to the Ports is unsupported by substantial evidence and is a failure to analyze a reasonably foreseeable use permitted by the Development Plan, as required by CEQA.

F. The FEIR Still Fails to Include Sufficient Investigation into Energy Conservation Measures

CARE CA commented that the FEIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines.[24] CARE CA's comments discussed the decision in *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[25] in which the Court of Appeal held that an EIR failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options.[26] Response CARE-17 states "[t]his comment does not raise any new issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required."[27]

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[20] SCAQMD, Comments on Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449) (October 9, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf ("the future tenant(s) of the building is not known").
[21] Staff Report, Letter from T&B Planning Inc., pg. 5.
[22] Public Resources Code Section 21065; *see* Cal. Code Regs., tit. 14, § 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376.
[23] ABJC, Letter to City re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (April 15, 2024), Clark Comments, pg. 6.
[24] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[25] (2014) 225 CA4th 173.
[26] *Id.* at 213.
[27] Staff Report, Letter from T&B Planning Inc., pg. 6.

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Further response is necessary because the City has not yet analyzed the feasibility and effectiveness of measures including onsite solar facilities, such as rooftop, parking lot, or ground-level solar photovoltaics. The City has not addressed considerations such as the technical and economic feasibility of installing solar facilities on the Project site, the potential size of the Project's solar zone, and the potential magnitude of mitigation provided by installing solar facilities. The City has not evaluated the extent to which mobile source energy consumption could be reduced during Project operations through electric vehicle charging infrastructure (above what is required by existing regulations).

Response CARE-18 simply states that the Project would be solar ready, but this information does not meet CEQA's requirements discussed herein and in CARE CA's prior comments. As such, the Project's energy analysis remains inadequate.

II. CONCLUSION

As is explained herein, the Staff Report does not correct major flaws in the FEIR's hazards, air quality, health risk, energy, and transportation analyses. The Project's environmental review remains substantially inaccurate and incomplete, failing to comply with the requirements of CEQA. As a result, the City cannot make the requisite findings under CEQA to certify the FEIR or under the City of Ontario Municipal Code to approve the Project's Development Plan.

CARE CA urges the Commission to comply with CEQA and require the City revise and recirculate the EIR before any further action is taken on the Project.

Sincerely,



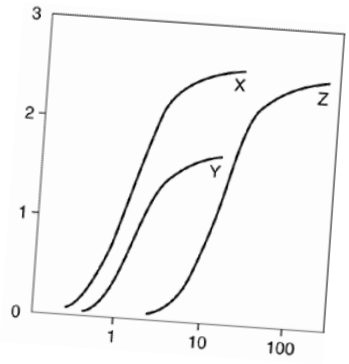
Aidan P. Marshall

Attachments
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EXHIBIT A



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August 23, 2024

Adams Broadwell Joseph & Cardozo
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Attn: Mr. Aidan Marshall

Subject: Response To Comments Prepared By T&B Planning for City of Ontario Regarding 5355 East Airport Drive, City of Ontario, CA PDEV22-017

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed the August 8, 2024 Memorandum from T&B Planning regarding the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

Specific Comments

1. **CARE-4/CARE-5: Failure To Disclose Impacts Of Ethylbenzene Concentrations In The Subsurface Soils At The Site And Development of Mitigation Measures For Worker Safety.**

T&B's response refers us to the Media Management Plan (Attachment F to the Final EIR). Despite the statement from T&B. that attachment F to the Final EIR is the Media Management Plan from Farallon, it is clear that the file was never attached to the FEIR that is posted at the City of Ontario's website. The Plan is attached to Item B starting on

page 3039 of the 3379 included in the pdf. According to the Media Management Plan the subject property will be redeveloped as an approximately 250,000 square foot (footprint) warehouse. This is different from the 270,337 square foot industrial building description of the project listed in the Planning Commission Agenda Report.

This comment was specifically to address concerns over the presence of at least two known carcinogens (PCE and ethylbenzene) that were measured onsite in the soil and or soil vapor at the site. Mitigation of the carcinogens prior to initiating redevelopment of the property would ensure workers safety onsite. The Media Management Plan states that "if Contractor encounters an unanticipated condition, the Contractor will stop work, secure the work area, and notify Prologis within 24 hours of discovery of the condition. Prologis will identify and contact the appropriate entity to respond to the unanticipated condition. The procedures that will be followed in the event that an unanticipated subsurface structure is discovered are summarized below:

- A licensed Contractor or an Environmental Professional will remove and containerize any observed residual liquid, sludge, or sediment in the subsurface structure, and will characterize the residual material(s) as required by the waste-receiving facility(ies);
- The Contractor will remove the subsurface structure in compliance with applicable laws and regulations, and under permit from and oversight by the applicable regulatory agency, if required;
- Soil removal actions will be performed in accordance with the procedures outlined in this MMP; and
- The area will be cleared after any required regulatory authorization has been obtained from the permitting agency, so work may proceed."

This approach relies upon the construction workers onsite being able to identify environmental hazards that may not necessarily include visible staining of soils or visible emissions. Prior to any demolition of the site, preparation of a site-specific remedial action work (RAW) plan should be initiated to protect workers onsite. The purpose of the RAW would be to: 1) present and evaluate existing Site conditions; 2) establish appropriate removal action objectives (RAOs) for protection of human health and the environment; and 3) evaluate alternatives and

identify a final recommendation for a removal action at the Site that is protective of human health and the environment.

2. CARE-14, CARE-15, CARE-16, and CARE-29: The Average Truck Trip Length Of 40 Miles Used In The Air Quality Analysis Does Not Match The Length(s) Used To Support Other Warehouse Projects.

According to T&B's response no new or additional environmental issues have been raised with these comments. The EIR's flaws have not been resolved regarding the average trip length in the air quality analysis. T&B quotes from the National Center for Sustainable Transportation (NCST) report on Southern California Warehouse and Distribution Center Facilities noting that "the study also stated that "around 62% of the facilities in the SCAG region (approximately 4,900 buildings) are facilities larger than 50,000 sf mainly serving non-port related services. Most of the flow of goods by truck (85% of trips) found in the area is associated with local or intra-regional trips while international shippers have a higher use share of rail and air networks. Activities at port-related warehouses which locate in the Gateway cities focus mainly in transloading, deconsolidation and some value added services. National and international distribution centers are found mainly in the Inland Empire region."[1]

T&B fails to include the next paragraph which notes[2] "Among the six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura) that comprise the SCAG region, Los Angeles (31.2%), Riverside (21.2%) and San Bernardino (30.2%) account for the largest share of total miles of primary freight network (SCAG, 2016). Consequently, the majority of the facilities (larger than 50,000 sq. ft.) are located in these counties. In terms of the available land for new warehouses, the Inland Empire shows the highest availability (Figure 2) (SCAG, 2009). *56% of the facilities receive goods from the Port of Los Angeles and Long Beach, and around 50% deliver to Southern California warehouses, retail stores or manufacturing plants." (Emphasis added)*. Clearly the NCST report

[1] NCST. 2017. Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns: A Research Report from the National Center for Sustainable Transportation. Prepared by Miguel Jaller and Leticia Pineda. Dated July 2017. Pg. 6

[2] Ibid Pg. 6-7.

validates that the majority of facilities in the SCAG region receive goods from the Ports of Los Angeles and Long Beach.

As I previously stated in comments on the Project, the 40-mile distance is insufficient to allow vehicles to travel to the major ports in the Southern California region – Los Angeles and Long Beach. The distance from the Port of LA to the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710. Using the 62-mile daily truck trip will nearly double the daily emissions of pollutants associated with the Project, increasing the Regional burden and resulting in a potentially significant impact.

3. CARE 20: Emissions From Diesel Generators.

T&B states that "The intermittent use of a backup generator during either construction or operation would not result in a substantial or measurable amount of emissions, since by the very nature of the activity, it would be short-term, intermittent, and infrequent. Thus, contrary to the commenter's assertion, measures to reduce this source of temporary and intermittent use of energy is not required. The City's experts disagree with the commenter and no further response is required" This comment ignores the essence of the comment, which is that the site will have an additional stationary source of diesel particulate matter (DPM) onsite that was not accounted for in the air quality analysis.

As was noted in the EIRs, the primary toxic air contaminant (TAC) associated with the project will be DPM. Diesel exhaust, in particular DPM, is classified by the State of California as a TAC. TACs, including DPM[3], contribute to a host of respiratory impacts and may lead to the development of various cancers. Failing to quantify the carcinogenic and other health risk impacts places the community at risk for unwanted adverse health impacts. *Even brief exposures to the TACs could lead to the development of adverse health impacts over the life of an individual*.

[3] Because DPM is a TAC, it is a different air pollutant than criteria particulate matter (PM) emissions such as PM10, PM2.5, and fugitive dust. DPM exposure causes acute health effects that are different from the effects of exposure to PM alone.

Diesel exhaust has been linked to a range of serious health problems including an increase in respiratory disease, lung damage, cancer, and premature death.[4,5,6] Fine DPM is deposited deep in the lungs in the smallest airways and can result in increased respiratory symptoms and disease; decreased lung function, particularly in children and individuals with asthma; alterations in lung tissue and respiratory tract defense mechanisms; and premature death.[7] Exposure to DPM increases the risk of lung cancer. It also causes non-cancer effects including chronic bronchitis, inflammation of lung tissue, thickening of the alveolar walls, immunological allergic reactions, and airway constriction.[8] DPM is a TAC that is recognized by state and federal agencies as causing severe health risk because it contains toxic materials, unlike $PM_{2.5}$ and PM_{10}.[9]

The inherent toxicity of TACs requires the City to first accurately quantify the concentration released into the environment from all sources and asses at each of the sensitive receptor locations through air dispersion modeling the ground-level concentration, calculate the dose of each TAC at that location, and quantify the cancer risk and hazard index for each of the chemicals of concern. Following that analysis, then the City can make a determination of the relative significance of the emissions.

4. CARE-31: Exposure Of Prisoners and Workers At The West Valley Detention Center

T&B's response to the question of impacts from the Project to a previously unidentified population source, the San Bernardino County West Valley Detention Center (WVDC), located

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[4] California Air Resources Board, Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998; see also California Air Resources Board, Overview: Diesel Exhaust & Health, https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health#:~:text=Diesel%20Particulate%20Matter%20and%20Health&text=In%201998%2C%20CARB%20identified%20DPM,and%20other%20adverse%20health%20effects.

[5] U.S. EPA, Health Assessment Document for Diesel Engine Exhaust, Report EPA/600/8-90/057F, May 2002.

[6] Environmental Defense Fund, Cleaner Diesel Handbook, Bring Cleaner Fuel and Diesel Retrofits into Your Neighborhood, April 2005; http://www.edf.org/documents/4941_cleanerdieselhandbook.pdf, accessed July 5, 2020.

[7] California Air Resources Board, Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998.

[8] Findings of the Scientific Review Panel on The Report on Diesel Exhaust as adopted at the Panel's April 22, 1998 Meeting.

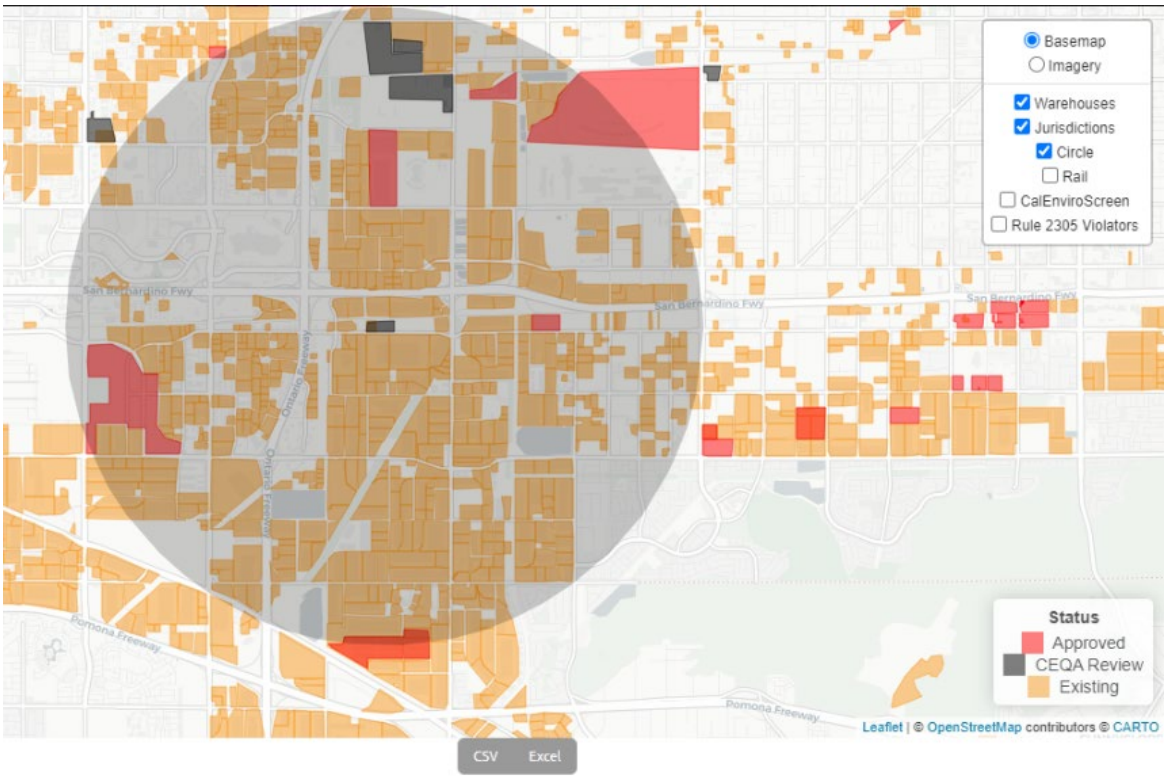
[9] Health & Safety Code § 39655(a) (defining "toxic air contaminant" as air pollutants "which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health. A substance that is listed as a hazardous air pollutant pursuant to subsection (b) of Section 112 of the federal act (42 U.S.C. Sec. 7412 (b)) is a toxic air contaminant.")

approximately 5,600 feet north northeast of the Project Site, was to dismiss the population as a non-long term residential population. While prisoners may be held at the WVDC for up to a year, there is no opportunity for the prisoners to get away from emissions associated with the Project. Workers at the WVDC should also be included in the evaluation of health impacts. The analyses presented in the EIRs and Staff Report did not address this unique population until we raised a concern.

The Detention Center is nearly 3,000 feet closer to the Project Site than the residential property selected in the EIR. Health risks from exposure are a function of the concentration of the contaminant and the duration of exposure. Until an actual attempt is made to calculate the exposure concentration at the WVDC determinations of relative risk (from either chronic or acute exposures) are speculative at best. The City must assess the impacts of the Project emissions on this receptor center.

5. CARE 32/CARE 10: Additional Cumulative Impacts From Existing/Pending Warehouse Projects

T&B's response that comments on the cumulative impacts did not raise new information is not supportable. The EIR's flaws have not been resolved regarding the cumulative impacts on air quality based on the number of existing and new projects in the area. As was pointed out in the last letter, based on the current analysis of warehouse projects within a 5-kilometer radius (3.1 miles) of the Project Site, there are 595 current warehouses, totaling 126,400,000 square feet of floor space.



Those projects account for 85,000 truck trips per day, which emit 117.6 lbs of DPM and 13, 243 lbs of NOx per day. There is an additional 7,400,000 square feet of warehousing that is either approved or undergoing CEQA review (includes the Airport Site). Clearly the City has not included the relevant emissions of all the new projects in its analysis of the Project.

6. CARE 27: Building Downwash

T&B's response to comments on the incorporation of building downwash into the dispersion model are to claim that "The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of building downwash. No additions, revisions, or corrections are necessary and no further response is required." This response fails to address the significant issue raised by the comment.

Guidance from authoritative bodies in California regarding the preparation of health risk assessments of mobile sources of diesel emissions[10] requires the inclusion of building heights and dimensions for building downwash calculations. Omission of the building downwash effect

[10] SCAQMD. 2003. Health Risk Assessment Guidance For Analyzing Cancer Risks From Mobile Source Diesel Emissions. August, 2003. Page 2.

underestimates the exposure point concentrations for receptors near the building(s).

In a recent review of Draft Environmental Impact Report (Draft EIR) for the Proposed West Campus Upper Plateau Project (Proposed Project) (SCH Number: 2021110304), SCAQMD[11] specifically calls out the need for inclusion of downwash analysis for this Project which included a business park, industrial, mixed-use, public facility, parks, recreation and open space, and infrastructure improvements, totaling 369.60 acres. SCAQMD staff reviewing the project outlined that building downwash should be considered for the Proposed Project operation in order to predict more accurate ground-level concentrations. In addition, the truck idling emissions would need to be estimated separately and included in the dispersion modeling analysis and HRA as point sources. The City should address the impact of this issue in a revised EIR.

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised environmental impact report should be prepared to address these substantial concerns.

Sincerely,



[11] SCAQMD. 2023. Draft Environmental Impact Report (Draft EIR) for the Proposed West Campus Upper Plateau Project (Proposed Project) (SCH Number: 2021110304) Dated March 9, 2023, available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/march-2023/RVC230111-04.pdf?sfvrsn=8.

EXHIBIT B

794 Sawnee Bean Road
Thetford Center VT 05075

Norman Marshall, President
(802) 356-2969

nmarshall@smartmobility.com

August 25, 2024

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Subject: 5355 East Airport Drive Project

Dear Mr. Marshall,

In October 2023, I reviewed trip generation, vehicle miles traveled (VMT) impacts and greenhouse gas (GHG) impacts of the City of Ontario Draft Environmental Impact Report for a proposed warehouse project at 5355 East Airport Drive ("DEIR"). In April 2024, I addressed additional analysis contained in the Project's Final EIR ("FEIR"). The Planning Commission Agenda Report dated August 27, 2024 fails to adequately address the outstanding issues identified in my October 2023 and April 2024 comments.

In October 2023, I made the following findings:

1) The DEIR acknowledges significant and unavoidable VMT impact. Furthermore, the DEIR documents that the project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.
2) The proposed VMT mitigation is not fully specified or quantified in the DEIR and appears to fall far short of what would be required to reduce project VMT below the City's threshold. Achieving significant VMT mitigation for this project may be impossible – but mitigation must be specified and quantified for the project to be properly evaluated.
3) Project trip generation could be much higher than assumed. Given the large uncertainty in the project's trip generation, the applicant should take one of two paths -either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

4) Project GHG emissions could be much higher than assumed. In addition to trip generation possibly being underestimated, average trip lengths for both trucks and passenger vehicles are likely to be underestimated in the DEIR.

In April 2024, I reviewed the responses to these comments made in the project's Final Environmental Impact Review ("FEIR") dated February 2024 and made additional comments on these same points.

My April 2024 comments and the August Report responses follow:

Truck trip lengths – The FEIR repeats the false assertion that the truck trip lengths follow SCAQMD's recommendations (FEIR, A-18, p. 2-43). In my October 2023 comments, I addressed this, writing:

> The truck trip lengths are used in calculations of possible mitigation in *Second Draft Staff Report Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. And Proposed Rule 316 -Fees for Rule 2305*.[1] The reference for these numbers is the 2016 SCAG travel demand model (p. 117) and there is no indication that these numbers are intended for any use beyond this single document. The 40-mile heavy truck trip length also appears in a 2014 slide presentation.[2] In neither case, are these numbers presented as general recommendations for warehouse EIRs.

To prove that this is not a general SCAQMD recommendation for all warehouses, I attach SCAQMD's November 22, 2023 comments on the Hemlock Warehouse Development Project Draft SEIR in the City of Fontana. That Draft SEIR applied the same truck trip lengths as used in the 5355 East Airport Drive DEIR and FEIR. SCAQMD's comments state:

> However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project. (p. 2)

SCAQMD is making the same point I made in my October 2023 comments where I wrote:

> it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR. These include the Ports of Los Angeles and Long Beach that are approximately 60 miles away. It would be more conservative to assume longer average truck distances in the air quality and GHG analyses.

[1] www.aqmd.gov/docs/default-source/planning/fbmsm-docs/pr-2305_sr_2nd-draft_4-7-21_clean.pdf
[2] https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/sclc_warehouse-presentation-final.pdf

The FEIR does not use SCAQMD- recommended truck trip lengths. SCAQMD instead recommends: "**Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project**."

The Report states only:

> *The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary and no further response is required. (Report, PDF p. 2609 of 3993)*

This response fails to address my comments reproduced above.

VMT mitigation – The FEIR continues to state that the proposed project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.

However, the FEIR states that these impacts cannot be mitigated because "measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant." (FEIR A-24, p. 2-44)

My October 2023 comments recommended requiring CAPCOA T-5 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) – that can provide up to 26% VMT reduction:

> The mandatory CTR program must include all other elements (i.e., Measures T-7 through T-11) described for the voluntary program (Measure T-5) plus include mandatory trip reduction requirements (including penalties for non-compliance) and regular monitoring and reporting to ensure the calculated VMT reduction matches the observed VMT reduction). (*Handbook*, p. 86)

A smaller mandatory reduction may be appropriate for this project, with this requirement passed on to the tenant, but it is not sufficient to claim that no significant mitigation is possible.

In addition, the attached SCAQMD comments on the Hemlock Warehouse Development Project recommends several mitigation measures targeting truck emissions, including:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks,
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the final CEQA document, and
- Provide electric vehicle (EV) charging stations and electrical hookups for truckers. (p.3)

The Report states only:

> *Contrary to the commenter's assertion, this memorandum, RTC, and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated.*

> *Thus, no additions, revisions, or corrections are necessary are necessary.. (Report, CARE 22 p. PDF 2620-2621 of 3993)*

This response fails to address my comments reproduced above.

Trip generation

In my October 2023 comments, I provided data on different types of warehouses that have significantly higher trip generation rates than the 1.75 trips per 1000 sq. ft. assumed in the DEIR and FEIR. These include:

> The Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.

The FEIR argues that the highest generators that I discussed in my October 2023 comments could not be accommodated because ". . . the layout of the site with 251 parking spaces would not reasonable accommodate the on-site parking required to support these uses."

This point about parking may be valid for the highest generators per 1000 sq. ft. but not for the intermediate generators. The DEIR and FEIR estimate only 270 passenger car trips per day (DEIR Appendix K, p. 5), i.e., 135 vehicles in and 135 cars out. Therefore, if all cars were employees and they all worked the same single shift, the parking lot utilization would never exceed 54%. With multiple shifts and non-employee passenger car trips, the parking lot utilization would be much lower. Therefore, the parking lot is designed to support many more trips than assumed in the DEIR and FEIR.

The 251 parking spaces are consistent with ITE Land Use 156: High Cube Parcel Hub Warehouse. This use is described:

> A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/ or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. A typical HCW has a high level of on-site automation and logistics management. The automation and logistics enable highly-efficient processing of goods through the HCW. A high-cube warehouse can be free-standing or located in an industrial park. A high-cube parcel hub warehouse typically serves as a regional and local freight-forwarder facility for time sensitive shipments via airfreight and ground carriers. A site can also include truck maintenance, wash, or fueling facilities. Some limited assembly and repackaging may occur within the facility.

Given the uncertainty concerning the proposed project and its size, 270,377 sq. ft., it could foreseeably end up being a High-Cube-Parcel-Hub Warehouse as defined above.

The number of parking spaces provided also is consistent with this usage. The trip generation rate for this category is 4.63 trips per 1000 sq. ft., i.e. 2.6 times the rate used in the DEIR and FEIR. This rate includes 0.58 truck trips per 1000 sq. ft. Therefore, the passenger car rate is 4.05

trips per 1000 sq. ft. As a High-Cube-Parcel-Hub Warehouse, the proposed project would generate 1095 passenger car trips per day.

The DEIR states:

> For the purposes of this EIR, the Project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. (DEIR, p. 3-13)

This suggests multiple shifts each day.

Some of the passenger car trips would not be parking long term, including trips dropping off and picking up workers, and miscellaneous service trips, all of which include both and entering trip and an exiting trip. However, even if all passenger car trips involved parking long-term, all the trips could be accommodated with the planned 251 parking spaces if each space is occupied an average of 2.18 times per day.

As I stated in my October 2023 comment letter:

Given the large uncertainty in the project's trip generation, the applicant should take one of two paths - either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

The Report states only:

> *The Lead Agency maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project trip generation. No additions, revisions, or corrections are necessary and no further response is required... (Report, CARE 7 p. PDF 2607 of 3993)*

This response fails to address my comments reproduced above.

In summary, the August 2024 Report fails to adequately address any of my comments.

Sincerely,

Norman L. Marshall

Norman L. Marshall

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (33 Years, 19 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovate Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in $250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additional analyzed using the City's Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka'ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Caroline including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

Irvine, CA | San Diego, CA | Murrysville, PA
3200 El Camino Real, Suite 100 | Irvine, CA 92602 | p 714.505.6360

JN 597-017

MEMORANDUM

TO: Thomas Grahn, Senior Planner
City of Ontario
303 East B Street
Ontario, CA 91764

FROM: Tracy Zinn, Principal
Tracy Chu, Project Manager

DATE: September 13, 2024

RE: 5355 East Airport Drive (PDEV22-017) – Response to September 5, 2024 Appeal Letter from CARE CA

T&B Planning, Inc. is the environmental consulting firm that prepared the Environmental Impact Report (EIR; SCH No. 2022090006) for the 5355 East Airport Drive Project (hereafter "Project"). The Project Applicant, Prologis, Inc., proposes to demolish the existing buildings and structures on the Project site and redevelop the property with a 270,337 square foot (s.f.) warehouse building. The Project's design also includes the installation of associated site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detention facilities, exterior lighting, walls/fencing, and signage as well as site-adjacent improvements to East Airport Drive. The Draft EIR for the Project was published on August 22, 2023, for a 45 day review period, with the local review period and State review period ending on October 5, 2023.

On August 27, 2024, the City of Ontario Planning Commission certified the Final Environmental Impact Report (EIR), including the adoption of a Mitigation Monitoring and Reporting Program (MMRP) and a Statement of Overriding Considerations, and in conjunction with the approval of a Development Plan (File No. PDEV22-017) for the Project. Subsequently, an appeal letter was submitted to the City on September 5, 2024, requesting that the City Council appeal the Planning Commission's approval of the Project. In response, T&B Planning prepared this memorandum for the purpose of responding to the comments received alleging deficiencies in the Draft EIR and Final EIR and to the Appellant's reasons and grounds for appeal. The responses contained herein demonstrate that the Draft EIR's analyses and conclusions are correct and that the Final EIR has been appropriately prepared to satisfy CEQA compliance requirements. There are no CEQA compliance deficiencies as claimed by Adams Broadwell Joseph & Cardozo on behalf of the Californians Allied for a Responsible Economy (CARECA). For the reasons outlined in this memorandum, the comments provided by CARECA and the responses thereto contained in this memo do not present substantial new information, do not necessitate revisions to the Draft EIR or Final EIR, and do not trigger the need for recirculation of the Draft EIR or Final EIR, or the conduct of additional environmental review pursuant to CEQA Guidelines § 15088.5.

Commenter Letter: Adams Broadwell Joseph & Cardozo on behalf of Californians Allied for a Responsible Economy dated September 5, 2024.

CARECA-1 This comment contains introductory remarks and identifies that the comments in this letter are being provided by Adams Broadwell Joseph & Cardozo on behalf of the Californians Allied for a Responsible Economy (CARECA) and provides a summary of project's background, prior comments submitted concerning the Project during the Draft's EIR public review period, the Final EIR, and subsequent response to comment (RTC) memorandum. The commenter claims that the Planning Commission's approval of the Project and certification of the Final EIR violated CEQA and land use laws because the City has not complied with its duty to disclose and mitigate the Project's potentially significant environmental and land use impacts, and the Planning Commission's approval findings were not supported by substantial evidence. Response to the comments made are provided below in this memorandum.

CARECA-2 This comment cites to Section 2.04.010(B)(1) and 2.04.005 of the Ontario Development Code related to appeal filings and includes a statement of interest describing CARECA's organization, role, members, and purposes. The commenter's standing to appeal and statement of interest are noted. This comment does not raise any issues concerning the environmental analysis provided in the Draft EIR or Final EIR and thus no further response is required.

CARECA-3 The commenter reiterates previous statements and opinions that the Final EIR fails to analyze the full scope of the Project, in particular in relation to the Project's reasonably foreseeable use as a parcel hub (a use that generates 2.6 times more trips than analyzed). This comment is similar to Response to Comment A-6 in the Final EIR, 1-8 in the RTC dated May 20, 2024, and CARE-7 in the RTC dated August 8, 2024. Refer to Final EIR Response to Comment A-6 (Final EIR, pp. 2-38, 2-39), Response to Comment 1-8 (RTC, p. 3), and Response to Comment CARE-7 (RTC, p. 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project's trip generation. There is no reasonable possibility that the Project, as designed, could operate as a parcel hub. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-4 The commenter reiterates prior comments that the Final EIR fails to analyze reasonably foreseeable truck trips to the Ports of Los Angeles and Long Beach, which are longer than the trips analyzed in the Final EIR. This comment is similar to Response to Comment A-18, A-19, and A-28 in the Final EIR, 1-16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR Response to Comment A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and Response to Comment 1-16 (RTC, p. 7), and Response to Comment CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-5 The commenter reiterates prior comments that the Final EIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines. This comment is similar to Response to Comment 1-20 in the RTC dated May 20, CARE-17, CARE-18, and CARE-21 in the RTC dated August 8. Refer to Response to Comment 1-20 (RTC, pp. 8 to 10, and Response to Comment CARE-17, CARE-18, and CARE-21 (RTC, p. 6). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-6 The commenter reiterates prior comments that the Final EIR's analysis of cumulative air quality impacts is inadequate because it fails to consider the Project's impacts in the context of the numerous other warehouses existing and planned in the area. This comment is similar to Response to Comment A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR Response to Comment A-14 (Final EIR, pp. 2-41, 2-42), Response to Comment 1-8 (RTC, p. 4, 5), and Response to Comment CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-7 The commenter reiterates prior comments that the Final EIR's quantified health risk analysis underestimates impacts because it analyzed trucks travelling only east along Airport Drive, not accounting for building downwash and relying on unreliable input values. This comment is similar to Response to Comment 1-12, 1-13, 1-41 in the RTC dated May 20, CARE-13, CARE-27, and CARE-28 in the RTC dated August 8. Refer to Response to Comment 1-12, 1-13, and 1-41 (RTC, po. 5, 14 to 16), and Response to Comment CARE-13, CARE-27, CARE-28 (RTC, pp. 4,7). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

CARECA-8 The commenter reiterates prior comments that the Final EIR identifies significant vapor intrusion impacts due to tetrachloroethylene (PCE) contamination, but improperly defers formulation of mitigation measures. This comment is similar to Response to Comment CARE-4, CARE-5, and CARE-6 in the RTC dated August 8. Refer to Response to Comment CARE-4, CARE-5, and CARE-6 (RTC, pp. 2, 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of vapor intrusion impacts. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

CARECA-9 The commenter states that the Final EIR is deficient as a matter of law and its conclusions are not supported by substantial evidence based on the previous comments made. The commenter asserts that the Planning Commission's approval decision must be vacated, and the EIR must be revised and recirculated in compliance with CEQA. Contrary to the commenter's assertion, this memorandum, RTCs (dated May 20 and August 8), and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated. Thus, no additions, revisions, or corrections are necessary are necessary.

CARECA-10 The commenter cites to Section 4.02.025(D) of the City's Municipal Code and assets that the Project would have significant and unavoidable VMT impact, potential health risk, air quality, GHG, energy, and soil contamination impacts that have been underestimated. The commenter asserts that the City cannot make the requisite findings to approve the Project and a revised EIR must be recirculated before the Project can be recommended for approval. Contrary to the commenter's assertion, this memorandum, prior RTCs (dated May 20 and August 8), and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated as feasible. Thus, no additions, revisions, or corrections are necessary are necessary.

CARECA-11 The commenter provides a conclusionary statement, which does not present any additional information not covered in the previous comments. Thus, no additional response is required.

CARECA-12 The commenter provides previously submitted comment letters as Attachments A through D. Attachment A includes a comment letter dated October 5, 2023, which has been responded to in the Project's Final EIR. Attachment B includes a comment letter dated April 15, 2024, which has been response to in the RTC dated May 20, 2024. Attachment C is a comment letter dated May 28, 2024, which has been responded to in the RTC dated August 8, 2024. Response to Attachment D is provided below in Response to Comments CARECA-13 to CARECA-33 in this memorandum.

CARECA-13 This comment consists of introductory remarks, identifies that the comments in this letter are being provided by Adams Broadwell Joseph & Cardozo on behalf of CARECA, and provides a summary of prior comments submitted concerning the Project during the Draft's EIR public review period, and on the Final EIR. The commenter claims that the RTC, dated August 8, 2024, failed to resolve asserted flaws that CARE CA and its experts identified in the Draft EIR and that the Planning Commission should require the City to revised and recirculate the EIR before any further action is taken on the Project. Response to the comments made in this letter are provided below in Response to Comments CARECA-14 to CARECA-33. Thus, no further response is required.

CARECA-14 The commenter reiterates previous comments about the conclusions of the Project's Phase I and II Environmental Site Assessment (ESA; *Technical Appendix G* to the Draft EIR) regarding ethylbenzene concentration and opines the Final EIR improperly defers formulation of mitigation for PCE and ethylbenzene contamination. Refer to Response to Comment CARECA-8 above and Response to Comments CARE-4, CARE-5, and CARE-6 in the RTC dated August 8, 2024. Refer to Response to Comments CARE-4, CARE-5, and CARE-6 (RTC, pp. 2, 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position

regarding accuracy and adequacy of the EIR analysis of vapor intrusion impacts. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

CARECA-15 The commenter reiterates previous comments regarding the Project's potential as a High Cube Parcel Hub Warehouse and that trip generated by the Project are not adequately analyzed. This comment is similar to Response to Comment A-6 in the Final EIR, 1-8 in the RTC dated May 20, 2024, and CARE-7 in the RTC dated August 8, 2024. Refer to Final EIR Response to Comment A-6 (Final EIR, pp. 2-38, 2-39), Response to Comment 1-8 (RTC, p. 3), and Response to Comment CARE-7 (RTC, p. 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project's trip generation. There is no reasonable possibility that the Project, as designed, could operate as a parcel hub. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-16 The commenter reiterates previous comments that the Final EIR's analysis of cumulative impacts is inadequate because it fails to consider the cumulative impacts of past, present, and probable future projects. This comment is similar to Response to Comment A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR Response to Comment A-14 (Final EIR, pp. 2-41, 2-42), Response to Comment 1-8 (RTC, p. 4, 5), and Response to Comment CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-17 The commenter reiterates previous comments that the Project's Health Risk Assessment underestimates health risk impacts on sensitive receptors and failed to account for building downwash and relied on unreliable input values. This comment is similar to Response to Comment 1-12, 1-13, 1-41 in the RTC dated May 20, CARE-13, CARE-27, and CARE-28 in the RTC dated August 8. Refer to Response to Comment 1-12, 1-13, and 1-41 (RTC, po. 5, 14 to 16), and Response to Comment CARE-13, CARE-27, CARE-28 (RTC, pp. 4,7). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

CARECA-18 The commenter reiterates previous comments that Final EIR truck trip length is underestimated. This comment is similar to Response to Comment A-18, A-19, and A-28 in the Final EIR, 1-16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR Response to Comment A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and Response to Comment 1-16 (RTC, p. 7), and Response to Comment CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC,

and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-19 The commenter reiterates previous comments that the Project's energy analysis remains inadequate. This comment is similar to Response to Comment 1-20 in the RTC dated May 20, CARE-17, CARE-18, and CARE-21 in the RTC dated August 8. Refer to Response to Comment 1-20 (RTC, pp. 8 to 10, and Response to Comment CARE-17, CARE-18, and CARE-21 (RTC, p. 6). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-20 The commenter provides a conclusionary statement, which does not present any additional information not covered in the previous comments. Thus, no additional response is required.

CARECA-21 This comment consists of introductory remarks from Clark and Associates and does not raise any issues concerning the environmental analysis provided in the Draft EIR. Thus no further response is required.

CARECA-22 The commenter asserts that the Project's Media Management Plan (*Attachment F* to the Final EIR) was never attached to the Final EIR that is posted at the City of Ontario's website. The City thanks the commenter for calling this to the City's attention and the City immediately posted the Media Management Plan to the website. All appendices to the Final EIR are posted on the City's website (https://www.ontarioca.gov/Planning/Reports/EnvironmentalImpact). Additionally, the Media Management Plan was provided in all agenda packages and staff reports for the Project's Development Advisory Board (DAB) meetings[1,2] and Planning Commission hearings[3,4]. The commenter also summarizes the procedures in the Media Management Plan in the event that an unanticipated subsurface structure is discovered and states a site-specific remedial action work (RAW) plan should be initiated to protect workers onsite. The Media Management Plan's implementation is sufficient for ensuring that potential environmental effects are reduced to below a level of significance. Refer to Section 4.3 of the Media Management Plan, which requires adherence to a Health and Safety Plan (HASP) including for constriction workers. The HASP will detail all planned construction activities and will describe standard safety precautions (e.g., protective gear for workers, proper soil handling techniques, etc). The Contractor or the Environmental Professional is responsible for ensuring that the safety precautions detailed in the HASP are implemented and monitored during

[1] See Page 2872 of the March 18, 2024 DAB Agenda Package: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/20240318%20DAB%20Agenda%20Packet.pdf
[2] See Page 2761 of the April 15, 2024 DAB Agenda Package: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/20240415%20DAB%20Agenda%20Packet.pdf
[3] See Page 3119 of the May 28, 2024 Planning Commission Agenda Package: https://granicus_production_attachments.s3.amazonaws.com/ontarioca/6af4a0bd3120834cb9a0da60382943e10.pdf
[4] See Page 3044 of the August 27, 2024 Planning Commission Agenda Package: https://granicus_production_attachments.s3.amazonaws.com/ontarioca/23a3c29303afd40b3c88ce6d3ae8da890.pdf

all activities at the site. The Contractor and the Environmental Professional also are required to abide by all applicable federal, state, and local regulations and codes relating to health and safety and are required by law to adhere to all California Occupational Safety and Health Administration regulations contained in Title 8 of the California Code of Regulations (8 CCR), as they apply to activities at the Project site.

CARECA-23 The commenter reiterates previous comments that Final EIR truck trip length is underestimated and that the "Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns" by the National Center for Sustainable Transportation (NCST) validates that the majority of facilities in the SCAG region receive goods from the Ports of Los Angeles and Long Beach. This comment is similar to Response to Comment A-18, A-19, and A-28 in the Final EIR, 1-16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR Response to Comment A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and Response to Comment 1-16 (RTC, p. 7), and Response to Comment CARE-14, CARE-15, and CARE-16 (RTC, p. 5). Specifically, refer to Response to Comment CARE-16 regarding the low sample size of the study and that the study is not an accurate representation of warehouse facilities in the region. The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-24 The commenter reiterates previous comments the use of a diesel generator was not accounted for in the Project's air quality analysis and that diesel generators is a source of diesel particulate matter (DPM), which is a primary toxic air contaminant (TAC) associated with the Project. Refer to Response to Comment A-10 in the Final EIR (Final EIR, pp. 2-40 to 2-41) that addresses the use of diesel generator and which provided a table of calculations of emissions that would be generated from a 197 horsepower (hp) diesel-powered emergency water pump and a 762 hp diesel-powered emergency backup generator. As shown, emissions would be negligible and the Project's total emissions would be less than the South Coast Air Quality Management District (SCAQMD) significance threshold. Thus, no further response is required.

CARECA-25 The commenter reiterates previous comments that the health risk impacts to the San Bernardino County West Valley Detention Center (WVDC) was not analyzed. Refer to Response to Comment CARE-31 in the RTC dated August 4 (RTC, p. 8). Thus, no further response is required.

CARECA-26 The commenter reiterates previous comments regarding the Project's cumulative impacts analysis. This comment is similar to Response to Comment A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR Response to Comment A-14 (Final EIR, pp. 2-41, 2-42), Response to Comment 1-8 (RTC, p. 4, 5), and Response to Comment CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of

cumulative air quality impacts. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-27 The commenter reiterates previous comments related to building downwash. This comment is similar to Response to Comment 1-12 in the RTC dated May 20. Refer to Response to Comment 1-12 in the RTC (RTC, p. 5) for a full discussion on the reasoning why the Project would not be materially affected by downwash. Thus, no further response is required.

CARECA-28 The commenter provides a conclusionary statement, which does not present any additional information not covered in the previous comments. Thus, no additional response is required.

CARECA-29 This comment consists of introductory remarks from Smart Mobility and summarizes the findings of the commenter's letter in October 2023, stating that the Draft EIR acknowledges a significant and unavoidable VMT impact, asserting that the proposed VMT mitigation measure is not fully specified or quantified, and claiming that the Project's trip generation and GHG emissions could be much higher than assumed. As described in the following responses, the commenter's assertions are incorrect. Refer to Response to Comments CARECA-30 to CARECA-33. Thus, no further response is required

CARECA-30 The commenter reiterates previous comments and responses made regarding the Project's truck trip length. This comment is similar to Response to Comments A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR Response to Comment A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and Response to Comment 1-16 (RTC, p. 7), and Response to Comment CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary and no further response is required.

CARECA-31 The commenter reiterates previous comments and responses made regarding the Project's significant and unavoidable VMT impacts. The commenter's statements have been previously addressed at Final EIR Response to Comment A-24, which included a calculation of feasible VMT mitigation measures. As stated, measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant (Final EIR pp. 2-44 to 2-45). Additionally, the commenter reiterated suggestions on requiring zero emission trucks, limiting daily number of trucks allowed at the Project site, and providing electric vehicle (EV) charging stations and electrical hookups for truckers. Refer to Response to Comment B-53 and B-60 in the Final EIR (Final EIR, pp. 2-97 to 2-100) regarding the infeasibility of using zero-emission vehicles and EV charging stations for trucks and 1-33 in the RTC dated May 20 (RTC, p. 13) for limiting daily number of trucks allowed at the Project site. Thus, no further response is required.

CARECA-32 The commenter reiterates previous comments and responses made related to the Project's trip generation assumptions. This comment is similar to Response to Comment A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR Response to Comment A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and Response to Comment 1-16 (RTC, p. 7), and Response to Comment CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary and no further response is required.

Attachment A:
Comment Letter

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September 5, 2024

Via Online Portal Submission
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Mayor Paul S. Leon
Mayor pro tem Debra Porada
City Council Members
Online Portal: https://automation.ontarioca.gov/onlinePermits
Email: PlanningCounter@ontarioca.gov

Via Email and Overnight Mail
Attn: Thomas Grahn, Senior Planner
City of Ontario Planning Department
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Email: TGrahn@ontarioca.gov

Re: Appeal to City Council of Planning Commission Approval of the 5355 East Airport Drive Project (File No. PDEV22-017; SCH No. 2022090006)

Dear Mayor Leon, Mayor pro tem Porada, City Council Members, Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit this appeal to the City Council of the Planning Commission's ("Commission") August 27, 2024 approvals of the 5355 East Airport Drive Project (File No. PDEV22-017; SCH No. 2022090006) ("Project"), proposed by Prologis Inc. ("Applicant").

The scope of the Commission's determination for File No. PDEV22-017 includes certification of a Final Environmental Impact Report (State Clearinghouse No. 202209006) ("FEIR"), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with approval of a Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land located at 5355 East Airport Drive, and related findings.

CARECA-1

CARE CA submitted comments on the Project's Draft EIR ("DEIR") on October 5, 2023 during the public review period required by Section 15087 of the California Environmental Quality Act ("CEQA") Guidelines.[1] CARE CA's comments on the DEIR demonstrated that the DEIR failed to comply with CEQA by failing to accurately disclose potentially significant health risk, air quality, GHG, energy, and soil contamination impacts, failing to support its significance findings with substantial evidence, and failing to mitigate the Project's significant impacts to the greatest extent feasible, in violation of CEQA.

The City subsequently prepared the FEIR, which the City claims fully resolves the issues identified in CARE CA's comments and by other commenters. But CARE CA submitted comments demonstrating that the FEIR fails to meet CEQA's requirements. Staff reports prepared for the Planning Commission erroneously claim that that the FEIR has adequately addressed CARE CA's comments. This is incorrect. The staff reports mainly reiterate the flawed reasoning and conclusions of the FEIR. As such, although the City has prepared several documents which purport to respond to CARE CA's comments, the City has not resolved the issues raised in CARE CA's comments and the FEIR remains in violation of CEQA. The Planning Commission's approval of the Project and certification of the FEIR violated CEQA and land use laws because the City has not complied with its duty to disclose and mitigate the Project's potentially significant environmental and land use impacts, and the Planning Commission's approval findings were not supported by substantial evidence.

CARE CA hereby appeals all actions taken by the Commission with regard to the Project under File No. PDEV22-017. This appeal is timely filed in compliance with the Ontario Development Code.[2] The reasons for this appeal are set forth herein and in the attachments, which include CARE CA's comments on the DEIR,[3] FEIR,[4] and two letters to the Planning Commission responding to staff reports

CARECA-1 (CONT.)

[1] 14 Cal. Code Regs. §§ 15000 et seq.; *see* Cal. Pub. Res. Code §§ 21000 et seq.
[2] Section 2.04.010(B)(1).
[3] **Attachment A**: Letter from Adams Broadwell Joseph & Cardozo ("ABJC") to City re: Comments on the Draft Environmental Impact Report for 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) (October 5, 2023).
[4] **Attachment B**: Letter from ABJC to City re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (April 15, 2024).

prepared for the Project.[5] We incorporate by reference the attached comments and exhibits, which are in the City's record of proceedings for the Project.[6]

The Commission abused its discretion and failed to proceed in the manner required by law by approving the Project in reliance on a deficient CEQA document and without substantial evidence to support the approval findings.[7] CARE CA respectfully requests that the City Council vacate the Commission's approval of the Project.

CARECA-1 (CONT.)

A. Standing to Appeal and Statement of Interest

Section 2.04.010(B)(1) of the Ontario Development Code provides that the decision of the Approving Authority may be appealed within 10 days of the action or decision. Because the Planning Commission approved the Project on August 27, the final day to submit an appeal is September 6. Thus, this appeal is timely filed.

Section 2.04.005 of the Code provides that "[a]ny person having legal standing, including but not limited to an applicant, resident, business owner, or any person owning real property within the City, that is aggrieved by an interpretation, action or decision made pursuant to this Development Code by any City agency or department, or by an Approving Authority, may appeal such action to the Appeal Authority in accordance with the provisions of this Division."

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker health and safety hazards, and the environmental impacts of the Project. The coalition includes Ontario residents Daniel Brewer, David Audelo, Carlos Mendez, Rober Rubio, the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County. CARE CA's comments on the DEIR, FEIR, to the Planning Commission, and this appeal, detail the specific issues over which CARE CA is aggrieved by the Planning Commission's decision.

CARECA-2

[5] **Attachment C**: Letter from ABJC to City Re: Agenda Item D – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (May 28, 2024); **Attachment D**: Letter from ABJC to City Re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (August 27, 2024).

[6] We reserve the right to supplement these comments at later hearings and proceedings on the Project. Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; *see Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121,

[7] Code Civ. Proc § 1094.5(b); *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Ontario and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

CARECA-2 (CONT.)

B. The Commission's Certification of the FEIR Was Contrary to Law and Unsupported by the Record

As summarized below, and demonstrated fully in the attached comments, the FEIR fails to adequately analyze and mitigate the project's potentially significant impacts.

The FEIR fails to analyze the full scope of the Project – CEQA requires that an EIR analyze the reasonably foreseeable consequences of the Project, but the Project's FEIR fails to analyze the Project's reasonably foreseeable use as a parcel hub (a use that generates 2.6 times more trips than analyzed). The City has argued that the Project is not envisioned as a parcel hub and its design would not support use as a parcel hub, but the Project plainly meets the description of a potential high cube parcel hub in Institute of Transportation Engineers ("ITE") land use code 156 (the Project would have adequate parking, square footage, and ceiling height). Any claim that the Project is not envisioned as a parcel hub is not supported by substantial evidence because the City has acknowledged that the Project is proposed as a speculative development and the user(s) of the building is not known at this time. Thus, the FEIR must be revised to analyze the heightened environmental impacts from the Project's potential use as a parcel hub.

CARECA-3

Similarly, the FEIR fails to analyze reasonably foreseeable truck trips to the Ports of Los Angeles and Long Beach, which are longer than the trips analyzed in the FEIR. Longer truck trips are associated with greater emissions of criteria air pollutants and GHG emissions. CARE CA presented numerous comment letters from the South Coast Air Quality Management District ("SCAQMD") recommending that warehouses just like this one analyze trips to the Ports, and presented studies showing that trips to the Ports are a reasonably foreseeable consequence for a warehouse in the City of Ontario.

CARECA-4

The FEIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines. CARE CA's comments discussed the decision in *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[8] in which the Court of Appeal held that an EIR failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options.[9] Here, the FEIR fails to analyze the feasibility and effectiveness of measures including onsite solar facilities, electric vehicle charging, and others discussed in CARE CA's comments. The City maintains that discussion of energy consumption measures is not required for this Project because its energy impacts are less than significant, but makes the same error as the lead agency in *CCEC* because the EIR in that case also identified a less-than-significant energy impact.[10]

CARECA-5

The FEIR's analysis of cumulative air quality impacts is inadequate because it fails to consider the Project's impacts in the context of the numerous other warehouses existing and planned in the area. The City's approach to cumulative impacts, relying on SCAQMD guidance, is that emissions of criteria air pollutants or toxic air contaminants that do not exceed individual project thresholds are also not cumulatively considerable. CARE CA's comments demonstrated that this approach fails to meet CEQA's standards in light of the controlling caselaw,[11] the Attorney General's recent litigation on this issue in *People of the State of California v. City of Fontana*,[12] and pending updates to the SCAQMD significance thresholds for cumulative impacts in response to this litigation. At no point have the City's responses meaningfully addressed the caselaw proscribing the City's invalid approach to cumulative impacts. The responses primarily reiterate that the City is complying with current SCAQMD guidance (as opposed to the pending updates to

CARECA-6

[8] (2014) 225 CA4th 173.
[9] *Id.* at 213.
[10] *CCEC, supra*, 225 CA4th 173 at 183.
[11] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692; *Env't Prot. Info. Ctr. v. California Dep't of Forestry & Fire Prot.* (2008) 44 Cal. 4th 459;
[12] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;

the guidance). The FEIR must be revised to include a legally adequate discussion of cumulative impacts.

CARECA-6 (CONT.)

Regarding the Project's individual health risk impacts, CARE CA's air quality expert presented substantial evidence demonstrating that the FEIR's quantified health risk analysis underestimates impacts. For example, the HRA only analyzes trucks travelling east along Airport Drive, away from sensitive receptors located west of the Project. CARE CA's air quality expert also demonstrated that the HRA failed to account for building downwash and relied on unreliable input values. The City has not revised its HRA to address these flaws and others identified in Dr. Clark's comments.

CARECA-7

Regarding hazards, the FEIR identifies significant vapor intrusion impacts due to PCE contamination, but improperly defers formulation of mitigation measures. The FEIR fails to specify whether passive/engineered vapor intrusion mitigation may be employed as opposed to removal of all impacted soil, does not quantify the impacts associated with each form of mitigation (e.g. construction impacts associated with excavation, removal and backfilling contaminated soil versus impacts of installing vapor intrusion barriers), and does not commit the City or the Applicant to specific binding mitigation. The body of the FEIR also fails to disclose potentially significant impacts resulting from ethylbenzene concentrations in excess of the commercial/industrial screening level of 163 micrograms per cubic meter.

CARECA-8

As a result of these issues and others raised in CARE CA's prior comments, the FEIR is deficient as a matter of law and its conclusions are not supported by substantial evidence. Rather, substantial evidence demonstrates that the Project's significant impacts are greater than analyzed in the FEIR. As such, the Commission's certification of the FEIR was contrary to law and unsupported by the record. The Planning Commission's approval decision must be vacated, and the EIR must be revised and recirculated in compliance with CEQA.

CARECA-9

C. The Commission's Approval of the Development Plan Was Contrary to Law and Unsupported by the Record

Section 4.02.025(D) of the City of Ontario Municipal Code sets forth findings necessary to approve a development plan. The Code provides that an application for a development plan shall be denied if the following finding (among others) cannot be clearly established: "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the

CARECA-10

minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project."[13]

The Project would have a significant and unavoidable VMT impact. And the Project has potentially health risk, air quality, GHG, energy, and soil contamination impacts which have been underestimated in the FEIR. Because the Project's impacts on public health, safety and general welfare have not been adequately analyzed and mitigated, the City lacked substantial evidence to make the requisite findings to approve the Project. A revised EIR must be recirculated before the Project can be approved.

CARECA-10 (CONT.)

D. CONCLUSION

CARE CA respectfully requests that the City set a hearing on this appeal, and that the City Council uphold this appeal, vacate the Planning Commission's approval of the Project, and direct staff to revise and recirculate the EIR to comply with CEQA before the Project can be reconsidered for approval.

CARECA-11

Sincerely,

Aidan P. Marshall

Attachments
APM:acp

ATTACHMENT A

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October 5, 2023

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Via Email Only
Rudy Zeledon, Planning Director
Email: RZeledon@ontarioca.gov

Re: Comments on the Draft Environmental Impact Report for 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017)

Dear Mr. Grahn and Mr. Zeledon:

We are writing on behalf of Californians Allied for a Responsible Economy ("CARE CA") to provide comments on the Draft Environmental Impact Report ("DEIR") prepared by the City of Ontario ("City") for 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant").

The Project site is located on 13.08 acres at 5355 East Airport Drive in the City of Ontario, in San Bernardino County, California (Assessor Parcel Numbers: 0238-052-29 and 0238- 052-20). The Project proposes to demolish all existing on-site structures and redevelop the site as a warehouse distribution facility with approximately 270,337 square feet (sf") of building area and 54 south-facing loading dock doors. Of the total building square footage, the Project design allocates 255,337 sf for ground floor space and 15,000 sf for mezzanine space. Development of the Project site would require demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The proposed building would be a one-story, 49-foot-tall speculative warehouse/distribution facility with ancillary office space.

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The Project design includes surface parking with 251 parking spaces including 126 standard automobile parking stalls, 7 accessible parking stalls, 25 electric vehicle parking stalls, 93 additional standard stalls within the truck court, and 48 truck trailer parking spaces.

Based on our review of the DEIR and supporting documentation, we conclude that the DEIR fails to comply with the requirements of the California Environmental Quality Act ("CEQA")[1]. The DEIR fails to adequately analyze the Project's cumulative impacts in light of the community's existing pollution burden resulting from similar warehouse projects, and fails to propose feasible and enforceable mitigation measures to reduce those impacts to a less than significant level, as required by CEQA. The DEIR also underestimates potentially significant air quality, greenhouse gas ("GHG"), and energy impacts by failing to concretely describe the Project – which may have significantly greater cold storage uses, transport refrigeration units ("TRUs"), and backup generators than disclosed in the DEIR. The DEIR also impermissibly fails to identify specific and effective mitigation to reduce the Project's significant Vehicle Miles Traveled ("VMT") impact to the greatest extent feasible before declaring the impact significant and unavoidable.[2] The DEIR's transportation analysis also underestimates VMT and resultant GHG emissions. We reviewed the DEIR and its technical appendices with the assistance of transportation expert Norm Marshall.[3] We reserve the right to supplement these comments at a later date, and at any later proceedings related to this Project.[4]

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As explained in these comments, the DEIR lacks substantial evidence to support its conclusions with regard to the Projects' impacts relating to air quality, health risks, greenhouse gases, energy, and transportation. The City may not approve the Project until the City revises and recirculates the Project's DEIR to adequately analyze the Project's significant direct, indirect and cumulative impacts, and incorporates all feasible mitigation measures to avoid or minimize these impacts to the greatest extent feasible.

[1] Pub. Resources Code §§ 21000 et seq.; 14 Cal. Code Regs ("CEQA Guidelines") §§ 15000 et seq. ("CEQA Guidelines").
[2] Pub. Resources Code, § 21081(a)(3), (b); *Covington v. Great Basin Unif. Air Pollution Control Dist.* (2019) 43 Cal.App.5th 867, 879-883.
[3] Mr. Marshall's technical comments and curricula vitae are attached hereto as Exhibit A.
[4] Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* ("*Bakersfield*") (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist*. (1997) 60 Cal. App. 4th 1109, 1121.
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I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker health and safety hazards, and the environmental impacts of the Project. The coalition includes the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Fontana and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

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II. LEGAL BACKGROUND

CEQA requires public agencies to analyze the potential environmental impacts of their proposed actions in an EIR.[5] "The foremost principle under CEQA is that the Legislature intended the act to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language."[6]

[5] PRC § 21100.
[6] *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal ("Laurel Heights I")* (1988) 47 Cal.3d 376, 390 (internal quotations omitted).
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CEQA has two primary purposes. First, CEQA is designed to inform decisionmakers and the public about the potential significant environmental effects of a project.[7] "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'"[8] The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return."[9] As the CEQA Guidelines explain, "[t]he EIR serves not only to protect the environment but also to demonstrate to the public that it is being protected."[10]

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring consideration of environmentally superior alternatives and adoption of all feasible mitigation measures.[11] The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced."[12] If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment" to the greatest extent feasible and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns."[13]

While courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference."[14] As the courts have explained, a

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[7] Pub. Resources Code § 21061; CEQA Guidelines §§ 15002(a)(1); 15003(b)-(e); *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 517 ("[T]he basic purpose of an EIR is to provide public agencies and the public in general with detailed information about the effect [that] a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.").
[8] *Citizens of Goleta Valley,* 52 Cal.3d at p. 564 (quoting *Laurel Heights I*, 47 Cal.3d at 392).
[9] *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810; *see also Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs.* (2001) 91 Cal.App.4th 1344, 1354 ("*Berkeley Jets*") (purpose of EIR is to inform the public and officials of environmental consequences of their decisions *before* they are made).
[10] CEQA Guidelines § 15003(b).
[11] CEQA Guidelines § 15002(a)(2), (3); *see also Berkeley Jets*, 91 Cal.App.4th at 1354; *Citizens of Goleta Valley*, 52 Cal.3d at p. 564.
[12] CEQA Guidelines § 15002(a)(2).
[13] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090(a), 15091(a), 15092(b)(2)(A), (B); *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.
[14] *Berkeley Jets*, 91 Cal.App.4th at p. 1355 (emphasis added) (quoting *Laurel Heights I*, 47 Cal.3d at 391, 409, fn. 12).
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prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the statutory goals of the EIR process."[15] "The ultimate inquiry, as case law and the CEQA guidelines make clear, is whether the EIR includes enough detail 'to enable who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.'"[16]

III. THE PROJECT DESCRIPTION IS INADEQUATE

The DEIR does not meet CEQA's requirements because it fails to include an accurate and complete Project description, rendering the entire analysis inadequate. California courts have repeatedly held that "an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR."[17] CEQA requires that a project be described with enough particularity that its impacts can be assessed.[18] Without a complete project description, the environmental analysis under CEQA is impermissibly limited, thus minimizing the project's impacts and undermining meaningful public review.[19] Accordingly, a lead agency may not hide behind its failure to obtain a complete and accurate project description.[20]

CEQA Guidelines section 15378 defines "project" to mean "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."[21] "The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term project does not mean each separate governmental approval."[22]

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[15] *Berkeley Jets*, 91 Cal.App.4th at p. 1355; *see also San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722 (error is prejudicial if the failure to include relevant information precludes informed decision making and informed public participation, thereby thwarting the statutory goals of the EIR process); *Galante Vineyards*, 60 Cal.App.4th at p. 1117 (decision to approve a project is a nullity if based upon an EIR that does not provide decision-makers and the public with information about the project as required by CEQA); *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946 (prejudicial abuse of discretion results where agency fails to comply with information disclosure provisions of CEQA).
[16] *Sierra Club,* 6 Cal.5th at p. 516 (quoting *Laurel Heights I*, 47 Cal.3d at 405).
[17] *Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 17; *Communities for a Better Environment v. City of Richmond* ("*CBE v. Richmond*") (2010) 184 Cal.App.4th 70, 85–89; *County of Inyo v. City of Los Angeles* (3d Dist. 1977) 71 Cal.App.3d 185, 193.
[18] 14 CCR § 15124; *see, Laurel Heights I, supra,* 47 Cal.3d 376, 192-193.
[19] *Id.*
[20] *Sundstrom v. County of Mendocino* ("*Sundstrom*") (1988) 202 Cal.App.3d 296, 311.
[21] CEQA Guidelines § 15378.
[22] *Id.*, § 15378(c).
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Courts have explained that a complete description of a project must "address not only the immediate environmental consequences of going forward with the project, but also all "*reasonably foreseeable* consequence[s] of the initial project."[23] "If a[n]…EIR…does not adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project, informed decisionmaking cannot occur under CEQA and the final EIR is inadequate as a matter of law."[24]

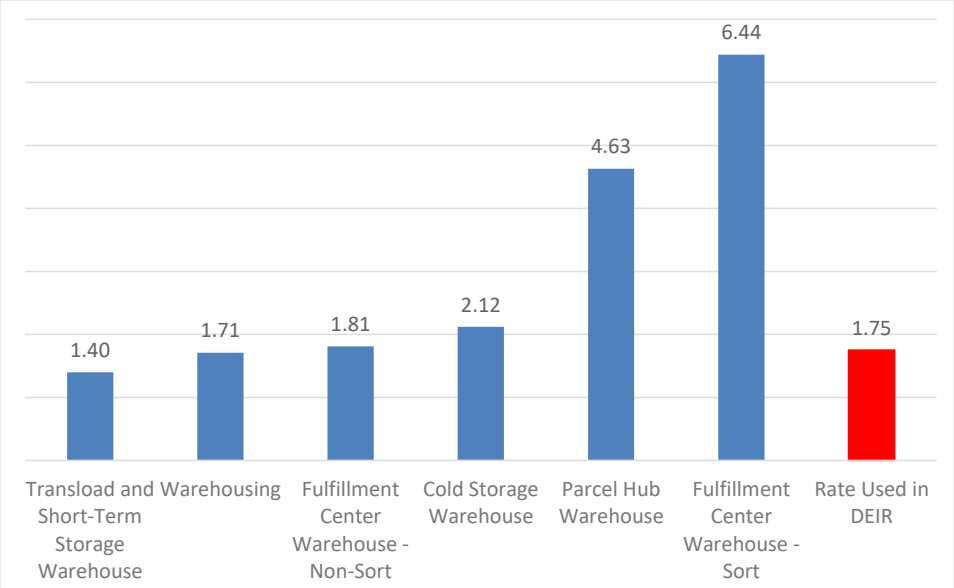
A. The DEIR Fails to Describe the Project's End Uses with Sufficient Particularity to Adequately Evaluate Trips Generated by the Project

CARECA-12 (CONT.)

The DEIR assumes that the Project would include approximately 27,034 sf of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses.[25] The DEIR explains that the Project's end users are unknown.[26] In order to develop the traffic characteristics of the proposed Project, trip-generation statistics published in the Institute of Transportation Engineers ("ITE") Trip Generation Manual for the proposed Project's land uses was utilized.[27] For purposes of the trip generation assessment, the DEIR used ITE land use code 150 (Warehousing) and ITE land use code 157 (High-Cube Cold Storage Warehouse). Transportation expert Norm Marshall explains that these land use codes are just one of many land use codes potentially applicable to the Project.[28] The figure below shows other warehousing land use codes and compares trips generated by each land use.

[23] *Laurel Heights I,* 47 Cal. 3d 376, 398 (emphasis added); *see also Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449-50.
[24] *Riverwatch v. Olivenhain Municipal Water Dist*. (2009) 170 Cal. App. 4th 1186, 1201.
[25] DEIR, pg. 3-13.
[26] DEIR, pg. 4.7-17.
[27] DEIR, pg. 4.10-5.
[28] Marshall Comments, pg. 4.
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Figure 1: Trip Generation Rates for Different Warehouse Categories (Trips Per 1000 Square Feet per Day)[29]



CARECA-12 (CONT.)

The DEIR fails to address why the other land use codes shown above are inapplicable to the Project. And the DEIR fails to provide sufficient information about the Project's expected uses and configuration for the public and decisionmakers to ascertain which of these end uses are possible for the Project. This informational defect affects the entire DEIR, as different types of warehousing have different environmental impacts.

Mr. Marshall explains that the land use code selected by the DEIR may drastically underestimate the Project's GHG and VMT impacts. Specifically, the Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.[30] A greater number of trips generated results in greater traffic impacts and greater emissions of GHGs. Given the large uncertainty in the trips generated by the Project, the DEIR fails to meet CEQA's requirement that a project be

[29] Marshall Comments, pg. 5.
[30] *Id.*

described with enough particularity that its impacts can be assessed.[31] Mr. Marshall recommends two approaches to resolve this issue: either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.[32] The City should revise and recirculate the DEIR to correct these deficiencies and to present a revised trip generation analysis which reflects reasonably foreseeable conditions at the Project site, or condition Project approval on the limitations assumed in the DEIR.

B. The DEIR Fails to Substantiate Its Estimate that Just 10% Percent of the Project Will be Used for Cold Storage

The DEIR assumes, without support, that the Project would only include approximately 27,034 sf of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses.[33] The DEIR states that a limitation of 10% of the building for potential cold storage is based on the Project Applicant's understanding of the cold storage market demand.[34] However, this assumption, even if based on a reasonable interpretation of current market conditions, is subject to fluctuate during the life of the Project and is not otherwise reflected in any enforceable conditions related to Project use.

CARECA-12 (CONT.)

In order for the City to rely on the Applicant's 10% cold storage assumption in the CEQA document, the DEIR would need to include binding measures or conditions which limit warehouse use at the Project to no more than 10% cold storage. Absent such a restriction, the DEIR may substantially estimate the air quality, public health, and energy impacts of cold storage use at the Project site.

Cold storage warehouse generates greater environmental impacts than a high cube warehouse. Cold storage generates more trips per square foot and has higher energy impacts due to the low temperatures required by the facility's transport refrigeration units ("TRUs") and on-site storage. TRUs are refrigeration systems powered by integral diesel engines.[35] The refrigeration systems are used to control the environment of temperature-sensitive products transported in insulated

[31] 14 CCR § 15124; *see, Laurel Heights I, supra,* 47 Cal.3d 376, 192-193.
[32] Marshall Comments, pg. 5.
[33] DEIR, pg. 3-13.
[34] *Id.*
[35] California Air Resources Board, 2022 TRU Technology Assessment, pg. 1, https://ww2.arb.ca.gov/sites/default/files/2022-10/CARB%202022%20TRU%20Technology%20Assessment%2010-14-22.pdf.
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trucks, trailers, shipping containers, or railcars. The California Air Resources Board ("CARB") states that TRUs emit diesel particulate matter ("DPM"), fine particulate matter ("PM2.5"), oxides of nitrogen ("NOx"), and GHGs while in transit and during stationary operation at refrigerated warehouses or distribution centers, grocery stores, seaport facilities, intermodal railyards, and other locations of operation. CARB explains that communities near facilities where TRUs operate bear a disproportionate health burden:

> PM2.5 pollution contributes to more fatalities than other air pollutants and can lodge deep in the lungs or pass through the lungs to enter the blood stream and affect the heart, brain, and other organs. Adverse health effects from long-term exposure to PM2.5 pollution include increased risk of heart attacks and heart disease, impaired lung development in children, the development and exacerbation of asthma, and premature death. NOx is a precursor to ozone, which can cause irritation and damage lung tissue, worsen asthma and chronic illnesses including obstructive pulmonary disease and reduce lung function.[36]

CARB also explains that TRUs' emissions of GHGs contribute towards climate change,[37] and that TRUs generate noise impacts: "TRU operations produce noise that can be problematic when deliveries that often occur late evening or early morning are near residential neighborhoods, hotels, hospitals, and elder care facilities… One study conducted by LSA Associates found that a diesel-powered TRU operating at high idle produces an A-weighted decibel (dBA) noise rating of 104 dBA, while a diesel truck at idle produces a noise rating of 96 dBA."[38]

By assuming the Project will only include 10% cold storage, the DEIR may drastically underestimate the Project's impacts in each of these areas. The DEIR does not provide supporting evidence demonstrating that cold storage uses would be limited to 10% of the Project site for the duration of the Project's life. Due to ever-increasing population and market demands in Southern California, it is also reasonably foreseeable that the Project may attract end users, either now or in future years of the Project's life, which require more than 10% cold storage. As a result, the DEIR's assumption is not supported by substantial evidence.

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(CONT.)

[36] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[37] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[38] California Air Resources Board, 2022 TRU Technology Assessment, pg. 17-18.
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In the California Attorney General's ("AG") guidance for warehouse projects, the AG recommends that, unless a developer adopts mitigation measures limiting cold storage impacts, the developer should record a covenant on the title of the underlying property to ensuring that the property cannot be used to provide refrigerated warehouse space.[39] The City should include such a title restriction for the Project unless the DEIR's 10% cold storage assumption is revised to analyze and mitigate impacts associated with a more conservative and fact-based cold-storage use percentage.

C. The Project Description Fails to Include Reasonably Foreseeable Backup Generators

The DEIR fails to disclose potential backup/emergency stationary generators for the Project's operations. The DEIR's project description does not address whether backup generators are a reasonably foreseeable component of the Project, and the DEIR's technical analyses assume no backup generators will be installed for operations. The DEIR does not disclose any conditions or mitigation measures that limit or prevent use of backup generators. Thus, the DEIR must disclose and analyze the potential use of backup generators because (1) they a reasonably foreseeable consequence of the Project, and (2) the use of backup generators will expand the Project's environmental effects.[40]

In *East Oakland Stadium Alliance v. City of Oakland*,[41] the Court of Appeal upheld an EIR's analysis of emissions from backup generators. The EIR's analysis assumed that generators would operate for 50 hours of testing and maintenance annually, while allocating no time for actual emergency use. In discussing the lead agency's duty to analyze backup generator emissions, the Court stated that "if the annual need for emergency generator use is reasonably foreseeable, the EIR was not entitled to disregard such use merely because it would occur at unpredictable times."[42] The Court explained that use of a generator was reasonably foreseeable because, "[a]s noted in the EIR, some parts of the Bay Area are subject to

CARECA-12 (CONT.)

[39] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act (Updated September 2022)*, pg. 9, available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf ("Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.").
[40] *Id.*
[41] (2023) 889 Cal. App. 5th 1226.
[42] *Id.* at 1252.
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predictable, sustained power outages undertaken to reduce the risk of fire."[43] Thus, "[t]he EIR was required to make neither a generally applicable nor a worst-case assumption; rather it was required to make a reasonable estimate of likely annual use of the generators at the project site."[44]

Here, as in *East Oakland Stadium Alliance*, back-up generators are a reasonably foreseeable consequence of the Project due to increasingly common Public Safety Power Shutoff ("PSPS") events and extreme heat events. Extreme heat events ("EHE") are defined as periods where in the temperatures throughout California exceed 100 degrees Fahrenheit.[45] From January 2019 through December 2019, Southern California Edison reported 158 of their circuits underwent a PSP event.[46] In Los Angeles County, two circuits had 4 PSPS events during that period, lasting an average of 35 to 38 hours. The total duration of the PSPS events lasted between 141 hours to 154 hours in 2019. According to the California Public Utilities Commission (CPUC) de-energization report[47] in October 2019, there were almost 806 PSPS events that impacted almost 973,000 customers (~7.5% of households in California) of which ~854,000 of them were residential customers. The California Air Resources Board estimates that with 973,000 customers impacted by PSPS events in October 2019, approximately 125,000 back-up generators were used by customers to provide electricity during power outage.[48] The widespread use of back-up generators to adapt to PSPS and EHE events suggests that back-up generators are a reasonably foreseeable consequence of the Project.

CARECA-12 (CONT.)

Further demonstrating that backup generators are reasonably foreseeable is that the DEIR assumes that 10% of the building (27,034 sf) would be cold storage.[49] A cold storage warehouse has the ability to keep temperature sensitive items in a

[43] *Id.* at 1253.
[44] *Id.*
[45] Governor of California. 2021. Proclamation of a state of emergency. June 17, 2021.
[46] SCAQMD. 2020. Proposed Amendment To Rules (PARS) 1110.2, 1470, and 1472. Dated December 10, 2020. http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1110.2/1110-2_1470_1472/par1110-2_1470_wgm_121020.pdf?sfvrsn=6.
[47] https://www.cpuc.ca.gov/deenergization/ as cited in CARB, 2020. Potential Emission Impact of Public Safety Power Shutoff (PSPS), Emission Impact: Additional Generator Usage associated With Power Outage..
[48] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps.
[49] DEIR, pg. 3-2 (Although the future tenant(s) of the proposed building is unknown at this time, for purposes of analysis within this EIR it is assumed that the building would include approximately 27,034 s.f. of high-cube cold storage uses (10% of the building space), with remaining portions of the building consisting of warehouse uses).
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temperature-controlled environment, which requires a constant energy supply to power refrigeration. Cold storage warehouses thus commonly utilize backup generators.[50] Backup generators commonly rely on fuels such as natural gas or diesel,[51] and thus can significantly impact air quality, GHG emissions, and public health through toxic DPM emissions.[52] Since the Project may include cold storage, it is reasonably foreseeable that the Project would require on-site backup generators.

CARECA-12 (CONT.)

Generators can emit criteria air pollutants, greenhouse gases, and toxic air contaminants ("TACs"). Backup generators commonly rely on fuels such as natural gas or diesel,[53] and thus can significantly impact public health through DPM

[50] California Air Resources Board, Comments re: Notice of Preparation (NOP) for the United States Cold Storage Hesperia Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2020069036 (July 24, 2020), available at https://ww2.arb.ca.gov/sites/default/files/classic//toxics/ttdceqalist/uscoldstorage.pdf (stating that the HRA prepared for the Project should account for all potential health risks from Project-related diesel PM emission sources such as backup generators, TRUs, and heavy-duty truck traffic); Kusing Power Generator, http://ksdieselgenerator.com/2019/backup-generator-for-cold-storage-room.html, last visited 6/21/2021 ("Backup power supply is necessary for cold storage room to remain functional to avoid deterioration of high value-added goods such as vegetables and food stored in the room after long period of power failure"); East Coast Power Systems, Electrical Power Systems for Warehouses, https://www.ecpowersystems.com/resources/electrical-power-systems/electrical-power-systems-for-warehouses/ (explaining that some warehouses that deal with refrigeration have to have multiple power backup generators by law).

[51] SCAQMD, Fact Sheet on Emergency Backup Generators, http://www.aqmd.gov/home/permits/emergency-generators ("Most of the existing emergency backup generators use diesel as fuel").

[52] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps (showing that generators commonly rely on gasoline or diesel, and that use of generators during power outages results in excess emissions); California Air Resources Board, Use of Back-up Engines for Electricity Generation During Public Safety Power Shutoff Events (October 25, 2019), available at https://ww2.arb.ca.gov/resources/documents/use-back-engines-electricity-generation-during-public-safety-power-shutoff ("When electric utilities de-energize their electric lines, the demand for back-up power increases. This demand for reliable back-up power has health impacts of its own. Of particular concern are health effects related to emissions from diesel back-up engines. Diesel particulate matter (DPM) has been identified as a toxic air contaminant, composed of carbon particles and numerous organic compounds, including over forty known cancer-causing organic substances. The majority of DPM is small enough to be inhaled deep into the lungs and make them more susceptible to injury. Much of the back-up power produced during PSPS events is expected to come from engines regulated by CARB and California's 35 air pollution control and air quality management districts (air districts)").

[53] SCAQMD, Fact Sheet on Emergency Backup Generators, http://www.aqmd.gov/home/permits/emergency-generators ("Most of the existing emergency backup generators use diesel as fuel").

emissions.[54] Diesel back-up generators emit significant amounts of Nitrogen Oxides ("NOx"), sulfur dioxides ("SO2"), particulate matter ("PM10"), carbon dioxide ("CO2"), carbon monoxide ("CO"), and volatile organic compounds ("VOC").[55] Omission of a generator system results in an underestimation of the Project's air quality, greenhouse gas, and health risk impacts.

In sum, omission of the Project's generator results in an underestimation of the Project's air quality, greenhouse gas, energy, and health risk impacts. The DEIR must be revised to resolve this project description inconsistency and correct the affected impacts analyses to accurately disclose the Project's potentially significant impacts.

CARECA-12 (CONT.)

IV. THE DEIR FAILS TO DISCLOSE, ANALYZE AND MITIGATE POTENTIALLY SIGNIFICANT IMPACTS

An EIR must fully disclose all potentially significant impacts of a Project and implement all feasible mitigation to reduce those impacts to less than significant levels. The lead agency's significance determination with regard to each impact

[54] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps (showing that generators commonly rely on gasoline or diesel, and that use of generators during power outages results in excess emissions); California Air Resources Board, Use of Back-up Engines for Electricity Generation During Public Safety Power Shutoff Events (October 25, 2019), available at https://ww2.arb.ca.gov/resources/documents/use-back-engines-electricity-generation-during-public-safety-power-shutoff ("When electric utilities de-energize their electric lines, the demand for back-up power increases. This demand for reliable back-up power has health impacts of its own. Of particular concern are health effects related to emissions from diesel back-up engines. Diesel particulate matter (DPM) has been identified as a toxic air contaminant, composed of carbon particles and numerous organic compounds, including over forty known cancer-causing organic substances. The majority of DPM is small enough to be inhaled deep into the lungs and make them more susceptible to injury. Much of the back-up power produced during PSPS events is expected to come from engines regulated by CARB and California's 35 air pollution control and air quality management districts (air districts)").

[55] University of California, Riverside Bourns College of Engineering—Center for Environmental Research and Technology, Air Quality Implications Of Backup Generators In California, (March 2005), pg. 8, available at https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=84c8463118e4813a117db3d768151a8622c4bf6b; South Coast AQMD, Fact Sheet on Emergency Backup Generators ("Emissions of Nitrogen Oxides (NOx) from diesel-fired emergency engines are 200 to 600 times greater, per unit of electricity produced, than new or controlled existing central power plants fired on natural gas. Diesel-fired engines also produce significantly greater amounts of fine particulates and toxics emissions compared to natural gas fired equipment."), available at http://www.aqmd.gov/home/permits/emergency-generators#Fact2.

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must be supported by accurate scientific and factual data.[56] An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.[57]

Moreover, the failure to provide information required by CEQA is a failure to proceed in the manner required by CEQA.[58] Challenges to an agency's failure to proceed in the manner required by CEQA, such as the failure to address a subject required to be covered in an EIR or to disclose information about a project's environmental effects or alternatives, are subject to a less deferential standard than challenges to an agency's factual conclusions.[59] In reviewing challenges to an agency's approval of an EIR based on a lack of substantial evidence, the court will "determine de novo whether the agency has employed the correct procedures, scrupulously enforcing all legislatively mandated CEQA requirements."[60]

Additionally, CEQA requires agencies to commit to all feasible mitigation measures to reduce significant environmental impacts.[61] In particular, the lead agency may not make required CEQA findings, including finding that a project impact is significant and unavoidable, unless the administrative record demonstrates that it has adopted all feasible mitigation to reduce significant environmental impacts to the greatest extent feasible.[62]

Even when the substantial evidence standard is applicable to agency decisions to certify an EIR and approve a project, reviewing courts will not 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference.'"[63]

CARECA-12 (CONT.)

[56] CEQA Guidelines § 15064(b).
[57] *Kings Cty. Farm Bur. v. Hanford* (1990) 221 Cal.App.3d 692, 732.
[58] *Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236.
[59] *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.
[60] *Id., Madera Oversight Coal., Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102.
[61] CEQA Guidelines § 15002(a)(2).
[62] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090, 15091; *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.
[63] *Berkeley Jets*, 91 Cal.App.4th at 1355.
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A. The DEIR Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

An EIR must evaluate a cumulative impact if the project's incremental effect combined with the effects of other projects is "cumulatively considerable."[64] This determination is based on an assessment of the project's incremental impacts "viewed in connection with the effects of past project, the effects of other current projects, and the effects of probable future projects."[65] Proper cumulative impact analysis is vital because "the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact."[66]

1. The DEIR Fails to Provide a List of Cumulative Projects

CARECA-12 (CONT.)

The CEQA Guidelines set forth two methods for satisfying the cumulative impacts analysis requirement: the list of projects approach and the summary of projections approach.[67] Under the former, an adequate discussion of cumulative impacts requires "a list of past, present, and probable future projects producing related or cumulative impacts…"[68] Relevant factors when compiling a list of related projects include the environmental resource being examined and the location and type of the project.[69] The Guidelines expressly recognize that project type may be important "when the impact is specialized, such as a particular air pollutant or mode of traffic."[70]

Here, the DEIR states that it uses a combination of the two methods as appropriate for each impact analysis:

> The summary of projections approach is used in this EIR, except for the evaluation of cumulative transportation effects (for purposes of demonstrating General Plan policy compliance) and vehicular-related air

[64] CEQA Guidelines § 15130(a).
[65] *Id.*, §§ 15065(a)(3), 15355(b).
[66] *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 114.
[67] CEQA Guidelines, § 15130(b)(1) and (2).
[68] *Id.*, § 15130(b)(1)(A).
[69] *Id.*, § 15130(b)(2).
[70] *Id.*

quality, greenhouse gas, and noise impacts, for which the analysis combines the summary of projections approach with the manual addition of past, present, and reasonably foreseeable projects ("combined approach"). The City determined the combined approach to be appropriate because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effect for all subject areas, with the exception of transportation (and vehicular-related air quality, greenhouse gas, and noise effects), which requires a greater level of detailed study.[71]

However, the DEIR fails to provide a list of cumulative projects. And the appendices containing the air quality, greenhouse gas, and noise analyses do not consider past, present, and reasonably foreseeable projects. The air quality, greenhouse gas, and noise analyses should be revised to include consideration of cumulative projects, as recommended by the DEIR itself.

2. The DEIR's Cumulative Air Emissions Analysis Does Not Comply with CEQA or Attorney General Warehouse Guidance

CARECA-12 (CONT.)

The DEIR fails to adequately analyze the Project's cumulative air quality emissions. The DEIR asserts that, under South Coast Air Quality Management District ("SCAQMD") guidance, any exceedance of a regional or localized threshold for criteria pollutants also is considered to be a cumulatively-considerable effect, while air pollutant emissions that fall below applicable regional and/or localized thresholds are not considered cumulatively-considerable.[72]

The DEIR fails to note that SCAQMD's approach is outdated, as evidenced by its ongoing process to update its cumulative impacts guidance.[73] The DEIR's approach has been also rejected by the courts for failing to comply with CEQA's requirement that a project mitigate impacts that are "cumulatively considerable."[74] The City's failure to actually examine the Project's cumulative air quality impacts violates CEQA's requirement to analyze cumulative impacts.

[71] DEIR, pg. 4-2.
[72] DEIR, Appendix B, pg. 53.
[73] See e.g., http://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-3_20230124.pdf?sfvrsn=6.
[74] PRC § 21083(b)(2); 14 CCR § 15130; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692, 719-21.
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The leading case on this issue is *Kings County Farm Bureau v. City of Hanford*.[75] In *Kings County*, the city prepared an EIR for a 26.4-megawatt coal-fired cogeneration plant. Notwithstanding the fact that the EIR found that the project region was out of attainment for PM_{10} and ozone, the city failed to incorporate mitigation for the project's cumulative air quality impacts from project emissions because it concluded that the Project would contribute "less than one percent of area emissions for all criteria pollutants."[76] The city reasoned that, because the project's air emissions were small in ratio to existing air quality problems, that this necessarily rendered the project's "incremental contribution" minimal under CEQA. The court rejected this approach, finding it "contrary to the intent of CEQA." The court stated:

> We find the analysis used in the EIR and urged by GWF avoids analyzing the severity of the problem and allows the approval of projects which, when taken in isolation, appear insignificant, but when viewed together, appear startling. Under GWF's "ratio" theory, the greater the over-all problem, the less significance a project has in a cumulative impacts analysis. We conclude the standard for a cumulative impacts analysis is defined by the use of the term "collectively significant" in Guidelines section 15355 and the analysis must assess the collective or combined effect of energy development. The EIR improperly focused upon the individual project's relative effects and omitted facts relevant to an analysis of the collective effect this and other sources will have upon air quality.[77]

CARECA-12 (CONT.)

The DEIR's analysis is similarly flawed because while the DEIR admits that the Project region is out of attainment for ozone, PM_{10}, and $PM_{2.5}$, the City fails to analyze or mitigate the Project's emissions' cumulative air quality impacts.[78] Given that there are multiple existing large warehouses immediately adjacent to the proposed Project site,[79] as well as the proliferation of warehouse projects in the region and San Bernardino County, the DEIR is inadequate in its analysis of the Project's potentially significant cumulative air quality impacts.

[75] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("Kings County"); *see also, Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.
[76] *Id.* at 719.
[77] *Id.* at 721.
[78] DEIR, pg. 5.2-17.
[79] DEIR, pg. 2-4, Figure 2-1.
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The SCAQMD approach used in the DEIR also directly conflicts with the AG recent guidance document setting forth best practices for evaluating the environmental impacts of warehouse projects like this one under CEQA.[80] With respect to cumulative air quality and GHG emissions analysis, the Attorney General's guidance states that best practices include "[w]hen analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, *even if the project's individual impacts alone do not exceed the applicable significance threshold* [emphasis added]."[81]

The DEIR's cumulative air quality impacts analysis does not comply with CEQA. The City must prepare a revised EIR that properly evaluates and mitigates such impacts.

3. The DEIR's Health Risk Analysis Fails to Consider the Health Impacts of Cumulative Emissions from Nearby Warehouses

CARECA-12 (CONT.)

The DEIR's analysis of cumulative health risks is flawed for the same reason as the air quality analysis. The DEIR points to guidance from SCAQMD to reason that emissions of TACs are considered significant if a quantified health risk analysis ("HRA") shows an increased risk of greater than 10 in 1 million.[82] And the DEIR provides that Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable, and vice versa.[83] This approach is inadequate because it fails to analyze the Project's cumulative effects with the existing and proposed warehouses surrounding the Project site.

CEQA provides that the incremental effects of an individual project are cumulatively considerable if the effects are significant when "viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."[84] Courts have held that where a community already

[80] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Updated September 2022), available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf .
[81] *Id.*, pg. 7.
[82] DEIR, Appendix B2, pg. 5.
[83] *Id.*
[84] CEQA requires a lead agency consider whether the combined effects from both the proposed project and other projects would be "cumulatively considerable." (CEQA Guidelines, § 15130, subd. (a).) The incremental effects of an individual project are cumulatively considerable if the effects are
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bears a high pollution burden, a lead agency must consider "whether any additional amount" of pollution caused by the project "should be considered significant in light of the serious nature" of the existing problem.[85]

Here, the DEIR's approach of using a project-level analysis as a substitute for a cumulative impacts analysis fails to address that the Project would be impacting a community already bearing a high pollution burden. The DEIR's CalEEMod output sheets show the community' pollution burden as scoring 91.1 in AQ-Ozone, 95.7 in AQ-PM, and 96.6 in AQ-DPM.[86] A high score reflects a higher pollution burden compared to other census tracts in the state, with a maximum CalEnviroScreen score of 100.[87] Despite this high pollution burden, the DEIR concludes that the Project would not contribute to cumulative impacts because its own impacts would result in an increased risk of less than 10 in 1 million. This analysis violates principles of *Kings County Farm Bureau v. City of Hanford* and guidance from Attorney General. The City must revise and recirculate a DEIR that analyzes the Project's potentially significant cumulative health risk impacts.

CARECA-12 (CONT.)

B. The DEIR's Quantified Health Risk Analysis Underestimates Operational Mobile Source Impacts

The DEIR includes an HRA addressing the Project's construction and operational impacts. The operational HRA is flawed because it omits analysis of TRUs.[88]

As explained above, TRUs emit DPM, PM2.5, NOx, and GHGs while in transit and during stationary operation at refrigerated warehouses or distribution centers, grocery stores, seaport facilities, intermodal railyards, and other locations of operation.[89] CARB explains that communities near facilities where TRUs operate bear a disproportionate health burden:

significant when "viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." (Id., §§ 15065, subd. (a)(3), 15355, subd. (b).)
[85] *Kings County Farm Bureau*, *supra*, 221 Cal.App.3d at 718; *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 720.
[86] DEIR, Appendix B2, PDF pg. 64-65.
[87] *Id.*
[88] DEIR, Appendix B2, pg. 13-18.
[89] California Air Resources Board, 2022 TRU Technology Assessment, pg. 1, https://ww2.arb.ca.gov/sites/default/files/2022-10/CARB%202022%20TRU%20Technology%20Assessment%2010-14-22.pdf.
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> PM2.5 pollution contributes to more fatalities than other air pollutants and can lodge deep in the lungs or pass through the lungs to enter the blood stream and affect the heart, brain, and other organs. Adverse health effects from long-term exposure to PM2.5 pollution include increased risk of heart attacks and heart disease, impaired lung development in children, the development and exacerbation of asthma, and premature death. NOx is a precursor to ozone, which can cause irritation and damage lung tissue, worsen asthma and chronic illnesses including obstructive pulmonary disease and reduce lung function.[90]

Thus, the omission of TRUs in the DEIR's HRA results in an underestimate of the Project's health risk impacts. The DEIR's significance findings are thus not supported by substantial evidence. The DEIR must be revised to adequately disclose the health risk impacts from TRUs.

C. The DEIR Underestimates Project VMT and Mobile Source GHGs

Transportation expert Norm Marshall explains that the DEIR potentially underestimates average trip lengths for both trucks and passenger vehicles.[91] Longer trip lengths results in greater impacts (including air quality, GHGs, and VMT). As a result, the analyses that rely on these trip lengths lack the support of substantial evidence. The DEIR air quality analysis relies on the follow trip lengths:

> To determine emissions from trucks for the proposed industrial uses, the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages.[92]

The DEIR states that these truck trip distances are recommended by SCAQMD, but Mr. Marshall explains that SCAQMD does not make a recommendation that these trip distances be used for warehouse project EIRs.[93] Rather, the AG's guidance document for warehouse projects states:

CARECA-12 (CONT.)

[90] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[91] Marshall Comments, pp. 6-7.
[92] DEIR, Appendix B1, pg. 37.
[93] Marshall Comments, pg. 6-7.
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> CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur.[94]

In contrast to the approach recommended by the AG, the DEIR's estimated trip distances did not account for the Project's likely trip destinations. Mr. Marshall explains that, while it may be too early to determine specific truck trip origins and destinations, it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR.[95] These include the Ports of Los Angeles and Long Beach – approximately 60 miles away. The DEIR's analysis thus likely underestimates trip distances.

The DEIR also underestimates lengths of passenger trips generated by the Project. Mr. Marshall observes that CalEEMod trip lengths were used for passenger trips.[96] But in the DEIR's VMT analysis, the DEIR acknowledges that the Project's VMT per service population, i.e., the VMT per worker, is significantly higher than the average for the City of Ontario, and therefore, also significantly higher than the regional average.[97] Mr. Marshall explains that the average auto trip lengths should be increased from the default values to account for the VMT-inefficient project location. Thus, the DEIR's analysis lacks the support of substantial evidence, and must be revised.

CARECA-12 (CONT.)

D. The DEIR Fails to Identify All Feasible VMT Mitigation Measures

The DEIR concludes that the Project would result in a significant and unavoidable VMT impact despite mitigation included in the DEIR. Specifically, the DEIR estimates that the Project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.[98] The DEIR identifies the following mitigation for this significant impact:

[94] Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act (Updated September 2022), pg. 7.
[95] Marshall Comments, pg. 7.
[96] *Id.*; DEIR, Appendix F, pg. 56
[97] Marshall Comments, pg. 7.
[98] Marshall Comments, pg. 1.
6752-004j

> MM 4.10-1: Prior to the issuance of a certificate of occupancy, the building operator shall prepare and submit for approval to the City of Ontario Community Development Department a Transportation Demand Management Program (TDMP). The TDMP shall specify measures that the building operator will commit to implementing in an effort to reduce vehicle miles traveled for its on-site employees. The TDMP shall include provisions, incentives, and programs for employee ridesharing programs, carpools, vanpools, transit use, bike travel, avoidance of peak periods of traffic congestion, and on-site parking preferences for zero-emission vehicles, among other items that have reasonable potential of reducing employee reliance on single-occupant gas-powered vehicles during peak time travel periods (rush hours).[99]

This measure fails to meet CEQA's standards for mitigation. CEQA provides that if the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment" to the greatest extent feasible and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns."[100] Further, EIRs must mitigate significant impacts through measures that are "fully enforceable through permit conditions, agreements, or other legally binding instruments."[101] Deferring formulation of mitigation measures is generally impermissible.[102] If identification of specific mitigation measures is impractical until a later stage in the Project, specific performance criteria must be articulated and further approvals must be made contingent upon meeting these performance criteria.[103] Mitigation that does no more than allow approval by a county department without setting enforceable standards is inadequate.[104]

CARECA-12 (CONT.)

Here, the measure improperly defers identification of specific VMT-reducing mitigation measures to a future date. MM 4.10-1 does not commit to any particular measures to reduce VMT. Nor does the DEIR articulate specific performance criteria to ensure that impacts would be mitigated to the greatest extent feasible. Mr. Marshall notes that, while MM 4.10-1 lists potential measures to reduce VMT,

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[99] DEIR, pg. S-24.
[100] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090(a), 15091(a), 15092(b)(2)(A), (B); *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.
[101] CEQA Guidelines, § 15126.4, subd. (a)(2).
[102] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308-309; Pub. Resources Code, § 21061.
[103] *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1393; *Quail Botanical*, *supra*, 29 Cal.App.4th at pg. 1604, fn. 5.
[104] *Endangered Habitats League, Inc. v. County of Orange,* (2005) 131 Cal.App.4th 777, 794.
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there is no clear commitment or description of the measures.[105] Mr. Marshall explains that the measures listed in MM 4.10-1 can be formulated in a variety of ways that determine the magnitude of VMT reductions.[106] MM 4.10-1 is thus improperly deferred mitigation that does no more than allow approval by a county department without setting enforceable standards.[107]

As a result of this improper deferral of mitigation, the DEIR also fails to comply with CEQA's requirement to reduce all significant effects on the environment to the greatest extent feasible. MM 4.10-1 must be revised to clearly require the all feasible VMT-reducing measures be adopted until the expected 28.47% excess VMT is mitigated.

V. CONCLUSION

For the reasons discussed above, the DEIR for the Project is inadequate under CEQA. It must be revised to provide legally adequate analysis of, and mitigation for, all of the Project's potentially significant impacts. These revisions will necessarily require that the DEIR be recirculated for additional public review. Until the DEIR has been revised and recirculated, as described herein, the City may not lawfully approve the Project.

Thank you for your consideration of these comments. Please include them in the record of proceedings for the Project.

Sincerely,

Aidan P. Marshall

APM:ljl

CARECA-12 (CONT.)

[105] Marshall Comments, pg. 2.
[106] *Id.*
[107] *Endangered Habitats League, Inc. v. County of Orange,* (2005) 131 Cal.App.4th 777, 794.
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EXHIBIT A

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Norman Marshall, President
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nmarshall@smartmobility.com

October 4, 2023

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Subject: 5355 East Airport Drive Project

Dear Mr. Marshall,

I have reviewed trip generation, vehicle miles traveled (VMT) impacts and greenhouse gas (GHG) impacts of the City of Ontario Draft Environmental Impact Report for a proposed warehouse project at 5355 East Airport Drive ("DEIR"). I make the following findings:

1) The DEIR acknowledges significant and unavoidable VMT impact. Furthermore, the DEIR documents that the project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.
2) The proposed VMT mitigation is not fully specified or quantified in the DEIR and appears to fall far short of what would be required to reduce project VMT below the City's threshold. Achieving significant VMT mitigation for this project may be impossible – but mitigation must be specified and quantified for the project to be properly evaluated.
3) Project trip generation could be much higher than assumed. Given the large uncertainty in the project's trip generation, the applicant should take one of two paths -either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.
4) Project GHG emissions could be much higher than assumed. In addition to trip generation possibly being underestimated, average trip lengths for both trucks and passenger vehicles are likely to be underestimated in the DEIR.

CARECA-12 (CONT.)

1

Significant and Unavoidable VMT impact

The DEIR states that the project would have a "Significant and Unavoidable [VMT] Impact." (DEIR, p. S-24)

DEIR Appendix J, "IE Distribution Center #14 Vehicle Miles Traveled (VMT) Analysis," evaluates the project relative to the City of Ontario's VMT screens and concludes:

- TPA [Transit Priority Area] screening criteria is not met.
- Low VMT Area screening criteria is not met.
- Project Type screening criteria is not met.

As the project fails these screens, a full VMT analysis was performed using the San Bernardino Transportation Analysis Model (SBTAM). The table below copied from DEIR Appendix J, p. 9 summarizes the results of this analysis.

TABLE 10: PROJECT COMPARISON TO CITY OF ONTARIO VMT THRESHOLD

	Baseline	Buildout Year
Impact Threshold	27.61	27.61
Project	33.84	35.47
Percent Change	+22.56%	+28.47%
Potentially Significant?	Yes	Yes

As shown in the reproduced table, the proposed project would exceed the City's VMT threshold by 22.56% in the baseline year and by an even larger 28.47% in the buildout year (2050).

The VMT Mitigation Described in the VMT is Inadequate

The City of Ontario's VMT Resolution adopted June 16, 2020, reiterates General Plan Mobility Element M1-2: **"Mitigation of impacts. We require development to mitigate its traffic impacts."**

In the case of the proposed project, full mitigation would reduce VMT to below the threshold, i.e., the 28.47% excess VMT in the horizon year would be eliminated. The EIR should quantify the expected VMT reduction from mitigation. Unless the reduction is sufficient to achieve the VMT threshold, the EIR should justify why greater mitigation is infeasible.

The VMT mitigation described in the DEIR is:

> **MM 4.10-1** Prior to the issuance of a certificate of occupancy, the building operator shall prepare and submit for approval to the City of Ontario Community Development Department a Transportation Demand Management Program (TDMP). The TDMP shall specify measures that the building operator will commit to implementing in an effort to reduce vehicle miles traveled for its on-site employees. The TDMP shall include provisions, incentives, and programs for employee ridesharing programs, carpools, vanpools, transit use, bike travel, avoidance of peak periods of traffic congestion, and on-site parking preferences for zero-emission vehicles, among other items that have reasonable potential of reducing employee reliance on single-occupant gas-powered vehicles during peak time travel periods (rush hours). (DEIR, p. S-24)

CARECA-12 (CONT.)

The above wording is ambiguous. Is this a commitment to include all the measures listed, or only to a subset of the measures. For the included measures, what are the magnitudes of the different incentives. Are the included measures voluntary or mandatory? Is monitoring included? What is the total VMT reduction from the package, and is this reduction sufficient to adequately address the expected 28.47% excess VMT in the horizon year? If the planned reduction is not achieved, what are the consequences?

The California Air Pollution Control Officers Association (CAPCOA) provides on quantifying VMT mitigation measures in its publication *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers (Final Draft, December 2021)*. It states:

> The Handbook builds on CAPCOA's previous efforts to provide accurate and reliable quantification measures. In 2010, CAPCOA published *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emissions Reductions from Greenhouse Gas Mitigation Measures* (hereafter referred to as the "2010 Handbook"). Since that time, climate science has evolved and GHG reduction practices have advanced in sophistication. New priorities have also arisen, such as strengthening climate resilience and infusing health and equity into integrated planning efforts. Therefore, CAPCOA decided it was time to develop an updated and expanded resource to provide the latest data and methods to quantify GHG emissions reductions, climate change vulnerability reductions, and equity improvements in a single resource: The Handbook. (p. 2-3)

The Handbook makes a critical distinction between voluntary and mandatory Commuter Trip Reduction ("CTR") programs:

T-5 Implement Commute Trip Reduction Program (Voluntary) – up to 4% VMT reduction:

> Voluntary CTR programs must include the following elements to apply the VMT reductions reported in literature. ▪ Employer-provided services, infrastructure, and incentives for alternative modes such as ridesharing (Measure T-8), discounted transit (Measure T-9), bicycling (Measure T-10), vanpool (Measure T-11), and guaranteed ride home. ▪ Information, coordination, and marketing for said services, infrastructure, and incentives (Measure T-7). (*Handbook*, p. 83)

T-5 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) – up to 26% VMT reduction:

> The mandatory CTR program must include all other elements (i.e., Measures T-7 through T-11) described for the voluntary program (Measure T-5) plus include mandatory trip reduction requirements (including penalties for non-compliance) and regular monitoring and reporting to ensure the calculated VMT reduction matches the observed VMT reduction). (*Handbook*, p. 86)

CARECA-12 (CONT.)

A 26% reduction at this site may be impossible given the relatively poor transit , bicycle and walk accessibility plus long commute distances that making walking and biking impractical. The DEIR states:

> Public transit service in the region is provided by Omnitrans, a public transit agency that serves various jurisdictions within San Bernardino County. There are no public transit routes that run adjacent to the Project Site under existing conditions. The nearest transit routes to the Project Site are Route 61 which has a stop located along Fourth Street, approximately 0.9 mile north of the Project Site and Route 82 which has a stop located at South Etiwanda and Jurupa Avenue, approximately 1.2 miles southeast of the Project Site. There are no existing bicycle facilities within the vicinity of the Project Site. The closest bike route to the Project Site is a Class III bike route located along Ontario Mills Parkway, approximately 0.4 mile north of the Project Site. There are no sidewalks on either side of East Airport Drive, with the exception of a small portion along the adjacent development frontage directly to the west at 5351 East Airport Drive. (DEIR, p. 2-11)

Furthermore, ridesharing and vanpooling would be complicated by a geographically dispersed workforce and likely multiple shifts.

Joining with other employers would be beneficial. The more employers that support these VMT reduction programs, the stronger these programs will be, and the regional benefit of participating may be greater than just the onsite VMT reductions. For example, a vanpool could include multiple employers IE Commuter, a program of the San Bernardino County Transportation Authority in partnership with the Riverside County Transportation Commission, offers a full range of services to help employers set up and manage VMT reduction programs.[1]

Achieving significant VMT mitigation for this project may be impossible – but mitigation must be fully specified and quantified for the project to be properly evaluated.

CARECA-12 (CONT.)

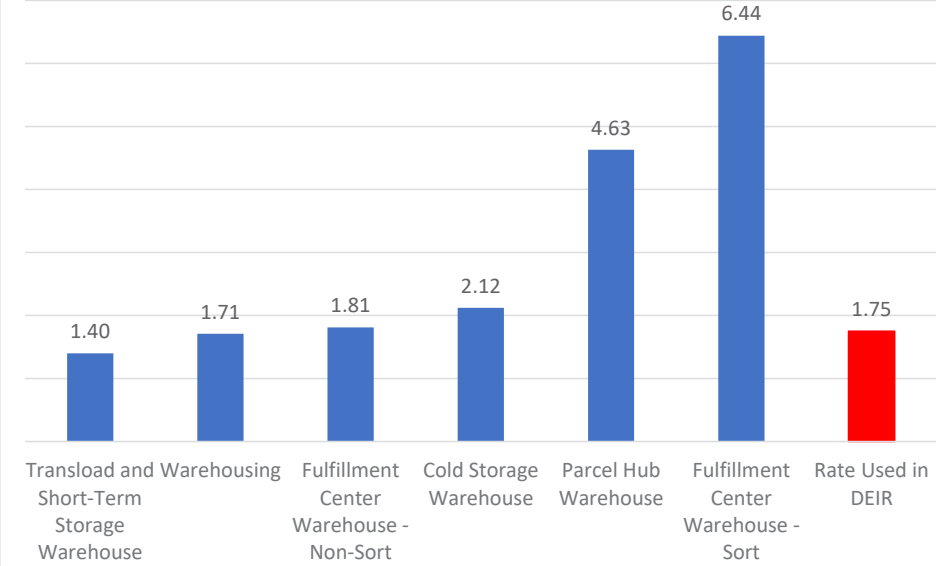
Project Trip Generation Could Be Much Higher Than Assumed

The project is comprised of a 270,377 square feet warehouse building. (DEIR, Appendix K, p. 1) The tenants have not been identified, and the nature of the operations are unknown at this time. For the purpose of estimating project trip generation, the DEIR assumes a mix of 90% warehousing and 10% high-cube cold storage. (DEIR, Appendix K, p. 1) This mix is highly speculative, and the project may not even include either of the assumed trip generation categories.

The DEIR estimates trip generation based on the rates in the Institute of Transportation Engineers ("ITE") *Trip Generation* manual. *Trip Generation* includes other categories of warehouses. As shown in the figure below, the trip generation rates applied in the DEIR are much lower than rates for some other warehouse categories.

[1] https://www.iecommufter.org/rp2/home/EmployerSupport

Trip Generation Rates for Different Warehouse Categories (Trips Per 1000 Square Feet per Day)



CARECA-12 (CONT.)

The Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.

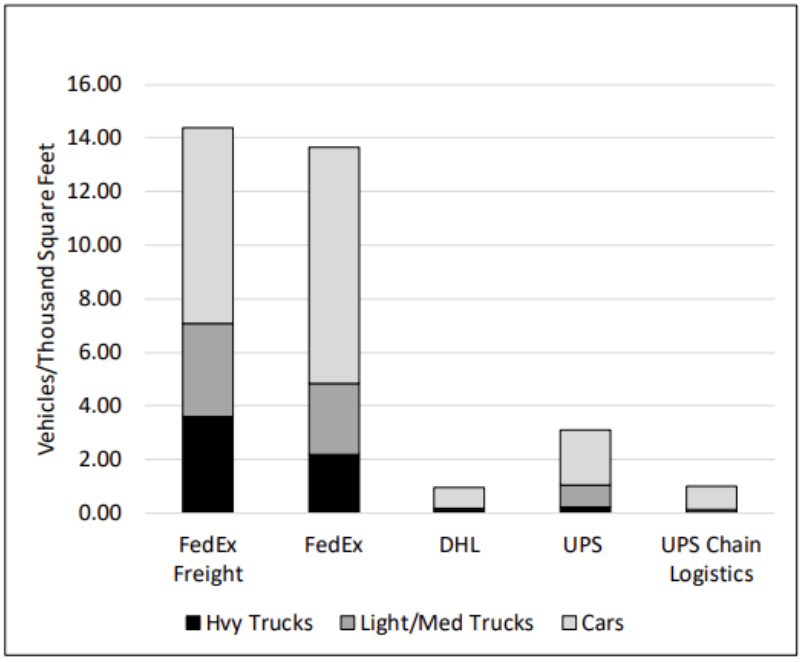
A 2019 study of warehouse trip generation done by WSP for the Western Riverside COG documented even higher trip generation rates.[2] This study was based on counts at 16 warehouses, segmented between 11 fulfillment centers and 5 parcel hubs.

The observed trip generation rates at two of the parcel hub sites are even higher than the rates shown in the figure above.. As shown in the figure below, the highest trip generation rates were observed at two of the parcel hubs, with rates of about 14 trips per 1000 square feet per day, i.e., 8 times the rate used in the DEIR.

Given the large uncertainty in the project's trip generation, the applicant should take one of two paths - either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

[2] https://wrcog.us/AgendaCenter/ViewFile/Agenda/_02212019-292

Exhibit 11: Daily Trip Generation Rates at Parcel Hubs



CARECA-12 (CONT.)

Project VMT and GHG Emissions Could Be Much Higher Than Assumed

Any underestimate of trip generation translates into underestimated GHG emissions. It is likely that the DEIR also underestimates average trip lengths.

The DEIR air quality analysis (Appendix B1) states:

> To determine emissions from trucks for the proposed industrial uses, the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages. (DEIR, Appendix B1, p. 37)

The DEIR misstates that these truck trip distances are "recommended" by SCAQMD. The truck trip lengths are used in calculations of possible mitigation in *Second Draft Staff Report Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. And Proposed Rule 316 -Fees for Rule 2305*.[3] The reference for these numbers is the 2016 SCAG travel demand model (p. 117) and there is no indication that these numbers are intended for any

[3] www.aqmd.gov/docs/default-source/planning/fbmsm-docs/pr-2305_sr_2nd-draft_4-7-21_clean.pdf

use beyond this single document. The 40-mile heavy truck trip length also appears in a 2014 slide presentation.[4] In neither case, are these numbers presented as general recommendations for warehouse EIRs.

The Attorney General's September 2022 guidance: *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*[5] states:

> CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur. (p. 7)

While it is too early to determine truck trip origins and destinations, it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR. These include the Ports of Los Angeles and Long Beach that are approximately 60 miles away. It would be more conservative to assume longer average truck distances in the air quality and GHG analyses.

The DEIR states that CalEEMod trip lengths were used for passenger trips:

> In order to determine emissions from passenger car vehicles, CalEEMod defaults for trip length and trip purpose were utilized. (DEIR, Appendix F, p. 56)

In the VMT analysis, the DEIR documents that the project's VMT per service population, i.e., the VMT per worker, is significantly higher than the average for the City of Ontario, and therefore, also significantly higher than the regional average. Therefore, the average auto trip lengths should be increased from the default values to account for the VMT-inefficient project location.

Underestimating truck and passenger vehicle VMT translates to underestimating GHG as well.

CARECA-12
(CONT.)

Sincerely,

Norman L. Marshall

Norman L. Marshall

[4] https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/sclc_warehouse-presentation-final.pdf
[5] https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (33 Years, 19 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovate Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in $250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

CARECA-12
(CONT.)

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additional analyzed using the City's Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka'ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

CARECA-12
(CONT.)

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Caroline including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

CARECA-12 (CONT.)

ATTACHMENT B

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April 15, 2024

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Thomas Grahn, Senior Planner
City of Ontario Planning Department
Email: TGrahn@ontarioca.gov

Re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Mr. Ochoa, Development Advisory Board Members and Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit these comments on the 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant"), including the Final Environmental Impact Report ("FEIR") prepared by the City of Ontario ("City"). The FEIR and development plan will be considered at the April 15, 2024 Development Advisory Board meeting as Agenda Item B. The Board will make a recommendation to the Planning Commission regarding certification of the EIR and approval of the Development Plan application.[1]

CARE CA submitted comments on the Draft EIR ("DEIR") on October 5, 2023, accompanied by expert comments, showing that the DEIR failed to comply with the requirements of CEQA by failing to accurately disclose and mitigate potentially significant cumulative impacts, air quality and public health impacts,

CARECA-12 (CONT.)

[1] Staff Report, pg. 1. The Staff Report incorrectly states that the Board recommendation to the Planning Commission is to "adopt the draft EIR." (pg. 8). However, the operative CEQA document for the Project is currently the FEIR, which includes both the Draft EIR and the City's responses to comments on the Draft EIR.

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greenhouse gas ("GHG") emissions, energy and transportation impacts. We reviewed the Board Staff Report, the FEIR, and its technical appendices with the assistance of transportation expert Norm Marshall[2] and air quality expert Dr. James Clark.[3] The FEIR contains responses to CARE CA's comments. However, it fails to meaningfully address or correct major flaws CARE CA and its experts identified in the DEIR.

As explained herein, the FEIR still underestimates the number of trips generated by the Project and the distance of Project-related truck trips, thus continuing to underestimate the severity of the Project's public health, air quality, GHG, and transportation impacts. The FEIR also continues to assume that cold storage uses would be limited to 10% of the Project, reasoning that a condition of approval will limit cold storage to 10% of the Project's square footage, but no such condition of approval is included in the conditions of approval attached to the Staff Report. The FEIR still fails to provide an adequate cumulative impacts analysis that considers the Project's combined impacts with other existing and proposed industrial developments near the Project, in violation of CEQA. And the FEIR's quantified health risk analysis still underestimates impacts. As a result, the FEIR's conclusions are not supported by substantial evidence. Rather, substantial evidence demonstrates that the Project's significant impacts are greater than analyzed in the FEIR.

CARECA-12 (CONT.)

The Staff Report incorrectly concludes that the "draft EIR contains a complete and accurate reporting of the environmental impacts associated with the Project" and complies with CEQA.[4] The Staff Report recommends that the Planning Commission adopt the draft EIR[5] and approve the Project's Development Plan Application.[6] These recommendations are unsupported due to the major flaws in the Project's environmental review.

CARE CA urges the Board to recommend that the City revise and recirculate the EIR to comply with CEQA before any further action is taken on the Project.

I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker

[2] Mr. Marshall's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[3] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit B**.
[4] Staff Report, PDEV22-017 – Draft Environmental Impact Report, pg. 7, Part 3: Decision, Section 1.
[5] *Id.*, pg. 8, Part 3, Section 4.
[6] Staff Report, PDEV22-017, Part 3, Section 5.

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health and safety hazards, and the environmental impacts of the Project. The coalition includes Ontario residents Daniel Brewer, David Audelo, Carlos Mendez, Rober Rubio, the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Ontario and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

CARECA-12 (CONT.)

A. CARE CA Has a Direct Interest in Enforcing Compliance with CEQA and Land Use Laws

The City, in FEIR Response A-3, claims that CARE CA's "primary interest is securing jobs through a project labor agreement."[7] This statement is an improper ad hominem attack on members of the public who submitted comments on the Draft EIR. It is also incorrect, unsupported by any facts in the record, and contrary to the purpose of an FEIR's responses to comments, which is to "describe the disposition of each significant environmental issue that is raised by commenters,"[8] not to attack the commenter.

The FEIR's statement appears intended solely to influence City decisionmakers to disregard the valid environmental concerns raised in CARE CA's

[7] FEIR, pg. 2-37.
[8] Pub Res. Code §21091(d); 14 Cal Code Regs §§15088(c), 15132(d), 15204(a); *City of Long Beach v Los Angeles Unified Sch. Dist.* (2009) 176 Cal. App. 4th 889, 904.

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comments, and distract from the substantial evidence presented by CARE CA's experts regarding the Project's unmitigated environmental and public health impacts. This is an improper use of an FEIR, which is intended to ensure that "public participation in the environmental review process is meaningful."[9] It is also irrelevant, because community groups, labor organizations, and other members of the public have standing under CEQA to participate in the public comment period required by law, and California courts have explained that ad hominem responses are irrelevant.[10]

The FEIR's statement is also factually incorrect. For decades, labor organizations like the union members of CARE CA have relied on the CEQA process to enforce environmental and public health protections – *including worker health protections* – for new development projects as a means of ensuring a safe working and living environment for the public, including themselves and their families. CEQA is especially important to union members who construct projects because they are the first in line to be exposed to health and safety impacts that exist onsite – impacts like soil contamination, air pollution from construction equipment, and excess noise. For many, CEQA has become the only place where communities of color, which includes workers represented by labor unions, have a voice in the process of developing projects in their communities.

California unions regularly participate as interested members of the public in the CEQA process. Their participation has led to decades of stronger air quality and toxic material controls at construction sites and housing developments, lowered emissions at industrial sites, increased electrification and renewable gas and fuels, reductions in GHG emissions, reduced construction noise and traffic in residential areas, improved water quality, water conservation, and protections for natural landscapes and sensitive biological resources. Union participation in the CEQA process has resulted in improved analysis and mitigation in agencies' CEQA documents, and, in some cases, successful litigation requiring agencies to comply with CEQA where the issues unions raised were not resolved during the administrative process. In short, ***union participation in the CEQA process leads to cleaner, safer, and more sustainable development in the State***. This is exactly what CEQA is designed to accomplish – protecting people and the environment through active public engagement in the environmental process.

CARECA-12 (CONT.)

[9] *City of Long Beach*, 176 Cal. App. 4th at 904.
[10] *Bakersfield Citizens for Local Control v. City of Bakersfield* (Cal. Ct. App. 2004) 124 Cal.App.4th 1184, 1196 ("[W]e will not dignify with extended comment [developer]'s complaint that BCLC is just a 'front' for a grocery worker's union whose disgruntled members feel threatened by nonunionized Wal-Mart's entry into the grocery business. As will be explained, BCLC has standing to pursue this litigation and it exhausted its administrative remedies. This is sufficient.")

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Public agencies have also acknowledged unions for their valuable contribution to the environmental review process. For example, when approving the Elk Hills project, the California Energy Commission Presiding Commissioner Michal Moore praised and thanked union coalition California Unions for Reliable Energy ("CURE") for its participation in the proceeding: **"We never would've gotten to some of the places that we did, and the resolution that we did, if it hadn't been for the – the dogged efforts of [CURE]…we came to a good place, and probably couldn't have gotten to that good place without some of the tension and – and rigor that was applied. So, thank you very much**."[11] During the evidentiary hearings, a Commissioner "**thank[ed] CURE for the technical help that Phyllis Fox [CURE expert] offered us, and certainly offered me an education that I wasn't going to get any other place**."[12]

Some unions work on constructing and operating projects after they participate in the environmental permitting process. Some developers and critics allege this means that unions are using CEQA to induce developers to enter into project labor agreements, then abandon the environmental issues – just as the FEIR does here. These allegations are not only false, they demonstrate a fundamental misunderstanding of union participation. When the unions work on projects they have challenged, ***they do not walk away from the environmental and public health issues they raise. They enforce them through binding mitigation and environmental settlement agreements***. This is consistent with CEQA's environmental purpose, and with the historic values of organized labor to solve problems, engage in civic discourse and activism, advocate for safe working conditions, and effect changes that improve their members' lives and communities.[13]

CARE CA asks that the City revise the EIR to remove this inaccurate and improper statement about CARE CA, and any other unsupported statements of dislike made about other members of the public who commented on the DEIR.

CARECA-12 (CONT.)

[11] Elk Hills Power Project, Docket No. 99-AFC-1, CEC Business Meeting Transcript, pp. 24-25 (Dec. 6, 2000).)
[12] Elk Hills Power Project, Docket No. 99-AFC-1, Transcript of Evidentiary Hearing, pg. 61 (Oct. 26, 2000).
[13] See U.S. Department of Labor, *Unions 101*, available at https://www.dol.gov/general/workcenter/unions-101 (last visited 5/21/23); Economic Policy Institute, *How Today's Unions Help Working People: Giving Workers The Power To Improve Their Jobs And Unrig The Economy*, August 24, 2017, available at https://www.epi.org/publication/how-todays-unions-help-working-people-giving-workers-the-power-to-improve-their-jobs-and-unrig-the-economy/ (last visited 5/21/23).

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II. THE FEIR FAILS TO ADEQUATELY ANALYZE, QUANTIFY, AND MITIGATE THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS

An EIR must fully disclose all potentially significant impacts of a project and implement all feasible mitigation to reduce those impacts to less than significant levels. The lead agency's significance determination with regard to each impact must be supported by accurate scientific and factual data.[14] An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.[15]

Moreover, the failure to provide information required by CEQA is a failure to proceed in the manner required by law.[16] Challenges to an agency's failure to proceed in the manner required by CEQA, such as the failure to address a subject required to be covered in an EIR or to disclose information about a project's environmental effects or alternatives, are subject to a less deferential standard than challenges to an agency's factual conclusions.[17] In reviewing challenges to an agency's approval of an EIR based on a lack of substantial evidence, the court will "determine de novo whether the agency has employed the correct procedures, scrupulously enforcing all legislatively mandated CEQA requirements."[18]

CARECA-12 (CONT.)

Even when the substantial evidence standard is applicable to agency decisions to certify an EIR and approve a project, reviewing courts will not 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference.'"[19]

CEQA requires that a lead agency evaluate and prepare written responses to comments in an FEIR.[20] Agencies are required to provide "detailed written response to comments . . . to ensure that the lead agency will fully consider the environmental consequences of a decision before it is made, that the decision is well informed and open to public scrutiny, and the public participation in the environmental review process is meaningful."[21] When a comment raises a "significant environmental issue," the written responses must describe the

[14] 14 CCR § 15064(b).
[15] *Kings Cty. Farm Bur. v. Hanford* (1990) 221 Cal.App.3d 692, 732.
[16] *Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236.
[17] *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.
[18] *Id.*; *Madera Oversight Coal., Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102.
[19] *Berkeley Jets*, 91 Cal.App.4th at 1355.
[20] PRC § 21091(d); 14 CCR §§ 15088(a), 15132.
[21] *City of Long Beach v. Los Angeles Unified Sch. Dist.* (2009) 176 Cal.4th 889, 904.

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disposition of each such issue raised by commentators.[22] Specifically, the lead agency must address the comment "in detail giving reasons why" the comment was "not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice."[23]

A. The FEIR Still Fails to Adequately Evaluate Trips Generated by the Project

CARE CA's comments on the DEIR showed that the DEIR underestimated trips generated by the Project by relying on inappropriate Institute of Transportation Engineers ("ITE") land use codes, thus underestimating the Project's GHG and VMT impacts. Specifically, the DEIR relied on ITE land use code 150 (Warehousing) and ITE land use code 157 (High-Cube Cold Storage Warehouse), when other land use codes are applicable to the Project that have much higher trip generation rates. In particular, Mr. Marshall explained that the Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.[24]

CARECA-12 (CONT.)

The FEIR responds that the Project's design would not support a high-cube (sort) fulfillment center or high-cube parcel hub, pointing to the Project's square footage and number of parking spaces.[25] The FEIR states that the Project's anticipated use and size (270,377 sf) most closely aligns with the ITE Warehousing land use category. But Mr. Marshall explains that the Project's size equally aligns with ITE Land Use 156: High Cube Parcel Hub Warehouse, which accounts for warehouses with at least 200,000 gross square feet of floor area.[26] Mr. Marshall also explains that the Project's proposed number of parking spaces would further enable the Project to function as a High Cube Parcel Hub Warehouse.

In sum, the FEIR offers no support for is continued reliance on low trip generation rates. As a result, the City continues to rely on potentially underestimated trip generation rates which do not accurately reflect the Project's operational impacts. To the contrary, substantial evidence shows that trip generation rates could be 2.6 times greater than analyzed. To ensure adequate analysis and mitigation of this impact, Mr. Marshall recommends either applying a

[22] PRC §21091(d); 14 CCR §§15088(c), 15132(d), 15204(a).
[23] 14 CCR § 15088(c); *see Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1124 ("*Laurel II*"); *The Flanders Foundation v. City of Carmel-by-the-Sea* (2012) 202 Cal. App. 4th 603, 615.
[24] Marshall FEIR Comments, pg. 3.
[25] FEIR, pg. 2-38, 39.
[26] Marshall FEIR Comments, pg. 4.

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significantly more conservative trip generation rate, or implementing a condition of approval that trip generation will not exceed the number assumed in the EIR.[27] The EIR must be revised and recirculated to provide an accurate analysis of trip generation.

B. The FEIR Still Fails to Substantiate Its Estimate that Just 10% Percent of the Project Will be Used for Cold Storage

CARE CA's comments on the DEIR showed that the City lacked substantial evidence to assume that the Project would only include approximately 27,034 sf of high-cube cold storage uses (10% of the building space).[28] In Response A-7, the FEIR states that the City has added a condition of approval to the Project limiting cold storage to 27,034 sf (10% of the total sf).[29] But there is currently no indication any such condition of approval will be required. The April 15, 2024 Development Advisory Board agenda packet contains a Draft Development Advisory Board decision,[30] Land Development Division conditions of approval,[31] Landscape Planning Division conditions of approval,[32] Engineering Division conditions of approval,[33] and City of Ontario memoranda containing conditions of approval.[34] None of these documents contain a condition limiting the Project's cold storage uses. The FEIR's conclusion that the environmental impacts associated with cold storage would be limited to just 10% of the Project site therefore remains unsupported.

As explained in CARE CA's comments on the DEIR, cold storage warehouses generate greater environmental impacts than other types of warehouse.[35] CARE CA urges the City to revise and recirculate the EIR to analyze the impacts of additional cold storage use at the Project site, or to add a mitigation measure with a title restriction limiting cold storage to 10%.

C. The FEIR Still Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

CARE CA commented that the DEIR fails to consider the cumulative impacts of past, present, and probable future projects producing related or cumulative

CARECA-12 (CONT.)

[27] Marshall FEIR Comments, pg. 4.
[28] DEIR, pg. 3-13.
[29] FEIR, pg. 2-39.
[30] April 15, 2024 Agenda Packet, pg. 3044.
[31] *Id.* at 3073.
[32] *Id.* at 3081.
[33] *Id.* at 3084.
[34] *Id.* at 3098, 3100.
[35] CARE CA DEIR Comments, pg. 8-10.

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impacts. The DEIR's approach to cumulative impacts, relying on South Coast Air Quality Management District ("SCAQMD") guidance, is that emissions of criteria air pollutants or toxic air contaminants that do not exceed individual project thresholds are also not cumulatively considerable.[36] CARE CA's comments explained that rote application of SCAQMD significance thresholds without analysis of the context in which the Project is being proposed fails to satisfy the analytical and information requirements of CEQA, per caselaw such as *Kings County Farm Bureau v. City of Hanford*.[37] CARE CA also explained that SCAQMD's cumulative impacts significance thresholds, adopted in 2003, are being revised to reflect current conditions. The updated cumulative impacts significance thresholds will reflect projects' existing background MATES cancer risk and additional criteria such as whether the project would generate a high volume of diesel-fueled trucks.[38] CARE CA also discussed the Attorney General's guidance on cumulative impacts, which states that best practices include "thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, *even if the project's individual impacts alone do not exceed the applicable significance threshold* [emphasis added]."[39]

CARECA-12 (CONT.)

In Responses 14, 15, and 16, the FEIR responds that "The Draft EIR and underlying technical studies were prepared in a matter consistent to the SCAQMD recommendation for determining cumulative impacts." The FEIR's response is non-responsive because it does not address the City's failure to comply with CEQA's legal standards for evaluating cumulative impacts that were discussed in CARE CA's comments. The FEIR also does not address the pending updates to SCAQMD's cumulative impacts methodology, which are statedly prepared in response to recent CEQA cases such as *People of the State of California v. City of Fontana*.[40]

In *People of the State of California v. City of Fontana,* the Attorney General's petition for writ of mandate challenged a Mitigated Negative Declaration ("MND")

[36] DEIR, Appendix B, pg. 53.
[37] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("Kings County"); *see also, Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.
[38] SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=16; SCAQMD Working Group Meeting #5, Cumulative Impacts from Air Toxics for CEQA Projects (March 20, 2024) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20.
[39] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Updated September 2022), pg. 7, available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf.
[40] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;

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that erroneously applied SCAQMD guidance in the same way as the instant EIR. The petition explained:

> [T]he MND's cumulative air quality impact analysis does not account for—or even acknowledge—the multitude of other warehouses near the Project. Rather than consider the environmental setting within which the Project will be situated, the MND simply states that the Project will not result in a cumulatively considerable increase in emissions because the Project's individual air quality impacts will be less than significant. The MND even applies this reasoning to its analysis of health impacts from localized emissions, despite making no attempt to determine or disclose the severity of the existing health impacts from localized emissions in the community.[41]

The petition further explained that merely citing to SCAQMD guidance does not justify a failure to analyze a Project's cumulative impacts:

> The MND cites Appendix D of an August 2003 white paper published by the South Coast Air Quality Management District ("SCAQMD") entitled "White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution" ("2003 SCAQMD White Paper"). **To the extent that the 2003 SCAQMD White Paper asserts that any project with less than significant individual air quality impacts also necessarily has less than significant cumulative air quality impacts, it is inconsistent with CEQA** for at least the reasons stated above. Moreover, the 2003 SCAQMD White Paper lacks substantial evidence to support such a contention, and thus the MND's reliance on it violates CEQA. (Cal. Code Regs., tit. 14, § 15064.7, subd. (c).) The MND further violated CEQA by failing to provide substantial evidence to support its reliance on the 2003 SCAQMD White Paper, Appendix D as "guidance." (Ibid.) Finally, even if the MND's reliance on the 2003 SCAQMD White Paper were proper and supported by substantial evidence, the MND did not consider other evidence—such as public comments and the existence of many other sources of pollution near the Project site—showing that the Project could have a significant cumulative air quality impact. (See Cal. Code Regs., tit. 14, § 15064, subd. (b).) [emphasis added][42]

CARECA-12
(CONT.)

[41] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 9, paragraph 32, available at https://climatecasechart.com/wp-content/uploads/case-documents/2021/20210723_docket-CIVSB2121829_petition-for-writ-of-mandate.pdf.
[42] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 13, paragraph 49.

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The Attorney General's litigation resulted in a settlement which requires compliance with an ordinance adopted on April 12, 2022 that establishes sustainability standards for warehouses in Fontana, including standards intended to address cumulative air quality impacts. For example, the standards include requirements that rooftop solar panels supply 100% of power for non-refrigerated portions of facilities with buildings over 400,000 square feet, trees in automobile parking areas, zero emission motorized operational equipment, other equipment electrification requirements, and solar-ready buildings roofs.[43] These are just a few examples of feasible mitigation available to reduce cumulative air quality impacts, in compliance with CEQA.

The FEIR for the instant Project suffers from the same lack of analysis and legal errors as the MND in the Attorney General's Fontana litigation. As a result of its refusal to analyze cumulative impacts, the FEIR fails to disclose or mitigate potentially significant local and regional cumulative impacts. In sum, the FEIR has not responded to CARE CA's comments on this issue and fails to remedy the City's inadequate cumulative impacts analysis. The Project cannot be approved until the City revises and recirculates an EIR that analyzes the Project's potentially significant cumulative impacts.

CARECA-12 (CONT.)

D. The FEIR's Quantified Health Risk Analysis Underestimates Impacts

The City prepared a Mobile Source Health Risk Assessment ("HRA") to analyze health risk impacts on residential and non-residential (worker) receptors in the vicinity of the Project.[44]

The HRA underestimates the Project's operational health risk impacts on residential receptors and workers by failing to account for building downwash in the AERMOD analysis.[45] Dr. Clark explains that building downwash occurs as the wind flows over and around buildings and impacts the dispersion of pollution.[46] This downwash effect leads to higher ground-level concentration of chemicals emitted from sources.[47]

[43] *Id.*, Stipulation For Entry Of Final Judgment On Consent, available at https://climatecasechart.com/wp-content/uploads/case-documents/2022/20220414_docket-CIVSB2121605-CIVSB2121829_stipulation.pdf.
[44] DEIR, Appendix B2, pg. 25.
[45] Clark Comments, pg. 3.
[46] *Id.*
[47] *Id.*

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The HRA also underestimates the Project's health risk impacts by relying on non-standard daily breathing rates for sensitive receptors. Dr. Clark explains that the HRA unjustifiably relies on breathing rates lower than recommended by the Office of Environmental Health Hazard Assessment's Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments.[48]

CEQA requires an accurate analysis of human health impacts. CEQA Guidelines Section 15065(a)(4) provides that the City is required to find a project will have a significant impact on the environment and require an EIR if the environmental effects of a project will cause a substantial adverse effect on human beings. The Supreme Court has also explained that CEQA requires the lead agency to disclose the health consequences that result from exposure to a project's air emissions.[49] Courts have held that an environmental review document must disclose a project's potential health risks to a degree of specificity that would allow the public to make the correlation between the project's impacts and adverse effects to human health.[50]

Because the City's analysis underestimates the Project's health risk impacts, the City fails to meet CEQA's requirement to accurately disclose the Project's impacts on public health and support its conclusions with substantial evidence. A revised HRA must be included in a recirculated EIR.

CARECA-12 (CONT.)

E. The FEIR Still Underestimates Truck Trip Lengths and Resultant Impacts

CARE CA commented that the DEIR underestimates truck trip lengths by applying a truck trip length of 15.3 miles for 2-axle trucks, 14.2 miles for 3-axle trucks, and 40 miles for 4+-axle trucks. The DEIR states that these truck trip distances are recommended by SCAQMD, but Mr. Marshall explained that the City must consider the reasonably foreseeable distance to the Project's likely trip destinations.[51] These include the Ports of Los Angeles and Long Beach – approximately 60 miles away. The FEIR responds in Response A-18:

> The commenter fails to provide any evidentiary basis for the arbitrary number of 60 miles it suggests using… In fact, these recommendations are in direct opposition of the SCAQMD's recommended truck travel distance for warehousing projects within its jurisdiction (based on SCAG regional travel

[48] *Id.* at 5.
[49] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, 523.
[50] *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.
[51] Marshall Comments, pg. 7.

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> demand data)… The commenter's recommended trip lengths are not supported by any substantial evidence provided by the SCAQMD and contradicts published material from SCAQMD that was utilized in the underlying analysis.[52]

The FEIR misinterprets the SCAQMD guidance. SCAQMD itself regularly comments on warehouse projects that it is essential to analyze the distance from warehouse projects to likely destinations and has emphasized that agencies should not rely solely on the 40-mile average trip length identified in its guidance. For example, SCAQMD recently commented on a warehouse project proposed for a location at a similar distance from the Ports as the instant Project:

> South Coast AQMD recommended 15.3 miles, 14.2 miles, and 40 miles of truck trip lengths derived from the Southern California Association of Government's (SCAG) estimation of average truck trip length in its 2016 Regional Transportation Plan. However, it is essential to note that **the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way**. Thus, **South Coast AQMD staff is concerned about underestimating truck emissions** due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the **more conservative trip length between 40 to 70 miles**, of which 40 miles could be used for local and **70 miles for Port trips** and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.[53]

CARECA-12 (CONT.)

[52] FEIR, pg. 2-43.

[53] **Exhibit C**, containing the following comment letters: SCAQMD, Comments on the Draft Subsequent Environmental Impact Report for the Hemlock Warehouse Development Project (SCH No.: 2009091089) (November 22, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/november-2023/SBC231011-05.pdf; also attached as Attachment B to Mr. Marshall's comments; SCAQMD, Comments on Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449) (October 9, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf; SCAQMD, Comments on Draft Environmental Impact Report (DEIR) for the Optimus Logistics Center 2 (September 11, 2015), pg. 3, available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/september/deiroptimus.pdf?sfvrsn=2 ("Since the port areas are over 70 miles away from the project site and that trucks will be serving other destinations within the basin and out of state, the SCAQMD staff recommends, absent a tenant-specific analysis with trip length information, that all applicable analyses be revised in the Final EIR using a one-way trip length that more accurately estimates air quality emission and related impacts based on the anticipated activities and distances

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In sum, the FEIR is incorrect when it states that CARE CA's recommendation to use a 60-mile truck trip length for trips to Ports of Los Angeles and Long Beach is not supported by substantial evidence. Rather, it is the FEIR's truck trip length assumptions which are not supported by substantial evidence – SCAQMD does not recommend blind reliance on truck trip lengths of 15.3 miles, 14.2 miles, and 40 miles for warehouse projects such as the instant Project for which longer trips to and from the ports are reasonably foreseeable.

Dr. Clark's comments also discuss the relationship between the ports and warehouses like this Project. Dr. Clark discusses the large percentage of goods passing through the ports, the number of truck trips generated by the ports, and observes that the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.[54] Substantial evidence therefore demonstrates that the Project's truck trip lengths are underestimated, resulting in underestimation of transportation, air quality, and GHG impacts. The Project cannot be approved until this error is corrected in a revised and recirculated EIR.

CARECA-12 (CONT.)

F. The FEIR Fails to Include Sufficient Investigation into Energy Conservation Measures

The DEIR and FEIR do not include sufficient investigation into energy conservation measures that might be available or appropriate for the Project. In the DEIR, the City concludes that energy impacts of the Project would be less than significant because the Project's construction and operations would comply with state regulations.[55] But as discussed below, the Project's environmental review does not sufficiently consider energy conservation measures like solar facilities, use of alternate fuel sources, and passive energy efficiency measures to ensure the Project's energy consumption would not be wasteful, inefficient, or unnecessary. The FEIR briefly addresses some energy conservation measures in Responses B-59, B-56, and B-53, but only to explain that none are required because air quality impacts are less than significant. This analysis fails to meet CEQA's requirements.

CEQA requires an environmental document to discuss mitigation measures for significant environmental impacts, including "measures to reduce the wasteful,

described in the DEIR."); SCAQMD, Comments on Draft Environmental Impact Report (DEIR) for the Proposed Westgate Specific Plan (SCH No. 1995052002) (March 5, 2015), pg. 5, available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/march/deirwestgate.pdf?sfvrsn=4; SCAQMD, Comments on Draft Mitigated Negative Declaration (Draft MND) for the Proposed Colton – DEXUS Project (February 1, 2013), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2013/february/colton-dexus.pdf.

[54] Clark Comments, pg. 6.

[55] DEIR, pg. 4.4-5, 6.

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inefficient, and unnecessary consumption of energy."[56] The CEQA Guidelines require discussion of energy conservation measures when relevant, and provide examples in Appendix F:[57]

1) Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid waste.
3) The potential for reducing peak energy demand.
4) Alternate fuels (particularly renewable ones) or energy systems.
5) Energy conservation which could result from recycling efforts.

Courts have rejected EIRs that fail to include adequate analysis investigation into energy conservation measures that might be available or appropriate for a project.[58] In *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[59] the Court of Appeal reviewed an EIR for a shopping center on undeveloped agricultural land. The EIR concluded that, due to the proposed project's compliance with Title 24 guidelines and regulations, the project would be expected to have a less-than-significant impact regarding the wasteful, inefficient, or unnecessary consumption of energy. But the lead agency's EIR did not include discussion regarding the different renewable energy options that might be available or appropriate for the project. The Court held "the City's EIRs failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options."[60] The lead agency argued that compliance with the Building Code sufficed to address energy impact concerns for the project.[61] But the Court explained:

> Although the Building Code addresses energy savings for components of a new commercial construction, it does not address many of the considerations required under Appendix F of the CEQA Guidelines… These considerations include whether a building should be constructed at all, how large it should

CARECA-12 (CONT.)

[56] Pub. Resources Code, § 21100(b)(3); *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 930.
[57] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[58] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256; *Spring Valley Lake Ass'n v. City of Victorville* (2016) 248 CA4th 91.
[59] (2014) 225 CA4th 173.
[60] *Id.* at 213.
[61] *Id.* at 210, 211.

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> be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope. Here, a requirement that Gateway II comply with the Building Code does not, by itself, constitute an adequate assessment of mitigation measures that can be taken to address the energy impacts during construction and operation of the project.[62]

Here, the FEIR lacks analysis of common energy consumption measures in violation of CEQA Guidelines Appendix F. The FEIR fails to analyze the feasibility of onsite solar facilities, such as rooftop, parking lot, or ground-level solar photovoltaics. This analysis must address considerations such as the technical and economic feasibility of installing solar facilities on the Project site, the potential size of the Project's solar zone, and the potential magnitude of mitigation provided by installing solar facilities. The FEIR also fails to evaluate the extent to which mobile source energy consumption could be reduced during Project operations through electric vehicle charging infrastructure (above what is required by existing regulations).

CARECA-12 (CONT.)

The FEIR acknowledges that a diesel backup generator may be required for Project operations,[63] but fails to evaluate measures to reduce this source of energy consumption, such as use of alternative fuel sources.

The FEIR also fails to evaluate the feasibility of more stringent idling requirements over existing requirements.[64]

The FEIR's discussion of construction energy conservation measures also violates CEQA Guidelines Appendix F. The City's energy analysis fails to evaluate the feasibility of utilizing existing power sources (e.g., power poles) or alternative fuel generators rather than temporary power generators.[65]

The FEIR contains responses briefly addressing the measures discussed above.[66] But the responses simply state: "[a]s concluded in Section 4.2, Air Quality, of the Draft EIR, Project operation-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants even when not taking

[62] *CECC* (2014) 225 CA4th 173, 213.
[63] FEIR, pg. 2-40.
[64] Page 4.2-18 (CARB Rule 2485 (13 CCR 2485): Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling, which limits nonessential idling to five minutes or less for commercial trucks; CARB Rule 2449 (13 CCR 2449): In-Use Off-Road Diesel Idling Restricts, which limits nonessential idling to five minutes or less for diesel-powered off-road equipment.).
[65] DEIR, Appendix D, pg. 37.
[66] *See* FEIR, Responses B-59, B-56, and B-53.

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into account of existing development emissions (Refer to Draft EIR pp. 4.2-31 to 4.2-32)… Thus, the City determines that additional mitigation is not warranted."[67] This type of response does not evaluate the feasibility or effectiveness of energy-conservation measures, and thus does not provide the analysis required by CEQA Guidelines Appendix F.

In sum, the FEIR's energy analysis fails adequately analyze measures to reduce the wasteful, inefficient, and unnecessary consumption of energy, and fails to meaningfully address Appendix F's considerations of whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope.[68] This analysis must be provided in a revised and recirculated EIR.

III. THE BOARD CANNOT MAKE THE REQUISITE FINDINGS TO RECOMMEND APPROVAL OF THE PROJECT

Section 4.02.025(D) of the City of Ontario Municipal Code sets forth findings necessary to approve a development plan. The Code provides that an application for a development plan shall be denied if the following finding (among others) cannot be clearly established: "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project."[69]

The Staff Report states that the Project meets this requirement, but this finding lacks support.[70] The Project would have a significant and unavoidable VMT impact. And the Project has potentially significant health risk, air quality, GHG, and energy impacts which have been underestimated in the FEIR. Because the Project's impacts on public health, safety and general welfare have not been adequately analyzed and mitigated, the City cannot make the requisite findings to approve the Project.

CARECA-12 (CONT.)

[67] FEIR, Response B-57.
[68] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256, 264.
[69] Section 4.02.025(D)(3).
[70] Staff Report, PDEV22-017, Part 3, Section 4.

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For the same reason, the Staff Report lacks support to make the following finding in recommending adoption of the FEIR: "[t]he draft EIR contains a complete and accurate reporting of the environmental impacts associated with the Project."[71]

A revised EIR must be recirculated before the Project can be recommended for approval.

IV. CONCLUSION

As is explained herein, the FEIR's air quality, health risk, energy, and transportation analyses remain substantially inaccurate and incomplete, failing to comply with the requirements of CEQA. As a result, the FEIR still fails to adequately disclose and mitigate the Project's significant impacts. As a consequence of these impacts, the City cannot make the requisite findings under CEQA to recommend certification of the FEIR or under the City of Ontario Municipal Code to approve the Project's development plan. CARE CA urges the Board to recommend that the City revise and recirculate the EIR before any further action is taken on the Project.

CARECA-12 (CONT.)

Sincerely,

Aidan P. Marshall

Attachments
APM:acp

[71] Staff Report, PDEV22-017 – Draft EIR, Part 3, Section 1; Staff Report, PDEV22-017, Part 3, Section 1.

6752-007acp

EXHIBIT A

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Norman Marshall, President
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April 15, 2023

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Subject: 5355 East Airport Drive Project

Dear Mr. Marshall,

In October 2023, I reviewed trip generation, vehicle miles traveled (VMT) impacts and greenhouse gas (GHG) impacts of the City of Ontario Draft Environmental Impact Report for a proposed warehouse project at 5355 East Airport Drive ("DEIR"). I made the following findings:

1) The DEIR acknowledges significant and unavoidable VMT impact. Furthermore, the DEIR documents that the project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.
2) The proposed VMT mitigation is not fully specified or quantified in the DEIR and appears to fall far short of what would be required to reduce project VMT below the City's threshold. Achieving significant VMT mitigation for this project may be impossible – but mitigation must be specified and quantified for the project to be properly evaluated.
3) Project trip generation could be much higher than assumed. Given the large uncertainty in the project's trip generation, the applicant should take one of two paths -either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.
4) Project GHG emissions could be much higher than assumed. In addition to trip generation possibly being underestimated, average trip lengths for both trucks and passenger vehicles are likely to be underestimated in the DEIR.

Now, I have reviewed the responses to these comments made in the project's Final Environmental Impact Review ("FEIR") dated February 2024.

CARECA-12 (CONT.)

1

Truck trip lengths – The FEIR repeats the false assertion that the truck trip lengths follow SCAQMD's recommendations (FEIR, A-18, p. 2-43). In my October 2023 comments, I addressed this, writing:

> The truck trip lengths are used in calculations of possible mitigation in *Second Draft Staff Report Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. And Proposed Rule 316 -Fees for Rule 2305*.[1] The reference for these numbers is the 2016 SCAG travel demand model (p. 117) and there is no indication that these numbers are intended for any use beyond this single document. The 40-mile heavy truck trip length also appears in a 2014 slide presentation.[2] In neither case, are these numbers presented as general recommendations for warehouse EIRs.

To prove that this is not a general SCAQMD recommendation for all warehouses, I attach SCAQMD's November 22, 2023 comments on the Hemlock Warehouse Development Project Draft SEIR in the City of Fontana. That Draft SEIR applied the same truck trip lengths as used in the 5355 East Airport Drive DEIR and FEIR. SCAQMD's comments state:

> However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project. (p. 2)

SCAQMD is making the same point I made in my October 2023 comments where I wrote:

> it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR. These include the Ports of Los Angeles and Long Beach that are approximately 60 miles away. It would be more conservative to assume longer average truck distances in the air quality and GHG analyses.

The FEIR does not use SCAQMD- recommended truck trip lengths. SCAQMD instead recommends: "**Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project**."

CARECA-12 (CONT.)

[1] www.aqmd.gov/docs/default-source/planning/fbmsm-docs/pr-2305_sr_2nd-draft_4-7-21_clean.pdf
[2] https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/sclc_warehouse-presentation-final.pdf

VMT mitigation – The FEIR continues to state that the proposed project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.

However, the FEIR states that these impacts cannot be mitigated because "measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant." (FEIR A-24, p. 2-44)

My October 2023 comments recommended requiring CAPCOA T-5 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) – that can provide up to 26% VMT reduction:

> The mandatory CTR program must include all other elements (i.e., Measures T-7 through T-11) described for the voluntary program (Measure T-5) plus include mandatory trip reduction requirements (including penalties for non-compliance) and regular monitoring and reporting to ensure the calculated VMT reduction matches the observed VMT reduction). (*Handbook*, p. 86)

A smaller mandatory reduction may be appropriate for this project, with this requirement passed on to the tenant, but it is not sufficient to claim that no significant mitigation is possible.

In addition, the attached SCAQMD comments on the Hemlock Warehouse Development Project recommends several mitigation measures targeting truck emissions, including:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks,
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the final CEQA document, and
- Provide electric vehicle (EV) charging stations and electrical hookups for truckers. (p.3)

CARECA-12 (CONT.)

Trip generation

In my October 2023 comments, I provided data on different types of warehouses that have significantly higher trip generation rates than the 1.75 trips per 1000 sq. ft. assumed in the DEIR and FEIR. These include:

> The Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.

The FEIR argues that the highest generators that I discussed in my October 2023 comments could not be accommodated because ". . . the layout of the site with 251 parking spaces would not reasonable accommodate the on-site parking required to support these uses."

This point about parking may be valid for the highest generators per 1000 sq. ft. but not for the intermediate generators. The DEIR and FEIR estimate only 270 passenger car trips per day (DEIR Appendix K, p. 5), i.e., 135 vehicles in and 135 cars out. Therefore, if all cars were employees and they all worked the same single shift, the parking lot utilization would never exceed 54%. With multiple shifts and non-employee passenger car trips, the parking lot utilization would be much

lower. Therefore, the parking lot is designed to support many more trips than assumed in the DEIR and FEIR.

The 251 parking spaces are consistent with ITE Land Use 156: High Cube Parcel Hub Warehouse. This use is described:

> A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/ or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. A typical HCW has a high level of on-site automation and logistics management. The automation and logistics enable highly-efficient processing of goods through the HCW. A high-cube warehouse can be free-standing or located in an industrial park. A high-cube parcel hub warehouse typically serves as a regional and local freight-forwarder facility for time sensitive shipments via airfreight and ground carriers. A site can also include truck maintenance, wash, or fueling facilities. Some limited assembly and repackaging may occur within the facility.

Given the uncertainty concerning the proposed project and its size, 270,377 sq. ft., it could foreseeably end up being a High-Cube-Parcel-Hub Warehouse as defined above.

The number of parking spaces provided also is consistent with this usage. The trip generation rate for this category is 4.63 trips per 1000 sq. ft., i.e. 2.6 times the rate used in the DEIR and FEIR. This rate includes 0.58 truck trips per 1000 sq. ft. Therefore, the passenger car rate is 4.05 trips per 1000 sq. ft. As a High-Cube-Parcel-Hub Warehouse, the proposed project would generate 1095 passenger car trips per day.

The DEIR states:

> For the purposes of this EIR, the Project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. (DEIR, p. 3-13)

This suggests multiple shifts each day.

Some of the passenger car trips would not be parking long term, including trips dropping off and picking up workers, and miscellaneous service trips, all of which include both and entering trip and an exiting trip. However, even if all passenger car trips involved parking long-term, all the trips could be accommodated with the planned 251 parking spaces if each space is occupied an average of 2.18 times per day.

CARECA-12 (CONT.)

As I stated in my October 2023 comment letter:

Given the large uncertainty in the project's trip generation, the applicant should take one of two paths - either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

CARECA-12
(CONT.)

Sincerely,

Norman L. Marshall

Norman L. Marshall

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (33 Years, 19 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovate Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in $250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

CARECA-12 (CONT.)

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additional analyzed using the City's Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka'ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

CARECA-12 (CONT.)

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Caroline including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

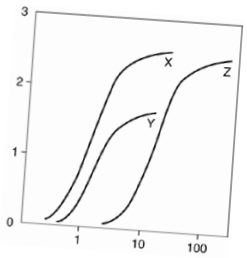
MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

CARECA-12
(CONT.)

EXHIBIT B



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Environmental Consulting, Inc.

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310-398-7626

EMAIL
jclark.assoc@gmail.com

April 15, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Attn: Mr. Aidan Marshall

Subject: Comments On Final Environmental Impact Report (FEIR) 5355 East Airport Drive, City of Ontario, CA SCH No. 202209006

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed materials related to the City of Ontario (the City) FEIR of the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

Project Description:

According to the City of Ontario's Development Advisory Board Decision File No. PDEV22-017 – Draft EIR (dated March 18, 2024), the Project consists of a Development Plan application to construct a 270,337 square-foot industrial building on the 13.08 acres of the Project site. The Project would require the demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The design would also include the installation of site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detection facilities, exterior lighting, walls/fencing, and signage along with improvements to East Airport Drive.

CARECA-12 (CONT.)



Figure 1: Site Location Map

Under existing conditions, the Project Site is developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site. Several subsurface septic systems are located beneath the Site to serve the existing uses.

CARECA-12 (CONT.)

Specific Comments

1. The City's Air Quality Analysis Did Not Incorporate Building Downwash In The AERMOD Analysis.

A review of the AQ Analysis and the Mobile Source Health Risk Assessment show that building downwash was not incorporated into the AERMOD analysis of the Project. Building downwash occurs as the wind flows over and around buildings and impacts the dispersion of pollution from nearby stacks. A plume caught in the path of this flow is drawn into the wake, temporarily trapping it in a recirculating cavity. This downwash effect leads to higher ground-level concentration of chemicals emitted from sources. The downwash effect increases as the relative difference between the release height and top of the building increases.[1] Using a lower height for the building will underestimate the potential ground level concentrations of pollutants associated with the Project operation.

For the closest receptors to the site, this difference will create an additional air quality impact that is not accounted for in the City's analysis. In addition to incorporating the building downwash impacts of the Project buildings, the AERMOD model should also incorporate the building downwash for receptors near the Project. Receptors farther away will still be subject to the downwash effect given the assumed emission height release incorporated into the model. Guidance from authoritative bodies in California regarding the preparation of health risk assessments of mobile sources of diesel emissions[2] requires the inclusion of building heights and dimensions for building downwash calculations. Omission of the building downwash effect underestimates the exposure point concentrations for receptors near the building(s). The City should address the impact of this issue in a revised DEIR.

CARECA-12 (CONT.)

[1] The so-called good engineering practice height (GEP) of the source. The GEP is defined in Section 123 of the Clean Air Act as "the height necessary to ensure that emissions from a stack do not result in excessive concentrations of any air pollutant in the immediate vicinity of the source as a result of atmospheric downwash, eddies or wakes which may be created by the source itself, nearby structures or nearby terrain obstacles."

[2] SCAQMD. 2003. Health Risk Assessment Guidance For Analyzing Cancer Risks From Mobile Source Diesel Emissions. August, 2003. Page 2.

2. The Air Quality Analysis Relies On An Input Value From AP-42 That Is Rated As Poor And May Be Unreliable

The CalEEMOD analysis of the construction emissions incorporates various factors from U.S. EPA's Emission Factors Handbook (AP-42). The AP-42 emission factor for crushing stones used in the CalEEMOD analysis is rated E. This is the worst rating in AP-42. According to the AP-42 FAQ - E = Poor. Factor is developed from C and D rated test data from a very few number of facilities, and there may be reason to suspect that the facilities tested do not represent a random sample of the industry. There also may be evidence of variability within the source category population. This means that there is a lot of uncertainty in the AQ analysis regarding the amount of particulate matter that will be emitted from the construction phase of the Project. The City should assess the impacts of this variable in a revised DEIR.

3. The Health Risk Analysis Incorporates Non-Standard Daily Breathing Rates For Sensitive Receptors Analyzed In The HRA

According to the FEIR, a health risk assessment was prepared in accordance with SCAQMD's guidance. For purposes of this Health Risk Assessment, receptors include both residential and non-residential (worker) land uses in the vicinity of the Project. These receptors are included in the Health Risk Assessment since residents and workers may be exposed at these locations over a long-term duration of 30 and 25 years, respectively.[3]

The input values utilized in the HRA analysis included a variety of daily breathing rates that are favorable to reducing the potential health impacts. The HRA states that "Discrete variants for daily breathing rates, exposure frequency, and exposure duration were obtained from relevant distribution profiles presented in the 2015 OEHHA Guidelines."[4] The values listed in Table 2-7 include both the 95 percent upper confidence limit (95% UCL) values (for age *in utero* exposure and age 0 to 2) and the 80th percentile values for the remaining age groups (age 2 to 16 and age 16 to 30).

CARECA-12 (CONT.)

[3] Urban Crossroads. 2022. 5355 East Airport Drive Mobile Source Health Risks Assessment. Prepared by Urban Crossroads. August 30, 2022. pg 5

[4] Urban Crossroads. 2022. 5355 East Airport Drive Mobile Source Health Risks Assessment. Prepared by Urban Crossroads. August 30, 2022. pg 19-20

The risk estimates for ages 2 to 30 is off by a factor of 1.3.

TABLE 2-7: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (30 YEAR RESIDENTIAL)

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	24
0 to 2	1,090	10	2	0.85	350	24
2 to 16	572	3	14	0.72	350	24
16 to 30	261	1	14	0.73	350	24

Figure 2: Daily Breathing Rates Utilized In HRA

The 2015 Air Toxic Hot Spots Program Guidance Manual [5] notes that residential estimates use 95th percentile breathing rates in Table 5.6. Table 5.6 shows values of 745 L/kg BW-day for children age 2 to 16 and 335 L/kg BW-day for adults age 16 to 30.

Table 5.6 Point Estimates of Residential Daily Breathing Rates for 3rd trimester, 0<2, 2<9, 2<16, 16<30 and 16-70 years (L/kg BW-day)

	3rd Trimester[a]	0<2 years	2<9 years	2<16 years	16<30 years	16<70 years
	L/kg-day					
Mean	225	658	535	452	210	185
95th Percentile	361	1090	861	745	335	290

[a] 3rd trimester **breathing rates** based on breathing rates of pregnant women using the assumption that the dose to the fetus during the 3rd trimester is the same as that to the mother.

The City's analysis is therefore incomplete, is not consistent with the guidance from OEHHA, and must be corrected in a revised final environmental impact report for the Project.

CARECA-12 (CONT.)

4. The Average Truck Trip Length Of 40 Miles Used In The Air Quality Analysis Does Not Match The Length(s) Used To Support Other Warehouse Projects.

According to the operations air quality analysis of Project,[6] the analysis incorporated the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2), 14.2 miles for

[5] Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments, February 2015, http://oehha.ca.gov/air/hot_spots/hotspots2015.html

[6] Urban Crossroads. 2022. 5355 East Airport Drive Air Quality Impact Analysis. August 30. 2022. Pg 37

3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages.

This statement does not comport with the reality of where warehoused materials will ship from in the region. The 40-mile distance is insufficient to allow vehicles to travel to the major ports in the Southern California region – Los Angeles and Long Beach. These Ports are the largest source(s) of containerized products, and therefore the primary sources of heavy-duty truck traffic, on the West Coast of the United States are the Ports of Los Angeles and Long Beach. "In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade. The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day. Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately 700 million square feet, an increase of 20 percent over the last five years"),[7] citing data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units)[8] from 2020, the Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide.[9] The distance from the Port of LA to the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.

CARECA-12 (CONT.)

Using the 62-mile daily truck trip will nearly double the daily emissions of pollutants associated with the Project, increasing the Regional burden and resulting in a potentially significant impact. The City must address the impact of this issue in a revised DEIR.

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised final environmental impact report should be prepared to address these substantial concerns.

Sincerely,

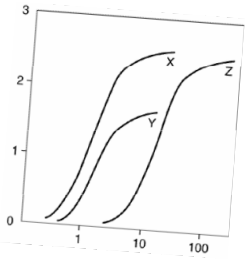
[7] Available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

[8] https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/

[9] U.S. Dept. of Transportation, Federal Highway Administration, FHWA Operations Support – Port Peak Pricing Program Evaluation (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm



CARECA-12
(CONT.)



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James J. J. Clark, Ph.D.

Principal Toxicologist

Toxicology/Exposure Assessment Modeling
Risk Assessment/Analysis/Dispersion Modeling

Education:

Ph.D., Environmental Health Science, University of California, 1995
M.S., Environmental Health Science, University of California, 1993
B.S., Biophysical and Biochemical Sciences, University of Houston, 1987

Professional Experience:

Dr. Clark is a well recognized toxicologist, air modeler, and health scientist. He has 20 years of experience in researching the effects of environmental contaminants on human health including environmental fate and transport modeling (SCREEN3, AEROMOD, ISCST3, Johnson-Ettinger Vapor Intrusion Modeling); exposure assessment modeling (partitioning of contaminants in the environment as well as PBPK modeling); conducting and managing human health risk assessments for regulatory compliance and risk-based clean-up levels; and toxicological and medical literature research.

Significant projects performed by Dr. Clark include the following:

LITIGATION SUPPORT

Case: James Harold Caygle, et al, v. Drummond Company, Inc. Circuit Court for the Tenth Judicial Circuit, Jefferson County, Alabama. Civil Action. CV-2009

Client: Environmental Litgation Group, Birmingham, Alabama

Dr. Clark performed an air quality assessment of emissions from a coke factory located in Tarrant, Alabama. The assessment reviewed include a comprehensive review of air quality standards, measured concentrations of pollutants from factory, an inspection of the facility and detailed assessment of the impacts on the community. The results of the assessment and literature have been provided in a declaration to the court.

CARECA-12
(CONT.)

Case Result: Settlement in favor of plaintiff.

Case: Rose Roper V. Nissan North America, et al. Superior Court of the State Of California for the County Of Los Angeles – Central Civil West. Civil Action. NC041739

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to multiple chemicals, including benzene, who later developed a respiratory distress. A review of the individual's medical and occupational history was performed to prepare an exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to respiratory irritants. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: O'Neil V. Sherwin Williams, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to petroleum distillates who later developed a bladder cancer. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Summary judgment for defendants.

Case: Moore V., Shell Oil Company, et al. Superior Court of the State Of California for the County Of Los Angeles

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to chemicals while benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

CARECA-12 (CONT.)

Case Result: Settlement in favor of plaintiff.

Case: Raymond Saltonstall V. Fuller O'Brien, KILZ, and Zinsser, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Richard Boyer and Elizabeth Boyer, husband and wife, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-7G.

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

CARECA-12
(CONT.)

Case: JoAnne R. Cook, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-9R

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of an individual exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Patrick Allen And Susan Allen, husband and wife, and Andrew Allen, a minor, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-W

CARECA-12
(CONT.)

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Michael Fahey, Susan Fahey V. Atlantic Richfield Company, et al. United States District Court Central District of California Civil Action Number CV-06 7109 JCL.

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Constance Acevedo, et al., V. California Spray-Chemical Company, et al., Superior Court of the State Of California, County Of Santa Cruz. Case No. CV 146344

Dr. Clark performed a comprehensive exposure assessment of community members exposed to toxic metals from a former lead arsenate manufacturing facility. The former manufacturing site had undergone a DTSC mandated removal action/remediation for the presence of the toxic metals at the site. Opinions were presented regarding the elevated levels of arsenic and lead (in attic dust and soils) found throughout the community and the potential for harm to the plaintiffs in question.

Case Result: Settlement in favor of defendant.

Case: Michael Nawrocki V. The Coastal Corporation, Kurk Fuel Company, Pautler Oil Service, State of New York Supreme Court, County of Erie, Index Number I2001-11247

Client: Richard G. Berger Attorney At Law, Buffalo, New York

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the

CARECA-12
(CONT.)

known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Judgement in favor of defendant.

SELECTED AIR MODELING RESEARCH/PROJECTS

Client – Confidential

Dr. Clark performed a comprehensive evaluation of criteria pollutants, air toxins, and particulate matter emissions from a carbon black production facility to determine the impacts on the surrounding communities. The results of the dispersion model will be used to estimate acute and chronic exposure concentrations to multiple contaminants and will be incorporated into a comprehensive risk evaluation.

Client – Confidential

Dr. Clark performed a comprehensive evaluation of air toxins and particulate matter emissions from a railroad tie manufacturing facility to determine the impacts on the surrounding communities. The results of the dispersion model have been used to estimate acute and chronic exposure concentrations to multiple contaminants and have been incorporated into a comprehensive risk evaluation.

Client – Los Angeles Alliance for a New Economy (LAANE), Los Angeles, California

Dr. Clark is advising the LAANE on air quality issues related to current flight operations at the Los Angeles International Airport (LAX) operated by the Los Angeles World Airport (LAWA) Authority. He is working with the LAANE and LAX staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

CARECA-12 (CONT.)

Client – City of Santa Monica, Santa Monica, California

Dr. Clark is advising the City of Santa Monica on air quality issues related to current flight operations at the facility. He is working with the City staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client: Omnitrans, San Bernardino, California

Dr. Clark managed a public health survey of three communities near transit fueling facilities in San Bernardino and Montclair California in compliance with California Senate Bill 1927. The survey included an epidemiological survey of the effected communities, emission surveys of local businesses, dispersion modeling to determine potential emission concentrations within the communities, and a comprehensive risk assessment of each community. The results of the study were presented to the Governor as mandated by Senate Bill 1927.

Client: Confidential, San Francisco, California

Summarized cancer types associated with exposure to metals and smoking. Researched the specific types of cancers associated with exposure to metals and smoking. Provided causation analysis of the association between cancer types and exposure for use by non-public health professionals.

Client: Confidential, Minneapolis, Minnesota

Prepared human health risk assessment of workers exposed to VOCs from neighboring petroleum storage/transport facility. Reviewed the systems in place for distribution of petroleum hydrocarbons to identify chemicals of concern (COCs), prepared comprehensive toxicological summaries of COCs, and quantified potential risks from carcinogens and non-carcinogens to receptors at or adjacent to site. This evaluation was used in the support of litigation.

Client – United Kingdom Environmental Agency

Dr. Clark is part of team that performed comprehensive evaluation of soil vapor intrusion of VOCs from former landfill adjacent residences for the United Kingdom's Environment

CARECA-12
(CONT.)

Agency. The evaluation included collection of liquid and soil vapor samples at site, modeling of vapor migration using the Johnson Ettinger Vapor Intrusion model, and calculation of site-specific health based vapor thresholds for chlorinated solvents, aromatic hydrocarbons, and semi-volatile organic compounds. The evaluation also included a detailed evaluation of the use, chemical characteristics, fate and transport, and toxicology of chemicals of concern (COC). The results of the evaluation have been used as a briefing tool for public health professionals.

EMERGING/PERSISTENT CONTAMINANT RESEARCH/PROJECTS

Client: Ameren Services, St. Louis, Missouri

Managed the preparation of a comprehensive human health risk assessment of workers and residents at or near an NPL site in Missouri. The former operations at the Property included the servicing and repair of electrical transformers, which resulted in soils and groundwater beneath the Property and adjacent land becoming impacted with PCB and chlorinated solvent compounds. The results were submitted to U.S. EPA for evaluation and will be used in the final ROD.

CARECA-12
(CONT.)

Client: City of Santa Clarita, Santa Clarita, California

Dr. Clark is managing the oversight of the characterization, remediation and development activities of a former 1,000 acre munitions manufacturing facility for the City of Santa Clarita. The site is impacted with a number of contaminants including perchlorate, unexploded ordinance, and volatile organic compounds (VOCs). The site is currently under a number of regulatory consent orders, including an Immanent and Substantial Endangerment Order. Dr. Clark is assisting the impacted municipality with the development of remediation strategies, interaction with the responsible parties and stakeholders, as well as interfacing with the regulatory agency responsible for oversight of the site cleanup.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of perchlorate in environment. Dr. Clark evaluated the production, use, chemical characteristics, fate and transport, toxicology, and remediation of perchlorate. Perchlorates form the basis of solid rocket fuels and have recently been detected in water supplies in the United States. The results of this research

were presented to the USEPA, National GroundWater, and ultimately published in a recent book entitled *Perchlorate in the Environment*.

Client – Confidential, Los Angeles, California

Dr. Clark is performing a comprehensive review of the potential for pharmaceuticals and their by-products to impact groundwater and surface water supplies. This evaluation will include a review if available data on the history of pharmaceutical production in the United States; the chemical characteristics of various pharmaceuticals; environmental fate and transport; uptake by xenobiotics; the potential effects of pharmaceuticals on water treatment systems; and the potential threat to public health. The results of the evaluation may be used as a briefing tool for non-public health professionals.

PUBLIC HEALTH/TOXICOLOGY

Client: Brayton Purcell, Novato, California

Dr. Clark performed a toxicological assessment of residents exposed to methyl-tertiary butyl ether (MTBE) from leaking underground storage tanks (LUSTs) adjacent to the subject property. The symptomology of residents and guests of the subject property were evaluated against the known outcomes in published literature to exposure to MTBE. The study found that residents had been exposed to MTBE in their drinking water; that concentrations of MTBE detected at the site were above regulatory guidelines; and, that the symptoms and outcomes expressed by residents and guests were consistent with symptoms and outcomes documented in published literature.

CARECA-12
(CONT.)

Client: Confidential, San Francisco, California

Identified and analyzed fifty years of epidemiological literature on workplace exposures to heavy metals. This research resulted in a summary of the types of cancer and non-cancer diseases associated with occupational exposure to chromium as well as the mortality and morbidity rates.

Client: Confidential, San Francisco, California

Summarized major public health research in United States. Identified major public health research efforts within United States over last twenty years. Results were used as a briefing tool for non-public health professionals.

Client: Confidential, San Francisco, California

Quantified the potential multi-pathway dose received by humans from a pesticide applied indoors. Part of team that developed exposure model and evaluated exposure concentrations in a comprehensive report on the plausible range of doses received by a specific person. This evaluation was used in the support of litigation.

Client: Covanta Energy, Westwood, California

Evaluated health risk from metals in biosolids applied as soil amendment on agricultural lands. The biosolids were created at a forest waste cogeneration facility using 96% whole tree wood chips and 4 percent green waste. Mass loading calculations were used to estimate Cr(VI) concentrations in agricultural soils based on a maximum loading rate of 40 tons of biomass per acre of agricultural soil. The results of the study were used by the Regulatory agency to determine that the application of biosolids did not constitute a health risk to workers applying the biosolids or to residences near the agricultural lands.

Client – United Kingdom Environmental Agency

Oversaw a comprehensive toxicological evaluation of methyl-*tertiary* butyl ether (M*t*BE) for the United Kingdom's Environment Agency. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of M*t*BE. The results of the evaluation have been used as a briefing tool for public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of *tertiary* butyl alcohol (TBA) in municipal drinking water system. TBA is the primary breakdown product of M*t*BE, and is suspected to be the primary cause of M*t*BE toxicity. This evaluation will include available information on the production, use, chemical characteristics, fate and transport in the environment, absorption, distribution, routes of detoxification, metabolites, carcinogenic potential, and remediation of TBA. The results of the evaluation were used as a briefing tool for non-public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of methyl *tertiary* butyl ether (MTBE) in municipal drinking water system. MTBE is a chemical added to gasoline to increase the octane

CARECA-12
(CONT.)

rating and to meet Federally mandated emission criteria. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MTBE. The results of the evaluation have been were used as a briefing tool for non-public health professionals.

Client – Ministry of Environment, Lands & Parks, British Columbia

Dr. Clark assisted in the development of water quality guidelines for methyl tertiary-butyl ether (MTBE) to protect water uses in British Columbia (BC). The water uses to be considered includes freshwater and marine life, wildlife, industrial, and agricultural (e.g., irrigation and livestock watering) water uses. Guidelines from other jurisdictions for the protection of drinking water, recreation and aesthetics were to be identified.

Client: Confidential, Los Angeles, California

Prepared physiologically based pharmacokinetic (PBPK) assessment of lead risk of receptors at middle school built over former industrial facility. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

CARECA-12
(CONT.)

Client: Kaiser Venture Incorporated, Fontana, California

Prepared PBPK assessment of lead risk of receptors at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

RISK ASSESSMENTS/REMEDIAL INVESTIGATIONS

Client: Confidential, Atlanta, Georgia

Researched potential exposure and health risks to community members potentially exposed to creosote, polycyclic aromatic hydrocarbons, pentachlorophenol, and dioxin compounds used at a former wood treatment facility. Prepared a comprehensive toxicological summary of the chemicals of concern, including the chemical characteristics, absorption, distribution, and carcinogenic potential. Prepared risk characterization of the carcinogenic and non-carcinogenic chemicals based on the exposure assessment to quantify the potential risk to members of the surrounding community. This evaluation was used to help settle class-action tort.

Client: Confidential, Escondido, California

Prepared comprehensive Preliminary Endangerment Assessment (PEA) of dense non-aqueous liquid phase hydrocarbon (chlorinated solvents) contamination at a former printed circuit board manufacturing facility. This evaluation was used for litigation support and may be used as the basis for reaching closure of the site with the lead regulatory agency.

Client: Confidential, San Francisco, California

Summarized epidemiological evidence for connective tissue and autoimmune diseases for product liability litigation. Identified epidemiological research efforts on the health effects of medical prostheses. This research was used in a meta-analysis of the health effects and as a briefing tool for non-public health professionals.

Client: Confidential, Bogotá, Columbia

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of a 13.7 hectares plastic manufacturing facility in Bogotá, Colombia The risk assessment was used as the basis for the remedial goals and closure of the site.

CARECA-12 (CONT.)

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally cadmium) and VOCs from soil and soil vapor at 12-acre former crude oilfield and municipal landfill. The site is currently used as a middle school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and was used as the basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Managed remedial investigation (RI) of heavy metals and volatile organic chemicals (VOCs) for a 15-acre former manufacturing facility. The RI investigation of the site included over 800 different sampling locations and the collection of soil, soil gas, and groundwater samples. The site is currently used as a year round school housing approximately 3,000 children. The Remedial Investigation was performed in a manner

that did not interrupt school activities and met the time restrictions placed on the project by the overseeing regulatory agency. The RI Report identified the off-site source of metals that impacted groundwater beneath the site and the sources of VOCs in soil gas and groundwater. The RI included a numerical model of vapor intrusion into the buildings at the site from the vadose zone to determine exposure concentrations and an air dispersion model of VOCs from the proposed soil vapor treatment system. The Feasibility Study for the Site is currently being drafted and may be used as the basis for granting closure of the site by DTSC.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally lead), VOCs, SVOCs, and PCBs from soil, soil vapor, and groundwater at 15-acre former manufacturing facility. The site is currently used as a year round school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and will be basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of VOC vapor intrusion into classrooms of middle school that was former 15-acre industrial facility. Using the Johnson-Ettinger Vapor Intrusion model, the evaluation determined acceptable soil gas concentrations at the site that did not pose health threat to students, staff, and residents. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client –Dominguez Energy, Carson, California

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of 6-acre portion of a 500-acre oil and natural gas production facility in Carson, California. The risk assessment was used as the basis for closure of the site.

Kaiser Ventures Incorporated, Fontana, California

Prepared health risk assessment of semi-volatile organic chemicals and metals for a fifty-year old wastewater treatment facility used at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

CARECA-12
(CONT.)

ANR Freight - Los Angeles, California

Prepared a comprehensive Preliminary Endangerment Assessment (PEA) of petroleum hydrocarbon and metal contamination of a former freight depot. This evaluation was as the basis for reaching closure of the site with lead regulatory agency.

Kaiser Ventures Incorporated, Fontana, California

Prepared comprehensive health risk assessment of semi-volatile organic chemicals and metals for 23-acre parcel of a 1,100-acre former steel mill. The health risk assessment was used to determine clean up goals and as the basis for granting closure of the site by lead regulatory agency. Air dispersion modeling using ISCST3 was performed to determine downwind exposure point concentrations at sensitive receptors within a 1 kilometer radius of the site. The results of the health risk assessment were presented at a public meeting sponsored by the Department of Toxic Substances Control (DTSC) in the community potentially affected by the site.

Unocal Corporation - Los Angeles, California

Prepared comprehensive assessment of petroleum hydrocarbons and metals for a former petroleum service station located next to sensitive population center (elementary school). The assessment used a probabilistic approach to estimate risks to the community and was used as the basis for granting closure of the site by lead regulatory agency.

Client: Confidential, Los Angeles, California

Managed oversight of remedial investigation most contaminated heavy metal site in California. Lead concentrations in soil excess of 68,000,000 parts per billion (ppb) have been measured at the site. This State Superfund Site was a former hard chrome plating operation that operated for approximately 40-years.

Client: Confidential, San Francisco, California

Coordinator of regional monitoring program to determine background concentrations of metals in air. Acted as liaison with SCAQMD and CARB to perform co-location sampling and comparison of accepted regulatory method with ASTM methodology.

CARECA-12
(CONT.)

Client: Confidential, San Francisco, California

Analyzed historical air monitoring data for South Coast Air Basin in Southern California and potential health risks related to ambient concentrations of carcinogenic metals and volatile organic compounds. Identified and reviewed the available literature and calculated risks from toxins in South Coast Air Basin.

IT Corporation, North Carolina

Prepared comprehensive evaluation of potential exposure of workers to air-borne VOCs at hazardous waste storage facility under SUPERFUND cleanup decree. Assessment used in developing health based clean-up levels.

Professional Associations

American Public Health Association (APHA)
Association for Environmental Health and Sciences (AEHS)
American Chemical Society (ACS)
California Redevelopment Association (CRA)
International Society of Environmental Forensics (ISEF)
Society of Environmental Toxicology and Chemistry (SETAC)

CARECA-12
(CONT.)

Publications and Presentations:

Books and Book Chapters

Sullivan, P., **J.J. J. Clark,** F.J. Agardy, and P.E. Rosenfeld. (2007). *Synthetic Toxins In The Food, Water and Air of American Cities*. Elsevier, Inc. Burlington, MA.

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Sullivan, P., Agardy, F.J., and **J.J.J. Clark**. 2005. *The Environmental Science of Drinking Water*. Elsevier, Inc. Burlington, MA.

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Clark, J.J.J. 2001. "TBA: Chemical Properties, Production & Use, Fate and Transport, Toxicology, Detection in Groundwater, and Regulatory Standards" in *Oxygenates in the Environment.* Art Diaz, Ed.. Oxford University Press: New York.

Clark, J.J.J. 2000. "Toxicology of Perchlorate" in *Perchlorate in the Environment.* Edward Urbansky, Ed. Kluwer/Plenum: New York.

Clark, J.J.J. 1995. Probabilistic Forecasting of Volatile Organic Compound Concentrations At The Soil Surface From Contaminated Groundwater. UMI.

Baker, J.; **Clark, J.J.J.**; Stanford, J.T. 1994. Ex Situ Remediation of Diesel Contaminated Railroad Sand by Soil Washing. Principles and Practices for Diesel Contaminated Soils, Volume III. P.T. Kostecki, E.J. Calabrese, and C.P.L. Barkan, eds. Amherst Scientific Publishers, Amherst, MA. pp 89-96.

Journal and Proceeding Articles

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equialency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. Organohalogen Compounds, Volume 70 (2008) page 002254.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. Organohalogen Compounds, Volume 70 (2008) page 000527

Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** (2007). "Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." *Environmental Research.* 105:194-199.

Rosenfeld, P.E., **Clark, J. J.,** Hensley, A.R., and Suffet, I.H. 2007. "The Use Of An Odor Wheel Classification For The Evaluation of Human Health Risk Criteria For Compost Facilities" Water Science & Technology. 55(5): 345-357.

Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** 2006. "Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006, August 21 – 25, 2006. Radisson SAS Scandinavia Hotel in Oslo Norway.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2005. "The Value Of An Odor Quality Classification Scheme For Compost Facility Evaluations" The U.S. Composting Council's 13th Annual Conference January 23 - 26, 2005, Crowne Plaza Riverwalk, San Antonio, TX.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2004. "The Value Of An Odor Quality Classification Scheme For Urban Odor" WEFTEC 2004. 77th Annual Technical Exhibition & Conference October 2 - 6, 2004, Ernest N. Morial Convention Center, New Orleans, Louisiana.

Clark, J.J.J. 2003. "Manufacturing, Use, Regulation, and Occurrence of a Known Endocrine Disrupting Chemical (EDC), 2,4-Dichlorophnoxyacetic Acid (2,4-D) in California Drinking Water Supplies." National Groundwater Association Southwest Focus Conference: Water Supply and Emerging Contaminants. Minneapolis, MN. March 20, 2003.

CARECA-12 (CONT.)

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Browne, T., **Clark, J.J.J.** 1998. Treatment Options For Perchlorate In Drinking Water. Proceedings From the Groundwater Resource Association Seventh Annual Meeting, Walnut Creek, CA, October 23, 1998.

Clark, J.J.J., Brown, A., Rodriguez, R. 1998. The Public Health Implications of MtBE and Perchlorate in Water: Risk Management Decisions for Water Purveyors. Proceedings of the National Ground Water Association, Anaheim, CA, June 3-4, 1998.

Clark J.J.J., Brown, A., Ulrey, A. 1997. Impacts of Perchlorate On Drinking Water In The Western United States. U.S. EPA Symposium on Biological and Chemical Reduction of Chlorate and Perchlorate, Cincinnati, OH, December 5, 1997.

Clark, J.J.J.; Corbett, G.E.; Kerger, B.D.; Finley, B.L.; Paustenbach, D.J. 1996. Dermal Uptake of Hexavalent Chromium In Human Volunteers: Measures of Systemic Uptake From Immersion in Water At 22 PPM. Toxicologist. 30(1):14.

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CARECA-12 (CONT.)

EXHIBIT C

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November 22, 2023

Draft Subsequent Environmental Impact Report (Draft SEIR) for the Hemlock Warehouse Development Project (Proposed Project) (SCH No.: 2009091089)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Fontana is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the Draft SEIR

Based on the Draft SEIR, the Lead Agency proposes demolishing the existing development to construct and operate a warehouse facility for 882,000 square feet on the 40.01-acre site at 11115 Hemlock Avenue, Fontana.[1] A portion of the warehouse facility would be used for cold storage, approximately 220,500 square feet or 25 percent of the warehouse.[2] The Proposed Project would have 114 dock doors on the east and west sides of the building[3] associated with 562 truck trips per day.[4] Regional access to the Proposed Project site via Interstate 10, State Route 60, and Interstate 15, and local access via Santa Ana Avenue and Jurupa Avenue. [5] Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential units) is approximately 900 feet southeast and southwest of the Proposed Project site. Construction of the Proposed Project is anticipated to take approximately 15 months.[6]

CARECA-12 (CONT.)

South Coast AQMD Staff's Comments on the Draft SEIR

Potential Underestimation of Emissions Due to Imprecise Assumptions for Truck Trip Lengths and Trip Rates in Emissions Analysis

In the Draft SEIR, the Lead Agency discusses the determination of truck emissions for the Proposed Project and states that "…*CalEEMod defaults were utilized for trip length and the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2) trucks, 14.2*

[1] Draft SEIR. Page 3-1 and 3-2.
[2] *Ibid*. Page 3-9.
[3] *Ibid*.
[4] *Ibid*. Appendix F- Traffic Impact Analysis. Page 40.
[5] *Ibid*. Page 3-1.
[6] *Ibid*. Page 3-10.

miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages from the Traffic Impact Analysis prepared for the Project (Appendix F), which resulted in an overall truck trip length of 29.9 miles with an assumption of 100% primary trips for the proposed warehouse.[7]"

South Coast AQMD recommended 15.3 miles, 14.2 miles, and 40 miles of truck trip lengths derived from the Southern California Association of Government's (SCAG) estimation of average truck trip length in its 2016 Regional Transportation Plan.[8] However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

User-Defined Land Use Subtype in the California Emissions Estimator Model (CalEEMod) Analysis

In the operational CalEEMod output files, besides the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtypes, "user-defined industrial" is added.[9] According to the CalEEMod User Guide, the "user-defined" may be selected to characterize project land use subtypes not included in CalEEMod. If selected, all data on the Land Use screen will need to be input manually. [10] However, lot acreage and the floor square area use are all set to zero under the "user-defined industrial" land use subtype.

In addition, the truck information (e.g., truck trips) is input under the "user-defined industrial" but not in the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtypes for the Proposed Project. This possibly leads to underestimating the heavy-duty truck emissions for warehouse activities since no data is filled under this "user-defined industrial" land use subtype. Therefore, it is recommended that the Lead Agency explain why the land use is separated in the CalEEMod analysis and why the truck information is not under the "unrefrigerated warehouse-no rail" and "refrigerated warehouse-no rail" land use subtype and revise the analysis as necessary in the final CEQA document.

Additional Recommended Air Quality and Greenhouse Gases Mitigation Measures

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts, and in addition to SWIP SP FEIR Mitigation Measures

CARECA-12 (CONT.)

[7] *Ibid*. Page 5.1-22
[8] South Coast Air Quality Management District, Preliminary Draft Staff Report: Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce.
[9] *Ibid*. Appendix B - Air Quality Impact Analysis. CalEEMod Operational and LST Output Files.
[10] California Emissions Estimator Model (CalEEMod) Version 2022.1 User Guide. Access at: https://www.caleemod.com/documents/user-guide/CalEEMod_User_Guide_v2022.1.pdf

MM 4.2-1a to MM 4.2-1f, MM 4.2-2a to MM4.2-2l, and MM 4.2-5a, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR.

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft SEIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule[11] and the Heavy-duty Low NOx Omnibus Regulation,[12] ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentivize the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of a 2010 model year[13] that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. All heavy-duty haul trucks should meet CARB's lowest optional low-NO_x standard starting in 2022.[14] Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

CARECA-12 (CONT.)

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft SEIR may include the following:

[11] CARB. June 25, 2020. Advanced Clean Trucks Rule. Accessed at: https://ww2.arb.ca.gov/our-work/programs/advanced-cleantrucks.
[12] CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in the state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox.
[13] CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
[14] CARB's optional low-NOx emission standard is available at: https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards.

- Maximize the use of solar energy by installing solar energy arrays.
- Use light-colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices and appliances.

Design considerations for the Proposed Project that the Lead Agency should consider reducing air quality and health risk further impacts include the following:

- Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

The South Coast AQMD staff also suggests the Lead Agency review the references (listed below) and consider including the additional recommended mitigation measures in the final CEQA document:

- State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act[15]
- South Coast AQMD 2022 South Coast Air Quality Management Plan,[16] specifically:
  - Appendix IV-A – South Coast AQMD's Stationary and Mobile Source Control Measures
  - Appendix IV-B – CARB's Strategy for South Coast
  - Appendix IV-C – SCAG's Regional Transportation Strategy and Control Measures
- United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation[17]

CARECA-12 (CONT.)

South Coast AQMD Air Permits and Role as a Responsible Agency

The Draft SEIR assumes in the analysis that an emergency diesel-powered fire pump and emergency diesel-powered generator would be used for the Proposed Project.[18] Hence, air permits from South Coast AQMD would be required, and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead

[15] State of California – Department of Justice. Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. Access at: https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf
[16] 2022 South Coast AQMP. Access at: http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan
[17] United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation. Access at: https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation
[18] *Ibid*. Page 5.2-13.

Rina Leung November 22, 2023

Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at http://www.aqmd.gov/home/permits.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

SW:DN
SBC231011-05
Control Number

CARECA-12 (CONT.)

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SENT VIA E-MAIL:
jpechous@jurupavalley.org
Jim Pechous, Principal Planner
City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, CA 92509

October 9, 2023

Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to review the above-mentioned document. The City of Jurupa Valley is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments which are organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the Recirculated Draft EIR

Based on the Recirculated Draft EIR, the Proposed Project is comprised of the development of the 80.8-acre property with five industrial buildings ("Building 1," "Building 2," "Building 3," "Building 4," and "Building 5") totaling 1,118,102 square feet (s.f.). Building 1 would include 309,870 s.f. of building area, Building 2 would include 388,222 s.f. of building area, Building 3 would include 174,364 s.f. of building area, Building 4 would include 275,958 s.f. of building area, and Building 5 would include 35,688 s.f. of building area. The Recirculated Draft EIR states that although the future tenant(s) of the building is not known, industrial uses would allow for high-cube fulfillment, manufacturing, and general light industrial services.[1] Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (residential development) is located adjacent to the Proposed Project site, approximately 240 feet southeast of the Proposed Project. Construction of the Proposed Project is anticipated to occur in a single phase, commence in January 2023, and be completed in June 2024.[2] The Proposed Project is located on the southeast corner of Montana Avenue and 25th Street.[3]

South Coast AQMD Staff's Comments

> *The CalEEMod Land Use(s) Subtype Assumptions (Combining Manufacturing and General Light Industrial) in the Appendix B- Air Quality Impact Analysis May Have Underestimated the Worst-Case Operational Air Quality Impacts*

In accordance with the project description outlined in the Recirculated Draft EIR, the construction of five industrial buildings totaling 1,194,170 square feet is proposed on 80.8 acres

CARECA-12 (CONT.)

[1] Recirculated Draft EIR Page 26.
[2] Appendix B, Air Quality Impact Analysis. Page 146.
[3] Recirculated Draft EIR Page 26.

of land. It is important to note that the document does not currently specify the future tenants for these five buildings.[4] However, based on the footnote in Appendix B- Air Quality Impact Analysis of the Recirculated Draft EIR, the analysis assumes that the project site will be divided into two equal parts for analytical purposes. Specifically, half of the site, totaling 597,085 square feet, is designated for manufacturing land uses, while the remaining half, also 597,085 square feet, is allocated for general light industrial land uses.[5]

According to the CalEEMod User Guide - Version 2022.1, it explicitly states the characteristics of "Light Industrial Land Use Subtype: *"Light industrial use facilities are free-standing facilities devoted to a single use, the facilities that have an emphasis on activities other than manufacturing and typically have minimal office space. Typical light industrial activities include printing, material testing, and assembly of data processing equipment. This land use subtype must be less than 50,000 square feet".*[6] Therefore, the allocation of 597,085 square feet for this purpose contradicts the guidelines provided in the CalEEMod User Guide. Moreover, the general light industrial activities are expected to generate less emissions and involve fewer total daily truck trips[7] compared to the manufacturing or other industrial land uses. The current assumption has led to an underestimation of emissions. South Coast AQMD staff recommends that the Lead Agency conduct a more conservative analysis using the "worst-case" scenario in CalEEMod modeling and correct the land use sub-type used in CalEEMod to ensure accuracy and compliance with guidelines.

Potential Underestimation of Emissions Due to Inaccurate On-site Distance for the Trucks and Passenger Vehicles During Project Operation

The Recirculated Draft EIR notes that CalEEMod Version 2022 lacks the capacity to distinguish between On-site and Off-site emissions during operation. Consequently, the analysis relies on the assumption that 0.5 mile is the maximum allowable On-site distance for both trucks and passenger vehicles. However, the aerial map of the On-site vehicle route (truck movements) as identified in Exhibit 2-B in Appendix C of the Recirculated Draft EIR indicates that the actual On-site distance of the route exceed 0.7 mile, which is greater than the 0.5-mile assumption upon which the emission estimates are based. Therefore, the On-site emissions appear to have been underestimated. For this reason, T the Lead Agency is recommended to either revise the calculations to reflect an On-site route distance of 0.7 mile or provide a comprehensive explanation and justification of the methodology employed in relying on the 0.5-mile On-site assumption parameter.

Potential Underestimation of Emissions Due to Imprecise Assumptions for Truck Trip Lengths and Trip Rates in Emissions Analysis

Appendix B of the Recirculated Draft EIR, explains that air quality impact analysis was based on the assumption that the average truck trip length is 30.34 miles for general light industrial and manufacturing uses. However, the project site is located 70 to 80 miles away from the Ports of Los Angeles and Long Beach which means that the air quality analysis underestimated the

CARECA-12 (CONT.)

[4] Recirculated Draft EIR Page 26.
[5] Appendix B, Air Quality Impact Analysis. Page 14 in PDF.
[6] *CalEEMod User Guide - Version 2022.1.
[7] Appendix Q, VMT Analysis. Page 12.

emissions from trucks traveling from the Ports to the project site. For this reason, the Lead Agency is recommended to revise the calculations in the Final EIR by taking a project-specific approach to the vehicle trip length and trip rates by applying more conservative trip lengths such as designating 40 miles for local trips and 80 miles for Port-related trips. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

Warehouse Cold Storage Land Use and the Associated Emissions from Transport Refrigeration Units (TRU)

The project description in the Recirculated Draft EIR does not explain whether the Proposed Project intends to allocate a portion of the warehouse land use for cold storage. Cold storage warehouses utilize more trucks and trailers equipped with TRUs than warehouses without cold storage. As a result, the Lead Agency is recommended to revise the project description in the Final EIR to explain whether cold storage would be a part of the Proposed Project and provide an estimate for the number of TRU trucks and trailers associated with the operation of the warehouses with cold storage. If there are potential uses for TRUs, the Lead Agency is recommended to revise the calculations in the Final EIR to quantify the emissions from the TRUs in addition to the operational truck emissions.

CARECA-12 (CONT.)

Incorrect Pollutant Averaging Time and Underestimation of Ground-Level Pollutants Near Buildings in Health Risk Assessment (HRA),

South Coast AQMD staff's review of the construction and operational HRA modeling files noted that the ANNUAL[8] keyword was selected for the pollutant averaging time in the control pathway in the AERMOD model. However, according to the South Coast AQMD Risk Assessment Procedures v8.1 and South Coast AQMD Modeling Guidance for AERMOD,[9] a detailed HRA utilizing AERMOD should be run using the pollutant averaging time PERIOD and 1-hour.

In addition, South Coast AQMD staff's review of the modeling files noted that industrial buildings were not included in the building downwash option in the AERMOD dispersion model during operation which resulted in an underestimation of the ground-level pollutant concentrations near the buildings.

Thus, the Lead Agency is recommended to: 1) re-run the construction and operational HRAs to utilize PERIOD and 1-hour averaging time to determine the health risk impacts to the sensitive receptors and off-site workers and include the industrial buildings in the building downwash to analyze more accurate ground-level concentrations; and 2) include the results in the Final EIR.

Inconsistent Emission Rates (lb/day) Calculated from CalEEMod vs. AERMOD

[8] South Coast AQMD Risk Assessment Procedures v8.1. Access at: http://www.aqmd.gov/docs/default-source/permitting/rule-1401-risk-assessment/riskassessproc-v8-1.pdf
[9] South Coast AQMD Modeling Guidance for AERMOD. Access at: South Coast AQMD Modeling Guidance for AERMOD

Jim Pechous October 9, 2023

South Coast AQMD staff's review of the AERMOD files noted that the diesel particulate matter (DPM) emission rates do not match the data reported in Table 13: Localized Significant Summary of Operations (Onsite Emissions) in Appendix B of the Recirculated Draft EIR which were estimated using CalEEMod. For example, the operational PM10 emission rates presented in Table 13 d are 0.88 pounds per day (lb/day) but the PM10 emissions calculated via AERMOD modeling (including Idling and Onsite emissions) are 0.014 lb/day. This lack of continuity in the emission estimates raises questions about the accuracy of the calculations and warrants a more comprehensive and careful examination of the underlying factors and route causes contributing to this disparity. The Lead Agency is recommended to re-review these calculations and update the Final EIR accordingly with the appropriate corrections.

South Coast AQMD Air Permits and Role as a Responsible Agency

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, and etc., air permits from South Coast AQMD will be required and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this

CARECA-12 (CONT.)

Jim Pechous October 9, 2023

comment letter. Please contact Sahar Ghadimi, Air Quality Specialist, at sghadimi@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

BR:SW:SG
RVC230901-01
Control Number

CARECA-12
(CONT.)

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SENT VIA E-MAIL AND USPS:
kphung@cityofperris.org

September 11, 2015

Mr. Kenneth Phung, Project Planner
City of Perris, Planning Division
135 North "D" Street
Perris, CA 92570

Draft Environmental Impact Report (DEIR) for the Optimus Logistics Center 2

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

In the project description, the lead agency proposes the construction of two buildings for warehouse distribution and office space uses totaling approximately 1,037,811 square feet on a 48.4 acre site. The lead agency has projected 1,744 total daily vehicle trips including at least 357 daily truck trips operating at the site. In the Air Quality Section, the lead agency quantified the project's construction and operation air quality impacts and has compared those impacts with the SCAQMD's recommended regional and localized daily significance thresholds. Based on its analyses, the Lead Agency has determined that operational air quality impacts will exceed the recommended regional daily significance threshold for NOx.

The SCAQMD staff has concerns regarding the assumptions used in the air quality analysis, specifically the operational portion of the CalEEMod land use model. Since the proposed project will result in significant NOx impacts, all feasible mitigation measures should be included in the Final CEQA document to further reduce the significant impacts. Details are included in the attachment.

CARECA-12 (CONT.)

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the lead agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Jack Cheng, Air Quality Specialist, at (909) 396-2448, if you have any questions regarding the enclosed comments.

Sincerely,

Jillian Wong

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

Attachment
JW:JC
RVC150729-02
Control Number

Siting of an Incompatible Land Use

1. Based on information in the DEIR (air quality analyses, the project truck distribution, and by aerial map inspection), the lead agency shows a minimum distance of 15 meters to the nearest sensitive receptor; a residence located southeast of the project site. The SCAQMD staff is concerned that the existing sensitive receptors will be exposed to significant regional and localized operational impacts, mostly from the daily truck activities that will likely operate using diesel fuel.

   As a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land-use decision making process, the California Air Resources Board (CARB) has provided the CARB Air Quality and Land Use Handbook (CARB Land Use Handbook). Based on guidance from thin e CARB Land Use Handbook, CARB recommends a buffer of at least 1,000 feet between land uses that will have 100 or more trucks per day. [1]

   In accordance with the state CEQA Guidelines §15126.4 (a)(1)(D), the lead agency should discuss the proposed siting of this land use and any potential impacts resulting from any proposed mitigation related to the CARB Land Use Handbook guidance in the Final EIR.

Air Quality Analysis

Daily Truck Trip Rate

2. In the Air Quality Impact Analysis, the Lead Agency uses the Institute of Transportation Engineers Trip Generation Manual, 9th Edition, 2012 (ITE Manual) 1.68 overall trip generation rate (for cars and trucks totaling approximately 1,744 daily vehicles) for the proposed Project, but does not use the 0.64 (38.1%) daily truck trip rate from this same reference. Rather, the air quality analysis used a 0.343 daily truck trip rate (ITE 1.68 total daily trip rate minus 1.337 passenger vehicle trip rate = 0.343 (20.43%) daily truck trip rate) and truck vehicle fleet mixture percentages from the City of Fontana Truck Trip Generation Study (Fontana Study) to estimate project air quality operational impacts in the CalEEMod modeling. By using the 0.343 Fontana Study daily truck trip rate, trucks are estimated at 357 daily truck trips in the DEIR instead of approximately 664 daily truck trips using the ITE 0.64 daily truck trip rate.

   Specifically, the Fontana Study fleet mixture percentages include: 3.46 percent of the total fleet for 2-axle Trucks; 4.64 percent for 3-axle trucks; and 12.33 percent for 4-axle and larger trucks with truck categories totaling 20.43 percent of the total vehicle fleet. Passenger Vehicles would therefore comprise 79.57 percent of total vehicles during operations. However, the 0.343 daily truck trip rate resulted in fleet percentages for the CalEEMod truck subcategories that were not proportionally adjusted consistent with the percentage of trucks estimated using the ITE 0.64 daily truck trip rate. In order to avoid underestimating project operational and related air quality and health effect impacts, the Air Quality Analysis, HRA and Final EIR should be revised using the following truck percentages: LHD2 = 0.0645, MHD = 0.0865, HHD = 0.2300.

   Absent from a specific traffic study of known tenants, the Final EIR should be consistent using the associated ITE truck trip rate to estimate project daily truck trips so that project trips and associated emission and health effect impacts are not underestimated.

CARECA-12 (CONT.)

[1] CARB Air Quality and Land Use Handbook: http://www.arb.ca.gov/ch/handbook.pdf

On-Road Truck Trip Length

3. In the CalEEMod output sheets provided in Appendix E of the DEIR appendices, the modeling used a 60 mile one-way trip distance and a 20% trip percentage for trucks moving goods for perspective tenants (C-W) and a 6.9 one-way trip distance and an 80% trip percentage for trucks supporting the operation of the perspective tenants (C-NW). In electronic file "LOG 2 4.03 Air Quality – 7-15 Table 4.3-E Operational Vehicle Trip Assumption", the table indicates a 16.6 mile one-way trip distance and an 80% trip percentage for trucks moving goods for perspective tenants (C-W) and a 60 mile one-way trip distance and a 20% trip percentage for trucks supporting the operation of the perspective tenants (C-NW). The Air Quality Analysis is inconsistent and under estimates air quality impacts. A 60 mile one-way trip distance and 80% trip percentage should be used to model trucks moving goods for the perspective tenants (C-W) and a 6.9 – 16.6 one-way trip distance and 20 % trip percentage should be used by trucks supporting the operations of the proposed facility(C-NW).

   On page 3.0-8 in the project description, the lead agency describes potential truck activities that involve the proposed warehouse trucks. "Goods imported from the Ports of Long Beach and Los Angeles as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in- and out-of-state locations." Since the port areas are over 70 miles away from the project site and that trucks will be serving other destinations within the basin and out of state, the SCAQMD staff recommends, absent a tenant-specific analysis with trip length information, that all applicable analyses be revised in the Final EIR using a one-way trip length that more accurately estimates air quality emission and related impacts based on the anticipated activities and distances described in the DEIR.

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

4. Based on a review of the project's emissions calculations in Appendix E – RK Revised AQ, GHG, HRA: Air Quality Analysis[2] (CalEEMod Output Sheets), the lead agency determined the proposed Project's air quality impacts using emission factors for unrefrigerated warehouses/truck activity. However, in mitigation measure MM Air-12 to reduce operational emissions, the lead agency refers to the use of Transportation Refrigeration Units (TRUs) at the project site. The SCAQMD staff therefore recommends that the lead agency include a mitigation measure that precludes the use of refrigerated warehousing at the Project site or revise the air quality analysis to account for emissions from refrigerated warehouse uses. Further, if the lead agency chooses to include refrigerated warehouses in the air quality analysis then MM Air-12 should be incorporated into the project and remain in the Final EIR.

<u>LST and Health Risk Assessment (HRA) Modeling</u>

5. The lead agency used AERMOD (version 12345) to prepare the dispersion modeling for the HRA even though AERMOD (version 14134) was available for at the time of analysis (10/20/2014). Therefore, SCAQMD staff recommends using AERMOD (version 15181), the most recent available version, to revise the dispersion modeling for this project.

6. The HRA analysis involved the use of separate discrete receptors placed randomly for the sensitive receptors. SCAQMD staff recommends that the lead agency revise the HRA using a receptor grid over the existing residences and areas zoned or planned for residential development, in order to ensure that the maximum impacts to a residential receptor are properly analyzed.

CARECA-12 (CONT.)

[2] Appendix A: CalEEMod Emissions Model Output.

7. SLINE1, SLINE2, and SLINE3 onsite travel line volume sources do not span the entire docking area. SCAQMD staff recommends that the lead agency revise the HRA using a series of volume sources that spans the entire docking area to ensure that impacts are properly analyzed.

8. STCK1, STCK2, and STCK3 onsite idling point sources should span the entire docking area. SCAQMD staff recommends that the lead agency revise the HRA using a line volume that spans the entire docking area to ensure that impacts are properly analyzed.

9. Based on the site plan in the project description, there are two driveways that access Webster Street where residences are located across from the proposed project site. Traffic exiting the site from Webster Street can then access Ramona Expressway to get on the freeway. Although the project description in the Notice of Availability, the site plan and the computer modeling show truck traffic using only Patterson Avenue north towards Harvey Knox Boulevard to access the 215 Freeway, there is nothing, however, to preclude trucks from using the driveways on Webster Street, passing by existing residences and then accessing Ramona Expressway to get on the freeway. The SCAQMD staff recommends that the Final EIR include a discussion of how the project will stop trucks from using Webster Avenue or include a restriction that would formally restrict Webster Street to passenger vehicles only. If trucks are not formally restricted, then project impacts from truck movement on Webster Street and beyond (i.e., north on Webster Street, or south to Ramona Expressway to access the 215 Freeway) would have been underestimated in the DEIR. These potential impacts should therefore be analyzed in the HRA and included in the Final EIR.

Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)

10. Because the California Air Resources Board has classified the particulate portion of diesel exhaust emissions as carcinogenic and during project operations, the lead agency has determined that project operation emissions are significant for Oxides of Nitrogen (NOx), primarily from truck activity emissions, the SCAQMD staff therefore recommends the following changes and additional measures that should be incorporated in the Final EIR to reduce exposure to sensitive receptors and reduce potential significant project air quality impacts:

Recommended Changes

MM AQ 4.3H

- Prior to issuance of a building permit, the Project proponent shall provide the City with project specifications, drawings, and calculations that demonstrate that main electrical supply lines and panels have been sized to support heavy truck charging facilities. ~~when these trucks become available. The calculations shall be based on reasonable predictions from currently available truck manufacturer's data. Electrical system upgrades that exceed reasonable costs shall not be required. In addition, the Project will incorporate 2 electric vehicle charging stations for light duty vehicles.~~ Electrical lines shall be designed and sized to add additional charging stations when a demand is demonstrated. Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations.[3] Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.

CARECA-12 (CONT.)

[3] http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf

Additional Mitigation Measures

- Require the use of 2010 compliant diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail and vendor supply delivery trucks) at commercial/retail sites upon project build-out. If this isn't feasible, consider other measures such as incentives, phase-in schedules for clean trucks, etc.
- Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors.
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.
- Design the site such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside of the facility.
- On-site equipment should be alternative fueled.
- Provide food options, fueling, truck repair and or convenience stores on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Improve traffic flow by signal synchronization.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Should the proposed Project generate significant regional emissions, the lead agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the lead agency should require a phase-in schedule for these cleaner operating trucks to reduce project impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the lead agency and project applicant.

CARECA-12 (CONT.)

Mitigation Measures for Operational Air Quality Impacts (Other)

11. In addition to the mobile source mitigation measures identified above the Lead Agency should incorporate the following on-site area source mitigation measures below to reduce the project's regional air quality impacts from NOx emissions during operation. These mitigation measure should be incorporated pursuant to CEQA Guidelines §15126.4, §15369.5.

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

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SENT VIA USPS AND E-MAIL: March 5, 2015
DJohnson@fontana.org

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

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

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

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

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

CARECA-12
(CONT.)

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

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

CARECA-12 (CONT.)

Sincerely,

Jillian Wong

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

Attachment

JW:GM

SBC150121-02
Control Number

Health Risk Assessment

1. As of December 9, 2006, AERMOD is fully promulgated as a replacement to ISC3, in accordance with Appendix W (http://www.epa.gov/ttn/scram/dispersion_prefrec.htm). AERMOD is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. AERMOD-ready meteorological data for various meteorological stations within the South Coast Air Basin (SCAB) are available for download free of charge at http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/data-for-aermod. The Lead Agency used AERMOD (version 13350) to prepare the dispersion modeling for the Warehouse Health Risk Assessment (HRA) but used AERMOD (version 12060) for the Freeway HRA analysis. Furthermore, while the meteorological data from the SCAQMD Fontana meteorological station was used for both HRA analyses, two different versions of the meteorological data were used. Font2.pfl and Font2.sfc (meteorological data for 2005-2007) and Font7.sfc and Font7.pfl (meteorological data for 2008-2012) are for different years. Given the advancements and bug fixes that occurred in AERMOD between version 12060 and 13350 and 14134 (today's current version), SCAQMD staff recommends that the Lead Agency revise the HRA analyses for both warehouse and freeway using the latest version of AERMOD (version 14134) without the use of Lakes AERMOD-MPI. SCAQMD's modeling guidance for AERMOD can be found at http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/modeling-guidance. Please note that when using AERMOD, the regulatory default option should be used (i.e. without the use of the "FASTALL" or "FLAT" options) and the Lakes MPI should not be used without prior SCAQMD or EPA Region 9 approval.

2. The electronic files for the HRA analyses provided by the Lead Agency to SCAQMD staff were incomplete and did not include the receptor file. Therefore, SCAQMD staff was unable to verify the placement of receptors in the HRA analyses. In the event that receptors were not placed in the correct location using a receptor grid of no more than 100-meter spacing over the existing residences and areas zoned or planned for residential development, the health risks reported in the HRA analyses and DEIR could be underestimated. Therefore, SCAQMD staff recommends that the Lead Agency provide a graphic showing the receptor grid placement in the Final EIR.

3. The proposed project includes both two elementary schools and one high school. However, in the analysis, no receptors were placed in those locations to estimate the health risks to the students, teachers and administrative staff at those locations. SCAQMD staff recommends the Lead Agency update the HRA analyses to include the schools as receptors and estimate the health risks at those locations.

4. In the Warehouse HRA analysis, the Lead Agency assumed only 10 minutes of idling for each truck. Since trucks may idle several times on-site, the SCAQMD staff

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

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

Air Quality Analysis - Operations

Daily Truck Trip Rate

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

Vehicle Fleet Mixture Percentages

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

CARECA-12 (CONT.)

[1] ITE Manual, High Cube Warehouse Distribution Center (ITE Land Use – 152), 0.64 weighted average Truck Trip Generation Rate (trip ends per 1,000 square feet of gross floor area), Page 267.
[2] 1.337 + 0.343 = 1.68.
[3] DEIR, Traffic Impact Analysis, Project Trip Generation, Pages 31 and 37 Project (High Cube Warehouse Distribution Center) Trip Generation (Table 5, (3 of 3).

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

On-Road Truck Trip Lengths

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

CARECA-12 (CONT.)

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

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

[4] Appendix B: Air Quality Technical Appendix.

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

Mitigation During Operations (MERV Filters and HVAC Systems)

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

Limits to Enhanced Filtration Units

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

CARECA-12 (CONT.)

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

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

Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)

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

    Recommended Change:

    MM C-13

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

    Additional Mitigation Measures:

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

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[6] CARB: Air Quality and Land Use Handbook: A Community Health Perspective, April 2005, Page4 for Distribution Centers.

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

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

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

CARECA-12 (CONT.)

Electric Vehicle (EV) Charging Stations

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

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

CNG Fueling Station and Convenience Site

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

Mitigation Measures for Operational Air Quality Impacts (Other)

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

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

Transportation

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

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[7] http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf

Energy

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

Other

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

Mitigation Measures for Construction Air Quality Impacts

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

Recommended Change:

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

- ~~At least 50 percent of construction equipment greater than 250 hp, which are on-site for 6 or more consecutive days, shall meet Tier 3 emissions standards or better and be outfitted with BACT devices (e.g., Level 3 diesel emissions control devices) certified by CARB.~~

- Consistent with measures that other lead agencies in the region (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles)[8] have enacted, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following:

- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

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[8] For example see the Metro Green Construction Policy at: http://www.metro.net/projects_studies/sustainability/images/Green_Construction_Policy.pdf

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

Recommended Additions

- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements.

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

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

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

CARECA-12 (CONT.)

South Coast
Air Quality Management District
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E-MAILED: FEBRUARY 1, 2013 February 1, 2013

Mr. Mark Tomich, Director, MTomich@ci.colton.ca.us
Development Services, Planning Division
City of Colton
659 N. La Cadena Drive
Colton, CA 92324

**Draft Mitigated Negative Declaration (Draft MND)
for the Proposed Colton – DEXUS Project**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final CEQA document. In the project description, the lead agency proposes demolition of the existing 28,000 square foot truck terminal and 18,000 square foot office building. Building construction would include a high-cube warehouse building on the 34.36 acre site. The proposed facility would have 600,046 square feet of building area (12,000 square feet of office area and 588,048 square feet of warehouse/distribution space). The proposed project would include 116 dock doors with parking for 425 standard and handicap spaces, and 42 trailer spaces. Construction is expected to last approximately 10 months and 2014 is the proposed opening year. Although basically zoned for industrial uses, there is a single-family residence located less than a quarter mile northwest of the project site along Agua Mansa Road.

The AQMD staff requests that the lead agency provide additional information regarding the fate of the existing facility. The CEQA analysis assumes it will cease its operations within the boundaries of the South Coast Air Basin (SCAB) by applying the emissions from the current operation to the baseline thus offsetting the projected emissions from the proposed high-cube warehouse use. In addition, the baseline itself may be overestimated by using generalized trip generation estimates instead of the on-site traffic count data to account for vehicle activity and the resulting air quality impacts for the existing operation. Because the determination of significance under CEQA is based on the difference between existing baseline and future project impacts, we recommend that the lead agency provide further substantial evidence for, and re-evaluate where necessary, the baseline and future impacts of this project. If impacts are found to be significant, then additional mitigation may be required to reduce these impacts to a less than significant level. Details regarding these comments and others follow in the attachment.

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(CONT.)

Mr. Mark Tomich, Director 2 February 1, 2013
Development Services

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

Sincerely,

Ian MacMillan
Program Supervisor, Inter-Governmental Review
Planning, Rule Development & Area Sources

IM:GM
Attachment

LAC130115-02
Control Number

CARECA-12
(CONT.)

Baseline Emissions and the Status of the Existing Use

1. In a telephone conversation staff on or about January 15, 2013, the lead agency staff expressed uncertainty to AQMD staff whether the existing truck terminal business would cease operations completely within the SCAB boundaries or continue its current operations at the site but at a lower level of activity. The lead agency's operational air quality analysis uses the emissions from the existing use as a baseline to offset the estimated long-term air quality impacts from the proposed warehouse use. It is unclear to AQMD staff if the incremental emissions benefit derived from the existing use would actually be realized. Unless there is assurance that the previous facility activities will cease and not move to another location within the SCAB, the lead agency should not include these emissions as a baseline when calculating regional impacts. AQMD staff requests that the lead agency provide additional discussion of the fate of the existing operations and revise the air quality and greenhouse gas analyses, if necessary.

Potential Overestimation of the Existing Facility Baseline Emissions

2. The lead agency has estimated project emissions for the existing truck terminal building activity using the California Emissions Estimator Model (CalEEMod) and using trip rates based on land uses shown in the Institute of Traffic Engineers (ITE) Trip Generation, 8th Edition (2008) and the Truck Trip Generation Study (City of Fontana, August 2003). In addition to these sources, the lead agency included traffic count worksheets in the Revised Traffic Impact Analysis (Kunzman Associates, Inc., October 2012). It is not clear to the AQMD staff why available project-specific traffic count data included in the Draft MND that could be used to analyze vehicle activity and associated emissions for the existing facility were not used to estimate baseline emissions.

   The AQMD staff believes that using the ITE trip rate to calculate baseline vehicle activity may substantially overestimate project vehicle activity and related on-road mobile source emissions compared with the data supplied in the traffic analysis. This is demonstrated, for example, by looking at the volumes supplied in the Traffic Impact Analysis (TIA) for vehicles entering the facility during the AM peak hour shown on page 11 (Figure 5, Existing Morning Peak Hour Intersection Turning Movement Volumes). For Intersection Six (the main entrance into the facility) in Figure 5, the number of vehicles entering and exiting the facility totals 70. From Table 3 of the TIA (Current Development {Truck Maintenance Facility}), the lead agency has estimated, using the ITE trip rate for the General Light Industrial (110) land use, 259 vehicles per hour. This is more than three times the 70 vehicles per hour found from actual traffic counts. Using the ITE trip rate instead of the vehicle data shown from the traffic counts appears to significantly overestimate the existing project baseline emissions. This results in the incremental emissions, i.e., the difference between the existing facility emissions and the emissions for the proposed warehouse facility being

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underestimated. The AQMD staff therefore recommends that applicable analyses be revised in the Final MND using the project-specific traffic count data. Alternatively, the lead agency could explain why the project-specific traffic counts should be ignored.

On-Road Truck Trip Length

3. In the CalEEMod input files provided to AQMD staff by the lead agency, an average one-way trip length of 8.3 miles was used to estimate operational air quality impacts for trucks moving goods for the proposed facility. Trucks operating from these kinds of facilities often handle goods coming directly from the port areas over 70 miles away as well as potentially serving out of state destinations. Absent tenant-specific trip length information, the AQMD staff recommends a one-way trip length from the project site to the port areas as more appropriate trip length for on-road truck emissions and that applicable analyses in the Final MND be revised. If the lead agency is uncertain of the types of tenants or the trip lengths, the lead agency could alternatively limit activities, as a condition of a tenant's occupancy, to levels described in the analysis. Otherwise, long-term project air quality impacts for operations and other relative analyses will be substantially underestimated.

Use of Non-Default Truck Trip Rate

4. In the air quality and health effect analyses, the lead agency based its estimates on trip generation rates from the 8th Edition of the Institute of Transportation Engineers (ITE) Report using a non-default trip rate of 1.44 per thousand square of gross floor area (Land Use Code 152 – High-Cube Warehouse). Based on guidance from the California CalEEMod User's Guide, the AQMD staff recommends using a more conservative trip rate of 2.59 per 1,000 square feet. AQMD staff believes a more conservative trip rate is appropriate as the tenant is unknown, and there are no conditions on the project limiting activity to what is analyzed in the MND.

CalEEMod Fleet Mixture Percentage

5. On page 28 of the Draft IS/MND, the lead agency's narration lists the fleet mixture percentages used in the CalEEMod land use model to estimate operational emissions. The narration states that the estimated fleet mixture is approximately 37 percent truck traffic for the proposed warehouse use including 17 percent heavy-heavy duty (HHD); 8 percent medium-heavy duty (MND); and 12 percent light-heavy duty 1 (LHD1). The CalEEMod inputs, however, also include the 3.4 percent Light-Heavy Duty 2 (LHD2) category that was omitted in the narration total. The 3.4 percent LHD2 percentage would therefore increase the overall truck percentage from 37 to 40 percent. In the Final MND, the narration should be revised to be consistent with the CalEEMod fleet percentages shown in the actual modeling.

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(CONT.)

Localized Significance Thresholds Analysis: Construction and Operations

6. Under Sensitive receptors on page 13 of the Air Quality & Climate Change Assessment and upon an aerial map inspection, a single-family residential property appears to be located within one-quarter mile of the proposed warehouse. We therefore recommend that the lead agency evaluate localized air quality impacts. The AQMD staff requests this evaluation to ensure that any nearby sensitive receptors are not adversely affected by the construction and operational activities that are occurring in close proximity. AQMD guidance for performing a localized air quality analysis can be found at the following web address: http://www.aqmd.gov/ceqa/handbook/LST/LST.html .

Operational Mitigation Measures

7. In the event the lead agency determines that project air quality impacts (regional or localized) for operations will exceed recommended significance thresholds (mostly attributed to mobile source tailpipe emissions from vehicles operating at the proposed facility), the AQMD staff encourages the lead agency to develop a common set of enforceable mitigation measures to reduce those emissions to the maximum extent feasible. As the lead agency is aware, heavy-duty trucks are the largest source of NOx emissions in our basin and NOx emissions must be reduced by approximately two thirds beyond existing rules and regulations in order to meet air quality standards as required by 2023. Without meeting air quality standards, our region faces federally mandated sanctions, including possible loss of transportation funding. AQMD staff therefore recommends that the lead agency consider the feasibility of the following measures to reduce project impacts. Other lead agencies that have imposed these and similar measures include the City of Banning[1], Riverside County[2], City of San Bernardino[3], and the San Pedro Bay Ports[4], among others.

   Recommended additional measures:

   - Lease/purchase documents shall identify that tenants required to implement the following:
   - At project start, all heavy duty trucks entering the property must meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.
   - If the above clean truck requirements are infeasible, a phase-in schedule should be put forth that will feasibly achieve emission reductions as soon as possible, and faster than existing regulations. Should an alternative

CARECA-12 (CONT.)

[1] Banning Business Park http://banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf .
[2] Mira Loma Commerce Center: http://www.rctlma.org/online/content/conditions_of_approval.aspx?PERMITNO=pp17788 .
[3] Palm/Industrial Distribution Center http://www.ci.san-bernardino.ca.us/civica/filebank/blobdload.asp?BlobID=11793
[4] Clean Trucks Program http://www.cleanairactionplan.org/cleantrucks/ .

schedule be found necessary, the AQMD staff should be consulted prior to approving the schedule.

- Provide a phase-in schedule and goals for the introduction of zero or near-zero technology trucks (e.g., 10% by 2020, 20% by 2025, etc.) that visit warehouses.

The facility operator will maintain a log of all trucks entering the facility to ensure that on average, the daily truck fleet meets the quantities and emission standards listed in the Draft MND. This log should be available for inspection by city staff at any time.

- The facility operator will ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies [for example, by requiring attendance at CARB approved courses (such as the free, one-day Course #512)].
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final MND. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.
- Require at least a portion of the fleet to utilize alternative fueled technologies.
- The 2012 Regional Transportation Plan includes a zero-near-zero emissions truck corridor along the SR-60 freeway west of I-15. Because at least a portion of the trucks serving this project may be expected to travel along this route, the project should consider providing onsite alternative fueling infrastructure, such as electric charging stations or natural gas fueling that will help facilitate these low-emitting trucks. This could include ensuring electrical panels and wiring are sufficiently sized to accommodate future needs.
- At a minimum, require tenants upon occupancy that do not already operate 2007 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, or other similar funds. Should funds be awarded, the tenant should also be required to accept and use them.
- Restrict overnight parking in residential areas. Establish overnight parking within the warehouse/distribution center where trucks can rest overnight.
- Establish area(s) within the facility for repair needs.
- Post signs outside of the facility providing a phone number where neighbors can call if there is a specific issue.
- Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.

CARECA-12 (CONT.)

- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas.
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.
- Provide food options, fueling, truck repair and or convenience store on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Requiring all on-site vehicles (hostlers, forklifts, etc.) to utilize zero or near-zero emission technology.
- Use street sweepers that comply with SCAQMD Rules 1186 and 1186.1.
- Install solar panels on all available roof space. If this isn't feasible, then at a minimum all buildings and electrical infrastructure should be designed to accommodate potential future solar panel upgrades.

Off-Road Construction Equipment Reduced Load Factors

8. In Appendix B (CalEEMod Output) in the air quality assessment, the lead agency estimated project construction impacts using the CalEEMod land use emissions computer model. This model uses default and user-defined settings to estimate emissions based on the land use settings. In the CalEEMod inputs under User Entered Comments, the lead agency has reduced the Construction Phase Off-Road Equipment load factors by 33 percent citing the California Air Resources Board (CARB) as authority for the changes. For example, the default load factor in the CalEEMod model for rubber tired loaders of 54 percent was reduced to 36 percent.

   Based on communication with ARB staff[5] regarding this issue, the AQMD staff confirmed that CARB staff does not recommend reducing the default settings in the current OFFROAD2007 without considering all parameters besides the load factor. Other parameters such as activity level, horsepower, and population all contribute to the emission factor estimate, and selectively changing only one parameter will lead to inaccurate estimates at a project level. For some equipment types, OFFROAD2007 may underestimate emissions while others may be overestimated. Because of these revisions (and others), CARB developed the new OFFROAD2011. The AQMD staff therefore recommends that the lead agency either use existing OFFROAD2007 defaults until OFFROAD2011 is incorporated into CalEEMod later this year or run OFFROAD2011 outside CalEEMod and use those results to modify the CalEEMod construction calculations. Therefore, even though the reductions might not change the lead agency's determination of significance for construction air quality impacts, these reductions related to

CARECA-12 (CONT.)

[5] Personal communication with Nicole Dolney, June 1, 2012.

reduced off-road equipment load factors are not recommended by the AQMD staff without further substantial evidence to support those emission reductions resulting from their use. Otherwise, the lead agency should commit to enforcing the assumed lower non-substantiated emission factors.

Construction Mitigation Measures

9. Should the lead agency determine that project localized construction air quality impacts will exceed the AQMD recommended daily significance thresholds, the AQMD staff therefore recommends the following mitigation measures during the projected 10 month construction period to reduce adverse air quality impacts from on-site construction emission sources, if applicable and feasible.

   Recommended additions:

   - Limit the amounts of daily soil disturbance to the amounts analyzed in the Draft MND.
   - All clearing, grading, earth-moving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 miles per hour per SCAQMD guidelines in order to limit fugitive dust emissions.
   - Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
   - All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
   - Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads (recommend water sweepers with reclaimed water).

   Further, other lead agencies in the region including LA County Metro, the Port of Los Angeles, and the Port of Long Beach have also enacted the following mitigation measures. AQMD staff recommends the following measures to further reduce air quality impacts from construction equipment exhaust:

   - Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
   - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by

CARECA-12 (CONT.)

the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

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

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html .

CARECA-12 (CONT.)

ATTACHMENT C

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Re: Agenda Item D – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Planning Commission Members and Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit these comments on the 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant") in the City of Ontario ("City"). The Project's Final Environmental Impact Report ("FEIR") and development plan will be considered at the May 28, 2024 Planning Commission meeting as Agenda Item D. The Commission will consider certification of the FEIR and approval of the Development Plan application.

CARE CA submitted comments on the DEIR and subsequently on the FEIR, accompanied by expert comments, showing that the FEIR failed to comply with the requirements of CEQA by failing to accurately disclose and mitigate potentially significant air quality, public health, greenhouse gas ("GHG"), energy, transportation, and cumulative impacts. The Staff Report contains responses[1] to CARE CA's comments on the FEIR. However, the responses fail to resolve the major flaws CARE CA and its experts identified in the DEIR.

CARECA-12 (CONT.)

[1] Letter from T&B Planning Inc. to City, re: 5355 East Airport Drive (PDEV22-017) – Response to April 15, 2024 Comment Letter from CARE CA (May 20, 2024).

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We reviewed the Planning Commission Staff Report with the assistance of air quality expert Dr. James Clark.[2]

The Staff Report fails to meaningfully address the flaws in the Project's environmental review. Regarding hazards, the FEIR identifies significant vapor intrusion impacts due to PCE contamination, but improperly defers formulation of mitigation measures. The FEIR also fails to analyze the full scope of the Project – CEQA requires that an EIR analyze the reasonably foreseeable consequences of the Project, but the Project's FEIR fails to analyze the Project's reasonably foreseeable use as a parcel hub (a use that generates more trips than analyzed), and fails to analyze reasonably foreseeable truck trips to the Ports of Los Angeles and Long Beach. Regarding cumulative impacts, the Staff Report still fails to meaningfully respond to the legal authority requiring analysis of the Project's impacts in the context of the numerous other warehouses existing and planned in the area. The Staff Report also fails to resolve flaws in the Project's health risk assessment, which still underestimates impacts on sensitive receptors. Regarding energy, the Staff Report provides an analysis of factors in Appendix F the CEQA Guidelines. But the analysis is wholly inadequate because it fails to address applicable energy consumption measures and renewable energy options. As a result, the FEIR's conclusions are not supported by substantial evidence. Rather, substantial evidence demonstrates that the Project's significant impacts are greater than analyzed in the FEIR.

CARECA-12
(CONT.)

The Staff Report incorrectly concludes that the "final EIR contains a complete and accurate reporting of the environmental impacts associated with the Project" and complies with CEQA.[3] The Staff Report recommends that the Planning Commission adopt the final EIR and approve the Project's Development Plan Application.[4] These recommendations are unsupported by evidence in the record due to the major flaws in the Project's environmental review.

CARE CA urges the Planning Commission to require the City revise and recirculate the EIR to comply with CEQA before any further action is taken on the Project.

I. STATEMENT OF INTEREST

CARE CA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker

[2] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[3] Staff Report, Item D - 2573 of 3296.
[4] Staff Report, Item D - 1 of 3296.

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health and safety hazards, and the environmental impacts of the Project. The coalition includes Ontario residents Daniel Brewer, David Audelo, Carlos Mendez, Rober Rubio, the District Council of Ironworkers and Southern California Pipe Trades DC 16, along with their members, their families, and other individuals who live and work in Ontario and in San Bernardino County.

CARE CA advocates for protecting the environment and the health of their communities' workforces. CARE CA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARE CA members live, work, recreate, and raise their families in the City of Ontario and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CARE CA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

CARECA-12
(CONT.)

II. THE FEIR FAILS TO ADEQUATELY ANALYZE, QUANTIFY, AND MITIGATE THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS

A. The FEIR Improperly Defers Formulation of Mitigation Measures for Hazardous Materials

The FEIR's Phase I/II Environmental Site Assessment ("ESA") identifies levels of tetrachloroethene ("PCE") in soil vapor samples in excess of current commercial/industrial calculated soil gas screening levels ("SGSLs").[5] The ESA concludes that "PCE impacts potentially associated with the use and storage of hazardous materials at Building B could contribute to vapor intrusion conditions on the Site."[6] The FEIR identifies this contamination as a potentially significant impact.[7] Additionally, the ethylbenzene concentration in one soil vapor sample

[5] FEIR, Phase I/II Environmental Site Assessment, pg. vii.
[6] FEIR, Phase I/II Environmental Site Assessment, pg. 11-2.
[7] DEIR, pg. S-17.

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exceeded the calculated soil gas commercial/industrial screening level of 163 micrograms per cubic meter.[8] The FEIR fails to disclose this significant impact in the body of the FEIR, in violation of CEQA.

The FEIR states that the potentially significant vapor intrusion impacts would be mitigated through imposition of Mitigation Measure ("MM") 4.7-1. This measure requires future preparation of a Soil Management Plan ("SMP"). he SMP will include instructions for handling, storage, and disposal of any known or potentially impacted soil during soil moving activities. But MM 4.7-1 fails to explain how the PCE contamination at the Project site will actually be addressed – whether it will be remediated, capped in place, etc. – and the FEIR lacks a quantitative analysis of the construction impacts associated with that process. The measure states that contaminated soils will be monitored and provides guidance for proper soil handling, but does not specifically state that PCE-contaminated soil will be removed. Under MM 4.7-1, it is unclear if the City will remove PCE-contaminated soil or adopt passive/engineered vapor intrusion mitigation such as installing a vapor barrier or venting. Without clear performance standards and a quantitative analysis of the impacts of the PCE cleanup phase of construction, MM 4.7-1 remains incomplete and ineffective, and the FEIR's construction impact analysis remains incomplete.

CARECA-12
(CONT.)

MM 4.7-1 improperly defers formulation of mitigation measures related to PCE contamination to a future date.

CEQA Guidelines Section 15126.4 states that formulation of mitigation measures shall not be deferred until some future time. The Guidelines permit an agency to develop the "specific details of a mitigation measure" after project approval "when it is impractical or infeasible to include those details during the project's environmental review."[9] In such circumstances, deferral of mitigation details is permitted if the agency "(1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will [be] considered, analyzed, and potentially incorporated in the mitigation measure."[10] Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on

[8] FEIR, Phase I/II Environmental Site Assessment, pg. viii.
[9] Guidelines, § 15126.4, subd. (a)(1)(B) (Section 15126.4).
[10] Section 15126.4, subd. (a)(1)(B); *see Save Our Capitol! v. Department of General Services* (2022) 85 Cal.App.5th 1101, 1134 (*Save Our Capitol!*).)

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substantial evidence in the record, to reduce the significant impact to the specified performance standards.[11]

Here, the FEIR defers formulation of the PCE mitigation until after Project approval. But the City fails to present any evidence that it would be impractical or infeasible to do so during the Project's environmental review. Based on the evidence before the City, it should be feasible to require and formulate vapor intrusion mitigation. Even if deferral of formulation of mitigation were reasonable in this case, MM 4.7-1 fails to adopt specific performance standards for remediating PCE contamination and the associated vapor intrusion risks. MM 4.7-1 also fails to clearly identify the types of potential actions that may be taken to mitigate the vapor intrusion risk. Thus, the City improperly defers formulation of PCE contamination and vapor intrusion mitigation.

The City also improperly defers formulation of mitigation for the ethylbenzene contamination. As with the PCE contamination, MM 4.7-1 fails to substantiate how this contaminant will be addressed. The FEIR contains no evidence that formulation of mitigation for ethylbenzene contamination is impractical or infeasible, identifies no performance standards, and fails to identify potential mitigation measures. Mitigation for this impact is thus improperly deferred.

CARECA-12
(CONT.)

B. The City Still Fails to Adequately Evaluate Trips Generated by the Project

CARE CA's comments on the FEIR showed that the Project's size and number of parking spots would enable it to be used as a High Cube Parcel Hub Warehouse, which has a trip generation rate 2.6 times the rate used in the FEIR. In Response 1-8, the City reiterates its position that analyzing the Project as a combination of the "Warehousing" and "High-Cube Cold Storage Warehouse" land uses is reasonable due to the Project's anticipated use and size.[12]

The City's response ignores that an EIR must analyze reasonably foreseeable consequences of a Project. Public Resources Code Section 21065 provides, in part: "'Project' means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."[13] Here, the Project proposes a 270,337-square-foot industrial

[11] *Id.*
[12] Staff Report, Item D - 2466 of 3296; FEIR, pg. 2-39.
[13] *See* Cal. Code Regs., tit. 14, § 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376.

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building with a proposed height of 46 feet on 13.08 acres of land. A high-cube parcel hub warehouse is a reasonably foreseeable use of this project because "high-cube parcel hub warehouse" is defined in Institute of Transportation Engineers ("ITE") land use code 156 as a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/ or consolidation of manufactured goods prior to their distribution to retail locations or other warehouses. And Mr. Marshall's comments on the FEIR demonstrate that the Project site includes adequate parking to support this use. Even if less-intensive warehouse uses are possible for this Project (such as the FEIR's combination of "Warehousing" and "High-Cube Cold Storage Warehouse"), use as a high-cube parcel hub warehouse is a reasonably foreseeable outcome that must be analyzed.

The City's claim that the Project's "anticipated use" does not include a high-cube parcel hub warehouse is irrelevant to the analysis. Courts have held that in this situation, "the identity of a tenant is irrelevant to CEQA review."[14] The court in *Maintain Our Desert Environment v. Town of Apple Valley* explained that "land use entitlements such as conditional use permits and development approvals run with the land and do not belong to the permittee…. had [the developer] developed the Project and then held it out for sale to any interested buyer, no additional CEQA review would have been necessary for the new owner so long as the use was consistent with that that had already been approved."[15] Here, the project that is the subject of the FEIR is a Development Plan to develop an industrial building totaling 270,337 square feet of gross floor area on 13.08 acres and having a FAR of 0.47. This building could be used as a high-cube parcel hub warehouse, so this level of use must be analyzed in the FEIR.

CARECA-12 (CONT.)

C. The FEIR Still Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

CARE CA commented that the FEIR's analysis of cumulative impacts is inadequate because it fails to consider the cumulative impacts of past, present, and probable future projects. The City's approach to cumulative impacts, relying on South Coast Air Quality Management District ("SCAQMD") guidance, is that emissions of criteria air pollutants or toxic air contaminants that do not exceed individual project thresholds are also not cumulatively considerable.[16] CARE CA's

[14] *Am. Canyon Cmty. United for Responsible Growth v. City of Am. Canyon* (2006) 145 Cal. App. 4th 1062, 1074 (citing *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 124 Cal.App.4th 430, 443–449)).
[15] *Maintain Our Desert Environment v. Town of Apple Valley, supra,* 124 Cal.App.4th at 444.
[16] DEIR, Appendix B, pg. 53.

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comments provided a discussion of the controlling caselaw,[17] the Attorney General's recent litigation on this issue in *People of the State of California v. City of Fontana*,[18] and pending updates to the SCAQMD significance thresholds for cumulative impacts in response to this litigation. These authorities explain that the City's "drop in the bucket" approach to cumulative impacts does not comply with CEQA.

In Responses 1-10 and 1-11, the Staff Report states: "[t]he commenter is again advised that the SCAQMD is the regulatory authority on air quality charged with the responsibility of ensuring the improvement of air quality in the South Coast Air Basin… The commenter speculates on 'updated thresholds' for air quality impacts. Absent these 'updated thresholds' the EIR properly evaluates air quality impacts in the context of existing thresholds, protocols, and methodologies."[19]

The Staff Report and the FEIR continue to fail to address any of the controlling legal authority on this issue raised in CARE CA's comments. The court in *Environmental Protection Information Center v. California Dept. of Forestry Fire Protection* stated: "[w]e review an agency's decision regarding the inclusion of information in the cumulative impacts analysis under an abuse of discretion standard. 'The primary determination is whether it was reasonable and practical to include the projects and whether, without their inclusion, the severity and significance of the cumulative impacts were reflected adequately.'"[20] CARE CA's comments demonstrate that the SCAQMD individual project significance threshold fail to reflect the significance of cumulative air quality and public health impacts in areas burdened by extensive warehouse development – this Project would add a substantial number of diesel truck trips to routes in an area with a high existing background MATES cancer risk, combining with the emissions of trucks from numerous other warehouses. Analysis of cumulative impacts from past, present, and probable future warehouse projects is feasible. As an example, Dr. Clark's comments present data from Pitzer College's Warehouse CITY tool, which maps existing and proposed warehouses in Los Angeles, Riverside, and San Bernardino Counties.[21] The tool measures metrics including acreage, square footage, and diesel particulate matter and carbon emissions.[22]

CARECA-12 (CONT.)

[17] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692; *Env't Prot. Info. Ctr. v. California Dep't of Forestry & Fire Prot.* (2008) 44 Cal. 4th 459;
[18] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;
[19] Staff Report, Item D - 2467 of 3296.
[20] *Id.* at 525 (citing *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 723.
[21] Available at https://www.pitzer.edu/redfordconservancy/mapping-data-visualization/.
[22] *Id.*; Clark, pg. 7.

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The Staff Report's statement that CARE CA speculates as to "updated thresholds" is erroneous because CARE CA's comments link directly to the materials for SCAQMD's working group meetings – these materials discuss updates to the thresholds.[23] The Staff Report's failure to discuss SCAQMD's pending updates is inconsistent with the Staff Report's statement that SCAQMD is the regulatory authority on air quality. In sum, the City's rote application of SCAQMD significance thresholds without analysis of the context in which the Project is being proposed fails to satisfy the analytical and informational requirements of CEQA.

D. The FEIR's Quantified Health Risk Analysis Underestimates Impacts

CARE CA's comments on the FEIR identify flaws in the City's Mobile Source Health Risk Assessment ("HRA") that underestimate health risk impacts on residential and non-residential (worker) receptors in the vicinity of the Project. In Responses 1-12 and 1-13, the Staff Report disputes these flaws. The Staff Report maintains that "[a]ny variant in interpretation of OEHHA guidance such as is suggested by the commenter would not materially affect the EIR health risk significance conclusions" because "the Project site is surrounded by industrial uses and the nearest sensitive receptor locations are short-term stay hotels located on the opposite side of freeways with the closest being approximately 3/4-mile from the Project site."[24]

CARECA-12 (CONT.)

The Staff Report's statement regarding distance from sensitive receptors ignores that the Project would generate truck trips impacting sensitive receptors along the City's designated truck routes.[25] The Project's primary truck routes would depend on the Project's future uses. Despite uncertainty regarding the Project's future tenants, the HRA makes an unsubstantiated assumption regarding the Project's primary truck route, shown in the exhibit below.[26]

[23] SCAQMD, CEQA Policy Development, https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new); SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=16; SCAQMD Working Group Meeting #5, Cumulative Impacts from Air Toxics for CEQA Projects (March 20, 2024) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20.
[24] Staff Report, Item D – 2468-9 of 3296.
[25] The Ontario Plan, Mobility Element, Figure M-04, https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Mobility/FIgure%20M-04%20Truck%20Routes.pdf.
[26] FEIR, HRA Report, Exhibit 2-C.

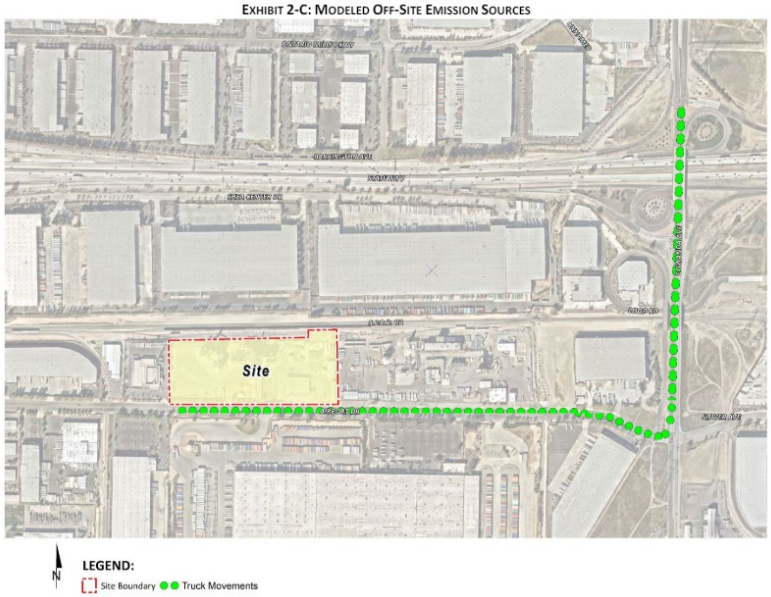
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EXHIBIT 2-C: MODELED OFF-SITE EMISSION SOURCES



CARECA-12 (CONT.)

The HRA only analyzes trucks travelling east along Airport Drive, away from sensitive receptors located west of the Project. Trucks could easily travel west on Airport Drive and north along Milliken Avenue, which are both City-designated truck routes.[27] Sensitive receptors including Receptor R6 are located off Milliken Avenue, and could thus be impacted by cumulative truck trips from this Project and other warehouses. The HRA's assumption that trucks would not travel west along Airport Drive underestimates impacts. A revised HRA must be prepared.

E. The FEIR Still Underestimates Truck Trip Lengths and Resultant Impacts

CARE CA commented that the FEIR underestimates truck trip lengths by failing to account for the Project's distance to the Ports of Los Angeles and Long Beach. CARE CA presented numerous comment letters from SCAQMD

[27] The Ontario Plan, Mobility Element, Figure M-04, https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Mobility/FIgure%20M-04%20Truck%20Routes.pdf; Clark Comments, pg. 5.

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recommending analysis of trips to the Ports, and presented evidence showing that trips to the Ports are a reasonably foreseeable consequence for a warehouse in the City of Ontario. In Response 1-16, the Staff Report states:

> The commenter states that the Final EIR misinterprets the SCAQMD's guidance and provides examples of previous SCAQMD comments on other, unrelated warehouse projects alleging that the Project's truck trip length assumptions are not supported by substantial evidence. As discussed in Draft EIR Section 3.0, Project Description, the Project is proposed as a speculative development and the user(s) of the building is not known at this time (refer to Draft EIR p. 3-13). It is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. As stated in Response to Comment A-18 in the Final EIR, the trip lengths were derived by weighting the average trip lengths using traffic trip percentages.

CARECA-12 (CONT.)

The Staff Report apparently dismisses the SCAQMD comments as inapplicable without providing any evidence demonstrating that the Project's truck trips would be limited to the local 40-mile average trip lengths analyzed in the FEIR, and without considering the additional guidance from SCAQMD contained in the letters which explains that truck trips to and from the ports should be analyzed. Many of the SCAQMD letters recommending consideration of the distance to the Ports were in regard to "spec" warehouses with unknown tenants, just like the Project.[28] The Staff Report and the FEIR's responses fail to respond to this guidance with good faith, reasoned analysis,[29] and still fail to provide any evidence demonstrating that goods brought in and out of the Project's warehouses would primarily come from short-distance truck trips.

The Staff Report's statement that it is speculative to assume trucks may travel to the Ports of Los Angeles and Long Beach also misstates the applicable legal standard. The City's response ignores that an EIR must analyze reasonably foreseeable consequences of a Project. Public Resources Code Section 21065 provides, in part: "'Project' means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical

[28] SCAQMD, Comments on Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449) (October 9, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf ("the future tenant(s) of the building is not known").
[29] CEQA Guidelines, Section 15088 requires "good faith, reasoned analysis in response… Conclusory statements unsupported by factual information will not suffice." The level of detail contained in the response may correspond to the level of detail provided in the comment.

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change in the environment."[30] Here, the Project proposes a 270,337-square-foot industrial building with a proposed height of 46 feet on 13.08 acres of land. CARE CA's comments contain evidence showing that trips to the Ports are a reasonably foreseeable outcome of a warehouse like this (citing to the massive volume of goods moving to and from the Ports, and recommendations from SCAQMD).[31] In light of this evidence, the City's assumption that trucks would not travel to the Ports is speculative, unsupported by substantial evidence, and is a failure to analyze a reasonably foreseeable use permitted by the Development Plan.

This letter contains additional substantial evidence showing that trips to the Ports are reasonably foreseeable. The National Center for Sustainable Transportation ("NCST"), sponsored by the California Department of Transportation, prepared a research report titled "Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns" in 2017.[32] The report analyzed Southern California Association of Governments ("SCAG") data on warehouses in the six counties that comprise the SCAG region (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura). The report finds that **56% of the facilities in the SCAG region receive goods from the Port of Los Angeles and Long Beach**, and around 50% deliver to Southern California warehouses, retail stores or manufacturing plants.[33] This data suggests that trips to the Ports are reasonably foreseeable, and that it would be speculative not to account for distance to the Ports.

CARECA-12 (CONT.)

In June 2014, SCAQMD staff conducted a business survey of warehouse operators in the SCAQMD region.[34] The survey found that **42% of goods going to high-cube warehouses in the SCAQMD region originated from the Ports**, per the figure below.[35]

[30] *See* Cal. Code Regs., tit. 14, § 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376.
[31] ABJC, Letter to City re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (April 15, 2024), Clark Comments, pg. 6.
[32] NCST, Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns (July 2017), available at https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/final-reports/ca17-2975-finalreport-a11y.pdf.
[33] *Id.* at 6-7.
[34] SCAQMD, SCAQMD High Cube Warehouse Truck Trip Study White Paper Summary Of Business Survey Results (June 2014), available at https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/business-survey-summary.pdf.
[35] *Id.* at pg. 11.

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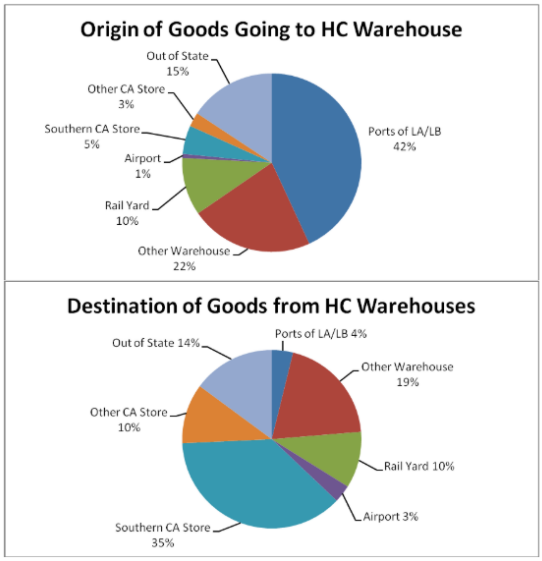
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Origin and Destination of Goods

22 of 34 high cube warehouse respondents provided the origins and destinations of goods flowing to and from their facility. Major trends seen in the charts below include:

- The ports of Los Angeles and Long Beach make up a large share of imported goods yet only a minor component of exported goods
- Approximately 1 in 5 truck trips occurs between warehouses
- Approximately 1 in 7 truck trips involves an out of state location
- Approximately 1 in 10 truck trips involves a rail yard



During discussion at the April 15, 2024 Development Advisory Board hearing, a City consultant suggested that if the Project only makes truck trips to other warehouses, it would not be necessary to evaluate distance to the Ports. The figure above shows that only a small percentage of goods come from other warehouses and that the lion's share of goods are from the Ports. Thus, it would be speculative to disregard the Project's distance from the Ports in analyzing its impacts.

CARE CA's prior comments discussed the volume of goods passing through the Ports. 32 percent of all containers in the U.S. move through the Ports.[36]

CARECA-12 (CONT.)

[36] SCAG, ConnectSocal, Technical Report re Goods Movement (Adopted September 3, 2020), pg. 9, available at https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_goods-movement.pdf?1606001690.

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Approximately 40 percent of the total U.S.-Asia trade is served by the Ports, and 40 percent of the imports entering the Ports are transloaded or cross-docked.[37]

Substantial evidence also demonstrates the demand for port-related warehouse space is expected to expand. SCAG's 2012-2035 Regional Transportation Plan forecasts that "Demand for port-related warehouse space is projected to grow at a faster pace than demand for domestic warehousing… As space near the San Pedro Bay Ports reaches capacity, port warehousing will push out to the Inland Empire…. By 2035, the region may experience a shortfall of more than 228 million square feet in warehouse space relative to demand."[38] The table below reflects SCAG's forecasts for growth in demand for port-related warehouse space. The growth in the port-related market is expected to be much higher than the domestic market.[39]

Table 2.4 2014-2040 Minimum and Maximum Growth in Unconstrained Occupied Warehouse Space by Cargo Market across Alternate Scenarios

	Growth Percentage Range		Annualized Growth Rate Range	
Cargo Market	**Min.**	**Max.**	**Min.**	**Max.**
Port-related market	56%	83%	1.7%	2.4%
Border Crossing-related market	75%	165%	2.2%	3.8%
Domestic market	26%	39%	0.9%	1.3%
Total	**31%**	**45%**	**1.1%**	**1.4%**

Source: SCAG Warehouse Space Forecasting Model, Version 1.0, developed in June 30, 2016.

In sum, substantial evidence demonstrates that trips to the Ports are reasonably foreseeable for a spec warehouse proposed in the SCAG region, like this one. The lack of a specific tenant identified for the Project does not justify omission

CARECA-12 (CONT.)

[37] SCAG, Industrial Warehousing in the SCAG Region – Task 3: Assessment of Supply Chain Strategies and Implications for Future Development (April 2018), Pg. 1-4, 1-5, https://scag.ca.gov/sites/main/files/file-attachments/task3_supplychaintrends.pdf?1604268170. (Transloading refers to transferring of import cargo from ocean containers into domestic 53-foot containers and trailers for onward movement to U.S. inland destinations via rail or truck. Crossdocking is a type of transloading in which the cargo is transloaded within approximately 24 hours of arriving at the transload facility.).
[38] SCAG, 2012-2035 RTP/SCS, pg. 68, available at https://libraryarchives.metro.net/dpgtl/scag/2012-2035-regional-transportation-plan.pdf.
[39] SCAG, Industrial Warehousing in the SCAG Region – Task 5: Developing a Policy Evaluation Framework and Assessing the Implications (April 2018), Pg. 2-11, available at https://scag.ca.gov/sites/main/files/file-attachments/task5_developingpolicyevaluation.pdf?1604268239.

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of this analysis. As a result of this omission, the FEIR underestimates transportation, air quality, and GHG impacts.

F. The FEIR Still Fails to Include Sufficient Investigation into Energy Conservation Measures

CARE CA commented that the FEIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines.[40] CARE CA's comments discussed the decision in *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[41] in which the Court of Appeal held that an EIR failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options.[42]

In Response 1-20, the Staff Report suggests that discussion of energy consumption measures is not required for this Project because its energy impacts are less than significant.[43] The City continues to make the same error as the lead agency in *CCEC* because the EIR in that case also identified a less-than-significant energy impact.[44] The court held that the EIR must nonetheless analyze energy consumption measures.[45]

Response 1-20 provides a "CEQA Guidelines Appendix F Energy Analysis" in Table 1-1.[46] Table 1-1 addresses factors listed in Appendix F, subdv. II(C), but fails to include any discussion of renewable energy options. As explained in *CCEC*, an EIR fails to comply with the requirements of Appendix F by not discussing or analyzing renewable energy options.[47] And as explained in CARE CA's prior comments, this FEIR must analyze the feasibility and effectiveness of measures including onsite solar facilities, electric vehicle charging, alternative fuel sources for the backup generators, more stringent idling requirements, and use of existing power sources during construction rather than generators.

The Staff Report contains additional responses regarding energy in Responses 1-21 to 1-25, but none address the feasibility of reducing energy

CARECA-12 (CONT.)

[40] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[41] (2014) 225 CA4th 173.
[42] *Id.* at 213.
[43] Staff Report, Item D - 2471 of 3296.
[44] *CCEC, supra*, 225 CA4th 173 at 183.
[45] *Id.* at 213.
[46] Staff Report, Item D - 2471 of 3296.
[47] *CCEC, supra*, 225 CA4th 173 at 213.

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consumption through onsite solar facilities. Response 1-21 states that the City need not evaluate using alternative fuel sources for backup generators because their emissions would be less-than-significant.[48] Again, the Staff Report makes the same mistake proscribed in *CCEC* by assuming no analysis of energy consumption measures is required if the Project's energy impact is less-than-significant.[49]

In Response 1-22, the City states that it would be infeasible to set more stringent idling requirements over existing requirements because there is no enforcement mechanism that the City can assure to enforce adherence.[50] But the City is authorized under Development Code Section 4.02.025(E) to impose conditions of approval to protect public health and mitigate environmental impacts. Section 4.02.025(E)(3) states that "All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code." Unenforceability is thus not a valid reason not to consider a more stringent idling requirement.

In Response 1-23, the Staff Report states that the FEIR adequately evaluated the feasibility of utilizing existing power sources (e.g., power poles) or alternative fuel generators rather than temporary power generators during construction. The Response seems to misunderstand the nature of CARE CA's comment by discussing how "new dry utility infrastructure would be installed underground."[51] Instead, the FEIR should have included a discussion on the feasibility of a measuring limiting use of diesel generators during construction.

In Response 1-25, the Staff Report states that it meaningfully addresses Appendix F's considerations of "whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope."[52] But neither the Staff Report nor the FEIR contain this analysis.

In sum, the FEIR's energy analysis remains wholly inadequate. The Staff Report and the FEIR make no attempt to evaluate the feasibility of onsite renewable energy generation and storage, and fail to consider the feasibility of electric vehicle charging beyond existing requirements. And the Staff Report's

CARECA-12
(CONT.)

[48] Staff Report, Item D - 2473 of 3296.
[49] *CCEC, supra*, 225 CA4th 173 at 213.
[50] Staff Report, Item D - 2474 of 3296.
[51] Staff Report, Item D - 2474 of 3296.
[52] Staff Report, Item D - 2474 of 3296.

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responses to proposed energy consumption measures in Responses 1-21 to 1-25 are generally nonresponsive and fail to meet CEQA's requirements.

III. THE COMMISSION CANNOT MAKE THE REQUISITE FINDINGS TO APPROVE THE PROJECT

Section 4.02.025(D) of the City of Ontario Municipal Code sets forth findings necessary to approve a development plan. The Code provides that an application for a development plan shall be denied if the following finding (among others) cannot be clearly established: "The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project."[53]

The Project would have a significant and unavoidable VMT impact. And the Project has potentially significant vapor intrusion, health risk, air quality, GHG, and energy impacts which have been underestimated in the FEIR. Because the Project's impacts on public health, safety and general welfare have not been adequately analyzed and mitigated, the City cannot make the requisite findings to approve the Project. A revised EIR must be recirculated before the Project can be recommended for approval.

CARECA-12 (CONT.)

IV. CONCLUSION

As is explained herein, the FEIR's hazards, air quality, health risk, energy, and transportation analyses remain substantially inaccurate and incomplete, failing to comply with the requirements of CEQA. As a result, the FEIR still fails to adequately disclose and mitigate the Project's significant impacts. As a consequence of these impacts, the City cannot make the requisite findings under CEQA to certify the FEIR or under the City of Ontario Municipal Code to approve the Project's Development Plan. CARE CA urges the Commission to require the City revise and recirculate the EIR before any further action is taken on the Project.

Sincerely,

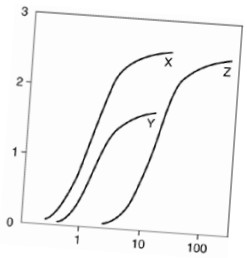
Aidan P. Marshall

Attachment
APM:acp

[53] Section 4.02.025(D)(3).

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EXHIBIT A



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May 28, 2024

Adams Broadwell Joseph & Cardozo
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Attn: Mr. Aidan Marshall

Subject: Comments On Staff Report For Final Environmental Impact Report (DEIR) 5355 Esat Airport Drive, City of Ontario, CA SCH No. 202209006

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed materials related to the August 2023 City of Ontario's (the City) DEIR of the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

Project Description:

According to the City of Ontario's Development Advisory Board Decision File No. PDEV22-017 – Draft EIR (dated March 18, 2024), the draft EIR consists of a Development Plan application to construct a 270,337 square-foot industrial building on the 13.08 acres of the Project site. The Project would require the demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The design would also include the installation of site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detection facilities, exterior lighting, walls/fencing, and signage along with improvements to East Airport Drive.

CARECA-12
(CONT.)



Figure 1: Site Location Map

Under existing conditions, the Project Site is developed with a grain processing company and a corn storage and distribution facility. The eastern portion of the Project Site contains grain storage silos, grain mill area, and five buildings that are used for maintenance and repair, grain storage, and service shop. The western portion of the Project Site contains enclosed grain storage, with an office trailer. A vehicle wash-down area is also present on the northeastern portion of the Site. Several subsurface septic systems are located beneath the Site to serve the existing uses.

CARECA-12 (CONT.)

In the Meeting Agenda for the May 28th, 2024 City of Ontario Planning Commission/Historic Preservation Meeting Agenda, the City included responses from T&B Planning (T&B) to comments on the Final EIR for the Project provided by CARE CA. The responses from T&B for the City in total claim that no new information has been provided within the comments. This assertion is not supported by the information provided within the responses from CARE.

Specific Comments

1. **Comment 1-12: The City's Air Quality Analysis Did Not Incorporate Building Downwash In The AERMOD Analysis.**

T& B claims that building downwash is not appropriate for volume or area sources. This is incorrect. The choice to model the idling trucks, which are movable discrete point sources onsite below the line of the building roof, is a controllable feature in the AERMOD model. Volume sources are defined in the AERMOD Users Guide as included a variety of industrial sources, such as building roof monitors, multiple vents, and conveyor belts.[1] Volume sources are characterized as having a defined specific release height above the ground, an initial lateral dimension of the volume, and an initial vertical dimension. While the assumption that roadways and idling trucks in the Health Risk Assessment can be modeled as a line of volume sources, it must be pointed out that emissions from idling trucks and moving trucks will come from the exhaust pipe(s) to the engine, releasing diesel particulate matter (DPM) from a raised pipe at a specific rate (a point source). Therefore, the use of building downwash in the model to ensure that the modeled concentrations are not underestimated is appropriate. Omission of the building downwash effect underestimates the exposure point concentrations for receptors near the building(s). T&B, in Response 1-12, states that the Project's Air Quality Impact Analysis experts (Technical Appendix B1 of the Draft EIR) have concluded that truck idling emissions sources resulting from the Project would not be materially affected by downwash, but it is important to note that the HRA does not quantify the effects of downwash. The City should address the impact of this issue in a Revised DEIR.

2. **Comment 1-41: The Air Quality Analysis Relies On An Input Value From AP-42 That**

CARECA-12 (CONT.)

[1] U.S. EPA. 2023. User's Guide for the AMS/EPA Regulatory Model (AERMOD). Pg 3-68

Is Rated As Poor And Maybe Unreliable

T&B's response that the impact from a poorly rated AP-42 value is incorporated into the analysis is not new evidence is not supported by the evidence in the FEIR. As was noted in my prior comments, the CalEEMOD analysis of the construction emissions incorporates various factors from U.S. EPA's Emission Factors Handbook (AP-42). The AP-42 emission factor for crushing stones used in the CalEEMOD analysis is rated E. This is the worst rating in AP-42, which according to U.S. EPA may not represent a random sample of the industry. The City's response to the questioning of the rating of the emission factor was qualitative at best, failing to show any quantitative analysis of the potential impacts. The City should assess the impacts of this variable in a Revised DEIR.

3. Comment 1-16: The Average Truck Trip Length Of 40 Miles Used In The Air Quality Analysis Does Not Match The Length(s) Used To Support Other Warehouse Projects.

According to T&B's response, the Project is proposed as a speculative development and the user(s) of the building. T&B goes on to state that it is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. This line of reasoning clearly conflicts with the goals of CEQA to analyze the foreseeable and reasonable emissions from the Project.

This statement also does not comport with the reality of where warehoused materials will ship from in the region. The 40-mile distance is insufficient to allow vehicles to travel to the major ports in the Southern California region – Los Angeles and Long Beach. These Ports are the largest source(s) of containerized products, and therefore the primary sources of heavy-duty truck traffic, on the West Coast of the United States are the Ports of Los Angeles and Long Beach. "In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade. The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day. Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately

CARECA-12 (CONT.)

700 million square feet, an increase of 20 percent over the last five years"),[2] citing data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units)[3] from 2020, the Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide.[4] The distance from the Port of LA to the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710.

Using the 62-mile daily truck trip will nearly double the daily emissions of pollutants associated with the Project, increasing the regional burden and resulting in a potentially significant impact. The City must address the impact of this issue in a R-FEIR.

4. Additional Comments On The FEIR

a. The Truck Route Assumed For The Project Site Ignores The Traffic Constraints Of The Project Site

The truck route assumed in the FEIR assumes traffic will only exit the Project Site and turn left on East Airport Drive to S. Etiwanda Avenue. This route requires the trucks using the Project Site to cross (turn left out of the Project Site) Airport drive and to cross South Etiwanda Drive (turn left onto S. Etiwanda Avenue). The assumed distance to the 10 freeway is approximately 0.8 mile. An alternate route for traffic was not assessed in the FEIR which is longer than the primary route, but would have fewer traffic challenges for the drivers. Assuming trucks exit the Project Site and turn right (avoiding the delay getting across Airport Drive) then turn right on South Milliken Avenue, the vehicles will also be able to reach the 10 Freeway. The distance for this route is approximately 1.6 miles and is closer to the residential properties identified in the FEIR. The City must consider this alternate route and the air quality impacts in a R-FEIR.

b. The HRA And Air Quality Analysis Failed To Assess A Receptor Closer To The Project Site Than The Residential Properties To The Northwest – The San Bernardino County West Valley Detention Center

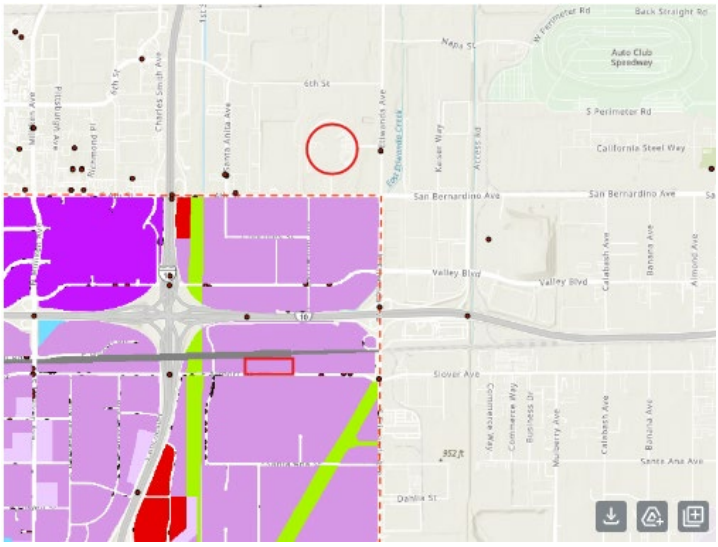
CARECA-12 (CONT.)

[2] Available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

[3] https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/

[4] U.S. Dept. of Transportation, Federal Highway Administration, FHWA Operations Support – Port Peak Pricing Program Evaluation (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm

The HRA and Air Quality Analysis failed to consider a significant receptor near the Project Site. The San Bernardino County West Valley Detention Center is located approximately 5,600 feet north northeast of the Project Site at 9500 Etiwanda Ave in Rancho Cucamonga. The Detention Center houses approximately 3,347 inmates and 600 workers.

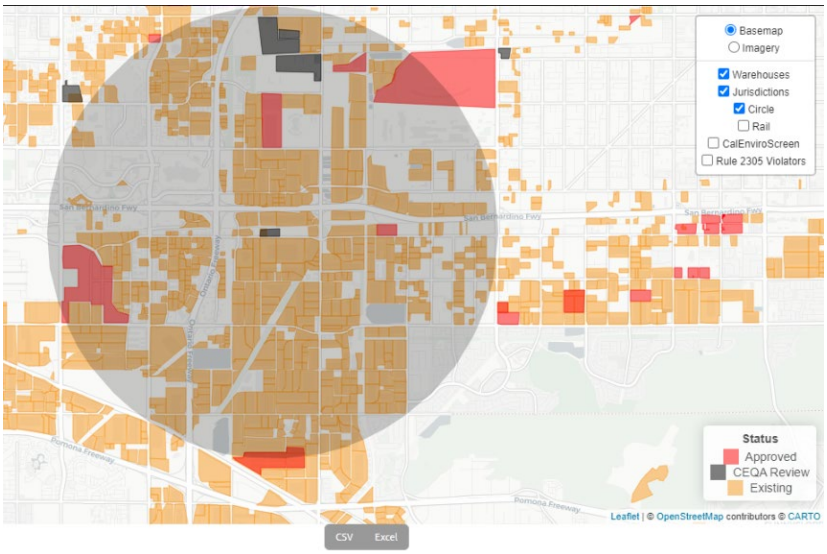


The Detention Center is nearly 3,000 feet closer to the Project Site, and is nearer the proposed truck route, than the residential property identified in the HRA. The City must assess the impacts of the Project emissions on this receptor center in a revised DEIR.

c. The Cumulative Analysis Of The Project Failed To Consider The Significant Number Of Existing Warehouse Projects In The Vicinity

Based on the current analysis of warehouse projects within a 5-kilometer radius (3.1 miles) of the Project Site, there are 595 current warehouses, totaling 126,400,000 square feet of floor space.

CARECA-12 (CONT.)



CARECA-12 (CONT.)

Those projects account for 85,000 truck trips per day, which emit 117.6 lbs of DPM and 13, 243 lbs of NOx per day. There is an additional 7,400,000 square feet of warehousing that is either approved or undergoing CEQA review (includes the Airport Site). The cumulative impacts must be considered in a revised DEIR.

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised draft environmental impact report should be prepared to address these substantial concerns.

Sincerely,

ATTACHMENT D

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August 27, 2024

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Thomas Grahn, Senior Planner
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Email: TGrahn@ontarioca.gov

Re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006)

Dear Planning Commission Members and Mr. Grahn:

On behalf of Californians Allied for a Responsible Economy ("CARE CA"), we submit these comments on the 5355 East Airport Drive Project (SCH No. 2022090006; File No. PDEV22-017) ("Project"), proposed by Prologis. Inc ("Applicant") in the City of Ontario ("City"). The Project's Final Environmental Impact Report ("FEIR") and development plan will be considered at the August 27, 2024 Planning Commission meeting as Agenda Item B. The Commission will consider certification of the FEIR and approval of the Development Plan application.

On May 28, 2024, the Planning Commission conducted a hearing to consider the Project and continued the Project for further consideration. In advance of the hearing, CARE CA submitted comments on the FEIR showing that the FEIR failed to comply with the requirements of CEQA by failing to accurately disclose and mitigate potentially significant air quality, public health, greenhouse gas ("GHG"), energy, transportation, and cumulative impacts. The Staff Report contains responses[1] to CARE CA's comments on the FEIR. However, the responses fail to resolve the major flaws CARE CA and its experts identified in the FEIR. The

CARECA-13

[1] Letter from T&B Planning Inc. to City, re: 5355 East Airport Drive (PDEV22-017) – Response to May 28, 2024 Comment Letter from CARE CA (August 8, 2024).

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responses primarily claim that any issues raised by CARE CA have already been addressed in the FEIR and prior responses. This is incorrect. As shown herein, the City's responses fail to resolve the legal deficiencies identified in CARE CA's comments, and do not bring the FEIR into compliance with CEQA. The Project's environmental review remains inadequate.

We reviewed the Planning Commission Staff Report with the assistance of air quality expert Dr. James Clark[2] and transportation expert Norm Marshall.[3]

CARE CA urges the Planning Commission to require the City revise and recirculate the EIR to comply with CEQA before any further action is taken on the Project.

CARECA-13 (CONT.)

A. The FEIR Improperly Defers Formulation of Mitigation Measures for Hazardous Materials

The Project's Phase I/II Environmental Site Assessment shows that ethylbenzene concentration in one soil vapor sample exceeded the calculated soil gas commercial/industrial screening level of 163 micrograms per cubic meter.[4] CARE CA commented that the FEIR fails to disclose this impact in the body of the FEIR or analyze the resultant health impacts on people, in violation of CEQA.[5] The Court in *Banning Ranch Conservancy v. City of Newport Beach* explained:

> The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project. "[I]nformation 'scattered here and there in EIR appendices,' or a report 'buried in an appendix,' is not a substitute for "a good faith reasoned analysis...."[6]

In Responses CARE-5 and CARE-6, the Staff Report still fails to address this critical informational defect. The responses simply state that the Media Management Plan explains the mitigation procedures that will be undertaken for all earthwork that involves chemically impacted soil.[7] But the Media Management Plan provides only general guidance on how impacted soil would generally be

CARECA-14

[2] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[3] Mr. Marshall's technical comments and curricula vitae are attached hereto as **Exhibit B.**
[4] FEIR, Phase I/II Environmental Site Assessment, pg. viii.
[5] DEIR, Page 4.7-13 (discussing contaminants in excess of thresholds).
[6] *Banning Ranch Conservancy v. City of Newport Beach*, 2 Cal.5th 918, 941 (citing *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442).
[7] Staff Report, Letter from T&B Planning Inc., pg. 2-3.

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addressed – it does not address the FEIR's informational flaw of failing to disclose whether ethylbenzene contamination is a significant impact requiring mitigation.

CARE CA also commented that the FEIR improperly defers formulation of mitigation for PCE and ethylbenzene contamination. It is unclear whether the City will remove PCE and ethylbenzene contaminated soil or adopt passive/engineered vapor intrusion mitigation such as installing a vapor barrier or venting. Responses CARE-5 and CARE-6 state that the Media Management Plan explains the mitigation procedures that will be undertaken for all earthwork that involves chemically impacted soil.[8] But the Media Management Plan simply describes best practices for any required earthwork activities at the Project site. The Plan does not specify whether passive/engineered vapor intrusion mitigation may be employed as opposed to removal of all impacted soil, does not quantify the impacts associated with each form of mitigation (e.g. construction impacts associated with excavation, removal and backfilling contaminated soil versus impacts of installing vapor intrusion barriers), and does not commit the City of the Applicant to specific binding mitigation. As such, the Staff Report fails to address CARE CA's comments regarding the Project's significant soil contamination issues.

CARECA-14 (CONT.)

B. The City Still Fails to Adequately Evaluate Trips Generated by the Project

CARE CA's comments on the FEIR demonstrated that the Project's size and number of parking spots would enable it to be used as a High Cube Parcel Hub Warehouse, which has a trip generation rate 2.6 times the rate used in the FEIR. Responses CARE-7 and CARE-8 state that "the Lead Agency maintains its position regarding accuracy and adequacy of the EIR trip generation estimates" and "no further response is required."[9] Response CARE-8 further states that "[b]ased on the Project's design, there is no reasonable possibility that the Project could be used as a parcel hub."[10]

CARECA-15

The City has not provided substantial evidence in support of this claim. Conversely, transportation expert Mr. Marshall discusses the Project's features in detail, demonstrating that it could be used as a parcel hub.[11] Mr. Marshall and CARE CA's comments demonstrate that the proposed structure has adequate square feet to support use as a parcel hub (at least 200,000 sf), has a ceiling height

[8] Staff Report, Letter from T&B Planning Inc., pg. 2-3.
[9] Staff Report, Letter from T&B Planning Inc., pg. 3.
[10] *Id.*
[11] Marshall Comments, pg. 4-5.

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of 24 feet or more, and has adequate parking.[12] The City fails to rebut this evidence with any evidence.

CARECA-15 (CONT.)

C. The FEIR Still Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

CARE CA commented that the FEIR's analysis of cumulative impacts is inadequate because it fails to consider the cumulative impacts of past, present, and probable future projects. In summary, the City's approach to cumulative impacts is that emissions of criteria air pollutants or toxic air contaminants that do not exceed *individual* project thresholds set by South Coast Air Quality Management District ("SCAQMD") are also not *cumulatively* considerable.[13] CARE CA's comments explained that rote application of SCAQMD significance thresholds without analysis of the context in which the Project is being proposed fails to satisfy the analytical and information requirements of CEQA, per caselaw such as *Kings County Farm Bureau v. City of Hanford.*[14]

Responses CARE-9 and CARE-10 state that the FEIR and prior responses to comments already adequately responded to these comments, and no further response is necessary.[15] But at no point have the City's responses meaningfully addressed the caselaw proscribing the City's invalid approach to cumulative impacts. Response CARE-11 reiterates that the City is complying with current South Coast Air Quality Management District ("SCAQMD") guidance, as opposed to pending updates to the cumulative impacts guidance. Again, this response ignores the underlying legal mandates for these updates, which include recent CEQA cases such as *People of the State of California v. City of Fontana.*[16]

CARECA-16

D. The FEIR's Quantified Health Risk Analysis Underestimates Impacts

CARE CA commented that the City's Mobile Source Health Risk Assessment ("HRA") underestimates health risk impacts on sensitive receptors. One issue is that the HRA only analyzes trucks travelling east along Airport Drive, away from sensitive receptors located west of the Project. Trucks could easily travel west on

CARECA-17

[12] *Id.*; CARE CA letter to City re: Agenda Item D – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (May 28, 2024), pg. 6.
[13] DEIR, Appendix B, pg. 53.
[14] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("Kings County"); *see also, Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.
[15] Staff Report, Letter from T&B Planning Inc., pg. 3-4.
[16] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6;

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Airport Drive and north along Milliken Avenue, which are both City-designated truck routes. Response CARE-13 states that "[e]ven if trucks travel to and from the Project site along the route as the commenter suggested, it would not materially affect the EIR health risk significance conclusions, as the risks are well below the significance threshold."[17] This statement is not supported by any quantitative analysis. Further, the claim that risks are well below the significance threshold is based on calculations that assume trucks would travel east, away from sensitive receptors. Thus, the City's response is not supported by substantial evidence.

CARECA-17 (CONT.)

CARE CA's air quality expert also demonstrated that the HRA failed to account for building downwash and relied on unreliable input values. Responses CARE-27 and CARE-28 state that no additional response is required regarding these issues. Dr. Clark's comments, attached, demonstrate that the HRA's methodological flaws and unsupported conclusions have not been resolved.

E. The FEIR Still Underestimates Truck Trip Lengths and Resultant Impacts

CARE CA commented that the FEIR underestimates truck trip lengths by failing to account for the Project's distance to the Ports of Los Angeles and Long Beach. CARE CA presented numerous comment letters from SCAQMD recommending that warehouse project's analyze trips to the Ports, and presented evidence showing that trips to the Ports are a reasonably foreseeable consequence for a warehouse in the City of Ontario. Responses CARE-14 and CARE-15 respond that "[t]he commenter raises no new or additional environmental issues" and "no further response is required."[18]

CARECA-18

Further response is necessary because the City's previous response (Response 1-16) in the May 28, 2024 Staff Report erroneously stated that the SCAQMD guidance is inapplicable to this Project because this Project would be a speculative warehouse.[19] But as explained in CARE CA's prior comments, SCAQMD advises

[17] Staff Report, Letter from T&B Planning Inc., pg. 4.
[18] Staff Report, Letter from T&B Planning Inc., pg. 5.
[19] "The commenter states that the Final EIR misinterprets the SCAQMD's guidance and provides examples of previous SCAQMD comments on other, unrelated warehouse projects alleging that the Project's truck trip length assumptions are not supported by substantial evidence. As discussed in Draft EIR Section 3.0, Project Description, the Project is proposed as a speculative development and the user(s) of the building is not known at this time (refer to Draft EIR p. 3-13). It is unknown and speculative at this time whether trucks serving the Project would travel to the Ports of Los Angeles and Long Beach as a trip origin or designation, given the complexities of supply chain routing and transportation geography. As stated in Response to Comment A-18 in the Final EIR, the trip lengths were derived by weighting the average trip lengths using traffic trip percentages."

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speculative warehouses to analyze trips to the Ports.[20] The City has not corrected this omission or meaningfully addressed this issue.

In response to the studies presented in CARE CA's comments showing that trips to the Ports are reasonably foreseeable, Response CARE-16 argues that the studies show that it is more likely that the Project will not service the Ports.[21] But as explained in CARE CA's prior comments, an EIR must analyze reasonably foreseeable consequences of a project.[22] Here, the Project proposes a 270,337-square-foot industrial building with a proposed height of 46 feet on 13.08 acres of land. CARE CA's comments contain evidence showing that trips to the Ports are a reasonably foreseeable outcome of a warehouse like this (citing to quantitative evidence regarding the massive volume of goods moving to and from the Ports, as well as specific recommendations from SCAQMD).[23] In light of this evidence, the City's assumption that trucks would not travel to the Ports is unsupported by substantial evidence and is a failure to analyze a reasonably foreseeable use permitted by the Development Plan, as required by CEQA.

CARECA-18 (CONT.)

F. The FEIR Still Fails to Include Sufficient Investigation into Energy Conservation Measures

CARE CA commented that the FEIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines.[24] CARE CA's comments discussed the decision in *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[25] in which the Court of Appeal held that an EIR failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options.[26] Response CARE-17 states "[t]his comment does not raise any new issues concerning the environmental analysis provided in the Draft EIR and thus no further response is required."[27]

CARECA-19

[20] SCAQMD, Comments on Notice of Availability of a Recirculated Draft Environmental Impact Report (EIR) for Rubidoux Commerce Park Project (Proposed Project) (SCH No. 2020110449) (October 9, 2023), available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf ("the future tenant(s) of the building is not known").
[21] Staff Report, Letter from T&B Planning Inc., pg. 5.
[22] Public Resources Code Section 21065; *see* Cal. Code Regs., tit. 14, § 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376.
[23] ABJC, Letter to City re: Agenda Item B – File No. PDEV22-017: 5355 East Airport Drive Project (SCH No. 2022090006) (April 15, 2024), Clark Comments, pg. 6.
[24] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[25] (2014) 225 CA4th 173.
[26] *Id.* at 213.
[27] Staff Report, Letter from T&B Planning Inc., pg. 6.

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Further response is necessary because the City has not yet analyzed the feasibility and effectiveness of measures including onsite solar facilities, such as rooftop, parking lot, or ground-level solar photovoltaics. The City has not addressed considerations such as the technical and economic feasibility of installing solar facilities on the Project site, the potential size of the Project's solar zone, and the potential magnitude of mitigation provided by installing solar facilities. The City has not evaluated the extent to which mobile source energy consumption could be reduced during Project operations through electric vehicle charging infrastructure (above what is required by existing regulations).

Response CARE-18 simply states that the Project would be solar ready, but this information does not meet CEQA's requirements discussed herein and in CARE CA's prior comments. As such, the Project's energy analysis remains inadequate.

CARECA-19 (CONT.)

II. CONCLUSION

As is explained herein, the Staff Report does not correct major flaws in the FEIR's hazards, air quality, health risk, energy, and transportation analyses. The Project's environmental review remains substantially inaccurate and incomplete, failing to comply with the requirements of CEQA. As a result, the City cannot make the requisite findings under CEQA to certify the FEIR or under the City of Ontario Municipal Code to approve the Project's Development Plan.

CARE CA urges the Commission to comply with CEQA and require the City revise and recirculate the EIR before any further action is taken on the Project.

CARECA-20

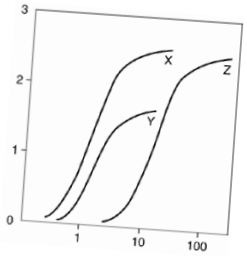
Sincerely,

Aidan P. Marshall

Attachments
APM:acp

6752-010acp

EXHIBIT A



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August 23, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
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Attn: Mr. Aidan Marshall

Subject: Response To Comments Prepared By T&B Planning for City of Ontario Regarding 5355 East Airport Drive, City of Ontario, CA PDEV22-017

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed the August 8, 2024 Memorandum from T&B Planning regarding the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

CARECA-21

Specific Comments

1. **CARE-4/CARE-5: Failure To Disclose Impacts Of Ethylbenzene Concentrations In The Subsurface Soils At The Site And Development of Mitigation Measures For Worker Safety.**

T&B's response refers us to the Media Management Plan (Attachment F to the Final EIR). Despite the statement from T&B. that attachment F to the Final EIR is the Media Management Plan from Farallon, it is clear that the file was never attached to the FEIR that is posted at the City of Ontario's website. The Plan is attached to Item B starting on

CARECA-22

page 3039 of the 3379 included in the pdf. According to the Media Management Plan the subject property will be redeveloped as an approximately 250,000 square foot (footprint) warehouse. This is different from the 270,337 square foot industrial building description of the project listed in the Planning Commission Agenda Report.

This comment was specifically to address concerns over the presence of at least two known carcinogens (PCE and ethylbenzene) that were measured onsite in the soil and or soil vapor at the site. Mitigation of the carcinogens prior to initiating redevelopment of the property would ensure workers safety onsite. The Media Management Plan states that "if Contractor encounters an unanticipated condition, the Contractor will stop work, secure the work area, and notify Prologis within 24 hours of discovery of the condition. Prologis will identify and contact the appropriate entity to respond to the unanticipated condition. The procedures that will be followed in the event that an unanticipated subsurface structure is discovered are summarized below:

- A licensed Contractor or an Environmental Professional will remove and containerize any observed residual liquid, sludge, or sediment in the subsurface structure, and will characterize the residual material(s) as required by the waste-receiving facility(ies);
- The Contractor will remove the subsurface structure in compliance with applicable laws and regulations, and under permit from and oversight by the applicable regulatory agency, if required;
- Soil removal actions will be performed in accordance with the procedures outlined in this MMP; and
- The area will be cleared after any required regulatory authorization has been obtained from the permitting agency, so work may proceed."

This approach relies upon the construction workers onsite being able to identify environmental hazards that may not necessarily include visible staining of soils or visible emissions. Prior to any demolition of the site, preparation of a site-specific remedial action work (RAW) plan should be initiated to protect workers onsite. The purpose of the RAW would be to: 1) present and evaluate existing Site conditions; 2) establish appropriate removal action objectives (RAOs) for protection of human health and the environment; and 3) evaluate alternatives and

CARECA-22
(CONT.)

identify a final recommendation for a removal action at the Site that is protective of human health and the environment.

CARECA-22 (CONT.)

2. CARE-14, CARE-15, CARE-16, and CARE-29: The Average Truck Trip Length Of 40 Miles Used In The Air Quality Analysis Does Not Match The Length(s) Used To Support Other Warehouse Projects.

According to T&B's response no new or additional environmental issues have been raised with these comments. The EIR's flaws have not been resolved regarding the average trip length in the air quality analysis. T&B quotes from the National Center for Sustainable Transportation (NCST) report on Southern California Warehouse and Distribution Center Facilities noting that "the study also stated that "around 62% of the facilities in the SCAG region (approximately 4,900 buildings) are facilities larger than 50,000 sf mainly serving non-port related services. Most of the flow of goods by truck (85% of trips) found in the area is associated with local or intra-regional trips while international shippers have a higher use share of rail and air networks. Activities at port-related warehouses which locate in the Gateway cities focus mainly in transloading, deconsolidation and some value added services. National and international distribution centers are found mainly in the Inland Empire region."[1]

CARECA-23

T&B fails to include the next paragraph which notes[2] "Among the six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura) that comprise the SCAG region, Los Angeles (31.2%), Riverside (21.2%) and San Bernardino (30.2%) account for the largest share of total miles of primary freight network (SCAG, 2016). Consequently, the majority of the facilities (larger than 50,000 sq. ft.) are located in these counties. In terms of the available land for new warehouses, the Inland Empire shows the highest availability (Figure 2) (SCAG, 2009). *56% of the facilities receive goods from the Port of Los Angeles and Long Beach, and around 50% deliver to Southern California warehouses, retail stores or manufacturing plants." (Emphasis added)*. Clearly the NCST report

[1] NCST. 2017. Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns: A Research Report from the National Center for Sustainable Transportation. Prepared by Miguel Jaller and Leticia Pineda. Dated July 2017. Pg. 6

[2] Ibid Pg. 6-7.

validates that the majority of facilities in the SCAG region receive goods from the Ports of Los Angeles and Long Beach.

As I previously stated in comments on the Project, the 40-mile distance is insufficient to allow vehicles to travel to the major ports in the Southern California region – Los Angeles and Long Beach. The distance from the Port of LA to the Project site is approximately 62 miles via Interstate 15 to Route 91 to Interstate 710. Using the 62-mile daily truck trip will nearly double the daily emissions of pollutants associated with the Project, increasing the Regional burden and resulting in a potentially significant impact.

CARECA-23 (CONT.)

3. CARE 20: Emissions From Diesel Generators.

T&B states that "The intermittent use of a backup generator during either construction or operation would not result in a substantial or measurable amount of emissions, since by the very nature of the activity, it would be short-term, intermittent, and infrequent. Thus, contrary to the commenter's assertion, measures to reduce this source of temporary and intermittent use of energy is not required. The City's experts disagree with the commenter and no further response is required" This comment ignores the essence of the comment, which is that the site will have an additional stationary source of diesel particulate matter (DPM) onsite that was not accounted for in the air quality analysis.

As was noted in the EIRs, the primary toxic air contaminant (TAC) associated with the project will be DPM. Diesel exhaust, in particular DPM, is classified by the State of California as a TAC. TACs, including DPM[3], contribute to a host of respiratory impacts and may lead to the development of various cancers. Failing to quantify the carcinogenic and other health risk impacts places the community at risk for unwanted adverse health impacts. *Even brief exposures to the TACs could lead to the development of adverse health impacts over the life of an individual*.

CARECA-24

[3] Because DPM is a TAC, it is a different air pollutant than criteria particulate matter (PM) emissions such as PM10, PM2.5, and fugitive dust. DPM exposure causes acute health effects that are different from the effects of exposure to PM alone.

Diesel exhaust has been linked to a range of serious health problems including an increase in respiratory disease, lung damage, cancer, and premature death.[4,5,6] Fine DPM is deposited deep in the lungs in the smallest airways and can result in increased respiratory symptoms and disease; decreased lung function, particularly in children and individuals with asthma; alterations in lung tissue and respiratory tract defense mechanisms; and premature death.[7] Exposure to DPM increases the risk of lung cancer. It also causes non-cancer effects including chronic bronchitis, inflammation of lung tissue, thickening of the alveolar walls, immunological allergic reactions, and airway constriction.[8] DPM is a TAC that is recognized by state and federal agencies as causing severe health risk because it contains toxic materials, unlike $PM_{2.5}$ and PM_{10}.[9]

The inherent toxicity of TACs requires the City to first accurately quantify the concentration released into the environment from all sources and asses at each of the sensitive receptor locations through air dispersion modeling the ground-level concentration, calculate the dose of each TAC at that location, and quantify the cancer risk and hazard index for each of the chemicals of concern. Following that analysis, then the City can make a determination of the relative significance of the emissions.

CARECA-24 (CONT.)

4. CARE-31: Exposure Of Prisoners and Workers At The West Valley Detention Center

T&B's response to the question of impacts from the Project to a previously unidentified population source, the San Bernardino County West Valley Detention Center (WVDC), located

CARECA-25

[4] California Air Resources Board, Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998; see also California Air Resources Board, Overview: Diesel Exhaust & Health, https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health#:~:text=Diesel%20Particulate%20Matter%20and%20Health&text=In%201998%2C%20CARB%20identified%20DPM,and%20other%20adverse%20health%20effects.

[5] U.S. EPA, Health Assessment Document for Diesel Engine Exhaust, Report EPA/600/8-90/057F, May 2002.

[6] Environmental Defense Fund, Cleaner Diesel Handbook, Bring Cleaner Fuel and Diesel Retrofits into Your Neighborhood, April 2005; http://www.edf.org/documents/4941_cleanerdieselhandbook.pdf, accessed July 5, 2020.

[7] California Air Resources Board, Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998.

[8] Findings of the Scientific Review Panel on The Report on Diesel Exhaust as adopted at the Panel's April 22, 1998 Meeting.

[9] Health & Safety Code § 39655(a) (defining "toxic air contaminant" as air pollutants "which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health. A substance that is listed as a hazardous air pollutant pursuant to subsection (b) of Section 112 of the federal act (42 U.S.C. Sec. 7412 (b)) is a toxic air contaminant.")

approximately 5,600 feet north northeast of the Project Site, was to dismiss the population as a non-long term residential population. While prisoners may be held at the WVDC for up to a year, there is no opportunity for the prisoners to get away from emissions associated with the Project. Workers at the WVDC should also be included in the evaluation of health impacts. The analyses presented in the EIRs and Staff Report did not address this unique population until we raised a concern.

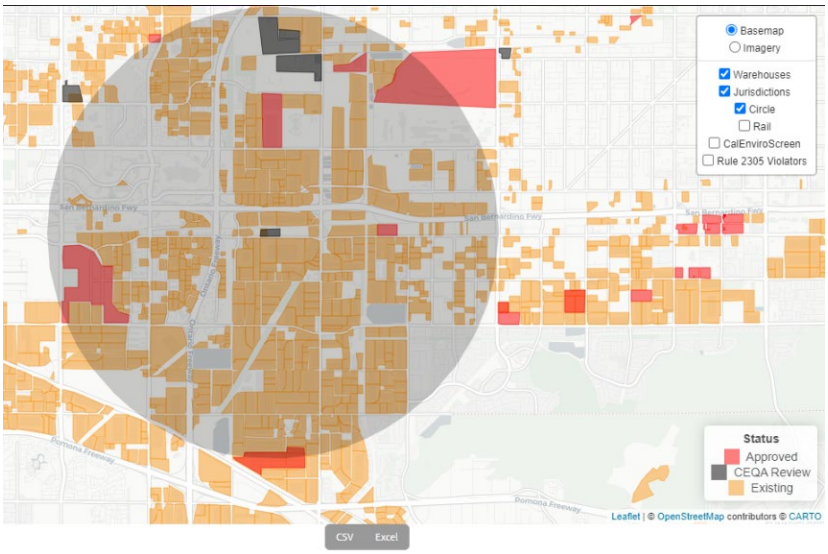
The Detention Center is nearly 3,000 feet closer to the Project Site than the residential property selected in the EIR. Health risks from exposure are a function of the concentration of the contaminant and the duration of exposure. Until an actual attempt is made to calculate the exposure concentration at the WVDC determinations of relative risk (from either chronic or acute exposures) are speculative at best. The City must assess the impacts of the Project emissions on this receptor center.

CARECA-25 (CONT.)

5. CARE 32/CARE 10: Additional Cumulative Impacts From Existing/Pending Warehouse Projects

T&B's response that comments on the cumulative impacts did not raise new information is not supportable. The EIR's flaws have not been resolved regarding the cumulative impacts on air quality based on the number of existing and new projects in the area. As was pointed out in the last letter, based on the current analysis of warehouse projects within a 5-kilometer radius (3.1 miles) of the Project Site, there are 595 current warehouses, totaling 126,400,000 square feet of floor space.

CARECA-26



Those projects account for 85,000 truck trips per day, which emit 117.6 lbs of DPM and 13, 243 lbs of NOx per day. There is an additional 7,400,000 square feet of warehousing that is either approved or undergoing CEQA review (includes the Airport Site). Clearly the City has not included the relevant emissions of all the new projects in its analysis of the Project.

CARECA-26 (CONT.)

6. CARE 27: Building Downwash

T&B's response to comments on the incorporation of building downwash into the dispersion model are to claim that "The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of building downwash. No additions, revisions, or corrections are necessary and no further response is required." This response fails to address the significant issue raised by the comment.

Guidance from authoritative bodies in California regarding the preparation of health risk assessments of mobile sources of diesel emissions[10] requires the inclusion of building heights and dimensions for building downwash calculations. Omission of the building downwash effect

CARECA-27

[10] SCAQMD. 2003. Health Risk Assessment Guidance For Analyzing Cancer Risks From Mobile Source Diesel Emissions. August, 2003. Page 2.

underestimates the exposure point concentrations for receptors near the building(s).

In a recent review of Draft Environmental Impact Report (Draft EIR) for the Proposed West Campus Upper Plateau Project (Proposed Project) (SCH Number: 2021110304), SCAQMD[11] specifically calls out the need for inclusion of downwash analysis for this Project which included a business park, industrial, mixed-use, public facility, parks, recreation and open space, and infrastructure improvements, totaling 369.60 acres. SCAQMD staff reviewing the project outlined that building downwash should be considered for the Proposed Project operation in order to predict more accurate ground-level concentrations. In addition, the truck idling emissions would need to be estimated separately and included in the dispersion modeling analysis and HRA as point sources. The City should address the impact of this issue in a revised EIR.

CARECA-27 (CONT.)

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised environmental impact report should be prepared to address these substantial concerns.

CARECA-28

Sincerely,

[11] SCAQMD. 2023. Draft Environmental Impact Report (Draft EIR) for the Proposed West Campus Upper Plateau Project (Proposed Project) (SCH Number: 2021110304) Dated March 9, 2023, available at https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/march-2023/RVC230111-04.pdf?sfvrsn=8.

EXHIBIT B

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Thetford Center VT 05075

Norman Marshall, President
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nmarshall@smartmobility.com

August 25, 2024

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Subject: 5355 East Airport Drive Project

Dear Mr. Marshall,

In October 2023, I reviewed trip generation, vehicle miles traveled (VMT) impacts and greenhouse gas (GHG) impacts of the City of Ontario Draft Environmental Impact Report for a proposed warehouse project at 5355 East Airport Drive ("DEIR"). In April 2024, I addressed additional analysis contained in the Project's Final EIR ("FEIR"). The Planning Commission Agenda Report dated August 27, 2024 fails to adequately address the outstanding issues identified in my October 2023 and April 2024 comments.

In October 2023, I made the following findings:

1) The DEIR acknowledges significant and unavoidable VMT impact. Furthermore, the DEIR documents that the project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.
2) The proposed VMT mitigation is not fully specified or quantified in the DEIR and appears to fall far short of what would be required to reduce project VMT below the City's threshold. Achieving significant VMT mitigation for this project may be impossible – but mitigation must be specified and quantified for the project to be properly evaluated.
3) Project trip generation could be much higher than assumed. Given the large uncertainty in the project's trip generation, the applicant should take one of two paths -either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

CARECA-29

1

4) Project GHG emissions could be much higher than assumed. In addition to trip generation possibly being underestimated, average trip lengths for both trucks and passenger vehicles are likely to be underestimated in the DEIR.

CARECA-29 (CONT.)

In April 2024, I reviewed the responses to these comments made in the project's Final Environmental Impact Review ("FEIR") dated February 2024 and made additional comments on these same points.

My April 2024 comments and the August Report responses follow:

Truck trip lengths – The FEIR repeats the false assertion that the truck trip lengths follow SCAQMD's recommendations (FEIR, A-18, p. 2-43). In my October 2023 comments, I addressed this, writing:

> The truck trip lengths are used in calculations of possible mitigation in *Second Draft Staff Report Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. And Proposed Rule 316 -Fees for Rule 2305*.[1] The reference for these numbers is the 2016 SCAG travel demand model (p. 117) and there is no indication that these numbers are intended for any use beyond this single document. The 40-mile heavy truck trip length also appears in a 2014 slide presentation.[2] In neither case, are these numbers presented as general recommendations for warehouse EIRs.

To prove that this is not a general SCAQMD recommendation for all warehouses, I attach SCAQMD's November 22, 2023 comments on the Hemlock Warehouse Development Project Draft SEIR in the City of Fontana. That Draft SEIR applied the same truck trip lengths as used in the 5355 East Airport Drive DEIR and FEIR. SCAQMD's comments state:

> However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project. (p. 2)

CARECA-30

SCAQMD is making the same point I made in my October 2023 comments where I wrote:

> it is notable that important major freight origins and destinations are considerably further away than the trip lengths assumed in the DEIR. These include the Ports of Los Angeles and Long Beach that are approximately 60 miles away. It would be more conservative to assume longer average truck distances in the air quality and GHG analyses.

[1] www.aqmd.gov/docs/default-source/planning/fbmsm-docs/pr-2305_sr_2nd-draft_4-7-21_clean.pdf
[2] https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/sclc_warehouse-presentation-final.pdf

The FEIR does not use SCAQMD- recommended truck trip lengths. SCAQMD instead recommends: "**Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project**."

The Report states only:

> *The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the Lead Agency. The Lead Agency maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary and no further response is required. (Report, PDF p. 2609 of 3993)*

This response fails to address my comments reproduced above.

CARECA-30 (CONT.)

VMT mitigation – The FEIR continues to state that the proposed project would exceed the VMT screening thresholds by a wide margin: 22.56% in the baseline year and 28.47% in the horizon year.

However, the FEIR states that these impacts cannot be mitigated because "measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant." (FEIR A-24, p. 2-44)

My October 2023 comments recommended requiring CAPCOA T-5 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) – that can provide up to 26% VMT reduction:

> The mandatory CTR program must include all other elements (i.e., Measures T-7 through T-11) described for the voluntary program (Measure T-5) plus include mandatory trip reduction requirements (including penalties for non-compliance) and regular monitoring and reporting to ensure the calculated VMT reduction matches the observed VMT reduction). (*Handbook*, p. 86)

A smaller mandatory reduction may be appropriate for this project, with this requirement passed on to the tenant, but it is not sufficient to claim that no significant mitigation is possible.

In addition, the attached SCAQMD comments on the Hemlock Warehouse Development Project recommends several mitigation measures targeting truck emissions, including:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks,
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the final CEQA document, and
- Provide electric vehicle (EV) charging stations and electrical hookups for truckers. (p.3)

The Report states only:

> *Contrary to the commenter's assertion, this memorandum, RTC, and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated.*

CARECA-31

Thus, no additions, revisions, or corrections are necessary are necessary.. (Report, CARE 22 p. PDF 2620-2621 of 3993)

CARECA-31 (CONT.)

This response fails to address my comments reproduced above.

Trip generation

In my October 2023 comments, I provided data on different types of warehouses that have significantly higher trip generation rates than the 1.75 trips per 1000 sq. ft. assumed in the DEIR and FEIR. These include:

> The Parcel Hub Warehouse trip generation rate is 2.6 times the rate used in the DEIR, and the Fulfillment Center Warehouse with Sorting rate is 5.2 times the rate used in the DEIR.

The FEIR argues that the highest generators that I discussed in my October 2023 comments could not be accommodated because ". . . the layout of the site with 251 parking spaces would not reasonable accommodate the on-site parking required to support these uses."

This point about parking may be valid for the highest generators per 1000 sq. ft. but not for the intermediate generators. The DEIR and FEIR estimate only 270 passenger car trips per day (DEIR Appendix K, p. 5), i.e., 135 vehicles in and 135 cars out. Therefore, if all cars were employees and they all worked the same single shift, the parking lot utilization would never exceed 54%. With multiple shifts and non-employee passenger car trips, the parking lot utilization would be much lower. Therefore, the parking lot is designed to support many more trips than assumed in the DEIR and FEIR.

The 251 parking spaces are consistent with ITE Land Use 156: High Cube Parcel Hub Warehouse. This use is described:

CARECA-32

> A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/ or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. A typical HCW has a high level of on-site automation and logistics management. The automation and logistics enable highly-efficient processing of goods through the HCW. A high-cube warehouse can be free-standing or located in an industrial park. A high-cube parcel hub warehouse typically serves as a regional and local freight-forwarder facility for time sensitive shipments via airfreight and ground carriers. A site can also include truck maintenance, wash, or fueling facilities. Some limited assembly and repackaging may occur within the facility.

Given the uncertainty concerning the proposed project and its size, 270,377 sq. ft., it could foreseeably end up being a High-Cube-Parcel-Hub Warehouse as defined above.

The number of parking spaces provided also is consistent with this usage. The trip generation rate for this category is 4.63 trips per 1000 sq. ft., i.e. 2.6 times the rate used in the DEIR and FEIR. This rate includes 0.58 truck trips per 1000 sq. ft. Therefore, the passenger car rate is 4.05

trips per 1000 sq. ft. As a High-Cube-Parcel-Hub Warehouse, the proposed project would generate 1095 passenger car trips per day.

The DEIR states:

> For the purposes of this EIR, the Project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. (DEIR, p. 3-13)

This suggests multiple shifts each day.

Some of the passenger car trips would not be parking long term, including trips dropping off and picking up workers, and miscellaneous service trips, all of which include both and entering trip and an exiting trip. However, even if all passenger car trips involved parking long-term, all the trips could be accommodated with the planned 251 parking spaces if each space is occupied an average of 2.18 times per day.

As I stated in my October 2023 comment letter:

Given the large uncertainty in the project's trip generation, the applicant should take one of two paths - either a) applying a significantly higher and more conservative trip generation rate, or b) requesting as a condition of approval that trip generation will not exceed the number assumed in the EIR, and this be certified prior to beginning construction.

The Report states only:

> *The Lead Agency maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project trip generation. No additions, revisions, or corrections are necessary and no further response is required... (Report, CARE 7 p. PDF 2607 of 3993)*

This response fails to address my comments reproduced above.

In summary, the August 2024 Report fails to adequately address any of my comments.

CARECA-32
(CONT.)

Sincerely,

Norman L. Marshall

Norman L. Marshall

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (33 Years, 19 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovate Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in $250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additional analyzed using the City's Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka'ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Caroline including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

MEMORANDUM

URBAN | CROSSROADS

DATE: November 8, 2024
TO: Tracy Chu, Project Manager
FROM: Haseeb Qureshi, Michael Tirohn
JOB NO: 14539-05 HRA Memo

5355 EAST AIRPORT DRIVE SUPPLEMENTAL HEALTH RISK ASSESSMENT

Tracy Chu,

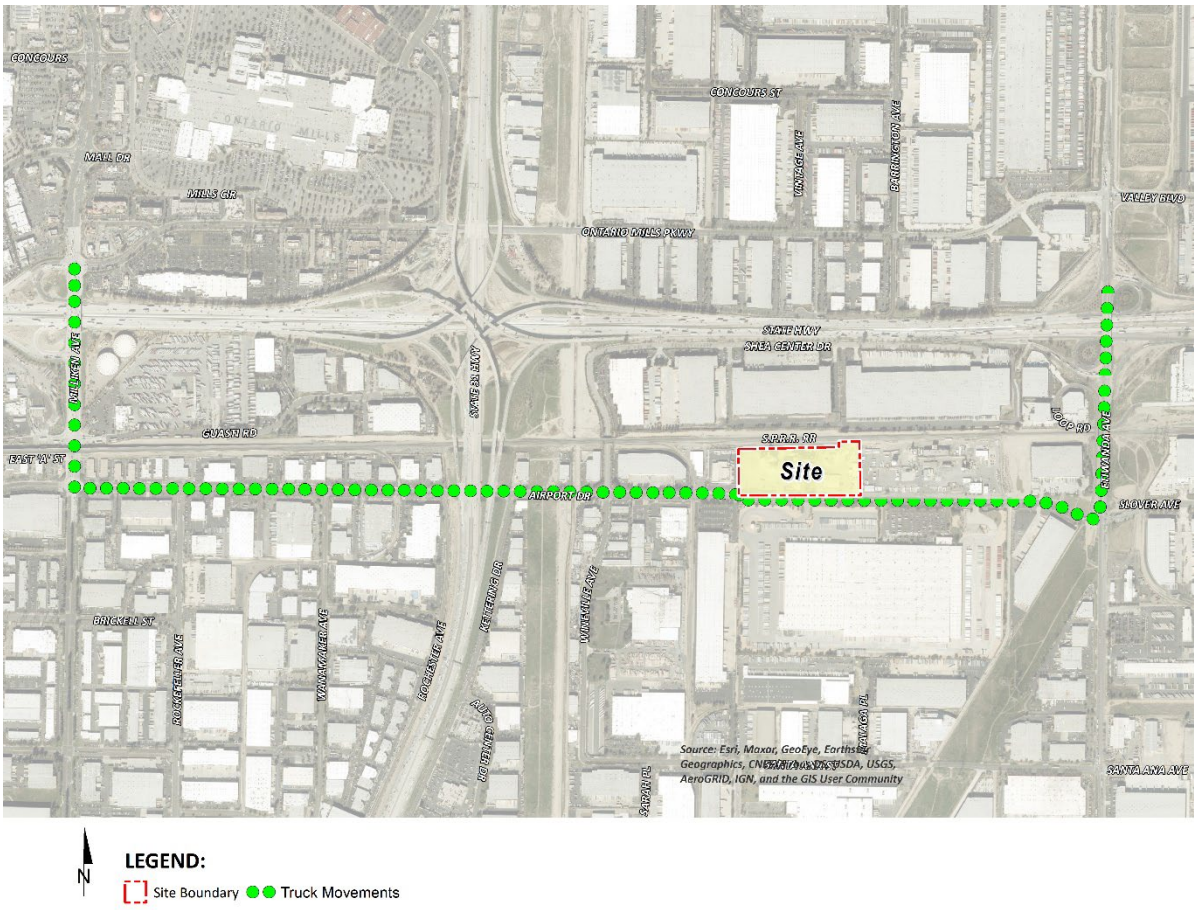
Urban Crossroads, Inc. is pleased to provide the following Supplemental Health Risk Assessment for the 5355 East Airport Drive (**Project**), which is located in the City of Ontario. This letter has been prepared in order to present the potential health risk resulting from the construction and operation of the proposed Project to the West Valley Detention Center, as well as to evaluate the potential health risk to sensitive receptors should a portion of Project trucks travel west on Airport Drive.

POTENTIAL AIRPORT DRIVE/S. MILLIKEN AVENUE TRUCK TRAVEL

Consistent with the Project traffic study, the *5355 East Airport Drive Mobile Source Health Risk Assessment* assumed that all trucks accessing the Project site would travel east on Airport drive and access I-10 via S. Etiwanda Avenue. However, in this supplemental health risk assessment evaluates a scenario in which half of Project trucks would travel this path, while the remaining half would access the Project site by traveling west on Airport Drive and accessing I-10 via S. Milliken Avenue.

The results of the analysis indicate that with Project truck traffic split evenly between Airport Drive/S. Etiwanda Avenue and Airport Drive/S. Milliken Avenue, Location R6, located approximately 8,840 feet northwest of the Project site, would remain the location of the maximally exposed individual resident, and cancer risk would remain unchanged at <0.01. Further, non-cancer risk would also remain unchanged at <0.01. As such, the potential use of Airport Drive/S. Milliken Avenue by Project trucks would not significantly affect the results of the analysis, and cancer and non-cancer risk would remain less than significant. Exhibit 1 presents the location of modeled off-site truck routes.

EXHIBIT 1: OFF-SITE TRUCK ROUTES



Detailed operational emission calculations are presented in Attachment A, and AERMOD model outputs are presented in Attachment B. Detailed health risk calculations are presented in Attachment C.

WEST VALLEY DETENTION CENTER HEALTH RISK

In order to account for potential cancer and non-cancer health risks to the San Bernardino County West Valley Detention Center, additional receptors were added in order to represent inmates who may be exposed to construction and operational emissions generated by the proposed Project. Construction and operational cancer risk was conservatively calculated using a residential exposure scenario, with exposure beginning at age 16. Further, a fraction of time at home value of 1.00 was conservatively assumed.

CONSTRUCTION

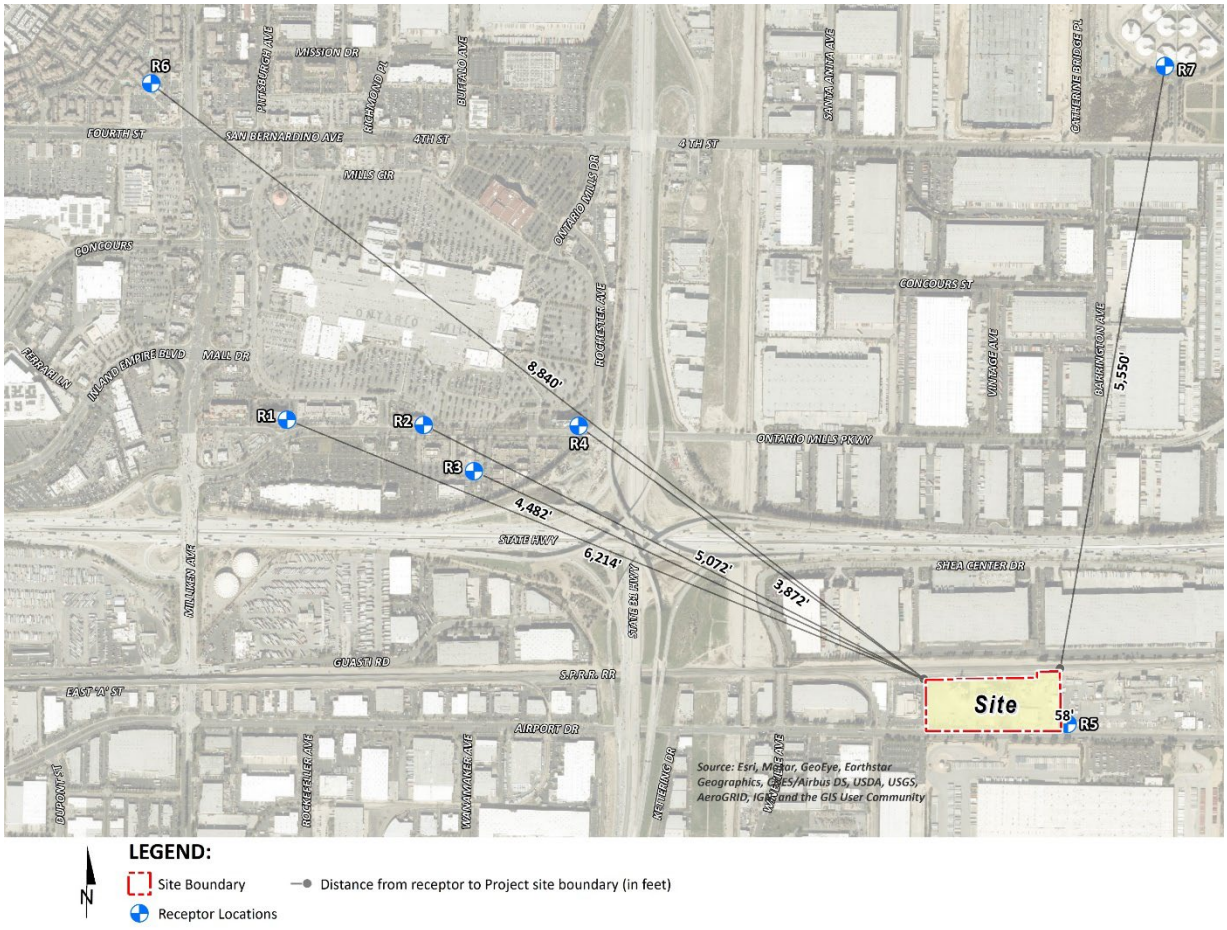
At the West Valley Detention Center, the maximum incremental cancer risk attributable to Project construction-source DPM emissions is estimated at <0.01 in one million, which is less

than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to inmates at the West Valley Detention Center as a result of Project construction activity.

OPERATION

At the West Valley Detention Center, the maximum incremental cancer risk attributable to Project operational-source DPM emissions is estimated at <0.01 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to inmates at the West Valley Detention Center. Exhibit 2 presents the locations of the nearest modeled receptors.

EXHIBIT 2: RECEPTOR LOCATIONS



ATTACHMENT A
EMFAC EMISSIONS SUMMARY

Emissions	Phase	Lb/Day	# Days	Emissions	Avg/Lb Day	Avg/Hourly
	Demolition	0.23	60	13.8	0.23	0.02875
On-Site	Site Preparation	0.10	30	3	0.1	0.0125
Exhaust PM-10	Grading	0.18	30	5.4	0.18	0.0225
	Building Construction	0.25	160	40	0.25	0.03125
	Paving	0.09	45	4.05	0.09	0.01125
	Architectural Coatings	0.04	30	1.2	0.04	0.005
		0.89	250	67.45	0.2698	0.033725
	Demolition	1.00E-02	60	0.6	0.01	0.00125
Off-Site	Site Preparation	5.00E-03	30	0.15	0.005	0.000625
Exhaust PM-10	Grading	3.50E-02	30	1.05	0.035	0.004375
	Building Construction	1.00E-02	160	1.6	0.01	0.00125
	Paving	0.00E+00	45	0	0	0
	Architectural Coatings	0.00E+00	30	0	0	0
		6.00E-02	250	3.4	0.0136	0.0017

Phase	Start Date	End Date	No. Days
Demolition	5/2/2023	7/24/2023	60
Site Preparation	7/25/2023	9/4/2023	30
Grading	7/25/2023	9/4/2023	30
Building Construction	9/5/2023	4/15/2024	160
Paving	2/13/2024	4/15/2024	45
Arch Coatings	3/5/2024	4/15/2024	30
		Total Days of Construction	**250**

AVERAGE EMISSION FACTOR
SAN BERNARDINO COUNTY 2024

Speed	LHD1	LHD2	MHD	HHD
0	0.316954	0.498613	0.051812	0.01310
5	0.039143	0.05572	0.030547	0.01151
25	0.01796	0.026556	0.00817	0.00576

Speed	**Weighted Average Emissions**
0	**0.08568**
5	**0.02107**
25	**0.00889**

Truck Emission Rates						
Source	Trucks Per Day	VMT [a] (miles/day)	Truck Emission Rate [b] (grams/mile)	Truck Emission Rate [b] (grams/idle-hour)	Daily Truck Emissions [c] (grams/day)	Modeled Emission Rates (g/second)
On-Site Idling	84			0.0857	3.90	4.517E-05
On-Site Travel	168	41.19	0.0211		1.28	1.482E-05
Off-Site Travel - E. Airport Dr./S. Etiwanda Ave. 100% Inbound/Outbound EB	84	96.52	0.0089		1.05	1.217E-05
Off-Site Travel - E. Airport Dr./S. Etiwanda Ave. 100% Inbound/Outbound WB	84	142.80	0.0089		1.56	1.800E-05

[a] Vehicle miles traveled are for modeled truck route only.

[b] Emission rates determined using EMFAC 2021. Idle emission rates are expressed in grams per idle hour rather than grams per mile.

[c] This column includes the total truck travel and truck idle emissions. For idle emissions this column includes emissions based on the assumption that each truck idles for 15 minutes.

calendar_y	season_m	sub_area	vehicle_class	fuel	temperatu	relative_hu	process	speed_tim	pollutant	emission_rate
2024	Annual	San Berna	HHDT	Dsl	60	70	RUNEX	5	PM10	0.01351
2024	Annual	San Berna	HHDT	Dsl	60	70	RUNEX	25	PM10	0.006762
2024	Annual	San Berna	LHDT1	Dsl	60	70	RUNEX	5	PM10	0.098223
2024	Annual	San Berna	LHDT1	Dsl	60	70	RUNEX	25	PM10	0.045069
2024	Annual	San Berna	LHDT2	Dsl	60	70	RUNEX	5	PM10	0.089018
2024	Annual	San Berna	LHDT2	Dsl	60	70	RUNEX	25	PM10	0.042425
2024	Annual	San Berna	MHDT	Dsl	60	70	RUNEX	5	PM10	0.033532
2024	Annual	San Berna	MHDT	Dsl	60	70	RUNEX	25	PM10	0.008968

Source: EMFAC2021 (v1.0.2) Emissions Inventory
Region Type: Sub-Area
Region: San Bernardino (SC)
Calendar Year: 2024
Season: Annual
Vehicle Classification: EMFAC2007 Categories
Units: miles/day for CVMT and EVMT, trips/day for Trips, kWh/day for Energy Consumption, tons/day for Emissions, 1000 gallons/day for Fuel Consumption

Region	Calendar `	Vehicle Ca	Model Yea	Speed	Fuel	Population
San Berna	2024	HHDT	Aggregate	Aggregate	Gasoline	5.56599
San Berna	2024	HHDT	Aggregate	Aggregate	Diesel	14232
San Berna	2024	HHDT	Aggregate	Aggregate	Natural Ga	2469.47
San Berna	2024	LHDT1	Aggregate	Aggregate	Gasoline	17179.5
San Berna	2024	LHDT1	Aggregate	Aggregate	Diesel	11382.1
San Berna	2024	LHDT2	Aggregate	Aggregate	Gasoline	2883.7
San Berna	2024	LHDT2	Aggregate	Aggregate	Diesel	4825.53
San Berna	2024	MHDT	Aggregate	Aggregate	Gasoline	1460.6
San Berna	2024	MHDT	Aggregate	Aggregate	Diesel	14946.5
San Berna	2024	MHDT	Aggregate	Aggregate	Natural Ga	195.676

HHDT% GAS/NG	0.14814
HHDT% DSL	0.85186
LHDT1% GAS	0.60149
LHDT1% DSL	0.39851
LHDT2% GAS	0.37406
LHDT2% DSL	0.62594
MHDT% GAS	0.08902
MHDT% DSL	0.91098

ATTACHMENT B
AERMOD OUTPUTS

```
** Lakes Environmental AERMOD MPI
**
**************************************
**
** AERMOD Input Produced by:
** AERMOD View Ver. 12.0.0
** Lakes Environmental Software Inc.
** Date: 10/28/2024
** File: C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Construction\14539
Construction.ADI
**
**************************************
**
**
**************************************
** AERMOD Control Pathway
**************************************
**
**
CO STARTING
   TITLEONE C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops
   MODELOPT DFAULT CONC
   AVERTIME PERIOD
   URBANOPT 2035210 San_Bernadino_County
   POLLUTID DPM
   RUNORNOT RUN
   ERRORFIL "14539 Construction.err"
CO FINISHED
**
**************************************
** AERMOD Source Pathway
**************************************
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
** ----------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE3
** DESCRSRC Offsite
** PREFIX
** Length of Side = 14.00
** Configuration = Adjacent
** Emission Rate = 0.0002141964
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 14
** 450531.488, 3769231.780, 298.42, 3.49, 6.51
** 451458.160, 3769224.475, 296.68, 3.49, 6.51
** 451477.884, 3769223.014, 297.16, 3.49, 6.51
** 451508.566, 3769211.326, 297.73, 3.49, 6.51
** 451579.062, 3769183.931, 297.18, 3.49, 6.51
** 451600.612, 3769178.452, 297.61, 3.49, 6.51
** 451630.198, 3769176.626, 297.58, 3.49, 6.51
** 451633.851, 3769205.116, 298.46, 3.49, 6.51
** 451632.755, 3769377.520, 307.01, 3.49, 6.51
** 451633.851, 3769443.268, 304.95, 3.49, 6.51
** 451634.581, 3769487.099, 305.91, 3.49, 6.51
** 451637.869, 3769611.288, 307.59, 3.49, 6.51
** 451637.869, 3769784.058, 305.17, 3.49, 6.51
** 451642.335, 3769918.705, 307.93, 3.49, 6.51
** ----------------------------------------------------------------------
   LOCATION L0000001     VOLUME   450538.488 3769231.725 298.40
   LOCATION L0000002     VOLUME   450552.488 3769231.615 298.43
   LOCATION L0000003     VOLUME   450566.487 3769231.505 298.57
```

```
LOCATION L0000004     VOLUME   450580.487 3769231.394 298.70
LOCATION L0000005     VOLUME   450594.486 3769231.284 298.70
LOCATION L0000006     VOLUME   450608.486 3769231.173 298.70
LOCATION L0000007     VOLUME   450622.485 3769231.063 298.70
LOCATION L0000008     VOLUME   450636.485 3769230.953 298.70
LOCATION L0000009     VOLUME   450650.485 3769230.842 298.70
LOCATION L0000010     VOLUME   450664.484 3769230.732 298.70
LOCATION L0000011     VOLUME   450678.484 3769230.622 298.61
LOCATION L0000012     VOLUME   450692.483 3769230.511 298.47
LOCATION L0000013     VOLUME   450706.483 3769230.401 298.40
LOCATION L0000014     VOLUME   450720.482 3769230.291 298.40
LOCATION L0000015     VOLUME   450734.482 3769230.180 298.40
LOCATION L0000016     VOLUME   450748.481 3769230.070 298.40
LOCATION L0000017     VOLUME   450762.481 3769229.959 298.40
LOCATION L0000018     VOLUME   450776.481 3769229.849 298.40
LOCATION L0000019     VOLUME   450790.480 3769229.739 298.40
LOCATION L0000020     VOLUME   450804.480 3769229.628 298.40
LOCATION L0000021     VOLUME   450818.479 3769229.518 298.40
LOCATION L0000022     VOLUME   450832.479 3769229.408 298.34
LOCATION L0000023     VOLUME   450846.478 3769229.297 298.28
LOCATION L0000024     VOLUME   450860.478 3769229.187 298.08
LOCATION L0000025     VOLUME   450874.478 3769229.077 297.83
LOCATION L0000026     VOLUME   450888.477 3769228.966 297.74
LOCATION L0000027     VOLUME   450902.477 3769228.856 297.74
LOCATION L0000028     VOLUME   450916.476 3769228.745 297.70
LOCATION L0000029     VOLUME   450930.476 3769228.635 297.61
LOCATION L0000030     VOLUME   450944.475 3769228.525 297.50
LOCATION L0000031     VOLUME   450958.475 3769228.414 297.36
LOCATION L0000032     VOLUME   450972.475 3769228.304 297.23
LOCATION L0000033     VOLUME   450986.474 3769228.194 297.17
LOCATION L0000034     VOLUME   451000.474 3769228.083 297.11
LOCATION L0000035     VOLUME   451014.473 3769227.973 297.05
LOCATION L0000036     VOLUME   451028.473 3769227.863 297.00
LOCATION L0000037     VOLUME   451042.472 3769227.752 296.91
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   SUMMFILE "14539 Construction.sum"
OU FINISHED


  *** Message Summary For AERMOD Model Setup ***

  --------- Summary of Total Messages --------

 A Total of            0 Fatal Error Message(s)
 A Total of            2 Warning Message(s)
 A Total of            0 Informational Message(s)


    ******** FATAL ERROR MESSAGES ********
               ***  NONE  ***


    ********   WARNING MESSAGES   ********
 ME W186     416       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used          0.50
 ME W187     416       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

 ***********************************
 *** SETUP Finishes Successfully ***
 ***********************************

FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       15:47:13

                      PAGE   1
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                                          ***     MODEL SETUP OPTIONS SUMMARY       ***
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
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- - - - - - - - - - - - - - - -

** Model Options Selected:
     * Model Uses Regulatory DEFAULT Options
     * Model Is Setup For Calculation of Average CONCentration Values.
     * NO GAS DEPOSITION Data Provided.
     * NO PARTICLE DEPOSITION Data Provided.
     * Model Uses NO DRY DEPLETION. DDPLETE  =  F
     * Model Uses NO WET DEPLETION. WETDPLT  =  F
     * Stack-tip Downwash.
     * Model Accounts for ELEVated Terrain Effects.
     * Use Calms Processing Routine.
     * Use Missing Data Processing Routine.
     * No Exponential Decay.
     * Model Uses URBAN Dispersion Algorithm for the SBL for   163 Source(s),
       for Total of    1 Urban Area(s):
  Urban Population =   2035210.0 ;  Urban Roughness Length =  1.000 m
     * Urban Roughness Length of 1.0 Meter Used.
     * ADJ_U*   - Use ADJ_U* option for SBL in AERMET
     * CCVR_Sub - Meteorological data includes CCVR substitutions
     * TEMP_Sub - Meteorological data includes TEMP substitutions
     * Model Assumes No FLAGPOLE Receptor Heights.
     * The User Specified a Pollutant Type of: DPM

**Model Calculates PERIOD Averages Only

**This Run Includes:    163 Source(s);       1 Source Group(s); and      65 Receptor(s)

               with:      0 POINT(s), including
                          0 POINTCAP(s) and      0 POINTHOR(s)
                and:    163 VOLUME source(s)
                and:      0 AREA type source(s)
                and:      0 LINE source(s)
                and:      0 RLINE/RLINEXT source(s)
                and:      0 OPENPIT source(s)
                and:      0 BUOYANT LINE source(s) with a total of     0 line(s)
                and:      0 SWPOINT source(s)


**Model Set To Continue RUNning After the Setup Testing.

**The AERMET Input Meteorological Data Version Date:  16216

**Output Options Selected:
         Model Outputs Tables of PERIOD Averages by Receptor
         Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)
         Model Outputs Separate Summary File of High Ranked Values (SUMMFILE Keyword)

**NOTE:  The Following Flags May Appear Following CONC Values:  c for Calm Hours
                                                                m for Missing Hours
                                                                b for Both Calm and Missing
                                                                Hours

**Misc. Inputs:  Base Elev. for Pot. Temp. Profile (m MSL) =   289.00 ;  Decay Coef. =
0.000     ;  Rot. Angle =     0.0
                Emission Units = GRAMS/SEC                                     ;  Emission Rate
                Unit Factor =   0.10000E+07
                Output Units   = MICROGRAMS/M**3

**Approximate Storage Requirements of Model =      3.6 MB of RAM.

**Input Runstream File:
aermod.inp
**Output Print File:
aermod.out
```

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC)	AIRCRAFT X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	SCALAR VARY BY
L0000001	0	0.16230E-05	450538.5	3769231.7	298.4	3.49	6.51	3.25	NO
YES									
L0000002	0	0.16230E-05	450552.5	3769231.6	298.4	3.49	6.51	3.25	NO
YES									
L0000003	0	0.16230E-05	450566.5	3769231.5	298.6	3.49	6.51	3.25	NO
YES									
L0000004	0	0.16230E-05	450580.5	3769231.4	298.7	3.49	6.51	3.25	NO
YES									
L0000005	0	0.16230E-05	450594.5	3769231.3	298.7	3.49	6.51	3.25	NO
YES									
L0000006	0	0.16230E-05	450608.5	3769231.2	298.7	3.49	6.51	3.25	NO
YES									
L0000007	0	0.16230E-05	450622.5	3769231.1	298.7	3.49	6.51	3.25	NO
YES									
L0000008	0	0.16230E-05	450636.5	3769231.0	298.7	3.49	6.51	3.25	NO
YES									
L0000009	0	0.16230E-05	450650.5	3769230.8	298.7	3.49	6.51	3.25	NO
YES									
L0000010	0	0.16230E-05	450664.5	3769230.7	298.7	3.49	6.51	3.25	NO
YES									
L0000011	0	0.16230E-05	450678.5	3769230.6	298.6	3.49	6.51	3.25	NO
YES									
L0000012	0	0.16230E-05	450692.5	3769230.5	298.5	3.49	6.51	3.25	NO
YES									
L0000013	0	0.16230E-05	450706.5	3769230.4	298.4	3.49	6.51	3.25	NO
YES									
L0000014	0	0.16230E-05	450720.5	3769230.3	298.4	3.49	6.51	3.25	NO
YES									
L0000015	0	0.16230E-05	450734.5	3769230.2	298.4	3.49	6.51	3.25	NO
YES									
L0000016	0	0.16230E-05	450748.5	3769230.1	298.4	3.49	6.51	3.25	NO
YES									
L0000017	0	0.16230E-05	450762.5	3769230.0	298.4	3.49	6.51	3.25	NO
YES									
L0000018	0	0.16230E-05	450776.5	3769229.8	298.4	3.49	6.51	3.25	NO
YES									
L0000019	0	0.16230E-05	450790.5	3769229.7	298.4	3.49	6.51	3.25	NO
YES									
L0000020	0	0.16230E-05	450804.5	3769229.6	298.4	3.49	6.51	3.25	NO
YES									
L0000021	0	0.16230E-05	450818.5	3769229.5	298.4	3.49	6.51	3.25	NO
YES									

L0000022 0 0.16230E-05 450832.5 3769229.4 298.3 3.49 6.51 3.25
YES NO
L0000023 0 0.16230E-05 450846.5 3769229.3 298.3 3.49 6.51 3.25
YES NO
L0000024 0 0.16230E-05 450860.5 3769229.2 298.1 3.49 6.51 3.25
YES NO
L0000025 0 0.16230E-05 450874.5 3769229.1 297.8 3.49 6.51 3.25
YES NO
L0000026 0 0.16230E-05 450888.5 3769229.0 297.7 3.49 6.51 3.25
YES NO
L0000027 0 0.16230E-05 450902.5 3769228.9 297.7 3.49 6.51 3.25
YES NO
L0000028 0 0.16230E-05 450916.5 3769228.7 297.7 3.49 6.51 3.25
YES NO
L0000029 0 0.16230E-05 450930.5 3769228.6 297.6 3.49 6.51 3.25
YES NO
L0000030 0 0.16230E-05 450944.5 3769228.5 297.5 3.49 6.51 3.25
YES NO
L0000031 0 0.16230E-05 450958.5 3769228.4 297.4 3.49 6.51 3.25
YES NO
L0000032 0 0.16230E-05 450972.5 3769228.3 297.2 3.49 6.51 3.25
YES NO
L0000033 0 0.16230E-05 450986.5 3769228.2 297.2 3.49 6.51 3.25
YES NO
L0000034 0 0.16230E-05 451000.5 3769228.1 297.1 3.49 6.51 3.25
YES NO
L0000035 0 0.16230E-05 451014.5 3769228.0 297.1 3.49 6.51 3.25
YES NO
L0000036 0 0.16230E-05 451028.5 3769227.9 297.0 3.49 6.51 3.25
YES NO
L0000037 0 0.16230E-05 451042.5 3769227.8 296.9 3.49 6.51 3.25
YES NO
L0000038 0 0.16230E-05 451056.5 3769227.6 296.8 3.49 6.51 3.25
YES NO
L0000039 0 0.16230E-05 451070.5 3769227.5 296.8 3.49 6.51 3.25
YES NO
L0000040 0 0.16230E-05 451084.5 3769227.4 296.7 3.49 6.51 3.25
YES NO

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC)	AIRCRAFT X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	SCALAR VARY BY
L0000041	0	0.16230E-05	451098.5	3769227.3	296.7	3.49	6.51	3.25	YES NO
L0000042	0	0.16230E-05	451112.5	3769227.2	296.7	3.49	6.51	3.25	YES NO
L0000043	0	0.16230E-05	451126.5	3769227.1	296.6	3.49	6.51	3.25	YES NO
L0000044	0	0.16230E-05	451140.5	3769227.0	296.5	3.49	6.51	3.25	YES NO

L0000045	0	0.16230E-05	451154.5	3769226.9	296.5	3.49	6.51	3.25
YES		NO						
L0000046	0	0.16230E-05	451168.5	3769226.8	296.4	3.49	6.51	3.25
YES		NO						
L0000047	0	0.16230E-05	451182.5	3769226.6	296.4	3.49	6.51	3.25
YES		NO						
L0000048	0	0.16230E-05	451196.5	3769226.5	296.4	3.49	6.51	3.25
YES		NO						
L0000049	0	0.16230E-05	451210.5	3769226.4	296.4	3.49	6.51	3.25
YES		NO						
L0000050	0	0.16230E-05	451224.5	3769226.3	296.3	3.49	6.51	3.25
YES		NO						
L0000051	0	0.16230E-05	451238.5	3769226.2	296.3	3.49	6.51	3.25
YES		NO						
L0000052	0	0.16230E-05	451252.5	3769226.1	296.2	3.49	6.51	3.25
YES		NO						
L0000053	0	0.16230E-05	451266.5	3769226.0	296.1	3.49	6.51	3.25
YES		NO						
L0000054	0	0.16230E-05	451280.5	3769225.9	295.9	3.49	6.51	3.25
YES		NO						
L0000055	0	0.16230E-05	451294.5	3769225.8	295.8	3.49	6.51	3.25
YES		NO						
L0000056	0	0.16230E-05	451308.5	3769225.7	295.7	3.49	6.51	3.25
YES		NO						
L0000057	0	0.16230E-05	451322.5	3769225.5	295.5	3.49	6.51	3.25
YES		NO						
L0000058	0	0.16230E-05	451336.5	3769225.4	295.5	3.49	6.51	3.25
YES		NO						
L0000059	0	0.16230E-05	451350.5	3769225.3	295.7	3.49	6.51	3.25
YES		NO						
L0000060	0	0.16230E-05	451364.5	3769225.2	295.9	3.49	6.51	3.25
YES		NO						
L0000061	0	0.16230E-05	451378.5	3769225.1	296.1	3.49	6.51	3.25
YES		NO						
L0000062	0	0.16230E-05	451392.5	3769225.0	296.4	3.49	6.51	3.25
YES		NO						
L0000063	0	0.16230E-05	451406.5	3769224.9	296.5	3.49	6.51	3.25
YES		NO						
L0000064	0	0.16230E-05	451420.5	3769224.8	296.6	3.49	6.51	3.25
YES		NO						
L0000065	0	0.16230E-05	451434.5	3769224.7	296.7	3.49	6.51	3.25
YES		NO						
L0000066	0	0.16230E-05	451448.5	3769224.6	296.7	3.49	6.51	3.25
YES		NO						
L0000067	0	0.16230E-05	451462.4	3769224.2	297.0	3.49	6.51	3.25
YES		NO						
L0000068	0	0.16230E-05	451476.4	3769223.1	297.2	3.49	6.51	3.25
YES		NO						
L0000069	0	0.16230E-05	451489.6	3769218.6	297.4	3.49	6.51	3.25
YES		NO						
L0000070	0	0.16230E-05	451502.7	3769213.6	297.6	3.49	6.51	3.25
YES		NO						
L0000071	0	0.16230E-05	451515.7	3769208.5	297.5	3.49	6.51	3.25
YES		NO						
L0000072	0	0.16230E-05	451528.8	3769203.5	297.3	3.49	6.51	3.25
YES		NO						
L0000073	0	0.16230E-05	451541.8	3769198.4	297.1	3.49	6.51	3.25
YES		NO						
L0000074	0	0.16230E-05	451554.9	3769193.3	297.2	3.49	6.51	3.25
YES		NO						
L0000075	0	0.16230E-05	451567.9	3769188.3	297.2	3.49	6.51	3.25
YES		NO						
L0000076	0	0.16230E-05	451581.1	3769183.4	297.3	3.49	6.51	3.25
YES		NO						
L0000077	0	0.16230E-05	451594.6	3769180.0	297.4	3.49	6.51	3.25
YES		NO						

L0000078 0 0.16230E-05 451608.4 3769178.0 297.4 3.49 6.51 3.25
YES NO
L0000079 0 0.16230E-05 451622.4 3769177.1 297.4 3.49 6.51 3.25
YES NO
L0000080 0 0.16230E-05 451631.0 3769182.8 297.6 3.49 6.51 3.25
YES NO
FF *** AERMOD - VERSION 23132 *** *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops *** 10/28/24
*** AERMET - VERSION 16216 ***
*** *** 15:47:13

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*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC)	AIRCRAFT X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ	SCALAR VARY BY
L0000081	0	0.16230E-05	451632.8	3769196.6	298.1	3.49	6.51	3.25	YES NO
L0000082	0	0.16230E-05	451633.8	3769210.6	298.5	3.49	6.51	3.25	YES NO
L0000083	0	0.16230E-05	451633.7	3769224.6	298.9	3.49	6.51	3.25	YES NO
L0000084	0	0.16230E-05	451633.6	3769238.6	299.4	3.49	6.51	3.25	YES NO
L0000085	0	0.16230E-05	451633.5	3769252.6	299.9	3.49	6.51	3.25	YES NO
L0000086	0	0.16230E-05	451633.5	3769266.6	300.4	3.49	6.51	3.25	YES NO
L0000087	0	0.16230E-05	451633.4	3769280.6	301.0	3.49	6.51	3.25	YES NO
L0000088	0	0.16230E-05	451633.3	3769294.6	301.8	3.49	6.51	3.25	YES NO
L0000089	0	0.16230E-05	451633.2	3769308.6	302.6	3.49	6.51	3.25	YES NO
L0000090	0	0.16230E-05	451633.1	3769322.6	303.6	3.49	6.51	3.25	YES NO
L0000091	0	0.16230E-05	451633.0	3769336.6	304.6	3.49	6.51	3.25	YES NO
L0000092	0	0.16230E-05	451632.9	3769350.6	305.9	3.49	6.51	3.25	YES NO
L0000093	0	0.16230E-05	451632.8	3769364.6	307.2	3.49	6.51	3.25	YES NO
L0000094	0	0.16230E-05	451632.8	3769378.6	307.3	3.49	6.51	3.25	YES NO
L0000095	0	0.16230E-05	451633.0	3769392.6	307.2	3.49	6.51	3.25	YES NO
L0000096	0	0.16230E-05	451633.2	3769406.6	306.5	3.49	6.51	3.25	YES NO
L0000097	0	0.16230E-05	451633.5	3769420.6	305.7	3.49	6.51	3.25	YES NO
L0000098	0	0.16230E-05	451633.7	3769434.6	305.2	3.49	6.51	3.25	YES NO
L0000099	0	0.16230E-05	451633.9	3769448.6	304.9	3.49	6.51	3.25	YES NO
L0000100	0	0.16230E-05	451634.2	3769462.6	305.0	3.49	6.51	3.25	YES NO

```
 L0000101         0   0.16230E-05  451634.4 3769476.6   305.4     3.49     6.51     3.25
 YES                    NO
 L0000102         0   0.16230E-05  451634.7 3769490.6   305.9     3.49     6.51     3.25
 YES                    NO
 L0000103         0   0.16230E-05  451635.0 3769504.5   306.4     3.49     6.51     3.25
 YES                    NO
 L0000104         0   0.16230E-05  451635.4 3769518.5   306.7     3.49     6.51     3.25
 YES                    NO
 L0000105         0   0.16230E-05  451635.8 3769532.5   306.5     3.49     6.51     3.25
 YES                    NO
 L0000106         0   0.16230E-05  451636.2 3769546.5   306.2     3.49     6.51     3.25
 YES                    NO
 L0000107         0   0.16230E-05  451636.5 3769560.5   306.3     3.49     6.51     3.25
 YES                    NO
 L0000108         0   0.16230E-05  451636.9 3769574.5   306.5     3.49     6.51     3.25
 YES                    NO
 L0000109         0   0.16230E-05  451637.3 3769588.5   307.0     3.49     6.51     3.25
 YES                    NO
 L0000110         0   0.16230E-05  451637.6 3769602.5   307.5     3.49     6.51     3.25
 YES                    NO
 L0000111         0   0.16230E-05  451637.9 3769616.5   307.7     3.49     6.51     3.25
 YES                    NO
 L0000112         0   0.16230E-05  451637.9 3769630.5   307.8     3.49     6.51     3.25
 YES                    NO
 L0000113         0   0.16230E-05  451637.9 3769644.5   307.2     3.49     6.51     3.25
 YES                    NO
 L0000114         0   0.16230E-05  451637.9 3769658.5   306.3     3.49     6.51     3.25
 YES                    NO
 L0000115         0   0.16230E-05  451637.9 3769672.5   305.6     3.49     6.51     3.25
 YES                    NO
 L0000116         0   0.16230E-05  451637.9 3769686.5   305.1     3.49     6.51     3.25
 YES                    NO
 L0000117         0   0.16230E-05  451637.9 3769700.5   304.7     3.49     6.51     3.25
 YES                    NO
 L0000118         0   0.16230E-05  451637.9 3769714.5   304.5     3.49     6.51     3.25
 YES                    NO
 L0000119         0   0.16230E-05  451637.9 3769728.5   304.4     3.49     6.51     3.25
 YES                    NO
 L0000120         0   0.16230E-05  451637.9 3769742.5   304.6     3.49     6.51     3.25
 YES                    NO
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       15:47:13

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE   AIRCRAFT
  SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
  SOURCE  SCALAR VARY
    ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
    (METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - - -

 L0000121         0   0.16230E-05  451637.9 3769756.5   304.8     3.49     6.51     3.25
 YES                    NO
 L0000122         0   0.16230E-05  451637.9 3769770.5   305.1     3.49     6.51     3.25
 YES                    NO
 L0000123         0   0.16230E-05  451637.9 3769784.5   305.3     3.49     6.51     3.25
 YES                    NO
```

L0000124	0	0.16230E-05	451638.3	3769798.5	306.2	3.49	6.51	3.25
YES		NO						
L0000125	0	0.16230E-05	451638.8	3769812.5	307.1	3.49	6.51	3.25
YES		NO						
L0000126	0	0.16230E-05	451639.3	3769826.5	307.4	3.49	6.51	3.25
YES		NO						
L0000127	0	0.16230E-05	451639.7	3769840.5	307.5	3.49	6.51	3.25
YES		NO						
L0000128	0	0.16230E-05	451640.2	3769854.5	307.8	3.49	6.51	3.25
YES		NO						
L0000129	0	0.16230E-05	451640.7	3769868.5	308.4	3.49	6.51	3.25
YES		NO						
L0000130	0	0.16230E-05	451641.1	3769882.5	308.5	3.49	6.51	3.25
YES		NO						
L0000131	0	0.16230E-05	451641.6	3769896.4	308.2	3.49	6.51	3.25
YES		NO						
L0000132	0	0.16230E-05	451642.1	3769910.4	307.8	3.49	6.51	3.25
YES		NO						
VOL1	0	0.13707E-03	450539.6	3769359.4	299.6	5.00	10.67	1.40
YES		NO						
VOL2	0	0.13707E-03	450585.4	3769360.2	299.4	5.00	10.67	1.40
YES		NO						
VOL3	0	0.13707E-03	450631.3	3769361.1	299.3	5.00	10.67	1.40
YES		NO						
VOL4	0	0.13707E-03	450676.3	3769362.8	299.3	5.00	10.67	1.40
YES		NO						
VOL5	0	0.13707E-03	450722.2	3769364.5	299.3	5.00	10.67	1.40
YES		NO						
VOL6	0	0.13707E-03	450768.0	3769365.3	299.3	5.00	10.67	1.40
YES		NO						
VOL7	0	0.13707E-03	450814.3	3769366.2	299.3	5.00	10.67	1.40
YES		NO						
VOL8	0	0.13707E-03	450846.6	3769383.2	299.7	5.00	10.67	1.40
YES		NO						
VOL9	0	0.13707E-03	450865.3	3769338.6	299.2	5.00	10.67	1.40
YES		NO						
VOL10	0	0.13707E-03	450865.3	3769385.3	299.6	5.00	10.67	1.40
YES		NO						
VOL11	0	0.13707E-03	450819.8	3769337.3	299.0	5.00	10.67	1.40
YES		NO						
VOL12	0	0.13707E-03	450774.0	3769320.7	298.9	5.00	10.67	1.40
YES		NO						
VOL13	0	0.13707E-03	450728.5	3769319.5	298.8	5.00	10.67	1.40
YES		NO						
VOL14	0	0.13707E-03	450682.7	3769319.5	298.8	5.00	10.67	1.40
YES		NO						
VOL15	0	0.13707E-03	450637.2	3769317.3	298.8	5.00	10.67	1.40
YES		NO						
VOL16	0	0.13707E-03	450591.8	3769315.2	298.8	5.00	10.67	1.40
YES		NO						
VOL17	0	0.13707E-03	450544.2	3769314.8	299.1	5.00	10.67	1.40
YES		NO						
VOL18	0	0.13707E-03	450542.1	3769267.2	298.6	5.00	10.67	1.40
YES		NO						
VOL19	0	0.13707E-03	450590.1	3769266.8	298.5	5.00	10.67	1.40
YES		NO						
VOL20	0	0.13707E-03	450634.3	3769274.4	298.7	5.00	10.67	1.40
YES		NO						
VOL21	0	0.13707E-03	450680.1	3769274.9	298.7	5.00	10.67	1.40
YES		NO						
VOL22	0	0.13707E-03	450724.7	3769273.6	298.4	5.00	10.67	1.40
YES		NO						
VOL23	0	0.13707E-03	450768.0	3769274.9	298.3	5.00	10.67	1.40
YES		NO						
VOL24	0	0.13707E-03	450814.7	3769291.0	298.4	5.00	10.67	1.40
YES		NO						

```
 VOL25           0   0.13707E-03  450862.7 3769293.1   298.7     5.00    10.67     1.40
 YES                   NO
 VOL26           0   0.13707E-03  450634.7 3769266.0   298.7     5.00    10.67     1.40
 YES                   NO
 VOL27           0   0.13707E-03  450681.4 3769264.7   298.7     5.00    10.67     1.40
 YES                   NO
 VOL28           0   0.13707E-03  450728.1 3769266.0   298.4     5.00    10.67     1.40
 YES                   NO
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       15:47:13

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE   AIRCRAFT
   SOURCE      PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID        CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
     (METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - - -

 VOL29           0   0.13707E-03  450773.5 3769267.2   298.3     5.00    10.67     1.40
 YES                   NO
 VOL30           0   0.13707E-03  450816.4 3769266.8   298.2     5.00    10.67     1.40
 YES                   NO
 VOL31           0   0.13707E-03  450864.0 3769266.4   298.4     5.00    10.67     1.40
 YES                   NO
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                           *** SOURCE IDs DEFINING SOURCE GROUPS ***

 SRCGROUP ID                                          SOURCE IDs
 -----------                                          ----------


  ALL        L0000001    , L0000002    , L0000003    , L0000004    , L0000005    , L0000006    ,
  L0000007    , L0000008    ,

             L0000009    , L0000010    , L0000011    , L0000012    , L0000013    , L0000014    ,
             L0000015    , L0000016    ,

             L0000017    , L0000018    , L0000019    , L0000020    , L0000021    , L0000022    ,
             L0000023    , L0000024    ,

             L0000025    , L0000026    , L0000027    , L0000028    , L0000029    , L0000030    ,
             L0000031    , L0000032    ,

             L0000033    , L0000034    , L0000035    , L0000036    , L0000037    , L0000038    ,
             L0000039    , L0000040    ,

             L0000041    , L0000042    , L0000043    , L0000044    , L0000045    , L0000046    ,
             L0000047    , L0000048    ,
```

```
            L0000049    , L0000050    , L0000051    , L0000052    , L0000053    , L0000054    ,
            L0000055    , L0000056    ,

            L0000057    , L0000058    , L0000059    , L0000060    , L0000061    , L0000062    ,
            L0000063    , L0000064    ,

            L0000065    , L0000066    , L0000067    , L0000068    , L0000069    , L0000070    ,
            L0000071    , L0000072    ,

            L0000073    , L0000074    , L0000075    , L0000076    , L0000077    , L0000078    ,
            L0000079    , L0000080    ,

            L0000081    , L0000082    , L0000083    , L0000084    , L0000085    , L0000086    ,
            L0000087    , L0000088    ,

            L0000089    , L0000090    , L0000091    , L0000092    , L0000093    , L0000094    ,
            L0000095    , L0000096    ,

            L0000097    , L0000098    , L0000099    , L0000100    , L0000101    , L0000102    ,
            L0000103    , L0000104    ,

            L0000105    , L0000106    , L0000107    , L0000108    , L0000109    , L0000110    ,
            L0000111    , L0000112    ,

            L0000113    , L0000114    , L0000115    , L0000116    , L0000117    , L0000118    ,
            L0000119    , L0000120    ,

            L0000121    , L0000122    , L0000123    , L0000124    , L0000125    , L0000126    ,
            L0000127    , L0000128    ,

            L0000129    , L0000130    , L0000131    , L0000132    , VOL1        , VOL2        ,
            VOL3        , VOL4        ,

            VOL5        , VOL6        , VOL7        , VOL8        , VOL9        , VOL10       ,
            VOL11       , VOL12       ,

            VOL13       , VOL14       , VOL15       , VOL16       , VOL17       , VOL18       ,
            VOL19       , VOL20       ,

            VOL21       , VOL22       , VOL23       , VOL24       , VOL25       , VOL26       ,
            VOL27       , VOL28       ,
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                        *** SOURCE IDs DEFINING SOURCE GROUPS ***

 SRCGROUP ID                                            SOURCE IDs
 -----------                                            ----------


            VOL29       , VOL30       , VOL31       ,
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       15:47:13

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*
```

*** SOURCE IDs DEFINED AS URBAN SOURCES ***

URBAN ID	URBAN POP	SOURCE IDs
	2035210.	L0000001 , L0000002 , L0000003 , L0000004 , L0000005 , L0000006 , L0000007 , L0000008 ,
		L0000009 , L0000010 , L0000011 , L0000012 , L0000013 , L0000014 , L0000015 , L0000016 ,
		L0000017 , L0000018 , L0000019 , L0000020 , L0000021 , L0000022 , L0000023 , L0000024 ,
		L0000025 , L0000026 , L0000027 , L0000028 , L0000029 , L0000030 , L0000031 , L0000032 ,
		L0000033 , L0000034 , L0000035 , L0000036 , L0000037 , L0000038 , L0000039 , L0000040 ,
		L0000041 , L0000042 , L0000043 , L0000044 , L0000045 , L0000046 , L0000047 , L0000048 ,
		L0000049 , L0000050 , L0000051 , L0000052 , L0000053 , L0000054 , L0000055 , L0000056 ,
		L0000057 , L0000058 , L0000059 , L0000060 , L0000061 , L0000062 , L0000063 , L0000064 ,
		L0000065 , L0000066 , L0000067 , L0000068 , L0000069 , L0000070 , L0000071 , L0000072 ,
		L0000073 , L0000074 , L0000075 , L0000076 , L0000077 , L0000078 , L0000079 , L0000080 ,
		L0000081 , L0000082 , L0000083 , L0000084 , L0000085 , L0000086 , L0000087 , L0000088 ,
		L0000089 , L0000090 , L0000091 , L0000092 , L0000093 , L0000094 , L0000095 , L0000096 ,
		L0000097 , L0000098 , L0000099 , L0000100 , L0000101 , L0000102 , L0000103 , L0000104 ,
		L0000105 , L0000106 , L0000107 , L0000108 , L0000109 , L0000110 , L0000111 , L0000112 ,
		L0000113 , L0000114 , L0000115 , L0000116 , L0000117 , L0000118 , L0000119 , L0000120 ,
		L0000121 , L0000122 , L0000123 , L0000124 , L0000125 , L0000126 , L0000127 , L0000128 ,
		L0000129 , L0000130 , L0000131 , L0000132 , VOL1 , VOL2 , VOL3 , VOL4 ,
		VOL5 , VOL6 , VOL7 , VOL8 , VOL9 , VOL10 , VOL11 , VOL12 ,
		VOL13 , VOL14 , VOL15 , VOL16 , VOL17 , VOL18 , VOL19 , VOL20 ,
		VOL21 , VOL22 , VOL23 , VOL24 , VOL25 , VOL26

*** SOURCE IDs DEFINED AS URBAN SOURCES ***

URBAN ID	URBAN POP	SOURCE IDs

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)
(METERS)

(450497.4, 3769490.5, 301.2, 301.2, 0.0); (450800.7, 3769496.4, 301.2, 301.2, 0.0);
(450844.7, 3769482.7, 300.8, 300.8, 0.0); (450443.3, 3769464.3, 300.9, 300.9, 0.0);
(450501.5, 3769327.5, 299.2, 299.2, 0.0); (450500.6, 3769279.8, 298.7, 298.7, 0.0);
(450904.5, 3769273.6, 298.7, 298.7, 0.0); (450904.5, 3769256.7, 298.3, 298.3, 0.0);
(451224.7, 3769252.7, 296.5, 296.5, 0.0); (451223.3, 3769282.5, 297.0, 297.0, 0.0);
(451085.8, 3769299.7, 297.7, 297.7, 0.0); (451203.8, 3769285.4, 297.1, 297.1, 0.0);
(450660.4, 3769097.0, 298.3, 298.3, 0.0); (451202.0, 3769091.5, 294.3, 294.3, 0.0);
(450843.3, 3769093.9, 296.0, 296.0, 0.0); (451065.3, 3769091.5, 295.0, 295.0, 0.0);
(450488.4, 3769125.6, 297.5, 297.5, 0.0); (450365.0, 3769200.8, 297.4, 297.4, 0.0);
(449491.0, 3769987.6, 306.4, 306.4, 0.0); (451310.5, 3769494.7, 298.9, 298.9, 0.0);
(451571.6, 3769299.6, 300.9, 300.9, 0.0); (451412.2, 3769298.4, 297.6, 297.6, 0.0);
(451467.2, 3769186.0, 296.7, 296.7, 0.0); (449272.9, 3769950.8, 304.9, 304.9, 0.0);
(449463.3, 3769963.2, 305.9, 305.9, 0.0); (449418.9, 3769937.8, 305.4, 305.4, 0.0);
(449134.5, 3770074.5, 305.9, 305.9, 0.0); (448757.9, 3770086.1, 305.4, 305.4, 0.0);
(451123.0, 3769118.2, 295.2, 295.2, 0.0); (453236.6, 3767558.9, 279.1, 279.1, 0.0);
(453308.3, 3767535.1, 279.2, 279.2, 0.0); (453281.0, 3767662.3, 280.5, 280.5, 0.0);
(453784.7, 3767275.2, 274.3, 274.3, 0.0); (453764.7, 3767244.9, 273.9, 273.9, 0.0);
(448293.4, 3770898.6, 316.0, 316.0, 0.0); (448374.2, 3771008.4, 318.1, 318.1, 0.0);
(448407.8, 3771051.1, 318.9, 318.9, 0.0); (451567.7, 3769513.9,

304.1, 304.1, 0.0);
(451567.3, 3769558.7, 304.5, 304.5, 0.0); (451504.3, 3769499.8, 301.8, 301.8, 0.0);
(451404.2, 3769478.0, 299.6, 299.6, 0.0); (451080.2, 3769366.8, 298.5, 298.5, 0.0);
(451083.4, 3769345.3, 298.2, 298.2, 0.0); (451855.6, 3769413.3, 300.9, 300.9, 0.0);
(451858.8, 3769297.5, 299.2, 299.2, 0.0); (451877.2, 3769588.2, 303.3, 303.3, 0.0);
(451769.8, 3769173.3, 296.9, 296.9, 0.0); (451225.0, 3771073.4, 322.8, 322.8, 0.0);
(451290.9, 3771093.6, 323.3, 323.3, 0.0); (451164.5, 3771074.8, 322.3, 322.3, 0.0);
(451104.0, 3771097.6, 321.9, 321.9, 0.0); (451062.3, 3771139.3, 322.2, 322.2, 0.0);
(451009.9, 3771061.3, 321.1, 321.1, 0.0); (448691.5, 3769705.9, 299.7, 299.7, 0.0);
(449617.9, 3769283.1, 297.9, 297.9, 0.0); (448536.2, 3769286.4, 294.6, 294.6, 0.0);
(449612.9, 3769208.8, 296.4, 296.4, 0.0); (450097.6, 3769277.4, 298.4, 298.4, 0.0);
(450354.4, 3769284.8, 298.8, 298.8, 0.0); (450184.3, 3769203.9, 297.4, 297.4, 0.0);
(449168.7, 3769208.8, 295.9, 295.9, 0.0); (448793.9, 3769211.3, 294.5, 294.5, 0.0);
(448534.6, 3769957.7, 302.3, 302.3, 0.0); (448442.1, 3770018.0, 302.9, 302.9, 0.0);
(448348.8, 3769949.5, 302.2, 302.2, 0.0);

FF *** AERMOD - VERSION 23132 *** *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops *** 10/28/24
*** AERMET - VERSION 16216 ***
*** *** 15:47:13

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*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

1 1 1

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** UP TO THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

Surface file:
KONT_V9_ADJU\KONT_v9.SFC Met
Version: 16216
Profile file:
KONT_V9_ADJU\KONT_v9.PFL
Surface format:
FREE

Profile format:
FREE

Surface station no.: 3102 Upper air station no.: 3190
Name: UNKNOWN Name:
UNKNOWN
Year: 2012 Year: 2012

First 24 hours of scalar data

YR	MO	DY	JDY	HR	H0	U*	W*	DT/DZ	ZICNV	ZIMCH	M-O LEN	Z0	BOWEN	ALBEDO	REF WS	WD	HT	REF TA	HT
12	01	01	1	01	-16.4	0.171	-9.000	-9.000	-999.	170.	32.3	0.09	1.12	1.00	2.03	43.	7.9	285.9	2.0
12	01	01	1	02	-18.8	0.194	-9.000	-9.000	-999.	205.	41.3	0.09	1.12	1.00	2.28	34.	7.9	285.4	2.0
12	01	01	1	03	-17.8	0.182	-9.000	-9.000	-999.	187.	36.5	0.09	1.12	1.00	2.15	24.	7.9	282.0	2.0
12	01	01	1	04	-9.4	0.128	-9.000	-9.000	-999.	110.	19.6	0.09	1.12	1.00	1.55	41.	7.9	283.1	2.0
12	01	01	1	05	-16.9	0.173	-9.000	-9.000	-999.	173.	33.0	0.09	1.12	1.00	2.05	39.	7.9	280.4	2.0
12	01	01	1	06	-8.0	0.117	-9.000	-9.000	-999.	97.	17.8	0.09	1.12	1.00	1.43	21.	7.9	282.0	2.0
12	01	01	1	07	-7.6	0.115	-9.000	-9.000	-999.	93.	17.4	0.09	1.12	1.00	1.40	31.	7.9	282.5	2.0
12	01	01	1	08	-13.6	0.184	-9.000	-9.000	-999.	190.	40.5	0.09	1.12	0.54	2.16	34.	7.9	284.2	2.0
12	01	01	1	09	28.4	0.126	0.300	0.011	33.	108.	-6.2	0.09	1.12	0.32	1.03	29.	7.9	289.2	2.0
12	01	01	1	10	79.8	0.133	0.607	0.010	99.	116.	-2.6	0.09	1.12	0.25	0.94	173.	7.9	292.5	2.0
12	01	01	1	11	115.8	0.137	0.932	0.006	246.	121.	-2.0	0.09	1.12	0.22	0.92	172.	7.9	295.4	2.0
12	01	01	1	12	133.7	0.139	1.197	0.005	453.	125.	-1.8	0.09	1.12	0.21	0.92	146.	7.9	297.5	2.0
12	01	01	1	13	133.2	0.160	1.354	0.005	657.	153.	-2.7	0.09	1.12	0.21	1.14	117.	7.9	299.9	2.0
12	01	01	1	14	113.5	0.159	1.454	0.005	955.	151.	-3.1	0.09	1.12	0.23	1.16	285.	7.9	300.9	2.0
12	01	01	1	15	76.2	0.166	1.350	0.005	1138.	163.	-5.3	0.09	1.12	0.26	1.33	72.	7.9	302.0	2.0
12	01	01	1	16	23.5	0.175	0.925	0.005	1183.	175.	-19.9	0.09	1.12	0.35	1.65	107.	7.9	301.4	2.0
12	01	01	1	17	-6.1	0.107	-9.000	-9.000	-999.	86.	18.0	0.09	1.12	0.63	1.31	107.	7.9	298.1	2.0
12	01	01	1	18	-11.1	0.141	-9.000	-9.000	-999.	127.	22.1	0.09	1.12	1.00	1.6				

```
 86.    7.9  293.1    2.0
 12 01 01   1 19   -3.2  0.076 -9.000 -9.000 -999.   51.     11.8  0.09   1.12   1.00    0.91
 64.    7.9  292.0    2.0
 12 01 01   1 20   -2.3  0.066 -9.000 -9.000 -999.   41.     11.2  0.09   1.12   1.00    0.74
 73.    7.9  288.8    2.0
 12 01 01   1 21  -10.0  0.133 -9.000 -9.000 -999.  116.     20.5  0.09   1.12   1.00    1.60
 14.    7.9  288.1    2.0
 12 01 01   1 22  -19.4  0.201 -9.000 -9.000 -999.  216.     44.5  0.09   1.12   1.00    2.36
 22.    7.9  287.5    2.0
 12 01 01   1 23  -23.7  0.246 -9.000 -9.000 -999.  293.     66.5  0.09   1.12   1.00    2.86
 40.    7.9  287.0    2.0
 12 01 01   1 24  -12.3  0.147 -9.000 -9.000 -999.  139.     23.8  0.09   1.12   1.00    1.76
 40.    7.9  283.8    2.0


 First hour of profile data
 YR MO DY HR HEIGHT F  WDIR    WSPD AMB_TMP sigmaA  sigmaW  sigmaV
 12 01 01 01    7.9 1   43.    2.03   286.0   99.0  -99.00  -99.00

 F indicates top of profile (=1) or below (=0)
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                            *** THE PERIOD ( 43848 HRS) AVERAGE CONCENTRATION   VALUES FOR
                            SOURCE GROUP: ALL      ***
                                INCLUDING SOURCE(S):     L0000001    , L0000002    ,
                                L0000003    , L0000004    , L0000005    ,
                  L0000006    , L0000007    , L0000008    , L0000009    , L0000010    ,
                  L0000011    , L0000012    , L0000013    ,
                  L0000014    , L0000015    , L0000016    , L0000017    , L0000018    ,
                  L0000019    , L0000020    , L0000021    ,
                  L0000022    , L0000023    , L0000024    , L0000025    , L0000026    ,
                  L0000027    , L0000028    ,  . . .      ,

                                       *** DISCRETE CARTESIAN RECEPTOR POINTS ***

                                    ** CONC OF DPM      IN
                                    MICROGRAMS/M**3                          **

       X-COORD (M)   Y-COORD (M)        CONC                       X-COORD (M)   Y-COORD
       (M)        CONC
 - - -
```

```
449490.95    3769987.56        0.00165                    451310.46
3769494.69         0.02701
451571.63    3769299.56        0.01510                    451412.20
3769298.37         0.01901
451467.16    3769185.97        0.01507                    449272.92
3769950.83         0.00141
449463.32    3769963.25        0.00165                    449418.90
3769937.78         0.00162
449134.45    3770074.53        0.00116                    448757.86
3770086.14         0.00089
451123.04    3769118.25        0.02029                    453236.59
3767558.94         0.00064
453308.35    3767535.11        0.00062                    453281.04
3767662.29         0.00065
453784.70    3767275.20        0.00047                    453764.70
3767244.94         0.00047
448293.38    3770898.58        0.00046                    448374.25
3771008.42         0.00045
448407.77    3771051.14        0.00044                    451567.70
3769513.90         0.01815
451567.29    3769558.70        0.01845                    451504.33
3769499.78         0.01787
451404.23    3769477.98        0.02177                    451080.25
3769366.84         0.06648
451083.41    3769345.35        0.06318                    451855.58
3769413.29         0.00926
451858.79    3769297.51        0.00793                    451877.19
3769588.22         0.00974
451769.79    3769173.32        0.00738                    451225.00
3771073.42         0.00096
451290.87    3771093.58        0.00095                    451164.51
3771074.76         0.00095
451104.02    3771097.62        0.00092                    451062.35
3771139.29         0.00087
451009.92    3771061.32        0.00094                    448691.48
3769705.89         0.00108
449617.88    3769283.15        0.00324                    448536.25
3769286.45         0.00103
449612.93    3769208.84        0.00325                    450097.60
3769277.37         0.00898
450354.38    3769284.80        0.02640                    450184.29
3769203.88         0.01205
449168.72    3769208.84        0.00183                    448793.86
3769211.31         0.00127
448534.60    3769957.72        0.00091                    448442.13
3770017.99         0.00084
448348.82    3769949.46
0.00081

FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                  ***       15:47:13

                     PAGE  15
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                                  *** THE SUMMARY OF MAXIMUM PERIOD ( 43848 HRS) RESULTS
                                  ***


                                ** CONC OF DPM      IN
                                MICROGRAMS/M**3                       **


    NETWORK
```

```
GROUP ID                        AVERAGE CONC                RECEPTOR  (XR, YR, ZELEV, ZHILL,
ZFLAG)  OF TYPE  GRID-ID
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - -

ALL       1ST HIGHEST VALUE IS       0.22776 AT (  450904.52,  3769273.57,   298.65,
298.65,    0.00)  DC
          2ND HIGHEST VALUE IS       0.17983 AT (  450904.52,  3769256.68,   298.30,
          298.30,    0.00)  DC
          3RD HIGHEST VALUE IS       0.11396 AT (  450501.53,  3769327.46,   299.22,
          299.22,    0.00)  DC
          4TH HIGHEST VALUE IS       0.11254 AT (  450500.56,  3769279.81,   298.74,
          298.74,    0.00)  DC
          5TH HIGHEST VALUE IS       0.08628 AT (  450844.74,  3769482.73,   300.84,
          300.84,    0.00)  DC
          6TH HIGHEST VALUE IS       0.07330 AT (  450800.72,  3769496.41,   301.24,
          301.24,    0.00)  DC
          7TH HIGHEST VALUE IS       0.06648 AT (  451080.25,  3769366.84,   298.50,
          298.50,    0.00)  DC
          8TH HIGHEST VALUE IS       0.06318 AT (  451083.41,  3769345.35,   298.25,
          298.25,    0.00)  DC
          9TH HIGHEST VALUE IS       0.05469 AT (  451085.83,  3769299.70,   297.72,
          297.72,    0.00)  DC
         10TH HIGHEST VALUE IS       0.05456 AT (  450660.39,  3769097.00,   298.29,
         298.29,    0.00)  DC


 *** RECEPTOR TYPES:  GC = GRIDCART
                      GP = GRIDPOLR
                      DC = DISCCART
                      DP = DISCPOLR
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       15:47:13

                      PAGE  16
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

 *** Message Summary : AERMOD Model Execution ***

  --------- Summary of Total Messages --------

 A Total of            0 Fatal Error Message(s)
 A Total of            2 Warning Message(s)
 A Total of         1628 Informational Message(s)

 A Total of        43848 Hours Were Processed

 A Total of         1278 Calm Hours Identified

 A Total of          350 Missing Hours Identified (  0.80 Percent)


    ******** FATAL ERROR MESSAGES ********
               ***  NONE  ***


    ********   WARNING MESSAGES   ********
 ME W186     416       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used          0.50
 ME W187     416       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

    ***********************************
    *** AERMOD Finishes Successfully ***
    ***********************************
```

```
** Lakes Environmental AERMOD MPI
**
**************************************
**
** AERMOD Input Produced by:
** AERMOD View Ver. 12.0.0
** Lakes Environmental Software Inc.
** Date: 10/28/2024
** File: C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops\14539 Ops.ADI
**
**************************************
**
**
**************************************
** AERMOD Control Pathway
**************************************
**
**
CO STARTING
   TITLEONE C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops
   MODELOPT DFAULT CONC
   AVERTIME ANNUAL
   URBANOPT 2035210 San_Bernadino_County
   POLLUTID DPM
   RUNORNOT RUN
   ERRORFIL "14539 Ops.err"
CO FINISHED
**
**************************************
** AERMOD Source Pathway
**************************************
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
** ------------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE1
** DESCRSRC Idling
** PREFIX
** Length of Side = 8.59
** Configuration = Adjacent
** Emission Rate = 0.00004517
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 2
** 450584.276, 3769293.332, 298.63, 3.49, 4.00
** 450819.830, 3769300.271, 298.67, 3.49, 4.00
** ------------------------------------------------------------------------
   LOCATION L0000338     VOLUME   450588.570 3769293.458 298.57
   LOCATION L0000339     VOLUME   450597.156 3769293.711 298.58
   LOCATION L0000340     VOLUME   450605.742 3769293.964 298.58
   LOCATION L0000341     VOLUME   450614.328 3769294.217 298.60
   LOCATION L0000342     VOLUME   450622.915 3769294.470 298.64
   LOCATION L0000343     VOLUME   450631.501 3769294.723 298.67
   LOCATION L0000344     VOLUME   450640.087 3769294.976 298.70
   LOCATION L0000345     VOLUME   450648.673 3769295.229 298.70
   LOCATION L0000346     VOLUME   450657.260 3769295.482 298.70
   LOCATION L0000347     VOLUME   450665.846 3769295.735 298.70
   LOCATION L0000348     VOLUME   450674.432 3769295.988 298.70
   LOCATION L0000349     VOLUME   450683.019 3769296.241 298.70
   LOCATION L0000350     VOLUME   450691.605 3769296.494 298.70
   LOCATION L0000351     VOLUME   450700.191 3769296.746 298.70
   LOCATION L0000352     VOLUME   450708.777 3769296.999 298.67
   LOCATION L0000353     VOLUME   450717.364 3769297.252 298.65
```

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   LOCATION L0000354     VOLUME   450725.950 3769297.505 298.62
   LOCATION L0000355     VOLUME   450734.536 3769297.758 298.62
   LOCATION L0000356     VOLUME   450743.122 3769298.011 298.62
   LOCATION L0000357     VOLUME   450751.709 3769298.264 298.62
   LOCATION L0000358     VOLUME   450760.295 3769298.517 298.62
   LOCATION L0000359     VOLUME   450768.881 3769298.770 298.60
   LOCATION L0000360     VOLUME   450777.468 3769299.023 298.59
   LOCATION L0000361     VOLUME   450786.054 3769299.276 298.57
   LOCATION L0000362     VOLUME   450794.640 3769299.529 298.57
   LOCATION L0000363     VOLUME   450803.226 3769299.782 298.57
   LOCATION L0000364     VOLUME   450811.813 3769300.035 298.58
** End of LINE VOLUME Source ID = SLINE1
** ----------------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE2
** DESCRSRC Onsite
** PREFIX
** Length of Side = 8.59
** Configuration = Adjacent
** Emission Rate = 0.00001482
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 8
** 450532.053, 3769244.030, 298.41, 3.49, 4.00
** 450532.053, 3769261.560, 298.60, 3.49, 4.00
** 450581.355, 3769261.925, 298.54, 3.49, 4.00
** 450593.772, 3769274.707, 298.44, 3.49, 4.00
** 450781.484, 3769278.359, 298.14, 3.49, 4.00
** 450819.830, 3769274.342, 298.10, 3.49, 4.00
** 450875.340, 3769273.976, 298.68, 3.49, 4.00
** 450876.071, 3769245.856, 298.09, 3.49, 4.00
** ----------------------------------------------------------------------
   LOCATION L0000365     VOLUME   450532.053 3769248.325 298.42
   LOCATION L0000366     VOLUME   450532.053 3769256.915 298.51
   LOCATION L0000367     VOLUME   450535.998 3769261.589 298.55
   LOCATION L0000368     VOLUME   450544.588 3769261.652 298.55
   LOCATION L0000369     VOLUME   450553.178 3769261.716 298.55
   LOCATION L0000370     VOLUME   450561.767 3769261.780 298.55
   LOCATION L0000371     VOLUME   450570.357 3769261.843 298.55
   LOCATION L0000372     VOLUME   450578.947 3769261.907 298.55
   LOCATION L0000373     VOLUME   450585.662 3769266.359 298.50
   LOCATION L0000374     VOLUME   450591.648 3769272.520 298.44
   LOCATION L0000375     VOLUME   450599.313 3769274.815 298.41
   LOCATION L0000376     VOLUME   450607.901 3769274.982 298.41
   LOCATION L0000377     VOLUME   450616.489 3769275.149 298.48
   LOCATION L0000378     VOLUME   450625.078 3769275.316 298.56
   LOCATION L0000379     VOLUME   450633.666 3769275.483 298.65
   LOCATION L0000380     VOLUME   450642.254 3769275.650 298.70
   LOCATION L0000381     VOLUME   450650.843 3769275.817 298.70
   LOCATION L0000382     VOLUME   450659.431 3769275.984 298.70
   LOCATION L0000383     VOLUME   450668.020 3769276.151 298.70
   LOCATION L0000384     VOLUME   450676.608 3769276.318 298.70
   LOCATION L0000385     VOLUME   450685.196 3769276.485 298.70
   LOCATION L0000386     VOLUME   450693.785 3769276.652 298.70
   LOCATION L0000387     VOLUME   450702.373 3769276.820 298.68
   LOCATION L0000388     VOLUME   450710.961 3769276.987 298.59
   LOCATION L0000389     VOLUME   450719.550 3769277.154 298.51
   LOCATION L0000390     VOLUME   450728.138 3769277.321 298.42
   LOCATION L0000391     VOLUME   450736.727 3769277.488 298.41
   LOCATION L0000392     VOLUME   450745.315 3769277.655 298.41
   LOCATION L0000393     VOLUME   450753.903 3769277.822 298.41
   LOCATION L0000394     VOLUME   450762.492 3769277.989 298.39
   LOCATION L0000395     VOLUME   450771.080 3769278.156 298.31
   LOCATION L0000396     VOLUME   450779.668 3769278.323 298.23
   LOCATION L0000397     VOLUME   450788.221 3769277.653 298.13
   LOCATION L0000398     VOLUME   450796.764 3769276.758 298.10
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   LOCATION L0000399     VOLUME   450805.308 3769275.863 298.10
   LOCATION L0000400     VOLUME   450813.851 3769274.968 298.11
   LOCATION L0000401     VOLUME   450822.408 3769274.325 298.14
   LOCATION L0000402     VOLUME   450830.998 3769274.268 298.22
   LOCATION L0000403     VOLUME   450839.588 3769274.212 298.29
   LOCATION L0000404     VOLUME   450848.178 3769274.155 298.37
   LOCATION L0000405     VOLUME   450856.767 3769274.099 298.44
   LOCATION L0000406     VOLUME   450865.357 3769274.042 298.52
   LOCATION L0000407     VOLUME   450873.947 3769273.985 298.60
   LOCATION L0000408     VOLUME   450875.527 3769266.782 298.48
   LOCATION L0000409     VOLUME   450875.750 3769258.195 298.32
   LOCATION L0000410     VOLUME   450875.973 3769249.608 298.16
** End of LINE VOLUME Source ID = SLINE2
** ----------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE3
** DESCRSRC Offsite
** PREFIX
** Length of Side = 14.00
** Configuration = Adjacent
** Emission Rate = 0.00001217
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 14
** 450531.488, 3769231.780, 298.42, 3.49, 6.51
** 451458.160, 3769224.475, 296.68, 3.49, 6.51
** 451477.884, 3769223.014, 297.16, 3.49, 6.51
** 451508.566, 3769211.326, 297.73, 3.49, 6.51
** 451579.062, 3769183.931, 297.18, 3.49, 6.51
** 451600.612, 3769178.452, 297.61, 3.49, 6.51
** 451630.198, 3769176.626, 297.58, 3.49, 6.51
** 451633.851, 3769205.116, 298.46, 3.49, 6.51
** 451632.755, 3769377.520, 307.01, 3.49, 6.51
** 451633.851, 3769443.268, 304.95, 3.49, 6.51
** 451634.581, 3769487.099, 305.91, 3.49, 6.51
** 451637.869, 3769611.288, 307.59, 3.49, 6.51
** 451637.869, 3769784.058, 305.17, 3.49, 6.51
** 451642.335, 3769918.705, 307.93, 3.49, 6.51
** ----------------------------------------------------------------
   LOCATION L0000738     VOLUME   450538.488 3769231.725 298.40
   LOCATION L0000739     VOLUME   450552.488 3769231.615 298.43
   LOCATION L0000740     VOLUME   450566.487 3769231.505 298.57
   LOCATION L0000741     VOLUME   450580.487 3769231.394 298.70
   LOCATION L0000742     VOLUME   450594.486 3769231.284 298.70
   LOCATION L0000743     VOLUME   450608.486 3769231.173 298.70
   LOCATION L0000744     VOLUME   450622.485 3769231.063 298.70
   LOCATION L0000745     VOLUME   450636.485 3769230.953 298.70
   LOCATION L0000746     VOLUME   450650.485 3769230.842 298.70
   LOCATION L0000747     VOLUME   450664.484 3769230.732 298.70
   LOCATION L0000748     VOLUME   450678.484 3769230.622 298.61
   LOCATION L0000749     VOLUME   450692.483 3769230.511 298.47
   LOCATION L0000750     VOLUME   450706.483 3769230.401 298.40
   LOCATION L0000751     VOLUME   450720.482 3769230.291 298.40
   LOCATION L0000752     VOLUME   450734.482 3769230.180 298.40
   LOCATION L0000753     VOLUME   450748.481 3769230.070 298.40
   LOCATION L0000754     VOLUME   450762.481 3769229.959 298.40
   LOCATION L0000755     VOLUME   450776.481 3769229.849 298.40
   LOCATION L0000756     VOLUME   450790.480 3769229.739 298.40
   LOCATION L0000757     VOLUME   450804.480 3769229.628 298.40
   LOCATION L0000758     VOLUME   450818.479 3769229.518 298.40
   LOCATION L0000759     VOLUME   450832.479 3769229.408 298.34
   LOCATION L0000760     VOLUME   450846.478 3769229.297 298.28
   LOCATION L0000761     VOLUME   450860.478 3769229.187 298.08
   LOCATION L0000762     VOLUME   450874.478 3769229.077 297.83
   LOCATION L0000763     VOLUME   450888.477 3769228.966 297.74
   LOCATION L0000764     VOLUME   450902.477 3769228.856 297.74
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LOCATION L0000765     VOLUME   450916.476 3769228.745 297.70
LOCATION L0000766     VOLUME   450930.476 3769228.635 297.61
LOCATION L0000767     VOLUME   450944.475 3769228.525 297.50
LOCATION L0000768     VOLUME   450958.475 3769228.414 297.36
LOCATION L0000769     VOLUME   450972.475 3769228.304 297.23
LOCATION L0000770     VOLUME   450986.474 3769228.194 297.17
LOCATION L0000771     VOLUME   451000.474 3769228.083 297.11
LOCATION L0000772     VOLUME   451014.473 3769227.973 297.05
LOCATION L0000773     VOLUME   451028.473 3769227.863 297.00
LOCATION L0000774     VOLUME   451042.472 3769227.752 296.91
LOCATION L0000775     VOLUME   451056.472 3769227.642 296.82
LOCATION L0000776     VOLUME   451070.471 3769227.531 296.76
LOCATION L0000777     VOLUME   451084.471 3769227.421 296.70
LOCATION L0000778     VOLUME   451098.471 3769227.311 296.68
LOCATION L0000779     VOLUME   451112.470 3769227.200 296.68
LOCATION L0000780     VOLUME   451126.470 3769227.090 296.63
LOCATION L0000781     VOLUME   451140.469 3769226.980 296.54
LOCATION L0000782     VOLUME   451154.469 3769226.869 296.46
LOCATION L0000783     VOLUME   451168.468 3769226.759 296.41
LOCATION L0000784     VOLUME   451182.468 3769226.649 296.37
LOCATION L0000785     VOLUME   451196.468 3769226.538 296.37
LOCATION L0000786     VOLUME   451210.467 3769226.428 296.36
LOCATION L0000787     VOLUME   451224.467 3769226.317 296.32
LOCATION L0000788     VOLUME   451238.466 3769226.207 296.27
LOCATION L0000789     VOLUME   451252.466 3769226.097 296.18
LOCATION L0000790     VOLUME   451266.465 3769225.986 296.08
LOCATION L0000791     VOLUME   451280.465 3769225.876 295.95
LOCATION L0000792     VOLUME   451294.465 3769225.766 295.80
LOCATION L0000793     VOLUME   451308.464 3769225.655 295.66
LOCATION L0000794     VOLUME   451322.464 3769225.545 295.52
LOCATION L0000795     VOLUME   451336.463 3769225.435 295.51
LOCATION L0000796     VOLUME   451350.463 3769225.324 295.66
LOCATION L0000797     VOLUME   451364.462 3769225.214 295.85
LOCATION L0000798     VOLUME   451378.462 3769225.103 296.13
LOCATION L0000799     VOLUME   451392.461 3769224.993 296.37
LOCATION L0000800     VOLUME   451406.461 3769224.883 296.48
LOCATION L0000801     VOLUME   451420.461 3769224.772 296.58
LOCATION L0000802     VOLUME   451434.460 3769224.662 296.65
LOCATION L0000803     VOLUME   451448.460 3769224.552 296.73
LOCATION L0000804     VOLUME   451462.448 3769224.158 296.96
LOCATION L0000805     VOLUME   451476.409 3769223.123 297.19
LOCATION L0000806     VOLUME   451489.585 3769218.556 297.41
LOCATION L0000807     VOLUME   451502.668 3769213.573 297.56
LOCATION L0000808     VOLUME   451515.732 3769208.541 297.47
LOCATION L0000809     VOLUME   451528.782 3769203.470 297.27
LOCATION L0000810     VOLUME   451541.831 3769198.399 297.11
LOCATION L0000811     VOLUME   451554.880 3769193.328 297.17
LOCATION L0000812     VOLUME   451567.930 3769188.257 297.23
LOCATION L0000813     VOLUME   451581.055 3769183.424 297.30
LOCATION L0000814     VOLUME   451594.624 3769179.975 297.39
LOCATION L0000815     VOLUME   451608.418 3769177.970 297.39
LOCATION L0000816     VOLUME   451622.392 3769177.108 297.39
LOCATION L0000817     VOLUME   451630.984 3769182.754 297.63
LOCATION L0000818     VOLUME   451632.764 3769196.640 298.07
LOCATION L0000819     VOLUME   451633.816 3769210.571 298.48
LOCATION L0000820     VOLUME   451633.727 3769224.571 298.95
LOCATION L0000821     VOLUME   451633.638 3769238.570 299.44
LOCATION L0000822     VOLUME   451633.549 3769252.570 299.94
LOCATION L0000823     VOLUME   451633.460 3769266.570 300.44
LOCATION L0000824     VOLUME   451633.371 3769280.570 301.02
LOCATION L0000825     VOLUME   451633.282 3769294.569 301.79
LOCATION L0000826     VOLUME   451633.193 3769308.569 302.60
LOCATION L0000827     VOLUME   451633.104 3769322.569 303.59
LOCATION L0000828     VOLUME   451633.015 3769336.568 304.59
LOCATION L0000829     VOLUME   451632.926 3769350.568 305.92
LOCATION L0000830     VOLUME   451632.837 3769364.568 307.24
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   LOCATION L0000831     VOLUME   451632.773 3769378.567 307.33
   LOCATION L0000832     VOLUME   451633.006 3769392.566 307.21
   LOCATION L0000833     VOLUME   451633.239 3769406.564 306.54
   LOCATION L0000834     VOLUME   451633.472 3769420.562 305.68
   LOCATION L0000835     VOLUME   451633.706 3769434.560 305.17
   LOCATION L0000836     VOLUME   451633.939 3769448.558 304.90
   LOCATION L0000837     VOLUME   451634.172 3769462.556 304.97
   LOCATION L0000838     VOLUME   451634.406 3769476.554 305.44
   LOCATION L0000839     VOLUME   451634.673 3769490.551 305.91
   LOCATION L0000840     VOLUME   451635.043 3769504.546 306.38
   LOCATION L0000841     VOLUME   451635.414 3769518.541 306.72
   LOCATION L0000842     VOLUME   451635.784 3769532.536 306.47
   LOCATION L0000843     VOLUME   451636.155 3769546.532 306.23
   LOCATION L0000844     VOLUME   451636.525 3769560.527 306.34
   LOCATION L0000845     VOLUME   451636.896 3769574.522 306.46
   LOCATION L0000846     VOLUME   451637.266 3769588.517 306.97
   LOCATION L0000847     VOLUME   451637.636 3769602.512 307.53
   LOCATION L0000848     VOLUME   451637.869 3769616.509 307.71
   LOCATION L0000849     VOLUME   451637.869 3769630.509 307.75
   LOCATION L0000850     VOLUME   451637.869 3769644.509 307.23
   LOCATION L0000851     VOLUME   451637.869 3769658.509 306.32
   LOCATION L0000852     VOLUME   451637.869 3769672.509 305.61
   LOCATION L0000853     VOLUME   451637.869 3769686.509 305.13
   LOCATION L0000854     VOLUME   451637.869 3769700.509 304.74
   LOCATION L0000855     VOLUME   451637.869 3769714.509 304.53
   LOCATION L0000856     VOLUME   451637.869 3769728.509 304.39
   LOCATION L0000857     VOLUME   451637.869 3769742.509 304.60
   LOCATION L0000858     VOLUME   451637.869 3769756.509 304.80
   LOCATION L0000859     VOLUME   451637.869 3769770.509 305.06
   LOCATION L0000860     VOLUME   451637.884 3769784.509 305.33
   LOCATION L0000861     VOLUME   451638.348 3769798.501 306.17
   LOCATION L0000862     VOLUME   451638.812 3769812.493 307.08
   LOCATION L0000863     VOLUME   451639.276 3769826.486 307.41
   LOCATION L0000864     VOLUME   451639.740 3769840.478 307.50
   LOCATION L0000865     VOLUME   451640.205 3769854.470 307.84
   LOCATION L0000866     VOLUME   451640.669 3769868.462 308.36
   LOCATION L0000867     VOLUME   451641.133 3769882.455 308.51
   LOCATION L0000868     VOLUME   451641.597 3769896.447 308.19
   LOCATION L0000869     VOLUME   451642.061 3769910.439 307.84
** End of LINE VOLUME Source ID = SLINE3
** ----------------------------------------------------------------
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = SLINE4
** DESCRSRC
** PREFIX
** Length of Side = 14.00
** Configuration = Adjacent
** Emission Rate = 0.000018
** Vertical Dimension = 6.99
** SZINIT = 3.25
** Nodes = 8
** 450529.627, 3769233.421, 298.42, 3.49, 6.51
** 449916.126, 3769241.027, 297.17, 3.49, 6.51
** 449643.346, 3769240.520, 297.13, 3.49, 6.51
** 449321.385, 3769244.576, 296.88, 3.49, 6.51
** 448802.191, 3769248.125, 295.04, 3.49, 6.51
** 448601.916, 3769250.153, 294.13, 3.49, 6.51
** 448490.344, 3769251.788, 293.77, 3.49, 6.51
** 448495.722, 3769948.190, 302.15, 3.49, 6.51
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   LOCATION L0000871     VOLUME   450508.629 3769233.682 298.46
   LOCATION L0000872     VOLUME   450494.630 3769233.855 298.55
   LOCATION L0000873     VOLUME   450480.631 3769234.029 298.49
   LOCATION L0000874     VOLUME   450466.632 3769234.202 298.35
   LOCATION L0000875     VOLUME   450452.633 3769234.376 298.28
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LOCATION L0000876 VOLUME 450438.634 3769234.549 298.28
LOCATION L0000877 VOLUME 450424.635 3769234.723 298.26
LOCATION L0000878 VOLUME 450410.636 3769234.897 298.21
LOCATION L0000879 VOLUME 450396.637 3769235.070 298.15
LOCATION L0000880 VOLUME 450382.638 3769235.244 298.07
LOCATION L0000881 VOLUME 450368.639 3769235.417 297.98
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LOCATION L0000883 VOLUME 450340.642 3769235.764 297.99
LOCATION L0000884 VOLUME 450326.643 3769235.938 297.99
LOCATION L0000885 VOLUME 450312.644 3769236.111 297.99
LOCATION L0000886 VOLUME 450298.645 3769236.285 297.99
LOCATION L0000887 VOLUME 450284.646 3769236.458 297.99
LOCATION L0000888 VOLUME 450270.647 3769236.632 298.06
LOCATION L0000889 VOLUME 450256.648 3769236.805 298.16
LOCATION L0000890 VOLUME 450242.649 3769236.979 298.21
LOCATION L0000891 VOLUME 450228.650 3769237.153 298.21
LOCATION L0000892 VOLUME 450214.651 3769237.326 298.22
LOCATION L0000893 VOLUME 450200.652 3769237.500 298.22
LOCATION L0000894 VOLUME 450186.653 3769237.673 298.19
LOCATION L0000895 VOLUME 450172.655 3769237.847 298.06
LOCATION L0000896 VOLUME 450158.656 3769238.020 297.93
LOCATION L0000897 VOLUME 450144.657 3769238.194 297.93
LOCATION L0000898 VOLUME 450130.658 3769238.367 297.93
LOCATION L0000899 VOLUME 450116.659 3769238.541 297.84
LOCATION L0000900 VOLUME 450102.660 3769238.714 297.74
LOCATION L0000901 VOLUME 450088.661 3769238.888 297.71
LOCATION L0000902 VOLUME 450074.662 3769239.061 297.72
LOCATION L0000903 VOLUME 450060.663 3769239.235 297.63
LOCATION L0000904 VOLUME 450046.664 3769239.409 297.49
LOCATION L0000905 VOLUME 450032.665 3769239.582 297.42
LOCATION L0000906 VOLUME 450018.666 3769239.756 297.42
LOCATION L0000907 VOLUME 450004.667 3769239.929 297.42
LOCATION L0000908 VOLUME 449990.669 3769240.103 297.42
LOCATION L0000909 VOLUME 449976.670 3769240.276 297.42
LOCATION L0000910 VOLUME 449962.671 3769240.450 297.39
LOCATION L0000911 VOLUME 449948.672 3769240.623 297.36
LOCATION L0000912 VOLUME 449934.673 3769240.797 297.25
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LOCATION L0000914 VOLUME 449906.674 3769241.009 297.13
LOCATION L0000915 VOLUME 449892.674 3769240.983 297.13
LOCATION L0000916 VOLUME 449878.674 3769240.957 297.13
LOCATION L0000917 VOLUME 449864.674 3769240.931 297.13
LOCATION L0000918 VOLUME 449850.674 3769240.905 297.12
LOCATION L0000919 VOLUME 449836.674 3769240.879 297.12
LOCATION L0000920 VOLUME 449822.674 3769240.853 297.12
LOCATION L0000921 VOLUME 449808.674 3769240.827 297.12
LOCATION L0000922 VOLUME 449794.674 3769240.801 297.12
LOCATION L0000923 VOLUME 449780.674 3769240.775 297.12
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LOCATION L0000925 VOLUME 449752.675 3769240.723 297.09
LOCATION L0000926 VOLUME 449738.675 3769240.697 297.07
LOCATION L0000927 VOLUME 449724.675 3769240.671 297.06
LOCATION L0000928 VOLUME 449710.675 3769240.645 297.06
LOCATION L0000929 VOLUME 449696.675 3769240.619 297.04
LOCATION L0000930 VOLUME 449682.675 3769240.593 297.01
LOCATION L0000931 VOLUME 449668.675 3769240.567 297.03
LOCATION L0000932 VOLUME 449654.675 3769240.541 297.05
LOCATION L0000933 VOLUME 449640.675 3769240.553 297.06
LOCATION L0000934 VOLUME 449626.676 3769240.730 297.07
LOCATION L0000935 VOLUME 449612.677 3769240.906 297.13
LOCATION L0000936 VOLUME 449598.678 3769241.083 297.25
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LOCATION L0000940 VOLUME 449542.683 3769241.788 297.54
LOCATION L0000941 VOLUME 449528.684 3769241.964 297.65

LOCATION L0000942 VOLUME 449514.685 3769242.141 297.55
LOCATION L0000943 VOLUME 449500.686 3769242.317 297.45
LOCATION L0000944 VOLUME 449486.687 3769242.493 297.45
LOCATION L0000945 VOLUME 449472.688 3769242.670 297.45
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LOCATION L0000948 VOLUME 449430.692 3769243.199 297.44
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LOCATION L0000950 VOLUME 449402.694 3769243.552 297.37
LOCATION L0000951 VOLUME 449388.695 3769243.728 297.24
LOCATION L0000952 VOLUME 449374.696 3769243.904 297.16
LOCATION L0000953 VOLUME 449360.697 3769244.081 297.16
LOCATION L0000954 VOLUME 449346.698 3769244.257 297.13
LOCATION L0000955 VOLUME 449332.699 3769244.433 296.99
LOCATION L0000956 VOLUME 449318.700 3769244.594 296.86
LOCATION L0000957 VOLUME 449304.701 3769244.690 296.85
LOCATION L0000958 VOLUME 449290.701 3769244.786 296.84
LOCATION L0000959 VOLUME 449276.701 3769244.881 296.72
LOCATION L0000960 VOLUME 449262.702 3769244.977 296.59
LOCATION L0000961 VOLUME 449248.702 3769245.073 296.55
LOCATION L0000962 VOLUME 449234.702 3769245.169 296.55
LOCATION L0000963 VOLUME 449220.703 3769245.264 296.55
LOCATION L0000964 VOLUME 449206.703 3769245.360 296.55
LOCATION L0000965 VOLUME 449192.703 3769245.456 296.55
LOCATION L0000966 VOLUME 449178.704 3769245.551 296.55
LOCATION L0000967 VOLUME 449164.704 3769245.647 296.56
LOCATION L0000968 VOLUME 449150.704 3769245.743 296.56
LOCATION L0000969 VOLUME 449136.705 3769245.838 296.53
LOCATION L0000970 VOLUME 449122.705 3769245.934 296.39
LOCATION L0000971 VOLUME 449108.705 3769246.030 296.26
LOCATION L0000972 VOLUME 449094.706 3769246.126 296.26
LOCATION L0000973 VOLUME 449080.706 3769246.221 296.26
LOCATION L0000974 VOLUME 449066.706 3769246.317 296.27
LOCATION L0000975 VOLUME 449052.707 3769246.413 296.27
LOCATION L0000976 VOLUME 449038.707 3769246.508 296.27
LOCATION L0000977 VOLUME 449024.707 3769246.604 296.27
LOCATION L0000978 VOLUME 449010.708 3769246.700 296.18
LOCATION L0000979 VOLUME 448996.708 3769246.795 296.04
LOCATION L0000980 VOLUME 448982.708 3769246.891 295.97
LOCATION L0000981 VOLUME 448968.709 3769246.987 295.97
LOCATION L0000982 VOLUME 448954.709 3769247.083 295.97
LOCATION L0000983 VOLUME 448940.709 3769247.178 295.97
LOCATION L0000984 VOLUME 448926.709 3769247.274 295.94
LOCATION L0000985 VOLUME 448912.710 3769247.370 295.80
LOCATION L0000986 VOLUME 448898.710 3769247.465 295.66
LOCATION L0000987 VOLUME 448884.710 3769247.561 295.52
LOCATION L0000988 VOLUME 448870.711 3769247.657 295.38
LOCATION L0000989 VOLUME 448856.711 3769247.752 295.37
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LOCATION L0000998 VOLUME 448730.716 3769248.849 294.77
LOCATION L0000999 VOLUME 448716.717 3769248.991 294.74
LOCATION L0001000 VOLUME 448702.718 3769249.132 294.62
LOCATION L0001001 VOLUME 448688.718 3769249.274 294.50
LOCATION L0001002 VOLUME 448674.719 3769249.416 294.50
LOCATION L0001003 VOLUME 448660.720 3769249.558 294.50
LOCATION L0001004 VOLUME 448646.720 3769249.700 294.49
LOCATION L0001005 VOLUME 448632.721 3769249.841 294.48
LOCATION L0001006 VOLUME 448618.722 3769249.983 294.38
LOCATION L0001007 VOLUME 448604.723 3769250.125 294.26

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   LOCATION L0001008     VOLUME   448590.724 3769250.317 294.20
   LOCATION L0001009     VOLUME   448576.725 3769250.522 294.18
   LOCATION L0001010     VOLUME   448562.727 3769250.727 294.12
   LOCATION L0001011     VOLUME   448548.728 3769250.933 294.00
   LOCATION L0001012     VOLUME   448534.730 3769251.138 293.92
   LOCATION L0001013     VOLUME   448520.731 3769251.343 293.93
   LOCATION L0001014     VOLUME   448506.733 3769251.548 293.93
   LOCATION L0001015     VOLUME   448492.734 3769251.753 293.94
   LOCATION L0001016     VOLUME   448490.434 3769263.397 294.17
   LOCATION L0001017     VOLUME   448490.542 3769277.397 294.45
   LOCATION L0001018     VOLUME   448490.650 3769291.397 294.65
   LOCATION L0001019     VOLUME   448490.758 3769305.396 294.84
   LOCATION L0001020     VOLUME   448490.866 3769319.396 295.07
   LOCATION L0001021     VOLUME   448490.974 3769333.395 295.30
   LOCATION L0001022     VOLUME   448491.083 3769347.395 295.46
   LOCATION L0001023     VOLUME   448491.191 3769361.394 295.61
   LOCATION L0001024     VOLUME   448491.299 3769375.394 295.71
   LOCATION L0001025     VOLUME   448491.407 3769389.394 295.80
   LOCATION L0001026     VOLUME   448491.515 3769403.393 295.80
   LOCATION L0001027     VOLUME   448491.623 3769417.393 295.71
   LOCATION L0001028     VOLUME   448491.731 3769431.392 295.71
   LOCATION L0001029     VOLUME   448491.839 3769445.392 295.85
   LOCATION L0001030     VOLUME   448491.947 3769459.392 296.01
   LOCATION L0001031     VOLUME   448492.056 3769473.391 296.23
   LOCATION L0001032     VOLUME   448492.164 3769487.391 296.48
   LOCATION L0001033     VOLUME   448492.272 3769501.390 297.05
   LOCATION L0001034     VOLUME   448492.380 3769515.390 297.62
   LOCATION L0001035     VOLUME   448492.488 3769529.389 297.98
   LOCATION L0001036     VOLUME   448492.596 3769543.389 298.33
   LOCATION L0001037     VOLUME   448492.704 3769557.389 298.46
   LOCATION L0001038     VOLUME   448492.812 3769571.388 298.54
   LOCATION L0001039     VOLUME   448492.920 3769585.388 298.57
   LOCATION L0001040     VOLUME   448493.028 3769599.387 298.57
   LOCATION L0001041     VOLUME   448493.137 3769613.387 298.60
   LOCATION L0001042     VOLUME   448493.245 3769627.387 298.68
   LOCATION L0001043     VOLUME   448493.353 3769641.386 298.92
   LOCATION L0001044     VOLUME   448493.461 3769655.386 299.45
   LOCATION L0001045     VOLUME   448493.569 3769669.385 300.05
   LOCATION L0001046     VOLUME   448493.677 3769683.385 300.97
   LOCATION L0001047     VOLUME   448493.785 3769697.384 301.90
   LOCATION L0001048     VOLUME   448493.893 3769711.384 302.94
   LOCATION L0001049     VOLUME   448494.001 3769725.384 303.98
   LOCATION L0001050     VOLUME   448494.110 3769739.383 303.91
   LOCATION L0001051     VOLUME   448494.218 3769753.383 303.77
   LOCATION L0001052     VOLUME   448494.326 3769767.382 303.01
   LOCATION L0001053     VOLUME   448494.434 3769781.382 302.08
   LOCATION L0001054     VOLUME   448494.542 3769795.382 301.66
   LOCATION L0001055     VOLUME   448494.650 3769809.381 301.51
   LOCATION L0001056     VOLUME   448494.758 3769823.381 301.51
   LOCATION L0001057     VOLUME   448494.866 3769837.380 301.65
   LOCATION L0001058     VOLUME   448494.974 3769851.380 301.77
   LOCATION L0001059     VOLUME   448495.082 3769865.379 301.84
   LOCATION L0001060     VOLUME   448495.191 3769879.379 301.90
   LOCATION L0001061     VOLUME   448495.299 3769893.379 301.90
   LOCATION L0001062     VOLUME   448495.407 3769907.378 301.91
   LOCATION L0001063     VOLUME   448495.515 3769921.378 302.05
   LOCATION L0001064     VOLUME   448495.623 3769935.377 302.19
** End of LINE VOLUME Source ID = SLINE4
** Source Parameters **
** LINE VOLUME Source ID = SLINE1
   SRCPARAM L0000338     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000339     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000340     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000341     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000342     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000343     0.000001673      3.49      4.00      3.25
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   SRCPARAM L0000344     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000345     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000346     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000347     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000348     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000349     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000350     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000351     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000352     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000353     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000354     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000355     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000356     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000357     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000358     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000359     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000360     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000361     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000362     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000363     0.000001673      3.49      4.00      3.25
   SRCPARAM L0000364     0.000001673      3.49      4.00      3.25
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** LINE VOLUME Source ID = SLINE2
   SRCPARAM L0000365     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000366     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000367     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000368     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000369     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000370     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000371     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000372     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000373     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000374     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000375     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000376     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000377     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000378     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000379     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000380     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000381     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000382     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000383     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000384     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000385     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000386     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000387     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000388     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000389     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000390     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000391     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000392     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000393     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000394     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000395     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000396     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000397     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000398     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000399     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000400     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000401     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000402     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000403     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000404     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000405     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000406     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000407     0.0000003222      3.49      4.00      3.25
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   SRCPARAM L0000408     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000409     0.0000003222      3.49      4.00      3.25
   SRCPARAM L0000410     0.0000003222      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME Source ID = SLINE3
   SRCPARAM L0000738     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000739     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000740     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000741     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000742     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000743     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000744     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000745     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000746     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000747     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000748     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000749     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000750     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000751     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000752     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000753     0.0000000922      3.49      6.51      3.25
   SRCPARAM L0000754     0.0000000922      3.49      6.51      3.25
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SRCPARAM L0001047     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001048     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001049     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001050     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001051     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001052     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001053     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001054     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001055     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001056     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001057     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001058     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001059     0.00000009231      3.49      6.51      3.25
SRCPARAM L0001060     0.00000009231      3.49      6.51      3.25
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   SRCPARAM L0001061     0.00000009231      3.49      6.51      3.25
   SRCPARAM L0001062     0.00000009231      3.49      6.51      3.25
   SRCPARAM L0001063     0.00000009231      3.49      6.51      3.25
   SRCPARAM L0001064     0.00000009231      3.49      6.51      3.25
** ----------------------------------------------------------------------
   URBANSRC ALL
   SRCGROUP ALL
SO FINISHED
**
**************************************
** AERMOD Receptor Pathway
**************************************
**
**
RE STARTING
   INCLUDED "14539 Ops.rou"
RE FINISHED
**
**************************************
** AERMOD Meteorology Pathway
**************************************
**
**
ME STARTING
   SURFFILE KONT_V9_ADJU\KONT_v9.SFC
   PROFFILE KONT_V9_ADJU\KONT_v9.PFL
   SURFDATA 3102 2012
   UAIRDATA 3190 2012
   PROFBASE 289.0 METERS
ME FINISHED
**
**************************************
** AERMOD Output Pathway
**************************************
**
**
OU STARTING
** Auto-Generated Plotfiles
   PLOTFILE ANNUAL ALL "14539 Ops.AD\AN00GALL.PLT" 31
   SUMMFILE "14539 Ops.sum"
OU FINISHED


  *** Message Summary For AERMOD Model Setup ***

  --------- Summary of Total Messages --------

 A Total of            0 Fatal Error Message(s)
 A Total of            2 Warning Message(s)
 A Total of            0 Informational Message(s)


    ******** FATAL ERROR MESSAGES ********
              ***  NONE  ***


    ********   WARNING MESSAGES   ********
 ME W186     953       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used          0.50
 ME W187     953       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

 *********************************
 *** SETUP Finishes Successfully ***
 *********************************

FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
```

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

                                        ***   MODEL SETUP OPTIONS SUMMARY   ***
- - - -

**Approximate Storage Requirements of Model = 3.7 MB of RAM.

**Input Runstream File:
aermod.inp
**Output Print File:
aermod.out

**Detailed Error/Message File: 14539
Ops.err
**File for Summary of Results: 14539
Ops.sum

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC) SCALAR VARY BY	AIRCRAFT X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	
L0000338	0	0.16730E-05	450588.6	3769293.5	298.6	3.49	4.00	3.25	YES NO
L0000339	0	0.16730E-05	450597.2	3769293.7	298.6	3.49	4.00	3.25	YES NO
L0000340	0	0.16730E-05	450605.7	3769294.0	298.6	3.49	4.00	3.25	YES NO
L0000341	0	0.16730E-05	450614.3	3769294.2	298.6	3.49	4.00	3.25	YES NO
L0000342	0	0.16730E-05	450622.9	3769294.5	298.6	3.49	4.00	3.25	YES NO
L0000343	0	0.16730E-05	450631.5	3769294.7	298.7	3.49	4.00	3.25	YES NO
L0000344	0	0.16730E-05	450640.1	3769295.0	298.7	3.49	4.00	3.25	YES NO
L0000345	0	0.16730E-05	450648.7	3769295.2	298.7	3.49	4.00	3.25	YES NO
L0000346	0	0.16730E-05	450657.3	3769295.5	298.7	3.49	4.00	3.25	YES NO
L0000347	0	0.16730E-05	450665.8	3769295.7	298.7	3.49	4.00	3.25	YES NO
L0000348	0	0.16730E-05	450674.4	3769296.0	298.7	3.49	4.00	3.25	YES NO
L0000349	0	0.16730E-05	450683.0	3769296.2	298.7	3.49	4.00	3.25	YES NO
L0000350	0	0.16730E-05	450691.6	3769296.5	298.7	3.49	4.00	3.25	YES NO
L0000351	0	0.16730E-05	450700.2	3769296.7	298.7	3.49	4.00	3.25	YES NO
L0000352	0	0.16730E-05	450708.8	3769297.0	298.7	3.49	4.00	3.25	YES NO
L0000353	0	0.16730E-05	450717.4	3769297.3	298.7	3.49	4.00	3.25	YES NO
L0000354	0	0.16730E-05	450726.0	3769297.5	298.6	3.49	4.00	3.25	YES NO

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 L0000355         0   0.16730E-05  450734.5 3769297.8   298.6     3.49     4.00     3.25
 YES                    NO
 L0000356         0   0.16730E-05  450743.1 3769298.0   298.6     3.49     4.00     3.25
 YES                    NO
 L0000357         0   0.16730E-05  450751.7 3769298.3   298.6     3.49     4.00     3.25
 YES                    NO
 L0000358         0   0.16730E-05  450760.3 3769298.5   298.6     3.49     4.00     3.25
 YES                    NO
 L0000359         0   0.16730E-05  450768.9 3769298.8   298.6     3.49     4.00     3.25
 YES                    NO
 L0000360         0   0.16730E-05  450777.5 3769299.0   298.6     3.49     4.00     3.25
 YES                    NO
 L0000361         0   0.16730E-05  450786.1 3769299.3   298.6     3.49     4.00     3.25
 YES                    NO
 L0000362         0   0.16730E-05  450794.6 3769299.5   298.6     3.49     4.00     3.25
 YES                    NO
 L0000363         0   0.16730E-05  450803.2 3769299.8   298.6     3.49     4.00     3.25
 YES                    NO
 L0000364         0   0.16730E-05  450811.8 3769300.0   298.6     3.49     4.00     3.25
 YES                    NO
 L0000365         0   0.32220E-06  450532.1 3769248.3   298.4     3.49     4.00     3.25
 YES                    NO
 L0000366         0   0.32220E-06  450532.1 3769256.9   298.5     3.49     4.00     3.25
 YES                    NO
 L0000367         0   0.32220E-06  450536.0 3769261.6   298.6     3.49     4.00     3.25
 YES                    NO
 L0000368         0   0.32220E-06  450544.6 3769261.7   298.6     3.49     4.00     3.25
 YES                    NO
 L0000369         0   0.32220E-06  450553.2 3769261.7   298.6     3.49     4.00     3.25
 YES                    NO
 L0000370         0   0.32220E-06  450561.8 3769261.8   298.6     3.49     4.00     3.25
 YES                    NO
 L0000371         0   0.32220E-06  450570.4 3769261.8   298.6     3.49     4.00     3.25
 YES                    NO
 L0000372         0   0.32220E-06  450578.9 3769261.9   298.6     3.49     4.00     3.25
 YES                    NO
 L0000373         0   0.32220E-06  450585.7 3769266.4   298.5     3.49     4.00     3.25
 YES                    NO
 L0000374         0   0.32220E-06  450591.6 3769272.5   298.4     3.49     4.00     3.25
 YES                    NO
 L0000375         0   0.32220E-06  450599.3 3769274.8   298.4     3.49     4.00     3.25
 YES                    NO
 L0000376         0   0.32220E-06  450607.9 3769275.0   298.4     3.49     4.00     3.25
 YES                    NO
 L0000377         0   0.32220E-06  450616.5 3769275.1   298.5     3.49     4.00     3.25
 YES                    NO
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       13:28:52

                     PAGE   3
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                      BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE   AIRCRAFT
   SOURCE      PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
     (METERS)             BY
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L0000378	0	0.32220E-06	450625.1	3769275.3	298.6	3.49	4.00	3.25
YES		NO						
L0000379	0	0.32220E-06	450633.7	3769275.5	298.7	3.49	4.00	3.25
YES		NO						
L0000380	0	0.32220E-06	450642.3	3769275.6	298.7	3.49	4.00	3.25
YES		NO						
L0000381	0	0.32220E-06	450650.8	3769275.8	298.7	3.49	4.00	3.25
YES		NO						
L0000382	0	0.32220E-06	450659.4	3769276.0	298.7	3.49	4.00	3.25
YES		NO						
L0000383	0	0.32220E-06	450668.0	3769276.2	298.7	3.49	4.00	3.25
YES		NO						
L0000384	0	0.32220E-06	450676.6	3769276.3	298.7	3.49	4.00	3.25
YES		NO						
L0000385	0	0.32220E-06	450685.2	3769276.5	298.7	3.49	4.00	3.25
YES		NO						
L0000386	0	0.32220E-06	450693.8	3769276.7	298.7	3.49	4.00	3.25
YES		NO						
L0000387	0	0.32220E-06	450702.4	3769276.8	298.7	3.49	4.00	3.25
YES		NO						
L0000388	0	0.32220E-06	450711.0	3769277.0	298.6	3.49	4.00	3.25
YES		NO						
L0000389	0	0.32220E-06	450719.5	3769277.2	298.5	3.49	4.00	3.25
YES		NO						
L0000390	0	0.32220E-06	450728.1	3769277.3	298.4	3.49	4.00	3.25
YES		NO						
L0000391	0	0.32220E-06	450736.7	3769277.5	298.4	3.49	4.00	3.25
YES		NO						
L0000392	0	0.32220E-06	450745.3	3769277.7	298.4	3.49	4.00	3.25
YES		NO						
L0000393	0	0.32220E-06	450753.9	3769277.8	298.4	3.49	4.00	3.25
YES		NO						
L0000394	0	0.32220E-06	450762.5	3769278.0	298.4	3.49	4.00	3.25
YES		NO						
L0000395	0	0.32220E-06	450771.1	3769278.2	298.3	3.49	4.00	3.25
YES		NO						
L0000396	0	0.32220E-06	450779.7	3769278.3	298.2	3.49	4.00	3.25
YES		NO						
L0000397	0	0.32220E-06	450788.2	3769277.7	298.1	3.49	4.00	3.25
YES		NO						
L0000398	0	0.32220E-06	450796.8	3769276.8	298.1	3.49	4.00	3.25
YES		NO						
L0000399	0	0.32220E-06	450805.3	3769275.9	298.1	3.49	4.00	3.25
YES		NO						
L0000400	0	0.32220E-06	450813.9	3769275.0	298.1	3.49	4.00	3.25
YES		NO						
L0000401	0	0.32220E-06	450822.4	3769274.3	298.1	3.49	4.00	3.25
YES		NO						
L0000402	0	0.32220E-06	450831.0	3769274.3	298.2	3.49	4.00	3.25
YES		NO						
L0000403	0	0.32220E-06	450839.6	3769274.2	298.3	3.49	4.00	3.25
YES		NO						
L0000404	0	0.32220E-06	450848.2	3769274.2	298.4	3.49	4.00	3.25
YES		NO						
L0000405	0	0.32220E-06	450856.8	3769274.1	298.4	3.49	4.00	3.25
YES		NO						
L0000406	0	0.32220E-06	450865.4	3769274.0	298.5	3.49	4.00	3.25
YES		NO						
L0000407	0	0.32220E-06	450873.9	3769274.0	298.6	3.49	4.00	3.25
YES		NO						
L0000408	0	0.32220E-06	450875.5	3769266.8	298.5	3.49	4.00	3.25
YES		NO						
L0000409	0	0.32220E-06	450875.8	3769258.2	298.3	3.49	4.00	3.25
YES		NO						
L0000410	0	0.32220E-06	450876.0	3769249.6	298.2	3.49	4.00	3.25
YES		NO						

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 L0000738         0   0.92200E-07  450538.5 3769231.7   298.4     3.49     6.51     3.25
 YES                    NO
 L0000739         0   0.92200E-07  450552.5 3769231.6   298.4     3.49     6.51     3.25
 YES                    NO
 L0000740         0   0.92200E-07  450566.5 3769231.5   298.6     3.49     6.51     3.25
 YES                    NO
 L0000741         0   0.92200E-07  450580.5 3769231.4   298.7     3.49     6.51     3.25
 YES                    NO
 L0000742         0   0.92200E-07  450594.5 3769231.3   298.7     3.49     6.51     3.25
 YES                    NO
 L0000743         0   0.92200E-07  450608.5 3769231.2   298.7     3.49     6.51     3.25
 YES                    NO
 L0000744         0   0.92200E-07  450622.5 3769231.1   298.7     3.49     6.51     3.25
 YES                    NO
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       13:28:52

                      PAGE   4
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE   AIRCRAFT
   SOURCE      PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
     (METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - -

 L0000745         0   0.92200E-07  450636.5 3769231.0   298.7     3.49     6.51     3.25
 YES                    NO
 L0000746         0   0.92200E-07  450650.5 3769230.8   298.7     3.49     6.51     3.25
 YES                    NO
 L0000747         0   0.92200E-07  450664.5 3769230.7   298.7     3.49     6.51     3.25
 YES                    NO
 L0000748         0   0.92200E-07  450678.5 3769230.6   298.6     3.49     6.51     3.25
 YES                    NO
 L0000749         0   0.92200E-07  450692.5 3769230.5   298.5     3.49     6.51     3.25
 YES                    NO
 L0000750         0   0.92200E-07  450706.5 3769230.4   298.4     3.49     6.51     3.25
 YES                    NO
 L0000751         0   0.92200E-07  450720.5 3769230.3   298.4     3.49     6.51     3.25
 YES                    NO
 L0000752         0   0.92200E-07  450734.5 3769230.2   298.4     3.49     6.51     3.25
 YES                    NO
 L0000753         0   0.92200E-07  450748.5 3769230.1   298.4     3.49     6.51     3.25
 YES                    NO
 L0000754         0   0.92200E-07  450762.5 3769230.0   298.4     3.49     6.51     3.25
 YES                    NO
 L0000755         0   0.92200E-07  450776.5 3769229.8   298.4     3.49     6.51     3.25
 YES                    NO
 L0000756         0   0.92200E-07  450790.5 3769229.7   298.4     3.49     6.51     3.25
 YES                    NO
 L0000757         0   0.92200E-07  450804.5 3769229.6   298.4     3.49     6.51     3.25
 YES                    NO
 L0000758         0   0.92200E-07  450818.5 3769229.5   298.4     3.49     6.51     3.25
 YES                    NO
 L0000759         0   0.92200E-07  450832.5 3769229.4   298.3     3.49     6.51     3.25
 YES                    NO
 L0000760         0   0.92200E-07  450846.5 3769229.3   298.3     3.49     6.51     3.25
 YES                    NO
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 L0000761         0   0.92200E-07  450860.5 3769229.2   298.1     3.49     6.51     3.25
 YES                    NO
 L0000762         0   0.92200E-07  450874.5 3769229.1   297.8     3.49     6.51     3.25
 YES                    NO
 L0000763         0   0.92200E-07  450888.5 3769229.0   297.7     3.49     6.51     3.25
 YES                    NO
 L0000764         0   0.92200E-07  450902.5 3769228.9   297.7     3.49     6.51     3.25
 YES                    NO
 L0000765         0   0.92200E-07  450916.5 3769228.7   297.7     3.49     6.51     3.25
 YES                    NO
 L0000766         0   0.92200E-07  450930.5 3769228.6   297.6     3.49     6.51     3.25
 YES                    NO
 L0000767         0   0.92200E-07  450944.5 3769228.5   297.5     3.49     6.51     3.25
 YES                    NO
 L0000768         0   0.92200E-07  450958.5 3769228.4   297.4     3.49     6.51     3.25
 YES                    NO
 L0000769         0   0.92200E-07  450972.5 3769228.3   297.2     3.49     6.51     3.25
 YES                    NO
 L0000770         0   0.92200E-07  450986.5 3769228.2   297.2     3.49     6.51     3.25
 YES                    NO
 L0000771         0   0.92200E-07  451000.5 3769228.1   297.1     3.49     6.51     3.25
 YES                    NO
 L0000772         0   0.92200E-07  451014.5 3769228.0   297.1     3.49     6.51     3.25
 YES                    NO
 L0000773         0   0.92200E-07  451028.5 3769227.9   297.0     3.49     6.51     3.25
 YES                    NO
 L0000774         0   0.92200E-07  451042.5 3769227.8   296.9     3.49     6.51     3.25
 YES                    NO
 L0000775         0   0.92200E-07  451056.5 3769227.6   296.8     3.49     6.51     3.25
 YES                    NO
 L0000776         0   0.92200E-07  451070.5 3769227.5   296.8     3.49     6.51     3.25
 YES                    NO
 L0000777         0   0.92200E-07  451084.5 3769227.4   296.7     3.49     6.51     3.25
 YES                    NO
 L0000778         0   0.92200E-07  451098.5 3769227.3   296.7     3.49     6.51     3.25
 YES                    NO
 L0000779         0   0.92200E-07  451112.5 3769227.2   296.7     3.49     6.51     3.25
 YES                    NO
 L0000780         0   0.92200E-07  451126.5 3769227.1   296.6     3.49     6.51     3.25
 YES                    NO
 L0000781         0   0.92200E-07  451140.5 3769227.0   296.5     3.49     6.51     3.25
 YES                    NO
 L0000782         0   0.92200E-07  451154.5 3769226.9   296.5     3.49     6.51     3.25
 YES                    NO
 L0000783         0   0.92200E-07  451168.5 3769226.8   296.4     3.49     6.51     3.25
 YES                    NO
 L0000784         0   0.92200E-07  451182.5 3769226.6   296.4     3.49     6.51     3.25
 YES                    NO
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       13:28:52

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                      BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE   AIRCRAFT
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
     (METERS)              BY
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L0000785	0	0.92200E-07	451196.5	3769226.5	296.4	3.49	6.51	3.25
YES		NO						
L0000786	0	0.92200E-07	451210.5	3769226.4	296.4	3.49	6.51	3.25
YES		NO						
L0000787	0	0.92200E-07	451224.5	3769226.3	296.3	3.49	6.51	3.25
YES		NO						
L0000788	0	0.92200E-07	451238.5	3769226.2	296.3	3.49	6.51	3.25
YES		NO						
L0000789	0	0.92200E-07	451252.5	3769226.1	296.2	3.49	6.51	3.25
YES		NO						
L0000790	0	0.92200E-07	451266.5	3769226.0	296.1	3.49	6.51	3.25
YES		NO						
L0000791	0	0.92200E-07	451280.5	3769225.9	295.9	3.49	6.51	3.25
YES		NO						
L0000792	0	0.92200E-07	451294.5	3769225.8	295.8	3.49	6.51	3.25
YES		NO						
L0000793	0	0.92200E-07	451308.5	3769225.7	295.7	3.49	6.51	3.25
YES		NO						
L0000794	0	0.92200E-07	451322.5	3769225.5	295.5	3.49	6.51	3.25
YES		NO						
L0000795	0	0.92200E-07	451336.5	3769225.4	295.5	3.49	6.51	3.25
YES		NO						
L0000796	0	0.92200E-07	451350.5	3769225.3	295.7	3.49	6.51	3.25
YES		NO						
L0000797	0	0.92200E-07	451364.5	3769225.2	295.9	3.49	6.51	3.25
YES		NO						
L0000798	0	0.92200E-07	451378.5	3769225.1	296.1	3.49	6.51	3.25
YES		NO						
L0000799	0	0.92200E-07	451392.5	3769225.0	296.4	3.49	6.51	3.25
YES		NO						
L0000800	0	0.92200E-07	451406.5	3769224.9	296.5	3.49	6.51	3.25
YES		NO						
L0000801	0	0.92200E-07	451420.5	3769224.8	296.6	3.49	6.51	3.25
YES		NO						
L0000802	0	0.92200E-07	451434.5	3769224.7	296.7	3.49	6.51	3.25
YES		NO						
L0000803	0	0.92200E-07	451448.5	3769224.6	296.7	3.49	6.51	3.25
YES		NO						
L0000804	0	0.92200E-07	451462.4	3769224.2	297.0	3.49	6.51	3.25
YES		NO						
L0000805	0	0.92200E-07	451476.4	3769223.1	297.2	3.49	6.51	3.25
YES		NO						
L0000806	0	0.92200E-07	451489.6	3769218.6	297.4	3.49	6.51	3.25
YES		NO						
L0000807	0	0.92200E-07	451502.7	3769213.6	297.6	3.49	6.51	3.25
YES		NO						
L0000808	0	0.92200E-07	451515.7	3769208.5	297.5	3.49	6.51	3.25
YES		NO						
L0000809	0	0.92200E-07	451528.8	3769203.5	297.3	3.49	6.51	3.25
YES		NO						
L0000810	0	0.92200E-07	451541.8	3769198.4	297.1	3.49	6.51	3.25
YES		NO						
L0000811	0	0.92200E-07	451554.9	3769193.3	297.2	3.49	6.51	3.25
YES		NO						
L0000812	0	0.92200E-07	451567.9	3769188.3	297.2	3.49	6.51	3.25
YES		NO						
L0000813	0	0.92200E-07	451581.1	3769183.4	297.3	3.49	6.51	3.25
YES		NO						
L0000814	0	0.92200E-07	451594.6	3769180.0	297.4	3.49	6.51	3.25
YES		NO						
L0000815	0	0.92200E-07	451608.4	3769178.0	297.4	3.49	6.51	3.25
YES		NO						
L0000816	0	0.92200E-07	451622.4	3769177.1	297.4	3.49	6.51	3.25
YES		NO						

L0000817	0	0.92200E-07	451631.0	3769182.8	297.6	3.49	6.51	3.25	
YES		NO							
L0000818	0	0.92200E-07	451632.8	3769196.6	298.1	3.49	6.51	3.25	
YES		NO							
L0000819	0	0.92200E-07	451633.8	3769210.6	298.5	3.49	6.51	3.25	
YES		NO							
L0000820	0	0.92200E-07	451633.7	3769224.6	298.9	3.49	6.51	3.25	
YES		NO							
L0000821	0	0.92200E-07	451633.6	3769238.6	299.4	3.49	6.51	3.25	
YES		NO							
L0000822	0	0.92200E-07	451633.5	3769252.6	299.9	3.49	6.51	3.25	
YES		NO							
L0000823	0	0.92200E-07	451633.5	3769266.6	300.4	3.49	6.51	3.25	
YES		NO							
L0000824	0	0.92200E-07	451633.4	3769280.6	301.0	3.49	6.51	3.25	
YES		NO							

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART. SCALAR VARY CATS. (METERS) BY	EMISSION RATE (GRAMS/SEC)	AIRCRAFT X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	
L0000825	0	0.92200E-07	451633.3	3769294.6	301.8	3.49	6.51	3.25	
YES		NO							
L0000826	0	0.92200E-07	451633.2	3769308.6	302.6	3.49	6.51	3.25	
YES		NO							
L0000827	0	0.92200E-07	451633.1	3769322.6	303.6	3.49	6.51	3.25	
YES		NO							
L0000828	0	0.92200E-07	451633.0	3769336.6	304.6	3.49	6.51	3.25	
YES		NO							
L0000829	0	0.92200E-07	451632.9	3769350.6	305.9	3.49	6.51	3.25	
YES		NO							
L0000830	0	0.92200E-07	451632.8	3769364.6	307.2	3.49	6.51	3.25	
YES		NO							
L0000831	0	0.92200E-07	451632.8	3769378.6	307.3	3.49	6.51	3.25	
YES		NO							
L0000832	0	0.92200E-07	451633.0	3769392.6	307.2	3.49	6.51	3.25	
YES		NO							
L0000833	0	0.92200E-07	451633.2	3769406.6	306.5	3.49	6.51	3.25	
YES		NO							
L0000834	0	0.92200E-07	451633.5	3769420.6	305.7	3.49	6.51	3.25	
YES		NO							
L0000835	0	0.92200E-07	451633.7	3769434.6	305.2	3.49	6.51	3.25	
YES		NO							
L0000836	0	0.92200E-07	451633.9	3769448.6	304.9	3.49	6.51	3.25	
YES		NO							
L0000837	0	0.92200E-07	451634.2	3769462.6	305.0	3.49	6.51	3.25	
YES		NO							
L0000838	0	0.92200E-07	451634.4	3769476.6	305.4	3.49	6.51	3.25	
YES		NO							
L0000839	0	0.92200E-07	451634.7	3769490.6	305.9	3.49	6.51	3.25	
YES		NO							

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 L0000840         0   0.92200E-07  451635.0 3769504.5   306.4     3.49     6.51     3.25
 YES                    NO
 L0000841         0   0.92200E-07  451635.4 3769518.5   306.7     3.49     6.51     3.25
 YES                    NO
 L0000842         0   0.92200E-07  451635.8 3769532.5   306.5     3.49     6.51     3.25
 YES                    NO
 L0000843         0   0.92200E-07  451636.2 3769546.5   306.2     3.49     6.51     3.25
 YES                    NO
 L0000844         0   0.92200E-07  451636.5 3769560.5   306.3     3.49     6.51     3.25
 YES                    NO
 L0000845         0   0.92200E-07  451636.9 3769574.5   306.5     3.49     6.51     3.25
 YES                    NO
 L0000846         0   0.92200E-07  451637.3 3769588.5   307.0     3.49     6.51     3.25
 YES                    NO
 L0000847         0   0.92200E-07  451637.6 3769602.5   307.5     3.49     6.51     3.25
 YES                    NO
 L0000848         0   0.92200E-07  451637.9 3769616.5   307.7     3.49     6.51     3.25
 YES                    NO
 L0000849         0   0.92200E-07  451637.9 3769630.5   307.8     3.49     6.51     3.25
 YES                    NO
 L0000850         0   0.92200E-07  451637.9 3769644.5   307.2     3.49     6.51     3.25
 YES                    NO
 L0000851         0   0.92200E-07  451637.9 3769658.5   306.3     3.49     6.51     3.25
 YES                    NO
 L0000852         0   0.92200E-07  451637.9 3769672.5   305.6     3.49     6.51     3.25
 YES                    NO
 L0000853         0   0.92200E-07  451637.9 3769686.5   305.1     3.49     6.51     3.25
 YES                    NO
 L0000854         0   0.92200E-07  451637.9 3769700.5   304.7     3.49     6.51     3.25
 YES                    NO
 L0000855         0   0.92200E-07  451637.9 3769714.5   304.5     3.49     6.51     3.25
 YES                    NO
 L0000856         0   0.92200E-07  451637.9 3769728.5   304.4     3.49     6.51     3.25
 YES                    NO
 L0000857         0   0.92200E-07  451637.9 3769742.5   304.6     3.49     6.51     3.25
 YES                    NO
 L0000858         0   0.92200E-07  451637.9 3769756.5   304.8     3.49     6.51     3.25
 YES                    NO
 L0000859         0   0.92200E-07  451637.9 3769770.5   305.1     3.49     6.51     3.25
 YES                    NO
 L0000860         0   0.92200E-07  451637.9 3769784.5   305.3     3.49     6.51     3.25
 YES                    NO
 L0000861         0   0.92200E-07  451638.3 3769798.5   306.2     3.49     6.51     3.25
 YES                    NO
 L0000862         0   0.92200E-07  451638.8 3769812.5   307.1     3.49     6.51     3.25
 YES                    NO
 L0000863         0   0.92200E-07  451639.3 3769826.5   307.4     3.49     6.51     3.25
 YES                    NO
 L0000864         0   0.92200E-07  451639.7 3769840.5   307.5     3.49     6.51     3.25
 YES                    NO
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       13:28:52

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE   AIRCRAFT
   SOURCE      PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID         CATS.              (METERS) (METERS) (METERS) (METERS) (METERS)
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(METERS) BY

L0000865	0	0.92200E-07	451640.2	3769854.5	307.8	3.49	6.51	3.25
YES		NO						
L0000866	0	0.92200E-07	451640.7	3769868.5	308.4	3.49	6.51	3.25
YES		NO						
L0000867	0	0.92200E-07	451641.1	3769882.5	308.5	3.49	6.51	3.25
YES		NO						
L0000868	0	0.92200E-07	451641.6	3769896.4	308.2	3.49	6.51	3.25
YES		NO						
L0000869	0	0.92200E-07	451642.1	3769910.4	307.8	3.49	6.51	3.25
YES		NO						
L0000870	0	0.92310E-07	450522.6	3769233.5	298.4	3.49	6.51	3.25
YES		NO						
L0000871	0	0.92310E-07	450508.6	3769233.7	298.5	3.49	6.51	3.25
YES		NO						
L0000872	0	0.92310E-07	450494.6	3769233.9	298.6	3.49	6.51	3.25
YES		NO						
L0000873	0	0.92310E-07	450480.6	3769234.0	298.5	3.49	6.51	3.25
YES		NO						
L0000874	0	0.92310E-07	450466.6	3769234.2	298.4	3.49	6.51	3.25
YES		NO						
L0000875	0	0.92310E-07	450452.6	3769234.4	298.3	3.49	6.51	3.25
YES		NO						
L0000876	0	0.92310E-07	450438.6	3769234.5	298.3	3.49	6.51	3.25
YES		NO						
L0000877	0	0.92310E-07	450424.6	3769234.7	298.3	3.49	6.51	3.25
YES		NO						
L0000878	0	0.92310E-07	450410.6	3769234.9	298.2	3.49	6.51	3.25
YES		NO						
L0000879	0	0.92310E-07	450396.6	3769235.1	298.2	3.49	6.51	3.25
YES		NO						
L0000880	0	0.92310E-07	450382.6	3769235.2	298.1	3.49	6.51	3.25
YES		NO						
L0000881	0	0.92310E-07	450368.6	3769235.4	298.0	3.49	6.51	3.25
YES		NO						
L0000882	0	0.92310E-07	450354.6	3769235.6	298.0	3.49	6.51	3.25
YES		NO						
L0000883	0	0.92310E-07	450340.6	3769235.8	298.0	3.49	6.51	3.25
YES		NO						
L0000884	0	0.92310E-07	450326.6	3769235.9	298.0	3.49	6.51	3.25
YES		NO						
L0000885	0	0.92310E-07	450312.6	3769236.1	298.0	3.49	6.51	3.25
YES		NO						
L0000886	0	0.92310E-07	450298.6	3769236.3	298.0	3.49	6.51	3.25
YES		NO						
L0000887	0	0.92310E-07	450284.6	3769236.5	298.0	3.49	6.51	3.25
YES		NO						
L0000888	0	0.92310E-07	450270.6	3769236.6	298.1	3.49	6.51	3.25
YES		NO						
L0000889	0	0.92310E-07	450256.6	3769236.8	298.2	3.49	6.51	3.25
YES		NO						
L0000890	0	0.92310E-07	450242.6	3769237.0	298.2	3.49	6.51	3.25
YES		NO						
L0000891	0	0.92310E-07	450228.6	3769237.2	298.2	3.49	6.51	3.25
YES		NO						
L0000892	0	0.92310E-07	450214.7	3769237.3	298.2	3.49	6.51	3.25
YES		NO						
L0000893	0	0.92310E-07	450200.7	3769237.5	298.2	3.49	6.51	3.25
YES		NO						
L0000894	0	0.92310E-07	450186.7	3769237.7	298.2	3.49	6.51	3.25
YES		NO						
L0000895	0	0.92310E-07	450172.7	3769237.8	298.1	3.49	6.51	3.25
YES		NO						

L0000896 0 0.92310E-07 450158.7 3769238.0 297.9 3.49 6.51 3.25
YES NO
L0000897 0 0.92310E-07 450144.7 3769238.2 297.9 3.49 6.51 3.25
YES NO
L0000898 0 0.92310E-07 450130.7 3769238.4 297.9 3.49 6.51 3.25
YES NO
L0000899 0 0.92310E-07 450116.7 3769238.5 297.8 3.49 6.51 3.25
YES NO
L0000900 0 0.92310E-07 450102.7 3769238.7 297.7 3.49 6.51 3.25
YES NO
L0000901 0 0.92310E-07 450088.7 3769238.9 297.7 3.49 6.51 3.25
YES NO
L0000902 0 0.92310E-07 450074.7 3769239.1 297.7 3.49 6.51 3.25
YES NO
L0000903 0 0.92310E-07 450060.7 3769239.2 297.6 3.49 6.51 3.25
YES NO
L0000904 0 0.92310E-07 450046.7 3769239.4 297.5 3.49 6.51 3.25
YES NO

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER URBAN SOURCE PART.	EMISSION RATE (GRAMS/SEC)	AIRCRAFT X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ	SCALAR VARY BY
L0000905	0	0.92310E-07	450032.7	3769239.6	297.4	3.49	6.51	3.25	YES NO
L0000906	0	0.92310E-07	450018.7	3769239.8	297.4	3.49	6.51	3.25	YES NO
L0000907	0	0.92310E-07	450004.7	3769239.9	297.4	3.49	6.51	3.25	YES NO
L0000908	0	0.92310E-07	449990.7	3769240.1	297.4	3.49	6.51	3.25	YES NO
L0000909	0	0.92310E-07	449976.7	3769240.3	297.4	3.49	6.51	3.25	YES NO
L0000910	0	0.92310E-07	449962.7	3769240.4	297.4	3.49	6.51	3.25	YES NO
L0000911	0	0.92310E-07	449948.7	3769240.6	297.4	3.49	6.51	3.25	YES NO
L0000912	0	0.92310E-07	449934.7	3769240.8	297.2	3.49	6.51	3.25	YES NO
L0000913	0	0.92310E-07	449920.7	3769241.0	297.1	3.49	6.51	3.25	YES NO
L0000914	0	0.92310E-07	449906.7	3769241.0	297.1	3.49	6.51	3.25	YES NO
L0000915	0	0.92310E-07	449892.7	3769241.0	297.1	3.49	6.51	3.25	YES NO
L0000916	0	0.92310E-07	449878.7	3769241.0	297.1	3.49	6.51	3.25	YES NO
L0000917	0	0.92310E-07	449864.7	3769240.9	297.1	3.49	6.51	3.25	YES NO
L0000918	0	0.92310E-07	449850.7	3769240.9	297.1	3.49	6.51	3.25	YES NO

L0000919	0	0.92310E-07	449836.7	3769240.9	297.1	3.49	6.51	3.25
YES		NO						
L0000920	0	0.92310E-07	449822.7	3769240.9	297.1	3.49	6.51	3.25
YES		NO						
L0000921	0	0.92310E-07	449808.7	3769240.8	297.1	3.49	6.51	3.25
YES		NO						
L0000922	0	0.92310E-07	449794.7	3769240.8	297.1	3.49	6.51	3.25
YES		NO						
L0000923	0	0.92310E-07	449780.7	3769240.8	297.1	3.49	6.51	3.25
YES		NO						
L0000924	0	0.92310E-07	449766.7	3769240.7	297.1	3.49	6.51	3.25
YES		NO						
L0000925	0	0.92310E-07	449752.7	3769240.7	297.1	3.49	6.51	3.25
YES		NO						
L0000926	0	0.92310E-07	449738.7	3769240.7	297.1	3.49	6.51	3.25
YES		NO						
L0000927	0	0.92310E-07	449724.7	3769240.7	297.1	3.49	6.51	3.25
YES		NO						
L0000928	0	0.92310E-07	449710.7	3769240.6	297.1	3.49	6.51	3.25
YES		NO						
L0000929	0	0.92310E-07	449696.7	3769240.6	297.0	3.49	6.51	3.25
YES		NO						
L0000930	0	0.92310E-07	449682.7	3769240.6	297.0	3.49	6.51	3.25
YES		NO						
L0000931	0	0.92310E-07	449668.7	3769240.6	297.0	3.49	6.51	3.25
YES		NO						
L0000932	0	0.92310E-07	449654.7	3769240.5	297.1	3.49	6.51	3.25
YES		NO						
L0000933	0	0.92310E-07	449640.7	3769240.6	297.1	3.49	6.51	3.25
YES		NO						
L0000934	0	0.92310E-07	449626.7	3769240.7	297.1	3.49	6.51	3.25
YES		NO						
L0000935	0	0.92310E-07	449612.7	3769240.9	297.1	3.49	6.51	3.25
YES		NO						
L0000936	0	0.92310E-07	449598.7	3769241.1	297.2	3.49	6.51	3.25
YES		NO						
L0000937	0	0.92310E-07	449584.7	3769241.3	297.3	3.49	6.51	3.25
YES		NO						
L0000938	0	0.92310E-07	449570.7	3769241.4	297.4	3.49	6.51	3.25
YES		NO						
L0000939	0	0.92310E-07	449556.7	3769241.6	297.4	3.49	6.51	3.25
YES		NO						
L0000940	0	0.92310E-07	449542.7	3769241.8	297.5	3.49	6.51	3.25
YES		NO						
L0000941	0	0.92310E-07	449528.7	3769242.0	297.7	3.49	6.51	3.25
YES		NO						
L0000942	0	0.92310E-07	449514.7	3769242.1	297.6	3.49	6.51	3.25
YES		NO						
L0000943	0	0.92310E-07	449500.7	3769242.3	297.4	3.49	6.51	3.25
YES		NO						
L0000944	0	0.92310E-07	449486.7	3769242.5	297.4	3.49	6.51	3.25
YES		NO						

*** VOLUME SOURCE DATA ***

SOURCE	NUMBER URBAN PART.	EMISSION RATE (GRAMS/SEC)	AIRCRAFT X	Y	BASE ELEV.	RELEASE HEIGHT	INIT. SY	INIT. SZ

SOURCE ID	SCALAR CATS.		(METERS)	(METERS)	(METERS)	(METERS)	(METERS)	VARY (METERS)	BY
L0000945	0	0.92310E-07	449472.7	3769242.7	297.4	3.49	6.51	3.25	
YES		NO							
L0000946	0	0.92310E-07	449458.7	3769242.8	297.4	3.49	6.51	3.25	
YES		NO							
L0000947	0	0.92310E-07	449444.7	3769243.0	297.4	3.49	6.51	3.25	
YES		NO							
L0000948	0	0.92310E-07	449430.7	3769243.2	297.4	3.49	6.51	3.25	
YES		NO							
L0000949	0	0.92310E-07	449416.7	3769243.4	297.4	3.49	6.51	3.25	
YES		NO							
L0000950	0	0.92310E-07	449402.7	3769243.6	297.4	3.49	6.51	3.25	
YES		NO							
L0000951	0	0.92310E-07	449388.7	3769243.7	297.2	3.49	6.51	3.25	
YES		NO							
L0000952	0	0.92310E-07	449374.7	3769243.9	297.2	3.49	6.51	3.25	
YES		NO							
L0000953	0	0.92310E-07	449360.7	3769244.1	297.2	3.49	6.51	3.25	
YES		NO							
L0000954	0	0.92310E-07	449346.7	3769244.3	297.1	3.49	6.51	3.25	
YES		NO							
L0000955	0	0.92310E-07	449332.7	3769244.4	297.0	3.49	6.51	3.25	
YES		NO							
L0000956	0	0.92310E-07	449318.7	3769244.6	296.9	3.49	6.51	3.25	
YES		NO							
L0000957	0	0.92310E-07	449304.7	3769244.7	296.9	3.49	6.51	3.25	
YES		NO							
L0000958	0	0.92310E-07	449290.7	3769244.8	296.8	3.49	6.51	3.25	
YES		NO							
L0000959	0	0.92310E-07	449276.7	3769244.9	296.7	3.49	6.51	3.25	
YES		NO							
L0000960	0	0.92310E-07	449262.7	3769245.0	296.6	3.49	6.51	3.25	
YES		NO							
L0000961	0	0.92310E-07	449248.7	3769245.1	296.6	3.49	6.51	3.25	
YES		NO							
L0000962	0	0.92310E-07	449234.7	3769245.2	296.6	3.49	6.51	3.25	
YES		NO							
L0000963	0	0.92310E-07	449220.7	3769245.3	296.6	3.49	6.51	3.25	
YES		NO							
L0000964	0	0.92310E-07	449206.7	3769245.4	296.6	3.49	6.51	3.25	
YES		NO							
L0000965	0	0.92310E-07	449192.7	3769245.5	296.6	3.49	6.51	3.25	
YES		NO							
L0000966	0	0.92310E-07	449178.7	3769245.6	296.6	3.49	6.51	3.25	
YES		NO							
L0000967	0	0.92310E-07	449164.7	3769245.6	296.6	3.49	6.51	3.25	
YES		NO							
L0000968	0	0.92310E-07	449150.7	3769245.7	296.6	3.49	6.51	3.25	
YES		NO							
L0000969	0	0.92310E-07	449136.7	3769245.8	296.5	3.49	6.51	3.25	
YES		NO							
L0000970	0	0.92310E-07	449122.7	3769245.9	296.4	3.49	6.51	3.25	
YES		NO							
L0000971	0	0.92310E-07	449108.7	3769246.0	296.3	3.49	6.51	3.25	
YES		NO							
L0000972	0	0.92310E-07	449094.7	3769246.1	296.3	3.49	6.51	3.25	
YES		NO							
L0000973	0	0.92310E-07	449080.7	3769246.2	296.3	3.49	6.51	3.25	
YES		NO							
L0000974	0	0.92310E-07	449066.7	3769246.3	296.3	3.49	6.51	3.25	
YES		NO							

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 L0000975         0   0.92310E-07  449052.7 3769246.4   296.3     3.49     6.51     3.25
 YES                    NO
 L0000976         0   0.92310E-07  449038.7 3769246.5   296.3     3.49     6.51     3.25
 YES                    NO
 L0000977         0   0.92310E-07  449024.7 3769246.6   296.3     3.49     6.51     3.25
 YES                    NO
 L0000978         0   0.92310E-07  449010.7 3769246.7   296.2     3.49     6.51     3.25
 YES                    NO
 L0000979         0   0.92310E-07  448996.7 3769246.8   296.0     3.49     6.51     3.25
 YES                    NO
 L0000980         0   0.92310E-07  448982.7 3769246.9   296.0     3.49     6.51     3.25
 YES                    NO
 L0000981         0   0.92310E-07  448968.7 3769247.0   296.0     3.49     6.51     3.25
 YES                    NO
 L0000982         0   0.92310E-07  448954.7 3769247.1   296.0     3.49     6.51     3.25
 YES                    NO
 L0000983         0   0.92310E-07  448940.7 3769247.2   296.0     3.49     6.51     3.25
 YES                    NO
 L0000984         0   0.92310E-07  448926.7 3769247.3   295.9     3.49     6.51     3.25
 YES                    NO
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       13:28:52

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                *** VOLUME SOURCE DATA ***

              NUMBER EMISSION RATE                    BASE    RELEASE    INIT.    INIT.
              URBAN  EMISSION RATE   AIRCRAFT
   SOURCE      PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY       SZ
   SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
     (METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - - -

 L0000985         0   0.92310E-07  448912.7 3769247.4   295.8     3.49     6.51     3.25
 YES                    NO
 L0000986         0   0.92310E-07  448898.7 3769247.5   295.7     3.49     6.51     3.25
 YES                    NO
 L0000987         0   0.92310E-07  448884.7 3769247.6   295.5     3.49     6.51     3.25
 YES                    NO
 L0000988         0   0.92310E-07  448870.7 3769247.7   295.4     3.49     6.51     3.25
 YES                    NO
 L0000989         0   0.92310E-07  448856.7 3769247.8   295.4     3.49     6.51     3.25
 YES                    NO
 L0000990         0   0.92310E-07  448842.7 3769247.8   295.4     3.49     6.51     3.25
 YES                    NO
 L0000991         0   0.92310E-07  448828.7 3769247.9   295.3     3.49     6.51     3.25
 YES                    NO
 L0000992         0   0.92310E-07  448814.7 3769248.0   295.1     3.49     6.51     3.25
 YES                    NO
 L0000993         0   0.92310E-07  448800.7 3769248.1   295.1     3.49     6.51     3.25
 YES                    NO
 L0000994         0   0.92310E-07  448786.7 3769248.3   295.1     3.49     6.51     3.25
 YES                    NO
 L0000995         0   0.92310E-07  448772.7 3769248.4   295.0     3.49     6.51     3.25
 YES                    NO
 L0000996         0   0.92310E-07  448758.7 3769248.6   294.9     3.49     6.51     3.25
 YES                    NO
 L0000997         0   0.92310E-07  448744.7 3769248.7   294.8     3.49     6.51     3.25
 YES                    NO
```

L0000998	0	0.92310E-07	448730.7	3769248.8	294.8	3.49	6.51	3.25
YES		NO						
L0000999	0	0.92310E-07	448716.7	3769249.0	294.7	3.49	6.51	3.25
YES		NO						
L0001000	0	0.92310E-07	448702.7	3769249.1	294.6	3.49	6.51	3.25
YES		NO						
L0001001	0	0.92310E-07	448688.7	3769249.3	294.5	3.49	6.51	3.25
YES		NO						
L0001002	0	0.92310E-07	448674.7	3769249.4	294.5	3.49	6.51	3.25
YES		NO						
L0001003	0	0.92310E-07	448660.7	3769249.6	294.5	3.49	6.51	3.25
YES		NO						
L0001004	0	0.92310E-07	448646.7	3769249.7	294.5	3.49	6.51	3.25
YES		NO						
L0001005	0	0.92310E-07	448632.7	3769249.8	294.5	3.49	6.51	3.25
YES		NO						
L0001006	0	0.92310E-07	448618.7	3769250.0	294.4	3.49	6.51	3.25
YES		NO						
L0001007	0	0.92310E-07	448604.7	3769250.1	294.3	3.49	6.51	3.25
YES		NO						
L0001008	0	0.92310E-07	448590.7	3769250.3	294.2	3.49	6.51	3.25
YES		NO						
L0001009	0	0.92310E-07	448576.7	3769250.5	294.2	3.49	6.51	3.25
YES		NO						
L0001010	0	0.92310E-07	448562.7	3769250.7	294.1	3.49	6.51	3.25
YES		NO						
L0001011	0	0.92310E-07	448548.7	3769250.9	294.0	3.49	6.51	3.25
YES		NO						
L0001012	0	0.92310E-07	448534.7	3769251.1	293.9	3.49	6.51	3.25
YES		NO						
L0001013	0	0.92310E-07	448520.7	3769251.3	293.9	3.49	6.51	3.25
YES		NO						
L0001014	0	0.92310E-07	448506.7	3769251.5	293.9	3.49	6.51	3.25
YES		NO						
L0001015	0	0.92310E-07	448492.7	3769251.8	293.9	3.49	6.51	3.25
YES		NO						
L0001016	0	0.92310E-07	448490.4	3769263.4	294.2	3.49	6.51	3.25
YES		NO						
L0001017	0	0.92310E-07	448490.5	3769277.4	294.4	3.49	6.51	3.25
YES		NO						
L0001018	0	0.92310E-07	448490.6	3769291.4	294.7	3.49	6.51	3.25
YES		NO						
L0001019	0	0.92310E-07	448490.8	3769305.4	294.8	3.49	6.51	3.25
YES		NO						
L0001020	0	0.92310E-07	448490.9	3769319.4	295.1	3.49	6.51	3.25
YES		NO						
L0001021	0	0.92310E-07	448491.0	3769333.4	295.3	3.49	6.51	3.25
YES		NO						
L0001022	0	0.92310E-07	448491.1	3769347.4	295.5	3.49	6.51	3.25
YES		NO						
L0001023	0	0.92310E-07	448491.2	3769361.4	295.6	3.49	6.51	3.25
YES		NO						
L0001024	0	0.92310E-07	448491.3	3769375.4	295.7	3.49	6.51	3.25
YES		NO						

*** VOLUME SOURCE DATA ***

NUMBER	EMISSION RATE	BASE	RELEASE	INIT.	INIT.

SOURCE ID	URBAN SOURCE	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	ELEV. (METERS)	HEIGHT (METERS)	SY (METERS)	SZ (METERS)	SCALAR VARY BY
L0001025	0	0.92310E-07	448491.4	3769389.4	295.8	3.49	6.51	3.25	YES
L0001026	0	0.92310E-07	448491.5	3769403.4	295.8	3.49	6.51	3.25	YES
L0001027	0	0.92310E-07	448491.6	3769417.4	295.7	3.49	6.51	3.25	YES
L0001028	0	0.92310E-07	448491.7	3769431.4	295.7	3.49	6.51	3.25	YES
L0001029	0	0.92310E-07	448491.8	3769445.4	295.9	3.49	6.51	3.25	YES
L0001030	0	0.92310E-07	448491.9	3769459.4	296.0	3.49	6.51	3.25	YES
L0001031	0	0.92310E-07	448492.1	3769473.4	296.2	3.49	6.51	3.25	YES
L0001032	0	0.92310E-07	448492.2	3769487.4	296.5	3.49	6.51	3.25	YES
L0001033	0	0.92310E-07	448492.3	3769501.4	297.1	3.49	6.51	3.25	YES
L0001034	0	0.92310E-07	448492.4	3769515.4	297.6	3.49	6.51	3.25	YES
L0001035	0	0.92310E-07	448492.5	3769529.4	298.0	3.49	6.51	3.25	YES
L0001036	0	0.92310E-07	448492.6	3769543.4	298.3	3.49	6.51	3.25	YES
L0001037	0	0.92310E-07	448492.7	3769557.4	298.5	3.49	6.51	3.25	YES
L0001038	0	0.92310E-07	448492.8	3769571.4	298.5	3.49	6.51	3.25	YES
L0001039	0	0.92310E-07	448492.9	3769585.4	298.6	3.49	6.51	3.25	YES
L0001040	0	0.92310E-07	448493.0	3769599.4	298.6	3.49	6.51	3.25	YES
L0001041	0	0.92310E-07	448493.1	3769613.4	298.6	3.49	6.51	3.25	YES
L0001042	0	0.92310E-07	448493.2	3769627.4	298.7	3.49	6.51	3.25	YES
L0001043	0	0.92310E-07	448493.4	3769641.4	298.9	3.49	6.51	3.25	YES
L0001044	0	0.92310E-07	448493.5	3769655.4	299.4	3.49	6.51	3.25	YES
L0001045	0	0.92310E-07	448493.6	3769669.4	300.1	3.49	6.51	3.25	YES
L0001046	0	0.92310E-07	448493.7	3769683.4	301.0	3.49	6.51	3.25	YES
L0001047	0	0.92310E-07	448493.8	3769697.4	301.9	3.49	6.51	3.25	YES
L0001048	0	0.92310E-07	448493.9	3769711.4	302.9	3.49	6.51	3.25	YES
L0001049	0	0.92310E-07	448494.0	3769725.4	304.0	3.49	6.51	3.25	YES
L0001050	0	0.92310E-07	448494.1	3769739.4	303.9	3.49	6.51	3.25	YES
L0001051	0	0.92310E-07	448494.2	3769753.4	303.8	3.49	6.51	3.25	YES
L0001052	0	0.92310E-07	448494.3	3769767.4	303.0	3.49	6.51	3.25	YES
L0001053	0	0.92310E-07	448494.4	3769781.4	302.1	3.49	6.51	3.25	YES

```
 L0001054         0   0.92310E-07  448494.5 3769795.4   301.7     3.49     6.51     3.25
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 YES                    NO
 L0001056         0   0.92310E-07  448494.8 3769823.4   301.5     3.49     6.51     3.25
 YES                    NO
 L0001057         0   0.92310E-07  448494.9 3769837.4   301.7     3.49     6.51     3.25
 YES                    NO
 L0001058         0   0.92310E-07  448495.0 3769851.4   301.8     3.49     6.51     3.25
 YES                    NO
 L0001059         0   0.92310E-07  448495.1 3769865.4   301.8     3.49     6.51     3.25
 YES                    NO
 L0001060         0   0.92310E-07  448495.2 3769879.4   301.9     3.49     6.51     3.25
 YES                    NO
 L0001061         0   0.92310E-07  448495.3 3769893.4   301.9     3.49     6.51     3.25
 YES                    NO
 L0001062         0   0.92310E-07  448495.4 3769907.4   301.9     3.49     6.51     3.25
 YES                    NO
 L0001063         0   0.92310E-07  448495.5 3769921.4   302.1     3.49     6.51     3.25
 YES                    NO
 L0001064         0   0.92310E-07  448495.6 3769935.4   302.2     3.49     6.51     3.25
 YES                    NO
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       13:28:52

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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                          *** SOURCE IDs DEFINING SOURCE GROUPS ***

 SRCGROUP ID                                          SOURCE IDs
 -----------                                          ----------


  ALL        L0000338    , L0000339    , L0000340    , L0000341    , L0000342    , L0000343    ,
  L0000344    , L0000345    ,

             L0000346    , L0000347    , L0000348    , L0000349    , L0000350    , L0000351    ,
             L0000352    , L0000353    ,

             L0000354    , L0000355    , L0000356    , L0000357    , L0000358    , L0000359    ,
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             L0000362    , L0000363    , L0000364    , L0000365    , L0000366    , L0000367    ,
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             L0000384    , L0000385    ,

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             L0000392    , L0000393    ,

             L0000394    , L0000395    , L0000396    , L0000397    , L0000398    , L0000399    ,
             L0000400    , L0000401    ,

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             L0000408    , L0000409    ,

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             L0000743    , L0000744    ,
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L0000751 , L0000752 ,

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L0000815 , L0000816 ,

L0000817 , L0000818 , L0000819 , L0000820 , L0000821 , L0000822 ,
L0000823 , L0000824 ,

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** SOURCE IDs DEFINING SOURCE GROUPS ***

SRCGROUP ID	SOURCE IDs

L0000825 , L0000826 , L0000827 , L0000828 , L0000829 , L0000830 ,
L0000831 , L0000832 ,

L0000833 , L0000834 , L0000835 , L0000836 , L0000837 , L0000838 ,
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L0000841 , L0000842 , L0000843 , L0000844 , L0000845 , L0000846 ,
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L0000855 , L0000856 ,

L0000857 , L0000858 , L0000859 , L0000860 , L0000861 , L0000862 ,
L0000863 , L0000864 ,

L0000865 , L0000866 , L0000867 , L0000868 , L0000869 , L0000870 ,
L0000871 , L0000872 ,

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L0000937 , L0000938 , L0000939 , L0000940 , L0000941 , L0000942 ,
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L0000967 , L0000968 ,

L0000969 , L0000970 , L0000971 , L0000972 , L0000973 , L0000974 ,
L0000975 , L0000976 ,

L0000977 , L0000978 , L0000979 , L0000980 , L0000981 , L0000982 ,
L0000983 , L0000984 ,

*** SOURCE IDs DEFINING SOURCE GROUPS ***

SRCGROUP ID	SOURCE IDs
	L0000985 , L0000986 , L0000987 , L0000988 , L0000989 , L0000990 , L0000991 , L0000992 ,
	L0000993 , L0000994 , L0000995 , L0000996 , L0000997 , L0000998 , L0000999 , L0001000 ,
	L0001001 , L0001002 , L0001003 , L0001004 , L0001005 , L0001006 , L0001007 , L0001008 ,
	L0001009 , L0001010 , L0001011 , L0001012 , L0001013 , L0001014 , L0001015 , L0001016 ,
	L0001017 , L0001018 , L0001019 , L0001020 , L0001021 , L0001022

L0001023 , L0001024 ,

L0001025 , L0001026 , L0001027 , L0001028 , L0001029 , L0001030 ,
L0001031 , L0001032 ,

L0001033 , L0001034 , L0001035 , L0001036 , L0001037 , L0001038 ,
L0001039 , L0001040 ,

L0001041 , L0001042 , L0001043 , L0001044 , L0001045 , L0001046 ,
L0001047 , L0001048 ,

L0001049 , L0001050 , L0001051 , L0001052 , L0001053 , L0001054 ,
L0001055 , L0001056 ,

L0001057 , L0001058 , L0001059 , L0001060 , L0001061 , L0001062 ,
L0001063 , L0001064 ,

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** SOURCE IDs DEFINED AS URBAN SOURCES ***

URBAN ID	URBAN POP	SOURCE IDs
	2035210.	L0000338 , L0000339 , L0000340 , L0000341 , L0000342 , L0000343 , L0000344 , L0000345 ,

L0000346 , L0000347 , L0000348 , L0000349 , L0000350 , L0000351 ,
L0000352 , L0000353 ,

L0000354 , L0000355 , L0000356 , L0000357 , L0000358 , L0000359 ,
L0000360 , L0000361 ,

L0000362 , L0000363 , L0000364 , L0000365 , L0000366 , L0000367 ,
L0000368 , L0000369 ,

L0000370 , L0000371 , L0000372 , L0000373 , L0000374 , L0000375 ,
L0000376 , L0000377 ,

L0000378 , L0000379 , L0000380 , L0000381 , L0000382 , L0000383 ,
L0000384 , L0000385 ,

L0000386 , L0000387 , L0000388 , L0000389 , L0000390 , L0000391 ,
L0000392 , L0000393 ,

L0000394 , L0000395 , L0000396 , L0000397 , L0000398 , L0000399 ,
L0000400 , L0000401 ,

L0000402 , L0000403 , L0000404 , L0000405 , L0000406 , L0000407 ,
L0000408 , L0000409 ,

L0000410 , L0000738 , L0000739 , L0000740 , L0000741 , L0000742 ,
L0000743 , L0000744 ,

L0000745 , L0000746 , L0000747 , L0000748 , L0000749 , L0000750 ,
L0000751 , L0000752 ,

L0000753 , L0000754 , L0000755 , L0000756 , L0000757 , L0000758

L0000759 , L0000760 ,

L0000761 , L0000762 , L0000763 , L0000764 , L0000765 , L0000766 ,
L0000767 , L0000768 ,

L0000769 , L0000770 , L0000771 , L0000772 , L0000773 , L0000774 ,
L0000775 , L0000776 ,

L0000777 , L0000778 , L0000779 , L0000780 , L0000781 , L0000782 ,
L0000783 , L0000784 ,

L0000785 , L0000786 , L0000787 , L0000788 , L0000789 , L0000790 ,
L0000791 , L0000792 ,

L0000793 , L0000794 , L0000795 , L0000796 , L0000797 , L0000798 ,
L0000799 , L0000800 ,

L0000801 , L0000802 , L0000803 , L0000804 , L0000805 , L0000806 ,
L0000807 , L0000808 ,

L0000809 , L0000810 , L0000811 , L0000812 , L0000813 , L0000814 ,
L0000815 , L0000816 ,

L0000817 , L0000818 , L0000819 , L0000820 , L0000821 , L0000822 ,
L0000823 , L0000824 ,

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** SOURCE IDs DEFINED AS URBAN SOURCES ***

URBAN ID	URBAN POP	SOURCE IDs

L0000825 , L0000826 , L0000827 , L0000828 , L0000829 , L0000830 ,
L0000831 , L0000832 ,

L0000833 , L0000834 , L0000835 , L0000836 , L0000837 , L0000838 ,
L0000839 , L0000840 ,

L0000841 , L0000842 , L0000843 , L0000844 , L0000845 , L0000846 ,
L0000847 , L0000848 ,

L0000849 , L0000850 , L0000851 , L0000852 , L0000853 , L0000854 ,
L0000855 , L0000856 ,

L0000857 , L0000858 , L0000859 , L0000860 , L0000861 , L0000862 ,
L0000863 , L0000864 ,

L0000865 , L0000866 , L0000867 , L0000868 , L0000869 , L0000870 ,
L0000871 , L0000872 ,

L0000873 , L0000874 , L0000875 , L0000876 , L0000877 , L0000878 ,
L0000879 , L0000880 ,

L0000881 , L0000882 , L0000883 , L0000884 , L0000885 , L0000886 ,
L0000887 , L0000888 ,

L0000889 , L0000890 , L0000891 , L0000892 , L0000893 , L0000894 ,
L0000895 , L0000896 ,

L0000897 , L0000898 , L0000899 , L0000900 , L0000901 , L0000902 ,
L0000903 , L0000904 ,

L0000905 , L0000906 , L0000907 , L0000908 , L0000909 , L0000910 ,
L0000911 , L0000912 ,

L0000913 , L0000914 , L0000915 , L0000916 , L0000917 , L0000918 ,
L0000919 , L0000920 ,

L0000921 , L0000922 , L0000923 , L0000924 , L0000925 , L0000926 ,
L0000927 , L0000928 ,

L0000929 , L0000930 , L0000931 , L0000932 , L0000933 , L0000934 ,
L0000935 , L0000936 ,

L0000937 , L0000938 , L0000939 , L0000940 , L0000941 , L0000942 ,
L0000943 , L0000944 ,

L0000945 , L0000946 , L0000947 , L0000948 , L0000949 , L0000950 ,
L0000951 , L0000952 ,

L0000953 , L0000954 , L0000955 , L0000956 , L0000957 , L0000958 ,
L0000959 , L0000960 ,

L0000961 , L0000962 , L0000963 , L0000964 , L0000965 , L0000966 ,
L0000967 , L0000968 ,

L0000969 , L0000970 , L0000971 , L0000972 , L0000973 , L0000974 ,
L0000975 , L0000976 ,

L0000977 , L0000978 , L0000979 , L0000980 , L0000981 , L0000982 ,
L0000983 , L0000984 ,

FF *** AERMOD - VERSION 23132 *** *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE Distribution\14539 Ops *** 10/28/24
*** AERMET - VERSION 16216 ***
*** *** 13:28:52

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*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** SOURCE IDs DEFINED AS URBAN SOURCES ***

URBAN ID	URBAN POP	SOURCE IDs

L0000985 , L0000986 , L0000987 , L0000988 , L0000989 , L0000990 ,
L0000991 , L0000992 ,

L0000993 , L0000994 , L0000995 , L0000996 , L0000997 , L0000998 ,
L0000999 , L0001000 ,

L0001001 , L0001002 , L0001003 , L0001004 , L0001005 , L0001006 ,
L0001007 , L0001008 ,

L0001009 , L0001010 , L0001011 , L0001012 , L0001013 , L0001014 ,
L0001015 , L0001016 ,

L0001017 , L0001018 , L0001019 , L0001020 , L0001021 , L0001022 ,
L0001023 , L0001024 ,

L0001025 , L0001026 , L0001027 , L0001028 , L0001029 , L0001030 ,
L0001031 , L0001032 ,

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)
(METERS)

(450497.4, 3769490.5, 301.2, 301.2, 0.0); (450800.7, 3769496.4, 301.2, 301.2, 0.0);
(450844.7, 3769482.7, 300.8, 300.8, 0.0); (450443.3, 3769464.3, 300.9, 300.9, 0.0);
(450501.5, 3769327.5, 299.2, 299.2, 0.0); (450500.6, 3769279.8, 298.7, 298.7, 0.0);
(450904.5, 3769273.6, 298.7, 298.7, 0.0); (450904.5, 3769256.7, 298.3, 298.3, 0.0);
(451224.7, 3769252.7, 296.5, 296.5, 0.0); (451223.3, 3769282.5, 297.0, 297.0, 0.0);
(451085.8, 3769299.7, 297.7, 297.7, 0.0); (451203.8, 3769285.4, 297.1, 297.1, 0.0);
(450660.4, 3769097.0, 298.3, 298.3, 0.0); (451202.0, 3769091.5, 294.3, 294.3, 0.0);
(450843.3, 3769093.9, 296.0, 296.0, 0.0); (451065.3, 3769091.5, 295.0, 295.0, 0.0);
(450488.4, 3769125.6, 297.5, 297.5, 0.0); (450365.0, 3769200.8, 297.4, 297.4, 0.0);
(449491.0, 3769987.6, 306.4, 306.4, 0.0); (451310.5, 3769494.7, 298.9, 298.9, 0.0);
(451571.6, 3769299.6, 300.9, 300.9, 0.0); (451412.2, 3769298.4, 297.6, 297.6, 0.0);
(451467.2, 3769186.0, 296.7, 296.7, 0.0); (449272.9, 3769950.8, 304.9, 304.9, 0.0);
(449463.3, 3769963.2, 305.9, 305.9, 0.0); (449418.9, 3769937.8, 305.4, 305.4, 0.0);
(449134.5, 3770074.5, 305.9, 305.9, 0.0); (448757.9, 3770086.1, 305.4, 305.4, 0.0);
(451123.0, 3769118.2, 295.2, 295.2, 0.0); (453236.6, 3767558.9, 279.1, 279.1, 0.0);
(453308.3, 3767535.1, 279.2, 279.2, 0.0); (453281.0, 3767662.3, 280.5, 280.5, 0.0);
(453784.7, 3767275.2, 274.3, 274.3, 0.0); (453764.7, 3767244.9, 273.9, 273.9, 0.0);
(448293.4, 3770898.6, 316.0, 316.0, 0.0); (448374.2, 3771008.4, 318.1, 318.1, 0.0);
(448407.8, 3771051.1, 318.9, 318.9, 0.0); (451567.7, 3769513.9, 304.1, 304.1, 0.0);
(451567.3, 3769558.7, 304.5, 304.5, 0.0); (451504.3, 3769499.8, 301.8, 301.8, 0.0);
(451404.2, 3769478.0, 299.6, 299.6, 0.0); (451080.2, 3769366.8, 298.5, 298.5, 0.0);
(451083.4, 3769345.3, 298.2, 298.2, 0.0); (451855.6, 3769413.3,

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

1 1 1

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** UP TO THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

Surface file:
KONT_V9_ADJU\KONT_v9.SFC Met
Version: 16216
Profile file:
KONT_V9_ADJU\KONT_v9.PFL
Surface format:
FREE

Profile format:
FREE

Surface station no.: 3102 Upper air station no.: 3190
Name: UNKNOWN Name:
UNKNOWN
Year: 2012 Year: 2012

First 24 hours of scalar data

YR	MO	DY	JDY	HR	H0	U*	W*	DT/DZ	ZICNV	ZIMCH	M-O LEN	Z0	BOWEN	ALBEDO	REF WS	WD	HT	REF TA	HT
12	01	01	1	01	-16.4	0.171	-9.000	-9.000	-999.	170.	32.3	0.09	1.12	1.00	2.03	43.	7.9	285.9	2.0
12	01	01	1	02	-18.8	0.194	-9.000	-9.000	-999.	205.	41.3	0.09	1.12	1.00	2.28	34.	7.9	285.4	2.0
12	01	01	1	03	-17.8	0.182	-9.000	-9.000	-999.	187.	36.5	0.09	1.12	1.00	2.15	24.	7.9	282.0	2.0
12	01	01	1	04	-9.4	0.128	-9.000	-9.000	-999.	110.	19.6	0.09	1.12	1.00	1.55	41.	7.9	283.1	2.0
12	01	01	1	05	-16.9	0.173	-9.000	-9.000	-999.	173.	33.0	0.09	1.12	1.00	2.05	39.	7.9	280.4	2.0
12	01	01	1	06	-8.0	0.117	-9.000	-9.000	-999.	97.	17.8	0.09	1.12	1.00	1.43	21.	7.9	282.0	2.0
12	01	01	1	07	-7.6	0.115	-9.000	-9.000	-999.	93.	17.4	0.09	1.12	1.00	1.40	31.	7.9	282.5	2.0
12	01	01	1	08	-13.6	0.184	-9.000	-9.000	-999.	190.	40.5	0.09	1.12	0.54	2.16	34.	7.9	284.2	2.0
12	01	01	1	09	28.4	0.126	0.300	0.011	33.	108.	-6.2	0.09	1.12	0.32	1.03	29.	7.9	289.2	2.0
12	01	01	1	10	79.8	0.133	0.607	0.010	99.	116.	-2.6	0.09	1.12	0.25	0.94	173.	7.9	292.5	2.0
12	01	01	1	11	115.8	0.137	0.932	0.006	246.	121.	-2.0	0.09	1.12	0.22	0.92	172.	7.9	295.4	2.0
12	01	01	1	12	133.7	0.139	1.197	0.005	453.	125.	-1.8	0.09	1.12	0.21	0.92	146.	7.9	297.5	2.0
12	01	01	1	13	133.2	0.160	1.354	0.005	657.	153.	-2.7	0.09	1.12	0.21	1.14	117.	7.9	299.9	2.0
12	01	01	1	14	113.5	0.159	1.454	0.005	955.	151.	-3.1	0.09	1.12	0.23	1.16	285.	7.9	300.9	2.0
12	01	01	1	15	76.2	0.166	1.350	0.005	1138.	163.	-5.3	0.09	1.12	0.26	1.33	72.	7.9	302.0	2.0
12	01	01	1	16	23.5	0.175	0.925	0.005	1183.	175.	-19.9	0.09	1.12	0.35	1.65	107.	7.9	301.4	2.0
12	01	01	1	17	-6.1	0.107	-9.000	-9.000	-999.	86.	18.0	0.09	1.12	0.63	1.31	107.	7.9	298.1	2.0
12	01	01	1	18	-11.1	0.141	-9.000	-9.000	-999.	127.	22.1	0.09	1.12	1.00	1.69	86.	7.9	293.1	2.0
12	01	01	1	19	-3.2	0.076	-9.000	-9.000	-999.	51.	11.8	0.09	1.12	1.00	0.91	64.	7.9	292.0	2.0
12	01	01	1	20	-2.3	0.066	-9.000	-9.000	-999.	41.	11.2	0.09	1.12	1.00	0.74	73.	7.9	288.8	2.0
12	01	01	1	21	-10.0	0.133	-9.000	-9.000	-999.	116.	20.5	0.09	1.12	1.00	1.6				

```
 14.    7.9  288.1    2.0
 12 01 01   1 22  -19.4  0.201 -9.000 -9.000 -999.  216.     44.5  0.09   1.12   1.00    2.36
 22.    7.9  287.5    2.0
 12 01 01   1 23  -23.7  0.246 -9.000 -9.000 -999.  293.     66.5  0.09   1.12   1.00    2.86
 40.    7.9  287.0    2.0
 12 01 01   1 24  -12.3  0.147 -9.000 -9.000 -999.  139.     23.8  0.09   1.12   1.00    1.76
 40.    7.9  283.8    2.0


 First hour of profile data
 YR MO DY HR HEIGHT F  WDIR    WSPD AMB_TMP sigmaA  sigmaW  sigmaV
 12 01 01 01    7.9 1   43.    2.03   286.0   99.0  -99.00  -99.00

 F indicates top of profile (=1) or below (=0)
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       13:28:52

                      PAGE  21
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                   *** THE ANNUAL AVERAGE CONCENTRATION    VALUES AVERAGED OVER   5 YEARS FOR
                   SOURCE GROUP: ALL      ***
                                 INCLUDING SOURCE(S):     L0000338    , L0000339    ,
                                 L0000340    , L0000341    , L0000342    ,
                 L0000343    , L0000344    , L0000345    , L0000346    , L0000347    ,
                 L0000348    , L0000349    , L0000350    ,
                 L0000351    , L0000352    , L0000353    , L0000354    , L0000355    ,
                 L0000356    , L0000357    , L0000358    ,
                 L0000359    , L0000360    , L0000361    , L0000362    , L0000363    ,
                 L0000364    , L0000365    ,  . . .      ,

                                        *** DISCRETE CARTESIAN RECEPTOR POINTS ***

                                    ** CONC OF DPM      IN
                                    MICROGRAMS/M**3                          **

       X-COORD (M)   Y-COORD (M)        CONC                       X-COORD (M)   Y-COORD
       (M)        CONC
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 - - - - - - - - - - - - - - - -
        450497.39    3769490.46       0.00049                      450800.72
        3769496.41        0.00086
        450844.74    3769482.73       0.00096                      450443.26
        3769464.29        0.00045
        450501.53    3769327.46       0.00126                      450500.56
        3769279.81        0.00171
        450904.52    3769273.57       0.00358                      450904.52
        3769256.68        0.00303
        451224.66    3769252.72       0.00077                      451223.34
        3769282.54        0.00063
        451085.83    3769299.70       0.00094                      451203.81
        3769285.44        0.00066
        450660.39    3769097.00       0.00099                      451201.96
        3769091.46        0.00029
        450843.34    3769093.95       0.00073                      451065.35
        3769091.46        0.00038
        450488.39    3769125.56       0.00082                      450365.04
        3769200.78        0.00068
        449490.95    3769987.56       0.00005                      451310.46
        3769494.69        0.00044
        451571.63    3769299.56       0.00042                      451412.20
        3769298.37        0.00044
        451467.16    3769185.97       0.00045                      449272.92
        3769950.83        0.00005
```

```
        449463.32    3769963.25        0.00005                      449418.90
        3769937.78         0.00005
        449134.45    3770074.53        0.00004                      448757.86
        3770086.14         0.00004
        451123.04    3769118.25        0.00038                      453236.59
        3767558.94         0.00001
        453308.35    3767535.11        0.00001                      453281.04
        3767662.29         0.00001
        453784.70    3767275.20        0.00001                      453764.70
        3767244.94         0.00001
        448293.38    3770898.58        0.00001                      448374.25
        3771008.42         0.00001
        448407.77    3771051.14        0.00001                      451567.70
        3769513.90         0.00040
        451567.29    3769558.70        0.00039                      451504.33
        3769499.78         0.00035
        451404.23    3769477.98        0.00038                      451080.25
        3769366.84         0.00099
        451083.41    3769345.35        0.00098                      451855.58
        3769413.29         0.00022
        451858.79    3769297.51        0.00019                      451877.19
        3769588.22         0.00021
        451769.79    3769173.32        0.00018                      451225.00
        3771073.42         0.00002
        451290.87    3771093.58        0.00002                      451164.51
        3771074.76         0.00002
        451104.02    3771097.62        0.00002                      451062.35
        3771139.29         0.00002
        451009.92    3771061.32        0.00002                      448691.48
        3769705.89         0.00011
        449617.88    3769283.15        0.00037                      448536.25
        3769286.45         0.00042
        449612.93    3769208.84        0.00035                      450097.60
        3769277.37         0.00047
        450354.38    3769284.80        0.00065                      450184.29
        3769203.88         0.00047
        449168.72    3769208.84        0.00030                      448793.86
        3769211.31         0.00029
        448534.60    3769957.72        0.00016                      448442.13
        3770017.99         0.00005
        448348.82    3769949.46
        0.00005

FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                  ***       13:28:52

                     PAGE  22
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                                *** THE SUMMARY OF MAXIMUM ANNUAL RESULTS AVERAGED OVER   5
                                YEARS ***


                                 ** CONC OF DPM      IN
                                 MICROGRAMS/M**3                      **


           NETWORK
GROUP ID                       AVERAGE CONC                RECEPTOR  (XR, YR, ZELEV, ZHILL,
ZFLAG)  OF TYPE  GRID-ID
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - -

ALL       1ST HIGHEST VALUE IS       0.00358 AT (  450904.52,  3769273.57,   298.65,
```

```
298.65,    0.00)  DC
          2ND HIGHEST VALUE IS       0.00303 AT (  450904.52,  3769256.68,   298.30,
          298.30,    0.00)  DC
          3RD HIGHEST VALUE IS       0.00171 AT (  450500.56,  3769279.81,   298.74,
          298.74,    0.00)  DC
          4TH HIGHEST VALUE IS       0.00126 AT (  450501.53,  3769327.46,   299.22,
          299.22,    0.00)  DC
          5TH HIGHEST VALUE IS       0.00099 AT (  451080.25,  3769366.84,   298.50,
          298.50,    0.00)  DC
          6TH HIGHEST VALUE IS       0.00099 AT (  450660.39,  3769097.00,   298.29,
          298.29,    0.00)  DC
          7TH HIGHEST VALUE IS       0.00098 AT (  451083.41,  3769345.35,   298.25,
          298.25,    0.00)  DC
          8TH HIGHEST VALUE IS       0.00096 AT (  450844.74,  3769482.73,   300.84,
          300.84,    0.00)  DC
          9TH HIGHEST VALUE IS       0.00094 AT (  451085.83,  3769299.70,   297.72,
          297.72,    0.00)  DC
         10TH HIGHEST VALUE IS       0.00086 AT (  450800.72,  3769496.41,   301.24,
         301.24,    0.00)  DC


 *** RECEPTOR TYPES:  GC = GRIDCART
                      GP = GRIDPOLR
                      DC = DISCCART
                      DP = DISCPOLR
FF *** AERMOD - VERSION 23132  ***   *** C:\Users\Michael Tirohn\Desktop\HRAs\14539 IE
Distribution\14539 Ops ***        10/28/24
 *** AERMET - VERSION  16216 ***
 ***                                                                    ***       13:28:52

                      PAGE  23
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

 *** Message Summary : AERMOD Model Execution ***

  --------- Summary of Total Messages --------

 A Total of            0 Fatal Error Message(s)
 A Total of            2 Warning Message(s)
 A Total of         1628 Informational Message(s)

 A Total of        43848 Hours Were Processed

 A Total of         1278 Calm Hours Identified

 A Total of          350 Missing Hours Identified (  0.80 Percent)


    ******** FATAL ERROR MESSAGES ********
               ***  NONE  ***


    ********   WARNING MESSAGES   ********
 ME W186     953       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used          0.50
 ME W187     953       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

    ***********************************
    *** AERMOD Finishes Successfully ***
    ***********************************
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ATTACHMENT C
RISK CALCULATIONS

Table 1
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
-0.25 to 0 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	3.5E-09	1.1E-10	5.0E+00	1.4E-03	2.0E-06							
TOTAL								1.1E-10			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	0.25
inhalation rate (L/kg-day))	361
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.85
age sensitivity factor (age third trimester	10

Table 2
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
0-2 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	1.0E-08	2.7E-09	5.0E+00	1.4E-03	2.0E-06							
TOTAL								2.7E-09			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	2
inhalation rate (L/kg-day))	1090
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.85
age sensitivity factor (0 to 2 years old)	10

Table 3
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
2-16 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	5.5E-09	2.5E-09	5.0E+00	1.4E-03	2.0E-06							
TOTAL								2.5E-09			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	14
inhalation rate (L/kg-day))	572
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.72
age sensitivity factor (ages 2 to 16 years	3

Table 4
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
16-30 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**									
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			$(ug/m^3)^{-1}$	$(mg/kg/day)^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00001	1.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	2.5E-09	3.8E-10	5.0E+00	1.4E-03	2.0E-06							
TOTAL								3.8E-10			2.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00
								0.00										

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	14
inhalation rate (L/kg-day))	261
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.73
age sensitivity factor (ages 16 to 30 years old)	1

Total Risk for All Age Bins (per million) 0.006

Table 5
Quantification of Carcinogenic Risks and Noncarcinogenic Risks
25-Year Worker Exposure Scenario

	Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**									
						URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
		(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
1	Diesel Particulates	3.58E-03	3.58E-06	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	5.6E-07	2.1E-07	5.0E+00	1.4E-03	7.2E-04							
	TOTAL								2.1E-07 0.21			7.2E-04	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	250
exposure duration (years)	25
inhalation rate (L/kg-day))	230
inhalation absorption factor	1
averaging time (years)	70

Table 1
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
West Valley Detention Center Exposure Scenario - Construction Activity

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**									
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00096	9.60E-07	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	1.7E-07	2.5E-09	5.0E+00	1.4E-03	1.9E-04							
TOTAL								2.5E-09			1.9E-04	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00
								0.00										

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	250
exposure duration (years)	0.96
inhalation rate (L/kg-day))	261
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	1.00
age sensitivity factor (ages 16 to 30 year	1

Table 4
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
West Valley Detention Center Exposure Scenario - Operational Activity

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**									
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			$(ug/m^3)^{-1}$	$(mg/kg/day)^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.00002	2.00E-08	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	5.0E-09	2.3E-09	5.0E+00	1.4E-03	4.0E-06							
TOTAL								2.3E-09			4.0E-06	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00
								0.00										

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	30
inhalation rate (L/kg-day))	261
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	1.00
age sensitivity factor (ages 16 to 30 years old)	1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO CERTIFY THE 5355 EAST AIRPORT DRIVE FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2022090006) FOR A DEVELOPMENT PLAN TO CONSTRUCT A 270,337 SQUARE FOOT INDUSTRIAL BUILDING ON 13.08 ACRES OF LAND FOR PROPERTY LOCATED AT 5355 EAST AIRPORT DRIVE, WITHIN THE IH (HEAVY INDUSTRIAL) ZONING DISTRICT, AND ADOPT ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0238-052-29 AND 0238-052-20.

WHEREAS, PROLOGIS ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV22-017, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 13.08 acres of land located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district, and is presently improved with five industrial structures. All existing structures and improvements will be demolished to allow for construction of the 270,337 square-foot industrial warehouse building; and

WHEREAS, on April 5, 2022, the Applicant submitted a Development Plan (File No. PDEV22-017) to construct a 270,337 square-foot industrial building on 13.08 acres of land located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district; and

WHEREAS, the property abutting the Project site to the north is a Southern Pacific Railroad right-of-way, and properties beyond are developed with existing industrial land uses within the IH (Heavy Industrial) zoning district of the Shea Business Center. The property to the south of the Project site (across Airport Drive Street) is zoned IH (Heavy Industrial) and consists of two existing warehouse buildings. The property to the east of the Project site in the IH (Heavy Industrial) zoning district and is developed with an industrial gas supplier. The property to the west of the Project site in the IH (Heavy Industrial) zoning district and is developed with a Verizon facility; and

WHEREAS, the 5355 East Airport Drive Final Environmental Impact Report (State Clearinghouse No. 2022090006) was prepared (hereinafter referred to as "final EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations was made available to the public and to all interested agencies for review and comment pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

WHEREAS, the final EIR, for the Project consists of the Draft SEIR and the comments and responses to comments made on the Draft SEIR; and

WHEREAS, the final EIR Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Project has been prepared in accordance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the City of Ontario Guidelines for implementation of CEQA; and

WHEREAS, the DEIR for the Project was circulated for a 45-day public review period and a notice of its availability was published in a local newspaper, submitted to the state clearinghouse, and posted in the Office of the Clerk of the Board of Supervisors of San Bernardino County; and

WHEREAS, copies of the final EIR was distributed to the City Council, Planning Commission, City departments, and federal, state, regional, local, and other agencies and individuals; and

WHEREAS, Ontario Development Code Table 2.01-1 (Review Matrix) establishes that the Planning Commission has the responsibility and authority to review and act upon Interpretations and Land Use Determinations; and

WHEREAS, in response to the Appellants basis for the appeal staff has prepared a response to each of the items. Below is the Appellants statement and staff's response:

Appellant's Issue No. 1: The Final EIR fails to analyze the full scope of the Project, in particular in relation to the Project's reasonably foreseeable use as a parcel hub (a use that generates 2.6 times more trips than analyzed).
Staff Response: This comment is similar to Response to Comment A-6 in the Final EIR, 1-8 in the applicants Response To Comments (RTC) dated May 20, 2024, and CARE-7 in the RTC dated August 8, 2024. Refer to Final EIR RTC A-6 (Final EIR, pp. 2-38, 2-39), RTC 1-8 (RTC, p. 3), and RTC CARE-7 (RTC, p. 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project's trip generation. There is no reasonable possibility that the Project, as designed, could operate as a parcel hub. No additions, revisions, or corrections are necessary, and no further response is required. Additionally, revised conditions of approval for PDEV22-017 prohibit the primary use of the building being established as a parcel hub.

Appellant's Issue No. 2: The commenter reiterates prior comments that the Final EIR fails to analyze reasonably foreseeable truck trips to the Ports of Los Angeles and Long Beach, which are longer than the trips analyzed in the Final EIR.
Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-

43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant's Issue No. 3: The Final EIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines.
Staff Response: This comment is similar to RTC 1-20 in the RTC dated May 20, CARE-17, CARE-18, and CARE-21 in the RTC dated August 8. Refer to RTC 1-20 (RTC, pp. 8 to 10, and RTC CARE-17, CARE-18, and CARE-21 (RTC, p. 6). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant's Issue No. 4: The Final EIR's analysis of cumulative air quality impacts is inadequate because it fails to consider the Project's impacts in the context of the numerous other warehouses existing and planned in the area.
Staff Response: This comment is similar to RTC A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR RTC A-14 (Final EIR, pp. 2-41, 2-42), RTC Comment 1-8 (RTC, p. 4, 5), and RTC CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant's Issue No. 5: The Final EIR's quantified health risk analysis underestimates impacts because it analyzed trucks travelling only east along Airport Drive, not accounting for building downwash and relying on unreliable input values.
Staff Response: This comment is similar to RTC 1-12, 1-13, 1-41 in the RTC dated May 20, CARE-13, CARE-27, and CARE-28 in the RTC dated August 8. Refer to RTC 1-12, 1-13, and 1-41 (RTC, pp. 5, 14 to 16), and RTC CARE-13, CARE-27, CARE-28 (RTC, pp. 4,7). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts. No additions, revisions, or corrections to the EIR are necessary, and no further response is required.

Appellant's Issue No. 6: The Final EIR identifies significant vapor intrusion impacts due to tetrachloroethylene (PCE) contamination, but improperly defers formulation of mitigation measures.
Staff Response: This comment is similar to RTC CARE-4, CARE-5, and CARE-6 in the RTC dated August 8. Refer to RTC CARE-4, CARE-5, and CARE-6 (RTC, pp. 2, 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of vapor intrusion impacts. No additions, revisions, or corrections to the EIR are necessary, and no further response is required.

Appellant Issue No. 7: The Final EIR is deficient as a matter of law and its conclusions are not supported by substantial evidence based on the previous comments made.
Staff Response: The commenter asserts that the Planning Commission's approval decision must be vacated, and the EIR must be revised and recirculated in compliance with CEQA. Contrary to the commenter's assertion, this memorandum, RTCs (dated May 20 and August 8), and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated. Thus, no additions, revisions, or corrections are necessary.

Appellant Issue No. 8: The commenter cites to Section 4.02.025(D) of the City's Municipal Code and assets that the Project would have significant and unavoidable VMT impact, potential health risk, air quality, GHG, energy, and soil contamination impacts that have been underestimated.
Staff Response: The commenter asserts that the City cannot make the requisite findings to approve the Project and a revised EIR must be recirculated before the Project can be recommended for approval. Contrary to the commenter's assertion, this memorandum, prior RTCs (dated May 20 and August 8), and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated as feasible. Thus, no additions, revisions, or corrections are necessary.

Appellant Issue No. 9: The commenter provides previously submitted comment letters as Attachments A through D to the appeal letter.
Staff Response: Attachment A includes a comment letter dated October 5, 2023, which has been responded to in the Project's Final EIR. Attachment B includes a comment letter dated April 15, 2024, which has been response to in the RTC dated May 20, 2024. Attachment C is a comment letter dated May 28, 2024, which has been responded to in the RTC dated August 8, 2024. Response to Attachment D is provided below in RTC CARECA-13 to CARECA-33 in the applicant's response.

Appellant Issue No. 10: This comment consists of introductory remarks, identifies that the comments in this letter are being provided by Adams Broadwell Joseph & Cardozo on behalf of CARECA, and provides a summary of prior comments submitted concerning the Project during the Draft's EIR public review period, and on the Final EIR.

Staff Response: The commenter claims that the RTC, dated August 8, 2024, failed to resolve asserted flaws that CARE CA and its experts identified in the Draft EIR and that the Planning Commission should require the City to revised and recirculate the EIR before any further action is taken on the Project. Response to the comments made in this letter are provided below in the following issues and responses below. Thus, no further response is required.

Appellant Issue No. 11: The commenter reiterates previous comments about the conclusions of the Project's Phase I and II Environmental Site Assessment (ESA; Technical Appendix G to the Draft EIR) regarding ethylbenzene concentration and opines the Final EIR improperly defers formulation of mitigation for PCE and ethylbenzene contamination.
Staff Response: Refer to responses above and RTC CARE-4, CARE-5, and CARE-6 in the RTC dated August 8, 2024. Refer to RTC CARE-4, CARE-5, and CARE-6 (RTC, pp. 2, 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of vapor intrusion impacts. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

Appellant Issue No. 12: The commenter reiterates previous comments regarding the Project's potential as a High Cube Parcel Hub Warehouse and that trip generated by the Project are not adequately analyzed.
Staff Response: This comment is similar to RTC A-6 in the Final EIR, 1-8 in the RTC dated May 20, 2024, and CARE-7 in the RTC dated August 8, 2024. Refer to Final EIR RTC A-6 (Final EIR, pp. 2-38, 2-39), RTC 1-8 (RTC, p. 3), and RTC CARE-7 (RTC, p. 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project's trip generation. There is no reasonable possibility that the Project, as designed, could operate as a parcel hub. No additions, revisions, or corrections are necessary, and no further response is required. Additionally, as previously noted, revised conditions of approval for PDEV22-017 prohibit the primary use of the building being established as a parcel hub.

Appellant Issue No. 13: The commenter reiterates previous comments that the Final EIR's analysis of cumulative impacts is inadequate because it fails to consider the cumulative impacts of past, present, and probable future projects.
Staff Response: This comment is similar to RTC A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR RTC A-14 (Final EIR, pp. 2-41, 2-42), RTC 1-8 (RTC, p. 4, 5), and RTC CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and

adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 14: The commenter reiterates previous comments that the Project's Health Risk Assessment underestimates health risk impacts on sensitive receptors and failed to account for building downwash and relied on unreliable input values.
Staff Response: This comment is similar to RTC 1-12, 1-13, 1-41 in the RTC dated May 20, CARE-13, CARE-27, and CARE-28 in the RTC dated August 8. Refer to RTC 1-12, 1-13, and 1-41 (RTC, pp. 5, 14 to 16), and RTC CARE-13, CARE-27, CARE-28 (RTC, pp. 4,7). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts. No additions, revisions, or corrections to the EIR are necessary, and no further response is required.

Appellant Issue No. 15: The commenter reiterates previous comments that Final EIR truck trip length is underestimated.
Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1-16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 16: The commenter reiterates previous comments that the Project's energy analysis remains inadequate.
Staff Response: This comment is similar to RTC 1-20 in the RTC dated May 20, CARE-17, CARE-18, and CARE-21 in the RTC dated August 8. Refer to RTC 1-20 (RTC, pp. 8 to 10, and RTC CARE-17, CARE-18, and CARE-21 (RTC, p. 6). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 17: The commenter asserts that the Project's Media Management Plan (Attachment F to the Final EIR) was never attached to the Final EIR that is posted at the City of Ontario's website.
Staff Response: The City thanks the commenter for calling this to the City's attention and the City immediately posted the Media Management Plan to the website. All appendices to the Final EIR are posted on the City's website. Additionally, the Media Management Plan was provided in all agenda packages

and staff reports for the Project's Development Advisory Board and Planning Commission hearings. The commenter also summarizes the procedures in the Media Management Plan in the event that an unanticipated subsurface structure is discovered and states a site-specific remedial action work (RAW) plan should be initiated to protect workers onsite. The Media Management Plan's implementation is sufficient for ensuring that potential environmental effects are reduced to below a level of significance. Refer to Section 4.3 of the Media Management Plan, which requires adherence to a Health and Safety Plan (HASP) including for construction workers. The HASP will detail all planned construction activities and will describe standard safety precautions (e.g., protective gear for workers, proper soil handling techniques, etc.). The Contractor or the Environmental Professional is responsible for ensuring that the safety precautions detailed in the HASP are implemented and monitored during all activities at the site. The Contractor and the Environmental Professional also are required to abide by all applicable federal, state, and local regulations and codes relating to health and safety and are required by law to adhere to all California Occupational Safety and Health Administration regulations contained in Title 8 of the California Code of Regulations (8 CCR), as they apply to activities at the Project site. Additionally, revised conditions of approval for PDEV22-017 require the preparation and implementation of a remedial action work (RAW) plan for construction workers, for the potential of encountering hazardous materials.

Appellant Issue No. 18: The commenter reiterates previous comments that Final EIR truck trip length is underestimated and that the "Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns" by the National Center for Sustainable Transportation (NCST) validates that the majority of facilities in the SCAG region receive goods from the Ports of Los Angeles and Long Beach.

Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1-16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). Specifically, refer to RTC CARE-16 regarding the low sample size of the study and that the study is not an accurate representation of warehouse facilities in the region. The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 19: The commenter reiterates previous comments the use of a diesel generator was not accounted for in the Project's air quality analysis and that diesel generators are a source of diesel particulate matter (DPM), which is a primary toxic air contaminant (TAC) associated with the Project.

Staff Response: Refer to RTC A-10 in the Final EIR (Final EIR, pp. 2-40 to 2-41) that addresses the use of diesel generator, and which provided a table of

calculations of emissions that would be generated from a 197 horsepower (hp) diesel-powered emergency water pump and a 762 hp diesel-powered emergency backup generator. As shown, emissions would be negligible, and the Project's total emissions would be less than the South Coast Air Quality Management District (SCAQMD) significance threshold. Thus, no further response is required.

Appellant Issue No. 20: The commenter reiterates previous comments that the health risk impacts to the San Bernardino County West Valley Detention Center (WVDC) was not analyzed.
Staff Response: Refer to RTC CARE-31 in the RTC dated August 4 (RTC, p. 8). Thus, no further response is required.

Appellant Issue No. 21: The commenter reiterates previous comments regarding the Project's cumulative impacts analysis.
Staff Response: This comment is similar to RTC A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR RTC A-14 (Final EIR, pp. 2-41, 2-42), RTC 1-8 (RTC, p. 4, 5), and RTC CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 22: The commenter reiterates previous comments related to building downwash.
Staff Response: This comment is similar to RTC 1-12 in the RTC dated May 20. Refer to RTC Comment 1-12 in the RTC (RTC, p. 5) for a full discussion on the reasoning why the Project would not be materially affected by downwash. Thus, no further response is required.

Appellant Issue No. 23: The comment consists of introductory remarks from Smart Mobility and summarizes the findings of the commenter's letter in October 2023, stating that the Draft EIR acknowledges a significant and unavoidable VMT impact, asserting that the proposed VMT mitigation measure is not fully specified or quantified, and claiming that the Project's trip generation and GHG emissions could be much higher than assumed.
Staff Response: As described in the following responses, the commenter's assertions are incorrect. Refer to the comments below. Thus, no further response is required.

Appellant Issue No. 24: The commenter reiterates previous comments and responses made regarding the Project's truck trip length.
Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and

CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 25: The commenter reiterates previous comments and responses made regarding the Project's significant and unavoidable VMT impacts.
Staff Response: The commenter's statements have been previously addressed at Final EIR RTC A-24, which included a calculation of feasible VMT mitigation measures. As stated, measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant (Final EIR pp. 2-44 to 2-45). Additionally, the commenter reiterated suggestions on requiring zero emission trucks, limiting daily number of trucks allowed at the Project site, and providing electric vehicle (EV) charging stations and electrical hookups for truckers. Refer to RTC B-53 and B-60 in the Final EIR (Final EIR, pp. 2-97 to 2-100) regarding the infeasibility of using zero-emission vehicles and EV charging stations for trucks and 1-33 in the RTC dated May 20 (RTC, p. 13) for limiting daily number of trucks allowed at the Project site. Thus, no further response is required.

Appellant Issue No. 26: The commenter reiterates previous comments and responses made related to the Project's trip generation assumptions.
Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject appeal Application; and

WHEREAS, on March 18, 2024, the Development Advisory Board conducted a hearing regarding the subject Application and voted to continue the Project to the next

available DAB meeting to allow staff to work with the applicant to revise draft conditions of approval; and

WHEREAS, on April 15, 2024, the Development Advisory Board of the City of Ontario conducted a hearing to consider the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines, and concluded said hearing on that date, voting to issue Decision No. DAB24-010, recommending that the Planning Commission approve the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations; and

WHEREAS, on May 28, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations and the Project, and continued the Project for further consideration; and

WHEREAS, on August 27, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations and the Project, and concluded said hearing on that date, voting to issue Resolution No. PC24-036, to approve the Application by a vote of 5-0; and

WHEREAS, on September 5, 2024, Aidan Marshall ("Appellant") from Adams Broadwell Joseph & Cardozo, representing CARECA, submitted an appeal of the Planning Commission's decision to approve File No. PDEV22-017. The basis of the Appellant's appeal lies in their belief that the Planning Commission's approval of the Project and certification of the Final Environmental Impact Report (Final EIR) violated the California Environmental Quality Act (CEQA) and land use laws because the City has not complied with its duty to disclose and mitigate the Project's potentially significant environmental and land use impacts, and the Planning Commission's approval findings were not supported by substantial evidence.

WHEREAS, on November 19, 2024, the City Council of the City of Ontario conducted a public hearing to consider an appeal of the Planning Commission's decision to approve the project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the City Council of the City of Ontario, as follows:

SECTION 1: ***Environmental Determination and Findings.*** As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the final EIR and supporting documentation. Based upon the facts and information contained in the final EIR and supporting documentation, the City Council makes the following findings:

(1) The final EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The final EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The final EIR reflects the independent judgment of the City Council.

SECTION 2: ***City Council Action.*** Based on the entire record before the City Council and all written and oral evidence presented, the City Council finds the final EIR complies with CEQA for the following reasons:

(a) The final EIR analyzes the environmental effects of the Development Plan (File No. PDEV22-017), and with the implementation of proposed mitigation measures, the following impact will still be significant and unavoidable: transportation (vehicle miles traveled); and

(b) The City Council further finds that the Findings of Facts and Statement of Overriding Considerations, demonstrates that the benefits of the Development Plan (File No. PDEV22-017) outweigh its significant and unavoidable impact, and therefore the City would be justified in approving Development Plan notwithstanding said significant and unavoidable impact; and

(c) The City Council hereby CERTIFIES the final EIR, adopts a Statement of Overriding Considerations, and the associated Mitigation Monitoring and Reporting Program subject to each and every condition set forth in the Department reports attached hereto as "Attachments A, B, and C" and incorporate by this reference.

SECTION 3: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 4: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 5: ***Certification to Adoption.*** The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of November, 2024.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2024- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held November 19, 2024 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2024- duly passed and adopted by the Ontario City Council at their regular meeting held November 19, 2024.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE FILE NO. PDEV22-017, A DEVELOPMENT PLAN TO CONSTRUCT A 270,337 SQUARE FOOT INDUSTRIAL BUILDING ON 13.08 ACRES OF LAND FOR PROPERTY LOCATED AT 5355 EAST AIRPORT DRIVE, WITHIN THE IH (HEAVY INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0238-052-29 AND 0238-052-20.

WHEREAS, PROLOGIS ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV22-017, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 13.08 acres of land located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district, and is presently improved with five industrial structures. All existing structures and improvements will be demolished to allow for construction of the 270,337 square-foot industrial warehouse building; and

WHEREAS, on April 5, 2022, the Applicant submitted the Application to construct a 270,337 square-foot industrial building on 13.08 acres of land located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district; and

WHEREAS, the property abutting the Project site to the north is a Southern Pacific Railroad right-of-way, and properties beyond are developed with existing industrial land uses within the IH (Heavy Industrial) zoning district of the Shea Business Center. The property to the south of the Project site (across Airport Drive Street) is zoned IH (Heavy Industrial) and consists of two existing warehouse buildings. The property to the east of the Project site is in the IH (Heavy Industrial) zoning district and is developed with an industrial gas supplier. The property to the west of the Project site is in the IH (Heavy Industrial) zoning district and is developed with a Verizon facility; and

WHEREAS, the proposed building has been situated on the center of the site, and is set back approximately 180 to 200 feet from Airport Drive, 77 feet from the west property line, 72 feet from the east property line, and 40 feet from the north property line; and

WHEREAS, the building is designed to accommodate up to two tenants, with offices located at the southeast and southwest corners of the building, fronting East Airport Drive. Off-street parking is located all around the building, with the heaviest concentration around the office areas; and

WHEREAS, a truck yard area, with 54 dock-high loading doors, is located on the south side of the building (center of building). The loading area will be screened from street views by portions of the building and 14-foot-tall decorative screen walls with

decorative tube steel gates, that have been designed to match the building architecture; and

WHEREAS, the Project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The Project requires and provides 251 passenger vehicle parking spaces. Additionally, the Project requires 14 tractor-trailer parking spaces and has provided 48 tractor-trailer parking spaces; and

WHEREAS, the proposed industrial warehouse building will be of concrete tilt-up construction and designed in a Contemporary Architectural style that exemplifies the type of high-quality architecture promoted by the Ontario Development Code and The Ontario Plan; and

WHEREAS, the IH (Heavy Industrial) zoning district requires a minimum 10 percent landscape coverage for interior lots, and 12.72 percent will be provided, in compliance with the Ontario Development Code requirements; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000, et seq. (hereinafter referred to as "CEQA"); and

WHEREAS, the 5355 East Airport Drive Final Environmental Impact Report (State Clearinghouse No. 2022090006) was prepared (hereinafter referred to as "final EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations was made available to the public and to all interested agencies for review and comment pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, in response to the Appellants basis for the appeal staff has prepared a response to each of the items. Below is the Appellants statement and staff's response:

Appellant's Issue No. 1: The Final EIR fails to analyze the full scope of the Project, in particular in relation to the Project's reasonably foreseeable use as a parcel hub (a use that generates 2.6 times more trips than analyzed).
Staff Response: This comment is similar to Response to Comment A-6 in the Final EIR, 1-8 in the applicants Response To Comments (RTC) dated May 20, 2024, and CARE-7 in the RTC dated August 8, 2024. Refer to Final EIR RTC A-6 (Final EIR, pp. 2-38, 2-39), RTC 1-8 (RTC, p. 3), and RTC CARE-7 (RTC, p. 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding

accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project's trip generation. There is no reasonable possibility that the Project, as designed, could operate as a parcel hub. No additions, revisions, or corrections are necessary, and no further response is required. Additionally, revised conditions of approval for PDEV22-017 prohibit the primary use of the building being established as a parcel hub.

Appellant's Issue No. 2: The commenter reiterates prior comments that the Final EIR fails to analyze reasonably foreseeable truck trips to the Ports of Los Angeles and Long Beach, which are longer than the trips analyzed in the Final EIR.
Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant's Issue No. 3: The Final EIR fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project, as required by the CEQA Guidelines.
Staff Response: This comment is similar to RTC 1-20 in the RTC dated May 20, CARE-17, CARE-18, and CARE-21 in the RTC dated August 8. Refer to RTC 1-20 (RTC, pp. 8 to 10, and RTC CARE-17, CARE-18, and CARE-21 (RTC, p. 6). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant's Issue No. 4: The Final EIR's analysis of cumulative air quality impacts is inadequate because it fails to consider the Project's impacts in the context of the numerous other warehouses existing and planned in the area.
Staff Response: This comment is similar to RTC A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR RTC A-14 (Final EIR, pp. 2-41, 2-42), RTC Comment 1-8 (RTC, p. 4, 5), and RTC CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant's Issue No. 5: The Final EIR's quantified health risk analysis underestimates impacts because it analyzed trucks travelling only east along

Airport Drive, not accounting for building downwash and relying on unreliable input values.
Staff Response: This comment is similar to RTC 1-12, 1-13, 1-41 in the RTC dated May 20, CARE-13, CARE-27, and CARE-28 in the RTC dated August 8. Refer to RTC 1-12, 1-13, and 1-41 (RTC, pp. 5, 14 to 16), and RTC CARE-13, CARE-27, CARE-28 (RTC, pp. 4,7). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts. No additions, revisions, or corrections to the EIR are necessary, and no further response is required.

Appellant's Issue No. 6: The Final EIR identifies significant vapor intrusion impacts due to tetrachloroethylene (PCE) contamination, but improperly defers formulation of mitigation measures.
Staff Response: This comment is similar to RTC CARE-4, CARE-5, and CARE-6 in the RTC dated August 8. Refer to RTC CARE-4, CARE-5, and CARE-6 (RTC, pp. 2, 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of vapor intrusion impacts. No additions, revisions, or corrections to the EIR are necessary, and no further response is required.

Appellant Issue No. 7: The Final EIR is deficient as a matter of law and its conclusions are not supported by substantial evidence based on the previous comments made.
Staff Response: The commenter asserts that the Planning Commission's approval decision must be vacated, and the EIR must be revised and recirculated in compliance with CEQA. Contrary to the commenter's assertion, this memorandum, RTCs (dated May 20 and August 8), and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated. Thus, no additions, revisions, or corrections are necessary.

Appellant Issue No. 8: The commenter cites to Section 4.02.025(D) of the City's Municipal Code and assets that the Project would have significant and unavoidable VMT impact, potential health risk, air quality, GHG, energy, and soil contamination impacts that have been underestimated.
Staff Response: The commenter asserts that the City cannot make the requisite findings to approve the Project and a revised EIR must be recirculated before the Project can be recommended for approval. Contrary to the commenter's assertion, this memorandum, prior RTCs (dated May 20 and August 8), and Final EIR demonstrates that the Project's impacts have been adequately analyzed and mitigated as feasible. Thus, no additions, revisions, or corrections are necessary.

Appellant Issue No. 9: The commenter provides previously submitted comment letters as Attachments A through D to the appeal letter.

Staff Response: Attachment A includes a comment letter dated October 5, 2023, which has been responded to in the Project's Final EIR. Attachment B includes a comment letter dated April 15, 2024, which has been response to in the RTC dated May 20, 2024. Attachment C is a comment letter dated May 28, 2024, which has been responded to in the RTC dated August 8, 2024. Response to Attachment D is provided below in RTC CARECA-13 to CARECA-33 in the applicant's response.

Appellant Issue No. 10: This comment consists of introductory remarks, identifies that the comments in this letter are being provided by Adams Broadwell Joseph & Cardozo on behalf of CARECA, and provides a summary of prior comments submitted concerning the Project during the Draft's EIR public review period, and on the Final EIR.
Staff Response: The commenter claims that the RTC, dated August 8, 2024, failed to resolve asserted flaws that CARE CA and its experts identified in the Draft EIR and that the Planning Commission should require the City to revised and recirculate the EIR before any further action is taken on the Project. Response to the comments made in this letter are provided below in the following issues and responses below. Thus, no further response is required.

Appellant Issue No. 11: The commenter reiterates previous comments about the conclusions of the Project's Phase I and II Environmental Site Assessment (ESA; Technical Appendix G to the Draft EIR) regarding ethylbenzene concentration and opines the Final EIR improperly defers formulation of mitigation for PCE and ethylbenzene contamination.
Staff Response: Refer to responses above and RTC CARE-4, CARE-5, and CARE-6 in the RTC dated August 8, 2024. Refer to RTC CARE-4, CARE-5, and CARE-6 (RTC, pp. 2, 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of vapor intrusion impacts. No additions, revisions, or corrections to the EIR are necessary and no further response is required.

Appellant Issue No. 12: The commenter reiterates previous comments regarding the Project's potential as a High Cube Parcel Hub Warehouse and that trip generated by the Project are not adequately analyzed.
Staff Response: This comment is similar to RTC A-6 in the Final EIR, 1-8 in the RTC dated May 20, 2024, and CARE-7 in the RTC dated August 8, 2024. Refer to Final EIR RTC A-6 (Final EIR, pp. 2-38, 2-39), RTC 1-8 (RTC, p. 3), and RTC CARE-7 (RTC, p. 3). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR trip generation estimates and all environmental impacts related to or attributable to Project's trip generation. There is no reasonable possibility that the Project, as designed, could operate as a parcel hub. No additions, revisions, or corrections are necessary, and no further response is required. Additionally, as previously noted, revised

conditions of approval for PDEV22-017 prohibit the primary use of the building being established as a parcel hub.

Appellant Issue No. 13: The commenter reiterates previous comments that the Final EIR's analysis of cumulative impacts is inadequate because it fails to consider the cumulative impacts of past, present, and probable future projects.
Staff Response: This comment is similar to RTC A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR RTC A-14 (Final EIR, pp. 2-41, 2-42), RTC 1-8 (RTC, p. 4, 5), and RTC CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 14: The commenter reiterates previous comments that the Project's Health Risk Assessment underestimates health risk impacts on sensitive receptors and failed to account for building downwash and relied on unreliable input values.
Staff Response: This comment is similar to RTC 1-12, 1-13, 1-41 in the RTC dated May 20, CARE-13, CARE-27, and CARE-28 in the RTC dated August 8. Refer to RTC 1-12, 1-13, and 1-41 (RTC, pp. 5, 14 to 16), and RTC CARE-13, CARE-27, CARE-28 (RTC, pp. 4,7). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of health risk impacts. No additions, revisions, or corrections to the EIR are necessary, and no further response is required.

Appellant Issue No. 15: The commenter reiterates previous comments that Final EIR truck trip length is underestimated.
Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1-16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 16: The commenter reiterates previous comments that the Project's energy analysis remains inadequate.
Staff Response: This comment is similar to RTC 1-20 in the RTC dated May 20, CARE-17, CARE-18, and CARE-21 in the RTC dated August 8. Refer to RTC 1-

20 (RTC, pp. 8 to 10, and RTC CARE-17, CARE-18, and CARE-21 (RTC, p. 6). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 17: The commenter asserts that the Project's Media Management Plan (Attachment F to the Final EIR) was never attached to the Final EIR that is posted at the City of Ontario's website.
Staff Response: The City thanks the commenter for calling this to the City's attention and the City immediately posted the Media Management Plan to the website. All appendices to the Final EIR are posted on the City's website. Additionally, the Media Management Plan was provided in all agenda packages and staff reports for the Project's Development Advisory Board and Planning Commission hearings. The commenter also summarizes the procedures in the Media Management Plan in the event that an unanticipated subsurface structure is discovered and states a site-specific remedial action work (RAW) plan should be initiated to protect workers onsite. The Media Management Plan's implementation is sufficient for ensuring that potential environmental effects are reduced to below a level of significance. Refer to Section 4.3 of the Media Management Plan, which requires adherence to a Health and Safety Plan (HASP) including for construction workers. The HASP will detail all planned construction activities and will describe standard safety precautions (e.g., protective gear for workers, proper soil handling techniques, etc.). The Contractor or the Environmental Professional is responsible for ensuring that the safety precautions detailed in the HASP are implemented and monitored during all activities at the site. The Contractor and the Environmental Professional also are required to abide by all applicable federal, state, and local regulations and codes relating to health and safety and are required by law to adhere to all California Occupational Safety and Health Administration regulations contained in Title 8 of the California Code of Regulations (8 CCR), as they apply to activities at the Project site. Additionally, revised conditions of approval for PDEV22-017 require the preparation and implementation of a remedial action work (RAW) plan for construction workers, for the potential of encountering hazardous materials.

Appellant Issue No. 18: The commenter reiterates previous comments that Final EIR truck trip length is underestimated and that the "Warehousing and Distribution Center Facilities in Southern California: The Use of the Commodity Flow Survey Data to Identify Logistics Sprawl and Freight Generation Patterns" by the National Center for Sustainable Transportation (NCST) validates that the majority of facilities in the SCAG region receive goods from the Ports of Los Angeles and Long Beach.
Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1-16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). Specifically, refer to RTC CARE-16 regarding the low sample size of the study and that the study is not an accurate representation of

warehouse facilities in the region. The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 19: The commenter reiterates previous comments the use of a diesel generator was not accounted for in the Project's air quality analysis and that diesel generators are a source of diesel particulate matter (DPM), which is a primary toxic air contaminant (TAC) associated with the Project.
Staff Response: Refer to RTC A-10 in the Final EIR (Final EIR, pp. 2-40 to 2-41) that addresses the use of diesel generator, and which provided a table of calculations of emissions that would be generated from a 197 horsepower (hp) diesel-powered emergency water pump and a 762 hp diesel-powered emergency backup generator. As shown, emissions would be negligible, and the Project's total emissions would be less than the South Coast Air Quality Management District (SCAQMD) significance threshold. Thus, no further response is required.

Appellant Issue No. 20: The commenter reiterates previous comments that the health risk impacts to the San Bernardino County West Valley Detention Center (WVDC) was not analyzed.
Staff Response: Refer to RTC CARE-31 in the RTC dated August 4 (RTC, p. 8). Thus, no further response is required.

Appellant Issue No. 21: The commenter reiterates previous comments regarding the Project's cumulative impacts analysis.
Staff Response: This comment is similar to RTC A-14 in the Final EIR, 1-10 in the RTC dated May 20, CARE-9, CARE-10, and CARE-11 in the RTC dated August 8. Refer to Final EIR RTC A-14 (Final EIR, pp. 2-41, 2-42), RTC 1-8 (RTC, p. 4, 5), and RTC CARE-9, CARE-10, and CARE-11 (RTC, pp. 3 to 4). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of air quality impacts including analysis of cumulative air quality impacts. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 22: The commenter reiterates previous comments related to building downwash.
Staff Response: This comment is similar to RTC 1-12 in the RTC dated May 20. Refer to RTC Comment 1-12 in the RTC (RTC, p. 5) for a full discussion on the reasoning why the Project would not be materially affected by downwash. Thus, no further response is required.

Appellant Issue No. 23: The comment consists of introductory remarks from Smart Mobility and summarizes the findings of the commenter's letter in October 2023, stating that the Draft EIR acknowledges a significant and unavoidable VMT impact,

asserting that the proposed VMT mitigation measure is not fully specified or quantified, and claiming that the Project's trip generation and GHG emissions could be much higher than assumed.
Staff Response: As described in the following responses, the commenter's assertions are incorrect. Refer to the comments below. Thus, no further response is required.

Appellant Issue No. 24: The commenter reiterates previous comments and responses made regarding the Project's truck trip length.
Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

Appellant Issue No. 25: The commenter reiterates previous comments and responses made regarding the Project's significant and unavoidable VMT impacts.
Staff Response: The commenter's statements have been previously addressed at Final EIR RTC A-24, which included a calculation of feasible VMT mitigation measures. As stated, measures associated with commute trip reduction (CTR) programs and their related commute trip reduction strategies have been excluded as they are not quantifiable, nor can their implementation be guaranteed and enforced since the Project is proposed to be developed as a speculative building without a known tenant (Final EIR pp. 2-44 to 2-45). Additionally, the commenter reiterated suggestions on requiring zero emission trucks, limiting daily number of trucks allowed at the Project site, and providing electric vehicle (EV) charging stations and electrical hookups for truckers. Refer to RTC B-53 and B-60 in the Final EIR (Final EIR, pp. 2-97 to 2-100) regarding the infeasibility of using zero-emission vehicles and EV charging stations for trucks and 1-33 in the RTC dated May 20 (RTC, p. 13) for limiting daily number of trucks allowed at the Project site. Thus, no further response is required.

Appellant Issue No. 26: The commenter reiterates previous comments and responses made related to the Project's trip generation assumptions.
Staff Response: This comment is similar to RTC A-18, A-19, and A-28 in the Final EIR, 1- 16 in the RTC dated May 20, CARE-14, CARE-15, and CARE-16 in the RTC dated August 8. Refer to Final EIR RTC A-18, A-19, A-28 (Final EIR, pp. 2-43, 2-44, 2-45) and RTC 1-16 (RTC, p. 7), and RTC CARE-14, CARE-15, and CARE-16 (RTC, p. 5). The commenter raises no new or additional environmental issues not previously addressed in the Draft EIR, Final EIR, RTC, and the Responses provided herein, and the whole record before the City. The City maintains its position regarding accuracy and adequacy of the EIR analysis of the

Project's truck trips assumptions. No additions, revisions, or corrections are necessary, and no further response is required.

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject appeal Application; and

WHEREAS, on March 18, 2024, the Development Advisory Board (DAB) conducted a hearing regarding the subject Application and voted to continue the Project to the next available DAB meeting to allow staff to work with the applicant to revise draft conditions of approval; and

WHEREAS, on April 15, 2024, the DAB conducted a hearing to consider the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines, and concluded said hearing on that date, voting to issue Decision No. DAB24-010, recommending that the Planning Commission approve the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations; and

WHEREAS, on April 15, 2024, the DAB conducted a hearing regarding the subject Application and concluded said hearing on that date, voting to issue Decision No. DAB24-011, recommending the Planning Commission approve the Project, subject to the conditions of approval appended to the attached Resolution; and

WHEREAS, as the first action on the Project, on May 28, 2024, the Planning Commission conducted a hearing to consider for the final EIR, Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations, each prepared

pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines, and continued the Project for further consideration; and

WHEREAS, on May 28, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider the Development Plan (File No. PDEV22-017), and continued the Project for further consideration; and

WHEREAS, on August 27, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider the Development Plan (File No. PDEV22-017), and concluded said hearing on that date voting to issue Resolution No. PC24-037, to approve the Application by a vote of 5-0; and

WHEREAS, on September 5, 2024, Aidan Marshall ("Appellant") from Adams Broadwell Joseph & Cardozo, representing CARECA, submitted an appeal of the Planning Commission's decision to approve File No. PDEV22-017. The basis of the Appellant's appeal lies in their belief that the Planning Commission's approval of the Project and certification of the Final Environmental Impact Report (Final EIR) violated the California Environmental Quality Act (CEQA) and land use laws because the City has not complied with its duty to disclose and mitigate the Project's potentially significant environmental and land use impacts, and the Planning Commission's approval findings were not supported by substantial evidence.

WHEREAS, on November 19, 2024, the City Council of the City of Ontario conducted a public hearing to consider an appeal of the Planning Commission's decision to approve the project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the City Council of the City of Ontario, as follows:

SECTION 1: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the City Council finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Housing Element Sites Inventory contained in Tables B-1 and B-2 of the Housing Element Technical Report.

SECTION 2: ***Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

(1) On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ONT ALUCP; and

SECTION 3: ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Sections 1 and 2, above, the City Council hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and the IH (Heavy Industrial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed development is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of a dynamic, progressive city containing distinct neighborhoods and districts that foster a positive sense of identity and belonging among residents, visitors, and businesses (Goal CD1). Furthermore, the Project will promote the City's policy to take actions that are consistent with the City being a leading urban center in Southern California, while recognizing the diverse character of our existing viable neighborhoods (Policy CD1-1); and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario

Development Code and the IH (Heavy Industrial) zoning district, including standards relative to the particular land use proposed (270,337 square foot industrial warehouse), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The City Council has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development*****.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (industrial warehouse with a 0.47 FAR). As a result of this review, the City Council has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 4: ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the City Council hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 5: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the Applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7: ***Certification to Adoption.*** The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of November, 2024.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2024- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held November 19, 2024 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2024- duly passed and adopted by the Ontario City Council at their regular meeting held November 19, 2024.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

File No. PDEV22-017
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

CITY OF ONTARIO PLANNING DEPARTMENT
303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Date Prepared: 10/15/2024

File No: PDEV22-017

Related Files:

Project Description: A Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district; (APN(s): 0238-052-20 & 0238-052-29); **submitted by Prologis.**

Prepared By: Thomas Grahn, Senior Planner
Phone: 909.395.2413 (direct)
Email: tgrahn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Architecture.

(a) Exterior building wall materials, roof types and colors shall be shown on development construction drawings.

(b) Roof access ladders shall be located on the inside of the building.

(c) All building drainage gutters, down spouts, vents, etc., shall be completely concealed from public view or shall be architecturally compatible (decorative) with the exterior building design and color.

(d) All tower elements on the building(s) shall be fully walled and finished on all sides and include detailing appropriate to the architectural style proposed, so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director. The term "tower elements" means architectural elements of the building that are that are substantially taller than the adjacent parapet wall or roof, as determined by the Planning Director.

(e) At locations where changes in parapet wall height meet, the taller parapet must return into the building for a minimum distance of 6 FT, so that the actual thickness of the parapet wall cannot be observed or readily discerned.

2.4 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.5 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

(a) Within industrial zoning districts, walls and fences within the front yard building setback area shall not exceed 6 feet in height, with at least 90 percent of the vertical surface open and non-view obstructing and shall be setback a minimum of 5 feet behind the street property line.

(b) Long expanses of fence or wall (50 or more FT in length) adjacent to a public right-of-way shall have offset areas (decorative pilasters or a jog in the wall) along its length and shall be architecturally designed to prevent monotony. Construction plans shall include wall plans and details that show compliance with this condition of approval.

(c) The height of a wall or fence shall be measured on the exterior side, at the highest point of the natural ground or finished grade at the base of the fence or wall to the top of the fence or wall above the same base point.

(d) For gated sites, sufficient area shall be provided in front (exterior side) of vehicular access gates, to allow stacking of at least one tractor/trailer outside of the public street right-of-way.

(e) Development plans and construction drawings shall indicate materials, colors, and height of proposed and existing walls/fences and shall include a cross-section of walls/fences indicating adjacent grades. Walls shall be designed as an integral part of the architecture for the development.

(f) Walls shall be treated with a graffiti-proof coating at locations visible to the public.

2.6 Refuse Storage (Trash Enclosures).

(a) All refuse shall be stored in an appropriate container. Furthermore, all refuse containers shall be stored within a City-approved enclosure, which shall be designed so as to be consistent with the building architecture on the project site.

(b) The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with the *Solid Waste Department Refuse and Recycling Planning Manual* (the manual may be obtain online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update.pdf).

(c) Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

(d) Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates.

2.7 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Implementation and operation of access restrictions such as gates and/or barrier arms shall provide proper access to police, fire, emergency services and waste and recycling collection services, subject to City review and approval.

(g) The use of compact parking spaces is not permitted.

(h) Wheel stops shall be provided where necessary, to protect structures and parked vehicles.

(i) Striping of parking spaces, aisles, and driveways conforming to the provisions of Development Code Division 6.03 (Off-Street Parking and Loading), and directional signs conforming to the provisions of Development Code Division 8.01 (Sign Regulations), shall be provided.

(j) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

2.8 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The development shall maintain a minimum of 47 off-street trailer parking spaces. Dock-high loading zones intended for tractor-trailers shall have a clear dimension of 12 FT wide by 45 FT long. All at-grade loading doors shall have a 12-FT wide by 18-FT deep unobstructed loading zone directly in front of the door, free of access drives.

(f) Truck loading and maneuvering areas in front of dock-high loading areas shall require a clear area of 120 FT.

(g) Loading areas shall be designed to provide for backing and maneuvering completely on-site, and not from a public street.

(h) Loading areas shall not encroach into landscape or building setbacks.

(i) All loading doors, areas, and activities shall be completely screened from public view, as well as from public, residential, and commercial uses, whether on the same lot or on neighboring properties, by a decorative masonry wall. Chain link fencing with slats or tennis windscreen material shall not be used as screening for storage areas.

(j) The height of screen and wing walls shall be determined by a sight-line analysis/wall section plan. The sight-line analysis/wall section plan shall show that all roll-up doors will be screened from view from adjoining parcels and public streets. The following criteria shall apply:

(i) Roll-up doors and openings in the screen wall shall be positioned such that the doors are not visible from the street.

(ii) Screening shall include a combination of screen walls, sight-obscuring gates, ornamental landscaping, and/or portions of the building such that the roll-up doors are not visible from the public street.

(iii) Upon Planning Department request, a "horizontal height mockup" shall be constructed for review and approval by Planning Department staff to verify adequacy of screen wall height from the freeway and streets. Mockup should be located at the lowest elevation on the site.

(k) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	***Minimum Gate Height***
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet

Screen Wall Height	*Minimum Gate Height*
8 feet:	8 feet
6 feet:	6 feet

2.9 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.10 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.11 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.12 Signs.

(a) All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.13 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noise levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.14 Environmental Requirements.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-001, a Specific Plan for which the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079) was previously adopted by the City Council on 2/2/2021. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act ("CEQA")" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mi

tigation measures shall be a condition of project approval and are incorporated herein by this reference.

(b) The Project shall be designed and constructed in compliance with the associated Greenhouse Gas Reduction Measures Screening Table for this Project.

(c) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(d) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.15 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.16 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination ("NOD") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). Failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.17 Public Art. The Project is subject to the requirements of the City's Public Art Ordinance (Ontario Municipal Code Section 5-33.05. Private Art for Public Enjoyment in Commercial and Industrial Development Projects).

2.18 Final Occupancy. The Project Architect of record will certify that construction of each building site and the exterior elevations of each structure shall be completed in compliance with the approved plans. Any deviation to approved plans shall require a resubmittal to the Planning Department for review and approval prior to construction. The Occupancy Release Request Form/Architect Certificate of Compliance shall be provided prior to final occupancy. After the receipt of this Certification, the Planning Department will conduct a final site and exterior elevations inspection. The Owner's Representative and Contractor shall be present.

2.19 Additional Requirements.

(a) The Project requires minimum 251 passenger vehicle parking spaces and provides 167 passenger vehicle parking spaces within the passenger vehicle only parking lots on the east and west sides of the proposed building. The remaining 84 parking spaces shall be provided within the truck yard area when required by tenant operations, provided a minimum of 14 trailer parking spaces are maintained.

(b) Cold storage shall not exceed 10 percent of the building floor area.

(c) The primary land use of the project site shall not be established as a parcel hub.

(d) The Applicant/Developer shall prepare and implement a remedial action work (RAW) plan. The RAW plan shall be subject to the Planning Director review and approval prior to issuance of building permits.

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off

Jamie Richardson, Sr. Landscape Planner	08/03/2023 Date

Reviewer's Name: **Jamie Richardson, Sr. Landscape Planner**	Phone: **(909) 395-2615**

D.A.B. File No.: PDEV22-017	Case Planner: Thomas Grahn

Project Name and Location:

Industrial Building
5355 East Airport Drive

Applicant/Representative:

Prologis – John Carter jcarter@prologis.com (562) 345-9237
3546 Concours Street, Suite 100
Ontario, CA 91764

☒	**Preliminary Plans (dated 7/14/2023) meet the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.**
☐	**Preliminary Plans (dated) have not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.**

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
Landscape construction plans with plan check number may be emailed to:
landscapeplancheck@ontarioca.gov

PREVIOUS COMMENTS – Fourth Request

Civil/ Site Plans

1. Before permit issuance, stormwater infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division. Any stormwater devices in parkway areas shall not displace street trees.
2. Show and dimension transformers set back 5' from paving all sides. Coordinate with landscape plans.
3. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
4. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
5. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide

certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications

Landscape Plans

6. During plan check, coordinate with Ontario Municipal Utilities Company (OMUC) to submit irrigation plans for recycled water systems to omucwaterquality@ontarioca.gov. OMUC shall review and approve irrigation systems utilizing recycled water prior to final landscape approval. Submit an electronic approval letter or memo from OMUC with resubmittal of the landscape package.
7. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
8. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV22-017

Address: 5355 East Airport Drive

APN: 0238-052-29 & 20

Existing Land Use: Grain manufacturing

Proposed Land Use: Development Plan to construct 270,337 SF industrial building

Site Acreage: 13.08 Proposed Structure Height: 50 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Thomas Grahn

Date: 1/30/2023

CD No.: 2022-061

PALU No.: N/A

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
○ Zone 1	○ 75+ dB CNEL	☐ High Terrain Zone	☐ Avigation Easement Dedication
○ Zone 1A	○ 70 - 75 dB CNEL	☑ FAA Notification Surfaces	☑ Recorded Overflight Notification
☐ Zone 2	☐ 65 - 70 dB CNEL	☑ Airspace Obstruction Surfaces	☐ Real Estate Transaction Disclosure
☐ Zone 3	☑ 60 - 65 dB CNEL	☐ Airspace Avigation Easement Area	
☐ Zone 4		Allowable Height: 170 FT	
○ Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

○ Zone 1 ○ Zone 2 ○ Zone 3 ○ Zone 4 ○ Zone 5 ☐ Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: ○ Exempt from the ALUCP ◉ Consistent ○ Consistent with Conditions ○ Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: Lorena Mejia

ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL

(Land Development Division, Environmental Section, Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

☒ **DEVELOPMENT PLAN** ☐ OTHER	☐ PARCEL MAP ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV22-017 **RELATED FILE NO(S). _____**	
☐ ORIGINAL ☒ **REVISED: 3/27/2024**	

CITY PROJECT ENGINEER & PHONE NO: Frederick Addison (909) 395-2125

CITY PROJECT PLANNER & PHONE NO: Thomas Grahn (909) 395-2413

DAB MEETING DATE: ~~03/18/24~~ 04/15/24

PROJECT NAME / DESCRIPTION: **A development plan to construct a 270,337 square foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (heavy Industrial) zoning districts (APNs: 0238-052-28 & 0238-052-20)**

LOCATION: **5355 East Airport Drive**

APPLICANT: **Prologis**

REVIEWED BY:

Raymond Lee — 3/27/24

Raymond Lee, P.E.
Assistant City Engineer — **Date**

APPROVED BY:

3-27-24

Khoi Do, P.E.
City Engineer — **Date**

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL:

Check When Complete

☐ 1.01 Dedicate to the City of Ontario, the right-of-way, described below: ☐

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.

☐ 1.02 Dedicate to the City of Ontario, the following easement(s): _____ ☐

_____

☐ 1.03 Restrict vehicular access to the site as follows: _____ ☐

☐ 1.04 Vacate the following street(s) and/or easement(s): ☐

A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

☐ 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. ☐

☐ 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. ☐

☐ 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at *http://tceplumecleanup.com/*), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at *http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.* ☐

☐ 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement. ☐

(1) _____

(2) _____

☐ 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements. ☐

☐ 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater. ☐

☐ 1.11 Provide a preliminary title report current to within 30 days. ☐

☐ 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process. ☐

☐ 1.13 Ontario Ranch Developments: ☐

☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

☐ 1.14 Other conditions: _____ ☐

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

A. GENERAL
(Permits includes Grading, Building, Demolition and Encroachment)

☐ 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. ☐

☐ 2.02 Submit a PDF of the recorded map to the City Engineer's office. ☐

☐ 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____. ☐

☐ 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972. ☐

☒ **2.05 Apply for a:** ☐

☐ Certificate of Compliance with a Record of Survey;

☒ **Lot Line Adjustment to merge APNs 0238-052-29, 0238-052-20, & 0238-052-22 (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);**

☐ Make a Dedication of Easement.

☐ 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. ☐

☐ 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658. ☐

☒ **2.08 Submit a soils/geology report.** ☐

☒ **2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:** ☐

- ☐ State of California Department of Transportation (Caltrans)
- ☐ San Bernardino County Road Department (SBCRD)
- ☐ San Bernardino County Flood Control District (SBCFCD)
- ☐ Federal Emergency Management Agency (FEMA)
- ☐ Cucamonga Valley Water District (CVWD) for sewer/water service
- ☐ United States Army Corps of Engineers (USACE)
- ☐ California Department of Fish & Game
- ☒ **Inland Empire Utilities Agency (IEUA) – for connection to existing IEUA Recycled Water Line**
- ☐ Other: _____

☒ **2.10 Dedicate to the City of Ontario the right-of-way described below:** ☐

- **20 feet on East Airport Drive to achieve ultimate ROW of 50 feet on property frontage of APN 0238-052-29.**

Property line corner 'cut-back' required at the intersection of _____ and _____.

☐ 2.11 Dedicate to the City of Ontario the following easement(s):_____ ☐

_____

☒ **2.12 Vacate the following street(s) and/or easement(s):** ☐

A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

☐ 2.13 Ontario Ranch Developments: ☐

☐ 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

☐ 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

☐ 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.

☒ **2.14** **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.** ☐

☒ **2.15** **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.** ☐

☒ **2.16** **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately $293,401.95, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.** ☐

☒ **2.17** **Other conditions:** ☐

- **Provide a preliminary title report current to within 30 days.**

B. PUBLIC IMPROVEMENTS
(See attached Exhibit 'A' for plan check submittal requirements.)

☒ **2.18** **Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):**

Improvement	East Airport Drive (3)			
Curb and Gutter	☒ **New; 36 ft. from C/L (1)** ☐ Replace damaged ☒ **Remove and replace (2)**	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement	☐ Replacement ☒ **Widen 11 additional feet along frontage, including pavm't Transitions for APN: 0238-052-29**	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Sidewalk	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
ADA Access Ramp	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace

Fire Hydrant	☒ **New / Upgrade** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation
Sewer (see Sec. 2.C)	☒ **Main** ☒ **Lateral**	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Water (see Sec. 2.D)	☐ Main ☒ **Service**	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Recycled Water (see Sec. 2.E)	☒ **Main** ☒ **Service**	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Traffic Signal System (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Traffic Signing and Striping (see Sec. 2.F)	☒ **New** ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Street Light (see Sec. 2.F)	☒ **New / Upgrade** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Storm Drain (see Sec. 2G)	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Fiber Optics (see Sec. 2K)	☒ **Conduit / Appurtenances**	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances
Overhead Utilities	☒ **Underground** ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate
Removal of Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____

Specific notes for improvements listed in item no. 2.18, above:

1. **From West Property Line to about 399' Easterly.**
2. **From East Property Line to about 813' Westerly.**
3. **New curb & gutter, sidewalk, parkway is required for any removal of driveways.**

☒ **2.19** **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):** ☐
1. East Airport Drive along property frontage from curb to centerline.

☐ 2.20 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. ☐

☐ 2.21 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide ☐ water service ☐ sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid. ☐

☒ **2.22** **Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, for undergrounding of utilities in accordance with Section 7-7.302.e of the City's Municipal Code based on estimate approved by the City Engineer.** ☐

☐ 2.23 Other conditions: ☐
_____

C. SEWER

☐ 2.24 A _____inch sewer main is available for connection by this project in _____ ☐
(Ref: Sewer Drawing Number: _____)

☒ **2.25** **Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 20 feet away.** ☐
(Ref: Sewer Drawing Number: S10194)

☐ 2.26 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer. ☐

☒ **2.27** **Other conditions:** ☐
1. See attached Exhibit B for additional Sewer Conditions of approval from OMUC.

D. WATER

☒ **2.28** **A 12 inch water main is available for connection by this project in East Airport Drive.** ☐
(Ref: Water Drawing Number: W11120 & W11121)

☐ 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☒ **2.30** **Other conditions:** ☐
1. See attached Exhibit B for additional Water Conditions of approval from OMUC.

E. RECYCLED WATER

☒ **2.31** **An 8-inch recycled IEUA recycled water main is available for connection by this project west of Wineville Avenue.** ☐

☒ **2.32** **Design and construct an on-site recycled water system for this project.** ☐

☐ 2.33 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant. ☐

☒ **2.34** **Submit one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and subsequent submittal to the California State Water Board (Division of Drinking Water) for final approval.** ☐

Note: Review and approval process may take up to three (3) months. Contact the OMUC's Water Quality Programs at (909) 395-2678 or email OMUCWQPlanCheck@ontarioca.gov regarding this requirement.

☒ **2.35** **Submit one (1) electronic copy, in PDF format, of the Landscape Plans (on-site & off-site) to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and approval.**

☒ **2.36** **Other conditions:** ☐

1. **See attached Exhibit B for additional Recycled Water Conditions of approval from OMUC.**

F. TRAFFIC / TRANSPORTATION

☐ 2.37 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: ☐

1. On-site and off-site circulation
2. Traffic level of service (LOS) at 'build-out' and future years
3. Impact at specific intersections as selected by the City Engineer

☐ 2.38 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877. ☐

☒ **2.39** **Other conditions:** ☐

1. **The Applicant/Developer shall be responsible to design and construct street improvements along property frontage on Airport Drive in accordance with conditions issued by City's Land Development Division. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, and parkway landscaping.**
2. **Design and construct all proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveways.**
3. **The Applicant/Developer shall restripe and maintain striping on Airport Drive along project frontage limits.**
4. **Property frontage along Airport Drive shall be signed "No Parking Anytime".**
5. **The Applicant/Developer shall be responsible to design and construct in-fill public street lights and a potential new service along its project frontage on Airport Drive. Street lighting shall be LED-type and in accordance with City's Approved Material List LED Luminaires. The Applicant/Developer shall also install smart nodes on all new street light fixtures along project frontage.**
6. **All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**
7. **The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the signing/striping and street lighting design plans to define limits of improvements.**

G. DRAINAGE / HYDROLOGY

☒ **2.40** **A 14-foot-wide catch basin is available to accept flows from this project on the Northeast corner of Airport Drive and Wineville Ave. (Ref: Storm Drain Drawing Number: D10420).** ☐

☒ **2.41** **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.** ☐

☐ 2.42 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100-year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans. ☐

☐ 2.43 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. ☐

☐ 2.44 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100-year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. ☐

☐ 2.45 Other conditions: _____ ☐

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

☐ 2.46 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. ☐

☒ **2.47** **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☐ 2.48 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning. ☐

☐ 2.49 Other conditions: ☐
_____

J. SPECIAL DISTRICTS

☐ 2.50 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process. ☐

☐ 2.51 Other conditions: _____ ☐

K. FIBER OPTIC

☒ **2.52 A 2" fiber optic line is available for connection by this project in East Airport Drive. (Ref: Fiber Optic Drawing Number: O10174)** ☐

☒ **2.53 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located approximately 250 feet from the west side of the property line on the south side of East Airport Drive.** ☐

☒ **2.54 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.** ☐

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

☒ **3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.** ☐

☒ **3.02 Complete all requirements for recycled water usage.** ☐

☒ 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☒ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☒ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☒ **3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.** ☐

☐ 3.04 Ontario Ranch Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals. ☐

☒ 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.** ☐

☒ 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).** ☐

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

☒ 4.01 **Complete all Conditions of Approval listed under Sections 1-3 above.** ☐

☒ 4.02 **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.** ☐

☒ 4.03 **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.** ☐

☒ 4.04 **Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.** ☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV22-017

The following items are required to be included with the first plan check submittal:

1. ☒ **A copy of this check list**
2. ☒ **Payment of fee for Plan Checking**
3. ☒ **Digital copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. ☒ **Digital copy of project Conditions of Approval**
5. ☒ **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. ☐ Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
7. ☒ **Digital copy of Public Street improvement plan with street cross-sections**
8. ☐ Digital copy of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. ☒ **Digital copy of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
10. ☒ **Digital copy of Public Sewer improvement plan**
11. ☐ Digital copy of Public Storm Drain improvement plan
12. ☒ **Digital copy of Public Street Light improvement plan**
13. ☒ **Digital copy of Signing and Striping improvement plan**
14. ☒ **Digital copy of Fiber Optic plan (include Auto CAD electronic submittal)**
15. ☐ Digital copy of HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
16. ☐ Digital copy of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
17. ☒ **Digital copy of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
18. ☐ Digital copy of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
19. ☒ **Digital copy of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**

20. ☒ **Digital copy of Hydrology/Drainage study**

21. ☒ **Digital copy of Soils/Geology report**

22. ☐ Payment for Final Map/Parcel Map processing fee

23. ☐ Digital copy of Final Map/Parcel Map

24. ☐ Digital copy of approved Tentative Map

25. ☒ **Digital copy of Preliminary Title Report (current within 30 days)**

26. ☐ Digital copy of Traverse Closure Calculations

27. ☐ One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.

28. ☒ **Digital copy of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**

29. ☒ **Other:**
    - **Digital copy of the LLA form (include all the items in the LLA application checklist)**

Exhibit 'B'

CITY OF ONTARIO
MEMORANDUM

ONTARIO MUNICIPAL UTILITIES COMPANY

DATE: August 10, 2023
TO: Angela Truong, Engineering Department
Fred Addison, Engineering Department
CC: Thomas Grahn, Planning Department

FROM: Jeff Krizek, Utilities Engineering Division (QCR: HY)
SUBJECT: DPR4 (Sub04 Rev03) & Utilities Engineering Conditions of Approval (COAs) (**#9409**)
PROJECT NO.: **PDEV22-017**

BRIEF DESCRIPTION:

PDEV22-017: *PDEV22-017 - A Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district (APNs: 0238-052-29 and 0238-052-20).*

OMUC UTILITIES ENGINEERING DIVISION
CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division recommends this application for approval subject to the Conditions of Approval outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards. The Applicant shall be responsible for the compliance with and the completion of all the following applicable Conditions of Approval prior to the following milestones and subject to compliance with City's Design Development Guidelines, Specifications Design Criteria, and City Standards:*

General Conditions:

1. Standard Conditions of Approval: Project shall comply with the requirements set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017, or as amended or superseded by Council Resolution; as well as project-specific conditions/requirements as outlined below.

Prior to Issuance of Any Permits (Grading, Building, Demolition and Encroachment), unless other timeline milestones are specified by individual conditions below, the Applicant Shall:

General Conditions (Section 2.A, Other conditions): The Applicant shall comply with the following:

2. Inherited Requirements and Conditions of Approval: Not Applicable.
3. Final Utilities Systems Map (USM): Submit a Final Utilities Systems Map (USM) as part of the precise grading plan submittal that meets all the City's USM requirements. These requirements include to show and label all existing and proposed utilities (including all appurtenances such as backflow devices, DCDAs, etc.), sizes, points of connection, and any easements. The final utility design shall comply with all Division of Drinking Water (CCR §64572) Separation Requirements. See Utility Systems Map (USM) Requirements document for details.
4. Unused Service Abandonment: All adjacent water services (along with connected appurtenances) and sewer laterals and main stubs along the frontages of the project site not used to provide service to this Development Project shall be abandoned back to the main in accordance with City Standards and Practices.

Sanitary Sewer Conditions (Section 2.C): The Applicant shall comply with the following:

5. Sanitary Sewer Main Improvements:
    a. Install 8-inch Public Sewer Main in Airport Drive connecting to existing public sewer manhole west of the Project site and extend easterly in Airport Drive to a point that will serve the entire Project.
6. Sanitary Sewer Service:
    a. Each building and its onsite private sewer system shall discharge wastewater to the Public Sanitary Sewer System through a Public Sewer Lateral per Standard #2003. The quantity of Public Sewer Laterals for each building shall be limited to the minimum necessary to meet all of the conditions of approved and as limited by the City.
    b. Public Sewer Laterals and Storm Water Quality Improvements: No storm water quality improvements (infiltration, detention, retention, bioswale, etc) shall be installed above or within 5 feet of any Public Sewer Lateral.
7. Private Onsite Sewer System and Plumbing: The Onsite Sewer System shall be privately maintained by the property owner and shall meet the following requirements:
    a. For wastewater flows for non-residential uses:
        i. The Onsite sewer system and building plumbing shall be designed in such a way that the sanitary domestic wastewater flows leave the building separately from non-sanitary wastewater flows (industrial, process, or kitchen, etc.) and the line for non-sanitary wastewater flows can be upgraded in the future to have pretreatment equipment and devices on it, as required by a Wastewater Discharge Permit.
        ii. Each building and each connection from the Onsite Sewer System to the Public Sewer System shall have an onsite monitoring manhole prior to the point of connection with the Public Sewer System.
    b. Private Onsite Sewer and Storm Water Quality Improvements: No storm water quality improvements (infiltration, detention, retention, bioswale, etc) shall be installed above or within 5 feet of any Private Onsite Sewer pipes.
8. Wastewater Discharge: For Non-Residential Uses: each Occupant of the building, or units, as applicable, shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not limited to include installing a monitoring manhole, clarifier, interceptor, or other wastewater pretreatment equipment.
9. Septic Systems:
    a. Abandon any existing septic tank(s) on the property per State, County, and City standards.
    b. Onsite Wastewater Treatment Systems (OWTS) are not allowed. Entire Project shall connect to Public Sewer.

Potable Water Conditions (Section 2.D): The Applicant shall comply with the following:

10. Potable Water Service:
    a. Domestic Service:
        i. Each building shall have its own potable water service and meter with backflow prevention device connected to the Public Potable Water System.
    b. Irrigation Service: For landscape irrigation uses that are not served by Recycled Water, the landscape irrigation uses shall have a separate irrigation water service and meter with backflow prevention device connected to the Public Potable Water System separate from the domestic water uses and the onsite plumbing systems shall be also separate from each other.
        i. Community Service District (CFD) Maintained Irrigation Areas: Any irrigated areas that are to be maintained by a Community Service District (CFD) and not by the property owner or owners association require irrigation services and meters separate from those that are maintained by the property owner or owners association.
    c. Backflow Prevention: Each Meter connected to the Public Potable Water System that serves any use that is more than one (1) single family residential unit or any non-residential use requires a backflow prevention device.

d. Fire Water Service: For onsite private Fire System uses:

   i. Where the domestic water service and meters connected to the Public Potable Water System that serves any use that is more than one (1) single family detached residential unit, or any non-residential use: if an onsite private fire system is required, then a separate Fire Service with Double Check Detector Assembly (DCDA) per City Standard #4208 connected to the Public Potable Water System is required, to serve the onsite private fire system. The onsite fire system and onsite domestic water plumbing system shall be separate.

e. Fire Hydrants:

   i. Fire Hydrants along Public Potable Water Mains shall be installed to be spaced a maximum of 300 feet apart or per Fire Department Standards/Requirements, whichever is closer.

   ii. Existing Public Fire Hydrants along the Project frontage that do not meet current City Standards shall be abandoned back to main and replaced with new Fire Hydrants that meet current City Standards.

f. Private Onsite Water System and Plumbing: The Onsite Water Systems (Domestic, Fire, Irrigation) shall be privately maintained by the property owner.

g. Relocated Services: For any existing service with appurtenances to be relocated, the service shall be abandoned back to the main connection and the service and appurtenances shall be installed new per related City Standards.

Recycled Water Conditions (Section 2.E): The Applicant shall comply with the following:

11. City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscape irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be installed throughout the Project to meet this requirement, as approved by the City.

12. Recycled Water Mains Improvements:

    a. Install 8-inch Recycled Water main in Airport Drive connecting to the existing IEUA Recycled Water west of Wineville Avenue and extending easterly in Airport Drive to the easterly property line of the Project.

13. Recycled Water Service: In order to comply with City Ordinance 2689:

    a. Recycled Water Services with Meters:
       i. Private Property Owner Maintained Uses: Each parcel/lot shall have its own separate Recycled Water Service with Meter serving the parcel/lot for Private Property Owner Maintained Landscape Irrigation Uses. If Recycled Water is going to be used for uses other than Landscape Irrigation, then a second separate Recycled Water Service with Meter is required to serve the non-Landscape Irrigation uses.
       ii. Community Service District (CFD) Maintained Irrigation Areas: Any irrigated areas that are to be maintained by a Community Service District (CFD) and not by the property owner or owners association require irrigation services and meters separate from those that are maintained by the property owner or owners association

14. RW Program Requirements: In order to receive RW service, the applicant shall comply with each of the following:
    a. Prior to Precise Grading Plan Approval and Building Permits Issuance:
       i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
       ii. Submit an **Engineering Report (ER)** to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
       iii. For details, contact OMUCWQPlanCheck@ontarioca.gov.
    b. Prior to Occupancy Release/Finalizing:
       i. Pass start-up and cross-connection test successfully.
       ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

CITY OF ONTARIO
MEMORANDUM

FROM: **Heather Lugo, MA, Police Department**

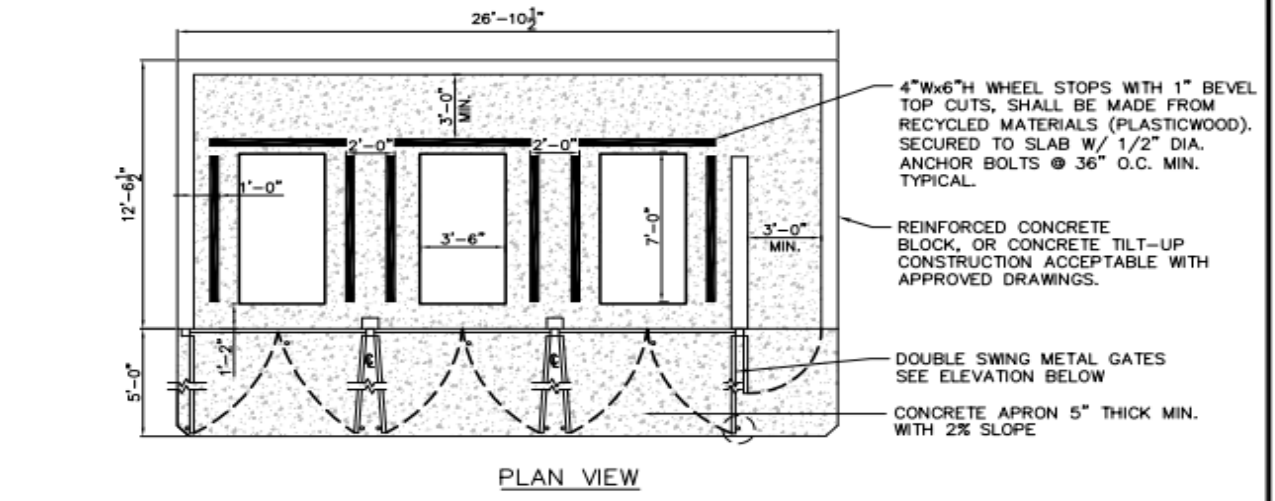
DATE: **March 6, 2024 REVISED March 26, 2024**

SUBJECT: **PDEV22-017 - A Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district (APNs: 0238-052-29 and 0238-052-20).**

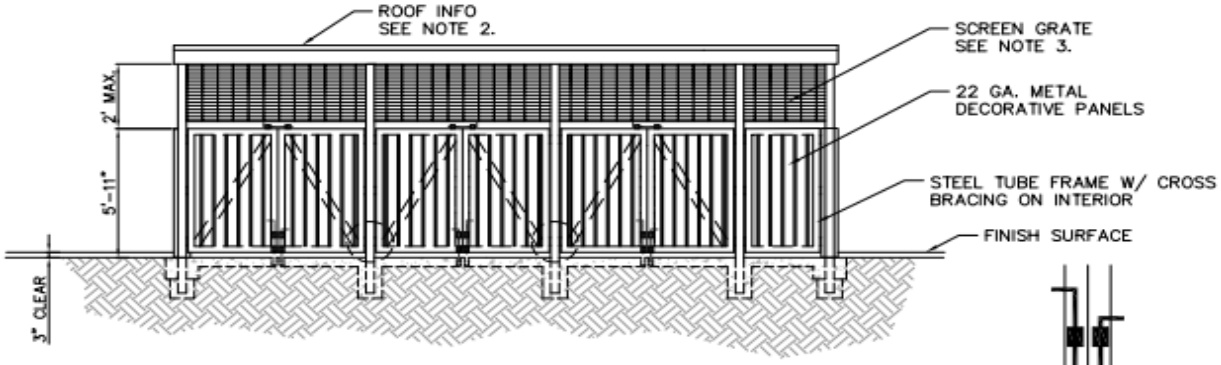
The "Standard Conditions of Approval" contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- Per conversation with John Carter – Prologis is building the "shell" of the building. Cameras would be added during the tenant build of the project. Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- All exterior electrical outlets shall be secured and locked.
- All exterior water spigots / water supply sources shall be secured and locked.
- Trash enclosure shall be fully secured/enclosed by locks, mesh, and screen grate to reduce crime and encampment opportunities for homeless persons.

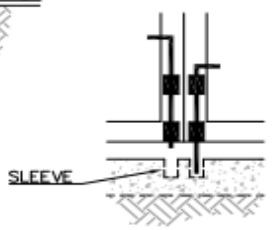
The Applicant is invited to contact Heather Lugo at (909) 408-1074 with any questions or concerns regarding these conditions.



PLAN VIEW



ELEVATION



SLEEVE DETAIL

NOTES:

① THIS DRAWING SERVES AS A GUIDELINE TO THE TRASH ENCLOSURE BIN LAYOUT. PLANS MUST BE SUBMITTED TO THE BUILDING DEPARTMENT FOR REVIEW AND APPROVAL TO MEET CURRENT BUILDING CODES.

② SOLID ROOF TO MEET ARCHITECTURAL AND STRUCTURAL DESIGN CRITERIA FROM PLANNING AND BUILDING DEPARTMENTS.

③ TRASH ENCLOSURE SHALL BE FULLY SECURED/ENCLOSED BY LOCKS, MESH, AND SCREEN GRATE.

CITY OF ONTARIO - INTEGRATED WASTE DEPARTMENT

EXAMPLE 1

COMMERCIAL/INDUSTRIAL REFUSE, RECYCLING AND ORGANICS ENCLOSURE (THREE 4–6 CU. YD. BINS)

CITY OF ONTARIO
MEMORANDUM

TO: **Thomas Grahn, Senior Planner**
Planning Department

FROM: **Paul Ehrman, Sr. Deputy Fire Chief/Fire Marshal**
Fire Department

DATE: **October 3, 2023**

SUBJECT: **PDEV22-017 - A Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district (APNs: 0238-052-29 and 0238-052-20). (*Revision 3*).**

☒ The plan **does** adequately address Fire Department requirements at this time.

☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2019 CBC Type of Construction: III-B

B. Type of Roof Materials: Panelized

C. Ground Floor Area(s): 255,337 Sq. Ft.

D. Number of Stories: 1 w/ Mezzanine

E. Total Square Footage: 270,337 Sq. Ft.

F. 2019 CBC Occupancy Classification(s): S-1

CONDITIONS OF APPROVAL:

1.0 GENERAL

☒ 1.1 The following are the Ontario Fire Department ("Fire Department") requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards ("Standards.") It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov/Fire/Prevention.

☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.

☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.

☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.

☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.

☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.

☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.

☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **PUBLIC HEARINGS**
Department: Planning Prepared By: Thomas Grahn Department: Prepared By: Thomas Grahn Staff Member Presenting: Scott Murphy, Executive Director Community Development Reviewed By: Kimberly Ruddins, Henry Noh, Rudy Zeledon Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 11

SUBJECT: **A PUBLIC HEARING TO CONSIDER A DEVELOPMENT CODE AMENDMENT (FILE NO. PDCA24-003) REVISING AND CLARIFYING CERTAIN PROVISIONS OF THE CITY OF ONTARIO DEVELOPMENT CODE**

RECOMMENDATION: That the City Council introduce and waive further reading of an Ordinance Approving File No. PDCA24-003, a Development Code Amendment revising and clarifying certain provisions of Chapters 2.0 (Administration and Procedures), 4.0 (Permits, Actions, and Decisions), 5.0 (Zoning and Land Use), 6.0 (Development and Subdivision Regulations), 8.0 (Sign Regulations), and 9.0 (Definitions and Glossary) of the City of Ontario Development Code.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Pursue City's Goals and Objectives by Working with Other Governmental Agencies
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: There is no direct fiscal impact associated with this action.

BACKGROUND & ANALYSIS: The Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which states long-term principles, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision, and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens. Staff has initiated certain clarifications and revisions to the City of Ontario Development Code, that are necessary to adjust and clarify various provisions of the Development Code. The proposed Development Code Amendment, is included as Attachment A (Proposed Development Code Amendment), and is comprised of certain clarifications and revisions to the City of Ontario Development Code, generally described as follows:

1. Revise requirements for Lot Mergers from "Discretionary Permits and Actions" to "Ministerial

Permits and Decisions" to include the following:

a. Revise Section 2.02.005 Applicability, Table 2.02-1: Review Table to delete (B)(14)(a) and add (C)(15)(i). This changes the approval process from Discretionary Review with Design Advisory Board (DAB) recommended, Planning Commission (PC) Approving Authority, and City Council (CC) Appeal Authority to Ministerial Permits and Decisions with City Engineer as the Approving Authority, and PC and CC as the Appeal Authority.

b. Revise Division 4.02-Discretionary Permits and Actions to delete Section 4.02.085: Subdivisions-Lot Merger (Merger of Contiguous Parcels) and revise Division 4.03-Ministerial (Administrative) Permits and Decisions to add Section 4.03.050: Subdivisions-Lot Merger (Merger of Contiguous Parcels).

2. Revise Division 4.01-Legislative Actions, Section 4.01.025 Amendments to the Policy Plan Component of The Ontario Plan, 3. Land Use Amendment Findings to correct references to the Regional Housing Needs Assessment (RHNA) and Housing Element Sites Inventory.

3. Revise Division 4.02, Section 4.02.025 Development Plans (B)(2)(k) to add "Commercial developments and [t]he development of a permanent building within the CIV, ..." so that the text is consistent with Table 2.02-1: Review Matrix, B. Discretionary Permits and Actions, (4)(b).

4. Revise Division 5.01-Zoning Districts and Boundaries, Section 5.01.005, D. Industrial Zoning Districts, 3. IL (Light Industrial) Zoning District to correct mid paragraph punctuation error separating incomplete sentences.

5. Revise Table 5.02-1: Land Use Matrix to include the following:

a. Revise permitted uses under TRANSPORTATION AND WAREHOUSING, Warehousing and Storage, Outside Materials and Equipment Storage [1] In conjunction with an allowed use to delete outside storage as a permitted use in the IP zoning district.

b. Amend permitted uses under OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION, Repair and Maintenance, Motor Vehicle Repair and Maintenance, All Other Automotive Repair and Maintenance to add Hydrogen Fueling Stations as a permitted land use in Commercial and Industrial zoning districts.

6. Revise Division 5.03-Supplemental Land Use Regulations to include the following:

a. Revise Section 5.03.010: Accessory Dwelling Units to delete Section 8 relating to Deed Restrictions.

b. Revise Section 5.03.150: Drive-Thru Facilities, B. Development Standards, 5. Building Orientation to identify that "Buildings incorporating drive-thru facilities shall be oriented toward the street, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan)."

c. Amend Section 5.03.240: Home Occupations to regulate use of an accessory residential structure and compliance with the California Department of Public Health Approved Cottage Foods list.

d. Revise Section 5.03.270: Massage Establishments and Services to include additional requirements for B. Massage Establishment Requirements, D. Outcall Massages, and F. Rights of Authorized Representatives to Enter a Massage Establishment.

e. Add adopted text for Section 5.03.363: Short Term Rentals.

7. Revise Division 6.0-District Standards and Guidelines, Section 6.01.010: Residential Zoning Districts, I. Residential Design Guidelines (1) to reference the adopted Residential Design Guidelines "included as Reference "D" of this Development Code," Section 6.01.015: Commercial Zoning Districts, F. Commercial Design Guidelines (1) to reference the adopted Commercial Design Guidelines "included as Reference "E" of this Development Code" and Section 6.01.025: Industrial Zoning Districts, F. Industrial Design Guidelines (1) to reference the adopted Industrial Design Guidelines "included as Reference "F" of this Development Code."

8. Revise Chapter 6.0. Development and Subdivision Regulations to delete various references to "public art works installed pursuant to Division 6.07 (Public Art)," a section which was previously deleted from the Development Code.

9. Amend Division 6.01-District Standards and Guidelines, Section 6.01.010: Residential Zoning Districts, F. General Provisions to add 16. Equipment Screening applicable to residential structure.

10. Revise Division 6.01-District Standards and Guidelines, Section 6.01.035: Overlay Zoning Districts, C. Overlay Zoning District Standards, 6. AH (Affordable Housing) Overlay Zoning District (b), Correcting the referenced mixed-use district as MU-8C.

11. Amend Chapter 8.0: Sign Regulations, Division 8.01-Sign Regulations, Section 8.01.020: Sign Standards, C. Freestanding Signs, 2.0 Freeway Signs to establish criteria for City Manager review and approval of an electronic display sign.

12. Revise Chapter 9.0: Definitions and Glossary to include the following:

a. Revise Division 9.01-Definitions to correct the Section reference for Accessory Dwelling Units.

b. Amend Chapter 9.0: Definitions and Glossary, Division 9.01-Definitions to establish a Day Spa definition.

The proposed provisions of the Development Code Amendment are shown in Attachment A (Development Code Amendment) of the appended ordinance. Any provisions proposed for deletion are shown in red strikeout text (~~Abcdefg~~) and all additions are shown in blue underlined text (Abcdefg).

ENVIRONMENTAL REVIEW: The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the commonsense exemption (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

PLANNING COMMISSION REVIEW: On September 24, 2024, the Planning Commission conducted a public hearing and voted 6-0 to recommend the City Council consider and approve File No. PDCA24-003, pursuant to the facts and reasons contained in the staff report and attached

ordinance.

CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION AGENDA REPORT

September 24, 2024

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NO.: PDCA24-003

SUBJECT: A public hearing to consider Development Code Amendment revising and clarifying certain provisions of Chapters 2.0 (Administration and Procedures), 4.0 (Permits, Actions, and Decisions), 5.0 (Zoning and Land Use), 6.0 (Development and Subdivision Regulations), 8.0 (Sign Regulations), and 9.0 (Definitions and Glossary) of the City of Ontario Development Code. **City Initiated. City Council action is required.**

RECOMMENDED ACTION: That the Planning Commission consider and adopt Resolutions recommending the City Council approve the Development Code Amendment (File No. PDCA24-003), pursuant to the facts and reasons contained in the staff report and Resolution.

PROJECT SETTING: The proposed Development Code Amendment is of citywide impact, affecting approximately 50 square miles (31,789 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south. The City of Ontario is substantially built-out with a mix of residential, commercial, industrial, agricultural, airport, recreational, and institutional/public land uses. According to the latest US Census forecast, the City of Ontario's 2022 estimated population is 179,516 persons and in terms of population, is ranked the 26th largest city in the State and the 146th largest in the nation. Ontario's population has increased by 3.46 percent since the most recent census, which recorded a population of 175,265 in 2020.

PROJECT ANALYSIS:

The proposed Development Code Amendment is comprised of certain clarifications and revisions to the City of Ontario Development Code, generally described as follows:

(1) Revise requirements for Lot Mergers from "Discretionary Permits and Actions" to "Ministerial Permits and Decisions" to include the following:

(a) Revise Section 2.02.005 Applicability, Table 2.02-1: Review Table to delete (B)(14)(a) and add (C)(15)(i). This changes the approval process from Discretionary Review with Development Advisory Board (DAB) recommending, Planning Commission (PC) Approving Authority, and City Council (CC) Appeal Authority to Ministerial Permits

Case Planner:	Tom Grahn, Senior Planner
Planning Director Approval:	
Submittal Date:	N/A

Hearing Body	*Date*	*Decision*	*Action*
PC	9/24/2024		Recommends
CC 1st reading	10/15/2024		Introduction
CC 2nd reading	11/5/2024		Final Action

and Decisions with City Engineer as the Approving Authority, and PC and CC as the Appeal Authority.

(b) Revise Division 4.02-Discretionary Permits and Actions to delete Section 4.02.085: Subdivisions-Lot Merger (Merger of Contiguous Parcels) and revise Division 4.03-Ministerial (Administrative) Permits and Decisions to add Section 4.03.050: Subdivisions-Lot Merger (Merger of Contiguous Parcels).

(2) Revise Table 2.02-1: Review Matrix and Division 4.03 Ministerial Permits and Decisions to add the recently adopted Section 4.03.010: Historic Preservation-Adaptive Reuse Plan.

(a) Revise Table 2.02-1: Review Matrix to add the Fire Marshal as a Reviewing Authority, and revise C. Ministerial (Administrative) Permits and Decisions to add (C)(1) Historic Preservation - Adaptive Reuse Plans reviewed by the Planning Director, Fire Marshal, and Building Official.

(b) Add text adopted under PDCA24-002 for Section 4.03.010: Historic Preservation-Adaptive Reuse Plan.

(c) Add text under Section 7.01.025 Incentives for Historic Preservation, C. Types of Incentives, 2. Development Incentives(d) to include Adaptive Reuse.

(3) Revise Division 4.01-Legislative Actions, Section 4.01.025 Amendments to the Policy Plan Component of The Ontario Plan, 3. Land Use Amendment Findings to correct references to the Regional Housing Needs Assessment (RHNA) and Housing Element Sites Inventory.

(4) Revise Division 4.02, Section 4.02.025 Development Plans (B)(2)(k) to add "Commercial developments and [t]he development of a permanent building within the CIV, …" so that the text is consistent with Table 2.02-1: Review Matrix, B. Discretionary Permits and Actions, (4)(b).

(5) Revise Division 5.01-Zoning Districts and Boundaries, Section 5.01.005, D. Industrial Zoning Districts, 3. IL (Light Industrial) Zoning District to correct mid paragraph punctuation error separating incomplete sentences.

(6) Revise Table 5.02-1: Land Use Matrix to include the following:

(a) Revise permitted uses under TRANSPORTATION AND WAREHOUSING, Warehousing and Storage, Outside Materials and Equipment Storage [1] In conjunction with an allowed use to delete outside storage as a permitted use in the IP zoning district.

(b) Amend permitted uses under OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION, Repair and Maintenance, Motor Vehicle Repair and Maintenance, All Other Automative Repair and Maintenance to add Hydrogen Fueling Stations as a permitted land use in Commercial and Industrial zoning districts.

(7) Revise Division 5.03-Supplemental Land Use Regulations to include the following:

(a) Revise Section 5.03.010: Accessory Dwelling Units to delete Section 8 relating to Deed Restrictions.

(b) Revise Section 5.03.150: Drive-Thru Facilities, B. Development Standards, 5. Building Orientation to identify that "Buildings incorporating drive-thru facilities shall be oriented toward the street, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan)."

(c) Amend Section 5.03.240: Home Occupations to regulate use of an accessory residential structure and compliance with the California Department of Public Health Approved Cottage Foods list.

(d) Revise Section 5.03.270: Massage Establishments and Services to include additional requirements for B. Massage Establishment Requirements, D. Outcall Massages, and F. Rights of Authorized Representatives to Enter a Massage Establishment.

(e) Add adopted text for Section 5.03.363: Short Term Rentals.

(8) Revise Division 6.0-District Standards and Guidelines, Section 6.01.010: Residential Zoning Districts, I. Residential Design Guidelines (1) to reference the adopted Residential Design Guidelines "included as Reference "D" of this Development Code," Section 6.01.015: Commercial Zoning Districts, F. Commercial Design Guidelines (1) to reference the adopted Commercial Design Guidelines "included as Reference "E" of this Development Code" and Section 6.01.025: Industrial Zoning Districts, F. Industrial Design Guidelines (1) to reference the adopted Industrial Design Guidelines "included as Reference "F" of this Development Code."

(9) Revise Chapter 6.0. Development and Subdivision Regulations to delete various references to "public art works installed pursuant to Division 6.07 (Public Art)," a section which was previously deleted from the Development Code.

(10) Amend Division 6.01-District Standards and Guidelines, Section 6.01.010: Residential Zoning Districts, F. General Provisions to add 16. Equipment Screening applicable to residential structure.

(11) Revise Division 6.01-District Standards and Guidelines, Section 6.01.035: Overlay Zoning Districts, C. Overlay Zoning District Standards, 6. AH (Affordable Housing) Overlay Zoning District (b), Correcting the referenced mixed use district as MU-8C.

(12) Amend Chapter 8.0: Sign Regulations, Division 8.01-Sign Regulations, Section 8.01.020: Sign Standards, C. Freestanding Signs, 2.0 Freeway Signs to establish criteria for City Manager review and approval of an electronic display sign.

(13) Revise Chapter 9.0: Definitions and Glossary to include the following:

(a) Revise Division 9.01-Definitions to correct the Section reference for Accessory Dwelling Units.

(b) Amend Chapter 9.0: Definitions and Glossary, Division 9.01-Definitions to establish a Day Spa definition.

The proposed provisions of the Development Code Amendment are shown in Attachment A (Development Code Amendment) of the appended resolution. Any provisions proposed for deletion are shown in red strikeout text (~~Abcdefg~~) and all additions are shown in red underlined text (Abcdefg).

PUBLIC NOTIFICATION: The number of owners to whom a public hearing notice would be mailed or delivered is greater than 1,000; therefore, pursuant to Development Code Section 2.03.010.C.2 and Government Code Section 65091(a)(4), in lieu of mailed or delivered notice, a display advertisement of at least 1/8 page was placed in a newspaper of general circulation in the City of Ontario (Inland Valley Daily Bulletin). Public hearing notification was published a minimum of 10 days in advance of the public hearing.

CORRESPONDENCE: As of the preparation of the Resolutions, Planning Department staff has not received any written or verbal communications from the owners or occupants of properties surrounding the Project site or from the public in general, regarding the subject application.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

(1) Ontario International Airport Land Use Compatibility Plan ("ONT ALUCP") — On April 19, 2011, the City Council of the City of Ontario approved and adopted the ONT ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they

relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the projects, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, Planning Commission has concluded that the proposed Development Code Amendment and Zone Change are consistent with the policies and criteria set forth within the ONT ALUCP.

(2) Chino Airport Land Use Compatibility Plan ("CNO ALUCP") — On August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport ("CNO") Overlay Zoning District ("OZD") and Reference I, Chino Airport Land Use Compatibility Plan. The CNO OZD and CNO ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The CNO ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook. The proposed Development Code Amendment may affect certain land development criteria on certain properties located within the Airport Influence Area of Chino Airport, which have been evaluated and found to be consistent with the California Airport Land Use Planning Handbook and the CNO ALUCP. As a result, the Planning Commission has concluded that the proposed Development Code Amendment and Zone Change are consistent with the policies and criteria set forth within the CNO ALUCP.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed Project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (general plan), and City Council Priorities components of The Ontario Plan ("TOP"). More specifically, the goals and policies of TOP that are furthered by the proposed Project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

(2) Vision.

Distinctive Development:

- Commercial and Residential Development

➢ Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➢ G 1-2. Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU-1 Balance: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

➢ LU-1.6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.

Community Economics Element:

- Goal CE-1 Complete Community: A complete community that provides for all incomes and stages of life.

➢ CE-1.6 Diversity of Housing. We collaborate with residents, housing providers, and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to encourage the development of housing supportive of our efforts to attract business in growing sectors of the community while being respectful of existing viable uses.

Community Design Element:

- Goal CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

- CD-1.1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing, enhancing, and preserving the character of our existing viable neighborhoods.

- CD-1.2 Growth Areas. We establish Place Types in urban, mixed use, and transit-oriented areas to foster the City's identity as a premier community and require new development within each Place Type to incorporate prescribed urban patterns, forms, and placemaking priorities.

- CD-1.3 Existing Neighborhoods. We require the existing character of viable residential and non-residential neighborhoods be preserved, protected, and enhanced.

- Goal CD-2 Design Quality: A high level of design quality resulting in neighborhoods, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct.

- CD-2.1 Quality Building Design and Architecture. We encourage all development projects to convey visual interest and character through:

  - Building volume, massing, and height to provide context-appropriate scale and proportion;
  - A true architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting; and
  - Exterior building materials that are articulated, high quality, durable, and appropriate for the architectural style.

- CD-2.7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials, and construction techniques.

- CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.

- CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

- CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:

  - Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field;
  - Structured parking: facade articulation, screening, appropriate lighting, and landscaping; and
  - Garage parking: providing access to single-family residential garages through alley access, recessing garages from the frontage to emphasize front doors or active living spaces.

- CD-2.13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

- Goal CD-3 Urban, Mixed Use, and Transit-Oriented Place Types: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

- CD-3.2 Comfortable, Human-Scale Public Realm. We require that public spaces, including streets, parks, and plazas on both public and private property be designed to maximize safety, comfort and aesthetics and connect to the citywide pedestrian, vehicular, and bicycle networks.

- CD-3.3 Complete and Connected Network. We require that pedestrian, vehicular, and bicycle circulation on both public and private property be coordinated to provide connections internally and externally to adjacent neighborhoods and properties (existing and planned) through a system of local roads and trails that promote walking and biking to nearby destinations (including existing and planned parks, commercial areas, and transit stops) and are designed to maximize safety, comfort, and aesthetics.

- CD-3.4 Context-Aware and Appropriate Design. We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

- CD-3.5 Active Frontages. We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and

designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).

- CD-3.6 Managed Infrastructure. We collaborate with developers and property owners to facilitate development that realizes the envisioned character and functionality of the Place Type through the use of green and shared infrastructure within each Place Type.

- Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.

HOUSING ELEMENT COMPLIANCE: The Project is consistent with the Housing Element of the Policy Plan (general plan) component of The Ontario Plan, as the project furthers the purposes, principals, goals, and policies of the Housing Element.

ENVIRONMENTAL REVIEW: The proposed Development Code Amendment and Zone Change is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the commonsense exemption (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

RESOLUTION NO. PC24-049

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE NO. PDCA24-003, A DEVELOPMENT CODE AMENDMENT REVISING AND CLARIFYING CERTAIN PROVISIONS OF CHAPTERS 2.0 (ADMINISTRATION AND PROCEDURES), 4.0 (PERMITS, ACTIONS, AND DECISIONS), 5.0 (ZONING AND LAND USE), 6.0 (DEVELOPMENT AND SUBDIVISION REGULATIONS), 8.0 (SIGN REGULATIONS), AND 9.0 DEFINITIONS AND GLOSSARY OF THE CITY OF ONTARIO DEVELOPMENT CODE, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, THE CITY OF ONTARIO ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA24-003, as described title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which establishes long term principals, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision, and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens; and

WHEREAS, the Development Code Amendment is of citywide impact, affecting approximately 50 square miles (31,789 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south; and

WHEREAS, certain clarifications and revisions to the City of Ontario Development Code are proposed, generally described as follows:

(1) Revise requirements for Lot Mergers from "Discretionary Permits and Actions" to "Ministerial Permits and Decisions" to include the following:

(a) Revise Section 2.02.005 Applicability, Table 2.02-1: Review Table to delete (B)(14)(a) and add (C)(15)(i). This changes the approval process from Discretionary Review with Development Advisory Board (DAB) recommending, Planning Commission (PC) Approving Authority, and City Council (CC) Appeal Authority to Ministerial Permits and Decisions with City Engineer as the Approving Authority, and PC and CC as the Appeal Authority.

(b) Revise Division 4.02-Discretionary Permits and Actions to delete Section 4.02.085: Subdivisions-Lot Merger (Merger of Contiguous Parcels) and revise Division 4.03-Ministerial (Administrative) Permits and Decisions to add Section 4.03.050: Subdivisions-Lot Merger (Merger of Contiguous Parcels).

(2) Revise Table 2.02-1: Review Matrix and Division 4.03 Ministerial Permits and Decisions to add the recently adopted Section 4.03.010: Historic Preservation-Adaptive Reuse Plan.

(a) Revise Table 2.02-1: Review Matrix to add the Fire Marshal as a Reviewing Authority, and revise C. Ministerial (Administrative) Permits and Decisions to add (C)(1) Historic Preservation -Adaptive Reuse Plans reviewed by the Planning Director, Fire Marshal, and Building Official.

(b) Add text adopted under PDCA24-002 for Section 4.03.010: Historic Preservation-Adaptive Reuse Plan.

(c) Add text under Section 7.01.025 Incentives for Historic Preservation, C. Types of Incentives, 2. Development Incentives(d) to include Adaptive Reuse.

(3) Revise Division 4.01-Legislative Actions, Section 4.01.025 Amendments to the Policy Plan Component of The Ontario Plan, 3. Land Use Amendment Findings to correct references to the Regional Housing Needs Assessment (RHNA) and Housing Element Sites Inventory.

(4) Revise Division 4.02, Section 4.02.025 Development Plans (B)(2)(k) to add "Commercial developments and [t]he development of a permanent building within the CIV, …" so that the text is consistent with Table 2.02-1: Review Matrix, B. Discretionary Permits and Actions, (4)(b).

(5) Revise Division 5.01-Zoning Districts and Boundaries, Section 5.01.005, D. Industrial Zoning Districts, 3. IL (Light Industrial) Zoning District to correct mid paragraph punctuation error separating incomplete sentences.

(6) Revise Table 5.02-1: Land Use Matrix to include the following:

(a) Revise permitted uses under TRANSPORTATION AND WAREHOUSING, Warehousing and Storage, Outside Materials and Equipment Storage [1] In conjunction with an allowed use to delete outside storage as a permitted use in the IP zoning district.

(b) Amend permitted uses under OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION, Repair and Maintenance, Motor Vehicle Repair and Maintenance,

All Other Automative Repair and Maintenance to add Hydrogen Fueling Stations as a permitted land use in Commercial and Industrial zoning districts.

(7) Revise Division 5.03-Supplemental Land Use Regulations to include the following:

(a) Revise Section 5.03.010: Accessory Dwelling Units to delete Section 8 relating to Deed Restrictions.

(b) Revise Section 5.03.150: Drive-Thru Facilities, B. Development Standards, 5. Building Orientation to identify that "Buildings incorporating drive-thru facilities shall be oriented toward the street, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan)."

(c) Amend Section 5.03.240: Home Occupations to regulate use of an accessory residential structure and compliance with the California Department of Public Health Approved Cottage Foods list.

(d) Revise Section 5.03.270: Massage Establishments and Services to include additional requirements for B. Massage Establishment Requirements, D. Outcall Massages, and F. Rights of Authorized Representatives to Enter a Massage Establishment.

(e) Add adopted text for Section 5.03.363: Short Term Rentals.

(8) Revise Division 6.0-District Standards and Guidelines, Section 6.01.010: Residential Zoning Districts, I. Residential Design Guidelines (1) to reference the adopted Residential Design Guidelines "included as Reference "D" of this Development Code," Section 6.01.015: Commercial Zoning Districts, F. Commercial Design Guidelines (1) to reference the adopted Commercial Design Guidelines "included as Reference "E" of this Development Code" and Section 6.01.025: Industrial Zoning Districts, F. Industrial Design Guidelines (1) to reference the adopted Industrial Design Guidelines "included as Reference "F" of this Development Code."

(9) Revise Chapter 6.0. Development and Subdivision Regulations to delete various references to "public art works installed pursuant to Division 6.07 (Public Art)," a section which was previously deleted from the Development Code.

(10) Amend Division 6.01-District Standards and Guidelines, Section 6.01.010: Residential Zoning Districts, F. General Provisions to add 16. Equipment Screening applicable to residential structure.

(11) Revise Division 6.01-District Standards and Guidelines, Section 6.01.035: Overlay Zoning Districts, C. Overlay Zoning District Standards, 6. AH (Affordable Housing) Overlay Zoning District (b), Correcting the referenced mixed use district as MU-8C.

(12) Amend Chapter 8.0: Sign Regulations, Division 8.01-Sign Regulations, Section 8.01.020: Sign Standards, C. Freestanding Signs, 2.0 Freeway Signs to establish criteria for City Manager review and approval of an electronic display sign.

(13) Revise Chapter 9.0: Definitions and Glossary to include the following:

(a) Revise Division 9.01-Definitions to correct the Section reference for Accessory Dwelling Units.

(b) Amend Chapter 9.0: Definitions and Glossary, Division 9.01-Definitions to establish a Day Spa definition; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 24, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: ***Environmental Determination and Findings.*** As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the" common sense exemption" (also known as the "general rule exemption") that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

(3) The determination that the Development Code Amendment is not subject to CEQA reflects the independent judgment of the Planning Commission.

SECTION 2: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan.

SECTION 3: ***Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670, et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

(1) On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project is consistent with the policies and criteria set forth within the ONT ALUCP; and

(2) On August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport ("CNO") Overlay

Zoning District ("OZD") and Reference I, Chino Airport Land Use Compatibility Plan ("CNO ALUCP"). The CNO OZD and CNO ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The CNO ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook. The proposed Project is located within the Airport Influence Area of Chino Airport and was evaluated and found to be consistent with the California Airport Land Use Planning Handbook and the CNO ALUCP. As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the CNO ALUCP compatibility factors, including Safety, Airspace Protection, Overflight. As a result, the Planning Commission, therefore, finds and determines that the Project is consistent with the policies and criteria set forth within the California Airport Land Use Planning Handbook and the CNO ALUCP.

SECTION 4: ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Goals components of The Ontario Plan ("TOP"). The Development Code Amendment will: (a) serve to promote a community that is consistently seeking—and thoughtfully applying—new ways of doing things better, as encouraged by TOP's Vision; (b) provides for a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, have a wide spectrum of choices of where they can live and recreate, as promoted by Land Use Element Policy LU-1.6, Complete Community; and (c) promotes the City Council Goals through the establishment of Development Code provisions that encourages investment in the growth and evolution of the City's economy and focuses City resources in commercial and residential neighborhoods.

(2) The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The Development Code Amendment incorporates safeguards intended to ensure that the purposes of the Development Code are preserved; the project will not be contrary to or damage the public health, safety, convenience, or general welfare; the project will not result in any significant environmental impacts; and the project will be in full conformity with the Vision, City Council Priorities, and Policy Plan components of The Ontario Plan.

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby

RECOMMENDS THE CITY COUNCIL APPROVES the herein described changes that comprise the Development Code Amendment, and which are attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 6: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2024, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nicola Ricci
Planning Commission Chairman

ATTEST:

Henry Noh
Planning Director and
Secretary of the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC24-049, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on September 24, 2024, by the following roll call vote, to wit:

AYES: Anderson, Dean, DeDiemar, Gage, Lampkin, Ricci

NOES: None

ABSENT: Del Turco

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDCA24-003
2024 Development Code Amendment No. 1

(Document to follow this page)

Chapter 2.0:
Administration and Procedures

Division 2.01—Planning Agency
Division 2.02—Application Filing and Processing
Division 2.03—Public Hearings
Division 2.04—Appeals
Division 2.05—City Initiated Modification or Revocation
Division 2.06—Performance Guarantees

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Division 2.01—Planning Agency

Sections:

2.01.000: Purpose
2.01.005: Applicability
2.01.010: City Council
2.01.015: Planning Commission
2.01.020: Historic Preservation Commission
2.01.025: Historic Preservation Subcommittee
2.01.030: Development Advisory Board
2.01.035: Zoning Administrator

2.01.000: Purpose

GC Section 65100 provides that each city and county establish a planning agency with the powers necessary to carry out the planning and zoning functions of the jurisdiction. The purpose of this Division is to identify and establish bodies, commissions, committees, positions, boards, and departments responsible for carrying out the powers and duties of the planning agency.

2.01.005: Applicability

The functions of the planning agency are hereby assigned to the following bodies, commissions, committees, positions, boards, and departments:

A. City Council;

B. Planning Commission;

C. Historic Preservation Commission;

D. Historic Preservation Subcommittee;

E. Development Advisory Board;

F. Zoning Administrator;

G. Planning Department.

2.01.010: City Council

A. **Established.** The City Council's establishment, membership, and operation are recognized by OMC Title 2 (Administration), Chapter 1 (City Council), commencing with Article 1, Section 2-1.101.

B. **Powers and Duties.** The City Council shall have the authority to hear and decide on those application types established by Table 2.02-1 (Review Matrix) of this Development Code and shall

have review and final authority on all appeals of Planning Commission or Historic Preservation Commission actions.

2.01.015: Planning Commission

A. Established. The Planning Commission's establishment, membership and operation are recognized by OMC Title 2 (Administration), Chapter 2 (Commissions and Boards), Article 3 (Planning Commission), commencing with OMC Section 2-2.301.

B. Powers and Duties. The Planning Commission shall have the authority to hear, recommend, and decide on those application types identified in Table 2.02-1 (Review Matrix) of this Development Code. In addition, the Planning Commission shall have the authority to act upon an appeal of any order, requirement, permit, decision or determination concerning zoning, land use or development, made by an administrative or appointed official or body, such as the Planning Director, Zoning Administrator, or Development Advisory Board, pursuant to the provisions of this Development Code.

C. Meetings. The Planning Commission shall adopt rules as necessary to the conduct of its affairs and in keeping with the provisions of this Development Code. Meetings shall be held on a regular basis and open to the public. The Planning Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, and shall keep records of its own examinations and other official actions, which shall be filed with the Planning Department.

2.01.020: Historic Preservation Commission

A. Established. Pursuant to the authority granted to municipalities by State Planning and Zoning Law, as established by GC Title 1, Division 1, Chapter 3 (commencing with GC Section 65100), there is hereby created and established in the City of Ontario, an Historic Preservation Commission.

B. Membership. The Historic Preservation Commission shall consist of the 7 standing members of the Planning Commission.

C. Powers and Duties. The Historic Preservation Commission shall have the following powers and duties:

1. Establish criteria for and conduct or cause to be conducted a comprehensive survey in conformance with state survey standards and guidelines of Historical Resources within the boundaries of the City, and publicize and periodically update the survey results;

2. The authority to hear make recommendations and/or decide on those application types established by Table 2.02-1 (Review Matrix) of this Development Code;

3. Authority to act upon an appeal of any order, requirement, permit, decisions, or determination concerning Historic Resources under this Development Code, made by the Historic Preservation Subcommittee;

4. Maintain a local register of Designated Historic Landmarks and Districts consistent with the National Register of Historic Places criteria, including all information required for each designation; and

5. Undertake any other action or activity necessary or appropriate to implement its powers or duties to fulfill the objectives of the Historic Preservation program.

D. Meetings. The Historic Preservation Commission shall adopt rules and procedures governing meeting business, conduct, and actions within the Historic Preservation Commission's jurisdiction and setting timeframes for such meetings.

2.01.025: Historic Preservation Subcommittee

A. Established. In accordance with the authority granted to municipalities by State Planning and Zoning Law, pursuant to GC Division 1, Chapter 3 (commencing with GC Section 65100), there is hereby created and established in the City of Ontario, an Historic Preservation Subcommittee.

B. Membership. The Historic Preservation Subcommittee shall consist of 3 members of the Historic Preservation Commission, to be appointed pursuant to the Historic Preservation Commission rules and procedures.

C. Powers and Duties. The Historic Preservation Subcommittee shall have the following powers and duties:

1. The authority to hear make recommendations and/or decide on those application types established by Table 2.02-1 (Review Matrix) of this Development Code;

2. The authority to review historic preservation work program, assist staff in any survey or historic research being conducted, and review of the City's list of Historical Resources; and

3. The authority to act upon appeals of administrative permits, decisions and actions concerning Historical Resources under this Development Code, made by any City Department.

D. Meetings. The Historic Preservation Commission shall adopt rules and procedures governing meeting business, conduct, and actions within the Historic Preservation Subcommittee's jurisdiction and setting timeframes for such meetings.

2.01.030: Development Advisory Board

A. Established. In accordance with the authority granted to municipalities by State Planning and Zoning Law, pursuant to GC Division 1, Chapter 3 (commencing with GC Section 65100), there is hereby created and established in the City of Ontario, a Development Advisory Board.

B. Membership. The Development Advisory Board shall include those representatives of certain City departments and/or agencies as established by resolution of the City Council.

C. Powers and Duties. The Development Advisory Board shall have the authority to hear, recommend and decide on those application types identified in Table 2.02-1 (Review Matrix) of this Development Code.

D. **Meetings.** The Development Advisory Board shall adopt rules and regulations to govern the procedures at meetings within the Board's jurisdiction and to set a time for such meetings.

2.01.035: Zoning Administrator

A. **Established.** In accordance with the authority granted to municipalities by State Planning and Zoning Law, pursuant to GC Division 1, Chapter 3 (commencing with GC Section 65100), there is hereby created and established in the City, the position of Zoning Administrator.

B. **Membership.** The Zoning Administrator position shall be filled by the Planning Director or the Zoning Administrator's designee, who shall fill the position of Deputy Zoning Administrator.

C. **Powers and Duties.** The Zoning Administrator shall have the power and duty to review and make decisions on those application types identified in Table 2.02-1 (Review Matrix) of this Development Code.

D. **Meetings.** The Zoning Administrator shall adopt rules and procedures governing meeting business, conduct, and actions within the Zoning Administrator's jurisdiction and setting timeframes for such meetings.

Division 2.02—Application Filing and Processing

Sections:

2.02.000: Purpose
2.02.005: Applicability
2.02.010: Applications and Fees
2.02.015: Application Processing Procedures
2.02.020: Environmental Review
2.02.025: Time Limits and Extensions
2.02.030: Failure by Applicant to Complete Application Processing
2.02.035: Limitations on Application Refiling
2.02.040: Indemnification

2.02.000: Purpose

The purpose of this Division is to establish procedures and requirements for the preparation, filing and processing of applications for permits, amendments, and approvals stipulated by this Development Code.

2.02.005: Applicability

Table 2.02-1 (Review Matrix), below, establishes the recommending, approving, and appeal authorities for all permits, amendments, and approvals stipulated by this Development Code. The symbols used within the Table have the following meanings:

R = Advisory (Recommending) Authority
X = Approving Authority
A = Appeal Authority

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	***Reviewing Authorities [4]***										
	Planning Director	***City Engineer***	***Fire Marshal***	***Building Official***	***Zoning Administrator [2]***	***Development Advisory Board***	***Historic Preservation Subcommittee [2] [11]***	***Historic Preservation Commission [11]***	***Planning Commission [11]***	***City Council [11]***	***Ontario International Airport Authority***
A. LEGISLATIVE ACTIONS											
1. Airport Land Use Compatibility Plan and Amendments **[1]** (Ref: ODC Section 4.01.010)									**R**	**X**	
2. Development Agreements **[1]** (Ref: ODC Section 4.01.015)									**R**	**X**	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	*Reviewing Authorities [4]*										
	Planning Director	*City Engineer*	*Fire Marshal*	*Building Official*	*Zoning Administrator [2]*	*Development Advisory Board*	*Historic Preservation Subcommittee [2] [11]*	*Historic Preservation Commission [11]*	*Planning Commission [11]*	*City Council [11]*	*Ontario International Airport Authority*
3. Development Code Amendments **[1]** (Ref: ODC Section 4.01.020)									**R**	**X**	
4. Amendment to the Policy Plan (General Plan) Component of The Ontario Plan **[1]** (Ref: ODC Section 4.01.025)									**R**	**X**	
5. Planned Unit Developments and Amendments **[1]** (Ref: ODC Section 4.01.030)									**R**	**X**	
6. Specific Plans and Amendments **[1][12]** (Ref: ODC Section 4.01.035)									**R**	**X**	
7. Williamson Act Contract Cancellations **[1]** (Ref: GC Section 51200 et.seq.)									**R**	**X**	
8. Zone Changes **[1]** (Ref: ODC Section 4.01.040)									**R**	**X**	
B. DISCRETIONARY PERMITS AND ACTIONS											
1. Billboard Relocation Agreements **[1]** (Ref: ODC Section 4.02.010)									**R**	**X**	
2. Conditional Use Permits (Ref: ODC Section 4.02.015)											
a. Hotels, Motels and Residence Inns **[1]**									**R**	**X**	
b. Use established in conjunction with a Development Plan **[1]**						**R**			**X**	**A**	
c. Use established within an existing structure **[1]**					**X**				**A**	**A**	
d. Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**									**X**	**A**	
e. Revocation due to abandonment of use per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**					**X**				**A**	**A**	
3. Density Bonus and Other Incentives per ODC Section 6.01.010.G (Density Bonus and Other Incentives) **[1]**									**R**	**X**	
4. Development Plans, except within the ONT zoning district (Ref: ODC Section 4.02.025)											
a. Residential developments totaling 5 or more dwelling units or the development of 3 or more dwelling units on a single lot or parcel						**R**			**X**	**A**	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]										
	Planning Director	City Engineer	Fire Marshal	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
b. Commercial developments, and developments in the CIV, OS-R, OS-C and UC zoning districts, greater than 500 SF in area						X			A	A	
c. Industrial developments equal to or less than 0.45 FAR						X			A	A	
d. Industrial developments exceeding 0.45 FAR						R			X	A	
e. Wireless telecommunications facilities pursuant to Section 5.03.415 (Wireless Telecommunications Facilities) of this Development Code											
(1) Tier 2 facilities						X			A	A	
(2) Tier 3 facilities **[2]**						X			A	A	
f. All others						X			A	A	
5. Extensions of Legal Nonconforming Status **[1]** (Ref: ODC Section 4.02.030)					X				A	A	
6. Historic Preservation											
a. Certificates of Appropriateness (Ref: ODC Section 4.02.050)											
(1) Designated Historic Landmarks and Contributors, and Architectural Conservation Areas; and Demolition of an Historic Resource **[1]**							R	X		A	
(2) Deferral of Replacement Structure **[1]**							R	X		A	
(3) Eligible Historic Resources **[1]**							X	A		A	
(4) Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**							R	X		A	
(5) Waivers for Minor Improvements	X						A[6]	A[6]			
b. Certificates of Economic Hardship **[1]** (Ref: ODC Section 4.02.055) **[1]**							R	X		A	
c. Certificates of Economic Hardship—Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**							R	X		A	
d. Conservation Plans (Ref: ODC Section 4.02.060)							X	A		A	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]										
	Planning Director	City Engineer	Fire Marshal	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
e. Historic Resource Tiering (Ref: ODC Section 4.02.040), including Rescinding or Amending Status (Ref: ODC Section 4.02.045)							X	A		A	
f. Local Historic Landmark and Local District Designations, and Architectural Conservation Areas (Ref: ODC Section 4.02.040), including Rescinding or Amending Status (Ref: ODC Section 4.02.045)							R	R		X	
g. Mills Act Contracts (Ref: ODC Section 4.02.065)							R	R		X	
h. Mills Act Cancellations **[1]** (Ref: ODC Section 4.02.065)							R	R		X	
i. Addition/Removal of Resources to/from the Ontario Register (Ref: ODC Section 4.02.045)											
(1) At the request of the property owner, or upon City initiation if the most recently prepared Historic Resource Survey evaluating the resource is more than 5 years old.							X	A		A	
(2) Loss of all historic and/or cultural significance due to a catastrophe causing a loss of integrity, or due to extensive legally performed alterations performed after the property was initially surveyed.	X							A		A	
7. Master Plans and Amendments **[1]** (Ref: ODC Section 4.02.070)									R	X	
8. Minor Adjustments/Alterations (Ref: ODC Section 4.02.020.C)					X				A	A	
9. Nonconforming Structure Reconstruction **[1]** (Ref: ODC Section 3.01.020)									X	A	
10. Parking Reduction (Ref: ODC Section 6.03.025)									X	A	
11. Sign Programs (Ref: ODC Section 4.02.075)	X								A	A	
12. Specific Plan Minor Adjustments/Alterations **[12]** (Ref: ODC Section 4.02.080)	X								A	A	
13. Stays of Permit Approval Time Limit (Ref: ODC Section 2.02.025.A.8)					X[5]	X[5]	X[5]	X[5]	X[5]	X[5]	
14. Subdivisions											

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]										
	Planning Director	City Engineer	Fire Marshal	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
~~a. Lot Merger (Merger of Contiguous Parcels) [1] (Ref: ODC Section 4.02.085)~~						~~R~~			~~X~~	~~A~~	
~~b.~~a. Reversions to Acreage **[1]** (Ref: ODC Section 4.02.090)						R			X	A	
~~c.~~b. Tentative Tract and Parcel Maps, and Vesting Maps **[1]** (Ref: ODC Section 4.02.095)						R			X	A	
~~d.~~c. Tentative Tract and Parcel Map Time Extensions (Ref: ODC Section 2.02.025.A.3 & 4)						R			X	A	
15. Time Extensions, excepting tentative subdivision maps (Ref: ODC Section 2.02.025)	X								A	A	
16. Variances (Ref: ODC Section 4.02.020.D)											
a. Homeowner **[1]**					X				A	A	
b. Other **[1]**						R			X	A	
C. MINISTERIAL (ADMINISTRATIVE) PERMITS AND DECISIONS											
1. Historic Preservation – Adaptive Reuse Plans (Ref: ODC Section 4.03.010)	X		X	X							
~~1.~~2. Administrative Exceptions (Ref: ODC Section 4.03.050)					X				A	A	
~~2.~~3. Administrative Use Permits (Ref: ODC Section 4.03.015)	X										
~~3.~~4. Business License - Zoning/Land Use Compliance (Ref: OMC 3-1.129 (Zoning Compliance)	X								A	A	
~~4.~~5. Development Plans within the ONT zoning district (Ref: ODC Section 4.02.025)	X								A	A	
~~5.~~6. Fair Housing and Reasonable Accommodation Ref: ODC Section 4.02.035)					X				A	A	
~~6.~~7. Interpretations and Land Use Determinations (Ref: ODC Section 1.02.010)					X				A	A	
~~7.~~8. Landscape and Irrigation Plans (Ref. ODC Section 6.05.005)	X								A	A	
~~8.~~9. Off-Site (Public) Improvement Plans (Ref: ODC Section 6.08.040)		X							A	A	
~~9.~~10. ONT ALUCP Interagency Review **[7]** (Ref: ONT ALUCP)	X									A[8]	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	***Reviewing Authorities [4]***										
	Planning Director	***City Engineer***	***Fire Marshal***	***Building Official***	***Zoning Administrator [2]***	***Development Advisory Board***	***Historic Preservation Subcommittee [2] [11]***	***Historic Preservation Commission [11]***	***Planning Commission [11]***	***City Council [11]***	***Ontario International Airport Authority***
~~10.~~11. Other Plan Checks and actions required by this Development Code	X								A	A	
~~11.~~12. Shopping Cart Retention Plans (Ref: ODC Section 6.11.020)	X								A	A	
~~12.~~13. Sign Plans (Ref: ODC Section 4.03.020)	X								A	A	
~~13.~~14. Single-Family Two-Unit Developments (Ref: ODC Section 5.03.403)	X								A	A	
~~14.~~15. Subdivisions											
a. Certificates of Compliance (Ref: ODC Section 4.03.025)		X							A	A	
b. Final Tract and Parcel Maps, and Vesting Maps (Ref: ODC Section 4.03.030)										X	
c. Lot Line Adjustments (Ref: ODC Section 4.03.035)		X							A	A	
d. Map Corrections and Amendments (Ref: ODC Section 4.03.040)		X							A	A	
e. Street Address Numbering (Ref. ODC Section 6.06.010)				X					A	A	
f. Street Name Assignment (Ref. ODC Section 6.06.010)	X								A	A	
g. Subdivision Improvement Agreement (Ref: ODC Section 6.08.040.G)		X							A	A	
h. Urban Lot Split (Ref: ODC Section 6.08.060		X							A	A	
i. (Lot Merger (Merger of Contiguous Parcels) **[1]** (Ref: ODC Section 4.02.085)		X							A	A	
~~15.~~16. Tier 1 wireless telecommunications facility pursuant to ODC Section 5.03.420 (Wireless Telecommunications Facilities)					X				A	A	
~~16.~~17. Wall, Fence, and Obstructions Plans not associated with a Development Plan (Ref. ODC Section 6.02.005)	X								A	A	
D. ENVIRONMENTAL DETERMINATIONS AND ACTIONS											
1. Environmental Impact Reports (EIRs) (Ref: CCR Section 15080, et seq.)									X[3]	X[3]	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	***Reviewing Authorities [4]***										
	Planning Director	***City Engineer***	***Fire Marshal***	***Building Official***	***Zoning Administrator [2]***	***Development Advisory Board***	***Historic Preservation Subcommittee [2] [11]***	***Historic Preservation Commission [11]***	***Planning Commission [11]***	***City Council [11]***	***Ontario International Airport Authority***
2. Exempt Projects (Ref: CCR Section 15300, et seq.)	**X[3]**				**X[3]**	**X[3]**	**X[3]**	**X[3]**	**A**	**A**	
3. Ministerial Projects (Ref: CCR Section 15268)		**Ministerial projects are exempt from the requirements of CEQA [10]**									
4. Negative Declarations (NDs) and Mitigated Negative Declarations (MNDs) (Ref: CCR Section 15070, et seq.)					**X[3]**	**X[3]**	**X[3]**	**X[3]**	**X[3]**	**X[3]**	
5. Addendums to previously certified EIRs and previously adopted NDs and MNDs (Ref: CCR Section 15164)					**X[3]**	**X[3]**	**X[3]**	**X[3]**	**X[3]**	**X[3]**	
6. Environmental review for projects located within the ONT zoning district **[9]**											**X**

Notes:

[1] A public hearing is required pursuant to the procedures set forth in Division 2.03 (Public Hearings) of this Development Code; however, public notification shall not be required for Development Advisory Board or Historic Preservation Subcommittee hearings when acting in the capacity of an Advisory Authority.

[2] The Approving Authority may refer any application subject to their review to the next higher authority (Appeal Authority).

[3] The Approving Authority for environmental determinations/actions shall be the same as the related legislative or discretionary actions. NDs and MNDs, and Addendums to previously certified EIRs, and previously adopted NDs or MNDs, which are not associated with, or are independent of, legislative or discretionary actions, shall be subject to Development Advisory Board review and adoption. EIRs that are not associated with, or are independent of, legislative or discretionary actions shall be subject to Planning Commission review and certification.

[4] An application submitted for concurrent review and action with another application, action or decision requiring review and action by a higher Reviewing Authority may be subject to concurrent review and action by that higher Reviewing Authority upon their request.

[5] The Approving Authority responsible for issuing a "Stay of Permit Approval Time Limit" pursuant to Section 2.02.025 (Projects Involving Pending Litigation) of the Development Code, shall be the same as for the related application, action, or decision.

[6] An appeal of an Historic Preservation—Certificate of Appropriateness—Waiver shall be considered by the Historic Preservation Subcommittee, except that an Historic Preservation—Waiver for an Historic Landmark shall be considered by the Historic Preservation Commission.

[7] Refer to the ONT ALUCP for procedures for application processing and administration, and appeals processing.

[8] Appeal shall be subject to review by the Mediation Board established pursuant to ALUCP Section 4.

[9] Pursuant to the Joint Powers Authority agreement between the City of Ontario and the County of San Bernardino, the Ontario International Airport Authority shall be the lead agency.

[10] Ministerial projects are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15268 of the CEQA Guidelines. The following projects or actions shall be deemed ministerial:

- *Administrative Exceptions;*
- *Administrative Use Permit issuance;*
- *ALUCP inter agency reviews;*
- *Building permit issuance;*

- *Business license issuance;*
- *Encroachment permit issuance;*
- *Final subdivision map approval;*
- *Individual utility service connection and disconnection approval;*
- *Landscape and irrigation plan approval;*
- *Lot Line Adjustment approval;*
- *Public improvement plan approval;*
- *Shopping cart retention plan approval;*
- *Sign Plan approval;*
- *Single-Family Two-Unit Developments;*
- *Street address number issuance;*
- *Subdivision Improvement Agreement approval;*
- *Subdivision map corrections and amendments approval;*
- *Temporary Use Permit issuance;*
- *Tier 1 wireless telecommunications facility approval;*
- *Urban Lot Splits; and*
- *Wall and/or fence plan approval.*

[11] Applications that do not require a public Hearing pursuant to Note 1, above, may be reviewed and acted upon under the "Consent Calendar" portion of the Approving Authority meeting agenda.

[12] Unless otherwise specified in a respective Specific Plan, a Specific Plan Amendment or Specific Plan Minor Adjustment/Minor Alterations application shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing), and Division 4.01 (Legislative Actions) or Division 4.02 (Discretionary Permits and Actions).

2.02.010: Applications and Fees

A. Application filing.

1. An application for a permit, permit modification, amendment, or any other matters pertaining to this Development Code shall be filed with the City, on a City application form, together with any required fees, plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to process the application.

2. An application may be initiated by the City, owner(s) or lessee(s) of property, or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Development Code, or their agent(s).

3. A project requiring the filing of more than one land use or entitlement permit application shall, to the extent possible, be filed with all related applications for concurrent review and action by the highest required Reviewing Authority, except that an Administrative Exception application filed in conjunction with a Development Plan shall require separate review and action by the appropriate Reviewing Authority.

B. Filing Fees.

1. The City Council may establish by resolution, a schedule of fees for permits, amendments, inspections, licenses, services, and other matters pertaining to this Development Code. The schedule of fees may be changed or modified only by resolution of the City Council.

2. Application review and action shall not commence until such time that all applicable filing fees and/or deposits have been paid in full. An application received without all applicable filing fees and/or deposits shall be deemed incomplete for filing and further processing and shall be deemed just cause for denial of the application. In the case of time and materials

projects, the payment of additional deposits may be required to fully cover all City processing costs.

C. Refunds and Withdrawals.

1. The refund of filing fees in response to the denial of an application shall be prohibited, recognizing that filing fees are utilized to cover City costs related to public hearings, mailings, postings, transcripts, and staff time involved in processing applications.

2. An applicant wishing to withdraw their application may do so by written request to the Planning Director at any time prior to action by the Approving Authority.

3. Upon receipt of a request for application withdrawal, the Planning Director may order the refund of all or part of the filing fees, based upon the prorated costs to date and determination of the status of the application at the time of withdrawal.

2.02.015: Application Processing Procedures

This section is intended to provide general procedures for the processing of applications for legislative actions, discretionary permits and actions, and ministerial permits and decisions filed pursuant Table 2.02-1 (Review Matrix) of this Division.

A. Legislative Actions. The Advisory and Approving Authorities for legislative actions are established by Table 2.02-1 (Review Matrix) of this Division. Unless otherwise stipulated by Division 4.01 (Legislative Actions) of this Development Code, the procedure for reviewing and acting upon an application resulting in a legislative action is as follows:

1. Initial Review for Application Completeness. Legislative actions shall be initially reviewed for application completeness and acceptance, as follows:

a. *Review for Application Completeness.*

(1) Following receipt of an application filed in compliance with this Division, the Planning Department shall determine, in writing, whether the application is complete for processing and shall transmit the determination to the applicant.

(2) If an application is determined to be incomplete for processing, the Planning Department shall specify those parts of the application that are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the City in response to the list and description, which shall be reviewed pursuant to Subparagraph A.1.a(1), above.

(3) If the application, together with the submitted materials, is determined to be incomplete for processing, the applicant may appeal that decision to the Planning Commission pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

(4) Failure of an applicant to submit complete or adequate information pursuant to the provisions of Subparagraphs A.1.a(1) and (2), above, shall constitute grounds for denial of the application.

b. *Application Acceptance.*

(1) Following acceptance of an application as complete for processing, no new or additional information may be requested of the applicant; however, in the course of processing the application, the Planning Department may request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application. This provision shall not be so construed as to require an applicant to submit with the initial application, the entirety of the information that the Planning Department may require in order to take final action on the application.

(2) Prior to accepting an application as complete for processing, the Planning Department shall inform the applicant of any information included in the list prepared pursuant to Subparagraph A.1.b(1), above, which will subsequently be required from the applicant in order to complete final action on the application.

(3) The provisions of this Section shall not be construed as limiting the ability of the Planning Department to request and obtain information that may be needed in order to comply with the provisions of PRC Division 13 (commencing with Section 21000).

2. Investigation and Report.

a. Following acceptance of an application as complete for processing pursuant to Subparagraph B.1 (Initial Review for Application Completeness), above, the Planning Department shall investigate the facts bearing on the application and shall prepare a written report, which shall be transmitted to the appropriate Reviewing Authority.

b. The Planning Department's report shall provide the information necessary for action on the application, consistent with the provisions of this Development Code and The Ontario Plan, and shall report all findings to the appropriate Reviewing Authority.

c. During the investigation of the facts bearing on the application, the Planning Department may consult with other City departments and public agencies.

3. Public Hearings.

a. The Advisory and Approving Authorities established by Table 2.02-1 (Review Matrix), shall each conduct at least one public hearing, which shall be duly noticed, heard, and acted upon pursuant to Division 2.03 (Public Hearings) of this Development Code.

b. The Planning Department's written report, prepared pursuant to Subparagraphs A.2.a through c, above, shall be made available to the property owner and applicant, if different from the property owner, at least 72 hours prior to the public hearing.

4. Advisory Authority Review and Recommendation. The procedure for review and recommendation on a legislative action by an Advisory Authority is as follows:

a. The Advisory Authority shall make recommendation to the Approving Authority whether to approve, approve in modified form, or deny an application, which shall be transmitted to the Approving Authority in such manner and form as specified by the Approving Authority.

b. The Advisory Authority shall forward its recommendation to the Approving Authority within 60 days following the date its decision was rendered.

5. Approving Authority Review and Action. The procedure for review and action on a legislative action by the Approving Authority is as follows:

a. Upon receipt of the Advisory Authority's recommendation, the Approving Authority shall approve, approve in modified form, or deny an application.

b. The action of the Approving Authority shall be by written decision, setting forth the basis for the action, and shall include any applicable findings prescribed by Division 4.01 (Legislative Actions) of this Development Code. There shall be no time limit within which the Approving Authority must act on a legislative action.

c. The Approving Authority's action shall be final and conclusive.

6. Effective Date of Approving Authority Action. A legislative approval granted by resolution is effective immediately upon adoption of the numbered resolution by the City Council. A legislative approval granted by ordinance is effective 30 days following the date of adoption of the ordinance by the Approving Authority.

B. Discretionary Permits and Actions. The Advisory, Approving, and Appeal Authorities for discretionary permits and actions are established by Table 2.02-1 (Review Matrix) of this Division. Unless otherwise stipulated by Division 4.02 (Discretionary Permits and Actions) of this Development Code, the procedure for reviewing and acting upon an application resulting in a discretionary permit or action is as follows:

1. Initial Review for Application Completeness. Applications requesting discretionary permits and/or actions shall be initially reviewed for application completeness and acceptance, as follows:

a. *Review for Application Completeness.*

(1) Within 30 days following receipt of an application filed in compliance with this Division, the Planning Department shall determine, in writing, whether the application is complete for processing and shall transmit the determination to the applicant. If the written determination is not made within the required period, the application shall be automatically deemed complete for processing. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which time completeness of the resubmitted application shall be determined.

(2) If an application is determined to be incomplete for processing, the Planning Department shall specify those parts of the application that are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the Planning Department in response to the list and description, which shall be reviewed pursuant to Subparagraph B.1.a(1), above.

(3) If the application, together with the submitted materials, is determined to be incomplete for processing, the applicant may appeal that decision to the Planning Commission pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

(4) Failure of an applicant to submit complete or adequate information pursuant to the provisions of Subparagraphs B.1.a(1) and (2), above, shall constitute grounds for denial of the application.

b. *Application Acceptance.*

(1) Following acceptance of an application as complete for processing, no new or additional information may be requested of the applicant; however, in the course of processing the application, the Planning Department may request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application. This provision shall not be so construed as to require an applicant to submit with the initial application, the entirety of the information that the City may require in order to facilitate final action on the application.

(2) Prior to accepting an application as complete for processing, the Planning Department shall inform the applicant of any information included in the list prepared pursuant to Subparagraph B.1.b(1), above, which will subsequently be required from the applicant in order to complete final action on the application.

(3) The provisions of this Subsection shall not be construed as limiting the ability of the Planning Department to request and obtain information that may be needed in order to comply with the provisions of PRC Division 13 (commencing with Section 21000).

2. Investigation and Report.

a. Following acceptance of an application as complete for processing pursuant to Subparagraph B.1 (Initial Review for Application Completeness), above, the Planning Department shall investigate the facts bearing on the application and shall prepare a written report, which shall be transmitted to the appropriate Reviewing Authority.

b. The Planning Department's report shall provide the information necessary for action on the application, consistent with the provisions of this Development Code and The Ontario Plan, and shall report all findings to the appropriate Reviewing Authority.

c. During the investigation of the facts bearing on the application, the Planning Department may consult with other City departments and public agencies.

3. Public Hearings.

a. The Advisory, Approving and Appeal Authorities established by Table 2.02-1 (Review Matrix), and which require a public hearing pursuant to the Review Matrix, shall each conduct at least one public hearing, which shall be duly noticed, heard, and acted upon pursuant to Division 2.03 (Public Hearings) of this Development Code.

b. The Planning Department's written report, prepared pursuant to Subparagraphs B.2.a through c, above, shall be made available to the property owner and applicant, if different from the property owner, at least 72 hours prior to the public hearing.

4. Advisory Authority Review and Recommendation. If required pursuant to Table 2.02-1 (Review Matrix), the procedure for review and recommendation on a discretionary permit or action by an Advisory Authority is as follows:

a. The Advisory Authority shall make recommendation to the Approving Authority whether to approve, approve in modified form, or deny an application, which shall be transmitted to the Approving Authority in such manner and form as specified by the Approving Authority.

b. The Advisory Authority shall forward its recommendation to the Approving Authority within 60 days following the date its decision was rendered.

c. In instances where review and recommendation by more than one Advisory Authority is required, the initial Advisory Authority shall forward its recommendation whether to approve, approve in modified form, or deny an application to the subsequent Advisory Authority within 30 days following the date its decision was rendered. The 30-day time limit may be extended by mutual agreement of the applicant and City.

5. Approving Authority Review and Action. The procedure for review and action on a discretionary permit or action by an Approving Authority is as follows:

a. Upon receipt of the Advisory Authority's recommendation, the Approving Authority shall approve, approve in modified form, or deny an application, and may impose reasonable conditions to the approval of an application.

b. The action of the Approving Authority shall be by written decision, setting forth the basis for the action, and shall include any applicable findings prescribed by Division 4.02 (Discretionary Permits and Actions) of this Development Code. A discretionary permit or action shall be acted upon within the timeframes specified by GC Section 65950, 65950.1, 65951, and 65952, except that Tentative Subdivision Maps shall be acted upon within the timeframes specified by GC Section 66452.1.

c. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

6. Effective Date of Approving Authority Action. A discretionary permit or action shall become effective on the City business day following Approving Authority action, unless the discretionary permit is being processed concurrently with and dependent upon any legislative action; in which case, the effective date of the discretionary permit or action shall be governed by Paragraph A.6 (Effective Date of Approving Authority Action) of this Section. The Approving Authority's action to approve, approve in modified form, or deny a discretionary permit or action shall be immediately suspended upon the filing of an appeal pursuant to Division 2.04 (Appeals) of this Development Code.

C. Ministerial Permits and Decisions. The Advisory, Approving and Appeal Authorities for ministerial permits and decisions are established by Table 2.02-1 (Review Matrix) of this Division. Unless otherwise stipulated by Division 4.03 (Ministerial Permits and Decisions) of this Development Code, the procedure for reviewing and acting upon an application requiring a ministerial permit or decision is as follows:

1. Initial Review for Application Completeness. Applications requesting ministerial permits and/or decisions shall be initially reviewed for completeness and acceptance, as follows:

a. *Review for Application Completeness.*

(1) Within 30 days following receipt of an application filed in compliance with this Division, the City shall review the application and determine, in writing, whether the application is complete for further processing, and shall transmit the determination to the applicant. If the written determination is not made within the required period, the application shall automatically be deemed complete for further processing. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which time completeness of the resubmitted application shall be determined.

(2) If an application is determined to be incomplete for processing, the City shall specify those parts of the application that are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the responsible City department in response to the list and description, which shall be reviewed pursuant to Subparagraph C.1.a(1), above.

(3) If an application, together with the submitted materials, is determined to be incomplete for processing, the applicant may appeal that decision to the Planning Commission pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

(4) Failure of an applicant to submit complete or adequate information pursuant to the provisions of Subparagraphs C.1.a(1) and (2), above, shall constitute grounds for denial of the application.

b. *Application Acceptance.*

(1) Following acceptance of an application as complete for processing, no new or additional information may be requested of the applicant; however, in the course of processing the application, the responsible City department may request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application. This provision shall not be so construed as to require an applicant to submit with the initial application, the entirety of the information that the responsible City department may require in order to facilitate final action on the application.

(2) Prior to accepting an application as complete for processing, the responsible City department shall inform the applicant of any information included in the list prepared pursuant to Subparagraph C.1.b(1), above, which will subsequently be required from the applicant in order to complete final action on the application.

(3) The provisions of this Subsection shall not be construed as limiting the ability of the responsible City department to request and obtain information that may be needed in order to comply with the provisions of PRC Division 13 (commencing with Section 21000).

2. Investigation. Following acceptance of an application as complete for processing, the responsible City department shall investigate the facts bearing on the application and provide the information necessary for action or determination, consistent with this Development Code and The Ontario Plan, which shall be reported to the Approving Authority.

3. Review and Action.

a. The Approving Authority shall review the application and shall then approve, approve in modified form, or deny the application. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

b. The Approving Authority shall act on a ministerial approval request within 60 days following acceptance of an application as complete for processing pursuant to Paragraph C.1 (Initial Review for Application Completeness), above. The 60-day time limit may be extended by mutual agreement of the applicant and City.

4. Effective Date of Approving Authority Action. A ministerial permit or action shall become effective immediately upon Approving Authority action. An Approving Authority action to approve or deny a ministerial permit or decision shall be immediately suspended upon the filing of an appeal pursuant to Division 2.04 (Appeals) of this Development Code.

2.02.020: Environmental Review

A. Purpose. The purpose of this Section is to assist the City in accomplishing the basic objectives of CEQA, as follows:

1. Enhance and provide long-term protection for the environment, while providing a decent home and satisfying living environment for every Californian;

2. Provide information to governmental decision-makers and the public regarding the potential significant environmental effects of the proposed project;

3. Provide an analysis of the environmental effects of future actions associated with a project in order to adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project;

4. Identify ways that environmental damage can be avoided or significantly reduced;

5. Prevent significant avoidable environmental damage through utilization of feasible project alternatives or mitigation measures; and

6. Provide full public disclosure of the City's basis for project approval in the manner chosen. Public participation is an essential part of the CEQA process. Each public agency should encourage wide public involvement, formal and informal, in order to receive and evaluate public reactions to environmental issues related to a public agency's activities. The involvement should include, whenever possible, making environmental information available in electronic format on the Internet, on a web site maintained or utilized by the public agency.

B. Applicability. The provisions of this division shall apply to any activity of the City that is determined to be a "project" pursuant CEQA (PRC Section 21000 through Section 21178) and the CEQA Guidelines (CCR Section 15000 through Section 15387).

C. CEQA Implementation. Local guidelines for the implementation of CEQA shall be adopted by Resolution of the City Council. The guidelines may be changed or modified only by resolution of the City Council.

D. Environmental Review. The City of Ontario shall conduct an environmental review of any activity within the City that constitutes a "project" pursuant CEQA, the CEQA Guidelines and the City's local guidelines for the implementation of CEQA. Depending upon the nature and scope of a "project," it may be found to be exempt from further environmental review, or a negative declaration, mitigated negative declaration or environmental impact report may be required to be completed. Negative declarations, mitigated negative declarations, and environmental impact reports shall be prepared pursuant to the requirements of CEQA and the implementing guidelines, and the City's local guidelines for the implementation of CEQA.

2.02.025: Time Limits and Extensions

A. Time Limits. Discretionary permits/actions granted pursuant to this Division shall become invalid if not exercised within the below-listed timeframes:

1. Generally. Unless otherwise stipulated by the conditions of approval, a discretionary permit/action shall become invalid if not exercised within 12 months following the effective date of application approval, except as specified in Paragraphs A.2 through A.6, below, unless extended by time extension pursuant to Subsection B (Time Extensions) of this Section.

2. Development Plan. Unless otherwise stipulated by the conditions of approval, a Development Plan shall become invalid if not exercised within 24 months following the effective date of application approval, unless extended by time extension pursuant to Subsection B (Time Extensions) of this Section.

3. Tentative Subdivision Map. A Tentative Tract or Parcel Map shall become invalid if not exercised within the time limits specified by GC Section 66452.6.

4. Vesting Tentative Maps.

a. A vesting tentative map shall become invalid if not exercised within the time limits specified by Paragraph A.3 (Tentative Subdivision Map), above.

b. If a final tract map is approved prior to the expiration of the vesting tentative map, the tentative map vesting rights for the final tract map area shall last for the periods listed below:

(1) An initial period of 12 months following recordation of the final tract map. Where several final tract maps are recorded on phases of a project covered by a single vesting tentative map, the 12-month period for each final tract map shall begin on the date of recordation of that final tract map;

(2) The initial period set forth in Subparagraph A.4.b.(1), above, shall be automatically extended by any time used by the City for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds 30 days; provided, that the extension shall only be for the number of days in excess of 30 days; and

(3) If during the 24-month period following approval of a final tract map or parcel map, the City receives a complete application for a building permit and the subdivider has satisfied all requirements for the issuance of a building permit, the right to proceed with development in accordance with the tentative map shall continue until the expiration of the building permit.

5. Expiration of Vesting Development Rights. Vesting development rights shall expire if a final map is not filed for approval prior to the expiration of the vesting tentative map, as provided in Paragraph A.6 (Vesting Tentative Maps) of this Section. If the final map is approved, these rights shall last for the following time periods, extending beyond the recording of the final map:

a. An initial period of 12 months, except that where several final maps are recorded for various project phases of a single vesting tentative tract map, this initial time period shall begin with each phase, when the final map for that phase is recorded;

b. The initial time period set forth in Subparagraph A.6.b(1) of this Section shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if the processing exceeds 30 days from the date a complete application is filed;

c. A subdivider may apply for a 12-month extension at any time before the initial expiration date for map approval; and

d. If the subdivider submits a complete application for a building permit during the time periods specified in Subparagraphs A.5.a through A.5.c, above, the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit.

6. Certificate of Appropriateness. A Certificate of Appropriateness granted pursuant to this Division shall become invalid if not exercised within the time limit specified by the conditions of approval, or within 24 months if no time limit has been specified.

7. Phased Projects.

a. Wherein a project involves the construction of multiple phases over an extended period, and the conditions of approval do not specify a time limit differing from Paragraphs A.2 through A.5, above, the portion of entitlement applicable to a particular phase shall be deemed exercised through the issuance of a building permit for that phase. The remainder of the entitlement related to further construction shall expire 12 months following building permit expiration, final building inspection, or Certificate of Occupancy issuance for the previous construction phase, unless extended pursuant to Subsection B, below.

b. A building permit may be issued for a subsequent phase if no more than 12 months have lapsed since a Certificate of Occupancy was issued for the previous phase and the applicant is diligently pursuing the project toward completion. However, if more than 12 months have lapsed since Certificate of Occupancy issuance or final inspection has occurred for the previous phase, and the entitlement was not extended pursuant to Subsection B, below, the entitlement granting the construction of any subsequent phases shall be deemed invalid and no further building permits shall not be issued, unless a time extension is granted pursuant to Section 2.02.025 (Time Limits and Extensions) of this Division.

8. Projects Involving Pending Litigation. The time limits specified in Paragraphs A.1 through A.5, above, including any time extension granted pursuant to Subsection B, below, shall not include the period of time during which a lawsuit involving the approval or conditional approval of a discretionary permit is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the Approving Authority pursuant to this Division. After service of the initial petition or complaint in the lawsuit upon the City, the applicant, or property owner if

different from the applicant, may apply to the local agency for a Stay of Permit Approval Time Limit. Within 40 days after receiving the application, the Review Authority may stay the time limit for up to 5 years.

9. Definition. For the purposes of this Section, the term "exercised" shall mean the following:

a. The applicant, or property owner if different from the applicant, has completed or fulfilled all conditions of approval imposed upon the permit or action by the Approving Authority; and

b. In the case of permits or actions pertaining to a development project approval, a Building Permit shall have been issued and construction shall have been diligently pursued toward project completion. In the case of permits or actions pertaining to a land use approval, the approved use shall have commenced. In the case of a Merger of Contiguous Parcels, Reversion to Acreage, or Tentative Subdivision Map, the Merger, Reversion, or Final Subdivision Map shall have been recorded at the office of the San Bernardino County Recorder.

B. Time Extensions. The time limits within which a discretionary permit or action must be exercised, may be extended as follows:

1. Project Applicant or Property Owner Requested Time Extension.

a. The project applicant, or property owner if different from the applicant, may file a Time Extension request, together with any required filing fees, with the City (Planning Department or Engineering Department, as applicable) prior to the expiration date of an approved discretionary permit or action.

b. Upon the submittal of a Time Extension request, the affected discretionary permit or action shall be granted an automatic 90-day time extension to allow sufficient time for application processing.

2. An extension of the expiration date for an approved discretionary permit or action shall be acted upon as follows:

a. The Approving Authority may grant a Time Extension upon determination of the following:

(1) Each of the findings and conditions of the original approval are still applicable to the project and there are no changed circumstances;

(2) The Time Extension will not adversely affect the public health, safety, or welfare; and

(3) There has been diligent pursuit to exercise the permit or action for which an extension is being requested.

b. The burden of proof shall lie with the permittee to establish with substantial evidence that the approval for which the Time Extension is requested should not be allowed to expire. If the Approving Authority determines that the permittee has good-faith intent to commence with the proposed project, the Approving Authority may grant a Time Extension.

c. A discretionary permit or action may be granted Time Extensions in one-year increments, not to exceed a total of three, one-year time extensions, excepting tentative subdivision maps, which shall be subject to the provisions of GC Section 66452.6.

3. Blanket Time Extensions Granted by the City Council.

a. In addition to the Time Extensions allowed pursuant to Paragraph B.1 of this Section, the City Council may, by resolution, grant time extensions for discretionary permits and actions, as identified in Table 2.02-1 (Review Matrix) of this Division, to benefit homeowners, developers, landowners, and business owners within the City that may be negatively affected by economic slowdown/downturn or recession.

b. A blanket time extension shall be applicable only to those permits and actions that have not expired prior to the date that the Time Extension is granted.

2.02.030: Failure by Applicant to Complete Application Processing

A. Within 180 days following a written request by the City for plan changes, corrections, revisions, or the submittal of additional information, an application shall be deemed withdrawn if the Planning Director determines that the applicant has not made reasonable progress toward providing necessary plan changes or corrections, or additional information. Application processing shall not resume thereafter until a new application is filed, including fees, plans, exhibits, and other materials required for any project on the same site.

B. Upon written request of the applicant, the Planning Director may order the refund of all or a portion of filing fees pursuant to Section 2.02.010.C (Refunds and Withdrawals) of this Division.

2.02.035: Limitations on Application Refiling

A final action denying an application shall prohibit the further filing of the same or a substantially similar application for a period of not less than 12 months following the date of application denial, except that an application denied without prejudice may be resubmitted within the 12-month period following application denial.

2.02.040: Indemnification

It shall be a condition of any application approved pursuant to this Division, or any approval or certification required pursuant to CEQA or the CEQA Guidelines, that a property owner or applicant, if different from the property owner, shall defend, indemnify, and hold harmless the City and its agents, officers, attorneys, and employees:

A. From any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul the City's decision to approve any development, land use permit, and/or approvals and certifications under CEQA, but excluding any subdivision approval governed by GC Section 66474.9. This indemnification shall include, but not be limited to, damages, fees, and/or costs awarded against the City, if any, and the cost of any suit, attorney's fees, and/or other costs, liabilities, and expenses incurred in connection with a

lawsuit, whether incurred by the applicant, the City, and/or the parties initiating or bringing a lawsuit;

B. For all costs incurred in additional investigation and/or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as, but not limited to, a negative declaration, mitigated negative declaration, environmental impact report, general plan amendment, specific plan, or specific plan amendment), if made necessary by a lawsuit and if the applicant desires to pursue securing approvals that are condition of application approval, after initiation of a lawsuit; and

C. For all costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in Subsections A and B of this Section.

Division 2.03—Public Hearings

Sections:

2.03.000: Purpose
2.03.005: Applicability
2.03.010: Public Hearing Notices
2.03.015: Public Hearing Procedures
2.03.020: Request for Notification
2.03.025: Failure to Receive a Public Notice
2.03.030: Cemeteries

2.03.000: Purpose

The purpose of this Division is to implement GC Division 1, Chapter 2.7 (commencing with GC Section 65090), which governs public hearing and notification procedures for consideration of legislative actions, discretionary land use and development entitlements, and discretionary administrative actions. Public hearings are not required for nondiscretionary administrative permits, decisions, and actions; however, public notice may be required pursuant to this Division.

2.03.005: Applicability

A. A public hearing for a legislative action, land use or development entitlement, or any other matters pertaining to this Development Code requiring a public hearing pursuant to GC Division 1, Chapter 2.7 (commencing with GC Section 65090), shall be scheduled and heard in accordance with the provisions of this Division.

B. Public hearing notification for legislative actions, land use or development entitlements, or administrative permits, decisions, or actions shall be provided in the manner prescribed by Table 2.03-1 (Notification Matrix), below.

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
A. LEGISLATIVE ACTIONS				
1. Airport Land Use Compatibility Plan and Amendments **[1]** (Ref: ODC Section 4.01.010)		**X**	**X**	**X**
2. Development Agreements **[1]** (Ref: ODC Section 4.01.015)		**X**	**X**	**X**

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
3. Development Code Amendments **[1]** (Ref: ODC Section 4.01.020)				X
4. Amendment to the Policy Plan (General Plan) Component of The Ontario Plan **[1]** (Ref: ODC Section 4.01.025)		X	X	X
5. Planned Unit Developments and Amendments **[1]** (Ref: ODC Section 4.01.030)		X	X	X
6. Specific Plans and Amendments **[1]** (Ref: ODC Section 4.01.035)		X	X	X
7. Williamson Act Contract Cancellations **[1]** (Ref: GC Section 51200 et.seq.)		X	X	X
8. Zone Changes **[1]** (Ref: ODC Section 4.01.040)		X	X	X
B. DISCRETIONARY PERMITS AND ACTIONS				
1. Billboard Relocation Agreements **[1]** (Ref: ODC Section 4.02.010)	X			
2. Conditional Use Permits (Ref: ODC Section 4.02.015)				
a. Hotels, Motels and Residence Inns **[1]**		X	X	
b. Use established in conjunction with a Development Plan **[1]**		X	X	
c. Use established within an existing structure **[1]**		X	X	
d. Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**		X	X	
e. Revocation due to abandonment of use per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**		X	X	
3. Density Bonus and Other Incentives per ODC Section 6.01.010.G (Density Bonus and Other Incentives) **[1]**		X	X	
4. Development Plans, except within the ONT zoning district (Ref: ODC Section 4.02.025)				
a. Residential developments totaling 5 or more dwelling units or the development of 3 or more dwelling units on a single lot or parcel		X		

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
b. Commercial developments, and developments in the CIV, OS-R, OS-C and UC zoning districts, greater than 500 SF in area		X		
c. Industrial developments equal to or less than 0.45 FAR		X		
d. Industrial developments exceeding 0.45 FAR		X		
e. Wireless telecommunications facilities pursuant to Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code				
(1) Tier 2 facilities		X		
(2) Tier 3 facilities		X		
f. All others		X		
5. Extensions of Legal Nonconforming Status **[1]** (Ref: ODC Section 4.02.030)		X	X	
6. Historic Preservation				
a. Certificates of Appropriateness (Ref: ODC Section 4.02.050)				
(1) Designated Historic Landmarks and Contributors, and Architectural Conservation Areas; and Demolition of an Historic Resource **[1]**		X	X	
(2) Deferral of Replacement Structure **[1]**		X	X	
(3) Eligible Historic Resources **[1]**		X	X	
(4) Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**		X	X	
(5) Waivers and Minor Improvements	X			
b. Certificates of Economic Hardship **[1]** (Ref: ODC Section 4.02.055)		X	X	
c. Certificates of Economic Hardship—Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**		X	X	
d. Conservation Plans (Ref: ODC Section 4.02.060)		X		

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
e. Historic Resource Tiering (Ref: ODC Section 4.02.040), including Rescinding or Amending Status (Ref: ODC Section 4.02.045)	X			
f. Local Historic Landmark and Local District Designations, and Architectural Conservation Areas [Ref: ODC Section 4.02.040), including Rescinding or Amending Status (Ref: ODC Section 4.02.045)		X		
g. Mills Act Contracts (Ref: ODC Section 4.02.065)		X		
h. Mills Act Cancellations **[1]**		X	X	
i. Addition/Removal of Resources to/from the Ontario Register (Ref: ODC Section 4.02.045)				
(1) At the request of the property owner, or upon City initiation if the most recently prepared Historic Resource Survey evaluating the resource is more than 5 years old.	X			
(2) Loss of all historic and/or cultural significance due to a catastrophe causing a loss of integrity, or due to extensive legally performed alterations performed after the property was initially surveyed.	X			
7. Interpretations and Land Use Determinations (Ref: ODC Section 1.02.010)	X			
8. Master Plans and Amendments **[1]** (Ref: ODC Section 4.02.070)		X	X	X
9. Minor Adjustments/Alterations **[4]** (Ref: ODC Section 4.02.020.C)		X**[5]**	X	
10. Nonconforming Structure Reconstruction **[1]** (Ref: ODC Section 3.01.020)		X	X	
11. Parking Reduction (Ref: ODC Section 6.03.025)	X			
12. Sign Programs (Ref: ODC Section 4.02.075)	X			
13. Specific Plan Minor Amendments (Ref: ODC Section 4.02.080)	X			
14. Stays of Permit Approval Time Limit (Ref: ODC Section 2.02.025.A.8)	X			

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
15. Subdivisions				
a. Lot Merger (Merger of Contiguous Parcels) **[1]** (Ref: ODC Section 4.02.085)		X	X	
b. Reversions to Acreage **[1]** (Ref: ODC Section 4.02.090)		X	X	
c. Tentative Tract and Parcel Maps, and Vesting Maps **[1]** (Ref: ODC Section 4.02.095)		X	X	
d. Tentative Tract and Parcel Map Time Extensions (Ref: ODC Section 2.02.025.A.3 & 4)		X		
16. Time Extensions, excepting tentative subdivision maps (Ref: ODC Section 2.02.025)	X			
17. Variances (Ref: ODC Section 4.02.020.E)				
a. Homeowner **[1]**		X	X	
b. Other **[1]**		X	X	
C. MINISTERIAL (ADMINISTRATIVE) PERMITS AND DECISIONS				
1. Administrative Exceptions (Ref: ODC Section 4.03.050.C)	X			
2. Administrative Use Permit (Ref: ODC Section 4.02.015)	X			
3. Business License - Zoning/Land Use Compliance (Ref: OMC 3-1.129 (Zoning Compliance)	X			
4. Development Plans within the ONT zoning district (Ref: ODC Section 4.02.025)	X			
5. Fair Housing and Reasonable Accommodation Ref: ODC Section 4.02.035)	X			
6. Landscape and Irrigation Documentation Plans (Ref. ODC Section 6.05.015)	X			
7. Off-Site (Public) Improvement Plans (Ref: ODC Section 6.08.040)	X			
8. ONT ALUCP Interagency Reviews **[3]** (Ref: ONT ALUCP)	X			
9. Other Plan Checks and actions required by this Development Code	X			

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
10. Shopping Cart Retention Plans (Ref: ODC Section 6.11.020)	X			
11. Sign Plans (Ref: ODC Section 4.03.020)	X			
12. Single-Family Two-Unit Developments (Ref: ODC Section 5.03.403)	X			
13. Subdivisions				
a. Certificates of Compliance (Ref: ODC Section 4.03.025)	X			
b. Final Tract and Parcel Maps, and Vesting Maps (Ref: ODC Section 4.03.030)	X			
c. Lot Line Adjustments (Ref: ODC Section 4.03.035)	X			
d. Map Corrections and Amendments (Ref: ODC Section 4.03.040)	X			
e. Street Address Numbering (Ref: ODC Section6.06.010)	X			
f. Street Name Assignment (Ref: ODC Section 6.06.010	X			
g. Subdivision Improvement Agreement (Ref: ODC Section 6.08.040.G)	X			
h. Urban Lot Splits (Ref: ODC Section 8.08.060)	X			
14. Tier 1 wireless telecommunications facility pursuant to ODC Section 5.03.415 (Wireless Telecommunications Facilities)	X			
15. Walls, Fences, and Other Obstructions Plans not associated with a Development Plan (Ref: ODC Section 6.02.005)	X			
D. ENVIRONMENTAL DETERMINATIONS AND ACTIONS				
1. Environmental Impact Reports (EIRs) (Ref: CCR Section 15080, et seq.)		X	X	X
2. Exempt Projects (Ref: CCR Section 15300, et seq.)	X			
3. Ministerial Projects (Ref: CCR Section 15268)	X			

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
4. Negative Declarations (NDs) and Mitigated Negative Declarations (MNDs) (Ref: CCR Section 15070, et seq.)		X		
5. Addendums to previously certified EIRs and previously adopted NDs and MNDs (Ref: CCR Section 15164)	X			

Notes:

[1] Public hearing notification is required pursuant to Section 2.03.010 (Public Hearing Notification) of this Division.

[2] Public notification shall not be required for Development Advisory Board or Historic Preservation Subcommittee hearings when acting in the capacity of an Advisory Authority.

[3] Refer to the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) for procedures for application processing and administration, and appeals processing.

[4] A Minor Adjustment/Alteration shall require notification pursuant to Paragraph 4.02.020.C.3 (Application Filing, Processing and Hearing) of this Development Code.

[5] Publication or posting of a legal notice is required only if a public hearing is requested by the applicant, an abutting property owner, or other affected person or entity.

2.03.010: Public Hearing Notification

A. Public Hearing Notice Minimum Information. Public hearing notices shall contain the following minimum information:

1. A general description, in text or by diagram, of the location of the real property that is the subject of the hearing;

2. Time, place, and location of the public hearing;

3. A general description of the matter to be considered;

4. A statement indicating that additional application materials and documentation are on file with the City of Ontario and where such additional project information may be viewed or obtained;

5. A statement that any interested person may appear at the hearing or submit written material prior to the commencement of the hearing; and

6. The identity of the hearing body or officer.

B. Notices for Public Hearings Conducted by the City Council. A notice for a public hearing conducted by the City Council shall not be published, mailed, delivered, or posted in advance of a public hearing conducted by the Planning Commission pursuant to Table 2.02-1 (Review Matrix) of this Development Code, as the public hearing notice shall include the recommendation of the Planning Commission.

C. Public Notification Required 10 Days in Advance of any Public Hearing. Public hearing notification shall be provided a minimum of 10 days in advance of any public hearing and shall be provided by one or more of the following methods, as necessary:

1. First Class Mail or Delivery. First Class Mail or delivery shall be provided to:

a. Any person filing a request to the Planning Department to receive such notices; and

b. All owners of real property located within a minimum of 300 FT of the exterior boundaries of the property that is the subject of the hearing, as shown on the last equalized assessment roll, or records of the county assessor or tax collector if those records contain more recent information than the information contained on the assessment roll, except that:

(1) For Minor Variances, the area of notification shall include all properties having a property line common with the affected property; and

(2) For wireless telecommunications facilities located 500 FT or less from residentially zoned property, the area of notification shall be within 500 FT of the exterior boundaries of the property that is the subject of the hearing.

c. The owner's duly authorized agent, if any; and

d. The project applicant; and

e. Any owner of a mineral right pertaining to the subject real property who has recorded a notice of intent to preserve the mineral right pursuant to CC Section 883.230; and

f. Each local agency expected to provide water, sewage, streets, roads, schools or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.

2. Number of Owners Requiring Public Hearing Notification Is Greater Than 1,000. If the number of owners to whom notice would be mailed or delivered pursuant to Subparagraph C.1.b of this Section, is greater than 1,000, in lieu of mailed or delivered notice, a display advertisement of at least 1/8 page may be placed in at least one newspaper of general circulation within the City of Ontario.

3. Public Hearing Notice Publication. If notice is mailed or delivered pursuant to Subparagraph C.1.b of this Section, notice shall also be published in at least one newspaper of general circulation in the City or, if there is no such newspaper of general circulation, the notice shall be posted in at least 3 public places within the boundaries of the City, including the subject site.

4. Supplemental Public Noticing Requirements — Posting.

a. In addition to the requirements of paragraphs C.1 through C.3, above, supplemental public notice shall be provided, which consists of one or more large public notification signs consisting of a 6-foot-tall freestanding sign, having a sign face measuring 4 feet tall by 8 feet wide, which shall be posted on the project site for development related projects meeting any of the following criteria:

(1) The proposed project is planned to be developed at a higher density or intensity than the existing surrounding neighborhood; and/or

(2) The proposed project requires a General Plan Amendment, Specific Plan Amendment, or Zone Change; and/or

(3) The proposed project requires the preparation of an environmental impact report; and/or

(4) The Planning Director has determined that supplemental public notice is necessary and desirable based on the nature of the proposed project. For large projects, the planning director may determine that more than one sign is necessary.

b. A cash deposit is required in an amount adopted by resolution of the City Council, to ensure compliance with the supplemental notification requirements, including maintenance and removal of the large notification sign.

c. In order to implement the large public notification signs as an effective form of public notification, the following rules and standards shall apply:

(1) Large public notification signs shall be constructed and installed pursuant to the specifications established and published by the Planning Director.

(2) Large public notification signs shall be posted 300 lineal feet apart along each project site's street frontage. Sign locations shall be approved by the Planning Director in conjunction with a Sign Plan for a temporary sign issued pursuant to the requirements of Division 8.01 (Sign Regulations) of this Development Code.

(3) The fabrication and installation of a large public notification sign shall be the responsibility of the project applicant. Once the project application is deemed complete and all notification signs installed per city standards, the proposed project will be scheduled for all required public hearings.

(4) Large public notification signs shall be maintained in good condition and shall remain in place until the final decision on the proposed project has been made or the application is withdrawn.

(5) Large public notification signs shall be removed by the applicant within 14 days following the final decision on the project or the date of application withdrawal. Failure to remove the sign within the prescribed period shall result in forfeiture of the cash deposit and removal of the sign by the City.

5. Other Acceptable Methods of Public Noticing. In addition to the public noticing required by Paragraphs C.1 through C.4 of this Section, the City may give notice of a hearing by any other method deemed necessary or desirable by the Planning Director.

D. Public Notices Required Pursuant to CEQA. Public notification required pursuant to CEQA shall be prepared and advertised consistent with the requirements of the "City of Ontario Guidelines for the implementation of the California Environmental Quality Act," latest edition.

2.03.015: Public Hearing Procedures

A. At any public hearing held pursuant to the provisions of this Division, the Advisory, Approving or Appeal Authority shall hear the applicant, appellant, and any interested persons. The Advisory, Approving or Appeal Authority may restrict the oral presentation by any person to a time period established in the rules and procedures of the Authority, and may preclude the introduction of any evidence determined to be irrelevant to the public hearing. However, an Advisory, Approving or Appeal Authority shall receive any person's written statement.

B. In the event that an Advisory, Approving or Appeal Authority has obtained evidence outside of the hearing, the information shall be placed into the record. Thereafter, the applicant, appellant or any interested person may rebut the information and shall be entitled to a continuance for that purpose; however, no person may examine an Advisory, Approving or Appeal Authority.

C. Any action or decision of an Advisory, Approving or Appeal Authority shall require a majority vote of its attending members. An abstention by any member who is present at the hearing, and has heard all presented evidence, shall constitute an affirmative vote on any motion regarding the application.

D. When an action or decision of an Approving Authority is anticipated to be contested, the City shall insure that a verbatim record of the hearing is made and duly preserved, provided that a written request is submitted to the City, along with a deposit equal to the total anticipated cost of preparing the record, at least 5 days prior to the date of the hearing. If the actual cost to prepare the record is greater than the provided deposit, the difference (amount owed) shall be paid to the City prior to the record being made available. The City shall return any unused portion of the deposit following completion of the record.

E. Any public hearing conducted pursuant to this Section may be continued from time-to-time. If a hearing is continued at the request of an applicant or appellant, the continuance shall constitute a waiver of any applicable time period in which to act or render a decision.

F. Any action or decision of the Approving Authority shall be final and conclusive, unless appealed pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

2.03.020: Request for Notification

Wherein notice of a public hearing is required pursuant to Section 2.03.010 (Public Hearing Notices) of this Division, the notice shall also be mailed or delivered at least 10 days prior to the hearing to any person who has filed a written request for such notice with either the city clerk or the Planning Department.

2.03.025: Failure to Receive a Public Notice

Pursuant to GC Section 65093, the failure of any person or entity to receive notice given pursuant to this Division shall not constitute grounds for any court to invalidate the actions of the Approving Authority for which the notice was given.

2.03.030: Cemeteries

Wherein an application is submitted for a Development Code Amendment, General Plan Amendment, Specific Plan Amendment, Variance, Conditional Use Permit, Development Plan, or any entitlement for use which would permit all or any part of a cemetery, as defined in HSC Section 8100, to be used for other than cemetery purposes, the City shall give notice pursuant to Section 2.03.010 (Public Hearing Notices) of this Division. Those persons requesting notice shall be notified by the City at the address provided at the time of the request.

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Division 2.04—Appeals

Sections:

2.04.000: Purpose
2.04.005: Applicability
2.04.010: Appeals
2.04.015: Planning Commission Right to Direct that a Decision or Action of the Zoning Administrator or Development Advisory Board be Further Considered
2.04.020: City Council Right to Direct that a Decision or Action of the Planning Commission, Zoning Administrator, or Development Advisory Board be Further Considered

2.04.000: Purpose

The purpose of this Division is to implement GC Section 65903, which governs the establishment of procedures for the filing, processing and hearing of appeals on actions or decisions of a City department, agency, or Approving Authority.

2.04.005: Applicability

Any person having legal standing, including but not limited to an applicant, resident, business owner, or any person owning real property within the City, that is aggrieved by an interpretation, action or decision made pursuant to this Development Code by any City agency or department, or by an Approving Authority, may appeal such action to the Appeal Authority in accordance with the provisions of this Division.

2.04.010: Appeals

A. Appeal Authority.

1. The Appeal Authority for all legislative actions, discretionary permits and actions, and ministerial permits and decisions, is hereby established pursuant to Table 2.02-1 (Review Matrix) of this Development Code.

2. The Appeal Authority for an administrative interpretation, action, or decision made by any City agency or department head regarding any matter prescribed or governed by this Development Code may be appealed to the Planning Commission, except as otherwise prescribed by this Development Code.

B. Appeal Procedure.

1. An appeal request shall be filed with the Planning Department on a City application form, along with any appropriate fees established by resolution of the City Council, within 10 days following the action or decision being appealed. The appeal shall include a statement identifying the specific action or decision of the Approving Authority that is being appealed, the specific grounds for the appeal, and the relief requested from the Appeal Authority.

2. An appeal of an action or decision by the Approving Authority shall be limited to those matters raised during the hearing and contained in the appeal statement. The Appeal Authority shall not consider any matter that was not raised during the hearing before the Approving Authority and contained in the appeal statement.

3. Upon receipt of an appeal request, copies of the request and supporting information shall be conveyed to the Appeal Authority within 45 days (30 days for a tentative subdivision map) following the filing of the appeal request. The Appeal Authority shall set the matter for hearing, which shall be noticed and conducted pursuant to Division 2.03 (Public Hearings) of this Development Code.

4. Upon receipt of an appeal request, the Planning Director shall prepare the record on the subject matter of the appeal, including any staff reports and meeting minutes, and transmit the record to the Appeal Authority. The Planning Director shall also prepare a written report responding to the appeal statement, containing a recommendation on the appeal and appropriate findings supporting the recommendation, along with any appropriate conditions of approval. The report shall be made available to the Appellant at least 72 hours prior to the hearing before the Appeal Authority.

5. Within 30 days (10 days for a tentative subdivision map) following the conclusion of the hearing, the Appeal Authority shall render its decision on the appeal. The Appeal Authority may deny the appeal or may grant the appeal in whole or in part, along with any conditions it deems necessary to protect the public health, safety and general welfare. The decision shall include all required findings.

2.04.015: Planning Commission Right to Direct Further Consideration of a Zoning Administrator or Development Advisory Board Action

A. Agendas of Zoning Administrator and Development Advisory Board hearings shall be provided to the Planning Commission at least 72 hours prior to the date of the hearing.

B. Within 10 days following any decision or action of the Zoning Administrator or Development Advisory Board, the Planning Commission may call-up such decision or action for further consideration.

C. Upon calling-up a decision or action pursuant to Subsection B, above, the Planning Commission shall set the matter for hearing, which shall be noticed and conducted pursuant Division 2.03 (Public Hearings) of this Development Code. The hearing shall proceed pursuant to Subsection 2.04.010.B (Appeal Procedure) of this Division.

D. The Planning Commission may affirm, reverse, or modify the decision or action being reconsidered. The Planning Commission's decision shall be final and conclusive in the absence of an appeal filed pursuant to this Division.

2.04.020: City Council Right to Direct Further Consideration of a Planning Commission, Zoning Administrator, or Development Advisory Board Action

A. All agendas for Zoning Administrator, Development Advisory Board and Planning Commission hearings shall be provided to the City Council at least 72 hours prior to the date of the hearing.

B. Within 10 days following any decision or action of the Planning Commission, Zoning Administrator, or Development Advisory Board, the City Council may direct that such decision or action be sent to the Planning Commission for further consideration.

C. Within 10 days following any decision or action of the Planning Commission, the City Council may call-up such decision for further consideration.

D. Upon sending or calling-up a decision or action pursuant to Subsections B and C of this Section, the applicable hearing body shall set the matter for hearing, which shall be noticed and conducted pursuant to Division 2.03 (Public Hearings) of this Development Code. The hearing shall proceed pursuant to Section 2.04.010.B (Appeal Procedure) of this Division.

E. The Planning Commission or City Council may affirm, reverse, or modify the decision or action being reconsidered. The Planning Commission's decision shall be final and conclusive, unless appealed to the City Council pursuant to Section 2.04.010 (Appeals) of this Division. The City Council's decision shall be final and conclusive.

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Division 2.05—City Initiated Modification or Revocation

Sections:

2.05.000: Purpose
2.05.005: Applicability
2.05.010: Procedures for Disciplinary or Punitive Modification or Revocation
2.05.015: Procedures for Conditional Use Permit Revocation Due to Abandonment of Use

2.05.000: Purpose

The purpose of this Division is to:

A. Establish procedures for securing disciplinary or punitive modification or revocation of a previously granted Conditional Use Permit, or Historic Preservation—Certificate of Appropriateness or Certificate of Economic Hardship; and

B. Establish procedures for the revocation of Conditional Use Permits, for which the land use granted has been abandoned.

2.05.005: Applicability

A. Conditional Use Permit.

1. Disciplinary or Punitive Modification.

a. The Approving Authority shall have authority to add, delete, or modify conditions of approval imposed upon a previously granted Conditional Use Permit, based upon one or more of the following causes of action:

(1) The Conditional Use Permit granted is being, or has recently been exercised contrary to the terms and/or conditions of application approval;

(2) The Conditional Use Permit granted is being, or has recently been exercised in violation of a federal, State or City statute, ordinance, law, or regulation; and/or

(3) The Conditional Use Permit granted was exercised in a way that is detrimental to the public peace, health, safety, or welfare, or constitutes a nuisance.

b. The action to modify a Conditional Use Permit shall have the effect of changing the physical and/or operational aspects of the Conditional Use Permit. The changes may include the physical and/or operational aspects related to noise, buffers, duration of the permit, hours of operation, landscaping and maintenance, lighting, parking, performance guarantees, property maintenance, signs, surfacing, traffic circulation, or any other aspect or condition determined to be reasonable and necessary to ensure that the Conditional Use Permit is implemented in a manner consistent with the original findings for approval, and all conditions of project approval.

2. Disciplinary or Punitive Revocation.

a. The Approving Authority shall have authority to revoke a Conditional Use Permit, based upon one or more of the following causes of action:

(1) The Conditional Use Permit approval was obtained by fraud;

(2) The Conditional Use Permit granted is not being exercised, has ceased to exist, or has been suspended for more than 180 consecutive days;

(3) The Conditional Use Permit granted is being, or has recently been exercised contrary to the terms and/or conditions of application approval;

(4) The Conditional Use Permit granted is being or has been exercised in violation of a federal, State or City statute, ordinance, law, or regulation; and/or

(5) The Conditional Use Permit granted was exercised in a way that is detrimental to the public peace, health, safety, or welfare, or constitutes a nuisance.

b. The Approving Authority's action to revoke a Conditional Use Permit shall have the effect of terminating the permit and denying the privileges granted by the original approval and any subsequent modifications.

3. Revocation of Due to Abandonment of Use. A Conditional Use Permit granting a land use that is not being exercised, has ceased to exist, or has been suspended for more than 180 consecutive days, may be deemed to be abandoned (cause of action) and may be revoked solely on the basis of its abandonment.

B. Historic Preservation—Certificate of Appropriateness or Certificate of Economic Hardship.

1. Disciplinary or Punitive Modification.

a. The Approving Authority shall have authority to add, delete, or modify conditions of approval imposed upon a previously granted Certificate of Appropriateness or Certificate of Economic Hardship, based upon one or more of the following causes of action:

(1) The Certificate of Appropriateness or Certificate of Economic Hardship granted is being, or has recently been exercised contrary to the terms and/or conditions of certificate approval;

(2) The Certificate of Appropriateness or Certificate of Economic Hardship granted is being, or has recently been exercised in violation of a federal, State or City statute, ordinance, law, or regulation; and/or

(3) The Certificate of Appropriateness or Certificate of Economic Hardship granted was exercised in a way that is detrimental to the public peace, health, safety, or welfare, or constitutes a nuisance.

b. The action to modify a Certificate of Appropriateness or Certificate of Economic Hardship shall have the effect of changing the physical aspects of the certificate, such as landscaping and irrigation, lighting, parking, performance guarantees, property maintenance, signs, paving, or any other aspect or condition determined to be reasonable and necessary to en

sure that the certificate is implemented in a manner consistent with the original findings for approval, and all conditions of project approval.

2. Disciplinary or Punitive Revocation.

a. The Approving Authority shall have authority to revoke a Certificate of Appropriateness or Certificate of Economic Hardship, based upon one or more of the following causes of action:

(1) The Certificate of Appropriateness or Certificate of Economic Hardship approval was obtained by fraud;

(2) The Certificate of Appropriateness or Certificate of Economic Hardship granted is not being exercised;

(3) The Certificate of Appropriateness or Certificate of Economic Hardship granted is being, or has recently been exercised contrary to the terms and/or conditions of application approval;

(4) The Certificate of Appropriateness or Certificate of Economic Hardship granted is being or has been exercised in violation of a federal, State or City statute, ordinance, law, or regulation; and/or

(5) The Certificate of Appropriateness or Certificate of Economic Hardship granted was exercised in a way that is detrimental to the public peace, health, safety, or welfare, or constitutes a nuisance.

b. The Approving Authority's action to revoke a Certificate of Appropriateness or Certificate of Economic Hardship shall have the effect of terminating the certificate and denying the privileges granted by the original approval and any subsequent modifications.

2.05.010: Procedures for Disciplinary or Punitive Modification or Revocation

A. Initiation of Modification or Revocation.

1. Conditional Use Permit. It shall be the responsibility of the Zoning Administrator to determine whether reasonable grounds exist to initiate a Conditional Use Permit modification or revocation.

2. Certificate of Appropriateness or Certificate of Economic Hardship. It shall be the responsibility of the Historic Preservation Subcommittee to determine whether reasonable grounds exist to initiate a Certificate of Appropriateness or Certificate of Economic Hardship modification or revocation.

B. Hearing Notification. Upon determination that reasonable grounds exist to initiate a permit or certificate modification or revocation, the City shall:

1. Schedule a hearing before the Approving Authority, which shall be noticed pursuant to Division 2.03 (Public Hearings) of this Development Code, based upon the type of application being considered (Note: If Division 2.03 (Public Hearings) does not require public

notification for the application type being considered, no public notice shall be required for the modification/revocation hearing); and

2. Serve the affected applicant(s) and property occupant(s), and property owner if different from the applicant(s) or property occupant(s), with a *Notice of Commencement of Modification/Revocation Proceedings*. The notice shall be sent by certified mail at least 10 days prior to the public hearing date, and shall contain the following minimum information:

a. A description of the subject property, including street address, Assessor Parcel Number(s) or legal description;

b. The name(s) of the owner, and name(s) of occupants if different from the owner;

c. The project file number and date of issuance;

d. A description of the authorized land use or development entitlement, or discretionary administrative permit;

e. Statements supporting one or more of the causes of action contained in Section 2.05.005 (Applicability) of this Division;

f. A statement that the Approving Authority will hold a public hearing within 60 days following the date of the Notice, to determine whether sufficient cause exists and that the Approving Authority, at the conclusion of the hearing, may either revoke the entitlement or permit, or take other action as deemed appropriate to ensure entitlement or permit compliance;

g. A statement that the applicant, owner, and/or occupant may appear in person and/or be represented by legal counsel, may present oral and documentary evidence, and may call witnesses and may ask questions of witnesses called on behalf of the City; and

h. The date, time, and place of the public hearing.

C. Hearing.

1. The modification or revocation shall be heard and acted upon pursuant to the procedures for public hearings contained in Division 2.03 (Public Hearings) of this Development Code.

2. At the conclusion of the hearing, the Approving Authority may take appropriate action to ensure permit or certificate compliance, including the addition, deletion, or modification of conditions of approval, or revocation of the permit or certificate.

D. Decision and Notice to Property Owner.

1. Within 45 days following the conclusion of the modification or revocation hearing, the Approving Authority shall render a decision and shall mail notice of the decision, including facts and reasons supporting the causes of action, to the property owner and property occupant, if different from the property owner, and any other interested persons that have filed a written request for the notice.

2. The decision of the Approving Authority to modify or revoke an approved discretionary permit or action shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

2.05.015: Procedures for Conditional Use Permit Revocation Due to Abandonment of Use

A. Revocation Initiation. The Approving Authority may initiate the revocation of a Conditional Use Permit when sufficient grounds exist, which clearly demonstrate abandonment of the use granted.

B. Hearing Notification. Upon determination by the Approving Authority that reasonable grounds exist to initiate Conditional Use Permit revocation, the Approving Authority shall conduct a hearing, setting the date and time upon which the request will be considered. Notice of the hearing shall be given, and the hearing shall be conducted, pursuant to Division 2.03 (Public Hearings) of this Development Code.

C. Decision and Notice to Property Owner.

1. The Approving Authority shall not revoke a Conditional Use Permit if there is a compelling government interest in maintaining the subject permit.

2. The Approving Authority's action to revoke a Conditional Use Permit shall have the effect of terminating the land use permit, along with any privileges granted by the original approval and any subsequent modifications that may have been granted.

3. Following the conclusion of the revocation hearing, the Approving Authority shall render a decision and shall mail notice of the decision, including facts and reasons supporting the cause of action, to the property owner and property occupant, if different from the property owner, and any other interested persons that have filed a written request for the notice.

4. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

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Division 2.06—Performance Guarantees

Sections:

2.06.000: Purpose
2.06.005: Applicability
2.06.010: Surety Form and Amount
2.06.015: Surety for Maintenance
2.06.020: Duration of Surety
2.06.025: Release or Forfeiture of Surety

2.06.000: Purpose

The purpose of this Division is to establish a procedure by which a discretionary permit or action, or ministerial permit or decision may require, by conditions of approval or by action of the Approving Authority, to provide surety guaranteeing the faithful performance and proper completion of any approved work and compliance with conditions of approval.

2.06.005: Applicability

The provisions of this Division shall apply to performance guarantees for projects authorized by any a discretionary permit or action, or ministerial permit or decision required by this Development Code.

2.06.010: Surety Form and Amount

The required surety shall be in a form (e.g., cash deposit, certificate of deposit, surety bond, etc.) approved by the Planning Director or City Engineer, upon recommendation of the City Attorney. The amount of surety shall be as determined by the Planning Director and/or City Engineer to be necessary to ensure proper completion of the work and compliance with conditions of approval.

2.06.015: Surety for Maintenance

In addition to any improvement surety required to guarantee proper completion of work, the Planning Director or City Engineer may require surety for maintenance of the work in an amount determined by the Planning Director and/or City Engineer to be sufficient to ensure the proper maintenance and functioning of improvements.

2.06.020: Duration of Surety

Required improvement surety shall remain in effect until final inspections have been made and all work has been accepted by the Planning Director and/or City Engineer, or until any warranty period required by the Planning Director and/or City Engineer has lapsed. Maintenance surety shall remain in effect for the one-year period following the date of final inspection.

2.06.025: Release or Forfeiture of Surety

A. Upon satisfactory completion of work and the approval of a final inspection at the end of the required time for maintenance surety, the improvement and/or maintenance deposits or bonds shall be released.

B. Upon failure to complete all required work, failure to comply with all of the terms of any applicable permit or failure of the completed improvements to function properly, the City may perform the required work or cause it to be completed, and collect from the permittee or surety, all the costs incurred by the City, including the all costs for the work and all related administrative, inspection and legal costs.

C. Any unused portion of the surety shall be refunded to the funding source after deduction of all costs for the work and all related administrative, inspection and legal costs.

Chapter 4.0:
Permits, Actions, and Decisions

Division 4.01—Legislative Actions
Division 4.02—Discretionary Permits and Actions
Division 4.03—Ministerial (Administrative) Permits and Decisions

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Division 4.01—Legislative Actions

Sections:

4.01.000: Purpose
4.01.005: Applicability
4.01.010: Airport Land Use Compatibility Plan (ALUCP) and Amendments
4.01.015: Development Agreements
4.01.020: Development Code Amendments
4.01.025: Amendments to the Policy Plan Component of The Ontario Plan (General Plan Amendments)
4.01.030: Planned Unit Developments (PUD) and Amendments
4.01.035: Specific Plans and Amendments
4.01.040: Zone Changes

4.01.000: Purpose

The purpose of this Division is to prescribe procedures for the consideration of legislative actions by the appropriate Reviewing Authorities. Generally, legislative actions entail the establishment of rules, policies, or standards of general applicability, which involve the exercise of discretion and preside over considerations of public health, safety, and welfare.

4.01.005: Applicability

Whenever the public necessity, convenience, general welfare, or good planning practice so requires, the appropriate Reviewing Authorities, as prescribed by Table 2.02-1 (Review Matrix) of this Development Code, may consider the adoption of a legislative action pursuant to the general provisions prescribed by Division 2.02 (Application Filing and Processing) of this Development Code, and the provisions of this Division that are appropriate to the legislative action being considered.

4.01.010: Airport Land Use Compatibility Plan (ALUCP) and Amendments

A. Purpose. The purpose of this Section is to establish procedures for adopting, amending, supplementing, or changing the Los Angeles/Ontario International Airport Land Use Compatibility Plan pursuant to the provisions of PUC Section 21670 et seq., whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. Authority.

1. PUC Section 21675 requires the preparation of an Airport Land Use Compatibility Plan (ALUCP) that will provide for the orderly growth of Los Angeles/Ontario International Airport and the area surrounding the airport and will safeguard the inhabitants within the vicinity of the airport and the public in general. The City Council may, by ordinance and upon written recommendation of the Planning Commission, further amended, supplement or change the ALUCP, whenever the public necessity, convenience, general welfare, and good planning practice so requires.

2. The Los Angeles/Ontario International Airport Land Use Compatibility Plan and any amendments thereto, shall be enforceable in the same manner and to the same extent as any other provision of this Development Code.

C. Application Filing, Processing and Hearing. An application for ALUCP adoption or an amendment there to, shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. Findings and Decision. An ALUCP, or any amendment thereto, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed ALUCP, or amendment thereto, will protect the public health, safety, and welfare by ensuring the orderly expansion of airports;

2. The proposed ALUCP, or amendment thereto, will minimize the public's exposure to excessive noise and safety hazards within areas around the airport to the extent that these areas are not already devoted to incompatible uses;

3. The proposed ALUCP, or amendment thereto, is consistent with the goals and policies of the general plan; and

4. The proposed ALUCP, or amendment thereto, is reasonable and beneficial, and in the interest of good planning practice.

4.01.015: Development Agreements

A. Purpose. The purpose of this Section is to establish procedures for adopting, amending, supplementing, or changing Development Agreements by and between the City and persons having a legal or equitable interest in a property proposed to be the subject of an agreement, whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. Authority. Pursuant to GC Section 65864 et seq., the City Council may, by ordinance and upon written recommendation of the Planning Commission as to the consistency of a proposed Development Agreement with the Policy Plan (General Plan) component of The Ontario Plan, enter into a development agreement with any person having a legal or equitable interest in real property for the development of the property. It is intended that the provisions of this division shall be fully consistent and compliant with the provisions of GC Section 65864 et seq. and shall be so construed.

C. Agreement Contents.

1. A Development Agreement entered into pursuant to the provisions of this Division shall, at a minimum, include the following information:

a. Duration of the agreement;

b. The permitted use(s) of the property;

c. The density or intensity of use;

d. The maximum height and size of proposed buildings; and

e. Provisions for reservation or dedication of land for public purposes.

2. In addition to the minimum information required by Paragraph C.1., above, the development agreement may include the following:

a. Conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided such conditions, terms, restrictions and requirements for subsequent discretionary actions shall not prevent development of the land for the use(s) and to the density or intensity of development set forth in the agreement;

b. Provide that construction shall be commenced within a specified time period and that the project, or any phase thereof, be completed within a specified time;

c. Terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement over time; and

d. Any other such terms, conditions, and requirements as deemed necessary and proper by the City Council, including, but not limited to, a requirement for assuring to the satisfaction of the City, performance of all provisions of the development agreement in a timely fashion by the agreement holder.

D. Application Filing, Processing and Hearing. An application for Development Agreement consideration shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

E. Findings. A Development Agreement shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing that the provisions of the Agreement are consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and any applicable specific plans, and giving supporting reasons for each finding. A Development Agreement shall be denied if one or more of the required findings cannot be clearly established.

F. Recordation of Agreement. Within 10 days following the City entering into a Development Agreement, the City Clerk shall record with the county recorder, a copy of the Agreement, which shall prescribe the land subject to the agreement. From and after the time of recordation, the Agreement shall impart notice thereof to all persons as is afforded by the recording laws of this State. The burdens of the Agreement shall be binding upon, and the benefits of the Agreement shall inure to, all successors in interest to the parties to the agreement.

G. Amendments. A Development Agreement may be amended, or cancelled in whole or in part, by mutual consent of the parties to the Agreement, or their successors in interest. Any action to amend or cancel any portion of the Agreement shall be carried out pursuant to the procedures specified in Subsection D (Application Filing, Processing and Hearing), above.

H. Annual Review.

1. Every Development Agreement approved and executed pursuant to this Division shall be annually reviewed during the term of the Agreement, following the date of its execution. The purpose of the review is to determine whether the holder of the Agreement has complied in good faith with the terms of the Agreement. The burden shall be placed on the holder of the Agreement to demonstrate compliance to the full satisfaction of and in a manner prescribed by the City.

2. If as a result of annual review pursuant to this Subsection the City Council finds and determines, on the basis of substantial evidence, that the holder of the Development Agreement has not complied in good faith with the terms or conditions of the Agreement, the City Council may either amend or terminate the Agreement.

I. Modification/Suspension in Compliance with State or Federal Regulations. In the event that State or Federal laws or regulations, enacted after a Development Agreement has been entered into, prevent or preclude compliance with one or more provisions of the Development Agreement, the affected provisions of the Agreement shall be modified or suspended as may be necessary to comply with State or Federal laws or regulations.

4.01.020: Development Code Amendments

A. Purpose. The purpose of this Section is to establish procedures for amending, supplementing, or changing this Development Code whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. Authority. Pursuant to GC Section 65853 through Section 65859, the City Council may, by ordinance and upon written recommendation of the Planning Commission, amend, supplement, or change the ordinances codified in this Development Code whenever the public necessity, convenience, general welfare, or good zoning practice so requires.

C. Application Filing, Processing and Hearing. An application for a Development Code Amendment shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. Findings and Decision. A Development Code Amendment shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

2. The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

E. Urgency Measure: Interim Ordinance. Without following the procedures otherwise required prior to the adoption of a Development Code Amendment, to protect the public safety, health,

and welfare, the City Council may adopt as an urgency measure, an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City Council, Planning Commission, or the Planning Department is considering or studying, or intends to study within a reasonable period. An urgency measure shall be completed pursuant to the provisions of GC Section 65858.

4.01.025: Amendments to the Policy Plan Component of The Ontario Plan (General Plan Amendments)

A. Purpose. The Policy Plan component of The Ontario Plan serves as the City's General Plan, which is mandated by State law pursuant to GC Section 65300 et seq. The purpose of this Section is to establish procedures for amending, supplementing, or changing the Policy Plan whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. Authority.

1. Pursuant to GC Section 65358, the City Council may, by resolution and upon written recommendation of the Planning Commission, amend, supplement, or change the Policy Plan (General Plan) component of The Ontario Plan.

2. A mandatory element of the Policy Plan shall not be amended more than 4 times during any calendar year; except that this limitation shall not apply to amendments necessary for the development of residential units where at least 25 percent of the proposed units will be occupied by, or available to, persons and families of low or moderate income, as defined by HSC Section 50093.

C. Application Filing, Processing and Hearing. An application for a General Plan (Policy Plan) Amendment shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. Findings and Decision. A General Plan (Policy Plan) Amendment shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. Technical Amendment Findings. The first finding (Subparagraph D.1.a, below) and any one or more of the subsequent findings (Subparagraphs D.1.b through e, below) shall justify a technical amendment:

a. The proposed amendment will not change any policy direction or intent of the Policy Plan (General Plan) component of The Ontario Plan.

b. An error or omission is in need of correction.

c. A land use designation was based on inaccurate or misleading information and, therefore, should be changed to properly reflect the policy intent of the Policy Plan (General Plan) component of The Ontario Plan.

d. A point of clarification is needed to more accurately express the meaning of the Policy Plan (General Plan) component of The Ontario Plan, or eliminate a source of confusion.

e. A minor change in boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries.

2. Entitlement/Policy Amendment Findings. The first two findings (of the Policy Plan (General Plan) component of The Ontario Plan, below), and any one or more of the subsequent findings (Subparagraphs D.2.c through f, below), shall justify an entitlement/policy amendment:

a. The proposed change does not involve a change in, or conflict with:

(1) The Ontario Plan Vision;

(2) Any principle of the Policy Plan (General Plan) component of The Ontario Plan; or

(3) Any basic/foundational component of The Ontario Plan.

b. The proposed amendment would contribute to the achievement of the purposes of the Policy Plan (General Plan) component of The Ontario Plan, or, at a minimum, would not be detrimental to them.

c. Special circumstances or conditions have emerged that were unknown or unanticipated at the time the Policy Plan (General Plan) component of The Ontario Plan was adopted.

d. A change in policy is required to conform to changes in state or federal law, or applicable findings of a court of law.

e. An amendment is required to comply with an update of the Housing Element or change in State Housing Element law (commencing with GC Section 65580).

f. An amendment is required to address changes in public ownership of land.

3. Land Use Amendment Findings. The first four findings (Subparagraphs D.3.a through d, below), and any one or more of the subsequent findings (Subparagraphs D.3.e through h, below), shall justify an entitlement/policy amendment:

a. The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan.

b. The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

c. The Land Use Element is a mandatory element of the Policy Plan (General Plan) component of The Ontario Plan, which, pursuant to GC Section 65358, may be amended up to four times per calendar year, and the proposed General Plan Amendment is the first, second, third, or fourth (insert applicable amendment cycle) amendment to the Land Use Element within the current calendar year.

d. During the amendment of the Policy Plan (General Plan) component of The Ontario Plan, opportunities for the involvement of citizens, California Native American Indian tribes (pursuant to GC Section 65352.3), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means, were implemented consistent with GC Section 65351.

e. The proposed project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties listed in the ~~Available Land Inventory of the~~ Housing Element Sites Inventory. Furthermore, changing the land use designation of the subject property from the existing Policy Plan (General Plan) land use designation (including density, if applicable) to the proposed Policy Plan (General Plan) land use designation (including density, if applicable) will not impact the City's Regional Housing Needs ~~Allocation~~Assessment (RHNA) obligations, or the City's ability to satisfy its share of the region's future housing need.

f. The proposed project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is listed in the ~~Available Land Inventory of the~~ Housing Element Sites Inventory, and the proposed project is consistent with the number of dwelling units and density specified in the Housing Element Sites~~Available Land~~ Inventory.

g. The project site is listed in the ~~Available Land Inventory contained in the~~ Housing Element Sites Inventory of the Policy Plan (General Plan) component of The Ontario Plan, and the proposed project is not consistent with the number of dwelling units or density specified in the Housing Element Sites~~Available Land~~ Inventory; therefore, a General Plan Amendment to remove the subject property from the Housing Element Sites~~Available Land~~ Inventory is required. Removal of the subject property from the inventory will not impact the City's ~~Regional Housing Needs Allocation~~RHNA obligations since there are an adequate number of sites in the inventory to meet the City's ~~Regional Housing Needs Allocation (~~RHNA~~)~~ obligations.

h. The proposed project is not consistent with the adopted Housing Element. The project site is listed in the ~~Available Land Inventory of the~~ Housing Element Sites Inventory of the Policy Plan (General Plan) component of The Ontario Plan, and the proposed project is not consistent with the number of dwelling units or density specified in the Housing Element Sites~~Available Land~~ Inventory; therefore, a General Plan Amendment to remove the subject property from the Housing Element Sites~~Available Land~~ Inventory ~~of the Housing Element~~ is required. Removal of the subject property from the inventory will impact the City's RHNA~~Regional Housing Needs Allocation~~ obligations since there are not an adequate number of sites in the inventory to meet the City's ~~Regional Housing Needs Allocation (~~RHNA~~)~~ obligations; therefore, the following property(ies) will be added to the Housing Element Sites~~Available Land~~ Inventory:

Assessor Parcel Numbers (APN)	***Lot Area***
[insert APN]	[insert lot area]

	Housing Element Sites~~Available Land~~ Inventory	
	Existing	***Proposed***
Number of Units:	[insert existing number of units]	[insert proposed number of units]
Assumed Density:	[insert existing density]	[insert proposed density]

4.01.030: Planned Unit Developments (PUD) and Amendments

A. Purpose.

1. The purpose of this Section is to establish procedures for adopting, amending, supplementing, or changing PUDs whenever the public necessity, convenience, general welfare, or good planning practice so requires.

2. The PUD is intended to:

a. Secure a fuller realization of the Policy Plan component of The Ontario Plan than would result from the strict application of present zoning district regulations;

b. Promote high standards in urban design;

c. Encourage the development of exceptionally high quality, mixed-use, high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs; and

d. Ensure harmonious relationships with surrounding land uses.

B. Authority.

1. Pursuant to GC Section 65850, the City Council may, by ordinance and upon written recommendation of the Planning Commission, adopt, amend, supplement or change regulations pertaining to the use of buildings, structures, and land; and establish development standards governing: building location, height, bulk, number of stories, and size; the size and use of lots, yards, courts, and other open spaces; lot coverage; the intensity of land use; off-street parking and loading; and signage, whenever the public necessity, convenience, general welfare and good planning practice so requires.

2. A PUD shall be required for those properly identified areas shown on Exhibit LU-05 (Additional Plans Required Map) of The Ontario Plan, and may be allowed on those properties located within the growth areas described on Exhibit LU-04 (Generalized and Growth Areas) of The Ontario Plan and in conjunction with mixed-use developments.

3. A PUD, and any amendments thereto, adopted pursuant to this Division shall be enforceable in the same manner and to the same extent as any other provision of this Development Code.

C. Application Filing, Processing and Hearing. An application for Planned Unit Development adoption or amendment thereto, shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. Findings and Decision. A PUD, or amendment thereto, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed PUD, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. The proposed PUD, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

3. In the case of an application affecting specific property(ies), the proposed PUD, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses; and

4. In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.

5. The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan.

4.01.035: Specific Plans and Amendments

A. **Purpose.** The purpose of this Section is to establish procedures for adopting, amending, supplementing, or changing Specific Plans whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. **Authority.**

1. Pursuant to GC Section 65450 et seq., the City Council may, by ordinance or resolution, and upon written recommendation of the Planning Commission, adopt, amend, supplement or change a specific plan.

2. A Specific Plan and any amendments thereto, adopted pursuant to this Division, shall be enforceable in the same manner and to the same extent as any other provision of this Development Code.

C. **Application Filing, Processing and Hearing.** Unless otherwise specified in a respective Specific Plan, an application for Specific Plan adoption or amendment shall be filed, processed and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. **Findings and Decision.** A Specific Plan, or amendment thereto, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

3. In the case of an application affecting specific property(ies), the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses; and

4. In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.

4.01.040: Zone Changes

A. **Purpose.** The purpose of this Section is to establish procedures for amending or changing the zoning boundaries or zoning classification (Zone Change) of any property within the City whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. **Authority.** Pursuant to GC Section 65853 through Section 65859, the City Council may, by ordinance, and upon written recommendation of the Planning Commission, change the zoning boundaries or classification of any property within the City, whenever the public necessity, convenience, general welfare, or good zoning practice so requires.

C. **Application Filing, Processing and Hearing.** An application for Zone Change shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. **Findings and Decision.** A Zone Change, or amendment thereto, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed Zone Change is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. The proposed Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

3. The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses; and

4. The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.

E. **Prezoning of Unincorporated Territory.** The prezoning of unincorporated territory within the sphere of influence of the City may be initiated by the Planning Commission on its own motion, or by the City Council in the form of a request to the Planning Commission that it consider the prezoning, or by a petition of the owner or owners of land in the unincorporated territory proposed to be prezoned. A Prezone shall be completed pursuant to GC Section 65859 and this Section and shall become effective at the same time annexation of territory to the City becomes effective.

Division 4.02—Discretionary Permits and Actions

Sections:

4.02.000: Purpose
4.02.005: Applicability
4.02.010: Billboard Relocation Agreements
4.02.015: Conditional Use Permits
4.02.020: Departures from Development Standards (Minor Adjustments/Alterations and Variances)
4.02.025: Development Plans
4.02.030: Extensions of Legal Nonconforming Status
4.02.040: Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas
4.02.045: Historic Preservation—Rescind or Amend the Status of a Historic Resource
4.02.050: Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources
4.02.055: Historic Preservation—Certificates of Economic Hardship
4.02.060: Historic Preservation—Conservation Plans
4.02.065: Historic Preservation—Mills Act Contracts
4.02.070: Master Plans and Amendments
4.02.075: Sign Programs
4.02.080: Specific Plan Minor Amendments/Alterations
~~4.02.085: Subdivisions—Lot Merger (Merger of Contiguous Parcels)~~
4.02.090: Subdivisions—Reversions to Acreage
4.02.095: Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps

4.02.000: Purpose

The purpose of this Division is to prescribe procedures for the consideration of discretionary permits or actions. A discretionary permit or action, as established by Table 2.02-1 (Review Matrix) of this Development Code, includes projects that require the exercise of judgment or deliberation when making a decision to approve, conditionally approve, or deny a particular activity.

4.02.005: Applicability

The Reviewing Authorities prescribed by Table 2.02-1 (Review Matrix) of this Development Code, shall consider a discretionary permit or action pursuant to the general provisions prescribed by Division 2.02 (Application Filing and Processing) of this Development Code, and the provisions of this Division that are appropriate to the discretionary permit or action being considered.

4.02.010: Billboard Relocation Agreements

A. Purpose. The purpose of this Section is to establish a procedure to reduce the overall number of legally established nonconforming billboards within the City, allowing billboards to be relocated to locations within the City that are more suitable, and provide for more attractive, aesthetically pleasing billboard designs. In addition, Billboard Relocation Agreements are intended to reduce or eliminate the City's obligation to pay compensation for the removal of legal

nonconforming billboards. Billboard Relocation Agreements are part of the City's demonstrated commitment to improve its overall aesthetic appearance.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority, upon written recommendation of the Advisory Authority, is hereby empowered to approve, approve in modified form, or deny a Billboard Relocation Agreement for the relocation of legally established nonconforming billboards within the City, to a relocation site established pursuant to this Section, provided a minimum of two existing legal nonconforming billboards are removed.

2. Existing legally established nonconforming billboards may be relocated only as part of a Billboard Relocation Agreement.

3. A relocated billboard proposed pursuant to this Section shall require the concurrent filing of a Sign Plan application pursuant to Section 4.03.020 (Sign Plans) of this Development Code.

C. Definitions. For the purposes of this Section, the following definitions shall apply:

1. "Major Gateway" means an entry into the City through a major transportation corridor or node (e.g., airport, arterial, and rail lines).

2. "Regionally Significant" means a use that supports activities or economies at a scale greater than that of a single jurisdiction, drawing predominately from a market area that extends at least 20 miles beyond the City limits.

3. "Underdeveloped" means a lot that is not developed to its highest and best use.

4. "Visual Clutter" means disorganized, distracting, and/or competing graphics within public view, which contribute to visual blight.

D. Relocation Sites and Billboard Design Criteria. Generally, relocation sites are restricted to areas that are recognized as major gateways into the City, within or adjacent to a regionally significant project. The following considerations shall serve as guidelines for the placement and design of relocated billboards:

1. Site Criteria. The below-listed considerations shall serve as general guidelines for use by applicants and the City in the identification of potential suitable billboard relocation sites. Specific sites within suitable areas will be negotiated through the Billboard Relocation Agreement process.

a. The area is developed with a legally established allowed use that is regionally significant;

b. The area does not have excessive visual clutter;

c. The proposed relocated billboard would be compatible with uses and structures on the site, and in the surrounding area;

d. The proposed billboard would not create a traffic or safety problem with regard to on-site access, circulation, or visibility; and

e. The proposed billboard would not interfere with on-site parking or landscaping required by City ordinance or permit.

2. Prohibited Sites. No Billboard shall be relocated to a site if it meets any of the following criteria:

a. The site is adjacent to any freeway (Interstate 10, Interstate 15, or State Route 60) or Euclid Avenue;

b. The site is located within the AG (Interim Agricultural Overlay) zoning district;

c. The site is undeveloped or underdeveloped;

d. The site is within 3,000 FT of property located within a residential land use district shown on the Land Use Plan (Exhibit LU-01) of the Policy Plan (General Plan) component of The Ontario Plan; and

e. The site is within 3,000 FT of an existing billboard or electronic message center.

f. *Interagency Relocation Exception.* Notwithstanding the foregoing, a billboard may be relocated from a location outside the City, to any location within the City, pursuant to an agreement approved at the discretion of the City Council, between the City and another public agency, so long as the following findings can be clearly established:

(1) A minimum of 6 existing, legal nonconforming billboards shall be removed, at least 5 of which must be currently located within the City;

(2) The billboard's relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard; and

(3) The public health safety and welfare are not impaired by the relocation.

3. Design Criteria. Typical billboard design with a large sign area mounted on a pole is not permitted. Pylon-type signs, which are structural elements with architectural treatment, are required. Suitable design shall be based on the following considerations:

a. The design should be integrated into the design scheme of the surrounding area and/or buildings;

b. The design shall provide architectural interest for the structure; and

c. The design shall incorporate a top and base treatment to the billboard structure;

E. Candidate Billboards for Relocation. The following considerations shall serve as general guidelines in identifying candidate billboards for relocation:

1. Areas of general priority for removal and relocation include redevelopment project areas, areas along major thoroughfares leading into commercial districts, areas visible to freeways and highways, and streets upon which billboards are heavily concentrated and contribute to existing visual clutter.

2. Candidate billboards must be legally established non-conforming billboards. Illegally placed billboards shall not be candidates for Billboard Relocation Agreements.

F. Application Filing, Processing and Hearing. A Billboard Relocation Agreement application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

G. Findings. A Billboard Relocation Agreement shall be acted on based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The Agreement shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The Billboard Relocation Agreement is consistent with the goals, policies, plans and exhibits of The Ontario Plan, the requirements of the Development Code, and any applicable specific plans, area plans, or planned unit developments;

2. The proposed relocation site is compatible with uses and structures on the site and in the surrounding area;

3. The Billboard Relocation Agreement contributes to the reduction of visual clutter in the City;

4. The proposed site complies with the relocation criteria established by this Section; and

5. The proposed billboard will not create a traffic or safety problem with regard to on-site access, circulation, or visibility.

4.02.015: Conditional Use Permits

A. Purpose. The purpose of this Section is to establish a procedure to ensure that a degree of compatibility is maintained with respect to certain uses on certain properties, due to their nature, intensity or size, or to compensate for variations and degrees of technological processes and equipment as related to the generation of noise, smoke, dust, fumes, vibration, odors and other practical hazards.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority, as applicable, is hereby empowered to approve, approve in modified form, or deny a Conditional Use Permit, and to impose reasonable conditions upon the approval of the application.

2. Conditional Use Permit approval shall be required prior to: **[i]** the establishment of those land uses, activities and facilities so identified in Table 5.02-1 (Land Use Matrix) of this Development Code; **[ii]** the conversion of any existing residential development project for sale, transfer, or conveyance as a common interest project pursuant to Section 6.08.045 (Conversion to a Residential Common Interest Project); **[iii]** the conversion of any existing commercial or industrial development project for sale, transfer, or conveyance, as a common interest project pursuant to Section 6.08.050 (Conversion to a Commercial or Industrial Common Interest Project); and **[iv]** the alteration/expansion of a nonconforming nonresidential land use or structure pursuant to Subsection 3.01.020.J (Alteration and/or Expansion of a Nonconforming Nonresidential Structure) of this Development Code.

C. Application Filing, Processing and Hearing. A Conditional Use Permit application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. A Conditional Use Permit shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.

2. The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

3. The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of this Development Code and any applicable specific plan or planned unit development.

4. The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan.

5. The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.

E. Conditions of Approval.

1. In approving a Conditional Use Permit, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. The conditions imposed on Conditional Use Permits may include provisions concerning use, height, area, yards, open spaces, setbacks, parking, loading, signs, improvements (public and private), site design, operational characteristics, land use compatibility, general character, appearance, environmental impact, time limits for commencement or termination of the construction or use authorized, revocation and use termination dates, and other conditions the Approving Authority may deem appropriate and necessary to carry out the purposes of the Development Code.

3. A copy of the approving decision or resolution, and related conditions of approval (if any) issued by the Approving Authority shall be maintained on site and shall be made available for inspection upon demand by a City representative.

4. A Conditional Use Permit shall only apply to the approved particular use on a particular property, which may be transferred from one owner of the property to another successive owner of the same property.

5. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

F. Conditional Use Permit Modification/Revision.

1. Conditional Use Permits and/or their conditions of approval may be modified/revised upon application by a project proponent or property owner if different from the proponent. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing).

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original approval and there are no resulting inconsistencies with this Development Code. Modifications/revisions are considered minor in nature if in the opinion of the Planning Director, they do not involve substantial changes to the approved plans or the conditions of approval and would in no way affect surrounding properties.

3. Modifications/revisions to an approved plan or conditions of approval that, in the opinion of the Planning Director, are not minor in nature, shall be processed as a revised Conditional Use Permit, following the procedures set forth in this Section for Conditional Use Permit approval, except that modification/revision approval shall not alter the expiration date established by the original application approval.

G. Voluntary Surrender of a Conditional Use Permit. A Conditional Use Permit approved pursuant to this Development Code may be voluntarily surrendered, in writing, by the affected property owner. The procedure for Conditional Use Permit surrender shall be as follows:

1. The Reviewing Authority originally approving the subject Conditional Use Permit shall set a date and time on which the request will be considered. Notice of the hearing shall be given pursuant to Division 2.03 (Public Hearings) of this Development Code.

2. The notice shall indicate that any interested person may make a written request at any time prior to the advertised public hearing, or may request in person at the time of the advertised hearing, that a public hearing be held at the advertised date and time. If no hearing is requested, the Reviewing Authority may decide on the matter without a public hearing. If a pu

blic hearing is requested, the Reviewing Authority shall conduct the public hearing pursuant to Division 2.03 (Public Hearings) of this Development Code.

3. The Reviewing Authority shall deny the surrender of the Conditional Use Permit only if it can be clearly shown that there is a compelling government interest in maintaining the Conditional Use Permit.

4. The decision of the Reviewing Authority shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

4.02.020: Departures from Development Standards (Minor Adjustments/Alterations and Variances)

A. **Purpose.** The purpose of this Section is to establish procedures by which departures from certain development standards may be permitted by this Development Code when certain specified circumstances exist.

B. **Applicability.**

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny certain departures from certain development standards established by this Development Code, and to impose reasonable conditions upon the approval of such request.

2. The City's authority to grant departures from the development regulations contained in this Development Code is authorized by GC Section 65906, which provides that in cases where special circumstances applicable to a property exist, and the strict application of the development regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification, the City may allow deviation from the strict application of the development regulations.

C. **Minor Adjustments/Alterations.**

1. Purpose. Minor Adjustments/Alterations, like Variances, are intended to allow for departures from the strict application of the numerical development standards established by this Development Code, when their strict application would result in practical difficulties, unnecessary hardships, or results inconsistent with the general purpose of the development regulations. Minor Adjustments/Alterations, however, are determined to have a lesser (minor) measure of impact than Variances, due to the limited measure of adjustment allowed; therefore, requiring a modified review process.

2. Applicability.

a. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Minor Adjustment/Alteration, and to impose reasonable conditions upon the approval of the application.

b. Minor Adjustments/Alterations may be approved for:

(1) A reduction of up to 25 percent from minimum setback and separation requirements, excepting nonresidential setback requirements from property lines that are common with any residentially zoned property; or

(2) A 10 percent increase in the maximum height of structures.

c. A Minor Adjustment/Alteration shall not be approved for reductions in minimum lot size, lot coverage, lot dimension, landscape coverage, parking requirements, or for an increase in maximum density or floor area ratio.

3. Application Filing, Processing and Hearing.

a. A Minor Adjustment/Alteration shall be filed and processed pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

b. The applicant and the owners of all properties having a property line common with the affected property shall be notified of the proposed Minor Adjustment/Alteration pursuant to Section 2.03.010 (Public Hearing Notification) of this Development Code. Furthermore, the notice shall state that a public hearing shall not be required unless requested by the applicant, an abutting property owner, or other affected person or entity.

c. A public hearing, if requested, shall be conducted pursuant to Division 2.03 (Public Hearings) of this Development Code.

d. If no public hearing is requested, the Zoning Administrator shall approve, approve in modified form, or deny a Minor Adjustment/Alteration no less than 10 days following distribution of the notice required by Subparagraph D.3.b, above.

4. Findings and Decision. A Minor Adjustment/Alteration shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

a. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code;

b. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district;

c. The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district;

d. The granting of the Minor Adjustment/Alteration will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.

e. The proposed Minor Adjustment/Alteration is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.

5. Conditions of Approval.

a. In approving a Minor Adjustment/Alteration, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

b. All conditions or requirements authorized by this section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

D. Variance.

1. Purpose. The City's authority to grant a Variance from the development regulations contained in this Development Code is authorized by GC Section 65906, which provides that in cases where special circumstances applicable to a property exist, and the strict application of the development regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification, the City may allow deviation from the strict application of the development regulations.

2. Applicability.

a. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority, is hereby empowered to approve, approve in modified form, or deny a Variance application, and to impose reasonable conditions upon the approval of the application.

b. A Variance may be approved to allow deviation from any numerical development standard established by this Development Code with respect to minimum and/or maximum dimension, area, mass, and quantity, except that a Variance shall not be granted for increases in maximum density or floor area ratio.

c. A variance shall not be approved on a lot that authorizes a use or activity that is not otherwise expressly authorized by the zoning district governing the affected lot, nor shall the power to approve a Variance extend to any public health or safety standard, as this authority has been precluded by state laws.

3. Application Filing, Processing and Hearing. A Variance application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

4. Findings and Decision. A Variance shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after

considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

a. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code;

b. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district;

c. The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district;

d. The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.

e. The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.

5. Conditions of Approval.

a. In approving a Variance, the Approving Authority, as applicable, may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

b. All conditions or requirements authorized by this section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

4.02.025: Development Plans

A. **Purpose.** The purpose of this Section is to:

1. Establish a review process whereby the integrity and character of the physical fabric of the City will be protected in a manner consistent with the goals and policies of The Ontario Plan. This is ensured through the review of:

a. The suitability of building location;

b. Location and design of off-street parking and loading facilities;

c. Location, design and dedication of streets and alleys (public and private facilities);

d. Location and design of pedestrian and vehicular entrances and exits;

e. Location, design, materials and colors of walls and fences;

f. Location, design, size, and type of landscaping (public and private facilities);

g. Location, design, and materials of hardscape areas, such as patios, sidewalks and walkways (public and private facilities);

h. Drainage and off-site improvements (public and private facilities);

i. Compatibility with the surrounding area;

j. Exterior building architectural design, materials and colors;

k. Quality of proposed design and construction;

l. Location, type, design, colors, and materials of signs; and

m. Any conditions affecting the public health, safety, welfare, and general aesthetic of the community.

2. Protect and preserve the value of properties and to encourage high quality development throughout the City, whereas adverse effects would otherwise result from excessive uniformity, dissimilarity, poor exterior quality and appearance of buildings and structures; inadequate and poorly planned landscaping; and failure to preserve, where feasible, natural landscape features, and open spaces.

3. Recognize the interdependence of land values and aesthetics, and to provide a method to implement this interdependence in order to maintain the values of surrounding properties and improvements consistent with The Ontario Plan, with due regard to the public and private interests involved.

4. Ensure that the public benefits derived from expenditures of public funds for improvement and beautification of streets and public facilities are protected by the exercise of reasonable controls over the character and design of private buildings, structures, parking and loading facilities, landscaped areas, recreation amenities and open spaces.

5. Ensure the design of landscaping and irrigation that shades parking facilities and other paved areas, buffers or screens undesirable views and compliments building architecture and overall site design.

6. Ensure reasonable controls over the character, design and location of signs, and the appropriate use of well-designed signs that complement the architecture of surrounding buildings, while considering the public and private interests involved and the exercise of control over the undesirable use of excessive signage.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Development Plan application, and to impose reasonable conditions upon a Development Plan approval.

2. Development Plan approval shall be required for the physical alteration of a lot, the construction of a building, or the addition or significant alteration of an existing building, as follows:

a. The development of 3 or more dwelling units on a single lot;

b. The development of 5 or more lots within a residential subdivision;

c. The development of 5 or more dwelling units, regardless of the number of lots involved;

d. The development of a nonresidential building within a residential zoning district, or an addition thereto, which is in excess of 25 percent of the original structure GFA or 500 SF (cumulative), whichever is less;

e. The development of a vacant lot within a nonresidential zoning district;

f. The conversion of a commercial structure to a residential structure, or conversion of a residential structure to a commercial structure;

g. The remodel of, or addition to, an existing nonresidential building, which results in an overall change in the architectural/aesthetic integrity, as determined by the Planning Director;

h. The remodel of, or addition to, a nonresidential building, which would result in the demolition and replacement/reconstruction of more than 50 percent of the existing building;

i. The conversion of a gasoline or fueling station to facilitate another allowed land use (see standards contained in Subsection 5.03.040,C (Conversion of Gasoline and Fueling Stations) of this Development Code);

j. An addition to an institutional facility (including religious assembly and places of worship, government services, healthcare services, and educational services), when such addition would exceed 25 percent of the original structure GFA or 500 SF (cumulative), whichever is less;

k. Commercial developments and ~~T~~the development of a permanent building within the CIV, OS-R, OS-C, or UC zoning district, when such development would exceed 500 SF of GFA (cumulative), or an addition thereto, when such addition would exceed 25 percent of the original structure GFA or 500 SF (cumulative), whichever is less;

l. The development of a permanent building within the AG zoning district, when such development would exceed 5,000 SF of GFA (cumulative), or an addition thereto, when such addition would exceed 25 percent of the original structure GFA or 5,000 SF (cumulative), whichever is less;

m. The relocation (move-on) of a building within any zoning district;

n. The addition of dwelling units to a multiple-family residential development project, when such addition would result in 3 or more dwelling units on a single lot after the addition;

o. An addition to a previously developed site within a commercial zoning district, when such addition would exceed 25 percent of the original structure GFA or 2,000 SF (cumulative), whichever is less;

p. An addition to a previously developed site within an industrial zoning district, when such addition would exceed 25 percent of the original structure GFA or 10,000 SF (cumulative), whichever is less;

q. A Tier 2 or Tier 3 wireless telecommunications facility pursuant to Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code; and

r. Other projects, which, in the opinion of the Planning Director, require such level of review prior to issuance of a building permit, due to the size, nature and/or complexity of the project, or because the project could cause significant environmental impacts or generate significant neighborhood opposition or controversy.

3. A Development Plan shall remain in effect for the life of the affected development project, which shall be developed and maintained in substantial conformance with the plans as approved by the Approving Authority and shall be maintained on file with the City.

C. Application Filing, Processing and Hearing. A Development Plan application, except for wireless telecommunications facilities in the public right-of-way and facilities qualifying as Eligible Facilities Requests (EFRs), shall be filed, processed and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section. Applications to install wireless telecommunications facilities in the public right-of-way and for facilities qualifying as EFRs shall be filed and processed pursuant to the following:

1. Scope. There shall be a type of permit entitled a "Wireless Permit," which shall be subject to all of the requirements of this Section. Unless exempted, every person who desires to place a wireless telecommunications facility in the public right-of-way, modify an existing wireless telecommunications facility in the public right-of-way, or perform work as part of an EFR must obtain a Wireless Permit authorizing the placement or modification in accordance with this Section. Except for small cell facilities, facilities qualifying as EFRs, or any other type of facility expressly allowed in the public right-of-way by state or federal law, no other wireless telecommunications facilities shall be permitted pursuant to this Section.

2. Approving Authority. The Zoning Administrator is the approving authority for wireless telecommunications facilities in the public right-of-way and facilities qualifying as EFRs.

3. Application Submittal. Applications shall be submitted on a City application form issued and amended, from time-to-time, by the Zoning Administrator.

4. Review and Action.

a. The Zoning Administrator shall review the application and then approve, approve in modified form, or deny the application. The decision of the Approving Authority shall

be final and conclusive in the absence of an appeal filed pursuant to Paragraph C.5 (Appeals), below.

b. The wireless regulations and decisions on applications for placement of wireless telecommunications facilities in the public right-of-way and facilities qualifying as EFRs shall, at a minimum, ensure that the requirements of this Section are satisfied, unless it is determined that Applicant has established that denial of an application would, within the meaning of federal law, prohibit or effectively prohibit the provision of personal wireless services, or otherwise violate applicable laws or regulations. If that determination is made, the requirements of this Development Code may be waived by the Zoning Administrator, but only to the minimum extent required to avoid the prohibition or violation.

c. There will be no public hearings.

5. Appeals. The Applicant may appeal the decision to the Planning Commission, which may decide the issue *de novo*, and whose written decision will be the final decision of the City. An appeal by a wireless infrastructure provider must be taken jointly with the wireless service provider that intends to use the wireless telecommunications facility. Where the Zoning Administrator grants an application based on a finding that denial would result in a prohibition or effective prohibition under applicable federal law, the decision shall be automatically appealed to the Planning Commission. All appeals must be filed within 2 business days of the written decision of the Zoning Administrator, unless the Zoning Administrator extends the time therefore. An extension may not be granted where extension would result in approval of the application by operation of law. Any appeal shall be conducted so that a timely written decision may be issued in accordance with applicable law.

D. Findings and Decision. A Development Plan shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established. Findings 1-4 do not apply to applications for wireless telecommunications facilities in the public right-of-way or facilities qualifying as EFRs, which are subject to the findings set forth by Paragraph 5, below.

1. The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located;

3. The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project;

4. The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.

5. Required findings for wireless telecommunications facilities in the public right-of-way and facilities qualifying as EFRs are as follows:

a. Except for EFRs, the Zoning Administrator or Planning Commission, as the case may be, shall approve an application if, on the basis of the application and other materials or evidence provided in review thereof, it finds the following:

(1) The facility is not detrimental to the public health, safety, and welfare;

(2) The facility complies with this Development Code and all applicable design and development standards; and

(3) The facility meets applicable requirements and standards of state and federal law.

b. For EFRs, the Zoning Administrator or Planning Commission, as the case may be, shall approve an application if, on the basis of the application and other materials or evidence provided in review thereof, it finds the following:

(1) That the application qualifies as an eligible facilities request; and

(2) That the proposed facility will comply with all generally applicable laws.

E. Conditions of Approval.

1. In approving a Development Plan application, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. Conditions of approval imposed upon a Development Plan approval may include, but is not limited to, provisions concerning building height, bulk or mass; setbacks; lot coverage; lighting; private and common open space, and/or recreation amenities; screening, including garages, trash receptacles, mechanical and roof-mounted equipment and appurtenances; landscaping; walls and fences; vehicular parking, access and circulation; pedestrian circulation; on-site security; grading; street dedication and improvements (public and private); on and off-site public improvements (public and private) necessary to service the proposed development; project timing/phasing; loading and outdoor storage; architectural treatment; signage; vehicular trip reduction; graffiti removal; sound attenuation; reparation and recordation of covenants, conditions and restrictions, mutual access agreements, maintenance agreements and other similar agreements; property disclosure pursuant to BPC Section 11000 et seq.; and other conditions the Approving Authority may deem appropriate and necessary to carry out the purposes of the Development Code.

3. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

F. Development Plan Modifications/Revisions.

1. Development Plans and/or their conditions of approval may be modified/revised upon application by a project applicant or property owner if different from the applicant. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original approval and there are no resulting inconsistencies with this Development Code. Modifications/revisions are considered minor in nature if in the opinion of the Planning Director, they do not involve substantial changes to the approved plans or the conditions of approval and would in no way affect surrounding properties.

3. Modifications/revisions to an approved plan or conditions of approval that, in the opinion of the Planning Director, are not minor in nature, shall be processed as a revised Development Plan, following the procedures set forth in this Section for Development Plan approval, except that modification/revision approval shall not alter the expiration date established by the original application approval.

4.02.030: Extensions of Legal Nonconforming Status

A. Purpose. The purpose of this Section is to establish a process whereby the date that a legal nonconforming use would lose its legal nonconforming status pursuant to Section 3.01.015 (Nonconforming Land Use) of this Development Code, may be extended to allow additional time to complete the sale of the affected property or structure, secure tenants for the affected property or structure, and/or obtain necessary permits or the completion of necessary improvements.

B. Applicability. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny an Extension of Legal Nonconforming Status application, and to impose reasonable conditions upon the approval of the application.

1. The submittal of an application requesting an Extension of Legal Nonconforming Status shall automatically extend the legal nonconforming status of a land use or structure for an initial period of 60 days to allow for the processing of the request pursuant to the procedures prescribed by this Section. The Zoning Administrator may then approve an additional 120-day extension, for a total of 180 days.

2. If due to unforeseen circumstances, a property/structure owner is unable to complete the sale of the affected property, secure necessary tenants for the property or structure, and/or obtain necessary permits and complete all necessary tenant improvements to allow for occupancy of the affected property or structure within the period established by Subsection B.2, above, (180 days), the Approving Authority may grant additional extensions, not to exceed a total of one-year.

C. Application Filing, Processing and Hearing. An Extension of Legal Nonconforming Status application shall be filed, processed and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. An Extension of Legal Nonconforming Status shall be acted on based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and comments and testimony provided by the public, only after considering and clearly establishing all of the below-listed findings, and giving reasons in support of each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The applicant has made a good faith effort to keep the nonconforming status;

2. A physical and/or economic hardship has prevented the nonconforming use from being reestablished prior to the expiration date;

3. Approving the extension will not adversely affect the character, integrity, or value of surrounding properties;

4. Approving the extension will not adversely affect the character, integrity, or general welfare of the neighborhood; and

5. The extension will not adversely impact the public health, safety, or welfare of the City's residents.

E. Conditions of Approval.

1. In approving an Extension of Legal Nonconforming Status, the Approving Authority, may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

4.02.040: Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas

A. Purpose. The purpose of this Section is to establish procedures by which Local Historic Landmarks and Districts, Historic Resource Tiering, and Architectural Conservation Areas may be designated

B. Applicability.

1. Designation of Historic Landmarks and Districts, Historic Resource Tiering and Architectural Conservation Areas. The Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code is hereby empowered to approve, approve in modified form, or deny a Historic Preservation—Historic Landmark and District Designations, Historic Resource Tiering and Architectural Conservation Areas application.

2. Local Landmark Designation. A historic resource may be designated an "historic landmark" by the City if it meets the criteria for listing in the National Register of Historic Places or the California Register of Historic Resources, or it meets one or more of the following criteria:

a. The historic resource exemplifies or reflects special elements of the City's history;

b. The historic resource is identified with persons or events significant in local, state, or national history;

c. The historic resource is representative of the work of a notable builder, designer, architect, or artist;

d. The historic resource embodies distinguishing architectural characteristics of a style, type, period, or method of construction;

e. The historic resource is a noteworthy example of the use of indigenous materials or craftsmanship;

f. The historic resource embodies elements that represent a significant structural, engineering, or architectural achievement or innovation;

g. The historic resource has a unique location, a singular physical characteristic, or is an established and familiar visual feature of a neighborhood, community, or the City;

h. The historic resource is one of the few remaining examples in the City, region, state or nation, possessing distinguishing characteristics of an architectural or historical type or specimen: or

i. The historic resource has yielded, or is likely to yield, information important to the City's history or prehistory.

3. Local Historic District Designation. A neighborhood or area listed as a historic resource may be designated a "Local Historic District" by the City if the neighborhood meets the criteria for listing in the National Register of Historic Places or the California Register of Historic Resources, or it meets one or more of the following criteria:

a. The historic resource is a geographically definable area possessing a concentration of historic resources or a thematically related grouping of structures that contribute to each other and are unified by plan, style, or physical development, and embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values;

b. The historic resource reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of a park landscape, site design, or community planning;

c. The historic resource is associated with, or the contributing resources are unified by, events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or

d. The historic resource is, or the contributing resources are, associated with the lives of persons important to the City, State or National history.

4. Additional Historic Resource Evaluation Criteria. In addition to the "significance," criteria established in Paragraph B.2 (Local Landmark Designation) and Paragraph B.3 (Local Historic District Designation) of this Section, historic resources must have "integrity" for the time in which they are "significant." The period of "significance" is the date or span of time within which significant events transpired or significant individuals made their important contributions. The term "integrity" means the authenticity of a historical resource's physical identity, as evidenced by the survival of characteristics or historic or prehistoric fabric that existed during the resource's period of significance. Only after significance has been established, should the issue of integrity be addressed. The following criteria should be considered when evaluating properties for integrity:

a. *Design.* Any alterations to the property should not have adversely affected the character defining features of the property. Alterations to a resource or changes in its use over time may have historic, cultural or architectural significance.

b. *Setting.* Changes in the immediate surroundings of the property (e.g., buildings, land use and topography) should not have adversely affected the character of the property.

c. *Materials and Workmanship.* Any original materials should be retained, or if they have been removed or altered, replacements have been made that are compatible with the original materials.

d. *Location.* The relationship between a property and its location is an important component in determining integrity. The place where the property was built and where historic events occurred is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in a few cases, the relationship between a property and its historic associations is destroyed if the property is moved.

e. *Feeling.* The term "feeling" means a property's expression of the aesthetic or historic sense of a particular period. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district, such as the Guasti Winery, retaining original design, materials, workmanship and setting, will relate the feeling of agricultural life in the 19th century.

f. *Association.* The term "association" means the direct link between an important historic event or person, and a historic property. A property retains its association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like "feeling," association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary War battlefield, whose natural and manmade elements have remained intact since the 18th century, will retain its quality of "association" with the battle.

Because "feeling" and "association" depend upon individual perceptions, their retention alone is never sufficient to support eligibility. Historic resources must retain enough of their historic or prehistoric character or appearance to be recognizable as historic resources, and to convey the reasons for their significance.

C. Application Filing, Processing, and Hearing. Historic Preservation—Historic Landmark and Historic District Designation applications shall be filed and processed pursuant to Division 2.02 (Application Filing and Processing) of this Development Code, and the provisions of this Section. All eligible historic resources nominated for designation as a Landmark or a Historic District shall be evaluated, processed, and designated a Tier pursuant to Subsection G (Historic Resource Tiering System) of this Section, concurrently with the application for landmark or historic district designation.

D. Local Historic Landmark and District Designation Application Findings and Decision.

1. Within the 30-day period following acceptance of a Historic Preservation—Historic Landmark and District Designations application as complete pursuant to the applicable provisions contained in Section 2.02.015.B (Discretionary Permits and Actions) of this Development Code, the Advisory Authority shall make a preliminary determination as to whether the requested Local Historic Landmark or Local Historic District designation is appropriate, based upon the designation criteria set forth in Paragraphs B.2 (Local Landmark Designation), B.3 (Local Historic District Designation), and B.4 (Additional Historic Resource Evaluation Criteria) of this Section. If it is determined that the proposed resource merits further consideration, the application shall be forwarded to the subsequent Advisory Authority. If the proposed resource does not merit further consideration due to failure of the property to meet the applicable designation criteria, the application shall be denied.

2. Upon receipt of the Advisory Authority's recommendation, the subsequent Advisory Authority shall make a recommendation to the Approving Authority to grant or deny a Historic Preservation—Landmark or District Designation application on the basis of the application and the evidence presented in the Planning Department's written report, after considering and clearly establishing the designation criteria set forth in Paragraphs B.2 (Local Landmark Designation), B.3 (Local Historic District Designation), and B.4 (Additional Historic Resource Evaluation Criteria) of this Section, and giving specific reasons in support of each applicable criterion.

3. The Approving Authority may grant or deny a Historic Preservation—Landmark or District Designation application on the basis of the application and the evidence presented in the Planning Department's written report, after considering and clearly establishing the applicable designation criteria set forth in Paragraphs B.2 (Local Landmark Designation), B.3 (Local Historic District Designation), and B.4 (Additional Historic Resource Evaluation Criteria) of this Section, and giving specific reasons in support of each applicable criterion.

E. Permits. No building, alteration, demolition, or removal permits for any proposed Local Landmark or Local Historic District shall be issued after a Historic Preservation—Landmark or District Designation application has been filed with the Planning Department, until such time that any public hearing or appeal proceedings regarding the application have been completed.

F. Automatic Designations.

1. Any property listed in the National Register of Historic Places or the California Register of Historic Resources shall automatically be designated as a local Historic Landmark.

2. Any neighborhood or area listed in the National Register of Historic Places or the California Register of Historic Resources shall automatically be designated as a local Historic District.

3. Any property identified as a contributing structure to a historic district listed on the National Register of Historic Places or the California Register of Historic Resources shall be considered a contributing structure within the historic district.

G. Historic Resource Tiering System. The Historic Preservation Commission shall be responsible for the adoption of the Historic Resource Tier Designation List, which shall be maintained by the Historic Preservation Subcommittee. A historic resource may be designated "Tier I, Tier II, or Tier III" by the Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code, to establish a ranking of historic resources within the City, based upon the determined significance of each resource, as specified below. For the purpose of this Section, upon determining the appropriate tier designation for a historic district, the Approving Authority may rank all contributing structures within that district into the same tier designation. Tier I, II and III historic resources shall be judged based upon their determined degree of significance, pursuant to the criteria contained in Subsection H (Historic Resource Tiering Criteria) of this Section.

1. Tier I. Tier I consists of historic resources that should not be demolished or significantly altered under any circumstances, regardless of their designation status. Resources within this tier are determined to be the City's most significant historical or cultural resources. Tier I resources shall meet one or more of the following:

a. A resource listed on the Ontario Register that meets at least one of the criteria within the Architecture/Form category, and 3 criteria within the History category, listed in Subsection H (Historic Resource Tiering Criteria) of this Section; or

b. A contributing resource within a district that meets at least one of the criteria within the Architecture/Form Category and 3 criteria within the History Category as listed below.

2. Tier II. Tier II consists of historic resources wherein demolition of these properties should be avoided. Tier II resources shall meet one or more of the following:

a. Any historic resource listed or determined eligible for listing in the National Register of Historic Places;

b. Any historic resource listed or determined eligible for listing in the California Register of Historic Resources;

c. A historic resource listed on the Ontario Register and meets at least 2 criteria within the Architecture/Form or History categories, listed in Subsection H (Historic Resource Tiering Criteria) of this Section; or

d. A contributing resource within an eligible historic district wherein the district meets at least 2 of the criteria in either the Architecture/Form or History categories as listed in Subsection H (Historic Resource Tiering Criteria) of this Section.

3. Tier III. Tier III consists of historic resources that are Designated Local Historic Landmarks, are contributing properties within Designated Local Historic Districts, or are eligible historic resources. Demolition of these resources should be avoided where possible but may be appropriate under certain circumstances.

H. Historic Resource Tiering Criteria. The following listing contains criteria to be used in determining the Tier designation of a historic resource:

1. Local Historic Landmark.

a. *Architecture/Form.*

(1) The resource is prototypical, or one of the finest examples, of a period, style, architectural movement, or construction in the City of a particular style of architecture, building type, or historical or archeological object. Only preeminent examples should be considered. Good representative examples of a style, period or method of construction are not appropriate; or

(2) The resource is the first, last, only, or one of the finest examples, notable works, or the best surviving work by an architect or designer of major importance to the City, State or Nation.

b. *History.*

(1) The resource is the location of a historic event(s) that has significantly contributed to the history of the City, State, or Nation;

(2) The resource is associated with a business, company, or individual that has made a significant cultural, social, or scientific contribution to the City, State, or Nation;

(3) The resource is identified with a person(s) who has exerted a major influence on the heritage or history of the City, State, or Nation;

(4) The resource embodies the ideals or principles of the "Model Colony" or furthers the ideals or principals established by the Chaffey Brothers;

(5) The resource has a direct relationship to one of the principal historic contexts in the City's history, including the "Model Colony," (includes the Chaffey Brothers, the Ontario Land and Improvement Company, or the citrus industry), the Guasti Winery or the wine industry, or the Dairy Preserve or the dairy industry;

(6) The resource is related with a business, company, or individual significant in the agricultural history of the City; or

(7) The resource is related to the archeological past of the region.

2. Local Historic Districts.

a. *Architecture/Form.*

(1) The district contains resources that are a prototype of, or one of the finest examples of, or the first, last, only, or few remaining groupings of a period, style, architectural movement, or construction in the City of a particular style of architecture, building type, or historical or archeological object. Only preeminent examples should be considered. Good representative examples of a style, period or method of construction are not appropriate; or

(2) The district contains resources that are the first, last, only, or the finest examples, notable works, or the best surviving work by an architect or designer of major importance to the City, State or Nation.

b. *History*.

(1) The district is the location of a historic event(s) that has significantly contributed to the history of the City, State, or Nation;

(2) The district is associated with a business, company, or individual that has made a significant, cultural, social, or scientific contribution to the City, State, or Nation;

(3) The district is identified with a person(s) who has exerted a major influence on the heritage or history of the City, State, or Nation;

(4) The district embodies the ideals or principles of the "Model Colony," or furthers the ideals or principals established by the Chaffey Brothers;

(5) The district has a direct relationship to one of the principal historic contexts in the City's history, including the "Model Colony," (includes the Chaffey Brothers, the Ontario Land and Improvement Company, or the citrus industry), the Guasti Winery or the wine industry, or the Dairy Preserve or the dairy industry, or the citrus industry; or

(6) The district is related with a business, company, or individual significant in the agricultural history of the City.

I. Architectural Conservation Area. An area may be designated an "Architectural Conservation Area" by the Approving Authority if the area meets any one of the below-listed criteria; however, these criteria do not evaluate for historic significance. As a result, properties within Architectural Conservation Areas are not qualified for historic landmark or historic district consideration. The criteria for establishing an Architectural Conservation Area are as follows:

1. The area is geographically definable and conveys a sense of architectural cohesiveness through its design, setting, materials, workmanship, or association; or

2. The area reflects significant geographical patterns, including those associated with different areas of settlement and growth, particular transportation modes, or distinctive examples of a park landscape, site design or community planning, or represents established and familiar visual features in the community.

3. Alternately, an area may be designated an Architectural Conservation Area by the City if a conservation plan has been prepared pursuant to Section 4.02.055 (Historic Preservation—Conservation Plans), outlining the character defining features of the neighborhood and appropriate design guidelines that will maintain the character of the neighborhood.

4.02.045: Historic Preservation—Rescind or Amend the Status of a Historic Resource

A. Purpose. The purpose of this Section is to establish a process by which a historic resource may rescind or amend its assigned status, including a Local Landmark or Local District Designation, a Tier Designation, an Eligibility Determination, or an Architectural Conservation Area.

B. Applicability. The Approving Authority for the original application type, pursuant to Table 2.02-1 (Review Matrix) of this Development Code, is hereby empowered to approve, approve in modified form, or deny a request to rescind or amend the assigned status of a Local Historic

Landmark or Local Historic District Designation, Tier Designation, Eligibility Determination, or Architectural Conservation Area.

C. Addition to the Ontario Register. Any property or grouping of properties surveyed at the intensive level pursuant to standards established by the California Office of Historic Preservation, and determined to meet the designation criteria for local historic landmarks or local historic districts set forth in Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of this Development Code, shall be determined by the Approving Authority to be an "eligible" historic resource.

D. Removal of Eligible or Nominated Historic Resources from the Ontario Register. An eligible historic resource or a nominated historic resource may be removed from the Ontario Register, as follows:

1. Any historic resource listed on the Ontario Register may be removed by the Approving Authority if the resource has lost all historic and/or cultural significance due to a catastrophe causing a loss of integrity, or the resource has lost all historical and/or cultural significance due to extensive legally performed alteration(s), which has caused a loss of integrity after the property was initially surveyed.

2. Any historic resource listed on the Ontario Register may be removed by the Approving Authority upon reevaluation of the resource at the request of the property owner, or upon initiation by the City, if the most recently prepared Historic Resource Survey evaluating the resource is more than 5 years old.

3. The Historic Preservation Subcommittee shall evaluate a historic resource utilizing the designation criteria set forth in Paragraph 4.02.040.B.2 (Local Landmark Designation) of this Division. Furthermore, when a historic resource is located within an eligible local historic district, the area or neighborhood shall also be evaluated using the designation criteria set forth in Paragraph 4.02.040.B.3 (Local Historic District Designation) of this Division, and shall be evaluated to determine if it contributes to the significance of the district. The Approving Authority may retain a noncontributing property within a proposed or potential historic district.

4. Any reevaluation of a property shall be valid for a 5-year period.

E. Amending or Rescinding a Local Landmark, Local Historic District, or a Tier Designation from the Ontario Register. A local landmark, local historic district, or a tier designation may be amended or rescinded from the Ontario Register, if:

1. It is discovered that the information relied upon by the Advisory Authority and/or Approving Authority in making the original designation, was erroneous or false;

2. New information compromises the significance of a historic resource;

3. The historic resource has been demolished, relocated, or removed; or

4. The historic resource has been rendered ineligible for designation due to a catastrophic event, beyond the owner's control, which has destroyed the resource to the point where it is considered a hazard to the public health and safety, and the restoration of the resource is not feasible.

4.02.050: Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources

A. Purpose. The purpose of this Section is to establish a process to ensure that any alteration to, or demolition of, an eligible or designated historic resource within the City is in keeping with the historic character of the resource.

B. Applicability.

1. The Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code is hereby empowered to approve, approve in modified form, or deny a Historic Preservation—Certificate of Appropriateness application, and to impose reasonable conditions upon the approval of the application.

2. A Certificate of Appropriateness shall be required for any:

a. Alteration, addition, restoration, rehabilitation, remodeling, relocation, repainting, and/or resurfacing of an historic resource. Certificate of Appropriateness approval shall be required even if the City requires no other permits;

b. For any work to the exterior of any noncontributing resource in a Historic District or on a historic property. A reasonable effort shall be made to produce compatibility, and in no event shall there be a greater deviation from compatibility;

c. Infill development within a historic district or on a historic property; and

d. Any demolition, whether in whole or in part, of a historic resource or a noncontributor within a designated historic district in conjunction with a demolition application.

3. No permit shall be issued for work on a historic resource until a Certificate of Appropriateness or Waiver has been issued in accordance with the provisions of this Division.

4. Once a Certificate of Appropriateness has been issued, the Planning Department, from time to time, shall inspect the work to ensure that it is being carried-out in compliance with the approved Certificate of Appropriateness and shall issue a Certificate of Completion prior to any final inspection or occupancy by any City Department to ensure the work has been satisfactorily completed.

C. Application Filing, Processing and Hearing. A Historic Preservation—Certificate of Appropriateness application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section, except as follows:

1. Determination of Significance.

a. Upon acceptance of a Historic Preservation—Certificate of Appropriateness application as complete for processing pursuant to Subsection 2.02.015.B (Discretionary Permits and Actions) of this Development Code, the Historic Preservation Subcommittee shall evaluate the affected historic resource for significance, which shall include a review conducted by the Planning Department consisting of an evaluation of the resource's eligibility for listing on the National Register of Historic Places, the California Register of Historic

Resources, or the Ontario Register. The review may also include the preparation of a Historic Resource Survey, at the intensive level, pursuant to the standards set forth by the California Office of Historic Preservation.

b. A historic resource that does not meet the criteria for designation set forth in Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of this Division, and not located within a designated, proposed, or potential district, shall be removed from the Ontario Register and the Certificate of Appropriateness shall be deemed approved. A resource that meets the designation criteria set forth in Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of this Division, shall be further processed pursuant to this Section.

2. Environmental Review.

a. Upon determination that a historic resource is "significant," an environmental review shall be conducted pursuant to Section 2.02.020 (Environmental Review) of this Development Code; however, in determining the appropriate level of review for the demolition of a historic resource, the tiering system established pursuant to Subsection 4.02.040.G (Historic Resource Tiering System) of this Division shall be utilized.

b. Any historic resource proposed for demolition, which is determined to be within Tier III pursuant to Subsection 4.02.040.G (Historic Resource Tiering System) of this Division, shall require preparation of an Addendum to The Ontario Plan Environmental Impact Report pursuant to the requirements of CEQA and the implementing guidelines, and City's Local Guidelines For Implementing the California Environmental Quality Act, in conjunction with the approval of Certificate of Appropriateness and Demolition applications.

c. Any historic resource proposed for demolition, which is determined to be within Tier I or Tier II pursuant to Subsection 4.02.040.G (Historic Resource Tiering System) of this Division, shall require preparation and certification of an Environmental Impact Report pursuant to the requirements of CEQA and the implementing guidelines, and City's Local Guidelines For Implementing the California Environmental Quality Act, in conjunction with the approval of Certificate of Appropriateness and Demolition applications.

3. Hearing. Each Advisory or Approving Authority shall hold at least one hearing on the application, which shall be duly noticed, heard, and acted upon pursuant to Division 2.03 (Public Hearings) of this Development Code.

4. Advisory Authority Review and Recommendation. Following completion of all required environmental review pursuant to Paragraph C.2 (Environmental Review) of this Subsection, the Advisory Authority shall make recommendation to the Approving Authority whether to approve, approve in modified form or deny the application. The Advisory Authority's recommendation shall be transmitted to the Approving Authority in such manner and form as specified by the Approving Authority, within 60 days following the date the decision was rendered. The 60-day time limit may be extended by mutual agreement of the applicant and City.

5. Approving Authority Review and Action.

a. Upon receipt of the Advisory Authority's recommendation, the Approving Authority shall approve, conditionally approve, or deny the application, either in whole or in part. The action of the Approving Authority shall be by written decision, setting forth the basis for the

action and shall include all applicable findings prescribed by Subsection D (Findings and Decision), below.

b. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

D. Findings and Decision.

1. Designated Historic Landmarks, Contributors, and Non-Contributors and Eligible Historic Resources.

a. A Historic Preservation—Certificate of Appropriateness application for Designated Historic Landmarks and Contributors, or Eligible Historic Resources, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

(1) The proposed alteration, restoration, relocation, or construction will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource;

(2) The proposed alteration, restoration, relocation, or construction will not detrimentally change, destroy or adversely affect the historic character or value of the resource;

(3) The proposed alteration, restoration, relocation, or construction will be compatible with the exterior character-defining features of the historic resource; and

(4) The proposed alteration, restoration, relocation, or construction will not adversely affect or detract from the character of the historic district.

2. Demolition of Historic Resources.

a. A Historic Preservation—Certificate of Appropriateness and Demolition application for the Demolition Of Historic Resources shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

(1) The proposed demolition is necessary because all efforts to restore, rehabilitate, and/or relocate the resource have been exhausted;

(2) The proposed demolition is necessary because restoration/rehabilitation is not practical because the extensive alterations required would render the resource not worthy of preservation;

(3) The proposed demolition is necessary because failure to demolish the resource would adversely affect or detract from the character of the District; and

(4) The resource proposed to be demolished has been assigned a Tier III designation.

3. Instances Wherein Findings Are Not Required. The Approving Authority may act upon Historic Preservation—Certificate of Appropriateness and/or Demolition applications for Tier I and Tier II historic resources that are designated historic landmark contributors and noncontributors to historic districts, or eligible historic resources , without making the findings contained in Paragraph D.1 (Designated Historic Landmarks, Contributors, and Non-Contributors and Eligible Historic Resources) or Paragraph D.2 (Demolition of Historic Resources) of this Subsection, if a Historic Preservation—Certificate of Economic Hardship has been granted pursuant to Section 4.02.055 (Historic Preservation—Certificates of Economic Hardship) of this Division.

E. Conditions of Approval.

1. In approving Historic Preservation—Certificate of Appropriateness and/or Demolition applications, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner, and to the same extent, as any other applicable requirement of this Development Code.

3. In approving Historic Preservation—Certificate of Appropriateness and/or Demolition applications, the following conditions of approval shall be imposed, and shall be completed prior to commencing any demolition work:

a. Each historic resource shall be fully documented and cataloged pursuant to Historic American Building Survey/Historic American Engineering Record (HABS/HAER) standards, to provide a record of the resource, including, but not limited to: **[i]** the preparation of site plans, floor plans, exterior and interior elevations, and detail drawings of character defining features (such as moldings, stairs, etc.); and **[ii]** photographs of the resource, including the exterior, interior, and interior and exterior character defining features (such as moldings, light fixtures, trim patterns, etc.).

b. A mitigation fee established pursuant to Section 7.01.025 (Historic Preservation Mitigation Fee) shall be paid to the City prior to the issuance of a demolition permit for Tier III historic resources. Fees for Tier I and II historic resources shall be determined during the Environmental Impact Report process. The fees established for Tier III will be used as a reference point for establishing fees for Tier I and II historic resources.

c. A Certificate of Appropriateness shall not be issued for the demolition of an historic resource, either in whole or in part, until such time that a demolition permit application and a replacement structure has been approved by the City, and appropriate permits have been issued for its construction, unless: **[i]** a waiver is granted pursuant to Subsection H (Replacement Structure Waiver for Historic Resources Located within Industrial Zoning Districts) of this Section; **[ii]** a deferral of the replacement structure requirement is granted pursuant to Subsection G

(Replacement Structure Deferral) of this Section; or **[iii]** demolition is required pursuant to Section 7.01.050 (Unsafe or Dangerous Conditions) of this Development Code.

d. In an effort to preserve features and artifacts from historic resources, a determination whether items within or on the resource should be salvaged must be made by the Planning Department and may include the local historical society prior to the issuance of the demolition permit. The applicant shall be responsible for the removal, relocation, storage, and donation of such items selected for salvaging. The applicant shall provide an inventory of salvaged items to the Planning Department, and shall include a list of each item name, description and dimension (as necessary), and the location of each item on a floor plan.

F. Certificate of Appropriateness Waivers. The Approving Authority may waive the requirement for Certificate of Appropriateness approval for certain alterations, restorations, rehabilitations, remodeling, repainting, resurfacing, and additions to historic resources, as follows:

1. A waiver may be issued for work that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties and the guidelines set forth in Division 7.01 (Historic Preservation) of this Development Code.

2. A waiver may be issued for minor alterations to historic resources, provided no change in appearance occurs or the proposed change restores period features, including but not limited to, chimneys; fences and walls, including construction, demolition, or alteration of side, rear and front yard fences and walls; foundations; landscaping, unless the Landmark designation specifically identifies the landscape, layout, features or elements as having particular historical, architectural or cultural merit; roofing, provided a 30 year dimensional shingle, or an aesthetically equivalent dimensional shingle is used, and the replacement shingle must maintain the architectural character of the historic resource in terms of scale, pattern, texture, and coloration; and signage, including directional, monument, wall and window signs.

3. A waiver may be issued for the construction of residential accessory structures and additions less than 650 SF in area or 50 percent of the existing original historic building area, whichever is less, to historic resources that are not visible from a public right-of-way, excluding public alleys.

G. Replacement Structure Deferral. The Approving Authority may defer the obligation to construct replacement structures as a requirement for approval of the demolition of a historic resource, if the ultimate project proposed for the site of the demolition provides an exceptional benefit to the community.

1. Findings. A Replacement Structure Deferral shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and any public testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

a. The demolition is necessary to allow the acquisition and assembly of land for a future redevelopment or housing project within a redevelopment project area;

b. The future project will provide exceptional benefits to the City with respect to employment, fiscal, social, housing and economic needs of the community, or will provide new

public facilities that are needed by the City (such as off-site improvements, parks, open space, recreation, or other community facilities, not including parking lots); and

c. Failure to demolish the historic structures could hinder the ability of the City to revitalize or redevelop a blighted lot or area of the City or meet housing production requirements.

2. Condition of Approval. In granting a deferral of the replacement structure requirement, the Approving Authority shall impose a condition of approval requiring any new project on the subject site to be designed pursuant to the infill development guidelines listed in Subsection I (Infill Development Guidelines) of this Section, to insure compatibility with the surrounding area or neighborhood. The Historic Preservation Subcommittee shall make a recommendation to the Approving Authority for the replacement structure regarding compliance with the infill development guidelines.

H. Replacement Structure Waiver for Historic Resources Located within Industrial Zoning Districts. The Approving Authority may waive the obligation to construct replacement structures as a requirement for approval of the demolition of a Tier III Historic Resource, if the site is located in an Industrial Zone. The waiver shall be acted on based upon the information provided in the submitted application, after considering and clearly establishing all of the below-listed findings and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The Tier III Historic Resource is a residential building located in an Industrial Zoning District;

2. Approving the deferral will not adversely affect the character, integrity, general welfare of the surrounding neighborhood, residents, and adjacent properties;

3. Conversion and/or rehabilitation of the residential home is not economically feasible, demonstrated through market analysis, construction costs, structural reports, property and building conditions assessments, and/or any other study/report deemed necessary by the Planning Director;

I. Infill Development Guidelines. The following infill development guidelines shall be incorporated into the design of all new structures proposed within a designated, proposed, or potential Historic District, or on a historic property, pursuant to this Division:

1. New buildings, structures, or improvements constructed within a historic district shall be designed to be compatible with the architectural style, features, and historic character of the district.

2. New buildings shall be compatible with the original style of the contributing buildings within a historic district. The design of the new building shall incorporate the following considerations:

a. The design shall incorporate the design features and details of contributing structures;

b. The height, width, and length of the new building shall be consistent with the original characteristic of the contributing structures; and

c. The exterior materials and treatment shall be similar to the contributing structures.

3. New buildings, structures, and/or improvements constructed on a historic property shall be designed to be compatible with the architectural style and features of contributing historic buildings located on the historic property.

4. New buildings shall be compatible with the original architectural style of the contributing historic buildings on the historic property. The design of the new building shall incorporate the following considerations:

a. The design shall incorporate the design features and details of the historic structure;

b. The height, width, and length of the new building shall be consistent with the original characteristic of the historic building; and

c. The exterior materials and treatment shall be similar to the historic building.

J. Certificate of Appropriateness Modification/Revision.

1. Historic Preservation—Certificates of Appropriateness and/or their conditions of approval may be modified/revised upon application by a project proponent or property owner if different from the proponent. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing).

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original approval and there are no resulting inconsistencies with this Development Code. Modifications/revisions are considered minor in nature if in the opinion of the Planning Director, they do not involve substantial changes to the approved plans or the conditions of approval and would in no way affect surrounding properties.

3. Modifications/revisions to an approved plan or conditions of approval that are not minor in nature shall be processed as a revised Historic Preservation—Certificate of Appropriateness, following the procedures set forth in this Section for Historic Preservation—Certificate of Appropriateness approval, except that modification/revision approval shall not alter the expiration date established by the original application approval.

4.02.055: Historic Preservation—Certificates of Economic Hardship

A. Purpose. The purpose of this Section is to establish a process to ensure that denial of a Certificate of Appropriateness and/or a Demolition Application does not create any undue hardship upon the owner of a Tier I or Tier II historic resource.

B. Applicability.

1. The Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code is hereby empowered to approve, approve in modified form, or deny a Historic Preservation—Certificate of Economic Hardship application.

2. A Certificate of Economic Hardship may be filed concurrently with a Certificate of Appropriateness and/or Demolition Application in cases where the alteration, restoration, rehabilitation, remodel, addition to a historic resource, or demolition, partially or in whole, in compliance with the Certificate of Appropriateness and/or Demolition Application, would cause an immediate and substantial financial hardship. Furthermore, the denial of the Certificate of Appropriateness and/or Demolition Application would deny the property owner all reasonable beneficial use of, or return on, the property.

3. No action shall be taken to demolish or otherwise alter the historic resource for a period of 14 days following the issuance of a Certificate of Economic Hardship.

C. Application Filing, Processing and Hearing. A Historic Preservation—Certificate of Economic Hardship application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. A Historic Preservation—Certificate of Economic Hardship application shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. Denial of the application will diminish the value of the subject property so as to leave substantially no value;

2. Sale or rental of the property is impractical, when compared to the cost of holding the property for uses permitted in the underlying zoning district;

3. An adaptive reuse study has been conducted and found that utilization of the property for lawful purposes is prohibited or impractical;

4. Rental at a reasonable rate of return is not feasible;

5. Denial of the Certificate of Appropriateness would damage the owner of the property unreasonably in comparison to the benefit conferred on the community, and

6. All means involving City sponsored incentives, such as a transfer of development rights, tax abatements, financial assistance, building code modifications, changes in the zoning ordinance, loans, grants, and reimbursements, have been explored to relieve possible economic disincentives.

4.02.060: Historic Preservation—Conservation Plans

A. Purpose. The purpose of this Section is to establish a process to expedite the review process for project areas in which numerous historic resources within a single project area would require the issuance of multiple Certificates of Appropriateness for proposed work to those Historic Resources.

B. Applicability. The Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code is hereby empowered to approve, approve in modified form, or deny

a Historic Preservation—Conservation Plan application and to impose reasonable conditions upon the approval of the application.

C. Application Filing, Processing and Hearing. A Historic Preservation—Conservation Plan application shall be filed, processed, and acted upon pursuant to the requirements for Historic Preservation—Certificates of Appropriateness, contained in Section 4.02.050 (Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources) of this Development Code, and the provisions of this Section.

D. Findings and Decision. A Historic Preservation—Conservation Plan shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed alterations, restorations, relocations, or construction, in whole or in part, within the plan area will not detrimentally change, destroy or adversely affect any significant architectural feature of Historic Resources;

2. The proposed alterations, restorations, relocations, or construction, in whole or in part, within the plan area will not detrimentally change, destroy or adversely affect the historic character or value of Historic Resources;

3. The proposed alterations, restorations, relocations, or construction, in whole or in part, within the plan area will be compatible with the exterior features of other improvements within the plan area; and

4. The proposed alterations, restorations, relocations, or construction, in whole or in part, within the plan area will not adversely affect or detract from the character of the plan area.

E. Conditions of Approval.

1. In approving a Historic Preservation—Conservation Plan application, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner, and to the same extent, as any other applicable requirement of this Development Code.

F. Conservation Plan Modification/Revision.

1. Historic Preservation—Conservation Plans and/or their conditions of approval may be modified/revised upon application by a project proponent or property owner if different from the proponent. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing).

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original approval and there are no resulting inconsistencies with this Development Code. Modifications/revisions are considered minor in nature if in the opinion of the Zoning Administrator, they do not involve substantial changes to the approved plans or the conditions of approval and would in no way affect surrounding properties.

3. Modifications/revisions to an approved plan or conditions of approval that are not minor in nature shall be processed as a revised Historic Preservation—Conservation Plan, following the procedures set forth in this Section for Historic Preservation—Conservation Plan approval, except that modification/revision approval shall not alter the expiration date established by the original application approval.

4.02.065: Historic Preservation—Mills Act Contracts

A. Purpose. The purpose of this Section is to establish a process by which economic incentives may be provided for the preservation of a designated historic landmark or contributing structure within a designated historic district.

B. Applicability.

1. The Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code is hereby empowered to approve, approve in modified form, or deny a Historic Preservation—Mills Act Contract (Contract) application.

2. Pursuant to GC Section 50280, et seq., the owner(s) of designated historic landmarks, contributing structures within designated historic districts, and properties listed on the National Register of Historic Places or the California Register of Historic Resources, may request to enter into a Mills Act Contract with the City.

C. Application Filing, Processing and Hearing.

1. Historic Preservation—Mills Act Contract applications shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

2. The owner shall furnish the Approving Authority with any information the Approving Authority shall require in order to enable it to determine the eligibility of the property involved.

D. Findings and Decision.

1. A Historic Preservation—Mills Act Contract shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing **[i]** the eligibility of the property involved, **[ii]** the appropriateness and sequencing of the improvements proposed, and **[iii]** the fiscal benefits derived from those improvements.

2. No later than 20 days after the City enters into a Mills Act Contract with an owner pursuant to this Section, the City Clerk shall record a copy of the Contract with the county recorder, which shall fully describe the affected property.

E. Required Contract Provisions. Pursuant to GC Section 50281, any Mills Act Contract entered into under this Section shall contain the following provisions:

1. The term of the Contract shall be for a minimum period of 10 years.

2. Where applicable, the Contract shall provide for the following:

a. The preservation of designated historic landmarks, contributing structures within designated historic districts, and properties listed on the National Register of Historic Places or the California Register of Historic Resources, and, when necessary, to restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, and the State Historical Building Code;

b. The periodic examinations of the interior and exterior of the premises by the City, San Bernardino County Assessor, the Department of Parks and Recreation, and the State Board of Equalization, as may be necessary to determine the owner's compliance with the Contract; and

c. The Contract shall be binding upon, and inure to the benefit of, all successors in interest of the owner. A successor in interest shall have the same rights and obligations under the Contract as the original owner who entered into the Contract.

F. Term of Contract. Each Mills Act Contract shall provide that on the anniversary date of the Contract, or other annual date specified in the Contract, a year shall be automatically added to the initial term of the Contract unless notice of nonrenewal is given pursuant to Subsection G (Contract Nonrenewal), below. If the property owner or the Approving Authority desires within any year not to renew the Contract, that party shall serve written notice of nonrenewal of the Contract on the other party in advance of the annual renewal date of the Contract. Unless the notice is served by the owner at least 90 days prior to the renewal date or by the Approving Authority at least 60 days prior to the renewal date, one year shall be automatically added to the term of the Contract.

G. Contract Nonrenewal.

1. Upon receipt by the owner of a notice of nonrenewal from the Approving Authority, the owner may make a written protest of the notice. The Approving Authority may, at any time prior to the renewal date, withdraw the notice of nonrenewal.

2. If, within any year, the Approving Authority or the owner serves notice of intent not to renew the Contract, the existing Contract shall remain in effect for the balance of the period remaining since the original execution or the last renewal of the Contract, as applicable.

H. Contract Cancellation.

1. The Approving Authority may cancel a Mills Act Contract if it determines that the owner has breached any of the conditions of the Contract provided for in this Section or has allowed the property to deteriorate to the point that it no longer meets the standards for a qualified historic property. The Approving Authority may also cancel a Contract if it determines that the owner has failed to restore or rehabilitate the property in the manner specified in the Contract.

2. A Mills Act Contract shall not be canceled until after the Reviewing Authorities have given notice of, and has held, a public hearing on the matter pursuant to Division 2.03 (Public Hearings) of this Development Code.

3. If a Mills Act Contract is canceled pursuant to Paragraph G.1, above, the owner shall pay a cancellation fee equal to 12.5 percent of the current fair market value of the property, as determined by the county assessor as though the property were free of the contractual restriction.

4. As an alternative to cancellation of a Mills Act Contract for breach of any condition, the City, or any landowner may bring any action in court necessary to enforce a Contract, including, but not limited to, an action to enforce the Contract by specific performance or injunction.

5. In the event that property subject to Mills Act Contract under this Section is acquired in whole or in part by eminent domain or other acquisition by any entity authorized to exercise the power of eminent domain, and the acquisition is determined by the Approving Authority to frustrate the purpose of the Contract, the Contract shall be canceled and no fee shall be imposed as required under Paragraph G.3, above. Furthermore, the Contract shall be deemed null and void for all purposes of determining the value of the acquired property.

I. Amendment to Work Program. Upon request of the property owner(s), the Planning Director may approve amendments to a Mills Act Contract Work Program, subject to the following:

1. The items listed in the proposed Work Program are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and the guidelines set forth in this Development Code;

2. The Work Program shall be completed within the 10-year period following Contract enactment, unless extended by action of the City Council; and

3. The proposed Work Program shall have an equal or greater preservation and monetary value than the previously approved Work Program.

4.02.070: Master Plans and Amendments

A. Purpose. The purpose of this Section is to establish procedures for amending, supplementing, or changing official Master Plans of the City, whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. Applicability.

1. The Approving Authority is hereby empowered to approve, approve in modified form, or deny an official Master Plan of the City, or any amendment thereto, and to impose reasonable conditions upon the Master Plan approval.

2. The Master Plans subject to the provisions of this Section include the following:

a. 5-Year Capital Improvement Program (CIP) Master Plan prepared pursuant to GC Section 66540.32(b)(2)(H);

b. Fiber Optic Master Plan;

c. Parks Master Plan;

d. Citywide Streets Master Plan;

e. Sewer Master Plan;

f. Storm Drain Master Plan;

g. Water/Recycled Water Master Plan.

3. A Master Plan of the City shall be an internally consistent, action-oriented and pragmatic, considering both the short-term and long-term future, and shall present clear and concise policy guidance.

C. Application Filing, Processing, and Hearing. The adoption of a Master Plan of the City, or any amendments thereto, carried-out pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision.

1. A Master Plan or amendment thereto, shall be acted upon by the Approving Authority, upon recommendation of the Advisory Authority.

2. The actions of the Approving and Advisory Authorities shall be based upon the evidence presented in the departmental written report and testimony provided during the public hearing, only after considering and clearly establishing that the proposed Master Plan, or any amendment thereto, promotes and/or is consistent with the goals and policies of The Ontario Plan, and giving supporting reasons for the finding. A Master Plan shall be denied if reasons supporting the required finding cannot be clearly established.

E. Conditions of Approval.

1. In approving a Master Plan or any amendment thereto, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner, and to the same extent, as any other applicable requirement of this Development Code.

4.02.075: Sign Programs

A. Purpose. The purpose of this Section is to establish a process whereby a Sign Program may be required to provide coordinated signing within development projects, utilizing common design elements and integrating the design of signs with the building and landscape design, to form a unified architectural statement.

B. Applicability.

1. Within any commercial, mixed-use, industrial, or specialized use or overlay zoning district, a Sign Program shall be submitted for any multi-tenanted building, complex or center, which shall fully comply with Section 8.01.020.F (Sign Programs) of this Development Code.

2. The Approving Authority is hereby empowered to approve, approve in modified form, or deny, either in whole or in part, a Sign Program on the basis of the application, supporting plans and documentation, and evidence submitted by the applicant.

C. Application Filing and Processing. A Sign Program shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code, the provisions of this Section, and the requirements of Subsection 8.01.020.F (Sign Programs) of this Development Code.

D. Decision. A Sign Program shall be acted upon only after considering and clearly establishing **[i]** that the Sign Program is in conformance with the provisions of this Section and Division 8.01 (Sign Regulations) of this Development Code, and **[ii]** that any deviations from Division 8.01 (Sign Regulations) of this Development Code, as allowed by the Sign Program, are limited only to those set forth in Paragraphs 8.01.020.F.2 and F.3 of this Development Code.

4.02.080: Specific Plan Minor Adjustments/Alterations

A. Purpose. The purpose of this Section is to establish a procedure by which minor departures from the strict application of the development standards and/or design guidelines established by a Specific Plan may be approved, provided the requested departure is in the interest of furthering the goals and policies of the affected Specific Plan and The Ontario Plan.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Specific Plan Minor Adjustments/Alterations application, and to impose reasonable conditions upon the approval of the application.

2. The following constitute minor adjustments/alterations, not requiring a Specific Plan Amendment and/or update of the affected specific plan:

a. A net change of not more than 15 percent to the number of units within an individual residential area, provided the total number of units for the entire specific plan area does not exceed that established in the affected specific plan;

b. Adjustment/alteration of a residential planning area boundary, provided the total acreage of the affected area does not increase or decrease the total acreage stated in the affected specific plan by more than 15 percent;

c. Minor adjustments/alterations to landscape materials, wall materials, wall alignment, entry design, and streetscape design, which are consistent with the conceptual design set forth in the affected specific plan's development standards and design guidelines;

d. Minor adjustments/alterations to design guidelines, which are intended to be conceptual in nature, and are clearly intended to be flexible in implementation;

e. Other adjustments/alterations of a similar nature to those listed above, which are deemed minor by the Planning Director to be in keeping with the purpose and intent of the affected specific plan and are in conformance with The Ontario Plan; and

f. Adjustments/alterations in street alignments and dimensions that are deemed appropriate by the City Engineer, which are in keeping with the purpose and intent of the specific plan and are consistent with the purpose, principles, goals, and policies, of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, provided the changes do not impact the sizing of master planned infrastructure.

C. Application Filing, Processing and Hearing. Unless otherwise specified in a respective Specific Plan, a Specific Plan Minor Adjustments/Alterations application shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section. A noticed hearing pursuant to Division 2.03 (Public Hearings) of this Development Code shall not be required.

D. Findings and Decision. A Specific Plan Minor Adjustments/Alterations shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed Specific Plan Minor Adjustment/Alteration is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the specific plan;

2. The proposed Specific Plan Minor Adjustment/Alteration is reasonable and beneficial, and in the interest of good planning practice; and

3. The proposed Specific Plan Minor Adjustment/Alteration will not adversely affect the harmonious relationship with adjacent properties and land uses.

~~4.02.085: Subdivisions—Lot Merger (Merger of Contiguous Parcels)~~

~~**A. Purpose.** The purpose of this Section is to establish a process for the implementation of those provisions of the Subdivision Map Act (commencing with GC Section 66451.10), pertaining to the merger of contiguous lots under common ownership (Lot Merger).~~

~~**B. Applicability.**~~

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Lot Merger application, and to impose reasonable conditions upon the approval of the application.

2. The City may initiate a Lot Merger if any one of the contiguous lots or units held by the same owner does not conform to standards for minimum lot size applicable to the lots or units of land, and if all of the following requirements are satisfied:

a. At least one of the affected lots is not developed with a structure for which a building permit was issued or for which a building permit was not required at the time of construction, or is only developed with one or more accessory structures, or is developed with a single primary structure that is partially sited on a contiguous lot or unit.

b. With respect to any affected lot, one or more of the following conditions exists:

(1) Comprises less than 5,000 SF in area at the time of the determination of merger;

(2) Was not created in compliance with applicable laws and ordinances in effect at the time of its creation;

(3) Does not meet current standards for sewage disposal and domestic water supply;

(4) Does not meet slope stability standards;

(5) Has no legal access that is adequate for vehicular and safety equipment access and maneuverability;

(6) Its development would create health or safety hazards; or

(7) Is inconsistent with The Ontario Plan and any applicable area plan, specific plan, or planned unit development (other than minimum lot size or density standards).

c. The affected lots, when merged, will not:

(1) Be inconsistent or create a conflict with The Ontario Plan, any applicable Area Plan or Specific Plan, or the provisions of this Development Code;

(2) Result in a conflict with the location of any existing structures;

(3) Deprive or restrict access to another lot; or

(4) Result in the creation of new lot lines.

3. The City may require the owner of any contiguous lots to initiate the merger of contiguous lots as a condition of any Development Plan or Conditional Use Permit approval.

C. Application Filing, Processing and Hearing. A Lot Merger application shall be filed and processed pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Notification of Intention to Merge Lots.

1. Prior to merging any contiguous lots, the Planning Director shall mail a Notice of Intention to Merge ("NIM"), which notifies affected property owner(s) that the affected lots may be merged pursuant to the provisions of this Section. The NIM shall be sent by certified mail to the property owner(s) of record at the address(es) shown on the latest available assessment roll of the County of San Bernardino. The NIM shall include a statement that the property owner(s) may request a hearing to present evidence that the proposed Lot Merger does not meet the criteria for a merger. For the purpose of this Section, a property owner is any person holding any portion of title to any affected property.

2. The NIM shall be recorded with the San Bernardino County Recorder on the date that the notice is mailed to all property owners of record.

E. Request for Hearing. Within 30 days following the recordation of the NIM, the owner of the affected property may file a request with the Planning Director, for a hearing regarding the proposed Lot Merger.

F. Procedure for Hearing.

1. Upon receiving a request for a hearing, the Planning Director shall set a time, date, and location for a hearing to be conducted by the Approving Authority, and shall notify the property owner of the time, date, and location of the hearing by certified mail. The hearing shall be conducted not more than 60 days following the City's receipt of the property owner's request for hearing but may be postponed by mutual consent of the City and the property owner.

2. During the hearing, the property owner shall be given the opportunity to present any evidence that the affected property does not meet the standards for Lot Merger specified by this Section.

3. At the conclusion of the hearing, the Approving Authority shall make a determination as to whether the affected lots should be merged and shall so notify the property owner of its determination.

4. The Approving Authority may approve or deny a Lot Merger on the basis of the application and the presented evidence, after considering and clearly establishing the following findings, and giving specific reasons in support of each finding:

a. The merged lots comply with the appropriate provisions of the Subdivision Map Act and all applicable City requirements for the merging of contiguous lots; and

b. The merged lots do not adversely affect the purpose and intent of The Ontario Plan, or the public health, safety, and welfare.

5. If the Approving Authority determines that the affected lots shall be merged, the Planning Director shall cause the Notice of Intention to Merge, specifying the names of the recorded owner(s) and describing the affected real property, to be recorded with the San Bernardino County Recorder within 30 days following conclusion of the hearing.

6. If the Approving Authority determines that the affected lots shall not be merged, the Planning Director shall cause a Release of Notice of Intention to Merge to be recorded with

~~the San Bernardino County Recorder, and a letter of notification shall be sent by certified mail to the property owner(s) of record.~~

~~**G. Determination When No Hearing Is Requested.** If within the 30 days following the recordation of the NIM specified in Subsection D (Request for Hearing) of this Section, the property owner does not file a request for a hearing, at any time thereafter, the Approving Authority may make a determination whether or not the affected lots are to be merged. A Notice of Intention to Merge shall be recorded as provided for in Paragraph F.5 of this Section, no later than 90 days following the mailing of the NIM.~~

4.02.090: Subdivisions—Reversions to Acreage

A. Purpose. The purpose of this Section is to establish a process for the implementation of those provisions of the Subdivision Map Act (commencing with GC Section 66451.30), pertaining to the unmerger of parcels (reversions to acreage).

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Reversion to Acreage application and to impose reasonable conditions upon the approval of the application.

2. Proceedings for Reversion to Acreage may be initiated by the City Council or by petition of all of the property owners of record of the real property within a subdivision.

C. Application Filing, Processing and Hearing. A Reversion to Acreage application (petition by property owners) shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. A Reversion to Acreage shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed Reversion to Acreage is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. Dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes; and

3. Either:

a. All owners of an interest in the real property within the subdivision have consented to reversion; or

b. None of the improvements required to be made have been made within 2 years from the date the final map or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is the later; or

c. No lots shown on the final map or parcel map have been sold within 5 years from the date the map was filed for recordation.

E. Conditions of Approval.

1. In approving a Reversion to Acreage request, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s); and ensure compliance with GC Section 66499.17.

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

F. Filing of Parcel Map.

1. A parcel map submitted for the purpose of reverting to acreage shall be accompanied by evidence of title and nonuse or lack of necessity of any streets or easements that are to be vacated or abandoned, and a parcel map in a form acceptable to the City Engineer, which delineates any streets or easements that are to remain in effect after the reversion.

2. After approval of the reversion by the Approving Authority and City Engineer, the parcel map shall be delivered to the County Recorder. The reversion shall be effective upon the recordation of the parcel map by the County Recorder.

3. The filing of the parcel map shall constitute abandonment of all streets and easements not shown on the parcel map and shall constitute a merger of the separate lots into one lot, and shall thereby be shown as a single lot on the assessment roll of the County Assessor, subject to the provisions of GC Section 66445.

4. Except as provided in GC Section 66445(f), on any parcel map used for reverting acreage, a certificate shall appear, signed and acknowledged by all parties having any record title interest in the land being reverted, consenting to the preparation and filing of the parcel map.

G. Return of Fees and Deposits, and Release of Securities. Return of fees and deposits, and release of securities shall be in accordance with GC Section 66499.19.

H. Merger and Resubdividing Without Reversion.

1. Subdivided lands may be merged and resubdivided without reverting to acreage by complying with all the applicable requirements for the subdivision of land as provided by Section 4.02.095 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Division, and the Subdivision Map Act (commencing with GC Section 66410).

2. The filing of the final map or parcel map shall constitute legal merging of the lots into one lot and the resubdivision of the lot, which will thereafter be shown with the new lot boundaries on the assessment roll of the County Assessor.

3. Any unused fees or deposits pertaining to the resubdivided property shall be credited pro rata towards any of the requirements for the same purposes that are applicable at the time of resubdivision.

4. Any streets or public easements to be left in effect after the resubdivision shall be adequately delineated on the map.

5. After approval of the merger and resubdivision by the Approving Authority, the map shall be delivered to the San Bernardino County Recorder. The filing of the map shall constitute legal merger and resubdivision of the affected land and shall constitute abandonment of all public streets or public easements not shown on the map.

4.02.095: Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps

A. **Purpose.** The purpose of this Section is to establish a process for the implementation of those provisions of the Subdivision Map Act (commencing with GC Section 66410), pertaining to the review, regulation, and control of the design of subdivisions, and to achieve the following:

1. Assist in implementing the Vision, Policy Plan (General Plan) and City Council Priorities components of The Ontario Plan;

2. Encourage orderly development of the City through the regulation and control of the design and improvement of subdivisions, with a proper consideration of its relationship to adjoining areas;

3. Ensure that the areas within a subdivision that are dedicated for public purposes will be properly improved by the subdivider so that they will not become an undue burden on the community;

4. Protect the public and individual transferees of land from fraud and exploitation;

5. Provide lots of sufficient size and appropriate design for the purposes for which they are to be used;

6. Provide streets of adequate capacity and design for the traffic that will utilize them and to ensure maximum safety for pedestrians and vehicles;

7. Provide sidewalks or pedestrian ways where needed for the safety and convenience of pedestrians;

8. Identification and preservation of the cultural resources and natural assets of the City;

9. Prevent the indiscriminate clearing of property and the destruction of desirable landscape features;

10. Ensure adequate access to each building site, and safeguard the public safety and welfare through superior subdivision design;

11. Provide adequate systems of water supply, sanitary sewage disposal, storm drainage, street lighting, and other utilities necessary to the public health, safety, and convenience;

12. Provide adequate sites for public facilities necessary to serve the residents of the new developments; and

13. Ensure that the costs of providing land for streets, alleys, pedestrian ways, easements, and other rights-of-way, and for the improvements therein needed to serve new developments, are borne by the subdivider rather than by the taxpayers of the City at large.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Tentative Tract Map, Tentative Parcel Map, Vesting Tentative Tract Map, or Vesting Tentative Parcel Map, and to impose reasonable conditions upon the approval of the application pursuant to the provisions of the Subdivision Map Act (commencing with GC Section 66410), Planning and Zoning Law (commencing with GC Section 65000) and the California Environmental Quality Act (commencing with PRC Section 21000).

2. Each proposed parcel map, tract map or vesting parcel or tract map shall be submitted to the City in the form of a tentative map, which shall include an identifying map number issued by the office of the San Bernardino County Surveyor. All tentative maps shall be prepared by a state-licensed land surveyor or state-registered civil engineer authorized to practice land surveying.

C. Application Filing, Processing and Hearing. A Tentative Subdivision Map application shall be filed, processed and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. A Tentative Subdivision Map shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments;

2. The design or improvement of the proposed subdivision is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments;

3. The site is physically suitable for the type of development proposed;

4. The site is physically suitable for the proposed density of development;

5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

6. The design of the subdivision or type of improvements are not likely to cause serious public health problems; and

7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

E. Conditions of Approval.

1. In approving a Tentative Subdivision Map, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

F. Tentative Map Modification/Revision.

1. Tentative maps and/or their conditions of approval may be modified/revised upon application by the subdivider or property owner if different from the subdivider. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original tentative map approval, do not affect off-site properties and there are no resulting inconsistencies with this Development Code. The following modifications/revisions are considered minor in nature:

a. Modifications/revisions affecting less than 20 percent of the total number of lots in the subdivision, provided there is no increase in the total number of lots within the subdivision; and

b. Any other changes that, in the opinion of the Planning Director and City Engineer, do not involve substantial changes to the map or the conditions of approval, and do not affect surrounding properties.

3. Any other amendment or modification of an approved tentative subdivision map shall be processed as a revised tentative map, following the procedures set forth in this Section for tentative subdivision map approval, except that modification/revision approval shall not alter the original expiration date of the tentative map.

G. Vesting Tentative Maps.

1. Filing and Processing of Vesting Tentative Maps. A vesting tentative map shall be filed in the same form; shall have the same content, accompanying data and reports; and shall be processed in the same manner described for tentative maps in Subsections A through F of this Section, except as stated below:

2. Development Rights.

a. The approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies and standards described in GC Section 66474.2. However, if GC Section 66474.2 is repealed, the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting tentative map is approved or conditionally approved.

b. Notwithstanding Subparagraph G.2.a of this Section, a permit, approval, extension, or entitlement may be made conditional or may be denied if any of the following are determined:

(1) Failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both; and/or

(2) The condition(s) or denial is required in order to comply with state or federal laws.

c. The provisions of this Subparagraph shall not:

(1) Limit the City from imposing reasonable conditions on subsequently required approvals or permits necessary for the development and authorized by the ordinances, policies and standards described in Paragraph G.1 (Filing and Processing of Vesting Tentative Maps) of this Section; and

(2) Diminish or alter the types of conditions that may be imposed by the City on a development or the City's power to protect against a condition dangerous to the public health or safety.

3. Modifications/Revisions to Vesting Tentative Maps. At any time prior to the expiration of a vesting tentative map, the subdivider, their successor, or their assignee, may apply for a modification to the map. A public hearing shall be held by the Approving Authority on any application involving a modification to the vesting tentative map, or by the development related thereto, following procedures set forth for the modification of tentative maps contained in Subsection F (Tentative Map Modification/Revision) of this Section. Approval of a modification to a vesting tentative map, or development related thereto, shall be evaluated for compliance with the City regulations, standards, and policies in effect at the time the original vesting tentative map was deemed complete.

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Division 4.03—Ministerial (Administrative) Permits and Decisions

Sections:

4.03.000: Purpose
4.03.005: Applicability
4.03.010: Historic Preservation—Adaptive Reuse Plan
4.03.015: Administrative Use Permits
4.03.020: Sign Plans
4.03.025: Subdivisions—Certificates of Compliance
4.03.030: Subdivisions—Final Maps and Parcel Maps
4.03.035: Subdivisions—Lot Line Adjustments
4.03.040: Subdivisions—Map Corrections and Amendments
4.03.045: Subdivisions—Parcel Map Waiver
4.03.050: Subdivisions—Lot Merger (Merger of Contiguous Parcels)
4.03.0550: Administrative Exceptions
4.03.06055: Fair Housing and Reasonable Accommodations

4.03.000: Purpose

The purpose of this Division is to prescribe procedures for the consideration of ministerial (administrative) permits or decisions by the Reviewing Authorities established by Table 2.02-1 (Review Matrix) of this Development Code. Ministerial permits and decisions consist of City actions and determinations that involve little or no personal judgment by a public official as to the wisdom or manner of carrying out a project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements.

4.03.005: Applicability

The Reviewing Authorities established by Table 2.02-1 (Review Matrix) of this Development Code shall consider a ministerial permit or decision pursuant to the general provisions prescribed by Division 2.02 (Application Filing and Processing) of this Development Code, and the provisions of this Division that are specific to each discretionary permit or action stipulated herein.

4.03.010: Historic Preservation—Adaptive Reuse Plan

A. Purpose. The purpose of this Section is to establish a procedure by which Adaptive Reuse Plans may be approved by the City, while at the same time:

1. Provide a more efficient way for qualified historic buildings and adaptive reuse projects to meet development, building, and fire protection standards;

2. Promote adaptive reuse as part of broader goals supporting historic preservation, economic development, environmental sustainability and resilience, and recognize the social value of historic buildings;

3. Incentivize building reuse to encourage activation of Downtown Ontario where there is a large collection of commercial and industrial historic buildings that are worthy of preservation;

4. Eliminate or allow nonconformance with certain development regulations that would make adaptive reuse of qualified historic buildings infeasible, including such standards related to parking and loading, height, density, floor-area ratio, and open space; and

5. Allow alternative building and fire code compliance for qualified adaptive reuse projects able to demonstrate an alternative means or method of protecting public health, safety, and welfare.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny an Adaptive Reuse Plan application, and to impose reasonable conditions upon the approval of the application.

2. Adaptive Reuse Plan approval shall allow for those land uses identified in Table 5.02-1 (Land Use Matrix) of this Development Code, which allows for a broad range of land uses of the underlying zoning district in which the site is located. However, no new uses that emits noxious odors or excessive noise shall be allowed, unless it can be demonstrated to the satisfaction of the Planning Director that the use will not cause adverse impacts to nearby residential land uses.

3. Qualifying buildings include those listed on the National Register of Historic Places, on the California Register of Historic Resources, Ontario Register of Historic Resources as designated local landmarks or contributors to designated local historic districts located within the Adaptive Reuse Plan Area.

4. Adaptive Reuse projects are construction and remodeling projects that reconfigure existing spaces within existing buildings to accommodate a new use or purpose other than what it was originally designed for. Adaptive Reuse projects require a change of use and building occupancy from office or commercial to residential, industrial to work/live, residential to office or commercial, or assembly to residential, office or commercial.

5. Application Filing and Processing. An Adaptive Reuse Plan application shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section. Plans and reports prepared for an Adaptive Reuse Plan shall be prepared by a California licensed architect meeting the minimum qualifications standards of The Secretary of the interior Professional Qualifications (Code of Federal Regulations, 36 CFR Part 61).

C. Adaptive Reuse Plan Area. This area consists of the City's original downtown, and extends north to include the historic districts adjacent to Euclid Avenue, the boundary of which is as follows:

Beginning at the intersection of the centerlines of State Street and San Antonio Avenue, thence north to the northernmost city boundary, thence east to the centerline of Sultana Avenue, thence south to the centerline of I Street, thence east to the centerline of Campus Avenue, thence south to the centerline of State Street, thence west to the point of beginning.

D. Alternative Building and Fire Code Regulations. The alternative building and fire codes regulations adopted in this Section are applicable to qualified buildings and adaptive reuse projects.

1. *Alternative Codes.* Use of the California Historic Building Code, International Existing Building Code, California Health and Safety Code and the Ontario Adaptive Reuse Plan Technical Manual shall provide a process and the ability for the Building Official and Fire Marshal to consider alternative building standards while ensuring adequate health and safety protections.

2. In permitting repairs, alterations, and additions necessary to accommodate adaptive reuse projects, the alternative code regulations shall impose requirements that will, in the determination of the Building Official and the Fire Marshal, protect the public health, safety, and welfare.

3. Nothing in this Section shall be construed to allow the reduction of existing seismic or fire and life-safety elements of an eligible building where such elements provide a greater level of protection than the minimum requirements established by this Section.

4. Subject to the approval of the Building Official and Fire Marshal, the use or occupancy type of a qualified building shall be allowed to be changed as part of an adaptive reuse project without conforming to all requirements of Title 8, Building Regulations, and Title 4, Chapter 4, Fire Code of the City of Ontario Municipal Code provided the new or proposed occupancy is equally or less hazardous, based on life and fire risk, than the existing use.

5. Whenever there are practical difficulties involved in carrying out the provisions of Title 8, Building Regulations, and Title 4, Chapter 4, Fire Code of the City of Ontario Municipal Code, the Building Official and Fire Marshal shall have the authority to grant modifications for individual cases, provided the Approving Authority shall first find that special individual reasons make the strict letter of the local codes impractical and the modification is in compliance with the intent and purpose of the local codes and that such modification does not lessen health, life and safety requirements.

F. Incentives. The Planning Director may grant the following departures from certain development standards and requirements to incentivize qualified Adaptive Reuse Plans:

1. *Development Plan Waived.* Approved Adaptive Reuse Plans, which may allow for new additions up to 25 percent of the existing building floor area and is not visible from the public right-of-way, shall be exempt for the requirements for Development Plan review set forth in Section 4.02.025.

2. *Mezzanines*. Loft spaces in joint living and work quarters, dwelling units and guest rooms which do not exceed more than 33 percent of the floor area of the space below shall not be considered new floor area. Mezzanines may be included in the calculation of floor area for the purpose of determining compliance with the standards set forth in Paragraph (E) of this subdivision.

3. *Parking Reduction.* New parking spaces shall not be required for any converted use within the existing footprint of the building, but expansions to floor area shall require one parking space per bedroom or one parking space per 250 square feet of gross floor area for office or commercial.

4. *Setbacks.* Existing building setbacks may remain and shall be considered legally nonconforming, but no further encroachments shall be permitted into any nonconforming setback.

5. *Increases in Maximum Building Height.* The height of the structure, if it exceeds the maximum height of the zoning district, may remain and shall be considered legally nonconforming. Any rooftop construction needed for drainage, ventilation, utilities, or passive recreation shall be included within the height exemption. This height exemption does not include new residential or commercial floor area.

6. *Open Space.* Private open space for residential adaptive reuse projects may be waived when it is determined by the Approving Authority that the requirement would result in exterior alterations to the existing building that would result in an adverse impact to a historic resource. A minimum of 100 square feet of common open space per residential unit or 25 percent of the building square footage, whichever is less, shall be required and may be provided on the rooftop of the building or within the building and include various type of indoor amenities such as fitness center, workstations, playrooms, etc.

7. *Loading Zone.* A new loading zone shall not be required if the existing building does not have an existing loading zone.

G. Standards. Adaptive Reuse Projects permitted pursuant to this subdivision shall be developed in compliance with the following standards:

1. *Minimum Dwelling Units.* Adaptive reuse projects that propose residential shall develop no less than 3 units. The minimum floor area for new dwelling units and joint living and work quarters shall be 450 square feet. Floor area shall not include hallways or other common areas, or rooftops, balconies, terraces, fire escapes, or other projections or surfaces exterior to the walls of the building. The floor area of both the living space and the workspace shall be combined to determine the size of joint living and work quarters. The average floor area, as defined above, of all the dwelling units and joint living and work quarters in the building, including those that existed prior to the effective date of this ordinance, shall be at least 750 square feet. That minimum average size shall be maintained and not reduced.

2. *Storefront.* Ground floor of an existing multiple level commercial building shall contain street frontage and shall be used as a commercial storefront. Residential on ground may occur at the rear of the building behind the storefront.

3. *Exterior or Interior (Public Space) Alterations.* A Certificate of Appropriateness pursuant to Section 4.02.050: Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources is required for any alteration, addition, restoration, rehabilitation, remodeling, relocation, repainting, and/or resurfacing of an historic resource.

4. *Other Provisions.* Floor Area Ratio (FAR), Landscaping, Lot Coverage, and any other development standard of the underlying zone may be waived by the Approving Authority.

H. Conditions of Approval.

1. In approving an Adaptive Reuse Plan, the Planning Director may impose certain safeguards and standards to ensure that the purposes of this Development Code are maintained; ensure that the permit will not endanger the public health, safety or general welfare; ensure that the permit will not result in any significant environmental impacts; ensure that the permit will be in

harmony with the area in which it is located; and ensure that the permit will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. The standards and requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

I. Findings and Decision. An Adaptive Reuse Plan, or any amendment thereto, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. That the use(s) of the property will not be detrimental to the public health, safety and general welfare surrounding the project location;

2. That the Adaptive Reuse Project complies with the standards set forth in Section 4.03.010 (F) of this Development Code; and

3. A Certificate of Appropriateness has been approved or Waived for the Adaptive Reuse Plan.

4.03.015: Administrative Use Permits

A. Purpose. The purpose of this Section is to establish a procedure by which Administrative Use Permits may be issued by the City, while at the same time:

1. Eliminating any possibility for the exercise of unfettered discretion during the application review process through the establishment of reasonable and uniform regulations that will reduce possible adverse effects that uses subject to this Section may have upon the residents of the City; and

2. Establishing a process whereby the unique operating characteristics of the uses subject to this Section may be properly conditioned through an individual review, in order to ensure compatibility with surrounding uses of property, and preserve the integrity of the residential, commercial, mixed-use, and industrial areas of the City.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny an Administrative Use Permit application, and to impose reasonable conditions upon the approval of the application.

2. Administrative Use Permit approval shall be required for those land uses so identified in Table 5.02-1 (Land Use Matrix) of this Development Code, excepting the following temporary and interim land uses:

a. Car Washes for Fundraising Purposes. Car washes shall be conducted by a qualifying sponsoring organization within a nonresidential zoning or land use district. Sponsorship

shall be limited to educational, fraternal, religious, or service organizations directly engaged in civic or charitable efforts, or to tax-exempt organizations in compliance with Federal Internal Revenue Code Section 501(c). Exempt temporary car washes for fundraising purposes shall be limited to one event per month at each location the activity is conducted and shall be limited to a maximum of 2 days duration.

b. Emergency Public Health and Safety Activities and Facilities. Temporary activities and facilities associated with emergency public health and safety needs of the City, State, and federal governments.

c. Film/Video Making. Temporary filming, photography, and videography, and production activities associated with a Film Permit issued by the City.

C. Application Filing and Processing. An Administrative Use Permit application shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Decision.

1. An Administrative Use Permit shall be acted upon by the Approving Authority, based upon the information provided in the submitted application, evidence presented with any supplemental information or written report, and testimony provided during any hearing (if required), only after considering and clearly establishing that the use for which an Administrative Use Permit is requested complies with all applicable Development Code provisions specific to the requested use.

2. An Administrative Use Permit shall be issued if the Approving Authority determines that the proposed use complies with all applicable Development Code provisions,

3. An Administrative Use Permit shall be denied if the proposed use does not comply with one or more Development Code provisions.

E. Conditions of Approval.

1. In approving an Administrative Use Permit, the Approving Authority may impose certain safeguards and standards to ensure that the purposes of this Development Code are maintained; ensure that the permit will not endanger the public health, safety or general welfare; ensure that the permit will not result in any significant environmental impacts; ensure that the permit will be in harmony with the area in which it is located; and ensure that the permit will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. The standards and requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

3. A copy of the approved Administrative Use Permit shall be maintained on site for the duration of the use, activity, or facility authorized, and shall be made available for inspection upon demand by a City representative.

F. Unlawful Business Practices May Be Enjoined; All Remedies Are Cumulative. Any business activity requiring Administrative Use Permit approval pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, and which is operated, conducted, or maintained contrary to the

provisions of this Development Code, shall constitute an unlawful business practice pursuant to Business & Professions Code Section 17200 et seq., and the City may file a complaint with the District Attorney and request the District Attorney bring action seeking an injunction prohibiting the unlawful business practice or any other remedy available at law, including but not limited to fines, attorney's fees, and costs. All remedies provided for in this Section are cumulative.

G. Administrative Fines.

1. Violations. Upon a finding by the Police Chief or Community Improvement Director that a land use or business for which an Administrative Use Permit has been issued has violated any provision of this Development Code or of the City or Ontario Municipal Code, the Police Chief or Community Improvement Director may issue an administrative fine of up to $500.

2. Separate Violations. Each violation of this Development Code or of the Ontario Municipal Code constitutes a separate violation. Each day a violation of this Development Code or the Ontario Municipal Code occurs also constitutes a separate violation.

3. Administrative Fine Procedures. A Notice of Administrative Fine shall be served by hand delivery or certified mail and shall state the legal violation and all supporting facts. Furthermore, the Notice shall also contain an advisement of the right to request an appeal hearing before the Zoning Administrator to contest the suspension or revocation.

4. Appeal of Administrative Fines.

a. An appeal request shall be filed with the Planning Department on a City application form, within 10 days following the date appearing on the Notice of Administrative Fine. The appeal request shall include a statement identifying the pertinent facts disputing the violation.

b. An appeal hearing shall be scheduled within 30 days following the Planning Department's receipt of the appeal request unless an extension is mutually agreed upon by the appellant and the Zoning Administrator.

c. The appeal shall be heard by the Zoning Administrator. The decision of the Zoning Administrator shall be provided by certified mail. The decision constitutes a final administrative order, with no additional administrative right of appeal.

5. Failure to Pay Administrative Fines.

a. If an administrative fine is not paid within 30 days after the date appearing on the Notice of Administrative Fine or, if the Notice is appealed, within 30 days after the date of the Zoning Administrator's decision, whichever occurs later, the fine may be referred to a collection agency.

b. Any outstanding fine must be paid prior to the issuance or renewal of any license or permit issued by the City.

H. Suspension and Revocation of Administrative Use Permits.

1. Reasons. The Police Chief and the Community Improvement Director each has the authority to suspend or revoke an Administrative Use Permit, based on one or more of the following reasons:

a. The Administrative Use Permit approval was obtained by fraud;

b. The Administrative Use Permit is being, or has recently been exercised contrary to the terms or conditions of the application approval;

c. The Administrative Use Permit is being or has been exercised in violation of a federal, state, or City statute, ordinance, law, or regulation; and/or

d. The Administrative Use Permit was exercised in a way that is detrimental to the public peace, health, safety, or welfare, or otherwise constitutes a nuisance.

2. Suspension and Revocation Procedures. A Notice of Suspension or Revocation shall be served on the owner of the property and upon any tenant or operator in possession of the property, if different from the owner, by hand delivery or certified mail, along with the legal violation and supporting facts. The Notice shall also contain an advisement of the right to request an appeal hearing before the Zoning Administrator to contest the suspension or revocation.

3. Time Period of Suspension of Permit. When any of the conditions listed in H.1.a through d above exists, the Police Chief and the Community Improvement Director are each authorized to suspend an Administrative Use Permit for a period of no less than 5 days, and no more than 90 days, at their discretion.

4. Effective Date of Suspension or Revocation. A Notice of Suspension or Revocation issued under Paragraph H.2 of this Section is effective 10 days following the date appearing on the Notice, in the absence of an appeal filed in accordance with Paragraph H.5 of this Section.

5. Appeal of Suspension or Revocation of Permit.

a. The decision of the Police Chief or Community Improvement Director to suspend or revoke an Administrative Use Permit may be appealed by the permittee.

b. The appeal request shall be filed with the Planning Department on a City application form and shall include a statement identifying pertinent facts disputing the reasons stated in the Notice of Suspension or Revocation.

c. An appeal request must be received by the Planning Department on or before the effective date of the suspension or revocation under Paragraph H.4 of this Section.

d. The timely filing of an appeal request stays a suspension or revocation pending a decision on the appeal by the Zoning Administrator.

e. An appeal hearing shall be scheduled within 30 days following the Planning Department's receipt of the appeal request, unless an extension is mutually agreed upon by the appellant and the Zoning Administrator.

f. Within 20 days following the appeal hearing, the Zoning Administrator shall issue a final administrative order to the appellant, by certified mail. There shall be no further administrative right of appeal.

6. Evidence. The following rules shall apply to any hearing required by this Section. All parties involved shall have the right to offer testimonial, documentary, and tangible evidence

bearing on the issues, to be represented by counsel, and to confront and cross-examine witnesses. Any relevant evidence may be admitted if it is the sort of evidence upon which reasonable persons are accustomed to relying in the conduct of serious affairs. Formal rules of discovery do not apply to proceedings governed by this Section. Unless otherwise specifically prohibited by law, the burden of proof is on the appellant in any hearing or other matter under this Section.

7. Limitations on Application Refiling. A holder of an Administrative Use Permit who has had the Permit revoked under this Section may not apply for the same or substantially similar Administrative Use Permit for 12 months after the date of the Final Administrative Order revoking the Permit.

I. Public Nuisance. It shall be unlawful and a public nuisance for a land use or business activity for which an Administrative Use Permit has been issued to be operated, conducted, or maintained contrary to the provisions of this Development Code or of any conditions of approval imposed on an Administrative Use Permit by the Approving Authority. The City may exercise its discretion, in addition to or in lieu of prosecuting a criminal action, to commence proceedings for the abatement, removal, or enjoinment of that land use or business activity in any manner provided by law.

4.03.020: Sign Plans

A. Purpose. The purpose of this Section is to establish a process by which Sign Plans may be required to ensure compliance with the standards and guidelines contained within this Development Code pertaining to the number, placement, height, size, illumination, and design of signs, and to ensure compliance with any previously approved entitlements.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Sign Plan application, and to impose reasonable conditions upon the approval of the application.

2. An approved Sign Plan shall be required prior to placing, erecting, modifying, moving, or reconstructing any sign in the City, unless expressly exempted by this Development Code. Signs requiring a permit shall comply with: **[i]** the provisions of this Development Code, **[ii]** all other applicable laws and ordinances, and **[iii]** with any associated approved entitlements.

C. Application Filing and Processing. A Sign Plan application shall be filed, processed and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Decision. A Sign Plan shall be acted upon by the Approving Authority based upon the information contained in the application, supporting plans and documentation, and evidence submitted by the applicant, only after considering and clearly establishing that the Sign Plan is in conformance with the provisions of Division 8.1 (Sign Regulations) of this Development Code, and any associated entitlements that have been previously approved by the City.

4.03.025: Subdivisions—Certificates of Compliance

A. **Purpose.** The purpose of this Section is to establish a means by which a Certificate of Compliance or Conditional Certificate of Compliance may be issued by the City pursuant to GC Section 66499.35, and legal status may be conferred to parcels of real property that were not established by other legal means.

B. **Applicability.**

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the City Engineer is hereby empowered to approve, approve in modified form, or deny a Certificate of Compliance, and to impose reasonable conditions upon the approval of the application.

2. The provisions of this Section shall apply to real property for which there is no final map, parcel map, official map, or approved certificate of exception, which establish the status for legal creation of parcels of real property.

C. **Application Filing and Processing.** A Certificate of Compliance shall be filed, processed and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. **Decision.**

1. Certificate of Compliance.

a. Upon receipt of a Certificate of Compliance application, the City Engineer shall determine whether the affected real property complies with the applicable provisions of the Subdivision Map Act and this Development Code. A certificate of compliance shall be issued for any real property that has been approved for development of the property.

b. If the City Engineer determines that the real property that is the subject of a Certificate of Compliance application complies with the applicable provisions of the Subdivision Map Act and this Development Code, it shall cause a Certificate of Compliance to be filed for recordation with the County Recorder.

2. Conditional Certificate of Compliance.

a. If the City Engineer determines that the real property that is the subject of a Certificate of Compliance application does not comply with the provisions of the Subdivision Map Act and this Development Code, it shall issue a Conditional Certificate of Compliance. As a condition to granting a Conditional Certificate of Compliance, the City Engineer may impose any conditions that would have been applicable to a division of land on the date the applicant acquired the property, except that if the current property owner was the owner of record at the time of the initial land division and currently owns one or more of the parcels involved in the land division, the Conditional Certificate of Compliance may impose conditions that would be applicable to a current division of land.

b. Upon making a determination and establishing conditions, the City shall cause a Conditional Certificate of Compliance to be filed for recordation with the County Recorder. The certificate shall serve as notice to the property owner or vendee who has applied for the Certificate pursuant to this Section, a grantee of the property owner, or any subsequent transferee or assignee of the property, that the fulfillment and implementation of these conditions shall be required prior to subsequent issuance of a permit or other grant of approval for development of the property.

c. Compliance with imposed conditions shall not be required until the time that a permit or other grant of approval for development of the property is issued by the City.

E. Right to Develop. The issuance of a Certificate of Compliance or Conditional Certificate of Compliance does not imply or grant a right to develop the affected property.

4.03.030 Subdivisions—Final Maps and Parcel Maps

A. Purpose. The purpose of this Section is to establish a process for the implementation of those provisions of the Subdivision Map Act (commencing with GC Section 66410) pertaining to the review, approval and recordation of a final map or parcel map.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the City Council is hereby empowered to approve or deny a final map or parcel map.

2. The subdivider may cause a final map or parcel map to be prepared in substantial accord with the tentative tract map or parcel map as approved, and pursuant to the provisions of this Development Code and applicable standards imposed by the County of San Bernardino for maps filed with the County Recorder.

3. The final map or parcel map, and any accompanying data or additional information, shall be prepared by or under the direction of a registered civil engineer that possesses a State of California license registration number below C33966 and is competent to practice land surveying, or a licensed land surveyor authorized to practice in the State of California.

C. Final Map Preparation. Following approval or conditional approval of a tentative map, and prior to the expiration of the map, the subdivider may cause the property, or any part thereof, to be surveyed and a final map to be prepared, which is consistent with the tentative map, as approved, and the provisions of this Development Code and the Subdivision Map Act (commencing with GC Section 66410). A final map shall be filed with the County Recorder only after a determination by the City Engineer and Planning Director that the conditions of the tentative map have been met. The City Engineer and Planning Director determinations may be appealed to the City Council pursuant to Division 2.04 (Appeals) of this Development Code.

D. Multiple Final Maps. Multiple final maps relating to a single approved or conditionally approved tentative map may be filed pursuant to GC Section 66456.1. The subdivision improvement agreement to be executed by the subdivider shall include provisions for the construction of such improvements as may be required by the City Engineer to constitute a logical and orderly development of the whole subdivision by phases. Each phase shall be so designed and improved as to be functionally self-sufficient.

E. Final Map/Parcel Map Filing, Processing, and Action. A final map or parcel map shall be filed, processed and acted upon as follows:

1. Final Map/Parcel Map Filing.

a. Where a final map or parcel map, or a vesting final map or parcel map is required, the subdivider shall, prior to submitting the map for final review, complete all offers of dedication, secure the required approvals with respect to public and private easements and complete plans and specifications for public improvements, including drainage facilities and sewer facilities, and all applicable provisions of Section 6.08.025 (Improvements) of this Development Code. All certificates shall be executed, excepting those to be executed by the City Engineer, City Clerk and County Recorder.

b. The subdivider shall submit to the City Engineer for approval, the original mylar and as many prints as may be required, along with any required statements and documents. The City Engineer, after ensuring that all conditions and approvals have been met or secured, shall process the map for adoption by the City Council and recordation with the County Recorder.

2. Final Map/Parcel Map Processing.

a. The City Engineer shall, within 30 working days of receipt of the final map or parcel, and accompanying documents, fees and materials, cause the final map or parcel map to be examined, and if found to be in substantial conformity with the approved tentative map and all amendments, conditions, modifications, and provisions made or required by the City Council, and if found to be complete, technically correct, in conformity with the improvement plans and specifications, and in compliance with the requirements of this Development Code, other applicable codes, specific plans, and the Policy Plan (General Plan) component of The Ontario Plan, shall execute the City Engineer's certificate on the map, and shall file the final map or parcel map, and accompanying materials with the City Council.

b. Should the final map or parcel map, or other accompanying documents, fees or materials be found to be incomplete or incorrect in any respect, the subdivider shall be advised of the changes or additions that must be made. The City Engineer shall then cause the corrected final map or parcel map to be reexamined. If the map is found to be correct and in compliance with this Development Code and all other applicable codes, specific plans, and the Policy Plan (General Plan) component of The Ontario Plan, the City Engineer shall execute the City Engineer's certificate on the map, and shall file the final map or parcel map and accompanying materials with the City Council. The date of filing, as set forth in GC Section 66458, shall be the meeting date in which the final map or parcel map is received by the City Council.

3. Final Map/Parcel Map Action.

a. The City Council, at the meeting it receives the final map or parcel map, or at its next regular meeting or within a period of not more than 10 days following the meeting at which the City Council receives the final map and any accompanying materials, shall approve the map if it is found to be consistent with the approved tentative tract or parcel map, and is in compliance with this Development Code and all other applicable codes, specific plans, and the Policy Plan (General Plan) component of The Ontario Plan, and shall instruct the City Clerk to execute the approval certificate. If the final map or parcel does not conform, the City Council shall deny the final map.

b. At the time of approval of the final map or parcel map, the City Council shall accept, subject to improvement, or reject any offers of dedication.

c. The time limit for approval of the final map or parcel map may be extended by mutual consent of the subdivider and the City.

d. If the City Council does not approve or deny the final map or parcel map within the prescribed time, or any authorized extension, and the final map or parcel map conforms to all requirements and rulings, it shall be deemed approved, and the City Clerk shall certify its approval.

e. The City Clerk shall provide notice of any pending approval or denial of a final map or parcel map by the City Council. The notice shall be attached and posted with the City Council's regular agenda and shall be mailed to interested parties who request notification.

4.03.035: Subdivisions—Lot Line Adjustments

A. Purpose. The purpose of this Section is to establish procedures for adjusting the property lines between existing lots by means of a Lot Line Adjustment authorized by GC Section 66412(d).

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the City Engineer is hereby empowered to approve, approve in modified form, or deny a Lot Line Adjustment, and to impose reasonable conditions upon its issuance.

2. A Lot Line Adjustment may be utilized to reconfigure up to 4 adjoining legally recognized lots, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created.

C. Application Filing and Processing. A Lot Line Adjustment shall be filed, processed and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Decision.

1. The City Engineer may approve or deny a Lot Line Adjustment on the basis of the application, supporting plans, and documentation submitted by the applicant. The City Engineer shall limit its review to a determination of whether or not the lots resulting from the Lot Line Adjustment will conform to the Policy Plan (General Plan) component of The Ontario Plan; any applicable specific plan, area plan or planned unit development; and this Development Code.

2. Upon approval of a Lot Line Adjustment, the applicant shall provide the City with a conforming grant deed for each affected lot, which reflects the approved Lot Line Adjustment. The City shall then cause the grant deed(s) to be filed for record with the County Recorder. No record of survey shall be required for a Lot Line Adjustment unless required by BPC Section 8762.

E. Conditions of Approval.

1. The City Engineer shall not impose conditions or exactions on its approval of a Lot Line Adjustment, except as follows:

a. Require conformance to the Policy Plan (General Plan) component of The Ontario Plan, and any applicable specific plan, planned unit development, or area plan;

b. Require conformance with all applicable provisions of this Development Code and any applicable building ordinances;

c. Require the prepayment of real property taxes prior to the approval of the Lot Line Adjustment; and

d. Facilitate the relocation of existing utilities, infrastructure, or easements.

2. No tentative tract map, final map or parcel map shall be required as a condition to the approval of a Lot Line Adjustment.

4.03.040: Subdivisions—Map Corrections and Amendments

A. Purpose. The purpose of this Section is to establish a process by which a final map or parcel map that has been filed for recordation with the County Recorder may be amended by either a Certificate of Correction or an amending map.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the City Engineer is hereby empowered to approve, approve in modified form, or deny an application to correct or amend a final map or parcel map that has been filed for recordation with the County Recorder.

2. After a final map or parcel map is filed for recordation in the office of the County Recorder, it may be amended by a Certificate of Correction for any of the following purposes:

a. Correct an error in any course or distance shown on the map;

b. Show any course or distance that was omitted from the map;

c. Correct an error in the description of the real property shown on the map;

d. Indicate monuments set after the death, disability, and retirement from practice or replacement of the engineer or surveyor charged with responsibilities for setting monuments;

e. Show the proper location or character of any monument that has been changed in location or character, or originally was shown at the wrong location or incorrectly as to its character; or

f. Correct any other type of map error or omission that does not affect any property right, including, but are not limited to, lot numbers, acreage, street names, and identification of adjacent record maps.

C. Application Filing and Processing. An amending map or Certificate of Correction shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. The City Engineer may approve an amending map or Certificate of Correction only after finding that the changes made are limited to those set forth in Paragraphs

B.2.a through f, above, and shall certify to this fact on the amending map or Certificate of Correction.

E. Form and Content of Amendment.

1. The Certificate of Correction shall be prepared and signed by a registered civil engineer that possesses a State of California license registration number below C33966 and is competent to practice land surveying, or a licensed land surveyor authorized to practice in the State of California.

2. The form and content of the amending map shall conform to the requirements of this Development Code for tentative tract maps, final maps or parcel maps.

3. The Certificate of Correction shall set forth in detail the corrections made and show the names of the present fee owners of the property affected by the correction.

4.03.045: Subdivisions—Parcel Map Waiver

A. Purpose. The purpose of this Section is to establish a procedure for waiving the requirement for a final parcel map pursuant to GC Section 66428(b), which requires that a local agency provide a procedure for such.

B. Applicability. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the City Engineer is hereby empowered to waive the requirement for a final parcel map for the below-listed reasons, following the approval of a tentative map pursuant to this Development Code:

1. ǂThe parcel map is for a division of real property or interests therein created by probate, eminent domain procedures, partition, or other civil judgments or decrees; or

2. The Parcel Map is for a division of property resulting from the conveyance of land, or interest therein, to a public agency for a public purpose (e.g., drainage or sewers, public building sites, rights-of-way for streets, school sites, and utilities).

C. Application Filing and Processing. A request for waiver from the requirement for a final parcel map shall be filed and processed in conjunction with the tentative map. The City Engineer may act upon the parcel map waiver following approval of the tentative map and compliance with the conditions of approval imposed upon tentative map approval (if any).

D. Findings and Decision.

1. The City Engineer shall approve a waiver from the requirement for a final parcel map only after the City Engineer for the corresponding tentative map required pursuant to this Section finds that the proposed division of land:

a. Is consistent with the approved tentative parcel map, and is in compliance with this Development Code, the Subdivision Map Act, and all other applicable codes, specific plans, and is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

b. Complies with the requirements established by this Development Code and the Subdivision Map Act as to area, improvement and design, floodwater drainage control,

appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection.

2. If the proposed division of land does not conform to Subparagraphs 1.a and b above, the City Engineer shall not approve the Parcel Map Waiver.

E. Certificate of Compliance Required.

1. Following approval of a Parcel Map Waiver by the City Engineer, a Certificate of Compliance for the land to be divided shall be filed with the County Recorder.

2. Requirements for the construction of improvements shall be noted on the Certificate of Compliance by certificate pursuant to GC Section 66411.1.

F. Payment of Processing Fees. All necessary fees as established by City ordinance or by resolution of the City Council shall be paid by the applicant for processing and filing for record, any documents pertaining to the Parcel Map Waiver process.

4.03.050: Subdivisions—Lot Merger (Merger of Contiguous Parcels)

A. Purpose. The purpose of this Section is to establish a process for the implementation of those provisions of the Subdivision Map Act (commencing with GC Section 66451.10), pertaining to the merger of contiguous lots under common ownership (Lot Merger).

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the **City Engineer ~~Approving Authority~~** is hereby empowered to approve, approve in modified form, or deny a Lot Merger application, and to impose reasonable conditions upon the approval of the application.

2. The City may initiate a Lot Merger if any one of the contiguous lots or units held by the same owner does not conform to standards for minimum lot size applicable to the lots or units of land, and if all of the following requirements are satisfied:

a. At least one of the affected lots is not developed with a structure for which a building permit was issued or for which a building permit was not required at the time of construction, or is only developed with one or more accessory structures, or is developed with a single primary structure that is partially sited on a contiguous lot or unit.

b. With respect to any affected lot, one or more of the following conditions exists:

(1) Comprises less than 5,000 SF in area at the time of the determination of merger;

(2) Was not created in compliance with applicable laws and ordinances in effect at the time of its creation;

(3) Does not meet current standards for sewage disposal and domestic water supply;

(4) Does not meet slope stability standards;

(5) Has no legal access that is adequate for vehicular and safety equipment access and maneuverability;

(6) Its development would create health or safety hazards; or

(7) Is inconsistent with The Ontario Plan and any applicable area plan, specific plan, or planned unit development (other than minimum lot size or density standards).

c. The affected lots, when merged, will not:

(1) Be inconsistent or create a conflict with The Ontario Plan, any applicable Area Plan or Specific Plan, or the provisions of this Development Code;

(2) Result in a conflict with the location of any existing structures;

(3) Deprive or restrict access to another lot; or

(4) Result in the creation of new lot lines.

3. The City may require the owner of any contiguous lots to initiate the merger of contiguous lots as a condition of any Development Plan or Conditional Use Permit approval.

C. Application Filing, Processing and Hearing. A Lot Merger application shall be filed and processed pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Notification of Intention to Merge Lots.

1. Prior to merging any contiguous lots, the **City Engineer ~~Planning Director~~** shall mail a Notice of Intention to Merge ("NIM"), which notifies affected property owner(s) that the affected lots may be merged pursuant to the provisions of this Section. The NIM shall be sent by certified mail to the property owner(s) of record at the address(es) shown on the latest available assessment roll of the County of San Bernardino. The NIM shall include a statement that the property owner(s) may **appeal the decision of the City Engineer to the Planning Commission ~~request a hearing~~** to present evidence that the proposed Lot Merger does not meet the criteria for a merger. For the purpose of this Section, a property owner is any person holding any portion of title to any affected property.

2. The NIM shall be recorded with the San Bernardino County Recorder on the date that the notice is mailed to all property owners of record.

E. Request for Hearing. Within 30 days following the recordation of the NIM, the owner of the affected property may file a request with the **City Engineer ~~Planning Director~~**, for a hearing regarding the proposed Lot Merger.

F. Procedure for Hearing.

1. Upon receiving a request for a hearing, the **City Engineer ~~Planning Director~~** shall set a time, date, and location for a hearing to be conducted by the **Appeal ~~Approving~~** Authority,

and shall notify the property owner of the time, date, and location of the hearing by certified mail. The hearing shall be conducted not more than 60 days following the City's receipt of the property owner's request for hearing but may be postponed by mutual consent of the City and the property owner.

2. During the hearing, the property owner shall be given the opportunity to present any evidence that the affected property does not meet the standards for Lot Merger specified by this Section.

3. At the conclusion of the hearing, the **Appeal ~~Approving~~** Authority shall make a determination as to whether the affected lots should be merged and shall so notify the property owner of its determination.

4. The **Appeal ~~Approving~~** Authority may approve or deny a Lot Merger on the basis of the application and the presented evidence, after considering and clearly establishing the following findings, and giving specific reasons in support of each finding:

a. The merged lots comply with the appropriate provisions of the Subdivision Map Act and all applicable City requirements for the merging of contiguous lots; and

b. The merged lots do not adversely affect the purpose and intent of The Ontario Plan, or the public health, safety, and welfare.

5. If the **Appeal ~~Approving~~** Authority determines that the affected lots shall be merged, the **City Engineer ~~Planning Director~~** shall cause the **NIM ~~Notice of Intention to Merge~~**, specifying the names of the recorded owner(s) and describing the affected real property, to be recorded with the San Bernardino County Recorder within 30 days following conclusion of the **appeal** hearing.

6. If the **Appeal ~~Approving~~** Authority determines that the affected lots shall not be merged, the **City Engineer ~~Planning Director~~** shall cause a Release of **NIM ~~Notice of Intention to Merge~~** to be recorded with the San Bernardino County Recorder, and a letter of notification shall be sent by certified mail to the property owner(s) of record.

G. Determination When No Hearing Is Requested. If within the 30 days following the recordation of the NIM specified in Subsection D (Request for Hearing) of this Section, the property owner does not file a request for a hearing, at any time thereafter, the **City Engineer ~~Approving Authority~~** may make a determination whether or not the affected lots are to be merged. A **NIM ~~Notice of Intention to Merge~~** shall be recorded as provided for in Paragraph F.5 of this Section, no later than 90 days following the mailing of the NIM.

4.03.0550: Administrative Exceptions

A. Purpose. The Administrative Exception is hereby established for the purpose of granting minor departures from the strict application of certain numerical development standards established by this Development Code, when the departure would result in superior site, landscape, or architectural design features that could not otherwise be incorporated into a development project under the strict application of the development standards contained in this Development Code.

B. Applicability.

a. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny an Administrative Exception application, and to impose reasonable conditions upon the approval of the application.

b. Administrative Exceptions may be approved for reductions of up to 10 percent from **[i]** minimum setback and separation requirements, excepting nonresidential setback requirements from property lines that are common with any residentially zoned property; and, **[ii]** off-street parking required for nonresidential land uses pursuant to Table 6.03-1 (Off-Street Parking Requirements). An Administrative Exception shall not be approved for reductions from minimum lot size, lot dimensions, landscape coverage, or for an increase in maximum density, floor area ratio, or the height of a structure.

C. Application Filing, Processing and Hearing.

1. An Administrative Exception shall be filed and processed pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

2. A hearing shall not be required; however, the owners of all properties having a property line common with the affected property shall be notified of the proposed Administrative Exception pursuant to Section 2.03.010 (Public Hearing Notification) of this Development Code and shall be invited to comment on the application.

D. Findings and Decision. An Administrative Exception shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and any comments received from property owners notified pursuant to Subparagraph C.3.b of this Section, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The approval of the Administrative Exception is necessary to the production of a comprehensive development, incorporating an enhanced environment and architectural excellence (e.g., appropriate variety of structure placement and orientation opportunities, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than would normally be possible under the strict application of the applicable development standards;

2. The approval of the Administrative Exception will allow for the inclusion of site, architectural, or landscape features that could not otherwise be incorporated into the design of the project under the strict application of the provisions of the applicable development standards; and

3. The approval of the Administrative Exception will not adversely affect the overall quality of development on the project site and will not adversely affect neighboring properties.

4. The proposed Administrative Exception is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable Specific Plan or Planned Unit Development, and the purposes of this Development Code.

E. Conditions of Approval.

1. In approving an Administrative Exception, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

4.03.0~~60~~55: Fair Housing and Reasonable Accommodations

A. Purpose. Pursuant to Federal and State fair housing laws, the purpose of this Section is to provide a procedure whereby exceptions from specific applications of this Development Code may be considered and properly evaluated in order to assure that no person is discriminated against on the basis of race, color, religion, sex, sexual orientation, family status, marital status, disability, national origin, source of income, or ancestry, by being denied an equal opportunity to use and enjoy a dwelling.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Fair Housing and Reasonable Accommodation application and to impose reasonable conditions upon the approval of the application.

2. The Approving Authority may approve reasonable exceptions from the provisions of this Development Code, except that a Fair Housing and Reasonable Accommodation request shall not be approved that would allow the establishment of a land use that would not otherwise be allowed in the zoning district in which the affected property is located, or for increases in residential density.

C. Application Filing, Processing and Hearing. A Fair Housing and Reasonable Accommodation application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. A Fair Housing and Reasonable Accommodation request shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The persons who will use the subject property are protected under federal and state fair housing laws;

2. The requested exception is necessary to make specific housing available to a person who will occupy the subject property and who is protected under federal and state fair housing laws;

3. The requested exception will not impose an undo financial or administrative burden upon the City; and

4. The requested exception will comply with all applicable Building and Fire Codes and will not result in a fundamental alteration of the planning, zoning and development laws and procedures of the City.

E. Conditions of Approval.

1. In approving a Fair Housing and Reasonable Accommodation application, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

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Chapter 5.0:
Zoning and Land Use

Division 5.01—Zoning Districts and Boundaries
Division 5.02—General Land Use Provisions
Division 5.03—Supplemental Land Use Regulations

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Division 5.01—Zoning Districts and Boundaries

Sections:

5.01.000: Purpose
5.01.005: Establishment of Base Zoning Districts
5.01.010: Zoning Map Adoption
5.01.015: Zoning District Boundaries

5.01.000: Purpose

The purpose of this Division is to establish zoning districts to implement the goals of the community as stated in The Ontario Plan. The text and maps of the Policy Plan component of The Ontario Plan will provide additional guidance in the development and use of properties throughout the City.

5.01.005: Establishment of Base Zoning Districts

In order to carry out the purpose and provisions of this Development Code, the City is hereby divided into the following zoning districts:

A. Residential Zoning Districts.

1. AR-2 (Residential-Agricultural—0 to 2.0 DU/Acre) Zoning District. The AR-2 zoning district is hereby established to accommodate single-family residences on large lots, at a density range of 0 to 2.0 dwelling units per acre and allow for limited agricultural activities and animal keeping within a rural environment. The AR-2 zoning district is further intended to maintain a rural agricultural heritage and protect the area from suburban infringement, while maintaining a harmonious relationship between the rural and adjacent suburban land uses. The AR-2 zoning district is consistent with and implements the Rural Residential land use designation of the Policy Plan component of The Ontario Plan.

2. RE-2 Rural Estate—0 to 2.0 DU/Acre) Zoning District. The RE-2 zoning district is hereby established to accommodate single-family residences on larger lots, at a density range of 0 to 2.0 dwelling units per acre, in a semi-rural environment where limited animal keeping is permitted. The RE-2 zoning district is consistent with and implements the Rural Residential land use designation of the Policy Plan component of The Ontario Plan.

3. RE-4 Residential Estate—2.1 to 4.0 DU/Acre) Zoning District. The RE-4 zoning district is hereby established to accommodate single-family homes on estate-sized lots, in a suburban environment, at a density range of 2.1 to 4.0 dwelling units per acre. The RE-4 zoning district is consistent with and implements the Low Density Residential land use designation of the Policy Plan component of The Ontario Plan.

4. LDR-5 (Low Density Residential—2.1 to 5.0 DU/Acre) Zoning District. The LDR-5 zoning district is hereby established to accommodate single-family homes on individual lots, in a suburban environment, at a density range of 2.1 to 5.0 dwelling units per acre. The LDR-5 zoning district is consistent with and implements the Low Density Residential land use designation of the Policy Plan component of The Ontario Plan.

5. MDR-11 (Low-Medium Density Residential—5.1 to 11.0 DU/Acre) Zoning District. The MDR-11 zoning district is hereby established to accommodate a variety of attached and detached housing types, in a suburban environment, at a density range of 5.1 to 11.0 dwelling units per acre. The MDR-11 zoning district is consistent with and implements the Low-Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

6. MDR-18 (Medium Density Residential—11.1 to 18.0 DU/Acre) Zoning District. The MDR-18 zoning district is hereby established to accommodate a variety of attached and detached housing types, in a suburban environment, at a density range of 11.1 to 18.0 dwelling units per acre. The MDR-18 zoning district is consistent with and implements the Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

7. MDR-25 (Medium-High Density Residential—18.1 to 25.0 DU/Acre) Zoning District. The MDR-25 zoning district is hereby established to accommodate higher density residential developments, in a more urbanized environment, at a density range of 18.1 to 25.0 dwelling units per acre. The MDR-25 zoning district is consistent with and implements the Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

8. HDR-45 (High Density Residential—25.1 to 45.0 DU/Acre) Zoning District. The HDR-45 zoning district is hereby established to accommodate high-density multiple-family developments in an urban environment, generally located within 1/2-mile of a transit corridor or station, at a density range of 25.1 to 45.0 dwelling units per acre. The HDR-45 zoning district is consistent with and implements the High Density Residential land use designation of the Policy Plan component of The Ontario Plan.

B. Commercial Zoning Districts.

1. CS (Corner Store) Zoning District. The CS zoning district is hereby established to accommodate pedestrian-oriented neighborhood retail and service establishments developed at a maximum intensity of 0.4 FAR, which would have few impacts to adjacent residential uses due to the types of uses allowed and their limited hours of operation. CS zoning district locations are within established or planned neighborhoods, generally along residential collector streets, and are intended to provide their goods and services within walking distance to most of their customers. This zoning district provides for a scale and character of development that tends to attract and promote a walk-in clientele. Development within the CS zoning district should maximize human scale design elements, while providing a sensitive transition between the allowed uses and neighboring residences, including the provision of adequate and properly sited parking (including allowances for on-street parking). Sites within this zoning district are typically small in size (less than 0.5-acre), are usually stand-alone land uses, and are intended to fit into and protect the residential pattern of development. The CS zoning district is consistent with and implements the Neighborhood Commercial land use designation of the Policy Plan component of The Ontario Plan.

2. CN (Neighborhood Commercial—0.4 Maximum FAR) Zoning District. The CN zoning district is hereby established to accommodate the development of convenience centers at a maximum intensity of 0.55 FAR and are intended to serve residents within a one to 2-mile radius, with some customers within walking distance. Intended uses are smaller scale, which support the local market rather than a citywide or regional market (i.e., the difference between a Best Buy and a Radio Shack). Given their proximity to residential uses, the hours and types of uses allowed within the CN zoning district may be limited either by ordinance or by conditions of approval. Uses may be standalone or within a center generally 10 to 15 acres in size. The CN zoning district is

consistent with and implements the Neighborhood Commercial land use designation of the Policy Plan component of The Ontario Plan.

3. CC (Community Commercial—0.4 Maximum FAR) Zoning District. The CC zoning district is hereby established to accommodate retail, office, and service uses developed at a maximum intensity of 0.4 FAR, which serve residents within a 5-mile radius. If located within close proximity to residential areas, the operation of the commercial land uses may be limited to protect the nearby sensitive uses. Commercial uses within the CC zoning district may be standalone or within centers generally 10 to 20 acres in size. The CC zoning district is consistent with and implements the General Commercial land use designation of the Policy Plan component of The Ontario Plan.

4. CR (Regional Commercial—0.4 Maximum FAR) Zoning District. The CR zoning district is hereby established to accommodate commercial and entertainment centers which are larger in size than would otherwise be accommodated in the CC zoning district, developed at a maximum intensity of 0.4 FAR. The zoning district is intended for intense, regional-serving commercial and entertainment uses, and is generally located adjacent to, or in close proximity to, freeways and arterial roadways that accommodate regional traffic. Uses may be standalone or within a center generally 15 or more acres in size. The CR zoning district is consistent with and implements the General Commercial and Office Commercial land use designations of the Policy Plan component of The Ontario Plan. Furthermore, the CR zoning district is consistent with and implements the Office Commercial land use designation of the Policy Plan component of The Ontario Plan; provided, (a) the property shall have a minimum of 350 lineal feet of freeway frontage along Interstate 10 or Interstate 15, and (b) the use of the property shall be restricted to automobile dealers (including new and used automobiles, light trucks and vans).

5. CCS (Convention Center Support Commercial) Zoning District. The CCS zoning district is intended to accommodate uses developed at a maximum intensity of 1.0 FAR, which predominantly serve the Ontario Convention Center, regional uses, and the special needs of leisure and business clientele who visit the City and surrounding region. The CCS zoning district is consistent with and implements the Hospitality land use designation of the Policy Plan component of The Ontario Plan.

6. OL (Low Intensity Office) Zoning District. The OL zoning district is hereby established to accommodate low-intensity office and support commercial uses developed at a maximum intensity of 0.75 FAR, which are typically located in close proximity to residential developments. Development within this zoning district is residential in scale and typically no more than 2 stories in height. Uses within this zoning district are generally limited in their hours of operation to limit their impact upon nearby residents, and include administrative and business support services, local branches of financial institutions, legal services, insurance services, real estate services, medical and dental services, and similar support services. The OL zoning district is consistent with and implements the Office/Commercial land use designation of the Policy Plan component of The Ontario Plan.

7. OH (High Intensity Office) Zoning District. The OH zoning district is hereby established to accommodate intense professional office and supporting uses developed at a maximum intensity of 0.75 FAR, and is intended to be applied in areas planned for more concentrated urban uses, or in key locations of potential mass transit, major intersections, or in close proximity to identified activity centers. The OH zoning district is consistent with and implements the Office/Commercial land use designation of the Policy Plan component of The Ontario Plan.

C. Mixed Use Zoning Districts.

1. MU-1 (Downtown Mixed Use) Zoning District.

a. The MU-1 zoning district is hereby established to accommodate a fairly intensive mixture of vertical and horizontal retail, entertainment, and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 DU/AC, with the most intensive uses envisioned along Euclid Avenue and Holt Boulevard. Development projects are intended to maintain a pedestrian friendly atmosphere, while at the same time enhancing the historic character of the area.

b. Furthermore, the MU-1 zoning district is established to: **[i]** recognize, protect, and enhance the visual character and quality of Ontario's historic downtown area as a historic resource; **[ii]** establish and recognize Ontario's historic downtown as the arts and entertainment mecca for the surrounding region, to include a wide range of allowed uses, such as shopping, restaurants, outdoor dining, cultural offerings, street fairs, artist festivals, galleries, work/live lofts, breweries, and artisan co-ops; **[iii]** recognize Holt Boulevard as a vital east-west link to Ontario's historic downtown, offering opportunities for vertical and horizontal mixed use developments consisting of market rate and below market rate housing, retail and offices, and work/live uses; and **[iv]** recognize Ontario's civic center for its significant outdoor spaces, amenities and services, which serve to enhance the historic downtown's shopping, dining, and living experiences.

c. In order to carry out the purposes and provisions of the Land Use component of The Ontario Plan and this Development Code, the MU-1 zoning district is hereby divided into four Land Use Areas. The boundaries of each Land Use Area (LUA) is shown in Figure 5.01-1 (MU-1 (Downtown Mixed Use) Zoning District Land Use Areas Map) of this Division, and their purposes are described below.

(1) LUA-1 (Euclid Avenue Entertainment) District—The Euclid Avenue Entertainment District is a central urban location intended to provide the vitality, amenities, and a range of entertainment, shopping, restaurant, outdoor dining, and cultural offerings. The District is further intended to promote a variety of dense housing options; enhanced public and private rights-of-way to improve pedestrian, bicyclist, and vehicular connectivity; and grow employment opportunities.

(2) LUA-2 (Arts) District—

(a) The Arts District is intended as a dynamic destination for locals and tourists, while creating a fulfilling urban experience energized by artistic, educational, and commercial participants. The focus of the Area is to increase the number of collaborated events and programs within the Area, with the intent to attract visitors, promote economic vitality, and boost revenue. Street fairs, artist festivals, restaurants, galleries, work/live lofts, breweries, and artisan co-ops will contribute to the physical and cultural diversity of the Arts District.

(b) The Arts District is divided into two subareas: Arts District North and Arts District South.

(i) Arts District North is intended to accommodate a mix of work/live lofts, artisan co-ops, restaurants, galleries, breweries, and other commercial uses intended to strengthen the economic base of the area.

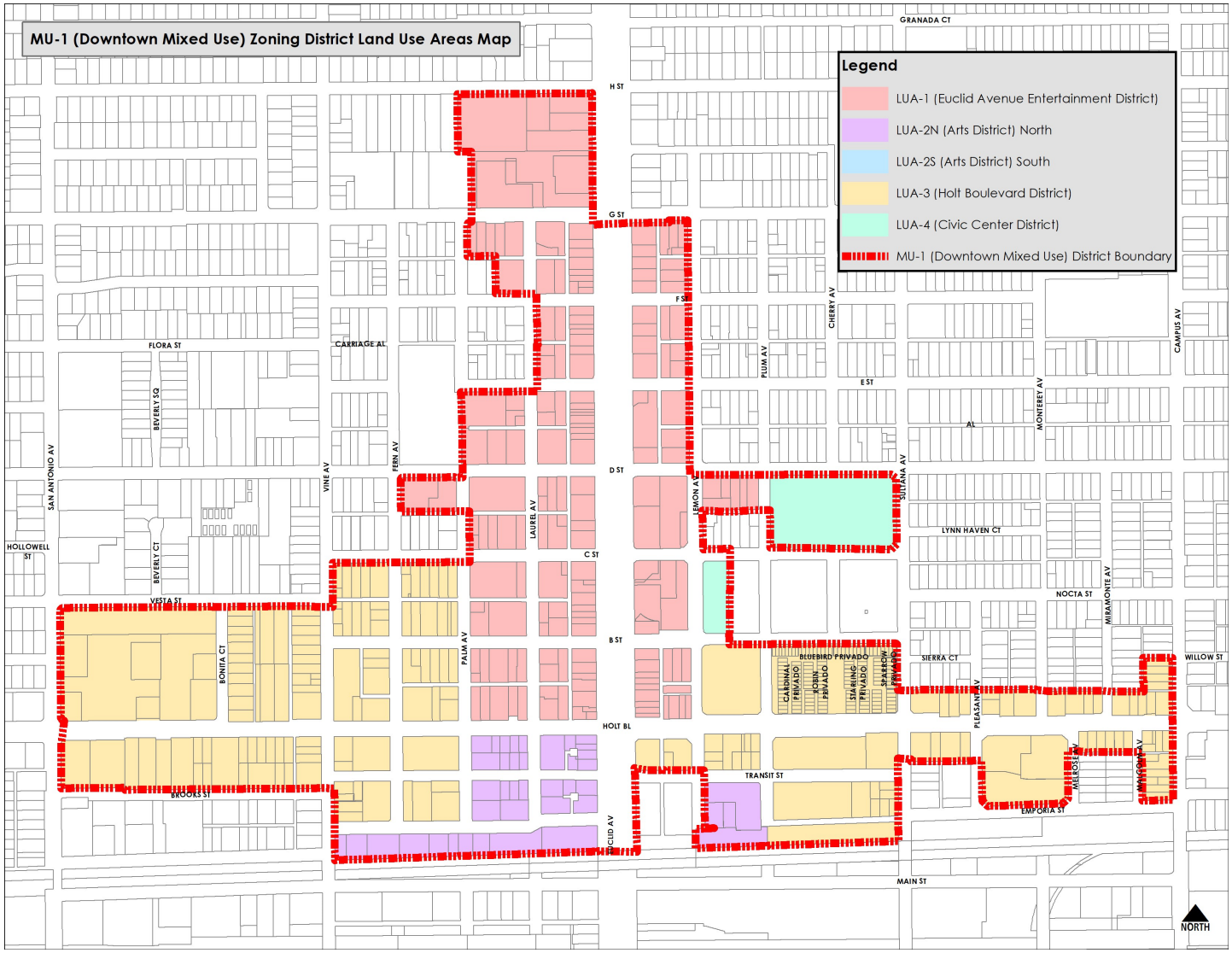


Figure 5.01-1: MU-1 (Downtown Mixed-Use) Zoning District Land Use Areas Map

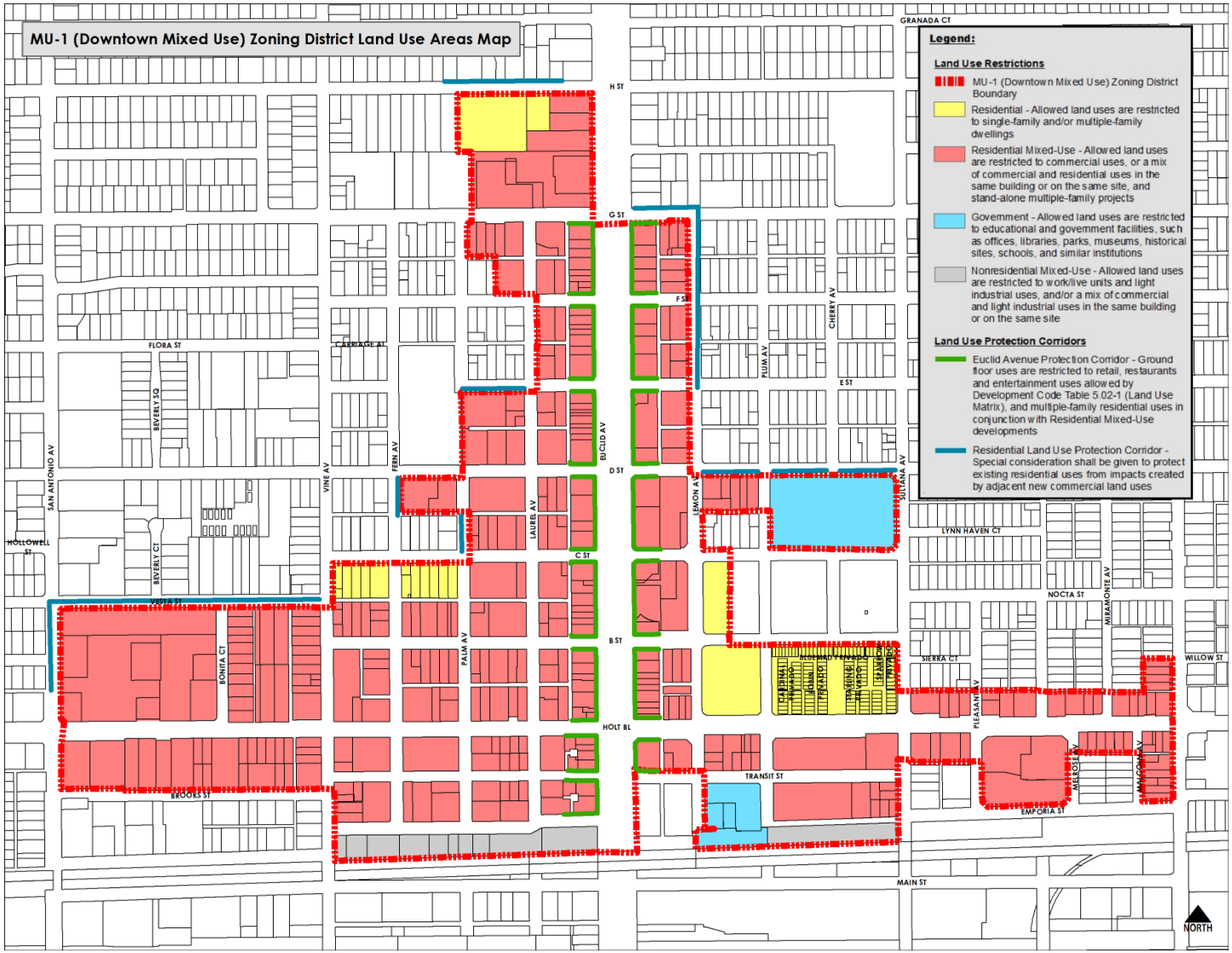


Figure 5.01-2: MU-1 (Downtown Mized Use) Zoning District Land Use Map

(ii) Arts District South is situated between Union Pacific and Southern Pacific Rail Lines, within an area not particularly suited to uses having a residential component (such as work/live lofts). Arts District South is envisioned to accommodate a mix of commercial, business park, and light industrial activities, which like Arts District North, will serve to stimulate the economic vitality of the area.

(3) LUA-3 (Holt Boulevard) District—Holt Boulevard is a vital east-west link to the downtown, particularly from Ontario International Airport, the Ontario Convention Center, and the nearby hospitality center. The Holt Boulevard District offers the most opportunity for development of market-rate and attainable housing. Mixed-use may be vertical or horizontal, with retail or live/work on the ground floor. Residents will have access to many downtown amenities, including shopping, public services, open space, and public transportation (Bus Rapid Transit or "BRT"). The District will be designed as a signature gateway to the City's historic downtown.

(4) LUA-4 (Civic Center) District—The Civic Center District's proximity to the Euclid Avenue Entertainment District will contribute to the community character and commercial vitality of Ontario's historic downtown area. People in need of City services at City Hall, the Public Library, or the Community Center, are potential shoppers and diners at downtown stores and restaurants. Furthermore, the Civic Center's significant outdoor spaces provide a link to downtown shopping, dining, streetscapes, and friendly pedestrian experiences.

d. To accomplish the objectives of the MU-1 (Downtown Mixed Use) zoning district, certain blocks have been imposed with use restrictions, as shown in Figure 5.01-2 (MU-1 (Downtown Mixed Use) Zoning District Land Use Map) of this Division.

e. The MU-1 zoning district, along with the Land Use Areas and Land Use Subdistricts established thereunder, is consistent with and implements the Downtown Mixed Use land use designation of the Policy Plan component of The Ontario Plan.

2. MU-3 (East Guasti Mixed Use) Zoning District. The MU-3 zoning district is hereby established to accommodate a mixture of low-rise (up to 5 stories) office and retail uses at an intensity of 1.0 FAR and residential uses at a density of 20 to 65 DU/AC, that will create identity and place within the southeast corner of the Guasti Mixed Use area. Approximately one-half of the MU-3 zoning district is developed with the historic San Secondo d'Asti Catholic Church. The remaining half of the area is intended for development with high-quality office, lodging, retail, and residential uses that respect the history of the adjacent Guasti Winery. The MU-3 zoning district is consistent with and implements the Guasti Mixed Use land use designation of the Policy Plan component of The Ontario Plan.

3. MU-6 (East Holt Mixed Use) Zoning District. The MU-6 zoning district is hereby established to accommodate the intensification of the Holt Boulevard Corridor with low-rise (up to 5 stories) buildings housing a mixture of retail and office uses at a development intensity of up to 1.0 FAR and 2.0 FAR, respectively, and residential uses at a density of 14 to 40 DU/AC. The intent of this zoning district is to create identity and place along the Holt Boulevard Corridor and provide a connection between the Downtown Mixed Use Area and the Ontario Airport Metro Center. The MU-6 zoning district is consistent with and implements the Holt Mixed Use land use designation of the Policy Plan component of The Ontario Plan.

4. MU-8B (Mountain/Fourth Mixed Use) Zoning District. The MU-8B zoning district is hereby established to accommodate a low-rise (up to 5 stories) mixture of retail uses at an intensity of 1.0 FAR and residential uses at a density of 20 to 75 DU/AC, that will create identity and place along the Mountain Avenue corridor and serve the surrounding residents. The MU-8B zoning district

is consistent with and implements the Mountain/Fourth Mixed Use Neighborhood Activity Hub land use designation of the Policy Plan component of The Ontario Plan.

5. MU-8C (West Holt Mixed Use) Zoning District. The MU-8C zoning district is hereby established to accommodate the intensification of the Holt Boulevard Corridor with low-rise (up to 5 stories) buildings housing a mixture of retail and office uses at a development intensity of up to 1.0 FAR and 2.0 FAR, respectively, and residential uses at a density of 14 to 40 DU/AC. The intent of this zoning district is to create identity and place along the Holt Boulevard Corridor and provide a connection between the Downtown Mixed Use Area and the Ontario Airport Metro Center. The MU-8C zoning district is consistent with and implements the Holt Mixed Use land use designation of the Policy Plan component of The Ontario Plan.

6. MU-8D (Euclid/Francis Mixed Use) Zoning District. The MU-8D zoning district is hereby established to accommodate a mixture of low-rise (up to 5 stories) retail uses at an intensity of up to 1.0 FAR, and residential uses at a density of 20 to 75 DU/AC, that will create identity and place along the Euclid Avenue corridor. The MU-8D zoning district is consistent with and implements the Euclid/Francis Mixed Use Neighborhood Activity Hub land use designation of the Policy Plan component of The Ontario Plan.

7. MU-8E (Euclid/Walnut Mixed Use) Zoning District. The MU-8E zoning district is hereby established to accommodate a low-rise (up to 5 stories) mixture of retail uses at an intensity of 1.0 FAR and residential uses at a density of 20 to 75 DU/AC, that will create identity and place along the Euclid Avenue corridor and serve the surrounding residents. The MU-8E zoning district is consistent with and implements the Euclid/Walnut Mixed Use Neighborhood Activity Hub land use designation of the Policy Plan component of The Ontario Plan.

D. Industrial Zoning Districts.

1. BP (Business Park) Zoning District. The BP zoning district is hereby established to accommodate industrial-serving commercial and office uses, and very light industrial uses, which may be developed at a maximum intensity of 0.6 FAR. Development within this zoning district is typically multi-tenant in nature; however, single-tenant buildings are not precluded. The BP zoning district is consistent with, and implements, the Business Park land use designation of the Policy Plan component of The Ontario Plan.

2. IP (Industrial Park) Zoning District. The IP zoning district is hereby established to accommodate a combination of commercial activity and light industrial uses, which may be developed at a maximum intensity of 0.6 FAR, and which support services to nearby industrial uses, technology centers, research and development, "clean" industry, and limited manufacturing activities. The IP zoning district is consistent with, and implements, the Business Park land use designation of the Policy Plan component of The Ontario Plan.

3. IL (Light Industrial) Zoning District. The IL zoning district is hereby established to accommodate lighter manufacturing and assembly activities, storage and warehousing activities, and other similar uses developed at a maximum intensity of 0.55 FAR. This zoning district is typically located within 500 feet of residentially zoned properties, public parks and schools, and mixed-use properties having a residential component. And is intended to serve as a buffer between residentially zoned areas and heavier industrial zoning districts. Allowed uses are expected to have little or no impacts on nearby residential uses with regard to noise, odor, or hazards. The IL zoning district is consistent with, and implements, the Business Park and Industrial land use designations of the Policy Plan component of The Ontario Plan.

4. IG (General Industrial) Zoning District. The IG zoning district is hereby established to accommodate a wide range of manufacturing and assembly activities, storage and warehousing activities, and other similar uses developed at a maximum intensity of 0.55 FAR, which desire to locate in larger buildings and on larger sites. This zoning district is generally located away from residentially zoned properties, public parks and schools, and mixed-use properties having a residential component. The IG zoning district is consistent with, and implements, the Industrial land use designation of the Policy Plan component of The Ontario Plan.

5. IH (Heavy Industrial) Zoning District. The IH zoning district is hereby established to accommodate heavier manufacturing, assembly, storage, warehousing, and other similar industrial activities, as well as adult uses, which may have negative impacts when located near residential or other sensitive land uses, and which may be developed at a maximum intensity of 0.55 FAR. This zoning district is intended to be located away from residentially zoned properties, public parks and schools, and mixed-use properties having a residential component. The IH zoning district is consistent with, and implements, the Industrial land use designation of the Policy Plan component of The Ontario Plan.

E. Specialized Use Zoning Districts.

1. CIV (Civic) Zoning District. The CIV zoning district is hereby established to accommodate permanent public facilities such as City Hall, public libraries, museums, public and private schools and colleges/universities, police and fire stations, and other similar facilities that require significant public investment and are utilized by the public. The CIV zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

2. MHP (Mobile Home Park) Zoning District. The MHP zoning district is hereby established to accommodate communities consisting of mobile homes and manufactured housing at a density range of 5.1 to 8.0 dwelling units per acre. The MHP zoning district is consistent with, and implements, the Low-Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

3. ONT (Ontario International Airport) Zoning District. The ONT zoning district is hereby established to accommodate Ontario International Airport and surrounding properties directly impacted by airport operations. This zoning district includes uses such as airport terminals (including commercial and service uses related to the terminals), car rental agencies, and airport-related industrial, and delivery uses developed at a maximum overall zoning district intensity of 0.55 FAR. The ONT zoning district is consistent with, and implements, the Ontario International Airport land use designation of the Policy Plan component of The Ontario Plan.

4. OS-C (Open Space-Cemetery) Zoning District. The OS-C zoning district is hereby established to accommodate cemetery sites. Cemeteries provide visual open space, but not recreational opportunities, and have unique characteristics and activities that warrant a separate zoning designation to address their operational characteristics. The OS-C zoning district is consistent with, and implements, the Open Space-Nonrecreation land use designation of the Policy Plan component of The Ontario Plan.

5. OS-R (Open Space-Recreation) Zoning District. The OS-R zoning district is hereby established to accommodate open space uses such as public parks and recreation centers. The OS-R zoning district is consistent with, and implements, the Open Space-Parkland and Open Space-Water land use designation of the Policy Plan component of The Ontario Plan.

6. PUD (Planned Unit Development) Zoning District. The PUD zoning district is hereby established to accommodate projects that require master plan approval pursuant to The Ontario Plan Policy Plan, which focuses on the character of the development, relationship of uses, public and private access, parking, pedestrian facilities, building form, integration with the roadways and pedestrian ways, public spaces, landscaping, amenities, and unique product types. The PUD zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

7. RC (Rail Corridor) Zoning District. The RC zoning district is hereby established to accommodate permanent rail or fixed transit corridors through the City and includes stations and ancillary facilities, railroad maintenance yards, and construction storage yards. The RC zoning district is consistent with, and implements, the Railroad land use designation of the Policy Plan component of The Ontario Plan.

8. SP (Specific Plan) Zoning District. The SP zoning district is hereby established to accommodate the adoption of Specific Plans pursuant to this Development Code. The SP zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

9. UC (Utilities Corridor) Zoning District. The UC zoning district is hereby established to accommodate flood control channels, retention and detention basins, electrical transmission corridors and landfills, and may include ancillary recreational facilities, such as public trails in conjunction with the primary use of the site. The UC zoning district is consistent with, and implements, the Open Space-Nonrecreational land use designation of the Policy Plan component of The Ontario Plan.

F. Overlay Districts.

1. AG (Agriculture) Overlay Zoning District. The AG Overlay zoning district is hereby established to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that development is slated to occur consistent with the Policy Plan component of The Ontario Plan and the underlying zoning district. Furthermore, it is the intent of this overlay zoning district is to permit continued agricultural use of properties or to establish general agricultural uses, including dairies, which are appropriate for areas of concentrated agricultural uses. The AG Overlay zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

2. EA (Euclid Avenue) Overlay Zoning District. The EA Overlay zoning district is intended to: **[i]** recognize, protect, and enhance the visual character and quality of Euclid Avenue as a major scenic and historic resource of the City; **[ii]** recognize and protect Euclid Avenue's position on the National Register of Historic Places; and **[iii]** recognize Euclid Avenue as a major contributor to Ontario's historic downtown area.

3. ES (Emergency Shelter) Overlay Zoning District. The ES Overlay zoning district is hereby established to accommodate Emergency Shelters, Supportive Housing, Transitional Housing, and Transitional Living Centers pursuant to the Housing Element of the Policy Plan component of The Ontario Plan, and GC Section 65583. The ES overlay district is consistent with, and implements, all land use designations of the Policy Plan component of The Ontario Plan.

4. MTC (Multimodal Transit Center) Overlay Zoning District. The MTC Overlay zoning district is hereby established to allow for the interim use of existing industrial buildings located in the Multimodal Mixed-Use land use designation, as shown on the Land Use Plan (Exhibit LU-01) of

The Ontario Plan, with general industrial land uses allowed in the IG zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Division, while at the same time preserving the City's vision for the development of a multi-modal transit center and supporting mixed-use development. The MTC Overlay zoning district is consistent with, and implements, the Multimodal Mixed-Use land use designation of the Policy Plan component of The Ontario Plan.

5. ICC (Interim Community Commercial) Overlay Zoning District. The ICC Overlay zoning district is hereby established to allow for the interim use of existing commercial buildings, which are nonconforming as to zoning and/or land use. Property in the ICC Overlay zoning district shall be subject to the land use requirements of the CN and CC zoning districts, as shown in Table 5.02-1 (Land Use Matrix) of this Division, while at the same time preserving the City's long term vision for the development and use of property consistent with the underlying Policy Plan (general plan) land use designation. The ICC Overlay zoning district is consistent with, and implements, all land use designations of the Policy Plan component of The Ontario Plan.

6. AH (Affordable Housing) Overlay Zoning District. The AH Overlay zoning district is hereby established to facilitate housing opportunities within the City of Ontario by means of the implementation of required rezone programs pursuant to the City's adopted Housing Element, where required for compliance with State Housing Element law.

7. CNO (Chino Airport) Overlay Zoning District. The CNO zoning district is hereby established to: **[i]** delineate the Airport Influence Area (AIA) for Chino Airport as the boundary of the CNO Overlay zoning district; **[ii]** adopt an airport land use compatibility plan for Chino Airport that is consistent with the 2011 Caltrans Airport Land Use Planning Handbook solely to address impacts within the boundaries of the City of Ontario; and **[iii]** promote compatibility between Chino Airport and the land uses that surround it. Property in the CNO Overlay zoning district shall be subject to the requirements of Reference I (Chino Airport Land Use Compatibility Plan) of this Development Code, which includes maps, criteria, and policy language to guide development within the Chino Airport AIA.

5.01.010: Zoning Map Adoption

The City Council hereby adopts the official zoning map of the City, entitled "City of Ontario Zoning Map" (hereafter referred to as "Zoning Map"). The Zoning Map is hereby incorporated into this Development Code by reference and shall be maintained on file in the office of the Planning Department. The boundaries of the zones as set forth on the Zoning Map are confirmed, adopted, and established, and may be amended pursuant to the requirements of Section 4.01.040 (Zone Changes) of this Development Code.

5.01.015: Zoning District Boundaries

When uncertainty exists as to the boundary of a district shown on the Zoning Map, the following regulations shall control:

A. Where a boundary line is indicated as following a street or alley, the boundary line shall be construed as following the centerline of the right-of-way;

B. Where a boundary line follows or coincides approximately with a lot line or property ownership line, the boundary line shall be construed as following the lot line or boundary line;

C. Where the boundary line is not indicated as following a street or alley and does not follow or coincide approximately with a lot line or property ownership line, unless specifically indicated by dimensions on the Zoning Map, the boundary line shall be determined based on the scale of the Zoning Map;

D. Where uncertainty exists, the Zoning Administrator shall determine in writing, the location of the boundary in question, giving due consideration to the location indicated on the Zoning Map, the objectives of the Development Code, and the specific purposes for each district; and

E. Where a street or alley is officially vacated or abandoned, the area within the area of vacated street or alley on each side of the centerline shall be classified in the same zoning district as the adjoining property.

Division 5.02—General Land Use Provisions

Sections:

5.02.000: Purpose
5.02.005: Applicability
5.02.010: Allowed Land Uses, Activities and Facilities

5.02.000: Purpose

The purpose of this Division is to identify those land uses, activities and facilities that may be established in conjunction with any buildings, improvements, lots, or premises that are privately owned, leased, operated, or controlled within the zoning districts established by Section 5.01.005 (Establishment of Base Zoning Districts) of this Development Code, and is to serve as a guide for the establishment of publicly owned land uses, activities and facilities (see Subsection 1.01.015.F (City Properties) of this Development Code.

5.02.005: Applicability

A. Land Use Matrix.

1. Land and facilities thereon shall be developed, divided, and/or used only for those activities and facilities listed in Table 5.02-1 (Land Use Matrix) of this Division. Table 5.02-1 (Land Use Matrix) establishes uses that are permitted, conditionally permitted, administratively permitted, or expressly prohibited, within the zoning districts established by Section 5.01.005 (Establishment of Base Zoning Districts) and identified on the Zoning Map established by Section 5.01.015 (Zoning Map Adoption) of this Chapter. A use that is not specifically allowed by Table 5.02-1 (Land Use Matrix) shall be deemed a prohibited use unless otherwise allowed by the Zoning Administrator pursuant to Subsection C (Land Uses, Activities and Facilities Not Addressed by the Land Use Matrix) of this Section. Notwithstanding any other provision of this Development Code, a medical marijuana dispensary, as defined in Division 9.01 (Definitions) of this Development Code shall be a prohibited use in all zoning districts of the City (see Section 5.03.295 (Medical Marijuana Dispensary) of this Chapter).

2. Table 5.02-1 (Land Use Matrix) further establishes a hierarchy of land uses, activities, and facilities, based upon the North American Industry Classification System (NAICS) — the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy — and identifies the NAICS code for each industry sector (2-number code), subsector (3-number code), group (4-number code), subgroup (5-number code), and use (6-number code), as they are applicable to the City, allowing the user to effectively reference the NAICS Association web site to obtain definitions for each industry, along with background information and access to various NAICS reference files and tools.

B. Land Use Regulations, Operating Conditions, and Development Standards. The "Additional Regulations" column of Table 5.02-1 (Land Use Matrix) references the location of regulations, operating conditions, and/or development standards that are applicable to the corresponding land uses, activities and facilities.

C. Land Uses, Activities and Facilities Not Addressed by the Land Use Matrix. Land uses, activities, or facilities not addressed by Table 5.02.1 (Land Use Matrix) may be considered by the Zoning Administrator upon the request for a land use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code.

D. Specialized Use and Overlay Zoning Districts. Land uses, activities, and facilities within Specialized Use and Overlay Zoning Districts, which are not addressed in Table 5.02-1 (Land Use Matrix), shall be applied as follows:

1. PUD (Planned Unit Development) Zoning District. The PUD zoning district is established to accommodate the development and use of properties that require Planned Unit Development approval pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. Land uses, activities, and facilities within the PUD zoning district shall only be allowed pursuant to the applicable Planned Unit Development document.

2. SP (Specific Plan) Zoning District. The SP zoning district is established to accommodate the adoption of Specific Plans pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. All land uses, activities, and facilities within the SP zoning district shall only be allowed pursuant to the applicable Specific Plan document.

3. EA (Euclid Avenue) Overlay District. The EA Overlay District is established to protect Euclid Avenue as a major scenic and historic resource of the City. All land uses, activities, and facilities within the EA Overlay district shall be allowed pursuant to the requirements of the applicable underlying base zoning district.

4. ES (Emergency Shelter) Overlay District. The ES Overlay District is established to accommodate Emergency Shelters, Supportive Housing, Transitional Housing, and Transitional Living Centers within areas of the City predetermined by the Housing Element (contained within the Policy Plan component of The Ontario Plan), pursuant to GC Section 65583. Within the ES Overlay District, Emergency Shelters, Supportive Housing, Transitional Housing, and Transitional Living Centers are permitted by right of being within the correct zoning district, and are subject to the land use standards contained within Section 5.03.400 (Temporary Shelters) of this Chapter and the development standards and guidelines contained within (Division 6.01 (District Standards and Guidelines) of this Development Code, as applicable to the underlying base zoning district.

5. MTC (Multimodal Transit Center) Overlay District. The MTC Overlay District is established to allow for the interim use of existing buildings located within the overly district boundary (established pursuant to Paragraph 5.01.010.F.4 (MTC (Multimodal Transit Center) Overlay District) of this Development Code), while at the same time preserving the City's vision for development of a multi-modal transit center and supporting mixed-use development. To this end, the below-listed land uses shall be permitted within existing buildings located within the MTC Overlay District:

a. General warehousing, storage, and distribution trades;

b. Wholesale trades;

c. Retail trades, limited to 15 percent of the building GFA or 8,000 SF, whichever is less;

d. Office administrative and business support services; and

e. Other uses approved by the Zoning Administrator that are similar in nature to those uses listed in Subparagraphs B.5.a through d, above, provided all activities are wholly contained within the building and do not have the potential to negatively impact properties in the vicinity, or are consistent with the Vision and Policy Plan components of The Ontario Plan.

E. Mobile Business Activities not addressed by Table 5.02-1 (Land Use Matrix). Any mobile business activity that is not otherwise allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Division, or has been allowed by the Zoning Administrator following a request for a use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code, shall be expressly prohibited.

5.02.010: Allowed Land Uses, Activities and Facilities

A. Land Use Matrix (Table 5.02-1) Symbols. Land and facilities thereon shall only be developed, divided and/or used for those activities listed in Table 5.02-1 (Land Use Matrix) of this Division. The symbols shown in the Land Use Matrix shall have the following meanings:

1. "**P**" (permitted) shall mean the land use, activity, or facility within the specified zoning district is permitted by right of being in the proper zoning district, and is subject to each Development Code provision applicable to the specified zoning district and the standards for specific uses, activities, and facilities contained in Division 5.03 (Supplemental Land Use Regulations) of this Development Code.

2. "**C**" (conditionally permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of a Conditional Use Permit pursuant to Section 4.02.025 (Conditional Use Permits) of this Development Code, and is subject to each Development Code provision applicable to the specified zoning district and the standards for specific uses, activities, and facilities contained in Division 5.03 (Standards For Specific Uses, Activities and Facilities).

3. "**A**" (administratively permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of an Administrative Use Permit pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code, and is subject to Development Code provisions applicable to the specified zoning district and the standards for specific uses, activities and facilities contained in Division 5.03 (Standards For Specific Uses, Activities and Facilities).

4. **"---"** (prohibited) shall mean the land use, activity, or facility within the specified zoning district is expressly prohibited and shall not be allowed within the specified zoning district unless changed by Development Code Amendment.

B. Consistency with the Policy Plan (General Plan) Component of The Ontario Plan. No land use, activity or facility shall be permitted that is inconsistent with the objectives, polices, general land uses and programs specified in Policy Plan (General Plan) component of The Ontario Plan. A land use is consistent with The Ontario Plan if considering all of its aspects, it is found to further the objectives and policies of The Ontario Plan.

C. Table 5.02-1 (Land Use Matrix) Organization. The land uses addressed in Table 5.02-1 (Land Use Matrix) are organized as follows:

NAICS Codes	Land Uses, Activities and Facilities
	Residential
	Mixed Use
11	Commercial Agriculture
21	Mining, Quarrying, and Oil and Gas Extraction
22	Utilities
23	Construction
31-33	Manufacturing
42	Wholesale Trade
44-45	Retail Trade
48-49	Transportation and Warehousing
51	Information
52	Finance and Insurance
53	Real Estate, Rental and Leasing
54	Professional, Scientific and Technical Services
55	Management of Companies and Enterprises
56	Administrative and Support, and Waste Management and Remediation Services
61	Education Services
62	Health Care and Social Assistance
71	Arts, Entertainment and Recreation
72	Accommodation and Food Services
81	Other Services (except Public Administration)
92	Public Administration
	Temporary and Interim Land Uses, Buildings and Structures

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																						
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	RESIDENTIAL																																			
	Animal Keeping (as an accessory use)																																			
	Birds																																			
	• *Fewer than 25 birds*	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	See residential animal keeping standards contained in Section 5.03.410 (Urban Agriculture)
	• *25 to 100 birds*	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	• *More than 100 birds*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Cattle & Buffalo	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Exotic Pets	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	
	Horses	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Household Pets (limited to any combination of dogs, cats, potbellied pigs, rabbits, chinchillas, and other small, domesticated animals that are maintained for non-breeding purposes only)																																			
	• *4 or fewer pets*	P	P	P	P	---	---	---	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	P	---	P	---	---	---	---	---	See residential animal keeping standards contained in Section 5.03.410 (Urban Agriculture)
	• *5 to 8 pets*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	• *More than 8 pets*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	Llamas, Alpacas, Burros, Donkeys, and Mules	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Ostriches, Emus, and Rheas	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Poultry and Fowl	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Rabbits and Chinchillas	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Swine	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Sheep, Goats, and Similar Livestock	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Caretaker Quarters (excludes Caretaker Quarters established in conjunction with Self-Storage Facilities (NAICS 493190))	---	---	---	---	---	C	C	C	C	---	C	---	---	---	---	---	---	---	---	---	---	---	C	---	C	C	C	P	---	---	---	---	---	---	---	
	Community Gardens, Urban Farms, and Related Uses	A	A	A	A	A	A	A	A	A	A	A	**A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	---	A	A	---	A	See community garden and urban farms standards contained in Section 5.03.410 (Urban Agriculture) ** Use shall be prohibited on property located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	Employee (Farmworker) Housing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	See Section 5.03.177 (Employee (Farmworker) Housing)
	Home Occupations	A	A	A	A	---	---	---	---	---	---	---	A	A	A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	A	---	A	---	---	---	---	See Section 5.03.240 (Home Occupations)
	Mobilehome Parks	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	See Section 5.03.295 (Mobilehome Parks)

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	Residential Development Projects																																				
	Accessory Residential Structures (structures that are incidental to a primary single-family dwelling)																																				
	Accessory Dwelling Units	P	P	P	P	---	---	---	---	---	---	---	P	P	P	P	P	P	P	P	P	---	P	---	---	---	---	---	P	---	---	---	---	---	---	---	See Section 5.03.010 (Accessory Dwelling Units)
	Accessory Residential Structures (includes guesthouses, pool houses, freestanding recreation rooms, garages, carports, garden and tool sheds, and other ancillary buildings and structures determined appropriate by the Planning Director)	P	P	P	P	---	---	---	---	---	---	---	P	P	---	P	---	P	P	P	P	P	P	---	---	---	---	---	P	---	P	---	---	---	---	---	See Subsection B (Accessory Residential Structures) of Section 5.03.011
	Multiple-Family Dwellings	---	---	P	P	---	---	---	---	---	---	---	P	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Table 6.01-3 (Multiple-Family Residential Development Standards)
	Single-Family Dwellings																																				
	• *Traditional Single-Family Residential Subdivisions*	P	P	P	P	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings); See Table 6.01-1 (Traditional Single-Family Development Standards)
	• *Small Lot Traditional Single-Family Residential Subdivisions*	---	P	P	P	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings); See Table 6.01-2A (Small Lot Traditional Residential Development Standards)
	• *Small Lot Alley-Loaded Single-Family Residential Subdivisions*	---	---	P	P	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings); See Table 6.01-2B (Small Lot Alley-Loaded Residential Development Standards)
	• *Cluster Single-Family Residential Subdivisions*	---	---	P	P	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings); See Table 6.01-2C (Cluster Single-Family Residential Development Standards)
	Small Lot Infill Subdivisions	---	---	P	P	---	---	---	---	---	---	---	P	P	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 6.01.010.F (Small Lot Infill Subdivisions)
	Senior Citizen Housing Developments	---	---	P	P	---	C	C	---	---	---	---	P	---	---	P	P	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.360 (Senior Citizen Housing Developments)
	Single Room Occupancy (SRO) Facilities	---	---	---	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.370 (Single Room Occupancy (SRO) Facilities)
	Supportive Housing	P	P	P	---	---	---	C	---	---	---	---	C	---	---	C	---	---	---	---	---	---	---	---	---	P	C	---	---	C	---	---	---	---	---	---	---	See Section 5.03.405 (Transitional Shelters and Supportive Housing)
	MIXED USES																																				
	Nonresidential Mixed-Use Developments (development projects containing a mix of commercial and light industrial uses in the same building or on the same site)	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.285 (Mixed-Use Developments)
	Residential Mixed-Use Developments (development projects containing a mix of commercial and residential uses in the same building or on the same site)	---	---	---	---	---	C	C	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.285 (Mixed-Use Developments)
	Work/Live Units	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.425 (Work/Live Units)

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
11	**COMMERCIAL AGRICULTURE**																																			
111	**Commercial Crop Production and Farming** (except community gardens, urban farms, and marijuana cultivation)	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	P	P	P	P	P	See Section 5.03.410 (Urban Agriculture) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Community Gardens*	A	A	A	A	A	A	A	A	A	A	A	**A	A	A	A	A	A	A	A	A	A	A	A	A	A	---	---	A	A	A	---	A	A	A	A	
	• *Urban Farms*	A	A	A	A	A	A	A	A	A	A	A	**A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	---	---	A	A	A	A	
	• *Marijuana Cultivation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See OMC Title 6, Chapter 18 for Marijuana Cultivation for Personal Use
112	**Commercial Animal Production and Aquaculture**																																			
1121	**Cattle Ranching and Farming**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	See Commercial Animal Production Standards contained in Section 5.03.410 (Urban Agriculture)
1122	**Hog and Pig Farming**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
1123	**Poultry and Egg Production**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
1124	**Sheep and Goat Farming**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	
1125	**Aquaculture** *(includes the cultivation of freshwater and saltwater fish, crustaceans, mollusks, aquatic plants, algae, and other organisms)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
1129	**Other Animal Production**																																			
112910	*Apiculture (beekeeping and production)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	P	---	---	---	P	See Commercial Animal Production Standards contained in Section 5.03.410 (Urban Agriculture)
112920	*Horses and Other Equine Production*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	
112930	*Fur-Bearing Animal Production (limited to rabbits, chinchillas, and other similar small, fur-bearing animals)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	
112990	*All Other Animal Production, limited to the following:*																																			
	• *Kennels and Catteries (includes animals owned by the owner or occupant of the property, and those kept and/or boarded for remuneration)*																																			
	[1] *Fewer than 8 animals*	P	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	P	---	---	---	---	---	---	---	See Commercial Animal Production Standards contained in Section 5.03.410 (Urban Agriculture) and OMC Section 6-1.224 through Section 6-1.228 regarding commercial kennel licensing.
	[2] *8 or more animals*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	C	---	---	---	---	---	---	---	
	• *Alpaca and Llama Farming*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	See Commercial Animal Production Standards contained in Section 5.03.410 (Urban Agriculture)
	• *Aviaries*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	
	• *Ostrich, Emu, and Rhea Farming*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
115	**Support Activities for Agriculture**																																			
115111 115112 115113 115114 115115 115116	*Support Activities for Crop Production (includes cotton ginning; soil preparation, planting and cultivating; crop harvesting; postharvest crop activities; farm labor contractors and crew leaders; and farm management services)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**P**	---	---	---	---	---	---	---	
115210	*Support Activities for Animal Production*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**P**	---	---	---	---	---	---	---	
21	**MINING, QUARRYING, AND OIL AND GAS EXTRACTION**																																			
211	**Oil and Gas Extraction**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
212	**Mining** (except oil and gas)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
213	**Support Activities for Mining**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
22	**UTILITIES**																																			
221	**Utilities**																																			
2211	**Electric Power Generation, Transmission and Distribution**																																			
221111	*Hydroelectric Power Generation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**C**	---	---	---	---	---	---	---	---	
221112	*Fossil Fuel Electric Power Generation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**C**	**C**	---	---	---	**C**	---	---	---	---	
221113	*Nuclear Electric Power Generation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
221114, 221115	*Solar and Wind Electric Power Generation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**P**	---	**P**	---	---	---	---	---	**C**	See Section 5.03.160 (Electric Power Generation, Solar and Wind)
221116, 221117, 221118	*Geothermal, Biomass, and All Other Electric Power Generation (excepting solar and wind electric power generation)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**C**	---	---	---	---	---	---	---	---	
221121 221122	*Electric Power Transmission, Control and Distribution (includes power transmission and control, and power distribution)*	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	---	**C**	**C**	**P**	**C**	**C**	**C**	**C**	
23	**CONSTRUCTION**																																			
236, 237, 238	**Contractors** (limited to businesses whose primary activity is performing specific activities involved in building construction, engineering and capital improvement projects, or the preparation of sites for construction)																																			
	• *Completely within a Building*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**P**	**P**	**P**	**P**	**P**	---	---	---	**P**	---	---	---	---	
	• *With Outdoor Storage (screened from public view)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**C**	**C**	**P**	**P**	---	---	---	---	---	---	---	---	See Section 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors)

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
31-33	**MANUFACTURING**																																			
***	**Boutique/Artisan Small-Scale and Micro Manufacturing Facilities** (includes all types of small-scale businesses that produce tangible goods, such as but not limited to: textiles, hardware and hardware prototyping, woodworking, metal working, 3D printing, consumer product design and prototyping, nonalcoholic beverage production, local food production and packaging, soaps, perfumes and lotions. Businesses may provide products directly to the consumer and/or to other businesses)	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	*** NAICS number shall be established based upon the primary manufacturing land use type See Section 5.03.037 (Artisan Small-Scale and Micro Manufacturing Facilities)
311	**Food Manufacturing**																																			
3111	**Animal Food Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3112	**Grain and Oilseed Milling**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3113	**Sugar and Confectionery Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3114	**Fruit and Vegetable Preserving and Specialty Food Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3115	**Dairy Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3116	**Animal Slaughtering and Processing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	
3117	**Seafood Product Preparation and Packaging**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
3118	**Bread and Tortilla Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.085 (Bread and Tortilla Manufacturing)
3119	**Other Food Manufacturing** (including snack foods, roasted nuts and peanut butter, coffee and tea, flavoring syrup and concentrate, seasoning and dressing, spice and extract, and all other miscellaneous food manufacturing)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.190 (Food Manufacturing, Other)
312	**Beverage and Tobacco Product Manufacturing**																																			
312111 312112 312113	**Beverage Manufacturing** (including soft drink, bottled water and ice manufacturing; however, excludes alcoholic beverage manufacturing)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
312120 312130 312140	**Alcoholic Beverage Manufacturing** (including breweries, wineries and distilleries, and related tasting rooms)																																			
	• *GFA less than 10,000 SF*	---	---	---	---	---	---	C	C	C	---	---	A	A	A	A	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.023 (Alcoholic Beverage Manufacturing)
	• *GFA 10,000 or More SF*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	
3122	**Tobacco Products Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	
313	**Textile Mills** (transforms basic fiber into fabric)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
314	**Textile Product Mills** (transforms fabric into product, except apparel)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	
315	**Apparel Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.035 (Apparel Manufacturing)
316	**Leather and Allied Product Manufacturing**																																			
3161	**Leather and Hide Tanning and Finishing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
3162	**Footwear Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.195 (Footwear Manufacturing)
3169	**Other Leather and Allied Product Manufacturing** (limited to manufacturing of luggage, handbags, purses, personal leather goods and other leather products)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.255 (Leather and Allied Product Manufacturing, Other)
321	**Wood Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
322	**Paper Manufacturing**																																				
3221	**Pulp, Paper, and Paperboard Mills**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3222	**Converted Paper Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	---	---	---	---	---	
323	**Printing and Related Support Activities**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
324	**Petroleum and Coal Products Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
325	**Chemical Manufacturing**																																				
3251	**Basic Chemical Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
3252	**Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	
3253	**Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing**																																				
325311	*Fertilizer Manufacturing with on-site composting*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	See Section 5.03.187 (Fertilizer Manufacturing from Manure Operations (FMMO)); and Section 5.03.415 (Waste Treatment and Disposal—Composting and Anaerobic Digestion Facilities)
325314	*Fertilizer Manufacturing without on-site composting (limited to mixing of purchased materials)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	
325320	*Pesticide and Other Agricultural Chemical Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
3254	**Pharmaceutical and Medicine Manufacturing** (excludes biological product manufacturing—see NAICS 325414, below)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	P	---	---	---	P	---	---	---	---	See Section 5.03.325 (Pharmaceutical and Medicine Manufacturing)
325414	*Biological Product (except diagnostic) manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
3255	**Paint, Coating, and Adhesive Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
3256	**Soap, Cleaning Compound, and Toilet Preparation Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	See Section 5.03.375 (Soap, Cleaning Compound, and Toilet Preparation Manufacturing)
3259	**Other Chemical Product and Preparation Manufacturing**																																				
325910	*Printing Ink Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
325920	*Explosives Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
325991	*Custom Compounding of Purchased Resins*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	
325992	*Photographic Film, Paper, Plate, and Chemical Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
325998	*All Other Miscellaneous Chemical Product and Preparation Manufacturing (such as: activated carbon and charcoal, antifreeze preparations, electronic cigarette vapor refills, industrial salt, lighter fluids (e.g., charcoal, cigarette), matches and matchbooks, pyrotechnics (e.g., flares, flashlight bombs, signals), sugar substitutes (i.e., synthetic sweeteners blended with other ingredients) made from purchased synthetic sweeteners, swimming pool chemical preparations, and writing inks)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	
326	**Plastics and Rubber Products Manufacturing**																																			
3261	**Plastics Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.335 (Plastics Product Manufacturing)
3262	**Rubber Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
327	**Nonmetallic Mineral Product Manufacturing** (except glass and glass product manufacturing)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
327211 327212 327213 327215	*Glass and Glass Product Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	
331	**Primary Metal Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	
332	**Fabricated Metal Product Manufacturing**																																			
3321	**Forging and Stamping**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	P	---	---	---	---	
3322	**Cutlery and Hand Tool Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.135 (Cutlery and Hand Tool Manufacturing)
3323	**Architectural and Structural Metals Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
3324	**Boiler, Tank and Shipping Container Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	
3325	**Hardware Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.235 (Hardware Manufacturing)
3326	**Spring and Wire Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.385 (Spring and Wire Product Manufacturing)
3327	**Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.260 (Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing)
3328	**Coating (e.g., anodizing, electroplating, etc.), Engraving, Heat Treating, and Allied Activities** (except painting, powder coating, and polishing metal and metal products for the trade)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
332812	*Painting, Powder Coating and Polishing Metal and Metal Products for the Trade*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
3329	**Other Fabricated Metal Product Manufacturing**																																			
332911 332912 329913 332919	*Metal Valve Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
332991	*Ball and Roller Bearing Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	
332992	*Small Arms Ammunition Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
332993	*Ammunition (except Small Arms) Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
332994	*Small Arms, Ordnance, and Ordnance Accessories Manufacturing, limited to the following:*																																			
	• *Small Arms Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
	• Other Ordnance and Accessories Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
332996	Fabricated Pipe and Pipe Fitting Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing (such as: foil containers (except bags), industrial patterns, metal hair curlers, metal ironing boards, metal pallets, metal pipe hangers and supports, metal safes, metal vaults (except burial), permanent metallic magnets, portable metal ladders, sanitary ware (e.g., bathtubs, lavatories, sinks), metal and enameled metal, and steel wool)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	See Section 5.03.185 (Fabricated Metal Product Manufacturing, All Other Miscellaneous)
333	**Machinery Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
334	**Computer and Electronic Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.115 (Computer and Electronic Product Manufacturing)
335	**Electrical Equipment, Appliance, and Component Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.165 (Electrical Equipment, Appliance, and Component Manufacturing)
336	**Transportation Equipment Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
337	**Furniture and Related Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.215 (Furniture and Related Product Manufacturing)
339	**Miscellaneous Manufacturing**																																			
3391, 3399	**Medical Equipment and Supplies; Jewelry and Silverware; Sporting and Athletic Goods; Dolls, Toys and Games; Office Supplies; Signs; and All Other Miscellaneous Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.265 (Manufacturing, Miscellaneous)
42	**WHOLESALE TRADE**																																			
423	**Merchant Wholesalers, Durable Goods**																																			
4231	**Motor Vehicles and Motor Vehicle Parts and Supplies**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
4232	**Furniture and Home Furnishings**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
4233	**Lumber and Other Construction Materials**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
4234	**Professional and Commercial Equipment and Supplies**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
4235	**Metals and Minerals (except Petroleum)**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
4236	**Household Appliances, and Electrical and Electronic Goods**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
4237	**Hardware and Plumbing, and Heating Equipment and Supplies**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

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													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
4238	**Machinery, Equipment and Supplies**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	
4239	**Miscellaneous Durable Goods**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	
423910	*Sporting and Recreational Goods and Supplies*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
423920	*Toy and Hobby Goods and Supplies*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
423930	*Recyclable Materials (includes wholesale activity only; refer to NAICS 562920 (Material Recovery Facilities) for recovery/processing (recycling) activities)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	---	---	---	---	---	---	---	---	
423940	*Jewelry, Watches, Precious Stones, and Precious Metals*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
423990	*Other Miscellaneous Durable Goods, excepting ordnance and accessories (includes uses such as: firearms (except sporting), musical instruments, prerecorded audio and video tapes and discs, phonograph records, prerecorded compact discs (CDs) and digital video discs (DVDs), and timber and timber products (except lumber))*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	
424	**Merchant Wholesalers, Nondurable Goods** (excludes industrial gases, petroleum bulk stations and terminals, and fireworks and explosives merchant wholesalers)																																			
4241	**Paper and Paper Product Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4242	**Drugs and Druggists' Sundries Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4243	**Apparel, Piece Goods, and Notions Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4244	**Grocery and Related Product Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4245	**Farm Product Raw Materials Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4246	**Chemical and Allied Product Merchant Wholesalers**, except as listed below:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
424690	*Explosives and Fireworks*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
424690	*Industrial Gases and Liquefied Gases (except petroleum gas)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
424690	*Welding Gases*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
4247	**Petroleum and Petroleum Products Merchant Wholesalers**, as listed below:																																				
424710	*Petroleum Bulk Stations and Terminals*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
424720	*Petroleum and Petroleum Products (except bulk stations and terminals)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
4248	**Beer, Wine, and Distilled Alcoholic Beverage Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4249	**Miscellaneous Nondurable Goods Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
425	**Wholesale Trade Agents and Brokers**																																				
425120	*Automobile auctions (wholesale auctions only)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	

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2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
425120	*Business to Business Electronic Markets (via internet or other electronic means)*	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.090 (Business to Business Electronic Markets)
425120	*Durable and Nondurable Goods Agents and Brokers (office only)*	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.155 (Durable and Nondurable Goods Agents and Brokers)
425120	*Group Purchasing Organizations (acting as agents for goods distribution)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
425120	*Petroleum Brokers (office only)*	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	
44-45	**RETAIL TRADE**																																				
441	**Motor Vehicle and Parts Dealers**																																				
4411	**Automobile Dealers**, limited to new and used automobiles, and light trucks and vans (includes vehicle sales, and ancillary motor vehicle repair and maintenance activities)																																				
441110	*New Vehicles*	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.040 (Automobile Dealers - New Vehicle Sales and Leasing, and Automobile Rental) and Section 5.03.305 (Motor Vehicle Dealers)
441120	*Used Vehicles*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.305 (Motor Vehicle Dealers)
4412	**Other Motor Vehicle Dealers**																																				
441210	*Recreational Vehicles*	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.305 (Motor Vehicle Dealers)
441222	*Boats*	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	
441227	*Motorcycles, Personal Watercraft, All Terrain Vehicles, and Other Similar Vehicles*	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	
4413	**Automotive Parts, Accessories and Tire Stores**																																				
441330	*Automotive Parts and Accessories (excludes automotive repair)*	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	
441340	*Tire Stores*	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	
444	**Building Materials, Garden Equipment and Supplies Stores**	---	---	---	---	---	---	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
445	**Food and Beverage Stores**																																				
4451	**Grocery and Convenience Stores**																																				
445110	*Supermarkets and Other Grocery Stores, Delicatessens (primarily retailing a range of grocery items and meats), Commissaries and Food Stores*	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
445131	*Convenience Stores (limited to 10,000 SF maximum)*	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
445132	*Vending Machine Operators (retailing of merchandise through vending machines, as an ancillary business activity, within a fully enclosed building)*	---	---	---	---	P	P	P	P	P	P	P	P	---	---	P	---	---	P	P	P	P	P	P	P	P	P	---	P	---	P	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
4452	**Specialty Food Stores**																																			
445230 445240 445250 445291 445292 445298	*Confectionary and Baked Goods, Confectionary and Nut Stores, Dairy Products, Ice Cream, Meat, Seafood, Produce (except farmers markets and certified farmers' markets), Soft Drink, Tea and Coffee, Water Stores, and All Other Specialty Foods*	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.125 (Convenience Markets and Specialty Food Stores)
445230	*Farmers Markets and Certified Farmers Markets*	---	---	---	---	C	C	C	C	---	---	---	C	C	C	---	C	C	---	C	---	---	C	---	---	---	---	---	C	C	---	---	---	C	---	---	
4453	**Alcoholic Beverage Sales for Consumption Off-Premises**																																			
445320	*Alcoholic Beverage Sales for Consumption Off-Premises (except beer, wine, and liquor stores, see below)*	---	---	---	---	C	C	C	C	C	---	C	C	C	C	C	C	C	C	C	C	C	C	C	---	---	---	---	---	---	---	C	---	---	---	---	See Section 5.03.025 (Alcoholic Beverage Sales)
445320	*Beer, Wine, and Liquor Stores*	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	P	---	---	---	---	
449	**Furniture, Home Furnishings, Electronics, and Appliance Retailers**																																			
4491	**Furniture and Home Furnishings Stores**	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.210 (Furniture and Home Furnishings Stores)
4492	**Electronics and Appliance Stores**	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.175 (Electronics and Appliance Stores)
455	**General Merchandise Stores**																																			
4551	**Department Stores**	---	---	---	---	---	---	P	P	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4552	**Warehouse Clubs, Supercenters, and Other General Merchandise Stores**																																			
455211	*Warehouse Clubs and Supercenters*	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
455219	*All Other General Merchandise Stores (includes dollar stores, general merchandise catalog showrooms (except catalog mail order), general stores, general merchandise trading posts, home and automobile supply stores, and variety stores)*	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
456	**Health and Personal Care Stores**																																			
456110	*Pharmacies and Drug Stores*	---	---	---	---	P	P	P	P	---	P	P	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	See Section 5.03.330 (Pharmacies and Drug Stores) See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities.
	Marijuana Dispensaries	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.280 (Marijuana Dispensary)
456120	*Cosmetics, Beauty Supplies, and Perfume Stores*	---	---	---	---	P	P	P	P	---	---	---	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
456130	*Optical Goods Stores*	---	---	---	---	P	P	P	P	---	---	P	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
456191	*Food (Health) Supplement Stores*	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
456199	*All Other Health and Personal Care Stores (such as: hearing aids, medical equipment and supplies, personal mobility scooters, and prosthetics)*	---	---	---	---	---	P	P	P	---	---	P	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
457	**Gasoline Stations and Fuel Dealers**																																			
457110	*Gasoline Stations with Convenience Stores*	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	
457120	*Other Gasoline Stations, including Truck Stops*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
457190	*Self-Serve and Full Service Gasoline Stations*	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	P	P	P	P	P	P	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.225 (Gasoline and Fueling Stations)
457190	*Automated Fueling Stations ("card lock" facilities)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	P	---	---	---	---	See Section 5.03.225 (Gasoline and Fueling Stations)
457210	*Fuel Dealers (limited to the direct selling of alternative fuels, bottled gas, firewood, fuel oil, jet fuel bulk stations, and liquefied petroleum gas (LPG))*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	P	---	---	---	---	
458	**Clothing, Clothing Accessories, Shoes, and Jewelry Stores**	---	---	---	---	C	P	P	P	---	---	---	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
459	**Sporting Goods, Hobby, Book, and Musical Instrument Stores** (such as: sporting goods stores; hobby, toy, and game stores; sewing, needlework and piece goods (fabric and upholstery materials) stores; musical instrument and supplies stores; bookstores; and newsstands)	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
4591	**Sporting Goods, Hobby, and Musical Instrument Stores**	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
4592	**Book Stores and News Dealers**	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
4593	**Florists**	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
4594	**Office Supplies, Stationery, and Gift Stores**	---	---	---	---	C	P	P	P	P	---	P	P	P	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
4595	**Used Merchandise Stores** (except motor vehicles), limited to the following:																																			
459510	*Antique, Vintage and Collectibles Shops*	---	---	---	---	---	P	P	P	---	---	P	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
459510	*Consignment Shops*	---	---	---	---	---	P	P	P	---	---	---	P	P	P	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
459510	*Flea Markets and Swap Meets (indoor only)*	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
459510	*Precious Metals, Gemstones, Jewelry, and Similar Merchandise (includes purchase of previously owned merchandise, such as "cash for gold" stores)*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	
459510	*Personal Property Donation Bins*	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.320 (Personal Property Donation Bins)
459510	*Thrift and Secondhand Stores, and Used Goods Stores*	---	---	---	---	---	---	P	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.400 (Thrift and Secondhand Stores, and Used Goods Stores)
4599	**Other Miscellaneous Stores**																																				
459910	*Pet and Pet Supplies Stores*	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
459920	*Art Dealers*	---	---	---	---	---	P	P	P	---	---	P	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
459930	*Manufactured (Mobile) Home Dealers, limited to the following:*																																				
	• *Without Display of Homes*	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	• *With Indoor Display of Homes (no outdoor display of homes permitted)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
459991	*Smoking/Vaping Retailers (includes cigar stores, cigarette stands, electronic cigarette stores, hookah supplies stores, smoking / vaping supplies stores, tobacco stores, and other similar facilities — In-store smoking and/or vaping shall be prohibited)*	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.245 (Hookah Establishments, Smoking / Vaping Lounges, and Smoking / Vaping Retailers)
459999	*All Other Miscellaneous Store Retailers, limited to the following:*																																			
	• *Art Supplies, Candles, Closet Organizers, Collectibles, Flowers, Home Security Equipment, Hot Tubs, Janitorial Supplies, Police Supplies, Religious Goods, Swimming Pool Supplies and Trophy Shops*	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• *Auction Houses*	---	---	---	---	---	---	---	C	---	---	---	**C	---	---	C	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Industrial Retail Sales (limited to the ancillary retail sales of goods and/or product either manufactured, warehoused, or wholesaled on-site)*																																			
	[1] *≤ 15% of Building GFA Area or 8,000 SF, whichever is less*	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
	[2] *> 8,000 SF or 15% of Building GFA*	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	C	C	C	C	C	---	---	---	P	---	---	---	---	
48-49	**TRANSPORTATION AND WAREHOUSING**																																			
481	**Air Transportation**, limited to the following:																																			
481111 481112	*Scheduled Passenger Air Transportation and Scheduled Freight Air Transportation (Airport Facilities)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	See Section 5.03.020 (Air Transportation)
481211 481212	*Nonscheduled Chartered Passenger Air Transportation and Nonscheduled Chartered Freight Air Transportation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	
481219	*Other Nonscheduled Air Transportation (such as: aircraft charter services, aviation clubs, and privately-owned aircraft)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	
481219	*Helipad/Heliport*	---	---	---	---	---	---	---	P	C	---	C	---	---	---	---	---	C	---	---	---	---	---	---	---	---	P	P	---	P	---	P	---	---	---	---	
482	**Rail Transportation**																																			
482111 482112	*Line-Haul, Short-Line and Beltline Railroads*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	P	---	
484	**Truck Transportation** (includes general and specialized freight trucking)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
485	**Transit and Ground Passenger Transportation**																																			
4851	**Urban Transit Systems** (includes public mixed-mode, commuter rail and bus transit passenger terminals and stations)	---	---	---	---	---	---	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	C	C	C	
4853	**Taxi and Limousine Services**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
4855	**Charter Bus Services**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
4859	**Other Transit and Ground Passenger Transportation**																																			

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
485991	*Special Needs Transportation (such as: handicapped passenger transportation, paratransit transportation, pet transportation, senior citizen transportation, and special needs passenger transportation)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
485999	*Other Transit and Ground Passenger Transportation (such as: airport limousine and shuttle services, and carpool and vanpool operations)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
488	**Support Activities for Transportation**																																			
4881	**Support Activities for Air Transportation**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	
4882	**Support Activities for Rail Transportation** (includes servicing and maintenance facilities)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	C	---	
488210	*Railroad Passenger Terminals (line-haul, short-line and belt-line railroads)*	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	C	C	C	---	P	---	P	---	---	P	---	
488210	*Railroad Equipment Maintenance Yards*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	C	---	
4884	**Support Activities for Road Transportation**																																			
488410	*Towing Services (see Motor Vehicle Storage (NAICS 493190) for vehicle storage requirements)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	
488490	*Bus Passenger Terminals (independent)*	---	---	---	---	---	---	C	C	C	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	
4885	**Freight Transportation Arrangement** (limited to shipping agents and brokers)	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.200 (Freight Transportation Arrangement)
491	**Postal Service** (limited to US Postal Service and contract services. See "Private Mail Centers and Postal Services and Supplies" (NAICS 561431) for commercial mail services)	---	---	---	---	P	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
492	**Couriers and Messengers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
493	**Warehousing and Storage**																																			
493110	*General Warehousing and Storage, limited to the following:*																																			
	• *Within a Wholly Enclosed Building*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
	• *Outside Materials and Equipment Storage*																																			
	[1] *In conjunction with an allowed use*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---P	P	P	P	---	---	---	P	---	---	---	---	
	[2] *As a primary use of property*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	p	---	---	---	P	---	---	---	---	
493120	*Refrigerated Warehousing and Storage*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	
493190	*Other Warehousing and Storage, limited to the following:*																																			
	• *Bulk Petroleum Storage (tank farm)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
	• *Lumber Storage*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
	• *Motor Vehicle Storage*																																			
	[1] *Indoor Vehicle Storage*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	[2] *Outdoor Vehicle Storage*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	P	---	---	---	C	See Section 5.03.310 (Motor Vehicle Storage Facilities)
51	**INFORMATION**																																			
512	**Motion Picture and Sound Recording Industries**																																			
5121	**Motion Picture and Video Industries**																																			
512110 512120	*Motion Picture and Video Production and Distribution*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	P	---	---	---	
512131	*Motion Picture and Video Exhibition (movie theaters, except drive-in theaters)*	---	---	---	---	---	---	C	P	P	P	---	**P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
512191	Teleproduction and Other Postproduction Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	
512199	Other Motion Picture and Video Industries (such as: booking agencies, film libraries, film laboratories and film restoration)	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	
5122	**Sound (Audio) Recording Facilities**	---	---	---	---	---	---	P	P	---	*P	*P	**P	P	P	P	---	*P	P	*P	*P	P	*P	P	P	P	P	*P	---	---	---	---	---	---	---	---	See Section 5.03.380 (Sound (Audio) Recording Facilities) * Only allowed incidental to a permitted or conditionally permitted land use ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
513	**Publishing Industries** (except Internet—see Other Information Services)																																			
5131	**Newspaper, Periodical, Book, and Directory Publishers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	P	P	---	---	---	---	---	---	---	---	
5132	**Software Publishers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
516	**Broadcasting** (except Internet—see Other Information Services)																																			
516110 516120	*Radio Broadcast Studios/Stations*	---	---	---	---	---	C	P	P	---	---	P	**P	P	P	P	---	P	---	C	P	C	P	P	P	P	P	P	---	---	---	---	P	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
516120	*Television Broadcast Studios/Stations*	---	---	---	---	---	C	P	P	---	---	P	**P	P	P	P	---	P	---	P	P	C	P	P	P	P	P	P	---	---	---	---	P	---	---	---	
517	**Telecommunications Facilities**																																			
517111	*Wired telecommunications Facilities*	C	C	C	C	C	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	---	P	P	P	P	See Section 5.03.420 (Wireless Telecommunications Facilities) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
517112	*Wireless Telecommunications Facilities*	P	P	P	P	P	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	P	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
5174	**Satellite Telecommunications Facilities**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	P	---	---	---	---	
5178	**All Other Telecommunications** (includes telecommunications resellers, radar station operations, and satellite telemetry operations and tracking stations)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	
518	**Data Processing, Hosting and Related Services**	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.140 (Data Processing, Hosting and Related Services)
519	**Libraries and Archives**																																				
519210	*Libraries and Archives*	C	C	C	C	C	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	C	---	---	---	---	---	P	---	---	---	---	---	---	
52	**FINANCE AND INSURANCE**																																				
522	**Credit Intermediation and Related Activities**																																				
5221	**Depository Credit Intermediation** (limited to commercial banking, savings institutions, and credit unions)	---	---	---	---	---	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.145 (Depository Credit Intermediation) See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities. ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5222	**Nondepository Credit Intermediation** (such as: credit card issuing, sales financing, consumer and real estate lending, and secondary market financing, excluding pawn shops and pawn brokers)	---	---	---	---	---	---	P	P	---	P	P	---	---	---	P	P	P	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	
522299	*Pawnshops and Pawnbrokers*	---	---	---	---	---	---	C	C	---	---	---	**C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5223	**Activities Related to Credit Intermediation**																																				
522310	*Mortgage and Nonmortgage Loan Brokers*	---	---	---	---	---	P	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
522320	*Financial Transactions Processing and Clearinghouse Activities*	---	---	---	---	---	---	P	P	---	---	P	**P	P	P	P	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	
522390	*Other Activities Related to Credit Intermediation (limited to check cashing, money order issuance, money transmission and payday advance services)*	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.130 (Credit Intermediation-Related Activities)

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
523, 524, 525	**Securities, Commodity Contracts, and Other Financial Investments; Insurance Carriers; and Related Activities, Funds, Trusts, and Other Financial Vehicles**	---	---	---	---	---	P	P	P	---	P	P	**P	P	P	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
53	**REAL ESTATE RENTAL AND LEASING**																																				
531	**Real Estate**																																				
5311	**Real Estate Rental or Leasing**, except banquet halls	---	---	---	---	C	P	P	P	P	P	P	**P	P	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
531120	*Banquet Halls (standalone facilities)*	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.067(Banquet Facilities - Historic Properties) for administratively permitted banquet facility uses located on historically designated properties
531130	*Self-Storage Facilities*	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	See Section 5.03.355 (Self-Storage Facilities)
5312	**Real Estate Agents and Brokers**	---	---	---	---	C	P	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5313	**Activities Related to Real Estate** (such as: escrow services, fiduciaries, listing services, property managers, and appraisers)	---	---	---	---	P	P	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
532	**Rental and Leasing Services**																																				
5321	**Automotive Equipment Rental and Leasing**																																				
53211	*Passenger Car Rental and Leasing*	---	---	---	---	---	---	C/P	C/P	C/P	---	---	---	---	---	---	---	---	C	---	C	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.040 (Automobile Dealers—New Vehicle Sales and Leasing, and Automobile Rental)
53212	*Truck, Utility Trailer, and Recreational Vehicle Rental and Leasing*	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	P	---	---	---	P	---	---	---	---	
5322	**Consumer Goods Rental** (limited to rental of consumer electronics and appliances, costumes, formal wear, furniture rental, home health equipment, musical instrument rental, party and banquet accessories, recreational goods, and video tapes and discs)	---	---	---	---	---	---	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.120 (Consumer Goods Rental) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5323	**General Rental Centers** (limited to home and garden tool and equipment rental)	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	P	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.230 (General Rental Centers)
5324	**Commercial and Industrial Machinery and Equipment Rental and Leasing**	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
54	**PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES**																																				
541	**Professional, Scientific, and Technical Services, except Scientific Research and Development Services, and Veterinary and Animal Hospital Services** (such as legal, accounting, tax preparation, bookkeeping, payroll, architecture, engineering, and specialized design services; systems design; management, scientific, and technical consulting services; and advertising and public relations services)	---	---	---	---	---	---	P	P	P	P	P	**P	---	---	P	---	---	P	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5417	**Scientific Research and Development Services**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
5419	**Other Professional, Scientific, and Technical Services** (except veterinary and animal hospital services)	---	---	---	---	---	P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	P	---	---	---	---	
541940	*Veterinary and Animal Hospital Services*	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	---	---	P	P	P	P	P	P	P	---	---	---	C	---	---	---	---	---	---	---	---	
55	**MANAGEMENT OF COMPANIES AND ENTERPRISES**																																				
551	**Management of Companies and Enterprises** (limited to offices of holding companies, and corporate, subsidiary, and regional managing offices)	---	---	---	---	---	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
56	**ADMINISTRATIVE AND SUPPORT, AND WASTE MANAGEMENT AND REMEDIATION SERVICES**																																				
561	**Administrative and Support Services**																																				
5611, 5612	**Office Administrative Services and Facilities Support Services** (limited to services provided for others on a contract or fee basis)	---	---	---	---	---	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5613	**Employment Services** (limited to employment placement, executive search, and temporary employment services)	---	---	---	---	---	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
5614	**Business Support Services**																																				
561410	*Document Preparation Services*	---	---	---	---	---	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
561421 561422	*Telephone Answering Services and Call Centers*	---	---	---	---	---	---	P	P	---	---	P	---	---	---	---	---	P	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	
561431	*Private Mail Centers, and Postal Services and Supplies*	---	---	---	---	P	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	
561439	*Other Business Service Centers (limited to mailbox rental, photocopying, duplicating, blueprinting, mailing services, document copying services, facsimile services, word processing services, on-site PC rental services, and office product sales)*	---	---	---	---	P	P	P	P	P	---	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
561440	*Collection Agencies*	---	---	---	---	---	---	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
561450	*Credit Bureaus*	---	---	---	---	---	---	P	P	---	---	P	---	---	---	---	---	P	P	P	P	P	P	C	---	---	---	---	---	---	---	---	---	---	---	---	---	
561491 561492 561499	*Other Business Support Services (including repossession services, court reporting and stenotype services and all other business support services)*	---	---	---	---	---	---	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure
5615	**Travel Arrangement and Reservation Services**	---	---	---	---	---	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
5616	**Investigation and Security Services**	---	---	---	---	---	---	P	P	---	---	P	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5617	**Services to Buildings and Dwellings** (limited to exterminating and pest control, janitorial, landscaping, carpet and upholstery cleaning, building exterior and chimney cleaning, power washing, gutter cleaning, light building maintenance, parking lot cleaning and swimming pool maintenance services)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.180 (Exterminating Services)
5619	**Other Support Services** (limited to packaging and labeling services, convention and trade show organizers, and document shredding services)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
562	**Waste Management and Remediation Services**																																			
5621	**Waste Collection**																																			
562111	*Solid Waste Collection, limited to the following*																																			
	• *Waste, Refuse and Garbage Collection Services (service yards)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	G	---	---	---	---	---	---	---	---	
	• *Waste Transfer Facilities*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
	• *Recycling Facilities (implements the California Beverage Container Recycling and Litter Reduction Act (PRC Section 14500 et seq.))*																																			
	[1] *Reverse Vending Machines*	---	---	---	---	---	A	A	A	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.340 (Recycling Facilities)
	[2] *Small Collection Facilities (a facility 500 SF or less in area, including Mobile Recycling Units, Bulk Reverse Vending Machines, Kiosk Type Units, and Unattended Containers)*	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	
	[3] *Large Collection Facilities (a facility greater than 500 SF in area)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	P	P	---	---	---	---	---	---	---	---	
	[4] *Processing Facilities*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
	• *Salvage Facilities (such as automobile dismantling and metal salvage/recycling. See NAICS 562920, Material Recovery Facilities, for the recovery/processing (recycling) of waste materials)*																																			
	[1] *Within a Wholly Enclosed Building*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	See Section 5.03.350 (Salvage Facilities)
	[2] *With Outdoor Storage and/or Processing Activities*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
562112	*Hazardous Waste Collection, limited to the following:*																																			
	• *Hazardous Waste Collection and Storage Facilities (except household hazardous waste collection facilities)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
	• *Hazardous Waste Collection Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
	• *Household Hazardous Waste Collection Facility*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	
562119	*Other Waste Collection Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
5622	**Waste Treatment and Disposal**																																			
562211	*Hazardous Waste Treatment and Disposal*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
562212	*Solid Waste Landfill*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
562213	*Solid Waste Combustors and Incinerators*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
562219	*Other Nonhazardous Waste Treatment and Disposal (limited to composting facilities and anaerobic digestion; excludes fertilizer manufacturing—see NAICS 325314)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	See Section 5.03.415 (Waste Treatment and Disposal—Composting and Anaerobic Digestion Facilities)
5629	**Remediation and Other Waste Management Services**																																				
562910	*Remediation Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	
562920	*Material Recovery Facilities (MRF) (consists of the removal of recyclable materials from a waste stream)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	See Section 5.03.275 (Material Recovery Facilities)
562920	• *Electronic Equipment Recycling*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	See Section 5.03.275 (Material Recovery Facilities)
562920	• *Salvage Facilities (includes facilities for the recovery/processing (recycling) of waste materials. See NAICS 562111 for automobile dismantling and metal salvage/recycling facilities. See NAICS 327999 for concrete and asphalt crushing or grinding)*																																				
562920	***[1]*** *Within a Wholly Enclosed Building*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	See Sections 5.03.275 (Material Recovery Facilities) and 5.03.350 (Salvage Facilities)
562920	***[2]*** *With Outdoor Storage and/or Processing Activities*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
562920	• *Tires and Scrap Rubber Recycling*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	See Section 5.03.275 (Material Recovery Facilities)
562991	*Septic Tank and Related Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	
562998	*All Other Miscellaneous Waste Management Services (includes but is not limited to storm and catch basin cleaning services, grease trap cleaning services, sewer cleaning and rodding services, and tank cleaning and disposal services)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	
61	**EDUCATION SERVICES**																																				
611	**Educational Services**																																				
6111, 6112, 6113	**Elementary and Secondary Schools, Junior Colleges, and Colleges, Universities and Professional Schools** (also includes activities and facilities ancillary to, and/or serving, an educational service, such as, but not limited to, administrative offices, student and educator housing, libraries and museums, performing arts and sports facilities, eating facilities, medical clinics, etc.)																																				
	• *Public Schools*	P	P	P	P	P	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	P	P	P	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Private Schools*	C	C	C	C	C	C	C	C	---	---	C	**C	C	C	C	C	C	---	---	---	---	---	C	---	---	---	---	C	C	C	---	---	---	---	---	
6114	**Business Schools and Computer and Management Training**	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	C	---	---	---	C	---	C	C	C	C	---	---	---	C	---	---	---	---	---	---	
6115	**Technical, Trade, and Vocational Schools**	---	---	---	---	---	---	C	C	---	---	C	---	---	---	---	C	---	C	---	C	C	C	C	C	C	C	---	---	C	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
6116	**Other Schools and Instruction**																																			
611610	*Fine Arts Schools (nonacademic instruction, including music, dance, performing arts, drama, photography, ceramics, painting, and sculpture)*																																			
	• *GFA less than 2,000 SF*	---	---	---	---	C	P	P	P	P	---	P	**P	P	P	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *GFA 2,000 SF or more*	---	---	---	---	---	C	C	C	C	---	C	**C	C	C	C	---	C	C	C	C	C	C	C	C	C	C	---	---	---	---	---	---	---	---	---	
611620	*Sports and Recreation Instruction (cheerleading, gymnastics, and martial arts)*																																			
	• *GFA less than 10,000 SF*	---	---	---	---	---	P	P	P	P	---	P	---	---	---	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	
	• *GFA 10,000 or More SF*	---	---	---	---	---	C	C	C	P	---	C	---	---	---	C	---	C	C	C	C	C	C	C	C	C	C	---	---	---	---	----	---	---	---	---	
611691	*Exam Preparation and Tutoring Services*	---	---	---	---	---	---	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
611692	*Automobile Driving School*	---	---	---	---	---	---	C	C	---	---	C	---	---	---	C	---	C	C	C	C	C	C	C	C	---	---	---	---	C	---	---	---	---	---	---	
611699	*Other Schools of Instruction (public speaking, survival training, and speed reading)*	---	---	---	---	---	---	C	C	---	---	C	C	---	---	C	---	C	C	C	C	C	C	C	C	---	---	---	---	C	---	---	---	---	---	---	
6117	**Educational Support Services** (limited to testing, evaluation, tutorial, and online education services)	---	---	---	---	---	---	P	P	P	P	P	P	---	---	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	
62	**HEALTH CARE AND SOCIAL ASSISTANCE**																																			
621	**Ambulatory Health Care Services**																																			
6211, 6212, 6213, 6214, 6215, 6216	**Offices of Physicians and Dentists, Other Health Practitioners, Outpatient Centers, Laboratory Testing Services, Home Healthcare Services, and Community Clinics** (excludes massage establishments—see NAICS 812199)	---	---	---	---	---	P	P	P	P	P	P	P	---	---	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.02.270 (Massage Establishments and Services) for massage therapists or massage practitioners Pursuant to Figure 5.01-2 (MU-1 (Downtown Mixed Use) Zoning District Land Use Map) and Section 6.01.035.B.2.c (Development Standards and Guidelines) uses that front on to Euclid Avenue are not permitted on the ground/first floor.
6219	**Other Ambulatory Health Care Services**																																			
621910	*Ambulance Services*	---	---	---	---	---	---	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	C	---	---	---	---	
621991	*Blood and Organ Banks*	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
621999	*All Other Miscellaneous Ambulatory Health Care Services (limited to blood pressure screening, health screening, hearing testing, industrial clinics, pacemaker monitoring, physical fitness evaluation, and smoking cessation program services)*	---	---	---	---	---	P	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	See Section 5.03.030 (Ambulatory Health Care Services—All Other Miscellaneous) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
622	**Hospitals**	---	---	---	---	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	C	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	
623	**Nursing and Residential Care Facilities**																																				
6231	**Nursing Care Facilities** (includes State licensed facilities engaged in providing inpatient nursing and rehabilitative services by a permanent core staff of registered/licensed practical nurses who, along with other staff, provide nursing and continuous personal care services)	---	---	---	---	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	
6232	**Residential Intellectual and Developmental Disability, Mental Health, and Substance Abuse Facilities**																																				
623210	*Residential Intellectual and Developmental Disability Facilities (includes State licensed group homes, and intermediate care facilities primarily engaged in providing residential care services – room, board, protective supervision, and counseling services -- for persons diagnosed with intellectual and developmental disabilities)*																																				
	• *6 or fewer persons*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence.
	• *More than 6 persons*	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	
623220	*Residential Mental Health and Substance Abuse Facilities (includes State licensed residential care and treatment – room, board, protective supervision, and counseling services -- for patients with mental health and/or substance abuse illnesses. Medical services may be provided incidental to counseling, mental rehabilitation, and support services offered)*																																				
	• *6 or fewer persons*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence.
	• *More than 6 persons*	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	
6233	**Continuing Care Retirement Communities and Assisted Living Facilities for the Elderly**																																				
623311	*Continuing Care Retirement Communities (includes State licensed facilities providing a range of residential personal care services with on-site nursing care facilities for: [1] the elderly and other persons that are unable to fully care for themselves, and/or [2] the elderly and other persons who do not desire to live independently)*																																				
	• *6 or fewer persons*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence. See Section 5.03.110 (Community Care Facilities for the Elderly—6 or Fewer Persons)
	• *More than 6 persons*	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	See Section 5.03.105 (Community Care Facilities for the Elderly—More Than 6 Persons)

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
623312	*Assisted Living Facilities for the Elderly (includes State licensed facilities providing residential and personal care services without on-site nursing care facilities for: [1] the elderly and other persons that are unable to fully care for themselves, and/or [2] the elderly and other persons who do not desire to live independently)*																																			
	• *6 or fewer persons*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence. See Section 5.03.110 (Community Care Facilities for the Elderly—6 or Fewer Persons)
	• *More than 6 persons*	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	See Section 5.03.105 (Community Care Facilities for the Elderly—More Than 6 Persons)
6239	**Other Residential Care Facilities for 6 or fewer persons** (includes facilities providing residential care services, such as: group homes for the hearing or visually impaired, child group foster homes, halfway group homes for ex-offenders, homes for unwed mothers, group homes for the disabled without nursing care, orphanages, etc.)	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence. See Section 5.03.345 (Residential Care Facilities, Other—6 or Fewer Persons)
624	**Social Assistance**																																			
6241	**Individual and Family Services**																																			
624110	*Adoption Services, Child Guidance Agencies, Child Welfare Services, and Foster Care Placement Services*	---	---	---	---	---	P	P	P	---	P	P	---	---	---	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
624110	*Teen Outreach Services and Youth Centers*	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	P	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
624120	*Senior Citizen and Adult Community Centers*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	P	P	---	P	---	---	---	---	---	---	P	---	---	---	---	---	---	
624120	*Adult Daycare Services*																																			
	• *6 or Fewer Persons*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	---	*P	*P	P*	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence
	• *7 or More Persons*	---	---	C	C	---	C	C	---	---	C	---	---	---	---	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	C	---	---	---	---	---	
624190	*Other Individual and Family Services*	---	---	---	---	---	---	P	---	---	P	P	---	---	---	P	---	P	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
6242	**Community Food and Housing, Emergency and Other Relief Services**																																			
624210	*Community Food Services (limited to food banks, meal delivery programs, and fixed and mobile soup kitchens)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	---	
624221	*Temporary Shelters*																																			
	• *Emergency Shelters*	---	---	C	---	---	---	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	P	C	C	---	C	C	---	---	---	---	---	See Section 5.03.405 (Transitional Shelters and Supportive Housing)
	• *Transitional Housing*	P	P	P	P	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	C	C	---	C	P	---	---	---	---	---	
	• *Transitional Living Centers*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	
624229	*Other Community Housing Services (agencies and organizations)*	---	---	---	---	---	P	P	---	---	P	P	**P	---	---	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
624230	*Emergency and Other Relief Services (administrative services/activities only)*	---	---	---	---	---	---	P	---	---	P	P	**P	---	---	P	P	P	P	---	---	P	---	---	---	---	---	---	---	P	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
6243	**Vocational Rehabilitation Services** (limited to vocational habilitation and rehabilitation, and workshops for persons with disabilities)	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	P	---	---	---	C	---	C	C	C	C	---	---	---	C	---	---	---	---	---	---	---	
6244	**Child Daycare Services**, limited to the following:																																				
624410	*Child Daycare Centers (Commercial Facilities)*	---	---	C	C	C	C	C	C	---	C	C	---	---	---	C	---	C	C	C	C	C	C	P	P	---	---	---	---	P	C	---	---	---	---	---	---	See Section 5.03.100 (Child Daycare Services)
624410	*Child Daycare Centers (Employer Provided Services)*	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	P	P	---	C	C	C	C	P	P	P	P	P	---	P	---	---	---	---	---	---	---	
624410	*Family Child Daycare Homes (up to 14 children)*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	*P	---	---	---	---	---	* Allowed only in conjunction with an existing residence, including a single-family dwelling, a townhouse dwelling, a dwelling unit within a single-family dwelling, a multiple-family dwelling, or a dwelling unit within a multiple-family dwelling. Furthermore, the dwelling may be rented, leased, or owned, and the child daycare provider shall reside in the dwelling. See Section 5.03.100 (Child Daycare Services)
71	**ARTS, ENTERTAINMENT AND RECREATION**																																				
711	**Performing Arts, Spectator Sports, and Related Industries**																																				
7111	**Performing Arts Companies**	---	---	---	---	---	---	---	C	C	---	---	C	C	C	C	---	C	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	
7112	**Spectator Sports**	---	---	---	---	---	---	---	C	C	---	---	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	
7113	**Promoters of Performing Arts, Sports, and Similar Events** (offices only)	---	---	---	---	---	---	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
7114	**Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures** (offices only)	---	---	---	---	---	---	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
7115	**Independent Artists, Writers, and Performers** (offices only)	---	---	---	---	---	---	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
712	**Museums, Historical Sites, and Similar Institutions**																																				
7121	**Museums, Historical Sites, and Similar Institutions**																																				
712110	*Museums*	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	C	---	---	P	---	---	
712130	*Zoos and Botanical Gardens*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	
713	**Amusement, Gambling, and Recreation Industries**																																				
7131	**Amusement Parks and Arcades**																																				
713110	*Amusement and Theme Parks*	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	
713120	*Amusement Arcades (limited to video and electronic game arcades, cyber cafes, and on-line and internet gaming facilities)*	---	---	---	---	---	---	C	C	---	---	---	C	---	---	C	---	---	C	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.220 (Game Arcades, Internet Cafes, On-Line Internet Gaming, and Similar Facilities)
7132	**Gambling Industries** (except Bingo conducted pursuant to Ontario Municipal Code Title 5, Chapter 18 (Bingo for Charity))	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
7139	**Other Amusement and Recreation Industries**																																				
713910	*Golf Courses and Country Clubs*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
713940	*Fitness and Recreational Sports Centers (limited to health clubs and gyms, fitness and sports training facilities, tennis clubs, swim clubs and other similar activities and facilities)*																																			
	• GFA Less than 10,000 SF	---	---	---	---	---	P	P	P	P	---	P	**P	---	---	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	P	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• GFA 10,000 or More SF	---	---	---	---	---	C	C	C	P	---	C	**C	---	---	C	---	C	C	C	C	C	C	C	C	C	C	---	---	---	---	C	---	---	---	---	
713950	*Bowling Centers*	---	---	---	---	---	---	P	P	---	---	---	P	P	P	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
713990	*Adult-Oriented Businesses*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	See Section 5.03.015 (Adult-Oriented Businesses)
713990	*Batting Cages -- Indoor*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	
713990	*Batting Cages -- Outdoor*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	C	---	---	
713990	*Billiard Parlors and Pool Halls*	---	---	---	---	---	---	C	C	---	---	---	C	---	---	C	---	---	C	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.075 (Billiard Parlors and Pool Halls)
713990	*Dancing, Dance Clubs, Dance Halls, Ballrooms, and Discotheques*																																			
	• GFA Less than 5,000 SF	---	---	---	---	---	---	C	C	---	---	---	*A	---	---	---	---	---	C	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	* In the MU-1 zoning district, dancing activities/facilities are administratively permitted only in conjunction with a bona fide full-service restaurant or alcoholic beverage manufacturer's tasting room.
	• GFA 5,000 or More SF	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	---	---	C	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	
713990	*Escape, Exit, Mystery, and Puzzle Rooms*	---	---	---	---	---	---	C	C	---	---	---	C	C	C	---	---	---	---	---	C	---	C	C	---	C	C	---	---	---	---	---	---	---	---	---	---	
713990	*Golf Driving Ranges, Miniature and Pitch-N-Put Golf Courses, and Practice Ranges*	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	
713990	*Hookah Establishments and Facilities*	---	---	---	---	---	C	C	---	---	---	---	*/**A	*A	*A	*A	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	* In the MU-1 zoning district, hookah facilities are administratively permitted only in conjunction with a bona fide full-service restaurant. Standalone establishments and facilities shall not be allowed. ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations. See Section 5.03.245 (Hookah Establishments)
713990	*Live Entertainment (excludes adult-oriented establishments)*																																			

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	• GFA Less than 5,000 SF	‡A	‡A	‡A	‡A	---	C	C	C	C	---	---	*A/ **C	*A/ **C	*A/ **C	*A/ **C	---	C	C	C	C	C	C	C	---	---	---	---	---	---	C	---	P	---	---	---	---	* In the MU-1 zoning district, live entertainment is administratively permitted only in conjunction with a bona fide full-service restaurant or alcoholic beverage manufacturer's tasting room. ** Standalone live entertainment activities/facilities shall be subject to Conditional Use Permit approval and shall be prohibited on property located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations. ‡ Allowed in residential zoning districts only in conjunction with a banquet facility in association with a historic property
	• GFA 5,000 or More SF	---	---	---	---	---	C	C	C	C	---	---	**C	---	---	**C	---	C	C	C	C	C	C	C	---	---	---	---	---	---	C	---	C	---	---	---	---	
713990	*Off-Road Vehicle Riding Facilities (recreational)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
713990	*Open Space and Park Lands (publicly owned facilities)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
713990	*Shooting and Archery Ranges and Galleries — Indoor Only*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	---	
713990	*Simulated Racing (limited to go-carts, radio-controlled vehicles, and other similar facilities)*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	
713990	*Simulated Shooting Games — Indoor Only (limited to laser tag and paint ball)*	---	---	---	---	---	---	C	C	---	---	---	C	---	---	C	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	
713990	*Skating Rinks and Parks (indoor only)*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	C	---	---	---	---	C	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	
713990	*Smoking Lounges, Vape Lounges, and Other Similar Facilities (excluding hookah establishments)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
713990	*Stables (commercial riding)*	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	
72	**ACCOMMODATION AND FOOD SERVICES**																																				
721	**Accommodation (Lodging Facilities)**																																				
7211	**Traveler Accommodation**																																				
721110	*Hotels and Motels*	---	---	---	---	---	---	---	C	C	---	C	**C	---	---	C	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	See Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
721191	*Bed-and-Breakfast Inns*	C	C	C	C	C	C	C	C	---	C	C	**C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	See Section 5.03.070 (Bed-and-Breakfast Inns) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
721199	*All Other Traveler Accommodation*																																			
	• *Residence Inns*	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation)
	• *Cabins and Cottages*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• *Hostels*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
7212	**Recreational Vehicle (RV) Parks and Recreational Camps**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
7213	**Boarding, Lodging and Rooming Houses**	A	A	A	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	A	---	A	---	---	---	---	---	See Section 5.03.080 (Boarding, Lodging and Rooming Houses)
722	**Food Services and Drinking Places**																																			
7223	**Special Food Services**																																			
722310	*Food Service Contractors*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
722320	*Catering Services and Facilities*	---	---	---	---	---	---	P	---	P	---	---	P	P	P	P	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	
722330	*Mobile Food Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	See Section 5.03.290 (Mobile Food Services)
7224	**Drinking Places** (Alcoholic Beverage Sales *for On-Premises Consumption*)																																			
722410	*Drinking Places Other Than Bars, Cocktail Lounges, and Taverns (and other similar facilities)*																																			
	• *GFA less than 10,000 SF*	‡A	‡A	‡A	‡A	C	C	C	C	C	---	C	A	A	A	C	C	C	C	C	C	C	C	C	C	C	C	---	---	C	---	P	---	C	---	---	‡ Allowed in residential zoning districts only in conjunction with a banquet facility in association with a historic property or a not for profit homeowners association that maintains/operates a clubhouse or similar place of assembly for exclusive use by association members and their guests. See Section 5.03.025 (Alcoholic Beverage Sales)
	• *GFA 10,000 or More SF*	---	---	---	---	C	C	C	C	C	---	C	C	C	C	C	---	C	C	C	C	C	C	C	C	C	C	C	---	---	C	---	P	---	C	---	---	
722410	*Bars, Cocktail Lounges, Nightclubs and Taverns, and Other Similar Facilities*																																			
	• *GFA less than 5,000 SF*	---	---	---	---	---	---	C	C	C	---	C	**A	**A	**A	C	---	C	C	C	C	C	C	---	---	---	---	---	---	---	---	P	---	C	---	---	** Standalone bars, taverns, and other similar facilities shall be prohibited on property located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations. See Section 5.03.025 (Alcoholic Beverage Sales)
	• *GFA 5,000 or More SF*	---	---	---	---	---	---	C	C	C	---	C	C**	---	---	---	---	C	C	C	C	C	C	---	---	---	---	---	---	---	---	P	---	C	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
7225	**Restaurants and Other Eating Places**																																			
722511	*Full-Service Restaurants (includes ancillary banquet facilities— see NAICS 531120 for standalone banquet facilities)***	---	---	---	---	---	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	P	---	P	---	P	---	---	See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities. ** Outdoor dining areas, both temporary and permanent, which are provided in addition to seating areas approved with the development of a building, may be permitted, subject to the approval of an Administrative Use Permit.
722513	*Limited-Service and Fast Food Restaurants***	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	P	---	---	
722514	*Cafeterias and Buffets***	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	P	---	---	
722515	*Snack and Nonalcoholic Beverage Bars***	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	P	---	---	
81	**OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)**																																			
811	**Repair and Maintenance**																																			
8111	**Motor Vehicle Repair and Maintenance** (Note: See Motor Vehicle Storage (NAICS 493190) for vehicle storage requirements)																																			
811111	*Servicing Facilities (limited to retail-oriented services, such as emissions testing, battery replacement and other similar retail activities that involves the limited use of pneumatic tools or equipment that create noise impacts)*	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	P	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	See Section 5.03.065 (Automotive Repair and Maintenance—Servicing Facilities)
811111	*General Repair Facilities (includes general motor vehicle mechanical and electrical repair and maintenance of air conditioning, brake, cooling, electric, exhaust, fuel, and suspension systems; and engine, transmission, and drive train)*																																			
	• *Automobile, Light Truck and Van Repair and Maintenance*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	P	---	---	---	---	See Section 5.03.060 (Automotive Repair and Maintenance—General Repair Facilities)
	• *Large Truck, Bus and Similarly Large Motor Vehicle Repair and Maintenance*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
811121	*Automotive Body, Paint, and Interior Repair and Customization*																																			
	• *Automobile, Light Truck and Van Body, Paint, and Interior Repair and Customization*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	P	---	---	---	---	---	---	---	---	See Section 5.03.045 (Automotive Body, Paint, and Interior Repair and Customization—Minor Customization Work)
	• *Minor Customization Work (limited to the "bolt-on" replacement or addition of parts only -- body and/or paint work is prohibited)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	P	---	---	---	P	---	---	---	---	
	• *Large Truck and Bus Body, Paint, and Interior Repair and Maintenance*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
	• *Mobile Body and Paint Repair Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	P	---	---	---	---	---	---	---	---	See Section 5.03.050 (Automotive Body and Paint—Mobile Repair Services)
811122	*Automotive Glass Replacement Shops (includes stationary and mobile services)*	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	See Section 5.03.055 (Automotive Glass Replacement Shops)
811122	*Automotive Window Tinting and Vehicle Wrapping*	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	
811191	*Automotive Oil Change and Lubrication Shops*	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	
811192	*Car Washes--Full-Service and Self-Service (excludes facilities ancillary to fueling stations)*																																			

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	• *Automobiles, Light Trucks and Vans*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	C	---	---	C	---	---	C	---	---	---	---	---	---	P	---	---	---	---	
	• *Trucks and Similarly Large Vehicles*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
	• *Mobile Washing and Detailing Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	See Section 5.03.300 (Mobile Washing and Detailing Services)
811198	*All Other Automotive Repair and Maintenance*																																			
	• *Emissions Testing (test only facilities), and Diagnostic Centers and Safety Inspection Services (without repair)*	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	
	• *Rustproofing and Undercoating Shops*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
	• *Spray-On Bedliner Installation Shops*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
	• *Tire Sales, Installation, and Repair (except retreading) Services*	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
	• *Plug-In Electric Vehicle (PEV) Charging Facilities (ancillary to an allowed land use)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	• *Hydrogen Fueling Station*	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	
8112	**Electronic and Precision Equipment Repair and Maintenance**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
8113	**Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	
8114	**Personal and Household Goods Repair and Maintenance**																																			
811411, 811412	*Home and Garden Equipment and Appliance Repair and Maintenance*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
811420	*Reupholsters and Furniture Repair*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
811430	*Footwear and Leather Goods Repair*	---	---	---	---	---	P	P	P	---	---	---	**P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
811490	*Other Personal and Household Goods Repair and Maintenance -- Without Retail Sales (limited to garment alteration and repair, gun repair, jewelry repair, key duplicating, musical instrument repair and tailor shops)*	---	---	---	---	---	P	P	P	---	---	---	**P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
811490	*Boat Repair and Maintenance Services (no retail sales of new boats)*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	---	---	---	---	---	
811490	*Motorcycle Repair and Maintenance Services (no retail sales of new motorcycles)*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts										Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																						
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
812	**Personal and Laundry Services**																																			
8121	**Personal Care Services**																																			
812111 812112 812113	*Barber Shops, Beauty Salons, Nail, and Skin Care Services*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	P	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812191	*Diet and Weight Reducing Centers*	---	---	---	---	---	P	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
812199	*Other Personal Care Services, limited to the following:*																																			
	• *Body Art Services (includes tattooing, body piercing, and branding)*	---	---	---	---	---	---	C	---	C	---	---	**P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.390 (Tattoo, Body Piercing, Branding, and Permanent Cosmetics Application) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Chair Massage*	---	---	---	---	P	P	P	P	P	P	P	**P	---	---	P	---	---	---	P	P	---	P	---	---	---	---	---	---	---	---	P	---	---	---	---	See Section 5.03.270 (Massage Establishments and Services) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Color Consulting Services*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Day Spas*	---	---	---	---	---	P	P	P	---	---	---	**P	---	---	P	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• *Hair Removal Services*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• *Hair Replacement Services*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• *Make-Up Salons (includes the application of permanent cosmetics)*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.390 (Tattoo, Body Piercing, Branding, and Permanent Cosmetics Application) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	• *Massage Establishments*	---	---	---	---	---	---	A	---	A	---	---	**A	---	---	A	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.270 (Massage Establishments and Services) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Tanning Salons*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Wellness Centers*	---	---	---	---	---	---	P	---	P	---	---	**P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	If ancillary massage services are proposed, refer to Section 5.03.270 (Massage Establishments and Services) for regulations ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
8122	**Death Care Services**																																			
812210	*Funeral Director Services (limited to office/retail only)*	---	---	---	---	---	P	P	P	---	---	P	**P	P	P	P	---	---	---	---	---	---	---	P	---	*P	*P	*P	---	---	---	---	P	---	---	---	See Section 5.03.205 (Funeral Director Services) * Allowed only as an ancillary use to Funeral Parlors and Mortuary Services. ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812210	*Funeral Parlors and Mortuary Services (excludes funeral establishments)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	P	---	---	---	
812210	*Funeral Establishments*	---	---	---	---	---	C	C	C	---	---	---	---	---	---	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	P	---	---	---	
812220	*Cemeteries restrictions*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	
812220	*Crematories*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	C	---	---	---	
8123	**Drycleaning and Laundry Services**																																			
812310	*Coin-Operated Laundries and Drycleaners*	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
812320	*Drycleaning and Laundry Services (except Coin-Operated)*	---	---	---	---	---	P	P	P	P	---	---	**P	---	---	P	---	P	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities. ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
812331	*Linen Supply*	---	---	---	---	---	---	P	---	---	---	---	---	---	---	P	---	---	---	---	P	---	P	P	P	P	P	P	---	---	---	P	---	---	---	---	
812332	*Industrial Launderers*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
8129	**Other Personal Services**																																			
812910	*Pet Grooming and Training Services*	---	---	---	---	---	P	P	P	---	---	---	**P	P	P	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812910	*Pet Boarding and Sitting (animal daycare) Services, and Shelters*	---	---	---	---	---	C	C	C	---	---	---	---	---	---	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	P	---	---	---	---	
812921	*Photofinishing*	---	---	---	---	---	P	P	P	---	---	---	**P	P	P	P	---	P	---	P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812930	Parking Lots and Parking Garages																																				
	• Commercial Facilities (pay to park)	---	---	---	---	---	---	C	C	C	---	C	C	C	C	C	C	C	C	C	C	C	C	P	---	---	---	---	---	---	---	---	---	---	---	---	
	• Publicly-Owned Facilities	---	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	P	---	---	
	• Facilities Required in Conjunction with Allowed Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
812990	*Astrology, Fortunetelling, Numerology, Palmistry, Phrenology and Psychic Reading Services*	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
812990	*Funeral Planning Services (office only—excludes preparation of the dead for burial or interment, and the conducting of funeral services)*	---	---	---	---	---	P	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812990	*Party Planning Services*	---	---	---	---	---	P	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812990	*Personal Fitness Trainer*	---	---	---	---	---	P	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	See Section 5.03.315 (Personal Fitness Trainer) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812990	*Wedding and Funerary Chapels (excludes religious assembly)*	---	---	---	---	---	C	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
813	**Religious, Grantmaking, Civic, Professional and Similar Organizations**																																				
8131	**Religious Organizations**																																				
813110	*Religious Assembly*	C	C	C	C	C	C	C	---	C	---	---	---	C	C	C	---	C	C	C	C	C	C	C	C	---	---	---	---	C	C	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
813110	*Monasteries, Convents and Other Similar Facilities*	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	C	C	C	C	C	C	---	---	---	---	---	---	---	C	---	---	---	---	---	
8132, 8133, 8134, 8139	**Grant-Making and Giving Services; Social Advocacy Organizations; Civic and Social Organizations; and Business, Professional, Labor, Political and Similar Organizations**																																			
	• *Offices Only*	---	---	---	---	---	---	P	P	---	P	P	**P	P	P	P	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Assembly Facilities*	---	---	---	---	---	---	C	C	---	C	C	---	C	C	C	---	---	---	---	C	---	C	C	C	C	---	---	---	---	---	---	---	---	---	---	
92	**PUBLIC ADMINISTRATION**																																			
921	**Executive, Legislative, and Other General Government Support**	---	---	---	---	---	---	P	P	---	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	P	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
922	**Justice, Public Order, and Safety Activities**																																			
922110	*Courts*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	
922120	*Police Protection (stations, substations, and storefront facilities)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
922130	*Legal Counsel and Prosecution*	---	---	---	---	---	---	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
922140	*Correctional Institutions*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
922150	*Parole Offices and Probation Offices*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	P	---	---	---	---	---	---	
922160	*Fire Protection*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
923	**Administration of Human Resource Programs** (limited to administrative offices for education, public health and veterans' affairs, and other similar facilities)	---	---	---	---	---	---	P	P	---	P	P	**P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	TEMPORARY AND INTERIM LAND USES, BUILDINGS, AND STRUCTURES																																			
	Temporary and Interim Land Uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	See Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures)
	Temporary and Interim Buildings, Structures, and Facilities																																			
	• *Fewer than 5 years*	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	See Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures)
	• *5 to 10 years*	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	A	C	C	C	
	• *More than 10 years*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	A	---	---	---	

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Division 5.03—Supplemental Land Use Regulations

Sections:

5.03.000: Purpose
5.03.005: Applicability
5.03.010: Accessory Dwelling Units
5.03.011: Accessory Residential Structures
5.03.015: Adult-Oriented Businesses
5.03.020: Air Transportation
5.03.023: Alcoholic Beverage Manufacturing
5.03.025: Alcoholic Beverage Sales
5.03.030: Ambulatory Health Care Services—All Other Miscellaneous Services
5.03.035: Apparel Manufacturing
5.03.037: Artisan Small-Scale and Micro Manufacturing Facilities
5.03.040: Automobile Dealers—New Vehicles Sales and Leasing, and Automobile Rental
5.03.045: Automotive Body, Paint, and Interior Repair and Customization—Minor Customization
5.03.050: Automotive Body and Paint—Mobile Repair Services
5.03.055: Automotive Glass Replacement Shops
5.03.060: Automotive Repair and Maintenance—General Repair Facilities
5.03.065: Automotive Repair and Maintenance—Servicing Facilities
5.03.067: Banquet Facilities - Historic Properties
5.03.070: Bed-and-Breakfast Inns
5.03.075: Billiard Parlors and Pool Halls
5.03.080: Boarding, Lodging, and Rooming Houses
5.03.085: Bread and Tortilla Manufacturing
5.03.090: Business to Business Electronic Markets
5.03.095: Caretaker Quarters
5.03.100: Child Daycare Services
5.03.105: Community Care Facilities for the Elderly—More Than 6 Persons
5.03.110: Community Care Facilities for the Elderly—6 or Fewer Persons
5.03.115: Computer and Electronic Product Manufacturing
5.03.120: Consumer Goods Rental
5.03.125: Convenience Markets and Specialty Food Stores
5.03.130: Credit Intermediation-Related Activities
5.03.135: Cutlery and Hand Tool Manufacturing
5.03.140: Data Processing, Hosting, and Related Services
5.03.145: Depository Credit Intermediation
5.03.150: Drive-Thru Facilities
5.03.155: Durable and Nondurable Goods Agents and Brokers
5.03.160: Electric Power Generation, Solar and Wind
5.03.165: Electrical Equipment, Appliance, and Component Manufacturing
5.03.170: Electronic Shopping and Mail Order Houses
5.03.175: Electronics and Appliance Stores
5.03.177: Employee (Farmworker) Housing
5.03.180: Exterminating Services
5.03.185: Fabricated Metal Product Manufacturing, All Other Miscellaneous
5.03.187: Fertilizer Manufacturing from Manure Operations (FMMO)
5.03.190: Food Manufacturing, Other
5.03.195: Footwear Manufacturing
5.03.200: Freight Transportation Arrangement

5.03.205: Funeral Director Services
5.03.210: Furniture and Home Furnishings Stores
5.03.215: Furniture and Related Product Manufacturing
5.03.220: Game Arcades, Internet Cafes, On-Line Internet Gaming, and Similar Facilities
5.03.225: Gasoline and Fueling Stations
5.03.230: General Rental Centers
5.03.235: Hardware Manufacturing
5.03.240: Home Occupations
5.03.245: Hookah Establishments, Smoking/Vaping Lounges, and Smoking/Vaping Retailers
5.03.250: Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation
5.03.255: Leather and Allied Product Manufacturing, Other
5.03.257: Live Entertainment
5.03.260: Machine Shops, and Turned Product, Screw, Nut, and Bolt Manufacturing
5.03.265: Manufacturing, Miscellaneous
5.03.270: Massage Establishments and Services
5.03.275: Material Recovery Facilities (MRF)
5.03.280: Marijuana Dispensary
5.03.285: Mixed-Use Developments
5.03.290: Mobile Food Services
5.03.295: Mobilehome Parks
5.03.300: Mobile Washing and Detailing Services
5.03.305: Motor Vehicle Dealers
5.03.310: Motor Vehicle Storage Facilities
5.03.315: Personal Fitness Trainer
5.03.320: Personal Property Donation Bins
5.03.325: Pharmaceutical and Medicine Manufacturing
5.03.330: Pharmacies and Drug Stores
5.03.335: Plastics Product Manufacturing
5.03.340: Recycling Facilities
5.03.345: Residential Care Facilities, Other—6 or Fewer Persons
5.03.350: Salvage Facilities
5.03.355: Self-Storage Facilities
5.03.360: Senior Citizen Housing Developments
5.03.363: Short Term Rentals
5.03.365: Single-Family Dwellings
5.03.370: Single Room Occupancy (SRO) Facilities
5.03.375: Soap, Cleaning Compound, and Toilet Preparation Manufacturing
5.03.380: Sound (Audio) Recording Facilities
5.03.385: Spring and Wire Product Manufacturing
5.03.390: Tattooing, Body Piercing, Branding, and the Application of Permanent Cosmetics
5.03.395: Temporary and Interim Land Uses, Buildings, and Structures
5.03.400: Thrift and Secondhand Stores, and Used Goods Stores
5.03.403: Single-Family Two-Unit Projects
5.03.405: Temporary Shelters and Supportive Housing
5.03.410: Urban Agriculture
5.03.415: Waste Treatment and Disposal—Composting and Anaerobic Digestion Facilities
5.03.420: Wireless Telecommunications Facilities
5.03.425: Work/Live Units

5.03.000: Purpose

The purpose of this Division is to provide operating, site planning and/or development standards for certain land uses allowed by Division 5.02 (Land Use) of this Development Code, and for activities and facilities that require special standards to mitigate their potential adverse impacts, thereby assuring a land use, activity, and/or facility of stable and desirable character, which is compatible with existing and future development and land uses in the vicinity, and protects the use and enjoyment of neighboring properties consistent with goals and policies of The Ontario Plan.

5.03.005: Applicability

A. The land uses, activities and facilities addressed by this Division shall be located in compliance with Division 5.02 (Land Use) of this Development Code.

B. The standards for specific uses, activities and facilities established by this Division shall supplement, and are required in addition to, the applicable development and subdivision regulations contained in Chapter 6.0 (Development and Subdivision Regulations) of this Development Code.

C. Each and every physical improvement required to be installed or constructed in conjunction with the establishment of a land use, activity or facility addressed by this Division, shall be completed prior to the commencement of the land use.

5.03.010: Accessory Dwelling Units

A. **Purpose.** The purpose of this Section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code Sections 65852.2 and 65852.22.

B. **Effect of Conforming.** An ADU or JADU that conforms to the standards in this Section will not be:

1. Deemed to be inconsistent with the City's general plan and zoning designation for the lot on which the ADU or JADU is located.

2. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

3. Considered in the application of any local ordinance, policy, or program to limit residential growth.

4. Required to correct a nonconforming zoning condition, as defined in Subsection C.7, below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

C. **Definitions.** As used in this Section, the words or phrases listed below shall have the meanings thereafter specified:

1. Accessory Dwelling Unit (ADU). An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

a. An efficiency unit, as defined by HSC Section 17958.1; and

b. A manufactured home, as defined by HSC Section 18007.

2. Accessory Structure. A structure that is accessory and incidental to a dwelling located on the same lot.

3. Complete Independent Living Facilities. Permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multiple-family dwelling is or will be situated.

4. Efficiency Kitchen. A kitchen that includes each of the following:

a. A cooking facility with appliances.

b. A food preparation counter and storage cabinets that are of a reasonable size in relation to the JADU.

5. Junior Accessory Dwelling Unit (JADU). A residential unit that:

a. Is no more than 500 SF in size;

b. Is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure;

c. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure;

d. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling; and

e. It includes an efficiency kitchen, as defined in Subsection C.4, above.

6. Living Area. The interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

7. Nonconforming Zoning Condition. A physical improvement on a property that does not conform with current zoning standards.

8. Passageway. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

9. Proposed Dwelling. A dwelling that is the subject of a permit application and that meets the requirements for permitting.

10. Public Transit. A location, including but not limited to a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

11. Tandem Parking. Two or more automobiles parked on a driveway or on any other location on a lot, lined up one behind the other.

D. Approvals. The following approvals apply to ADUs and JADUs under this Section:

1. Building Permit Only. If an ADU or JADU complies with each of the general requirements in subsection E below, it is allowed with only a building permit in the following scenarios:

a. *Converted on Single-Family Lot.* One ADU as described in this Subsection D.1.a and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

(1) Is either within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling, or (~~-~~in the case of and ADU only) within the existing space of an accessory structure, plus up to 150 additional SF if the expansion is limited to accommodating ingress and egress; and

(2) Has exterior access that is independent of that for the single-family dwelling; and

(3) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes; and

(4) The JADU complies with the requirements of Government Code Section 65852.22.

b. *Limited Detached on Single-Family Lot.* One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under Subsection D.1.a, above), if the detached ADU satisfies each of the following limitations:

(1) The side- and rear-yard setbacks are at least 4 FT; and

(2) The total floor area is 800 SF or smaller; and

(3) The peak height above grade does not exceed the applicable height limit provided in Subsection E.2, below.

c. *Converted on Multiple-Family Lot.* One or more ADUs within portions of existing multiple-family dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this Subsection D.1.c, at least one converted ADU is allowed within an existing multiple-family dwelling, up to a quantity equal to 25 percent of the existing multiple-family dwelling units.

d. *Limited Detached on Multiple-Family Lot.* No more than two detached ADUs on a lot that has an existing or proposed multiple-family dwelling if each detached ADU satisfies both of the following limitations:

(1) The side- and rear-yard setbacks are at least 4 FT. If the existing multiple-family dwelling has a rear or side yard setback of less than 4 FT, the City shall not require any modification to the multiple-family dwelling as a condition of approving the ADU; and

(2) The peak height above grade does not exceed the applicable height limit provided in Subsection E.2, below.

2. Process and Timing.

a. The City must approve or deny an application to create an ADU or JADU within 60 days from the date that the City receives a completed application. If the City has not approved or denied the completed application within 60 days, the application is deemed approved unless either:

(1) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or

(2) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multiple-family dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family or multiple-family dwelling, but the application to create the ADU or JADU will still be considered ministerially, without discretionary review or a hearing.

b. If the City denies application to create an ADU or JADU, the City must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by SubsectionD.3.b, above.

c. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

E. General ADU and JADU Requirements. The following requirements apply to all ADUs and JADUs that are approved under Subsections D.1 or D.2, above:

1. Zoning.

a. An ADU or JADU subject only to a building permit under Subsection D.1, above, may be created on a lot in a residential or mixed-use zoning district.

b. An ADU or JADU subject to an ADU permit under Subsection D.2, above, may be created on a lot that is zoned to allow single-family dwelling residential use or multiple-family dwelling residential use.

2. Height.

a. Except as otherwise provided by Subsections E.2.b and E.2.c, below, a detached ADU created on a lot with an existing or proposed single-family or multiple-family dwelling unit may not exceed 16 FT in height.

b. A detached ADU may be up to 18 FT in height if it is created on a lot with an existing or proposed single family or multiple-family dwelling unit that is located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 20 FT) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

c. A detached ADU created on a lot with an existing or proposed multiple-family dwelling that has more than one story may not exceed 18 FT in height.

d. An ADU that is attached to the primary dwelling may not exceed 25 FT in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this Subsection E.2.d may not exceed two stories.

e. For purposes of this subsection E.2, height is measured from existing legal grade to the peak of the structure.

3. Fire Sprinklers.

a. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

b. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

4. Rental Term. No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.

5. No Separate Sale or Conveyance. An ADU or JADU may be rented; however, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multiple-family lot), except as otherwise provided in Government Code Section 65852.26.

6. Septic System. If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last 5 years or, if the percolation test has been recertified, within the last 10 years.

7. Owner Occupancy.

a. An ADU permitted after January 1, 2020, but before January 1, 2025, is not subject to the owner-occupancy requirement that was in place when the ADU was created.

b. Unless applicable law requires otherwise, all ADUs that are permitted on or after January 1, 2025 are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

c. As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement in this Subsection E.7.c does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

~~**8.** Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Planning Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:~~

~~**a.** Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.~~

~~**b.** The ADU or JADU is restricted to the approved size and to other attributes allowed by this Section.~~

~~**c.** The deed restriction runs with the land and may be enforced against future property owners.~~

~~**d.** The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Planning Director, providing evidence that the ADU or JADU has in fact been eliminated. The Planning Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Planning Director's determination, consistent with other provisions of this Development Code. If the ADU or JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Development Code.~~

~~**e.** The deed restriction is enforceable by the Planning Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including but not limited to obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.~~

~~**9.**~~**8.** Income Reporting. In order to facilitate the City's obligation to identify adequate sites for housing in accordance with Government Code Sections 65583.1 and 65852.2, the following requirements must be satisfied:

a. With the building-permit application, the applicant must provide the City with an estimate of the projected annualized rent that will be charged for the ADU or JADU.

b. Within 90 days after each yearly anniversary of the issuance of the building permit, the owner must report the actual rent charged for the ADU or JADU during the prior year. If the City does not receive the report within the 90-day period, the owner is in violation of this Code, and the City may send the owner a notice of violation and allow the owner another 30 days to submit the report. If the owner fails to submit the report within the 30-day period, the City may enforce this provision in accordance with applicable law.

~~10.~~9. Building and Safety.

a. *Must Comply with Building Code*. Subject to Subsection E.10.b, below, all ADUs and JADUs must comply with all local building code requirements.

b. *No Change of Occupancy*. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this Subsection E.10.b prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this Section.

F. **Specific ADU Requirements.** The following requirements apply only to ADUs that require an ADU permit under Subsection D.2, above.

1. Maximum Size.

a. The maximum size of a detached or attached ADU subject to this Subsection F is 850 SF for a studio or one-bedroom unit and 1,000 SF for a unit with two or more bedrooms.

b. An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.

c. Application of other development standards in this Subsection F, such as lot coverage, might further limit the size of the ADU; nevertheless, no application of the percent-based size limit in Subsection F.1.b, above, or lot coverage limit or open-space requirement may require the ADU to be less than 800 SF.

2. Building Setbacks.

a. Subject to Subsection F.1.c, above, an ADU that is subject to this Subsection F shall maintain a minimum front yard setback of 30 FT from arterial street rights-of-way and 20 FT from all collector and local street rights-of-way.

b. An ADU that is subject to this Subsection F must conform to 4-FT side yard and rear yard setbacks.

c. No setback is required for an ADU that is subject to this Subsection F if the ADU is constructed in the same location and to the same dimensions as an existing structure.

3. Lot Coverage. No ADU subject to this Subsection F may cause the total lot coverage of the lot to exceed the maximum lot coverages shown in the Tables below, subject to Subsection F.1.c, above.

Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts				
	AR-2	RE-2	RE-4	LDR-5	MDR-11, MDR-18, MDR-25 & HDR-45
Maximum Lot Coverage	30%	40%		50%	60%

Small Lot Traditional and Alley-Loaded Single-Family Residential Development Standards

Requirements	Residential Zoning Districts		
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45
Maximum Lot Coverage	55%	60%	70%

Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts			
	MDR-11	MDR-18	MDR-25	HDR- 45
Maximum Project Coverage	60%			100%

4. Minimum Open Space. No ADU subject to this Subsection F may cause the total percentage of open space of the lot to fall below the minimum requirements specified below, subject to Subsection F.1.c, above.

a. *Small Lot Traditional and Alley-Loaded Development Projects, and Cluster Single-Family Development Projects.* Small lot traditional, small lot alley-loaded, and cluster single-family development projects that consist of more than 3 dwellings, shall devote a minimum of 20 percent of the project site to open space.

b. *Multiple-Family and Mixed-Use Development Projects.* Multiple-family development projects and the multiple-family residential portion of mixed-use development projects that consist of more than 3 dwellings, shall provide open space as follows:

Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects

Open Space Type	Zoning Districts		
	MDR-11 & MDR-18	MDR-25	HDR-45
Private Open Space	200 SF (40%)	150 SF (37.5%)	60 SF (20%)
Common Open Space	300 SF (60%)	250 SF (62.5%)	250 SF (80%)
Total Open Space	500 SF (100%)	400 SF (100%)	310 SF (100%)

5. Passageway. No passageway, as defined by Subsection C.8, above, is required for an ADU.

6. Off-Street Parking.

a. *Generally.* One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Subsection C.11, above.

b. *Exceptions.* No parking under Subsection F.7.a, above, is required in the following situations:

(1) The ADU is located within one-half mile walking distance of public transit, as defined in Subsection C.10, above.

(2) The ADU is located within an architecturally and historically significant historic district.

(3) The ADU is part of the proposed or existing primary residence, or an accessory structure under Subsection D.1.a, above.

(4) When on-street parking permits are required but not offered to the occupant of the ADU.

(5) When there is an established car share vehicle stop located within one block of the ADU.

(6) When the permit application to create an ADU is submitted with an application to create a new single-family or multiple-family dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in Subsections F.6.b(1) through F.6.b(5), above.

c. *No Replacement.* When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

7. Architectural Requirements.

a. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.

b. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

c. The exterior lighting must be limited to down-lights or as otherwise required by the City's Building or Fire Code.

d. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

e. The interior horizontal dimensions of an ADU must be at least 10 FT wide in every direction, with a minimum interior wall height of 7 FT.

f. Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property. Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line-of-sight.

g. All windows and doors in an ADU are less than 30 FT from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least 6 FT above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.

8. Landscape Requirements. A Landscape Plan shall be submitted to the City, which provides for evergreen landscape screening, to include trees, shrubs, and groundcovers that shall be planted, permanently irrigated, and fully maintained, and which is located between an ADU and adjacent parcels, and where an ADU impacts a front yard and/or is subject to public views from a public or private street. Evergreen landscape screening shall be provided as follows:

a. Minimum 15-gallon size screening shrubs shall be installed at every 5 linear feet of exterior building wall. Alternatively, a 6-FT high decorative masonry block wall may be constructed.

b. ADUs created by garage conversion, which results in the removal of the garage door, shall provide a minimum 3-FT wide foundation landscape planter for the full length of the wall wherein the garage door was removed, which shall be fully landscaped and irrigated, and permanently maintained.

c. All landscaping must be drought tolerant and California friendly.

d. Landscape and irrigation plans shall be prepared and submitted to the City for review and approval.

9. Historical Protections. An ADU that is on or within 600 feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.

G. Fees. The following requirements apply to all ADUs and JADUs that are approved under Subsections D.1 or D.2, above.

1. Impact Fees.

a. No impact fee is required for an ADU that is less than 750 SF in size. For the purposes of this Subsection G.1, the term "impact fee" means a "fee" under the Mitigation Fee Act (Government Code Section 66000(b)) and a fee under the Quimby Act (Government Code Section 66477). "Impact fee" as used in this Section, does not include any connection fee or capacity charge for water or sewer service.

b. Any impact fee that is required for an ADU that is 750 SF or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit (e.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

2. Utility Fees. ADUs and JADUs shall not be required to have a new or separate utility connection directly between the ADU or JADU and the utility, nor shall a connection fee or capacity charge be required.

H. Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

1. Generally. The City will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

2. Unpermitted ADUs constructed before 2018.

a. *Permit to Legalize.* As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:

(1) The ADU violates applicable building standards; or

(2) The ADU does not comply with state ADU law (Government Code Section 65852.2) or this ADU ordinance (Section 5.03.010).

b. *Exceptions.*

(1) Notwithstanding Subsection H.2.a, above the City may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the City makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.

(2) Subsection H.2.a, above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code Section 17920.3.

I. Nonconforming ADUs and Discretionary Approval. Any proposed ADU or JADU that does not conform to the objective standards set forth in Subsections A through H of this Section may be allowed by the City, subject to a Conditional Use Permit issued in accordance with the other provisions of this Development Code.

5.03.011: Accessory Residential Structures

A. Purpose. The purpose of this Section is to establish standards for the construction and use of Accessory Residential Structures (other than Accessory Dwelling Units allowed pursuant to Section 5.03.010 of this Development Code) in conjunction with existing single-family dwellings located within single-family or multiple-family zoning districts. (Note: The construction and use of Accessory Residential Structures in conjunction with existing multiple-family dwellings shall be subject to the development standards applicable to the primary multiple-family dwellings.)

B. Applicability. For purposes of this Section, the herein established development standards shall apply to Accessory Residential Structures such as garages, carports, guesthouses, storage sheds, pool houses, recreation rooms, etc., which are incidental or subordinate to the primary dwelling.

C. Definitions. As used in this Section, the words or phrases listed below shall have the meanings thereafter specified:

1. Accessory Residential Structure. A structure that is incidental or subordinate to the primary dwelling on the same site, or the use of which is incidental or subordinate to the use of the primary dwelling of the site.

2. Attached Accessory Residential Structure. An Accessory Residential Structure that is joined to the primary dwelling by means of a shared common wall or is joined by a roof that

extends the full width of the smaller of two connecting structures, creating a covered breezeway. An Attached Accessory Residential Structure is deemed to be attached to, and a part of, the primary dwelling.

3. Breezeway. A fully roofed, open passage that connects two buildings, such as a house and garage.

D. General Requirements. Accessory detached residential structures shall be developed pursuant to the following standards:

1. Accessory Residential Structures shall only be allowed on a lot containing a single-family dwelling, and may be attached to the primary dwelling, or may be an independent structure that is detached from the primary dwelling.

2. An Accessory Residential Structure that is attached to the primary residential structure shall contain no more than 50 percent of the gross floor area of the primary residential structure and shall be subject to the development standards applicable to the primary residential structure (refer to Section 6.01.010 (Residential Zoning Districts) of this Development Code).

3. An Accessory Residential Structure that is detached from the primary residential structure shall comply with the development standards contained in Table 5.03-1 (Development Standards for Accessory Residential Structures), below:

Table 5.03-1: Development Standards for Detached Accessory Residential Structures

Requirements	*Residential Zoning Districts*				*Additional Regulations*
	AR-2 & RE-2	*RE-4 & LDR-5*	*MDR-11, 18 & 25*	*HDR-45*	
A. Maximum Height					
1. Conditional Use Permit Required	35 FT				Note 1
2. Permitted by Right	16 FT				
B. Maximum Area					
1. Conditional Use Permit Required	As deemed appropriate by the Approving Authority				Note 2
2. Permitted by Right	650 SF/1,100 SF				Note 2
3. Guesthouses	650 SF				
C. Minimum Setbacks					
1. From Street Side Property Line	10 FT				Notes 3 and 4
2. From Interior Side Property Line	10 FT	0 FT/5 FT			Notes 3 and 5
3. From Rear Property Line					
a. Width of Structure ≤25 FT	5 FT				Note 3
b. Width of Structure >25 FT	10 FT				Note 3
4. From Alley Property Line (alley-facing garages only)	6 FT				Note 6

Table 5.03-1: Development Standards for Detached Accessory Residential Structures

Requirements	Residential Zoning Districts				Additional Regulations
	AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	
D. Minimum Separation Between Structures	6 FT				Note 3
E. Minimum Separation from Major Pipelines	50 FT				Note 7

Notes:

1. *Detached Accessory Residential Structures in excess of 16 FT in height shall require Conditional Use Permit (or Certificate of Appropriateness for structures on the Ontario Register of Historic Places) approval.*
2. *Detached accessory structures in excess of 650 SF in area shall require Conditional Use Permit or Certificate of Appropriateness approval, as applicable, except that the maximum area allowed without benefit of Conditional Use Permit or Certificate of Appropriateness approval may be increased to 1,100 SF to accommodate garage parking required for uses on the affected property pursuant to Table 6.03-1 (Off-Street Parking Requirements) of this Development Code.*
3. *For child play structures, doghouses, and other similar accessory structures, there shall be no minimum required setback or separation between buildings/structures; provided, the accessory structure is located within a side or rear yard area and is screened from public view.*
4. *Garages with vehicle doors facing a public street shall be setback a minimum of 20 FT behind the street property line (minimum 18 FT behind the street property line if an overhead rollup garage door is provided).*
5. *Within the MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts, the interior side setback shall be 5 FT for structures located 75 FT or less from the front property line, and 0 FT for structures located more than 75 FT from the front property line For a setback less than 3 FT, the Zoning Administrator may require that an easement be provided on the contiguous lot to ensure access to all sides of the structure for the purpose of building maintenance.*
6. *A detached garage that takes access from a public alley shall be setback a minimum of 6 FT from the property line that is common to the public alley, measured from the wall containing the vehicle access door.*
7. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
   a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
   b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*

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4. An Accessory Residential Structure that is detached from the primary residential structure shall be located on the rear one-half of the lot on which it is constructed.

5. The sum total of the area of all Accessory Residential Structures on a lot, excepting ADUs conforming to Section 5.03.010 (Accessory Dwelling Units) of this Division, shall be equal to no more than 50 percent of the GFA of the primary residential structure or 650 SF, whichever is greater. A Conditional Use Permit shall be required for properties where the sum total of all Accessory Residential Structures exceeds 50 percent of the GFA of the primary residential structure or 650 SF, whichever is greater.

6. An Accessory Residential Structure shall not contain a kitchen or cooking facilities (excluding outdoor kitchens and cooking facilities).

7. The size, footprint, height, bulk, and scale of an Accessory Residential Structure shall be compatible with the primary residential structure, and other Accessory Residential Structures in the surrounding neighborhood.

8. The area of an Accessory Residential Structure shall be the minimum necessary to house, shelter, or secure the use proposed within the structure; however, in no case shall the total gross floor area of all Accessory Detached Residential Structures on a lot exceed the floor area of the primary residential structure, excepting those accessory structures used for animal keeping purposes. In calculating the area of all Accessory Residential Structures on a lot, required parking within a garage shall be excluded from the calculation, up to a maximum of 3 covered parking stalls (maximum 651 SF).

9. Accessory Residential Structures shall match the primary residential structure with respect to architectural design and detailing, roof material and design, exterior color, exterior finish materials, window and door design, and design and placement of attic vents, excepting those Accessory Detached Residential Structures less than 120 SF in area, and those used solely for animal keeping purposes within the AR-2 and RE-2 zoning districts, and the AG Overlay district. For the purposes of this Section, Accessory Residential Structures intended solely for animal keeping purposes may also be used for the storage of vehicles, machinery, and equipment used in animal keeping.

10. No shipping container or other similar container shall be located on any residentially zoned property to accommodate the on-site storage of tools, vehicles, equipment, and other materials. This provision is not intended to prohibit the conversion of shipping containers into legally established buildings for habitable or non-habitable purposes.

11. Accessory Residential Structures shall not be located within front yards, street side yards of corner lots, or in front of the main dwelling.

12. An Accessory Residential Structure containing mechanical or other fixed equipment capable of creating a noise that is audible beyond the property line shall be placed a minimum of 5 FT from an interior side or rear property line.

13. An Accessory Residential Structure shall only be placed within the interior side or rear yard area of a lot.

14. A lot developed with an Accessory Residential Structure shall maintain a useable rear yard as follows:

a. A traditional single-family dwelling shall maintain a useable rear yard area having minimum dimension of 20 FT in any horizontal direction; and

b. A small lot single-family dwelling shall maintain a useable rear yard having a minimum dimension of 10 FT in any horizontal direction.

15. On a reversed corner lot, an Accessory Residential Structure shall comply with the following:

a. The Accessory Residential Structure located within the rear yard area shall not project beyond the minimum required front yard setback of the adjoining key lot, and shall be located no closer than 5 FT from the side property line of the key lot (rear property line of the reverse corner lot); and

b. The Accessory Structure shall be no closer to the rear property line than the minimum required side yard setback on the adjoining key lot.

E. Guesthouses. In addition to the standards applicable to Other Accessory Residential Structures contained in Subsection B of this Section, guesthouses shall comply with the following additional standards:

1. Not more than one Guesthouse shall be permitted per lot containing a primary single-family dwelling, and a Guesthouse shall not be constructed if an Accessory Dwelling Unit exists on the lot.

2. A Guesthouse shall be for the sole use of the family of the occupants of the main dwelling and persons employed on the premises, or for temporary use by non-paying guests for a period not to exceed 90 days within any 120-day period. In addition, Guesthouses shall not be rented or otherwise used as a separate, independent residence.

F. Carports. No Carport shall be allowed within a front or street side yard setback area. Carports shall not be permitted in lieu of a garage required pursuant to the provisions of Table 6.03-1 (Off-Street Parking Requirements) of this Development Code, unless otherwise permitted by this Section.

G. Restrictive Covenant. Prior to the issuance of a building permit for an Accessory Residential Structures, the Planning Director may require that a restrictive covenant running with the land, which is binding on the property owner and their successors in interest, be recorded with the office of the San Bernardino County Recorder, which specifies that the Accessory Residential Structure shall not be used as an independent dwelling unit. Furthermore, restrictions may be included that are intended to ensure on-going compliance with the provisions of this Subsection B.

5.03.015: Adult-Oriented Businesses

The following regulations shall govern the establishment and operation of adult-oriented businesses within the City:

A. Purpose. It is the intent of these Adult-Oriented Business regulations to prevent community-wide adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods, which can be brought about by locating Adult-Oriented Businesses in close proximity to each other or proximity to other incompatible uses such as schools, churches, and residentially zoned districts or uses. The City Council finds that it has been demonstrated in various communities that the concentration of Adult-Oriented Businesses causes an increase in the number of transients in the area, and an increase in crime, and in addition to the effects described above, can cause other businesses and residents to move elsewhere. It is, therefore, the purpose of these Adult-Oriented Business regulations to establish reasonable and uniform regulations to ameliorate the harmful effects of Adult-Oriented Businesses or their close proximity to incompatible uses, while providing reasonable alternative avenues of communication.

Moreover, it is also the purpose of these Adult-Oriented Business regulations to facilitate regulation of Adult-Oriented Businesses and the performers that may be employed by such establishments pending resolution of the prior permitting issues raised in Baby Tam & Co., Inc. v. City of Las Vegas, 154 F.3d 1097 (9th Cir. 1998). The intent of the registration requirements

contained in these Adult-Oriented Business regulations is to provide enforcement agencies with sufficient information to assist them in ensuring that criminal elements do not infiltrate Adult-Oriented Businesses, that minors are not employed by such establishments, and that the establishments will comply with the zoning and operational standards imposed by these Adult-Oriented Business regulations.

B. **Findings.** The City Council of the City of Ontario, California, hereby, finds as follows:

1. The City Council finds that various studies and court decisions presented to the City Council have determined that the establishment of Adult-Oriented Businesses is linked to increases in crime and other adverse effects. The City, in enacting this ordinance, more specifically finds that these studies provide convincing evidence that:

a. Adult-Oriented Businesses are linked to, and associated with, increases in crime rates in those areas in which they are located and in surrounding areas;

b. Both the proximity of Adult-Oriented Businesses to sensitive land uses and the concentration of Adult-Oriented Businesses tend to result in the blighting and deterioration of the areas next to which, and near which, they are located;

c. There is substantial evidence that an increase in crime tends to accompany, concentrate around, and be aggravated by Adult-Oriented Businesses, including but not limited to an increase in the crimes of narcotics distribution and use, prostitution, pandering, and violence against persons and property. The studies from other cities establish convincing evidence that Adult-Oriented Businesses that are not regulated as to permissible locations often have a deleterious effect on nearby businesses and residential areas, causing, among other adverse secondary effects, an increase in crime and a decrease in property values;

d. Studies concerning increases in crime surrounding Adult-Oriented Businesses are further supported by the City's own experiences confirming an inordinate amount of police response calls to the City's two existing Adult-Oriented Businesses, "the Reel One" and "the Villa Theater." The police response statistics from the Ontario Police Department for the period from 1996 to 1998 indicate that City police have been called out to these locations over 70 times to investigate solicitation and prostitution activities, lewd conduct, indecent exposure, illegal drug use and possession, use of counterfeit money, thefts, burglaries, and other disturbances;

2. Based on the forgoing, the City Council finds and determines that special regulation of Adult-Oriented Businesses is necessary to ensure that their adverse secondary effects will not cause or contribute to an increase in crime rates or the blighting or deterioration of the areas in which they are located or surrounding areas. The need for such special regulations is based upon the recognition that Adult-Oriented Businesses not only cause adverse secondary effects, but also have seriously objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances or located in direct proximity to sensitive uses, thereby having a deleterious effect upon an adjacent area. It is the purpose and intent of these regulations to prevent or mitigate such adverse secondary effects;

3. The protection and preservation of the public health, safety and welfare require that certain distances be maintained between Adult-Oriented Businesses and other sensitive uses, including residential, religious and educational uses, as well as to minimize the adverse secondary effects between the proximity of Adult-Oriented Businesses and other Adult-Oriented Businesses and truck stops. Moreover, the locational requirements established by this Section do not unreasonably restrict the establishment or operation of constitutionally protected Adult-Oriented

Businesses in the City. A sufficient and reasonable number of appropriate locations for the operation of Adult-Oriented Businesses will remain available after the enactment of these Adult-Oriented Business regulations.

4. The City Council also finds that locational criteria alone do not adequately protect the health, safety, and general welfare of the citizens of the City, and thus, certain requirements with respect to the ownership and operation of Adult-Oriented Businesses are in the public interest. In addition to the findings and studies conducted in other cities regarding increases in crime rates, decreases in property values, and the blighting of areas in which Adult-Oriented Business are located, the city Council also takes legislative notice of the facts recited in the case of Kev, Inc., v. Kitsap County (9th Cir. 1986) 793 F.2d 1053, and Colacurcio v. City of Kent, 1998 WL 848036 (9th Cir.), regarding how live adult entertainment results in adverse secondary effects such as prostitution, drug dealing, and other law enforcement problems;

5. Zoning, permitting, licensing, and other police power regulations are legitimate, reasonable means of accountability to help protect the quality of life in the City and to help assure that owners, operators and performers of Adult-Oriented Businesses comply with reasonable regulations and are located in places that minimize the adverse secondary effects that naturally accompany the operation of Adult-Oriented Businesses;

6. The City Council recognizes that possible harmful effects on children and minors exposed to the secondary effects of Adult-Oriented Businesses, the deterioration of respect for family values, and the need and desire of children and minors to stay away from, and avoid, Adult-Oriented Businesses, which causes children to be fearful and cautions when walking through or visiting the immediate neighborhood of these businesses. The City Council desires to: minimize and control the adverse secondary effects associated with the operation of Adult-Oriented Businesses and thereby protect the health, safety, and welfare of the citizens of Ontario, and in particular, the health, safety, and welfare of children and minors in the City; protect the citizens from increased crime; preserve their quality of life; preserve property values and the character of surrounding neighborhoods and businesses; deter the spread of urban blight and protect against the threat to health from the spread of communicable and sexually transmitted diseases;

7. Nothing in these Adult-Oriented Business regulations is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building, or use that violates any applicable City ordinance or any statute of the State of California relating to public nuisances, unlawful or indecent exposure, sexual conduct, lewdness, obscene or harmful matter, or the exhibition or public display thereof;

8. The City Council further finds the following, in part, based upon its understanding of the judicial decisions and the reports, studies and other documents in the public record:

a. Evidence indicates that the existence of Adult-Oriented Businesses that permit nudity have been shown in some cities to increase the secondary effects of crime and decrease property values;

b. Evidence has demonstrated that Performers employed by Adult-Oriented Businesses have been found to offer and provide private shows to patrons who, for a price, are permitted to observe and participate with the performers in live sex shows;

c. Evidence indicates that performers at Adult-Oriented Businesses have been found to engage in acts of prostitution with patrons of the establishment;

d. Evidence indicates that fully enclosed booths, individual viewing areas, and other small rooms whose interiors cannot be seen from public areas of the Adult-Oriented Business regularly have been found to be used as locations for engaging in unlawful sexual activity; and

e. As a result of Subparagraphs B.8.a through d, above, and the increase in the incidence of AIDS and Hepatitis B, which are both sexually transmitted diseases, the City Council has a substantial interest in adopting regulations that will reduce to the greatest extent possible, the possibility for the occurrence of casual sex acts at Adult-Oriented Businesses;

9. In regulating nudity and semi-nudity in Adult-Oriented Businesses, the City Council does not intend to proscribe the communication of erotic messages or any other communicative element or activity, but rather only to regulate nudity and semi-nudity in Adult-Oriented Businesses due to the adverse secondary effects associated therewith, including prostitution, sexual assault, and associated crimes;

10. The City Council further finds, as a wholly independent basis, that it has a substantial public interest in preserving societal order and morality, and that such interest is furthered by the regulation of nudity and semi-nudity in Adult-Oriented Businesses;

11. While the City Council desires to protect the rights conferred by the United States and California Constitutions on Adult-Oriented Businesses, it does so in a manner that ensures the continued and orderly development of property within the City and diminishes, to the greatest extent feasible, those undesirable secondary adverse effects which the Studies have shown to be associated with the development and operation of Adult-Oriented Businesses;

12. In enacting nudity and semi-nudity regulations pursuant to these Adult-Oriented Business regulations, the City Council declares that the regulations do not create or regulate a criminal offense, and the City Council has not provided a criminal penalty for a violation of these regulations;

13. The City Council finds that preventing the direct exchange of money between Performers and Patrons also reduces the likelihood of drug and sexual transactions occurring in Adult-Oriented Businesses;

14. Requiring a 10-FT separation between performers and patrons reduces the likelihood that these persons will negotiate narcotics sales, or negotiate for the purpose of engaging in sexual activities or obtaining sexual favors within the Adult-Oriented Businesses; and

15. Enclosed or concealed booths and dimly lit areas within Adult-Oriented Businesses greatly increase the potential for misuse of the premises, including unlawful conduct of a type that facilitates transmission of disease. Requirements that all indoor areas be open to view by management at all times and that adequate lighting be provided are necessary in order to reduce the opportunity for, and, therefore, the incidence of illegal conduct within Adult-Oriented Businesses, and to facilitate the inspection of the interior of the premises thereof by law enforcement personnel.

C. Definitions. As used in these Adult-Oriented Business regulations, the following words, terms, and phrases are defined as follows:

1. Applicant. A person who is required to file an application for a registration certificate under these Adult-Oriented Business regulations, including an individual owner,

managing partner, officer of a corporation, or any other operator, manager, employee, or agent of an Adult-Oriented Business.

2. Bar. Any commercial establishment licensed by the State Department of Alcoholic Beverage Control to serve any alcoholic beverages on the premises.

3. Chief of Police. The Chief of Police of the City of Ontario or his or her designee.

4. City Council. The City Council of the City of Ontario.

5. Day. A calendar day and not business day. Whenever "day" is used to identify requirements of these Adult-Oriented Business regulations to be performed on a particular day, which day falls upon a holiday, Saturday or Sunday, the day for performance of the requirements of these Adult-Oriented Business regulations will be the next business day after the holiday, Saturday or Sunday.

6. Distinguished or Characterized by an Emphasis Upon. The dominant or essential theme of the object described by the phrase. For example, when the phrase refers to films "which are distinguished or characterized by an emphasis upon "the depiction or description of specified sexual activities or specified anatomical areas, the films so described are those whose dominant or predominant character and theme are the depiction of the enumerated sexual activities or anatomical areas.

7. Establishment of an Adult-Oriented Business. Means and includes any of the following:

a. The opening or commencement of any Adult-Oriented Business as a new business;

b. The conversion of an existing business, whether or not an Adult-Oriented Business, to any Adult-Oriented Business defined herein;

c. The addition of any of the Adult-Oriented Businesses defined herein to any other existing Adult-Oriented Business; or

d. The relocation of any Adult-Oriented Business.

8. Figure Model. Any person who, for pecuniary compensation, consideration, hire or reward, poses in a modeling studio to be observed, sketched, painted, drawn, sculptured, photographed, or otherwise depicted.

9. Health Officer. The Health Officer of the County of San Bernardino, or his or her duly authorized representative.

10. Nudity or State of Nudity. The showing of the human male or female genitals, pubic area, buttocks or anus with less than a full opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernible turgid state.

11. Patron. A customer of an Adult-Oriented Business.

12. Permit. Any permit or registration certificate issued pursuant to these Adult-Oriented Business regulations.

13. Permittee. Any person to whom an Adult-Oriented Business registration certificate is issued.

14. Person. Any individual, partnership, copartnership, firm, association, joint stock company, corporation, or combination thereof, in whatever form or character.

15. Regularly Features. With respect to an adult theater, adult cabaret, adult arcade or adult motion picture theater, a regular and substantial course of conduct. Performances that are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities, occur on 2 or more occasions within a 30 day period; 3 or more occasions within a 60 day period; or 4 or more occasions within a 180 day period shall, to the extent permitted by law, be deemed to be a regular and substantial course of conduct.

16. Religious Institution. A structure that is used primarily for religious worship and related religious activities.

17. School. Any child or daycare facility, or an institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.

18. Semi Nude or Semi-Nudity. State of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola of the female breast, as well as portions of the body covered by supporting straps or devices.

19. Adult-Oriented Businesses. Any one of the following:

a. *Adult Arcade*. An establishment that, for any form of consideration, provides one or more still or motion picture projectors, or similar machines, for viewing by patrons and which shows films, computer generated images, motion pictures, video cassettes, slides, or similar photographic reproductions, more than 30 percent of which showings are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

b. *Adult Bookstore*. An establishment having a substantial and a significant portion of its business derived from the sale or rental of books, magazines, periodicals or other printed matter, or of photographs, films, motion pictures, video cassettes, slides, tapes, or other form of visual or audio representations that are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas, or sexually oriented merchandise. The fact that more than 30 percent of the establishment inventory is composed of such materials, 30 percent of its floor area is devoted to such materials, or that 30 percent of its gross income is derived from such materials, or that the establishment advertises itself as "adult" in nature, shall, to the extent permitted by law, be evidence that the establishment is an "Adult Bookstore."

c. *Adult-Oriented Business.* Any business establishment or concern which operates as an Adult Bookstore, Adult Video Store, Adult Arcade, Adult Cabaret, Adult Theater, Adult Motion Picture Theater, Adult Motel, Escort Agency, Massage Establishment, Modeling Studio, Sexual Encounter/Rap Studio, Sexual Novelty Store or any other business or concern that regularly features or offers to its patrons as a substantial significant portion of its business, products, merchandise, services, or entertainment that are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, but not including those uses or activities the regulation of which is preempted by State law. "Adult-Oriented Business" also includes any establishments, which as a regular and substantial course of conduct, provides or allows performers, models, or employees to appear in any public place dressed only in lingerie. "Adult-Oriented Business" does not include those uses, businesses or activities of licensed professionals who are otherwise exempt from classification as a "Massage Establishment" pursuant to this Development Code.

d. *Adult Cabaret or Adult Theater.* A nightclub, restaurant, or business establishment that regularly features live performances that are distinguished or characterized by an emphasis upon the display of specified sexual activities; regularly featured persons who appear semi-nude; or that shows films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

e. *Adult Hotel or Motel.* A hotel, motel, or similar business establishment offering public accommodations for any form of consideration, which provides patrons with closed circuit television transmissions, films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for less than a 6-hour period, or rents, leases, or lets any single room more than twice in a 24-hour period.

f. *Adult Motion Picture Theater.* A business establishment where, for any form of consideration, films, computer generated images, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

g. *Escort Agency.* A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

h. *Massage Establishment.* An establishment having a fixed place of business where any person association, firm, or corporation engages in, conducts, or carries on or permits to be engaged in, conducted, or carried on, any business of giving Turkish, Russian, Swedish vapor, sweat, electric, salt, or any other kind of character of baths and where alcohol rubs, fomentations, baths, or manipulations of the body, or similar procedures, are given including acupressure clinics or establishments.

i. *Modeling Studio.* A business that regularly features, for pecuniary compensation, monetary, or other consideration, hire or reward figure models who, for the purposes of sexual stimulation of patrons, display specified anatomical areas to be observed, sketched, photographed, painted, sculpted or otherwise depicted by persons paying such consideration. "Modeling Studio" does not include schools maintained pursuant to standards set

by the State Board of Education, or a studio or similar facility owned, operated or maintained by an individual artist or group of artists, that does not provide, permit, or make available "specified sexual activities."

20. Adult-Oriented Business Operator or Operator. A person who supervises, manages, inspects, directs, organizes, controls, or in any other way is responsible for or in charge of the premises of an Adult-Oriented Business, or the conduct or activities occurring on the premises thereof.

21. Adult-Oriented Business Performer or Performer. Any person who is an employee or independent contractor of the Adult-Oriented Business, and any person who, with or without any compensation or other form of consideration, performs live entertainment dressed in no more than a state of semi-nudity for patrons of an Adult-Oriented Business.

22. Sexually Oriented Merchandise. Sexually oriented implements and paraphernalia, including, but not limited to: dildos, auto-sucks, sexually oriented vibrators, edible underwear, ben-wah balls, inflatable orifices, anatomical balloons with orifices, simulated and battery-operated vaginas, and similar sexually oriented devices, or any other merchandise characterized by an emphasis on sexual activities or specified anatomical parts.

23. Sexually Oriented Merchandise. Sexually oriented implements and paraphernalia, including, but not limited to: dildos, auto-sucks, sexually oriented vibrators, edible underwear, ben-wah balls, inflatable orifices, anatomical balloons with orifices, simulated and battery-operated vaginas and similar sexually oriented devices, or other merchandise characterized by an emphasis on sexual activities or specified anatomical parts.

24. Specified Anatomical Areas. Means and includes any of the following less than completely and opaquely covered human:

a. genitals or public region;

b. buttocks;

c. female breast below a point immediately above the top of the areola;

d. Human male genitals in a discernibly turgid state, even if completely and opaquely covered; or

e. Any device, costume or covering that simulates any of the body parts included in Subparagraphs B.24.a or b, above.

25. Specified Sexual Activities. Means and include any of the following, whether performed directly or indirectly through clothing or other covering:

a. The fondling or other erotic touching of human genitals, public region, buttocks, anus, or female breast;

b. Sex acts, actual or simulated, including intercourse, oral copulation or sodomy;

c. Masturbation, actual or simulated; or

d. Excretory functions as part of or in connection with any of the other activities described in Subparagraphs B.25.a through c, above.

26. Studies. The studies and reports prepared by other cities and judicial rulings referred to in Paragraph B.1 herein of these Adult-Oriented Business regulations, including studies and reports prepared by the City relating to the adverse secondary impacts of existing Adult-Oriented Businesses.

D. Minimum separation and locational requirements.

1. No Adult-Oriented Business shall be located within 1,500 FT of any property located within a residential or mixed-use zoning district, or any property located within a residential or mixed-use land use district of an adopted Specific Plan.

2. No Adult-Oriented Business shall be located within 1,000 FT of the following:

a. Any church, chapel, or similar place of worship, whether inside or outside of Ontario city limits;

b. Any school or daycare establishment, or public or private park or playground, whether inside or outside of Ontario city Limits;

c. Any retirement or convalescent hospital, whether inside or outside of Ontario city limits;

d. Any recreational facility, such as game arcade, bowling alley, skateboard rink, skating rink, or similar area where minors regularly congregate, whether inside or outside Ontario city limits;

e. City Hall, City offices, and other government buildings normally open to the public;

f. Libraries, whether inside or outside Ontario city limits; and

g. Any truck stops, whether inside or outside Ontario city limits.

3. No Adult-Oriented Business shall be located within 300 FT of another Adult-Oriented Business, whether inside or outside Ontario city limits;

4. For purposes of the regulations contained herein, all distances shall be measured in a straight line, without regard for intervening structures, from the nearest property line for which the Adult-Oriented Business is proposed to be located to the nearest property line of a use or district identified in these Adult-Oriented Business regulations.

E. Adult-Oriented Business Development and Performance Standards. The following development and performance standards shall be applicable to Adult-Oriented Businesses in the City:

1. No Adult-Oriented Business shall be operated in any manner that permits the observation of any materials or activities depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas from any public way or from any location outside the building or area of such establishment. No Adult-Oriented Business shall be operated in any

manner that permits the observation of any live performance depicting, describing or relating to specified sexual activities or semi-nudity from any public way, or from any location outside the building or area of such establishment. This provision shall apply to any display, decoration, sign, show window or other opening. No exterior door or window on the premises shall be propped or kept open at any time while the business is open, and any exterior windows shall be covered with opaque covering at all times.

2. All off-street parking area and premise entries of the Adult-Oriented Business shall be illuminated from dusk to closing hours of operation with a lighting system that provides an average maintained horizontal illumination of one footcandle of light, measured on the parking surface or walkway. The required lighting level is established in order to provide sufficient illumination of the parking areas and walkways serving the Adult-Oriented Business for the personal safety of patrons and employees, and to reduce the incidence of vandalism and criminal conduct.

3. The premises within which the Adult-Oriented Business is located shall provide sufficient sound-absorbing insulation so that noise generated inside the premises shall not be audible anywhere on any adjacent property or public right-of-way, or within any other building or other separate unit within the same building.

4. Except for those businesses also regulated by the California Department of Alcoholic Beverage Control, an Adult-Oriented Business shall be open for business only between the hours of 8:00 AM and 12:00 PM (midnight) on any particular day.

5. The building entrance to an Adult-Oriented Business shall be clearly and legibly posted with a notice indicating that persons under 18 years of age are precluded from entering the premises. The notice shall be constructed and posted to the satisfaction of the Chief of Police. No person under the age of 18 years shall be permitted within the premises at any time.

6. All indoor areas of the Adult-Oriented Business within which patrons are permitted, except restrooms, shall be open to view by the management at all times.

7. Any Adult-Oriented Business that is also an Adult Arcade that provides viewing area(s), shall comply with the following additional requirements:

a. Each Adult Arcade shall have at least one manager's station. It shall be the duty of the operator(s) to ensure that at least one employee is on duty and situated at each manager's station at all times that any patron is present inside the Adult Arcade.

b. The interior of the Adult Arcade shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the Adult Arcade to which any patron is permitted access for any purpose, excluding restrooms. If the Adult Arcade has two or more manager's stations designated, then the interior of the Adult Arcade shall be configured in such a manner that there is an unobstructed view of each area of the Adult Arcade to which any patron is permitted access for any purpose, excluding restrooms, from at least one of the manager's stations. The view required by this Subparagraph shall be by direct line of sight from the manager's station. There shall be a security system that visually records each viewing booth at all times that the business is open or occupied for business.

c. It shall be the duty of the operator(s) and also the duty of all employees present in the Adult Arcade to ensure that the individual viewing areas remain unobstructed by any doors, walls, persons, merchandise, display rack or other materials at all times and to ensure

that no patron is permitted access to any area of the Adult Arcade that has been designated as an area in which patrons will not be permitted.

d. No individual viewing area may be occupied by more than one person at any one time. "Individual viewing area" shall mean a viewing area designed for occupancy by one person. Individual viewing areas of the Adult Arcade shall be operated and maintained without any hole or other opening, or means of direct communication, or visual or physical access between the interior spaces of two or more Individual viewing areas.

e. No individual viewing area shall contain booths, stalls, or partitioned portions of individual viewing area used for the viewing of sexually oriented material or other forms of entertainment having doors, curtains, or portal partitions, unless the individual viewing areas containing booths, stalls, or partitioned portions have at least one side open to the manager's station and is visible to the manager's station. Any booth, stall, or partitioned portion of an individual viewing area authorized under this subparagraph shall be constructed to allow 12 inches of open space between the bottom of the stall or partition and the floor. The open space shall remain unobstructed at all times.

f. The Adult Arcade shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access, but such lighting shall not be of an intensity as to prevent the viewing of the sexually oriented material.

g. It shall be the duty of the operator(s) and all employees present at the Adult Arcade to ensure that the illumination described in Subparagraph E.7.f, above, is maintained at all times that any patron is present in the Adult Arcade.

h. The floors, seats, walls, and other interior portions of all booths shall be maintained clean and free from waste and bodily secretions. Presence of human excrement, urine, semen or saliva in any such booths shall be evidence of improper maintenance and inadequate sanitary controls.

8. All areas of the Adult-Oriented Business that are accessible to the public shall be illuminated at the following minimum footcandles, which shall be minimally maintained and evenly distributed at ground level, pursuant to Table 5.03-2 (Minimum Lighting Requirements for Adult-Oriented Businesses), below.

Table 5.03-2: Minimum Lighting Requirements for Adult-Oriented Businesses

Area	*Minimum Foot-Candles*
Bookstores and other retail establishments:	20
Theaters and cabarets (except during performances, at which time lighting shall be at least 1.25 foot-candles):	5
Arcades:	10
Motels/Hotels (in public areas):	20
Modeling Studios:	20

9. Patrons and employees shall not use the same restrooms. The Adult-Oriented Business shall provide and maintain separate restroom facilities for male patrons and employees, on the one hand, and female patrons and employees, on the other. Male patrons and employees shall be prohibited from entering any restroom for females, and female patrons and employees shall be prohibited from entering any restroom for males, except when an employee carries out

duties of repair, maintenance, or cleaning of the restroom facilities. All restrooms shall be free from any sexually oriented materials. No restrooms shall contain television monitors or other motion picture or video projection, computers, recording, or reproduction equipment. The foregoing provisions of this Paragraph shall not apply to an Adult-Oriented Business that deals exclusively with sale or rental of sexually oriented materials that are not used or consumed on the premises, such as an Adult Bookstore or Adult Video Store, and which does not provide restroom facilities to its patrons or the public.

10. The following additional requirements shall pertain to Adult-Oriented Businesses that provide live performances in Adult Cabarets or Adult Theaters:

a. No person shall perform live entertainment for patrons of an Adult-Oriented Business except upon a stage at least 2 FT above the level of the floor, which is separated by a distance of at least 10 FT from the nearest area occupied by patrons, and no Patron shall be permitted within 10 FT of the stage while the stage is occupied by an Adult-Oriented Business performer.

b. The Adult-Oriented Business shall provide separate dressing room facilities for performers that are exclusively dedicated to the performers' use. No public access shall be permitted to any dressing room facility.

c. The Adult-Oriented Business shall provide an entrance and exit for performers that is separate from the entrance and exit used by patrons.

d. The Adult-Oriented Business shall provide access for performers between the stage and dressing rooms, which are completely separated from the patrons. If separate access is not physically feasible, the Adult-Oriented Business shall provide a minimum 3-FT wide walk aisle for performers between the dressing room area and the stage, with a railing, fence, or other barrier separating the patrons and the performers capable of, and which actually results in, preventing any physical contact on the premises of the Adult-Oriented Business.

e. No performer, either before, during, or after performances, shall have any physical contact with any Patron, and no patron shall have physical contact with any performer before, during, or after performances by a performer. This Subparagraph shall only apply to physical contact on the premises of the Adult-Oriented Business.

f. Fixed guardrails at least 30 inches in height shall be maintained establishing the separations between performers and patrons required by the herein-stated Adult-Oriented Business Development and Performance Standards.

g. No patron shall directly pay or give any gratuity to any performer, and no performer shall solicit any pay or gratuity from any patron.

11. No operator, owner, or other person with managerial control over an Adult-Oriented Business shall permit any person on the premises of an Adult-Oriented Business to engage in a live showing of any specified anatomical areas. This provision may not be complied with by applying an opaque covering simulating the appearance of the specified anatomical areas required to be covered. Notwithstanding any other penalties that may be provided in this Development Code or the Ontario Municipal Code, a violation of this Subparagraph shall be grounds for revocation of an Adult-Oriented Business registration certificate.

12. No Adult-Oriented Business performer on the premises of an Adult-Oriented Business shall engage in a live showing of any specified anatomical areas. This provision may not be complied with by applying an opaque covering simulating the appearance of the specified anatomical areas required to be covered. Notwithstanding any other penalties that may be provided in this Development Code or the Ontario Municipal Code, a violation of this Subparagraph shall be grounds for revocation of an Adult-Oriented Business registration certificate.

13. Adult-Oriented Businesses shall employ security guards in order to maintain the public peace and safety, and to prevent any illegal activity from occurring on the premises, based upon the following standards:

a. Adult-Oriented Businesses featuring live entertainment shall provide at least one security guard at all times while the business is open. If the occupancy limit of the premises is greater than 35 persons, an additional security guard shall also be on duty at all times while the business is open.

b. Security guards for other Adult-Oriented Businesses may be required if it is determined by the Chief of Police that their presence is necessary in order to maintain public peace and safety, and to prevent any illegal activity from occurring on the premises.

c. Security guards shall be charged with preventing violations of law and enforcing compliance by patrons of the requirements of these regulations. Each security guard shall be uniformed in such a manner so as to be readily identifiable as a security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state law. No security guard required pursuant to this Subparagraph shall act as a door person, ticket seller, ticket taker, admittance person, or sole occupant of the manager's station while acting as a security guard.

14. The Adult-Oriented Business shall provide a security system that visually records and monitors all parking lot areas at all times that the business is open or occupied for business.

15. Views of parking areas and doorways of Adult-Oriented Businesses shall be unobstructed so as to allow visibility of these areas from public rights-of-way.

16. The Adult-Oriented Business shall comply with the City's sign regulations.

17. The Adult-Oriented Business shall comply with the development, parking, and design requirements of the underlying zone for the specific underlying use. All exterior areas of an Adult-Oriented Business, including buildings, landscaping, and parking areas shall be maintained in a clean and orderly manner.

F. Employment of and Services Rendered to Persons Under the Age of 18 Years Prohibited.

1. It shall be unlawful for any operator or other person in charge of any Adult-Oriented Business to employ any person who is not at least 18 years or age.

2. It shall be unlawful for any operator or other person in charge of any Adult-Oriented Business to permit to enter, or remain within the Adult-Oriented Business, any person who is under the age of 18.

G. Inspection and Operators. All operators shall permit the Chief of Police, representatives of the San Bernardino County Health Department, and the City of Ontario Fire Department to conduct unscheduled inspections of the premises of the Adult-Oriented Business for the purpose of insuring compliance with the laws, and the development and performance standards applicable to Adult-Oriented Businesses at any time it is occupied or opened for business.

H. Regulations Nonexclusive. The provisions of this Development Code regulating Adult-Oriented Businesses are not intended to be exclusive and compliance therewith shall not excuse noncompliance with any other regulations pertaining to the operation of businesses as adopted by the City Council.

5.03.020: Air Transportation

A. Site and Building Development Standards within the ONT (Ontario International Airport) Zoning District. To facilitate the further development of Ontario International Airport and surrounding properties directly impacted by airport operations, all development within the ONT zoning district shall be designed and constructed pursuant to the site and development standards of the IG zoning district, except as follows:

1. The FAR calculation for development projects within the ONT zoning district shall be based on the ratio of gross cumulative building area to overall land area of the ONT zoning district; and

2. The Planning Director shall have the authority to approve deviations from minimum landscape coverage, minimum building setbacks, and maximum building height standards when it can be found and clearly established that such deviation is necessary due to identified site conditions.

B. Helipads/Heliports. Within the CR, IG, and IH zoning districts, helipad/heliport facilities shall be allowed only in conjunction with a permitted or conditionally permitted land use. Standalone helipad/heliport facilities shall be prohibited, except within the ONT zoning district.

5.03.023: Alcoholic Beverage Manufacturing

The following regulations shall govern the establishment and operation of alcoholic beverage manufacturing uses and activities, as follows:

A. Alcoholic Beverage Manufacturing in the MU-1 (Downtown Mixed Use) Zoning District. Alcoholic beverage manufacturing facilities established within LUA-1, LUA-2 North, and LUA-2 South areas of the MU-1 zoning district shall comply with the following:

1. Land use approval shall be subject to the approval of an Administrative Use Permit pursuant to the requirements of Section 4.03.015 (Administrative Use Permits) of this Development Code;

2. The GFA of an alcoholic beverage manufacturing facility shall be less than 10,000 SF;

3. An alcoholic beverage manufacturer shall not be permitted unless the licensed alcoholic beverage manufacturer also sells alcoholic beverages to consumers for consumption on the premises, within a tasting room that complies with Subsection D of this Section, or in a bona

fide restaurant that is located on the licensed premises, or at a bona fide restaurant that is contiguous to the licensed premises;

4. No video, electronic or other amusement devices or games shall be permitted;

5. Outdoor storage in conjunction with an alcoholic beverage manufacturer shall be prohibited.

B. Sewer Study May Be Required for Alcoholic Beverage Manufacturers in the MU-1 (Downtown Mixed Use) Zoning District. Alcoholic beverage manufacturing facilities established within the CC, CR and CCS zoning districts shall comply with the following:

1. Land use approval shall be subject to the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code;

2. The GFA of an alcoholic beverage manufacturer shall be less than 10,000 SF;

3. An alcoholic beverage manufacturer shall not be permitted unless the licensed alcoholic beverage manufacturer also sells alcoholic beverages to consumers for consumption on the premises, within a tasting room that complies with Subsection D of this Section, or in a bona fide restaurant that is located on the licensed premises, or at a bona fide restaurant that is contiguous to the licensed premises.

4. No video, electronic or other amusement devices or games shall be permitted.

5. Outdoor storage in conjunction with an alcoholic beverage manufacturer shall be prohibited.

C. Conditional Use Permit Required for Tasting Rooms in the IL (Light Industrial), IG (General Industrial) and IH (Heavy Industrial) Zoning Districts. Within the IL, IG and IH zoning districts, the establishment of a tasting room in conjunction with an alcoholic beverage manufacturer shall require the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code. Tasting rooms shall be designed in compliance with the requirements of Subsection D of this Section.

D. Tasting Rooms Not to Exceed 1,000 SF Unless Otherwise Permitted by a Conditional Use Permit. A tasting room shall not exceed 1,000 SF in area, except that within the MU-1 zoning district, tasting rooms in excess of 1,000 SF may be permitted by Conditional Use Permit approval. The tasting room floor area shall include any indoor area within the alcoholic beverage manufacturing licensed premises where alcoholic beverages are consumed, including any bar and seating areas, but shall exclude restrooms serving the tasting room and any outdoor patio areas. Outdoor patio areas may be permitted, provided they are not located in any required parking space or access way, and do not exceed 1,000 SF in total area.

E. Use of Grain Silos. A grain silo may be located outside of a building occupied by an alcoholic beverage manufacturing use, which shall comply with the following:

1. The grain silo shall not be located in any required parking space, driveway or drive aisle, or situated so as to adversely affect the pedestrian path of travel.

2. One sign identifying the alcoholic beverage manufacturing use may be placed on the grain silo, having a maximum area of 9 SF. The silo sign is permitted in addition to any wall signs or monument signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Development Code.

F. Outdoor Utility Equipment Shall Be Completely Screened. Outdoor utility equipment associated with an alcoholic beverage manufacturing use shall be completely screened from public view.

G. Property Shall Be Permanently Maintained. The real property upon which an alcoholic beverage manufacturing use is operated shall be permanently maintained in an orderly fashion by the provision of regular landscape maintenance, removal of trash and debris, and removal of graffiti within 24 hours from the time of occurrence.

H. Roof-Mounted or Ground-Mounted Mechanical Equipment Shall Be Completely Screened. Any proposed roof-mounted or ground-mounted mechanical equipment shall be completely screened from public view. Equipment screening information shall be specifically shown on the plans submitted for building permit issuance.

I. Security Plan Required. A security plan, in a form satisfactory to the Ontario Police Department, shall be submitted to and approved by the Police Chief prior to building permit issuance. The security plan shall be formulated to deter unlawful conduct of employees and patrons, to promote the safe and orderly assembly and movement of persons and vehicles, and to prevent disturbances to surrounding land uses and the neighborhood in general, by excessive noise created by patrons entering or leaving the alcoholic beverage manufacturer's licensed premises.

J. On-Site Lighting Required to Provide a Safe and Secure Environment. Parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings occupied by an alcoholic beverage manufacturing use shall be provided with enough lighting to illuminate and make clearly visible, the presence of any person on or about the alcoholic beverage manufacturer's licensed premises during the hours of darkness, and shall provide a safe and secure environment for all persons, property, and vehicles on and around the premises.

K. Admission Fee, Cover Charge, and Minimum Purchase Requirements. It shall be unlawful to require the payment of an admission fee or cover charge or require a minimum purchase.

L. Alcoholic Beverage Signs Required. Signs shall be posted inside the business, near the exit door, which states "NO ALCOHOLIC BEVERAGE ALLOWED BEYOND THIS POINT."

M. Maximum Occupancy Load Shall Not Be Exceeded. The number of persons shall not exceed the maximum occupancy load as determined by the Ontario Fire Department. Signs indicating the maximum occupant load shall be posted in a conspicuous place on an approved sign near the main exit from the room.

N. No Live Entertainment or Dancing Permitted without First Obtaining Land Use Approval. There shall be no live entertainment or dancing permitted on the alcoholic beverage manufacturer's licensed premises at any time, without first obtaining land use approval for the activities pursuant to the requirements of this Development Code.

O. Display of Alcoholic Beverages. The display of alcoholic beverages shall not be located outside of a building or within 5 FT of any public entrance to the building.

P. Alcoholic Beverages Distributed By Competing Alcoholic Beverage Manufacturers Shall Not Be Served. An alcoholic beverage manufacturer shall not serve brands of alcoholic beverages distributed by a competing alcoholic beverage manufacturer. The alcoholic beverages served shall be limited to the products that are authorized to be sold by the alcoholic beverage manufacturer under its license issued by the California Department of Alcoholic Beverage Control.

5.03.025: Alcoholic Beverage Sales

A. Purpose. The purpose of this Section is to establish standards governing the establishment and operation of alcoholic beverage sales within the City.

B. Applicability.

1. Conditional Use Permit and/or Administrative Use Permit Required.

a. The retail sales of alcoholic beverages, whether intended for consumption on or off the premises wherein the beverage is sold, shall require the approval of a Conditional Use Permit pursuant to Development Code Section 4.02.015 (Conditional Use Permit), or the approval of an Administrative Use Permit pursuant to Development Code Section 4.03.015 (Administrative Use Permits), as applicable, prior to the establishment of the use, excepting temporary alcoholic beverage sales allowed by Paragraph B.2, of this Section.

b. The violation of any provision of this Section shall be grounds for, and may result in, the modification or revocation of such Conditional Use Permit by the City, pursuant to Division 2.05 (City Initiated Modification or Revocation) of this Development Code.

c. A Conditional Use Permit and/or Administrative Use Permit for alcoholic beverage sales may be granted only in conjunction with, and shall be ancillary to, those legally established land uses identified in Subsections D (Alcoholic Beverage Sales for Consumption on the Premises) and E (Alcoholic Beverage Sales for Consumption off the Premises) of this Section.

2. Alcoholic Beverage Sales and/or Tasting in Conjunction with a Temporary Activity. Temporary alcoholic beverage sales and/or tasting may be allowed, provided an Administrative Use Permit issued pursuant to Section 4.03.015 (Administrative Use Permit) of this Development Code is first obtained prior to the establishment of the temporary activity, and the temporary activity is in full compliance with Subsection D (Temporary Alcoholic Beverage Sales) of Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures) of this Division.

3. Undue Concentration of Alcoholic Beverage Licenses within a Census Tract. A Conditional Use Permit for the retail sale of alcoholic beverages shall not be issued for a business located within a census tract that has been determined to contain an undue concentration of alcoholic beverage licenses, as defined in BPC Section 23958.4, unless a determination of public convenience or necessity is made by the Reviewing Authority pursuant to Subsection F (Public Convenience or Necessity Determination) of this Section.

C. Compliance with State of California Department of Alcoholic Beverage Control (ABC) Regulations. Any business engaging in the retail sales of alcoholic beverages shall first obtain the appropriate retail license from ABC and shall operate such business in strict compliance with the

Alcoholic Beverage Control Act (commencing with BPC Section 23000 et seq.), and all applicable ABC rules, regulations, and orders.

D. Alcoholic Beverage Sales for Consumption on the Premises (On-Sale Alcoholic Beverage Sales). On-sale alcoholic beverage sales comprises establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment, for consumption on the premises in which they are sold. Typical uses include, but are not limited to, bars, brew pubs, nightclubs, wine bars, and restaurants that serve alcoholic beverages.

Establishments engaged in on-sale alcoholic beverage sales shall comply with the following:

1. Conditional Use Permit approval shall be required for an on-sale alcoholic beverage sales activity, and/or for the on premise tasting of any alcoholic beverage in conjunction with a legally established and ABC-licensed wine grower, beer manufacturer, brandy manufacturer, or distilled spirits manufacturer, except that within the MU-1 (Historic Downtown Mixed Use) zoning district, Administrative Use Permit approval shall be obtained from the City prior to establishing an on-sale alcoholic beverage sales use or activity.

2. Any business engaged in on-sale alcoholic beverage sales or on-premises tasting of any alcoholic beverage in conjunction with a legally established and ABC-licensed wine grower, beer manufacturer, brandy manufacturer, or distilled spirits manufacturer, shall not allow any alcoholic beverage to be consumed outside of the enclosed building, except within an outdoor area that has been designed to be separated from direct public contact/access by a wall, fence or other barrier acceptable to the City. The design of said outdoor area and required wall, fence or other barrier shall be subject to review and approval by the Planning Director and Police Chief.

E. Alcoholic Beverage Sales for Consumption off the Premises (Off-Sale Alcoholic Beverage Sales). Off-sale alcoholic beverage sales comprises establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment for consumption off the premises in which they are sold. Typical uses include, but are not limited to, convenience stores, grocery stores, and liquor stores.

Establishments engaged in off-sale alcoholic beverage sales shall comply with the following:

1. Conditional Use Permit approval shall be required for off-sale alcoholic beverage sales.

2. Establishments engaged in the concurrent sale of motor vehicle fuel with alcoholic beverage sales shall comply with all of the following conditions pursuant to BPC Section 23790.5:

a. No beer or wine shall be displayed within 5 FT of the cash register or the front door unless it is in a permanently affixed cooler.

b. No advertisement of alcoholic beverages shall be displayed at motor fuel islands;

c. No sale of alcoholic beverages shall be made from a drive-up window;

d. No display or sale of beer or wine shall be made from an ice tub;

e. No beer or wine advertising shall be located on motor fuel islands and no self-illuminated advertising for beer or wine shall be located on buildings or windows; and

f. Employees on duty between the hours of 10 p.m. and 2 a.m. who sell beer or wine shall be at least 21 years of age.

3. The on-premises consumption of an alcoholic beverage shall be prohibited.

F. Public Convenience or Necessity Determination. BPC Section 23958.4 provides that the City shall have authority to review a retail alcoholic beverage license application proposed within an area having an "undue concentration" (high density of alcoholic beverage sales locations) of licenses; determine whether public convenience or necessity would be served by license issuance; and inform ABC of the determination.

1. Purpose. The purpose of this Subsection is to establish a procedure by which the public convenience or necessity may be determined, as provided by State law, and establish the criteria by which the determination shall be made.

2. Applicability. In considering a Conditional Use Permit or Administrative Use Permit (as applicable) application for alcoholic beverage sales, it shall be the responsibility of the Reviewing Authority prescribed by Table 2.02-1 (Review Matrix) of this Development Code, to make a determination of public convenience or necessity, if required pursuant to this Subsection.

3. Determining Public Convenience or Necessity for On-Sale Alcoholic Beverage Sales Licenses. Within a census tract having an undue concentration of on-sale ABC licenses, whether the public convenience or necessity would be served by an ABC license issuance shall be determined as follows:

a. *Alcoholic Beverage License Issuance in Conjunction with a Bona Fide Restaurant.* The issuance of an alcoholic beverage license in conjunction with a bona fide restaurant is hereby deemed to be provided as convenience to business patrons. The Reviewing Authority shall, therefore, establish that the public convenience would be served by the issuance of an ABC license in such cases;

b. *All Other On-Sale Alcoholic Beverage Licenses.* For all other on-sale alcoholic beverage licenses, the Approving Authority shall determine whether public convenience or necessity would be served by ABC license issuance on a case-by-case basis, upon a thorough review of the facts pertaining to the proposed use.

4. Criteria for Determining Public Convenience or Necessity for Off-Sale Alcoholic Beverage Sales Licenses. Within a census tract having an undue concentration of off-sale ABC licenses, the City desires to strike a balance between the number of off-sale ABC licenses and the convenience of business patrons. Consequently, the Approving Authority is hereby granted authority to make determinations of public convenience and necessity, and shall rely upon the following factors in making such determinations:

a. The proposed retail alcohol license is not located within a high crime area, which is defined as an area characterized by a high ratio of Police Department calls for service to alcohol-related incidences, not to exceed 20 percent greater than the average number of

alcohol-related incidences reported for the City as a whole), including but not limited to disturbing the peace, public intoxication, assault and battery, prostitution, vandalism, graffiti, loitering, pan-handling, all BPC violations, drug violations, and driving while intoxicated or under the influence;

b. The proposed retail alcohol license is not located within close proximity (600 FT or less, as measured in a straight line from any point along the outer boundaries of the building GFA containing the business) of an existing or proposed sensitive land use (as provided in BPC Section 23789), including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate;

c. The anticipated amount (percentage) of retail sales to be derived from alcoholic beverages is clearly incidental to the primary land use, making-up no more than one-third of anticipated gross retail sales;

d. If the business for which the retail alcoholic beverage license application is proposed is a grocery store, it shall contain at least 12,000 SF of GFA;

e. No more than 10 percent of the retail business' GFA shall be devoted to alcoholic beverage display and sale;

f. At least 10 percent of the retail business' GFA shall be devoted to food display and sales. (Note: Food preparation areas shall not be counted toward the food sales floor area calculation); and

g. The building or property wherein the proposed business is located has no outstanding building or health code violations, is not an active Code Enforcement Department case, and complies with applicable Development Code regulations, including but not limited to property maintenance, building improvements, off-street parking (design and number of spaces provided), and landscape and lighting improvements.

5. Criteria for Determining Public Convenience or Necessity for Off-Sale Alcoholic Beverage Sales in Conjunction with Alcoholic Beverage Manufacturing Uses. Within a census tract having an undue concentration of off-sale ABC licenses, the Reviewing Authority is hereby granted authority to make determinations of public convenience and necessity for off-sale alcoholic beverage sales in conjunction with an alcoholic beverage manufacturing uses, and shall rely upon the following factors in making such determinations:

a. The proposed alcoholic beverage manufacturing use is not located within a high crime area, which is defined as an area characterized by a high ratio of Police Department calls for service to alcohol-related incidences, not to exceed 20 percent greater than the average number of alcohol-related incidences reported for the City as a whole), including but not limited to disturbing the peace, public intoxication, assault and battery, prostitution, vandalism, graffiti, loitering, pan-handling, all BPC violations, drug violations, and driving while intoxicated or under the influence;

b. The proposed retail alcohol license is not located within close proximity (600 FT or less, as measured in a straight line from any point along the outer boundaries of the building GFA containing the business) of an existing or proposed residential or sensitive land use (as provided in BPC Section 23789), including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or

high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate;

c. The retail sales of alcoholic beverages is ancillary to the primary alcoholic beverage manufacturing use; and

d. The building or property wherein the proposed business is located has no outstanding building or health code violations, is not an active Code Enforcement Department case, and complies with applicable Development Code regulations, including but not limited to property maintenance, building improvements, off-street parking (design and number of spaces provided), and landscape and lighting improvements.

G. Deemed Approved Alcoholic Beverage Sales Regulations. The provisions of this Subsection shall be known as the Ontario Deemed Approved Alcoholic Beverage Sales Regulations.

1. Purpose. The general purposes of the Deemed Approved Alcoholic Beverage Sale Regulations are to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare of the citizens of the City by requiring that alcoholic beverage sales commercial activities that were legal nonconforming Activities immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations are operated to achieve the following objectives:

a. Protect residential, commercial, industrial, and civic areas from nuisance, and minimize the adverse impacts of nonconforming and incompatible uses;

b. Provide opportunities for Alcoholic Beverage Sale Activities to operate in a mutually beneficial relationship to each other, and to other commercial and civic services;

c. Provide mechanisms to address problems often associated with the public consumption of alcoholic beverages, such as litter, loitering, graffiti, unruly behavior, and escalated noise levels;

d. Assure that Alcoholic Beverage Sale Commercial Activities are not the source of undue public nuisances in the community;

e. Encourage properly maintained alcoholic beverage sale establishments so that negative impacts generated by these activities are not harmful to the surrounding environment in any way; and

f. Monitor deemed approved activities to ensure they do not substantially change in mode or character of operation.

2. Applicability.

a. The Deemed Approved Alcoholic Beverage Sale regulations shall be applicable, to the extent permissible under other laws, to the following:

(1) All Legal Nonconforming Alcoholic Beverage Sale Commercial Activities within the City;

(2) The Nonconforming Use provisions contained in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs) of this Development Code; and

(3) A Conditional Use Permit operated pursuant to its conditions of approval.

b. Whenever any provision of the Deemed Approved Alcoholic Beverage Sale regulations and any other provision of law, whether set forth in this Development Code, or in any other law, ordinance, or resolution of any kind, imposes overlapping or contradictory regulations, or contain restrictions covering any of the same subject matter, the provision that is more restrictive, or imposes a higher standard, shall control, except as otherwise expressly provided by the Deemed Approved Alcoholic Beverage Sale Regulations.

3. Zoning Administrator. The Zoning Administrator shall conduct public hearings and make recommendations intended to encourage and achieve the compliance of particular sites with the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section, as appropriate. This Paragraph is not intended to restrict the powers and duties otherwise pertaining to other City officers or bodies, in the field of monitoring and ensuring the harmony of Alcoholic Beverage Sale Commercial Activities in the City. These parties shall have the powers and duties assigned to them by the Development Code, by the zoning regulations, by other codes and ordinances, or by valid administrative authority.

4. Definitions. For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

a. *Alcoholic Beverage*. Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, which contains 0.5 percent or more of alcohol by volume and which is fit for beverage purposes, either alone or when diluted, mixed, or combined with other substances, and sales of which requires an ABC license.

b. *Alcoholic Beverage Sales Commercial Activity*. The retail sale, for on-site or off-site consumption, of liquor, beer, wine, or other alcoholic beverages at establishments including but not limited to stores, liquor stores, specialty wine shops, restaurants, restaurant/bars, bars, taverns, brew pubs, cabarets, and businesses with temporary or permanent licenses from ABC to sell alcoholic beverages to the general public.

c. *Deemed Approved Activity*. Any Legal Nonconforming Alcoholic Beverage Sales Commercial Activity, as defined in this section, where the activity was in existence immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section. These activities shall be considered a Deemed Approved Activity as long as the establishment conducting the Deemed Approved Activity complies with the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section.

d. *Deemed Approved Status.* The permitted use of land for a Deemed Approved Activity. Deemed Approved Status replaces legal nonconforming status with respect to Alcoholic Beverage Sales Commercial Activity.

e. *Illegal Activity*. An activity that has been finally determined to be in noncompliance with the Deemed Approved performance standards contained in Paragraph G.6 (Performance Standards and Deemed Approved Activities), of this Section. Such an activity shall lose its Deemed Approved Status and shall no longer be considered a Deemed Approved Activity.

f. *Legal Nonconforming Alcoholic Beverage Sales Commercial Activity (Legal Nonconforming Activity)*. An Alcoholic Beverage Sales Commercial Activity that was a nonconforming use pursuant to the Nonconforming Use regulations contained in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs) of this Development Code, and for which a valid ABC license had been issued and used in the exercise of the rights and privileges conferred by the license, at a time immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations. The Activity shall be considered a Deemed Approved Activity, and shall no longer be considered a Legal Nonconforming Activity, except the Activity shall be subject to those zoning regulations relating to nonconforming uses as specified in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs), as of the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations.

g. *Low-End Fortified Wine.* A class of inexpensive fortified wines. In contrast to table wine, which may be enjoyed as an accompaniment to a meal, or high-end fortified wine, enjoyed as an aperitif, low-end fortified wines are generally considered suitable only for intoxication.

h. *Off-Sale Alcohol Outlet.* An establishment that conducts retail sales of Alcoholic Beverages for consumption off the premises where sold.

i. *On-Sale Alcohol Outlet.* An establishment that conducts retail sales of Alcoholic Beverages for consumption on the premises where sold.

j. *Performance Standards.* Regulations prescribed in the Deemed Approved Performance Standards contained in Paragraph G.6 (Performance Standards and Deemed Approved Activities) of this Section, regulating the business practice, activities and land use for locations with Deemed Approved Status, or those further requirements imposed by the Zoning Administrator to achieve these goals. Performance Standards constitute requirements that shall be complied with by an establishment in order for the establishment to retain its Deemed Approved Status.

k. *Premises.* The building and land surrounding it considered as a single business engaged in Alcoholic Beverage Sales Activities. The premises shall include parking areas, outdoor patios and similar features.

l. *Supplemental Conditions of Approval.* Those requirements imposed by the Zoning Administrator following a public hearing conducted pursuant to the provisions of Paragraph G.8 (Violations of Performance Standards, Supplemental Conditions of Approval, or Other Provisions of this Article—Public Hearing) et seq. of this Section. Supplemental Conditions of Approval constitute requirements that shall be complied with by an establishment in order for the establishment to retain its Deemed Approved Status.

5. Automatic Deemed Approved Status.

a. All Alcoholic Beverage Sales Commercial Activities that were Legal Nonconforming Activities immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations shall automatically become Deemed Approved Activities as of the effective date of the Deemed Approved Alcoholic Beverage Sale regulations and shall no longer be considered Legal Nonconforming Activities.

b. Each establishment with Deemed Approved Status shall retain its Deemed Approved Status; provided, it complies with the Deemed Approved performance standards as set forth in Paragraph G.6 (Performance Standards and Deemed Approved Activities) of this Section, or as promulgated by the Zoning Administrator. However, any change in the State Department of Alcoholic Beverage Control license type, revocation of the ABC license, or a substantial physical change of character of the establishment, as defined in CCR Title 4, Section 64.2(b), shall terminate the Deemed Approved Status for the establishment and shall thereafter require a Conditional Use Permit or other applicable entitlements allowing Alcoholic Beverage Sales Commercial Activity to continue the activity.

c. If any establishment with Deemed Approved Status discontinues operation, is suspended from operations, or surrenders the premises for more than 90 consecutive days, the Deemed Approved Status is subject to revocation per the requirements of Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs) of this Development Code. Any subsequent Alcoholic Beverage Sales Commercial Activity may only be resumed upon the granting by the City of a Conditional Use Permit allowing such Activity. Revocation of Deemed Approved Status pursuant to this Section may be made following a public hearing by the Zoning Administrator pursuant to the provisions of Paragraph G.8 (Violations of Performance Standards, Supplemental Conditions of Approval or Other Provisions of this Article – Public Hearing) et seq. of this Section.

6. Performance Standards and Deemed Approved Activities. A Deemed Approved Activity shall retain its Deemed Approved Status only if it conforms to each of the following Deemed Approved Performance Standards:

a. The Deemed Approved Activity shall not result in adverse impacts to the health, peace or safety of persons residing or working in the surrounding area;

b. The Deemed Approved Activity shall not result in jeopardizing or endangering the public health or safety of persons residing or working in the surrounding area;

c. The Deemed Approved Activity shall not result in nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, sales to minors, curfew violations, lewd conduct, or police detentions and arrests;

d. The Deemed Approved Activity shall comply with all applicable provision of any local, state, or federal regulation, ordinance or statute, including but not limited to those of the ABC, BPC Sections 24200, 24200.6 and 25612.5, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders. This includes compliance with annual City business taxes and alcohol sales administrative program fees imposed pursuant to the OMC; and

e. The upkeep and operating characteristics of the Deemed Approved Activity shall be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

7. Notification to Owners of Establishments Conducting Deemed Approved Activities. The Zoning Administrator shall notify the owner of each establishment conducting a Deemed Approved Activity, and the property owner, if different from the Deemed Approved Activity, of

the establishment's Deemed Approved Status. The notice shall be sent via certified mail return receipt requested; shall include a copy of the performance standards contained in Paragraph G.6 (Performance Standards and Deemed Approved Activities), above, with the requirement that these be posted in a conspicuous and unobstructed place, which is visible from the entrance of the establishment for public review; notification that the establishment is required to comply with all performance standards; that a review fee is required, as adopted by separate resolution of the City Council, and the amount of the fee that is required to be paid; and that the activity is required to comply with all other aspects of the Deemed Approved Alcoholic Beverage Sale Regulations. Should the notice be returned, it shall then be sent via regular U.S. Mail.

8. Violations of Performance Standards, Supplemental Conditions of Approval or Other Provisions of this Article—Public Hearing.

a. Upon receipt of a complaint that an establishment conducting a Deemed Approved Activity is in violation of the Performance Standards set forth in Paragraph G.6 (Performance Standards and Deemed Approved Activities) of this Section, or other conditions promulgated by the Zoning Administrator, or any other provision of these Deemed Approved Alcoholic Beverage Sales Regulations, and once it is reasonably determined by the City that the violations have occurred, or are occurring, then the Deemed Approved Status of the establishment in question shall be reviewed by the Zoning Administrator at a public hearing. Notification of the public hearing shall be provided pursuant to Paragraph G.10 (Notification of Public Hearing) of this Section.

b. The purpose of the public hearing is for any interested party to submit evidence to the Zoning Administrator concerning whether the operating methods of the establishment conducting the Deemed Approved Activity is violating the Performance Standards, Supplemental Conditions of Approval, other provisions of these Deemed Approved Alcoholic Beverage Sales Regulations, or are causing a nuisance in the area surrounding the establishment. Within 10 days of completion of the hearing, the Zoning Administrator shall render a written decision. The Zoning Administrator's decision may allow the Deemed Approved Status to continue for the establishment in question, to impose Supplemental Conditions of Approval pursuant to Paragraph G.9 (Supplemental Conditions of Approval) of this Section, that are, in the judgment of the Zoning Administrator, necessary to ensure compliance with the Performance Standards or the provisions of these Deemed Approved Alcoholic Beverage Sales Regulations, or to suspend or revoke the establishment's Deemed Approved Status. The decision of the Zoning Administrator shall be based upon information and evidence submitted by staff, evidence submitted by the business establishment owner and evidence submitted by any other interested parties. Supplemental Conditions of Approval shall be made a part of the Deemed Approved Status, and the establishment shall be required to comply with these Supplemental Conditions of Approval in order to retain its Deemed Approved Status. The determination of the Zoning Administrator shall become final 10 calendar days after the date of decision, unless appealed to the Planning Commission pursuant to Division 2.04 (Appeals) of this Development Code.

9. Supplemental Conditions of Approval.

a. The Zoning Administrator may impose Supplemental Conditions of Approval relating to one or more of the following (may not apply to Wineries with a Type 02 ABC license):

(1) Entertainment uses, activities, or amusement devices on the premises;

(2) Separation, monitoring, or design of area devoted to alcohol sales;

(3) Security measures for both the interior and exterior of the premises;

(4) Lighting, litter, trash receptacles, graffiti or nuisance abatement, or other similar requirements; or

(5) Maintenance.

b. Specific Supplemental Conditions of Approval that may be imposed, include, but are not limited to, the following:

(1) **Sound Walls.** If the Deemed Approved Activity abuts residential areas, a sound wall may be required between the establishment conducting the Deemed Approved Activity and the abutting residential areas. The sound wall shall comply with all state and local requirements for construction and location and shall not obstruct the view of the building and parking areas from the street. Vegetation may be required to be planted along the sound wall to improve the appearance of the sound wall.

(2) **Trash Receptacles.** Permanent, non-flammable trash receptacles, may be required to be located at convenient locations, appropriately screened from view, outside the establishment and in the establishment's parking area (if any). The operators of the business may be required to remove on a daily basis, or more frequently if needed to maintain a litter-free environment, all trash from these receptacles and from the sidewalk adjacent to the establishment. The operators of the business also may be required to remove, at least three times per week, all trash originating from its establishment deposited on public property within 250 FT of any boundary of its premises.

(3) **Pay Telephones.** Pay telephones on the site of the establishment may either be (a) prohibited; or (b) required to be of the type that only allow outgoing calls and be located in a visible and well-lighted location.

(4) **Program.** A "complaint response-community relations" program established and maintained by the establishment conducting the Deemed Approved Activity may be required. The program may include the following:

(a) Posting at the entry of the establishment providing the telephone number for the area commander of the local law enforcement substation to any requesting individual.

(b) Coordinating efforts with the Police Department to monitor community complaints about the establishment's activities.

(c) Having a representative of the establishment meet with neighbors or the applicable neighborhood association on a regular basis and at their request, attempt to resolve any neighborhood complaints regarding the establishment.

(5) **Activities.** If appropriate, the following activities may be prohibited on the premises: pool or billiard tables, pinball games, arcade style video or electronic games, or coin-operated amusement devices.

(6) Prohibited Products. To discourage nuisance activities, an Off-Sale Alcohol Outlet may be prohibited from selling one or more of the following products or may be required to sell products in the manner prescribed below:

(a) Malt beverage products with alcohol content greater than 5-1/2 percent by volume;

(b) Wine with an alcoholic content greater than 18 percent by volume. No sales of low-end fortified wine are permitted;

(c) Containers of beer or malt liquor larger than 39 ounces;

(d) Distilled spirits in bottles or containers smaller than 375 milliliters;

(e) Cooler products, either wine- or malt-beverage-based, in less than manufacturer pre-packaged multi-unit quantities;

(f) No beer or malt beverage products shall be sold, regardless of container size, in quantities of less than manufacturer pre-packaged multi-unit quantities;

(g) Wine in less than 750 milliliter volume containers, specialty wine products in less than 375 milliliter volume containers, or in less than manufacturer pre-packaged multi-unit quantities; and/or

(h) Wine coolers, beer coolers, or pre-mixed distilled spirit cocktails shall be sold in manufacturer pre-packaged multi-unit quantities. No sales of single containers of wine coolers, beer coolers, or pre-mixed spirit cocktails are permitted.

(7) Alcoholic Beverage Sales/Delivery Restricted to Building Confines. The sales and/or delivery of alcoholic beverages shall be restricted to and within the confines of the building portion of the premises.

(8) Alcoholic Beverage Sales/Delivery through a Pass-Through Window. The sales and/or delivery of alcoholic beverages through any pass-through window is prohibited.

(9) Exterior Advertising or Signage that Promotes or Indicates the Availability of Alcohol Beverages. There shall be no exterior advertising or sign of any kind or type (other than business identification), including advertising directed to the exterior from within, promoting or indicating the availability of alcohol beverages (interior displays of alcoholic beverages or signs that are clearly visible to the exterior shall constitute a violation of this condition).

(10) Chilled Alcoholic Beverages. An Off-Sale Alcohol Outlet may be prohibited from maintaining refrigerated or otherwise chilled alcoholic beverages on the premises.

(11) Hours of Operation. In an On-Sale or Off-Sale Alcohol Outlet, the sale of alcoholic beverages may be restricted to certain hours of each day of the week and may be limited further by ABC.

(12) Paper or Plastic Cups. In Off-Sale Alcohol Outlets, the sale or distribution to the customer of paper or plastic cups in quantities less than their usual and customary packaging may be prohibited.

(13) Signs. The following signs may be required to be prominently posted in a readily visible manner in English, Spanish, and the predominant language of the patrons:

(a) "California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age"; and

(b) "It is illegal to possess an open container of alcohol in the vicinity of this establishment."

(14) Presentation of Documents. A copy of all Conditions of Approval and the California Department of Alcoholic Beverage Control license may be required to be kept on the premises and presented to any law enforcement officer or authorized state or county official upon request.

(15) Mitigating Alcohol-Related Problems. The establishment may be required to operate in a manner appropriate with mitigating alcohol-related problems that negatively impact those individuals living or working in the neighborhood, including but not limited to: sales to minors, the congregation of individuals, violence on or near the premises, drunkenness, public urination, solicitation, drug dealing, drug use, loud noise, and litter.

(16) Employee Training. The owners and all employees of the Deemed Approved Activity may be required to attend a Deemed Approved regulations training class and to complete an approved course in "responsible beverage service training." Owners and employees of the Deemed Approved Activity may thereafter be required to attend these training classes once every three years. All salesclerks in On-Sale Alcohol Outlets and Off-Sale Alcohol Outlets may be required, within 90 days of the beginning of employment, to attend these same classes. The establishment may be required to provide evidence of the employee's completion of this training to city, county or state authorities within 10 days following completion of training.

(17) Drug Paraphernalia. An Off-Sale Alcohol Outlet may be prohibited from selling drug paraphernalia products as defined in HSC Section 11014.5 and Section 11364.5. "Drug Paraphernalia" means all equipment, products and materials of any kind that are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the California Uniform Controlled Substances Act (commencing with HSC Section 11000).

(18) Loitering. The establishment's operators or employees may be required to discourage loiterers and to ask persons loitering longer than 15 minutes to leave the area and contact local law enforcement officials for enforcement of applicable trespassing and loitering laws if persons requested to leave fail to do so.

(19) Security Cameras. A minimum of two 24-hour time-lapse security cameras may be required to be installed and properly maintained on the exterior of the building at locations recommended by the Police Department. All criminal and suspicious activities recorded on this surveillance equipment shall be reported to local law enforcement. To the extent

allowed by law, the establishment's operators may be required to provide any tapes or other recording media from the security cameras to the police department.

(20) **Prohibited Vegetation.** No exterior vegetation may be planted or maintained that could be used as a hiding place for persons on the premises. Exterior vegetation may be planted and maintained in a manner that minimizes its use as a hiding place.

(21) **Security Guards.** An establishment may be required to retain a specified number of security guards. The number of security guards shall vary based upon the specific facts and circumstances of each establishment's site and operation. All security guards shall have all required state and City permits and licenses.

c. An On-Sale Alcohol Outlet may also be required to comply with the following supplemental conditions:

(1) Sales and delivery of alcoholic beverages to customers shall be made from behind a counter or bar where an establishment employee will obtain the product;

(2) No self-service of alcoholic beverages will be permitted. This does not include pouring the beverage for oneself or another after an establishment employee has served the alcoholic beverage to a patron;

(3) Sales, delivery and consumption of alcoholic beverages shall be restricted to and within the confines of the building portion of the premises or other approved areas, such as enclosed patios;

(4) The premises shall be maintained as a bona fide food restaurant, as defined by applicable provisions of the BPC, and shall provide a menu containing an assortment of foods normally offered in such restaurants; and

(5) No alcoholic beverages shall be consumed on any property adjacent to the premises under the control of the On-Sale Alcohol Outlet.

10. Notification of Public Hearing.

a. The Zoning Administrator shall notify the owner of each establishment conducting the Deemed Approved Activity, and shall notify the property owner, if different from the Deemed Approved Activity, of the time and place of the public hearing. The notice shall be personally delivered or sent via certified mail return receipt requested and shall include notification that the Deemed Approved Status of the establishment conducting the Deemed Approved Activity will be considered before the Zoning Administrator. The public hearing notice shall also be given by mail or delivery to all persons shown on the last available equalized assessment roll as owning real property in the city within 300 FT of the subject property. No notice shall be given less than 10 days prior to the date set for the hearing if such is to be held. Fees for notification shall be pursuant to Paragraph G.11 (Annual Inspection Applicability) of this Section and paid for by the establishment in question that is conducting Deemed Approved Activity.

b. Notice by mail is deemed given on the date the notice is placed into the U.S. Mail system.

11. Annual Inspection Applicability. Annual inspections shall be conducted at all alcohol sales facilities, including all existing On-Sale and Off-Sale Deemed Approved facilities, as

well as existing and future On-Sale and Off-Sale alcohol sales facilities operating under a Conditional Use Permit.

12. Fees Schedule. Fees including annual inspection, appeal, and reinspection fees shall be pursuant to the City master fee schedule.

13. Official Action. All officials, departments, and employees of the City, which are vested with the authority to issue permits, certificates, or licenses, shall adhere to, and require conformance with, the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section.

14. Violations and Penalties.

a. *Violations of Deemed Approved Alcoholic Beverage Sale Regulations*. Any person who violates, causes, or permits another person to violate any provision of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section is guilty of either an infraction or misdemeanor, as determined by OMC Section 1-2.01 (Punishment for Violation). Either any person convicted of an infraction or misdemeanor under the provision of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section shall be punished by a fine, imprisonment, or both, according to state law.

b. *Separate Offenses for Each Day*. Any violator shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of these regulations is committed, continued, permitted, or caused by such violator and shall be punishable accordingly.

c. *Any Violation a Public Nuisance*. In addition to the penalties provided in this section, any use or condition caused or permitted to exist in violation of any of the provisions of these regulations shall be and is declared to be a public nuisance and may be abated as such by the City.

d. *Injunction as Additional Remedy*. Any violation of any provision of these regulations shall be and is declared to be contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief.

e. *Administrative Penalties.* In addition to any other penalties provided in this section, a person who violates, causes, or permits another person to violate any provision of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section may be issued an administrative citation pursuant to the provisions of OMC Title 1, Chapter 5 (Administrative Citations). Violations of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section are subject to the "health and safety penalties" listed in OMC Section 1-5.04 (Amount of Fines).

f. *Assessment of Additional Penalties*. There will be no additional penalties assessed to owners other than those provided above.

g. *Liability for Expenses.* In addition to the punishment provided by law, a violator is liable for such costs, expenses, and disbursements paid or incurred by the City or any of its contractors in correction, abatement, and prosecution of the violation. Reinspection fees to ascertain compliance with previously noticed or cited violations shall be charged against the owner of the establishment conducting the Deemed Approved Activity or owner of the property where the establishment is located. Fees shall be in the amount described in Paragraph G.11

(Annual Inspection Applicability) of his Section, for charged reinspections. The inspection official shall give the owner or other responsible party of such affected premises a written notice showing the itemized cost of such chargeable service and requesting payment thereof. Should the bill not be paid in the required time, the charges shall be placed as a lien against the property.

15. Enforcement. The City shall designate the appropriate personnel to enforce the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section.

16. Inspection and Right of Entry. The officials responsible for enforcement of the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section, other provisions of the Development Code, or their duly authorized representatives, may enter on any site or into any structure for the purpose of investigation, provided they shall do so in a reasonable manner, whenever they have cause to suspect a violation of any provision of the Deemed Approved Alcoholic Beverage Sale Regulations, or whenever necessary to the investigation of violations to the Deemed Approved performance standards or conditions of approval prescribed in these regulations. All inspections shall be conducted in compliance with the Fourth Amendment to the United States Constitution.

5.03.030: Ambulatory Health Care Services—All Other Miscellaneous Services

The following standards shall govern the establishment and operation of "all other miscellaneous ambulatory health care services":

A. "All other miscellaneous ambulatory health care services" shall include blood pressure screening, health screening, hearing testing, industrial clinics, pacemaker monitoring, physical fitness evaluation, and smoking cessation program services.

B. Within the OL zoning district, operating hours shall be limited to 7:00 AM to 7:00 PM, daily.

C. Within the MU-1 zoning district, the use shall not be allowed on the ground floor of storefronts that directly front on to Euclid Avenue.

D. Within the BP, IP, IL, IG, and ONT zoning districts, services shall only be limited to industrial clinics.

5.03.035: Apparel Manufacturing

Within the BP and IP zoning districts, the development of new apparel manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.037: Artisan Small-Scale and Micro Manufacturing Facilities

The following standards shall govern the establishment and operation of "boutique/artisan small-scale and micro manufacturing facilities":

A. Boutique/artisan small-scale and micro manufacturing facilities shall not exceed 10,000 SF in GFA;

B. Storage of materials and production activities shall be maintained within a completely enclosed structure; and

C. The use shall not include the bulk storage of flammable materials for use or sale, or the bulk storage of hazardous waste.

5.03.040: Automobile Dealers—New Vehicles Sales and Leasing, and Automobile Rental

A. **Automobile Dealers—New Vehicles Sales and Leasing.** For new automobile dealers, up to a maximum of 49 percent of the total number of vehicles on-site at any one time, which are available for sale or lease, may consist of previously owned vehicles.

B. **Vehicle Rental and Leasing.**

1. Passenger car and light truck, utility trailer, recreational vehicle and truck rental and leasing may be conditionally permitted as a freestanding land use pursuant to Table 5.02-1 (Land Use Matrix).

2. Passenger car and light truck rental shall be permitted by right pursuant to Table 5.02-1 (Land Use Matrix), when established in conjunction with, and ancillary to, new motor vehicle sales, motor vehicle general repair facilities, motor vehicle body and paint facilities, or full-service hotels.

3. It is intended that passenger car, truck, utility trailer, and recreational vehicle rental facilities allowed pursuant to Table 5.02-1 (Land Use Matrix), shall be permitted to maintain an on-site rental vehicle fleet, provided adequate off-street parking facilities are provided pursuant to the requirements of Division 6.03 (Off-Street Parking and loading) of this Development Code.

5.03.045: Automotive Body, Paint, and Interior Repair and Customization—Minor Customization

Minor customization work shall be limited to the "bolt-on" replacement or addition of parts only. No body or paintwork shall be permitted, except as may be allowed pursuant to Section 5.03.050 (Automotive Body and Paint—Mobile Repair Services) of this Division.

5.03.050: Automotive Body and Paint—Mobile Repair Services

The following standards shall govern the establishment and operation of mobile automotive body and paint repair services:

A. The mobile operation shall be based at a fixed location within the City pursuant to Table 5.02-1 (Land Use Matrix). The use shall not be licensed as a home occupation.

B. Comply with all applicable requirements of the South Coast Air Quality Management District (SCAQMD). Compliance with SCAQMD regulations shall be demonstrated to the Planning Department prior to business license issuance by the City.

C. Mobile body and paint repair services shall be limited to minor dent and blemish removal/repair on motor vehicles, and the performing of minor reparative and touch-up painting to damaged or blemished areas of motor vehicles.

D. Mobile body and paint repair services shall only be performed for automobile dealerships, car rental agencies and fleet vehicle operators, within zoning districts allowing these land uses. Repair services shall not be provided to individuals.

E. All work shall be performed within areas that are completely screened from public view.

F. Paint shall be applied using a high volume, low pressure coating delivery and application system utilizing a turbine motor to produce high volumetric flow rates at a low pressure, not to exceed 5 pounds per square inch.

G. Prior to business license issuance, the business owner or operator shall provide to the Planning Department for review and approval, written policies and procedures and for:

1. The storage, use and disposal of cleaning solvents and thinners used in conjunction with painting and repair activities pursuant to federal, state, county and local laws, regulations, ordinances and orders;

2. The recording of daily use of solvents, thinners, coating materials and formulations used in conjunction with painting and repair activities;

3. The packaging, handling and transportation of hazardous materials used in conjunction with painting and repair activities;

4. The control of solids and liquids produced during grinding, sanding or coating, to prevent contact with the ground and potentially contaminating storm water runoff;

5. The storage, handling and disposal of hazardous wastes created as a result of painting and repair activities, pursuant to federal, state, county and local laws, regulations, ordinances and orders; and

6. Workspace safety and organization.

H. As a condition of business operations, the licensee shall fully comply with the approved policies and procedures established by Subsection G of this Section, and shall consent to the following requests by the authorized representatives of the City's Police Department, Fire Department, Planning Department, Engineering Department or Code Enforcement Officers, during regular business hours, for the purpose of making reasonable unscheduled inspections to observe and enforce compliance with the applicable regulations, laws, and provisions of this Ordinance:

1. Review of business records pertaining to the daily use of solvents, thinners, coating materials and formulations used in conjunction with painting and repair activities;

2. Observation of vehicle repair and painting activities; and

3. Inspection of vehicles, materials and equipment used in conjunction with painting and repair activities.

I. Failure to comply with the mobile body and paint repair services standards contained in this Section may result in business license revocation by the City.

5.03.055: Automotive Glass Replacement Shops

The following standards shall govern the establishment and operation of automotive glass replacement shops:

A. Automotive glass replacement shops shall include both stationary and mobile services.

B. Mobile services shall be licensed to a fixed location within the City and shall not be licensed as a home occupation.

5.03.060: Automotive Repair and Maintenance—General Repair Facilities

Automotive general repair facilities shall include mechanical and electrical repair such as air conditioning, brake, cooling, electric, exhaust, and suspension systems repair, and engine, transmission, and drive train repair and maintenance activities.

5.03.065: Automotive Repair and Maintenance—Servicing Facilities

Automotive servicing facilities shall include mechanical and electrical retail-oriented services such as emissions testing, battery replacement and other similar retail activities that do not involve the use of pneumatic tools or equipment that create noise impacts.

5.03.067: Banquet Facilities - Historic Properties

The following standards shall govern the establishment and operation of banquet facilities on historically designated properties that are located outside of zoning districts that would otherwise allow the activity:

A. A banquet facility shall be allowed in all zoning districts within a commercial structure or on property designated as a local historic landmark, or a contributing structure within a designated historic district, established pursuant to Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservations Areas) of this Development Code, and shall be subject to the regulations therein during the life of the permit, except that no banquet facility shall be allowed in the MU-1 (Downtown Mixed Use) zoning district.

B. The minimum number of parking spaces required shall be provided pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code. A parking demand study may be prepared by a qualified traffic consultant or engineer to support a reduction in the required number of parking spaces. The intent is to provide lower, flexible parking standards wherever possible and appropriate. Consideration shall be given to shared parking systems, on and off-street parking resources, compatibility with historic patterns of development, and the availability of mass transit resources.

C. Live entertainment shall be prohibited. Request for live entertainment shall require conditional use permit approval by the Zoning Administrator. Karaoke, DJs, live musical acts, and other similar forms of entertainment are considered live entertainment. Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible beyond the property lines of the business establishment.

D. Alcohol beverage sales shall be allowed subject to the approval of a Conditional Use Permit issued pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) and Section 5.03.025 (Alcoholic Beverage Sales) of this Development Code.

E. The applicant shall comply with all applicable building code regulations related to the change of use of the structure to a banquet facility.

5.03.070: Bed-and-Breakfast Inns

The following standards shall govern the establishment and operation of bed-and-breakfast inns:

F. A bed-and-breakfast inn shall be allowed only within a structure designated as a local historic landmark, or a contributing structure within a designated historic district, established pursuant to Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservations Areas) of this Development Code, and shall be subject to the regulations therein during the life of the permit.

G. The inn structure shall serve as the primary residence of the bed-and-breakfast inn owner(s), or the majority shareholder if the facility is owned by a corporation.

H. The bed-and-breakfast inn shall be accessory to the residential use of the property.

I. The lot upon which the bed-and-breakfast inn is operated shall conform to the standards of the zoning district in which it is located, and the applicable land use and operational requirements of this Development Code.

J. No long-term rental of rooms shall be permitted. The maximum length of stay for any guest shall be 14 days within any 30-day period.

K. Guests may check in only between the hours of 9:00 AM and 9:00 PM.

L. Breakfast shall be the only full meal served, excepting light snacks and refreshments, and may only be served to guests of the bed-and-breakfast inn. Restaurants are prohibited, and no cooking facilities shall be allowed within any guestroom.

M. The applicant shall comply with all applicable building code regulations related to the change of use of the structure to a bed-and-breakfast inn.

5.03.075: Billiard Parlors and Pool Halls

The following standards shall govern the establishment and operation of billiard parlors and pool halls:

A. All billiard and pool tables are to be located so as to be visible at all times by one or more employees of the business.

B. Unless otherwise specifically approved by Conditional Use Permit, billiard and pool tables shall be limited to a size not typically used for regular professional tournament play (9 FT long by 4.5 FT wide), as established by the World Billiard Congress, World Pool-Billiard Association, American Pool Players Association, and other similar professional organizations.

C. Billiard parlors and pool halls shall be located a minimum of 300 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

D. Minors shall not be permitted to enter or remain in a billiard parlor and pool hall during the following periods, unless accompanied by a parent or legal guardian:

1. Monday through Friday, between 8:00 AM and 3:00 PM, or after 10:00 PM; and Saturday and Sunday, after 10: 00 PM.

2. The weekday daytime hours of restriction shall not apply to school vacation days or holidays, as established by any public school district or private elementary, middle (junior high) or high school operating within the City.

3. Notice of the herein specified hours of restriction for minors shall be posted at the facilities entrance(s), in lettering of at least 2 inches in height.

E. The establishment shall not be open to customers, patrons, or any member of the public between the hours of 2:00 AM and 6:00 AM.

F. "No Loitering" signs shall be posted at the front and rear of the business.

G. The facility shall have a minimum of one managing employee at least 21 years of age during all working hours.

H. Occupancy shall not exceed the number required under the City's building and fire codes, and the maximum occupancy load shall be posted at the main entrance.

I. The establishment shall maintain and operate a video surveillance system during all business hours, which is capable of storing a minimum of 186 hours (7 days) of video surveillance.

1. The video surveillance system shall cover the entire interior of the premises and all entrances and exits of the establishment and shall be capable of delineating upon playback of the system, the activity and physical features of persons or areas within the premises.

2. The business owner shall permit City Police and/or Code Enforcement officers to inspect the stored video surveillance during normal business hours, upon demand.

3. The video surveillance system shall be maintained in good working order.

4. A sign shall be posted inside and at the entrances to the establishment indicating that the premises are under video surveillance.

J. The business owner shall submit and receive approval of a Fire Exit Plan from the Fire Department. The plan shall address all requirements of the City's building and fire codes, including, but is not limited to, showing all necessary dimensions, equipment location, aisle locations/path of travel, building exiting, and panic hardware.

K. Window areas shall not be covered or made opaque in any way. All windows and entrances shall be unobstructed at all times so as to allow an unimpaired line-of-sight by police officers.

L. The Chief of Police is hereby authorized to require the business owner/operator provide a security guard on the premises in the event that there are significant calls for service relating to assaults, gang-related activity, weapons offenses, disturbances, juvenile related crime and truancy, or other good causes. The decision of the Chief of Police may be appealed to the City Council pursuant to Division 2.04 (Appeals) of this Development Code.

M. No exterior pay phones shall be allowed on a property containing a billiard parlor or pool hall.

5.03.080: Boarding, Lodging, and Rooming Houses

The following standards shall govern the establishment and operation of boarding, lodging and rooming houses:

A. All boarding, lodging, and rooming houses shall require the submittal and approval of an Administrative Use Permit or Conditional Use Permit, and business license, prior to establishing the use.

B. No more than one Federal, State or Youth Authority parolee shall be allowed to live in a boarding, lodging, or rooming house.

C. The application submitted for approval of a boarding, lodging, or rooming house shall identify whether any boarders are currently Federal, State, or Youth Authority parolees. That information shall be provided by the landlord to each lessee or renter upon signing a lease or other rental agreement. Owners and/ or operators of approved boarding, lodging or rooming houses shall update the information required by this Section anytime a person that is a Federal, State, or Youth Authority parolee is provided accommodation in the approved boarding, lodging, or rooming house.

D. All boarding, lodging, and rooming houses shall require boarders to sign a Crime Free Lease Addendum to their lease or rental agreement. The Crime Free Lease Addendum shall provide that any criminal violations perpetrated by boarders shall be grounds for termination of the written or oral lease, sublease, or agreement.

E. Boarding, lodging, or rooming houses shall be operated and maintained in full compliance with all applicable requirements of this Development Code and the Ontario Municipal Code, prior to the issuance of an Administrative Use Permit or Conditional Use Permit authorizing the use, and at all times following permit issuance. Violation of any local, State, or Federal laws by individual

boarders while on the premises, shall be grounds for revocation of the permit, including but not limited to violations of PC Section 3003.5.

F. No boarding, lodging, or rooming house shall be maintained as a nuisance.

G. The violation of any provision of this Section shall be grounds for revocation of the Administrative Use Permit or Conditional Use Permit authorizing the boarding, lodging, or rooming house use. In revoking an Administrative Use Permit or Conditional Use Permit, the procedures contained in Division 2.05 (City Initiated Modification or Revocation) of this Development Code shall be followed.

H. All boarding, lodging, and rooming houses shall be required to pay to the City, an administrative fee in an amount determined by separate resolution of the City Council, to cover the costs of Administrative Use Permit or Conditional Use Permit review and issuance, and inspection of the facilities.

I. Boarding, lodging, and rooming houses may provide rented, leased, or subleased accommodations for occupancy by no more than 6 individuals, excluding a resident owner, agent, or manager. The operator may seek relief from the strict application of this provision by submitting a request for reasonable accommodation pursuant to Section 4.02.035 (Fair Housing and Reasonable Accommodation) of this Development Code.

5.03.085: Bread and Tortilla Manufacturing

Within the IP zoning district, bread and tortilla manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.090: Business to Business Electronic Markets

Within the BP zoning district, the development of business to business electronic markets shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) developments.

5.03.095: Caretaker Quarters

The following standards shall govern the establishment and operation of caretaker quarters:

A. Caretaker quarters may be allowed in conjunction with, and accessory to, an allowed land use, when determined by the Reviewing Authority to be essential to providing 24-hour on-site property security and surveillance.

B. Caretaker quarters shall not exceed 600 SF in gross floor area and shall contain no more than one bedroom.

C. Caretaker quarters shall be for occupancy by the business owner or an employee of the business.

5.03.100: Child Daycare Services

The following standards shall govern the establishment and operation of child daycare services:

A. Child Daycare Centers.

1. No City permit for a child daycare center shall be effective until satisfactory evidence has been provided to the City demonstrating that all necessary State licenses and permits have been obtained.

2. Child daycare centers shall not be allowed in conjunction with a residential land use.

3. Within industrial zoning districts, child daycare centers shall be limited to employer-provided services, which are only for employee use. Such centers may also be established by a group of industrial businesses, which are located within close proximity, to serve their employees at an on-site or off-site location.

4. Comply with all fire and life safety standards required by the State Fire Marshall and the Ontario Fire Department.

5. All areas designated for active play, or any play structures, shall only be permitted within a side yard or rear yard area. In addition, all play areas shall be enclosed by a 6 FT high decorative fence or wall. Property line fences or walls may be used to fulfill this requirement.

6. Landscaping and decorative masonry block walls shall be used to buffer noise inside and rear yard areas when abutting a residential zoning district.

7. Outdoor play areas shall be located at least 25 FT from any residential structure located on an abutting residentially zoned lot.

8. Any swimming pool, pond, wading pools, or similar bodies of water greater than 18 inches in depth shall be fully enclosed by a minimum 5 FT high non-climbable fence. Additionally, all entrances and exits shall have self-closing and latching gates. All latches shall be located at least 54 inches above adjacent grade.

9. All trash receptacles and air-conditioning units located outdoors and adjacent to any play area shall be fully enclosed by a wall or fence.

10. A daycare center shall not be located within any area in which the measurable exterior noise level is 65 CNEL or greater.

B. Family Child Daycare Homes.

1. To prevent over concentrations of family child daycare homes that would impair the integrity of residential neighborhoods, a minimum 300-FT separation shall be provided between dwellings licensed with the California Department of Social Services as a family child daycare home. The distance between any structure used as a family child daycare home and another structure used as a family child daycare home shall be measured in a straight line, without regard to intervening structures, from the closest property line of the structure used as a family

child daycare home to the closest property line of another structure used as a family child daycare home.

2. A family child daycare home shall be clearly incidental and subordinate to the primary residential use of the dwelling.

3. No family child daycare home shall commence until all necessary licenses and permits have first been obtained from the California Department of Social Services.

5.03.105: Community Care Facilities for the Elderly—More Than 6 Persons

The following standards shall govern the development and/or operation of community care facilities for the elderly, which are designed for occupancy by more than 6 persons:

A. Within residential and mixed-use zoning districts, the maximum density of a community care facility for the elderly that incorporates shared or common kitchen facilities, if proposed at a density greater than allowed by the underlying zoning district, shall be determined based upon a study of equivalent impact, assessing factors of traffic generation, water usage, and sewerage generation, in comparison to a multiple-family residential development on the same site, constructed at maximum density. Applicants for community care facilities for the elderly shall be responsible for all City costs incurred in preparation of the study.

B. Within commercial zoning districts, the maximum allowed density of a community care facility for the elderly shall be based a study of equivalent impact, assessing traffic/transportation, water usage, and sewerage generation, in comparison to a typical commercial development on the same site. Applicants for community care facilities for the elderly shall be responsible for providing appropriate traffic, water usage and sewerage generation information to the City to assist in determining allowed densities.

C. Community care facilities for the elderly should be located where public transit linkages are available, such as bus or transit facilities on or adjacent to the site, regular shuttle service to a regular transit route, or equivalent alternative methods as approved by the Planning Director.

D. A minimum of 75 SF of private open space and 75 SF of common open space shall be provided per dwelling or room used for dwelling purposes. Common spaces shall be provided with recreation room(s), swimming pools, lawn bowling courts and similar recreational facilities, based upon the size of proposed facility and the anticipated needs of its occupants.

E. Common or individual laundry, eating and/or kitchen facilities may be provided.

F. Occupancy of a community care facility for the elderly may be age restricted by means of a deed restriction or an agreement acceptable to the City Attorney.

G. Occupancy of community care facility for the elderly shall not be granted by the City until satisfactory evidence has been provided to the City demonstrating that all necessary State licenses and permits have been obtained for the use.

5.03.110: Community Care Facilities for the Elderly—6 or Fewer Persons

Community care facilities for the elderly, for 6 or fewer persons, may only be established in conjunction with a single-family dwelling.

5.03.115: Computer and Electronic Product Manufacturing

Within the IP zoning district, the development of new computer and electronic product manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.120: Consumer Goods Rental

The following standards shall govern the establishment and operation of consumer goods rental services:

A. Consumer goods rental services shall include the rental of consumer electronics and appliances, costumes, formal wear, furniture rental, home health equipment, musical instrument rental, party and banquet accessories, recreational goods, and video tapes and discs.

B. Outdoor storage shall be prohibited in conjunction with consumer goods rental services.

5.03.125: Convenience Markets and Specialty Food Stores

The following standards shall govern the establishment and operation of convenience markets and specialty food stores:

A. Within the CS zoning district, hours of operation shall be limited to between 7:00 AM and 10:00 PM, daily.

B. All convenience markets and specialty food stores that sell prepared or prepackaged food items shall provide and maintain outdoor trash receptacles adjacent to the business entry, for use by customers.

C. Where a convenience market or specialty food store abuts a residential zoning district, no commercial loading activity is permitted between the hours of 7:00 PM and 7:00 AM.

5.03.130: Credit Intermediation-Related Activities

The following standards shall govern the establishment and operation of credit intermediation-related activities:

A. Credit intermediation-related activities include check cashing, money order issuance, money transmission and payday advance services.

B. Within the MU-1 zoning district, credit intermediation-related activities shall only be allowed in conjunction with a permitted or conditionally permitted land use, Standalone credit intermediation-related activities within the MU-1 zoning district shall be prohibited.

5.03.135: Cutlery and Hand Tool Manufacturing

Within the IP zoning district, the development of new cutlery and hand tool manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.140: Data Processing, Hosting, and Related Services

Within the OL and OH zoning districts, data processing, hosting, and related services shall only be allowed in conjunction with a permitted or conditionally permitted land use. Standalone data processing, hosting, and related services shall be prohibited within these zoning districts.

5.03.145: Depository Credit Intermediation

The following standards shall govern the establishment and operation of depository credit intermediation uses:

A. Depository credit intermediation shall include commercial banking, savings institutions, and credit unions.

B. Drive-thru facilities in conjunction with depository credit intermediation shall be permitted subject to the provisions of Section 5.03.150 (Drive-Thru Facilities) of this Division.

5.03.150: Drive-Thru Facilities

The following standards shall govern the establishment and operation of drive-thru facilities, and are intended to result in facilities that are well designed, encourage pedestrian activity, and enhance the commercial areas in which they located:

A. Location Standards.

1. Drive-thru facilities shall be permitted in conjunction with the below-listed land uses, except that such facilities located within the MU-1(Downtown Mixed-Use) zoning district shall not be visible from Euclid Avenue, as demonstrated in Figure 5.03-1 (Drive-Thru Facility Street-Oriented Example Site Plan), below.

a. Pharmacies and Drug Stores;

b. Banks and Credit Unions;

c. Restaurants and other eating places;

d. Drycleaning and Laundry Services; and

e. Other land uses deemed appropriate by the Zoning Administrator, as determined pursuant to the procedures established in Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code.

2. Drive-thru facilities shall not disrupt the pedestrian activity of adjacent or nearby commercial uses or commercially zoned property. Furthermore, drive-thru facilities shall not interfere with the normal use of adjoining properties or the potential for a planned commercial development.

B. Development Standards. Uses incorporating drive-thru facilities shall comply with each of the following development standards:

1. Lot Area. Drive-through businesses shall be located on lots having a minimum area of one-acre. This area may be reduced when the business is within an integrated shopping center.

2. Lot Coverage. The lot coverage shall not exceed 40 percent of the lot area.

3. Floor Area.

a. The minimum GFA for a building incorporating a drive-thru shall be 2,000 SF (including gross floor area of the building and associated outdoor seating areas), with a minimum interior floor area of 1,500 SF.

b. A building incorporating a drive-thru may have a GFA less than 2,000 SF subject to the approval of a Conditional Use Permit by the Zoning Administrator, provided that the building is proposed to be located within an existing retail shopping center.

4. Setbacks.

a. Setbacks shall be provided pursuant to the requirements of the underlying zoning district in which the drive-thru facility is proposed.

b. A minimum 25-FT landscaped setback shall be maintained between any drive-thru facility, including drive-up windows, drive-thru lane and menu/order stations, and any adjacent residentially zoned property or residential land use.

c. The building shall maintain a minimum 20-FT landscaped setback from street property lines. Design elements, such as trellises, may encroach into the setback when well-integrated with the landscape.

5. Building Orientation. Buildings incorporating drive-thru facilities ~~should~~shall be oriented toward the street, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan).

6. Access. Each developed site shall not have more than one drive approach per street frontage. Drive-thru ingress and egress aisles shall not take direct access from a public street

or thoroughfare, but instead shall take access from a parking area or on-site drive aisle, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan).

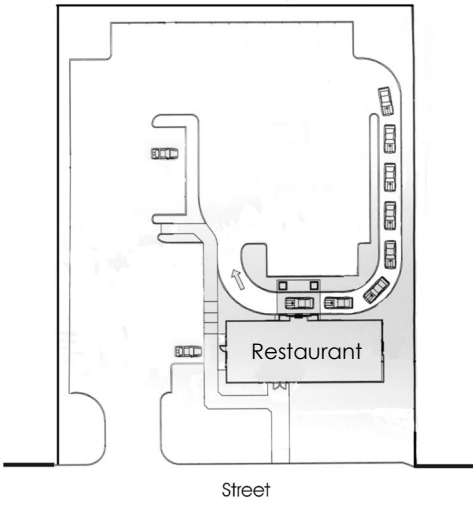


Figure 5.03-1: Drive-Thru Facility Street-Oriented Example Site Plan

7. Building Height. Buildings with drive-thru facilities shall not exceed a height of 35 FT.

8. Site Design.

a. Buildings shall be oriented toward the street, with drive-thru lanes, pick-up windows, and off-street parking facilities oriented toward the rear yard or side yard areas.

b. Decorative low garden walls shall be provided to screen the parking lot and drive-thru aisle from view of the public street.

c. All service and loading areas shall be screened from public view, to the extent possible.

d. Restrooms shall not be accessed from outside the structure.

e. Ladders for roof access shall be mounted on the inside of the building or shall be completely concealed from public view.

f. The site design shall minimize pedestrian/vehicle conflicts by creating opportunities for courtyards, plazas, outdoor dining, and landscaped pathways that promote safe and convenient pedestrian movement.

9. Drive-Thru Lane Design.

a. Drive-thru lanes in conjunction with restaurants shall have a minimum length of 144 FT, measured from entry to pick-up window, which accommodates a minimum of 6 vehicles. (Note: The Planning Director may require an increased drive-thru stacking length to accommodate businesses known to generate a higher drive-thru demand.)

b. Drive-thru lanes shall have a minimum width of 11 FT on straight sections and 12 FT on curved sections.

c. Drive-thru lanes shall be screened from view of a public street through building orientation, landscaping, low screen walls, and trelliswork.

C. Maintenance.

1. The premises shall be kept clean, and the operator shall make all reasonable efforts to see that no trash or litter originating from the use is deposited on adjacent properties.

2. Adequate trash containers shall be provided, and, on a daily basis, employees shall be required to pick up trash originating from the site, both on site and within 50 FT of the perimeter of the site.

3. No undesirable odors shall be generated on-site.

4. All merchandise, wares, crates in the form of temporary and permanent storage, displays, and goods offered for sale shall be maintained wholly within the building. Storage of any kind shall be contained completely within an enclosed structure.

D. Noise. Noise emanating from sound systems, including intercom and public address systems, shall not be audible beyond the property line.

E. Signs. All signs shall conform to the sign provisions of Division 8.1 (Sign Regulations) of this Development Code. Facilities within an integrated shopping center or plan shall comply with the uniform sign program as established in the center. Menu signs will be limited to two 6-FT high signs, having a maximum area of 24 SF each. Menu board signs shall not obscure vehicular visibility.

F. Design Guidelines. The following design guidelines are intended as a reference to assist the designer in understanding the City's goals and objectives for high quality commercial development. The guidelines compliment the mandatory development standards contained in Subsection B (Development Standards), above, by providing good examples of potential design solutions and by providing design interpretations of the various mandatory regulations.

The design guidelines are general in nature and may be interpreted with some flexibility in their application to specific projects. The guidelines will be utilized during the City's development review process to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of the project designer(s). However, unless there is a compelling reason, these design guidelines shall be observed.

1. Architecture.

a. *Style*. The construction of the building should depict a specific architectural style by distinctive elements and features consistent with the chosen style. Accessory structures should portray the style through their features as well. The style of the building should also reflect and complement the styles of surrounding commercial buildings. Architectural treatment should be employed over the entire building exterior (360-degree architecture), and the building should be individually designed for its site. The use of standardized corporate architectural styles is highly discouraged.

b. *Materials.* A variety of quality building materials should be incorporated into the building, such as brick, finished wood, natural stone, tinted/textured concrete masonry, and ceramic tile, which have a substantial and long-lasting appearance. Veneers having a prefabricated or false appearance shall not be used.

c. *Structure*. Drive-up windows should be covered by a structure that reflects the style of the building and is substantial in character; however, it should remain subsidiary to the main structure. Entries should project 10 to 12 FT from the building in order to add depth and variation to the façade.

d. *Entry Design*. Gables, awnings, sign locations, or other features should clearly express the location of doorways. Greater attention should be given to materials and detailing adjacent to entries.

e. *Arcades and Awnings.* Outdoor arcades are encouraged to protect pedestrians from summer heat and winter rain. Where an arcade is not provided, a separate awning or other architectural feature should be used for each business to enhance the individual identity of small shops. Because they can quickly deteriorate, canvas awnings are discouraged, or should be properly maintained.

f. *Roof Forms.* Roof forms should reflect the architectural style and internal organization of buildings. Hipped and gable roofs are encouraged. Flat roof parapets should be accompanied by a cornice or other shadow-creating detail at its "top."

g. *Drive-Up Windows.* Construct roofs or trellises over drive-up windows. Posts supporting roofs or trellises should be substantial in appearance and fully integrated into the architecture of the building. The stacking area for drive-up windows should be screened from the street through a combination of low walls and landscaping.

h. *Lighting.*

(1) On-site lighting shall be directed away or shielded from adjacent freeways, roads, streets, and adjacent properties. All exterior lighting shall be of an indirect nature, coming from under eaves and canopies, or at ground level, with in landscaped areas.

(2) Exterior lighting fixtures should be a decorative and reinforce the architectural style of the building.

(3) Light standards less than 15 FT in height (including lighting bollards) should illuminate all street sidewalks and connecting walkways and are encouraged throughout the project.

i. *Landscaping.*

(1) The minimum amount of on-site landscaping, including defined plazas and courtyards, shall equal 15 percent of the net lot area. Landscaping should be used on the site to show transition from adjacent uses, define a circulation pattern on the lot, screen the parking lot from the street, highlight entries, provide shade for parking as well as outdoor seating areas, and to soften the appearance of the building.

(2) At a minimum, landscaping shall include 15-gallon trees planted no more than 20 FT on center, within minimum 5-FT wide planters. A suitable plant material (grasses, ivy, etc.) should be used as ground cover. Minimum 10-FT wide planters containing a combination of hedges and low walls shall be used to screen drive-thru lanes from view of public streets.

(3) Pedestrian walkways should not intersect drive-thru lanes; however, in the event this occurs, adequate visibility for pedestrians and vehicles shall be provided, and pedestrian crossings shall be clearly marked with signs.

j. *Play Structures.*

(1) Play structures should be placed indoors, becoming an integral part of the architecture, yet remaining a subordinate element. If located outside, play structures shall be oriented away from the public street and properly screened, and shall be no more than 11 FT in height.

(2) Indoor restaurant playground facilities shall be ancillary to the restaurant use. Scale and massing shall not dominate the main structure and the height of the playground facility shall not exceed the height of the main roof of the main structure.

5.03.155: Durable and Nondurable Goods Agents and Brokers

Within the BP and IP zoning districts, business to business electronic markets shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.160: Electric Power Generation, Solar and Wind

Solar and wind electric power generation facilities, with ancillary ground mounted battery storage systems, shall only be allowed in conjunction with a permitted or conditionally permitted land use, except that standalone facilities shall be allowed within the CIV, IH, and UC zoning districts.

5.03.165: Electrical Equipment, Appliance, and Component Manufacturing

Within the IP zoning district, electrical equipment, appliance, and component manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.170: Electronic Shopping and Mail Order Houses

A. Within the IP, IL, IG, and IH industrial zoning districts, direct business to consumer sales via the internet, direct mail, or telephone shall only be allowed ancillary to a permitted or conditionally permitted land use, such as manufacturing, warehousing, wholesaling, and/or distribution activities.

B. Standalone (office only) business to consumer sales via the internet, direct mail, or telephone shall be allowed as a primary land use only within the CN, CC, CR, OL, and OH commercial zoning districts; the MU-1, MU-2, and MU-11 mixed-use zoning districts; and the BP industrial zoning district.

5.03.175: Electronics and Appliance Stores

Within the CN zoning district, only small-scale (GFA of 5,000 SF or less) electronics and appliance stores may be established.

5.03.177: Employee (Farmworker) Housing

Where allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, Employee (Farmworker) Housing units and complexes shall be subject to the below-listed requirements.

A. General Requirements.

1. Every person, or agent, or officer thereof, which constructs, operates, or maintains Farmworker Housing, shall comply with the requirements of this Section, and all applicable health, safety, and building codes and standards.

2. Farmworker Housing shall be designed, constructed, and maintained in conformance with the Employee Housing Act (commencing with HSC Section 17000), CCR Tiles 24 and 25, and the California Building Code.

3. A Farmworker Housing unit providing accommodations for 6 or fewer employees, or for one employee and their respective household, shall be deemed a single-family structure.

4. A Farmworker Housing Complex consisting of up to 36 beds in a group quarters, or 12 units or spaces designed for use by a single family or household, shall be deemed an agricultural use.

5. Farmworker Housing shall not include hotels, motels, boarding houses, bed and breakfast inns, rooming houses, dormitories, or other similar uses that would imply that the employee housing is a business run for profit or differs in any way from a single-family dwelling or an agricultural use.

6. Farmworker housing provided by the employer and maintained in connection with the work, or place where work is being performed, shall comply with all provisions of HSC Section 17008(a). Farmworker housing not maintained in connection with any workplace, and provided by someone other than an agricultural employer, shall comply with all provisions of HSC Section 17008(b).

7. Farmworker Housing for agricultural employees and their families shall be allowed subject to the same fees applicable to any other agricultural use. In the event the Farmworker Housing is converted to another use, the units shall be subject to all applicable Development Code standards in existence at the time of conversion. For the purposes of this Section, the term "agricultural employee" shall mean a person who works full or part-time (24 or more hours per week) in the service of bona fide commercial agricultural operations, in any of the branches of farming

8. All Farmworker Housing shall comply with all City regulations and permitting requirements, including but not limited to building construction, sewage disposal, water supply, NPDES, and storm water quality control, prior to occupancy of the housing units.

9. No person shall construct, reconstruct, erect, install, relocate, or alter any building used for human habitation, building accessory thereto, or other housing accommodations, intended to be used for Farmworker Housing, or any electrical, mechanical, or plumbing equipment installed in Farmworker Housing, without first obtaining all necessary City permits.

10. Farmworker housing is not required to be located on the same site as the qualifying agricultural operation where the farmworkers are employed.

11. The minimum lot size for Farmworker Housing shall be 10 acres.

B. Farmworker Dwelling Units.

1. Housing for up to 6 agricultural employees or one farm employee and his or her household is an allowed use in the AG Overlay District and all residential and mixed use zoning districts that allow single-family dwellings.

2. A farmworker dwelling unit is subject to all requirements relevant to this Development Code, which are applicable to single-family dwellings, including but not limited to site and building development standards, off-street parking requirements, security standards, wall and fencing requirements, and landscaping requirements. At least one off-street parking space shall be provided for each dwelling unit.

3. A farmworker dwelling unit provided pursuant to Paragraph B.4, below, shall not be required to be located on the same site as the qualifying agricultural operation where the farmworkers are employed.

4. A farmworker dwelling unit shall meet the standards for single-family dwellings contained in Section 6.01.010 (Residential Zoning Districts) of this Development Code, and applicable requirements of the Ontario Building Code.

5. A farmworker dwelling unit shall not be subdivided from the primary lot on which it is located.

6. At least one off-street parking space shall be provided for each farmworker dwelling unit.

C. Farmworker Housing Complex.

1. A farmworker housing complex, with up to 36 beds in group quarters or 12 units designed for use by single families or households, which comply to the standards for single-family dwellings contained in Section 6.01.010 (Residential Zoning Districts) of this Development Code, is an allowed use in the AG Overlay District.

2. A minimum of 50 SF of floor area shall be provided for sleeping purposes for each occupant of group living quarters, such as barracks and bunkhouses, within a farmworker housing complex.

3. At least one off-street parking space shall be provided for each dwelling unit, or one parking space for each 3 beds, whichever is greater, plus one off-street parking space for each farmworker housing complex employee.

D. Farmworker Verification.

1. All new permanent farmworker dwelling units and farmworker housing complexes shall require the completion of a Farmworker Housing Verification Form prior to building permit application submittal.

2. The Farmworker Housing Verification Form shall include information regarding the housing type, number of dwelling units or beds, length of occupancy, number of occupants, occupants' employment information, and, for farmworker housing for 5 or more workers, proof that a permit to operate from HCD has been obtained and maintained.

3. The verification form shall be submitted annually, by May 15th of each year, to the Planning Director, in a form acceptable to the Planning Director, that all the dwelling units or

sleeping quarters are being rented to, and occupied by, persons who meet the following agricultural employee employment criteria:

a. Tilling and cultivation of the soil associated with commercial crop production;

b. Raising, production, and cultivation of commercial livestock for the production of food and/or fiber;

c. Growing and harvesting of any commercial agricultural or horticultural commodities;

d. Commercial raising of bees, fur-bearing animals or poultry;

e. Preparation and processing of farm products for market; or

f. Timber or forestry operations.

4. At a minimum, the verification form shall contain the following information:

a. Entity responsible for housing maintenance and upkeep;

b. Description of whether the housing will be based on a permanent, temporary, and/or seasonal basis;

c. Total number of people to be housed on-site at any one time;

d. Description of the housing, including, whether the structures will be permanent and/or temporary, intended as units for families, one person or several persons, and cost of the units and utilities to the workers;

e. Location(s) where the employees will work;

f. Assessment of how much water will be used by the proposed development and description of how water is proposed to be supplied to the housing and how the water system complies with all applicable state and local potable water supply requirements; and

g. Description of the sewage disposal method, such as septic systems, to be used to service the housing, and how the sewage disposal method complies with all applicable state and local potable water supply requirements.

E. Location of Housing.

1. Farmworker housing shall be located no less than 75 FT from barns, pens, or other structures that house livestock or poultry.

2. Farmworker housing shall be located off prime and productive agricultural land, unless no other alternative locations exist on-site.

3. Farmworker housing shall be set back a minimum of 200 FT from the property line of any adjacent residential zoning district.

F. **Maximum Floor Area for Farmworker Dwelling Units.** The maximum floor area allowed for a farmworker dwelling unit shall be 650 SF. As used in this Paragraph, the term "floor area" shall mean the living area of a dwelling, exclusive of any garage or carport, which is measured from the outside surfaces of exterior walls or walls between living areas and a garage.

G. **Removal of Housing.** Farmworker housing is subject to removal (or conversion to another approved use) within 45 days following cessation of the agricultural employment for which the farmworker dwelling units are needed. This provision shall not apply if it can be shown that elimination of the agricultural use for no more than 24 months is related to the long-term functioning of agriculture on the site(s) used to establish the farmworker housing need (e.g., crop rotation, disease, replanting, etc.).

H. **State Reporting Requirements.** Farmworker housing for 5 or more employees is subject to permitting requirements of the California Employee Housing Act. The property owner shall obtain and maintain all required permits from HCD, pursuant to the Employee Housing Act and CCR, Title 25, Division 1, Chapter 1, Section 600 through Section 940, prior to the occupancy of the farmworker housing units. A copy of the HCD permit shall be provided to the Planning Director within 14 days following permit issuance, or at the time of building permit application submittal, whichever is earlier.

I. **Maximum Number of Housing Units Allowed.** No more than 36 beds in a group quarters or 12 farmworker dwelling units or spaces designed for use by a single family or household shall be allowed on a single lot of record. The Planning Commission may authorize additional beds or units, or a combination thereof, by issuance of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code, based upon specific findings that document the necessity for the number of approved beds and/or farmworker dwelling units requested.

J. **Facilities to Accommodate Recreational Vehicles, Tents or Other Mobile Camping Equipment.**

1. Permits for the installation of appropriate permanent facilities to accommodate mobilehomes and recreational vehicles shall be obtained from the City prior to installation.

2. The use of tents, recreational vehicles, or other mobile camping equipment by farmworkers shall not occur for a period of more than 30 days within any 180-day period. Incidental camping shall be conducted so as not to create any health, fire, or other safety hazards. For 5 or more workers, a permit to operate from HCD shall be obtained and maintained.

5.03.180 Exterminating Services

The following standards shall govern the establishment and operation of exterminating services:

A. A copy of the Emergency Business Contingency Plan and/or Risk Management Prevention Program filed with the San Bernardino County Fire Department shall be filed with the Ontario Fire Department. No changes in practices or procedures, or the type and/or maximum quantity of material shall occur without first notifying the Ontario Fire Department and appropriate amendments made to the Business Emergency/Contingency Plan and/or Risk Management Prevention Program on file with the San Bernardino County Fire Department.

B. The outdoor storage of hazardous chemicals or materials is prohibited. Furthermore, the storage of chemicals or service trucks within a 100-year flood zone shall be prohibited.

C. The storage and handling of hazardous materials shall be limited to those quantities specified in the City's building and fire codes.

D. At all times, all operations shall be in full compliance with all federal, state and local regulations pertaining to containment, including restricting use/storage to designated areas, stacking height limitations of materials, and the provision of appropriate pre-approved containment walls where required.

E. A list of all types and amounts of chemical used or stored on the site shall be submitted to the Ontario Engineering Department as well as a Chemical Spillage Control Plan.

F. Hazardous chemicals and their containers shall be disposed of at an approved hazardous materials disposal site and not in City sewers or within solid waste dumpsters.

G. Individuals and firms operating businesses relating to exterminating services shall be licensed by the State of California according to their particular discipline.

H. Access to and the handling of hazardous chemicals and materials shall be limited to properly trained and authorized personnel.

5.03.185: Fabricated Metal Product Manufacturing, All Other Miscellaneous

Within the BP and IP zoning districts, the development of all new "all other miscellaneous fabricated metal product manufacturing" shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.187: Fertilizer Manufacturing from Manure Operations (FMMO)

The following standards shall govern the establishment and operation of Fertilizer Manufacturing from Manure Operation (FMMO):

A. All driveways and employee parking areas shall be paved to create an all-weather surface, to the satisfaction of the Planning Director and City Engineer.

B. Inorganic chemical additives shall be limited to 10 percent of the total FMMO raw material inventory.

C. The FMMO establishment and operation shall comply with the rules, regulations and orders of all appropriate regulatory agencies including but not limited to the South Coast Air Quality Management District and the Regional Water Quality Control Board.

D. FMMO stockpile areas shall be enclosed by a minimum 8-FT high wall or fence, and shall be fully screened with closely spaced, fast-growing trees, upon review and approval by the Planning Director.

E. Except for the stockpiling of raw materials, all FMMO operations, including screening, grinding, mixing, adding, and sacking, shall be wholly contained inside a building.

F. All FMMO windrows/stockpiles shall confine their rainstorm runoff waters so they do not drain onto adjoining properties and public rights-of-way.

G. Appropriate facilities shall be installed to collect or divert drainage from surrounding lands, away from stockpile areas.

H. FMMO windrows/stockpiles shall be at least 120 FT from street property lines and 35 FT from interior side and rear property lines.

I. FMMO windrows/stockpiles shall not exceed a 25 FT in height, 150 FT in width, and 250 FT in length; however, the Approving Authority may require a lesser maximum stockpile dimensions so as not to cause a nuisance to neighboring properties and/or to protect the public health and safety.

J. Windrows/stockpiles shall be separated from adjacent stockpiles by approved apparatus roads, minimum 20 FT in width.

K. FMMO stockpiles and/or any processing of manure shall not occur within 150 FT of a milking barn or milk house of a producer dairy, or a dwelling on adjoining property. The Approving Authority may require greater distances upon determining the direction and magnitude of prevailing winds at the site.

L. Approved material-handling equipment shall be maintained on-site for moving windrow/stockpile materials during emergency or firefighting operations.

M. The FMMO owner or operator shall develop and submit a plan to the Ontario Fire Department Fire Prevention Bureau for review and approval, which shall include, but not be limited to, methods and policies for:

1. Monitoring, controlling and extinguishing spot fires;

2. Emergency contact information for personnel who are able to respond to the FMMO location 24 hours a day, 7 days a week;

3. On-site equipment to assist with firefighting operations (e.g., dozers, water tenders, large tractors, etc.); and

4. Special considerations for fire safety during extreme weather conditions.

N. Noise levels from the FMMO shall not exceed local ambient levels found for general agricultural uses, when adjoining occupied dwellings.

O. Vehicles carrying materials to and from the site, shall be adequately covered to confine the contents and prevent materials from being windblown or otherwise scattered.

P. No public nuisance shall occur as a result of the FMMO establishment and operation.

5.03.190: Food Manufacturing, Other

The following standards shall govern the establishment and operation of "other food manufacturing" facilities:

A. "Other food manufacturing" shall include snack foods, roasted nuts and peanut butter, coffee and tea, flavoring syrup and concentrate, seasoning and dressing, spice and extract, and all other miscellaneous food manufacturing.

B. Within the BP and IP zoning districts, the development of new "other food manufacturing" shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.195: Footwear Manufacturing

Within the BP and IP zoning districts, the development of all new footwear manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.200: Freight Transportation Arrangement

Freight transportation arrangement shall include shipping agents and brokers. Within the BP and IP zoning districts, such use shall be limited to offices only. Within the IG and IH zoning districts, freight transportation arrangement shall only be allowed as an ancillary use to a truck transportation use (NAICS 448).

5.03.205: Funeral Director Services

Within the IL, IG, and IH zoning districts, funeral director services shall only be allowed as an ancillary use to funeral parlors, mortuaries and embalming services.

5.03.210: Furniture and Home Furnishings Stores

Within the CN zoning district, only small-scale (GFA of 5,000 SF or less) furniture and home furnishings stores may be established.

5.03.215: Furniture and Related Product Manufacturing

Within the IP zoning district, the development of new furniture and related product manufacturing (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) shall be limited to small-scale manufacturers.

5.03.220: Game Arcades, Internet Cafes, Internet Gaming, and Similar Facilities

The following standards shall govern the establishment and operation of any business with a primary business activity consisting of the operation of game arcades, cyber cafes, internet gaming, and similar facilities:

A. All video games, pinball machines, computers, gaming stations and similar devices are to be located so as to be visible at all times by one or more employees of the business.

B. Game arcades, cyber cafes, internet gaming, and similar facilities shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from a public or private elementary, middle (junior high) or high school, public park, recreation center, sports park, or any other similar facility where minors (persons under 18 years of age) regularly congregate.

C. Minors shall not be permitted to enter or remain in a game arcade, cyber cafe, on-line internet gaming facility, or any similar facility during the following periods, unless accompanied by a parent or legal guardian:

1. Monday through Friday, between 8:00 AM and 3:00 PM, or after 10:00 PM; and Saturday and Sunday, after 10:00 PM.

2. The weekday daytime hours of restriction shall not apply to school vacation days or holidays, as established by any public school district or private elementary, middle (junior high) or high school operating within the City.

3. Notice of the herein specified hours of restriction for minors shall be posted at the facilities entrance(s), in lettering of at least 2 inches in height.

D. The establishment shall not be open to customers, patrons or any member of the public between the hours of 12:00 AM and 7:00 AM.

E. "No Loitering" signs shall be posted at the front and rear of the business. In addition, a waiting area with not less than 8 seats shall be provided for customers waiting to use a computer or game/gaming station. No outside waiting or seating area is permitted.

F. No person shall be permitted to consume or sell alcohol on the premises.

G. Employees shall be at least 21 years of age. There shall be a minimum of one employee managing the facility during all working hours. If the business has more than 20 games/gaming stations or computers, the business is required to add one additional employee for every additional 20 computers, or portion thereof, and for every 20 computers thereafter, or any portion thereof. During each employee's working hours, the employee shall wear a badge identifying the business and the employee's full name.

H. Occupancy shall not exceed that required under the City's building and fire codes, and the maximum occupancy load shall be posted at the main entrance.

I. The establishment shall maintain and operate a video surveillance system during all business hours, which is capable of storing a minimum of 186 hours (7 days) of video surveillance.

1. The video surveillance system shall cover the entire interior of the premises and all entrances and exits of the establishment and shall be capable of delineating upon playback of the system, the activity and physical features of persons or areas within the premises.

2. The business owner shall permit City Police and/or Code Enforcement officers to inspect the stored video surveillance during normal business hours, upon demand.

3. The video surveillance system shall be maintained in good working order.

4. A sign shall be posted inside and at the entrances to the establishment indicating that the premises are under video surveillance.

J. The business owner shall submit and receive approval of a Fire Exit Plan from the Fire Department. The plan shall address all requirements of the City's building and fire codes, including, but is not limited to, showing all necessary dimensions, equipment location, aisle locations/path of travel, building exiting, and panic hardware.

K. Any display of or access to adult-oriented materials for minors is prohibited. Access to adult-oriented materials, if permitted by the business owner, shall be limited to the hours of 10:30 PM to 12:00 AM.

L. Window areas shall not be covered or made opaque in any way. All windows and entrances shall be unobstructed at all times so as to allow an unimpaired line-of-sight by police officers.

M. The Chief of Police is authorized to require a specific owner/operator to provide a security guard on the premises in the event that there are significant calls for service relating to assaults, gang-related activity, weapons offenses, disturbances, juvenile related crime and truancy, or other good causes. The decision of the Chief of Police may be appealed to the City Council pursuant to Division 2.04 (Appeals) of this Development Code.

N. No exterior pay phones shall be permitted.

O. No gaming tournaments for cash prizes shall be permitted.

5.03.225: Gasoline and Fueling Stations

The below-listed standards shall govern the establishment and operation of gasoline and fueling stations and are intended to result in facilities that are well-designed, appropriate in scale, and enhance the surrounding community.

A. Self-Serve and Full Service Fueling Stations. The following standards shall govern the establishment and operation of self-serve and full service fueling stations:

1. A service station shall only be located at:

a. The intersection of 2 arterial streets;

b. The intersection of an arterial and collector street; or

c. The intersection of an arterial street and a freeway.

2. The project site shall have a minimum area of 22,500 SF.

3. The project site shall have a minimum width and depth of 150 FT.

4. The project site shall not have more than one access per street frontage.

5. Landscaping shall comprise a minimum of 20 percent of the site area.

6. Provide enhanced pavement sections to relieve visually dominant asphalt surfaces.

7. A self-serve or full service fueling station may include a fully automated car wash (e.g., roll-over or express car wash), which is incidental to the primary fueling station activity.

8. An automated car wash which is ancillary to a self-serve or full service fueling station shall be setback a minimum of 100 FT from any residential zoning district or any residential dwelling in a mixed-use project.

9. A full-service fueling station may include general repair and servicing facilities (maximum 2 service bays), and automotive parts, accessories and tire sales, which is incidental to the primary fueling station activity.

B. Automated Fueling Facilities. The following standards shall govern the development and/or operation of automated fueling facilities:

1. Automated (card lock) fueling facilities shall be located with least one street frontage on an arterial street.

2. Automated (card lock) fueling facilities shall not locate within 1,000 FT of a residential zoning district and shall not interfere with the normal use of adjoining properties.

3. The project site shall have a minimum area of 40,000 SF.

4. Automated (card lock) fueling facilities located at the intersection of two street shall not have more than one access per street frontage. Mid-block facilities may be allowed two accesses on the same street.

5. Landscaping shall comprise a minimum of 40 percent of the site area.

6. All pump island areas shall be covered by a canopy, which shall not exceed 17 FT in overall height.

C. Conversion of Gasoline and Fueling Stations. A property originally improved as a gasoline or fueling station, and which is proposed to be converted so as to facilitate another allowed use, shall require upgrading and remodeling of the gasoline or fueling station. Necessary upgrading and remodeling shall include, but is not limited to, the following:

1. Removal of all fuel appurtenances;

2. Removal of canopies;

3. Removal of pump islands;

4. Removal of fuel storage tanks;

5. Removal of overhead doors;

6. Additional off-site street improvements or modification of existing improvements to conform to access requirements in effect at the time of conversion;

7. Exterior remodeling of the building;

8. Additional on-site landscaping and parking improvements to conform with requirements in effect at the time of conversion; and

9. Conformance with all standards and guidelines contained in this Development Code, which are applicable to the base zoning district.

5.03.230: General Rental Centers

The following standards shall govern the establishment and operation of general rental centers:

A. General rental centers shall include home and garden tool and equipment rental services.

B. Within commercial and mixed-use zoning districts, general rental centers shall only be allowed in conjunction with "Building Materials, Garden Equipment and Supplies Stores," Standalone general rental centers shall be prohibited within these zoning districts.

C. All outdoor storage of equipment shall be screened from public view.

5.03.235: Hardware Manufacturing

Within the IP zoning district, hardware manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.240: Home Occupations

A. **Purpose.** The purpose of these provisions is to allow for the operation of home-based businesses that are incidental to and compatible with residential land uses. A Home Occupation represents a legal income producing activity by the occupant of a residential dwelling unit.

B. **Applicability.**

1. License Required. No person shall engage in a Home Occupation unless such person holds a valid business license issued by the City.

2. Prohibited Uses. The following list represents example uses that are not considered to be incidental to and/or compatible with residential activities, and for which a Home Occupation permit shall not be issued:

a. Gun/munitions repair or sales;

b. Ammunition loading or sales;

c. Barber and beauty shops;

d. Businesses involving the harboring, training, breeding, raising or grooming of cats, dogs or other animals on the premises, except as otherwise permitted in the AR-2 zoning district;

e. Carpentry and cabinet making;

f. Medical and dental offices or clinics;

g. Repair or fix-it shops;

h. Storage of equipment, materials and other accessories to the construction or service trades;

i. Motor vehicle repair (body or mechanical), upholstery or painting;

j. Welding or machining;

k. On-site sales of motor vehicles (new or used);

l. Massage services, excepting out-call services; and

m. Any other use determined by the Zoning Administrator that is not incidental to and/or compatible with residential activities.

C. Operating Requirements. Home Occupations shall comply with the following operating standards:

1. A Home Occupation shall be clearly incidental and subordinate to the primary residential use.

2. Only the occupants of the dwelling may engage in the Home Occupation.

3. Not more than one client/customer shall visit the premises at any one time, excepting in-home educational activities, including but not limited to music lessons, academic tutoring, or religious instruction, provided no more than 3 students are present at any one time and each of the operating requirements enumerated herein are complied with.

4. There shall be no change in the outward appearance of the premises.

5. There shall be no advertising that identifies the Home Occupation by street address.

6. The Home Occupation shall be conducted within an enclosed structure, completely confined to one room of the dwelling and occupying no more than 10 percent of the GFA of the dwelling, except as follows:

a. Floriculture may be conducted outdoors in conjunction with a single-family dwelling located in the appropriate zoning district. All activities shall take place within the rear one-half of the lot and occupy no more than 10 percent of the net lot area.

b. Within the AR-2 zoning district, kennels and catteries (limited to fewer than 8 animals) shall be conducted in conjunction with a single-family residential land use, within the rear one-half of the lot, and all applicable requirements of Section 5.03.410.C (Animal Keeping and Production) of this Division shall be complied with.

~~b.~~c. Permitted accessory residential structures may be utilized for storage or workspace, provided the items being stored are contained completely within the structure, and use of the accessory residential structure maintains that the Home Occupation is incidental and subordinate to the primary residential use.

7. Only one vehicle specifically associated with the Home Occupation, no larger than a one-ton pick-up truck or van, may be maintained on the property.

8. There shall be no use or storage of materials, chemicals, compounds or equipment not typically recognized as being part of a normal household or hobby use.

9. Activities conducted, and equipment or material used, shall not change the fire safety or occupancy classifications of the premises.

~~9.~~10. Cottage Food Operations shall be conducted consistent with State law operating requirements and shall only involve products contained on the Approved Cottage Foods list maintained by the California Department of Public Health.

~~10.~~11. The Home Occupation shall not generate vehicular or pedestrian traffic in greater volumes than normal in a residential neighborhood.

~~11.~~12. The Home Occupation shall not involve the use of commercial vehicles for delivery of materials either to or from the premises, excepting the use of standard parcel delivery services.

~~12.~~13. No equipment or processes shall be used that creates noise, odor, smoke, glare, dust, fumes, vibration, or result in interference with radio or television reception detectable to the normal senses outside the dwelling unit in which the Home Occupation is conducted.

~~13.~~14. If the Home Occupation is to be conducted on rental property, the property owner's written authorization shall be provided on the home occupation application.

~~14.~~15. No Home Occupation shall be conducted without a current City business license.

D. **Internet, Direct Mail, and Telephone Retail Sales.**

1. Direct business to consumer retail sales via internet, direct mail or telephone, including wine sales (Type 85 ABC license) conducted pursuant to BPC Sections 23393.5, 23661.7, 24045.18, 25503.56, and 25503.9, shall be permitted as a Home Occupation.

2. No items intended for retail sale shall be stored on the premises, or packaged and shipped from the premises, in quantities greater than typical for single-family dwellings.

3. The business premises shall not be open to the public for the purchase or pickup of retail items.

E. **Change in Information or Circumstance.** If during the life of a home occupation, the applicant has any change in information or circumstance concerning the original application,

notification shall be made to the Planning Department, in writing, within 30 days of the change occurring.

F. Inspections. Authorized representatives of the City's Planning Department, Police Department, Building Department, Fire Department, and/or Code Enforcement Officers shall have the right to enter the property upon which a home occupation permit has been granted, during normal business hours, for the purpose of making reasonable unscheduled inspections to observe and enforce compliance with applicable regulations, laws and provisions of this Development Code and the Ontario Municipal Code.

5.03.245: Hookah Establishments, Smoking/Vaping Lounges, and Smoking/Vaping Retailers

The following standards shall govern the establishment and operation of hookah establishments:

A. Purpose. The purpose of this Section is to help mitigate negative impacts associated with smoking and vaping uses, in order to serve the public health, safety, and welfare of City residence, and City businesses and their patrons. Furthermore, this Section is specifically intended to reduce the impact of smoking and vaping uses on minors, as an abundance of such uses increases the potential for minors to associate smoking and vaping with a normative lifestyle.

B. Applicability. All smoking and vaping businesses throughout the City shall comply with the regulations and requirements of this Section.

C. Definitions. For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

1. Electronic Cigarette (E-Cigarette). An electronic device, which is typically battery-operated, designed to deliver a nicotine-based liquid, or other substance, that is vaporized and then inhaled (called "vaping"), simulating the experience of smoking tobacco. Such devices are manufactured to resemble traditional tobacco cigarettes, cigars, pipes, or even everyday items, such as pens or USB memory sticks. The term includes any such device manufactured, distributed, marketed, or sold as an electronic cigarette or e-cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. The term does not include any medical inhaler prescribed by a licensed physician.

2. Hookah Establishments. Any facility or location whose business operation, whether a primary or accessory use, is characterized as a commercial establishment where patrons gather to share in the smoking of flavored tobacco (shisha) from a communal hookah, including but not limited to establishments known variously as a hookah lounge or bar, or shisha bar or den, including smoking cigars or establishing cigar bars.

3. Hookah. A single or multi-stemmed instrument for smoking flavored tobacco (or shisha), whose vapor or smoke is passed through a water basin before inhalation.

4. Smoking/Vaping Lounge. Any facility or location whose business operation, whether a primary or accessory use, is characterized by the sale, offering, and/or preparation of smoking tobacco, electronic cigarettes, or similar products, including but not limited to establishments known variously as smoking lounges, and vaping lounges, excluding cigars and cigar bars.

5. Smoking/Vaping Retailer. A smoke shop, tobacco store, electronic cigarette retailer, or any other retail business where more than 25 percent of the gross floor area is dedicated to the sale of tobacco or tobacco products, electronic cigarettes, or related products, for consumption off the premises.

D. Operating Requirements. Hookah establishments, smoking/vaping lounges, and smoking/vaping retailers shall comply with the following operating standards:

1. Hookah Establishments. The following standards shall govern the establishment and operation of hookah establishments:

a. A hookah establishment may be established within an outside patio area that is open to the sky, either: **[i]** as a standalone establishment, **[ii]** in conjunction with a sit-down restaurant, or **[iii]** in conjunction with an ABC-licensed bona fide eating establishment.

b. A hookah establishment shall not be established in conjunction with live entertainment.

c. A hookah establishment shall not be established in conjunction with a bar or nightclub.

d. A hookah establishment shall operate in compliance with all applicable State laws and regulations pertaining to smoking facilities (limitation on numbers of paid staff shall meet CAL-OSHA requirements for air filtration and circulation and meet fire standards for smoking lounges).

e. A hookah establishment shall dispose of ash and coals pursuant to the requirements of the Ontario Fire Department.

f. A hookah establishment shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

g. A hookah establishment shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any other hookah establishment, or a smoking/vaping lounge or smoking/vaping retailer.

2. Smoking/Vaping Lounges. The establishment and operation of smoking/vaping lounges shall be prohibited, excepting hookah establishments established pursuant to Paragraph D.1 (Hookah Establishments) of this Section.

3. Smoking/Vaping Retailers. The following standards shall govern the establishment and operation of smoking/vaping retailers:

a. A smoking/vaping retailer shall be located a minimum of 1,320 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any residentially zoned property or sensitive land use, including

residential land uses within mixed use developments, hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate; and

b. A smoking/vaping retailer shall be located a minimum of 1,320 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any other smoking/vaping retailer, or a hookah establishment.

c. No smoking/vaping shall be permitted in conjunction a smoking/vaping retailer.

5.03.250: Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation

The following standards shall govern the establishment, construction, and operation of hotels, motels, residence inns, and other similar traveler accommodation:

A. **Kitchens, kitchenettes, and Other Cooking Facilities.** Kitchens, kitchenettes, and other cooking facilities shall not be permitted within guestrooms, excepting the manager's unit and residence inns.

B. **Minimum Number of Guestrooms Required.** A hotel, motel, residence inn, or other similar traveler accommodation shall contain no fewer than 6 guest rooms.

C. **Market Feasibility Report Required.** A Conditional Use Permit application to establish a hotel, motel, residence inn, or other similar traveler accommodation, shall be accompanied by a market feasibility report prepared by a professional economist, and shall include the following information:

1. A complete listing of proposed facilities, amenities, and services (i.e.: number and type of rooms, meeting space square footage, recreational amenities, business services such as data ports-workstations-etc., refrigerators in room, laundry service, restaurant-coffee shop-food service, etc.);

2. History of proposed developer and potential operators (i.e.: years in business, principals, capitalization, experience, listing of projects, number of units owned, average rates charged, occupancy rates, etc.);

3. Analysis of economic environment projecting likely future economic conditions as they relate to the operation of the subject hotel;

4. Subjects competitive market (i.e.: identification of their market, 3 and 5 year history of occupancy-average daily rate-revenue per available room trends for that market, estimated share of the market the hotel will capture during the first five years of operation, etc.);

5. Analysis of the economic impacts on existing hotel markets within Ontario (i.e.: estimate of the dilution of the market due to addition of proposed hotel, etc.). Note: new hotel projects should only be approved if competitive market occupancy remains at or above 65 percent for a five year projection period;

6. Relationship to demand generators (i.e.: airport, convention center, corporate market, shopping, and entertainment); and

7. Public cost/revenue projections.

D. Minimum Amenity Package. No Development Plan and/or Conditional Use Permit shall be approved for a hotel, motel, residence inn, or other similar traveler accommodation, unless the following amenities are provided:

1. Each guestroom shall include voicemail, wired or wireless internet access, desk with chair, hairdryer, retractable magnifying (10X) and lighted makeup mirror, iron and ironing board, high definition television, and alarm clock or wake-up service;

2. Minimum of 15 SF of meeting space per guestroom for limited –service hotels and 30 SF for full-service hotels;

3. The following minimum active and passive leisure amenities shall be provided:

a. A swimming pool, except that the Approving Authority may approve smaller boutique hotels, motels, residence inns, or other similar travel accommodations having fewer than 75 rooms, with alternate amenities, such as, but not limited to:

(1) A full-service restaurant or café;

(2) Highly amenitized guest rooms, which exceed the minimum amenities required by Paragraph D.1, above;

(3) Meeting space, which substantially exceeds the minimum requirements of Paragraph D.2, above;

(4) Highly detailed architectural features that reflect an established architectural style identified in Reference C (Architectural Styles) of this Development Code; and/or

(5) Other amenities acceptable to the Approving Authority; and

b. A whirlpool/spa; or a furnished cabana containing items such as lighting, ceiling fans, tables, chairs, sofas, lounge chairs, and fire pit;

c. A fitness room; and

4. A full-service restaurant shall be provided in conjunction with a full-service hotel and a guest courtesy lounge (for light meals and snacks) shall be provided with limited-service hotels.

E. Occupancy of Accommodations.

1. No guestroom shall be rented for a period exceeding 30 consecutive calendar days, counting portions of calendar days as full days.

2. No guestroom shall be rented for less than one 24-hour period.

F. Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation Located in the SP (Specific Plan) Zoning District. Hotels, motels, residence inns, and other similar traveler accommodations that are located in the SP (Specific Plan) zoning district shall be subject to Conditional Use Permit approval.

5.03.255: Leather and Allied Product Manufacturing, Other

The following standards shall govern establishment and operation of "other leather and allied product manufacturing" facilities:

A. "Other leather and allied product manufacturing" shall include the manufacture of luggage, handbags, purses, personal leather goods, and other leather products.

B. Within the BP and IP zoning districts, the development of new "other leather and allied product manufacturing" shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.257: Live Entertainment

The following standards shall govern the establishment and operation of live entertainment facilities:

A. No person, firm, partnership, corporation, company, or non-profit or charitable organization shall conduct any entertainment, without first making application to the City and obtaining a Conditional Use Permit or Administrative Use Permit, as applicable, to do so, nor shall any person conduct the same during the time while a permit to do so is revoked.

B. Any modifications or revisions to the live entertainment provided under a Conditional Use Permit or Administrative Use Permit shall require City approval.

5.03.260: Machine Shops, and Turned Product, Screw, Nut, and Bolt Manufacturing

Within the IP zoning district, the development of new machine shops, and turned product, screw, nut, and bolt manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.265: Manufacturing, Miscellaneous

Within the IP zoning district, the development of new "miscellaneous manufacturing" shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.270: Massage Establishments and Services

The following provisions shall govern Massage Establishments and/or any business providing massage services, or any person that administers massage for financial or other consideration, or acts in the capacity of a Massage Practitioner or Massage Therapist:

A. Requirements for Massage Establishments and Massage Services for Compensation. No person shall provide massage services for compensation or engage in the business of massage, or administer massage or provide services as a Massage Therapist or Massage Practitioner, unless such person holds a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600, et seq.

B. Massage Establishment Operational Requirements. Every Massage Establishment shall maintain facilities meeting the following requirements:

1. If wet and dry heat rooms, steam and vapor rooms or cabinets, toilet rooms, shower rooms, bathrooms, tanning booths, whirlpool baths, or pools are offered, they shall be thoroughly cleaned and disinfected as needed, and at least once each day the premises are open. Bathtubs shall be thoroughly cleaned and disinfected. All walls, ceilings, floors, and other physical facilities for the establishment shall be in good repair and maintained in a clean and sanitary condition.

2. Instruments for performing massage shall not be used on more than one patron unless they have been sterilized using sterilizing methods approved by the San Bernardino County Health Department.

3. All employees, including Massage Practitioners and/or Massage Therapists, shall be clean, and shall be clothed in a manner consistent with the Massage Therapy Act, BPC Division 2, Chapter 10.5 (commencing with Section 4600).

4. No person shall enter, be or remain in any part of a Massage Establishment while in possession of, consuming or using any alcoholic beverage or drugs, except pursuant to a prescription for such drugs. The owner, operator, responsible managing employee, manager or permittee shall not permit any such person to enter or remain upon such premises.

5. No massage service may be carried on within any cubicle, room, booth or any area within a Massage Establishment which is not immediately accessible to supervisory, safety or inspection personnel during all hours of operation.

6. No Massage Establishment employing Massage Therapists shall be equipped with tinted or "one-way" glass in any room or office.

7. Pads used on massage tables, or on other furniture upon which massage services are performed, shall be covered with a durable, washable plastic or other waterproof material acceptable to the City.

8. A list of all Massage Therapy services and their costs shall be posted in an open and conspicuous place near the entrance of the Massage Establishment. No Massage Establishment Owner or Manager shall permit, and no employee or independent contractor of the Massage Establishment shall offer to perform, any Massage Therapy services, or charge any fees, other than those posted.

9. No portion of the Massage Establishment will be used for overnight stay or residential purposes.

10. A sign at least 8.5 inches by 11 inches in size, containing the following written notice in minimum 16-point font, shall be posted in a conspicuous place in the Massage Establishment, displayed in English, Vietnamese, Mandarin, Spanish, Cantonese, and Korean, and easy to read by any person entering the premises:

If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, construction, factory, retail, or restaurant work, or any other activity – call the National Human Trafficking Hotline at 1-888-373-7888 or the Coalition to Abolish Slavery and Trafficking (CAST) 1-888-KEY-2-FREE or 1-888-539-2373 to access help and services. Victims of slavery and human trafficking are protected under United States and California Law.

These hotlines are:

- **Available 24 hours a day, 7 days a week.**
- **Toll-free.**
- **Operated by nonprofit, nongovernmental organizations.**
- **Anonymous and confidential.**
- **Accessible in more than 160 languages.**
- **Able to provide help, referral to services, training, and general information.**

C. Massage Establishment Hours of Operation. Massage Establishment hours of operation shall be limited to 8:00 AM to 10:00 PM of the same day.

D. Outcall Massages. No Massage Therapy shall be conducted in a hotel or motel room, or in the private residence of the Massage Therapist.

~~D.~~**E. Minimum Separation Between a Massage Establishment and Sensitive Land Uses.** Maintain a minimum 300-FT separation between a Massage Establishment and any sensitive land use, including schools, preschools, child daycare facilities, or parks.

~~E.~~**F. Right of Authorized Representatives to Enter a Massage Establishment.** As a condition of business license issuance for a Massage Establishment, the permittee shall consent to the right of authorized representatives of the City's Police Department, Building Department, Fire Department, Code Enforcement Officers or San Bernardino County Health Department to enter the Massage Establishment during regular business hours for the purpose of making reasonable unscheduled inspections, to observe and enforce compliance with applicable regulations, laws, and provisions of this Development Code.

The following notice shall be posted in a conspicuous place in the Massage Establishment. The notice must be easy to read by any person, must be displayed in English and Spanish, and must be visible to anyone entering the Massage Establishment:

NOTICE TO ALL PATRONS: THIS MASSAGE ESTABLISHMENT AND THE MASSAGE ROOMS DO NOT PROVIDE COMPLETE PRIVACY AND ARE SUBJECT TO INSPECTION BY AUTHORIZED CITY OF ONTARIO PERSONNEL WITHOUT PRIOR NOTICE.

~~F.~~**G. Business Owner Required to Maintain a List of all Employees and Independent Contractors, and Their CAMTC or City Certifications.** As a condition of business license issuance for a Massage Establishment, the business owner shall provide a list of all employees and independent

contractors and their CAMTC or City certifications. The business owner shall notify the City should this information change. Additionally, with the annual renewal of their business license, the business owner shall provide an updated list of all employees and their certifications.

~~G.~~H. **Institutions or Classes of Individuals Not Applicable to this Section.** The provisions of this section pertaining to massage services shall not apply to the following institutions or classes of individuals, while engaged in the performance of the duties of their respective professions:

1. Hospitals, nursing homes, sanatoriums or other similar health facilities duly licensed by the State;

2. Recognized schools of massage;

3. Physicians, surgeons, chiropractors, osteopaths, or physical therapists, who are duly licensed to practice their respective professions in the State, or other persons licensed to practice any healing art pursuant to BPC Section 500, et seq.;

4. Nurses registered under the laws of the State;

5. Barbers, cosmetologists, beauticians, and manicurists who are duly licensed under the laws of the State while engaging in practices within the scope of their licenses, except that this provision shall apply solely to the massaging of the neck, face, scalp, hands and/or feet of the customer client;

6. Coaches and trainers in accredited high schools, junior colleges, and colleges or universities, acting within the scope of their employment; and

7. Trainers of amateur, semi-professional or professional athletes or athletic teams.

~~H.~~I. **Chair Massage Services.** The following operational requirements shall apply to the location, establishment, and operation of Chair Massage Services:

1. Any person, corporation or partnership wishing to perform chair massage in the City shall first be doing business at a fixed location in the City, having a valid business license, or a valid home occupation pursuant to the "home occupations" provisions of this Division.

2. Chair massage services may be performed only by a person with a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600, et seq., or a valid City Massage Therapist permit.

3. Chair massage services may only be offered at nonresidential places of business within the CS, CN, CC, CR, CCS, OL, OH, MU-1, and ONT zoning districts and the California Commerce Center North (Ontario Mills) Specific Plan.

4. A Massage Therapist offering chair massage shall have a signed contract for service at each location the service is provided. A copy of such contract shall be provided for inspection upon demand, to any City official with responsibility for enforcement of this Section. The contract shall specify the location, days, and times the service is to be offered.

5. Chair massage shall be offered at a set time and day at each location and shall not be offered at any other time. Such service shall only be conducted between the hours of 8:00 AM and 10:00 PM of the same day.

~~I.~~J. **Unlawful Conduct.** The following actions shall constitute unlawful conduct as they pertain to the location, establishment, and operation of Massage Establishments and Services:

1. It shall be unlawful for any person, for financial or other consideration, to massage any other person, or give or administer any bath, or give or administer any of the other services set forth in this Development Code for immoral purposes, or in a manner intended to arouse, appeal to, or gratify the lust or passions or sexual desires.

2. It shall be unlawful for any Massage Therapist to massage the genital area of any patron or the breasts of any female patron or for any responsible managing officer in charge of the premises of a Massage Establishment to allow or permit such massage.

3. It shall be unlawful for a person serving as a Massage Therapist to be clothed in a manner inconsistent with the Massage Therapy Act, BPC Division 2, Chapter 10.5 (commencing with BPC Section 4600). Massage Therapists shall maintain their permit identification card clearly visible on their person during business hours.

4. It shall be unlawful for a Massage Therapist issued a permit by the City in accordance with Paragraph A.2 of this Section, to perform any massage service at any location other than that location specified on the Massage Therapist's permit. If during the life of a permit, the applicant has any change in information concerning the original application, notification shall be made to the Zoning Administrator, in writing, within 30 days of the change.

5. It shall be unlawful for any owner, manager, operator, responsible managing employee, or permittee in charge of or in control of a Massage Establishment to employ or permit a person to act as a Massage Therapist who is not in possession of a valid, unrevoked Massage Therapist permit issued pursuant to Paragraph A.2 of this Section, or a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600, et seq.

6. It is unlawful for any Massage Establishment, Massage Therapist or Massage Practitioner to provide, or to offer to provide, out-call massage services in the City. For the purpose of this provision, the term "out-call massage services" shall mean to engage in or carry on massage, not at a fixed location, but at a location designated by the customer or client. "Out-call massage services" shall not include chair massage services conducted pursuant to Subsection G (Institutions or Classes of Individuals Not Applicable to this Section) of this Section.

~~J.~~K. **Violations and Penalties.** The following violations and penalties shall apply to the location, establishment, and operation of Massage Establishments and Services:

1. Every person, except those persons who are specifically exempted by the massage services provisions pursuant to division F herein, whether acting as an individual, owner, employee of the owner, or operator or employee of the operator, or whether acting as a mere helper for the owner, employee, or operator, or whether acting as a participant or worker in any way who gives massages or conducts a Massage Establishment or room, or who gives or administers, or who practices the giving or administering of steam baths, electric light baths, electric tub baths, shower baths, sponge baths, vapor baths, fomentations, sunbathes, mineral baths, alcohol rubs, Russian, Swedish, or Turkish baths, or any other type of baths, salt glows, or any type of therapy, or who does or practices any of the other services or acts set forth in these provisions, without first obtaining a valid, unrevoked Massage Therapist permit issued pursuant to Paragraph A.2 of this Section, or a valid Massage Practitioner or Massage Therapist certification issued by the California

Massage Therapy Council (CAMTC) pursuant to BPC Section 4600, et seq., or who shall violate any operational standard of the massage services provisions, shall be guilty of a misdemeanor.

2. Any owner, operator, manager, or permittee in charge or in control of a Massage Establishment who knowingly employs a person performing as a Massage Therapist, as defined in this Development Code, who is not in possession of a valid, unrevoked Massage Therapist permit issued pursuant to Paragraph A.2 of this Section, or a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600 et seq., or who allows such an employee to perform, operate, or practice within such a place of business shall be guilty of a misdemeanor.

3. Any owner, operator, manager, or permittee in charge or in control of a Massage Establishment under this Development Code shall be a Responsible Person. "Responsible Person" shall mean a person who causes a violation of this Development Code or the Ontario Municipal Code to occur, or allows a violation to exist or continue, by his or her action or failure to act, or whose agent, employee, or independent contractor causes a violation to occur, or allows a violation to exist or continue. A Responsible Person shall be liable for the violation of his or her agent, employee, or independent contractor. For the purposes of this Development Code, there may be more than one Responsible Person for a violation.

4. Any Massage Establishment operated, conducted, or maintained contrary to the provisions of this Development Code shall be, and the same is hereby declared to be, unlawful and a public nuisance, and the City may, in addition to or in lieu of prosecuting a criminal action hereunder, commence actions or proceedings for the abatement, removal, and enjoinment thereof in the manner provided by law and shall take such other steps and apply to such courts as may have jurisdiction to grant such relief as will abate or remove such Massage Establishment and restrain and enjoin any person from operating, conducting or maintaining a Massage Establishment contrary to the provisions of this Development Code.

5. Any violation of any of the provisions of this Development Code shall be subject to punishment for violation in accordance with the penalty provisions set forth in OMC Title 1, Chapter 2 (Penalty Provisions). Punishment for any violation of any of this Development Code's provisions shall be in accordance with the Ontario Municipal Code punishment and fine provisions as set forth in OMC Section 1-2.01 (Punishment for Violation).

5.03.275: Material Recovery Facilities (MRF)

All activities associated with a MRF shall be wholly contained within a fully enclosed building, excepting salvage facilities (such as automobile dismantling and metal salvage/recycling) established in compliance with the requirements of Section 5.03.350 (Salvage Facilities) of this Division, which may be allowed outside with the approval of a Conditional Use Permit.

5.03.280: Marijuana Dispensary

Notwithstanding any other provision of this Development Code, a Marijuana Dispensary, as defined in Division 9.01 (Definitions) of this Development Code, shall be a prohibited use in all zoning districts of the City, as follows:

A. The operation of any marijuana dispensary within the City is hereby declared a public nuisance and shall be abated pursuant to all available remedies. Violations of this Section may be enforced by any applicable law.

B. No person shall deliver marijuana or marijuana-infused products, such as tinctures, baked goods or other consumable products, to any location within the City from a marijuana dispensary, regardless of whether the marijuana dispensary from which the delivery originated is within the City, or engage in any effort to locate, operate, own, lease, supply, allow to be operated, or aid, abet, or assist in the operation of any marijuana dispensary in the City.

C. No person shall deliver marijuana or marijuana-infused products with such delivery originating from any marijuana dispensary located within the City, regardless of whether the delivery destination is within the City.

5.03.285: Mixed-Use Developments

A. **Residential Mixed-Use Projects.** The following standards shall govern the development of residential mixed use projects consisting of single-family and/or multiple-family dwellings constructed in conjunction with a variety of complementary commercial land uses as may be allowed within the base zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, including office, retail, public, or entertainment uses, in a fully integrated development project having functional interrelationships and a cohesive physical design:

1. Residential Mixed-Use Developments Subject to the Standards and Guidelines of the Base Zoning District. The site and building(s) of a residential mixed use development project shall be designed and constructed pursuant to, and consistent with, the development standards (e.g., FAR, landscape coverage, lot size, setbacks and separations, etc.) and design guidelines of the base zoning district.

2. Residential Mixed-Use Developments within Commercial Zoning Districts.

a. As allowed within commercial zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, dwellings may be constructed on the upper floors of commercial buildings containing office, retail, public and/or entertainment uses, or behind commercial buildings containing such uses, at or above ground level.

b. To ensure that the residential portion of a mixed use development is no more intense than the commercial development that would otherwise be allowed, the maximum residential density shall be determined based upon an Equivalent Impact Study (EIS) prepared for the project, which assesses the maximum allowed residential density based upon the comparable traffic generation, water usage, and sewerage generation of the maximum allowed commercial floor area.

c. The applicant for a mixed-use development project shall be responsible for all City costs incurred in preparing the EIS.

3. Residential Mixed-Use Developments within Mixed Use Zoning Districts. Residential mixed-use development projects within mixed-use zoning districts shall be developed pursuant to the requirements of Section.6.01.020 (Mixed Use Zoning Districts) of this Development Code and the Policy Plan component of The Ontario Plan.

B. **Nonresidential Mixed-Use Projects.** The following standards shall govern the development of nonresidential mixed use projects consisting of commercial land uses constructed in conjunction with a variety of complementary light industrial and business park land uses as may be allowed within the base zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, in a fully integrated development project having functional interrelationships and a cohesive physical design:

1. Nonresidential Mixed-Use Developments Subject to the Standards and Guidelines of the Base Zoning District. The site and building(s) of a nonresidential mixed use development project shall be designed and constructed pursuant to, and consistent with, the development standards (e.g., FAR, landscape coverage, lot size, setbacks and separations, etc.) and design guidelines of the base zoning district.

2. Nonresidential Mixed-Use Developments within Industrial Zoning Districts.

a. As allowed within industrial zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, commercial land uses may be constructed on the upper floors of industrial buildings, or behind industrial buildings containing such uses, at or above ground level.

b. To ensure that the nonresidential portion of a mixed use development is no more intense than the industrial development that would otherwise be allowed, the maximum residential density shall be determined based upon an Equivalent Impact Study (EIS) prepared for the project, which assesses the maximum allowed residential density based upon the comparable traffic generation, water usage, and sewerage generation of the maximum allowed industrial floor area.

c. The applicant for a mixed-use development project shall be responsible for all City costs incurred in preparing the EIS.

3. Nonresidential Mixed-Use Developments within Mixed-Use Zoning Districts. Within mixed use zoning districts, nonresidential mixed-use developments shall be developed pursuant to the requirements of Section.6.01.020 (Mixed Use Zoning Districts) of this Development Code and the Policy Plan component of The Ontario Plan.

5.03.290: Mobile Food Services

The following standards shall govern the design and establishment of mobile food services:

A. Mobile food services shall only be allowed in conjunction with a temporary event approved pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code.

B. All mobile food services shall display a current San Bernardino County Department of Environmental Health Services operating decal and/or permit, and inspection letter grade.

C. Mobile food service wastewater shall not be discharged to the ground or to a storm drain.

D. Restroom facilities for mobile food service employees, which shall include facilities for washing hands, shall be provided.

5.03.295: Mobilehome Parks

The following standards shall govern the design and establishment of mobilehome parks:

A. Allowed within the MHP Zoning District. Mobilehome parks shall only be established within the MHP zoning district.

B. Site Development Standards.

1. Project Area. The minimum project area shall be 3.0 acres.

2. Density. The maximum residential density shall not exceed 8.0 dwelling units/acre.

3. Common Open Space and Recreation Areas. A minimum of 300 SF of common recreational open space per mobilehome pad shall be provided. Common recreation amenities shall be provided pursuant to the minimum requirements prescribed for multiple-family developments in Subparagraphs 6.01.010.E.2.c (Active Open Space Area) and d (Passive Open Space Area) of this Development Code.

4. Project Entries. The mobilehome park entrance shall be delineated with enhanced paving treatment (e.g., color pigmented concrete, interlocking pavers, and stamped concrete) and intensified landscaping, including elements such as specimen-sized trees, decorative low garden walls, raised planters, and alluvial rockscapes.

5. Walls and Fences.

a. Decorative walls, fences, and gates shall be provided along the project perimeter.

b. All private open space areas shall be delineated by a decorative fence or wall.

c. All walls and fences shall be designed, constructed, and maintained pursuant to Division 6.02 (Walls, Fences and Obstructions) of this Development Code.

6. Off-Street Parking. Off-street parking facilities shall be provided pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

7. Landscaping. Landscaped areas shall be designed, installed, and maintained pursuant to Division 6.05 (Landscaping) of this Development Code.

8. Signs. All signs shall be designed, installed, and maintained consistent with the provisions of Division 8.1 (Sign Regulations) of this Development Code.

C. Building Development Standards.

1. Minimum Building Separations. Minimum building and structure separations shall be maintained pursuant to Table 5.03-4 (Minimum Mobilehome Building Separation Requirements), below.

Table 5.03-3: Minimum Mobilehome Building Separation Requirements

Setback Area	Minimum Yard Dimension**
Side to side:	20 FT
End to side:	15 FT
End to end:	10 FT
Front to front (across access drive):	36 FT
Mobilehome to any other building, excepting detached garage or accessory structure:	15 FT
Mobilehome to detached garage or accessory structure:	5 FT

Note:

** *For the purpose of determining minimum separation requirements, awnings, overhangs, enclosed porches, and similar structures shall be deemed a part of the mobilehome unit and shall not be allowed to encroach into a required yard area.*

D. Mobilehome Exterior Design and Finishes. The exterior of mobilehomes shall resemble conventionally built single-family homes to the fullest extent feasible. To this end, each mobilehome shall incorporate the following design features:

1. Skirting or Supporting Pad Required. The tongue or hitch each mobilehome shall be removed or suitably screened, and each mobilehome shall be equipped with skirting to screen all foundation jacks and other supporting structure, or a supporting pad shall be provided that is designed to give the appearance that the mobilehome is placed on-grade.

2. Roof Overhang. A minimum roof overhang of one FT shall be provided.

3. Roof Material. Roof material shall consist of wood shingle or shakes, architectural grade asphalt shingles, or concrete or clay tiles.

4. Exterior Wall Finishes. Exterior wall finishes shall include wood, stucco, masonry, natural stone, or other suitable materials as determined by the Planning Director. All exterior wall finishes and skirting required pursuant to Paragraph D.1 (Skirting or Supporting Pad Required), above, shall extend to the ground, except when a solid concrete or masonry perimeter foundation is used, in which case, the exterior material shall extend below the top of the foundation.

E. Utilities. All on-site utilities to individual mobilehomes shall be located underground.

5.03.300: Mobile Washing and Detailing Services

The following standards shall govern the establishment of mobile washing and detailing services:

A. All mobile washing and detailing services shall be licensed to a fixed location within the City.

B. A mobile washing and detailing service may be licensed as a home occupation, provided no washing or detailing of vehicles is performed on the premises, excepting personal vehicles of the home occupant.

C. Mobile car washing and detailing shall be considered an incidental use related to the permitted principal land use in any zoning district upon which the activity takes place. A city business license and any applicable permits related to wastewater or environmental protection must be obtained. The following operational requirements shall apply to all mobile car washing and detailing uses:

1. Operators are prohibited from engaging in washing the exterior of a vehicle at the following locations:

a. On any public street or public right-of-way;

b. On any vacant unimproved lot; and

c. On any landscaped area of a lot.

2. Mobile car washing and detailing businesses operating in nonresidential zoning districts shall not operate within 300 FT of a boundary of a residential zoning district and/or residential structure, excepting residential structures within mixed-use zoning districts.

3. Hours of operation in residential zoning districts shall be limited to Monday through Saturday, 8:00 a.m. to 7:00 p.m., and Sunday, 9:00 a.m. to 6:00 p.m. Hours of operation in nonresidential zoning districts shall be limited to Monday through Sunday, 8:00 a.m. to 7:00 p.m.

4. In nonresidential zoning districts, mobile car washing and detailing businesses shall not operate at the same location and/or at the same property for more than 5 hours during the permitted hours of operation (as identified above).

5. In nonresidential zoning districts, mobile car washing and detailing businesses shall not service more than 20 vehicles per location per week.

6. Operators shall maintain noise levels below the levels provided in Title 5 (Chapter 29: Noise) of the Municipal Code.

7. The operator of a mobile car washing and detailing business shall obtain and have evidence of the authorization of the property owner (or the property owner's authorized representative) to operate prior to commencement of operations and throughout the duration of the activities.

8. At all times, operators shall either contain wastewater for disposal off site or divert wastewater to a sanitary sewer on site to the satisfaction of the City Engineer.

5.03.305: Motor Vehicle Dealers

The following standards shall govern the establishment and operation of new or used motor vehicle dealers, including automobiles, light trucks and vans (rated at one ton or less), and recreational vehicles, motorcycles, watercraft, all-terrain vehicles, and other similar motor vehicles:

A. Motor vehicle servicing, repair, and maintenance activities shall be performed within a wholly enclosed building. Service bay doors shall be located so as not to be visible from any public or private street, or office, retail sales and off-street parking facilities on adjoining lots.

B. There shall be no outside storage of inoperable motor vehicles or motor vehicle parts.

C. Prior to the issuance of a business license by the City, a site plan shall be submitted to the Planning Department for review and approval, which demonstrates compliance with the following:

1. Motor vehicle display areas shall meet the minimum parking setback requirements of the zoning district in which the use is located, and the design standards for off-street parking facilities contained in Division 6.03 (Off-Street Parking and Loading) of this Development Code. Setback areas shall be fully landscaped and provided with an automatic irrigation system.

2. A vehicle loading and unloading area shall be provided for each vehicle sales facility. The loading area shall be clearly demarcated by signs and pavement markings. The loading area shall not encroach into required parking areas or block fire access lanes, and shall occur on-site, at a location approved by the Fire Department. On-street vehicle loading and unloading shall be prohibited.

D. Automobile dealers providing vehicle service and repair shall provide a minimum of 6 queuing (waiting) spaces for service write-ups, which shall not encroach into required parking or loading spaces.

E. The retail sales of motor vehicles from a residentially zoned property shall be prohibited as a Home Occupation.

F. Motor vehicle sales on any property with shared parking facilities shall only be permitted if all vehicle sales, display, and storage areas are located within a fully enclosed building.

G. Motor vehicle sales as a temporary sales event shall only be permitted pursuant to the requirements for "temporary and interim uses" contained in this Division. The motor vehicle retailer shall be licensed to a fixed motor vehicle sales location in the City.

5.03.310: Motor Vehicle Storage Facilities

The following standards shall govern the establishment and operation of motor vehicle storage facilities:

A. For the purposes of administration and enforcement of this Section:

1. Any motor vehicle maintained on a property for 72 or more consecutive hours shall be deemed to be "stored."

2. Motor vehicle storage shall include the keeping of automobiles, trucks, vans, recreational vehicles and watercraft, motorcycles, trailers, forklifts, and any inoperative vehicle, regardless of vehicle type.

B. The indoor storage of motor vehicles shall comply with all applicable requirements of the fire and building codes.

C. All vehicles stored outdoors shall be screened from public view by a minimum 8-FT high decorative masonry block wall.

D. All vehicles stored outdoors shall comply with all requirements of the base zoning district, which are applicable to the design and use of outdoor storage areas.

5.03.315: Personal Fitness Trainer

Within the IP, IL, and IH zoning districts, a personal fitness trainer shall only be allowed to establish in conjunction with fitness and recreational sports centers (NAICS 713940).

5.03.320: Personal Property Donation Bins

A. Welfare and Institutions Code Division 1, Chapter 2 (commencing with Section 150) allows a city, county, or city and county to impose requirements on the solicitation and sale of salvageable personal property within its jurisdiction.

B. The following regulations shall govern the establishment and operation of salvageable personal property collection boxes/bins within the City:

1. The provisions of Welfare and Institutions Code Division 1, Chapter 1.8 (commencing with Section 148) and Chapter 2 (commencing with Section 150), which governs the acquisition and disposition of salvageable personal property for charitable purposes, and unattended collection bins, respectively, shall be complied with.

2. Salvageable personal property collection bins may only be established in conjunction with a host business, subject to Conditional Use Permit approval pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

3. Collection bins shall be constructed and maintained with durable, waterproof, and rustproof material, and shall be fully enclosed.

4. Collection bins shall be clearly marked to identify the type of materials that may be deposited.

5. Collection bins shall be swept and maintained in a in a clean, litter-free condition, on a daily basis.

6. Collection bins shall be setback a minimum of 30 FT from any arterial street property line, and 20 FT from any collector or local public street property line, and shall not obstruct pedestrian or vehicular circulation.

7. The occupation of parking spaces by salvageable personal property collection bins shall not reduce available parking spaces below the minimum required for the host business pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

8. Collection bins shall not encroach upon any existing landscaped areas, unless replaced elsewhere on the site.

9. Additional landscaped areas and architectural elements, such as vertical and horizontal decorative trellises, seat walls, and raised planters, may be required by the Approving Authority to screen collection bins.

5.03.325: Pharmaceutical and Medicine Manufacturing

Within the BP and IP zoning districts, the development of new pharmaceutical and medicine manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.330: Pharmacies and Drug Stores

Drive-thru facilities in conjunction with pharmacies and drug stores shall be permitted subject to the provisions of Section 5.03.165 (Drive-Thru Facilities) of this Division.

5.03.335: Plastics Product Manufacturing

Within the IP zoning district, the development of new plastics product manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.340: Recycling Facilities

The purpose of this Section is to implement the California Beverage Container Recycling and Litter Reduction Act (PRC Section 14500, et seq.). The following standards shall govern the establishment and operation of recyclable container collection facilities:

A. **Reverse Vending Machines.** Reverse vending machines may be established in conjunction with a host business for the collection of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, and shall comply with the following:

1. Reverse vending machines shall be established pursuant to the requirements of this Development Code, and the building and fire codes of the City.

2. Reverse vending machines shall be located within 30 FT of the entrance of the host business and shall not obstruct pedestrian or vehicular circulation.

3. Reverse vending machines shall be constructed and maintained with durable waterproof and rustproof materials and shall be covered.

4. Reverse vending machines shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and telephone number of the operator or manager if the facilities become inoperable.

5. Reverse vending machines shall be limited to 3 machines for each host business.

6. Reverse vending machines shall occupy a maximum of 50 SF per installation, including any protective enclosure, and shall not exceed 9 FT in height.

7. Reverse vending machines shall not occupy parking spaces required for the host business pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code, nor shall it encroach upon any landscaped area.

8. Reverse vending machines shall be maintained in a clean, litter-free condition.

9. The operating hours of reverse vending machines shall be the same as the host business.

10. Reverse vending machines shall be illuminated to ensure comfortable and safe operation if open between dusk and dawn.

B. Small Collection Facilities. Small collection facilities may be established in conjunction with a host business for the collection of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, and shall comply with following:

1. Small collection facilities shall occupy a maximum area of 500 SF and shall be established in conjunction with a host business at a fixed location within the City, which complies with this Development Code, and the building and fire codes of the City.

2. Small collection facilities shall be constructed and maintained with durable, waterproof and rustproof material, with fully enclosed materials storage containers.

3. Small collection facilities shall be clearly marked to identify the type of recyclables that may be deposited.

4. The name and telephone number of the owner or manager, and the hours of operation of small collection facilities shall be conspicuously posted.

5. Small collection facility sites shall be swept and maintained in a in a clean, litter-free condition on a daily basis.

6. Small collection facilities shall be setback a minimum of 20 FT from any public street right-of-way and shall not obstruct pedestrian or vehicular circulation.

7. Small collection facilities shall not operate power-driven sorting or consolidating equipment, such as crushers, shredders, balers, or other mechanized equipment.

8. Use of the facility for deposit of solid waste or hazardous waste is prohibited.

9. The operating hours of small collection facilities with attendants shall be the same as the host business, except that facilities located within 100 FT of property zoned for, or occupied by, residential land uses shall only be operated between the hours of 9:00 AM and 7:00 PM.

10. Small collection facilities without attendants shall be located at least 30 FT from any property zoned for, or occupied by, residential land uses, unless the facility is located within an established service area/corridor and, for sound attenuation purposes, a minimum 6-FT high masonry block wall has been constructed between the small collection facility and the residential land use(s).

11. Mobile recycling facilities shall have an area clearly marked to prohibit other vehicular parking during the hours when the mobile unit is scheduled to be present.

12. The occupation of parking spaces by a small collection facility and any attendant shall not reduce available parking spaces below the minimum required for the host business pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code, unless the facility is located within one-half mile of a supermarket. A reduction in required parking spaces may be allowed to accommodate a small collection facility pursuant to Table 5.03-5 (Small Collection Facility Maximum Parking Reduction), below.

Table 5.03-4: Small Collection Facility Maximum Parking Reduction

Required Number of Parking Spaces	*Parking Space Reduction*
0 to 25 spaces:	0 spaces
26 to 35 spaces:	2 spaces
36 to 49 spaces:	3 spaces
50 to 99 spaces:	4 spaces
100 or more spaces:	5 spaces

13. Small collection facilities shall not encroach upon any existing landscaped areas, unless replaced elsewhere on the site. Furthermore, additional landscaped areas and architectural elements, such as vertical and horizontal decorative trellises, seat walls, and raised planters, may be required to screen collection containers.

C. Large Collection Facilities. Large collection facilities may be established for the collection of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, and shall comply with following:

1. Large collection facilities shall occupy an area of more than 500 SF and shall not be appurtenant to a host use.

2. Large collection facilities shall not be located within 500 FT of property zoned, planned or occupied for residential land uses.

3. All processing activities shall be within a fully enclosed building.

4. Large collection facilities shall be screened from public view by buildings or decorative masonry block walls, which are of sufficient height to completely screen all loading, processing, and storage activities/facilities. All gates shall be view obstructing.

5. All materials stored outside shall be maintained within fully enclosed containers that are secured and maintained in good condition. Storage containers for flammable materials shall be constructed of nonflammable materials. Oil storage shall be in containers approved by the Ontario Fire Department.

6. Large collection facilities shall be swept and maintained in a in a clean, litter-free condition on a daily basis, and shall be secured from unauthorized entry and removal of materials when unattended.

7. Large collection facilities shall provide adequate area on-site to accommodate a minimum of 6 vehicles, or the anticipated peak customer volume, whichever is higher, to circulate and deposit recyclable materials.

8. Containers provided for after-hours donation shall be located at least 50 FT from any property zoned, planned or occupied for residential use. Containers shall be of sturdy, rustproof construction, have sufficient capacity to accommodate materials collected, and be secured from unauthorized entry or removal of material. Containers shall be located at least 10 FT from any building.

9. Donation containers shall be clearly marked to identify the type of material that may be deposited. Notices shall be conspicuously posted stating that no material shall be left outside of donation containers.

10. The name and telephone number of the owner or manager, and the hours of operation of large collection facilities shall be conspicuously posted.

11. Large collection facilities may operate power-driven processing equipment, including aluminum foil and can compacting, baling, shredding, or other similar light processing activities necessary for efficient temporary storage and shipment of materials, as may be approved by the Planning Director.

12. The business owner and the property owner, if different from the business owner, shall cause the removal of all recyclable materials that have accumulated, or are deposited, on the site, on a regular basis, but no less than annually. Upon failure to remove the recyclable materials, the City may deem the land use and the property thereon to be abandoned and may enter the property for the purpose of removing the recyclable materials. The business owner and the property owner, if different from the business owner, shall be responsible for payment to the City, all costs borne by the City related to the enforcement of this Paragraph.

D. Processing Facilities. Processing facilities may be established for the recycling of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, which are purchased from recycling centers located within the state of California. Processing facilities are not intended for the acceptance of donated or purchased post-consumer food and beverage containers from the general public. Processing facilities shall comply with following:

1. A processing facility shall not accept donated post-consumer food and beverage containers, nor shall it purchase such materials, from the public; however, a processing facility shall not be precluded from operating on the same site with, or in conjunction with, a collection facility, provided each activity is located within the correct zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

2. Processing facilities shall not be located within 500 FT of any property zoned or planned for, or occupied by, residential land uses.

3. All processing activities, including collection, processing, and storage, shall be conducted within a fully enclosed building.

4. Processing facilities shall be screened from public view by buildings or decorative masonry block walls, which are of sufficient height to completely screen all loading, processing, and storage activities/facilities. All gates shall be view obstructing.

5. Processing facilities may operate power-driven processing equipment for the purpose of baling, briquetting, crushing, compacting, grinding, shredding, sorting, or other similar processing activities. Processing facilities shall not shred, compact, or bale ferrous metals, excepting food and beverage containers.

6. Processing facilities shall be maintained in a in a clean, litter-free condition on a daily basis, and shall be secured from unauthorized entry and removal of materials when unattended.

7. A processing facility owner and the property owner, if different from the business owner, shall cause the removal of all recyclable materials that have accumulated, or are deposited, on the site, on a daily basis. Upon failure to remove the recyclable materials, the City may deem the land use and the property thereon to be abandoned and may enter the property for the purpose of removing the recyclable materials. The facility owner, and the property owner, if different from the business owner, shall be responsible for payment to the City, all costs borne by the City related to the enforcement of this Paragraph.

5.03.345: Residential Care Facilities, Other—6 or Fewer Persons

"Other residential care facilities" for 6 or fewer persons may only be established in conjunction with a single-family dwelling.

5.03.350: Salvage Facilities

The following standards shall govern the establishment and operation of salvage facilities for the purpose of reclaiming recyclable equipment, materials, and parts, from home appliances, commercial and industrial machinery, motor vehicles, and other similar recyclable items acceptable to the Approving Authority:

A. Salvage facilities shall be located a minimum of 300 FT from any residentially zoned lot.

B. Loading and processing activities, and stored vehicles, materials, and equipment, shall be completely screened from public view and view from adjoining lots, by buildings and/or decorative masonry block walls with view-obstructing gates.

C. Loading, processing, and storage activities shall not be conducted within a required setback area.

D. All setbacks from a street property line shall be fully landscaped and permanently maintained, excepting those areas necessary for pedestrian or vehicular access.

E. All sorting, compaction, shredding, grinding, crushing, and other similar processing activities, shall be conducted within a completely enclosed structure designed to minimize noise and dust generated by the activities.

F. All existing salvage facilities, regardless of the zoning district in which they are located, shall conform with the requirements of this Section within one-year following notification by the Planning Director of the pending amortization of the use. The Planning Commission may abrogate

the requirements of this Subsection because unusual circumstances exist with regard to the site or its location, which makes full compliance with the requirements of this Section impracticable.

5.03.355: Self-Storage Facilities

A self-storage facility may exceed the maximum FAR of the zoning district in which it is located, provided that the facility, at its proposed maximum buildout, has been proven to be no more intense than other permitted land uses in the same general vicinity and the same zoning district. To this end, an Equivalent Impact Study (EIS) shall be prepared for the proposed self-storage facility, which shall determine its maximum allowed gross floor area based upon the comparable traffic generation of other existing permitted land uses in the same general vicinity and the same zoning district, constructed at the maximum allowed FAR of the zoning district.

5.03.360: Senior Citizen Housing Developments

A. Purposes. The purpose of this Section is to establish minimum standards, regulations and incentives for the development of senior citizen housing, and low income senior citizen housing within the City's commercial zoning districts, in a manner that is consistent with the Policy Plan component of The Ontario Plan, this Development Code, and State Density Bonus Law (GC Section 65915).

B. Applicability. Senior Citizen Housing Developments shall be allowed on property located pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

C. Definitions. For purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings thereafter specified:

1. Affordable Housing Cost for Owner Occupied Low Income Household. The affordable housing costs as defined in HSC Section 50052.5, exclusive of subdivision (a).

2. Affordable Housing Cost for Owner Renter Occupied Low Income Household. The affordable housing costs as defined in HSC Section 50053, exclusive of subdivision (a).

3. Affordable Housing Cost for Owner Occupied Very Low Income Household. The affordable housing costs as defined in HSC Section 50052.5, exclusive of subdivision (a).

4. Affordable Housing Cost for Owner Renter Occupied Very Low Income Household. The affordable housing costs as defined in HSC Section 50053, exclusive of subdivision (a).

5. Density Bonus Waivers and Modifications. Those waivers and modifications of City development standards granted by City to Owner of a senior citizen housing development defined as conditions affecting the physical location or type of construction of the senior citizen housing development structure and do not include use restrictions, procedural requirements, and fees as more particularly described in GC Section 65915(o)(1).

6. Low Income Households (Lower Income Households). Households, as defined in HSC Section 50079.5, paying Affordable Housing Costs or Affordable Rents for a Senior Citizen Housing unit.

7. Very Low Income Households. Households, as defined in HSC Section 50105 paying Affordable Housing Costs or Affordable Rents for a Senior Citizen Housing unit.

D. Base Density. Within residential zoning districts, the base density for a Senior Citizen Housing Development shall be pursuant to the development standards of the respective zoning district. Within nonresidential zoning districts, the base density for a Senior Citizen Housing Development shall be as follows:

Base Density *(in DU/Acre)*	***Districts***			
	CN	***CC***	***MU-1***	***MU-6***
	25	25	25	25

E. Density Bonus.

1. In addition to the base density provided by Subsection D, above, senior citizen housing developments within residential zoning districts shall be eligible for a density bonus as provided in State density bonus law, as prescribed in Subsection 6.01.010.G (Density Bonus and Other Incentives) of this Development Code. Nonresidential zoning districts shall be eligible for a density bonus as provided in State density bonus law, as follows:

Density Bonus *(in percentage/units)*	***Districts***			
	CN	***CC***	***MU-1***	***MU-6***
	20%	20%	20%	20%

2. For senior citizen housing developments using the density bonus provisions of State density bonus law, a density bonus regulatory agreement securing the use of the senior citizen housing development by qualified senior citizens shall also be required. The density bonus regulatory agreement shall be recorded against the property and shall be in a form acceptable to the City Attorney.

3. The density bonus provisions shall apply to senior citizen housing developments consisting of 5 or more dwelling units, exclusive of a caretaker's unit. All density calculations resulting in fractional units shall be rounded up to the next whole number.

4. Pursuant to State density bonus law, applicants for senior citizen housing developments may request certain waivers and modifications of the City's development standards. For purposes of considering such requests for waivers and modifications of development standards, the "development standards" shall be defined as conditions affecting the physical location or type of construction of the senior citizen housing project, and do not include use restrictions, procedural requirements, and fees as more particularly described in GC Section 65915(o)(1).

5. Use of the senior citizen housing development for use by senior citizen households shall be secured via use of covenants and/or agreements recorded against the property in a form acceptable to the City Attorney.

F. Affordability Bonus for Senior Citizen Housing Developments.

1. In addition to the base density provided by Subsection D and the density bonus authorized by Subsection E of this Section, senior citizen housing developments shall be eligible for an additional density bonus of 10% above the total number of units that can be constructed (base density plus density bonus) whenever an applicant makes at least 50% of the additional units affordable (affordable rental units or affordable for-sale housing) to very low and/or low income senior citizen households. In example, a senior citizen housing development that is entitled to construct 100 units, may construct 10 additional units when it makes 5 of those units available to very low and/or low income senior citizen households.

2. All density calculations resulting in fractional units shall be rounded up to the next whole number, including the determination of affordable units. Use of the affordability bonus provided in this Section shall be subject to the senior citizen housing development meeting the development standards contained in this Section.

3. Affordability of the units for very low and/or low income senior citizen households shall be secured via use of covenants and/or agreements for a minimum term of 45 years for ownership units and 55 years for rental units. The affordability covenants/agreement shall be in a form acceptable to the City Attorney.

G. Senior Citizen Housing Locational Criteria. A request for Conditional Use Permit approval of a senior citizen housing development shall be reviewed pursuant to the extent to which the senior citizen housing development substantially complies with each of the following locational criteria:

1. Transit Amenities. The site is within one-quarter mile of a transit station, rail station, commuter rail station or bus station, or bus stop with service at least every 30 minutes during the hours of 7:00 AM to 9:00 AM, and 4:00 PM to 6:00 PM.

2. Parks and Open Space. The site is within one-quarter mile of a public park (not including school grounds, unless there is a bona fide, formal joint use agreement between the City and the school district providing availability to the general public of the school grounds and/or facilities) or a community center, senior citizen center, or other facility offering daily services specifically designed for senior citizens, which is open to the general public.

3. Library. The project site is within one-quarter mile of a public library, or senior or community center, which contains a library.

4. Daily Shopping Opportunities. The project site is within one-quarter mile of a grocery store/supermarket where staples, fresh meat, and fresh produce are sold.

5. Medical Facilities. The project site is within one mile of a medical clinic or hospital (not merely a private doctor's office).

6. Pharmacy. The project site is within one mile of a pharmacy or supermarket containing an interior pharmacy.

H. Senior Citizen Housing Development Amenities. A request for Conditional Use Permit approval of senior citizen housing development shall be reviewed pursuant to the extent to which the senior citizen housing development substantially complies with one or more of the following development amenities:

1. High speed internet service is provided in each unit (free of charge to the tenants) or within a group activity room within the senior citizen housing development.

2. The senior citizen housing development will provide a bona fide service coordinator available on the premises to assist with activities of daily living, or provision of counseling services, social event planning, and/or concierge service.

3. The Senior Citizen Housing Development will provide exercise facilities on the premises.

I. Senior Citizen Dwelling Unit Standards. Notwithstanding any other provision of this Section, the minimum floor area for each residential unit for senior citizen use shall be as follows:

1. Bachelor or studio-type dwelling units: Four hundred fifty (450) SF;

2. One-bedroom dwelling units: Five hundred fifty (550) SF; and

3. Two-bedroom dwelling units: Six hundred fifty (650) SF.

J. Senior Citizen Development Parking Standards. Notwithstanding any other provision of this Development Code, the number of parking spaces required to be provided for senior citizen housing developments may be as low as 0.25 spaces per rental dwelling unit and as high as 1.0 space per for-sale dwelling unit. The actual ratio shall be determined at the time of project approval for the use and shall be based upon a parking demand study to be prepared by a qualified traffic consultant or engineer. Ten percent of the parking spaces provided shall be designated as parking for the physically impaired ("handicapped parking spaces"). In determining the number of parking spaces required, the following factors, as well as any other relevant factors, shall be considered:

1. The number of employees required by the use, whether such employees will reside on the premises, and hours during which any nonresident employees will be employed;

2. The availability of public transportation;

3. Whether residents of the use will be eligible for government rent subsidies;

4. The degree to which on-site provision of services and facilities will affect the need of residents to leave the site; and

5. The proximity of facilities and services to the site. Where appropriate, employee parking on the site shall be separately identified and shall be available only to employees.

6. Other Development Standards. Except as provided by this Section, additional development standards for senior citizen housing developments shall be those applicable to residential uses in such underlying zoning districts.

5.03.363: Short Term Rentals

A. Definitions. As used in this Section, the words or phrases listed below shall have the meanings thereafter specified:

1. Booking transaction. Any reservation or payment service provided by a person who facilitates a short-term rental, home sharing, or similar transaction between a prospective guest and a host.

2. Director. The finance director of the City of Ontario.

3. Dwelling unit. A structure or portion thereof which is used for human habitation.

4. Guest. A person who rents a short-term rental for a period of less than 30 days.

5. Group. A single guest or any number of guests who are occupying a short-term rental on a single rental agreement.

6. Host. A person engaged in providing short-term rental at their primary residence.

7. Hosted stay. Short-term rental activity whereby the host remains on the site of his or her primary residence throughout the duration of the guest's stay, expect during daytime and/or work hours.

8. Hosting platform. A marketplace in whatever form or format which facilitates the short-term rental activity, through advertising, match-making, or any other means, using any medium of facilitation, and from which the operator of the hosting platform derives revenues, including booking fees or advertising revenues, from providing or maintaining the marketplace.

9. Primary residence. The dwelling unit used as the permanent residence or usual place of return for housing by the host. A person may have only one primary residence.

10. Short-term rental. A dwelling unit, or any portion thereof, that is rented by the host to another party for a period of not more than 30 consecutive days in exchange for any form of monetary or non-monetary consideration, including trade, fee, swap or any other consideration in lieu of cash payment. Hosted stays, Un-hosted stays, and vacation rentals are types of short-term rental.

11. Transient occupancy tax or "TOT". The tax imposed on occupancies of 30 consecutive calendar days or less under Chapter 6 of Title 3 of the Ontario Municipal Code.

12. Un-hosted stay. A short-term rental activity whereby the host remains off the site of his or her primary residence-site for some or all of the duration of the guest's stay.

13. Vacation rental. A dwelling unit that is not a primary residence, and which is available for temporary lodging, for compensation or any form of consideration. The term "vacation rental" shall not include: single-room occupancy buildings, bed and breakfast inns, hotels, a dwelling unit for which a tenant has a month-to-month rental agreement and the rental payments are made on a monthly basis, or corporate housing.

B. Permit required for authorized short-term rental. No person, either for themselves or any other person, shall cause, allow, conduct, permit, maintain, or facilitate short-term rental at any dwelling unit within the city without first obtaining a short-term rental permit pursuant to this chapter, and complying with all other applicable provisions of this code. A short-term rental permit shall only be issued to authorize hosted stays and un-hosted stays. Vacation rentals are prohibited.

C. Permit application. To apply for a short-term rental permit, a person seeking to become a host must file an application with the City, accompanied by a nonrefundable processing fee in an amount established by resolution of the city council. The application shall be in a form prescribed by the City and shall contain, at a minimum, the following:

1. The legal name, current address and telephone number of the applicant;

2. Address of the short-term rental property, and if applicable, location telephone number;

3. An index of all residents of the property with name and date of birth, juveniles may be listed by title and age only;

4. A diagram of the property indicating areas intended for use as short-term rental;

5. Documentation indicating the number of bedrooms within the dwelling unit, such as a record from the County Assessor's Office;

6. A parking plan indicating sufficient lawful parking on the property for all vehicles belonging to residents and one additional space for each bedroom of the house to be used for short-term rental;

7. Evidence that the applicant has applied for and is in the process of obtaining a business license pursuant to Chapter 1 of Title 3 of the Ontario Municipal Code;

8. A home occupation permit pursuant to Section 5.03.240 of the Ontario Development Code is not required;

9. Emergency contact information for 24-hour response within 30 minutes;

10. Certification by the applicant that the information contained in the application is true to his or her knowledge and belief;

11. Documentation establishing that the dwelling unit proposed to be used as a short-term rental is the host's primary residence. Such documentation shall include at least two of the following and be in the name of the host: Motor vehicle registration, driver's license, voter registration, or tax documents showing the residential unit as the residence of the host;

12. Two passport size photographs of the applicant; and

13. Any other information required by regulations promulgated pursuant to this chapter or deemed necessary by the director.

D. Application investigation and criteria for approval or denial or permit. Upon receipt of a completed application, the City, shall cause an investigation of the applicant and the application as submitted. The investigation shall be completed in a timely manner as follows and the applicant shall be notified of the result in writing in a timely manner:

1. The applicant shall be required to pay the established fees for such service in addition to the permit fee.

2. Inspection of the property by city staff shall be scheduled within 30 days of application. Annual inspections will be required upon renewal of a short-term rental permit.

3. If, as a result of this investigation, the applicant is found to satisfy all of the requirements of Section 5.03.063.D., and no grounds for denial exist, the application shall be approved, and a short-term rental permit shall be issued to the applicant. The permit shall contain the name, address of the permittee, a description of the short-term rental to be offered, the date of issuance and term of the permit, photograph of the permittee, and the signature of the Planning Director or his or her designee.

4. A short-term rental permit application may be denied for any of the following reasons:

a. Information contained in the application, or supplemental information requested from the applicant, is false or misleading in any material detail;

b. The applicant failed to provide a complete application, after having been notified of the requirement to produce additional information or documents;

c. The applicant is delinquent in payment of any city or county taxes, fines, or penalties in relation to short-term rental;

d. The applicant has previously held a short-term rental permit which was revoked by the city during the year prior to the application;

e. The applicant has failed to pay any previous administrative fines, remediate any other violations, and/or complete any other alternative disposition associated with a previous violation of this chapter; or

f. The applicant has failed to demonstrate an ability to conform to the operating standards set forth in Section 5.03.363.1.

If the permit application is denied, written notice of such denial and the reasons therefore shall be provided to the applicant.

E. Permit expiration and renewal. A short-term rental permit shall be valid for 12 months from the date of issuance and shall expire and become null and void on the first anniversary date of its issuance. A person may apply for a permit renewal on a form provided by the city prior to the expiration of his or her active short-term rental permit and upon successfully completing an inspection by city staff. The applicant shall be required to pay the administrative fee for the permit renewal fee in the amount established by city council resolution at the time the renewal application is filed. In addition, the applicant shall renew their business license. Failure of the applicant to submit a complete application prior to the expiration date of the existing short-term rental permit shall be a basis for denial of the renewal.

F. Permit revocation. Two (2) violations of any provision of this chapter or this code within one year by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, with respect to any one residential dwelling shall result in an immediate suspension of the short-term vacation rental permit. A revocation under this section may be appealed in accordance with the procedure set forth in Section 5.03.363(G), below.

G. Appeals. Any person whose short-term rental permit is denied or revoked may file an appeal of the decision in writing with the city clerk within 15 days following the date of the director's decision stating the grounds for said appeal. The appellant shall pay a non-refundable fee in an amount established by resolution of the city council for such appeal. The city clerk shall schedule an appeal hearing with the city manager or his or her designee within 15 days of an appeal being filed. The decision of the city manager or the designee shall be final.

H. Permits nontransferable. A short-term rental permit granted pursuant to this chapter shall not be transferable to another person, parcel number, or to another property owner. Said permit shall not run with the land or property to which it applies.

I. Operating requirements. Short-term rental hosts shall comply with the following requirements:

1. The host shall be:

a. The property owner or the spouse, parent, or adult child of the property owner.

b. A tenant of the property who has occupied the property as his or her primary residence prior to making application for a short-term rental permit and who has submitted written authorization from the property owner to operate short-term rental at the residence.

2. The dwelling unit shall be the primary residence of the host.

3. The dwelling unit must be located within the following zones: AR-2, RE-2, RE-4, LDR-5, MDR-11, MDR-18, MDR-25, HDR-45, LUA-3, MU-2, MU-1, MU-3, MU-6, MU-8B, MU-8C, MU-8D and MU-8E, including residential and mixed-use zoning districts within specific plan and planned unit development areas. Dwelling units are not permitted to be used as short-term rentals in any other zones.

4. All advertising for the dwelling unit as a short-term rental that is displayed on a hosting platform or other media shall display the number of the current and valid permit as issued by the city, a street-view photo of the front of the house and the maximum number of guests based on the occupancy limit set forth in subsection 1.5.

5. The dwelling unit's occupancy, including the host, other residents of the dwelling unit, and guests, during a short-term rental shall not exceed two times the number of bedrooms of the dwelling unit.

6. The short-term rental permit shall be conspicuously displayed in each area of the dwelling unit available for occupancy.

7. Any accessory dwelling unit subject to a covenant that specifically prohibits rentals of 30 days or less may not be used as a short-term rental.

8. A single dwelling unit shall be limited to two groups of any number concurrently or two concurrent booking transactions.

9. The short-term rental shall comply with all applicable provisions of this Code and State law.

10. Conditions that cause a public nuisance, as defined by this code or state law, are prohibited at the dwelling unit during a short-term rental.

11. Un-hosted stays shall be limited to a total of 90 days within a calendar year at the same dwelling unit. Hosted stays shall not be limited.

12. Excessive traffic to and from the short-term rental that significantly impairs the quiet enjoyment of neighboring properties is prohibited.

13. Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. The amplification of sound by any device outside the short-term rental is prohibited. Quiet hours during which noise must be restricted to the interior of the short-term rental shall be between 10:00 p.m. and 7:00 a.m. the following morning.

14. The obstruction of any public right-of-way, road, street, highway, or private road by occupants of the unit is prohibited.

15. No event, including a conference, wedding, fundraiser, or similar gathering, or any commercial event, may be held at a short-term rental.

16. The permittee shall install at least one public-facing camera at or near the front entrance of the home that enables the host or manager to remotely monitor the number of individuals entering the home and activity in the front yard. The permittee shall install at least one public-facing camera over the garage of the home that enables the host or manager to remotely monitor the activity in the front driveway and street in front of the residence. The permittee shall maintain video recordings from both required cameras for a minimum of 30 days.

17. A permittee shall, for a period of at least one year after the date of each stay, keep written rental records that document the following information:

a. All dates on which the permittee rented the short-term rental to one or more guests;

b. The name and contact information for each renter; and

c. The license plate(s) of vehicles associated with the renter stored at or near the short-term rental during their stay.

18. Short-term rentals, within those neighborhood communities with established Homeowner Associations (HOAs), shall comply with any HOA Short-Term Rental provisions and/or regulations.

19. Off-street parking spaces shall be provided on the property sufficient for all vehicles associated with the short-term rental property or its occupants in accordance with the Ontario Development Code Section 6.03.015. Parking is allowed only in designated driveways and garages. The maximum number of vehicles at a Short-Term rental property at any time is equivalent to the minimum number of parking spaces required for that property.

J. Hosting platform requirements.

1. Hosting platforms shall be responsible for collecting all applicable TOTs and remitting the same to the city. TOT remittance is due monthly, in accordance with Chapter 6 of Title 3 of the Ontario Municipal Code. The hosting platform shall be considered a managing agent of the host for purpose of TOT collections and remittance responsibilities as set forth in Chapter 6 of Title 3 of the Ontario Municipal Code.

2. Subject to applicable laws, hosting platforms shall disclose to the city on a regular basis each short-term rental listing located in the city, the names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing and the price paid for each stay.

3. Hosting platforms shall require hosts to include the city-issued registration number in their listing(s), in a format designated by the city. Upon notice from the city that a listing is non-compliant, hosting platforms shall cease any short-term rental booking transactions for said listing(s) within five business days. A hosting platform shall not complete any booking transaction for a residential property or unit subject to a city notice until notified by the city that the residential property or unit is in compliance with the local registration requirement.

4. Hosting platforms shall not collect or receive a fee, directly or indirectly through an agent or intermediary, for facilitating or providing services ancillary to a vacation rental or unregistered short-term rental, including, but not limited to, insurance, concierge services, catering, restaurant bookings, tours, guide services, entertainment, cleaning, property management, or maintenance of the dwelling unit.

5. A hosting platform operating exclusively on the internet, which operates in compliance with subsections 1., 2., 3., and 4. above, shall be presumed to be in compliance with this chapter.

6. The provisions of this section shall be interpreted in accordance with otherwise applicable state and federal law(s) and will not apply if determined by the city to be in violation of, or preempted by, any such law(s).

K. Enforcement and penalties.

1. Operating a short-term rental without a valid short-term rental permit and business license is prohibited. Advertising shall be considered prima facie evidence of operation. Additional evidence of operation may include, but shall not be limited to, guest testimony, online reviews, rental agreements, receipts, or any other information deemed relevant by the city.

2. A violation of this chapter shall constitute a public nuisance, which may be abated by any means provided by law, including, but not limited to, injunctive relief, issuance of administrative fines pursuant to Chapter 2 of Title 1 of the Ontario Municipal Code, and shall also constitute a misdemeanor punishable pursuant to Chapter 2 of Title. The city may issue an administrative citation to any applicant, occupant, responsible person, local contact person, owner, owner's authorized agent or representative, or hosting platform of this code, if there is any violation of this chapter committed, caused or maintained by any of the above parties. Nothing in this section shall preclude the city from also issuing a citation upon the occurrence of the same offense on a separate day.

3. An administrative citation may impose a civil penalty for one (1) or more violations of this chapter in the maximum amount allowed by state law or this code. A civil penalty issued in

accordance with this code shall be in the amount of one thousand dollars ($1,000.00) for the first violation, two thousand dollars ($2,000.00) for the second violation, and three thousand dollars ($3,000.00) for the third and all subsequent violations.

4. Each and every day, or portion thereof, a violation of this chapter exists shall constitute a separate and distinct violation.

5. The remedies provided herein are intended to be cumulative and may be used in lieu of or in addition to any other remedy provided by this chapter or other law."

5.03.365: Single-Family Dwellings

Within the MDR-25 and HDR-45 zoning districts, single-family dwellings shall only be allowed:

A. On legally established lots having a gross area that is less than the minimum required by the base zoning district pursuant to Table 6.01-3 (Multiple-Family Residential Development Standards); and

B. On legally established lots having a gross area that results in a density calculation of less than the allowed density range for the base zoning district pursuant to Table 6.01-3 (Multiple-Family Residential Development Standards) of this Development Code.

5.03.370: Single Room Occupancy (SRO) Facilities

The following standards shall govern the establishment and operation of SRO facilities:

A. A minimum of one full common kitchen shall be provided on each floor (story) if full kitchens are not provided within each unit. For the purposes of this provision, a full kitchen shall include a range or stove and oven, sink, and refrigerator.

B. If complete bathrooms are not provided in each unit, shared showers shall be provided at a ratio of one shower for each 8 residents, or fraction thereof, on the same floor. Lockers shall be provided for use of the residents.

C. An SRO facility shall not be located within 500 FT, as measured in a straight line from any point along the outer boundaries of the property containing the use, of any public or private school for children under the age of 18, church, child daycare center, family child daycare facility, or any existing SRO facility.

D. A comprehensive management plan shall be submitted with applications for conditional use permits. The plan shall include the company or agency responsible for resident selection, day-to-day maintenance of the facility, proposed security arrangements and background information and references for the proposed management company or agency.

5.03.375: Soap, Cleaning Compound, and Toilet Preparation Manufacturing

Within the IP zoning district, the development of new soap, cleaning compound, and toilet preparation manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.380: Sound (Audio) Recording Facilities

Within the OL, OH and IH zoning districts, sound (audio) recording facilities shall only be allowed in conjunction with a permitted or conditionally permitted land use. Standalone sound recording facilities within these zoning districts shall be prohibited.

5.03.385: Spring and Wire Product Manufacturing

Within the IP zoning district, the development of new spring and wire product manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.390: Tattooing, Body Piercing, Branding, and the Application of Permanent Cosmetics

The below-listed standards shall govern the establishment and operation of body art services in the City. For the purposes of this section, "body art services" shall mean tattooing, body piercing, branding, or the application of permanent cosmetics, excepting the piercing of an ear with a disposable, single-use, presterilized stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear.

A. Every person and every business engaged in body art and/or permanent cosmetics services shall comply with all applicable provisions of the Safe Body Art Act (HSC Section 119300 et seq.).

B. Every person and every business engaged in body art and/or permanent cosmetics services shall obtain a health permit from the San Bernardino County Division of Environmental Health Services prior to commencement of the business activity.

C. A person proposing to construct, remodel, or revise a body art and/or permanent cosmetics facility shall first submit plans to the Ontario Planning Department and the San Bernardino County Division of Environmental Health Services for review and approval, prior to construction.

D. A body art services business located in the MU-1 (Downtown Mixed Use) zoning district shall not be located within 0.25-mile, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any other body art services business. Refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map for locations.

5.03.395: Temporary and Interim Land Uses, Buildings, and Structures

The following temporary and interim land uses shall be allowed upon the issuance of an Administrative Use Permit by the City pursuant to Section 4.03.015 (Administrative Use Permit) of this Development Code:

A. **Interim Farming Activities on Vacant or Underdeveloped Lands.** Farming activities may be established and operated as an interim use on vacant or underdeveloped lands pursuant to the requirements of Subsection 5.03.405.F (Urban Farms) of this Division.

B. **Model Homes.** The following standards shall govern the design and establishment of model homes:

1. Access shall meet the requirements of the Americans with Disabilities Act.

2. Any "trap" fencing shall be located on private property.

3. Any garage used as a sales office shall be converted back to a garage prior to dwelling occupancy.

4. A model complex consisting of 3 or more model homes shall develop and improve a separate lot to accommodate off-street parking, which shall be provided pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

5. Subdivisions of 8 or more dwellings having at least one model home that is landscaped, shall demonstrate by installed landscape and irrigation, the principles of water-efficient landscaping and irrigation.

6. The developer of model homes constructed prior to the recordation of a final map for the subdivision containing the model homes, shall enter into a model home agreement with the City, in a form satisfactory to the City Attorney, to ensure that the model homes will not be sold prior to recordation of the final map, and that the model homes will be demolished and removed should the final map not record within a period acceptable to the City.

7. The project proponent shall remove the model homes and their appurtenances from the affected property within 30 days following the expiration of the Administrative Use Permit.

8. In approving a model home facility, the Reviewing Authority may require the installation of certain minimum improvements, such as paved parking, lighting and landscaping, and other improvements necessary to ensure and protect the public health, safety, and welfare.

9. To ensure removal of model homes and their appurtenances within the required period, the Reviewing Authority may require the project proponent provide a performance guarantee pursuant to Division 2.06 (Performance Guarantees) of this Development Code, in the amount of $10,000. The performance guarantee may be utilized by the City to pay any fees and costs incurred by the City, which is associated with the enforcement of Paragraphs A.1 through 8, above, and any conditions of Administrative Use Permit approval imposed by the Reviewing Authority.

C. **Street Fairs.** Street fairs may be allowed within any commercial or mixed-use zoning district.

D. Temporary Alcoholic Beverage Sales. Temporary alcoholic beverage sales for consumption on the premises may be allowed within nonresidential zoning districts in conjunction with a temporary activity, display, or event for which an Administrative Use Permit is granted pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code.

E. Temporary Buildings and Structures. Temporary buildings and structures, including but not limited to trailers and prefabricated ("modular") buildings, and appurtenances thereto, may be allowed within any residential, commercial, mixed-use, industrial, specialized use, or overlay zoning district, subject to the following:

1. The Planning Director may approve temporary buildings and structures for an initial 2-year period, which shall be granted pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code. The time in which the approval expires may be extended by the Reviewing Authority for a maximum of 2 one-year periods.

2. Temporary buildings and structures requested for periods in excess of the maximum 4 years allowed pursuant to Paragraph E.1, above, may be allowed for periods not to exceed a total of 10 years, subject to Conditional Use Permit approval, granted pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

3. In approving temporary buildings and structures, the Reviewing Authority may require the installation of certain minimum improvements, such as paved parking, lighting and landscaping, and other improvements necessary to ensure and protect the public health, safety, and/or welfare.

4. The project proponent shall remove the temporary building(s) or structure(s), and any appurtenances thereto, from the affected property within 30 days following the expiration of project approval.

5. To ensure removal of a temporary building or structure, and all appurtenances thereto, within the required period, the Reviewing Authority may require the project proponent provide a performance guarantee pursuant to Division 2.06 (Performance Guarantees) of this Development Code, in the amount of $10,000. The performance guarantee may be utilized by the City to pay any fees and costs incurred by the City, which is associated with the enforcement Paragraphs F.1 and F.3, above, and any conditions of Administrative Use Permit or Conditional Use Permit approval, as applicable, imposed by the Reviewing Authority.

F. Temporary Facilities. Temporary facilities, such as parking lots for interim use, may be allowed within any residential, commercial, mixed-use, industrial, specialized use, or overlay zoning district, subject to the following:

1. The Planning Director may approve temporary facilities for an initial 2-year period, which shall be granted pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code. The time in which the approval expires may be extended by the Planning Director a maximum of 2 one-year periods.

2. Temporary facilities requested for periods in excess of the maximum 4 years allowed pursuant to Paragraph E.1, above, may be allowed for periods not to exceed a total of 10 years, subject to Conditional Use Permit approval, granted pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

3. In approving a temporary facility, the Reviewing Authority may require the installation of certain minimum improvements, such as paved parking, lighting and landscaping, and other improvements necessary to ensure and protect the public health, safety, and/or welfare.

4. The project proponent shall remove the temporary facility and all appurtenances thereto from the affected property within 30 days following the expiration of the Administrative Use Permit.

5. To ensure removal of a temporary facility and all appurtenances thereto within the required period, the Reviewing Authority may require the project proponent provide a performance guarantee pursuant to Division 2.06 (Performance Guarantees) of this Development Code, in the amount of $10,000. The performance guarantee may be utilized by the City to pay fees and costs incurred by the City, associated with the enforcement of Paragraphs E.1 and E.3, above, and any conditions of Administrative Use Permit or Conditional Use Permit approval, as applicable, imposed by the Reviewing Authority.

G. Temporary Outdoor Activities, Displays, Events, and Sales. Temporary outdoor sales, displays, and activities may be allowed within any commercial, mixed-use, industrial, or specialized use zoning district, and within residential zoning districts in conjunction with a legally established religious assembly land use, subject to the approval of an Administrative Use Permit pursuant to Section 4.03.015 (Administrative Use Permit) of this Development Code, and are further classified as follows:

1. Retail Sales Events and Other Similar Business Events. Retail sales events and other similar business events, including but not limited to special outdoor sales, sidewalk sales, and parking lot sales, are subject to the following:

a. A retail sales event or other similar business event shall only be allowed in conjunction with a legally established business that has been operated for a period of at least 180 days prior to the retail sales event or other similar business event.

b. Retail sales events and other similar business events shall be limited to 12, one-week periods per calendar year, per business location. The one-week periods may be used consecutively, with a mandatory down time of one week between each 6-week period.

c. The outdoor display of merchandise shall be restricted to an area directly adjacent to the business' exterior storefront; however, in the case of shopping centers, when it is not practical for the outdoor display area to be located directly adjacent to the business front, the sale area shall be located in an area as close as practically possible, to the business' exterior storefront.

d. The display of merchandise shall not impede pedestrian or vehicular circulation.

e. All merchandise, materials, signs, and debris shall be removed from the outdoor area by 9:00 AM following the last day of the retail sales event.

2. Holiday Retail Sales. Holiday retail sales include Christmas tree and pumpkin sales, and shall be limited to 30 days duration, 2 times per calendar year, for each business location.

3. Shows and Exhibits. Religious, historic, patriotic, or other similar outdoor displays may be permitted within a yard, parking lot or landscaped area, by or for the benefit of nonprofit organizations, subject to the following:

a. Shows and exhibits shall be limited to 30 days duration within any 90-day period.

b. The show or exhibit shall not impede pedestrian or vehicular traffic.

c. Shows and exhibits shall not be conducted within 1,000 FT of any residential land use, as measured in a straight line from any point along the outer boundaries of the property containing the show or exhibit. This separation requirement may be reduced by the Planning Director, provided the type and size of event proposed could in no way adversely affect residential land uses.

d. All equipment, materials, signs, and debris shall be removed from the outdoor area by 9:00 AM following the last day of the display.

4. Amusement and/or Sporting Events. Bazaars, circuses, carnivals, rodeos, pony rides and other similar temporary amusement and/or sporting events may be permitted, subject to the following:

a. Events shall be limited to 2 periods of 7 days duration per calendar year, for each event location. The 2 event periods may be used consecutively.

b. Events shall not be conducted within 1,000 FT of any residential zoning district, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the event. This separation requirement may be reduced by the Planning Director, provided the type and size of event proposed could in no way adversely affect residential land uses.

c. All equipment, materials, signs, and debris shall be removed from the event location by 9:00 AM following the last day of the event.

5. Tent Revivals. Tent revivals and other similar temporary events involving the large assemblage of people and/or equipment within a temporary structure or in the open air, may be permitted, subject to the following:

a. Tent revivals shall be limited to 2 periods of 7 days duration per calendar year, for each event location. The 2 event periods may be used consecutively.

b. Tent revivals shall not be conducted within 1,000 FT of any residential land use, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the tent revival. This separation requirement may be reduced by the Planning Director, provided the type and size of event proposed could in no way adversely affect residential land uses.

c. All equipment, materials, signs, and debris shall be removed from the event location by 9:00 AM following the last day of the event.

6. Charitable and Fund Raising Events. Fund raising events for charitable organizations and other non-profit organizations, such as churches, schools, clubs, and other

similar organizations, may be permitted to hold special outdoor fund raising events, hosted by and in conjunction with a legally established commercial or industrial land uses, subject to the following:

a. Charitable and fund raising events shall be limited to 12 events per calendar year per location, not to exceed one event per month. Events shall be limited to a maximum of 4 days duration.

b. Charitable and fund raising events shall be restricted to an area directly adjacent to the host business' exterior; however, when it is impractical for the event to be located directly adjacent to the host business, such as in the case of a commercial shopping center, the event shall be located in an area as close as practically possible to the host business' exterior.

c. Charitable and fund raising events shall not impede pedestrian or vehicular circulation.

d. All equipment, materials, signs, and debris shall be removed from the event location by 9:00 AM following the last day of the event.

H. Temporary Produce Stands. Temporary produce stands may be established and operated pursuant to the requirements of 5.03.410.E.2.d (Community Garden On-Site Produce Sales) and 5.03.410.F.d.2 (Urban Farm On-Site Produce Sales) of this Division.

I. Temporary Real Estate Sales, Lease and Rental Offices. Temporary real estate sales, lease, and rental offices may be allowed within any residential, commercial, mixed-use, industrial, specialized use, or overlay zoning district, subject to the following:

1. A temporary real estate sales, lease, or rental office shall be located a minimum of 200 FT from any existing dwelling outside of the subdivision or development project.

2. A temporary real estate sales, lease, or rental office may be established within a model dwelling, or within a temporary structure specifically designed for the use and approved pursuant to Subsection E (Temporary Office Structures) of this Section.

3. A certificate of occupancy for a temporary real estate sales, lease, or rental office shall not be issued until after a subdivision has been recorded with the San Bernardino County Recorder, or a building permit has been issued for a multiple-family development project.

4. Temporary real estate sales, lease, or rental offices shall be removed from the site within 30 days following the sale, lease, or rental of the last dwelling unit.

5. Comply with all provisions of Division 8.1 (Sign Regulations) pertaining to temporary real estate sales, lease, and rental signs.

J. Temporary Wireless Telecommunications Facilities. Temporary wireless telecommunications facilities may be allowed to fulfill short-term wireless capacity and/or coverage needs of the community, resulting from special activities or events for which a Temporary Use Permit has been approved, or to serve areas experiencing short-term population increases which the existing wireless telecommunications system cannot adequately support, such as seasonal retail sales, and other City-supported activities/events.

1. The Planning Director may approve short-term temporary wireless telecommunications facility pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code. Should the City determine that a temporary wireless telecommunications facility is needed to fulfill the short-term wireless capacity and coverage needs of the community, an application for the short-term temporary wireless telecommunications facility, and applicable processing fees, shall be submitted for review and approval by the City. Furthermore, the following shall be imposed as a condition of application approval:

a. The short-term temporary wireless telecommunications facility may remain in place for a period of 90 days from date of installation. The time in which the approval expires may be extended for a maximum of 2 periods of 90 days duration, each, for a total of 270 days.

b. Engineered plans and drawings (if required) to erect the temporary wireless telecommunications facility are to be submitted to the Building and Planning Departments for review and approval. All applicable building permits shall be required.

c. If a generator is to be provided to operate or provide backup power to the temporary wireless telecommunications facility, all applicable requirements of OMC Chapter 29 (Noise) of Title 5 (Public Welfare, Morals and Conduct) shall be complied with.

d. An agreement with the City and the posting of a $10,000 bond shall be required for any short-term temporary wireless telecommunications facility. The agreement shall state the applicant's concurrence with the temporary nature of the permit and the acceptance of the conditions of approval. The bond shall secure the applicant's obligations to immediately remove approved facility upon expiration of the use permit. (Note: The bond requirement may be waived by the Development Agency Director.)

5.03.400: Thrift and Secondhand Stores, and Used Goods Stores

The on-site collection of salvageable personal property in conjunction with thrift and secondhand stores, and used goods stores, shall be prohibited, except as allowed by Section 5.03.320 (Personal Property Collection Bins) of this Division.

5.03.403: Single-Family Two-Unit Projects

A. **Purpose.** The purpose of this Section is to allow and appropriately regulate Single-Family Two-Unit Projects pursuant to GC Section 65852.21.

B. **Definition**. A "Single-Family Two-Unit Project" means the development of two primary dwelling units or, if there is already a primary dwelling unit on the lot, the development of a second primary dwelling unit on a legally subdivided lot pursuant to the requirements of this Section.

C. **Application**.

1. Only individual property owners may apply for a Two-Unit Project. "Individual property owner" means a natural person holding fee title individually or jointly in the person's own name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, LP, LLC, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Section 214.15).

2. An application for a Two-Unit Project shall be submitted on a City application form.

3. The applicant shall obtain a certificate of compliance with the Subdivision Map Act for the lot and provide the certificate with the application.

4. Only a complete application will be considered. The City will inform the applicant in writing of any incompleteness within 30 days following application submittal.

5. The City may establish a fee to recover its costs for adopting, implementing, and enforcing this Section of the Development Code, pursuant to applicable law. The City council may establish and change the fee by resolution. The fee shall be paid with the application.

D. **Approval**.

1. An application for a Two-Unit Project is approved or denied ministerially, by the Planning Director, without discretionary review.

2. The ministerial approval of a Two-Unit Project does not take effect until the City has confirmed that all required documents have been recorded, such as the deed restriction and easements.

3. The approval shall require the owner and applicant to hold the City harmless from all claims and damages related to the approval and its subject matter.

4. The approval shall require the owner and applicant to reimburse the City for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this Development Code.

E. **Requirements**. A Two-Unit Project shall satisfy all of the following requirements:

1. Subdivision Map Act (SMA) Compliance. The lot shall have been legally subdivided.

2. Zoning District. The lot is in a single-family residential zoning district. For the purpose of this Section, the term "single-family residential zoning district" shall mean the LRD-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district.

3. Lot Location. Pursuant to the GC Section 65913.4(a)(6)(B) through (K), the lot to be split shall not be located on a site that is any of the following:

a. Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters.

b. A wetland.

c. Within a very high fire hazard severity zone, unless the site complies with all fire-hazard mitigation measures required by existing building standards.

d. A hazardous waste site that has not been cleared for residential use.

e. Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection building code standards.

f. Within a 100-year flood hazard area, unless the site has either:

(1) Been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction; or

(2) Meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.

g. Within a regulatory floodway, unless all development on the site has received a no-rise certification.

h. Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.

i. Habitat for protected species.

j. Land under conservation easement.

4. Not Historic. The lot shall not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a city or county landmark, or as a historic property or district.

5. No Impact on Protected Housing. The Two-Unit Project shall not require or include the demolition or alteration of any of the following types of housing:

a. Housing that is income-restricted for households of moderate, low, or very low income.

b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its policy power.

c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (GC Sections 7060–7060.7) at any time in the 15 years prior to submission of the Urban Lot Split application.

d. Housing that has been occupied by a tenant in the last 3 years. The applicant and the owner of a property for which an Urban Lot Split is sought shall provide a sworn statement as to this fact with the application for the tentative parcel map. The City may conduct its own inquiries and investigation to ascertain the veracity of the sworn statement, including but not limited to, surveying owners of nearby properties; and the City may require additional evidence of the applicant and owner as necessary to determine compliance with this requirement.

6. Unit Standards.

a. *Quantity*.

(1) No more than two dwelling units of any kind may be built on a lot that results from an Urban Lot Split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created pursuant to Section 5.03.403 (Two-Unit Projects) of this Development Code, or an ADU or JADU created pursuant to State law and Section 5.03.010 (Accessory Dwelling Unit) of this Development Code.

(2) A lot that is not created by an Urban Lot Split may have a Two-Unit Project as provided by this Section, plus any ADU or JADU that shall be allowed pursuant to State law and Section 5.03.010 (Accessory Dwelling Unit) of this Development Code.

b. *Unit Size*.

(1) The total floor area of each primary dwelling that is developed under this Section shall be a minimum of 500 SF in area and a maximum of 800 SF in area.

(2) A primary dwelling that was legally established on the lot prior to the Two-Unit Project and is larger than 800 SF is limited to the lawful floor area at the time of the Two-Unit Project. The unit may not be expanded.

(3) A primary dwelling that was legally established prior to the Two-Unit Project and is smaller than 800 SF may be expanded to 800 SF after or as part of the Two-Unit Project.

c. *Height Restrictions*.

(1) On a lot that is larger than 2,000 SF, no new primary dwelling unit may exceed one-story or 16 FT in height, measured from grade to peak of the structure.

(2) On a lot that is smaller than 2,000 SF, no new primary dwelling unit may exceed two-stories or 22 FT in height, measured from grade to peak of the structure. Any portion of a new primary dwelling that exceeds one story in height shall be stepped back by an additional 5 FT from the ground floor; no balcony deck or other portion of the second story may project into the stepback.

(3) No rooftop deck is permitted on any new or remodeled dwelling or structure on a lot with a Two-Unit Project.

d. *Demo Cap*. The Two-Unit Project shall not involve the demolition of more than 25 percent of the existing exterior walls of an existing dwelling unless the site has not been occupied by a tenant in the last 3 years.

e. *Lot Coverage*. This lot coverage standard is only enforced to the extent that it does not prevent two primary dwelling units on the lot at 800 SF each, as required by the underlying zoning district.

f. *Setback Requirements*.

(1) **Generally**. All setbacks shall conform to the minimum requirements of the underlying zoning district.

(2) **Exceptions**. Notwithstanding subpart E.6.f above:

(a) Existing Structures. No setback is required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.

(b) Cannot Preclude Construction of Two 800-SF Units and 4-FT Side/Rear Setbacks. The setbacks imposed by the underlying zoning district shall yield to the degree necessary to avoid physically precluding the construction of up to two units on the lot or either of the two units from being at least 800 SF in floor area; but in no event may any structure be less than 4 FT from a side or rear property line.

(3) **Front Setback Area**. Notwithstanding any other part of this code, dwellings that are constructed under this Section shall conform to the front setback requirement of the underlying zoning district. The front setback area shall:

(a) Be kept free from all structures greater than 3 FT high; and

(b) Allow for vehicular and fire-safety access to the front structure.

g. *Parking*. Each new primary dwelling unit shall have at least one off-street parking space per unit within a fully enclosed garage having a minimum interior clear area measuring 10 FT in width and 20 FT in length, unless one of the following applies:

(1) The lot is located within one-half mile walking distance of either

(a) A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours or

(b) A site that contains:

(i) An existing rail or bus rapid transit station,

(ii) A ferry terminal served by either a bus or rail transit service, or

(iii) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

(2) The site is located within one block of a permanently established car-share vehicle pickup/drop-off location.

h. *Architecture*.

(1) If there is a legal primary dwelling on the lot that was established before the Two-Unit Project, any new primary dwelling unit shall match the existing primary dwelling unit with respect to exterior materials, finishes, color, and dominant roof pitch. The dominant roof pitch means the slope shared by the largest portion of the roof.

(2) If there is no legal primary dwelling on the lot before the Two-Unit Project, and if two primary dwellings are developed on the lot, the dwellings shall match each

other with respect to exterior materials, finishes, color, and dominant roof pitch. The dominant roof pitch means the slope shared by the largest portion of the roof.

(3) All exterior lighting shall be limited to down-lights.

(4) No window or door of a dwelling that is constructed on the lot may have a direct line of sight to an adjoining residential property. Decorative masonry block walls, dense landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.

(5) If any portion of a dwelling is less than 30 FT from a property line that is not a public street right-of-way line, then all windows and doors in that portion shall either be (for windows) clerestory with the bottom of the glass at least 6 FT above the finished floor, or (for windows and doors) utilize frosted or obscure glass.

i. *Walls, Fences, and Obstructions*.

(1) A lot comprising a Two-Unit Project shall be provided with 6-FT high decorative masonry block walls (reduced to 3 FT in height within front setback areas) at the following locations:

(a) Interior side and rear lot lines of each lot; and

(b) Street side property lines and along the rear property line of through lots, setback a minimum of 5 FT behind the sidewalk.

(2) The construction and maintenance of walls, fences, and other obstructions shall comply with the requirements of Chapter 6.0 (Development and Subdivision Regulations), (Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

j. *Landscaping*. A lot comprising a Two-Unit Project shall be fully landscaped and provided with a permanent automatic irrigation system pursuant to the requirements Chapter 6.0 (Development and Subdivision Regulations), Division 6.05 (Landscaping) of this Development Code.

k. *Nonconforming Conditions*. A Two-Unit Project shall be approved only if all nonconforming zoning conditions are corrected.

l. *Utilities*.

(1) Each primary dwelling unit on the resulting lots shall have its own direct utility connection to the utility service provider.

(2) Each primary dwelling unit on the resulting lots that is or that is proposed to be connected to an onsite wastewater treatment system shall first have a percolation test completed within the last 5 years or, if the percolation test has been recertified, within the last 10 years.

m. *Building & Safety*. All structures built on a lot comprising a Two-Unit Project shall comply with all current local building standards. A project under this Section is a change of use and subjects the whole of the lot, and all structures, to the City's current code.

7. Fire-Hazard Mitigation Measures. A lot in a very high fire hazard severity zone shall comply with each of the following fire-hazard mitigation measures:

a. It shall have direct access to a public street right-of-way with a paved street with a width of at least 40 FT. The public street right-of-way shall have at least two independent points of access for fire and life safety to access and for residents to evacuate.

b. All dwellings on the site shall comply with current fire code requirements for dwellings in a very high fire hazard severity zone.

c. All enclosed structures on the site shall have fire sprinklers.

d. All sides of all dwellings on the site shall be within a 150-FT hose-pull distance from either the public street right-of-way or of an onsite fire hydrant or standpipe.

e. If the lot does not have a swimming pool, the lot shall have a water reservoir of at least 5,000 gallons per dwelling, with fire-authority approved hookups compatible with fire-authority standard pump and hose equipment.

8. Separate Conveyance.

a. Primary dwelling units on the lot may not be owned or conveyed separately from each other.

b. Condominium airspace divisions and common interest developments are prohibited.

c. All fee interest in a lot and all dwellings on the lot shall be held equally and undivided by all individual property owners.

9. Regulation of Uses.

a. *Residential-Only*. No non-residential use is permitted on the lot.

b. *No Short Term Rentals*. No dwelling unit on a lot comprising a Two-Unit Project shall be rented for a period of less than 30 days.

c. *Owner Occupancy*. Unless the lot comprising a Two-Unit Project was formed by an Urban Lot Split, the individual property owners of a lot with a Two-Unit Project shall occupy one of the dwellings on the lot as the owners' principal residence and legal domicile.

10. Notice of Construction.

a. At least 30 business days before starting any construction of a Two-Unit Project, the property owner shall give written notice to all the owners of record of each of the adjacent residential parcels, which notice shall include the following information:

(1) Notice that construction has been authorized,

(2) The anticipated start and end dates for construction,

(3) The hours of construction,

(4) Contact information for the project manager (for construction-related complaints), and

(5) Contact information for the Building & Safety Department.

b. This notice requirement does not confer a right on the noticed persons or on anyone else to comment on the project before permits are issued. Approval is ministerial. Under state law, the City has no discretion in approving or denying a particular project under this Section. This notice requirement is purely to promote neighborhood awareness and expectation.

11. Deed Restriction. The owner shall record a deed restriction, acceptable to the City, that does each of the following:

a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.

b. Expressly prohibits any non-residential use of the lot.

c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest development within the lot.

d. If the lot is not created by an Urban Lot Split: Expressly requires the individual property owners to live in one of the dwelling units on the lot as the owners' primary residence and legal domicile.

e. States that the property is formed by an Urban Lot Split and is therefore subject to the City's Urban Lot Split regulations, including all applicable limits on dwelling size and development.

F. Specific Adverse Impacts.

1. Notwithstanding anything else in this Section, the City may deny an application for a Two-Unit Project if the building official makes a written finding, based on a preponderance of the evidence, that the project would have a "specific, adverse impact" on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

2. The term "specific adverse impact" has the same meaning as in GC Section 65589.5(d)(2): "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" and does not include (1) inconsistency with the zoning ordinance or general plan land use designation or (2) the eligibility to claim a welfare exemption under Revenue and Taxation Code Section 214(g).

3. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.

G. Remedies. If a Two-Unit Project violates any part of this Development Code or any other legal requirement:

1. The buyer, grantee, or lessee of any part of the property has an action for damages or to void the deed, sale, or contract.

2. The City may:

a. Bring an action to enjoin any attempt to sell, lease, or finance the property.

b. Bring an action for other legal, equitable, or summary remedy, such as declaratory and injunctive relief.

c. Pursue criminal prosecution, punishable by imprisonment in county jail or state prison for up to one year, by a fine of up to $10,000, or both; or a misdemeanor.

d. Record a notice of violation.

e. Withhold any or all future permits and approvals.

f. Pursue all other administrative, legal, or equitable remedies that are allowed by law, this Development Code, or the City's Municipal Code.

5.03.405: Temporary Shelters and Supportive Housing

The following standards shall govern the establishment and operation of Supportive Housing for the homeless families, persons with disabilities and homeless youth, and Temporary Shelters, including Emergency Shelters, Transitional Housing, and Transitional Living Centers.

A. General Requirements.

1. No portion of any Temporary Shelter or Supportive Housing facility shall be located within 300 FT of another such facility that is constructed, or that is approved for construction.

2. Temporary Shelters and Supportive Housing facilities shall observe State and Federal Fair Housing regulations and standards.

3. No more than one Federal, State, or Youth Authority parolee shall be allowed to live in a Temporary Shelter or Supportive Housing facility.

4. An application submitted for approval of a Temporary Shelter or Supportive Housing facility shall identify whether any boarders are currently Federal, State, or Youth Authority parolees. Owners and/or operators of Temporary Shelters and Supportive Housing facilities shall update the information required by this Section anytime a person that is a Federal, State, or Youth Authority parolee is provided accommodations at the facility.

5. All Temporary Shelters and Supportive Housing facilities shall require boarders to sign a Crime Free Lease Addendum as part of their lease or rental agreement (as applicable), which provides that any criminal violations perpetrated by boarders shall be grounds for termination of the written or oral lease, sublease, or agreement under which they reside at the temporary/transitional shelter or housing.

6. Temporary Shelters and Supportive Housing facilities shall be operated in full compliance with all applicable requirements of this Development Code. Violation of any local,

State, or Federal laws by individual boarders while on the premises shall be grounds for Conditional Use Permit (if applicable) and/or business license revocation, including but not limited to, violations of PC Section 3003.5.

7. No Temporary Shelter or Supportive Housing facility shall be maintained as a nuisance. The conduct of any Temporary Shelter or Supportive Housing facility within the City, in violation of any of the terms of this Article or other applicable provisions of this Development Code found and declared to be a public nuisance, and the City Attorney or the District Attorney may, in addition or in lieu of prosecuting a criminal action hereunder, commence an action or proceeding for the abatement, removal and enjoinment thereof, in the manner provided by law; and shall take other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate or remove such Temporary Shelter or Supportive Housing facility, and restrain and enjoin any person from conducting, operating or maintaining a Temporary Shelter or Supportive Housing facility contrary to the provisions of this Article or Development Code.

8. Any owner, operator, manager, employee or independent contractor of a Temporary Shelter or Supportive Housing facility violating or permitting, counseling, or assisting the violation of any of the provisions of this Article or applicable provisions of this Development Code regulating Temporary Shelters and Supportive Housing facilities shall be subject to any and all civil and criminal penalties pursuant to OMC Title 1, Chapter 2 (Penalty Provisions), and/or administrative citations pursuant to OMC Title 1, Chapter 5 (Administrative Citations). All remedies provided herein shall be cumulative and not exclusive. Any violation of these provisions shall constitute a separate violation for each and every day during which such violation is committed or continued.

9. For those Temporary Shelters and Supportive Housing facilities that require Conditional Use Permit approval pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, violation of any of provision of this Section, or the Conditional Use Permit authorizing the Temporary Shelter or Supportive Housing facility, shall be grounds for revocation of the Conditional Use Permit pursuant to the provisions of Division 2.05 (City Initiated Modification or Revocation) of this Development Code.

10. Temporary Shelters and Supportive Housing facilities shall be prohibited within ALUCP safety zones.

11. Temporary Shelters and Supportive Housing facilities shall be in compliance with all requirements of this Development Code at all times, as well as any applicable provisions of the Ontario Municipal Code, including obtaining any other permits or licenses, such as building permits or a business license, required before establishing, expanding or maintaining the use.

B. Emergency Shelters. When allowed by Table 5.02-1 (Land Use Matrix) of this Development Code, Emergency Shelters shall be subject to the following standards:

1. The maximum length of stay for an Emergency Shelter client shall be 6 months.

2. On-site management shall be provided during the hours that the Emergency Shelter is in operation.

3. On-site security shall be provided during the hours that the Emergency Shelter is in operation.

4. No more than 20 client/tenant beds shall be allowed within any Emergency Shelter.

5. An intake waiting area equal to a minimum of 10 SF for each client/tenant bed shall be provided.

6. The exterior of the intake waiting areas shall be screened from public view by a 6-FT high decorative masonry block wall and appropriate landscaping.

7. A storage area for use by clients/tenants shall be provided at a rate of 7 SF for each client/tenant bed. A storage area is not required to be provided adjacent to the respective client/tenant bed.

8. An emergency shelter shall provide lavatory, toilet, and shower facilities adequate for the number of clients/tenants served; however, a minimum of one such facility shall be provided for each 15 client/tenant beds.

5.03.410: Urban Agriculture

A. Purpose. The purpose of these urban agriculture regulations is to create a more sustainable and secure local food system by increasing opportunities to grow and sell food within all zoning districts of the City.

B. Applicability. The urban agriculture regulations established by this Section govern the establishment and operation of agricultural activities and facilities within all zoning districts of the City. The regulations established by this Section recognize 5 different urban agricultural activities, including Animal Keeping and Production; Commercial Crop Production and Farming; Community Gardens; Urban Farms; and On-Site Produce Sales Stands.

C. Animal Keeping and Production.

1. Residential Animal Keeping.

a. *Allowed Activities/Facilities.* Residential animal keeping shall be maintained only as an ancillary use to single-family dwellings, and shall be maintained only for noncommercial hobby or show purposes, or for the personal enrichment of City residents, as follows:

(1) Residential Zones. Residential animal keeping is permitted by right within the AR-2 and RE-2 zoning districts in conjunction with a single-family dwelling. Furthermore, the keeping of 4 or fewer household pets is permitted by right within all residential and mixed-use zoning districts, and within the AG and MHP zoning districts, in conjunction with a single-family or multiple-family dwelling.

(2) Commercial Zones. Residential animal keeping is prohibited within all commercial zoning districts.

(3) Mixed-Use Zones. Residential animal keeping is limited to the keeping of household pets within all mixed-use zoning districts.

(4) Industrial Zones. Residential animal keeping is prohibited within all industrial zoning districts.

(5) Specialized Use Zones. Residential animal keeping is permitted by right within the AG zoning district. Furthermore, the keeping of 4 or fewer household pets is permitted within the MHP zoning district.

b. *Land Use Standards.* The following standards govern residential animal keeping activities and facilities:

(1) General Requirements.

(a) Animals At Large—It shall be unlawful for any person within the City having the care, charge, control, or possession of any animal, fowl or bird to permit it to be, remain, go, or run at large upon any public street, alley, or unenclosed lot or land in the City, except dogs on leashes, cats, racing homing pigeons during runs, an animal in a vehicle, or a horse mounted or led by a responsible person. Animals shall be secured by a fence or wall at least 5 FT in height when out of doors.

(b) Sanitation of Premises—

(i) Every person owning or occupying property within the City upon which any animal, fowl, or bird is kept shall maintain the property and any stable, barn, stall, pen, coop, building, or place thereon in which animals are kept, in a clean and sanitary condition so as not to be detrimental to the public health.

(ii) Proper management of animal waste shall be carried out pursuant to all requirements of the State Regional Water Quality Control Board or regulating agency.

(c) Proximity of Animals to Yards, Property Lines, Dwellings and Residential Accessory Structures—

(i) It shall be unlawful in residential zones of the City to keep any animal, except household pets, within 20 FT of any property line.

(ii) It shall be unlawful for any person to keep any animal, other than household pets, within 50 FT (70 FT for swine) of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes, except as allowed by Subparagraph (iii), below.

(iii) It shall be unlawful for any person to keep any hobby, show or game bird, fowl, or rabbit, other than a household pet, within 30 FT of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes.

(iv) No animal is to be stabled, kept, or maintained in any front or street-side yard area.

(d) Nonconforming Animal Keeping Activities. Animal keeping that becomes non-conforming by reason of new development on neighboring properties may be continued; provided, the nonconforming activity maintains compliance with the provisions of Division 3.01 (Nonconforming Lots, Land Uses and Structures) of the Ontario Development Code.

(e) Maximum Animal Keeping Densities. Table 5.03-6 (Maximum Animal Keeping Densities as an Accessory Use), below, establishes the maximum number of animals that may be maintained on a lot, provided the particular animal type is allowed pursuant to Table 5.01-1 (Land Use Matrix) of the Ontario Development Code. The maximum animal densities are based upon net lot area; however, any portion of a lot used to qualify one animal type shall not be used to qualify another animal type.

Table 5.03-5: Maximum Animal Keeping Densities as an Accessory Use

Animal Type	*Maximum Animal Density*
A. Birds	One animal for each 1,000 SF of lot area, except that within the AR-2 zoning district, maximum animal density may be increased as determined by a Conditional Use Permit
B. Cattle and Buffalo	One animal for each 6,000 SF of lot area
C. Exotic Pets	As determined by Conditional Use Permit
D. Horses	One animal for each 6,000 SF of lot area
E. Household Pets	Pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, not to exceed 8 animals
F. Llamas, Alpacas, Burros, Donkeys, and Mules	One animal for each 4,000 SF of lot area
G. Ostriches, Emus, and Rheas	One animal for each 6,000 SF of lot area
H. Poultry and Fowl	One animal for each 1,000 SF of lot area
I. Rabbits and Chinchillas	One animal for each 1,000 SF of lot area
J. Swine	One animal for each 20,000 SF of lot area, not to exceed 3 animals
K. Sheep, Goats (female only), and Similar Livestock	One animal for each 3,600 SF of lot area

(2) **Keeping of Exotic Pets.** The keeping of exotic pets shall be allowed only in conjunction with, and accessory to, a single-family dwelling, subject to the following standards:

(a) The keeping of exotic animals shall require approval of a Conditional Use Permit pursuant to Section 4.02.025 (Conditional Use Permits) of the Ontario Development Code.

(b) The approval of a Conditional Use Permit for an exotic animal shall not be effective until the Reviewing Authority receives written evidence that the applicant has obtained a permit from the State Department of Fish and Game, if required.

(c) The keeping of an exotic animal shall comply with all applicable Federal and State laws and requirements.

(3) **Keeping of a Potbellied Pig.** The keeping of a potbellied pig as a household pet shall only be allowed in the AR-2, RE-2, RE-4, and LDR-5 zoning districts, in conjunction with, and ancillary to, a traditional single-family dwelling, subject to the following standards:

(a) For the purposes of this Section, the term "potbellied pig" shall mean a domesticated miniature Vietnamese, Chinese, or Asian potbellied pig, not

exceeding 90 pounds in weight and 18 inches in height (measured at the shoulder) and characterized by a swayed back and straight tail.

(b) Potbellied pigs shall be provided with a fenced yard designed to assure confinement of the animal when kept outside. Yard areas shall be maintained in a clean, safe, and odor-free condition.

(c) There shall be no more than one potbellied pig permitted on a lot.

(d) Potbellied pigs shall be licensed in the same manner as dogs, subject to the same restrictions and penalties, pursuant to the provisions of OMC Title 6 (Sanitation and Health).

(e) The breeding of potbellied pigs shall not be permitted. All potbellied pigs shall be spayed or neutered.

(f) Prior to licensing of a potbellied pig, veterinary certification shall be required stating:

(i) The pig is spayed or neutered;

(ii) The pig is in good health and has received all necessary vaccinations; and

(iii) The height and weight of the potbellied pig.

(g) All male potbellied pigs 2 years of age or older shall have their tusks removed.

(h) While outside the owner's premises or property, potbellied pigs shall be restrained by a harness and leash, or other similar restraint, no more than 6 FT in length.

(4) **Male Goats.** It shall be unlawful to keep any male goat that is not neutered.

(5) **Poisonous or Otherwise Dangerous Reptiles.** It shall be unlawful to keep any poisonous or otherwise dangerous reptile, as determined by the Zoning Administrator.

(6) **Crowing Fowl.** It shall be unlawful for any person to keep any crowing rooster, peacock, guinea fowl, or any other fowl that by sound or cry shall unreasonably disturb the peace and quiet of a neighborhood.

2. Commercial Animal Production.

a. *Allowed Activities/Facilities.* Commercial animal production includes cattle ranching and farming; sheep and goat farming; aquaculture; apiculture, horse, and other equine production; fur-bearing animal production; kennels and catteries, alpaca, and llama production; aviaries; ostrich, emu and rhea production; and support activities for animal production. Commercial animal production is allowed as a primary use of land, as follows:

(1) Residential Zones. Commercial animal production is prohibited within residential zoning districts, except that within the AR-2 zoning district, kennels and catteries having fewer than 8 animals shall be permitted as a Home Occupation pursuant to the requirements of the Section 5.03.240 of this Development Code.

(2) Commercial Zones. Commercial animal production is prohibited within commercial zoning districts, except that kennels and catteries, for the purpose of boarding only, shall be allowed within the CC and CR zoning districts in conjunction with veterinary and/or animal hospital services (NAICS 541940), pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

(3) Mixed-Use Zones. Commercial animal production is prohibited within mixed-use zoning districts.

(4) Industrial Zones. Commercial animal production is prohibited within industrial zoning districts, except that kennels and catteries shall be allowed within the IL and IH zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

(5) Specialized Use Zones. Commercial animal keeping is conditionally permitted (requires Conditional Use Permit approval pursuant to the requirements of Section 4.02.015 of this Development Code) within the AG zoning district on lots no less than 2 acres in area (20,000 SF for farms exclusively for small animal keeping), except apiculture (bee keeping and production), which is permitted by right within the AG, ONT, and UC zoning districts.

b. *Land Use Standards.* The following standards shall govern the development and/or operation of facilities for commercial animal production and related uses:

(1) Minimum Lot Area. Animal keeping for animal production and related uses (excludes kennels and catteries, for the purpose of boarding only, in conjunction with veterinary and/or animal hospital services) shall be on a lot of no less than 2 acres in area, except that farms exclusively for small animal keeping, including apiaries, aviaries, rabbit, chinchilla, or other similar small raising, shall be permitted on lots of no less than 20,000 SF in area.

(2) Animals At Large. It shall be unlawful for any person within the City of Ontario, which has the care, charge, control, or possession of any animal, fowl or bird to permit it to be, remain, go, or run at large upon any public street, alley, or unenclosed lot or land in the City, except dogs on leashes, cats, racing homing pigeons during runs, an animal in a vehicle, or a horse mounted or led by a responsible person.

(3) Sanitation of Premises.

(a) Every person owning or occupying property within the City upon which any animal, fowl, or bird is kept shall maintain the property and any stable, barn, stall, pen, coop, building, or place thereon in which animals are kept, in a clean and sanitary condition so as not to be detrimental to the public health.

(b) Proper management of animal waste shall be carried out pursuant to all requirements of the State Regional Water Quality Control Board or regulating agency.

(4) Hitching and Tethering Animals. It shall be unlawful to hitch, tie, or otherwise fasten any horse, cow, or other animal to any tree or shrub within the City, or to tether

or hitch for feeding any animal so as to allow the animal to cross any street, sidewalk, or alley within the City.

(5) Proximity of Animals to Yards, Property Lines, Dwellings and Residential Accessory Structures, and Water Wells.

(a) It shall be unlawful in residential zones of the City to keep any animal, other than household pets, within 20 FT of any property line.

(b) It shall be unlawful for any person to keep any animal, other than household pets, within 50 FT of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes, except as allowed by Subparagraph (c), below.

(c) It shall be unlawful for any person to keep any hobby, show or game bird, fowl, or rabbit, other than a household pet, within 30 FT of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes.

(d) No animal is to be stabled, kept, or maintained in any front or street-side yard area.

(e) No animals shall be kept within 100 FT of any domestic water well.

(f) Any new animal feed trough, corral/pen, dairy/feed lot, including manure stockpiles and related wastewater detention basins, shall maintain a minimum 500-FT separation from the boundary of any residential or non-residential subdivision map recorded after January 31, 2000. A reduction in the separation requirement may be considered for facilities with proven means of reducing odors, such as covering lagoons, substituting concrete-lined pits for lagoons, and employing recommended ventilation systems for animal confinement buildings. Consideration of alternative setbacks shall be subject to consultation with qualified agricultural engineers to ensure that the measure will reliably accomplish the intended purpose.

(g) A minimum 100-FT separation shall be maintained between any new residential or nonresidential development, or any structure used for public assembly, and any existing animal feed trough, corral/pen, or an existing dairy/feed lot, including manure stockpiles and related wastewater detention basins. The separation requirement may be satisfied by off-site easements acceptable to the Planning Director.

(6) Nonconforming Animal Keeping Activities. Areas used for animal keeping that become non-conforming by reason of new development on neighboring properties, may be continued indefinitely; provided, that the nonconforming animal keeping activity maintains compliance with the provisions of Division 3.01 (Nonconforming Lots, Land Uses and Structures) of the Ontario Development Code.

(7) Maximum Animal Keeping Densities. Table 5.03-7 (Maximum Animal Keeping Densities for Animal Production), below, establishes the maximum number of animals that may be maintained on a lot, provided the particular animal type is allowed pursuant to Table 5.01-1 (Land Use Matrix) of the Ontario Development Code. The maximum animal densities are based upon net lot area; however, any portion of a lot used to qualify one animal type shall not be used to qualify another animal type.

Table 5.03-6: Maximum Animal Keeping Densities for Animal Production

Animal Type	Maximum Animal Density
A. Alpacas or Llamas	One for each 4,000SF of lot area
B. Cattle or Buffalo (raised for nondairy purposes)	One animal for each 6,000 SF of lot area
C. Dairy Cattle	As permitted by Reviewing Authority **[1]**
D. Fish	One pond for each acre of lot area, not to exceed 4 ponds per lot. Each pond shall not exceed 0.5-acre in surface area.
E. Goats	
1. Female	One animal for each 3,000 SF of lot area
2. Male	
a. Lots less than 10 acres in area	One
b. Lots 10 or more acres in area	One animal for each 5 acres of lot area, not to exceed 4 animals
F. Horses and Other Equine	One animal for each 6,000 SF of lot area
G. Kennels and Catteries	One animal for each 3,000 SF of lot area
H. Ostriches, Emus and Rheas	One animal for each 6,000 SF of lot area
I. Rabbits and Chinchillas	50 animals for each 10,000 SF of lot area, not to exceed 200 animals
J. Sheep and similar livestock	One animal for each 3,000 SF of lot area

Notes:

[1] New or expansions to existing dairy or other animal confinement facilities are considered on a case-by-case basis, subject to Conditional Use Permit approval. Animal density shall be determined by Reviewing Authority, which may impose special operational conditions, requirements, or standards, as deemed necessary to insure the public health and safety. Animal density shall be based on measures to prevent the unacceptable nitrification or salt pollution of soils, and the pollution of groundwater by nitrates and salts emanating from the facility as defined by the Regional Water Quality Control Board.

3. Aquaculture Production.

a. Aquaculture production shall be primarily for the commercial sale of freshwater and saltwater fish, crustaceans, mollusks, aquatic plants, algae, and other organisms under controlled conditions for food.

b. In the IG and IH zoning districts, aquaculture production shall be limited to building integrated aquaculture that incorporates a holistic design approach that efficiently integrates a closed-loop aquaculture system within the built industrial environment. Pond or pen-based aquaculture systems that are not wholly contained within a building shall be prohibited.

D. Commercial Crop Production and Farming. Commercial Crop Production and Farming is a use in which plants and their products are grown for sale, intended for widespread distribution to wholesalers or retail outlets. Commercial Crop Production and Farming includes oilseed and grain farming; vegetable and melon farming; fruit and tree nut farming; greenhouse, nursery and floriculture production; and other crop farming.

1. Allowed Activities/Facilities. Commercial Crop Production and Farming is allowed as a primary or ancillary use of land, and as an interim land use on vacant and underdeveloped properties, as follows

a. Residential Zones. Commercial Crop Production and Farming is conditionally permitted (requires Conditional Use Permit approval pursuant to the requirements of Section 4.02.015 of this Development Code) within the AR-2 and RE-2 zoning districts and is prohibited within all other residential zoning districts, excepting community gardens and urban farms allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

b. Commercial Zones. Commercial Crop Production and Farming is prohibited within commercial zoning districts, excepting community gardens and urban farms allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

c. Mixed-Use Zones. Commercial Crop Production and Farming is prohibited within mixed-use zoning districts, excepting community gardens and urban farms allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

d. Industrial Zones. Commercial Crop Production and Farming shall be allowed within the IL, IG, and IH zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

e. Specialized Use Zones. Commercial Crop Production and Farming shall be allowed within specialized use and overlay zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

2. Land Use Standards. The following standards shall govern the establishment and operation of Commercial Crop Production and Farming:

a. *Operational Standards.* The following standards shall govern the operation of Commercial Crop Production and Farming:

(1) A Commercial Crop Production and Farming operation shall not sell plants and produce grown on-site or operate an On-Site Produce Sales Stand, excepting Community Gardens established pursuant to Subparagraph E.2.d (Community Garden On-Site Produce Sales) and Subparagraph F.2.d (Urban Farm On-Site Produce Sales) of this Section.

(2) A Commercial Crop Production and Farming operation shall be designed and maintained to ensure that irrigation and storm water will not drain to adjacent properties or the public right-of-way.

(3) A Commercial Crop Production and Farming operation shall be designed and maintained to prevent dust and other fugitive particles from leaving the site.

(4) A Commercial Crop Production and Farming operation shall be designed and maintained to prevent the uninhibited growth of weeds and the accumulation of debris.

(5) Refuse storage containers, serviced by the City, shall be provided and screened from the public right-of-way. The requirement and placement of storage containers shall be determined by the City.

(6) A storage area for tools, equipment and other materials shall be enclosed and located outside of designated front yard and street side yard setback areas. Storage buildings shall not exceed 120 SF in area and 14 FT in height.

(7) The hours of operation shall be limited to the hours between 7:00 AM and dusk.

(8) Lighting for the site shall be reviewed and approved by the Planning and Police Departments. Light shall be for general security and not for nighttime operations.

b. *Composting.* The on-site composting of site-generated refuse shall be prohibited.

E. Community Gardens. Community Gardens include small-scale crop production and farming by individuals on multiple plots, or food and/or ornamental crop production on larger plots, which is maintained and grown by volunteers or community groups as a form of recreation, education, and/or community charity. (Note: To ensure the sustainability of a Community Garden, up to 49 percent of the Community Garden may consist of an Urban Farm established in compliance with Subsection F (Urban Farm) of this Section).

1. Allowed Activities/Facilities. Community Gardens are allowed as an interim land use on vacant or underdeveloped land, or as a long-term ancillary land use, as follows:

a. *Residential Zones.* Community Gardens are administratively permitted within all residential zoning districts.

b. *Commercial Zones.* Community Gardens are administratively permitted within all commercial zoning districts.

c. *Mixed-Use Zones.* Community Gardens are administratively within all mixed-use zoning districts.

d. *Industrial Zones.* Community Gardens are administratively permitted within the BP, IP and IL zoning districts. Within the IG and IH zoning districts, Community Gardens shall be prohibited as a permanent use of land; however, the use may be administratively permitted as an interim land use on undeveloped or underdeveloped properties

e. *Specialized Use Zones.* Community Gardens are administratively permitted within all specialized use and overlay zoning districts.

2. Land Use Standards. The following standards shall govern the establishment and operation of Community Gardens:

a. *General Provisions.* Community Garden approval is subject to the granting of an Administrative Use Permit filed pursuant to Section 4.03.015 (Administrative Use Permits) of the Ontario Development Code, and the requirements of this Section. The Administrative Use Permit application shall include a copy of all contract templates that will be utilized between the garden owner/manager and all garden participants. The templates shall include plot maintenance requirements, fee requirements, and any other requirements that would be imposed on the participants of the Community Garden.

b. *Development Standards for Community Gardens.* Community Gardens shall comply with the following operational standards:

(1) The on-site sale of produce for profit is strictly prohibited.

(2) The site shall be designed and maintained to ensure that water will not drain to adjacent properties or the public right-of-way.

(3) The site will be designed and maintained to prevent dust and other fugitive particles from leaving the Community Garden.

(4) Community Gardens shall not use non-organic pesticides or herbicides.

(5) The site shall be designed and maintained to prevent the uninhibited growth of weeds and the accumulation of debris.

(6) Permanent open fencing shall be provided around the perimeter of a Community Garden, such as chainlink, and shall be consistent with the fencing standards of the zoning district in which the Community Garden is located. Furthermore, fenced Community Gardens shall have at least one access gate, and fencing shall be affixed to the ground with steel posts anchored in a concrete footing.

(7) A landscape screen may be provided along street frontages through the use of vines or espalier fruit trees to provide an attractive visual buffer from the public right-of-way.

(8) A minimum 4-FT wide walkway shall be provided from the public right-of-way to the Community Garden. The walkway shall be clearly marked and made from a decorative compacted material, such as decomposed granite, or a decorative pervious surface, such as concrete pavers.

(9) Refuse storage containers, serviced by the City, shall be provided and screened from the public right-of-way. The requirement and placement of storage containers shall be determined by the City during the Administrative Use Permit review process.

(10) Any storage area for tools, equipment and other materials shall be enclosed and located outside of designated front yard and street side yard setback areas. Storage buildings shall not exceed 120 SF in area and 14 FT in height. The use of metal shipping containers shall not be permitted.

(11) A water meter and hose bibs shall be provided for the site and shall be consistent with all applicable landscape regulations. Standard water rates will be applied to Community Gardens.

(12) The hours of operation shall be limited to the hours between 7:00 AM and dusk, or as set forth in the Administrative Use Permit for the Community Garden. The property should be locked and secure during non-operating hours.

(13) Lighting for the site shall be reviewed and approved by the Planning and Police Departments. Light shall be for general security and not for nighttime operations.

(14) Maintenance of the Community Gardens shall not involve the use of commercial or industrial grade machinery and powered equipment without prior approval by the City's Planning Department (only mechanical equipment designed for household use should be used). The use of tractors, excavators, etc., may be limited by the Administrative Use Permit issued for the Community Garden.

(15) Approval by a homeowner or property owner association (if any) shall be provided prior to the issuance of an Administrative Use Permit for a Community Garden.

c. *Composting*. The composting of site-generated refuse is an excellent method for providing sustainable fertilization of Community Gardens. Materials from off-site sources shall be limited to green waste (no manure from off-site sources shall be used for composting purposes). Facilities that choose to engage in composting shall provide a Composting Plan with their Administrative Use Permit application (required pursuant to Subparagraph E.2.a (General Provisions) of this Section), and shall comply with each of the following standards:

(1) A compost pile and composting facilities shall be located at least 20 FT from any interior property line and shall not be located within any front or street side yard setback area.

(2) A compost pile shall be located at least 50 FT from any habitable structure.

(3) A compost pile and composting facilities shall be screened and/or hidden from public view and shall not exceed 5 FT in height.

(4) Composting activities shall be conducted in a manner that does not create a nuisance (generation of noise, odors, insects, etc.) nor impact the public health, safety or welfare of the area surrounding the Community Garden, and/or Community Garden participants.

(5) The scale of the composting activity shall be consistent with the fertilizer requirements for the Community Garden the composting activity is intended to serve.

d. *Community Garden On-Site Produce Sales.*

(1) An On-Site Produce Sales Stand may be permitted by issuance of the Administrative Use Permit for the Community Garden.

(2) An On-Site Produce Sales Stand shall be operated by a non-profit organization and are intended to be small in scale and designed to benefit residents and businesses immediately surrounding the Community Garden. Furthermore, On-Site Produce Sales Stands may be used as a marketing tool to encourage new Community Garden participants, and to offset the costs of maintaining and operating a Community Garden. Community Gardens that choose to operate an On-Site Produce Sales Stand shall submit a Produce Sales Stand Operation Plan with their Administrative Use Permit application.

(3) An On-Site Produce Sales Stand established and operated in conjunction with a Community Garden shall comply with each of the following standards:

(a) The produce sales stand shall be located on the same site as the Community Garden established pursuant to this Section.

(b) At least 51 percent of the produce sold at the produce sales stand shall be grown on-site or at other Community Gardens located within the City, which have been established pursuant to this Section. The balance of the produce sold at the stand may be grown outside the City, at a facility holding a County Certified Producer Permit.

(c) All proceeds from the produce sales stand shall directly benefit the Community Garden program; however, a nominal amount of proceeds, not to exceed 10 percent of gross revenues, may be used to supplement the overhead costs of the non-profit organization that operates the sales stand.

(d) The applicant shall provide information on the non-profit organization that will operate the garden and shall include a copy of the Internal Revenue Service 501(c)(3) non-profit status form.

(e) The non-profit organization operating the produce sales stand shall be responsible for obtaining all necessary food and health licenses, and permits issued by the State and County.

(f) One produce sales stand shall be permitted on lots greater than 20,000 SF in area. The floor area of the stand shall not exceed 120 SF, and it shall not have a permanent foundation.

(g) The produce sales stand shall be removed by the property owner(s), at their expense, upon termination of the host Community Garden.

(h) The produce sales stand shall not be located within a public right-of-way.

(i) The produce sales stand shall be setback a minimum of 20 FT from any street property line (public right-of-way), or side or rear property line.

(j) The off-street parking area for the produce sales stand shall be improved with compacted gravel or other material approved by the City, to control dust and erosion, and provide an all-weather driving surface.

(k) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director and City Engineer.

F. Urban Farms. Urban Farms are smaller-scale private farming operations in which plants and their products are grown and sold (on-site and/or off-site) for profit. Urban Farms include, but are not limited to, strawberry fields, flower and vegetable raising orchards, and vineyards. Additionally, Urban Farms may include items grown or produced as an ancillary activity to established land uses, such as, but not limited to, food service uses, including restaurants and special food services. Items not grown or produced on-site shall not be sold on-site, except in conjunction with an allowed retail store. (Note: An Urban Farm may be established and operated ancillary to a Community Garden pursuant to Subsection E (Community Gardens) of this Section.)

1. Allowed Activities/Facilities. Urban Farms are allowed as an interim land use on vacant or underdeveloped property, and as an ancillary activity to established food service uses, including but not limited to restaurants and special food services that grow spices, seasonings, or produce on-site, for use in their business operations. Plants and their products grown on-site may be sold on-site and/or off-site. Allowed activities/facilities are as follows:

a. *Residential Zones.* Urban Farms are administratively permitted within all residential zoning districts, as an interim land use on vacant lands.

b. *Commercial Zones.* Urban Farms are administratively permitted within all commercial zoning districts, as an interim land use on vacant lands, or as an ancillary activity to a legally established food service use.

c. *Mixed-Use Zones.* Urban Farms are administratively within all mixed-use zoning districts, as an interim land use on vacant lands, or as an ancillary activity to a legally established food service use.

d. *Industrial Zones.* Urban Farms are administratively permitted within all industrial zoning districts, as an interim land use on vacant or underdeveloped lands.

e. *Specialized Use Zones.* Urban Farms are administratively permitted within specialized use and overlay zoning districts, except within the MHP zoning district, wherein the land use is prohibited.

2. Land Use Standards. The following standards shall govern the establishment and operation of Urban Farms:

a. *General Provisions.* Urban Farm approval is subject to the granting of an Administrative Use Permit filed pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code, and the requirements of this Section.

b. *Operational Standards.* The following standards shall govern the establishment and operation of Urban Farms:

(1) An Urban Farm may sell plants and produce grown on-site in compliance with the "On-Site Produce Sales Stands" (see Subsection G of this Section) standards listed below.

(2) An Urban Farm shall be designed and maintained to ensure that irrigation and storm water will not drain to adjacent properties or the public right-of-way.

(3) An Urban Farm shall be designed and maintained to prevent dust and other fugitive particles from leaving the site.

(4) An Urban Farm shall be designed and maintained to prevent the uninhibited growth of weeds and the accumulation of debris.

(5) A fence may be required around the perimeter of an Urban Farm, as set forth by the Administrative Use Permit. Fencing shall comply with the standards of the zoning district in which the Urban Farm is located. Fencing located adjacent and parallel to a street shall be of an open design to allow for views into the site, shall have at least one access gate. Fences shall be affixed to the ground with steel posts anchored in a concrete footing.

(6) A landscape screen may be required along street frontages, as set forth in the approved Administrative Use Permit, through the use of vines or espalier fruit trees, to provide an attractive visual buffer from the public right-of-way.

(7) Refuse storage containers, serviced by the City, shall be provided and screened from the public right-of-way. The requirement and placement of storage containers shall be determined by the City during the Administrative Use Permit review process.

(8) A storage area for tools, equipment and other materials shall be enclosed and located outside of designated front yard and street side yard setback areas. Storage buildings shall not exceed 120 SF in area and 14 FT in height.

(9) A water meter and appropriate hose bibs shall be provided for the site and shall be consistent with all applicable landscape regulations.

(10) The hours of operation shall be limited to the hours between 7:00 AM and dusk, or as set forth in the Administrative Use Permit.

(11) Lighting for the site shall be reviewed and approved by the Planning and Police Departments. Light shall be for general security and not for nighttime operations.

(12) The use of commercial grade machinery and powered equipment, such as tractors, tillers, or excavators, may be limited by the Administrative Use Permit, based upon the Urban Farm location and its proximity to, and impact on, neighboring sensitive land uses.

(13) Approval by a homeowner or property owner association, if any, shall be provided prior to the issuance of an Administrative Use Permit for an Urban Farm.

c. *Composting.* The composting of site-generated refuse is an excellent method for providing sustainable fertilization of Urban Farms. Facilities that choose to engage in composting shall provide a Composting Plan with their Administrative Use Permit application (required pursuant to Subparagraph F.2.a (General Provisions) of this Section), and shall comply with the composting standards set forth in the "Community Gardens" requirements (see Subparagraphs E.2.c(1) through (5) of this Section).

d. *Urban Farm On-Site Produce Sales Stands.*

(1) An On-Site Produce Sales Stand may be permitted by issuance of the Administrative Use Permit for the Urban Farm.

(2) An On-Site Produce Sales Stand established and operated in conjunction with an Urban Farm shall comply with all of the following standards:

(a) The produce sales stand shall be located on the same site as the Urban Farm it serves.

(b) The operator of the produce sales stand shall be responsible for obtaining all necessary food and health licenses, and permits issued by the State and/or County.

(c) The produce sales stand shall only be used for the retail sales of plants or products that are grown on-site.

(d) One produce sales stand shall be permitted on lots greater than 20,000 SF in area. The floor area of the stand shall not exceed 120 SF, and it shall not have a permanent foundation.

(e) The produce sales stand shall be removed by the property owner(s), at their expense, upon termination of the host Community Garden or Urban Farm.

(f) The produce sales stand shall not be located within a public right-of-way.

(g) The produce sales stand shall be setback a minimum of 20 FT from any street property line (public right-of-way), or side or rear property line.

(h) The off-street parking area for the produce sales stand shall be improved with compacted gravel or other material approved by the City, to control dust and erosion, and provide an all-weather driving surface.

(i) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director and City Engineer.

5.03.415: Waste Treatment and Disposal—Composting and Anaerobic Digestion Facilities

The following standards shall govern the establishment and operation of composting and anaerobic digestion facilities:

A. Any new Dairy for which a Conditional Use Permit is required, shall not be located within 100 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

B. A Manure Only Composting Facility shall not be located within 0.25-mile, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

C. A Green Waste or combination Green Waste and Manure Composting Facility shall not be located within 0.50 mile, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

D. A 100-FT setback shall be maintained between a project's perimeter property line and any material being composted or anaerobic digester on the project site.

E. A Conditional Use Permit application for a Composting or Anaerobic Digestion Facility shall be submitted with a traffic study, which analyzes the impacts of project generated truck traffic on traffic from residential development in the area and the surrounding roadway system, and recommends measures to mitigate identified impacts to a level of non-significance and appropriate routes to freeways.

F. The following shall be considered for inclusion as conditions of approval, as appropriate, for any Composting or Anaerobic Digestion Facility requiring Conditional Use Permit approval:

1. Maintain good air flow through the compost material;

2. Turn compost based on temperature, not a schedule;

3. Restrict material movement to times when the potential for winds are low and general population is least (i.e., when people are indoors or away from their homes, and not on weekends);

4. Minimize disturbance of dusty areas by equipment;

5. Minimize dust by adding moisture to material when moving or turning, and regularly water dirt roadways, dry material, and unused areas;

6. Berms (defined as earthen mounds constructed along the perimeter of a composting site to minimize sight into the property and reduce debris from blowing off-site) shall be maximum 15 FT in height, and in no case higher than the allowed material rows;

7. Berms shall be set back minimum 10 FT behind a street property line and minimum 5 FT from all other property lines, or one-half the height of the berm, whichever is greater;

8. Berms shall be comprised primarily of soil, and shall have a slope not to exceed a 2:1 ratio (horizontal to vertical (h:v)). Berms can be as steep as 1.5:1, if properly evaluated, with appropriate calculations, by the City Engineer; and

9. The surface of the outside portions of the slopes (facing a public street) should have properly installed and maintained landscaping or hydro seeding with jute matting to prevent erosion or sloughing.

5.03.420: Wireless Telecommunications Facilities

The following regulations shall govern the establishment and operation of wireless telecommunications facilities:

A. Review of Wireless Telecommunications Facilities. All applications for wireless telecommunication facilities are subject to a 3-tier review process established by this Section. The Planning Director shall have the discretion to determine the design and level of review requirements for projects proposed in specific plan areas, based upon the similarity of the specific plan's land use designation to the citywide zoning districts.

1. Tier 1 Review. The following applications for wireless telecommunications facilities shall be reviewed and acted upon utilizing the Building Department's plan check review process:

a. A wireless telecommunications facility integrated into a building/structure design;

b. A roof-mounted wireless telecommunications facility that is less than 10 FT in height, which is architecturally screened from view and is located within a nonresidential zoning district;

c. The establishment of small cell wireless telecommunications facilities, which conform to the following conditions:

(1) Small cell wireless telecommunications facilities should be attached to existing City light standards; however, if new or replacement light standards are necessary, concrete of steel poles shall be used, which match poles in the surrounding area and is consistent with current City standards. The use of new or existing wood poles shall not be permitted.

(2) Small cell wireless telecommunications facilities shall be limited to single-carrier facilities.

(3) All transmission equipment, excluding antennas and remote radio units, shall be placed underground, to the extent possible, in a manner consistent with City regulations. To the extent that the project proponent determines that all transmission equipment cannot be placed underground, the project proponent shall provide written supporting justification to the City, which excludes the cost of equipment undergrounding, for review and approval by the Planning Director and City Engineer.

(4) Small cell wireless telecommunications facilities shall be erected to a height no greater than the height of surrounding light standards, not to exceed a total of 35 FT, including antennas, lightning rods, or other extensions.

(5) Supporting equipment, such as cabling and conduits, shall be concealed within the pole so as not to be visible to the public. All other equipment such as antennas, enclosures, brackets, equipment boxes, etc., shall be painted to match pole.

(6) A Small Cell Wireless Telecommunications Facilities Agreement by and between the City and the project proponent shall be prepared, and reviewed and approved by the City Council, prior to encroachment permit issuance by the City for the installation of small cell telecommunications facilities.

d. The alteration or expansion of existing wireless telecommunications facilities, or collocation of additional facilities with an existing wireless telecommunications facility, in any zoning district, that does not exceed the below-listed thresholds, the calculation for which shall be cumulative over time, following the initial approval of the telecommunications facility:

(1) The height of the existing antenna array is increased by no more than 20 percent or 20 FT, whichever is greater; however, no such increase in height shall be permitted to exceed the maximum height limit prescribed in this Section;

(2) The existing facility is increased by no more than 4 new equipment cabinets;

(3) The new facility will not have an additional protrusion more than 20 percent greater than the existing tower width; and

(4) Installation of the new facility will not require excavation outside existing leased or owned property and current easements. The calculation for such modifications shall be cumulative over time following the initial approval of the telecommunications facility. No such modification shall be permitted if the antenna array will exceed the maximum height prescribed by this Section (refer to Subparagraphs E.6.a and E.6.b of this Section).

2. Tier 2 Review.

a. A proposed wireless telecommunications facility meeting each of the following criteria shall require Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code:

(1) The facility is located within a nonresidential zoning district;

(2) The facility is more than 500 FT from a residential zoning district, as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility;

(3) The facility complies with all development standards of this Section and the applicable zoning district;

(4) The facility is of a stealth design so as not to be recognized as a telecommunications facility; and

(5) All support equipment to the proposed facility is located within a completely enclosed structure or is otherwise screened from public view

b. A new wireless telecommunications facility proposed within a nonresidential zoning district, which is to be collocated with an existing wireless telecommunications facility and complies with all development standards of this Section and the applicable zoning district, shall be reviewed and acted upon by the Development Advisory Board.

3. Tier 3 Review. A proposed wireless telecommunications facility meeting one or more of the following criteria shall require Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code:

a. Wireless telecommunications facilities not meeting the above-stated Tier 1 or Tier 2 review criteria;

b. Wireless telecommunications facilities located 500 FT or less (as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility) from a residential zoning district;

c. All nonstealth wireless telecommunications facilities;

d. Wireless telecommunications facilities proposed in the AG Overlay District, excepting those facilities meeting the Tier 1 review criteria, above. In addition to requiring Development Plan approval, wireless telecommunications facilities proposed in the AG Overlay District shall also require Conditional Use Permit approval pursuant to Table 5.02-1 (Land Use Matrix) and Paragraph C.1.f (Conditionally Permitted Uses) of Section 6.01.035 (Overlay Zoning Districts) of this Development Code;

e. Wireless telecommunications facilities creating more than a minimal visual impact on surroundings, as determined by the Planning Director. In determining whether more than a minimal visual impact exists, the Planning Director shall consider the facility's location and size, the view of the facility from the public street and neighboring properties, and the contrast between the facility and other external structural equipment. The applicant may be required to perform tests that would replicate the height of a proposed facility in order to adequately assess potential visual impacts;

f. Wireless telecommunications facilities located within line-of-sight of any scenic corridor identified by the Policy Plan component of The Ontario Plan; and

g. Wireless telecommunications facilities that include a request for an increase in height, which exceeds the maximum height provisions established by Paragraph E.5 of this Section. The Reviewing Authority may consider an increase in height if the strict application of Paragraph E.5 of this Section would prevent a provider of wireless telecommunications services from attaining adequate coverage to a service area due to practical difficulties beyond the control of the service provider. The service provider shall clearly demonstrate the nature of the problem, and that no other reasonable alternative is available to provide adequate coverage to the service area.

B. Additional Submittal Requirements.

1. In addition to the general submittal requirements for plan checks, wireless telecommunication facilities requiring Development Plan and/or Conditional Use Permit approval shall provide the plans and information required by the *Minimum Filing Requirements Checklist* and the *Plan Preparation Guidelines and Minimum Plan Contents Checklist* of the General Application Packet.

2. The City may contract with an independent radio frequency engineering consultant, or other qualified professional with knowledge and expertise regarding wireless telecommunication systems, to verify applicant's technical assertions. Such verification may include, but is not limited to, issues related to transmission coverage requirements, required height of facilities, technical limitations related to collocating facilities, evaluation of new technologies that are available and the potential for interference with other facilities, such as public safety radio communications systems. All costs associated with verification shall be borne by the applicant.

C. Performance Standards for Wireless Telecommunications Facilities. The operator of a wireless telecommunications facility and/or the owner of the property upon which the facility is located is responsible for compliance with the following:

1. No existing or future wireless telecommunications facility shall interfere with any public safety radio communications system including but not limited to the 800 MHz radio system operated by the West End Communication Authority (WECA), which provides public safety

communications during emergencies and natural disasters. Pursuant to GC Section 38771, a violation of this standard constitutes a public nuisance.

2. If any wireless telecommunications facility is found to interfere with a public safety radio communications system, or any system facilitating the transmission or relay of voice or data information for public safety, the carrier and/or property owner shall immediately cease operation of the radio channel(s) causing system interference. Operation of an offending wireless telecommunications facility shall only be allowed to resume upon removal, or other resolution, of the interference, to the satisfaction of the City.

Any request for an increase in antenna height that would exceed the maximum height provisions established by Paragraph E.6 of this Section in order to resolve interference conflicts with a public safety radio communications system, shall only be considered by the City after the facility operator and/or property owner have sufficiently demonstrated that all feasible methods of eliminating the conflict have been considered.

3. A wireless telecommunications facility, including poles, antennas, materials used to camouflage or stealth the facility, and equipment buildings and enclosures, shall be maintained in a manner so as to ensure that the facility will maintain its original appearance. In the event that over time, with exposure to wind, rain, sunlight, etc., any part of the facility begins to flake, pit, fade, discolor, disintegrate, or otherwise not maintain its original appearance as initially constructed, as determined by the Planning Director, it shall be repaired/replaced at the sole expense of the carrier.

4. The inspection and approval of a wireless telecommunications facility shall be received from the Planning Department prior to Building Department final inspection and the establishment/release of permanent electrical power to the facility.

5. Wireless telecommunications facilities, including landscaping and surface areas, shall be continuously maintained free of weeds, debris, litter, and temporary signage. All graffiti shall be removed from the premises within 48 hours of discovery.

D. Location Guidelines and Criteria. All applications for wireless telecommunications facilities are subject to the following location guidelines and criteria:

1. The preferred order of location for wireless telecommunications facilities is: industrial zoning districts, followed in descending order by commercial, mixed-use, and residential zoning districts. If proposed within an established specific plan area, the preferred order of location, listed in descending order, is:

a. Industrial zoning/land use districts;

b. Business park zoning/land use districts;

c. Commercial zoning/land use districts;

d. Mixed Use zoning/land use districts; and

e. Residential zoning/land use districts.

2. Wireless communications facilities located within residential zoning districts shall be allowed only in conjunction with a nonresidential land use, such as, but not limited to, a church, fire station, park, or school.

3. Wireless telecommunications facilities may be located in close proximity to each other; provided, they utilize a stealth design, meet the height requirements of this Section, and are compatible with surrounding development. Wireless telecommunication facilities that are nonstealth in design shall be located a minimum of 1,000 FT from any other nonstealth wireless telecommunication facility, as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility.

4. Wireless telecommunication facilities shall not be located within any front or street side setback area.

5. Wireless telecommunications facilities shall not be located so as to create a nonconforming condition, such as reductions in parking, landscaping, loading zones or other applicable development standards.

6. Wireless telecommunications facilities shall be located where existing vegetation, structures, and/or topography provide the greatest amount of screening. Where insufficient screening exists, additional screening shall be provided through the installation of dense landscaping, installation of enhanced architectural treatments, or relocation of the facility so that the massing of existing buildings or vegetation will provide adequate screening. Support structures shall be constructed of galvanized steel and painted an unobtrusive color to neutralize and blend with surroundings or be of a stealth design.

E. **Development Standards.** It is a goal of the City that wireless telecommunications facilities be developed in harmony with the surrounding environment so as to be as unobtrusive as possible. This is especially true when located in visually prominent locations (e.g., along major thoroughfares, at entry points into the City, near high activity areas, etc.). The following guidelines are intended to ensure that the design of wireless telecommunications facilities is compatible with the community:

1. Wireless telecommunications facilities should:

a. Be collocated with another facility, where possible;

b. Be stealth in design, or building/structure or roof mounted as an integral architectural element on an existing structure; and

c. Utilize state-of-the-art wireless technology.

2. Wireless telecommunications facilities shall meet all applicable zoning and setback regulations of the zoning district in which they are located.

3. Wireless telecommunications facilities shall be installed and maintained in full compliance with all Federal, State and local codes and standards.

4. All proposed nonstealth facilities shall be designed to accommodate co-location of 2 or more service providers. To the extent possible, stealth facilities shall also be designed to accommodate co-location of facilities.

5. The height of wireless telecommunications facility support structures shall be the minimum necessary to provide adequate user coverage; however, an antenna or its support structure shall not exceed the maximum allowed height for wireless telecommunications facilities set forth below, except as provided for in Subparagraph A.3.f of this Section. The height of stealth design "tree" monopoles shall be measured to the top of the antenna arrays, with the branches/fronds extending above antenna arrays, to create a natural appearance.

6. The maximum height for wireless telecommunications facilities shall be as follows:

a. Freestanding single-carrier facilities shall not exceed 55 FT in height;

b. Freestanding collocated facilities (two or more carriers) shall not exceed 75 FT within the IL (Light Industrial), IG (General Industrial), and IH (Heavy Industrial) zoning districts, and 65 FT in height within all other zoning districts; and

c. Roof-mounted or building-mounted facilities shall not exceed 10 FT above the height of the building.

7. Prior to the issuance of a building permit for a wireless telecommunications facility, the carrier shall submit a Federal Aviation Administration determination for the proposed facility. Safety lighting or colors, if prescribed by the City or other approving agency, such as the Federal Aviation Administration, may be required for support structures.

8. Wireless communications facilities located within residential zoning districts shall be of stealth design.

9. All accessory equipment associated with the wireless telecommunications facility shall be screened from public view by a decorative fence, wall, landscaping, berming or a combination thereof, or shall be located within a building, enclosure or underground vault, which is designed, colored and textured to match the architecture of adjacent buildings or blend in with surrounding development.

10. All utilities associated with wireless telecommunications facilities shall be undergrounded. Cable connections from equipment structures to any antennae shall not be visible by the public.

11. The design of stealth wireless telecommunications facilities shall be compatible with the surrounding neighborhood. Stealth designs include building mounted designs and freestanding designs. Examples of building mounted designs include architecturally screened roof mounted facilities, facilities attached to a building/structure, bell towers, clock towers, or steeples, installation behind false windows, or other types of architectural features that are designed to camouflage the facility and are integrated into the building design. Examples of stealth freestanding wireless telecommunications facilities include facilities that are camouflaged as freestanding signage, flagpoles, light poles, or "tree" monopoles (such as "monopalms" and "monopines") that are blended with groupings of real trees. The use of "monopalms" should not be the default design if no other live palms are within the immediate surroundings. Wireless telecommunications facilities may be designed as, or within, a piece of public art or a historical monument for public benefit.

12. The use of whip and/or microwave dish antennas shall be permitted only if integrated into the design of a structure and/or if fully screened from public view.

13. Chainlink fencing is not permitted for containment of wireless telecommunications facilities, unless the fencing is located in the interior side or rear portion of property and is out of public view.

14. The use of lattice-type telecommunications towers shall not be permitted within the City.

15. Planning Department approval shall be received prior to any modification or addition to any existing wireless telecommunications facility.

16. Stealth wireless telecommunications facilities utilizing a flagpole monopole design shall comply with the following:

a. The flag to be placed on the flagpole monopole shall be proportionate in size to the height and diameter of the pole and shall be maintained at all times and replaced when needed due to weathering, as determined necessary by the Planning Director.

b. Only the National, State, County or City flags shall be flown on the flagpole. A flag shall be flown on the flagpole at all times, which shall be properly lighted.

c. Covers concealing antenna arrays shall be painted to match the flagpole.

17. Stealth wireless telecommunications facilities utilizing a monopine design shall comply with the following:

a. The branch count shall be a minimum of 3 branches per lineal FT of trunk height. Branches shall be randomly dispersed and of differing lengths to provide a natural appearance.

b. Simulated bark shall extend the entire length of the pole (trunk), or the branch count shall be increased so that the pole is not visible.

c. Branches and foliage shall extend beyond an antenna array a minimum of 2 FT horizontally and 7 FT vertically, in order to adequately camouflage the array, antennas and bracketry. In addition, antennas and supporting bracketry shall be wrapped in artificial pine foliage.

d. The size and spread of antenna arrays shall be the minimum necessary to ensure that they are adequately camouflaged.

e. A minimum of 2 live pine trees shall be planted for each proposed monopine, which shall have the same growth habit as the pine tree being simulated by the monopine and shall be in scale with the height of the monopine. The pine trees may be planted adjacent to the proposed monopine, or elsewhere on the site as deemed appropriate by the Planning Director. The planting of additional trees and tree species may be required for larger project sites.

18. Stealth wireless telecommunications facilities utilizing a monopalm design shall comply with the following:

a. All antennas shall be fully concealed within a "pineapple ball" (also referred to as "growth ball" or "terminal bud ball") located at the end of the trunk. Furthermore, all wires

and connectors shall be fully concealed within the trunk, and all unused ports (for co-location) shall have covers installed.

b. Simulated bark shall extend the entire height of the pole (trunk).

c. A minimum of 2 live palm trees shall be planted for each proposed monopalm, which shall have the same growth habit as the type of palm tree being simulated by the monopalm and shall be in scale with the height of the monopalm. The palm trees may be planted adjacent to the proposed monopalm, or elsewhere on the site as deemed appropriate by the Planning Director. The planting of additional trees and tree species may be required for larger project sites.

19. A sign measuring 2 FT high by 2 FT wide shall be posted at the exterior entrance of wireless telecommunications facilities, and clearly visible to the public, identifying the carrier(s) and contact telephone number(s) for reporting emergency and maintenance issues.

5.03.425: Work/Live Units

A. Purpose. The purpose of this Section is to provide for, and make feasible, the construction of new buildings, and the reuse of existing buildings, for joint work/live units occupied by artists, artisans, professionals, and similarly situated individuals, as contemplated by HSC Section 17958.11.

B. Applicability. Work/live units shall be allowed pursuant to the provisions of this Section, within the zoning districts designated in Table 5.02-1 (Land Use Matrix) as permitting "work/live units."

C. Definitions. As used in this Section, the following words, terms, and phrases are defined as follows:

1. Adaptability. The capability of altering or adding to certain building spaces, and/or elements such as kitchen counters, sinks, and grab bars, so as to accommodate the needs of persons with or without disabilities or to accommodate the needs of persons with different types or degrees of disabilities.

2. Artist or Artisan. One whose works are subject to aesthetic criteria. An individual who practices one of the fine arts, who works in one of the performing arts including music, or whose trade or profession requires a knowledge of design, drawing, painting, sculpting, writing or similar trades such as the creative and/or applied arts. This definition specifically does not include tattoo applicators, and designers/fabricators of drug and tobacco paraphernalia/accessories.

3. Commercial Building Use. An occupation, employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

4. Industrial Building Use. A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials.

5. Listed or Listing. Terms referred to equipment and materials that are shown in a list published by an approved testing agency qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current productions, and which listing states that the material or equipment complies with accepted national standards that are approved, or standards that have been evaluated for conformity with approved standards.

6. Prevailing Code. The adopted federal, state, and local laws and regulations to be applied at the time of permit application.

7. Professional. One who engages in a pursuit or is active professionally in fields that include architecture, education, law, computer programming, media, and similar fields.

8. Work/Live Unit. An area comprised of one or more rooms or floors in new construction, or in a building originally designed for industrial or commercial occupancy that has been remodeled, which includes each of the following:

a. Cooking space and sanitary facilities;

b. Sleeping space; and

c. Assigned working space in, adjacent to, or near the unit.

D. Administration.

1. Requirements for Application.

a. An application for a work/live unit permit shall be made pursuant to the prevailing Building and Fire Codes. The application shall be accompanied by architectural drawings (drawn pursuant to standards established by the Building Official) depicting the existing uses within the building or new construction, and where the proposed work/live units will be located.

b. The Building Official shall be responsible for distributing a copy of the submitted application and architectural drawing to all affected departments for review and approval.

c. A Certificate of Appropriateness shall be required for properties that meet the State or local criteria for historic resources.

2. Work/Live Units Permit Required. No building shall be used for work/live units unless a work/live permit has first been obtained from the Building Department.

3. Building Permit Required. No building or structure regulated by this Section shall be constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate permit for each building, or portion thereof, has first been obtained from the Building Official.

4. Business License Requirement. No work/live unit shall be occupied without obtaining an appropriate business license pursuant to OMC Title 3 (Finance), Chapter 1 (Business License Regulations), commencing with Section 3-1.101.

5. Certificate of Occupancy.

a. *Use and Occupancy*. No work/live unit shall be used or occupied until the Building Official and the Fire Marshall have completed and approved their final inspection of the unit, and a certification of occupancy has been requested for the work/live unit. In a complex with multiple work/live units, an individual unit or units can receive final inspection(s), request a

certificate of occupancy, and be occupied, prior to all units being completed and receiving final inspection.

b. *Occupancy Violations.* Whenever any portion of a building designated as work/live is being used contrary to the provisions of this code, the Building Official may order such use discontinued within the unit or specified portion of the building. Provided the violation is not life threatening to the occupants within the building, such person shall discontinue the use within 7 days after the receipt of such notice, as prescribed by the Building Official, to make the structure, or portion thereof, comply with the requirements of this code

E. Development Criteria. The following criteria shall be imposed upon the development of work/live units:

1. Work/live units may be located in upper stories, basements (below grade), or within the first floor of all commercial and industrial buildings.

2. Work/live developments that have frontage along Holt Boulevard or Euclid Avenue, where the City has designated a historic retail corridor, the first 20 FT of floor area depth at the street level frontage shall be devoted to pedestrian-oriented gallery, showroom, retail, or similar commercial activity, except that if the 20 FT of floor area depth exceeds 30 percent of the primary ground floor area, less than 20 FT of depth is allowed as determined appropriate by the Reviewing Authority.

3. Each work/live unit shall be provided a primary entry from common areas, such as hallways, corridors, and/or exterior portions of the building, including courtyards, breezeways, parking areas, common open spaces, and public spaces.

4. Where any unit containing a work/live occupancy is adjacent to any other unit containing a separate work/live occupancy, such units shall be separated by one-hour fire resistant floors and walls, except that if 2 or more work-live units are combined into a single suite, then the partition walls and floors do not need to be fire rated.

5. Doors opening into corridors shall be protected by 20-minute fire assemblies or solid wood doors, not less than 1.75 inches thick. Where an existing frame will not accommodate a 1.75-inch thick door, a 1.375-inch thick solid, bonded wood core door, or equivalent insulated steel door, shall be permitted. The doors shall be provided with a gasket so installed as to provide a seal where the door meets the stop on both sides and across the top.

6. The minimum area of a work/live unit shall be 700 SF. No more than 50 percent of the primary floor or level (i.e., excluding mezzanines, upper levels, and raised sleeping areas) of any individual work/live unit shall be used or arranged for residential purposes, such as a sleeping area and kitchen, except that in new construction, work/live units on upper floors, or on ground floors without public street frontage, do not have a minimum area set aside for work purposes.

7. The residential occupancy in any work/live unit shall not exceed 4 persons.

8. For the purposes of determining the minimum number of persons for which the building exiting system shall be designed, the occupant load factors prescribed by the California Building Code shall be used.

9. Each work/live unit shall have one openable window accessible for exiting, with an opening of not less than 20 inches wide by 30 inches high, or a second exit door. Any security bars

placed over required window openings shall be operable and have an opening not less than 20 inches wide by 30 inches high. Work/live units are not required to meet light and ventilation standards for habitable spaces if no life-safety hazard is created.

10. The life-safety requirements contained in the Building Code shall apply to all work/live units. For the purpose of providing a reasonable degree of life-safety for individuals occupying work/live units, the code provisions regarding dwelling units shall apply.

11. All work/live units shall be provided with single station smoke detectors, which shall receive their primary power from the building's wiring system and provided with a battery backup. Smoke detectors shall be installed pursuant to approved manufacturer's instructions and shall be mounted on the ceiling at a point centrally located in the residential portion of the unit and in each sleeping-room separated by floor to ceiling walls. In the working area of the work/live unit, one hardwired smoke detector shall be centrally located on the ceiling. Where the working area is subdivided into separate rooms by floor to ceiling walls, one smoke detector shall be installed on the ceiling of each workroom.

12. Any new commercial or industrial building developed with work/live units shall retain its industrial or commercial classification. Any building converted or partly converted to work/live units shall not be considered to have changed occupancy classification (i.e., there is no intensification of use).

13. All work/live units, including any alteration to a work/live unit, shall be required to meet the minimum life-safety standards set forth in this Section, and the following requirements:

a. Each work/live unit shall have a kitchen area consisting of a sink and garbage disposal, with ground fault interrupted circuit outlets provided.

b. Each work/live unit shall have sanitation facilities consisting of a toilet, lavatory, and shower and/or bathtub.

c. Each work/live unit shall have an approved UL listed heating system in the residential portion of the unit.

d. Habitable space shall have a dimension of not less than 7 FT.

e. Restrooms and bathrooms located on the primary floor area of a work/live unit shall be designed and equipped to be adaptable to ADA compliance, and shall include the following:

(1) 36-inch doors.

(2) Inside 60-inch diameter clear wheelchair turning radius.

(3) Water closet meeting ADA fixture specifications.

(4) Water closet with ADA clearances from adjacent walls.

(5) Walls shall include necessary blocking for the installation of ADA grab bars.

(6) Sinks shall meet ADA height and clearance specifications.

(7) All switches and outlets shall meet ADA specifications.

f. Restrooms and bathrooms located on the second level of a work/live unit (e.g., mezzanines or upper levels) can follow residential standards for bathrooms if an ADA compliant restroom is available to visitors within the building and on an accessible path of travel from the unit. Table 5.03-8 (Minimum Number of Work/Live Units to be Equipped with a Shower Adaptable for ADA Compliance), below, prescribes the number of all work/live units within the building that shall be equipped with a shower that can be adapted for ADA compliance.

Table 5.03-7: Minimum Number of Work/Live Units to be Equipped with a Shower Adaptable for ADA Compliance

Number of Work/Live Units	*Number of Units with Adaptable Showers*
Fewer Than 5 Units:	None
5 to 12 Units:	One Unit
13 to 20 Units:	2 Units
More than 20 Units:	2 Units, Plus One Unit for Each 7 Work/Live Units in Excess of 20 Units

14. Energy insulation need not be installed, nor energy audits and mitigations provided, resulting from work/live units being developed within an existing building. In addition, sound mitigations need not be provided or installed resulting from work/live units being developed within an existing building, unless otherwise required by a Conditional Use Permit. However, all new buildings shall comply with current Building Code requirements for new construction.

15. Stairways serving a mezzanine, or second level of a work/live unit, shall comply with the City's Building Code; stairs are to have an 8-inch maximum rise a 9-inch minimum run and a 30-inch minimum width. In addition, mezzanines of less than 400 SF may be accessed by spiral stairways or other similar reduced tread, open riser alternative stairways. A mezzanine can cover up to 50 percent of the primary floor area of a work/live unit without being considered a story or triggering additional exiting requirements.

16. An elevator need not be provided resulting from work/live units being developed within an existing building; however, all new buildings shall comply with current Building Code requirements for new construction.

17. Modifications that create a life-safety hazardous condition shall not be authorized by the Building Official. The Building Official shall have the power to render interpretations of this Section and to adopt and enforce rules and supplemental regulations, which are in conformance with the intent and purpose of this Section, in order to clarify the application of its provisions.

18. Existing buildings that are renovated to include work/live units shall be presumed to have adequate parking for both the renovated and unaltered portions of the building. Stalls for work/live units are not required to be covered or secured.

19. New construction of work/live units shall provide off-street parking facilities pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code. The intent is to provide lower, flexible parking standards wherever possible and appropriate. Consideration shall be given to shared parking systems, on and off street parking resources, compatibility with historic patterns of development, and the availability of mass transit resources.

F. Conditions of Approval. The following conditions of approval shall be imposed upon any work/live units established pursuant to this Section:

1. Business hours shall be clearly posted within the main lobby area of the building containing work/live units.

2. Sales of artists' materials shall be restricted to products of the occupant and similar or related items. Sales of drug and tobacco related paraphernalia/accessories are prohibited.

3. Work/live units shall be occupied and used only by an artist, artisan, professional, or a similarly situated individual and their family, consisting of not more than 4 unrelated persons.

Chapter 6.0:
Development and Subdivision Regulations

Division 6.01—District Standards and Guidelines
Division 6.02—Walls, Fences and Obstructions
Division 6.03—Off-Street Parking and Loading
Division 6.04—Congestion Management and Trip Reduction
Division 6.05—Landscaping
Division 6.06—Street Naming and Address Numbering
Division 6.07—Reserved
Division 6.08—Development Projects and Subdivisions
Division 6.09—Reserved
Division 6.10—Reserved
Division 6.11—Shopping Cart Retention and Storage

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Division 6.01—District Standards and Guidelines

Sections:

6.01.000: Purpose
6.01.005: Applicability
6.01.010: Residential Zoning Districts
6.01.015: Commercial Zoning Districts
6.01.020: Mixed Use Zoning Districts
6.01.025: Industrial Zoning Districts
6.01.030: Specialized Use Zoning Districts
6.01.035: Overlay Zoning Districts

6.01.000: Purpose

This Division addresses development standards and guidelines, to ensure that proposed development produces an environment of stable and desirable character, is compatible with existing and future development in the vicinity, and protects the use and enjoyment of neighboring properties consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

6.01.005: Applicability

A. New Development Projects and Land Uses. The requirements of this Chapter shall apply to all proposed development projects and subdivisions, and new land uses, except as specified in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs), and shall be considered in combination with the provisions of Division 5.03 (Standards for Specific Land Uses, Activities, and Facilities). If any provision of this Division conflicts with the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities, and Facilities), the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities, and Facilities) shall control.

B. Conformity with District Regulations.

1. No site or structure shall be used for any purpose or in any manner other than in conformity with the regulations of the zoning district in which the site or structure is located.

2. No structure is to be erected and no existing structure is to be moved, altered or enlarged, except in conformity with the regulations of the zoning district in which the structure or use is located.

3. No required yard or open space area related to any structure or use shall be used, encroached upon, or reduced in any manner, except in conformity with the regulations of the zoning district in which the yard or open space is located.

4. No lot or parcel shall be reduced in area to less than the minimum area prescribed for the district in which the site is located, unless a Variance is granted pursuant to Section 4.02.020 (Departures from Development Standards) of this Development Code.

5. Any lot that is shown on a recorded map prior to November 5, 1947, and that had a legal area, width, and frontage at the time the subdivision map was recorded or the lot was legally created, may be used for an allowed land use, and shall be subject to all other regulations applicable to the zoning district in which the site is located.

6.01.010: Residential Zoning Districts

A. **Purpose.** The purpose of the provisions of this Section is to ensure that development within residential zoning districts of the City will contribute toward an urban environment of stable, desirable character; which is harmonious with existing and future development; and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan. These regulations are further established to:

1. Assist in implementing the goals and objectives of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. Reserve appropriate areas for residential living in a variety of dwelling types and tenures, at reasonable ranges of population densities, that will accommodate the City's future population growth;

3. Encourage the continued vitality of existing neighborhoods, and, where appropriate, encourage the revitalization of neighborhoods by the use of appropriate standards and incentives;

4. Provide a physical environment that contributes to, and enhances, the quality of life;

5. Promote stable neighborhoods that are well designed, safe, and pleasant places to live, and that contributes to the establishment of Ontario as a "complete community;"

6. Ensure adequate light, air, privacy, and open space for dwellings;

7. Establish architectural and design guidelines to encourage a high quality appearance of new and remodeled structures;

8. Establish standards ensuring that new infill residential construction is consistent with the character and fabric of existing neighborhoods, including densities, design and exterior appearance;

9. Protect residential properties from the hazards of traffic congestion, noise, fire, explosion, noxious fumes, and other hazards;

10. Facilitate the provision of public utilities and services commensurate with their need; and

11. Allow for innovative and flexible methods of implementing the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

B. **Applicability.** The standards and guidelines established by this Section shall apply to each of the City's residential zoning districts. The provisions of this Section shall apply to all residential

land subdivision and any new residential construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Development Standards. The design and development of residentially zoned properties shall comply with the following:

1. Traditional Single-Family Residential Development Standards.

a. Traditional single-family residential development projects shall comply with the requirements of Table 6.01-1 (Traditional Single-Family Residential Development Standards), which specifies development standards within the AR-2, RE-2, RE-4, LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Traditional single-family residential development projects consist of the construction of one or more single-family (detached) dwellings within zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-1 (Traditional Single-Family Residential Development Standards) of this Division. Examples of traditional single-family residential development are contained in Figure 6.01-1A (Example Development—Traditional Single-Family Residential) and Figure 6.01-1B (Example Development—Traditional Single-Family Residential with Public Alley Access) of this Division.

2. Small Lot Traditional Single-Family Residential Development Standards.

a. Small lot traditional single-family residential development projects shall comply with the requirements of Table 6.01-2A (Small Lot Traditional Single-Family Residential Development Standards), which specifies development standards within the LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Small lot traditional single-family residential development projects consist of the construction of single-family (detached) dwellings in zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-2A (Small Lot Traditional Single-Family Residential Development Standards) of this Division. Examples of traditional single-family residential development are contained in Figure 6.01-2A (Example Development—Small Lot Traditional Single-Family Residential) of this Division.

3. Small Lot Alley-Loaded Single-Family Residential Development Standards.

a. Small lot alley-loaded single-family residential development projects shall comply with the requirements of Table 6.01-2B (Small Lot Alley-Loaded Single-Family Residential Development Standards), which specifies development standards within the LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Small lot alley-loaded single-family residential development projects consist of the construction of one or more single-family (detached) dwellings, which take garage access from a private lane/alleyway or public alley, and are located within zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-2B (Small Lot Alley-Loaded Single-Family Residential Development Standards) of this Division. An example of small lot alley-loaded single-family residential

development is contained in Figure 6.01-2B (Example Development—Small Lot Alley-Loaded Single-Family Residential) of this Division.

4. Cluster Single-Family Residential Development Standards.

a. Cluster single-family residential development projects shall comply with the requirements of Table 6.01-2C (Cluster Single-Family Residential Development Standards), which specifies development standards within the LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Cluster single-family residential development projects consist of the construction of 3 or more single-family (detached) dwellings, which take garage access from a private lane/alleyway or public alley, and are located within zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-2C (Cluster Single-Family Residential Development Standards) of this Division. An example of cluster single-family residential development is contained in Figure 6.01-2C (Example Development—Cluster Single-Family Residential) of this Division.

5. Multiple-Family Residential Development Standards.

a. Multiple-family (attached) residential development projects shall comply with the requirements of Table 6.01-3 (Multiple-Family Residential Development Standards), which specifies development standards within the MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Multiple-family (attached) residential development projects consist of the construction of multiple-family (attached) dwellings in zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the development standards prescribed in Table 6.01-3 (Multiple-Family Residential Development Standards) of this Division. Examples of multiple-family residential development are contained in Figure 6.01-3A (Example Multiple-Family Development—MDR-11 (5.1 to 11.0 DU/Acre) Zoning District), Figure 6.01-3B (Example Multiple-Family Development—MDR-18 (11.1 to 18.0 DU/Acre) Zoning District), Figure 6.01-3C (Example Multiple-Family Development—MDR-25 (18.1 to 25.0 DU/Acre) Zoning District), and Figure 6.01-3D (Example Multiple-Family Development—HDR-45 (25.1 to 45.0 DU/Acre) Zoning District) of this Division.

6. Nonresidential Land Uses within Residential Zoning Districts. Nonresidential land uses allowed within residential zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code shall comply with the setback requirements applicable to multiple-family developments, except as follows:

a. The minimum building setback from any exterior (front and street side) property line that abuts a street or public alley shall meet the requirements of the zoning district upon which the building is located.

b. The minimum building setback from any interior residential property line (a property line that abuts another residentially zoned property) shall be 25-FT.

c. The minimum off-street parking space, drive aisle, or driveway setback, from any exterior property line or from any interior residential property line, shall be 10-FT. Off-street parking facilities shall not be located adjacent to a Euclid Avenue property line.

Table 6.01-1: Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts					Additional Regulations
	AR-2	RE-2	RE-4	LDR-5	MDR-11, MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS						
1. Density Range (minimum to maximum, in dwelling units per acre)	0 to 2.0	0 to 2.0	2.1 to 4.0	2.1 to 5.0	MDR-11: 5.1 to 11.0 MDR-18: 11.1 to 18.0 MDR-25: 18.1 to 25.0 HDR-45: 25.1 to 45.0	Notes 2, 4 & 5
2. Minimum Lot Size						
a. Minimum (in SF)	18,000	10,000		7,200	5,000	Note 1
b. Average (in SF)		18,000		8,000	6,000	
3. Maximum Lot Coverage	30%	40%		50%	60%	
4. Minimum Lot Dimensions						
a. Lot Width						
(1) Interior Lots	100 FT	70 FT		60 FT	50 FT	Note 1
(2) Corner Lots	120 FT	80 FT		65 FT	50 FT	Note 1
(3) Cul-de-Sac Lots						
(a) At Front Property Line	40 FT					Note 1
(b) At Front Building Setback	70 FT			60 FT	40 FT	Note 1
b. Lot Depth	135 FT	100 FT		75 FT	100 FT	Note 1
5. Equestrian Trails Required	Yes		No			If yes, see Section 6.01.010. G.9
6. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).					
7. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).					
8. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).					
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).					
10. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.					
11. Signs	Refer to Division 8.1 (Sign Regulations).					
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).					

Table 6.01-1: Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts					Additional Regulations
	AR-2	RE-2	RE-4	LDR-5	MDR-11, MDR-18, MDR-25 & HDR-45	
13. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).					
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.					
B. BUILDING DEVELOPMENT STANDARDS						
1. Minimum Setback from Street and Alley Property Lines						Note 9
a. From Freeways	20 FT					
b. From Arterial Streets	30 FT – Front For street side and rear setbacks, refer to the Collector and Local Streets standards, below.					Note 7
c. From Collector and Local Streets	30 FT		20 FT – Front 10 FT – Front Garage Other (side-on condition) 10 FT – Street Side 10 FT – Street Rear 1st Floor 20 FT – Street Rear 2nd/3rd Floor			Note 7
d. From Rear Alleys	10 FT – 1st Floor 20 FT – 2nd/3rd Floor 5 FT –Garage Entry (1st Floor Only) 10 FT –Garage Other (1st Floor Only) For side alley conditions, refer to the Interior Property Lines standards, below.					Note 8
2. Minimum Setbacks from Interior Property Lines						
a. From Side Property Lines	10 FT		5 FT			Note 3
b. From Rear Property Lines	25 FT		10 FT – 1st Floor Living Area 20 FT – 2nd/3rd Floor Living Area 10 FT – Patio Covers			
3. Minimum Separation Between Buildings	6 FT (from buildings on the same lot)					
4. Maximum Height	35 FT					
5. Minimum Setback from Major Pipelines	50 FT (to any habitable structures)					Note 6

Notes:

1. *An existing lot of record that is substandard as to minimum "lot" area and/or dimension(s) shall be granted all development rights of the zoning district in which it is located (refer to Subsection 3.01.010.B of this Development Code).*

2. *A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives) of this Section.*

3. *When vehicle parking is provided at the rear of a lot (whether within a garage or carport, or uncovered) that does not have alley access, a minimum 10-FT interior side building setback, which is clear of meters and mechanical equipment, shall be provided to ensure clear vehicular access to the rear of the lot.*

4. *Lots with a maximum density calculation of less than one dwelling shall be allowed the construction of one dwelling unit.*

5. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that If, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*

6. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*

    a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*

    b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*

7. *On a lot having a street adjacent rear property line (arterial, collector and local streets, only), for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.*

8. *A traditional single-family lot shall maintain a useable rear yard area having minimum horizontal dimension of 20 FT in any direction and a clear vertical dimension of 8 FT.*

9. *The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*

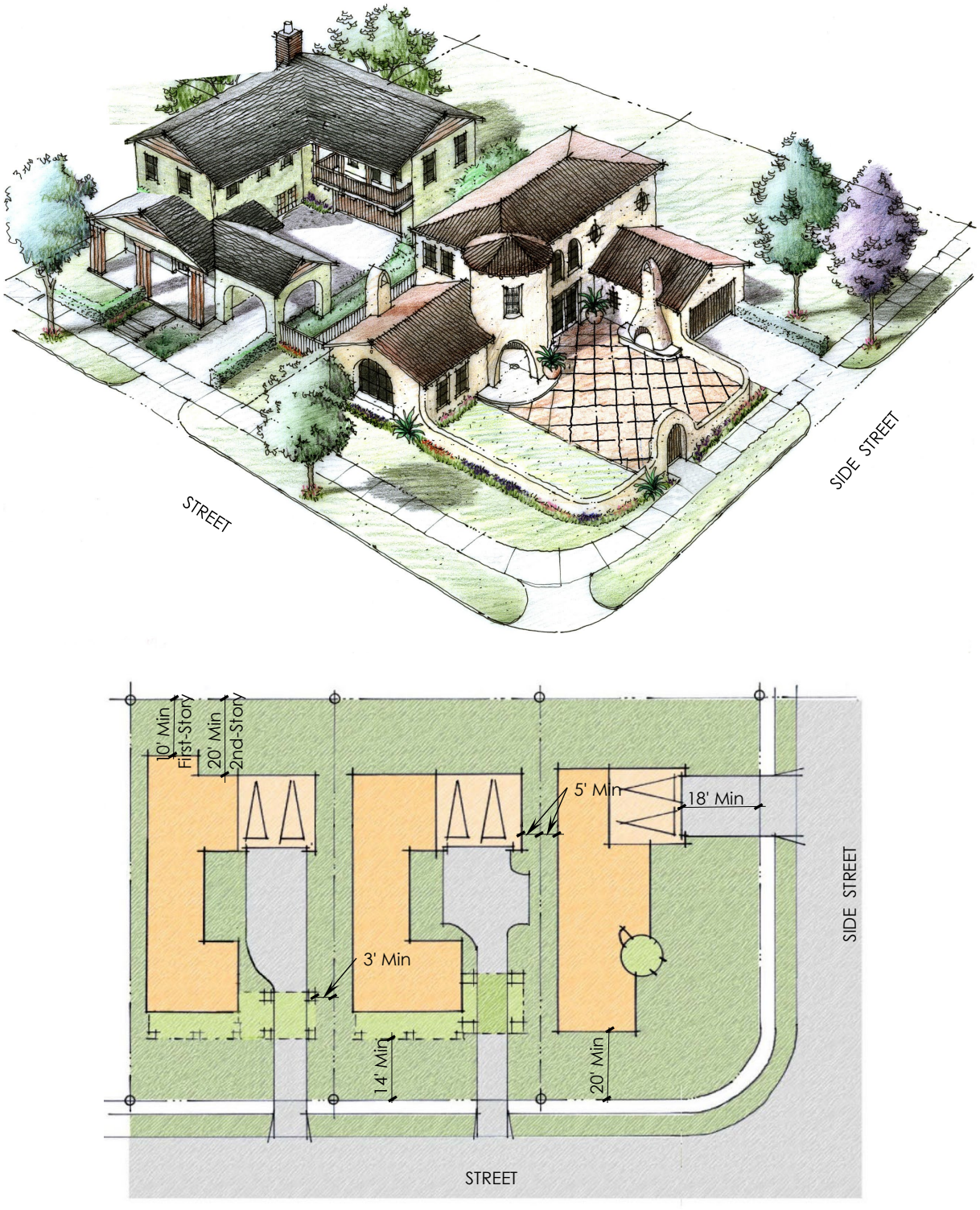


Figure 6.01-1A: Example Development—Traditional Single-Family Residential





Figure 6.01-1B: Example Development—Traditional Single-Family Residential with Public Alley Access

Table 6.01-2A: Small Lot Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum, in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	MDR-18: 11.1 to 18.0 MDR-25: 18.1 to 25.0 HDR-45: 25.1 to 45.0	Notes 2, 3 & 4
2. Minimum Project Area	One acre			Note 1
3. Minimum Lot Size	4,000 SF – Interior Lot 4,500 SF – Corner Lot		2,800 SF – Interior Lot 3,200 SF – Corner Lot	
4. Maximum Lot Coverage	55%	60%	70%	
5. Minimum Lot Dimensions				
a. Lot Width	40 FT – Interior Lots 45 FT – Corner Lots		35 FT – Interior Lots 40 FT – Corner Lots	
b. Lot Depth	75 FT		70 FT	
6. Minimum Parking Space (Uncovered), Drive Aisle, and Driveway Setbacks				
a. From Project Boundary Street Property Lines	20 FT - Freeways 30 FT – Arterial Streets 20 FT – All Other Streets			
b. From Project Boundary Interior Property Lines	5 FT			
7. Equestrian Trails Required	No			
8. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).			
9. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).			
10. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).			
11. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).			
12. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).			
13. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.			
14. Signs	Refer to Division 8.1 (Sign Regulations).			
15. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).			

Table 6.01-2A: Small Lot Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
16. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).			
17. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.			
B. BUILDING DEVELOPMENT STANDARDS				
1. Minimum Setback from Street Property Lines				Note 7
a. From Freeways	20 FT			
b. From Arterial Streets	30 FT – Front For street side, rear, and alley setbacks, refer to the Collector and Local Streets standards, below.			
c. From Collector and Local Streets				
(1) From Street Front	14 FT – Living Area 18 FT – Garage Entry 10 FT – Other Garage (side-on condition)			
(2) From Street Side	10 FT			Note 6
(3) From Street Rear	10 FT – 1st Floor 15 FT – 2nd/3rd Floors 18 FT – Garage Entry 5 FT –Garage Other (1st Floor Only) 5 FT – Patio Covers			Note 6
d. From Alley Rear	5 FT –Garage (1st Floor Only) 10 FT – Rear 2nd/3rd Floors For side alley conditions, refer to the Interior Property Lines standards, below.			
2. Minimum Setback from Interior Property Lines				
a. From Side Property Lines	5/4 FT			Note 8
b. From Rear Property Lines	10 FT - Living Area 5 FT –Garage (1st Floor Only) 5 FT – Patio Cover to Side or Rear			
3. Minimum Separation Between Buildings	6 FT (from buildings on the same lot)			
4. Maximum Building Height	35 FT			
5. Minimum Setback from Major Pipelines	50 FT (to habitable structures)			Note 5

Notes:

1. *An existing lot of record that is substandard as to minimum "project" area and/or dimension(s) shall be permitted the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum allowed within the density range.*
2. *A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).*
3. *Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.*
4. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that If, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*
5. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
    a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
    b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
6. *On a lot having a street adjacent side or rear property line, for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.*
7. *The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*
8. *The interior side property line setback may be reduced to 4 FT if the setback area is combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls, thereby allowing a minimum 8–FT wide side to side building separation.*

Small Lot Traditional Single-Family Residential; 4,000/4,500 SF Lots

Small Lot Traditional Single-Family Residential; 2,800/3,200 SF Lots



Figure 6.01-2A: Example Development—Small Lot Traditional Single-Family Residential

Table 6.01-2B: Small Lot Alley-Loaded Single-Family Development Standards

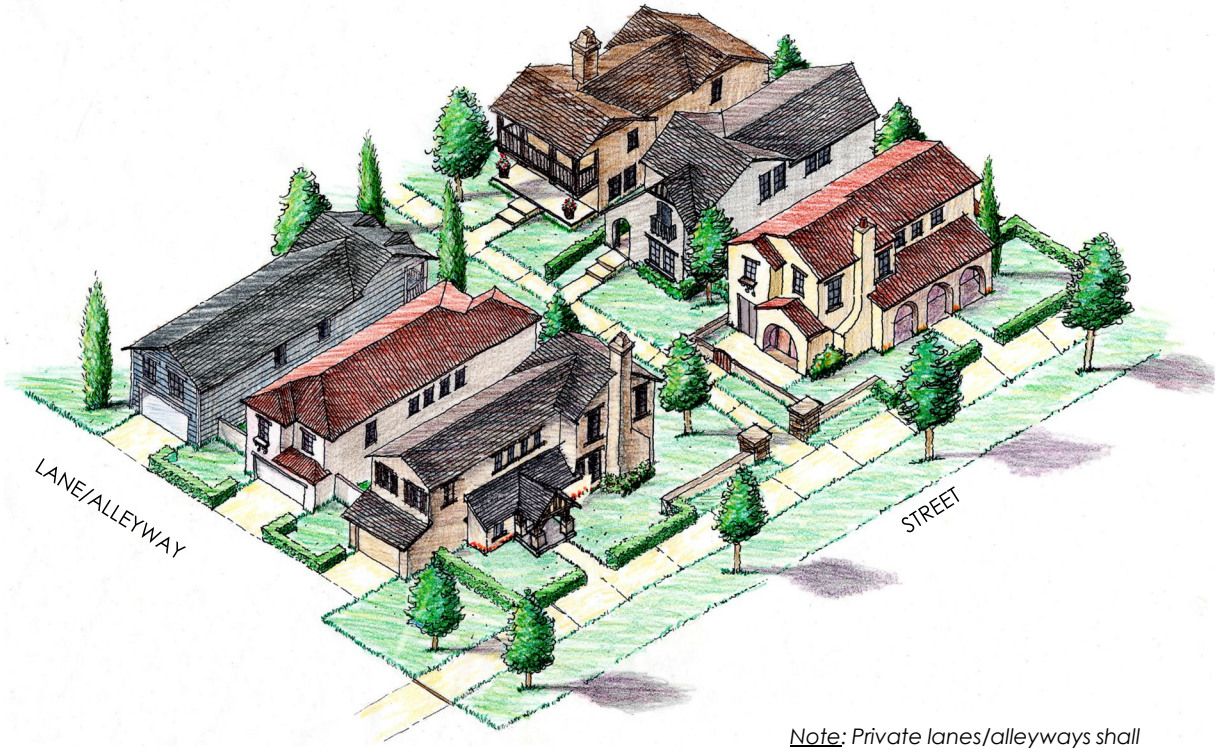
Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum, in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	MDR-18: 11.1 to 18.0; MDR-25: 18.1 to 25.0; HDR-45: 25.1 to 45.0	Notes 2, 3 & 4
2. Minimum Project Area	One acre			Note 1
3. Minimum Project Dimensions	200 FT – Width 200 FT - Depth			Note 1
4. Minimum Lot Size				
a. Lot width	40 FT – Interior Lots 45 FT – Corner Lots		35 FT – Interior Lots 40 FT – Corner Lots	
b. Lot Depth	75 FT		70 FT	
5. Maximum Lot Coverage	55%	60%	70%	
6. Minimum Lot Dimensions	N/A			
7. Minimum Parking Space (Uncovered) and Private Street, Drive, or lane/Alleyway Setbacks				
a. From Project Boundary Street Property Lines	20 FT - Freeways 30 FT – Arterial Streets 20 FT – Other Streets			
b. From Project Boundary Interior Property Lines	5 FT			
8. Equestrian Trails Required	No			
9. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).			
10. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).			
11. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).			
12. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).			
13. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).			
14. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.			
15. Signs	Refer to Division 8.1 (Sign Regulations).			
16. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).			

Table 6.01-2B: Small Lot Alley-Loaded Single-Family Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
17. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).			
18. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.			
B. BUILDING DEVELOPMENT STANDARDS				
1. Minimum Setback from Street Property Lines				Note 8
a. From Freeways	20 FT			
b. From Arterial Streets	30 FT			Note 5
c. From Collector and Local Streets	10 FT - Front 10 FT – Street Sides 15 FT – Street Rear			Note 5
2. Minimum Setback from Project Boundary Property Lines	10 FT – Project Boundaries 5/4 FT – Side 10 FT – Rear 5 FT – Patio Cover			Note 6
3. Minimum Setback from Private Drives	10 FT – Living Area 6 FT – Porch (Single-Story) 18 FT – Garage Entry 10 FT – Other Garage (side/rear)			Note 8
4. Minimum Setback from Private Lanes/Alleyways	10 FT – Living Area 5 FT – Garage			
5. Minimum Setback from Parking Spaces	10 FT			
6. Minimum Separations Between Buildings				
a. Dwelling Front to Front	25 FT			
b. Dwelling Front to Side	20 FT			
c. Dwelling Side to Side	10/8 FT			Note 6
d. Dwelling Rear to Rear	20 FT			
e. Garage to Garage	30 FT – Entry to Entry 30 FT – Entry to Side 10/8 FT – Side to Side 10/8 FT – Side to Rear			Note 6
7. Maximum Building Height	35 FT			
8. Minimum Setback from Major Pipelines	50 FT (to habitable structures)			Note 7

Notes:

1. *An existing lot of record that is substandard as to minimum "project" area and/or dimension(s) shall be permitted the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum allowed within the density range.*
2. *A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).*
3. *Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.*
4. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that If, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*
5. *On lot having a street-adjacent side or rear property line, for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.*
6. *The interior side property line setback may be reduced to 4 FT if the setback area is combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls, thereby allowing a minimum 8–FT wide side to side building separation.*
7. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
    a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
    b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
8. *The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*



Note: Private lanes/alleyways shall be provided with enhanced paving, such as interlocking pavers, integral color stamped and/or scored concrete, or other similar materials acceptable to the Planning Director.

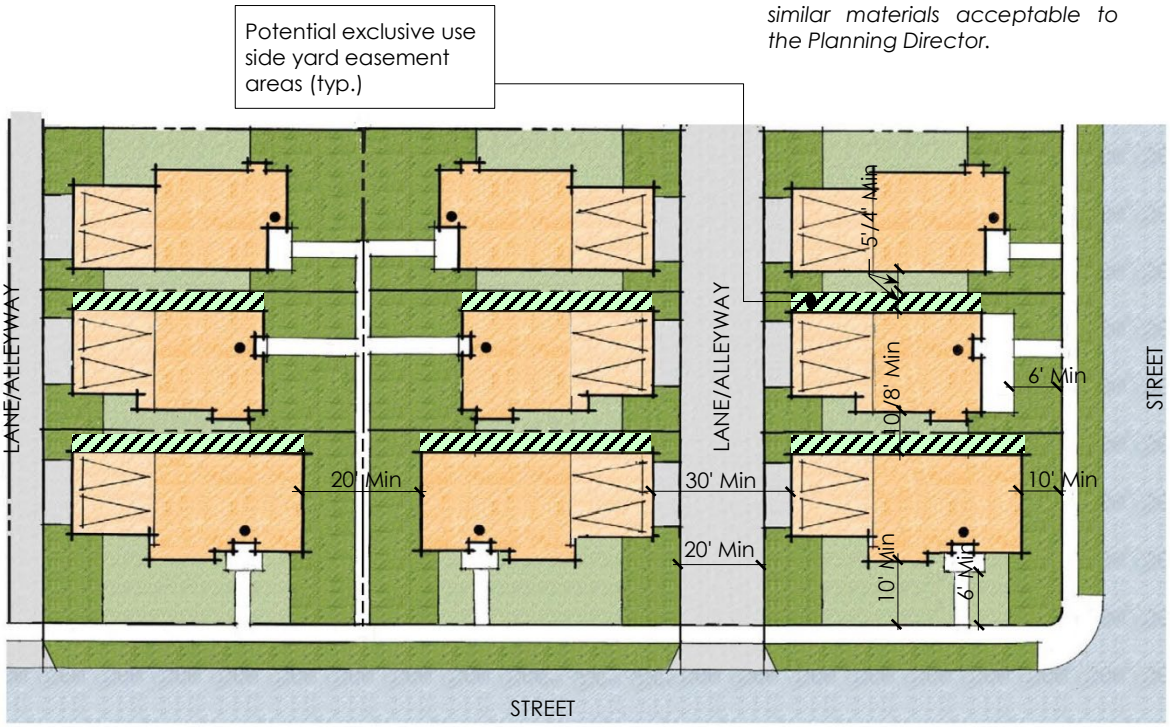


Figure 6.01-2B: Example Development—Small Lot Alley-Loaded Single-Family Residential Example

Table 6.01-2C: Cluster Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum, in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	MDR-18: 11.1 to 18.0 MDR-25: 18.1 to 25.0 HDR-45: 25.1 to 45.0	Notes 2, 3 & 4
2. Minimum Project Area	One acre			Note 1
3. Minimum Project Dimensions	200 FT - Width 200 FT - Depth			Note 1
4. Minimum Lot Size	N/A			
5. Maximum Lot Coverage	N/A			
6. Minimum Lot Dimensions	N/A			
7. Minimum Parking Space (Uncovered) and Private Street, Drive, or lane/Alleyway Setbacks				
a. From Project Boundary Street Property Lines	20 FT - Freeways 30 FT – Aerial Streets 20 FT – Other Streets			
b. From Project Boundary Interior Property Lines	5 FT			
8. Equestrian Trails Required	No			
9. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).			
10. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).			
11. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).			
12. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).			
13. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).			
14. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.			
15. Signs	Refer to Division 8.1 (Sign Regulations).			
16. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).			
17. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).			

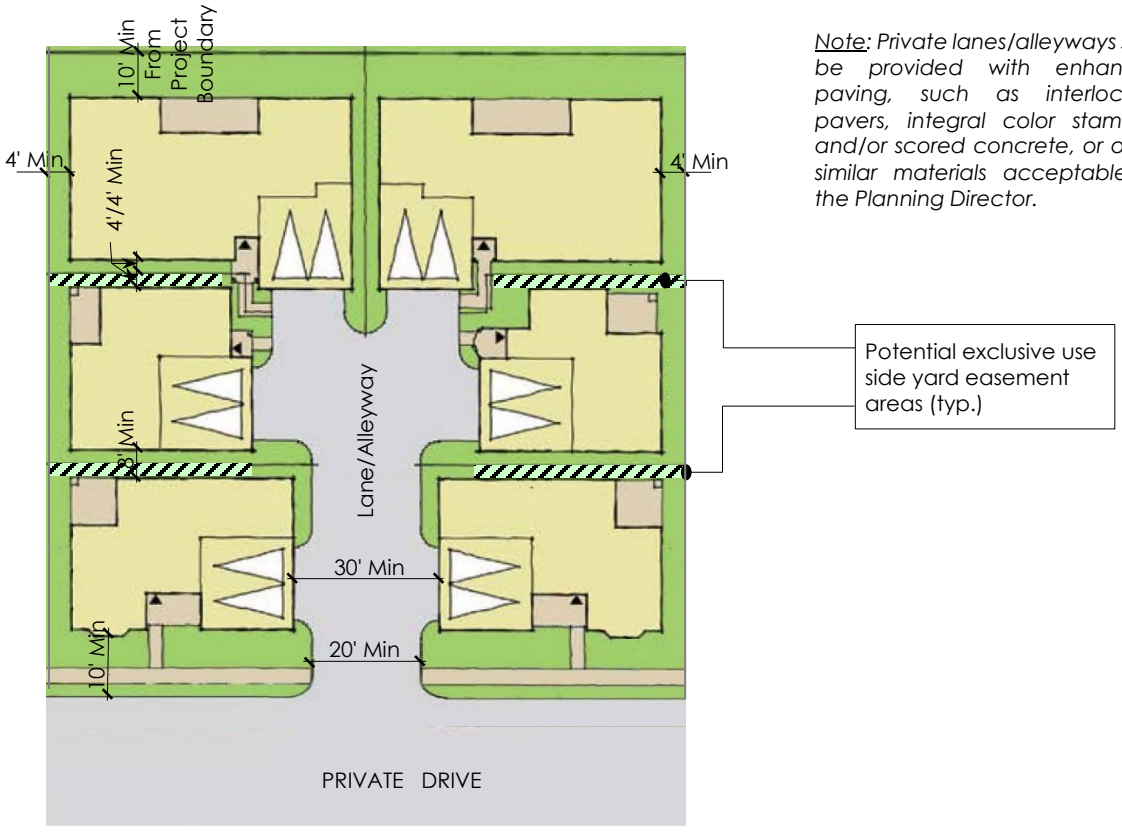
Table 6.01-2C: Cluster Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
18. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.			
B. BUILDING DEVELOPMENT STANDARDS				
1. Minimum Setback from Public Street Property Lines				Note 8
a. Freeways	20 FT			
b. Arterial Streets	30 FT			Note 5
c. Collector and Local Streets	20 FT - Front 10 FT – Street Sides 15 FT – Street Rear			Note 5
2. Minimum Setback from Interior Property Lines	10 FT – Project Boundaries 4 FT – Side 4 FT – Rear 4 FT – Patio Cover			Note 6
3. Minimum Setback from Private Drives	10 FT – Living Area 5 FT – Porch (Single-Story) ≤ 5 FT or ≥ 18 FT – Garage Entry 10 FT – Garage Other			Note 8
4. Minimum Setback from Lanes/Alleyways (measured from back-of-curb)	5 FT – Living Area 5 FT – Porch (Single-Story) 5 FT – Garage			
5. Minimum Setback from Parking Spaces	10 FT – Living Area 8 FT – Porch (Single-Story) 5 FT - Garage			
6. Minimum Separation Between Buildings				
a. Dwelling Front to Front	30 FT			
b. Dwelling Front to Side	14 FT			Note 6
c. Dwelling Side to Side	8 FT			Note 6
d. Dwelling Side to Rear	8 FT			
e. Dwelling Rear to Rear	16 FT			
f. Garage to Garage	30 FT – Entry to Entry 30 FT – Entry to Side 8 FT – Side to Side 8 FT – Side to Rear			Note 6
7. Maximum Building Height	35 FT			
8. Minimum Setback from Major Pipelines	50 FT (to habitable structures)			Note 7

Notes:

1. *An existing lot of record that is substandard as to minimum "project" area and/or dimension(s) shall be permitted the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum allowed within the density range.*
2. *A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).*
3. *Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.*
4. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that If, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*
5. *On a lot having a street-adjacent side or rear property line, for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.*
6. *The interior side property line setback may be combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls, which is defined in the project CC&Rs.*
7. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
    a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
    b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
8. *The minimum setback from private streets and drives shall be measured from a line running parallel to the street/drive, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*





Note: Private lanes/alleyways shall be provided with enhanced paving, such as interlocking pavers, integral color stamped and/or scored concrete, or other similar materials acceptable to the Planning Director.

Figure 6.01-2C: Example Development—Cluster Single-Family Residential

Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR- 45	
A SITE DEVELOPMENT STANDARDS					
1. Density Range (minimum to maximum, in dwelling units per acre)	5.1 to 11.0	11.1 to 18.0	18.1 to 25.0	25.1 to 45.0	Notes 1, 2, 6 & 7
2. Minimum Project Area	0.23 Acre (10,000 SF)			1.0 AC	Note 1
3. Minimum Project Dimensions					
a. Width	100 FT			180 FT	Note 1
b. Depth	100 FT			200 FT	Note 1
4. Maximum Project Coverage	60%			100%	
5. Minimum Lot Size	N/A				
6. Maximum Lot Coverage	N/A				
7. Minimum Lot Dimensions					
a. Lot Width	Refer to Subsection 6.08.045.C (Common Interest Subdivisions are Exempt from Minimum Lot Area and Building Setback Requirements)				
b. Lot Depth					
8. Minimum Parking Space (Uncovered), Drive Aisle and Driveway Setbacks					
a. From Project Boundary Street Property Line	20 FT – Freeways 20 FT – Arterial Streets 10 FT – Collector and Local Streets			10 FT – Freeways 10 FT – Arterial Streets 10 FT – Collector and Local Streets	
b. From Project Boundary Interior Property Line	5 FT				
9. Equestrian Trails Required	No				
10. Walls, Fences and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).				
11. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).				
12. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).				
13. Landscaping	Refer to Division 6.05 (Landscaping) landscape standards. Also refer to Paragraph 6.01.010.G.6.c (Single-Family Cluster and Multiple-Family Development) for additional standards addressing multiple-family development within commercial zoning districts				
14. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).				

Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR- 45	
15. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.				
16. Signs	Refer to Division 8.1 (Sign Regulations).				
17. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).				
18. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).				
19. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.				
B BUILDING DEVELOPMENT STANDARDS					
1. Minimum Setback from Public Street Property Lines	20 FT – Freeways 30 FT – Arterial Streets 20 FT – Collector and Local Streets			10 FT	Notes 3 & 9
2. Minimum Setback from Interior Project Boundary Property Lines	5 FT				Note 4
3. Minimum Setback from Public Alley Property Lines	5 FT				
4. Minimum Setback from Private Drives/Alleyways (from edge of drive aisle)					
a. Living Area	15 FT				
b. Garages and Other Nonhabitable Structures	5 FT				
5. Minimum Setback from Dwellings to Parking Spaces					
a. Living Area	10 FT				
b. Garages and Other Nonhabitable Structures	5 FT				
6. Minimum Setback from Parking Space or Drive Aisle to Wall or Fence	5 FT				
7. Minimum Separation Between Detached Buildings					
a. Dwelling Front to Front	≤ 2-Stories: 25 FT; ≥ 3 Stories: 30 FT				
b. Dwelling Front to Rear	≤ 2-Stories: 25 FT; ≥ 3 Stories: 30 FT				
c. Dwelling Front to Side	≤ 2-Stories: 25 FT; ≥ 3 Stories: 30 FT				
d. Dwelling Side to Side	≤ 2-Stories: 10 FT; ≥ 3 Stories: 15 FT				

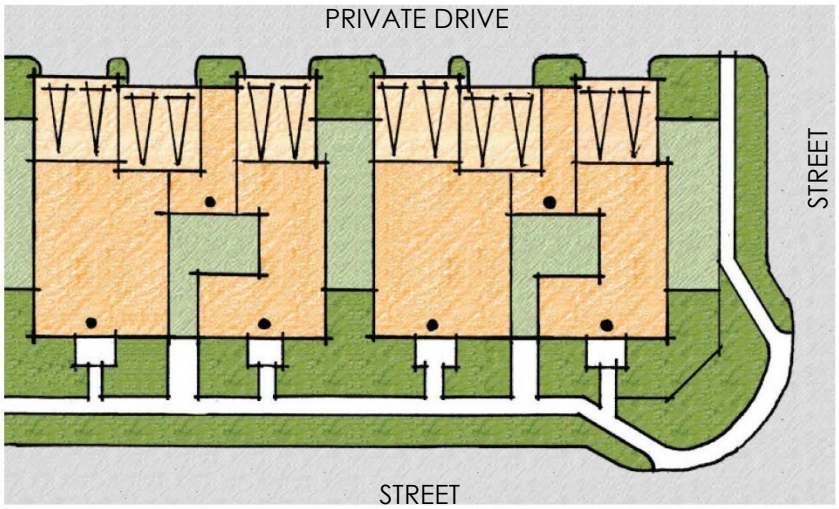
Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR- 45	
e. Dwelling Side to Rear	15 FT				
f. Dwelling Rear to Rear	20 FT				
g. Garage to Garage (or other nonhabitable structures)	30 FT – Entry to Entry 30 FT – Entry to Side 10 FT – Side to Side 10 FT – Side to Rear				
8. Minimum Storage Space	240 CF				Note 5
9. Maximum Building Height	35 FT	45 FT	60 FT	75 FT	
10. Minimum Setback from Major Pipelines	50 FT (to habitable structures)				Note 8

Notes:

1. *An existing lot of record that is substandard as to minimum "project" area and/or dimension(s), shall be permitted all of the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum number of dwelling units allowed within the specified density range for the applicable zoning district.*
2. *A density bonus and other incentives pursuant to GC Sections 65915 through 65918, may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).*
3. *A health risk assessment shall be required for multiple-family development projects located within close proximity to a freeway, as determined by the Zoning Administrator.*
4. *A dwelling having the primary entry facing onto an interior property line shall maintain a minimum 10-FT setback from the corresponding interior property line.*
5. *Adequate lockable private storage space shall be provided within a garage or storage building, or a space directly accessible from the dwelling. Exterior closets accessed from patios or balconies may be used if screened from public view.*
6. *Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.*
7. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that If, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*
8. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
   a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
   b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
9. *The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*

Triplex Townhomes — 5.1 to 11 DU/Acre



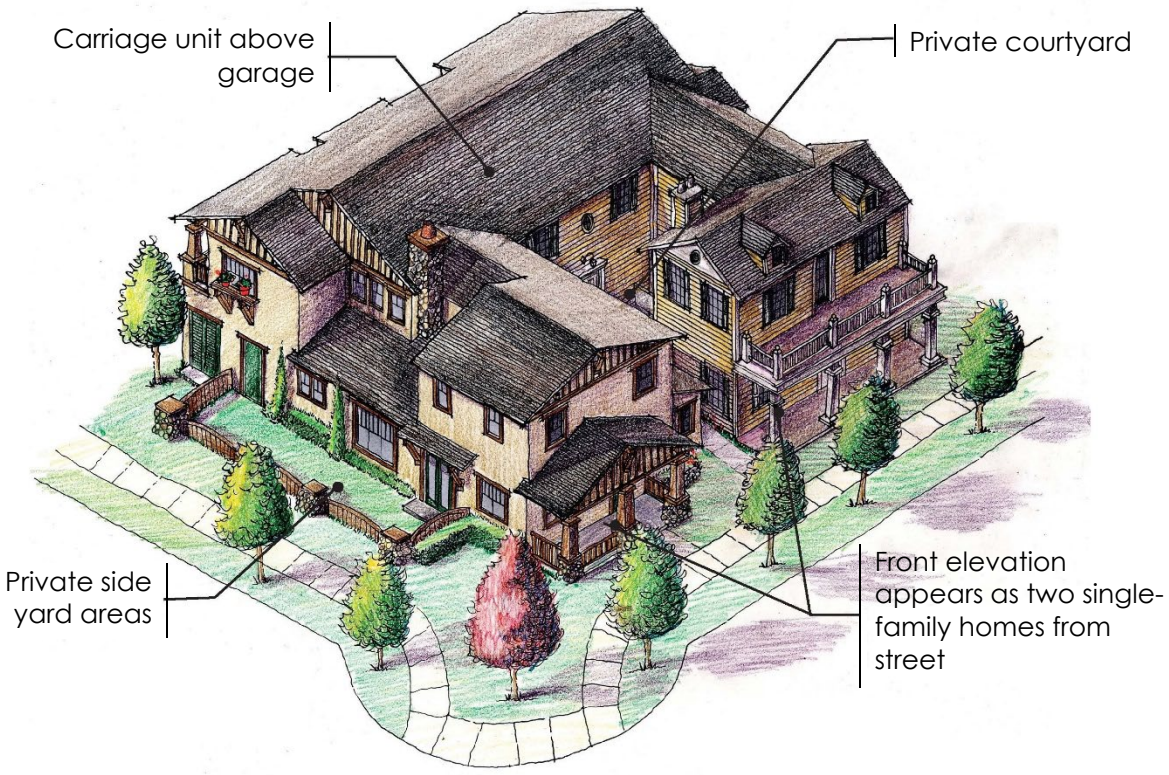
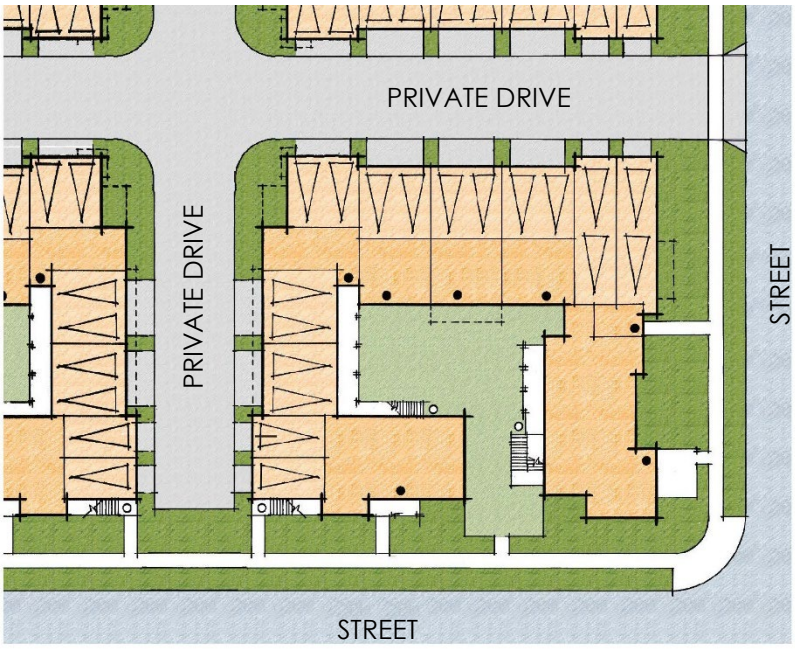


Figure 6.01-3A: Example Multiple-Family Development — MDR-11 (5.1 to 11.0 DU/Acre) Zoning District

Courtyard Townhomes — 11.1 to 18 DU/Acre



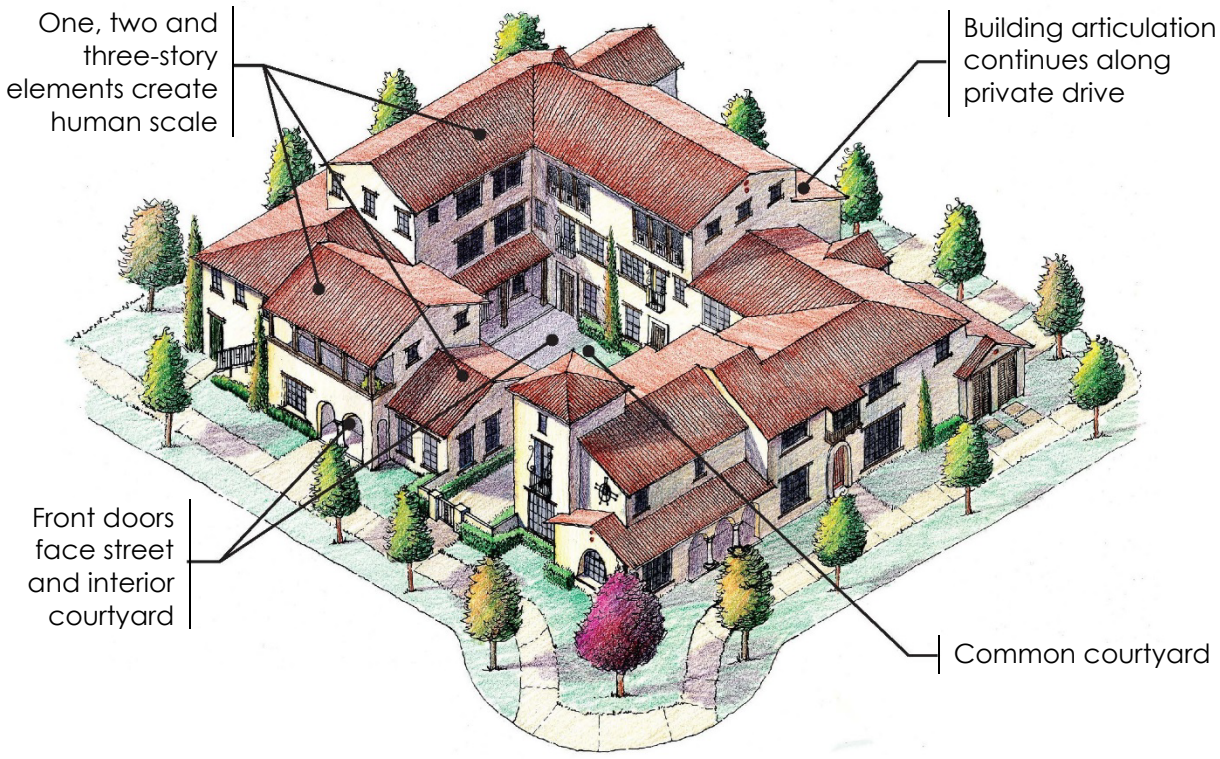


Figure 6.01-3B: Example Multiple-Family Development — MDR-18 (11.1 to 18.0 DU/Acre) Zoning District

Motorcourt Townhomes — 18.1 to 25 DU/Acre

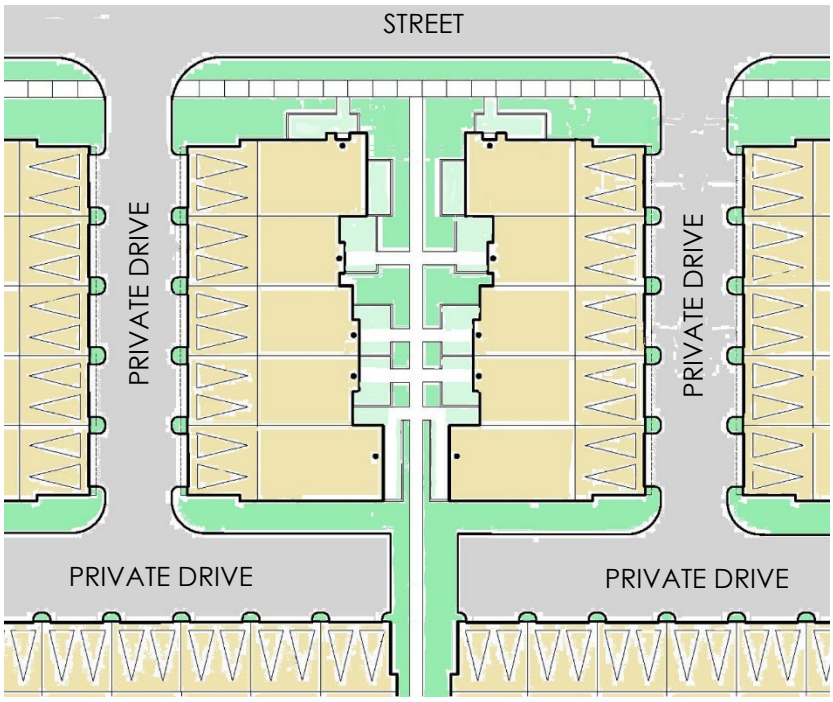




Figure 6.01-3C: Example Multiple-Family Development — MDR-25 (18.1 to 25.0 DU/Acre) Zoning District

Stacked Flats Condominiums Over Podium Parking — 25.1 to 45 DU/Acre





Figure 6.01-3D: Example Multiple-Family Development — HDR-45 (25.1 to 45.0 DU/Acre) Zoning District

D. Exceptions to Development Standards. The following exceptions from the maximum height and minimum setback requirements stipulated in Table 6.01.010-1 (Traditional Single-Family Residential Development Standards), Table 6.01.010-2 (Single-Family Residential Small Lot and Cluster Development Standards), and Table 6.01.010-3 (Multiple-Family Residential Development Standards) shall be permitted:

1. Height.

a. *Aerials and Antennas, Chimneys, Cupolas, Elevator Penthouses, Flagpoles, Monuments, Parapet Walls, Spires, Towers, Water Tanks, and Other Similar Structures*. Aerials and antennas, chimneys, cupolas, elevator penthouses, flagpoles, monuments, parapet walls, spires, towers, water tanks, and other similar structures may be erected to a height of up to 25 percent above the prescribed height limit of the base zoning district.

b. *Amateur (HAM) Radio Antennas*. HAM radio antennas may exceed the maximum prescribed height limit of a zoning district by a maximum of 10 FT. The Zoning Administrator, however, may allow HAM radio antennas to exceed this height limitation if it is necessary to accommodate amateur radio service communications. A HAM radio antenna that exceeds the maximum prescribed height limit of the zoning district in which it is located shall not exceed the minimum height and dimensions necessary to accommodate amateur radio service communications.

c. *Wireless Telecommunication Facilities*. Wireless telecommunication facilities shall comply with Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code.

2. Encroachments into Required Setback Areas.

a. *Attached Porte Cocheres.* Porte cocheres attached to the main dwelling may extend into a required front setback a maximum of 30 percent of the required setback depth and may extend into a side setback a maximum of 50 percent of the required setback width, provided the porte cochere is no greater than 20 FT in width. In no case, however, shall the side setback width be reduced to less than 3 FT.

b. *Cornices, Eaves, Canopies, Decorative Wall Elements, and Similar Architectural Features*. Cornices, eaves, canopies, decorative wall elements, and similar architectural features may extend into a required front, street side, or rear setback area, a maximum of 50 percent of the required setback, not to exceed 2.5 FT.

c. *Fireplaces and Chimneys.* Fireplaces and chimneys may extend a maximum of 2 FT into a required front, rear, side, or street side setback area; however, in no case shall the side setback be reduced to less than 3 FT.

d. *Porches, Patios, and Decks.* A porch, patio, or deck, may extend up to 30 percent into a required street setback area, provided the porch, patio, or deck, is no greater than 20 FT in width.

e. *Decorative Archways, Pergolas, and Porticos.* Decorative archways, pergolas, and porticos may be located within a front or street side setback area, provided the structure does not exceed 5 FT in width, 4 FT in depth, and 8 FT in height, and a minimum clear interior vertical dimension of 7 FT is maintained.

f. *Patio Covers.* Support structure for patio covers (i.e., columns, beams and lintels) attached to single-family dwellings may extend into a required rear setback, to within 10 FT of the rear property line, to within 5 FT of an interior property line and to within 5 FT of a street side property line.

g. *Signs*. Signs allowed pursuant to Division 8.1 (Sign Regulations) of this Development Code may encroach into a required front or street side setback area, or rear setback area of a through-lot.

h. *Single-Story Additions to Single-Family Dwellings.* Single-story additions to single-family dwellings may extend into a required rear setback to within 10 FT of the rear property line, provided the building addition does not occupy more than 25 percent of the required rear setback area.

i. *Stairwells and Balconies.* Open, unenclosed stairways and balconies, which are not covered by a roof or canopy, may extend a maximum of 4 FT into a required setback area; however, in no case shall the side setback be reduced to less than 2.5 FT.

j. *Walls, Fences, and Obstructions.* Walls, fences, and obstructions may be permitted within required setback areas pursuant to the provisions of Division 6.02 (Fences, Walls and Obstructions) of this Chapter.

k. *Utility and Storage Closets.* Utility and storage closets may extend a maximum of 2 FT into a required rear or side setback area. In no case, however, shall the setback be reduced to less than 3 FT.

E. Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects.

1. It is the intent of this section to ensure sufficient open space areas for the active enjoyment of recreational activities by residents and guests of small lot single-family and cluster development projects, and multiple-family and the residential portion of mixed-use development projects. In this regard, active open space elements shall be of sufficient size and location, and easily accessible to each dwelling unit.

2. Active open space areas that feature recreational amenities, such as pools, spas, court activities, etc., shall be placed and managed so as not to infringe upon the peacefulness of any neighboring traditional single-family development. The following open space areas shall contribute to the open space requirements for single-family small lot and cluster development projects, and multiple-family and the residential portion of mixed-use development projects:

a. *Minimum Open Space Requirements.*

(1) Small Lot Traditional and Alley-Loaded Development Projects, and Cluster Single-Family Development Projects—Small lot traditional, small lot alley-loaded, and cluster single-family development projects, which consist of more than 3 dwellings, shall devote a minimum of 20 percent of the project site to open space (private and common area), and shall include common recreation amenities and facilities pursuant to Paragraph E.2.c (Common Active Open Space Area) et seq., of this Section.

(2) Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects—

(a) Table 6.01-4 (Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects), below, establishes the minimum open space requirements for multiple-family development projects and the multiple-family residential portion of mixed-use development projects consisting of more than 3 dwellings. The required open space area shall be calculated on a per unit basis and includes **[i]** private open space for the exclusive use of a dwelling's occupants and guests, and **[ii]** common open space areas for the enjoyment of all residents within a development project. Common open space consists of active areas, with recreation facilities, and passive areas incorporating features that enhance the appearance and desirability of a development project, such as turf areas, exotic plantings, pathways, waterscape, hardscape, rockscapes, benches, gazebos, raised planters, and other unique features.

Table 6.01-4: Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects

Open Space Type	Zoning Districts		
	MDR-11 & MDR-18	MDR-25	HDR-45
Private Open Space	200 SF (40%)	150 SF (37.5%)	60 SF (20%)
Common Open Space	300 SF (60%)	250 SF (62.5%)	250 SF (80%)
Total Open Space	500 SF (100%)	400 SF (100%)	310 SF (100%)

(b) The ratios of "private" open space area to "common" open space area specified in Table 6.01-4 (Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects), above, are recommended and may be adjusted by the developer, based upon the housing market the proposed development is intended to serve, and subject to approval by the Approving Authority for the project. At a minimum, the "required total" open space for each zoning district shall be provided by all single-family residential small lot and cluster development projects, and multiple-family development projects.

(c) Off-street parking spaces, drive aisles, driveways, loading areas, or service areas, shall not be included in minimum open space calculations.

b. *Private Open Space Areas.*

(1) For small lot and cluster single-family development projects, a contiguous useable private open space area shall be provided for each dwelling at ground level, with a minimum clear horizontal dimension of 15 FT in depth by 15 FT in width (225 SF), and a minimum clear vertical dimension of 8 FT.

(2) For multiple-family dwellings, contiguous useable private open space located at the dwelling's main living level shall be provided, having a minimum contiguous clear area of 60 SF, a minimum clear horizontal dimension of 7 FT, and a minimum clear vertical dimension of 8 FT. Other open space areas located on balconies or roof decks shall have a minimum contiguous clear area of 50 SF, a minimum clear horizontal dimension of 6 FT, and a minimum clear vertical dimension of 8 FT.

(3) Private ground level open spaces located on the street side of a structure shall be screened from street public view by a decorative wall or fence, and densely planted landscaping.

(4) Private open spaces shall be permanently maintained in an orderly manner, and kept clear of weeds and refuse, debris, rubble, or any other waste.

c. *Common Active Open Space Area.*

(1) Common active open space areas containing recreation facilities shall be provided pursuant to Table 6.01-5 (Minimum Requirements for Common Recreation Amenities). For the purpose of this provision, required recreation facilities shall be categorized as follows:

(a) Major Recreation Facilities—A major recreation facility is intended to be a significant recreation node or focal point for residents, and include recreation buildings, swimming or wading pools, splash pads and water play fountains, tennis courts, childcare facilities, and other major amenities requiring significant investment and of appropriate size to serve the project residents, as determined by the City. (Note: For projects consisting of 45 or fewer dwellings, two minor recreation facilities may be provided in place of one major recreation facility.)

(b) Minor Recreation Facilities—A minor recreation facility is intended to augment the variety and availability of recreation facilities, and include tot lots for ages 2 to 5 and/or play areas/equipment for ages 5 to 12, spas or saunas, picnic and barbecue areas, cabanas and shade structures, basketball courts, volleyball courts, community gardens, and other similar amenities requiring significant investment and appropriate to serve project residents, as determined by the City.

Table 6.01-5: Minimum Requirements for Common Recreation Amenities

Type	*No. of Dwelling Units*							
	4-10	*10-25*	*26-100*	*101-150*	*151-200*	*201-250*	*251-300*	*> 300*
Major Facilities:	0	1**	1**	1	2	2	3	One per 100 DUs
Minor Facilities:	1	0	1	2	2	3	3	One per 50 DUs

*Note: ** Projects consisting of 45 or fewer dwellings may provide two minor recreation facilities in place of one major recreation facility.*

(2) Common active open space areas shall not be located within required setback areas from public or private streets.

(3) Common active open space areas shall be located a minimum of 10 FT from any habitable structures, and shall have a minimum contiguous area of 300 SF, with no horizontal dimension less than 15 FT, and no clear vertical dimension less than 8 FT.

(4) All common active open space areas shall be planted with permanent landscaping or be devoted to recreational facilities, such as swimming pools, tennis courts, tot lots, patios, or similar open space and recreational facilities.

(5) Common active open space areas are to be permanently maintained in an orderly manner.

d. *Common Passive Open Space Area.*

(1) Common passive open space areas shall not be located within required setback areas from public or private streets.

(2) Passive common open space areas shall be located a minimum of 5 FT from the habitable portion of any dwelling on the project site.

(3) Passive common open space areas shall have a minimum dimension of 5 FT; however, not more than 50 percent of the passive areas having a dimension less than 10 FT may be counted toward the minimum open space requirements of this Section.

F. General Provisions. The following general provisions are applicable within all residential zoning districts:

1. Single-Family Dwellings.

a. *Minimum Dwelling Width*. All traditional single-family residential dwellings units, including mobile homes constructed outside of mobile home parks, shall have a minimum overall width of 24 FT, excepting accessory detached residential structures and second dwellings.

b. *Variety of Floor Plans and Elevations.* For the development of 5 or more single-family dwellings, a variety of floor plans and building elevations shall be provided pursuant to Table 6.01-6 (Minimum Requirements for Floor Plan and Exterior Elevation Variation), below.

Table 6.01-6: Minimum Requirements for Floor Plan and Exterior Elevation Variation for Single-Family Dwellings

No. of Dwellings Proposed	*Minimum No. of Differing Floor Plans Required*	*Minimum No. of Elevations for Each Floor Plan Required*
5 to 10	2	2
11 to 25	2	3
26 to 50	3	3
51 to 75	3	4
76 to 100	4	4
> 100	Requirement for 76 to 100 dwellings, plus one additional floor plan with 4 elevations for each additional 25 units exceeding 100	

2. Roofing Materials on Sloped Roofs. Roofing materials used on sloped roofs, whether new construction or replacement roofing, shall be of clay or concrete tile, architectural grade dimensional composition shingle, or decorative metal shingle. Built-up/rock, roll-roofing, or other material shall not be permitted.

3. Temporary Structures. No temporary structure shall be located within a front or street side yard area. A temporary structure may be located within the rear or interior side yard area, provided it is screened from view by a solid 6-FT high fence or wall with appropriate view-obstructing access gate.

4. Refuse Storage Areas.

a. Within all residential zoning districts, refuse and recyclable materials shall be stored in an appropriate container, out of view from public streets and adjacent properties.

b. Any new dwelling unit or residential development project, for which a building permit has been issued, shall provide adequate, accessible, and convenient areas and facilities for the collection and storage of refuse and recyclable materials.

c. All animal keeping uses within residential zoning districts that generate a substantial amount of waste or refuse, as determined by the Ontario Municipal Utilities Company, shall provide refuse enclosures conforming to City standards.

d. New dwellings that have individual trash pick-up shall include an area for the storage of recyclable materials within a garage, or side or rear yard area. Furthermore, developers shall provide areas or systems containing recyclable materials receptacles, such as under-cabinet rollout drawers within kitchens, to make recycling more convenient and accessible to residents.

e. Single-family small lot and cluster developments, and multiple-family development projects that have not been approved by the City for individual dwelling unit pick-up of refuse and recyclable materials, shall provide trash enclosures for the storage of refuse and recyclable materials containers, as follows:

(1) The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with City standards.

(2) Trash enclosures shall be designed to contain separate containers for the collection of refuse and recyclable materials, with an adequate number of containers provided to allow for the collection of both refuse and recyclable materials generated by the development, pursuant to standards established by the Ontario Municipal Utilities Company.

(3) Trash enclosures shall meet the minimum design standards depicted in the standard drawings adopted by the City, which shall include: **[i]** a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, **[ii]** separate pedestrian access that is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion, and **[iii]** a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable, and screen trash bins from view of the upper floors of adjacent dwellings. Furthermore, trash enclosures shall be architecturally enhanced, and shall be consistent with the architectural design of adjacent buildings.

(4) Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

(5) Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

(6) Trash enclosures shall be located a minimum of 10 FT from the interior project boundary/property line.

(7) Care shall be given when placing trash enclosures immediately adjacent to dwelling units; however, in no case should a trash enclosure be located within 10 FT of the livable portion of a structure.

(8) Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates.

(9) Prior to the issuance of an occupancy permit, a developer or homeowners association may be required to develop a written recycling plan, which specifies the identification of targeted materials to be recycled, and methods of recycling program promotion to tenants or homeowners.

5. Stored Automobiles, Recreational Vehicles, Light Trucks, Trailers, and Other Similar Vehicles.

a. Automobiles, boats, recreational vehicles, trucks, trailers, and other similar vehicles stored within a front or street side yard area, is prohibited. For the purposes of this Section, the term "stored" means continuously parked in the same location for more than 72 hours.

b. Automobiles, boats, recreational vehicles, trucks, trailers, and other similarly used vehicles that are not stored within an enclosed structure, shall comply with the following:

(1) Vehicles shall be stored on a paved surface and screened from public view by buildings, decorative screen walls or fences, or a combination thereof.

(2) Vehicles shall only be stored on property owned by the owner of the vehicle or on property where the registered owner resides.

(3) Vehicles shall bear current vehicle registration (as required by state law).

(4) Vehicles shall not be stored in a wrecked, dismantled, or inoperative condition.

(5) Vehicles stored within side and rear yard areas shall be limited to 5 percent of the total lot area.

c. Recreational vehicles shall not be occupied or otherwise used as a living unit.

6. Landscaping.

a. *Traditional and Small Lot Single-Family Development.* The front and street side yards of lots developed with single-family dwellings shall be fully landscaped and provided with an automatic irrigation system irrigated prior to Certificate of Occupancy issuance.

b. *Maximum Allowed Area Devoted to Hardscape.* A maximum of 45 percent of the front yard of traditional single-family lots, including the street side yard area of corner lots, that is open to public view may be comprised of hardscape materials, including, but not limited to, paved porches, patios, courtyards, walkways, and driveways, areas of gravel and/or decomposed granite, and areas of artificial turf.

c. *Single-Family Cluster and Multiple-Family Development.* All areas of a development project not covered by structures, drive aisles, off-street parking facilities, or hardscape, shall be fully landscaped and provided with a permanent automatic irrigation system

prior to Certificate of Occupancy issuance, excepting private open space areas that are enclosed by a minimum 6-FT high decorative wall or fence.

7. Drive Approaches, Driveways, and Drive Aisles. Residential drive approaches, driveways, and drive aisles shall comply with the following:

a. *Drive Aisles and Driveways.*

(1) Drive aisles and driveways shall be allowed solely for the purpose of providing access to off-street parking facilities, and emergency vehicle access to a property.

(2) For lots developed with single-family dwellings:

(a) One driveway per lot may be permitted, which shall lead to a garage or carport, and shall not exceed the overall width of the garage or carport, except that vehicular access (maximum 10 FT in width, pursuant to Paragraph 6.01.010.F.6 (Landscaping)) may be provided to the side or rear yard area of lot used for vehicle storage pursuant to Paragraph 6.01.010.F.5 (Storage of Automobiles, Recreational Vehicles, Light Trucks, Trailers, and Other Similar Vehicles) of this Section; and

(b) Temporary off-street parking within a front or street side yard area shall only be allowed on a driveway leading to a garage or carport, or on an approved circular driveway constructed pursuant to Subparagraph 6.01.010.G.7.b (Circular Driveways) of this Section.

(c) Corner lots may have a rear yard access drive from a side street, subject to Planning Director and City Engineer approval. The rear yard access drive shall not exceed 12 FT in width and shall lead to a parking area that is screened by a view-obstructing wall or fence, with appropriate view-obstructing gate.

b. *Circular Driveways.* Circular driveways shall be permitted on lots developed with a single-family dwelling, which meet all of the following:

(1) The lot is located within the AR-2, RE-2, RE-4, or LDR-5 zoning district, or AG overlay zoning district, and is at least 10,000 SF in area;

(2) The property takes vehicular access from an arterial street, as identified on Exhibit M1 (Mobility Plan Map) of the Policy Plan component of The Ontario Plan, and does not front onto, or take vehicular access from, Euclid Avenue;

(3) The dwelling is setback at least 30 FT behind the front property line; and

(4) The proposed circular driveway does not exceed 10 FT in width.

c. *Maximum Drive Approach Width.*

(1) **Driveway Access for Traditional Single-Family Developments—**A drive approach on a public street shall not exceed the maximum widths prescribed by Table 6.01-7 (Maximum Single-Family Residential Drive Approach Widths), below, based upon the lot width range.

Table: 6.01-7: Maximum Single-Family Residential Drive Approach Widths

Lot Width Range	Maximum Drive Approach Width
Less than 51 FT	12 FT
51 to 80 FT	16 FT
Greater than 80 FT	20 FT

(2) Drive Aisle Access for Single-Family Cluster and Multiple-Family Developments—A drive approach providing street access to an intersecting drive aisle shall not exceed the width of the corresponding drive aisle, not to exceed 26 FT in width, unless otherwise required by the City Engineer.

d. *Drive Approaches, Driveways, and Drive Aisles Serving Developments with Multiple Dwellings.*

(1) Drive approaches serving a development project of 5 or more dwellings shall be delineated with enhanced paving treatment, such as interlocking pavers, textured and color pigmented concrete, or stamped concrete. Such treatment shall extend from the back of the drive approach to the first intersecting drive aisle or parking space.

(2) Single-family and multiple-family development projects that include dwellings configured into one or more motorcourts, shall incorporate enhanced paving treatments consisting of interlocking pavers, and textured and/or color pigmented concrete, throughout all motorcourt drives.

(3) Pedestrian pathways that cross driveways and drive aisles shall be delineated by enhanced paving treatments, such as interlocking pavers, and textured and/or color pigmented concrete.

8. Conversion of Garages. No garage shall be converted to another use unless a replacement garage is constructed on-site, which meets the minimum requirements of Division 6.03 (Off-Street Parking and Loading) of this Chapter, excepting a garage conversion to accommodate an Accessory Dwelling Units conforming to Section 5.03.010 (Accessory Dwelling Units) of this Development Code.

9. Equestrian Trails and Related Facilities. The following standards shall govern the establishment of equestrian trails and easements within the City:

a. If required by Table 6.01-1 (Traditional Single-Family Residential Development Standards) of this Section, an unobstructed 8-FT wide easement for equestrian trail purposes shall be dedicated immediately adjacent to the front property line. Furthermore, if determined necessary by the Planning Director, additional 8-FT wide equestrian trail easements may be required at the end of blocks, and along interior side, street side, or rear property lines, to create connections to adjacent public streets or equestrian trail easements. Moreover, if determined by the Planning Director that providing equestrian easements on both sides of a street is not necessary or practical, the requirement to provide equestrian trail easements may be waived.

b. Trails shall not be surfaced with hard materials such as concrete or asphalt. Preferred surface materials include wood chips, decomposed granite, and shale;

c. Fencing built at the edge of an easement shall not be over 48 inches in height; an additional inch of height shall be allowed for every 2 inches that the fence is setback from the easement. Within 4 FT of the easement, fences shall not be opaque for more than 50% of their surface area. Wooden rail and wood plank fencing are preferred, while chainlink and wrought iron fencing should be avoided. Entries to individual properties should be accentuated with hitching posts and gates;

d. Entrances to an equestrian trail from the street shall allow the free movement of pedestrians and equestrians. Vehicular access to the trail may be limited by removable bollards or a gate and should be designed to permit emergency vehicle access and occasional vehicular access by residents, as shown in Figure 6.01-4 (Equestrian Trail Step-Through Entry Design) and Figure 6.01-5 (Equestrian Trail Steel Barrier Gate Entry Design). Street crossing by pedestrians and equestrians should be facilitated at the street-trail entry by restricting on-street parking, narrowing paved widths (to minimize crossing distances), and marking the crossing with striping and signs.

10. Infill Traditional Single-Family Dwellings. Infill traditional single-family dwellings within existing residential neighborhoods are to be complementary with the character of the surrounding neighborhood in which they are proposed in terms of building height, setbacks, general architectural style, and use of exterior finish materials, and shall comply with the following standards:

a. New infill traditional single-family dwellings constructed within existing residential neighborhoods shall be integrated with existing surrounding homes to protect, enhance, and preserve the physical integrity of the existing neighborhood.

b. The area, dimensions, lot coverage, height, bulk, and scale of a proposed infill traditional single-family dwellings shall be compatible with existing residential development in the surrounding neighborhood.

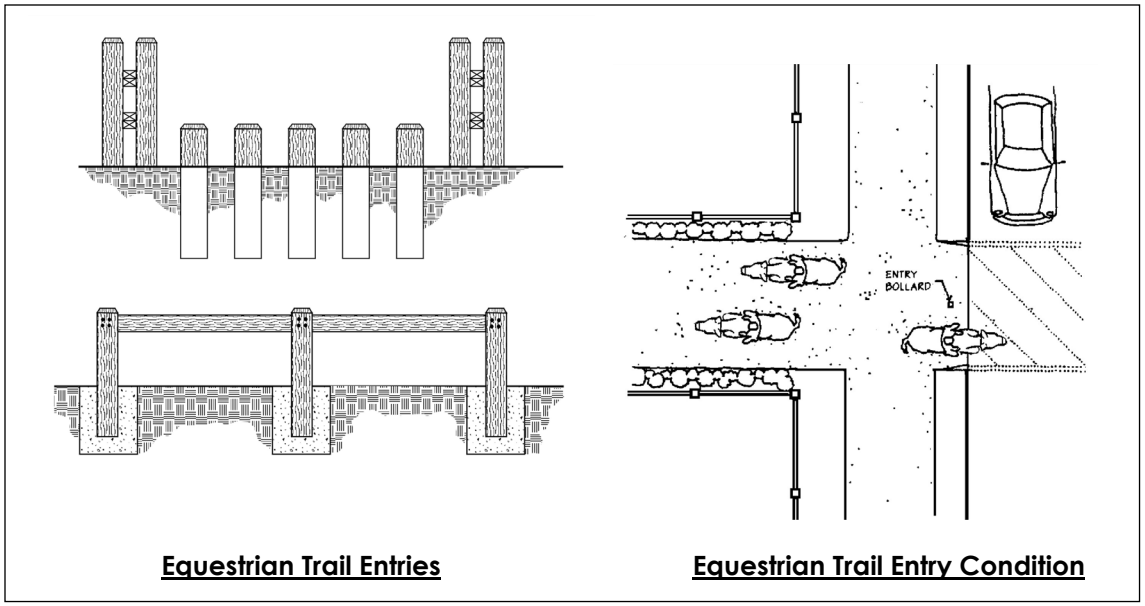


Figure 6.01-4: Equestrian Trail Step-Through Entry Design

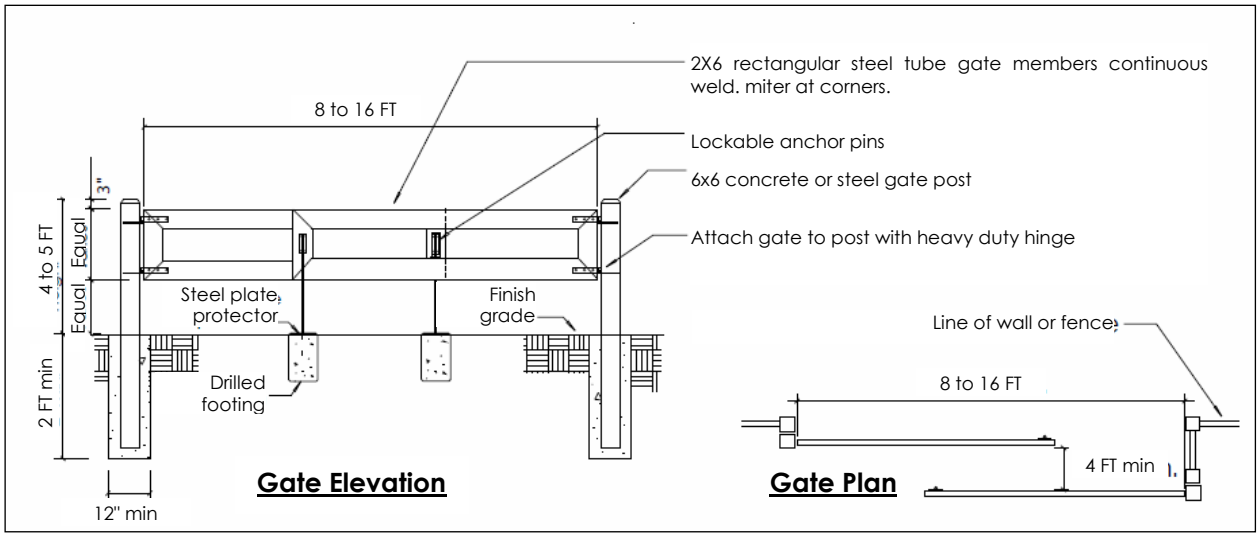


Figure 6.01-5: Equestrian Trail Steel Barrier Gate Entry Design

c. Infill traditional single-family dwellings shall be plotted on a lot in a manner consistent with the pattern of development in the surrounding residential neighborhood. The front door should be oriented toward the frontage street and any secondary entrances and side yard facing windows should be situated in such a way that the privacy of adjacent homes is not substantially impacted. Placing side yard facing windows across from side yard facing windows of adjacent houses is discouraged.

d. Garages shall be oriented consistent with garage orientations within the surrounding neighborhood. Garages shall be oriented with access off an alley on lots with alley access.

e. New street curb cuts should not be permitted on lots with alley access. If permitted, new curb cut locations should not compromise street trees, visibility, or neighborhood consistency.

f. Separation of pedestrian and vehicular circulation within the lot is encouraged. Exterior doors should not exit onto a driveway unless a porch or landing is provided.

11. Mobile Homes and Manufactured Housing on Residential Lots Not Constructed Within a Mobile Home Park. The following standards shall govern the development of mobile homes and manufactured housing on residential lots not constructed within a mobile home park:

a. Each housing unit shall meet and be certified under the standards set forth in the National Manufactured Housing Construction and Safety Act (42USC5401 et. seq.), as amended, at the time of any application for the placement of a mobile home or a manufactured housing unit;

b. The mobile home or manufactured housing unit shall be placed on a permanent foundation system;

c. The mobile home is to be covered with exterior finish materials similar in appearance to new, conventionally constructed dwellings within area surrounding the project site;

d. The exterior finish material shall extend to the ground. If a solid concrete or masonry perimeter foundation is used, the exterior finish material need not extend below the top of the foundation. Alternative skirting materials commonly found on conventionally built residential structures shall be considered compatible;

e. The roofing material shall be of a type commonly found on conventionally built residential structures located within the area surrounding the project site;

f. Electricity, water and natural gas service, and sewer connections are to be made in a permanent manner, as typically required for permanent buildings. Gas shut-off valves, meters, and regulators shall not be located beneath a mobile home or manufactured housing structure; and

g. An attached or detached garage, which is similar to conventionally built residential structures within the area surrounding the project site, shall be provided for each mobile home or manufactured housing unit. The roof material and exterior wall finishes of the garage or carport shall exactly match the mobile home or manufactured housing unit.

12. Gutters, Vents, and Downspouts. Gutters, vents, and downspouts shall be concealed from public view to the extent possible. Exposed gutters and downspouts, where necessary, shall be colored to match the fascia or wall material to which they are attached. Roof vents shall be colored to match the roof material or the dominant trim color of the structure, as appropriate.

13. Swimming Pools, Hot Tubs, Spas, Ponds, and Decorative Bodies of Water. Swimming pools, hot tubs, spas, ponds, and decorative bodies of water shall be permitted ancillary to those land uses allowed within residential zoning districts pursuant Table 5.02-1 (Land Use Matrix), subject to the following regulations governing their placement, construction, and security:

a. Swimming pools, hot tubs, spas, ponds, and decorative bodies of water that are 1.5 FT or more in depth, shall be secured by a decorative fence or wall pursuant to the requirements of Section 6.02.020.A.3 (Ponds and Swimming Pools) of this Development Code.

b. All gates or doors within the fence or wall shall be kept securely closed at all times when not in use.

c. A clear path, minimum of 3 FT wide, shall be provided around the entire perimeter of a swimming pool, hot tub, spa, pond, or decorative body of water to permit emergency access. For properties containing 2 or fewer dwellings, a clear path shall be provided around at least 50 percent of said perimeter.

d. Swimming pools, hot tubs, spas, ponds, and decorative bodies of water that are 1.5 FT or more in depth shall not be constructed within a front yard area and shall be setback a minimum of 3 FT from any side or rear property line.

e. Diving boards, slides, waterfalls, fountains, decorative rockscapes, and other similar appurtenances shall be setback a minimum of 5 FT from side and rear property lines, except that appurtenances that exceed 6 FT in height, measured from adjacent grade to the highest point of the structure, shall comply with the minimum building setback requirements of the applicable zoning district.

f. Swimming pools, hot tubs, spas, ponds, and decorative bodies of water shall comply with all applicable provisions of the City's building code.

14. Lighting. Exterior light fixtures shall be designed and/or located to eliminate adverse impacts of light spillover on to adjacent properties and promote safe vehicular and pedestrian access.

a. Exterior light fixtures shall prevent glare and light spillover on to adjacent properties, buildings, and public and private streets and roadways.

b. Parking lot lighting shall comply with Section 6.03.050 (Parking Lot Lighting) of this Development Code, and OMC Section 4-11.09(j).

c. Exterior light fixtures should use color-correct luminaires such as halogen, metal halide, or LED, to ensure true-color at night, visual comfort for pedestrians, and energy efficiency.

d. Pedestrian-level pole-mounted lighting, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings or walls, shall be used to light pedestrian walkways. Pole-mounted, building-mounted, or tree-mounted lighting fixtures shall be no more than 12 FT in height. Bollard-type lighting shall be no more than 4 FT in height.

e. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures, were possible.

15. Building Color. Building exteriors shall incorporate colors that are of compatible hues and intensities. Color schemes shall tie building elements together, relate separate buildings within the same development, and enhance the architectural form of a building.

a. Exterior building colors shall be low-reflecting and subtle. Furthermore, overly intense, overly bright, or fluorescent or Day-Glo colors, shall not be used on a building exterior, as determined by the Planning Director.

b. The exterior building color of a new development project shall be reviewed and approved in conjunction with the approval of the structure by the Approving Authority. Development projects consisting of multiple buildings shall incorporate colors that are coordinated between structures, utilizing compatible hues and intensities. The final review and approval of paint colors, utilizing a color test, may be required by the City, prior to painting a building.

c. All building mechanical equipment and appurtenances, including, but not limited to, meters, flues, vents, gutters, and utilities, shall match or complement the permanent color of the surface from which they are attached or project.

16. Equipment Screening.

a. *Single-Family Dwellings*. The placement of new exterior roof-mounted mechanical, heating and air conditioning equipment is prohibited; however, the replacement of existing permitted roof mounted equipment shall be permitted provided the replacement equipment does not exceed the size, height, and location of the existing equipment.

b. *Multiple-Family Dwellings*. The placement of exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

c. All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened by landscaping and/or decorative low garden walls.

G. Small Lot Infill Subdivisions.

1. Purpose. The purpose of this Subsection is to regulate the development and subdivision of existing lots within certain residential and mixed use zoning districts, with infill small lots as an alternative form of fee simple homeownership.

2. Applicability. Small Lot Infill Subdivisions are permitted within residential and mixed use zoning districts specified in Table 5.02-1 (Land Use Matrix) of this Development Code.

3. Development Standards.

(a) *Site Development Standards.* A Small Lot Infill Single-Family Subdivision shall comply with the following site development standards:

(1) Maximum Number of Dwelling Units. A Small Lot Infill Single-Family Subdivision shall contain no more than 45 dwelling units.

(2) Density Range. A Small Lot Infill Single-Family Subdivisions shall comply with the density requirements of the underlying zoning district in which it is located.

(3) Lot Area and Dimension. Each individual lot established by a Small Lot Infill Single-Family Subdivision shall have a minimum area of 480 SF and a minimum lot width of 16 FT.

(4) Lot Coverage and Open Space.

(a) There shall be a maximum lot coverage of 80 percent for each individual lot established by a Small Lot Infill Subdivision.

(b) As an alternative to Subdivision (a), above, a Small Lot Infill Subdivision may provide common open space amenities within a common open space easement, which is equal to at least 20 percent of the total subdivision area, and having no horizontal dimension less than 5 FT Furthermore, each dwelling shall be provided a minimum of 50 SF of private open space (patios and/or balconies) having no horizontal dimension less than 5 FT.

(5) Lot Access. Access to a lot containing a dwelling unit and its required parking shall be by way of a public or private street, alley, or access easement.

(6) Off-Street Parking. Small Lot Infill Subdivisions shall provide off-street parking facilities pursuant to the requirements of Division 6.03 (Off-Street Parking and Loading) of this Development Code, except as follows:

(a) Off-street parking shall be provided for each dwelling at the minimum rate of 1.0 parking space per bedroom, plus guest/visitor parking at the minimum rate of 0.2 parking space per bedroom. A minimum of one space shall be provided in a fully enclosed garage.

(b) There shall be no limitations on the use of tandem parking spaces, except that tandem parking shall be no more than 2 parking spaces in depth and shall not be used for guest/visitor parking.

(7) **Fences, Walls, and Obstructions.** Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).

(8) **Landscaping.** Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).

(9) ***Historic Preservation.*** Certain portions of residential and mixed use zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.

(10) **Security Standards.** Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).

(11) **Noise.** Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

(12) **Airport Safety Zones.** Properties within the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.

(b) *Building Development Standards.*

(1) **Minimum Setbacks.**

(a) No front, side, or rear yard setback is required between interior lots within an approved Small Lot Infill Single-Family Subdivision; however, a minimum 5-FT setback shall be provided where a lot abuts a lot that is not created pursuant to this Section.

(b) The front yard setback required by the underlying zoning district shall apply to the front lot line of a Small Lot Infill Subdivision that abuts a public street.

(c) Any Small Lot Infill Subdivision **sharing** a property line with a LDR-5 (Low Density Residential - 2.1 to 5.0 DUs/Ac) or higher density residentially zoned property, shall provide front, side, and rear yard setbacks along the subdivision perimeter that are consistent with the requirements of the underlying residential zoning district.

(d) Any Small Lot Infill Single-Family Subdivision **not sharing** a property line with a LDR-5 (Low Density Residential - 2.1 to 5.0 DUs/Ac) or higher density residentially zoned property shall provide a minimum 5-FT setback along the side lot line of the subdivision perimeter and a minimum 10-FT setback along the rear lot line of the subdivision perimeter.

(2) **Building Separations.** There shall be a minimum 6-FT separation between buildings, except that a minimum 10-FT separation shall be provided between the front face (contains the primary entry) of a Small Lot Home and the adjacent building wall of a neighboring Small Lot Home. Chimneys may extend up to 2 FT into the minimum building separation area.

(3) **Maximum Height.** Within a Small Lot Infill Subdivision, the maximum allowed building height is 40 FT.

(4) **Driveway Length.** Straight-in driveways to garages shall have a minimum length of 18 FT, measured from the right-of way of a public or private street, or from the edge of a private drive. No driveways shall be more than 5 FT in length if parking is not provided in front of a garage.

4. Building Design.

(a) *Dwelling Orientation.*

(1) Small Lot Dwelling Units that abut a public or private street shall orient the primary entryway (front door) toward the street. Where there is a physical site constraint, provide a clearly identifiable pedestrian entry to the site from the street.

(2) Small Lot Dwelling Units located in the interior of the subdivision shall orient the primary entryway toward, and be visible from, a pedestrian pathway that is connected to a public or private street.

(3) Small Lot Dwelling Units that abut an alley shall orient the primary entryway toward the alley or shall be connected to a pedestrian pathway that leads directly to a public or private street.

(b) *Small Lot Dwelling Primary Unit Entries.*

(1) All Small Lot Dwelling Units shall have a primary entry. All primary entries shall be provided with the address or unit identification, ornamental low-level lighting to illuminate the entry area, and a porch or landing.

(2) All primary entries shall incorporate all of the following elements:

(a) The entry shall be recessed at least 3 FT behind the building façade to create a covered porch or landing area.

(b) The entry shall be designed with an overhead projection of at least 12 inches (awning, canopy, roof, or other design features) in depth, which distinguish the entry area from the rest of the building façade.

(c) The entry shall be clearly marked with a side lite window panel, adjacent window, or a door with a window.

(d) The entry porch or landing area shall be raised at least one stair step (6-inch riser) above the pedestrian pathway, except as otherwise required by the Building Code, Americans with Disabilities Act, or Universal Design Standards.

(e) The entry porch or landing area shall be enhanced with decorative paving, texture, pattern, or color that is differentiated from the pedestrian pathway.

(c) *Façade Articulation.* Façades facing a public or private street, the project perimeter, and all portions of exterior building elevations located greater than 7 FT from an adjacent Small Lot Dwelling Unit, shall be treated with an equal level of detail and articulation, and shall incorporate all of the following façade articulation techniques:

(1) Change in exterior building materials to include at least two high-quality building façade materials that accentuate or correspond to variations in building massing. Building materials may include, but are not limited to wood, glass, brick, metal spandrel, cement board siding, tile, or other material acceptable to the Approving Authority.

(2) Porticos, awnings, terraces, balconies, eyebrows, or trellises of at least 12 inches in depth that provide variations in the building plane.

(3) Window treatments that are recessed behind the building façade a minimum of 4 inches. Windows or doors that are flush with the plane of the building (rather than recessed at least 4 inches) will not qualify as facade articulation.

(4) A break in the façade plane of at least 8 inches in depth, which is applied to at least 10 vertical FT of the facade.

(5) Other additional architectural enhancements that create a human scale to the building. Examples include handrails, fixed planters, and ornamental details such as lighting, molding, tiles, or other similar design elements acceptable to the Approving Authority.

(d) *Varied Roofline.* Any Small Lot Dwelling Unit façade exceeding two stories in height, which faces a public or private street, shall be provided with an articulated roofline incorporating at least two of the following design elements:

(1) A roof with a slope equal to or greater than 3 inches of rise for every 12 inches of run, including but not limited to a sloped or curved roofline at the top of the dwelling.

(2) An open deck having a minimum clear area of 6 FT in depth and 8 FT in width.

(3) A flat roof with a minimum of 2 FT vertical height difference for a minimum of 10 horizontal FT along the roofline of each building façade.

(4) A vertical break in the façade plane of at least 1.5 FT in depth, which extends up and through the roofline.

(5) Any form of roofline variation incorporating a change or break in roof plane, such as horizontal recesses, incorporation of dormers, or other similar design elements acceptable to the Approving Authority.

(e) *Roof Decks.* All roof decks shall be stepped back a minimum of 5 FT from the roof edge to prevent direct views of abutting residential neighbors, except that roof decks facing a street are not required to be stepped back.

(f) *Building Massing Variation.*

(1) Small Lot Dwelling Units shall be grouped into clusters to avoid long spans of building wall, not to exceed six dwelling units in a single continuous row or 180 linear FT, whichever is less. Clusters of Small Lot Dwelling Units shall be separated with a building gap of at least 6 FT, which shall be treated with a combination of landscaping, open space, common walkways, or driveways.

(2) Small Lot Dwelling Units in a single row shall provide a horizontal change in plane in the building façade of at least 1.5 feet for every 3 dwelling units, or every 90 linear FT, whichever is less. The Approving Authority may approve alternate exterior building designs that achieve the City's desired variation in building massing.

(3) The exterior design of adjoining Small Lot Dwelling Units shall be unique, so as to provide architectural variety within a subdivision. A Small Lot Infill Subdivision containing more than 5 dwelling units in a single row shall provide at least two variations in building design, such as changes in dwelling orientation, primary entryways, fenestration patterns, façade articulation, and rooflines. A Small Lot development of 10 or more dwelling units shall provide at least 3 variations in exterior building design.

5. Pedestrian Connectivity and Access.

(a) *Pedestrian Pathways.*

(1) Pedestrian pathways, minimum 3 FT in width, shall be provided from the public street to all primary entryways and common areas.

(2) A pedestrian pathway located within or parallel to a common driveway shall be constructed and/or treated with a change of material, finish, pattern, or paving that distinguishes the pathway from vehicular traffic.

(3) Small Lot Infill Subdivisions shall provide pedestrian and bicycle access to surrounding neighborhood streets.

(b) *Walls and Fences.*

(1) Walls and fences abutting a public or private street or alley, or common open space area, shall be decorative. Walls shall be finished with a decorative masonry material, such as brick, natural or cultured stone, or stucco, or be constructed of decorative concrete block, such as split-face, slump, burnished, or shot block. Fences shall be constructed of ornamental tube steel or iron.

(2) Garden walls and fences, maximum 3 FT in height, that abut a public or private street shall provide a point of entry into each individual lot that abuts the street.

(c) *Landscaping, Common Open Space Areas, and Amenities.*

(1) All areas of a Small Lot Infill Subdivision not used for buildings, parking areas, driveways, pedestrian pathways, utilities, or common open space areas shall be automatically irrigated, and fully landscaped and maintained.

(2) Required common open space areas shall have a minimum area of 300 SF, with no horizontal dimension less than 15 FT, measured perpendicular from any point on each of the boundaries of the open space area. Driveways, parking spaces, or pedestrian pathways cannot be counted toward the open space requirement.

(3) Required common open space areas shall be open to the sky and have no structures that project into the common open space area, excepting structures provided as a common open space enhancement pursuant to Subparagraph G.3(c)(5), below.

(4) Common open space areas shall be located at grade level, contiguous or connected, and readily accessible to all residents of the Small Lot Infill Subdivision.

(5) Common open space areas shall be multi-functional and designed to accommodate a range of passive, active, or social uses, and may include enhancements such as activity lawns, swimming pools, spas, picnic tables, benches, children's play areas, ball courts, barbecue areas, sitting areas, decorative bike racks, and/or dog washing stations. Enhanced common side and rear yards that meet the minimum area and dimension specified in Subparagraph G.3(c)(2), above, may be counted toward common open space requirements.

(6) All yards of a subdivision abutting the right-of-way shall be improved with landscaping (combination of groundcover, shrubs, and trees) and amenities. Amenities may include decorative fencing, uncovered patios, enhanced pedestrian pathways, garden walls, seating areas, and/or decorative bike racks.

6. Small Lot Infill Subdivisions with Existing Dwellings. Small Lot Infill Subdivisions incorporating existing dwelling units, such as, but not limited to, multiple detached single-family structures or historic detached bungalow courts on a single lot, may be subdivided. The conversion of an existing structure to a Small Lot Infill Subdivision shall be required to comply with the following design standards:

(a) *Common Access Driveway*. Existing common access driveways, pedestrian pathways, and central common open space areas shall be maintained and not reduced in size.

(b) *Pedestrian Pathway*. Pedestrian pathways, minimum 3 FT in width, shall be provided from the public street to all primary entryways and common areas, such as centralized trash enclosures, guest parking, and open space easements, etc. If narrower pathways exist, they may be maintained in the same footprint and area and shall not be further reduced in width.

(c) *Existing Structures.* New dwelling unit construction or building additions affecting designated or identified historic structures shall be in conformance with the Secretary of the Interior's Standards for Rehabilitation.

(d) *New Dwelling*. All new dwelling units shall meet all applicable design standards in Paragraphs G.3 (Development Standards) and G.4 (Building Design) of this Subsection.

(e) *Landscaping.* All areas of the Small Lot Infill Subdivision not used for buildings, parking areas, driveways, pedestrian pathways, utilities, or amenity areas shall be fully landscaped and maintained, and automatically irrigated.

H. Density Bonus and Other Incentives.

1. Purpose. The purpose of these provisions is to establish a process whereby the City may provide a density bonus and other incentives to a developer agreeing or proposing to produce affordable housing within the City. The density bonus and incentives allowed by these regulations are used by the City as a means of meeting its commitment to encouraging the provision of affordable housing to all economic groups living within the City.

2. Applicability. A developer may request a density bonus and other incentives as prescribed in GC Section 65915, et seq. These density bonus provisions shall apply to single-family and multiple-family residential development projects, and mixed-use development projects, which contain a minimum of 5 dwelling units, excluding dwellings units granted as a density bonus.

3. Procedure. A request for a density bonus and other incentives shall be filed, processed, and acted upon following the procedures for Development Agreements contained in Section 4.01.015 (Development Agreements) of this Development Code, and shall require the approval and adoption of a Development Agreement and a Density Bonus Agreement for its implementation. The Density Bonus Agreement shall be filed, processed, and acted upon following the procedures for Development Agreements.

4. Findings and Decision. In considering a proposed density bonus and other incentives, the Approving Authority shall consider and clearly establish that the density bonus and other incentives are consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and any applicable specific plans, giving reasons as to how the proposed density bonus and other incentives are consistent. Furthermore, the Approving Authority shall grant the requested concession or incentive, unless one or more of the following findings is established, based upon substantial evidence:

a. The concession or incentive is not required in order to provide for affordable housing costs, as defined in HSC Section 50052.5, or for rents for the targeted units to be set as specified in GC Section 659159(c).

b. The concession or incentive would have a specific adverse impact, as defined in GC Section 65589.5(d)(2), upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

c. The concession or incentive would be contrary to state or federal law.

I. Residential Design Guidelines.

1. The City Council adopted~~shall establish by resolution,~~ ~~r~~Residential ~~d~~Design ~~g~~Guidelines, included as Reference "D" of this Development Code, applicable to all residential zoning districts, which are intended as a reference to assist the designer in understanding the City's goals and objectives for residential development. The guidelines ~~shall~~ compliment the mandatory residential development regulations contained in this Section, by providing examples of potential design solutions, and by providing design interpretations of the various mandatory regulations contained herein.

2. The design guidelines authorized herein shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

6.01.015: Commercial Zoning Districts

A. Purpose. The purpose of the provisions of this Section is to ensure that development within commercial zoning districts of the City will contribute toward an urban environment of stable, desirable character; which is compatible with existing and future development; and is consistent with the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. These regulations are further established to:

1. Promote the construction of well-designed professional office buildings.

2. Reserve certain areas of the City, consistent with the Policy Plan (General Plan) component of The Ontario Plan, allowing the establishment of a full range of retail stores, business and professional offices, personal and business service establishments, transportation related service establishments, and certain wholesale establishments, which are scaled to meet the needs of City neighborhood dwellers, residents of the City as a whole, residents of the nearby region and visitors.

3. Establish appropriate standards for the siting of neighborhood convenience retail stores, helping foster neighborhood cohesion, and reducing the need for vehicular traffic.

4. Encourage the construction of attractive and functional community shopping centers at strategic locations throughout the City, consistent with the Policy Plan (General Plan) component of The Ontario Plan.

5. Ensure adequate space on commercial lots to meet the needs of commercial development, including on-site parking, loading, and landscaping.

6. Provide a strong economic and financial base, and to increase employment opportunities for City residents and those of the surrounding area.

7. Ensure a high quality of exterior appearance for commercial uses and structures is maintained in harmony with the visual character of the area in which they are located, and at the same time, minimize the impact of uses and structures on surrounding residential neighborhoods.

8. Provide specific design guidelines that will result in well-designed and high quality commercial development projects.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's commercial zoning districts. Furthermore, the provisions of this Section shall apply to all commercial land subdivisions and any new commercial construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Commercial Zoning District Development Standards. Development within commercial zoning districts shall comply with the requirements of Table 6.01-8 (Commercial Zoning District Development Standards), below, which specifies standards for the development of structures within the CS, CN, CC, CR, CCS, OL, and OH zoning districts.

Table 6.01-8: Commercial Zoning District Development Standards

Requirements	Commercial Zoning Districts							Additional Regulations
	CS	CN	CC	CR	CCS	OL	OH	
A SITE DEVELOPMENT STANDARDS								
1. Minimum Lot Size	10,000 SF				20,000 SF	7,200 SF		Note 1
2. Maximum Floor Area Ratio (FAR)	0.4				1.0	0.75		Note 5
3. Minimum Lot Dimensions								
a. Lot Width	100 FT					60 FT		Note 1
b. Lot Depth	100 FT							Note 1
4. Minimum Landscape Coverage	Refer to Division 6.05 (Landscaping) landscape standards. Also refer to Paragraph 6.01.010.G.6.c (Single-Family Cluster and Multiple-Family Development) for additional standards addressing multiple-family development within commercial zoning districts.							
a. Interior Lots	15%		10%			15%		Notes 2 and 3
b. Corner Lots	18%		13%			18%		Notes 2 and 3
c. Off-Street Parking Areas	7%							Section 6.05.040.D (Landscaping of Off-Street Parking Facilities)
5. Minimum Parking Space and Drive Aisle Separations								
a. Parking Space or Drive Aisle to Street Property Line								
(1) Freeway	20 FT							
(2) Arterial Street	20 FT				25 FT	20 FT		
(3) Collector and Local Street	20 FT				15 FT	10 FT		
b. Parking Space or Drive Aisle to Interior Property Line	10 FT	5 FT						
Exception: Property line common to a residential zoning district	10 FT (area shall be densely landscaped)							
c. Parking Space or Drive Aisle to Buildings, Walls, and Fences	5 FT							Note 4
6. Walls, Fences and Obstructions	Refer to Section 6.02.025 (Design Standards for Nonresidential Zoning Districts).							
7. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).							
8. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).							
9. Historic Preservation	Certain portions of commercial zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application							

Table 6.01-8: Commercial Zoning District Development Standards

Requirements	Commercial Zoning Districts							Additional Regulations
	CS	CN	CC	CR	CCS	OL	OH	
	processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.							
10. Signs	Refer to Division 8.1 (Sign Regulations).							
11. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).							
12. Noise	Buildings shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).							
13. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.							
B BUILDING DEVELOPMENT STANDARDS								
1. Minimum Street Setback								
a. From Freeway Property Line	20 FT							
b. From Arterial Street Property Line	20 FT				25 FT	20 FT		
c. From Collector and Local Street Property Line	20 FT				15 FT	10 FT		
2. Minimum Interior Property Line Setback	10 FT	5 FT	0 FT			5 FT	0 FT	
Exception: Setback at a property line common to a residential zoning district	15 FT		20 FT			15 FT		
3. Maximum Height	35 FT		55 FT			35 FT	65 FT	
Exception: Project contains properties having one or more property lines common with, or across the street from, a residential zoning district	Same as the adjacent residential zoning district. This exception shall not apply to development projects within the CIV (Civic) zoning district that are subject to the requirements of the OH zoning district.							
4. Minimum Setback from Major Pipelines (to habitable structures)	50 FT							Note 5

Notes:

1. *There is no minimum lot area or dimension for common interest subdivisions established pursuant to Section 6.08.010 (Common Interest Subdivisions) of this Development Code.*
2. *Landscaped areas with a minimum dimension of 5 FT or more shall contribute toward the "minimum landscape coverage" calculation.*
3. *The "minimum landscape coverage" calculation for interior and corner lots shall exclude all landscaped areas located within public rights-of-way.*
4. *The minimum separation area between a building, wall or fence, and a parking space or drive aisle, shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 3-FT wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang.*

5. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*

   a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*

   b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*

D. Exceptions to Development Standards.

1. Building Height.

a. *Aerials and Antennas, Chimneys, Cupolas, Elevator Penthouses, Flagpoles, Monuments, Parapet Walls, Spires, Towers, Water Tanks, and Other Similar Structures*. Aerials and antennas, chimneys, cupolas, elevator penthouses, flagpoles, monuments, parapet walls, spires, towers, water tanks, and other similar structures may be erected to a height of up to 25 percent above the prescribed height limit of the base zoning district.

b. *Amateur (HAM) Radio Antennas*. HAM radio antennas may exceed the maximum prescribed height limit of a zoning district by a maximum of 10 FT. The Zoning Administrator, however, may allow HAM radio antennas to exceed this height limitation if it is necessary to accommodate amateur radio service communications. A HAM radio antenna that exceeds the maximum prescribed height limit of the zoning district in which it is located shall not exceed the minimum height and dimensions necessary to accommodate amateur radio service communications.

c. *Wireless Telecommunication Facilities*. Wireless telecommunication facilities shall comply with Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code.

2. Encroachments into Required Setback Areas.

a. *Balconies.* Balconies may extend into a required street or interior property line setback area a maximum of 50 percent of the required setback, not to exceed 4 FT.

b. *Cornices, Eaves, Canopies, Decorative Wall Elements, and Similar Architectural Features*. Cornices, eaves, canopies, decorative wall elements, and similar architectural features may extend into a required street or interior property line setback area a maximum of 50 percent of the required setback, not to exceed 4 FT.

c. *Signs*. Signs and advertising structures may encroach into a required front setback area, street side setback area, or rear setback area of a through-lot, pursuant to Division 8.1 (Sign Regulations) of this Development Code.

d. *Walls, Fences, and Obstructions.* Walls, fences, and obstructions may be permitted within required setback areas pursuant to the provisions of Division 6.02 (Fences, Walls, and Obstructions) of this Chapter.

E. General Provisions.

1. Building Setback Areas Adjoining Streets. Except as otherwise specifically provided by this Development Code, required setback areas adjoining streets shall only be used for the placement of landscaping and irrigation installed pursuant to Division 6.05 (Landscaping)~~;~~, ~~public art works installed pursuant to Division 6.07 (Public Art);~~ vehicular and pedestrian accesses, off-street parking and vehicular circulation, and site lighting pursuant to Division 6.03 (Off-Street Parking and Loading), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

2. Location of Off-Street Parking Lots on Properties that Front or Have Direct Access to Euclid Avenue. Proposed off-street parking lots on properties with Euclid Avenue frontage, or having direct access to Euclid Avenue, shall be located at the side or rear of the buildings they serve, excepting shared off-street parking lots serving shopping centers. This provision shall not preclude the City approval of access driveways to parking lots on properties with Euclid Avenue frontage or having direct access to Euclid Avenue.

3. Parking Space and Drive Aisle Setback Areas. Parking space and drive aisle setback areas required pursuant to Table 6.01-7 (Commercial Zoning District Development Standards) of this Division shall only be used for landscaping and irrigation installed pursuant to Division 6.05 (Landscaping), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), ~~public art works installed pursuant to Division 6.07 (Public Art),~~ and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

4. Compatibility with Existing Surrounding Development. New buildings shall respect and enhance the qualities and features of the existing neighborhood or area in which they are built. In-fill development projects within existing developed areas that have an established character shall be compatible with, or complement, the established architectural character of the area in terms of **[i]** consistency of rooflines, materials, and colors; **[ii]** similar window and door patterns; and **[iii]** similar decorative elements.

5. Compatibility within a Complex or Center. Development projects consisting of multiple buildings within a complex or center shall be designed as a distinct place or district, establishing a cohesive identity for the development, which differentiates it from other commercial development projects within the area.

6. 360-Degree Architecture. Buildings shall not have the appearance of a false facade attached to the front of a uniform building shell. A building shall be designed to ensure that it's massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

7. Corporate Architecture. A building within a complex or center, or an in-fill building within a developed area that has an established character, shall not be dominated by corporate or trademark architectural details, or building forms intended to serve as signing and marketing elements.

a. Individual corporate image, trademark, or design elements and colors intended to market the occupant of a building shall be incorporated only as secondary design elements, and not as dominant features of the building. These secondary design elements shall be compatible with the surrounding development and shall not define the character or style of the building or development.

b. The City hereby reserves the right to require significant departures from "corporate architecture," which is proposed for the purpose of marketing or branding the occupant of a structure, when such architectural features are determined by the Approving Authority, to dominate the established architectural theme or character of a complex or center, or that of a developed area that has an established architectural character.

8. Building Materials. Building exteriors shall be finished with attractive and durable materials, which are of high quality and require minimal maintenance.

a. *Acceptable Exterior Building Finishes.* Exterior building finishes shall be classified according to their visual weight and are listed in Table 6.01-9 (Acceptable Exterior Building Finishes), below. The list of finishes is not all-inclusive but is intended to describe the types of finishes applicable to each weighted category.

Table 6.01-9: Acceptable Exterior Building Finishes

Heavy Materials	*Intermediate Materials*	*Light Materials*
Natural Stone	Stucco	Natural Wood
Integrally-Colored Decorative Masonry Block	Exterior Insulation and Finishing System (EIFS)	Cement Board
Brick	Smooth Textured Tilt-Up or Precast Concrete Panels	Synthetic Wood
Cast and Synthetic Stone		Architectural Metal
Richly Textured Tilt-Up or Precast Concrete Panels		Glass Curtain Wall

b. *Hierarchy of Materials.*

(1) **Heavy Materials**—Heavy materials shall be principally located: (a) at the base of the structure, as a foundation material that visually carries the weight of the structure; and/or (b) on significant architectural elements of a structure, to define those elements or suggest that the building has been built and added to, over time. Generally, heavy materials comprise the foundation (most visually significant) materials used on the exterior wall surface area.

(2) **Intermediate Materials**—Intermediate materials shall be situated so as to be visually supported by heavy materials. Generally, intermediate materials comprise the body (primary building material) of a building.

(3) **Light Materials**—Light materials shall be positioned above intermediate materials, at the top of the structure, and visually supported by the intermediate and heavy materials below.

c. *Manufactured Materials.* The use of manufactured materials, such as synthetic, cast, and cultured materials is allowed, provided the materials are identical in appearance and of equal or greater durability to the natural materials they are intended to emulate.

9. Use of Structural Masonry and Masonry Veneers. Concrete block, brick, stone, and other types of structural masonry or masonry veneer shall be detailed as masonry bearing walls, especially at openings. Proper masonry detailing allows the building to be more pleasing to the eye, as the openings appear to be structurally supported.

a. *Exterior Corners.* Stone and brick used on exterior walls shall not terminate at exterior corners, except where such termination would be consistent with the architectural style being represented.

b. *Masonry Openings.* Openings in a block, brick, or stone façade, including all windows and doors, shall have a lintel, arch, or soldier course at the top of the opening, which appears to structurally support the area of masonry above the opening.

c. *Horizontal Change in Material.* A horizontal change in material from masonry to another material shall include a decorative cap or sill that projects from the face of the building.

10. Parapets and Cornices.

a. A parapet wall and decorative cornice shall be used to visually terminate an exterior wall on a building with a flat roof and shall be used as the primary method for screening roof-mounted mechanical equipment.

b. The parapet and cornice design shall be in proportion to the size and scale of the building and shall reflect the architectural style and detailing of the building.

11. Gutters and Downspouts.

a. Gutters and downspouts shall be concealed from public view, unless designed as a continuous architectural feature.

b. Exposed gutters and downspouts used as architectural features should be colored to match the fascia or wall material to which they are attached.

c. Care shall be taken to avoid locating downspouts near building public entrances and openings.

12. Glazing. The ground floor glazing of a building shall be transparent. Ground floor transparency guarantees a visual connection to the casual observer located at the building exterior, which is an essential feature of commercial structures. By exposing the ground floor to the exterior, there is an invitation to participate with the activity inside. Furthermore, the use of transparent glazing provides the City's public safety personnel the ability to view inside a building without having to first enter the structure.

a. The minimum glazing required on all primary building façades shall be equal to at least 60 percent of the view plane area, with at least 50 percent of the view plane area being transparent.

b. For the purposes of these regulations governing glazing on a building, the following words, terms, and phrases are defined as follows:

(1) *Primary Facade*. Primary facade shall mean any exterior building elevation that faces a street, access way, pedestrian walkway, or drive aisle internal to a complex or center. For the purposes of this requirement, alleys and service drives shall not be considered a street, access way, or internal drive aisle.

(2) *View Plane Area.* View plane area shall mean the wall area on the primary façade of a building, which is located between 2 FT and 10 FT above the adjacent exterior grade.

(3) *Transparent.* Transparent shall mean glazing that is see-through from both the exterior and the interior of the building. This does not, however, preclude the use of tinted glazing.

c. This standard shall not apply if the Approving Authority determines that the required transparency is inconsistent with the operational or design needs of the building.

13. Lighting. Commercial development shall incorporate lighting fixtures that are decorative and are designed to eliminate adverse impacts of light spillover and promote safe vehicular and pedestrian access.

a. Light fixtures shall be full cut-off fixtures to prevent glare and light spill off the project site onto adjacent properties, buildings, and roadways.

b. Parking lot lighting shall comply with Section 6.03.050 (Parking Lot Lighting) of this Development Code and OMC Section 4-11.09(j).

c. Lighting fixtures shall be color-correct types, such as halogen, metal halide, or LED, to ensure true-color at night, visual comfort for pedestrians, and energy efficiency.

d. Pedestrian-level pole-mounted lighting, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings or walls shall be used to light pedestrian walkways. Pole-mounted, building-mounted, or tree-mounted lighting fixtures shall be no more than 12 FT in height. Bollard-type lighting shall be no more than 4 FT in height.

e. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures, were possible.

14. Building Color. Building exteriors shall incorporate colors that are of compatible hues and intensities. Color schemes shall tie building elements together, relate separate buildings within the same development, and enhance the architectural form of a building.

a. Exterior building colors shall be low-reflecting and subtle. Furthermore, overly intense, overly bright, or fluorescent or Day-Glo colors, shall not be used on a building exterior, as determined by the Planning Director.

b. The exterior building color of a new development project shall be reviewed and approved in conjunction with the approval of the structure by the Approving Authority. Development projects consisting of multiple buildings shall incorporate colors that are coordinated between structures, utilizing compatible hues and intensities. The final review and approval of paint colors, utilizing a color test, may be required by the City, prior to painting a building.

c. All building mechanical equipment and appurtenances, including, but not limited to, meters, flues, vents, gutters, and utilities, shall match or complement the permanent color of the surface from which they are attached or project.

15. Roof Access Ladders. Ladders for roof access shall be mounted on the inside of the building, or if located on the building exterior, shall be completely concealed from public view.

16. Equipment Screening.

a. All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

b. All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened by landscaping and/or decorative low garden walls.

17. Refuse Storage Areas (Trash Enclosures).

a. Within commercial zoning districts, refuse and recyclable materials shall be stored in an appropriate container, out of view of public or private streets, and adjacent properties.

b. Refuse and recyclable materials container storage shall be within City-approved enclosures designed to contain separate containers for the collection of refuse and recyclable materials. The number of trash enclosures required, their precise locations and dimensions, and their design shall be pursuant to the City's Refuse and Recycling Planning Manual. The requirement for refuse container storage areas may be reduced or waived by the Approving Authority if a trash compactor is used, which is screened from public view.

c. Trash enclosures shall consist of a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, and separate pedestrian access, which is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion. The enclosure design shall be consistent with the architectural design of adjacent buildings and shall include a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable.

d. To the extent practicable, trash enclosures shall be located away from property lines common with sensitive uses, such as, but not limited to, dwellings, schools, playgrounds, childcare centers, health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

e. Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

f. Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling, shall be posted adjacent to all points of access to each trash enclosure.

g. Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates, except when located out of public view.

h. Prior to the issuance of an occupancy permit, a developer or property owner(s) may be required to develop a written recycling plan, which specifies the identification of targeted materials to be recycled, and methods of recycling program promotion to tenants.

18. Trip Reduction. All new development projects shall fully implement trip reduction measures in compliance with Division 6.04 (Congestion Management and Trip Reduction) of this Chapter.

19. Outdoor Loading and Storage Areas.

a. Loading facilities shall be designed and constructed pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

b. Areas designated for open space, landscaping, off-street parking, loading, and vehicular circulation and maneuvering shall not be used for the outdoor storage of materials or equipment.

c. The outdoor storage of materials and equipment shall be permitted only within the CC and CR zoning districts in conjunction with, and ancillary to, the primary allowed land use. Outdoor loading and storage areas, and loading doors, shall be fully enclosed by a masonry screen wall with view-obstructing gates pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Development Code. Walls and gates visible to the public shall be decorative. Chain link fencing with a screening material shall not be used to screen loading and storage activities and areas.

20. Outdoor Activities. All business activities shall be conducted entirely within a completely enclosed structure, except for the following:

a. Sale or display of new or used automobiles, boats, trucks, recreational vehicles and similar large equipment;

b. Outdoor cafes and eating areas;

c. Sale or display of building material, lumber, nursery stock and similar bulk stock, subject to the location and screening requirements of this Section;

d. Temporary activities, such as Christmas tree sales, sidewalk sales and other temporary or seasonal activities, subject to the issuance of an Administrative Use Permit for temporary uses, activities, and facilities pursuant Section 4.03.015 (Administrative Use Permits) of this Development Code;

e. Off-street parking facilities, and outdoor loading and storage areas, which are properly screened pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Chapter; and

f. As allowed pursuant to the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities as Facilities) of this Development Code.

21. Noise. Within all commercial zoning districts, structures and equipment shall be designed, located, constructed, and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in OMC Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

22. Airport Safety Zones. Within commercial zoning districts, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.

23. Security Standards. Within commercial zoning districts, any lot, and any building or structures thereon, shall comply with all applicable requirements of OMC Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

F. Commercial Design Guidelines.

1. The City Council adopted~~shall establish by resolution,~~ ~~c~~Commercial ~~d~~Design ~~g~~Guidelines, included as Reference "E" of this Development Code, applicable to all commercial zoning districts, which are intended as a reference to assist the designer in understanding the City's goals and objectives for commercial development. The guidelines ~~shall~~ compliment the mandatory commercial development regulations contained in this Section, by providing examples of potential design solutions and by providing design interpretations of the various mandatory regulations contained herein.

2. The design guidelines authorized herein shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

6.01.020: Mixed Use Zoning Districts

A. Purpose.

1. The purpose of this Section is to establish regulations intended to encourage innovative mixed-use development as an alternative to the typical suburban, use-segregated developments found throughout the Inland Empire, which is consistent with the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. Generally, mixed-use districts are intended for the creation of development projects that:

a. Create a dynamic, walkable, mixed-use environment;

b. Provide for a development pattern that encourages the use of public transportation;

c. Provide for a mix of housing types that are within close proximity to retail and service uses;

d. Establish high standards for the design and development of buildings, infrastructure, and landscaping;

e. Ensure a high degree of pedestrian and vehicular connectivity, and enhance the vitality of commercial corridors within the City;

f. Facilitate the development of housing, retail, and office uses within close proximity to one another, allowing residents to walk to retail and service uses, and transit services; and

g. In selected areas, locate buildings close to the street, so that streets and squares feel enclosed, establishing outdoor rooms.

2. The intent of each established mixed-use district is as follows:

a. *Downtown Mixed-Use Area.* The Downtown Mixed-Use District (MU-1 zoning district) is intended to accommodate an intensive mixture of vertical and horizontal retail and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 DU/AC. The Downtown Mixed-Use District is intended to encourage the development and revitalization of the City's historic downtown district in such manner as to achieve the District's full potential as a unique shopping and residential area, as well as the City's focus for governmental, cultural, and educational activities.

b. *East Holt Mixed-Use Area*. The East Holt Mixed-Use District (MU-2 zoning district) is intended to accommodate the intensification of the East Holt Boulevard Corridor with low-rise (up to 5 stories) buildings housing a mixture of retail and office uses at a development intensity of up to 2.0 FAR and 1.0 FAR, respectively, and residential uses at a density of 14 to 40 DU/AC. The intent of this zoning district is to create identity and place along the Holt Boulevard Corridor and provide a connection between the Downtown Mixed Use Area and the Ontario Airport Metro Center.

c. *Euclid/Francis Mixed-Use Area.* The Euclid/Francis Mixed-Use District (MU-11 zoning district) is intended to accommodate a low-rise (up to 3 stories) mixture of retail uses at an intensity of up to 1.0 FAR, and residential uses at a density of 14 to 25 DU/AC, that will create identity and place along the Euclid Avenue corridor.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's mixed-use zoning districts. Furthermore, the provisions of this Section shall apply to all land subdivisions for mixed-use purposes, and any new mixed-use construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Mixed Use Zoning District Development Standards. Development within the MU-1, MU-2, and MU-11 mixed-use zoning districts shall comply with the following standards:

1. MU-1 (Downtown Mixed Use Area) Zoning District.

a. *Planned Unit Development Required.* Within the MU-1 zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Area Plan and Form-Based Development Standards In Lieu of Planned Unit Development Adoption.* In lieu of Planned Unit Development adoption, the City may elect to prepare and adopt an Area Plan to provide additional policy-level guidance for development within MU-1 zoning district, in conjunction with the inclusion of appropriate form-based development standards within this Section, to be established on a minimum per block basis.

c. *Allowed Development Density/Intensity*. Within the MU-1 zoning district, residential development shall range from a minimum allowed density of 25 dwelling units per acre, to a maximum allowed density of 75.0 dwelling units per acre. Commercial-retail and/or office development shall not exceed 2.0 FAR.

d. *Downtown Ontario Design Guidelines.* In August 1998, the City Council adopted the Downtown Ontario Design Guidelines, included as Reference "C" of this Development Code, which establishes a set of architectural, graphic, and lighting design principles, to provide guidance to business owners, homeowners, City staff, and design professionals, for the development and/or rehabilitation of properties within the City's historic original downtown area (project area). The project area is bordered by "I" Street on the north, Vine Street on the west, Sultana Avenue on the east, and railroad tracks on the south, and is defined in Figure 1.4 (Land Use Districts) of the Downtown Ontario Design Guidelines. The design guidelines also apply to those properties located across the street from, and directly abut, the project area.

2. MU-3 (East Guasti Mixed Use) Zoning District.

a. *Planned Unit Development Required.* Within the MU-3 zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity.* Within the MU-3 zoning district, commercial and residential development shall be low-rise, not to exceed 5 stories in height. Residential development shall range from a minimum allowed density of 20.0 dwelling units per acre, to a maximum allowed density of 65.0 dwelling units per acre. Commercial-retail and office development shall not exceed 1.0 FAR.

3. MU-6 (East Holt Boulevard Mixed Use Area) Zoning District.

a. *Planned Unit Development Required.* Within the MU-6 zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity.* Within the MU-6 zoning district, residential development shall range from a minimum allowed density of 14.1 dwelling units per acre, to a maximum allowed density of 40.0 dwelling units per acre. Commercial-retail development shall not exceed 1.0 FAR and commercial-office development shall not exceed 2.0 FAR.

4. MU-8B (Mountain/Fourth Mixed Use) Zoning District.

a. *Planned Unit Development Required.* Within the MU-8B zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity.* Within the MU-8B zoning district, commercial and residential development shall be low-rise, not to exceed 5 stories in height. Residential development shall range from a minimum allowed density of 20.0 dwelling units per acre, to a maximum allowed density of 75.0 dwelling units per acre. Commercial-retail and office development shall not exceed 1.0 FAR.

5. MU-8C (West Holt Boulevard Mixed Use) Zoning District.

a. *Planned Unit Development Required.* Within the MU-8C zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity.* Within the MU-8C zoning district, commercial and residential development shall be low-rise, not to exceed 5 stories in height. Residential development shall range from a minimum allowed density of 14.0 dwelling units per acre, to a maximum allowed density of 40.0 dwelling units per acre. Commercial-retail development shall not exceed 1.0 FAR and commercial-office development shall not exceed 2.0 FAR.

6. MU-8D (Euclid/Francis Mixed Use Area) Zoning District.

a. *Residential Development.* Within the MU-8D zoning district, low-rise (up to 5 stories) residential development shall be allowed pursuant to the standards of the HDR-45 zoning district and shall range from a minimum allowed density of 20.0 dwelling units per acre, to a maximum allowed density of 75.0 dwelling units per acre.

b. *Nonresidential Development.* Within the MU-8D zoning district, nonresidential development shall be allowed pursuant to the requirements of the CC zoning district, and shall not exceed 1.0 FAR.

7. MU-8E (Euclid/Walnut Mixed Use) Zoning District.

a. *Planned Unit Development Required.* Within the MU-8E zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity.* Within the MU-3 zoning district, commercial and residential development shall be low-rise, not to exceed 5 stories in height. Residential development shall range from a minimum allowed density of 20.0 dwelling units per acre, to a maximum allowed density of 75.0 dwelling units per acre. Commercial-retail and office development shall not exceed 1.0 FAR.

6.01.025: Industrial Zoning Districts

A. Purpose. The purpose of this Section is to ensure that development within the industrial zoning districts of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan. These regulations are further established to:

1. Reserve appropriate areas in the community for a full range of industrial uses, which are grouped to achieve maximum compatibility with respect to the characteristics of the various types of industrial activities and processes;

2. Encourage the development of all types of industrial establishments in a manner that is consistent with sound standards of public health and safety;

3. Allow certain types of light industrial uses that are relatively free of nuisance or hazardous features, which may be located in areas nearest to residential, office, and commercial areas, while providing space for industrial uses with more severe impacts in more remote locations;

4. Protect areas appropriate for industrial development from intrusion by residences and other incompatible uses, while providing opportunities for various types of industrial establishments and similar uses to concentrate in mutually beneficial relationships to each other;

5. Ensure the provision of adequate space to meet the needs of industrial development, including landscaped setbacks, off-street parking and truck loading areas;

6. Strengthen the City's economic base and jobs-housing balance by increasing employment opportunities close to home for residents of the City and surrounding communities;

7. Ensure that the appearance of industrial buildings and uses is compatible with the visual character of the area in which they are located; and

8. Provide a sufficient number of appropriately located sites for adult businesses within the IH (Heavy Industrial) zoning district.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's industrial zoning districts. Furthermore, the provisions of this Section shall apply to all industrial land subdivisions and any new industrial construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Development Standards. Development within industrial zoning districts shall comply with the requirements of Table 6.01-10 (Industrial Zoning District Development Standards), below, which specifies standards for the development of structures within the BP, IP, IL, IG, and IH zoning districts.

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
A. SITE DEVELOPMENT STANDARDS						
1. Minimum Lot Area	1.0 AC		10,000 SF			Note 1
2. Maximum Floor Area Ratio (FAR)	0.60		0.55			Note 7
3. Minimum Lot Dimensions	100 FT – Lot Width 100 FT – Lot Depth					Note 1
4. Minimum Landscape Coverage	Refer to Division 6.05 (Landscaping)					
a. Interior Lots	15%	10%				Notes 2 and 3
b. Corner Lots	20%	15%				Notes 2 and 3
c. Off-Street Parking Areas	7%					See Section 6.05.040.D (Landscaping of Off-Street Parking Facilities)

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
5. Minimum Parking Space and Drive Aisle Separations						
a. Parking Space or Drive Aisle to Street Property Line	20 FT		10 FT			
b. Parking Space or Drive Aisle to Interior Property Line	5 FT					Notes 4 and 5
Exception: From property line common with residential district	10 FT (area shall be densely landscaped)			n/a		
c. Parking Space to Buildings, Walls, and Fences	10 FT - Areas adjacent to public entries and office areas 5 FT - Areas adjacent to other building areas					Note 5
Exception: Within screened loading and storage yard areas	0 FT					
d. Drive Aisles to Buildings, Walls, and Fences	10 FT					Note 5
Exception: Within screened loading and storage yard areas	0 FT					
6. Minimum Screened Loading and Storage Yard Separations						
a. Enclosed Loading and Storage Yard to Street Property Line	20 FT - Freeways 20 FT - Arterial Streets 10 FT - Collector/Local Streets					
b. Screened Loading and Storage Yard to Interior Property Line	0 FT					
Exception: From interior property line common with residential district	10 FT (area shall be densely landscaped)				n/a	
c. Screened Loading and Storage Yard to Buildings, Walls, and Fences	0 FT					
7. Walls, Fences and Obstructions	Refer to Section 6.02.025 (Design Standards for Nonresidential Zoning Districts).					
8. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).					
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).					
10. Historic Preservation	Certain portions of commercial zoning districts are identified as historic or potentially historic, and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.					

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
11. Signs	Refer to Division 8.1 (Sign Regulations).					
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).					
13. Noise	Buildings shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).					
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.					
B. BUILDING DEVELOPMENT STANDARDS						
1. Maximum Area Per Building	45,000 SF - Single-Tenant 60,000 SF - Multi-Tenant		See Note 9	n/a		
2. Minimum Street Setback						
a. From Freeway Property Line	20 FT					
b. From Arterial Street Property Line	10 FT - Holt Boulevard 20 FT - All Other Arterial Streets					
c. From Collector and Local Street Property Line	10 FT					
3. Minimum Interior Property Line Setback	0 FT					Note 6
Exception: Property line common with residential districts	30 FT					
4. Maximum Height	45 FT		55 FT			Note 7
5. Minimum Setback From Major Pipelines (to habitable structures)	50 FT					Note 8

Notes:

1. *There is no minimum lot area or dimension for common interest subdivisions established pursuant to Section 6.08.010 (Common Interest Subdivisions) of this Development Code.*
2. *Landscaped areas with a minimum dimension of less than 5 FT shall not contribute toward the "minimum landscape coverage" calculation.*
3. *The "minimum landscape coverage" calculation for interior and corner lots shall exclude all landscaped areas located within public rights-of-way.*
4. *Within yard areas fully screened by a decorative wall, there shall be no minimum drive aisle or parking space setback required, unless adjacent to residentially zoned properties.*
5. *The minimum separation area between a building, wall, or fence, and a parking space or drive aisle, shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 3-FT wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang.*
6. *There shall not be a minimum required building setback from property lines that are interior to a business park, or industrial park or complex.*
7. *The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by airport safety zones.*

8. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*

   a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*

   b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*

9. *Within the IL zoning district, lots abutting, or directly across the street from, a residentially zoned property, shall comply with the "Maximum Height" applicable to the BP and IP zoning districts.*

D. **Exceptions to Development Standards.** The following exceptions from the industrial zoning district development standards stipulated in Table 6.01-8 (Industrial Zoning District Development Standards) shall be permitted:

1. Building Height.

a. *Aerials and Antennas, Chimneys, Cupolas, Elevator Penthouses, Flagpoles, Monuments, Parapet Walls, Spires, Towers, Water Tanks, and Other Similar Structures*. Aerials and antennas, chimneys, cupolas, elevator penthouses, flagpoles, monuments, parapet walls, spires, towers, water tanks, and other similar structures may be erected to a height of up to 25 percent above the prescribed height limit of the base zoning district.

b. *Amateur (HAM) Radio Antennas*. HAM radio antennas may exceed the maximum prescribed height limit of a zoning district by a maximum of 10 FT. The Zoning Administrator, however, may allow HAM radio antennas to exceed this height limitation if it is necessary to accommodate amateur radio service communications. A HAM radio antenna that exceeds the maximum prescribed height limit of the zoning district in which it is located shall not exceed the minimum height and dimensions necessary to accommodate amateur radio service communications.

c. *Wireless Telecommunication Facilities*. Wireless telecommunication facilities shall comply with Section 5.03.42 (Wireless Telecommunications Facilities) of this Development Code.

2. Encroachments into Required Setback Areas.

a. *Cornices, Eaves, Canopies, Decorative Wall Elements, and Similar Architectural Features*. Cornices, eaves, canopies, decorative wall elements, and similar architectural features may extend into a required street or interior property line setback area a maximum of 50 percent of the required setback, not to exceed 4 FT.

b. *Signs*. Signs and advertising structures may encroach into a required front street setback area pursuant to Division 8.1 (Sign Regulations) of this Development Code.

c. *Walls, Fences, and Obstructions.* Walls, fences, and obstructions may be permitted within required setback areas pursuant to the provisions of Division 6.02 (Fences, Walls, and Obstructions) of this Chapter.

E. **General Provisions.** The following general regulations shall be applicable to all land uses, activities, and facilities within each industrial zoning district:

1. Building Setback Areas Adjoining Streets. Except as otherwise specifically provided by this Development Code, required setback areas adjoining streets shall only be used for the placement of landscaping and irrigation installed pursuant to Division 6.05 (Landscaping)~~;~~, ~~public art works installed pursuant to Division 6.07 (Public Art);~~ vehicular and pedestrian accesses, off-street parking and vehicular circulation, and site lighting pursuant to Division 6.03 (Off-Street Parking and Loading), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

2. Parking Space and Drive Aisle Setback Areas. Parking space and drive aisle setback areas required pursuant to Table 6.01-10 (Industrial Zoning District Development Standards) shall only be used for landscaping and irrigation installed pursuant to Division 6.05 (Landscaping), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), ~~public art works installed pursuant to Division 6.07 (Public Art),~~ and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

3. Refuse Storage Areas (Trash Enclosures).

a. Within industrial zoning districts, refuse and recyclable materials shall be stored in an appropriate container, out of view of public or private streets, and adjacent properties.

b. Refuse and recyclable materials container storage shall be within City-approved enclosures designed to contain separate containers for the collection of refuse and recyclable materials. The number of trash enclosures required, their precise locations and dimensions, and their design shall be pursuant to the City's Refuse and Recycling Planning Manual. The requirement for refuse container storage areas may be reduced or waived by the Approving Authority if a trash compactor is used, which is screened from public view.

c. Trash enclosures shall consist of a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, and separate pedestrian access, which is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion. The enclosure design shall be consistent with the architectural design of adjacent buildings and shall include a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable.

d. To the extent practicable, trash enclosures shall be located away from property lines common with sensitive uses, such as, but not limited to, dwellings, schools, playgrounds, childcare centers, health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

e. Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

f. Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

g. Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates, except when located out of public view.

h. Prior to the issuance of an occupancy permit, a developer or property owner(s) may be required to develop a written recycling plan, which specifies the identification of targeted materials to be recycled, and methods of recycling program promotion to tenants.

4. Lighting. Commercial development shall incorporate lighting fixtures that are decorative and are designed to eliminate adverse impacts of light spillover and promote safe vehicular and pedestrian access.

a. Light fixtures shall be full cut-off fixtures to prevent glare and light spill off the project site onto adjacent properties, buildings, and roadways.

b. Parking lot lighting shall comply with Section 6.03.050 (Parking Lot Lighting) of this Development Code and OMC Section 4-11.09(j).

c. Lighting fixtures shall be color-correct types, such as halogen, metal halide, or LED, to ensure true-color at night, visual comfort for pedestrians, and energy efficiency.

d. Pedestrian-level pole-mounted lighting, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings or walls shall be used to light pedestrian walkways. Pole-mounted, building-mounted, or tree-mounted lighting fixtures shall be no more than 14 FT in height. Bollard-type lighting shall be no more than 4 FT in height.

e. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures, were possible.

5. Equipment Screening.

a. All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

b. All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

6. Outdoor Loading and Storage Areas.

a. Loading facilities shall be designed and constructed pursuant to Division 6.03 (Off-Street Parking and Loading) of this Chapter.

b. Areas designated for open space, landscaping, off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

c. The outdoor storage of materials and equipment shall be permitted only within the IL, IG, IH, and ONT zoning districts in conjunction with, and ancillary to, the primary

allowed land use, except as otherwise allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

d. Outdoor loading and storage areas, and loading doors, shall be screened from public view by a decorative masonry wall with view-obstructing gates, pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Development Code. Furthermore, loading and storage areas, and loading doors, shall not face a freeway, Euclid Avenue, or Mission Boulevard, unless fully screened from view of the freeway or street.

e. The outdoor storage of materials or equipment shall not be allowed within the BP and IP zoning districts.

7. Outdoor Manufacturing and Processing.

a. Manufacturing and processing activities shall be conducted within a wholly enclosed building, except that outdoor manufacturing and processing activities may be allowed within the IG, IH, and ONT zoning districts in conjunction with, and ancillary to, the primary allowed land use, subject to the approval of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

b. Outdoor manufacturing and processing activities allowed pursuant to Subparagraph C.7.a, above, shall be screened from public view by buildings and/or decorative masonry walls with view-obstructing gates.

8. Outdoor Sales and Display. Within industrial zoning districts, all sales and display activities shall be conducted within a wholly enclosed building, except as follows:

a. Sale or display of new or used automobiles, boats, trucks, recreational vehicles and similar large equipment;

b. Outdoor cafes and eating areas;

c. Sale or display of building material, lumber, nursery stock and similar bulk stock, subject to the location and screening requirements of this Section;

d. Temporary activities, such as Christmas tree sales, sidewalk sales and other temporary or seasonal activities, subject to the issuance of an Administrative Use Permit for temporary uses, activities, and facilities pursuant Section 4.03.015 (Administrative Use Permits) of this Development Code;

e. Off-street parking facilities, and outdoor loading and storage areas, which are properly screened pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Chapter; and

f. As allowed pursuant to the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities as Facilities) of this Development Code.

9. Building Color. Building exteriors shall incorporate colors that are of compatible hues and intensities. Color schemes shall tie building elements together, relate separate buildings within the same development, and enhance the architectural form of a building.

a. Exterior building colors shall be low-reflecting and subtle. Furthermore, overly intense, overly bright, or fluorescent or Day-Glo colors, shall not be used on a building exterior, as determined by the Planning Director.

b. The exterior building color of a new development project shall be reviewed and approved in conjunction with the approval of the structure by the Approving Authority. Development projects consisting of multiple buildings shall incorporate colors that are coordinated between structures, utilizing compatible hues and intensities. The final review and approval of paint colors, utilizing a color test, may be required by the City, prior to painting a building.

c. All building mechanical equipment and appurtenances, including, but not limited to, meters, flues, vents, gutters, and utilities, shall match or complement the permanent color of the surface from which they are attached or project.

10. Roof Access Ladders. Ladders for roof access shall be mounted on the inside of the building, or if located on the building exterior, shall be completely concealed from public view.

11. Gutters and Downspouts. Gutters and downspouts shall be concealed from public view, unless designed as a continuous architectural feature. Exposed gutters and downspouts used as architectural features should be colored to match the fascia or wall material to which they are attached.

12. Trip Reduction. All new development projects shall fully implement trip reduction measures in compliance with Division 6.04 (Congestion Management and Trip Reduction) of this Chapter.

13. Noise. Within all industrial zoning districts, structures and equipment shall be designed, located, constructed, and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in OMC Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

14. Airport Safety Zones. Industrially zoned properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.

15. Security Standards. Within industrial zoning districts, any lot, and any building or structures thereon, shall comply with all applicable requirements of OMC Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

F. Industrial Design Guidelines.

1. The City Council adopted~~shall establish by resolution,~~ ~~i~~Industrial ~~d~~Design ~~g~~Guidelines, included as Reference "F" of this Development Code, applicable to all industrial zoning districts, which are intended as a reference to assist the designer in understanding the City's goals and objectives for industrial development. The guidelines ~~shall~~ compliment the mandatory industrial development regulations contained in this Section, by providing examples of potential design solutions and by providing design interpretations of the various mandatory regulations contained herein.

2. The design guidelines authorized herein shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

6.01.030: Specialized Use Zoning Districts

A. Purpose. The purpose of this Section is to ensure that development within each Special Purpose zoning district of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's special purpose zoning districts. Furthermore, the provisions of this Section shall apply to all subdivisions of land and any new construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City, within a Special Purpose zoning district.

C. Specialized Use Zoning District Standards. The design and development of properties located within specialized use zoning districts shall comply with the following:

1. CIV (Civic) Zoning District. The CIV zoning district is established to accommodate permanent public facilities such as City Hall, public libraries, museums, public and private schools and colleges/universities, police and fire stations, and other similar facilities utilized by the public. Properties within the CIV zoning district shall be developed pursuant to the standards and guidelines applicable to the OH zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

2. MHP (Mobile Home Park) Zoning District. The MHP zoning district is established to accommodate communities consisting of mobile homes and manufactured housing. All development within the MHP zoning district shall be designed and constructed pursuant to the requirements of Section 5.03.295 (Mobilehome Parks) of this Development Code.

3. ONT (Ontario International Airport) Zoning District. The ONT zoning district is established to accommodate on-going development of Ontario International Airport and surrounding properties directly impacted by airport operations. All development within the ONT zoning district shall be designed and constructed pursuant to the applicable requirements of Section 5.03.020 (Air Transportation) of this Development Code.

4. OS-C (Open Space-Cemetery) Zoning District. The OS-C zoning district is established to accommodate cemetery sites. Properties within the OS-C zoning district shall be developed pursuant to the standards and guidelines applicable to the OL zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

5. OS-R (Open Space-Recreation) Zoning District. The OS-R zoning district is established to accommodate open space uses, such as public parks and recreation centers. Properties within the OS-R zoning district shall be developed pursuant to the standards and guidelines applicable to the OL zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

6. PUD (Planned Unit Development) Zoning District. The PUD zoning district is established to accommodate the development and use of properties that require Planned Unit Development approval pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. All development within the PUD zoning district shall only be allowed pursuant the applicable Planned Unit Development document.

7. RC (Rail Corridor) Zoning District. The RC zoning district is established to accommodate permanent rail or fixed transit corridors through the City, as well as stations and similar ancillary facilities. Properties within the RC zoning district shall be developed pursuant to the standards and guidelines applicable to the IH zoning district (see Section 6.01.025 (Industrial Zoning District) of this Division).

8. SP (Specific Plan) Zoning District. The SP zoning district is established to accommodate the adoption of Specific Plans pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. All development within the SP zoning district shall be designed and constructed pursuant to the standards and guidelines of the applicable Specific Plan document. (Note: If no specific plan has been adopted for a property within the SP zoning district, a new specific plan shall be adopted for the property, or the property shall be annexed to an existing neighboring specific plan, prior to the issuance of any grading or building permits.)

9. UC (Utility Corridor) Zoning District. The UC zoning district is established to accommodate flood control channels, retention and detention basins, electrical transmission corridors, and landfills, and may include ancillary recreational facilities in conjunction with the primary use of the site. Properties within the UC zoning district shall be developed pursuant to the standards and guidelines applicable to the OL zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

6.01.035: Overlay Zoning Districts

A. **Purpose.** The purpose of this Section is to ensure that development within each Overlay zoning district of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan.

B. **Applicability.** The standards and guidelines established by this Section shall apply to each of the City's overlay districts. Furthermore, the provisions of this Section shall apply to all subdivisions of land and any new construction, addition, or remodel requiring a building permit or other similar entitlement by the City, within an overlay district.

C. **Overlay Zoning District Standards.** The design and development of properties located within overlay zoning districts shall comply with the following:

1. AG (Agricultural) Overlay Zoning District.

a. *Purpose*. The purpose of the AG Overlay zoning district is to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that the Overlay District is developed consistent with the goals and policies of The Ontario Plan. The transition of the AG Overlay zoning district will be gradual, requiring the establishment of regulations intended to guide agricultural-related development activities for the interim period. It is the intent of the AG Overlay zoning district to allow for the continuation of agricultural uses and related support uses as defined herein. The AG Overlay zoning district is further intended to protect vital agricultural uses by limiting land use activity to those uses which are compatible and supportive of agriculture and related uses, and/or their products.

b. *Applicability*.

(1) The herein established rights and responsibilities applicable to the AG Overlay District shall apply to all property located within the boundary of the Overlay District, as shown on the official Zoning Map of the City. The AG Overlay zoning district provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit, or other similar entitlement, is required by the City.

(2) Any new building construction, excepting buildings to accommodate agricultural uses or agricultural-related activities, and single-family homes and buildings ancillary thereto on lots 10 acres or more in area, shall first require the adoption of a Specific Plan pursuant to Section 4.01.035 (Specific Plans and Amendments) of this Development Code, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to the project.

(3) All rights pertaining to the AG Overlay zoning district established herein, shall run with the land and shall be transferable to any future owner(s) of property within the AG Overlay district, and their assigns.

c. *Definitions.* For the purpose of the AG Overlay zoning district, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

Agricultural Support Services. These uses are supportive of the farm community and are fully compatible with agricultural uses. Agricultural support services are uses which directly support, or which are accessory or incidental to, established agricultural uses within the AG Overlay zoning district. These include, but are not limited to the following:

1) Agricultural chemicals, fuel and fuel oil, nonflammable bottled gas;

2) Animal husbandry services veterinary services for large and small animals, and horseshoeing;

3) Farm machinery equipment and supplies, sale and repair;

4) Farm produce sales and supply (feed, hay, grain and grain products, fertilizer);

5) Farm products packaging and processing;

6) Feed storage, farm products warehousing and storage (except stockyards); and

7) Waste management facilities and fertilizer operations in accordance with applicable local, State and Federal regulations.

Animal Confinement Facility. Where used, the term "animal confinement facility" includes animal barns, corrals, or pens.

Commercial Kennels and Catteries. The keeping of more than 5 dogs or 5 cats over the age of 4 months for breeding, boarding, training or sale on a lot minimum 2.5 acres in area.

Cow and Goat Dairies. Any premises where milk is produced for wholesale distribution and where 10 or more cows or goats are in lactation.

Crop Production. A primary use of the land which includes cultivation of open field or greenhouse crops, fruits, vegetables, grain, fibers, flowers, ornamental and nursery plant materials for wholesale or retail sales and ultimate consumption by others.

Expanded Use. An expanded use consists of a building expansion or new construction in excess of 5,000 square feet.

Trade of Livestock. Sale of livestock to general public (e.g. animal auctions).

d. *Uses Generally*. No building, structure, or land shall be used, and no building or structure shall be hereafter erected, structurally altered, or enlarged, except for the purposes set out in this Paragraph C.1 (AG (Agricultural) Overlay Zoning District) of this Section.

e. *Permitted Land Uses.* In addition to those land uses allowed in the AG Overlay District as prescribed by Table 5.01-1 (Land Use Matrix) of this Development Code, the following land uses are permitted by right of being within the correct zoning district:

(1) Row, field, tree, and crop production;

(2) Plant nurseries (retail and wholesale);

(3) Single dwelling unit on a lot not less than 10 acres in area; a specific plan is required for any subdivision or master planned development; and

(4) Animal keeping activities, excepting household pets, shall comply with the following:

(a) Animal keeping shall be on a legally recognized lot no less than 2 acres in area. Lot area used to qualify one animal type shall not be reused to qualify another animal type;

(b) Proper management of animal waste shall be carried out in accordance with all requirements of the State Regional Water Quality Control Board or regulating agency;

(c) Small animal keeping. Aviary or similar small animal ranches or farms (excluding chicken and hog ranches) shall be permitted on lots that are at least one-half acre in area. Fish raising shall be limited to one pond per acre, with a maximum of 4 ponds per parcel. Each pond shall not exceed one-half acre in area; and

(d) Refer to Table 6.01-11 (Animal Types and Densities), below, for animal density requirements and Section 5.03.410 (Urban Agriculture) of this Development Code, for animal separation/setback requirements.

Table 6.01-11: Animal Types and Maximum Densities

Animal Type	*Maximum Animal Density*	*Additional Regulations*
A. Dairy Cow	As permitted by Approving Authority	Note 1
B. Non-dairy Cattle/Buffalo	1/6,000 SF of lot area	
C. Horses	1/6,000 SF of lot area	

Table 6.01-11: Animal Types and Maximum Densities

Animal Type	Maximum Animal Density	Additional Regulations
D. Swine (5 maximum)	1/12,000 SF of lot area	
E. Sheep, female goats and similar livestock	1/3,000 SF of lot area	
F. Male adult goats		
1. Parcel < 10 acres	One maximum	
2. 10 acres and above	1/5 acres of lot area (not to exceed 4 maximum)	
G. Rabbits and chinchillas (200 maximum)	50/10,000 SF of lot area	
H. Ostriches	1/6,000 SF of lot area	
I. Emus and rheas	1/6,000 SF of lot area	
J. Poultry		
1. Female		
a. Parcel < 10 acres	25 maximum	
b. 10 acres and above	25/ 10 acres of lot area (50 maximum)	
2. Male (9 maximum)		
a. Parcel < 10 acres	2 species/parcel	
b. 10 acres and above	2 species/5 acres	

Notes:

1. *New or expansions to existing dairy or other animal confinement facilities shall be considered on a case-by-case basis, subject to the approval of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code. Animal density shall be as determined by the appropriate approving authority (i.e. Regional Water Quality Control Board) which may impose special operational conditions, requirements or standards deemed necessary to insure the public health, safety, and general welfare. Animal density shall be based on measures to prevent the unacceptable nitrification or salt pollution of soils, and the pollution of groundwater by nitrates and salts emanating from the facility, as defined by the Regional Water Quality Control Board.*

f. *Conditionally Permitted Land Uses.* In addition to those land uses allowed in the AG Overlay District as prescribed by Table 5.01-1 (Land Use Matrix) of this Development Code, the following land uses shall be allowed subject to the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code:

(1) Agricultural Support Services;

(2) Animal raising of densities greater than or the raising of animal types different than those specified by this Paragraph C.1 (AG (Agricultural) Overlay Zoning District), subject to review by the appropriate Approving Authority (such as Regional Water Quality Control Board); and fish raising using ponds or lakes that are of greater surface area or number than those specified by this Paragraph C.1 (AG (Agricultural) Overlay Zoning District);

(3) Animal hospitals and veterinary clinics;

(4) Antennas and wireless telecommunications facilities;

(5) Apiaries;

(6) Calf growing ranches (lots shall be 5 or more acres in area);

(7) Places of worship within an existing building, and expansions to existing facilities (establishment of new places of worship in new structures shall only be permitted as part of a specific plan);

(8) Dairies, including expansions to existing dairies;

(9) Educational facilities and institutions;

(10) Fertilizer operations;

(11) Kennels (requires a 2.5-acre minimum lot size);

(12) Mushroom farms (the use of manure as a planting/growing medium is prohibited);

(13) Rodeos;

(14) Trade of livestock; and

(15) Waste management facilities.

g. *Time Limit for Conditionally Permitted Land Uses.* Conditionally permitted uses may be subject to a 5-year time limit through an agreement with the applicant, in order to assess potential impacts from the conditional use upon surrounding land uses. Under such time limit, a time extension application may be filed at least 6 months prior to the end of the 5-year period. Approval of a time extension request shall be based on the continued compatibility of the project with surrounding land uses.

h. *Temporary Uses.* The following temporary uses are permitted, subject to the requirements of Section 5.03.395 (Temporary and Interim Land Uses, Buildings and Structures) of this Development Code:

(1) Christmas tree and Halloween pumpkin sales, or other similar seasonal sales authorized by the City, not to exceed a period of 30 days, each;

(2) Temporary produce stands in conjunction with an Urban Farm established pursuant to Section 5.03.410.F (Urban Farms) of this Development Code; and

(3) Temporary Wireless Telecommunications Facilities.

i. *Accessory Uses.* The following accessory uses, and structures are permitted when customarily associated with, and subordinate to, a permitted use on the same lot:

(1) Barns, stables, storage tanks, and other farm buildings;

(2) Accessory dwelling unit or guesthouse, not to exceed one per lot, pursuant to the requirements of Section 5.03.030 (Accessory Residential Structures) of this

Development Code. Any guesthouse or accessory dwelling unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay Zoning District Development Standards);

(3) Accessory building(s) not usable as a guesthouse or accessory dwelling unit. There shall be no maximum size for accessory structures in the AG Overlay District. Accessory Structures in the AG Overlay District in excess of 650 SF shall not require the approval of a Conditional Use Permit;

(4) Office unit in conjunction with row, field, tree, plant nursery, or crop production operation, not to exceed 1,500 SF in area (maximum one building per lot). An office unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay Zoning District Development Standards);

(5) Caretaker's unit, not to exceed 650 SF in area (maximum one building per lot). Any caretaker's unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay Zoning District Development Standards);

(6) Garages and carports;

(7) Fences and walls;

(8) Patio covers;

(9) Swimming pools; and

(10) Stands for the sale of agricultural products grown or produced on the same premises (excluding milk and meat products), subject to the following conditions:

(a) Stand shall be permitted only on lots containing a minimum of 10,000 SF;

(b) The floor area of the stand shall not exceed 100 SF;

(c) The stand shall not have a permanent foundation;

(d) The owner(s) shall remove such stand at their expense when the use has terminated;

(e) Stands shall be located a minimum of twenty (20) feet from the right-of-way line of any street or highway;

(f) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director; and

j. *Prohibited Uses.* Notwithstanding Subparagraphs d through f of Paragraph C.1 (AG (Agricultural) Overlay Zoning District) of this Section, the following uses shall be specifically prohibited:

(1) Animal slaughter operations;

(2) Commercial poultry ranches;

(3) Commercial hog ranches; and

k. *Uses Not Specifically Listed.* The Zoning Administrator may make a land use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code, for those uses not specifically listed herein as permitted or conditionally permitted uses, based on the similarity of the subject use to one of the categories listed in Subparagraphs d through f of this Paragraph C.1 (AG (Agricultural) Overlay Zoning District), and the herein stated purpose of the AG Overlay District.

l. *Nonconforming Uses and Structures.* Nonconforming uses and structures within the AG Overlay District shall be governed by Division 3.01 (Nonconforming Lots, Land Uses, and Structures) of this Development Code, except as follows:

(1) **Abandonment.** Whenever a nonconforming use or structure has been abandoned, the nonconforming use or structure shall not be reestablished, and the use of the structure and the site thereafter shall be in conformity with the regulations of the AG Overlay District. For the purposes of this Paragraph C.1 (AG (Agricultural) Overlay Zoning District), discontinuance of the nonconforming use for a continuous period of 180 days shall be conclusive evidence of abandonment of such nonconforming use regardless of the landowner's intent.

(2) **Special Hardship Circumstances.** The Zoning Administrator may extend the 180-day period for up to an additional 180 days. To receive such consideration, the property owner shall request an extension, in writing, prior to the expiration of the initial 180-day period, including a full explanation of the reason why the extension should be granted.

m. *Animal Keeping/Separation Standards.* The following site development standards shall apply to the keeping of animals, except household pets:

(1) Animals shall be restrained a distance of at least 40 FT, measured in a straight line, from any habitable structure or structure used for public assembly located on adjoining property. For dairies, refer to Subparagraph n of this Paragraph C.1 (AG (Agricultural) Overlay Zoning District), for separation requirements;

(2) Animals shall be restrained a distance of at least 5 FT from interior side and rear property lines, and 15 feet from street side property lines;

(3) Animals shall be secured by a fence or wall at least 5 FT in height, made of chain link, wood with horizontal members no less than 6 inches apart, solid masonry or other appropriate solid confining material. Property line walls and fences may be used to secure animals, provided the appropriate restraint distances are maintained;

(4) Animals shall be kept a minimum of 100 FT from any domestic water well;

(5) For new diaries/feed lots, a separation of 500 FT shall be required between an animal feed trough, corral/pen from new development and/or from property with a residential or nonresidential tract map recorded after January 1, 2000, as measured from the building setback line; and

(6) A reduction in animal separation requirements may also be considered for facilities with proven means of reducing odors, such as covering lagoons,

substituting concrete-lined pits for lagoons, and employing recommended ventilation systems for animal confinement buildings. Consideration of alternative setbacks shall be subject to consultation with qualified agricultural engineers to ensure that the measure will reliably accomplish the intended purpose.

n. *Separation Requirements for New Development.* The following separation requirements from existing dairies/feed lots shall apply to new residential, commercial, and/or industrial development or structures used for public assembly purposes from existing dairies/feed lots:

(1) A minimum 100-FT separation shall be required between a new residential, commercial, or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-FT separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map; and

(2) Separation requirements between dairies within a proposed specific plan area and new development will be addressed through the specific plan review procedure which may include buffers, expanded parkways, open space, and other approved measures to mitigate potential impacts.

o. *Permanent Structures.* A Development Plan is required pursuant to Section 4.02.025 (Development Plans) of this Development Code, for all new, altered, or expanded structures/uses, including all new structures in excess of 5,000 SF in area.

p. *Development Standards and Guidelines.*

(1) The development of buildings to accommodate agricultural uses or agricultural-related activities, and single-family homes and buildings ancillary thereto, on lots 10 acres or more in area, shall be designed and constructed pursuant to the standards contained in Table 6.01-12 (AG (Agricultural) Overlay Zoning District Development Standards), below.

Table 6.01-12: AG (Agricultural) Overlay Zoning District Development Standards

Requirements	Standards	Additional Regulations
A. SITE DEVELOPMENT STANDARDS		
1. Minimum Lot Size	10 acres	Note 1
2. Maximum Lot Coverage		
3. Allowed Density Range	One dwelling per 10 acres	
4. Minimum Lot Dimensions		
a. Ratio (lot width to lot depth)	1:4	
b. Lot Width	300 FT	Note 1
c. Lot Depth	300 FT	Note 1
5. Equestrian Trails Required	No	
6. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts) of this Development Code.	

Table 6.01-12: AG (Agricultural) Overlay Zoning District Development Standards

Requirements	Standards	Additional Regulations
7. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading) of this Development Code.	
8. Landscaping	Refer to Division 6.05 (Landscaping) of this Development Code.	
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance) of this Development Code.	
10. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.	
11. Signs	Refer to Subparagraph q (Sign Standards) of this Paragraph C.1 (AG (Agricultural) Overlay Zoning District) and Division 8.1 (Sign Regulations) of this Development Code.	
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).	
13. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).	
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.	
B. BUILDING DEVELOPMENT STANDARDS		
1. Minimum Building Setbacks		
a. From Front Property Line	25 FT	
b. From Street Side Property Line	25 FT	
c. From Interior Side Property Line	15 FT	
d. From Rear Property Line	15 FT	
2. Minimum Building Separations	6 FT	
3. Maximum Building Height	35 FT	Note 2

Notes:

1. *An existing lot of record that is substandard as to minimum "lot" area and/or dimension(s) shall be granted all development rights of the zoning district in which it is located (refer to Subsection 3.01.010.B of this Development Code).*
2. *The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by Airport Safety Zones.*

(2) Development within the AG Overlay District shall be consistent with the Residential Design Guidelines established by resolution of the City Council, which are intended as a reference to assist the designer in understanding the City's goals and objectives for residential development. Such guidelines shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

q. *Sign Standards.* Notwithstanding the sign regulations contained in Division 8.1 (Sign Regulations) of this Development Code, signs installed within the AG Overlay District shall comply with the following:

(1) **Freestanding Signs.** One unlighted single or double faced sign shall be permitted, not to exceed 6 FT in height and 12 SF in area, for each 60 FT of street frontage, and shall be placed behind the street property line.

(2) **Wall Mounted Signs.** One wall-mounted sign shall be permitted on each building elevation facing a street, not to exceed one SF of sign area for each lineal foot of building elevation length, not to exceed 50 SF.

2. EA (Euclid Avenue) Overlay Zoning District.

a. *Purpose*. The purposes of the EA Overlay zoning district is to recognize and protect Euclid Avenue as a major scenic and historic resource of the City, and major contributor to Ontario's historic downtown. Furthermore, the EA Overlay zoning district is intended to help identify and safeguard Euclid Avenue's position on the National Register of Historic Places.

b. *Applicability*. The herein established rights and responsibilities applicable to the EA Overlay zoning district shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The EA Overlay zoning district provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

c. *Development Standards and Guidelines.* Land development within the EA Overlay zoning district shall be designed and constructed pursuant to the standards and guidelines applicable to the underlying base zoning district and the requirements of the Downtown Ontario Design Guidelines (see Reference C—Downtown Ontario Design Guidelines), as applicable.

d. *Certificate of Appropriateness Required.* A development project within the EA Overlay zoning district, which requires Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code, shall require the approval of a Certificate of Appropriateness pursuant to Section 4.02.050 (Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources).

e. *Medical Offices and Clinics*. Medical offices and clinics within the EA Overlay zoning district, and which are located in the MU-1 zoning district and have street frontage on Euclid Avenue, shall be allowed only on the second floor of a building or above (occupancy of the ground/first floor shall not be allowed). Medical offices and clinics within the EA Overlay zoning district, which are not located in the MU-1 zoning district, or do not have street frontage on Euclid Avenue, may occupy the ground/first floor of a building.

3. ES (Emergency Shelter) Overlay Zoning District.

a. *Purpose*. The purpose of the ES Overlay zoning district (established pursuant to Section 5.01.010.F.3 (ES (Emergency Shelter) Overlay District) is to accommodate the establishment of emergency shelters, supportive housing, and transitional housing land uses within the City.

b. *Applicability*.

(1) The herein established rights and responsibilities applicable to the ES Overlay zoning district shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The ES Overlay zoning district provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

(2) The ES Overlay zoning district shall be located within areas of the City that are predetermined by the Housing Element, pursuant to GC Section 65583 and contained within the Policy Plan component of The Ontario Plan. Alternate locations may be established by resolution of the City Council, upon recommendation of the Planning Commission.

c. *Development Standards and Guidelines.* Within the ES Overlay zoning district, land and improvements thereon shall be designed and developed pursuant to the standards and guidelines of the underlying base zoning district.

4. MTC (Multimodal Transit Center) Overlay Zoning District.

a. *Purpose*.

(1) The multimodal transit facility anticipated by the Policy Plan component of The Ontario Plan is generally located south of Interstate 10, north of the railroad tracks, east of Guasti Road and west of Archibald Avenue. The multimodal center will serve as a transit hub for local buses, BRT, the Gold Line, high-speed rail, the proposed Ontario Airport Metro Center circulator, and other future transit modes. Many of these transit modes require extensive capital outlay and years of planning, environmental review, design, and, ultimately, construction. Much of the financing of these facilities is beyond the control of the City, being handled by other local, regional, State and federal agencies. The development of a multimodal facility and related services is a long term endeavor, anticipated to take years, if not decades, to bring to fruition.

(2) The MTC Overlay zoning district (established pursuant to Section 5.01.010.F.4 (MTC (Multimodal Transit Center) Overlay District) of this Development Code) is currently developed with a ±425,000 SF warehouse/distribution building with ancillary offices, and a ±6,000 SF building used as a contractor's office and yard. These buildings are not suited for residential, retail, or office uses as envisioned by the Policy Plan, and use of these facilities in the near term would be somewhat limited, until the property is redeveloped as a multimodal transit center. Consequently, the City wishes to authorize the use of the existing buildings for the purpose for which they were previously used.

(3) The purpose of the MTC Overlay zoning district is to allow for the establishment of warehouse and distribution land uses, on an interim basis, within existing buildings located within the overly district boundary.

b. *Applicability*.

(1) The herein established rights and responsibilities applicable to the MTC Overlay zoning district shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The MTC Overlay zoning district provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

(2) Allowed land uses within the MTC Overlay zoning district shall be limited to warehouse/distribution facilities, ancillary offices, and those temporary land uses allowed within the IG zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

(3) Any expansion of existing buildings or proposals for new building construction shall require the adoption of a Specific Plan pursuant to Section 4.01.035 (Specific Plans and Amendments) of this Development Code, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to the project.

(4) The MTC Overlay zoning district shall remain in effect until June 30, 2027, unless otherwise extended pursuant to Section 4.01.020 (Development Code Amendments) of this Development Code, or the existing buildings are removed.

(5) All rights pertaining to the MTC Overlay zoning district established herein, shall run with the land and shall be transferable to any future owner(s) of property within the MTC Overlay zoning district, and their assigns.

5. ICC (Interim Community Commercial) Overlay Zoning District.

a. *Purpose*. The purpose of the ICC Overlay zoning district (established pursuant to Section 5.01.010.F.5 (ICC (Interim Community Commercial) Overlay District) of this Development Code) is to allow for the establishment of Community Commercial land uses, on an interim basis, within existing buildings located within the overlay district boundary.

b. *Applicability*.

(1) The herein established rights and responsibilities applicable to the ICC Overlay zoning district shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The ICC Overlay zoning district provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

(2) The ICC Overlay zoning district may be established pursuant to the requirements of Section 4.01.040 (Zone Changes) of this Development Code, on property containing existing buildings constructed for occupancy by commercial land uses.

(3) The ICC Overlay zoning district shall allow those commercial uses allowed in the CN and CC zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, while at the same time preserving the City's vision for the development and use of property consistent with the underlying Policy Plan (general plan) land use designation.

c. *Expansion of Existing Commercial Structures and Uses.*

(1) Within the ICC Overlay zoning district, building expansion, shall only be allowed for the purpose of expanding an existing, legally established commercial land use, which is allowed pursuant to Subparagraph B.5.b(3) of this Section.

(2) The expansion of an existing commercial building shall be allowed pursuant to the requirements of Subsection 3.01.020.J (Alteration and/or Expansion of a Nonconforming Nonresidential Structure) of this Development Code and shall be developed consistent with the standards of the CC zoning district.

(3) *New Residential Development.* New residential development, which is proposed consistent with the Official Land Use Plan (Exhibit LU-01) of the Policy Plan component of The Ontario Plan, shall first require a zone change to the HDR-45 zoning district pursuant to Section 4.01.040 (Zone Changes) of this Development Code, and full compliance with the land use requirements, and development standards and guidelines of the HDR-45 zoning district.

(4) *Protection of ICC Overlay zoning district Land Use and Development Rights.* All land use and development rights granted by the ICC Overlay zoning district shall be transferable to any future owner(s) of property within the ICC Overlay zoning district, and their assigns.

6. AH (Affordable Housing) Overlay Zoning District.

a. *Purpose*. The purpose of the AH Overlay zoning district is to facilitate housing opportunities within the community via implementation of required rezone programs pursuant to the City's adopted Housing Element where required for compliance with State Housing Element law.

b. *Applicability*. The herein established rights and responsibilities applicable to the AH Overlay District shall apply to sites identified in the housing inventory, part of the City's Housing Element, located 1) south of Riverside Drive, 2) along East Holt Boulevard between the Cucamonga Creek Channel and Corona Avenue, and 3) areas designated as MU-~~2~~8C at the northeast corner of West Holt Boulevard and Mountain Avenue.

c. *Definitions.* For the purpose of the AH Overlay zoning district, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

Affordable Housing Project. Affordable housing projects for the purposes of the affordable housing overlay are defined as follows:

- Tier 1. Any projects with a residential component with at least 20 percent of total units are designated as affordable to lower incomes via deed restriction or another mechanism to guarantee affordability for a minimum of 30 years.

- Tier 2. Any projects with a residential component with at least 25 percent of total units are designated as affordable to lower incomes via deed restriction or another mechanism to guarantee affordability for a minimum of 30 years.

d. *Development Standards.* The development standards applicable to proposed development in the Affordable Housing Overlay District shall be in accordance with the applicable base zone, other overlay zones, and all applicable provisions of the Development

Code, unless otherwise indicated herein, or where necessary to comply with Federal and State law.

(1) Minimum Density. Within the AH Overlay zoning district, all new residential development, regardless of affordability, requires a minimum density of 20 dwelling units per acre. The minimum density shall be calculated as an average over the entire project area on sites south of Riverside Drive.

(2) Affordable Housing Projects. The development of affordable housing projects within the AH Overlay zoning district shall be allowed by right and are encouraged in accordance with the following provisions:

(a) Tier 1 Affordable Housing Projects. Tier 1 Affordable Housing Projects on property having a base zoning designation of SP, may be developed as follows:

(i) *Medium Density Residential (MDR)*. Affordable housing projects on property designated as MDR by the Land Use Plan (Figure LU-01) of the Policy Plan, may be developed pursuant to the requirements of either the SP zoning district or the MDR-25 zoning district.

(ii) *Mixed Use (MU)*. Affordable housing projects on property designated as MU by the Land Use Plan (Figure LU-01) of the Policy Plan, may be developed pursuant to the requirements of either the SP zoning district or a comparable existing zoning implementation tool that aligns with the density and intensity of the proposed project, except that the maximum density allowed shall be equivalent to the maximum density identified for the applicable Mixed Use area in the Land Use Designations Summary Table (Figure LU-02) of the Policy Plan.

(iii) *Calculating Minimum Density*. If a project with a base designation of SP develops without a specific plan, minimum density shall be calculated as an average over the entire portion of the project area that is within the AH Overlay zoning district.

(b) Tier 2 Affordable Housing Projects. Tier 2 Affordable Housing Projects on property having a base zoning designation of SP, may developed in the same manner as Tier 1 Affordable Housing Projects, with the following additions:

(i) *Medium Density Residential.* Affordable housing projects on property designated as MDR by the Land Use Plan (Figure LU-01) of the Policy Plan shall allow a maximum density of 25 to 30 dwelling units per acre.

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Division 6.02—Walls, Fences, and Obstructions

Sections:

6.02.000: Purpose
6.02.005: Applicability
6.02.010: Prohibited Materials
6.02.015: General Requirements
6.02.020: Design Standards for Residential Zoning Districts
6.02.025: Design Standards for Nonresidential Zoning Districts
6.02.030: Protection of Intersection Visibility
6.02.035: Temporary Security or Construction Fencing

6.02.000: Purpose

The purpose of this Division is to establish standards regulating the construction and maintenance of walls, fences, and other obstructions to allow for the maximum enjoyment and use of property, and to ensure the maximum safety of persons using streets and sidewalks.

6.02.005: Applicability

A. The provisions of this Division shall apply to the construction, addition or remodel of any wall or fence, and the placement of landscaping, signs, poles, equipment, or any other object that may pose an obstruction to pedestrian or vehicular travel or visibility.

B. The design and location of all walls, fences, and gates shall be subject to review and approval by the Planning Director, regardless of whether a building permit is required for its construction.

6.02.010: Prohibited Materials

The following materials shall be prohibited in the construction and/or installation of walls, fences, and obstructions:

A. Walls or fences containing razor wire or any other material or application considered by the Planning Director to be unsafe, shall be prohibited.

B. Walls and/or fences containing barbed wire shall be prohibited within residential and commercial zoning districts, and within mixed-use zoning districts and overlay districts for residential or commercial purposes.

C. Walls and/or fences containing electrified wire, and the installation of electrified fences, shall be prohibited within residential zoning districts, and in conjunction with residential development in mixed-use zoning districts and overlay districts for residential purposes.

6.02.015: General Requirements

A. No hedge, fence, wall, merchandise, sign, or any other equipment may be constructed, placed, grown, or permitted on any sidewalk, excepting newsstands, public trash receptacles, U.S. Government mailboxes, public utility poles, public transit shelters and/or seating, or any other object that is deemed no more objectionable than the foregoing by resolution of the City Council. The authorized equipment shall be placed out of the normal flow of pedestrian traffic and shall not be so placed as to constitute a hazard or nuisance.

B. No hedge, fence, wall, merchandise, sign, or any other equipment shall be permitted in or on any parkway adjacent to any sidewalk, except as allowed by the City Engineer, or excepting newsstands, public trash receptacles, U.S. Government mailboxes, public utility poles, public transit shelters and/or seating, or any other object that is deemed no more objectionable than the foregoing by the City Engineer. The authorized equipment shall be placed out of the normal flow or pedestrian traffic and shall not be so placed as to constitute a hazard or nuisance.

C. No fence, wall, shrub, sprinkler system, or any construction may be placed within any street right-of-way without first obtaining an encroachment permit from the City Engineer.

D. Any fence, shrub, sprinkler system, or any construction placed within the street right-of-way without permission of the City Engineer shall be removed by the owner upon request of the City Engineer within 7 days of notification, at no expense to the City. Upon failure to comply with an order for removal, the City may cause removal at the expense of the owner.

E. No fence shall be constructed of metal other than ornamental iron or tube steel, chain link, or wire mesh having a minimum size and thickness of 4-inches by 4-inches by 12.5 gauge.

F. Walls, fences, hedges or other plant growth that, in the opinion of the Planning Director or City Engineering, adversely affects the safe ingress or egress of pedestrians or vehicles shall not exceed 3 FT in height within any required front or street side yard setback area.

G. A 6 FT high wall or fence shall be constructed along the perimeter of all areas determined by the Planning Director, Building Official, or City Engineer, to pose a danger to the public health or safety.

6.02.020: Design Standards for Residential Zoning Districts

Within residential zoning districts, walls and fences shall be constructed as follows:

A. Required Walls and Fences.

1. Single-Family Development Projects and Subdivisions. Single-family residential development projects and subdivisions, regardless of the number of dwellings proposed, shall provide 6-FT high walls, as follows:

a. A decorative masonry block wall shall be constructed along the perimeter of single-family development projects and subdivisions, including all interior side and rear project boundaries, and street frontages without front-on units.

b. A decorative masonry block wall shall be constructed along all street side property lines and along the rear property line of through lots and shall be setback a minimum of 5 FT behind the sidewalk.

c. A masonry block wall shall be constructed along interior side and rear property lines. Walls shall not be required along property lines that abut a property zoned or used as open space or maintained for recreation purposes.

d. A decorative masonry block wall shall be constructed between side yard walls and the adjacent dwelling. Appropriate gates for rear yard access shall be provided.

2. Multiple-Family Development Projects and Subdivisions. Multiple-family residential development projects and subdivisions, regardless of the number of dwellings proposed, shall provide 6-FT high walls or fences, as follows:

a. A decorative masonry block wall, or decorative tube steel fence with decorative masonry pilasters, shall be constructed along the interior side and rear project boundaries of multiple-family development projects and subdivisions. Walls or fences shall not be required along property lines that abut a property zoned or used as open space or maintained for recreation purposes.

b. A minimum 6-FT high decorative masonry wall shall be constructed along property lines that separate multiple-family development projects from neighboring residential developments. The wall height shall be measured from the highest adjacent grade.

3. Swimming Pools, Hot Tubs, Spas, Ponds, and Decorative Bodies of Water. Any swimming pool, hot tub, spa, pond, or decorative body of water that is more than 1.5 FT in depth, whether located above or below ground, shall be fully enclosed by a minimum 5-FT high decorative nonclimbable fence or wall, with decorative entrance and exit gates, and shall be constructed/installed pursuant to building code requirements.

B. Materials and Design.

1. All walls and fences visible to the public shall be designed to be compatible with the architecture of the buildings on the same lot.

2. All walls that are visible to the public shall be constructed of decorative masonry that is complimentary to the exterior finishes of adjacent buildings, such as, but not limited to, brick, split-face or slump concrete block, or other materials approved by the Planning Director that are consistent with industry standards, and shall include a decorative cap. The use of a grout cap shall not be permitted.

3. Fences shall be constructed of ornamental steel or iron, wood, or PVC materials, which are consistent with industry standards. Other materials may be used if the Planning Director determines the design to be compatible with the architecture of adjacent buildings and with buildings in the surrounding neighborhood.

4. Special design considerations shall be provided on walls and fences located within front yards and areas visible from public streets to ensure compatibility with the architecture of adjacent buildings, as well as with buildings in the surrounding neighborhood.

5. Long expanses of wall or fence (ranging from 150 FT to 200 FT in length) that is adjacent to a public right-of-way shall have offset areas (decorative pilasters or a horizontal change in the plane) and shall be architecturally designed to prevent monotony. The design of walls shall emphasize the highest quality of materials and design features.

6. Within existing neighborhoods, fences located within the front and street side yards of single-family homes may be constructed of chainlink if it is the predominate material used in the neighborhood, as determined by the Planning Director. If chainlink fencing is determined to be appropriate, it shall be installed in accordance with industry standards.

C. Height. The maximum height of a walls or fences located within a residential zoning district shall be as listed below. The wall height shall be measured on the street side or exterior side of the wall, from the top of the wall to the lowest adjacent finished grade.

1. Subdivision Perimeter Walls and Fences. Subdivision perimeter walls shall not exceed 6 FT in height, except as permitted by Paragraphs C.5 (Walls and Fences in Conjunction with Retaining Walls) and C. 7 (Sound Attenuation Walls) of this Section.

2. Street Side Yard Walls and Fences. Street side yard walls or fences shall not exceed 6 FT in height, except as permitted by Paragraphs C.5 (Walls and Fences in Conjunction with Retaining Walls) and C. 7 (Sound Attenuation Walls) of this Section.

3. Interior Side and Rear Property Line Walls and Fences. Interior side and rear yard property line walls or fences shall not exceed 6 FT in height, except as permitted by Paragraphs C.5 (Walls and Fences in Conjunction with Retaining Walls) and C. 7 (Sound Attenuation Walls) of this Section.

4. Front Yard Walls and Fences. Walls or fences within a front yard area shall not exceed 3 FT in height, except as permitted by Paragraphs C.5 (Walls and Fences in Conjunction with Retaining Walls) and C. 7 (Sound Attenuation Walls) of this Section.

5. Walls and Fences in Combination with Retaining Walls. To accommodate possible differences in grade between two properties, or between a property and a public right-of-way, the Planning Director may approve walls and fences constructed in combination with retaining walls, which have an overall height in excess of the maximum wall height allowed by Paragraphs C.1 through C.4 of this Section. However, walls and fences constructed in combination with retaining walls, which are located adjacent to a public right-of-way, shall: have a maximum retaining wall height of 3 FT and a maximum free wall height equal to the maximum wall heights allowed by Paragraphs C.1 through C.4 of this Section.

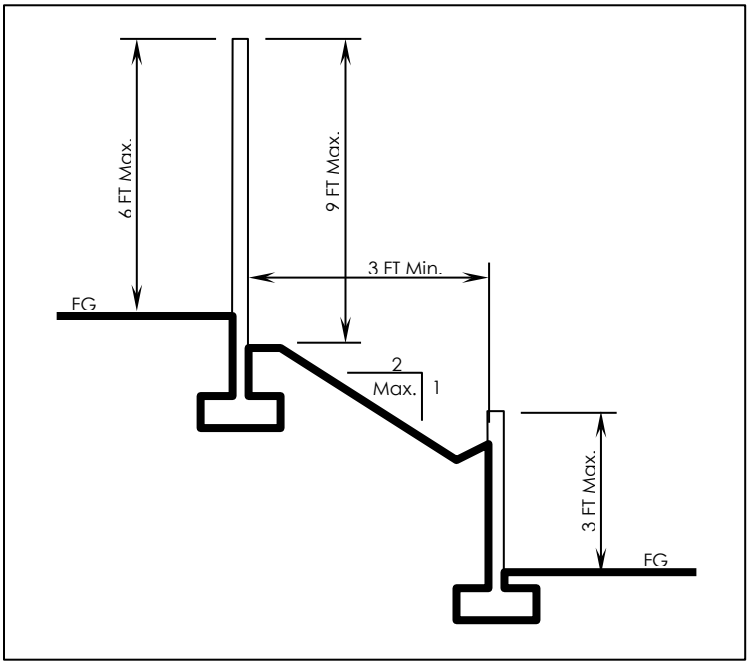


Figure 6.02-1: Tiered Retaining Wall Design Concept

6. Tiered Retaining Wall Design. In cases where more than 3 FT of earth retention is necessary adjacent to a public right-of-way, retaining walls shall be tiered as exemplified in Figure 6.02-1 (Tiered Retaining Wall Design Concept), above.

7. Sound Attenuation Walls. Walls constructed for sound attenuation pursuant to an impact study prepared by an acoustic engineer, shall be the minimum height necessary to ensure adequate sound attenuation. The design and construction of a noise attenuation wall in excess of 6 FT in height shall be approved by the Planning Director prior to building permit issuance.

8. Walls and Fences within the Buildable Area of a Lot (Behind Setback Areas). Fences and walls constructed within the buildable area of a lot shall be subject to the height limitations of the applicable base zoning district.

D. Location.

1. Interior Property Lines (Side and Rear). Where the side or rear property line of a lot is common with another lot's side or rear property line, a wall or fence may be constructed along the common property line for purposes of property division or security.

2. Street Side Property Lines. On a corner lot or reverse corner lot, where a side and rear property line of a lot is common with a side or rear property line of another lot, a wall or fence may be constructed along the street side property line. The area between the wall or fence and the sidewalk (or curb) shall be fully landscaped and maintained.

3. Front Yard Walls or Fences. Within a front yard area, walls and fences up to 3 FT in height may be constructed along a front or street side property line. The area between the wall or fence and sidewalk (or curb) shall be fully landscaped and maintained.

4. Through-Lots. On a single lot having two street frontages, each frontage at opposite ends of the lot, for the purposes of wall placement, one frontage shall be a front yard and the other a rear yard. A wall or fence shall be constructed a minimum of 5 FT behind the rear property line. The area between the wall or fence and sidewalk shall be fully landscaped and maintained.

6.02.025: Design Standards for Nonresidential Zoning Districts

Within nonresidential zoning districts, walls and fences shall be constructed as follows:

A. Required Walls and Fences.

1. Zoning District Boundary Separation.

a. A decorative masonry block wall shall be constructed along property lines that separate nonresidential zoning districts from neighboring residential zoning districts. The wall height on the nonresidential side of the wall shall be a minimum of 8 FT and shall be a minimum of 6 FT in height on the residential side of the wall.

b. A decorative tube steel fence with a sheppard's hook shall be constructed between railroad rights-of-way and development projects within nonresidential zoning districts.

2. Screening of Outdoor Loading/Storage Areas and Loading Doors.

a. Outdoor loading and storage areas, and loading doors shall be screened from public view by a decorative masonry wall with view-obstructing access gates

b. Screen walls shall be designed as an integral part of the architecture of the buildings on the lot.

c. Screen walls shall be of sufficient height to completely screen loading and storage activities, facilities, and equipment, but shall be no less than 8 FT in height.

d. Screen walls shall be constructed of tilt-up or poured-in-place concrete, brick, concrete block (split-face or slump), or other materials approved by the Planning Director.

B. Materials and Design.

1. All walls and fences visible to the public shall be designed to be compatible with the architecture of the buildings on the same lot.

2. Walls that are visible to the public shall be constructed of decorative masonry that is complimentary to the exterior finishes of adjacent buildings, such as brick; split-face concrete block; or ribbed, scored, or sandblasted tilt-up or poured-in-place concrete. Ceramic tile and natural stone veneers may also be used. Precision block shall not be used in areas visible to the public.

3. Concrete block walls shall incorporate a decorative cap. The use of a grout cap shall not be permitted.

4. Fences that are visible to the public shall be constructed of decorative wrought iron or tube steel, with decorative masonry pilasters spaced at regular intervals. Other materials may be used if the Planning Director determines the design to be compatible with the architecture of adjacent buildings. Chainlink shall not be used in areas visible to the public.

5. Long expanses of wall or fence (ranging from 150 FT to 200 FT in length) that is adjacent to a public right-of-way shall have offset areas (decorative pilasters or a horizontal change in plane) and shall be architecturally designed to prevent monotony. The design of walls shall emphasize the highest quality of materials and design features.

6. Walls or fences containing barbed wire may be used within industrial zoning districts; however, the barbed wire shall not project above the top of walls or fences so as to be visible from public areas.

C. Height. The maximum height of a wall or fence located within nonresidential zoning districts shall be as listed below. The wall height shall be measured on the street side or exterior side of the wall, from the top of the wall to the lowest adjacent finished grade.

Table 6.02-1: Maximum Height of Interior Side and Rear Property Line Walls and Fences

Zoning District	*Maximum Height*
Commercial and Mixed-Use Zoning Districts:	8 FT
Industrial Zoning Districts:	14 FT
All Other Nonresidential Zoning Districts:	6 FT

1. Interior Side and Rear Property Line Walls and Fences. Interior side and rear yard property line walls or fences shall not exceed the following heights shown in Table 6.02-1 (Maximum Height of Interior Side and Rear Property Line Walls and Fences), above, except as permitted by Paragraphs A.1 (Zoning District Boundary Separation), C.4 (Walls and Fences in Combination with Retaining Walls) and C.6 (Sound Attenuation Walls) of this Section.

2. Walls or Fences within Front and Street Side Setback Areas. Walls or fences located within front or street side setback areas shall not exceed the following heights shown in Table 6.02-2 (Maximum Height of Walls or Fences within Front and Street Side Setback Areas), below, except as permitted by Paragraphs C.4 (Walls and Fences in Combination with Retaining Walls) and C.6 (Sound Attenuation Walls) of this Section.

Table 6.02-2: Maximum Height of Walls or Fences within Front and Street Side Setback Areas

Zoning District	*Maximum Height*
Commercial and Mixed-Use Zoning Districts:	3 FT
Industrial Zoning Districts:	6 FT maximum, constructed with at least 90 percent of the vertical surface designed to be open and not view-obstructing.
All Other Nonresidential Zoning Districts:	6 FT maximum, except that the portion of a wall or fence in excess of 3 FT in height shall be constructed with at least 90 percent of the vertical surface designed to be open and not view-obstructing.

3. Walls and Fences in Combination with Retaining Walls. To accommodate possible differences in grade between two properties or between a property and a public right-of-way, the Planning Director may approve walls and fences constructed in combination with retaining walls, which have an overall height in excess of the maximum wall height allowed by Paragraphs C.1 (Interior Side and Rear Property Line Walls and Fences) and C.2 (Walls or Fences Within Front and Street Side Setback Areas) of this Section. However, walls and fences constructed in combination with retaining walls, which are located adjacent to a public right-of-way, shall: **[i]** have a maximum retaining wall height of 3 FT, **[ii]** have a maximum free wall height of 6 FT, and **[iii]** have a maximum overall height of 9 FT.

4. Tiered Retaining Wall Design. In cases where more than 3 FT of earth retention is necessary adjacent to a public right-of-way, retaining walls shall be tiered pursuant to Figure 6.02-1 (Tiered Retaining Wall Design Concept).

5. Sound Attenuation Walls. Walls constructed for sound attenuation pursuant to an impact study prepared by an acoustic engineer, shall be the minimum height necessary to ensure adequate sound attenuation. The design and construction of a noise attenuation wall in excess of 6 FT in height shall be approved by the Planning Director, prior to building permit issuance.

6. Walls and Fences within the Buildable Area of a Lot (Outside of Setback Areas). Fences and walls constructed within the buildable area of a lot shall be subject to the height limitations of the applicable base zoning district.

D. Location.

1. Interior Property Lines (Side and Rear). Where the side or rear property line of a lot is common with another lot's side or rear property line, a wall or fence may be constructed along the common property line for purposes of property division or security.

2. Street Side Property Lines. On a corner lot or reverse corner lot, a wall or fence may be constructed for property security a minimum of 5 FT behind the street side property line. The area between the wall or fence and the sidewalk (or curb if no sidewalk is present) shall be fully landscaped and maintained.

3. Front Yard Walls or Fences. Within a front yard area, a wall or fence may be constructed for property security a minimum of 5 FT behind the front property line. The area between the wall or fence and sidewalk (or curb if no sidewalk is present) shall be fully landscaped and maintained.

4. Through-Lots. On a single lot having two street frontages, with each frontage at opposite ends of the lot, for the purposes of wall placement, one frontage shall be a front yard and the other a rear yard. A wall or fence shall be constructed a minimum of 10 FT behind the rear property line. The area between the wall or fence and the sidewalk (or curb if no sidewalk is present) shall be fully landscaped and maintained.

E. Electrified Fences.

1. No electrified fence shall be installed or used unless first approved by the Planning Director. As used herein, "electrified fence" means any fence that meets the following requirements.

a. The fence is powered by an electrical energizer with both of the following output characteristics:

(1) The impulse repetition rate does not exceed 1 Hz.

(2) The impulse duration does not exceed 10 milliseconds (10/10,000 of a second).

b. The fence is used to protect and secure commercial or industrial property.

2. An owner of real property may install and operate an electrified fence on their property subject to all of the following:

a. The property is not located in a residential zone.

b. The fence meets the 2006 international standards and specifications of the International Electrotechnical Commission for electric fence energizers in "International Standard IEC 60335, Part 2-76."

c. The fence is identified by prominently placed warning signs that are legible from both sides of the fence. At a minimum, the warning signs shall meet all of the following criteria:

(1) The warning signs are placed at each gate and access point, and at intervals along the fence not exceeding 30 FT.

(2) The warning signs are adjacent to any other signs relating to chemical, radiological, or biological hazards.

(3) The warning signs are marked with a written warning or a commonly recognized symbol for shock, a written warning or a commonly recognized symbol to warn people with pacemakers, and a written warning or commonly recognized symbol about the danger of touching the fence in wet conditions.

d. Within nonresidential zoning districts, except industrial zoning districts, an electrified fence shall not exceed 10 FT in height and shall be located behind a fully enclosed perimeter wall or fence that is no less than 2 FT below the height of the electrified fence.

e. Within industrial zoning districts, an electrified fence shall not exceed 16 FT in height and shall be located behind a fully enclosed perimeter wall or fence that is no less than 2 FT below the height of the electrified fence.

f. A "Knox Box Electrical Shunt Switch" and a "Knox Box" or other similarly approved device, shall be installed for emergency access of Police and Fire Departments.

g. By issuance of a building and/or electrical permit to install or use an electric fence as provided by this Subsection, the applicant and property owner shall agree, as a condition of permit issuance, to defend, indemnify and hold harmless the City of Ontario and its agents, officers, consultants, independent contractors, and employees, from any and all claims, actions, or proceedings arising out of any personal injury, including death or property damage caused by the electrified fence.

h. In the event that access by the City of Ontario Fire Department and/or Police Department personnel to a property where a permitted electrified fence has been installed and is operating required due to an emergency or urgent circumstances, and the Knox Box or other similar approved device referred to in this Subsection is absent or non-functional, and an owner, manager, employee, custodian, or any other person with control over the property, is not present to disable the electric fence, the fire or police personnel shall be authorized to disable the electrified fence in order to gain access to the property. As a condition of permit issuance, all applicants issued permits to install or use an electrified fence as provided in this Subsection will agree to waive any and all claims for damages to the electrified fence against the City of Ontario and/or its personnel under such circumstances.

i. It shall be unlawful, and a misdemeanor, for any person to install, maintain, or operate an electrified fence in violation of this Subsection.

6.02.030: Protection of Intersection Visibility

There shall be no visual obstructions within the areas specified below. For the purposes of this Section, a visual obstruction shall be defined as any wall, fence, obstacle, mature landscaping, or thing allowed, installed, set out, or maintained, which exceeds a height of 3 FT above the nearest street pavement surface, excepting existing or future permanent buildings that are otherwise constructed or maintained in accordance with applicable zoning and building regulations, public utility poles, trees trimmed at the trunk to a point at least 8 FT above the level of the street (provided that trees are spaced so that trunks do not create a visual barrier), and official traffic or other government signs.

A. **Intersecting Streets.** At intersecting streets, an area (corner clearance) shall be maintained free of visual obstructions to ensure adequate sight distance for vehicular and pedestrian traffic.

The corner clearance shall be provided pursuant to the Engineering Department's Traffic and Transportation Guidelines.

B. Intersecting Private Driveway with a Street or Alley. Where a private driveway intersects a street or alley, the Planning Director or City Engineer may require that a clear area (corner cutoff) be maintained free of visual obstructions to ensure adequate sight distance for vehicular and pedestrian traffic. The corner cutoff is defined by a line in a horizontal plane, taken at a 45-degree angle with the street or alley, which line passes through a point on the street or alley 20 FT from the intersection.

C. Driveway Adjacent to a Reverse Corner Lot. Where a key lot has a private driveway located along the side yard which abuts the rear yard of a reverse corner lot, the Planning Director or City Engineer may require that a clear area (corner cutoff) be provided on the reverse corner lot pursuant to Subsection B (Intersecting Private Driveway With a Street or Alley), above, to assure adequate sight distance for vehicular and pedestrian traffic. Generally, new developments containing reverse corner lots shall locate the key lot driveway in the side yard opposite the rear property line of the reverse corner lot, unless determined by the Planning Director or City Engineer that the location of the driveway, as it relates to the adjoining property, will maintain adequate visibility at the intersecting driveway and street.

6.02.035: Temporary Security or Construction Fencing

A. Purpose. Temporary security or construction fences are typically used to secure vacant property from theft, vandalism and/or trespass; or to secure a construction site from the theft or vandalism of construction equipment and/or materials, protect work in progress, and to protect the public from injury while construction is underway. The herein stated regulations are intended to establish procedures and standards regarding the use of temporary security and construction fencing on sites with construction activity, on undisturbed land, around vacant buildings, on vacant sites, and for special events.

B. Applicability. Temporary security or construction fencing may be installed as follows:

1. Temporary construction fencing may be installed in conjunction with: **[i]** a building permit for the construction of a vacant property, **[ii]** the vacant portion of a partially developed property, or **[iii]** exterior improvements to an existing occupied or unoccupied building.

2. Temporary security fencing may be installed in conjunction with: **[i]** a vacant/unimproved property, **[ii]** a vacant building, or **[iii]** the vacant/unimproved portion of a partially developed property.

C. Temporary Security or Construction Fencing Design Requirements.

1. Temporary security or construction fencing shall not include barbed wire, razor wire, or any other material or application considered by the Planning Director to be unsafe.

2. Temporary security or construction fencing shall be built and maintained in good order, in full compliance with applicable Building Code and Development Code provisions.

3. The maximum height of temporary security or construction fencing shall be 6 FT within residential zoning districts, and 8 FT within nonresidential zoning districts, measured on the exterior side of the fence, from the top of the fence to the lowest adjacent finished grade.

4. All temporary security or construction fencing shall include a green fabric mesh screen or other view-obstructing material approved by the Planning Director, which shall be maintained in a neat and undamaged condition and shall include emergency identification and proper safety identification.

5. Fence openings for pedestrian access shall be provided, which consists of a lockable gate that swings into the property.

6. Fence openings for vehicular access shall be provided with a lockable rolling gate. The opening shall be no wider than the adjacent driveway approach.

7. Fencing shall not be installed in a manner that prohibits the safe and continued operation of a building pursuant to the Building Code. Required exits, existing structural elements, fire protection devices, and sanitary safeguards shall be maintained at all times, pursuant to Building Code requirements.

8. Existing streets, public transportation stops, fire hydrants, and/or public sidewalks shall not be enclosed by temporary security or construction fencing, unless the Building Official determines that the facilities are required to be fenced to protect the public health, safety, or welfare, and an encroachment permit has been obtained from the City.

9. The installation of temporary security or construction fencing shall not result in a diversion of water onto a separately owned parcel, tract, right-of-way, right-of-way easement, roadway easement, and/or private street."

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Division 6.03—Off-Street Parking and Loading

Sections:

6.03.000: Purpose
6.03.005: Applicability
6.03.010: General Requirements
6.03.015: Required Number of Off-Street Parking Spaces
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6.03.050: Parking Lot Lighting
6.03.055: Off-Street Loading Standards

6.03.000: Purpose

The off-street parking and loading regulations prescribed by this Article have been established to achieve the following purposes:

A. Provide accessible, attractive, secure, properly lighted, and well maintained parking facilities;

B. Reduce traffic congestion and hazards caused by the loading and unloading of trucks on public streets and the shortage of parking spaces;

C. To alleviate or to prevent traffic congestion caused by shortage of parking spaces and the loading and unloading of trucks on public streets;

D. Ensure that off-street parking and loading facilities are provided for new land uses and the expansion of existing land uses in proportion to the needs of the land uses they serve; and

E. To ensure that off-street parking and loading facilities are designed in a manner that will result in maximum efficiency, protect the public safety, provide for the special needs of the physically handicapped, and where appropriate, insulate surrounding land uses from their impact.

6.03.005: Applicability

A. Off-street parking and loading facilities, and parking lot lighting shall be provided pursuant to the provisions of this Division when:

1. Any lot is developed, any new building is constructed, or any existing building or structure is added to or expanded, which requires Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code;

2. Any new use is established, or any existing use is expanded or intensified, which requires Conditional Use Permit approval pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code;

3. The gross floor area of any existing building or structure is increased or enlarged by more than 5 percent (cumulative) of the existing floor area or permanent seating (off-street parking shall be provided for the total resulting buildings, structures and capacities of uses);

4. Permanent seating for an assembly use is increased or enlarged; (off-street parking shall be provided for the total resulting seating and capacities of uses); and

5. Any intensification of use or change in the occupancy of any building or in the manner in which any use is conducted, that would result in additional parking spaces being required.

B. No existing land use shall be deemed nonconforming solely based upon the lack of off-street parking or loading spaces required by this Division.

6.03.010: General Requirements

A. All off-street parking facilities required by this Division shall be designed and maintained to be fully usable for the duration of the use requiring the facilities.

B. Areas provided to meet applicable parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

C. Requirements for uses not specifically addressed by this Division shall be determined by the Zoning Administrator, based upon the requirements for comparable uses and the particular characteristics of the use.

D. All off-street parking and loading spaces required by this Division shall be located on the same lot as the use that they are intended to serve, except that nonresidential uses that cannot accommodate the required number of parking spaces on the same lot may provide parking spaces at a separate off-site location, not more than 500 FT from the use the parking spaces are intended to serve, as measured in a straight line from any point from the outer boundaries of the property or lease space containing the use.

E. The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy, or at the time of occupancy of any building addition or intensification of use. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

F. No vehicle shall be parked upon a public or private parking lot, or public property, for the purpose of displaying the vehicle for sale, hire, or rental, unless the property is appropriately zoned, the vendor is licensed to transact the applicable business at that location, and the vendor has obtained all appropriate land use approvals.

G. All parking stalls shall have direct access from a drive aisle, driveway or alley, and shall be designed in a side-by-side or parallel configuration, except as permitted by Section 6.03.030 (Tandem Parking) of this Division.

6.03.015: Required Number of Off-Street Parking Spaces

A. Off-Street Parking Requirements. Off-street parking spaces shall be provided pursuant to Table 6.03-1 (Off-Street Parking Requirements) of this Division, except that within the MU-1 (Downtown Mixed Use) zoning district, off-street parking shall not be required for existing buildings having a GFA less than 10,000 SF. If more than one land use is established on a lot or project site, the number of off-street parking spaces required shall be equal to the sum of the requirements prescribed for each individual land use.

B. Minimum Standards. The parking requirements of Table 6.03-1 (Off-Street Parking and Loading Requirements) are expressed as minimum standards, which should be met and not exceeded. Nevertheless, if additional parking is essential to a project, the minimum parking standard may be exceeded as follows:

1. Residential Uses—Additional Parking Allowed Without Limit. For residential uses, there is no maximum limit as to the number of parking spaces that may be provided. As such, any additional parking may be provided as a matter of right.

2. Nonresidential Uses—Limited Additional Parking Allowed. Additional parking spaces provided in excess of the number required pursuant to Table 6.03-1 (Off-Street Parking and Loading Requirements) of this Section may be provided for nonresidential uses or the nonresidential portions of mixed-use projects, as follows:

a. Parking spaces may be provided up to a maximum of 10 percent above the required number as a matter of right, without any discretionary review by the City.

b. Parking spaces provided in excess of 10 percent above the required number shall be allowed only upon approval by the Planning Commission, based upon proven need.

C. Gross Floor Area (GFA). References to spaces per square foot are to be computed based upon GFA, unless otherwise specified, and includes allocations of shared restrooms, and circulation and storage areas, and other similar common facilities.

D. Rounding of Off-Street Parking Calculations. If a fractional number results from calculations performed in compliance with this Section, one parking space shall be required for a fractional unit of 0.50 or greater, and no space shall be required for a fractional unit of less than 0.50.

E. Uses Not Listed.

1. Land uses not specifically listed in Table 6.03-1 (Off-Street Parking Requirements) of this Division, shall provide parking as required by the Zoning Administrator or Approving Authority pursuant to Table 2.02-1 (Review Matrix) of this Development Code, as applicable.

2. The Approving Authority shall rely upon the requirements of Table 6.03-1 (Off-Street Parking Requirements), and the standards recommended by the Institute of Transportation Engineers, as a guide in determining the necessary number of off-street parking spaces to be provided.

F. Parking Management Plan.

1. Parking Management Plan Required for Multiple-Family Residential Projects. A Parking Management Plan shall be submitted in conjunction with any Development Plan application for the construction of a multiple-family residential development project, or the residential portion of any mixed-use development project, which consists of 3 or more dwelling units. The Plan shall identify the number and location of resident parking spaces (existing and proposed) provided pursuant to Table 6.03-1 (Off-Street Parking and Loading Requirements) of this Section and establish to which dwelling each required resident parking space is to be assigned.

2. Parking Management Plan Shall Be Included in CC&Rs. The Parking Management Plan required pursuant to Paragraph F.1, above, shall be included in any CC&Rs required by the City as a condition of project approval.

3. Required Resident Parking Spaces Cannot Be Separately Rented/Leased. It shall be unlawful to rent or lease a required residential parking space, or any parking space required for the residential portion of any mixed-use development project, separately from the dwelling for which a parking space has been provided pursuant to Table 6.03-1 (Off-Street Parking and Loading Requirements) of this Section, and/or assigned by a Parking Management Plan prepared pursuant to Paragraph F.1 (Parking Management Plan Required for Multiple-Family Residential Projects) of this Section.

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
A. Residential	
1. Caretaker Quarters	One space within a garage
2. Live/Work Developments	3 spaces per 1,000 SF (0.003/SF) of GFA
3. Mobile Home Parks	
a. Resident Parking Spaces	2 spaces per dwelling
b. Guest/Visitor Parking Spaces	**[1]** Portion of dwellings < 50: 0.25 spaces per dwelling; **[2]** Portion of 50 to 100 dwellings: 0.20 spaces per dwelling; **[3]** Portion of dwellings > 100: 0.17 spaces per dwelling; and **[4]** A minimum of 3 guest spaces shall be provided for developments consisting of more than 8 dwellings.
4. Model Homes	2 spaces per model home
5. Multiple-Family Residential	
a. Resident Parking Spaces	**[1]** Studio: 1.5 spaces per dwelling, including one space in a garage or carport; **[2]** One-Bedroom: 1.75 spaces per dwelling, including one space in a garage or carport; **[3]** Two-Bedrooms: 2.0 spaces per dwelling, including one space in a garage or carport; and **[4]** Three or more Bedrooms: 2.5 spaces per dwelling, including one space in a garage or carport.
b. Guest/Visitor Parking Spaces	**[1]** Portion of dwellings < 50: 0.25 spaces per dwelling; **[2]** Portion of 50 to 100 dwellings: 0.20 spaces per dwelling; **[3]** Portion of dwellings > 100: 0.17 spaces per dwelling; and **[4]** A minimum of 3 guest spaces shall be provided for developments consisting of more than 8 dwellings.

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
6. Senior Citizen Housing (as defined pursuant to CC Section 51.3 an CC Section 51.12)	
a. Income Qualified Development	0.7 resident space per dwelling, plus, guest/visitor parking spaces pursuant to the Multiple-Family Residential standards (Subparagraph A.5.b of this Table).
b. Market Rate Development	One resident space per dwelling, plus, guest/visitor parking spaces pursuant to the Multiple-Family Residential standards (Subparagraph A.5.b of this Table).
7. Single-Family Dwellings	
a. Traditional Development	2 spaces per dwelling within a garage
b. Small Lot and Common Interest Developments	2 resident spaces per dwelling within a garage, plus, 0.2 guest/visitor spaces per dwelling. Guest parking spaces may be provided on-street, immediately adjacent to the development boundary, if available. A minimum of 2 guest spaces shall be provided regardless of the number of dwellings proposed.
8. Single Room Occupancy Facilities	One resident space per room; plus, 2 spaces for the resident manager, plus, guest/visitor parking spaces pursuant to the Multiple-Family Residential standards (Subparagraph A.4.b of this Table).
B. Commercial Agriculture	
1. Commercial Crop Production and Farming	Determined by the Zoning Administrator
2. Commercial Animal Production	Determined by the Zoning Administrator
3. Support Activities for Agriculture	Determined by the Zoning Administrator
C. Utilities	One space per employee during the largest shift.
D. Construction	Required parking for "general warehousing;" plus 0.1 space per 1,000 SF (0.0001/SF) of outside storage yards.
E. Manufacturing	See parking standards for "Industrial and Business Park Developments".
F. Retail Trade	
1. General and Convenience Retail	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Grocery Stores	4 spaces per 1,000 SF (0.004/SF)
3. Motor Vehicle Dealers	Interior show rooms: 2.5 spaces per 1,000 SF (0.0025/SF) of GFA; plus, outdoor display areas: one space per 1,000 SF of GFA; plus, required parking for "motor vehicle repair;" plus, required parking for "offices".
4. Motor Vehicle Parts and Accessories	4 spaces per 1,000 SF (0.004/SF) of GFA
5. Tire Stores	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
6. Furniture and Home Furnishings Stores	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
7. Electronics and Appliance Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
8. Building Materials, Garden Equipment, and Supplies	2.5 spaces per 1,000 SF (0.0025/SF) of GFA; plus, one space per 1,000 SF of outdoor display and storage areas.
9. Food and Beverage Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
10. Health and Personal Care Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
11. Gasoline and Fueling Stations	

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
a. Self-Serve and Full Service Fueling Stations	3 spaces minimum; plus, parking requirements for combination uses (e.g., convenience store, food services, motor vehicle repair, etc.). Fueling stations operating in conjunction with other uses may be granted shared parking credit at the rate of one space for each fuel dispenser.
b. Automated Fueling Facilities	Determined by the Zoning Administrator
c. Truck Stops	Determined by the Zoning Administrator
12. Clothing and Clothing Accessory Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
13. Sporting Goods, Hobby, Book, and Music Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
14. General Merchandise Stores	
a. General and Convenience Retail	4 spaces per 1,000 SF (0.004/SF) of GFA
b. Discount and Specialty Superstores	5 space per 1,000 SF (0.005/SF) of GFA
G. Transportation and Warehousing	
1. Airports	Determined by the Zoning Administrator
2. Railroad Passenger Terminals	Determined by the Zoning Administrator
3. Truck Transportation—General and Specialized Freight Trucking	One space per employee during the largest shift
4. Warehousing and Storage	
a. Warehousing and General Storage	See U.1.a (Warehousing/Distribution) of this Table.
b. Motor Vehicle Storage	0.1 space per 1,000 SF (0.0001/SF) of GFA devoted to storage; plus, required parking for "general business offices".
c. Self-Storage	0.1 spaces per 1,000 SF (0.0001/SF) of GFA; plus, required parking for "caretaker quarters" (if provided).
H. Information	
1. Publishing Industries	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Motion Picture and Video Industries (except movie theaters)	Determined by the Zoning Administrator
3. Movie Theaters	0.33 spaces per fixed seat
4. Sound Recording Facilities	4 spaces per 1,000 SF (0.004/SF) of GFA
5. Broadcasting	4 spaces per 1,000 SF (0.004/SF) of GFA
6. Wireless Telecommunications Antennas	One space per facility
7. Data Processing, Hosting, and Related Services	6 spaces per 1,000 SF (0.006/SF) of GFA
8. Libraries and Archives	Determined by the Zoning Administrator
I. Finance and Insurance	
1. Banks, Savings Institutions, and Credit Unions	4.6 per 1,000 SF (0.0046/SF) of GFA
2. Pawn Shops and Pawnbrokers	4 spaces per 1,000 SF (0.004/SF) of GFA
3. Insurance Carriers	4 spaces per 1,000 SF (0.004/SF) of GFA
J. Real Estate, Rental, and Leasing	

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
1. Real Estate Lessors, Agents and Brokers, Property Managers and Appraisers, and Escrow and Listing Services	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Rental and Leasing Services	4 spaces per 1,000 SF (0.004/SF) of GFA
K. Professional, Scientific, and Technical Services	
1. Professional, Scientific, and Technical Services	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Scientific, Research, and Development Services	4 spaces per 1,000 SF (0.004/SF) of GFA
3. Veterinary and Animal Hospital Services	5.7 spaces per 1,000 SF (0.0057/SF) of GFA
L. Management of Companies and Enterprises	4 spaces per 1,000 SF (0.004/SF) of GFA
M. Administrative and Support, and Waste Management and Remediation Services	
1. General Business Offices	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Telephone Call Centers	6 spaces per 1,000 SF (0.006/SF) of GFA
3. Waste Management and Remediation Service	Determined by the Zoning Administrator
N. Education Services	
1. Elementary and Middle Schools	0.28 spaces per student, based upon maximum enrollment.
2. High schools	0.26 spaces per student, based upon maximum enrollment.
3. Colleges and Universities	0.5 spaces per student, based upon maximum enrollment; plus, one space per employee or staff during the largest shift.
4. Business, Technical and Trade Schools	6 spaces per 1,000 SF (0.006/SF) of GFA
5. Instructional Dance Studios	5 spaces per 1,000 SF (0.005/SF) of GFA
O. Health Care and Social Assistance	
1. Medical Offices	5.7 spaces per 1,000 SF (0.0057/SF) of GFA
2. Hospitals and Medical Centers	1.8 spaces per bed; plus, one space per employee or staff during the largest shift; plus, required parking for associated "medical offices".
3. Child and Youth Services	Determined by the Zoning Administrator
4. Services for the Elderly and Persons with Disabilities	Determined by the Zoning Administrator
5. Other Residential Care Facilities (more than 6 persons)	0.5 spaces per bed; plus, one space per employee or staff.
6. Child Day Care Services, excluding Small Family Residential Facilities	0.2 spaces per child, based upon maximum licensed enrollment capacity; plus, one space per employee during the largest shift.
P. Arts, Entertainment, and Recreation	
1. Performing Arts and Spectator Sports	0.33 spaces per fixed seat
2. Convention Centers, Auditoriums and Other Public Assembly Facilities	0.25 spaces for each fixed seat or 25 spaces per 1,000 SF (0.025/SF) of GFA.
3. Amusement and Theme Parks	Determined by the Zoning Administrator
4. Game Arcades	10 spaces per 1,000 SF (0.01/SF) of GFA

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
5. Golf Courses and Country Clubs	8 spaces per hole; plus, required parking for associated uses.
6. Golf Driving Range	One space per tee
7. Miniature Golf Course	3 spaces per hole
8. Fitness and Recreational Sports Centers	
a. Health Clubs and Gyms	5 spaces per 1,000 SF (0.005/SF) of GFA
b. Swim Clubs	3.3 spaces per 1,000 SF of pool surface area (0.0033/SF)
c. Tennis Clubs	3 spaces per tennis court
9. Bowling Centers	4 spaces per lane
10. Batting Cages	Determined by the Zoning Administrator
11. Billiard Parlors and Pool Halls	2 spaces per table
12. Dance Clubs and Halls, Ball Rooms, and Discotheques	25 spaces per 1,000 SF (0.025/SF) of GFA
13. Skating Rinks	3.3 spaces per 1,000 SF (0.0033/SF) of GFA
14. Stables (Commercial)	0.2 spaces per horse maintained on-site
Q. Accommodation and Food Services	
1. Lodging Facilities (bed and breakfast inns, boarding and rooming houses, hotels and motels, and residence inns)	One space per sleeping room; however, provide no fewer than one space per 2 beds; plus, required parking for associated uses.
2. Full Service Restaurants	10 spaces per 1,000 SF (0.01/SF) of GFA (includes outdoor seating area up to 25 percent of GFA).
3. Fast Food Restaurants	13.3 spaces per 1,000 SF (0.0133/SF) of GFA (includes outdoor seating area up to 25 percent of GFA). Restaurants with drive-thru may be credited one space for each 24 lineal FT of drive-thru lane behind the pickup window.
4. Banquet Facilities	25 spaces per 1,000 SF (0.025/SF) of GFA
5. Caterers	2 spaces per 1,000 SF (0.002/SF) of GFA
6. Drinking Places (bars, cocktail lounges, and nightclubs)	10 spaces per 1,000 SF (0.01/SF) of GFA
R. Other Services	
1. Motor Vehicle Repair and Maintenance	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
2. Car Washes, Full-Service and Self-Service	One space per employee, minimum 10 spaces; plus, required parking for accessory uses (i.e., motor vehicle repair and service, and retail uses).
3. Upholstery and Furniture Repair	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
4. Footwear and Leather Goods Repair	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
5. Personal Care Services	4 spaces per 1,000 SF (0.004/SF) of GFA
6. Death Care Service	
a. Cemeteries	Determined by the Zoning Administrator
b. Funeral Homes and Services	25 spaces per 1,000 SF (0.025/SF) of GFA of assembly area; plus, required parking for "general offices"

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
7. Religious Assembly and Wedding Chapels	0.33 spaces per fixed seat or 25 spaces per 1,000 SF (0.025/SF) of GFA
S. Public Administration	Determined by the Zoning Administrator
T. Temporary and Interim Land Uses	Determined by the Zoning Administrator
U. Industrial and Business Park Developments	
1. Industrial	
a. Warehousing and Distribution	**[1]** Portion of GFA 20,000 SF or Less: One space per 1,000 SF (0.001/SF); **[2]** Portion of GFA Greater Than 20,000 SF: 0.5 space per 1,000 SF (0.0005/SF); **[3]** Tractor-Trailer Parking: One tractor-trailer parking space per 4 dock-high loading doors; **[4]** Parking for "general business offices" and other associated uses shall be provided when those uses exceed 10 percent of the building GFA; and **[5]** The Approving Authority may require a restrictive covenant running with the land, filed with the office of the County Recorder, which restricts the use of a property/building to warehousing and distribution, unless an alternate parking plan is provided, which demonstrates that on-site parking can be provided in compliance with the "General Industrial" parking requirements (see U.1.c of this Table), to support more intense industrial land uses.
b. Manufacturing	**[1]** General Requirement: Provide1.85 spaces per 1,000 SF (0.00185/SF) of GFA; **[2]** Tractor-Trailer Parking: One tractor-trailer parking space per 4 dock-high loading doors; and **[3]** Parking for "general business offices" and other associated uses shall be provided when those uses exceed 10 percent of the building GFA.
c. General Industrial (speculative buildings)	**[1]** Portion of GFA < 50,000 SF: 1.85 spaces per 1,000 SF (0.00185/SF); **[2]** Portion of GFA 50,000 SF to 100,000 SF: One space per 1,000 SF (0.001/SF); **[3]** Portion of GFA > 100,000 SF: 0.5 space per 1,000 SF (0.0005/SF); and **[4]** Tractor-Trailer Parking: One tractor-trailer parking space per 4 dock-high loading doors; **[5]** Parking for "general business offices" and other associated uses shall be provided when those uses exceed 10 percent of the building GFA.
2. Multi-Tenant Business Park	3 spaces per 1,000 SF (0.003/SF); plus, required parking for "general business offices" when exceeding 10 percent of GFA; plus, one trailer parking space per 4 dock-high loading doors.

6.03.020: Reduction in the Required Number of Parking Spaces

A reduction in the number of parking spaces required by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division may be granted as follows:

A. Shared Parking. Any project site where the hours of operation allow the shared use of off-street parking spaces to occur without conflict, the number of parking spaces required may be reduced pursuant to the following conditions:

1. Approval Required. Shared parking may be allowed upon the approval of a Shared Parking Agreement by the applicable Approving Authority pursuant to Table 2.02-1 (Review Matrix) of this Development Code.

2. Reasonable Walking Distance Required to Shared Parking Facilities. Shared off-street parking facilities shall be provided within a reasonable walking distance from the uses they serve, and shall be located no further than 500 FT from the uses served, measured from the nearest point of the parking facility to the entrance of each use served via the shortest pedestrian route.

3. Shared Parking Agreement.

a. A Shared Parking Agreement by and between the City, the applicant, and all other affected property owners, shall be executed and recorded with the County Recorder, which shall ensure the availability of the number of parking spaces designated for joint use, during the hours specified in the Agreement, for the duration of the uses subject to the shared parking arrangement.

b. The Agreement shall be subject to City Attorney review and approval, as to form and content.

4. Parking Analysis. The Approving Authority may require the applicant to submit a parking demand analysis, prepared by a person/firm experienced in preparing such analyses, to assist the Zoning Administrator in determining the appropriate shared parking reduction. A parking demand analysis shall be prepared pursuant to the Urban Land Institute's *Shared Parking* publication. The methodology of the *Shared Parking* publication may be used as a guide in reviewing a shared parking proposal.

5. Shared Loading Spaces. Loading spaces required by this Division may be shared pursuant to this Section.

B. Low Demand. Any project site where it can be demonstrated that the land use thereon will not utilize the required number of parking spaces due to the nature of the specific land use, or the manner in which the specific land use is conducted, the number of parking spaces required by Table 6.03-1 (Off-Street Parking Requirements) of this Division may be reduced pursuant to the following:

1. Approval Required. A parking reduction based upon low parking demand may be allowed upon the approval of a Low Demand Parking Reduction Agreement by the applicable Approving Authority pursuant to Table 2.02-1 (Review Matrix) of this Development Code.

2. Alternate Parking Plan. In approving a parking reduction, the Approving Authority may require the preparation of an Alternate Off-Street Parking Plan, which demonstrates that additional parking spaces can be provided on-site, as necessary, to accommodate future land use changes or intensifications in land use. Alternately, a restrictive covenant that runs with the land may be required by the Approving Authority, which restricts the use of the subject property for the duration of the parking reduction.

3. Low Demand Parking Reduction Agreement. A Low Demand Parking Reduction Agreement by and between the City, the applicant, and all other affected property owners, shall be executed and recorded with the County Recorder, which, at a minimum, shall: **[i]** provide confirmation that the parking supply proposed will be adequate during periods of maximum demand, **[ii]** confirm that the parking demand is provided within a reasonable walking distance to the use it serves, and **[iii]** identify parking management strategies that are necessary to ensure the availability of the necessary number of parking spaces for the duration of the current use and future users of the project site. The Low Demand Parking Reduction Agreement shall be subject to City Attorney review and approval as to form and content.

4. Parking Analysis. The Approving Authority may require the applicant to submit a parking analysis, prepared by a person/firm experienced in preparing such analyses, to assist the Approving Authority in determining the appropriate reduction.

5. Loading Space Reduction. The number of loading spaces required by this Division may be reduced pursuant to this Section.

6.03.025: Tandem Parking

Tandem parking spaces may be allowed as follows:

A. **Family Child Day Care.** Family child day care homes may provide tandem parking spaces to satisfy the minimum parking requirement for the use.

B. **Mobile Home Parks.** Mobile home parks may provide tandem parking spaces to satisfy the minimum resident parking requirement for the use. The use of tandem parking spaces shall not be permitted for guest parking spaces.

C. **Multiple-Family Projects.**

1. Multiple-family development projects may provide tandem parking spaces to satisfy unenclosed (not within a garage or carport) on-site resident parking requirements (i.e., a driveway space located behind a garage or carport space). Multiple-family projects may also provide tandem parking spaces within a parking structure, which meet both enclosed (within garage or carport) and unenclosed resident parking requirements. Guest/visitor parking spaces shall not be designed in a tandem configuration.

2. A tandem parking space shall consist of no more than 2 automobile parking spaces. Both automobile spaces shall be assigned for use by the same dwelling unit.

3. Tandem parking spaces may be counted toward a maximum of 12 percent of the resident parking space requirement established by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division.

D. **Residential Component of Mixed-Use Projects.** Tandem parking spaces may be provided to satisfy resident parking requirements for the residential component of mixed-use projects and shall comply with the requirements for multiple-family projects, stated Subsection C (Multiple-Family Projects) of this Section.

E. **Single-Family Dwellings.** Tandem parking spaces may be provided in conjunction with single-family dwellings, when such parking spaces are provided in excess of the minimum parking

requirement for the use (i.e., driveway spaces and tandem garage spaces), as required by Table 6.03-1 (Off-Street Parking Requirements) of this Division.

F. Valet Parking. The Zoning Administrator may authorize valet parking as a means of satisfying the applicable off-street parking requirements of this Division, provided that:

1. Valet parking may be counted toward a maximum of 15 percent of the minimum parking space requirements established by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division.

2. Valet parking facilities shall be provided within a reasonable walking distance from the uses they serve and shall be located no further than 500 FT from the uses served, measured from the nearest point of the parking facility to the entrance of each use served via the shortest pedestrian route.

3. An automobile shall be retrievable from its parking space with the movement of a maximum of 2 additional vehicles;

4. An equivalent number of valet parking spaces shall be available to replace the parking spaces required by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division; and

5. Valet parking spaces shall not require individual striping.

6.03.030: Parking for the Physically Disabled

A. Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

B. Parking spaces for the physically disabled required by this Section shall count toward fulfilling the minimum off-street parking requirements.

C. For existing parking facilities, the Zoning Administrator may approve a reduction in the number of parking spaces in an existing parking lot below the minimum required by this Section, in order to accommodate required parking spaces for the physically disabled.

6.03.035: Bicycle Parking

Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

6.03.040: Parking for Fuel Efficient Vehicles

Parking spaces specifically designated and conveniently located for fuel-efficient vehicles shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

6.03.045: Off-Street Parking Design Standards

A. Minimum dimensions and design.

1. Minimum Dimensions. The minimum dimensions for off-street parking and loading spaces and access drives shall be as prescribed in Table 6.03-2 (Standards for Parking Spaces, Drive Aisles, and Driveways), below.

Table 6.03-2: Standards for Parking Spaces, Drive Aisles, and Driveways

Requirement	*Standard*
A. Garage or Carport Space Dimensions (enclosed space)	10 FT wide by 20 FT long
B. Parking Space Dimensions (unenclosed space)	
1. Standard Parking	9 FT wide by 18 FT long [1][2]
2. Parallel Parking	8 FT wide by 24 FT long [1]
3. Tandem Parking	9 FT wide by 34 FT long (consists of 2 parking spaces) [1]
4. Trailer Parking	12 FT wide by 45 FT long
C. Loading Space Dimensions	12 FT wide by 18 FT long, unless otherwise specified by this Division
D. Minimum Drive Aisle and Driveway Widths	
1. Driveways for Single-Family Dwellings	10 FT wide
2. One-Way Drive Aisles and Driveways for Multiple-Family and Nonresidential Projects	12 FT wide
3. Two-Way Drive Aisles for Multiple-Family and Nonresidential Projects	24 FT wide, except that fire lanes required pursuant to the Ontario Fire Code shall be designed pursuant to Ontario Fire Department standards. Furthermore, two-way drive aisles may be reduced to 20 FT in width along segments that are not directly accessed by parking spaces.
4. Two-Way Driveways for Residential Projects	20 FT wide

Notes:

[1] An additional foot of width shall be provided for each side of a parking space that is contiguous with a fence, structure, wall, or other obstruction.

[2] The standard parking space length may be reduced to 16 feet, if 2 feet of width is added to adjacent sidewalk and/or landscape areas, to accommodate motor vehicle overhang. Vehicle overhang shall not encroach into a pedestrian path of travel.

2. End of a Drive Aisle. A drive aisle providing access to a parking space that is perpendicular to the drive aisle shall extend 5 FT beyond the side of the last parking space in the drive aisle to provide adequate area for the backing-up of parked vehicles.

3. Minimum Vertical Clearances Required.

a. *All Off-Street Parking Spaces.* A minimum 7-FT vertical clearance shall be maintained for all off-street parking spaces, including entrances, except that the vertical

clearance for the front 4 FT of a parking space serving a single-family dwelling or multiple-family residents may be reduced to not less than 4.5 FT in height.

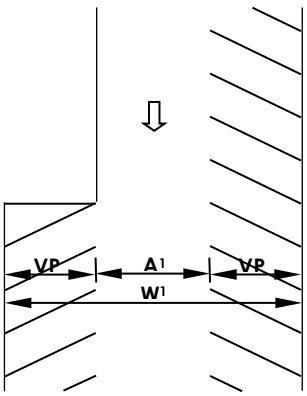
b. *Off-Street Parking Spaces for the Physically Disabled.* A minimum 98-inch vertical clearance shall be maintained for all off-street parking spaces for the physically disabled, including entrances and accesses to the spaces.

c. *All Off-Street Loading Spaces.* A minimum 14-FT vertical clearance shall be maintained for all off-street loading spaces, including entrances and accesses to the spaces.

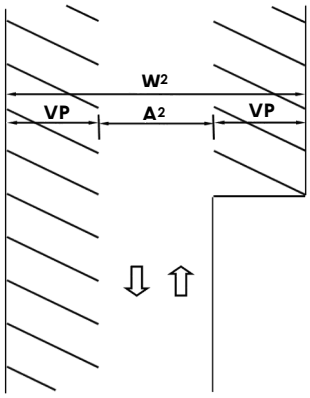
4. Parking Bays and Drive Aisles. The minimum dimension and design of parking bays and maneuvering drive aisles shall be as prescribed in Table 6.03-3 (Dimensions for Parking Facilities), below.

Table 6.03-3: Dimensions for Parking Facilities

Parking Angle	Vehicle Projection (VP)	Aisle Width		Base Module	
		One-Way (A^1)	Two-Way (A^2)	One-Way (W^1)	Two-Way (W^2)
45°	17'-7"	11'-10"	24'-0"	47'-0"	59'-2"
50°	18'-2"	12'-2"	24'-0"	48'-6"	60'-4"
55°	18'-8"	12'-8"	24'-0"	50'-0"	61'-4"
60°	19'-0"	13'-6"	24'-0"	51'-6"	62'-0"
65°	19'-2"	14'-8"	24'-0"	53'-0"	62'-4"
70°	19'-3"	15'-6"	24'-0"	54'-0"	62'-6"
75°	19'-1"	16'-10"	24'-0"	55'-0"	62'-2"
90°	18'-0"	24'-0"	24'-0"	59'-0"	60'-0"



One-Way Drive Aisle



Two-Way Drive Aisle

B. Parking Lot Access and Location of Parking Spaces.

1. The design and location of all vehicle accesses from a public street or alley to an off-street parking facility shall be approved by the City Engineer.

2. Each parking space shall be accessible from a street or alley, provided no parking space shall be designed to require that vehicles back into a street, excepting parking that serves a single-family dwelling.

3. No parking space shall be located so that a vehicle will be required to maneuver for position to enter or exit the space within 30 FT of a vehicular entrance from a public street.

4. Commercial or office developments with parking for at least 150 or more vehicles shall be designed with primary drive aisles unencumbered by parking spaces, intersecting parking aisles, or other access drives, for a distance of at least 100 FT behind the street property line or 112 FT behind the street curb face, whichever is greater.

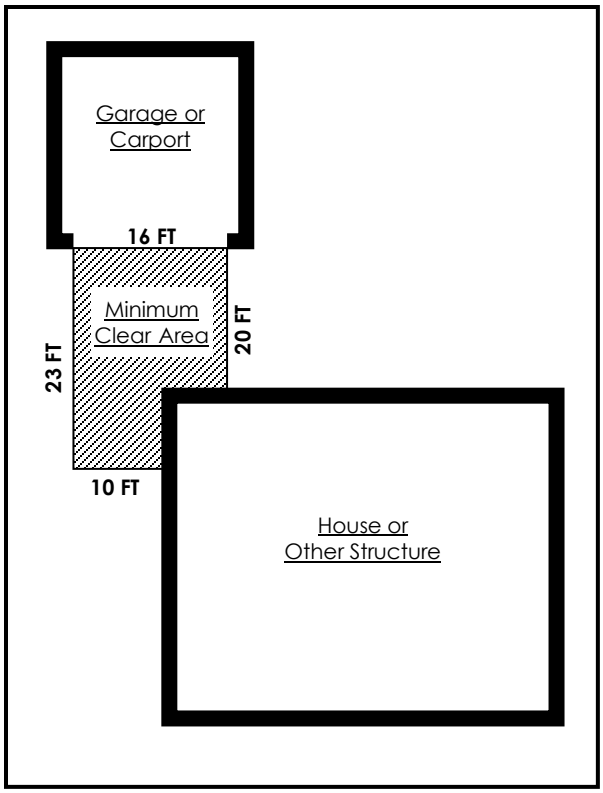


Figure 6.03-1: Garage/Carport Entrance Clear Area

5. Carpool and high occupancy vehicle spaces should be located in the most advantageous and reasonable location, as close as possible to the primary employee entrance(s) of the user(s) which they are intended to serve.

6. Parking spaces for dwellings shall be located within 150 FT from the dwelling (front or rear door) for which the space is provided, excluding structures containing 3 or more stories.

7. Bicycle and automobile parking areas shall be separated from one another by a physical barrier or sufficient distance to protect bicycles and their riders from damage by maneuvering automobiles.

8. A garage facing a public street shall provide a clear space of at least 20 FT between the garage entrance and the street property line.

9. The minimum clear area for vehicle access in front of a garage or carport entrance shall be as shown in Figure 6.03-1 (Garage/Carport Entrance Clear Area).

10. Except as otherwise provided in this Development Code, off-street parking spaces are not to be located within a required front or street side setback area, or the required rear setback area of a through lot.

11. All drive aisles entering a site shall be provided with an enhanced pavement treatment, excepting lots containing single-family dwellings. The enhanced paving shall extend

from the back of the drive approach apron to the first intersecting drive aisle, driveway, or parking space.

C. Striping and Identification.

1. All automobile parking spaces within commercial zoning districts shall be clearly outlined with double lines on the parking area surface. Within all other zoning districts, automobile parking shall be clearly outlined with single lines on the parking area surface (double lines may be used).

2. All parking area striping shall be permanently maintained in a clear and visible manor.

3. All parking spaces for the physically disabled shall be striped and marked in accordance with applicable State laws and standards.

4. All parking spaces reserved for low emissions vehicles shall be clearly marked with the words "Low Emissions Vehicles Only" either on the wheel stop or curb, or on the pavement at the opening of the space.

5. All spaces reserved for carpools and high occupancy vehicles shall be clearly marked with the words "Carpool/HOV Only" on either the wheel stop or curb at the back of each space, or on the pavement at the opening of the space.

6. Within multiple family residential developments, required guest parking spaces shall be clearly marked with the word "Guest" on either a wheel stop or curb at the head of each space, or on the parking surface at the opening of each space.

D. Parking, Drive Aisle, and Driveway Surface Paving. All permanent parking spaces, drive aisles, and driveways shall be paved with asphalt, concrete, or other all-weather surface approved by the Planning Director, Fire Marshall, and City Engineer.

E. Wheel Stops and Curbs.

1. Drive aisles and parking surfaces contiguous with planter areas shall have a 6-inch concrete curb separation constructed per City standards, except where a landscape area is parallel and adjacent to a parking stall the curb separation be increased to a minimum of 12 inches in width to provide a step-out area from motor vehicles.

2. All parking spaces located adjacent to buildings or walls shall have concrete wheel stops located from a minimum of 2.0 FT, to a maximum of 2.5 FT, from the building or wall.

F. Maintenance. All parking facilities shall be permanently maintained, free of weeds, liter, and debris.

6.03.050: Parking Lot Lighting

A. Parking Lot Lighting Required. All off-street parking facilities shall be provided with nighttime security lighting pursuant to OMC Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted

light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

B. Lighting Level Measurement. Lighting levels shall be measured with a direct-reading portable light meter. The equipment used shall allow accurate measurements, with all measurements made after dark with the lights on and then again with the lights off. The difference between the two readings shall then be compared to the applicable standard for maximum permitted illumination.

C. Light Fixtures Shall Be Decorative. All parking lot lighting fixtures shall be decorative.

D. Lighting Along Pedestrian Corridors. Along pedestrian movement corridors, the use of decorative low-mounted bollard light standards, which reinforce pedestrian scale, shall be used.

E. Illumination on Adjacent Property. Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

F. Maximum Luminaire Heights. The maximum permitted height of luminaires within a parking lot shall be as follows:

1. No Cutoff Luminaire. When a light source or luminaire has no cutoff (the point at which all light rays are completely shielded), the maximum permitted height of the luminaire shall be 14 FT.

2. Ninety Degree or More Cutoff Luminaire. When a luminaire has a total cutoff of light at an angle of 90 degrees or greater, the maximum permitted height of the luminaire shall be 24 FT.

3. Less than 90-Degree Cutoff Luminaire. When a luminaire has a total cutoff of light at an angle of less than 90 degrees, the maximum permitted height of the luminaire shall be 30 FT.

6.03.055: Off-Street Loading Standards

A. Number of Loading Spaces Required. Full-service and limited-service eating places, drinking places, convenience stores, hotels and motels, and all other traveler accommodations, and any other use deemed by the Zoning Administrator to be in need of off-street loading facilities, shall be provided a minimum of one off-street loading space.

B. Minimum Dimensions and Design.

1. At-Grade Loading Facilities. At-grade loading doors shall be provided with an off-street loading space located immediately in front of the door measuring a minimum of 12 FT in width and 18 FT in length, and having a minimum vertical clearance of 14 FT, measured from the finish grade of the space. The loading space may be provided either perpendicular or parallel to the loading door.

2. Dock-High Loading Facilities.

a. Dock-high loading doors shall be provided with an off-street loading space located immediately in front of the door measuring a minimum of 12 FT in width and 45 FT in length,

and having a minimum vertical clearance of 14 FT, measured from the finish surface of the loading dock.

b. A truck maneuvering area equal to the width of the loading door and a minimum of 120 FT in depth shall be provided in front of dock-high loading doors, and, at a minimum, the maneuvering area shall be designed to accommodate the minimum practical turning radius of a 55-FT semi-trailer and tractor combination. Deviations from this minimum maneuvering standard may be permitted if it can be shown that the spatial needs are less than the minimum required due to the truck size and type that will be utilized in the operation of a specific use; however, in permitting such deviation(s), a covenant of restriction to run with the land may be required, which specifies limitations relating to truck size and/or type. Larger maneuvering areas shall be required if the use of a larger semi-trailer and tractor combination is proposed.

c. Truck maneuvering areas shall not encroach into required off-street parking areas and landscaped areas.

C. Loading Facilities Prohibited Within Setback Areas. Except as otherwise provided by this Chapter, off-street loading spaces and areas, and associated vehicle maneuvering areas shall not be located within required front or street side setback areas, the rear setback area of a through lot, or any other required setback area located within 25 FT of a residentially zoned property.

D. Screening of Loading Facilities. Loading facilities should be located at the rear or interior side of buildings and shall be screened from public view or view from residential, retail and office uses, and the offices of industrial uses on adjacent properties. When it is not possible or desirable to locate loading facilities at the rear or interior side of buildings, loading facilities may be located on the street side or front of buildings, provided they are screened from public view by a decorative masonry wall with view-obstructing access gates pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

E. Loading Space Ingress and Egress. All loading spaces shall have adequate ingress and egress as approved by the City Engineer and shall be designed and maintained so that vehicle maneuvering and loading/unloading activities do not interfere with the orderly movement of traffic and pedestrians on any public street or alley.

F. Screening of At-Grade Loading Doors and associated Loading Spaces. All at-grade loading doors shall be decorative, unless located within an enclosed yard area and screened from public view by a decorative masonry wall with view-obstructing access gates pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

G. Screening of Dock-High Loading Doors and Associated Loading Spaces and Truck Maneuvering, Parking, and Staging Areas. All dock-high loading doors and associated loading spaces and truck maneuvering, parking, and staging areas, shall be located within an enclosed yard area and screened from public view by a decorative masonry wall with view-obstructing access gates pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

H. No Backing onto or from a Public Street. All loading spaces shall be designed and maintained so that vehicles do not back in from, or onto, a public street.

I. Match Loading Bay and Roll-Up Door Color to Adjacent Building Finish. The loading bays and roll-up doors shall be painted to blend with the adjacent exterior building finishes.

J. Concealment and Screening of Loading Areas. Areas for loading and unloading shall be designed to avoid potential adverse noise, visual, and illumination impacts on neighboring residences. These areas shall be concealed from view by the public and adjoining land uses. Concealment and screening may be accomplished by use of any of the following methods, subject to Zoning Administrator approval:

1. Orient loading spaces, areas, and doors such that they are concealed from public view by buildings; and

2. Screen loading spaces, areas, and doors pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code, with walls and view-obstructing gates, which are architecturally coordinated with adjacent buildings. In addition, incorporate intense on-site landscaping to block public views of loading areas.

K. Loading Facilities in Close Proximity to Dwellings. Special orientation or design treatment of loading bays and doors located in close proximity to dwellings shall be required in order to reduce associated light and noise impacts to less-than-significant levels.

L. Striping and Identification. Loading spaces shall be striped, indicating the loading spaces and identifying the spaces for "Loading Only." The striping shall be permanently maintained by the property owner/tenant in a clear and visible manner at all times.

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Division 6.04—Congestion Management and Trip Reduction

Sections:

6.04.000: Purpose and Intent
6.04.005: Applicability
6.04.010: Trip Reduction Measures

6.04.000: Purpose

Use of the private automobile in Southern California has created serious traffic congestion and air quality problems. At the regional and local levels, government agencies have adopted policies and programs aimed at reducing the number of single-passenger vehicles traveling along the region's highways, thereby alleviating congestion and improving air quality within the region. The trip reduction measures contained in this Division are intended to help meet congestion management and air quality goals of the region.

6.04.005: Applicability

A project requiring the approval of a tentative tract or parcel map pursuant to Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps), Development Plan pursuant to Section 4.02.030 (Development Plan), and/or Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code, and for which an application was submitted on or after January 1, 1994, provision shall be made for the applicable trip reduction measures required by this Division.

6.04.010: Trip Reduction Measures

The following trip reduction measures shall be implemented:

A. Non-Residential Projects.

1. Bicycle Parking and Shower/Changing Rooms. Safe and convenient access to bicycle racks shall be provided from public streets. Bicycle racks or other secure bicycle parking, and shower/changing rooms, shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2. On-Site Pedestrian Walkways. On-site pedestrian walkways shall be provided, which connect each building in a development to bicycle parking facilities (if required) and public streets.

3. Passenger Loading Areas. Passenger loading areas shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

4. Carpool/Vanpool Parking Spaces. Parking spaces reserved for use by carpool/vanpool vehicles shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

5. Transit Facilities. Transit facilities, such as bus shelters, bus pullouts, and bus pads, shall be provided if the Planning Director, in consultation with local transit providers, determines they are needed to serve the development.

6. On-Site Video Conferencing Facilities. On-site video conferencing facilities shall be provided for office buildings with a capacity of 1,000 employees or greater.

B. **Multiple-Family Residential Projects** (consisting of 10 or more dwellings)**.**

1. Bicycle Parking and Shower/Changing Rooms. Safe and convenient access to bicycle racks shall be provided from public streets. Bicycle racks or other secure bicycle parking, and shower/changing rooms, shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2. On-Site Pedestrian Walkways. On-site pedestrian walkways shall be provided, which connect each building in a development to bicycle parking facilities (if required) and public streets.

3. Passenger Loading Areas. Passenger loading areas shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

4. Transit Facilities. Transit facilities, such as bus shelters, bus pullouts, and bus pads, shall be provided if the Planning Director, in consultation with local transit providers, determines they are needed to serve the development.

C. **Single-Family Residential Projects of 500 or More Dwellings.** Facilities shall be provided to give residents an opportunity to telecommute, or an in-lieu contribution, shall make provision for telecommuting facilities, or an alternate strategy for reducing an equal amount of trips as would have occurred from provision of telecommuting facilities shall be implemented per Subsection D (Modification of Trip Reduction Measures) of this Section.

D. **Modification of Trip Reduction Measures.** The Approving Authority may modify all or part of the trip reduction measures for new projects, if the following findings can be clearly established:

1. One or more of the measures are not applicable due to special circumstances, including, but not limited to, the location or configuration of the project, the implementation of existing trip reduction measures and transportation demand strategies, or other specific factors that make implementation infeasible or reduce the effectiveness of the prescribed measures.

2. An alternative trip reduction and transportation demand management strategy will be implemented to reduce an equal number of trips as would have occurred as a result of imposition of the prescribed measures. Implementation of the alternative strategy shall be a condition of project approval.

E. **Trip Reduction and Transportation Demand Management Program/Facility Credit.** Credit may be granted for trip reduction and transportation demand management programs and facilities, as follows:

1. Existing trip reduction and transportation demand programs and facilities in a development program may satisfy all or part the requirements of this Section pertaining to new construction, subject to the approval of the Approving Authority. The amount of credit given shall

be determined through an assessment of how the existing facilities would meet the requirements of this Section if based upon the GFA of the entire complex.

2. The Planning Commission may determine that a reduction in the required number of parking spaces for the proposed use or uses is acceptable because implementation of the trip reduction and transportation demand management measures would eliminate some of the demand for parking.

F. Certificate of Occupancy. Prior to the issuance of a certificate of occupancy for any new building or addition to an existing building, all facilities and improvements required by this Section shall be constructed or otherwise provided.

G. Improvements and Facilities to be Maintained in Good Repair. All facilities and improvements constructed or otherwise required by this Section shall be maintained in a state of good repair.

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Division 6.05—Landscaping

Sections:

6.05.000: Purpose
6.05.005: Applicability
6.05.010: Landscape Design Principles
6.05.015: Landscape Plans
6.05.020: Tree Preservation Policy and Protection Measures
6.05.025: Heritage Tree Preservation Mitigation Fee
6.05.030: Heritage Tree Preservation Trust Fund
6.05.035: Violation—Penalty
6.05.040: Required Landscaped Areas
6.05.045: Landscape Development Standards
6.05.050: Landscape Maintenance
6.05.055: Landscape Design and Construction Guidelines

6.05.000: Purpose

The purpose of this Division is to establish standards regulating landscaping and irrigation systems, which:

A. Improve the connection between the built and natural environments, increase the function of outdoor spaces and buffer land use compatibility conflicts;

B. Enhance the aesthetic appearance of development in all areas of the City by providing standards relating to the quality, quantity, and functional aspects of landscaping;

C. Reduce heat and glare generated by development;

D. Promote public health, safety, and welfare, by minimizing the impacts of all forms of physical and visual pollution, preserving the integrity of neighborhoods, and enhancing pedestrian and vehicular traffic safety;

E. Reduce energy use and associated costs from heating and air conditioning buildings and the transportation and pumping of water.

F. Preserve existing protected trees and topsoil where possible, incorporate native plant communities, and ecosystems into landscape design, and control soil erosion;

G. Promote the conservation of water by establishing provisions for water management practices, and techniques for the installation and maintenance of appropriate landscape materials and efficient irrigation systems as required by the Water Conservation in Landscaping Act of 2006 (AB 1881) and Executive Order No. B-29-15 (updated 2015), Model Water Efficient Ordinance (MWELO), commencing with GC Section 65591.

6.05.005: Applicability

A. Landscaping Required. All projects shall provide and maintain landscaping and irrigation systems in compliance with the provisions of this Division.

B. Landscape and Irrigation Plans Subject to City Review.

1. Submittal of Landscape and Irrigation Plans Required. Landscape and irrigation plans shall be submitted to the City for review for compliance with the requirements of this Division.

2. Plan Approval Required. Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by this Division have been approved by the Approving Authority. The Approving Authority is established by Table 2.02-1 (Review Matrix) of this Development Code and shall be empowered to approve or deny Landscape and Irrigation Documentation Plans.

3. Changes to Approved Landscape and Irrigation Plans. Changes to approved Landscape and Irrigation Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Approving Authority, prior to the commencement of the changes.

6.05.010: Landscape Design Principles

Landscaping is an important part of the aesthetic quality of the City and is important to create a sense of the City as a pleasant and safe place to live and work. The standards prescribed by this Division are intended to pursue sustainable, high quality landscaping, which is associated with the varying land use characteristics of the community. It is further intended that implementation of these guidelines will serve to enhance the street environment for motorists, as well as to contribute to convenient pedestrian connections throughout the City.

1. Use landscaping to define and create usable spaces throughout each development. Landscaping should be used to guide the user through the site and incorporate appropriate design elements for spaces such as entrances, walkways, gathering spaces, seating areas, utility areas, view corridors, open spaces, play spaces, and foregrounds and backdrops. Landscape design can be accomplished by utilizing form, function, scale, unity, contrast, varying the density of landscape material, use of color, layering, vertical and horizontal contrasts, and varying the texture of planting. Individual building projects can be enhanced through larger and more intensely developed landscaping.

2. Use landscaping to reduce the massing of buildings and eliminate large blank walls. Landscaping should be used to reduce the massing or bulk of buildings, particularly large industrial and warehouse/distribution buildings. Reductions in massing can be accomplished by using landscape treatments to provide vertical and horizontal contrast and to add visual interest. Major buildings should have foundation plantings adjacent to buildings such as hedgerows or shrub masses to break the horizontal ground plane from the vertical plane of the building.

3. Use landscaping to soften the effect of paved areas. Landscaping should be provided in all parking areas to reduce the visual impact of parking areas and reduce associated heat build-up. Parking lot landscaping should be integrated with, and an extension of, other on-site landscape features.

4. Landscapes should be designed to achieve harmony and unity between indoor and outdoor spaces. Designs should create both pleasing and economical layouts, incorporating durable and natural materials while ensuring safety and providing guidance for pedestrians and vehicles to their destinations. High quality landscapes should be attractive with open accessibility to nature while incorporating measures to promote sustainability: environmentally, economically, and socially.

5. Environmentally sustainable landscapes efficiently manage stormwater by capturing, and infiltrating runoff into dry wells, french drains, vegetated swales, or basins in planter areas or into porous hardscapes. Hardscape areas should be planted with canopy trees to clean air and mitigate the urban heat island effect and use California native and Mediterranean type plants to conserve water.

6. Economically sustainable landscapes are energy efficient by using large trees to buffer summer sun and winter wind on buildings or outdoor seating areas. They use resources carefully by incorporating low water using plants and efficient irrigation systems. Turfgrass areas are limited to parks and open spaces for active play which help reduce maintenance, pollution and water resource costs.

7. Socially sustainable landscapes create unique environments that enhance places to work, shop or dine and lend significant value to development. High quality landscapes have a profound impact on people's attitude and work performance as well as their enjoyment of a place. Open spaces, plazas, employee lunch areas and trails offer places to unwind, and meet people. Accessible paths and trails improve health through walking and biking.

6.05.015: Landscape Plans

A. Preliminary Landscape Plans.

1. Plan Required. A preliminary landscape plan shall be submitted with a Development Plan application or any other discretionary permit or action that proposes new or revised landscaped area. Where no discretionary permit or action is required, Landscape and Construction Irrigation Documentation Plans prepared pursuant to Subsection B (Landscape and Irrigation Construction Documentation Plans) of this Section, may be required by the City prior to the issuance of a Building Permit, as a requirement of any landscaped area proposed in fulfillment of the requirements of this Development Code.

2. Preliminary Landscape Plan.

a. The preliminary landscape plan shall meet the purposes of this Division by exhibiting a design layout that demonstrates the desired landscaping program in terms of function, location, size, scale, theme, and similar attributes.

b. The preliminary landscape plan shall provide the Approving Authority with a clear understanding of the landscaping program prior to preparation of the detailed Landscape and Irrigation Documentation Plans.

c. The preliminary landscape plan shall meet the purposes of OMC Title 10 (Parks and Recreation), Chapter 2 (Parkway Trees), commencing with Section 10-2.01.

d. The preliminary landscape plan shall include the Maximum Applied Water Allowance (MAWA) calculation, based upon the area devoted to landscaping as shown on the preliminary landscape plan. See worksheets contained in the Landscape Design and Construction Guidelines (Development Code Reference G) for the MAWA calculation formula.

3. Plan Preparation by a Qualified Design Professional is Required. Preliminary landscape plans shall be prepared by a California-registered landscape architect, or the architect that designed the on-site structures and improvements, or other qualified design professional.

4. Waiver of Requirements. The Approving Authority may waive the requirement for a preliminary landscape plan for building additions and remodels if no alterations, or minor alterations, are proposed to existing landscape areas or site topography.

B. Landscape and Irrigation Construction Documentation Plans.

1. Landscape and Irrigation Construction Documentation Plans Required.

a. Prior to the installation of landscaping and irrigation systems required by this Division, Landscape and Irrigation Construction Documentation Plans shall be submitted to the City for review and approval by the Approving Authority.

b. The required plans shall be prepared by, and bear the seal of, a landscape architect registered with the State of California.

c. Landscape and Irrigation Construction Documentation Plans shall be provided for each of the following project types:

(1) New and rehabilitated public or private development projects with landscaping;

(2) Developer-installed landscaping for all single-family and multiple-family development projects; and

(3) New and rehabilitated homeowner-installed or homeowner-hired projects with landscaping totaling 5,000 SF or more in area, on any lot containing a single-family or multiple-family dwelling.

2. Water Conservation Concept Statement. A Water Conservation Concept Statement shall be provided on the cover sheet of the Landscape and Irrigation Construction Documentation Plan set required by Paragraph B.1 (Landscape and Irrigation Documentation Plans Required) of this Section, which serves as a checklist to verify that all required elements of the Landscape and Irrigation Construction Documentation Plans have been provided. A Water Conservation Concept Statement shall have the form and content shown in the Landscape Design and Construction Guidelines (Development Code Reference G).

3. Water Budget Worksheet. A Water Budget Worksheet for new landscape areas shall be provided with each Landscape and Irrigation Construction Documentation Plan set submitted for areas to be newly landscaped, as required by Paragraph B.1 (Landscape and Irrigation Documentation Plans Required) of this Section. Said worksheet shall have the form and content shown in the Landscape Design and Construction Guidelines (Development Code Reference G), and shall include: **[i]** calculation of the Maximum Applied Water Allowance

(MAWA), **[ii]** calculation of the Estimated Total Water Use (ETWU), and **[iii]** calculation of the Water Budget Comparison.

4. Requirements for Existing Landscape Areas.

a. All existing landscape areas that are one or more acres in size, and were installed prior to January 1, 2010, shall provide a project's MAWA for existing landscaping. A Water Budget Worksheet for Existing Landscape Areas shall be provided with the Landscape and Irrigation Construction Documentation Plans, which shall be consistent with the form and content shown in the Landscape Design and Construction Guidelines (Development Code Reference G).

b. Existing landscape areas and landscape areas that do not have a dedicated water meter shall employ techniques, equipment and procedures to reduce water use and meet the MAWA for existing landscapes.

c. Landscape areas that do not meet the MAWA shall utilize: **[i]** an irrigation survey; **[ii]** an audit performed by a Certified Landscape Irrigation Auditor or a Landscape Industry Technician certified in irrigation, to provide recommendations, such as replacement or repairing of irrigation equipment as recommended in order to prevent water waste and meet the water budget; or **[iii]** other methods acceptable to the City.

5. Planting Plan. The Planting Plan shall be included in the Landscape and Irrigation Construction Documentation Plans and shall contain all required information prescribed by this Division and the Landscape Design and Construction Guidelines (Development Code Reference G).

6. Irrigation Plan. The Irrigation Plan shall be included in the Landscape and Irrigation Construction Documentation Plans and shall contain all required information prescribed by this Division and the Landscape Design and Construction Guidelines (Development Code Reference G).

7. Precise Grading Plan. A Precise Grading Plan shall be included in the Landscape and Irrigation Documentation Plans and shall contain all required information prescribed by this Division and the Landscape Design and Construction Guidelines (Development Code Reference G). To promote the efficient use of water, the grading of a project site shall be designed to minimize soil erosion, runoff, and water waste, and shall avoid soil compaction in landscape areas. Furthermore, said plans shall show grading techniques and stormwater devices that increase rainwater capture for infiltration and/or on-site storage coordinated with the landscape design.

8. Soil Management Report. Agronomical soil testing shall be performed, and test results and recommendations shall be included on the Landscape Documentation Plans. Testing shall be performed, and recommendations shall be implemented, prior to landscape installation.

9. Irrigation Schedules. Irrigation Schedules shall be included in the Landscape and Irrigation Construction Documentation Plans.

10. Maintenance Schedules. Landscaping and irrigation systems shall be maintained to ensure water use efficiency, plant health, and a well maintained, attractive appearance. A regular maintenance schedule shall be included in the Landscape and Irrigation Construction Documentation Plans.

11. Certificate of Completion. Upon completion of landscaping and irrigation system installation, the licensed landscape architect of record, or their designee, shall conduct a final field inspection and shall prepare a Certificate of Completion, which shall be filed with the City. The Certificate of Completion shall specifically indicate that the landscaping and the irrigation system were installed as shown on the approved Planting and Irrigation Plans, and that the soil testing and amendments have been installed as specified by the soil management plan. If the irrigation system was not installed pursuant to plans, or if water use exceeds the water budget, a certified landscape irrigation auditor shall conduct an irrigation audit, and the recommendations to ensure water efficiency shall be provided, prior to permit approval.

12. Required Plans, Maps, Reports, Schedules, and Other Necessary Information. All plans, maps, reports, schedules, and other information required to be contained in the Landscape and Irrigation Construction Documentation Plan set by this Section, shall include all information stipulated by the Landscape Design and Construction Guidelines (Development Code Reference G), which prescribes the minimum information to be submitted, together with any required plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to review and act upon the required plans and information.

13. Public Education. All model homes that are landscaped shall incorporate signs and written information to demonstrate the principals of water efficient landscapes described in this Division. Signs shall feature elements such as hydrozones, irrigation equipment, and plants that contribute to the overall water efficient theme. Written information shall be provided about plant types, irrigation systems and managing and maintaining water efficient landscapes.

6.05.020: Tree Preservation Policy and Protection Measures

A. **Purpose.** The purpose of this Section is to establish policies and measures that will further the preservation, protection, and maintenance of established and healthy heritage trees within the City, to improve the community forest that provides environmental, aesthetic and economic benefits, and enhances the quality of life. It is pertinent to the public welfare that such trees be protected from indiscriminate cutting or removal.

B. **Applicability.** The City Council hereby establishes that it is the policy of the City to preserve, protect, and maintain established and healthy trees within the City, to the extent practicable. Consideration shall be afforded Heritage Trees, as set forth in this Section.

C. **Definitions.** As used in this Section**, the following** words, terms, and phrases are defined as follows:

1. Heritage Tree. The term "Heritage Tree" means a tree of historic or cultural significance, or a tree of importance to the community due to any one of the following factors:

a. A tree designated for preservation pursuant to Section 4.02.040 (Historic Preservation—Historic Landmark and District Designations, and Architectural Conservation Areas) of this Development Code.

b. It is one of the largest or oldest trees of the species located in the City, with a trunk diameter of 18 inches or greater, measured at 54 inches above natural grade; or

c. It has historical significance due to an association with an historic building, site, street, person, or event; or

d. It is a defining landmark or significant outstanding feature of a neighborhood or district, or typical of early Ontario landscapes, including **[i]** Cinnamomum camphora (Camphor Tree), **[ii]** Cedrus deodara (Deodar Cedar), **[iii]** Platanus acerifolia, **[iv]** Quercus suber (Cork Oak), **[v]** Quercus ilex (Holly Oak), or **[vi]** Schinus molle (California Pepper); or

e. It is a Native Tree. The term "Native Tree" means any one of the following California native tree species, which has a trunk diameter of more than 8 inches, measured at 54 inches above natural grade, including **[i]** Platanus racemosa (California Sycamore), **[ii]** Pinus torreyana (Torrey Pine), **[iii]** Quercus agrifolia (Coast Live Oak), **[iv]** Quercus engelmannii (Engelmann Oak), **[v]** Quercus lobata (Valley Oak), or **[vi]** Umbellularia californica (California Bay).

2. Tree Protection Area. The term "Tree Protection Area" (TPA) means the area of tree roots and canopy to be designated by fencing to prohibit access during construction activities. The tree protection area is typically equal to one foot of radius for each inch of trunk diameter measured at 54 inches above natural grade, but not less than an 8-FT radius. This term may also be referred to as "Protected Root Area" (PRA).

D. Tree Inventory and Preservation Plan.

1. Property proposed for development on which a Heritage Tree exists, shall require the submittal of a Tree Inventory and Preservation Plan prepared by a licensed landscape architect, horticulturalist, certified arborist, or other related professional. Said plan shall be submitted concurrent with a Development Plan or building permit request for alterations of a site and shall be reviewed and approved by the Approving Authority for the corresponding application request.

2. The Tree Inventory and Preservation Plan shall show all existing on-site trees, and those existing trees on abutting lots and public rights-of-way with a canopy or root zone that extends onto the site or within 8 FT of a construction, staging or storage area, or graded site. Furthermore, the Tree Inventory and Preservation Plan shall identify TPAs and trees requested to be removed and shall show replacement trees as required by this Division.

3. The Tree Inventory and Preservation Plan shall include a tree evaluation or arborist report of affected trees, prepared by a City-approved certified arborist or qualified horticulturalist, to determine health, structure, condition, and expected life span of all affected trees.

E. Tree Protection During Construction.

1. All trades performing work on property in which trees have been specifically identified for protection pursuant to this Section, shall be informed of the protected trees.

2. During site construction, no person in control of work shall leave any Heritage Tree(s) without sufficient protections in place to prevent injury to the tree(s). Furthermore, it shall be unlawful and a violation of this Section to leave any Heritage Tree protected pursuant to this Section without sufficient protections in place.

3. Any special Tree Protection During Construction requirements shall be included in the Tree Inventory and Preservation Plan, and on any Demolition, Grading, or Construction Plan(s) where existing trees may be impacted, along with the following Tree Protection During Construction standard notes:

a. Existing trees to be protected shall be identified with protective fencing to form a TPA. The TPA shall encircle the tree at the outer most edge of the root zone and canopy. The TPA is defined by its "Critical Root Radius," which is calculated by measuring the tree's diameter at 54 inches above natural grade (dbh) and allowing 1.5 FT of radius for each inch of tree diameter. In example, if a tree's dbh is 10 inches, its Critical Root Radius is 15 FT.

b. Protective fencing shall be installed prior to any earthwork and shall remain in place until all work is complete. Fencing shall be 3 FT to 4 FT in height and shall be installed at the outer most edge of the Critical Root Radius or TPA. The temporary fencing shall be of chain link or other approved durable material. Post "Tree Protection Zone – Keep Out" signs on TPA fencing.

c. No construction or staging equipment is allowed within a TPA, including heavy equipment that will compact and damage the roots.

d. No disposal of construction materials or by products including paint, plaster, or chemical solutions, is allowed within a TPA.

e. Natural or preconstruction grade shall be maintained within a TPA. At no time shall soil be in contact with a tree trunk above the root flare.

f. TPAs shall be irrigated sufficiently with clean potable water to keep the tree in good health and vigor before, during, and after construction. Deep watering may be necessary on a weekly basis. Verify that the depth of irrigation provided to roots is adequate.

g. Apply a 4-inch to 6-inch thick layer of mulch within the TPA, one foot away from the trunk, before construction begins.

h. Any work required to be conducted in the ground, within the TPA, shall be accomplished with hand tools or an air spade.

i. Pruning for clearance, if needed, shall be done to prevent damaging branches with large equipment. All pruning shall be in accordance with industry standards (International Society of Arboriculture ANSI A300) under the direction of a Certified Arborist.

j. Avoid cutting roots with a diameter larger than 2 inches. Cuts should be clean and made at right angles to the roots. When practical, cut roots back to a branching lateral root. Trenches for piping shall be bored under, at a minimum depth of 36 inches. Consult a Certified Arborist to be present if more than 33 percent of the root zone is impacted, or roots greater than 2 inches diameter within 5 FT of the trunk will be cut, to ensure tree stability and that health will not be affected.

k. Protect soil and roots from compaction in landscape areas used for driveways, storage, or parking, with a layer of geotextile fabric and 6 inches of crushed gravel.

4. All trades performing work on property in which trees have been specifically identified for protection pursuant to this Section, shall be informed of the Tree Protection and Inventory Plan and the Tree Protection During Construction requirements.

F. Waiver of Development Standards to Further Heritage Tree Preservation and Protection. When considering an application for any permit or approval that may adversely affect Heritage

Trees, the City may allow certain departures from established development standards to assist in their preservation, through the granting of an Administrative Exception pursuant to Section 4.02.020 (Departures from Development Standards) of this Development Code. Allowable exceptions specifically for the furtherance of tree preservation shall be limited to a maximum 15 percent reduction from minimum setback and separation requirements, and maximum 10 percent from off-street parking requirements. The Approving Authority may grant Administrative Exceptions from said setback, separation, and/or parking standards after first finding that:

1. The applicant has investigated alternative site designs and building configurations in strict compliance with the applicable development standards;

2. The tree(s) to be preserved is/are in good health and condition (taking into account species and longevity) as determined by a certified arborist;

3. The project includes a well-integrated and thoughtful design solution that enhances the property and its surroundings;

4. The project would not be injurious to adjacent properties or uses, or detrimental to the environment, quality of life, or the health, safety, and welfare of the public; and

5. The project is consistent with the purposes of the applicable zoning district, planned unit development, or specific plan, the applicable development standards and guidelines, and the Vision, Policy Plan, and City Council Priorities components of The Ontario Plan.

G. Heritage Tree Removal. It is the City's policy to protect and preserve healthy trees that provide benefits to the community, whenever possible. However, if it is determined through an arborist report, tree evaluation, or other city approved means, that a Heritage tree is dead, hazardous, diseased, or damaged beyond repair, or may pose an emergency or safety concern, the Approving Authority may order removal of the tree.

H. Heritage Tree Pruning. Pruning of any Heritage Tree protected pursuant to this Section shall be performed under the direction of a certified arborist, horticulturalist, or similar qualified licensed professional, following the most recent standards of the International Society of Arboriculture and ANSI A300 standards for tree care operations.

I. Heritage Tree Damage or Tree Removal without City Approval.

1. The damage or removal of a Heritage Tree protected pursuant to this Section, or encroachment into a protected root area or TPA, shall require an evaluation by a City-approved certified arborist as to the resulting condition, prescribed treatment to repair the damage, replacement trees if removed (as prescribed by this Division), and monetary value of the tree if removed or damaged beyond repair. Penalties pursuant to Section 6.05.035 (Violation—Penalty) of this Division shall apply.

2. For the purposes of this Subsection, the term "tree removal" shall include any act that causes the actual removal of a Heritage Tree, or the effective removal of a Heritage Tree by means of willful damage; damage resulting from excessive or improper pruning, excavation, or construction; poisoning; or any other direct or indirect action resulting in tree death within the 3-year period following said actions.

J. Heritage Tree Replacement. Healthy Heritage Trees that are approved for removal shall be replaced with new trees and shall be shown on required Landscape and Irrigation Construction

Documentation Plans. Replacement trees shall have a total trunk diameter (caliper) equal to the tree(s) removed, or as deemed appropriate by the Approving Authority based on the lot size and available planting space. Replacement trees shall be in addition to the quantity of trees required by this Division for landscaping. The Approving Authority shall review the landscape plan and approve appropriate species for tree replacement (see Section 6.05.045 (Landscape Development Standards) for required trees).

K. **Monetary Value.** The monetary value of Heritage Trees protected pursuant to this Division, which are removed, shall be based upon the "Guide for Plant Appraisal," which is available from the International Society of Arboriculture. Appraisals shall be performed by a City-approved professional plant appraiser or certified arborist skilled in tree appraisals.

L. **Prohibited Acts.** It shall be expressly prohibited to damage or to remove any Heritage Tree without prior specific authorization by the Zoning Administrator, except that tree removal specifically approved as a part of a Development Plan or Building Permit approval; Certificate of Appropriateness; pruning or removal to obtain adequate line-of-sight distances as specifically authorized by the City Engineer; pruning or removal as required for public safety as specifically authorized by City representatives; and/or actions taken by a public or private utility company for the protection of their existing electrical power or communication lines, or other property of a public utility.

6.05.025: Heritage Tree Preservation Mitigation Fee

A. **Purpose.** The purpose of this Section is to establish the Heritage Tree Preservation Mitigation Fee whereby the impacts resulting from the construction or demolition of heritage tree(s) may be mitigated by the collection of fees that will provide a source of funds for the conservation, preservation, restoration, replanting and reforestation of trees within the City.

B. **Applicability.**

1. A mitigation fee, in an amount established by this Section, shall be paid prior to the issuance of any permit for construction or demolition of any heritage tree(s). The mitigation fee shall be deposited in the Heritage Tree Preservation Trust Fund established pursuant to Section 6.05.030 (Heritage Tree Preservation Trust Fund) of this Division.

2. The mitigation fee shall be based on the Tree Inventory and Preservation Plan pursuant to Section 6.05.020 (Tree Preservation Policy and Protection Measures) of this division.

a. The mitigation fee for Healthy Heritage Trees that are approved for removal shall equal the replacement value of the total trunk diameter (caliper) equal to the tree(s) removed, or as deemed appropriate by the Approving Authority based on the Tree Inventory and Preservation Plan. The Approving Authority shall review the Tree Inventory and Preservation Plan and approve the replacement value.

b. The mitigation fee for the monetary value of Heritage Trees protected pursuant to this Division, which are removed, shall be based upon the "Guide for Plant Appraisal," which is available from the International Society of Arboriculture. Appraisals shall be performed by a City-approved professional plant appraiser or certified arborist skilled in tree appraisals.

6.05.030: Heritage Tree Preservation Trust Fund

A. Purpose. The purpose of the Heritage Tree Preservation Trust Fund is to provide funding, under direction of the City Council, for the conservation, preservation, restoration, replanting and reforestation within the City.

B. Applicability. The Heritage Tree Preservation Trust Fund is hereby established as means to receive and replenish monies to assist the funding of tree preservation and reforestation projects within the City. All funds deposited in the Heritage Tree Preservation Trust Fund shall be used solely for the conservation, preservation, restoration, replanting and reforestation of the City, as provided in this Section.

C. Trust Fund Administration.

1. The City Manager, or designee of the City Manager, shall have authority for establishing policy for Heritage Tree Preservation Trust Fund expenditures.

2. The City Manager, or designee of the City Manager shall have authority to make recommendations to the City Council regarding any action or activity necessary or appropriate to implement its powers or duties to fulfill the objectives of the Heritage Tree Preservation Trust Fund.

3. The City Manager, or designee of the City Manager, shall serve as financial administrator of the Heritage Tree Preservation Trust Fund and shall be responsible for management of its finances, which shall be carried-out pursuant to all applicable federal, State and local laws.

4. The Planning Director, or designee of the Planning Director, shall serve as program administrator of the Historic Preservation Trust Fund and shall be responsible for its day-to-day management and operations.

D. Heritage Tree Preservation Trust Fund Proceeds.

1. Deposits. All funds received by the City for heritage tree preservation purposes shall be deposited in the Heritage Tree Preservation Trust Fund. The City's Fiscal Services Department may establish separate accounts within the Trust Fund for the purpose of separating deposits according to their origin or intended purpose.

E. Heritage Tree Preservation Trust Fund Program Activities.

1. Qualifying Program Activities are hereby established for the following:

a. *New Tree Plantings.* Tree plantings in parkways or city right-of-way shall be per the Street Tree Master Plan or Ontario Ranch Streetscape Master Plan. Tree plantings in public projects such as parks and city facilities shall be determined by the Approving Authority.

b. *Reforestation Tree Plantings.* Reforestation tree plantings in parkways or city right-of-way shall be per the Street Tree Master Plan or Ontario Ranch Streetscape Master Plan. Tree plantings in public projects such as parks and city facilities shall be determined by the Approving Authority.

c. *Tree Removal Alternatives and Mitigation Measures.* Tree removal alternatives and mitigation measures such as root pruning, flexible paving material, other materials, protection measures, and mitigation measures recommended in the Certified Arborist's report.

d. *Acquisition, Planting and Maintenance of Trees.* Activities to acquire, plant and maintain existing and proposed heritage trees as determined by the Approving Authority, identified in the Certified Arborist's report.

2. Qualifying Projects that implement Trust Fund~~s~~ Program Activities are hereby established for the following project types:

a. *Capital Improvement Projects (CIP) for New Construction and Rehabilitation Projects. CIP* Construction projects allow for activities that contribute to the conservation, preservation, restoration, replanting and reforestation of heritage trees located within public spaces.

(1) Conservation, preservation and restoration of trees within public spaces, such as but not limited to parkways and rights-of-ways. Funds may support public projects and include activities directly contributing to the conservation, preservation, and restoration of existing heritage trees. Activities may include, but are not limited to, the installation of alternate sidewalk materials, meandering sidewalks, and any reports and analyses prepared by a certified arborist that identify protection measures that will contribute to extending the life and viability of existing heritage trees.

(2) Replanting and reforestation of trees within public spaces, such as but not limited to parkways and rights-of-ways. Any replanting or reforestation efforts must be identified in the certified arborist report and include circumstances that warrant tree removal. Such conditions that warrant the removal of heritage tree(s) may include tree(s) that are dead, hazardous, diseased, or damaged beyond repair, or may pose an emergency or safety concern relating to the health, safety, and welfare of the public. Funds shall be used to support the overall project and include activities directly contributing to the replanting and reforestation of trees where a certified arborist has recommended the removal of a heritage tree(s). Activities may include, but are not limited to, intermittent planting strategies and new tree plantings, as well as warranty and maintenance efforts that support the establishment and longevity of new tree plantings, such as tree staking, irrigation measures and other construction activities to support the viability of newly planted trees.

b. *Public Works Projects for New Construction and Rehabilitation Projects. Public Works* Construction projects that allow for activities that directly contribute to the conservation, preservation, restoration, replanting, and reforestation of heritage trees located within public spaces.

(1) Conservation, preservation and restoration of trees within public spaces, such as but not limited to public parks, parkways, rights-of-ways and city facilities. Funds may support public projects and include activities directly contributing to the conservation, preservation, and restoration of existing heritage trees. Activities may include, but are not limited to, the installation of alternate sidewalk materials, meandering sidewalks, and any reports and analyses prepared by a certified arborist that identify protection measures that will contribute to extending the life and viability of existing heritage trees.

(2) Replanting and reforestation of trees within public spaces, such as but not limited to public parks, parkways, rights-of-ways, and city facilities. Any replanting or reforestation efforts must be identified in the certified arborist report and include circumstances that warrant tree removal. Such conditions that warrant the removal of heritage tree(s) may include tree(s) that are dead, hazardous, diseased, or damaged beyond repair, or may pose an emergency or safety concern relating to the health, safety, and welfare of the public. Funds shall be used to support the overall project and include activities directly contributing to the replanting and reforestation where a certified arborist has recommended the removal of a heritage tree(s). Activities may include but are not limited to, intermittent planting strategies and new tree plantings as well as warranty and maintenance efforts that support the establishment and longevity of new tree plantings such as tree staking, irrigation measures and other construction activities to support the viability of newly planted trees.

c. *Planning Projects.* Studies and reports that analyze existing conditions and make recommendations on conservation and preservation of heritage trees and reforestation treatments; and

d. *Community Outreach.* Outreach campaigns consist of the creation of education material and media to raise awareness of tree preservation benefits.

3. Project Selection Criteria. The award of Heritage Tree Preservation Funds shall be based upon consideration of the following criteria:

a. Level of significance of the heritage tree(s) impacted.

b. Overall benefit to the community; and

c. Ability to ensure the longevity of the health of the trees and features through warranty and maintenance.

6.05.035: Violation-Penalty

A. **Violation.** Any violation of this chapter shall be a misdemeanor or infraction at the discretion of the City Attorney or District Attorney.

B. **Civil Penalties.** Irrespective of, and cumulative to, any criminal conviction for a violation of this Division, the City may, pursuant to GC Section 36901, impose a civil penalty in an amount not exceeding $1,000, or by imprisonment not to exceed 6 months, or both such fine and imprisonment on any person either through an administrative hearing or a civil action brought either by the City Attorney or a designated employee of the City. Each tree removed in violation of this Division shall constitute a separate offense.

C. **Restitution for Damage or Removal of Protected Trees within the City.** Irrespective of whether the City pursues criminal and/or civil action under this Division, nothing in this Division shall prevent the City from seeking restitution for damage or removal of trees within the City, which are protected by this Division, as an alternative to criminal action and/or civil action to recover a civil penalty in accordance with Subsection B of this Section.

D. **Assessment of Civil Penalties.** Civil penalties may be assessed against a responsible party as confirmed by resolution of the City Council, and shall constitute a special assessment against the property to which it relates and after its recording, as thus made and confirmed, the same

shall constitute a lien on the property in the amount of such assessment. The notices of such special assessment shall be provided to the responsible party by certified mail, as determined from the County Assessor's or County Recorder's records. The assessment shall be collected at the same time and in the same manner as ordinary City taxes are collected and shall be subject to the same penalties and the same procedure as provided for ordinary City taxes. All laws applicable to the levy, collection and enforcement of City taxes shall be applicable to the special assessment.

E. Appeals.

1. Within 10 days after mailing of a Notice of Violation, which states the civil penalties to be assessed, the owner or person having charge of affected premises may file an appeal of the assessed civil penalties and the violations upon which the civil penalties are based, with the Planning Department, on a City application form.

2. Within 45 days following receipt of an appeal request, the City Manager shall hold a hearing, which shall be open to the public. The City Manager shall hear and consider objections and/or protests from any owner or person having charge of affected premises, or other interested persons relative to the accrual of civil penalties, and shall hear and receive all relevant evidence and testimony relative to the violations upon which the civil penalties are based, and shall consider all of the related facts.

3. Upon conclusion of the appeal hearing, the City Manager shall determine the amount of civil penalties to be assessed. The decision of the City Manager shall be final and conclusive.

F. Penalties collected resulting from enforcement of this section shall be placed in the general fund and used solely for the purposes of the City to ensure and maintain the character and well-being of the City.

6.05.040: Required Landscape Areas

A. Residential Projects. Residential development projects shall be landscaped and irrigated as follows:

1. Conventional and Small Lot Single-Family Projects.

a. The front yard and any street side yard of a conventional or small lot single-family project site, and all parkway areas that abut the site, shall be fully landscaped and provided with an underground automatic irrigation system, and shall be maintained in compliance with the requirements of this Division.

b. A landscape and irrigation documentation plan shall be submitted for review and approval by the Approving Authority prior to building permit issuance, pursuant to Subsection 6.05.015.B (Landscape and Irrigation Construction Documentation Plans) of this Division.

2. Cluster Single-Family and Multiple-Family Projects.

a. The entirety of a cluster single-family or multiple-family project site, including street parkway and median areas that abut the project site, which is not otherwise devoted to

building area and paving, shall be fully landscaped and provided with an underground automatic irrigation system, and shall be maintained in compliance with the requirements of this Division.

b. A landscape and irrigation documentation plan shall be submitted for review and approval by the Approving Authority prior to building permit issuance, pursuant to Subsection 6.05.015.B (Landscape and Irrigation Construction Documentation Plans) of this Division.

B. Nonresidential Projects. Nonresidential development projects shall be landscaped and irrigated as follows:

1. The entirety of a nonresidential project site (excluding areas devoted to building area, paving, and/or outdoor loading and storage areas that are screened from public view), including street parkway and median areas that abut the project site, shall be fully landscaped, provided with an underground automatic irrigation system, and maintained in compliance with the requirements of this Division.

2. A landscape and irrigation construction documentation plan shall be submitted for review and approval by the Approving Authority prior to building permit issuance, pursuant to Subsection 6.05.015.B (Landscape and Irrigation Construction Documentation Plans) of this Division.

C. All Unused Areas of a Site shall be Landscaped and Irrigated.

1. All areas of a project site not intended for a specific use, including pad sites held for future development, shall be landscaped and provided with an automatic irrigation system, unless it is determined by the Approving Authority that landscaping is not necessary to fulfill the purposes of this Division. This requirement shall not apply to the side or rear yard area of a single-family residence, or that portion of a lot devoted to a legally established agricultural use.

2. The Approving Authority shall determine the level or intensity of landscaping to be provided for vacant pad sites, based upon an approved phasing plan.

D. Landscaping of Off-Street Parking Facilities. Outdoor off-street parking lots within residential developments, or within nonresidential developments that are visible from a public or private street, or are accessible by the public, shall be landscaped in the following manner:

1. At least 7 percent of the total area of a parking lot shall be landscaped, excluding perimeter landscaping or setback areas that may be required by the base zoning district.

2. Landscaping consistent with the landscape setback provisions of the base zoning district in which a parking lot is located, shall be provided adjacent to adjoining streets.

3. Landscaping shall be evenly distributed throughout the parking lot and shall not be concentrated in any one area.

4. No landscaped area is to have a dimension smaller than 5 FT clear in any direction, except as provided elsewhere by this Development Code.

5. Where parking lots occur along streets, a landscaped buffer element, minimum 10 FT in width, shall be constructed, which consists of a minimum 3-FT high hedge-like material to

screen views of parked cars from the street. To shade pedestrians and create an attractive streetscape, shade trees shall be planted within this landscaped buffer at an average spacing of 25 to 30 FT on center. Landscaping may be combined with low walls or dense plant material to mitigate the visual effects of parking lots and loading areas.

6. There shall be provided within each row of parking spaces, planter islands at least 5 FT in width (exclusive of curbs), which extend the full length of the abutting parking space(s), located so as to prevent no more than 10 vehicles from being parked side-by-side in an abutting configuration.

7. Planter islands for a single row of parking spaces shall be landscaped with at least one tree, appropriate shrubs, and groundcover. Planter islands for a double row of parking spaces shall contain not less than 2 trees, and appropriate shrubs and groundcover.

8. Throughout parking lots tree wells, tree diamonds or center planter strips shall be provided to facilitate the planting of shade trees at the minimum rate of one tree for each 4 parking spaces. Tree wells shall be a minimum of 5 FT in width and 5 FT in length (exclusive of curbs).

9. Shade trees shall have a minimum canopy of 30 FT in diameter at maturity, to provide an aesthetically pleasing area and relief from summer heat.

10. All rows of parking spaces shall be provided with landscape islands at each row terminus, at least 5 FT in width (exclusive of curbs) and extending the full length of the adjacent parking spaces, to protect parked vehicles, ensure visibility, confine moving traffic to drive aisles and driveways, and provide adequate space for landscaping.

11. Landscaped areas shall be delineated with a 6-inch wide concrete curb, except where a landscape area is parallel and adjacent to a parking stall, the curb shall be a minimum of 12-inches wide, to provide a step area for persons entering or exiting motor vehicles.

6.05.045: Landscape Development Standards

Landscaping required by this Division shall be designed, installed, and maintained in compliance with the following:

A. **Landscape Design Standards.** Landscaped areas shall comply with each of the following:

1. Landscaped areas shall have a minimum dimension of 5 FT (exclusive of curbs), excepting vine pockets, which shall have a minimum dimension of 1.5 FT, or as otherwise prescribed by this Development Code.

2. All landscaped areas shall be bordered by a concrete or masonry curb, or other means acceptable to the City, to prevent vehicles from entering landscape areas, and to define maintenance responsibilities or property ownership. Curbs along pavement may have openings to allow water infiltration into landscape areas.

3. Landscaped areas shall be comprised of living plant materials, planted at a spacing no greater than the mature plant diameter. Non-living ornamental features (e.g., boulders, dry stream beds, gravel, etc.) may comprise a maximum of 5 percent of a landscaped area and shall be of a permeable material.

4. All areas of a parkway that are not devoted to sidewalks shall be landscaped, irrigated, and permanently maintained pursuant to City standards.

5. All utilities shall be shown on plans to facilitate the landscape design and tree placement. Utilities such as backflow devices and transformers shall be located a minimum of 5 FT away from paving or other utilities to allow for landscape screening to cover at least 75 percent of the height of the equipment.

6. Accent landscape is required on all commercial or industrial corners including vehicular entries and major corner intersections. Accent trees shall be minimum 36-inch box size and palms shall be minimum 17-FT brown trunk height.

7. Foundation planting adjacent to buildings (hedgerows or shrub masses in a hierarchy pattern) is required at major building perimeters and residential front yards to break horizontal ground plane from the vertical plane of building.

8. Shade trees with irrigation shall be located in all appropriate areas where space permits to reduce the impacts of heat gain by shading large areas of paving, building walls, roof and windows also enhancing stormwater management and improving water quality.

9. Shade trees shall have a minimum canopy of 30 FT in diameter at maturity to provide an aesthetically pleasing area and relief from summer heat.

10. Trash enclosures shall be designed with adjacent planters for trees shrubs and vines for screening.

11. Accent landscape at monument signs shall be a hierarchy of ornamental shrubs or perennials.

B. Planting Requirements.

1. A variety of plant material appropriate for the project may be selected for planting, provided the ETWU for the landscape area does not exceed the MAWA (see Paragraph B.3.c (Calculation of the Budget Comparison) of this Division). The landscape plan shall be designed for the intended function of the project and for the efficient use of water, and shall include the following:

a. Protection and promotion of appropriate native species;

b. Selection of water conserving plant species; and

c. Selection of trees for shading buildings and paved surfaces and for stormwater management.

2. Plants shall be selected and appropriately planted based upon their adaptability to the climatic, geologic, and topographical conditions of the project site.

a. The Sunset Western Climate Zone System should be utilized, which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;

b. Recognize the growth habit of plant types, such as mature plant size and invasiveness of surface roots, to minimize damage to property and infrastructure (e.g., buildings, sidewalks, power lines);

c. Disease and pest resistant plants should be used, to promote health and longevity;

d. Consider the solar orientation for tree placement to maximize summer shade and winter solar gain;

e. Plants with similar water needs and climatic requirements shall be grouped together and irrigated separately;

f. Graded but undeveloped areas within the project site shall be seeded with wildflower or ornamental grass mix and automatically irrigated to prevent soil erosion from rain and strong winds;

g. Avoid use of invasive species that have a negative effect upon public health or disrupt or destroy native ecosystems as identified by the California Invasive Species List; and

h. Additional planting requirements of a Specific Plan may be required based upon the project location.

3. Limit the use or quantity used of turf except where used for play or recreation.

C. Irrigation Requirements

1. The irrigation system and its related components shall be designed to be efficient and effective for the landscape proposed with no run-off or overspray.

2. Irrigation plans shall include a water budget with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU) calculations shown pursuant to Paragraph 6.05.015.B.3 (Water Budget Worksheet) of this Division. The ETWU shall not exceed the MAWA.

3. Automatic irrigation controllers utilizing either evapotranspiration or moisture sensor data are required. A verification letter from the manufacturer certifying proper installation and sensor connection shall be provided prior to acceptance of the project.

4. Irrigation systems shall be designed with like plant material grouped together and proper solar orientation. Turf shall be on separate valves from shrub areas. Landscape areas in the shade (north or east sides of buildings) shall be controlled separately from areas in the sun (south or west).

5. Provide on plans all equipment required, sizes, notes and details, include water meter (note potable or recycled), static pressure, and maximum GPM. Contact the City's Utilities Department for City main pressure. Pressure regulating or boosting devices shall be installed to meet the pressure requirements of the system.

6. Backflow devices are required. Non–residential backflow devices shall be painted green and protected in a locking enclosure.

7. Spacing design for irrigation heads shall achieve 100 percent coverage, (head to head). Allow for wind velocities. Spacing shall achieve the highest possible distribution uniformity using the manufacturer's recommendations.

8. Narrow or irregularly shaped areas including turf, less than 8 FT in any direction shall be irrigated with subsurface irrigation or a low volume irrigation system. Low precipitation heads, rotators or drip systems shall be used in general to reduce water use and overspray.

9. Add check valves or anti-drain valves to prevent low head drainage.

10. Locate spray heads 2 FT from non-pervious paving to prevent overspray. Exception allowed if adjacent surface is permeable or if using alternative technology irrigation. Low precipitation rate heads less than 0.75 inches per hour may be located one FT from paving.

11. Trees in turf, 36-inch box and larger size trees in any area, and all palm trees, shall have pop-up stream bubbler heads. Trees in tree wells or permeable paving may use bubblers in a maximum 1.5 FT deep perforated root watering tube. Tree irrigation shall be on a separate valve, minimum 2 heads per tree.

12. Size all irrigation main lines and laterals on the plan, minimum 3/4 inch.

13. Under landscape, mainlines shall be buried with 1.5 FT minimum cover, laterals one FT minimum cover.

14. Under paving mainlines shall be buried with 2 FT minimum cover; lateral lines 1.5 FT minimum cover.

15. Pipe under roadways shall be installed 3 FT deep, sleeved and identified with marking tape installed one FT from the surface, identifying the type of line with APWA standard "Caution Waterline Buried Below" in blue, or "Caution Recycled Waterline Buried Below" in purple. Sleeves shall be Schedule 40 PVC, minimum 2 times the diameter of the pipe being sleeved.

16. Automatic Controllers shall contain a neatly drawn laminated irrigation layout chart, color coded to identify stations and valves as-built. Central controller shall include a manufacturer support page. Locate pedestals within planter areas with a 1.5 FT pad of DG or mulch at front for access.

17. An irrigation schedule shall be on the plan and layout chart noting irrigation cycles and run times per station or plant type (turf, shrub, trees, sun areas, shade areas, etc.) monthly or seasonally. Add multiple start times to prevent run off. Watering shall occur between 6:00PM and 6:00AM, excepting drip irrigation.

D. **Soil Testing.** Agronomical soil testing shall be performed to encourage healthy plant growth and reduce run off. One test shall be performed for each street frontage, or as otherwise required by the Approving Authority. Soil analysis shall include soil texture, infiltration rate, pH, total soluble salts, sodium, percent organic matter, and recommendations for amendments based upon the proposed plant material and tree types. Soil test results and recommendations for amendments shall be listed on the Landscape Planting Plan required pursuant to Paragraph 6.05.015.B.5 (Landscape Planting Plan) of this Division, noting the name, address, telephone number of the City-approved soils testing laboratory, and the test date.

E. Trees. Within required landscape areas, as prescribed by Section 6.05.040 Required Landscape Areas) of this Division, trees shall be provided as follows:

1. For cluster single-family or multiple-family residential development projects, and nonresidential development projects, a mix of tree sizes shall be provided on-site, for each development project, as prescribed in Table 6.05-1 (Minimum Tree Size Mix), below. Palm trees shall not be counted toward the minimum mix of required trees.

Table 6.05-1: Minimum Tree Size Mix

Requires Tree Sizes	*Minimum Mix of Required Trees*
48-inch box	5%
36-inch box	10%
24-inch box	30%
15-gallon	55%

2. For cluster single-family or multiple-family residential development projects, and nonresidential development projects, a mix of tree species shall be provided for each development project, as prescribed by Table 6.05-2 (Minimum Tree Species Mix), below. A minimum of 20 percent of the total number of trees provided shall be a California native species appropriate for the project site. Palm trees shall not be counted toward the minimum number of tree species required.

Table 6.05-2: Minimum Tree Species Mix

Number of Trees Provided	*Minimum Number of Tree Species Required*
20 or fewer	3
21 to 30	4
31 to 40	5
More than 40	6

3. All trees required by this Division shall conform to the minimum measurements prescribed by Table 6.05-3 (Minimum Tree Size Specifications), below.

Table 6.05-3: Minimum Tree Size Specifications

Tree Size	*Minimum Trunk Caliper*	*Minimum Height Range*	*Minimum Spread Range*
48-inch box	3.5 inches	14 to 16 FT	7 to 8 FT
36-inch box	2.5 inches	12 to 14 FT	6 to 7 FT
24-inch box	1.5 inches	9 to 11 FT	4 to 5 FT
15-gallon	1.0 inch	7 to 8 FT	2 to 3 FT
Palm trees		17-FT brown trunk height	

4. Existing trees shall be protected in place, whenever possible, pursuant to Section 6.05.020 (Tree Preservation Policy and Protection Measures) of this Division. Existing large canopy trees may be counted toward the 48-inch box tree requirement prescribed by Paragraph E.1. of this Section, provided the tree(s) to be preserved is/are in good health and condition (taking into account species and longevity), as determined by a certified arborist's report.

5. Tree planting shall maintain the following minimum setbacks and/or separations from permanent improvements as prescribed by Table 6.05-4 (Minimum Tree Setbacks/Separations), below.

Table 6.05-4: Minimum Tree Setbacks/Separations

Improvement	*Minimum Setback/Separation*
Beginning of Curb Returns at Street Intersections	25 FT
Light Standards, Power Poles, and Fire Hydrants	10 FT
Water and Sewer Lines	7 FT
Sidewalks (except within parkways), Driveways, and Buildings	5 FT

6. Trees shall not be placed where they interfere with site drainage or require frequent pruning in order to avoid interference with overhead utilities.

7. Shade trees shall have a mature canopy diameter of 30 FT, single dominant leader or a balanced arrangement of branches, and a healthy root system not girdled by the growing container.

8. Street trees shall be minimum 24-inch box or larger and shall be planted at an average spacing of 25 FT to 30 FT on center, except where necessary to meet the minimum tree setback/separations required by Table 6.05-4 (Minimum Tree Setbacks/Separations) of this Section.

9. Trees shall be planted with a visible trunk flare and rootball that is 2 inches higher than the adjacent grade. No soil shall be placed on top of the rootball, and mulch shall be maintained 6 inches clear of the trunk. Trees with kinked or girdling roots shall be rejected before installation or replaced if planted.

10. Root barriers shall not be required for use in parkways or City maintained areas; however, if used, they shall be a maximum of one FT in depth and shall not encircle the tree rootball. Furthermore, if the tree trunk is within 5 FT of paved areas, root barriers, if used, shall run adjacent and parallel to the pavement.

11. Palm trees may be used as accents, with a minimum brown trunk height of 17 FT, and shall not count toward the minimum tree species mix required pursuant to Table 6.05-2 (Minimum Tree Species Mix) of this Division.

12. Trees shall be staked or guyed to prevent wind damage and allow healthy growth. Ties shall be flexible, allowing some trunk movement while providing protection from damage.

13. Parking lot lighting and site utilities shall be designed to avoid conflict with required shade tree locations.

14. Solar collectors shall be designed and located to avoid conflict with tree canopy and future shading from the mature size of trees, as defined by the PRC Section 25980 through Section 25986 (The Solar Shade Act).

F. **Tree Staking and Tying.** Trees shall be staked and tied as follows:

1. Fifteen gallon and 24-inch box trees shall be double-staked perpendicular to the prevailing wind, or parallel to the street, as appropriate. Stakes shall be located to prevent branch damage and shall extend a minimum of 7 to 8 FT above grade and 3 to 4 FT below grade. Stakes shall be tied into the tree canopy for wind protection. Galvanized stakes are recommended for wind prone areas.

2. Box trees that are 36-inches or larger, shall be rootball guyed or anchored.

3. Flexible tree ties shall be used. Wire and hose, or metal rod-type braces shall not be used. Nursery stakes shall be removed at time of installation or loosened if they are to remain during the maintenance period and shall be removed by the end of maintenance period.

G. Shrubs. Within required landscape areas, as prescribed by Section 6.05.040 Required Landscape Areas) of this Division, shrubs shall be a minimum 5-gallon container size and shall be spaced at a rate equal to three-fourths of the shrub's mature size. One-gallon containers may be used for perennials and groundcovers.

H. Groundcovers. Within required landscape areas, as prescribed by Section 6.05.040 Required Landscape Areas) of this Division, one-gallon containers shall be used for groundcover areas. Perennials or annual color shall be spaced at a maximum of 8 inches on center.

1. Turf. Turf grass is typically a high water use plant and is best reserved for recreation and active play areas. Low water groundcovers or native or warm season turf grasses may be used in traditional turf areas, such as parkways or front yards. Concrete mow strips shall be used to separate turf from landscape areas, excepting single-family residential development projects, which may utilize wood or fabricated benderboard materials.

2. Mulch. Mulch shall be applied and maintained in all non-turf areas and shall be at least 3 inches in depth in shrub areas and at least one-inch in depth in groundcover areas. Mulch shall be of an organic material, such as shredded or chipped bark, as it will supply nutrients to the soil and plants over time. Native plants shall have mulch applied that is appropriate for the type of landscape. Synthetic mulch materials shall not be used.

I. Screening and Buffering.

1. Landscaping may be used to aid in the screening and buffering of mechanical equipment, trash collection areas, and loading docks and outside storage areas from public view, and the screening and buffering of differing land uses. Walls and/or fences used for screening and buffering purposes should incorporate landscaping over at least 60 percent of its surface area, which will serve to both buffer uses and "soften" the appearance of masonry walls.

2. Utility boxes and vaults shall be located away from entry driveways, corner accent landscapes and other highly visible areas, and shall be screened with a variety of landscape materials.

J. Defining of On-Site Circulation. Landscaping shall be used to define circulation patterns for safety and ease of use.

1. Landscaping shall be used to direct on-site vehicular and pedestrian circulation routes by providing clear direction, barrier planting (such as hedges), and accent planting, to define site entrances and pedestrian pathways.

2. Landscaping shall be designed to facilitate pedestrian circulation and access to buildings and shall be designed to buffer pedestrians from vehicular traffic, as well as to emphasize walkways.

3. Landscaping shall be designed to further pedestrian safety. Where provided, walkways shall have adequate width and be separated from parking lots, loading areas, and buildings (excepting building entries), with a landscape buffer. Furthermore, trees shall be planted along walkways to create shade and comfortable environments.

K. Grading Design and Stormwater Management.

1. Grading shall be designed to minimize soil erosion, water run-off or water waste, and increase on-site retention and infiltration. Grading shall ensure all irrigation and normal rainfall remains on-site and does not drain onto impermeable surfaces. Landscape areas shall be graded to be 1.5 inches below the grade of the adjacent finished surface.

2. Landscape plans shall include stormwater collection methods or devices that direct water into depressed landscape areas, such as vegetated swales, detention basins or infiltration areas. These areas shall incorporate proper plant materials and irrigation for success in saturated soils, drought conditions and to withstand possible erosion from the hydraulic impacts of stormwater collection. Manufactured drywells, pervious pavement, or storage chambers may also be used for stormwater infiltration.

3. Stormwater collection in landscape areas shall be designed with a natural appearance, utilizing curvilinear forms, native plants, varying sizes of boulders or river rock, and maximum 3:1 slope.

4. On-site landscape areas for stormwater management may utilize vegetated swales but shall not exceed 40 percent of the landscaped area width.

5. Landscaped slopes 3:1 or greater shall incorporate rolled erosion control products and landscape appropriate for slopes. Slopes shall be irrigated by a system with a low precipitation rate of 0.75 inches per hour or less. Turf is not allowed on slopes greater than 4:1, or where the toe of the slope is adjacent to an impermeable hardscape.

6. Compaction during site grading shall not occur within landscape areas. Compacted soils shall be repaired by deep tilling, or as directed by the soil analysis prescribed by Subsection D (Soil Testing) of this Section.

7. Vegetated swales, basins and sloped grades for stormwater management shall incorporate a level area adjacent to paved edges, at least 3 FT to 5 FT in width, to allow utilities, such as backflow devices, to be located on level ground, and to serve as a buffer from sloped edges for pedestrian safety purposes.

L. Decorative Water Features. Decorative water features shall be properly maintained to operate and function to meet the intent of the design. Furthermore, decorative water features shall incorporate recirculating water systems, and shall use recycled water, where available, excluding swimming pools and spas.

6.05.050: Landscape Maintenance

A. Landscape Maintenance Required. Where a Landscape and Irrigation Documentation Plan is required pursuant to Subsection 6.05.015.B (Landscape and Irrigation Documentation Plans) of this Division, all installed landscaping shall be permanently maintained as prescribed by this Section.

1. Once installed, no landscaping shall be removed unless replaced with landscaping of a similar design, character, and coverage, at maturity.

2. Trees shall be monitored, staking inspected, and branches pruned, if necessary, pursuant to Section 6.05.020 (Tree Preservation Policy and Protection Measures) of this Division, to direct new growth, and to avoid conflict with vehicles, pedestrians, lighting, or buildings. Stakes and ties shall be removed upon establishment, typically 2 years after planting.

3. Once installed, no landscaping shall be allowed to die-off. The replacement of dead or dying landscape materials shall occur in a timely manner, or immediately upon notification by the City, as prescribed by Division 6.10 (Property Appearance and Maintenance) of this Development Code.

4. Irrigation systems shall be maintained to prevent water waste. Broken or inefficient irrigation shall be repaired, replaced, or modified to prevent runoff from leaving the target landscape due to low head drainage, overspray, or other similar condition where water flows onto adjacent property, non-irrigated areas, walkways, roadways, parking lots or structures, unless the nonpermeable surfaces are designed and constructed to drain entirely to landscaping.

B. Landscape Maintenance Defined. On-going landscape maintenance shall consist of the following:

1. Regular watering;

2. Monitoring and treating for pests, disease, or injury;

3. Regular mowing, pruning, and the removal and replacement of dead or dying plants;

4. Regular fertilizing;

5. Clearing of debris and providing weed control;

6. Repair and/or timely replacement of irrigation systems, and components thereof;

7. Repair and/or timely replacement of integrated architectural features; and

8. Any other similar act(s) that promotes growth, health, beauty, and the life of plants, shrubs, trees, and/or groundcover/turf.

6.05.055: Landscape Design and Construction Guidelines

A. The City Council shall establish by resolution, Landscape Design and Construction Guidelines (Development Code Reference G), which are intended as a reference to assist design

professionals, landscape contractors and homeowners in their understanding of the City's goals and objectives for the preparation of landscape construction documentation plans, and the installation of landscape materials and elements.

B. The Landscape Design and Construction Guidelines (Development Code Reference G) shall compliment the mandatory landscaping regulations contained in this Division, by providing examples of potential design solutions, and by providing interpretations of the various mandatory landscaping regulations contained in this Division.

C. The Landscape Design and Construction Guidelines (Development Code Reference G) authorized by this Section, shall be enforceable in the same manner, and to the same extent, as any other applicable requirement of this Development Code.

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Division 6.06—Street Naming and Street Address Numbering

Sections:

6.06.000: Purpose
6.06.005: Applicability
6.06.010: Assignment of Street Names and Street Address Numbers
6.06.015: Street-Naming
6.06.020: Street Address Numbering

6.06.000: Purpose

The purpose of this division is to establish policies for the naming of public and private streets and alleyways, and the address numbering of lots, parcels, dwelling units, places of businesses, and public buildings located along public and/or private streets within the City.

6.06.005: Applicability

A. The naming of any new public or private street or alleyway within the City and any request to change the previously established name of a public or private street or alley within the City shall be accomplished pursuant to the Street Naming Policy established by this division.

B. A street address number shall be assigned to a lot, parcel, dwelling unit, place of business and/or public building located along a public and/or private street within the City pursuant to the Street Address Numbering Policy established by this division.

6.06.010: Assignment of Street Names and Street Address Numbers

A. **Assignment of Street Names.** The Planning Director shall be responsible for the assignment of street names, and shall, upon recommendation of the Building Official, City Engineer, Fire Chief, and Police Chief, assign street names as established by Section 6.06.015 (Street Naming) of this Division.

B. **Assignment of Street Addresses.** The Building Official shall be responsible for the assignment of street addresses and shall assign street addresses as established by Section 6.06.020 (Street Address Numbering) of this Division.

6.06.015: Street Naming

A. **Naming of Streets.** Street names should be assigned based upon one of the following criteria:

1. Presidents of the United States;

2. States of the United States;

3. Cities of the United States;

4. California counties;

5. Names of famous local, state, and national personalities who are deceased;

6. Names of culturally significant historic places and events;

7. Famous fictitious names;

8. Names of astrological constellations;

9. Colleges;

10. Colors;

11. Precious metals;

12. Rocks;

13. Trees, shrubs and flowers;

14. Fruits and nuts;

15. Armstrong registered roses; or

16. Others, as approved by the Planning Director.

B. **Street Name Prefix.** All street names shall be assigned a prefix based upon its direction and location in the City, as follows:

1. Each street that generally runs in a north-south direction, and is located north of Holt Boulevard, shall be assigned "North" as its street name prefix.

2. Each street that generally runs in a north-south direction, and is located south of Holt Boulevard, shall be assigned "South" as its street name prefix.

3. Each street that generally runs in an east-west direction, and is located east of Euclid Avenue, shall be assigned "East" as its street name prefix.

4. Each street that generally runs in an east-west direction, and is located west of Euclid Avenue, shall be assigned "West" as its street name prefix.

C. **Street Name Suffix.** All street names shall be assigned a suffix based upon its direction and design, as follows (excepting subregional thoroughfares, such as Holt and Mission Boulevards):

1. Each through street that generally runs in a north-south direction shall be assigned "Avenue" as its street name suffix.

2. Each through street that generally runs in an east-west direction shall be assigned "Street" as its street name suffix.

3. Each portion of a through street that changes direction, and generally runs in a north-south direction, shall be assigned "Way," "Parkway," or "Trail," as its street name suffix.

4. Each portion of a through street that changes direction, and generally runs in an east-west direction, shall be assigned "Road," "Drive," or "Lane," as its street name suffix.

5. Each cul-de-sac in which the centerline generally points in a north-south direction at its termination point shall be assigned "Place" as its street name suffix.

6. Each cul-de-sac in which the centerline generally points in an east-west direction at its termination point shall be assigned "Court" as its street name suffix.

7. Each circling street shall be assigned "Circle" as its street name suffix.

8. Each looping street shall be assigned "Loop" as its street name suffix.

D. **Naming of Private Streets and Drives.** The name of a private street or drive shall be determined pursuant to Subsection A (Naming of Streets) of this Section. In addition, each private street (or a private drive, if deemed necessary or desirable by the Planning Director) shall be assigned a "Privado" or "Paseo" street name suffix to identify that the street is privately owned and maintained.

E. **Naming of Alleys.** Alleys shall only be named if all the following criteria are met:

1. The alley leads to a landlocked parcel with frontage only onto an alley (no street frontage).

2. The structure(s) on the property are designated as a local historic landmark.

3. The naming will not adversely affect any other landlocked parcel.

6.06.020: Street Address Numbering

A. **Assignment of Street Addresses.** Street addresses shall be assigned based upon the following numbering system:

1. Euclid Avenue is hereby designated as the north-south street address-numbering axis and Holt Boulevard is hereby designated as the east-west street address-numbering axis. All streets that run in a general north-south direction shall be numbered from Holt Boulevard, consecutively, to the City limits. All streets that run in a general east-west direction shall be numbered from Euclid Avenue, consecutively, to corporate limits.

2. The numbering system shall begin at 100 and extend from each axis point. Wherever possible, succeeding blocks shall be assigned addresses in intervals of 100. Block length shall be determined by the next street succeeding street intersection, or at 660 FT intervals when no street intersection exists, with one whole street number assigned for each 20 lineal FT of street frontage.

3. On north-south running streets, north of Holt Boulevard, odd address numbers shall be assigned to the west side of the street and even address numbers to the east side of the street.

South of Holt Boulevard, odd address numbers shall be assigned to the east side of the street and even address numbers to the west side of the street.

4. On east-west running streets, east of Euclid Avenue, odd address numbers shall be assigned to the north side of the street and even address numbers to the south side of the street. West of Euclid Avenue, odd address numbers shall be assigned to the south side of the street and even address numbers to the north side of the street.

5. A new street having the design of a circle or loop shall bear one given name along its entire length and shall have a street address numbering system as follows:

a. Where the entrance to the circle or loop is from an adjacent east-west running street, the address numbering shall conform to that used on the north-south streets;

b. Where the entrance to the circle or loop is from an adjacent north-south running street, the address numbering shall conform to that use on the east-west streets.

B. Posting of Street Address Numbers. The owner, occupant or person in charge of any house or building to which a number has been assigned shall be responsible for posting assigned street address numbers pursuant to the following specifications:

1. Principal buildings shall display the address number on the side where the front entrance is located. A principal building occupied by more than one business or dwelling unit shall display the assigned number at the front entrance of each tenant or dwelling unit. In addition, commercial and industrial buildings shall display the assigned numbers at rear and side entrances facing a public alley or access drive.

2. A lot or development site having more than one building shall be assigned an address number in a manner determined by the Building Official. Commercial and industrial buildings shall display a directory at the main entrance to the site.

3. Street address numbers shall be posted so as to be conspicuously visible from the street or road fronting the property. The actual location and size of the numbers shall be approved by the Building Official, subject to the following guidelines:

a. Each individual digit stroke shall be a minimum of one inch wide;

b. Street address numerals located less than 50 FT from the street curb face shall be a minimum of 4 inches in height. Address numerals located from 50 to 100 FT from the street curb face shall be a minimum of 8 inches in height. Address numerals located more than 100 FT from the street curb face shall be a minimum of 12 inches in height~~.~~; and

c. Street address numerals that are not visible from the street due to setback distance or would otherwise be obstructed may be posted on a freestanding structure having a maximum height of 3.5 FT and maximum area of 4 SF.

4. Street address numerals and the background to which they are affixed shall be of contrasting colors or shades and shall be of reflective material for nighttime visibility. Samples of the materials shall be submitted to and approved by the Building Official.

C. Street Address Number Required for Building Permit Issuance. No building permit shall be issued for any principal building until the owner or owner's agent has obtained the official street

address number of the premises from the Building Official. Final approval for a certificate of occupancy of any principal building erected, repaired or expanded shall be withheld until permanent and proper street address numbers have been displayed pursuant to this division.

D. Posting of Rooftop Address Numbers. Street addresses, suite/unit numbers and letters shall be displayed on rooftops as follows:

1. Street address numbers shall be displayed on rooftops of all multiple unit residential, commercial and industrial buildings. The numbers shall face the street corresponding to the address. Numerals shall be 3 FT long by one FT wide and shall be painted in reflective white paint on a flat black painted background.

2. Any other buildings may display secondary street address numbers on rooftops in coordination with the Police Department. Numerals shall be 3 FT long by 5 inches wide and shall be painted in reflective white paint on a flat black painted background.

3. Roof top street address numbers should not be visible from the street.

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Division 6.07—Reserved

**********Reserved for Future Use**********

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Division 6.08—Development Projects and Subdivisions

Sections:

6.08.000: Purpose
6.08.005: Applicability
6.08.010: Maps
6.08.015: Subdivision and Development Project Design
6.08.020: Monuments
6.08.025: Reports
6.08.030: Park Dedication and In-Lieu Fee Regulations
6.08.035: Dedications and Improvements
6.08.040: Improvement Plans and Security
6.08.045: Common Interest Subdivisions
6.08.050: Conversion to a Residential Common Interest Project
6.08.055: Conversion to a Nonresidential Common Interest Project
6.08.060: Urban Lot Splits

6.08.000: Purpose

The purpose of this Division is to set forth rules and regulations for the subdivision and/or development of real property pursuant to the provisions of the Subdivision Map Act of the State of California (commencing with GC Section 66410) and the Ontario Municipal Code. Furthermore, it is the purpose of this Division to regulate and control all divisions of land that may be lawfully regulated by the City pursuant to the Subdivision Map Act. The provisions of this Division shall be interpreted to carry out this intent and purpose. In the event of a conflict between any mandatory provision of the Subdivision Map Act and a provision of this Division, the Subdivision Map Act shall control.

6.08.005: Applicability

A. Pursuant to the provisions of the Subdivision Map Act, and in addition to any other applicable regulations provided by State law, the regulations contained in this Division shall apply to all subdivisions or parts of subdivisions of land proposed within the corporate limits of the City, and to the preparation of subdivision maps and any other maps provided for by the Subdivision Map Act. Prior to the subdivision and/or development of any land in the City, the subdivider and developer thereof shall conform to, and comply with, the requirements, rules, and regulations of this Division.

B. No land shall be subdivided and developed for any purpose that is not in conformity with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and any applicable specific plan or planned unit development of the City. The type and intensity of land use shown in the Policy Plan, or applicable specific plan or planned unit development, shall determine the type of streets, roads, highways, utilities, and public services that shall be provided by the subdivider and/or the developer.

6.08.010: Maps

The requirement or necessity for a tentative, final, or parcel map shall be governed by the provisions of this Section.

A. Tentative Tract Maps and Final Maps. A tentative tract map and final map shall be required for all subdivisions creating 5 or more lots, 5 or more condominium units, a community apartment project containing 5 or more lots, or for the conversion of a dwelling to a stock cooperative containing 5 or more dwelling units, except as provided by Section GC 66418.2 and Section GC 66426.

B. Parcel Maps. A parcel map shall be required for all subdivisions creating 4 or fewer lots, or 4 or fewer condominium units, a community apartment project containing 4 or fewer lots, or for the conversion of a dwelling to a stock cooperative containing 4 or fewer dwelling units, or for those subdivisions described in Section GC 66426.

C. Exceptions to the Preparation of a Tentative Tract Map, Final Map or Parcel Map. Exceptions to the preparation of a tentative tract map or final map, or a parcel map shall be pursuant to GC Section 66426 and 66428.

D. Exclusions from the Requirement for a Tentative Tract Map, Final Map or Parcel Map. The requirement for the filing of a subdivision map pursuant to this Section shall not be applicable in those instances identified in GC Section 66412, 66412.1, 66412.2, 66412.3, 66412.5, and any other mandatory exclusions to the applicability of the Subdivision Map Act, as provided by the Act.

E. Waiver of Parcel Maps. The City Engineer is authorized to waive a parcel map pursuant to the provisions of Section 4.03.045 (Subdivisions—Parcel Map Waiver) of this Development Code.

6.08.015: Subdivision and Development Project Design

A. Design and Improvement Requirements. Pursuant to GC Section 66473.5, a subdivision for which a tentative map or parcel map is required pursuant to Section 6.08.010 (Maps) of this Division, shall be consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, any applicable specific plan or planned unit development, and this Development Code. Unless otherwise specified, design requirements and improvement requirements may be modified or waived only by the City Council.

B. Lot Requirements. All residential, commercial, mixed use, and industrial lots shall have direct access to a public street, except where private street, common driveway or other access easement rights are specifically approved by the City. The access easement shall be reserved on a subdivision map or by separate instrument in perpetuity, for the benefit of the effected property(ies).

C. Street Rights-Of-Way and Design Requirements. The street layout of a proposed subdivision or development project shall be consistent with all street right-of-way designations contained in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, or an applicable specific plan, at the time of tentative map approval. For alignments not specifically shown in the Mobility element, the City Engineer shall approve alignments that are consistent with the Policy Plan component of The Ontario Plan, or any applicable specific plan, master plan, and City standard. All streets (public and private) shall be designed to meet public street requirements,

unless otherwise approved by the Executive Director Development or both the City Engineer and Planning Director.

D. **Utility Easements.** Whenever overhead utilities are allowed in a proposed subdivision or development project by this Development Code, utility easements of sufficient width shall be located along the rear or side lot lines. Whenever possible, such easements shall extend an equal distance into each of the 2 abutting lots. This requirement may be modified by the Approving Authority, if warranted by unusual circumstances in a particular proposed subdivision. Underground utility easements, whenever necessary and to the extent practicable, shall be adjoining and parallel to lot lines.

E. **Drainage Easements.** The design of a proposed subdivision or development project shall provide for the proper drainage of the proposed subdivision or development project, and all lots and improvements therein, based upon the runoff that can be anticipated from ultimate development of the watershed area where in the subdivision is located. Stormwater detention measures shall be provided when required by the City Engineer, to reduce any adverse effects of increased runoff from development on downstream properties.

F. **Lighting and Maintenance Districts and Community Facilities Districts.** The City may cause the annexation of an area within a subdivision or development project to be annexed into a Lighting and Maintenance District (LMD), Community Facilities District (CFD), or similar appropriate district, prior to the recordation of a final map or parcel map, or vesting map.

G. **Energy Conservation.** Pursuant to GC Section 66473.1, the design of a subdivision for which a tentative map is required pursuant to Section 6.08.010 (Maps) of this Division, or a development project, shall provide to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

H. **Cable Television Systems.** Pursuant to GC Section 66473.3, the Approving Authority may require the design of a subdivision for which a tentative map or parcel map is required pursuant to Section 6.08.010 (Maps) of this Division, to provide for appropriate cable television systems and for communication systems, including, but not limited to, telephone and Internet services, to each lot in the subdivision. This provision shall not apply to the conversion of existing dwelling units to a common interest project.

6.08.020: Monuments

A. Pursuant to GC Section 66495, at the time of survey of the final map or parcel map, the engineer or surveyor shall set sufficient durable monuments so that another engineer or surveyor may readily retrace the survey. The exterior boundary of the land being subdivided shall be adequately monumented or referenced prior to recordation of the final map or parcel map.

B. The subdivider shall submit to the City Engineer, in a form satisfactory to the City Engineer, a tie sheet showing proper ties to the location of the centerline monuments. A minimum of 3 ties shall be shown for each centerline monument. All monuments set, and tie monuments set, shall be permanently marked or tagged with the registration or license number of the responsible engineer or surveyor.

C. Interior monuments need not be set at the time the map is recorded, provided the engineer or surveyor certifies on the map that the monuments will be set prior to City Engineer acceptance of the improvements or within 2 years following the recordation of the final map,

whichever is later, and the subdivider furnishes to the City, security guaranteeing the full payment of the cost of setting the monuments.

D. Pursuant to GC Section 66497, the engineer or surveyor shall notify the subdivider and the City Engineer when monuments have been set. If the subdivider does not present evidence to the City that the engineer or surveyor has been paid for the setting of the final monuments, and the engineer or surveyor notifies the City that payment has not been received from the subdivider for the setting of the final monuments, within 3 months following the date of notification, the City shall pay the amount due to the engineer or surveyor from the monument deposit.

E. In the event of the death, disability or retirement from practice of the engineer or surveyor charged with the responsibility for setting monuments, or in the event of his refusal to set such monuments, the City Council may direct the City Engineer, or such engineer or surveyor as it may select, to set such monuments. If the original engineer or surveyor is replaced by another, the former may release his obligation to set the final monuments to the surveyor or engineer who replaced him, by letter to the City Engineer. When the monuments are so set, the substitute engineer or surveyor shall amend any map filed pursuant to this Section and the provisions of GC Section 66498, and GC Section 66499 through 66472, inclusive.

6.08.025: Reports

A. Soils Report.

1. Prior to the approval of a final tract or parcel map, vesting map, or development plan, the City may require that the subdivider and/or developer submit a preliminary soils report. If required, the report shall be prepared by a civil engineer who is registered by the State of California and shall be based upon adequate test borings or excavations in the subdivision.

2. A soils report shall be prepared by a qualified civil or geotechnical engineer, who is registered by the State of California. An investigation of each parcel in the subdivision shall be prepared if the preliminary soils report (if required) indicates the presence of any of the following problems:

a. Critically expansive soils or other soil problems that, if not corrected, would lead to structural defects;

b. Rocks or liquids containing deleterious chemicals that, if not corrected, could cause construction materials, such as concrete, steel, and ductile or cast iron, to corrode or deteriorate; or

c. The presence of methane gas and/or other toxic gases or substances, which, if not corrected, could cause life endangerment.

3. The soil investigation shall recommend corrective action that is likely to prevent structural damage to each building proposed to be constructed in the area where the soil problem exists.

4. The City shall approve a soils report (if required) upon determination that the recommended corrective action is likely to prevent structural damage to each building to be constructed in the area where a soil problem exists. The subdivider may appeal the determination to the City Council pursuant to the procedures set forth in Division 2.04 (Appeals) of this

Development Code. Subsequent building permits shall be conditioned upon the incorporation of the recommended corrective action in the construction of each building.

B. Geological Hazard Reports.

1. Prior to the approval of a final tract map or parcel map, vesting map or development plan, the City may require subdivider or developer submit a geological hazard report if the subdivision includes land within a geologic hazard area identified in the Policy Plan (General Plan) component of The Ontario Plan or by the California Department of Conservation, or if the Building Official determines that other geological conditions warrant the preparation of a report. The report shall be prepared by a civil engineer who is registered by the State of California and shall be based upon appropriate field observations.

2. If the geological hazard report indicates the presence of a potential geological hazard to life, health, or property, a qualified civil or geotechnical engineer, who is registered by the State of California, shall prepare a geological mitigation plan that identifies corrective action for the potential hazard, which shall be filed with the City.

3. The City shall approve the mitigation plan if it is determined that the recommended corrective action is likely to mitigate the potential hazard. The subdivider may appeal the determination to the City Council, pursuant to the procedures set forth in Division 2.04 (Appeals) of this Development Code. Subsequent building permits shall be conditioned upon the incorporation of the recommended corrective action in the construction of each building.

6.08.030: Park Dedication and In-Lieu Fee Regulations

A. Purpose. These park dedication and in-lieu fee regulations are enacted pursuant to the authority granted by GC Section 66477 and shall be interpreted consistent with the provisions thereof. The park and recreational facilities for which payment of impact fees and/or dedication of land are required by the terms of this Section shall be provided in accordance with the standards, specifications, and requirements of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, any applicable specific plan, and any other applicable resolution, policy, or standard of the City.

B. Applicability.

1. Effect on Other Laws. With respect to the requirement for the payment of impact fees or the dedication of land for park and recreational purposes by the subdivider or developer of a residential project, or the residential portion of a mixed-use project, pursuant to this Development Code, this Section shall supersede all other ordinances or regulations of the City inconsistent herewith. The enactment of this Section shall not supersede any other provisions or authority adopted by ordinance of the City Council, unless expressly stated in this Section.

2. Exemptions. The provisions of this Section shall not apply to subdivisions containing less than 5 parcels and not used for residential purposes; provided, however, that a condition may be placed on the approval of such parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within 4 years, an impact fee may be required to be paid by the owner of each parcel as a condition to the issuance of such permit. In addition, the provisions of this Section shall not apply to nonresidential subdivisions; or to condominium or stock cooperative projects that consist of the subdivision of

airspace in an existing apartment building that is more than 5 years old, when no new dwelling units are added.

C. Definitions. The following definitions shall govern the meaning of the words as used in this Section, unless from the context in which the word is used, a different meaning is clearly intended:

1. Fair Market Value. The value of land set forth in the City's general and specific plans, which are earmarked to be acquired by the City upon which the City intends to locate park and recreational facilities to service residents of the subdivision. Fair market value shall be based upon an appraisal by a qualified appraiser selected by the City, which appraisal shall be updated from time to time by the City. The fair market value shall be determined as of the time the final map or parcel map is filed. With regard to any park and recreation improvements, or equipment provided by the subdivider, the fair market value shall be the actual cost to acquire, construct, or install the improvement or equipment.

2. Park. A lot that is, or contiguous lots that are, owned, operated, and maintained by a public agency or private association, and which provides recreational land and facilities for the benefit and enjoyment of the residents of the subdivision and of persons residing, working, or visiting in the City. Parks may be classified as community parks, including community centers, athletic facilities, large multi-user swimming pools, picnic areas, cultural centers, or similar facilities; public neighborhood parks, including playground equipment, sports fields, and picnic areas; and private neighborhood parks, generally intended to serve only the immediate subdivision/development or specified planned community in which they are located. Parks may also include, or be limited to, open space areas suitable for active or passive uses.

3. Park and Recreational Facilities. Any public improvements deemed necessary by the City to develop, improve, or rehabilitate land and facilities for park and recreational purposes. Such improvements may include, but not be limited to, grading; landscaped areas for active and passive recreational use, open space and sports fields; irrigation and drainage systems; lawn, shrubs and trees; facilities for recreational community gardening; walkways; bicycle facilities and park lighting; playground or other recreational equipment; picnic facilities; community center or other buildings, swimming pools; volleyball, basketball, tennis, racquetball, and other courts; vehicle driveways and parking areas, and any other facilities which may hereafter be authorized by state law or approved by the City.

4. Private Open Space. Privately owned land and facilities for park and recreation purposes provided within a subdivision, and perpetually maintained and operated by the future residents or owner of the subdivision.

D. Payment of Impact Fees or Park Dedication Required. As a condition of approval of a tentative tract or parcel map, final tract or parcel map, or development project for a residential subdivision or the residential portion of a mixed-use project, or for a building permit within a subdivision, the subdivider shall be required to pay an impact fee, offer for dedication of park land in lieu thereof, or both, at the sole and exclusive option of the City, in the amount provided in this Section, for park and recreational purposes, unless the subdivider is exempted from this requirement by the express provisions of this Section. The payment of an impact fee and/or offering for dedication of land shall be at the time and according to the standards and formula contained in this Section.

E. Standards for Determining Dedication/Maximum Requirement.

1. General. If the park dedication is required under Subsection D (Payment of Impact Fees or Park Dedication Required), above, the park area required shall be determined pursuant to the standards provided in this Section.

2. Standard of Park Area to Population (Park Area Standard Ratio). it is found and determined that the public interest, convenience, health, safety, and welfare of the residents of the City require that 5.0 acres of property for every 1,000 persons residing within the City be devoted to local park and recreational purposes, and that such park area is necessary to provide for the needs of the current and future persons residing and working in the City. The ratio of 0.005 shall hereafter be referred to as the "Park Area Standard Ratio."

3. Computation of Maximum Area of Public Parkland to be Dedicated.

a. The maximum amount of public park land required to be dedicated by a subdivision or development project shall be equal to the Total Number Of Dwelling Unit Types multiplied by the dwelling unit occupancy factor established pursuant to Subparagraph b, below, multiplied by 0.005 (the Park Area Standard Ratio of 5.0 acres per 1,000 population). The computation is represented as follows:

Area of Public Parkland to be Dedicated = (Total Number of Dwelling Unit Types) x (Dwelling Unit Occupancy Factor) x (0.005)

b. The Dwelling Unit Occupancy Factor for each housing type shall be established by resolution of the City Council, based upon the latest available census data.

c. The City Council, by resolution, may require a dedication of parkland less than the maximum amount set forth above if the City Council finds, and clearly establishes that a smaller dedication will adequately serve the public interest, convenience, health, safety, and welfare of the residents of the City.

4. Qualification of Land Being Dedicated. In addition to meeting the requirements set forth in this section, any land offered for park dedication shall meet the applicable criteria specified in Section 6.08.035 (Dedications and Improvements) of this Division.

F. Standards for Determining Park Impact Fee/Maximum Fee.

1. When required by Subsection G (Determination of Dedication, Fees, or Combination) of this Section, the subdivider or developer shall pay to the City, a fee in lieu of making an offer of parkland dedication. For the purposes of impact fee calculation, 3.0 acres of property for every 1,000 persons residing within the City shall be determined to be devoted to local parkland and recreational purposes, thereby resulting in the ratio of 0.003 to be hereafter referred to as the "Park Area Fee Standard Ratio."

2. The Park Impact Fee shall be equal to the total number of dwelling units multiplied by the Dwelling Unit Occupancy Factor established pursuant to Subparagraph E.3.b (Dwelling Unit Occupancy Factor) of this Section, multiplied by the Park Area Fee Standard Ratio, multiplied by the area of parkland to be dedicated under Paragraph E.3 (Computation of Maximum Area of Parkland to be Dedicated) of this Section, multiplied by the fair market value of the land to be developed by the City for parkland and recreational facilities. The computation is represented as follows:

Park Impact Fee = (Total Number of Dwelling Units) x (Occupancy Factor) x (0.003) x (Fair Market Value of Land to be Developed)

G. Determination of Dedication, Fees, or Combination.

1. Impact Fee Generally Required. Where required by the City or where no park or recreational facility located in whole or in part within the proposed subdivision is designated in the general plan of the City or other adopted resolution policy or standard of the City, the subdivider or developer shall pay an impact fee computed in accordance with Subsection F (Standards for Determining Impact Fees/Maximum Fee), above, to be used for park and recreational purposes to serve the residents of the area being subdivided and other members of the public.

2. Dedication in Lieu of Impact Fee. Where a park or recreational facility has been designated in the Policy Plan (General Plan) component of The Ontario Plan of the City, or other adopted resolution policy or standard of the City, and is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision and other members of the public, the City may require the subdivider to dedicate land for a park and provide recreational facilities thereon in lieu of payment of an impact fee as provided in this Section, if the City determines that dedication is desirable as provided in this Section. If the fair market value of the park and recreational facilities provided is less than that required hereunder, the difference shall be paid by the subdivider as an impact fee.

3. Combination of Land and Fees. The City may accept a combination of land, recreational facilities, and fees, with the respective amounts to be determined by the sole discretion of the City, so long as the aggregate fair market value of the land and recreational facilities, plus in-lieu fees, does not exceed the limits established in this Section.

4. Determination of Land or Fee. Whether the City requires payment of an impact fee, or requires land dedication in lieu thereof, or a combination of both, shall, in the City's sole discretion, be determined by consideration of the following, and such determination shall be final and conclusive:

a. The provisions of the City's general plan, any specific plan adopted thereto, and any other adopted resolution, policy or regulation of the City;

b. Topography, geology, access and location of land in the subdivision available for dedication;

c. Size and shape of the subdivision and land available for dedication;

d. The feasibility of dedication;

e. Access and location of other park sites to subdivision; and

f. Need of other accessible park sites for development, improvement, and rehabilitation.

5. Impact Fees for Subdivisions of 50 Parcels or Less. If the subdivision contains 50 lots or less, only the payment of impact fees may be required, except that condominium, stock cooperative or community apartment projects may be required to dedicate land if they have more than 50 dwelling units.

H. Subdivider Credits.

1. Public Parks. The subdivider shall receive a credit against the impact fee payment or park dedication requirement for the fair market value of any land dedicated and for the value of any park and recreation improvements provided by subdivider in conjunction with any public park. The value of such improvements shall be determined by City based upon Paragraph C.4 of this Section.

2. Private Park. In conjunction with any planned development, real estate development, stock cooperative, community apartment, or condominium, as defined by state law, if the subdivider provides private open space as defined in Subsection C (Definitions) of this Section, then the subdivider may receive a credit against the park dedication requirement of this Section, in an amount to be determined by the City Council or its designee, but such credit shall not exceed 33 percent of such impact fee payment or park dedication requirement. The actual amount of such credit shall be determined by the City Council or its designee, based upon the comparability of the private open space to public park area and the adequacy of such private open space to serve the needs of the subdivision for active recreational uses.

3. Application of Credits. The credits provided by Paragraphs H.1 and H.2, above, shall be applied to reduce the subdivider's obligation to dedicate and/or pay an impact fee as required under this Section, but only to the extent of such credit.

I. Disposition of Land or Fees.

1. The amount and location of land to be dedicated, or the impact fees to be paid, shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision. In accordance with GC Section 66477, it is expressly acknowledged that the land to be dedicated or impact fees to be paid may be for both neighborhood and community parks. In addition, such impact fees may be used to improve or rehabilitate existing parks.

2. Impact fees paid by a subdivider pursuant to this Section may be spent to develop, improve, and rehabilitate community and neighborhood parks even though such parks may be used by nonresidents of the subdivision, so long as the benefit of the park and recreational facilities to residents of the subdivision is reasonable in relation to the location of the parks and amount of the impact fees.

J. Time of Payment of Impact Fees or Land Dedication. All park impact fees shall be paid directly to the City Cashier at the time of issuance of a building permit for each lot within the subdivision. In the event of a dedication requirement, the subdivider shall make an irrevocable offer of dedication to the City at the time of recordation of the final map.

K. Schedule of Performance.

1. City's Schedule. The City shall prepare and maintain a schedule specifying how, when, and where land or impact fees, or both, which were dedicated to the City to develop park or recreational facilities will be used. Any impact fees collected pursuant to this Section shall be committed within 5 years after the payment of such fees or the issuance of building permits on 50 percent of the lots created by the subdivision, whichever occurs later. If any fees are not so committed, they shall be distributed to subdivision owners in accordance with law.

2. Subdivider's Schedule. In the event that a subdivider improves or develops parks for public or private ownership, they shall prepare a schedule specifying when, how, and where they will develop the park or recreational facilities to serve the residents of the subdivision. This schedule will be required as a condition of subdivision map approval.

L. Procedure. Unless otherwise expressly provided in this Section, any decision or action required by City in this Section shall be made after the duly noticed public hearing, at the time of approval of the tentative tract map or parcel map by the Approving Authority. Such decision or action shall be made a condition of approval of the subdivision map and shall be final and conclusive in the absence of a timely filed appeal pursuant to Division 2.04 (Appeals).

6.08.035: Dedications and Improvements

A. General Requirements.

1. The public need, safety, and general welfare require that dedications, offers of dedication, and irrevocable offers of dedication of real property for various public uses be made to the City, or other public agency or district, as conditions precedent to the approval or conditional approval of tentative tract or parcel maps, final tract and parcel maps, development plans, reversions to acreage, lot line adjustments, and consolidations and combinations of lots, or any other action or event requiring evidence of official City approval.

2. Dedications may be required for streets, highways, alleys, public service easements, courts, walkways, bicycle trails, equestrian trails, recreation trails, vehicular and pedestrian access rights, slopes, storm drains, watercourses, floodplains, sewers, water lines, water rights, public utilities, traffic signal facilities, transit facilities, environmental enhancement, landscaping, parks, recreation areas, and for all other public uses not specified, if found to be required to conform to, or implement the Policy Plan (General Plan) component of The Ontario Plan or any element thereof, or any applicable specific plan, planned unit development, master plan, and/or City standard. Dedications may also be required by the City on behalf of any other public agency or district.

B. Dedication Requirements.

1. Dedications for streets and highways shall be to the width as designated by the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan and City standards, or as designated by an approved specific plan. Deviations may be allowed for streets and highway widths not shown in the Mobility Element, or in any approved specific plan, based upon the land use, traffic volumes or other factors as determined by the City Engineer.

2. Dedications for other public easements shall be based upon the need for service, accessibility, topography, clearances available, and other circumstances and factors as determined by the City Engineer.

C. Method of Dedication. Dedications shall be made to the City by the following prescribed methods:

1. Final Map, Parcel Map, or Development Project. All streets, highways, alleys, easements, and lots offered for dedication or to be dedicated shall be clearly indicated on the map or development plan. They shall be clearly described in the appropriate statement on the

title sheet of the map or development plan. Vehicular access right dedications shall likewise be shown and described on the final map.

2. Separate Instrument. Where dedications are made a requirement of the final approval of a Lot Merger, Development Plan, Conditional Use Permit, building permit, or any other permit, and no final map or parcel map is required to be filed and recorded as a condition thereof, the required dedications shall be made by separate instrument in a form approved by the city attorney, which shall be signed, executed and acknowledged by all parties having record title interest in the property or rights being dedicated. Preparation, execution, and delivery of the fully executed instrument shall be made prior to the final approval by the City of the lot consolidation, lot combination, development plan, or permit being requested.

3. Fee Title. Fee title shall be granted by the subdivider when in the opinion of the City Engineer, in consultation with the City Attorney, it is necessary to carry out policies and requirements of the Policy Plan (General Plan) component of The Ontario Plan, and any City ordinance, resolution or standard.

D. Acceptance of Dedications. Acceptance of dedications shall be in conformance with the following:

1. At the time of final map or parcel map acceptance and approval, the Approving Authority may accept or accept subject to improvement, any or all dedications or offers of dedication. The City Clerk shall certify the action by the Approving Authority on the map.

2. Until any dedication is accepted by the City by execution of a Certificate of Acceptance recorded in the office of the County Recorder, the City shall not be responsible for, and shall not incur, any liability with respect to the offered property.

3. If any dedication is accepted, including but not limited to road or street, path, storm drain, sanitary sewer, water (potable or recycled), public utilities, and/or other public use easement, the acceptance shall be completed by the execution and recordation of a Certificate of Acceptance, recorded in the office of the County Recorder.

4. If any dedication is accepted subject to the completion and acceptance of public improvements, the City shall not be responsible for or incur any liability with respect to such dedication, unless and until the public improvements are completed by the subdivider and accepted by the City as evidenced by a notice of completion issued by the City Engineer pursuant to Section 6.08.040.J.4 of this Division. The ownership of and responsibility for the construction and maintenance of any public improvement is held by the subdivider and shall remain so until such time as the public improvements are completed and accepted.

5. Offers of Dedication may be terminated and abandoned in the same manner as prescribed for the abandonment or vacation of streets by the Streets and Highways Code (SHC), commencing with SHC Section 8300 or SHC Section 940, as applicable.

6. Acceptance of offers of dedication on a final map shall not be effective until the final map is filed in the office of the County Recorder, or a separate resolution of acceptance, approved by the City Council, is filed in such office.

E. Dedication of Land for Public Access. All vehicular and pedestrian access rights shall be dedicated to the City for those lots abutting any major, primary, secondary or collector street, flood control channel, park, or bike trail, except at designated locations.

F. Dedication of Land for Public Schools. Pursuant to GC Section 66478, the City may reserve an elementary school site within a proposed subdivision for later purchase by the appropriate school district. Whenever there is consideration of an area for a public school site within a subdivision, the city shall notify the school district and the State Department of Education, in writing, of the proposed site. The notification shall include the identification of any existing or proposed airport runways within the distance specified in State Education Code Section 17215.

1. Standards. As a condition of approval of a tentative or vesting tentative map, and as allowed by state law, a subdivider who develops or completes the development of one or more subdivisions within the school districts serving said subdivision, shall dedicate to the school district such lands as the Approving Authority deems necessary, for the purpose of constructing elementary schools necessary to assure the residents of the subdivision adequate public school service.

2. Consistency with Policy Plan (General Plan). School sites offered for dedication shall conform to the policies in the Policy Plan (General Plan) component of The Ontario Plan and relevant specific plans, and the requirements of the school district.

3. Timing. The requirement of dedication shall be imposed at the time of approval of the tentative or vesting tentative map. If, within 30 days following the requirement to dedicate is imposed by the City, the school districts do not offer to enter into a binding commitment with the subdivider to accept the dedication, the requirement shall be automatically terminated. The required dedication may be made any time before, concurrently with, or up to 60 days following the filing of the final map on any portion of the subdivision.

4. Repayment of Costs. Upon accepting the dedication, the school district shall repay to the subdivider, or their successors, the original cost to the subdivider of the dedicated land, plus a sum equal to the total of the following amounts:

a. The cost of any improvements to the dedicated lands since acquisition by the subdivider;

b. The taxes assessed against the dedicated land from the date of the school district's offer to enter into the binding commitment to accept the dedication; and

c. Any other costs incurred by the subdivider in maintenance of such dedicated land, including interest costs incurred on any loan covering such land.

5. Exception. These dedication requirements for public school lands shall not apply to a subdivider who has owned the land being subdivided for more than 10 years prior to the filing of the tentative map.

G. Dedication for Streets. In order to meet the City's transportation goals as described in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, any subdivider or developer of land shall dedicate, or make an irrevocable offer of dedication, of all land within the subdivision or the site that is needed for public streets and alley ways.

1. When Required. The dedication, or irrevocable offer of dedication, of land for streets and alley ways shall be a condition of approval of any tentative tract or parcel map, or vesting map submitted pursuant to Section 4.02.095 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Development Code, or the approval of any Development Plan

submitted pursuant to Section 4.02.025 (Development Plans) of this Development Code, for the construction, alteration, or enlargement of any building or dwelling, or the establishment of any agricultural, commercial, or industrial land use. Furthermore, an owner, lessee, or agent constructing, altering, or enlarging a building or dwelling, or establishing an agricultural, commercial, or industrial land use, shall provide appropriate street dedication, or make an irrevocable offer of dedication, as a condition of building permit issuance, except that such dedications shall not be required for the following:

a. Any accessory building that does not exceed 1,000 SF of GFA;

b. Any alteration, enlargement, or addition that does not exceed 50 percent of the area of an existing building, dwelling, or land use, not to exceed 2,000 SF of GFA;

c. The installation or construction of walls, fences, or signs;

d. Temporary land uses not exceeding 30 days duration; and

e. Unenclosed agricultural land uses legally established pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

2. Rights-of-Way. Street dedications shall include the full right-of-way required for the functional classification of roadway as described in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, and applicable specific plans, and Section 6.08.015 (Subdivision Design) of this Division.

3. Street Design. Streets to be dedicated to the City, as well as any private streets, shall follow the design specifications in Subsection 6.08.015.C (Street Rights-of-Way) of this Division.

H. **Dedication for Pedestrian and Bicycle Paths**. Whenever a subdivider or developer is required to dedicate roadways to the public, a dedication of land may be required to provide bikeways and pedestrian paths for the use and safety of the residents of the subdivision, or to provide bikeways and pedestrian paths as shown in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, any bicycle or pedestrian master plan adopted by the City, or an applicable specific plan.

I. **Dedication for Local Transit Facilities.** In order to provide adequate local transit facilities, whenever a subdivider or developer is required to dedicate roadways to the public, a dedication of land shall be required for local transit facilities, such as bus turnouts, benches, shelters, landing pads, and similar items, that directly benefit the subdivision, or the community as a whole, as required by the Planning Director and/or the City Engineer, and as described in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, or an applicable specific plan. To facilitate a logical phasing of transit facility improvements, the City may require the payment of a fee in lieu of the construction and installation of required improvements.

J. **Improvement of Bridges, Signals, and Thoroughfares.** Pursuant to GC Section 66484 and Section 4.02.025 (Development Plans) of this Development Code, the subdivider or developer shall pay traffic impact fees for the purpose of defraying the actual or estimated cost of constructing major thoroughfares, other citywide transportation improvements or bridges. The City Council shall establish procedures and standards for determining the appropriate fees.

1. Construction, modification, or upgrading of traffic signals and appurtenances may be required as a condition of the approval of any subdivision, land division, development plan, or

use or building permit, if the additional traffic generated by the tract or development, the safety of the traveling public, the increased use of the streets, or other circumstances necessitate the construction.

2. Where the development of a subdivision or other project will be phased over a period time, and, in the opinion of the City Engineer, the full effect of increased burden on the streets will not be realized immediately, the subdivider or developer may be required to deposit a cash amount in the estimated value of the traffic signal improvements ultimately to be made, which sum shall be used at such time as the construction of the signal and appurtenances is warranted. In lieu of a cash deposit, the subdivider or developer may be permitted to post a bond or other surety to guarantee the installation of required traffic signals in a form satisfactory to the City Engineer and City Attorney. The exact amount, details and timing of the deposit and future construction shall be subject to an agreement between the city and the subdivider or developer.

K. **Groundwater Recharge Facilities.** Pursuant to GC Section 66484.5, the subdivider shall pay fees for the purpose of constructing recharge facilities for the replenishment of the underground water supply in that area of benefit. The City Council shall establish procedures and standards for determining the appropriate fees.

L. **Reservations for Other Public Uses.** In addition to the dedications for specific public uses that this Section requires, the subdivider or developer shall reserve land within the subdivision for wells, fire stations, libraries, or other public uses, consistent with the Policy Plan (General Plan) component of The Ontario Plan and applicable specific plans, provided that:

1. Develop in an Orderly and Efficient Manner. The reserved area is of a size and shape that permits the balance of the property within which the reservation is located to develop in an orderly and efficient manner;

2. Feasibility of Development. The amount of land reserved will not make development of the remaining land held by the subdivider economically infeasible; and

3. Consistency with Policy Plan (General Plan). The reserved area shall conform to the Policy Plan (General Plan) component of The Ontario Plan and applicable specific plans, and shall be in such multiples of streets and lots as to permit an efficient division of the reserved area in the event that it is not acquired within the prescribed period. In such an event, the subdivider shall make those changes that are necessary to permit the reserved area to be developed for the intended purpose, consistent with good subdividing practices.

M. **Drainage Facilities and Grading.** Drainage facilities shall be provided and installed as necessary to help protect the lots, parcels, buildings, and structures from flooding, and to minimize flooding of the public streets therein or abutting the property.

1. Facilities shall be designed to minimize the inundation of private properties from storm runoff emanating from a 100-year frequency storm.

2. Public streets shall be protected from flooding from runoffs of a 10-year frequency storm pursuant to City standards or approved equivalent. Protection to higher levels may be required by the City Engineer, dependent upon the degree of flood risk involved, the topography, location, local drainage patterns, and the requirements of the San Bernardino County Flood Control District.

3. Hydrologic and hydraulic calculations and studies for required facilities shall be subject to review and acceptance by the City Engineer and/or Building Official. All grading done in conjunction with the development of a tract or property shall be performed in conformance with the City's building code, the City grading standards, and good engineering practices.

4. On-site and off-site storm drain facilities, and site grading, shall be designed and constructed to prevent undue erosion of the site or off-site properties, and to prevent excessive deposits of mud, silt, or debris upon any public street or easement, or within any channel, storm drain facility, swale, or watercourse. The drainage facilities shall be designed in accordance with the City's drainage master plan, applicable elements of the Policy Plan (General Plan) component of The Ontario Plan, and any applicable specific plan.

N. Sewage Facilities Improvements. Sewer mains, manholes, and appurtenances shall be constructed to serve each subdivision, lot, parcel, building or structure, and individual laterals shall be provided to each lot therein. All such facilities shall be installed prior to the paving of the streets, alleys, or improvement of the easements within the development. Sanitary sewers shall be constructed to the sizes, lines, grades, and design pursuant to City standards, and applicable elements of the Policy Plan (General Plan) component of The Ontario Plan, or any applicable specific plan.

O. Water Supply System Improvements. Water mains, service meters, cross connection control devices, valves, fire protection facilities, and all other appurtenances of the water system shall be provided to the applicable City master plan(s), and water lines, grades, and design shall be pursuant to City standards, and as required by applicable elements of the Policy Plan (General Plan) component of The Ontario Plan, or any applicable specific plan.

P. Underground Utilities and Service Lines. Whenever any tentative tract or parcel map, development project, or map for the reversion of lots to acreage is filed, all electrical, telephone, cable television, and similar wires, cables, services, and appurtenances that provide direct service to the property being subdivided, divided, or developed, shall be installed underground, and all existing facilities providing direct service to the building, structure, or development being added to or rebuilt, shall be underground as a condition precedent to the approval of the tentative tract or parcel map, by the City Council or City Engineer, as applicable.

Q. Development Impact Fees.

1. Prior to the issuance of a building permit for construction on any lot within any subdivision or development project, the applicant for such permit shall pay all development impact fees established by resolution or ordinance of the City.

2. The City Council may authorize by resolution, the imposition of development impact fees that are less than the maximum fees, to encourage the development of undeveloped and underdeveloped properties within the "Old Model Colony" area of the City.

3. Where it is determined that the public interest would be served by such an agreement, the City Manager is hereby authorized to negotiate and execute agreements on behalf of the City, in order to provide credits to a project applicant against certain development impact fees, in exchange for the applicant's construction and dedication of public improvements on those reasonable terms and conditions as may be negotiated on a case-by-case basis, subject to approval by the City Council.

4. The City Manager is further authorized to negotiate and execute agreements to defer, waive, or reduce any development impact fees imposed upon an applicant for a particular development project, based upon evidence presented by the Applicant, that:

a. The development project will provide a general benefit to the health, safety, morals, and welfare of the citizens of the City, and will not only be of special benefit to the project applicant; ~~or~~

b. Other properties to be benefitted by any development impact fee will not be unfairly burdened by the delay, reduction, or waiver of said development impact fee; or

c. Deferral, waiver, or reduction in development impact fees will result in a more fair funding arrangement, and in the case of waiver or reduction, the owner will receive insufficient or no benefit from the development impact fee imposed, and would, therefore, be required, if the fee(s) were imposed in full, to pay more than their fair share for the benefit received.

5. The required findings (Subparagraphs 4.a through c, above) and any resulting agreement(s) to defer, waive, or reduce any development impact fee(s) shall be subject to approval by the City Council.

R. Condemnation Proceedings. When any dedication, improvement or design is required by the City Engineer, and the subdivider or developer does not have full control of the land required in connection with the dedication, improvement or design, and condemnation proceedings are necessary as determined by the City, the subdivider or developer shall pay all necessary and reasonable costs involved in the condemnation or acquisition including, but not limited to, appraisal and court costs.

6.08.040: Improvement Plans and Security

A. Design of Improvement Plans.

1. Following approval of a development project, tentative tract or parcel map, or vesting tentative map, and prior to the submission of any final map or parcel map, the subdivider or developer shall prepare and submit complete sets of improvement plans and cost estimates for any improvement(s) required.

2. The acceptance of all required improvement plans by the City Engineer shall be a prerequisite to the approval of the final map or parcel map, and in the case of a development project, shall be prerequisite to the issuance of any building permit.

3. All public or private improvement plans, profiles, descriptions, studies, calculations, notes, surveys and drawings required pursuant to this Division shall be provided at no expense to the City and shall be prepared pursuant to the requirements of this Section and as required by the City Engineer.

4. Construction plans for street, alley, drainage, sewer, and water improvements, traffic signals, and streetlights, and for any other required improvements, shall be drawn on standard City mylar film, in indelible ink, and shall be filed with the City Engineer for checking and review prior to their acceptance. All maps, sketches, descriptions, estimates, plans and other

drawings and items required to fulfill the requirements of this Division shall also be provided in the form, content, number, and details as specified by the City Engineer.

5. The plans and profiles of all required and proposed public and private improvements in a subdivision or development plan shall be furnished to the City Engineer and shall be ready for acceptance before a final map of the subdivision or the development plan is presented to the Approving Authority for approval.

6. No construction work shall commence on any of the improvements shown on any construction or improvement plans required herein until the plans have been reviewed, approved, and signed by the City Engineer. After acceptance and signature by the City Engineer, all original drawings shall become the property of the City.

B. Application Requirements. The improvement plans shall be prepared by or under the direction of a registered civil engineer licensed by the state of California, and shall show the complete plans, profiles and details for all streets and appurtenances, storm drainage, water systems and fire hydrants, sewers, utilities, grading and all other improvements proposed or necessary, on-site and off-site. They shall meet all the requirements deemed necessary by the City Engineer.

C. Application Review Process.

1. Upon receipt of a complete set of improvement plans, the City Engineer shall cause the plans to be reviewed and return one set to the applicant or their engineer, with the required revisions, if any, marked thereon.

2. When the plans are found to be complete and satisfactory to the City Engineer, the applicant shall submit copies in the number and term deemed necessary by the City Engineer. The copies shall be accompanied by any additional number of complete sets of copies the applicant, their engineer, and contractors may require, to be noted as approved by the City Engineer.

D. Acceptance by City Engineer.

1. Upon finding that all required revisions have been made, all required fees have been paid, and the plans conform to all applicable City ordinances, standards, and conditions of approval imposed upon the tentative map or development plan, the City Engineer shall accept the improvement plans.

2. Pursuant to GC Section 66456.2, the City Engineer shall act within 60 days of receiving the preliminary improvement plans and calculations, except that at least 15 days shall be provided for processing any resubmitted improvement plan. The period of 60 days shall not include any days during which the improvement plans have been returned to the subdivider for corrections or have been subject to review by any party other than the City or a private entity contracted by the City.

3. The City Engineer's acceptance of improvement plans shall not relieve the subdivider or developer of responsibility for the design of the improvements and for any deficiencies in the improvements.

E. Permit Required. The subdivider or developer shall not commence work on any portion of improvements prior to the issuance of an encroachment permit and payment of applicable

permit and inspection fees. The City Engineering Department shall be notified in advance of commencement of any portion of the work.

F. Construction of Improvements.

1. All construction methods and materials for improvements shall conform to the approved improvement plans, the requirements of the applicable construction permit, and any other applicable City standards and requirements.

2. All construction of improvements is subject to inspection by the City Engineer. The subdivider and/or developer shall notify the City Engineer before beginning the construction of any improvements. The City shall always have full access to the improvement work during its construction.

G. Completion of Improvements/Subdivision Improvement Agreement.

1. If any public improvement required with the approval of a subdivision will not be completed and accepted pursuant to Section 6.08.035 Dedications and Improvements) of this Division, prior to approval of the final map, the subdivider, at their expense, shall enter into a Subdivision Improvement Agreement as a condition precedent to approval of the final map, to complete the public improvements. Performance of the Subdivision Improvement Agreement shall be guaranteed by the security specified in Subsection I (Improvement Security) of this Section, and GC 66499 et seq.

2. A subdivision improvement agreement shall be prepared by the City Engineer in a form approved by the City Attorney, and shall provide for the following:

a. Construction of all improvements shall be as set forth in the approved plans and specifications;

b. The maximum period within which all improvements shall be completed to the satisfaction of the City Engineer;

c. Provisions for inspection of all improvements by the City Engineer and payment of fees by the subdivider for the cost of such inspection and all other incidental costs incurred by the City in enforcing the agreement;

d. If the subdivider fails to complete the work within the specified period of time, or any extended period of time that may have lawfully been granted to the subdivider, the City may, at its option, complete the required improvement work and the subdivider and their surety shall be firmly bound, under a continuing obligation, for payment of the full cost and expense incurred or expended by the City in completing such work, including interest from the date of notice of said cost and expense until paid;

e. In the event of litigation occasioned by a default of the owner or subdivider, his successors or assignees, the owner or subdivider, their successors or assignees will pay all costs involved, including reasonable attorney's fees, and that the same may be recovered as part of a lien against the real property; and

f. Additional terms or provisions, as may be necessary, pertaining to the forfeiture, collection, and disposition of improvement security upon the failure of the contracting

party to comply with the terms and provisions thereof or with the terms and provisions of this Development Code.

3. A subdivision improvement agreement shall be valid for a period specified in the agreement, but not to exceed 2 years from the effective date of the agreement.

a. The term of a subdivision improvement agreement may be extended at the discretion of the City Engineer.

b. A subdivision improvement agreement shall not only bind the present subdivider, but also all heirs, successors, executors, administrators, and assignees, so that the obligation runs with the real property. All agreements shall be executed by all those parties executing the final or parcel map.

H. Inspection of Improvements.

1. The construction of improvements required pursuant to this Division shall be subject to inspection and testing by the City Engineer to ensure compliance with the standards and specifications specified and required by this Division. All work and improvements shall be found to conform to the standards and specifications as a condition of the City's acceptance and release of any improvement securities held therefor.

2. No construction shall commence or continue without arrangements first having been made with the City Engineer for inspection. The City Engineer and his authorized representatives shall have the right to stop any work, refuse to inspect any work, or reject any or all work and construction if it is found that the work is unauthorized, is unsafe in any way to the workers or the public, is inferior in materials or workmanship, was performed without inspection, or does not meet or comply with city standards, specifications, or city-approved construction plans. Reasonable access to the construction and work shall be provided at all times so that full knowledge of the progress, workmanship, and character of the materials used in the work can be gained.

3. Upon completion of the required improvements, the subdivider or developer shall apply in writing to the City Engineer for preliminary final inspection. The City Engineer shall conduct a preliminary final inspection and prepare a deficiency list, noting all additional work to be performed and deficiencies in existing work to be corrected. The City Engineer shall provide a copy of the deficiency list to the subdivider or developer. If there are an excessive number of deficiencies or missing improvements, the City Engineer may choose to postpone the inspection.

4. After the subdivider or developer has corrected all of the items on the deficiency list, the subdivider or developer shall apply to the City Engineer for final inspection. The City Engineer shall conduct a final inspection and verify that the items on the deficiency list have been corrected. Upon verification, and after receiving record drawings (improvement plans), the City Engineer shall accept the improvements and issue a notice of completion to the subdivider or developer.

5. The City Engineer's acceptance of improvements shall not relieve the subdivider or developer of responsibility for correcting any deficiency that subsequently is discovered.

I. Improvement Security. Performance of a subdivision improvement agreement required pursuant to Subsection G (Completion of Improvements/Subdivision Improvement Agreement) of this Section shall be guaranteed by the security specified herein and GC Section 66499 et seq.

Any public improvement required with the approval of the Development Plan submitted pursuant to Section 4.02.025 (Development Plans) of this Development Code, at the discretion of the City Engineer, shall be guaranteed by the security specified herein.

1. Acceptable Forms of Required Improvement Security. Improvement securities shall be posted as a guarantee of the performance of any act, improvement, or obligation required as a condition of approval of any final map or parcel map, parcel map waiver, lot line adjustment, lot merger or development project. Unless otherwise provided herein, all such improvement securities shall be provided in one of the following forms, subject to approval and acceptance by the City Engineer and City Attorney:

a. *Bonds by Authorized Corporate Sureties.* One or more bonds by one or more duly authorized corporate sureties substantially in the form prescribed by the Subdivision Map Act, and subject to approval and acceptance by the City Attorney and City Council;

b. *Negotiable Bonds or a Letter of Credit.* A deposit with the City of immediately negotiable bonds or a letter of credit; or

c. *Cash and/or Negotiable Bonds of The Kind Approved for Securing Deposits of Public Moneys*. A deposit with the City or a responsible escrow agent or trust company, at the option of the City, of cash and/or negotiable bonds of the kind approved for securing deposits of public moneys; or

d. *Lien or Other Security Interests.* Any other form of security, including a lien or other security interests in real property, which the City Engineer and the City Attorney may, in their discretion, allow; provided, they determine that it is equivalent to the foregoing forms of security in terms of security and liquidity. Any written contract or document creating security interests shall be recorded in the Office of the County Recorder. From the time of recordation, a lien shall attach to the real property described therein, which shall have the priority of a judgment lien in the amounts specified.

2. Required Security Amounts.

a. *Performance and Guarantee*. The subdivider or developer shall provide an amount determined by the City Engineer, up to 100 percent of the total estimated cost of the improvement to be performed, including costs and fees incurred by the City. The estimated cost of improvement shall include a 10 percent contingency and a 10 percent increase for projected inflation computed to the estimated mid-point of construction; and

b. *Payment.* The subdivider or developer shall provide an amount determined by the City Engineer, up to 100 percent of the total estimated cost of the improvement to be performed, excluding grading and monumentation.

3. Release of Improvement Security. Improvement security may be released upon the final completion and acceptance of the act or work by the City Engineer; provided, however, such release shall not apply to the amount of security deemed necessary by the City Engineer for the guarantee and warranty period, nor to costs and reasonable expense fees, including reasonable attorney's fees incurred by the City in enforcing any improvement agreement. The subdivider or developer shall not be entitled to any reduction in security, except pursuant to Paragraph 4 (Partial Release of Improvement Security), below, until all improvements have been completed to the satisfaction of, and have been accepted by, the City Engineer.

4. Partial Release of Improvement Security. A partial release of performance security may be requested in writing from the Engineering Department. The portion of the performance security, in conjunction with the satisfactory completion of a part of the improvements as the work progresses, may be released upon the approval of the City Engineer, subject to the following:

a. No release shall be considered until at least 50 percent of the improvements are completed;

b. No release shall be considered for an amount less than 10 percent of the original total improvement security given for performance and guarantee;

c. An amount of up to 200 percent of the revised estimated construction cost for the remaining required improvements shall be required for the substitute security (or the remaining security);

d. The City Engineer is responsible for reviewing all applications and shall determine the amount of substitute security required in accordance with Subparagraph I.4.c, above; and

e. The original performance security may be released only upon receiving the proper substitute security, which has been determined acceptable by the City Attorney and the City Engineer.

J. Completion of Improvements.

1. Public improvements required as a condition of approval shall be completed pursuant to this Division unless they are deferred pursuant to Subsection K (Deferred Improvements) of this Section. The City Engineer shall review and approve any improvement agreement, conduct an inspection, and approve any constructed public improvement necessary to satisfy this provision, with the City Council delegating final approval to the City Engineer of any agreement or acceptance of any completed public improvement.

2. Once begun, public improvements for a final tract or parcel map, or development plan when required, shall be constructed to completion without interruption. The subdivider or developer shall exercise due diligence to ensure that this provision is met to the satisfaction of the City Engineer. Construction and inspection of public improvements shall be governed by City standards and the requirements of any applicable permit.

3. Notwithstanding any applicable agreement, the construction and maintenance of any public improvement is the responsibility of the subdivider or developer and shall remain so until such time that the City Council accepts the completed public improvements.

4. Upon acceptance of a public improvement, the City Engineer shall provide a notice of completion for that public improvement and shall release applicable securities for that public improvement. This action shall serve to transfer ownership and maintenance responsibility of the public improvement from the subdivider or developer to the City, and to provide full acceptance of the applicable dedication or easement, which acceptance had been contingent upon completion and acceptance of public improvements within said dedication or easement, subject to the terms of any applicable agreement.

K. Deferred Improvements. The Approving Authority for a tentative map or parcel map shall be responsible for approving any request for the deferred construction of on-site and off-site

improvements required by a tentative map or parcel map. The City Attorney shall approve the form and content of all deferred improvement agreements prior to the City accepting the document.

6.08.045: Common Interest Subdivisions

A. Purpose. The purpose of this Section is to establish criteria for the establishment of common interest subdivisions. For the purposes of this Section, the term "common interest subdivision" means a community apartment, condominium, planned development, or stock cooperative.

B. Applicability. The herein prescribed regulations shall be implemented in conjunction with the establishment of any common interest subdivision in the City.

C. Common Interest Subdivisions are Exempt from Minimum Lot Area and Building Setback Requirements. Common interest subdivisions shall be exempt from the minimum lot area and building setback regulations applicable to individually numbered and/or lettered lots identified on a tract or parcel map, excepting one-lot subdivisions. For the purposes of a common interest subdivision, any minimum lot area requirement shall be applied to the overall area of the common interest subdivision. Furthermore, any minimum building setback requirement shall only be applied to the exterior boundary of the common interest subdivision.

D. Recordation of a Tract or Parcel Map is Required. The establishment of a common interest subdivision shall require the approval and recordation of a tract or parcel map pursuant to the provisions of the Subdivision Map Act (commencing with GC Section 66410), Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) and Section 4.03.030 (Final Maps and Parcel Maps) of this Development Code, and all applicable requirements of this Division.

E. Recordation of Covenants, Conditions, and Restrictions (CC&Rs). Covenants, conditions, and restrictions, if required, shall be recorded concurrently with the final map or parcel map, required pursuant to Subsection D (Recordation of a Tract or Parcel Map is Required), above, in the office of the San Bernardino County Recorder.

1. The purpose of the covenants, conditions, and restrictions is to guarantee compatibility and coordination of all lots or units within a common interest subdivision in terms of access, parking, landscaping, recreation facilities, open space, property and landscape maintenance, and architecture. Furthermore, the covenants, conditions, and restrictions shall establish a property owner (or homeowner) association for the purpose of maintaining common areas and facilities, enforcement of the covenants, conditions, and restrictions, regulation of operations and uses within the development, and ensuring continued architectural and landscaping compatibility within the development.

2. The covenants, conditions, and restrictions shall be subject to approval and acceptance by the Planning Director and City Engineer prior to recordation. Furthermore, the City may be required to be a non-voting member of the association and maintain the right of enforcement of the covenants, conditions, and restrictions.

3. The covenants, conditions, and restrictions shall include the establishment of a specific methodology or procedure for enforcement of its provisions by the City, if adequate maintenance of the development does not occur. Such procedures may include, but is not

limited to, granting the City the right of access to correct maintenance issues and assess the property owner (or homeowner) association for all costs incurred by the City.

F. Recordation of a Condominium Plan. The establishment of a condominium shall require the approval of a Condominium Plan by the City and the recordation of said Condominium Plan in the office of the San Bernardino County Recorder, prior to the sale of the first dwelling unit.

6.08.050: Conversion to a Residential Common Interest Project

This Section shall apply to the conversion of any existing residential real property to a common interest project, including condominium, community apartments, stock cooperative project, or any other similar form of common ownership, except conversion projects for which a final or parcel map has been approved prior to the effective date of this Development Code, or where the conversion involved a limited equity housing cooperative as defined in HSC Section 33007.5. All provisions, conditions, and further definitions of condominium development, as included in the California Civil Code, shall apply to the divisions of real property as permitted herein.

A. Purpose. The purpose of this Section regulating conversions to a residential common interest project is as follows:

1. Establish criteria for the conversion of existing single-family and multiple-family rental housing to community apartments, condominiums, planned developments, or stock cooperatives;

2. Ensure that converted housing achieves high quality appearance and safety, and is consistent with the goals and policies of The Ontario Plan;

3. Endeavor to maintain a reasonable balance of ownership and rental housing within the City, and a variety of housing choices of varying tenure, type, price, and location;

4. Ensure that the purchasers of community apartments, condominiums, planned developments, or stock cooperatives converted from existing rental housing stock have been properly informed as to the physical condition of dwellings offered for purchase; and

5. Ensure compliance with all requirements of applicable development, building, fire codes, plumbing, and electrical codes, and other applicable State and local laws and regulations, in effect at the time of filing of the tentative subdivision maps for conversion.

B. Applicability. Any conversion to a residential common interest project, including a community apartment, residential condominium, residential planned development, or residential stock cooperative, shall be subject to all applicable provisions of the Subdivision Map Act (commencing with GC Section 66410), the requirements of this Section, and all other applicable requirements of this Development Code and the Ontario Municipal Code.

C. Application Requirements. A residential common interest project conversion request shall consist of the following:

1. Subdivision Application. A subdivision application as required by Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Development Code.

2. Physical Elements Report. A report on the physical elements of all structures and facilities shall be submitted with the tentative or vesting tentative map. The report shall include, but not is limited to, the following:

a. Architect's or Engineer's Report. A report by a licensed architect or engineer detailing the structural condition of all elements of the property, including foundations, electrical, plumbing, utilities, walls, ceiling, windows, recreational equipment, parking facilities, appliances, and fixtures. The report shall state, to the best knowledge or estimate of the applicant, the following:

(1) When the element was constructed or installed;

(2) The condition of each element;

(3) When the element was replaced;

(4) The approximate condition of each element;

(5) Any variation or non-compliance of the element from this Development Code and the Building Code in effect on the date the last building permit was issued for the subject structure;

(6) The approximate date upon which the application for conversion was filed and accepted by the city; and

(7) The report shall identify any defective or unsafe elements and set forth the proposed corrective measures to be employed.

b. Pest Control Report. A report from a licensed structural pest control operator, approved by the city, on each structure and each unit within the structure.

c. Soils and Geological Hazard Reports. Soils and geological hazard reports prepared pursuant to Section 6.08.025 (Reports) of this Division, regarding soil deposits, rock formations, faults, groundwater, landslides, and liquefaction within the vicinity of the project, and a statement regarding any known evidence of soil problems relating to the structures. Reference shall be made to any previous soils reports for the site and a copy submitted with the report.

d. Repairs and Improvements Report. A statement of repairs and improvements to be made by the subdivider necessary to refurbish and restore the project to achieve a high degree of appearance and safety.

e. Notice to Tenants. The subdivider shall supply proof of all written notices as required by the Subdivision Map Act for conversion projects, as listed in Subsection E (Notice to Tenants) of this Section.

f. Plans and Information. The subdivider shall provide plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to process the conversion, as identified on the applicable City application forms.

g. Proposed Declaration. The subdivider shall provide a proposed declaration, as required by CC Section 1353. The declaration shall include an agreement for the

creation of an association responsible for common area maintenance, a clear designation of parking and signage rights, and a method for resolving differences.

h. Development Plan Application Required. The developer shall submit a Development Plan application for approval of the conversion pursuant to Section 4.02.030 (Development Plans) of this Development Code.

D. Procedures.

1. Notification and Hearing Requirements. A final subdivision map creating a community apartment, condominium, planned development, or stock cooperative from the conversion of rental housing units, unless the subdivider shows that the following notification procedures have been fulfilled:

a. Each of the tenants or prospective tenants of the proposed community apartment, condominium, planned development, or stock cooperative project has received or will receive each of the notices included in the Subdivision Map Act (commencing with GC Section 66410), including the following:

(1) Written notification pursuant to GC Section 66452.8 and GC Section 66452.9, of intention to convert, provided at least 60 days prior to the filing of a tentative map;

(2) Written notification at least 10 days prior to the date of the public hearing at which the Approving Authority will review the Conditional Use Permit for the requested conversion in compliance with GC Section 65090 and GC Section 65091. Notice shall also be mailed to the owner of the subject property, as well as all property owners within 300 FT of the subject property, as shown on the last equalized tax assessor roll. In addition, a notice of public hearing shall be published at least once in a newspaper of general circulation at least 10 days prior to the hearing;

(3) Written notification pursuant to GC Section 66427.1(a) that each tenant shall receive a 10-day notice that a final public report will be, or has been, submitted to the Department of Real Estate, that the period for each tenant's right to purchase begins with the issuance of the report, and that the report will be available from the City, upon request;

(4) Written notification that the subdivider has received the public report from the Department of Real Estate. This notice shall be provided within 5 days after the date that the subdivider receives the public report from the Department of Real Estate;

(5) Written notification within 10 days following approval of a final map for the proposed conversion;

(6) Upon approval of a final map for the proposed conversion, written notification shall continually be delivered to all prospective tenants prior to execution of a rental agreement using the form in GC Section 66459(a). Failure to do so will not be grounds to deny the conversion, but will require the subdivider to pay each prospective tenant who was entitled to that notice, an amount as indicated in GC Section 66459(f);

(7) Written notification pursuant to GC Section 66452.11 shall be provided to all affected tenants at least 180 days prior to termination of tenancy due to the conversion or proposed conversion, but not before the City has approved a tentative map for the conversion. The notice given pursuant to this subparagraph shall not alter or abridge the rights or

obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by CC Section 1941, 1941.1, and 1941.2; and

(8) Notice of an exclusive right to contract for the purchase of a tenant's respective unit upon the same terms and conditions that the unit will be initially offered to the general public, or terms more favorable to the tenant. The exclusive right to purchase shall commence on the date the subdivision public report is issued, as provided in BPC Section 11018.2, and shall run for a period of not fewer than 90 days, unless the tenant gives prior written notice of their intention not to exercise the right. Notice shall be given using the form included in GC Section 66452.12(b).

b. If a rental agreement was negotiated in a language other than English, all required written notices regarding the conversion of residential real property into a community apartment, condominium, planned development, or stock cooperative project shall be issued in that language.

2. Division of Airspace Not Required. A map of a community apartment, condominium, planned development, or stock cooperative project need not show the buildings or the manner in which the buildings or the airspace above the property shown on the map are to be divided. The City does not have the right to refuse approval, of a conversion project (tentative or final map, or parcel map), based upon the manner in which the airspace is divided or any of the provisions listed in GC Section 66472.

3. Limitation on the Number of Rental Housing Units Converted Within a Current Calendar Year. The conversion of rental housing units to a community apartment, condominium, planned development, or stock cooperative, shall not result in the conversion of more than 5 percent of the potentially convertible rental units in the City during any current calendar year.

E. Notice to Tenants.

1. Tenant Notifications. The developer shall notify current and potential tenants according to Paragraph D.1 (Notification and Hearing Requirements) of this Section and the Subdivision Map Act.

2. Tenant Rights.

a. *Tenants Right to Purchase.* As provided in GC Section 66427.1(b), any present tenant or tenants of any housing unit shall be given a nontransferable right of first refusal to purchase the unit occupied at a price no greater than the price offered to the general public. The right of first refusal shall extend for at least 60 days from the date of issuance of the subdivision public report pursuant to BPC Section 11018.2, unless the tenant gives prior written notice of his intent not to exercise the right.

b. *Vacation of Units.* Each tenant that does not purchase a housing unit, and is not in default under the obligations of the rental agreement or lease under which they occupy the unit, shall have no fewer than 180 days from the date of receipt of notification from the owner of their intent to convert, or from the filing date of the final map, whichever date is later, to find substitute housing and to relocate. Tenants shall have the right to terminate leases at any time after receiving the notice.

c. *Increase in Rents.* From the date of submittal of the tentative or vesting tentative map, until the sale of the unit, no tenant's rent shall be increased more frequently than once every 12 months, at a rate no greater than the Consumer Price Index, as compiled by the Federal Bureau of Labor Statistics. This limitation shall not apply if rent increases are provided for in leases or contracts in existence prior to the filing date of the tentative map.

d. *Notice to New Tenants.* After submittal of the application to convert, any prospective tenant shall be notified in writing by the developer of the intent to convert prior to leasing or renting any unit and shall not be subject to the provisions of Subparagraph E.2.c (Increase in Rents) of this Section.

e. *Senior Citizens, the Handicapped, and the Disabled.* The developer shall be required to retain ownership of units occupied at the time of filing of the tentative map by senior citizens (persons 62 years of age or older) or the handicapped (as defined by HSC Section 50072) or the disabled (as defined by 42USC423), for a period of one year from the date of approval by the Approving Authority.

F. Standards for Conversion.

1. Building and Physical Standards.

a. The community apartment, condominium, planned development, or stock cooperative conversion project, and all individual units and common areas contained therein, shall comply with all applicable existing and current development, building (including energy conservation and sound transmission), fire, and subdivision requirements, unless legally nonconforming.

b. The community apartment, condominium, planned development, or stock cooperative conversion project shall comply with all applicable provisions of Ontario Municipal Code Chapter 11 (Security Standards for Building).

c. The consumption of gas, electricity and water within each unit shall be separately metered so that the unit owner can be separately billed for each unit. Each unit shall have its own panel, or access thereto, for all electrical circuits that serve the unit. The requirements of this subsection may be waived where the Approving Authority finds that full compliance with this provision would not be practicable and the developer submits an alternative plan approved by the Approving Authority.

d. The electrical, plumbing, mechanical, fire, and life safety systems of the structure shall be placed in a condition of good repair and maintenance.

e. The buildings and facilities shall be upgraded to meet the requirements of Ontario Municipal Code Title 5, Chapter 29 (Noise). The Approving Authority may require additional insulation or other upgrades to reduce noise to an acceptable level.

f. The developer shall dedicate land or easements for street widening, public access, or other public purposes in connection with the project, where determined necessary by the Approving Authority and in conformance with this Development Code.

g. All on-site and adjacent overhead utility service lines and poles shall be converted to an underground system consistent with the requirements of this Development Code.

h. All main buildings, structures, fences, patio enclosures, carports, irrigation systems, landscaped areas, accessory buildings, sidewalks, driveways and additional elements as required by the Approving Authority shall be refurbished and restored as necessary, to achieve a high quality appearance and safety.

i. If Development Impact Fees have not previously been paid for the affected residential units, the required fees shall be paid prior to the recordation of the final map, or as otherwise required by City ordinance.

j. The developer shall provide each purchaser with a copy of the below-listed items, prior to executing any purchase agreement or other contract to purchase a unit within the project and shall give the purchaser sufficient time to review the information. Copies of the information shall also be made available at all times at the sales office and a notice indicating that the reports and documentation are available shall be posted on the project site, at locations approved by the Planning Director. In addition, copies of the required reports and documentation shall be provided to the Homeowners Association upon its formation.

(1) Reports and documentation required by Paragraph C.2 (Physical Elements Report) of this Section, in their final form as accepted by the City; and

(2) A copy of the covenants, conditions, and restrictions, and a project maintenance plan.

k. Other conditions may be applied as deemed necessary by the Approving Authority to further the intent of this Section.

2. Securities and Penalties. All improvements and alterations required pursuant to this Section and all other applicable requirements of this Development Code, the Ontario Municipal Code, and the conditions of project approval, shall be made prior to the approval of the final map or parcel map, or upon approval of the Planning Director, City Engineer, and Building Official, and a deposit paid to the City pursuant to Division 2.06 (Performance Guarantees), to assure the completion of all required work prior to the closing of escrow on any unit within the project. The deposit shall be accompanied by an agreement by the developer, and owner of the project if different from the developer, in a form to be approved by the city attorney, guaranteeing completion of the work.

G. Findings. The Approving Authority, prior to approving a tentative tract or parcel map, or a Conditional Use Permit, for the conversion of rental housing units to a common interest project, including a community apartment, residential condominium, residential planned development, or residential stock cooperative, shall find and clearly establish the following findings:

1. Not Detrimental. All provisions of this Section have been met and the project will not be detrimental to the health, safety, or welfare of the community;

2. Consistency with The Ontario Plan. The proposed conversion is consistent with the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan;

3. Conformity with Title. The proposed conversion conforms to all applicable requirements of this Development Code; and

4. Housing Diversity. The proposed conversion of rental housing units to a community apartment, condominium, planned development, or stock cooperative, will not have an adverse effect on the diversity of housing types available in the City.

6.08.055: Conversion to a Nonresidential Common Interest Project

This Section shall apply to the conversion of any existing nonresidential real property to a common interest project, such as condominiums or any other similar form of common ownership, except conversion projects for which a final or parcel map has been approved prior to the effective date of this Development Code. All provisions, conditions, and further definitions of condominium development, as included in the California Civil Code, shall apply to the divisions of real property as permitted herein.

A. Purpose. The purpose of this Section is to provide a legal process for the conversion of existing nonresidential buildings to a common interest ownership, such as a condominium, so as to protect both the community and the purchasers of units within a common interest project. This Section provides regulations to ensure adequate and safe building design and maintenance for all industrial and commercial common interest conversions, in order to achieve this goal.

B. Applicability. Any conversion to a nonresidential common interest project shall be subject to all applicable provisions of the Subdivision Map Act (commencing with GC Section 66410), the requirements of this Section, and all other applicable requirements of this Development Code and the Ontario Municipal Code.

C. Application Requirements. A request for the approval of a parcel map for a nonresidential common interest project conversion, shall be accompanied by the following items:

1. Subdivision Application. A subdivision application as required by Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Development Code.

2. Physical Elements Report. A physical elements report shall be submitted for each structure and/or facility, as described in Paragraph C.2 (Physical Elements Report) of Section 6.08.045 (Conversion to a Residential Common Interest Project) of this Division.

3. Notice to Tenants. Proof of all written notices required by the Subdivision Map Act for conversion projects, as listed in Subsection E (Notice to Tenants) of Section 6.08.045 (Conversion to a Residential Common Interest Project) of this Division.

4. Plans and Information. Provide plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to process the conversion, as identified on the applicable City application forms.

5. Proposed Declaration. Provide a copy of the declaration required by CC Section 1353. The declaration shall include an agreement for the creation of an association responsible for common area maintenance, a clear designation of parking and signage rights, and a method for resolving differences.

6. Development Plan Application Required. The developer shall submit a Development Plan application for approval of the conversion pursuant to Section 4.02.030 (Development Plans) of this Development Code.

D. Procedures.

1. Acceptance of Reports. The final form of the reports and other documents required under Subsection C (Application Requirements) of this Section shall be as approved by the City. The reports, in their accepted form, shall remain on file with the City for review by the public. The subdivider shall provide each purchaser with a copy of the reports in their final, accepted form.

2. Inspection. In conjunction with the filing of a nonresidential common interest project conversion request, the subdivider shall request that an inspection of the premises be made by the Building Official and the City Engineer. The inspection shall include structures, common areas, site improvements, public improvements, and all other related facilities. A deficiency list shall be compiled during the inspection, which lists all necessary corrections required to conform to the requirements of this Section and all other applicable codes and ordinances.

3. Corrective Work. Upon completion of the inspection required pursuant to Paragraph D.2 (Inspection), above, a copy of the deficiency list shall be transmitted to the subdivider. All deficiencies shall be corrected to the satisfaction of the City prior to filing a final map or parcel map. When plans for corrective work are required, they shall be as approved by the appropriate city official, prior to the filing of the final map or parcel map.

4. Payment of Inspection Fees. The City shall charge the usual fees, if applicable, or an hourly fee for the inspection and processing according to an estimated actual hourly cost to the city. The owner shall post a cash deposit in an amount equal to the estimated cost of inspection. The deposit will be applied toward the inspection fee, with any refund or balance due to be resolved before the approval of the final map by the Approving Authority. Any unpaid balances shall be paid prior to recordation of the final map.

E. Standards for Conversion.

1. Building and Physical Standards.

a. Building Regulations. The project shall conform to the applicable standards of the City's Building Code that was in effect at the time the last building permit was issued for the affected structures.

b. Fire Prevention. Each unit shall be provided with a fire-warning system conforming to the City's Building Code. All fire hydrants, fire alarm systems, portable fire extinguishers and other fire protective appliances shall be retained in an operable condition at all times.

c. Sound Transmission.

(1) *Vibration Transmission.* All permanent mechanical equipment, such as motors, compressors, pumps, compactors, or any item determined by the Building Official to be a source of structural vibration or structural-borne noise shall be vibration-isolated with inertia blocks or bases, or vibration isolator springs, in a manner approved by the Building Official.

(2) *Noise Standards.* The structures shall conform to all interior and exterior sound transmission standards of CCR Title 24, the City's Building Code, and the requirements of Ontario Municipal Code Chapter 29 (Noise). The Approving Authority may require additional insulation or other upgrades to reduce noise to an acceptable level.

d. Utility Metering. Each unit shall be separately metered for gas, electricity and water, unless the covenants, conditions, and restrictions provide for the property owner association to take responsibility for these utilities.

e. Landscape Maintenance. All landscaping shall be restored, or new landscaping shall be installed, to achieve a high degree of appearance and quality pursuant to Division 6.05 (Landscaping) of this Development Code. Provisions shall be made within the declaration required pursuant to Paragraph C.5 (Proposed Declaration) of this Section, for continuing maintenance of all landscaped areas. Existing landscaping is subject to review and approval by the Approving Authority. If new landscaping is proposed, the design of all landscaping is subject to review and approval by the City.

f. Off-Street Parking and Loading. Off-street parking and loading shall be provided pursuant to the requirements of Division 6.03 (Off-Street Parking and Loading) this Development Code, for allowed commercial and industrial land uses, as applicable.

g. Refurbishing and Restoration of Improvements. Each main building, structure, fence, accessory building, sidewalk, driveway, landscaped area, utilities, and additional element as required by the department shall be refurbished and restored as necessary to achieve a high degree of appearance, quality and safety. The refurbishing and restoration is subject to review and approval by the department.

h. Building Security Standards. Each unit shall comply with all applicable provisions of Ontario Municipal Code Chapter 11 (Security Standards for Building).

i. Dedication of Land and Easements. The developer shall dedicate land or easements for street widening, public access, or other public purposes in connection with the project, where determined necessary by the Approving Authority, and in conformance with this Development Code.

j. Undergrounding of Overhead Utilities. All on-site and adjacent overhead utility service lines and poles shall be converted to an underground system consistent with the requirements of this Development Code.

k. Copies of Reports and Documentation to be Provided to New Property Owners. The developer shall provide each purchaser with a copy of the below-listed items, prior to executing any purchase agreement or other contract to purchase a unit within the project and shall give the purchaser sufficient time to review the information. In addition, copies of the required reports and documentation shall be provided to the Property Owner Association upon its formation.

(1) Reports and documentation required by Paragraph C.2 (Physical Elements Report) of this Section, in their final form as accepted by the City; and

(2) A copy of the covenants, conditions, and restrictions.

l. Additional Conditions. Additional conditions may be applied as deemed necessary by the Approving Authority to further the intent of this Section.

2. Securities and Penalties. All improvements and alterations required pursuant to this Section and all other applicable requirements of this Development Code, the Ontario Municipal Code, and the conditions of project approval, shall be made prior to the approval of the final

map or parcel map, or upon approval of the Planning Director, City Engineer, and Building Official, and a deposit paid to the City pursuant to Division 2.06 (Performance Guarantees), to assure the completion of all required work prior to the closing of escrow on any unit within the project. The deposit shall be accompanied by an agreement by the developer, and owner of the project if different from the developer, in a form to be approved by the city attorney, guaranteeing completion of the work.

F. **Findings.** The Approving Authority may not approve a request for a conversion to an industrial or commercial common interest project, unless it finds and clearly establishes that the proposed conversion conforms to the requirements of this Section, and is consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and all other applicable requirements of this Development Code and the Ontario Municipal Code.

6.08.060: Urban Lot Splits

A. **Purpose.** The purpose of this Section is to allow and appropriately regulate Urban Lot Splits pursuant to GC Section 66411.7.

B. **Definition**. For the purposes of this Section, the term "Urban Lot Split" shall mean the subdivision of an existing, legally subdivided lot into two lots pursuant to the requirements of this Section.

C. **Application**.

1. Only individual property owners may apply for an Urban Lot Split. "Individual property owner" means a natural person holding fee title individually or jointly in the person's own name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, LP, LLC, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Section 214.15).

2. An application for an Urban Lot Split shall be submitted on a City application form. Only a complete application will be considered. The City will inform the applicant in writing of any incompleteness within 30 days following application submittal.

3. The City may establish a fee to recover its costs for adopting, implementing, and enforcing this Section of the Development Code, pursuant to applicable law. The City council may establish and change the fee by resolution. The fee shall be paid with the application.

D. **Approval**.

1. An application for a parcel map for an Urban Lot Split is approved or denied ministerially, by the City Engineer, without discretionary review.

2. A tentative parcel map for an Urban Lot Split shall be approved ministerially if it complies with all the requirements of this Section. The tentative parcel map may not be recorded. A final parcel map shall be approved ministerially as well, but not until the owner demonstrates that all required documents have been recorded, such as the deed restriction and easements. The tentative parcel map shall expire 3 months following approval.

3. The approval shall require the owner and applicant to hold the City of Ontario harmless from all claims and damages related to the approval and its subject matter.

4. The approval shall require the owner and applicant to reimburse the City for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this Development Code.

E. Requirements. An Urban Lot Split shall satisfy each of the following requirements:

1. Subdivision Map Act Compliance.

a. The Urban Lot Split shall conform to all applicable objective requirements of the Subdivision Map Act (GC Section 66410 et seq., "SMA"), including implementing requirements in this Development Code, except as otherwise expressly provided in this Section.

b. If an Urban Lot Split violates any part of the SMA, the City's subdivision regulations, including this Section, or any other legal requirement:

(1) The buyer or grantee of a lot that is created by the Urban Lot Split has all the remedies available under the SMA, including but not limited to an action for damages or to void the deed, sale, or contract.

(2) The City has all the remedies available to it under the SMA, including but not limited to the following:

(a) An action to enjoin any attempt to sell, lease, or finance the property.

(b) An action for other legal, equitable, or summary remedy, such as declaratory and injunctive relief.

(c) Criminal prosecution, punishable by imprisonment in county jail or state prison for up to one year, by a fine of up to $10,000, or both, or a misdemeanor.

(d) Record a notice of violation.

(e) Withhold any or all future permits and approvals.

c. Notwithstanding Section 66411.1 of the SMA, no dedication of rights-of-way or construction of offsite improvements is required for an Urban Lot Split.

2. Zoning District. The lot to be split is in a single-family residential zoning district. For purposes of this Section, the term "single-family residential zoning district" shall mean the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district.

3. Lot Location. Pursuant to the GC Section 65913.4(a)(6)(B) through (K), the lot to be split shall not be located on a site that is any of the following:

a. Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters.

b. A wetland.

c. Within a very high fire hazard severity zone, unless the site complies with all fire-hazard mitigation measures required by existing building standards.

d. A hazardous waste site that has not been cleared for residential use.

e. Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection building code standards.

f. Within a 100-year flood hazard area, unless the site has either:

(1) Been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction; or

(2) Meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.

g. Within a regulatory floodway, unless all development on the site has received a no-rise certification.

h. Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.

i. Habitat for protected species.

j. Land under conservation easement.

4. Not Historic. The lot to be split shall not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a city or county landmark or as a historic property or district.

5. No Prior Urban Lot Split.

a. The lot to be split was not established through a prior Urban Lot Split.

b. The lot to be split is not adjacent to any lot that was established through a prior Urban Lot Split by the owner of the lot to be split or by any person acting in concert with the owner. For the purposes of this Section, the term "any person acting in concert with the owner" shall include any third-party that coordinates or assists the owners of two adjacent lots with their respective Urban Lot Splits.

6. No Impact on Protected Housing. The Urban Lot Split shall not require or include the demolition or alteration of any of the following types of housing:

a. Housing that is income-restricted for households of moderate, low, or very low income.

b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its policy power.

c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (GC Sections 7060–7060.7) at any time in the 15 years prior to submission of the Urban Lot Split application.

d. Housing that has been occupied by a tenant in the last 3 years. The applicant and the owner of a property for which an Urban Lot Split is sought shall provide a sworn statement as to this fact with the application for the tentative parcel map. The City may conduct its own inquiries and investigation to ascertain the veracity of the sworn statement, including but not limited to, surveying owners of nearby properties; and the City may require additional evidence of the applicant and owner as necessary to determine compliance with this requirement.

7. Lot Size.

a. The lot to be split shall be at least 2,400 SF.

b. Each lot created by an Urban Lot Split shall be at least 1,200 SF.

c. Each lot created by an Urban Lot Split shall be between 60 percent and 40 percent of the original lot area.

8. Easements.

a. The owner shall enter into an easement agreement with each public-service provider to establish easements that are sufficient for the provision of public services and facilities to each of the resulting lots.

b. Each easement shall be shown on the parcel map.

c. Copies of the unrecorded easement agreements shall be submitted with the application. The easement agreements shall be recorded against the property before the final parcel map may be approved pursuant to subpart D.2 above.

9. Lot Access.

a. Each lot created by an Urban Lot Split shall adjoin a public street right-of-way.

b. Each lot created by an Urban Lot Split shall have frontage on the public street right-of-way of at least 20 FT.

10. Unit Standards.

a. *Quantity*. No more than two dwelling units of any kind may be built on a lot that results from an Urban Lot Split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created pursuant to State law and Section 5.03.403 (Two-Unit Projects) of this Development Code, or an ADU or JADU created pursuant to Section 5.03.010 (Accessory Dwelling Unit) of this Development Code.

b. *Unit Size*.

(1) The total floor area of each primary dwelling that is developed on a lot resulting from an Urban Lot Split shall be a minimum of 500 SF in area and a maximum of 800 SF in area.

(2) A primary dwelling that was legally established prior to the Urban Lot Split and that is larger than 800 SF is limited to the lawful floor area at the time of the Urban Lot Split and shall not be expanded.

(3) A primary dwelling that was legally established prior to the Urban Lot Split and is smaller than 800 SF may be expanded to a maximum of 800 SF after the Urban Lot Split.

c. *Height Restrictions*.

(1) On a resulting lot that is 2,000 SF or larger, no new primary dwelling unit may exceed one-story or 16 FT in height, measured from grade to peak of the structure.

(2) On a resulting lot that is smaller than 2,000 SF, no new primary dwelling unit may exceed two-stories or 22 FT in height, measured from grade to peak of the structure. Any portion of a new primary dwelling that exceeds one story in height shall be stepped back by an additional 5 FT from the ground floor; no balcony deck or other portion of the second story may project into the stepback.

(3) No rooftop deck is permitted on any new or remodeled dwelling or structure on a lot resulting from an Urban Lot Split.

d. *Lot Coverage*. Maximum lot coverage shall conform to the requirement of the underlying zoning district. This lot coverage standard is only enforced to the extent that it does not prevent two primary dwelling units on the lot at 800 SF each.

e. *Setback Requirements*.

(1) **Generally**. All setbacks shall conform to the minimum requirements of the underlying zoning district.

(2) **Exceptions**. Notwithstanding subpart E.10.e above:

(a) Existing Structures. No setback is required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.

(b) Cannot Preclude Construction of Two 800-SF Units and 4-FT Side/Rear Setbacks. The setbacks imposed by the underlying zoning district shall yield to the degree necessary to avoid physically precluding the construction of up to two units on the lot or either of the two units from being at least 800 SF in floor area; but in no event may any structure be less than 4 FT from a side or rear property line.

(3) **Front Setback Area**. Notwithstanding any other part of this Development Code, dwellings that are constructed after an Urban Lot Split shall conform to the front setback requirement of the underlying zoning district. The front setback area shall:

(a) Be kept free from all structures greater than 3 FT high; and

(b) Allow for vehicular and fire-safety access to the front structure.

f. *Parking*. Each new primary dwelling unit shall have at least one off-street parking space per unit within a fully enclosed garage having a minimum interior clear area measuring 10 FT in width and 20 FT in length, unless one of the following applies:

(1) The lot is located within one-half mile walking distance of either:

(a) A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours or

(b) A site that contains:

(i) An existing rail or bus rapid transit station,

(ii) A ferry terminal served by either a bus or rail transit service, or

(iii) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

(2) The site is located within one-block of a permanently established car-share vehicle pickup/drop-off location.

g. *Architecture*.

(1) If there is a legal primary dwelling on the lot that was established before the Urban Lot Split, any new primary dwelling unit shall match the existing primary dwelling unit with respect to exterior materials, finishes, color, and dominant roof pitch. The dominant roof pitch means the slope shared by the largest portion of the roof.

(2) If there is no legal primary dwelling on the lot before the Urban Lot Split, and if two primary dwellings are developed on the lot, the dwellings shall match each other with respect to exterior materials, finishes, color, and dominant roof pitch. The dominant roof pitch means the slope shared by the largest portion of the roof.

(3) All exterior lighting shall be limited to down-lights.

(4) No window or door of a dwelling that is constructed on the lot may have a direct line of sight to an adjoining residential property. Decorative masonry block walls, dense landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.

(5) If a dwelling is constructed on a lot after an Urban Lot Split and any portion of the dwelling is less than 30 FT from a property line that is not a public street right-of-way line, then all windows and doors in that portion shall either be (for windows) clerestory with the bottom of the glass at least 6 FT above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.

h. *Walls, Fences, and Obstructions*.

(1) Lots created as a result of an Urban Lot Split shall be provided with 6-FT high decorative masonry block walls (reduced to 3 FT in height within front setback areas) at the following locations:

(a) Interior side and rear lot lines of each lot; and

(b) Street side property lines and along the rear property line of through lots, setback a minimum of 5 FT behind the sidewalk.

(2) The construction and maintenance of walls, fences, and other obstructions shall comply with the requirements of Division 6.02 (Walls, Fences, and Obstructions) of this Chapter.

i. *Landscaping*. Lots created as a result of an Urban Lot Split shall be fully landscaped and provided with a permanent automatic irrigation system pursuant to the requirements Division 6.05 (Landscaping) of this Chapter.

j. *Nonconforming Conditions*. An Urban Lot Split may be approved without requiring a legal nonconforming zoning condition to be corrected.

k. *Utilities*.

(1) Each primary dwelling unit on the resulting lots shall have its own direct utility connection to the utility service provider.

(2) Each primary dwelling unit on the resulting lots that is or that is proposed to be connected to an onsite wastewater treatment system shall first have a percolation test completed within the last 5 years or, if the percolation test has been recertified, within the last 10 years.

l. *Building and Safety*. An Urban Lot Split is a change of use. All structures built on a lot resulting from an Urban Lot Split shall comply with all current local building standards.

11. Fire-Hazard Mitigation Measures.

a. A lot in a very high fire hazard severity zone shall comply with each of the following fire-hazard mitigation measures:

(1) It shall have direct access to a public street right-of-way with a paved street with a width of at least 40 FT. The public street right-of-way shall have at least two independent points of access for fire and life safety to access and for residents to evacuate.

(2) All dwellings on the site shall comply with current Fire Code requirements for dwellings in a very high fire hazard severity zone.

(3) All enclosed structures on the site shall have fire sprinklers.

(4) All sides of all dwellings on the site shall be within a 150-FT hose-pull distance from either the public street right-of-way or of an onsite fire hydrant or standpipe.

(5) If the lot does not have a swimming pool, the lot shall have a water reservoir of at least 5,000 gallons per dwelling, with fire-authority approved hookups compatible with fire-authority standard pump and hose equipment.

b. Prior to submitting an application for an Urban Lot Split, the applicant shall obtain a certificate of compliance with all applicable fire-hazard mitigation measures pursuant to this subpart E.11. The City or its authorized agent shall inspect the site, including all structures on the site, and certify as to its compliance. The certificate shall be included with the application. The applicant shall pay the City's costs for inspection. Failure to pay is grounds for denying the application.

12. Separate Conveyance.

a. On a lot created by an Urban Lot Split:

(1) Primary dwelling units cannot be owned or conveyed separately from each other.

(2) Condominium airspace divisions and common interest developments are prohibited.

(3) All fee interest in a lot and all dwellings on the lot shall be held equally and undivided by all individual property owners.

(4) Separate conveyance of lots created by an Urban Lot Split is permitted. If dwellings or other structures (such as garages) on different lots are adjacent or attached to each other, the Urban Lot Split boundary may separate them for conveyance purposes if the structures meet Building Code safety standards and are sufficient to allow separate conveyance. If any attached structures span or will span the new lot line, the owner shall record appropriate CC&Rs, easements, or other documentation that is necessary to allocate rights and responsibility between the owners of the two lots.

13. Regulation of Uses.

a. *Residential-Only*. Nonresidential land uses shall be prohibited on any lot created by Urban Lot Split.

b. *No Short Term Rentals*. No dwelling unit on a lot that is created by an Urban Lot Split may be rented for a period of less than 30 days.

c. *Owner Occupancy*. The applicant for an Urban Lot Split shall sign an affidavit stating that the applicant intends to occupy one of the dwelling units on one of the resulting lots as the applicant's principal residence for a minimum of 3 years after the Urban Lot Split is approved.

14. Notice of Construction.

a. At least 30 business days prior to the starting any construction of a structure on a lot created by an Urban Lot Split, the property owner shall give written notice to all the owners of record of each of the adjacent residential parcels, which notice shall include the following information:

(1) Notice that construction has been authorized,

(2) The anticipated start and end dates for construction,

(3) The hours of construction,

(4) Contact information for the project manager (for construction-related complaints), and

(5) Contact information for the Building & Safety Department.

b. This notice requirement does not confer a right on the noticed persons or on anyone else to comment on the project before permits are issued. The approval of an Urban Lot Split is ministerial and under state law, the City has no discretion in approving or denying a particular project under this Section. This notice requirement is purely to promote neighborhood awareness and expectation.

15. Deed Restriction. The owner shall record a deed restriction, acceptable to the City, that does each of the following:

a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.

b. Expressly prohibits any nonresidential land use of Urban Lot Split.

c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest development within the lot.

d. States that the property is formed by an Urban Lot Split and is, therefore, subject to the City's Urban Lot Split regulations, including all applicable limits on dwelling size and development.

F. Specific Adverse Impacts.

1. Notwithstanding anything else in this Section, the City may deny an application for an Urban Lot Split if the building official makes a written finding, based on a preponderance of the evidence, that the project would have a "specific, adverse impact" on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

2. The term "specific adverse impact" has the same meaning as in GC Section 65589.5(d)(2): "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" and does not include (1) inconsistency with the zoning ordinance or general plan land use designation or (2) the eligibility to claim a welfare exemption under Revenue and Taxation Code Section 214(g).

3. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.

Division 6.09—Reserved

**********Reserved for Future Use**********

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Division 6.10—Reserved

**********Reserved for Future Use**********

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Division 6.11—Shopping Cart Retention and Storage

Sections:

6.11.000: Purpose
6.11.005: Applicability
6.11.010: Definitions
6.11.015: Exemption
6.11.020: Mandatory Shopping Cart Retention Plan
6.11.025: Shopping Cart Retention Plan Timeline and Approval Process
6.11.030: Penalties for Failing to Submit a Shopping Cart Retention Plan
6.11.035: Notification for Retrieval of Abandoned Carts
6.11.040: Administrative Costs and Fines
6.11.045: Disposition of Carts after 30 Days
6.11.050: Unmarked Shopping Carts: Public Nuisance
6.11.055: Unmarked Shopping Carts: Destruction
6.11.060: Shopping Cart Collection and Storage Facilities

6.11.000: Purpose

Abandoned shopping carts constitute a nuisance, create potential hazards to the health and safety of the public, and interfere with pedestrian and vehicular traffic within the City. The accumulation of wrecked, dismantled, and abandoned shopping carts on public or private property also tends to create conditions that reduce property values, promoting blight and deterioration in the City. The purpose of this Division is to provide regulations pertaining to abandoned shopping carts, unmarked shopping carts, provide a requirement for a mandatory plan to prevent cart removal, and provide adequate facilities for on-site cart storage.

6.11.005: Applicability

Any business establishment in the City that provides shopping carts for use by their patrons shall develop and implement a Shopping Cart Retention Plan, which is intended to prevent customers from removing carts from their business premises and provide appropriate cart storage areas pursuant to this Division. The Shopping Cart Retention Plan shall be reviewed and approved by the Planning Director pursuant to the procedures established for ministerial permits and decisions contained in Subsection 2.02.015.C (Ministerial Permits and Decisions) of this Development Code.

6.11.010: Definitions

As used in this Division, unless otherwise apparent from the context, the words, terms, and phrases listed below, shall have the following meaning:

A. **Abandoned Cart.** Any cart that has been removed without written permission of the owner, or on-duty manager from the premises of the business establishment, regardless of whether it has been left on either private or public property. This provision shall not apply to carts that are removed for the purpose of repair or maintenance.

B. **Cart.** A basket that is mounted on wheels or similar devise provided by a business establishment for use by a customer for the purpose of transporting goods of any kind, including, but not limited to, grocery store shopping carts.

C. **Owner.** Any person or entity, who in connection with the conduct of a business, owns, possesses, or makes any cart available to customers or the public. For the purposes of this Division, "owner" shall also include the owner's on-site or designated agent or retailer that provides the carts for use by its customers.

D. **Premises.** The entire area owned and utilized by the business establishment that provides carts for use by customers, including any parking lot or other property provided by the owner for customer parking.

E. **Unmarked Cart.** Any cart as defined by this Division that is not identified and marked pursuant to PC Section 22435.1.

6.11.015: Exemption

Any owner that agrees to enter into a contract with a City-designated retrieval service to provide for retrieval of abandoned carts, or, individually or as part of a consortium of businesses, enters into a retrieval contract with a retrieval service that is satisfactory to the City, shall be exempt from Section 6.11.025 (Prevention Plan Timeline and Approval Process), Section 6.11.030 (Penalties for Failing to Submit a Shopping Cart Retention Plan), and Section 6.11.035 (Notification for Retrieval of Abandoned Carts), below.

6.11.020: Mandatory Shopping Cart Retention Plan

Every business owner shall develop and implement a Shopping Cart Retention Plan for all businesses that utilize shopping carts for use by business patrons, to prevent customers from removing carts from the business premises. Every Shopping Cart Retention Plan shall include the following elements:

A. **Required Signs on Carts.** Every cart owned or provided by any business establishment in the City shall have a sign permanently affixed to it that contains all of the following information:

1. Identifies the owner of the cart or the name of the business establishment, or both;

2. Notifies the public of the procedure to be utilized for authorized removal of the cart from the business premises;

3. Notifies the public that the unauthorized removal of the cart from the premises or parking area of the retail establishment, or the unauthorized possession of the cart, is a violation of State law; and

4. Lists a valid telephone number to contact to report the location of the abandoned cart or lists an address for returning the cart to the owner or business establishment.

B. **Required Signs on Property.** Signs shall be placed in pertinent places near door exits and near parking lot exists that notify customers that cart removal is prohibited and constitutes a violation of State and local law.

C. Physical Measures.

1. New development, an increase of more than 10 percent in GFA, or the major alteration or remodel of any building occupied by, or proposed to be occupied by, retail commercial uses providing 10 or more shopping carts for use by business patrons, shall install and maintain in good working order, an electronic barrier system at the perimeter of the business site, which, when crossed by a shopping cart, will disable the cart, thereby preventing its removal from the site. Alternate cart retention methods that would achieve the same outcome may be considered by the Planning Director.

2. New and existing businesses providing less than 10 shopping carts for use by patrons, may be required to implement specific physical measures to prevent shopping cart removal from the business premises. These measures may include one or more of the following:

a. Installation of disabling devices on all carts;

b. Posting of a security guard to deter and stop customers who attempt to remove carts from the premises;

c. A decorative bollard and chain system or decorative fencing installed around the business premises to prevent cart removal;

d. Security deposits required for the use of all carts; and/or

e. The rental or sale of carts that can be temporarily or permanently used for the transport of purchases.

6.11.025: Shopping Cart Retention Plan Timeline and Approval Process

The Shopping Cart Retention Plan shall be submitted for approval by the City within 60 days after adoption of this Division, and each time the plan is proposed to be amended. If a new Plan is submitted, the proposed measures shall be implemented no later than 30 days after City approval is given. The prevention measures shall be continued until and unless the City indicates that measures need to be modified. Unless otherwise agreed, any modifications to the Plan imposed by the City shall be implemented within 30 days after the City notifies the retailer of the needed modifications.

6.11.030: Penalties for Failing to Submit a Shopping Cart Retention Plan

Any owner that fails to submit a Shopping Cart Retention Plan, implement the proposed Plan measures, or implement any required modifications to the Plan by the City within the periods specified in this Division, shall be subject to a $1,000 civil penalty, plus an additional penalty of $50 for each day of noncompliance.

6.11.035: Notification for Retrieval of Abandoned Carts

Pursuant to BPC Section 22435.7, the City shall notify the owner of any abandoned carts owned or used by the business establishment that have been located within the City within 24 hours of impoundment. The owner shall have 3 business days from the date that notification is given to retrieve carts from the City.

6.11.040: Administrative Costs and Fines

Pursuant to BPC Section 22435.7, any owner that fails to retrieve its abandoned cart(s) within 3 business days after receiving notice from the City, shall pay the City's administrative costs for retrieving the cart(s) and providing the notification to the owner. Any owner who fails to retrieve abandoned carts in accordance with this Division in excess of 3 times during a 6-month period shall be subject to a $50 fine for each occurrence. An occurrence includes all carts owned by the owner that are impounded by the City in a one-day period.

6.11.045: Disposition of Carts after 30 Days

Pursuant to State law, any cart not reclaimed from the City within 30 days after notification to the owner, shall be sold or otherwise disposed of by the City.

6.11.050: Unmarked Shopping Carts: Public Nuisance

Any unmarked shopping cart is hereby declared a public nuisance if:

A. It is left unattended on a public right-of-way or other public property;

B. It is left unattended on any private property at a location that will impede emergency services;

C. It is left unattended on the front or side setback of any private property without the owner's or occupant's permission; or

D. It is left on private property where it may be viewed from the public right-of-way or adjacent properties for more than 24 hours after the occupant, if any, and the owner of the property has received written notice which states that if the shopping cart is not removed from public view, it will be impounded by the City and may be sold or otherwise disposed of by the City.

6.11.055: Unmarked Shopping Carts: Destruction

Any carts found to be unmarked as defined by this Division, and has been impounded by the City, shall be destroyed without any further notice other than as specified in Subsection 6.11.050.D of this Division.

6.11.060: Shopping Cart Collection and Storage Facilities

Shopping cart storage facilities shall be provided for commercial-retail uses, including, but not limited to, automotive parts and supplies, food and beverage stores, health and personal care stores, general merchandise stores, and other miscellaneous retail stores, for 3 separate and distinct purposes: [1] the overnight or long-term storage of shopping carts; [2] the distribution of shopping carts to patrons as they enter the business; and [3] stations for the collection and storage of shopping carts within off-street parking facilities.

A. The Overnight or Long-Term Storage of Shopping Carts.

1. Facilities for the overnight or long-term storage of shopping carts shall be located within the building of the business they serve, or outside, within screened areas. Outside overnight shopping cart storage areas shall be screened and secured by a minimum 3-FT high decorative masonry wall, with a decorative cap, in combination with landscaping. The wall shall be designed to be architecturally consistent with the design of the adjacent building(s).

2. The minimum size, design, and location of overnight shopping cart storage areas shall be subject to Planning Director approval.

B. Stations for the Collection and Storage of Shopping Carts within Off-Street Parking Facilities (Shopping Cart Corrals). Shopping cart corrals shall be provided within off-street parking facilities and shall be distributed throughout parking lots for convenient access by business patrons.

1. At a minimum, shopping cart corrals shall be defined by a landscaped planter on at least two opposing perimeter sides, minimum 3 FT in width, bordered by a raised 6-inch concrete curb, which shall be planted and maintained with a hedgerow that will be allowed to grow to a minimum height of 3 FT for the purpose of screening shopping carts. The paving at the corral entrance shall be slightly raised to keep shopping carts confined within the corral. Within the required planter area, the construction of a 3-FT high decorative masonry wall with a decorative cap is encouraged, to provide further screening. The use of pipe corrals shall not be permitted.

2. Shopping cart corrals shall be distributed throughout the off-street parking area. The minimum number, dimensions, and locations of shopping cart corrals shall be determined by the Planning Director.

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Chapter 8.0:
Sign Regulations

Division 8.01—Sign Regulations

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Division 8.01—Sign Regulations

Sections:

8.01.000: Purpose
8.01.005: Applicability
8.01.010: Exempt Signs
8.01.015: Prohibited Signs
8.01.020: Sign Standards
8.01.025: Design Guidelines

8.01.000: Purpose

A. The regulations set forth by this Division contain the primary tools for implementing the sign policies, standards, and regulations of the City pursuant to the provisions of the State Outdoor Advertising Act (BPC Section 5200 et seq.), and other applicable state and local requirements, and prescribe standards for the type, placement, size, number, height, and illumination of signs in order to achieve the following purposes:

1. Maintain the attractiveness and orderliness of the City's appearance by avoiding sign clutter;

2. Protect agricultural, residential, commercial, industrial, civic, open space and utilities, from the loss of visual prominence resulting from excessive signing on nearby sites;

3. Protect public and private investment in buildings and open spaces;

4. Protect residentially zoned areas lying adjacent to commercial and industrial areas from the negative effects of excessive signs;

5. Enable users of goods and services to identify establishments offering services to meet their needs;

6. Encourage sound signing practices as an aid to business and inform the public, but to prevent excessive and confusing sign displays;

7. Regulate the number, size, height, and location of signs according to standards consistent with the types of establishments in each zoning district;

8. Promote traffic safety through appropriate and reasonable controls on signs;

9. Promote the public health, safety, and welfare by regulating and controlling all matters relating to signs; and

10. Protect the health, safety, and welfare of City residents from hazards resulting from improper, excessive, distracting and otherwise unsafe signage.

B. It is the determination of the City Council that a sign is intended to serve primarily to identify the general nature of an establishment, or to direct attention to a product, activity, place, person, organization or enterprise. The City Council further determines that as identification devices, signs should not subject the citizenry to excessive competition for their visual attention, and as

appropriate identification devices, signs should harmonize with the building or activity they serve, the neighborhood in which they are located, and other signs within the surrounding area and in the same zoning district.

C. The installation of signs that improve the appearance of a building and neighborhood is encouraged. As such, The City Council hereby promotes the use of artistry and innovation in the design of signs is decidedly encouraged.

8.01.005: Applicability

A. No sign, including copy change or a temporary sign, shall be approved and a permit therefore issued, except in conformance with the requirements of Table 2.02-1 (Review Matrix) and Section 4.03.020 (Sign Plans) of this Development Code, and the requirements of this Division.

B. No sign shall be erected, constructed, attached, affixed, or maintained on any property, except in conformity with the provisions of this Division, and expressly exempted by the provisions of Section 8.01.010 (Exempt Signs) of this Division.

C. It shall be illegal to use, occupy, or maintain property in violation of this Division. Any violation or failure to comply with the provisions of this Division shall render a person guilty of such violation, punishable in accordance with OMC Title 1, Chapter 2 (Penalty Provisions).

8.01.010: Exempt Signs

No sign, including copy change or a temporary sign, shall be placed, installed, constructed, displayed, or altered without a Sign Plan approved by the City pursuant to Section 4.03.020 (Sign Plans) of this Development Code, excepting the following:

A. **Official Notices.** Any sign, posting, notice or other indication used exclusively to display official notices, notices of any court or public office, or posted by a public officer in the performance of a public duty, or required by a public entity in carrying out its responsibility to protect the public health, safety or welfare, or otherwise required by law.

B. **Street and Traffic Control Signs.** Street name and traffic control signs, directional signs, informational signs of a public or semi-public nature, historical markers placed by a governmental or non-profit organization, and railroad crossing, danger, or other emergency warning signs, provided that no individual sign exceeds 4 SF in area.

C. **Directional Signs.** Signs guiding and directing traffic in parking lots and facilities, provided that no individual signs exceed 4 SF in area and 4 FT in height.

D. **Public Convenience Signs.** Signs showing the location of public restrooms, telephones, other public conveniences, and underground utilities, provided no individual sign exceeds 2 SF in area.

E. **Business Hours, Emergency Phone Numbers, Honoring Credit Cards, and Association Membership Signs.** Signs indicating business hours, emergency phone numbers, honoring credit cards, association memberships and similar types of sign, provided no individual sign exceeds one SF in area and the total area of all such signs does not exceed 4 SF.

F. **Interior Signs.** Signs located entirely within a building, structure or complex of buildings, which are not visible from a public street or from other adjacent properties.

G. **Menu Boards for Drive-In, Drive-Through, and Walk-Up Restaurants.** Menu boards not exceeding 36 SF in area and 6 FT in height for drive-in, drive-through, and walk-up restaurants, not to exceed 2 menu boards per restaurant.

H. **Building Plaques.** The names of buildings and dates of erection and dedicatory, memorial or historical plaques not exceeding 4 SF in area, which are constructed of bronze or other nonflammable material.

I. **Political Signs.** Political campaign signs installed pursuant to Subsection 8.01.025.J (Political Signs) of this Division.

J. **Posters and Bulletin Boards.** Temporary posters on private property, not exceeding 4 SF in area, which are located in windows or on bulletin boards, advertising benefit activities and events sponsored by local nonprofit organizations.

K. **Holiday Lights and Displays.** Holiday lights and displays that do not advertise any business establishment, product, or other commercial activity, limited to 30 days within any 60-day period.

L. **Real Estate and Construction Signs.** Temporary real estate and construction signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

M. **Home Occupation Signs.** Signs attached to the exterior wall of a dwelling, at or near the building entrance, which identify a legally established home occupation conducted therein, not to exceed one sign per dwelling, maximum 18 inches square in size, and mounted at eye level, no higher than 6 FT above finished floor of the dwelling, measured at the top edge of the sign.

8.01.015: Prohibited Signs

The following signs and circumstances are expressly prohibited within the City, except as otherwise provided by this Division:

A. Any sign not specifically allowed by this Division; however, nothing in this Division shall be construed to prohibit any sign, notice, or advertisement required by Federal, State, or local laws.

B. Billboards, including vehicle-mounted billboards (roving or stationary), excepting **[i]** billboards established pursuant to a Billboard Relocation Agreement, implemented pursuant to Section 4.02.010 (Billboard Relocation Agreements); and **[ii]** billboards located within the ONT zoning district, established pursuant to the requirements of Table 8.01-1 (Sign Regulations Matrix) of this Development Code.

C. Rotating, revolving, or otherwise moving signs designed to attract attention by visual means through the movement or semblance of movement of the whole or any part of the sign, including rotation, special lighting or wind actuated devices, and signs that flash, blink or reflect light by means of a glossy, polished, or mirrored surface, excepting barber poles, time and temperature signs, and electronic message displays allowed pursuant to Paragraph C.3 (Electronic Message Displays) of this Section.

D. Searchlights, open flames, or loudspeakers used to call attention to a product, service or property.

E. Signs that float in the air, such as signs affixed to, or printed on, hot air balloons, helium balloons, or kites, inflated signs, and any other type of aerial sign, except as temporary signs or displays allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

F. Banner signs, except as temporary promotional or special event signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

G. Signs that emit or amplify any sounds or noise.

H. Signs illuminated by lighting that changes in color or intensity of color, excepting electronic message displays allowed pursuant to Paragraph C.3 (Electronic Message Displays) of this Section.

I. Signs that generate particulate matter, including but not limited to, bubbles, smoke, fog, confetti or ashes.

J. Swooper signs, except as temporary promotional or special event signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

K. Signs placed on, affixed to, or erected on or over public rights-of-way, excepting street banners allowed pursuant to Subsection 8.01.025.G (Street Banner Program and Street Banners) of this Division.

L. Signs that identify or advertise a product or service not available on the premises, excepting offsite real estate signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

M. Signs erected on roofs, or that project above the eave, parapet line or roofline, or above a canopy of a building.

N. Internally illuminated signs with a directly exposed source of light.

O. Lit borders consisting of neon or LED fixtures, which are affixed around the interior or exterior perimeter of windows, excepting holiday and/or seasonal lights and displays allowed pursuant to Subsection 8.01.010.K of this Division.

P. Externally illuminated signs where the source of light is directly visible to pedestrians or vehicular traffic.

Q. Signs that emit or reflect light by means of direct fluorescence, phosphorescence, or "day-glow" colors.

R. Signs that obstruct the visual lines of sight at corners or intersections for drivers of motor vehicles.

S. Signs that may obstruct the free use of any exit, entrance, window, vent, emergency access, fire lane, fire hydrant, or standpipe.

T. Signs that may interfere with, obstruct, confuse, or mislead pedestrian or vehicular traffic.

U. Any sign illumination that, in the opinion of the Zoning Administrator, exhibits undue glare.

V. Signs affixed to trucks, automobiles, trailers or any other vehicle that advertise, identify, or provide direction to a use or activity not related to its lawful making of deliveries or sales of merchandise, or rendering of services from such vehicles.

W. Parking of legitimate delivery, sales, or service vehicles in an off-site location, or on-site, within a parking lot adjacent to a public street for the purpose of advertising.

X. Any sandwich board, "A" frame sign, or other portable sign, except as temporary signs or displays allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

Y. Signs affixed to, or painted on, a rock, tree, or any other natural feature.

Z. Changeable copy signs, excepting electronic message displays allowed pursuant to Paragraph 8.01.02~~50~~.C.3 (Electronic Message Displays) of this Division, and those changeable copy signs specifically allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

AA. Any sign having a dimension in excess of 1.5 FT in height and 1.5 FT in width, which identifies a home occupation.

BB. Any sign consisting of several sheets of paper connected together by perforations, tape, staples or any other means.

CC. Signage painted on the exterior walls or fascia of a building or structure.

DD. Supergraphics.

EE. Human signs, including human billboards, human directionals, and sign walkers, wavers and twirlers (holding or wearing a sign, or the act of spinning or dancing while holding or wearing a sign, or wearing a costume, in order to attract attention).

8.01.020: Sign Standards

A. General Regulations.

1. No sign shall be placed on private property, including vacant property, without written authorization from the owner or the occupant, and approval of plans by the City, pursuant to the provisions of Section 4.03.020 (Sign Plans) of this Development Code.

2. No sign shall be placed on public property or within the public right-of-way without written City approval. Signs placed on public property or in the public right-of-way without specific approval, shall be deemed illegal and shall be abated pursuant to the provisions of Section 3.02.015 (Illegal Signs) of this Development Code.

3. Creative and imaginative signage is strongly encouraged and is the standard by which Sign Plan applications will be judged, together with the specific architectural style of adjacent buildings.

4. There are many acceptable sign treatments that may be used; however, a mixed media, three-dimensional approach, which incorporates a combination of fabrication and lighting techniques, is preferred.

5. Consider **[i]** the overall concept of the project a proposed sign will serve, **[ii]** the scale of the proposed sign, and **[iii]** the critical viewing angles and sight lines when designing appropriate graphics and signs for site and storefront installations.

6. A sign shall be located on the same site as the use, activity, or structure it identifies, except as otherwise expressly permitted by this Division.

7. No sign shall resemble a traffic safety or control device or, by intensity of illumination, location or design, impair the vision of, or create a hazard for, motorists on a public street or highway.

8. Lateral and columnar sign supports are to be designed to be architecturally integrated with the building to which it is attached, or so that required bracing, including but not limited to, angle irons, guy wires, cables or other appurtenances, shall not be exposed to public view.

9. All signs shall be constructed to conceal conduits and raceways, exposed wiring, and electrical appurtenances.

B. Sign Regulations.

1. Sign Regulation Matrix. Table 8.01-1 (Sign Regulation Matrix) of this Division, identifies the sign classification, type, number, location, area, height, length, allowed within each zoning district of the City, along with any applicable special regulations. The standards contained in the Sign Regulation Matrix are maximums, unless otherwise stated. The maximum standard established by Table 8.01-1 (Sign Regulation Matrix) may be reduced by the Approving Authority in cases when the Approving Authority can clearly establish by written decision that that implementation of the maximum standard would:

a. Adversely affect the public health, safety or welfare; or

b. Result in a sign design and/or placement inconsistent with the requirements of this Section; or

c. Be contrary to the aesthetic sensibilities of the neighborhood in which the sign is proposed.

2. Downtown Ontario Design Guidelines. The Downtown Ontario Design Guidelines, included as Reference "C" of this Development Code, establishes a set of architectural, graphic, and lighting design principles for the rehabilitation of properties within the City's historic original downtown area (project area). Signs proposed within the project area shall be subject to the sign requirements contained within the Downtown Ontario Design Guidelines. The affected area is bordered by "I" Street on the north, Vine Street on the west, Sultana Avenue on the east, and railroad tracks on the south, and is defined in Figure 1.4 (Land Use Districts) of the Downtown Ontario Design Guidelines. The design guidelines also apply to those properties located across the street from, and directly abut, the project area.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
A. ALL ZONING DISTRICTS (excepting those "specialty signs" listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					
a. **Construction Signs**	One freestanding sign or wall sign per parcel.	32 SF per sign face.	8 FT	No restriction.	**[1]** Signs shall be nonilluminated. **[2]** Signs shall be removed within 5 days following the sale or lease of the last unit, or final Building Department inspection.
b. **Off-Site Residential Subdivision Signs**	Number and location subject to Planning Director approval; however, a sign shall not be located more than 600 FT from any other Off-Site Residential Subdivision Sign location.	35 SF	Sign: 7 FT (overall) Business Panel Signs: 10 inches (each)	Panel: 5 FT (each)	**[1]** The design, construction materials, and color scheme of Off-Site Residential Subdivision Signs shall be pursuant to an Off-Site Residential Subdivision Sign Program approved by the Planning Director. No more than 6 sign panels shall be affixed to any one structure. **[2]** Each sign panel may only contain the name of the residential subdivision and a directional arrow. **[3]** The placement of Off-Site Residential Subdivision Signs within the public right-of-way shall be subject to approval of an encroachment permit by the City Engineer. **[4]** No flags, balloons, pennants, or other riders or decorations are permitted. The illumination of Off-Site Subdivision Signs is not permitted. **[5]** Signs shall not advertise residential subdivisions located outside of the city limits.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
					[6] Individual directional panels shall be allowed to remain until such time that the respective subdivision is sold-out. **[7]** It shall be unlawful for any person to place or erect an Off-Site Residential Subdivision Sign, except in conformity with the herein stated provisions **[8]** The City Council may by resolution, authorize the administration of an Off-Site Residential Subdivision Sign Program by one or more organizations of its choosing.
c. Off-Site Business Signs	Number and location subject to Planning Commission approval.	35 SF	Sign: 7 FT (overall) Business Panel Signs: 10 inches (each)	Business Panel Signs: 5 FT (each)	**[1]** A maximum of 2 Off-Site Business Signs may be permitted for a business, or group of businesses, when the Planning Commission can make each of the following findings: ▪ Five or more businesses are affected by the same special circumstances; and ▪ Special circumstances exist which adversely affect the businesses, such as temporary closure of a public street, which provides main access to the businesses. **[2]** The design, construction materials, and color scheme of an Off-Site Business Sign shall be subject to approval by the Planning Commission.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
					[3] No more than 6 business panel signs shall be affixed to any one structure. **[4]** The placement of Off-Site Business Signs within the public right-of-way shall be subject to approval of an encroachment permit by the City Engineer. **[5]** No flags, balloons, pennants, or other riders or decorations are permitted. The illumination of Off-Site Business Signs is not permitted. **[6]** It shall be unlawful for any person to place or erect an Off-Site Business Sign, except in conformity with the herein stated provisions. **[7]** An Off-Site Business Sign shall be removed within 30 days following the special circumstances that allowed the sign, ceases to exist. **[8]** No otherwise eligible business shall be allowed an Off-Site Business Sign until all illegal signs associated with such businesses are removed.
d. Political Signs					Refer to Paragraph 8.01.020.K (Political Signs) of this Division for political sign regulations.
e. Street Banners	Pursuant to Subsection 8.01.020.G (Street Banners and Street Banner Programs) of this Division.	No restriction.	No restriction.	No restriction.	Comply with the requirements of Subsection 8.01.020.G (Street Banners and Street Banner Programs)
f. Large Public Notification Signs					Refer to Division 2.03 (Public Hearings), Paragraph 2.03.010.C.4 (Supplemental

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
					Public Noticing Requirements – Posting) for large public notification sign regulations.
2. Permanent Signs					
a. Address Signs	One wall sign and rooftop sign per building or divided tenant space.				Street addresses shall be posted pursuant to Subsections 6.06.020.B (Posting of Street Address Numbers) and D (Posting of Rooftop Address Numbers) of this Development Code.
b. Directional Signs	Pole, monument, or wall sign.	4 SF per sign face.	Pole or monument signs shall not exceed 6 FT in height.		Signs shall be for the purpose of serving the public safety or convenience (e.g., signs such as "parking," "entrance," "exit" and the like). The sign may include the name/logo of the business it serves.
c. Directory Signs	Monument or wall sign. The number and location shall be at the discretion of the Planning Director.	6 SF per sign face.	6 FT		Directory signs should include a plot plan showing all private drives and roads, building locations with unit numbers and addresses, and fire hydrant locations. The directory should also include a reference point on the plot plan indicating the location of the directory and a north arrow.
d. Government Flags and Emblems	No restrictions.	No restriction.	No restriction.	No restriction.	Includes flags or emblems of the United States of America, the State of California, the County of San Bernardino and the City of Ontario.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
e. Wall Murals	Murals shall be original, non-commercial works of art; uniquely designed for the specific location it is proposed. Ideally, murals should depict the historic character of the community or reflect Ontario's environmental setting.	There is no maximum allowed sign area; however, murals must complement the scale and architectural features of the building on which they are located.	No restriction.	No restriction.	**[1]** Murals are intended to enhance the quality of the area in which it is located, and the community as a whole. They should not serve to direct attention to a specific business, product, or service. **[2]** Wall murals may be approved by the Planning Commission, upon consideration of the following: ▪ Compatibility of the design with the immediate environment of the site; ▪ Appropriateness of the design and size to the function of the site; ▪ Compatibility of the design and location within a unified theme; and ▪ Appropriateness of the design as a public work of art. The design may portray, but not be limited to, a cultural, historical, or scenic subject.
B. RESIDENTIAL ZONING DISTRICTS (excepting those "specialty signs" listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					
a. Real Estate Signs (signs identifying properties and dwellings for resale)	One freestanding sign per lot, which identifies a property as "For Sale," "For Lease" or "For Rent." One on-site freestanding sign per event, which identifies an "Open House." Four off-site freestanding directional signs, which	8 SF per sign face. 4 SF per sign face. 4 SF per sign face.	5 FT 3 FT 3 FT		**[1]** Only nonilluminated signs shall be allowed. **[2]** A sign identifying a property for sale/lease/rent shall be removed within 5 days following the close of escrow. **[3]** Open House" signs shall be allowed as follows: ▪ Signs may be placed between the hours of 8:00

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
	identifies the location of an "Open House" event.				AM and 8:00 PM, on Friday, Saturday, Sunday, and legal holidays; ▪ Off-site directional signs shall be located no farther than 0.5-mile from the Open House location; ▪ Signs shall not be placed on the public sidewalk; and ▪ No flags, balloons, pennants, or other sign riders or decorations shall be used.
b. Subdivision Sales Offices and Model Home Gran Openings < 5 acres	One freestanding or wall sign per subdivision.	32 SF per sign face.	12 FT		**[1]** Only nonilluminated signs shall be allowed. **[2]** Signs shall be removed within 30 days following the sale of the last unit in the complex. **[3]** No flags, balloons, or pennants shall be used.
c. Subdivision Sales Offices and Model Home Grand Openings ≥ 5 acres	One freestanding or wall signs per street frontage of a subdivision, not to exceed a total of 3 signs.	32 FT per sign face.	12 FT		
2. Permanent Signs					
a. Single-Family Signs					
▪ Subdivision Signs	One monument sign or wall sign per subdivision, located at the subdivision entry or at major intersecting boundary streets.	12 SF per sign face.	4 FT (freestanding)		**[1]** Only nonilluminated signs shall be allowed. **[2]** The Planning Director may implement measures to ensure sign maintenance, such as the establishment of a homeowners association and the recordation of appropriate CC&Rs with the San Bernardino County Recorder's office, or other suitable measures.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
▪ Home Occupation Signs	One wall sign per dwelling, located at or near the building entrance.	2.25 SF	1.5 FT	1.5 FT	Home occupation signs shall be mounted at eye level, no higher than 6 FT above finished floor of the dwelling, measured at the top edge of the sign.
b. Multiple-Family Signs					
▪ Complex Signs	One monument sign or wall sign per street frontage.	24 SF per sign face.	6 FT (freestanding)		**[1]** Signs shall be nonilluminated. **[2]** Wall signs shall comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. **[3]** Monument signs shall comply with Paragraph 8.01.020.C.1 of this Division.
▪ Site Directory Signs	One monument or wall site directory sign per vehicle entry.	12 SF per sign face.	6 FT (freestanding)		
c. Institutional User Signs (e.g., day care facilities, religious assembly, schools, etc.)	Wall Signs: One sign per street frontage, not to exceed 2 signs per building. Monument Signs: One sign per street frontage.	Wall Signs: 24 SF per building elevation. Monument Signs: 24 SF per sign face.	Wall Signs: 2 FT maximum alphanumeric character height. Monument Signs: 6 FT	Wall Signs: Not to exceed 80% of the elevation width upon which the sign is located.	Wall Signs: Signs shall comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. Monument Signs: Signs shall comply with Paragraph 8.01.020.C.1 of this Division.
C. COMMERCIAL ZONING DISTRICTS (excepting those "specialty signs" listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
a. Real Estate Signs	One freestanding sign or wall sign per parcel.	32 SF per sign face.	8 FT		**[1]** Signs shall be nonilluminated. **[2]** Signs shall be removed within 5 days following the sale or lease of the last unit has been completed.
b. Window Signs and Displays	Window signs	Limited to 25% of the window area, excepting within the area covered by the Downtown Ontario Design Guidelines (see Reference "C" of this Development Code for applicable standards).			**[1]** Window signs shall be allowed only on windows located on the ground floor of a building frontage. **[2]** Window signs shall be painted or mounted only on the inside of doors and windows. **[3]** Signs placed on the interior of a building, which are located within 3 FT of a storefront window and are visible from the building exterior, shall be deemed a window sign.
c. On-Site Promotional and Special Event Signs and Banners					
▪ ≤ 8,000 SF of tenant GFA	One wall-mounted banner per tenant.	50 SF per sign face.	3 FT	Not to exceed 50% of the elevation width upon which the sign is located.	**[1]** Business Grand Opening. A new business may be allowed temporary signage identifying its grand opening, one time, for a maximum of 30 days duration. **[2]** Retail Sales and Business Events. A Retail Sales or Business Event pursuant to Paragraph 5.03.395.G.1 of this Development Code may be allowed temporary signage for maximum 3 periods of 30 days duration per calendar year.
▪ > 8,000 SF of tenant GFA	One wall-mounted banner per tenant.	75 SF per sign face.	5 FT	Not to exceed 50% of the elevation width upon which the sign is located.	

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
					Periods may be used consecutively. **[3]** Holiday Retail Sales. Holiday Retail Sales established pursuant to Paragraph 5.03.395.G.2 of this Development Code may be allowed temporary signage for maximum 30 days duration. **[4]** Shows and Exhibits. Shows and Exhibits established pursuant to Paragraph 5.03.395.G.3 of this Development Code may be allowed temporary signage for maximum 30 days duration. **[5]** Amusement and/or Sporting Events. Amusement and/or Sporting Events established pursuant to Paragraph 5.03.395.G.4 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration. **[6]** Tent Revivals. Tent Revivals established pursuant to Paragraph 5.03.395.G.5 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration. **[7]** Charitable and Fund Raising Events. Charitable and Fund Raising Events established pursuant to Paragraph 5.03.395.G.6 of this

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
					Development Code may be allowed temporary signage during the specified "holiday periods," and the specified "additional events" for which a Temporary Use Permit has been issued.
2. Permanent Signs					
a. Wall Signs					
▪ Retail: Businesses Occupying > 100,000 SF	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	200 SF per building elevation.	Primary Signs: 6 FT for alphanumeric characters and graphic logos/icons. Descriptor Signs: 2 FT for alphanumeric characters and graphic logos/icons.		Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
▪ Retail: Businesses Occupying 50,000 SF to 99,999 SF	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	175 SF per building elevation.	Primary Signs: 5 FT for alphanumeric characters and graphic logos/icons. Descriptor Signs: 2 FT for alphanumeric characters and graphic logos/icons.		
▪ Retail: Businesses Occupying 20,000 SF to 49,999 SF	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	150 SF per building elevation.	Primary Signs: 4 FT for alphanumeric characters and graphic logos/icons. Descriptor Signs: 1.5 FT for alphanumeric characters and graphic logos/icons.		
▪ Retail: Businesses Occupying 8,000 SF to 19,999 SF	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	100 SF per building elevation.	Primary Signs: 3 FT for alphanumeric characters and graphic logos/icons. Descriptor Signs: 12 inches for alphanumeric characters and graphic logos/icons.		
▪ Retail: Businesses Occupying < 8,000 SF	One wall sign per building elevation, not to exceed 3 signs.	50 SF per building elevation.	Alphanumeric Characters: 2 FT. Logos/Icons: 4 FT.		

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
▪ Office: Multiple-Story Building Identification	One wall sign per building elevation, not to exceed 2 signs.	100 SF per building elevation.	3 FT for alphanumeric characters and graphic logos/icons.		[1] Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. [2] Signage shall be limited to identification of the building, and not individual tenants.
▪ Office: Multiple Story Building—Tenant Identification	One wall sign per building elevation, not to exceed 2 signs.	50 SF per building elevation.	2 FT for alphanumeric characters and graphic logos/icons.		[1] Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. [2] A maximum of 2 tenant identification signs shall be permitted regardless of the number of tenants contained within the building.
▪ Office: Single Story Building—Tenant Identification	One wall sign per building elevation, not to exceed 2 signs. Alternately, for multiple tenant buildings, one nameplate may be provided for each tenant (2 nameplates may be provided for end/corner-unit tenants).	Wall Signs: 50 SF. Nameplates: 15 SF.	Wall Signs: 2 FT for alphanumeric characters and graphic logos/icons. Nameplates: 1.5 FT for nameplates and 12-inches for alphanumeric characters and graphic logos/icons.		[1] Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. [2] Nameplates shall not be illuminated.
b. Monument Signs					
▪ Commercial Center Identification Signs	One monument sign for each 500 FT (lineal) of street frontage, with a minimum 300 FT spacing between signs.	50 SF per sign face.	7 FT (3.5 FT for a sign installed within the corner cut-off area of intersecting streets).		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.
▪ Building Identification Signs (not a part of a center or complex)	One monument sign per street frontage.	36 SF per sign face.	6 FT		
c. Directional Signs (On-Site)	Freestanding directional signs (on-site only) shall be permitted as determined appropriate by the Planning Director.	5 SF per sign face	5 FT		The design of directional signs shall be consistent with the architectural design of the buildings they serve.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
d. Freeway Signs	[1] One sign per parcel having a minimum of 600 FT of freeway frontage and is developed as a single entity. [2] Two signs per parcel having a minimum of 1,800 FT of freeway frontage, a minimum of 10 acres in area, and is developed as a single entity. [3] Three signs per parcel having a minimum of 3,000 FT of freeway frontage, a minimum of 10 acres in area, and is developed as a single entity.	150 SF per sign face.	35 FT maximum; however, the height may be increased to 45 FT if the site is at least 10 FT lower than the freeway finish surface.	No sign face shall exceed 25 FT in any direction.	**[1]** Comply with Paragraph 8.01.020.C.2 (Freeway Signs) of this Division. **[2]** No advertising display shall contain flashing, intermittent, or moving lights, other than that part necessary to give public service information, including, but not limited to, the time, date, temperature, weather, or similar information, or an Electronic Message Display that complies with Paragraph 8.01.020.C.3 (Electronic Message Displays) of this Division.
D. MIXED-USE ZONING DISTRICTS (excepting those "specialty signs" uses listed in Subsection F (Standards for Specialty Signs) of this Table)					
All Signs	Rely upon the sign standards for residential land uses established by Subsection B (Residential Zoning Districts) of this Table; and rely upon the sign standards for commercial land uses established by Subsection C (Commercial Zoning Districts) of this Table				
E. INDUSTRIAL ZONING DISTRICTS (excepting those "specialty signs" uses listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					
a. Real Estate Signs	One freestanding sign or wall sign per parcel.	32 SF per sign face.	8 FT.		**[1]** Signs shall be nonilluminated. **[2]** Signs shall be removed within 5 days following the sale or lease of the last unit has been completed.
b. Window Signs and Displays	Window signs	Limited to 25% of the window area.			**[1]** Window signs shall be allowed only on windows located on the ground floor of a building frontage. **[2]** Window signs shall be painted or mounted only on the inside of doors and windows. **[3]** Signs placed on the interior of a building, which are

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
					located within 3 FT of a storefront window and are visible from the building exterior, shall be deemed a window sign.
c. **On-Site Promotional and Special Event Signs and Banners**	One wall-mounted banner per tenant.	One-half the area allowed for permanent tenant identification signage, not to exceed 50 SF.		Not to exceed 50% of the elevation width upon which the sign is located.	**[1]** Business Grand Opening. A new business may be allowed temporary signage identifying its grand opening, one time, for a maximum of 30 days duration. **[2]** Retail Sales and Business Events. A Retail Sales or Business Event pursuant to Paragraph 5.03.395.G.1 of this Development Code may be allowed temporary signage for maximum 3 periods of 30 days duration per calendar year. Periods may be used consecutively. **[3]** Holiday Retail Sales. Holiday Retail Sales established pursuant to Paragraph 5.03.395.G.2 of this Development Code may be allowed temporary signage for maximum 30 days duration. **[4]** Shows and Exhibits. Shows and Exhibits established pursuant to Paragraph 5.03.395.G.3 of this Development Code may be allowed temporary signage for maximum 30 days duration. **[5]** Amusement and/or Sporting Events. Amusement and/or Sporting Events established pursuant to Paragraph 5.03.395.G.4 of this Development Code may be

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
					allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration. **[6]** Tent Revivals. Tent Revivals established pursuant to Paragraph 5.03.395.G.5 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration. **[7]** Charitable and Fund Raising Events. Charitable and Fund Raising Events established pursuant to Paragraph 5.03.395.G.6 of this Development Code may be allowed temporary signage during the specified "holiday periods," and the specified "additional events" for which a Temporary Use Permit has been issued.
2. Permanent Signs					
a. Wall Signs					
▪ Businesses Occupying > 250,000 SF	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	250 SF per wall sign	Wall Signs: 6 FT for alphanumeric characters and graphic logos/icons.	Not to exceed 75% of the elevation width upon which the sign is located.	Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
▪ Businesses Occupying 249,999 SF to 100,000 SF	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	200 SF per wall sign	Wall Signs: 5 FT for alphanumeric characters and graphic logos/icons.	Not to exceed 75% of the elevation width upon which the sign is located.	

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
▪ Businesses Occupying 99,999 SF to 50,000 SF	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	150 SF per wall sign	Wall Signs: 4 FT for alphanumeric characters and graphic logos/icons.	Not to exceed 75% of the elevation width upon which the sign is located.	
▪ Businesses Occupying 49,999 SF to 20,000 SF	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	100 SF per wall sign	Wall Signs: 3 FT for alphanumeric characters and graphic logos/icons.	Not to exceed 75% of the elevation width upon which the sign is located.	
▪ Businesses Occupying < 20,000 SF	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	50 SF per wall sign	Wall Signs: 2 FT for alphanumeric characters and graphic logos/icons.	Not to exceed 75% of the elevation width upon which the sign is located.	
[b] Monument Signs					
▪ Industrial Park, Center or Complex Identification Sign	One sign per street frontage, not to exceed 2 signs.	36 SF per sign face.	6 FT (3.5 FT for a sign installed within the corner cut-off area of intersecting streets).		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.
▪ Single or Multiple-Tenant Building Identification Signs—Not a Part of a Park, Center or Complex	One sign per street frontage, not to exceed 2 signs.	36 SF per sign face.	6 FT (3.5 FT for a sign installed within the corner cut-off area of intersecting streets).		
F. SPECIAL USE ZONING DISTRICTS (excepting those "Specialty Signs" listed in Subsection F (Standards for Specialty Signs) of this Table)					

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
1. Agriculture	Residential Uses: Rely upon the sign standards for residential land uses established by Subsection B (Residential Zoning Districts) of this Table. Retail Commercial and Office Uses: Rely upon the sign standards for retail commercial and office land uses established by Subsection C (Commercial Zoning Districts) of this Table. Industrial Uses: Rely upon the sign standards for single-family residential land uses established by Subsection B (Residential Zoning Districts) of this Table.				
2. Civic	Rely upon the sign standards for office land uses established by Subsection C (Commercial Zoning Districts) of this Table.				
3. Mobile Home Park	One monument sign per street frontage.	24 SF per sign face.	6 FT		**[1]** Non-illuminated or indirect illumination only. **[2]** Signs shall not be located within a required setback area.
4. Ontario International Airport					
a. Temporary Signs					
▪ Real Estate Signs	One freestanding or wall sign per parcel.	24 SF per sign face.	7 FT		**[1]** Only nonilluminated signs shall be allowed. **[2]** Signs shall be removed within 5 days following the sale or lease of the last unit, or final Building Department inspection.
▪ Window Signs and Displays	Window signs	Limited to 25% of the window area.			**[1]** Window signs shall be allowed only on windows located on the ground floor of a building frontage. **[2]** Window signs shall be painted or mounted only on the inside of doors and windows. **[3]** Signs placed on the interior of a building that are located within 3 FT of a storefront window and are visible from the building exterior shall be deemed a window sign.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
▪ On-Site Signs and Banners	One wall-mounted sign or banner per business.	50 SF per sign face.			
b. Permanent Signs					
▪ Wall Signs	As allowed by a Sign Program established pursuant to Subsection F (Sign Program) of Development Code Section 8.01.020 (Sign Standards).				
▪ Monument Sign	As allowed by a Sign Program established pursuant to Subsection F (Sign Program) of Development Code Section 8.01.020 (Sign Standards).				
▪ Wayfinding and Directional Signs	As allowed by a Sign Program established pursuant to Subsection F (Sign Program) of Development Code Section 8.01.020 (Sign Standards).				
▪ Billboards	Three LED signs and three static message signs.	LED Signs: 675 SF per sign face. Static Signs: 250 SF per sign face. Total Sign Area: The combined area of all billboard signs shall not exceed 2,500 SF.	LED Signs: 35 FT Static Signs: 35 FT	LED Signs: 48 FT Static Signs: 11 FT	All billboard signs shall be located in close proximity to the terminals and/or rental car area of the airport.
5. Open Space—Cemetery	As determined appropriate by the Planning Director.				
6. Open Space—Recreation	As determined appropriate by the Planning Director.				
7. Rail Corridor	As determined appropriate by the Planning Director.				
8. Utilities Corridor	As determined appropriate by the Planning Director.				
G. STANDARDS FOR SPECIALTY SIGNS (Note: The below-listed standards are for the placement of permanent signs. Refer to the general zoning district standards contained in this table for the standards for temporary sign standards)					
1. Fuel Sales (Service Stations) Signs					
a. Wall Signs	One primary wall sign per building elevation, not to exceed 3 signs.	50 SF per building elevation.	**[1]** 2 FT alphanumeric characters. **[2]** 2.5 FT graphic icons/logos.	Not to exceed 80% of the elevation width upon which the sign is located.	Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
b. Fuel Island Canopy Sign	One fuel island canopy sign per elevation, not to exceed 2 signs.	16 SF per building elevation.	**[1]** 2 FT alphanumeric characters. **[2]** 2.5 FT graphic logos/icons may be installed in place of alphanumeric characters.	4 FT graphic logos/icons in place of alphanumeric characters.	Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
c. Fuel Pump Identification	One logo/icon identification sign per fuel pump face, not to exceed 2 signs per pump.	2.25 SF	1.5 FT graphic logo/icon		
d. Monument Signs	One monument fuel pricing sign per street frontage.	**[1]** 25 SF per sign face. **[2]** 50 SF per sign face, when combined with business identification signage.	7 FT		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.
2. Drive-Thru Restaurant Signs					
a. Wall Signs	One wall sign per building elevation, not to exceed 3 signs.	25 SF per sign face.	**[1]** 2 FT alphanumeric characters. **[2]** 2.5 FT graphic icons/logos.		Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
b. Menu Boards	One pre-order board and one order board per business.	36 SF per sign face.	6 FT (freestanding)		
c. Monument Signs	One monument sign per business.	50 SF per sign face.	6 FT		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.

C. Freestanding Signs. The following requirements apply generally to the design and placement of freestanding signs, including monument signs and freeway signs, and the use of electronic message or text display:

1. Monument Signs. Any freestanding sign that identifies: **[i]** a residential subdivision; **[ii]** a multiple-family or mixed-use development project; **[iii]** an individual building on an individual lot containing one or more nonresidential uses; or **[iv]** a center or complex consisting of 2 or more buildings containing one or more nonresidential uses per building, shall be designed as a monument sign, which complies with the following:

a. Table 8.01-1 (Sign Regulation Matrix) of this Division establishes the number, location, area, height, and additional regulations applicable to monument signs.

b. The minimum letter height shall be 8 inches.

c. Monument signs for centers/complexes shall be limited to the display of the name of the center/complex and the identification of a maximum of 7 tenants within the center/complex.

d. Monument signs shall have a maximum of 2 sign faces.

e. Monument signs may be oriented toward arterial, collector and/or local streets, or private drives, and shall not be oriented toward freeways.

f. No monument sign shall be located within a public right-of-way and must be wholly located behind the right-of-way line (street property line) for its full height. Furthermore, such signs shall be located a minimum of 10 FT behind the adjacent curb face (public and private streets).

g. A monument sign shall be located a minimum of 30 FT from a monument sign on an adjacent lot, and a minimum of 5 FT from an interior property line or driveway that intersects a public street.

h. Monument signs shall contain an address (or range of addresses) identifying the property on which the sign is located. Address numbers shall be a minimum of 6 inches in height and shall be clearly visible from the adjacent public street. The area of the address numerals shall not be calculated against the allowed sign area.

i. Unless otherwise specifically prohibited by Table 8.01-1 (Sign Regulation Matrix) of this Division, a monument sign may be internally or externally illuminated, provided that the illumination is not harsh or overly bright. Signs shall consist of individual letters/characters affixed to an opaque, matte finished background. The sign background shall not be internally illuminated; only letters/characters shall be internally illuminated.

2. Freeway Signs. Freeway signs may be allowed on lots with property lines that are common with the right-of-way of Interstate 10, Interstate 15, or State Route 60 freeways, which have at least 600 linear FT of freeway frontage, and are subject to the following:

a. Table 8.01-1 (Sign Regulation Matrix), above, establishes the number, location, area, height, and additional regulations applicable to freeway signs.

b. The maximum vertical or horizontal dimension of any freeway sign display surface is 25 FT.

c. A freeway sign shall be placed a minimum of 600 FT from any other freeway sign on the same property or on an adjacent property and shall be placed no further than 40 FT from the freeway right-of-way.

d. Freeway signs shall consist of no more than 2 faces unless alternative configurations are approved by the Planning Commission.

e. No tentative tract or parcel map, or lot merger shall be granted, which would result in the consolidation of multiple lots into a single lot with freeway signs in excess of the maximum number, location, area, and/or spacing of signs prescribed by this Section.

f. A freeway sign shall be placed no closer than 10 FT to an interior property line, drive aisle, or private drive.

g. A digital freeway sign with electronic display shall be permitted on public and/or private property subject to City Manager review and approval of the following:

(1) Approval of the digital freeway sign shall be subject to the approval of a Digital Sign and Billboard Removal Agreement between the City and the property owner;

(2) A minimum of 2 existing, legal nonconforming billboards shall be removed, both of which must be currently located within the City;

(3) The area is developed with a legally established permitted land use;

(4) The proposed sign would not create a traffic or safety problem with regard to on-site access, circulation, or visibility;

(5) The proposed sign would not interfere with on-site parking or landscaping required by City ordinance or permit;

(6) The property has at least 600 linear FT of freeway frontage;

(7) The proposed sign will display both public and private information; and

(8) The overall design of the sign, including massing, proportion, and scale shall be subject to review and approval of a Sign Permit.

3. Electronic Message Center. An Electronic Message Center may be incorporated into a freeway sign for a public or private school; public facility or service; convention centers, arenas and other similar places of assembly; and auto malls and shall be subject to review and approval by the Planning Commission. An Electronic Message Center shall comply with the following requirements:

a. The Electronic Message Center display shall not include any message or pictorial that is in motion or appears to be in motion;

b. The Electronic Message Center display shall not change the intensity of illumination;

c. The Electronic Message Center display shall not change the message or pictorial more than once every 4 seconds;

d. No Electronic Message Center shall be placed within 1,000 FT of another Electronic Message Display located on the same side of the freeway; and

e. An Electronic Message Center shall only advertise the business conducted, services rendered, or goods produced or sold upon the property on which the display is placed.

4. Electronic Text Display. An Electronic Text Display may be incorporated into a monument sign to facilitate a fuel pricing sign required pursuant to BPC Sections 13530 through 13540, or for the purpose of providing messages and information related to public or private schools, government facilities, facilities for religious assembly, theaters, convention centers, arenas, and other similar places of assembly. An Electronic Text Display shall comply with the following requirements:

a. An Electronic Text Display shall not include any pictorial display;

b. An Electronic Text Display shall not change the intensity of illumination;

c. An Electronic Text Display shall not change the message more than once every 4 seconds;

d. No Electronic Text Display shall be placed within 600 feet of another Electronic Text Display located on the same side of the street, excepting fuel pricing signs provided pursuant to BPC Sections 13530 through 13540; and

e. An Electronic Text Display shall only advertise the business name, and events and services conducted on the property upon which the Electronic Text Display is installed.

D. Building Wall and Fascia Signs.

1. Wall and/or fascia signs shall consist of individual channel letters placed flat against the exterior wall or parapet of a building, or suspended from the building eaves or overhang, or from the ceiling of a covered walkway, and having an overall depth of no more than 12 inches. A suspended sign shall have a clear space of at least 8 FT between the bottom of the sign and the surface of any walkway that may pass under the sign.

2. Acceptable wall and/or fascia sign designs include one or more of the following elements:

a. Halo lit channel letters;

b. Standard channel letters;

c. Front and halo lit channel letters;

d. Pin mounted sandblasted, textured, and/or burnished metal-leaf faced letters;

e. Signs mounted to hard canopies, eyebrows, or other projecting architectural elements, such as screens, grids or mesh, or etched, polished, patina or abraded materials; and/or

f. Mixed media signs (utilizing the designs described in Subparagraphs D.1.2.a through e, above), incorporating imagery and icons/logos. Although simple rectangular cabinet signs are generally not allowed, mixed media signs may be composed of several elements, one of which may be a sculptured cabinet; however, the cabinet sign shall not exceed 25 percent of the total sign area of each sign.

3. Wall and/or fascia signs may be located on an exterior building elevation that: **[i]** fronts/faces a public street, or **[ii]** faces an interior side or rear of a site, and contains a public entrance, pursuant to the standards prescribed by Table 8.01-1 (Sign Regulation Matrix), of this Section.

4. The characters that comprise a sign shall not occupy more than 75 percent of the length of the building wall or fascia upon which it is placed.

5. Electrical raceways and conduits shall be placed so that they are not within public view. Where this is physically impractical or doing so would damage significant architectural features or materials, the Zoning Administrator may grant a waiver from this requirement, provided all conduits, raceways, and similar devices are kept as small as possible and are painted the same colors as adjacent wall surfaces.

6. Electrical raceways shall not extend beyond the outside edges of the sign copy and shall be painted to match the color of the background on which they are placed.

7. Signs shall be placed flat against the wall and shall not project from the wall more than required for normal construction purposes and in no case more than 12 inches. The Zoning Administrator may modify this requirement in special circumstances where a projection greater than 12 inches may be desirable to allow the creation of an especially creative and unique sign design.

8. Signs shall not be placed to obstruct any portion of a window or cover architectural elements, such as cornices, transom windows, vertical piers and columns, and similar elements.

E. Address Signs Required. The City finds that it is in the interest of public safety that all street addresses be clearly visible. Unless otherwise authorized in writing by the Police and Fire Departments, all permanent structures within the City shall display street address numerals of a size, color, and location, which are clearly visible from a public right-of-way. Address signs shall not count toward the maximum sign area allowed by this Division.

F. Sign Programs.

1. A Sign Program may be allowed pursuant to Section 4.02.075 (Sign Programs) of this Development Code, for the purpose of:

a. Providing coordinated signing within a development project;

b. Utilizing common design elements; and

c. Integrating the design of signs with the context of the building and landscape design, to form a unified architectural statement.

2. A Sign Program may allow certain deviations from the standards prescribed by Table 8.01-1 (Sign Regulation Matrix) of this Division, limited to: **[i]** a 20 percent increase in maximum sign area, **[ii]** an increase in the maximum number of signs allowed, and **[iii]** the use of decorative exposed neon. In approving such deviation(s), the following findings must be clearly established:

a. The Plan's contribution to the overall design quality of the site and the surrounding area will be superior to the quality that would otherwise result under regulations normally applicable to the site;

b. The proposed signs are compatible with the style or character of existing improvements on the site and are well-related to each other; and

c. Any deviations from the standards prescribed by Table 8.01-1 (Sign Regulation Matrix) of this Development Code are fully consistent with the purposes of this Development Code.

3. A Sign Program may allow the use of complex-shaped (i.e., Polyhedron) sculptured cabinets if dimensional elements are also incorporated, such as burnished metal-leaf faced letters that are pin mounted from the cabinet face, or decorative exposed neon.

G. Street Banners and Street Banner Programs.

1. Street Banners.

a. No street banner, flag, pennant, or street decoration shall be placed or installed over and/or above any street or other public thoroughfare, without first obtaining City Manager approval, and the issuance of an encroachment permit by the City Engineer.

b. No person, either as principal, agent, or otherwise, shall hang or suspend any street banner above any street or other public thoroughfare, or cause the same be done, unless a Street Banner Program has approved pursuant to the requirements of Paragraph G.2 (Street Banner Programs) of this Section.

c. A street banner, flag, pennant, or street decoration shall be safely suspended not less than 17 FT above a public street, upon approval of the City Engineer and Building Official.

d. A street banner, flag, pennant, or street decoration shall not contain the name or designation of any individual, firm, or corporation as an advertisement for private gain.

e. A street banner, flag, pennant, or street decoration shall not remain in place longer than 30 days from the date permission is granted by the City Manager pursuant to Subparagraph G.1.a of this Section.

f. The Building Official shall, upon receipt of the required application, issue a permit for the erection and maintenance of a street banner, flag, pennant, or street decoration, according to **[i]** the terms of the City Manager's approval, **[ii]** the encroachment permit issued by

the City Engineer, and **[iii]** the Street Banner Program described in Paragraph G.2 (Street Banner Programs), below (if required).

2. Street Banner Programs. A Street Banner Program shall be subject to review and approval by the Zoning Administrator, and must adhere to the following guidelines:

a. *Application.* The street banner program application shall contain the following minimum information:

(1) **Street Banner Design**—A fully dimensioned plan that clearly depicts the street banner design, materials, colors, and letter style;

(2) **Street Banner Elevations**—A fully dimensioned elevation drawing(s) depicting streetlight poles with each proposed banner type attached;

(3) **Street Banner Location**—A site plan drawn to scale, which depicts the specific location of each proposed street banner and the affected streetlight poles; and

(4) **Equipment**—All hardware and bracketry necessary for mounting the proposed street banner(s) to the affected streetlight poles, which shall meet or exceed City specifications.

b. *Private Business Recognition.* Private sponsorship of street banners shall only be permitted in association with an approved street banner program, with identification of the sponsor regulated as follows:

(1) **Placement**—The street banner sponsor may be identified on each street banner by lettering no greater than 6 inches in height, which runs the width of the banner, and covering no more than 10 percent of the banner area;

(2) **Font**—A uniform font type, style, size, and color shall be used for banner sponsor names within a given banner program; and

(3) **Graphics**—There shall be no private logos or trademark graphics allowed.

c. *Maintenance.* At a minimum, street banners shall be removed for cleaning annually, and shall be removed for repair or replacement when worn, torn, or faded. The City may require that street banners be alternated seasonally (3 to 4 times per year). Furthermore, Street banners shall be removed for repair or replacement when worn, torn, or faded.

H. **Awnings and Canopies, and Outside Umbrellas.**

1. As a design feature of any building, structure, or business establishment, all awnings and canopies, and outside umbrellas, shall be reviewed in the same manner as a sign, ensuring enhancement of the building or structure in which it is placed, erected, or installed.

2. Awnings and canopies that contain advertising shall be counted toward the total allowable signing for the business that it serves.

3. Umbrellas shall not contain advertising.

4. The use of backlit awnings and/or canopies shall be prohibited.

I. Accent Lighting.

1. As a design feature of any building, structure, or business establishment, all accent lighting shall be reviewed in the same manner as a sign, ensuring enhancement of the building or structure in which it is placed or installed. Accent lighting should be limited to confined areas, such as building entries, architectural features, or used to reinforce specific architectural elements, such as tower and cornice elements.

2. Accent lighting elements and luminaires placed directly on a building façade shall be shielded. Lighting elements and luminaires placed directly on a building façade so as to be directly exposed to public view, is prohibited.

J. Construction, Installation and Maintenance.

1. Construction. The construction and installation of signs shall be enforced and administered by the Building Official. All signs and advertising structures shall be designed and constructed to withstand wind loads, dead loads, and lateral forces as required by the City's Building Code and the provisions of this Division.

2. Identification. Every sign or other advertising structure hereafter erected in the City shall have an identifying number, name of erector, installation year and, if illuminated, the voltage plainly placed on the exterior surface of the sign body, in a location where the information is readily visible after erection and installation.

3. Illumination.

a. *General Requirements*.

(1) Signs with electrical components shall be constructed, inspected, and approved by the Underwriters Laboratory (UL), or equal, and a label of approval from the laboratory shall be affixed to the sign in plain view.

(2) Awnings with back-lighting are prohibited.

(3) Light sources (luminaires) used for externally illuminated signs shall not be visible within 100 FT of any residential zoning district. Internally illuminated signs visible from any residential zoning district shall not be illuminated between the hours of 11:00PM and 6:00AM, unless they identify an establishment open for business during those hours.

(4) Signs shall not have exposed fluorescent tubes or incandescent bulbs exceeding 15 watts, and the brightness of luminous or backlit signs shall not exceed 250 footlamberts (fl).

b. *Internally Illuminated Signs.* The illumination level of a sign shall be reduced if it is determined to be excessive as a result of City evaluation. Illumination shall be considered excessive if the illumination level:

(1) Is substantially greater than the illumination level of other nearby signs;

(2) Interferes with the visibility of other signs, or with the perception of objects or buildings in the vicinity of the sign;

(3) Directs glare toward streets or motorists;

(4) Adversely impacts nearby residents or residential neighborhoods; and/or

(5) Reduces the nighttime readability of the sign.

c. *Externally Illuminated Signs.* The light source for externally illuminated signs shall be arranged and shielded to substantially confine all direct light rays to the sign face, and away from streets and adjacent properties.

4. Maintenance. All signs, together with their supports and appurtenances, shall be kept neatly painted and posted. The Zoning Administrator, Building Official, or Code Enforcement Director may order the removal of any sign that is not maintained in accordance with the provisions of this Division.

K. Political Signs.

1. Purpose.

a. The purpose of these political sign regulations is to identify the compatibility between the utilization of political signs, the protection of the right to privacy of individuals, and the quiet and undisturbed enjoyment of property.

b. It is recognized that there have been abuses in the placement of political signs within the City, including: **[i]** trespassing upon private property; **[ii]** placement of political signs without permission from the property owner; **[iii]** placement of political signs in such a fashion as to make it difficult to remove them; **[iv]** littering caused by dislodged political signs; **[v]** sight distance hazards to traffic due to sign size and location; **[vi]** distracting appearance; **[vii]** aesthetically displeasing impact; **[viii]** unnecessary proliferation; and **[ix]** other reasons, all of which are determined to be contrary to the best interests of the community, and in opposition to the public health, safety and welfare.

c. The reasonable regulation of political signs will obviate many of the objections that have been raised to the unregulated placement of such signs.

d. It is recognized that to the extent that placement of political signs is not contrary to the purposes stated herein, it is in the best interests of the City and its inhabitants to allow political expression, and, for that reason, it is but to avoid the total prohibition of such signs.

e. It is believed that responsibility for the placement of political signs should lie with the candidate for public office, the proponents and opponents of ballot measures, and the various political committees connected therewith. It is recognized that political signs are printed by, or at the direction of, those listed herein, and that the ultimate responsibility for the distribution of such signs and their placement lies with them.

2. Definition. The term "political sign," as used herein, means any election or nonelection sign, advertising structure, or display, which communicate any message or idea identifying, supporting, opposing, promoting, or conveying a position upon, or relating to, any

political cause or issue, or candidate for public office, or proposition or issue connected with any local, special, state, or national election.

3. Political Sign Registration. Pursuant to BPC Section 5405.3, any candidate (or their designee) or the proponents of a ballot measure who seek to utilize political signs, shall first file a Statement of Responsibility with the Code Enforcement Department, on a City registration form. The registrant shall be responsible for removing the temporary political sign and may be required to reimburse the City for any cost incurred for temporary political sign removal.

4. Permitted Signs. Political signs, as herein defined, shall be permitted within any zoning district subject to compliance with all of the rules and regulations set forth in Paragraph K.5 (Regulations) herein.

5. Regulations.

a. No provision in this Development Code shall be so construed as to prohibit the placing of temporary political signs.

b. No political sign shall be installed or displayed sooner than 45 days preceding the election for which the sign is intended.

c. No political sign shall exceed 16 SF in total area, except that a double-faced sign, not exceeding 16 SF on each side, shall be permitted.

d. No political sign shall exceed an overall height of 8 FT, except if such sign shall be within an enclosed building or structure.

e. No candidate for public office, proponent or opponent of ballot measures, and/or any political committees connected therewith, shall post more than one political sign per lot or parcel.

f. No political sign shall be lighted either directly or indirectly.

g. No political sign shall be placed on private property, vacant or otherwise, without the permission of the owner of the property.

h. No political sign shall be placed or affixed to a tree, fence, post, utility pole, or any structure, by glue, nails, or screws.

i. No political sign shall be posted on any public property or in the public right-of-way.

j. No political sign shall be placed within the right-of-way of any highway, or with 660 FT of the edge of, and visible from, the right-of-way of a landscaped freeway.

k. No political signs shall be posted in violation of any other provisions of this Development Code.

l. All political signs shall be removed within 10 days following the date of the election for which the sign was intended.

6. Removal of Illegally Placed Political Signs. The Building Official or Community Improvement Manager may cause the removal of any sign placed contrary to any provision of the Political Sign provisions contained herein (commencing with Subsection K (Political Signs) of this Section).

8.01.025: Design Guidelines

A. Introduction.

1. The following design guidelines are intended as a reference to assist the designer in understanding the city's goals and objectives for high quality sign design, construction, and placement throughout the city. These guidelines are intended to complement the mandatory standards contained in Section 8.01.020 (Sign Standards) of this Division, by providing good examples of potential design solutions and by providing design interpretations of the various mandatory requirements.

2. The design guidelines are general and may be interpreted with some flexibility in their application to specific projects. The guidelines will be utilized during the city's review of a sign program or sign plan to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of the designer. Nonetheless, unless there is a compelling reason, these design guidelines shall be observed.

B. General Guidelines.

1. Use a Brief Message. The fewer words used, the more effective the sign. A sign with a brief message is quicker and easier to read, looks cleaner and is more attractive. A sign should only include the name and/or nature of the business, and in addition to the name, may contain a maximum of three words describing the business or service provided.

2. Avoid Overly Intricate Fonts. Signs utilizing very intricate font styles are generally difficult to read and reduce a sign's ability to communicate effectively.

3. Avoid Faddish and Peculiar Fonts. Signs utilizing faddish or peculiar fonts may look good today, but soon go out of style. The image conveyed may quickly become that of a dated and unfashionable business.

4. Sign Colors and Materials. The colors and materials of a sign should be selected so that they contribute to sign legibility and design integrity. Even the most carefully thought out sign may be unattractive and a poor communicator because of poor color selection. Dayglow, fluorescent, and overly bright or loud colors should not be used.

5. Provide Contrast Between Background and Letters/Symbols. Use significant contrast between the sign's letter/symbol color and its background color. If there is little contrast in the hue (shade or tint) and intensity (brightness) between the background and letter/symbol colors, it will be difficult to read.

6. Avoid Too Many Different Colors. The use of too many different colors will overwhelm the basic function of communication. The colors compete with sign content for the viewer's attention. The limited use of accent colors can increase legibility, while large areas of competing colors tend to confuse and annoy.

7. Sign Placement. Generally, building wall and fascia signs should be located within the middle 75 percent of the building frontage, measured from tenant line to tenant line for multiple tenant buildings, and measured across the full width of the building elevation for single tenant buildings. The Zoning Administrator shall have the authority to modify this requirement where it can be shown that:

a. The directed placement would severely limit proper sign placement; or

b. The directed placement would be contrary to the sign placement approved by a Development Plan.

8. Proportion, Scale and Rhythm of Sign Placement. Signs should be placed consistent with the proportions and scale of building elements within a building's facade:

a. A particular sign may fit well on a large, plain wall area, but would overpower the finer scale and proportion of the lower storefront.

b. Signs can be used to establish facade rhythm, scale, and proportion where such elements are weak in the building design. On buildings having a monolithic or plain facade, signs can be used to establish or continue appropriate design rhythm, proportion, and scale.

c. The proportion of letter area to sign background area should be carefully considered. If the letters take up too much of the background area, they may be harder to read — large letters are not necessarily more legible than smaller ones.

d. Generally, the characters that comprise a sign should not occupy more than 70 percent of the area of a sign's background.

9. Pedestrian Signs. Signs oriented to pedestrians should be smaller in scale. The pedestrian-oriented sign is usually read from a distance of 15 to 20 feet, whereas the vehicle-oriented sign is designed to be viewed from a much greater distance. The closer the sign's viewing distance, the smaller the sign needs to be.

10. Freestanding Signs. Freestanding signs should incorporate the materials and architectural features used in the building(s) they serve.

C. Building Wall and Fascia Signs.

1. Building wall and fascia signs should be compatible with the predominant visual elements of the building. Commercial centers and offices, industrial parks, business parks, and other similar facilities, are required to be part of a sign program in accordance with the provisions of Section 4.02.080 (Sign Programs) of this Development Code.

2. Where there is more than one sign for a business (e.g., single tenant buildings) or group of businesses (e.g., multiple tenant buildings, commercial centers, or business or industrial parks), all signs should be complementary to one another in the following ways:

a. Type of construction materials (sign copy, supports, etc.);

b. Letter size and style of copy;

c. Method and design of sign support (wall mounting or monument base);

d. Configuration of sign area; and

e. Proportion of sign copy area to background.

3. Lighted signs, whether internally or externally illuminated, are permitted; provided, they are not harsh or overly bright. Can-type box signs with translucent backlit panels should not be used.

4. Signs with backlit or internally illuminated individual channel letters are strongly encouraged.

D. Freestanding Signs.

1. Freestanding signs are intended to provide identification for single-tenant buildings, multiple-tenant buildings, commercial offices and centers, and business and industrial parks. Signs for single-tenant buildings should include the street address of the business.

2. Signs for multiple-tenant buildings, commercial offices and centers, and business and industrial parks should display the range of business addresses for that development. The business address shall not be included in the sign area calculation.

3. Lighted signs, whether internally or externally illuminated, are permitted, provided they are not harsh or overly bright. Signs should consist of individual affixed to an opaque, matte finished background. The use of backlit (halo lighting) letters is strongly encouraged.

4. Freestanding signs should be placed perpendicular to approaching vehicular traffic.

5. Freestanding signs should be placed in landscaped planters of sufficient area, shape and design that will provide a compatible setting and ground definition to the signs.

6. Monument signs should be provided with a base, which measures from 12 to 18 inches in height, to accommodate the growth of landscaping around the sign base, without interrupting view of the sign face.

Chapter 9.0:
Definitions and Glossary

Division 9.01—Definitions
Division 9.02—Glossary

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Division 9.01—Definitions

Sections:

9.01.000: Purpose
9.01.005: Applicability
9.01.010: Terms and Phrases
9.01.015: Acronyms and Abbreviations

9.01.000: Purpose

The purpose of this Division is to establish definitions for terms and phrases used in this Development Code that are technical or specialized, or that may not reflect common usage.

9.01.005: Applicability

A. Unless otherwise apparent from the context, certain words, terms, phrases, abbreviations, and acronyms used in this Development Code are defined in this Division and are listed herein, in correct alphabetical order.

B. If any of the definitions in this Division conflict with definitions in other City codes and ordinances, such as the Ontario Municipal Code, or an adopted specific plan or planned unit development, these definitions shall control for the purposes of this Development Code. If a word is not defined in this Division, the Zoning Administrator shall be responsible for determining the correct definition.

C. Words used in the present tense include the future, words in the singular number also include the plural, and words in the plural number include the singular, unless the natural construction of the wording indicates otherwise.

D. The word "shall," indicates a mandatory requirement, except as when used in connection with an action or decision of the City Council, or any City commission, board, or official; in which case, the word "shall" is directory only.

E. The word "may," is a permissive term, similar in context as the terms "might," "can," or "could."

F. Whenever used in this Development Code, the word "day" shall mean a calendar day.

9.01.010: Terms and Phrases

A. Definitions of Words Beginning with the Letter "A."

Abandonment of Use. The cessation of a land use by the owner without intent to transfer the land use to another or resume the land use within the time limitations specified in Division 3.01 (Nonconforming Lots, Land Uses, and Structures) of this Development Code.

Abatement. Reducing or eliminating the degree or intensity of a nuisance or other property-related problem.

Abutting. Having property line or zoning district boundaries in common; for example, two lots are abutting if they have property lines in common.

Access. A way of approaching or entering a property. "Access" includes ingress (the right to enter) and egress (the right to leave). In zoning and subdivision regulations, recorded lots are required to have direct access to a public street or highway, or to a private street meeting public standards. This guarantees entry by owners and emergency vehicles.

Accessory (Ancillary) Structure. A structure which is incidental or subordinate to the principal structure on the same site, or the use of which is incidental or subordinate to the use of the principal structure of the site. An accessory structure that is attached or joined to a principal structure and shares a common wall therewith or is attached by a roof, which extends the full width of the structure, creating a covered breezeway (a roofed, open passage connecting two buildings, such as a house and garage), shall be deemed a part of the principal structure.

Accessory (Ancillary) Use. The use of a structure or site, or a portion of a structure or site, which is incidental or subordinate to the principal (primary) use and is located on the same property as the principle use. An accessory use shall generally be considered less intensive as it relates to area, activity, and traffic generation.

Adult Business. A business in the form of an adult arcade, adult bookstore, adult mini-motion picture theater, class "D" cabaret, escort agency, massage establishment, nude model/figure studio, sexual encounter/rap studio or sexual novelty store, as defined in this section. This definition of adult business does not include those uses, businesses, or activities of licensed professionals who are otherwise exempt from classifications as a "massage establishment" pursuant to Section 5.03.275 (Massage Services) of this Development Code. For the purposes of the adult business regulations contained in Section 5.03.015 (Adult-Oriented Businesses) of this Development Code, the following definitions shall apply:

1) Adult Arcade. An establishment having coin-operated or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices that show images to one person per machine at any one time, and where the images so displayed are distinguished or characterized by depicting or describing "specified sexual activities," or "specified anatomical areas," as defined in this section.

2) Adult Bookstore. An establishment which has a substantial portion of its stock-in-trade (a minimum of 30 percent) and offers for sale for any form of consideration, any one or more of the following:

a) Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations which are characterized by an emphasis on "specified sexual activities" or "specified anatomical areas"; or

b) Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities," as defined in this section. This definition does not include such items customarily sold by a bona fide pharmacy.

3) Adult Motion Picture Theater. An establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown to an audience and in which a substantial portion of the total presentation time is devoted to the

showing of material which is characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas."

4) Adult Mini-Motion Picture Theater. An enclosed building with a capacity of less than 50 persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to "specified sexual activities" or "specific anatomical areas," as defined in this section, for observation by patrons therein.

5) Adult Theater. A theater, concert hall, auditorium or other similar establishment, which, for any form of consideration, regularly features live performances which are characterized by the exposure of "specified anatomical areas" or by an emphasis upon the depiction of "specified sexual activities," as defined in this section.

6) Adult Video Store. An establishment having up to 20 percent or more of its floor area trade in films, motion pictures, video cassettes or video reproduction or other visual representations which are distinguished or characterized by their emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas," as defined in this section, or any establishment devoted to the sale or display of such material.

7) Class 'D' Cabaret. A cabaret that features topless dancers, bottomless dancers, go-go dancers, strippers, male or female impersonators or similar entertainment.

8) Nude Model/Figure Studio. Any place where a person, who appears in a state of nudity or displays "specified anatomical areas," is provided to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons who pay money or any other form of consideration.

9) Sexual Encounter/Rap Studio. Any business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

a) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or

b) Activities between male and female persons and/or persons of the same sex when "specified anatomical areas" of one or more of the persons are exposed or "specified sexual activities" as defined in this section occur.

10) Sexual Novelty Store. An establishment having as a portion of its stock-in-trade goods which are replicas of, or which simulate, "specified anatomical areas," as defined in this article, or goods which are designed to be placed on "specified anatomical areas," as defined in this article, to cause sexual excitement.

11) Specified Anatomical Areas. Any of the following:

a) Less than completely and opaquely covered:

i) Human genitals, pubic region;

ii) Buttocks;

iii) Female breasts below a point immediately above the top of the areola;

b) Human male genitalia in a discernible turgid state, even if completely and opaquely covered.

12) Specified Sexual Activities. Any of the following:

a) Human genitals in a state of sexual stimulation or arousal;

b) Acts of human masturbation, sexual intercourse, oral copulation, or sodomy;

c) Fondling or other erotic touching of human genitals, pubic region, buttock or female breasts.

Advertising Display Manufacture. A business establishment engaged in the commercial preparation, fabrication, construction or manufacture of a sign of any type.

Advisory Authority. A body, commission, committee, board or position listed in Table 2.02-1 (Review Matrix) of this Development Code, which is responsible for advising the Approving Authority on the appropriate action to take on **[i]** a land use or development entitlement, permit, or license; or **[ii]** other planning, zoning, or development action or decision, pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

Aesthetics. A term dealing with form, design, and/or quality of construction of a particular sign, building, site or structure, which presents a judgmental statement concerning the level of beauty or artistic value.

Affordable Housing. Housing that is economically feasible for persons whose income level is categorized as very low, low, or moderate within standards set by the California Department of Housing and Community Development or the United States Department of Housing and Urban Development.

Agenda. A document that specifies what will be discussed at a meeting of an Advisory, Approving or Appeal Authority (Reviewing Authorities). Agendas contain a brief, general description of each item the Reviewing Authority will be addressing. Members of the public may request that an agenda be mailed to them. Local agencies generally cannot discuss and make decisions on items that are not on the agenda (see GC Section 54950).

Alcoholic Beverage. Includes alcohol, spirits, liquor, wine, beer, brandy, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

Alcoholic Beverage Manufacturing. The manufacture or production of alcoholic beverages within the City of Ontario, by any person or entity properly licensed by the Department of Alcoholic Beverage Control of the State of California, which may include the sale or distribution of said products. Typical uses include breweries, distilleries, and wineries. Tasting rooms may be included in conjunction with the manufacturing activity.

Alcoholic Beverage Manufacturer. Any person or entity within the City of Ontario that is properly licensed by the Department of Alcoholic Beverage Control of the State of California, or any officer, director, employee, or agent of any such person or entity, which manufactures or produces alcoholic beverages.

Alcoholic Beverage Sales, Off-Sale. Establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment, for consumption off the premises in which they are sold. Typical uses include convenience markets, grocery stores, and liquor stores.

Alcoholic Beverage Sales, On-Sale. Establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment, for consumption on the premises in which they are sold. Typical uses include bars, brew pubs, nightclubs, wine bars, and restaurants that serve alcoholic beverages.

Alley. A public right-of-way that is permanently reserved as a secondary means of vehicular access to abutting property, which is improved by means of asphalt, concrete, decorative laid brick or block pavers, or other similar material providing all-weather access, and excluding loose materials, such as gravel, stone or slag.

Alter. To change, add to, or modify construction, use or occupancy.

Amortization. The process by which nonconforming uses and structures must be discontinued or made to conform to requirements of the current zoning ordinance at the end of a specified period of time.

Ancillary Use, Activity or Facility. A use, activity or facility that is incidental, supplementary, or otherwise subordinate to a primary permitted or conditionally permitted use, activity or facility.

Animal Hospital. A facility in which animals or pets are given medical or surgical treatment and care during the time of such treatment, and in which the boarding of such animals or pets is permitted incidental to their medical or surgical treatment and care.

Antenna. Any exterior transmitting or receiving device mounted on a tower, building structure, or alternative tower structure and used in communications, that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies, wireless telecommunication signals or other communication signals which transmit or receive radio signals. Antennas typically are either dish, panel or whip type structures.

Apartment. A residential dwelling unit within a multiple-family dwelling, which is available for lease for an extended period.

Appeal. When a person believes a decision was made in error, an appeal may be filed so that a higher decision-making body may be allowed to review the case.

Appeal Authority. A body, commission, committee, board, or position listed in Table 2.02-1 (Review Matrix) of this Development Code, which is responsible for acting on an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code, regarding an action made on **[i]** a land use or development entitlement, permit, or license; or **[ii]** other planning, zoning, or development action or decision, pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

Approving Authority. A body, commission, committee, board, or position listed in Table 2.02-1 (Review Matrix) of this Development Code, which is responsible for approving, approving with conditions, or denying **[i]** a land use or development entitlement, permit, or license; or

[ii] other planning, zoning, or development action or decision pursuant to the provisions of Chapter 2.0 (Administration and Procedures) and Chapter 4.0 (Permits, Actions and Decisions) of this Development Code.

Architectural Element. The unique details and component parts that, together, form the architectural style of a building or structure.

Architectural Projection. A building feature that is mounted on, and/or extends from the surface of the building wall or façade, typically above ground level. Examples of architectural projections include balconies, bay windows, lighting fixtures, marquees, canopies, and other similar projections of a building.

Artisan, Small-Scale, and Micro Manufacturing. A facility where shared or individual tools, equipment, equipment, or machinery are used to manufacture specialty products on a small scale or in limited quantities (a single product or small batches of product). Products are typically manufactured by hand or with a restricted level of automation. Artisan small-scale and micro manufacturing activities include design, production, processing, printing, assembly, treatment, testing, repair, and packaging, as-well-as any incidental storage, retail, or wholesale sales and distribution. Typical small-scale and micro manufacturing activities include, but are not limited to, electronics, food products, nonalcoholic beverages, leather products, clocks and watches, jewelry, clothing/apparel, metal work, furniture and fine woodworking, glass, ceramics, paper and paper products, soaps, perfumes, and lotions, together with ancillary training and/or educational program activities. Artisan small-scale and micro manufacturing facilities are small in scale and utilize production methods using limited quantities of hazardous materials and hazardous waste production. Furthermore, artisan small-scale and micro manufacturing does not involve the use of large assembly lines, rather relying upon single workplaces or production cells that carry out production steps, until specific components or the whole product is completed. Artisan small-scale and micro manufacturing does not include agriculture, alcoholic beverage production or sales, restaurants and other eating places, or industrial activities deemed "heavy" in nature.

Automated Teller Machine (ATM). An electronic banking device, either freestanding or attached to a building, which dispenses and collects money from or to individual bank accounts. The terms "Automated Teller Machine" and "ATM" may be used interchangeably.

B. Definitions of Words Beginning with the Letter "B."

Base Zoning District. The principal zoning district in which a lot or area is classified at the same time it is classified in a combined or overlay zoning district.

Bed and Breakfast Inn. A structure in which paying guests are lodged on an overnight basis, with breakfast served in connection with their lodging.

Beer. Any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof in water, and includes ale, porter, brown, stout, lager beer, small beer, and strong beer, but does not include sake (also known as Japanese rice wine). Beer aged in an empty wooden barrel previously used to contain wine or distilled spirits, shall be defined exclusively as "beer," and shall not be considered a dilution or mixture of any other alcoholic beverage.

Beer Manufacturer. Any establishment properly licensed by the Department of Alcoholic Beverage Control of the State of California, which has facilities and equipment for the purposes of, and is engaged in, the commercial manufacture of beer.

Brandy Manufacturer. Any establishment properly licensed by the Department of Alcoholic Beverage Control of the State of California, which is engaged in the manufacture of brandy only, and not in engaged in the manufacture of any other distilled spirits.

Billboard. An outdoor advertising sign supported by posts or standards and braces set into the ground or attached to a building or other structure and containing advertising copy on the sign face not related to a use, structure or activity located on the same site.

Billiard Parlor. An establishment that provides more than 2 billiard or pool tables or has 50 percent or more of the public floor area devoted to the use of billiard or pool tables by the public for compensation, whether or not the use of billiard or pool tables constitute the primary use or an accessory or incidental use. The terms "Billiard Parlor" "Pool Hall" may be used interchangeably.

Block Face. The properties abutting on one side of a street and lying between the 2 nearest intersecting streets or nearest the intersecting street and railroad right-of-way, unsubdivided land, watercourse, or City boundary.

Boarding House (Lodging House or Rooming House). A dwelling, other than a hotel, motel, residence inn, or other similar traveler accommodation, wherein one or more rooms, with or without individual or group cooking facilities, are rented to individuals under separate rental or lease agreements, either written or oral, whether or not an owner, agent or manager is in residence. The terms "boarding house," lodging house," and "rooming house" may be used interchangeably.

Bona Fide Eating Place. A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods that may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health. For the purpose of this definition, the term "meals" means the usual assortment of foods commonly ordered at various hours of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement. Furthermore, the term "guests" means persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. Nothing in this definition, however, shall be construed to require that any food be sold or purchased with any beverage.

Building. Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Building Foundation. All dwellings and accessory structures shall be affixed to a permanent, continuous concrete or masonry foundation. The exterior building finish shall extend over the foundation, to within 6 inches of the adjacent finished grade.

Building Height. See "Height (of a building or structure)."

Building Official. The Building Official of the City of Ontario.

Bus. Any vehicle designed, used, or maintained: **[i]** to carry more than 15 persons, including the driver, or **[ii]** to carry more than 10 persons, including the driver, when it is used to transport persons for compensation or profit, or is used by a nonprofit organization (CVC Section 233).

Business Services. Services that are provided to business establishments in a support capacity, such as but not limited to duplicating, stenographic and messenger services.

C. Definitions of Words Beginning with the Letter "C."

Carport. An accessory structure or portion of a main structure, open on at least 2 sides, designed for the storage of motor vehicles.

Cattery. A place in which 4 or more cats over 4 months in age are kept.

Central Business District. The area of the City bounded by "H" Street on the north, Sultana Avenue on the east, Main Street on the south and Vine Avenue on the west.

Charitable Institution. An establishment engaged in the giving of foods, goods, financial assistance, or grants or offering services or other socially useful programs on a benevolent, non-profit basis.

City. The City of Ontario, a California municipal corporation.

City Attorney. The City Attorney of the City of Ontario, or his/her designee.

City Council. The City Council of the City of Ontario.

City Engineer. The City Engineer of the City of Ontario, or his/her designee.

City Manager. The City Manager of the City of Ontario, or his/her designee.

Clinic. An establishment where patients are admitted for outpatient examination and treatment by one or more physicians, dentists, psychologists, or social workers and where patients are not lodged overnight, excluding chemical dependency clinics.

Code Enforcement Director. The Code Enforcement Director of the City of Ontario, or his/her designee.

College (University). Establishments primarily engaged in furnishing academic courses and granting degrees at baccalaureate or graduate levels. The requirement for admission is at least a high school diploma or equivalent general academic training. Instruction may be provided in diverse settings, such as the establishments or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

The term "College" or "University" may include ancillary support services and facilities, which include, but are not limited to, student and/or faculty housing, bookstores and student stores, food services, healthcare services, social assistance services, performing arts facilities, and athletic facilities.

Collocate. Locating wireless telecommunications antennas and related equipment from more than one provider on a single site.

Commercial Center (Commercial Complex). A development within a commercial or mixed-use zoning or land use district, which consists of 2 or more buildings or a single building divided into 5 or more tenant spaces, constructed by a single developer or group of developers and designed to function as a single cohesive unit in terms of access, parking, landscaping, property and landscape maintenance, and architecture, regardless of the subsequent parcelization. The terms "commercial center" and "commercial complex" may be used interchangeably.

Commercial Recreation. An establishment, activity or use of a site or structure in which a fee is charged to provide space, services, or facilities for individual or group use in the pursuit of any recreational purpose.

Commercial Speech. Any message, the prevailing thrust of which is to propose a commercial transaction.

Commercial Vehicle. A vehicle that is used or maintained for the transportation of persons for hire, compensation, or profit (i.e., taxi or limousine), or is designed, used, or maintained primarily for the transportation of property (CVC Section 260).

Community Apartment. A development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon.

Community Care Facility. Any facility place or building that is maintained and operated to provide nonmedical residential care, day treatment adult day care or foster family agency services for children, adults, or children and adults, including but not limited to, the physically handicapped, mentally impaired incompetent persons and abused or neglected children, and includes the following, as defined by the California Community Care Facilities Act (HSC Section 1500 et seq.):

1) Residential care facility;

2) Adult day program;

3) Therapeutic day services facility;

4) Foster family agency;

5) Foster family home;

6) Small family home;

7) Social rehabilitation facility;

8) Community treatment facility;

9) Full-service adoption agency;

10) Noncustodial adoption agency;

11) Transitional shelter care facility; and

12) Transitional housing placement facility.

The term "Community Care Facility" is limited to those facilities places or buildings that are both subject to regulation by the State of California and actually licensed by the State of California. No facility place or building that may otherwise be regulated by the State of California, but which is not actually licensed by the State of California, shall be deemed a "Community Care Facility" for purposes of this title.

Community Noise Equivalent Level (CNEL). A scale for measuring noise activities that takes into account the sounds received at a point from all noise events causing noise levels above a prescribed value. Weighing factors are included which accord greater significance to noise events occurring during evening hours (7:00 PM to 10:00 PM), and even greater significance to noise events occurring at night (10:00 PM to 7:00 AM), than to noise events occurring during daytime hours (7:00 AM to 7:00 PM).

Compatibility. The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict. The designation of permitted and conditionally permitted uses in a zoning district is intended to achieve compatibility. Some elements affecting compatibility include intensity of occupancy, as measured by dwelling units per acre; pedestrian or vehicular traffic generated; volume of goods handled; and environmental effects, such as noise, vibration, glare, air pollution, or radiation.

Conditionally Permitted Use. A land use that is allowed within a specified zoning district, subject to the approval of a Conditional Use Permit.

Conditional Use Permit. A zoning instrument used primarily to review the location, site development or operation of certain land uses. A Conditional Use Permit is granted at the discretion of the Planning Commission or Zoning Administrator and is not the automatic right of the applicant or landowner.

Condominium. A development consisting of an undivided common interest in a portion of real property, coupled with a separate interest in space within a residential, commercial or industrial building, called a unit, the boundaries of which area described on a recorded final map, parcel map, or condominium plan, in sufficient detail to locate the boundaries thereof. The area of these boundaries may be filed with air, earth, water, or any combination thereof, and need not physically be attached to land, except by easements for access and, if necessary, support.

Congregate Care Facility. A facility that provides communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services and other support services appropriate for the residents. A "Congregate Care Facility" is subject to regulation by the State of California as a "Community Care Facility."

Convalescent Home (Convalescent Hospital). See "Nursing Home."

Convenience Store (Convenience Market or Mini-Market). A retail establishment, limited to a maximum size of 10,000 SF, offering for sale, prepackaged food products, household items, newspapers and magazines, and sandwiches/salads and other freshly prepared foods for off-site consumption. The terms "convenience store," "convenience market" and "mini-market" may be used interchangeably.

County. The County of San Bernardino.

County Recorder. The recorder for the County of San Bernardino.

Covenant. A private legal restriction that places a burden on a parcel of land in favor of another parcel, which is recorded in the deed. Covenants are commonly used in the establishment of a subdivision to restrict the use of lots within the development, guarantee views and solar access, and guarantee access and maintenance of designated areas.

D. Definitions of Words Beginning with the Letter "D."

Day. A calendar day.

Day Care Facilities. Day care facilities shall be defined as follows:

1) Adult Day Care Facilities. Facilities of any capacity that provide programs for frail, elderly and developmentally disabled and/or mentally disabled adults (persons 18 years of age and older) in a day care setting.

2) Child Day Care Center. A facility, other than an adult and family day care facility, providing non-medical care for children (persons less than 18 years of age) on less than a 24 hour per day basis, including infant care, pre-schools, and extended day care for school-aged children.

3) Family Child Day Care. A home that regularly provides family day care, protection and supervision for 14 or fewer children (persons less than 18 years of age) in the provider's own home, for periods of less than 24 hours per day while parents or guardians are away, and includes the following:

a) Small Family Day Care. Provides family day care to 8 or fewer children, including those children under the age of 10 years who reside at the provider's residence; and

b) Large Family Day Care. Provides family day care for 7 to 14 children, inclusive, including those children under the age of 10 who reside at the provider's residence.

Day Spa. A facility that provides personal care and wellness services employing licensed trained professionals where visitors can receive a variety of spa treatments during day hours, and overnight accommodations are not available. Examples of typical spa services include, but are not limited to exfoliation, dermabrasion, dry brushing, body composition (fat to lean muscle ratio) analysis, chemical peel, clay or mud wrap, and facial rejuvenation. Day Spas exclude massage unless the facility also meets Massage Establishment requirements of the Development Code.

dBA. A number in decibels which is read from a sound level meter with the meter switched to its weighting scale labeled "A." The number is an approximate measurement of the relative noisiness or annoyance level of common sounds.

Deck. An outdoor living area on a floor or platform that extends from a building, or may be freestanding, and which is no more than 2.5 FT above finished grade at any point. A deck is typically made of wood, or a composite wood material or vinyl.

Dedication. Property that is transferred from an owner to a public agency to be used for roads, parks, school sites or other public uses or facilities. Dedication requirements are typically imposed as a condition of a tentative map, parcel map or as a condition of development.

Deed Restriction. A private legal restriction on the use of land recorded in the deed. The restriction burdens or limits the use of the property in some way.

Density (Residential Density). A quantitative measure of the intensity with which residentially zoned land may be developed in terms of the minimum and maximum number of allowed dwelling units for each net acre of land. In calculating the allowed minimum residential density of a lot, if a fractional number results from calculations performed, the number shall be rounded up, to the higher whole number. In calculating the allowed maximum residential density of a lot, if a fractional number results from calculations performed, the number shall be rounded down, to the lower whole number.

Department Store. A retail store offering a full line of general merchandise items.

Development Advisory Board (DAB). A City panel, whose membership is established by resolution of the City Council, which is charged with the responsibility for the review and approval of certain classifications of development plans.

Development Agreement. An agreement duly entered into pursuant to GC Section 65864 et seq. of the State of California.

Development Code. The Development Code of the City of Ontario, including all text and maps, as may be amended from time to time.

Direct Access. Having unimpaired access to a public street over a front, side or rear property line adjoining a street.

Discount Store. A retail establishment that offers continually changing merchandise for sale at below market price, and has no regular stock, constant inventory, or standard supplier. Merchandise typically consists of discontinued items, stock over-runs, out of season merchandise, and one-time, large-lot purchases.

Discretionary Project. An activity that requires a public agency to exercise judgment in deciding whether or not to approve, conditionally approve, or deny a project.

Dish Antenna. A dish-like antenna used to link communications sites together by wireless transmission of voice or data. Also called microwave antenna or microwave dish antenna.

Distilled Spirits. An alcoholic beverage obtained by the distillation of fermented agricultural products, and includes alcohol for beverage use, spirits of wine, whiskey, rum, brandy, and gin, including all dilutions and mixtures thereof.

Distilled Spirits Manufacturer. Any establishment licensed by the Department of Alcoholic Beverage Control of the State of California, who produces distilled spirits from naturally fermented materials or in any other manner.

Drive-Through (Drive-Thru). Outdoor service provided by a business establishment by means of a window counter for the purpose of accommodating persons in motor vehicles.

Drive Aisle. A privately owned vehicular access, 26 FT or less in width (excluding adjoining off-street parking spaces), which is improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, and excluding loose materials, such as gravel, stone or slag, which is needed for vehicular access to off-street parking facilities required by this Development Code, and may include emergency vehicle accesses provided pursuant to the Ontario Fire Code (Ontario Municipal Code Title 4, Chapter 4 (Fire Code)).

Drive, Private. The principal means of vehicular access through a master planned development project, minimum 24 FT in width (excluding adjacent off-street parking spaces), which is privately owned and improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, and excluding loose materials, such as gravel, stone or slag, and may include emergency vehicle accesses provided pursuant to the Ontario Fire Code (Ontario Municipal Code Title 4, Chapter 4 (Fire Code)).

Driveway. The necessary hard-surfaced area, improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, excluding loose materials, such as gravel, stone or slag, which is needed for vehicular ingress and egress to a garage, carport or other off-street parking designed pursuant to Division 6.03 (Off-street Parking and Loading) of this Development Code.

Dwelling. Any building, or any portion thereof, which is not an apartment hotel, hotel, motel and which contains one or more dwelling units or guest rooms used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied or which are occupied for living purposes. The classifications of "dwelling" are as follows:

1) Accessory Dwelling Unit (ADU). Refer to Section 5.03.010 (Accessory ~~Residential Structures~~Dwelling Units) of this Development Code.

2) Multiple-Family Dwellings. Two or more attached dwelling units, with each dwelling designed for occupancy by independent households. Multiple-family dwellings shall not include accessory dwelling units.

3) Single-Family Dwellings. A single detached dwelling unit designed and intended exclusively for occupancy by a single household. Single-family dwellings may be designed or arranged in a traditional development consisting of a single detached dwelling unit on a residentially zoned lot of record, or small lot and cluster developments consisting of two or more detached dwelling units, regardless of the number or configuration of lots. In either case, there may be some portion of the development owned in common by all residents.

4) Studio Dwellings. An apartment or condominium unit containing no more than one room and bath, and cooking facilities.

Dwelling Unit. One or more habitable rooms, which are designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities, and containing no more than one kitchen, provided within the same unit for the exclusive use of the household.

E. Definitions of Words Beginning with the Letter "E."

Electronic Message Center. An advertising display where the message is changed more than once every two minutes, but no more than once every four seconds (BPC Section 5216.4).

Eligible Facilities Request. Has meaning as set forth in 47 CFR Section 1.6100(b)(3), or any successor provision.

Emergency Shelter. As defined in HSC Section 50801(e), "emergency shelter" means housing with minimal supportive services for homeless persons, which is limited to an occupancy of 6 months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Employee (Farmworker) Housing. Has the same meaning as defined in HSC Section 17008.

Equestrian Trail. A trail which is a segment of a planned trail system designed, improved, and intended to be used for horseback riding purposes and on which use by vehicles of any type, except for maintenance and service vehicles directly related to equestrian activities and public safety vehicles, is prohibited.

Escort Agency. A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip or other consideration.

Exotic Pet. Any warm-blooded or cold-blooded animal of the biological kingdom Animalia, generally considered as wild, exotic, dangerous, or not normally domesticated. The term "exotic animal" does not include venomous reptiles.

F. Definitions of Words Beginning with the Letter "F."

Façade. The exterior walls of a building exposed to public view or that wall viewed by persons not within the building. The primary facade is the exterior building face that is parallel to the front property line.

Family. One or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.

Final Map. A map showing a subdivision of 5 or more parcels for which a tentative and final map are required by the Subdivision Map Act and this Development Code, prepared in accordance with the provisions of the Subdivision Map Act and this Development Code, and designed to be filed for recordation in the office of the County Recorder.

Flophouse. A flophouse offers very inexpensive lodging, generally by providing minimal services. Flophouse occupants generally share bathroom facilities and reside in quarters that are typically very small and may resemble office cubicles more than a room in a hotel or apartment building. Persons making use of this type of lodging are often transients.

Floor Area, Gross (GFA). The total area calculation of all floors and mezzanines of a building, measured to the outside face of the exterior walls, including hallways, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and basement or attic areas having a clear height of at least 7 FT, but excluding area used exclusively for vehicle parking or loading. The GFA calculation also includes any usable area not provided with surrounding walls, which is under the horizontal projection of a roof or canopy, or floor above. A GFA calculation shall not include mezzanine areas used as catwalks and platforms for conveyers, equipment, and related workstations.

Floor Area, Net. The total area calculation of all floor areas and mezzanines of a building, measured to the inside face of the exterior walls, excluding stairwells, elevator shafts, equipment rooms, and all floors below the ground floor, except when used or intended to be used for human habitation or service to the public, and area used exclusively for vehicle parking or loading. A net floor area calculation shall not include mezzanine areas used as catwalks and platforms for conveyers, equipment, and related workstations.

Floor Area Ratio (FAR). Floor area ratio is used as a measure of the intensity of a site being developed, represented by the mathematical formula of dividing the gross floor area of the building (measured in SF) by the lot area of the same lot on which the building is located, to generate a ratio of building area to land area.

Frontage. The edge of a property that is adjacent to a public or private street, or main drive aisle through a common interest subdivision.

Fueling Stations. See "Gasoline Service Station."

Funeral Director Services. The occupation or function of organizing funerals and funeral activities and managing funeral establishments.

Funeral Establishment. A business with assembly facilities for the purpose of conducting observances for dead persons, such as viewing bodies, funerals, and memorial services. A funeral establishment does not include facilities for the preparation of the dead for burial or cremation.

Funeral Parlors (Mortuaries). Establishments with facilities for the preparation of the dead for burial or cremation, excluding establishments with facilities for viewing bodies and for funerals.

G. Definitions of Words Beginning with the Letter "G."

Game Arcade. An establishment that has 50 percent or more of the public floor area devoted to the use of video games, pinball machines, computers, or other similar devices, which are available to the public for compensation. The devices may be used for gaming, internet access, e-mail, access to computer software programs, and other similar activities. "Game arcades" includes cyber cafes, on-line internet gaming, and other similar facilities.

Garage. An accessory structure or portion of a main structure that is fully enclosed on all sides and specifically designed for the shelter or storage of motor vehicles.

Gasoline Service Station (Fueling Station, Gasoline (Gas) Station, or Service Station). A retail business engaged primarily in the sale of motor fuels, but also supplying goods and services generally required in the operation and maintenance of automotive vehicles and fulfilling motorist needs, including the sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items; lubrication services; washing of automobiles as an incidental part of the business; performance of minor automotive repair, including engine tune ups, tire and battery replacement and brake replacement, but excluding painting, body work, steam cleaning or major repairs; and the supplying of other such incidental customer services, including limited food and sundry items. The terms "fueling station," "gasoline station," "gas station," and "service station," may be used interchangeably.

General Plan. The Policy Plan (General Plan) component of The Ontario Plan, which includes all adopted elements and maps, as it may be amended from time to time. The General Plan is the foundation for local land use planning, providing a vision for the foreseeable planning

horizon—usually 10 to 20 years—and translates it into goals and policies for the physical development of the community.

Geologically Hazardous Area. An area that may be affected by one or more of the geologic hazards discussed in the General Plan of the City.

Government Code. The Government Code of the State of California. If at any time any of the sections of the Government Code referred to in this Development Code are redesignated by a new number, such new number shall thereupon be deemed substituted for such old number wherever the same appears in this Development Code.

Grocery Store. A retail establishment with at least 12,000 SF of floor area devoted to the sale of prepackaged food products, household items, newspapers and magazines, and sandwiches/salads and other freshly prepared foods for off-site consumption.

Gross Vehicle Weight Rating. The weight that equals the total unladen weight of the vehicle, plus the weight of the heaviest load that can be safely transported on the vehicle, according to the vehicle manufacturer.

Group Home. A residential facility for 6 or fewer occupants, which serves children or adults with chronic disabilities (mental or physical) and is staffed 24 hours a day by trained caregivers.

Guesthouse. Living quarters within a residential structure, which may be attached to, or detached from, the main dwelling, and is for the sole use of occupants of the main dwelling and persons employed on the premises, or for temporary use by non-paying guests for a period not to exceed 90 days within any 120-day period. A guesthouse has no kitchen facilities and cannot be rented or otherwise used as a separate residence.

H. Definitions of Words Beginning with the Letter "H."

Hardscape. A hard-surfaced area (e.g., driveways, patios, sidewalks, streets, walkways, water features, etc.), improved by means of asphalt, concrete, decomposed granite, laid block and/or brick, gravel, rock, slag, stone, and other similar materials, but excludes mulch.

Hazardous Waste. A waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may either cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed. Unless expressly provided otherwise, the term "hazardous waste" shall be undersold to also include "extremely hazardous waste" (HSC Section 25117). The EPA has established four characteristics of hazardous waste that can be determined by tests:

- Ignitability: The ability to catch fire, or to burst into flame spontaneously or by interaction with another substance or material;
- Corrosivity: The ability to wear away or destroy other materials, including human issue;
- Reactivity: The ability to enter into a violent chemical reaction, which may involve explosion or flumes; and
- Toxicity: The ability to release certain toxic constituents when leached with a mild acid (33 USC Section 1321 (b)(2)(A)).

For the purposes of the hazardous waste regulations contained in this Development Code, the following definitions shall apply:

1) Cement Kiln Incineration. The burning of organic wastes as a supplementary fuel at very high temperature during the production of cement.

2) Class "I" Land Disposal Facility. A land disposal facility which must conform to the requirements of the State Water Resources Control Board for Class "I" units, and which must be located where natural geologic features provide optimum conditions for isolation of wastes from waters of the state. Currently, these facilities may accept solid and dry hazardous waste. After 1990, they will be precluded from accepting any untreated hazardous wastes.

3) Class "II" Land Disposal Facility. A land disposal facility that must be located where site characteristics and containment structures isolate wastes from the waters of the State. Class "II" land disposal facilities are suitable for wastes which have been granted a variance from Hazardous Waste Management requirements pursuant to 22 CCR Section 66310.

4) Class "III" Land Disposal Facility. A land disposal facility for nonhazardous waste, including garbage, trash, refuse, paper, ashes. etc., provided such wastes do not contain hazardous or designated wastes. Class "III" facilities must conform to the requirements of the State Water Resources Control Board as specified in CCR, Title 23, Division 3, Chapter 15, commencing with Section 2510, and must be located where site characteristics provided adequate separation between the waste and the waters of the State (also called municipal or sanitary landfill.)

5) Deep Well Injection. Subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension (22 CCR Section 66224).

6) Disposal, Hazardous Waste. Hazardous waste disposal shall be defined as follows:

a) The discharge, deposit, injection, dumping, spilling, leaking or placing of any waste so that the waste or any constituent of the waste is or may be emitted into the air or discharged into or on any land or waters, including groundwater, or may otherwise enter the environment; and

b) The abandonment of any waste (HSC Section 25113).

7) Hazardous Material. A substance or combination of substances which, because of its facility, concentration, or physical, chemical or infectious characteristics, may either:

a) Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or

b) Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed. Unless expressly provided otherwise, the term "hazardous malarial" shall be understood to also include extremely hazardous malarial (22 CCR Section 66084).

8) Hazardous Substance. Hazardous substances shall be defined as follows:

a) Any substance designated pursuant to Slates Environmental Protection Agency has taken action pursuant to 15 USC Section 2606;

b) Any element, compound, mixture, solution or substance designated pursuant to Section 102 of the Federal Act, 42 USC Section 9602;

c) Any hazardous waste having the characteristics identified under or listed pursuant to 42 USC Section 6921, but not including any waste the regulation of which under the Solid Waste Disposal Act has been suspended by act of Congress;

d) Any toxic pollutant listed under 33 USC Section 1317(a);

e) Any hazardous air pollutant listed under 42 USC Section 7412;

f) Any imminently hazardous chemical substance or mixture with respect to which the Administrator of the United Procedure or Waste Extraction Test), or demonstrate toxicity in animal studies (22 CCR Section 66696 et seq.); and

g) Any hazardous waste or extremely hazardous waste as defined by HSC Section 25117 and HSC Section 25115, respectively, unless expressly excluded (HSC Section 25316).

9) Hazardous Waste Facility. Hazardous waste facility or facilities means all contiguous land and structures, other appurtenances, and improvements on the land used for the treatment, transfer, storage, resource recovery, or recycling of hazardous waste. A hazardous waste facility may consist of one or more treatment, transfer storage, resource recovery, or recycling hazardous waste management units, or combinations of these units (HSC Section 25117.1).

10) Hazardous Waste Landfill. A disposal facility, or part of a facility, where hazardous waste is placed in or on land that is not a land treatment facility, a surface impoundment, or an injection well (22 CCR Section 66123). After 1990, the disposal of untreated hazardous waste, except solid clean up waste from existing contaminated sites in a landfill will be illegal (HSC Section 15179.6).

11) Hazardous Waste Collection. Establishments engaged in collecting and/or hauling hazardous waste within a local area.

12) Household Hazardous Waste Collection Center. A collection center that accepts household hazardous waste from residents, which consist of but not limited to, paint, waste oil, thinners. household cleansers, etc., with a capacity of less than 55 drums (equal to 3025 gallons) of waste.

13) Incinerator. An enclosed device using controlled flame combustion, the primary purpose of which is to thermally break down hazardous waste, examples are a rotary kiln, fluidized bed liquid injection and a cement kiln.

14) Land Disposal Facility. Where hazardous waste is disposed in, on, under or to the land.

15) Land Farming (Land Application, Land Spreading). A treatment technique that involves spreading the waste on land and utilizing evaporation and microbial action to degrade the wastes. Used primarily for crude oil wastes.

16) Off-Site Hazardous Waste Facility. An operation involving handling, treatment, storage or disposal of hazardous waste at a site physically separate from the site where the waste was generated; at a site not owned by, or leased to the producer of the waste; or at a site which

receives hazardous waste from more than one generator. Also see "specified hazardous waste facility."

17) On-Site Hazardous Waste Facility. An operation involving treatment and storage of hazardous waste on land owned by the waste producer, contiguous to the site of waste generation, which receives hazardous waste produced only by the generator.

18) Residuals Repository. A hazardous waste facility which accepts for disposal only treated hazardous waste, meets all applicable federal and state regulations, and holds a hazardous waste facility permit.

19) Specified Hazardous Waste Facility. An off-site hazardous waste facility that accepts disposal wastes from more than one producer of hazardous waste (HSC Section 25199.1(m)). For purposes of this Development Code, a household hazardous waste collection center with a capacity of less than 50 drums of waste is not considered a specified hazardous waste facility.

20) Storage Facility/Hazardous Waste. A hazardous waste facility at which hazardous waste is contained for a period greater than 96 hours at an off-site facility or for periods greater than 90 days at an on-site facility (HSC Section 25123.3).

21) Surface Impoundment. A facility or part of a facility that is a natural topographic depression, man-made excavation, or diked area, formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds and lagoons (HSC Section 66200).

22) Transfer Stations. Any hazardous waste facility where hazardous wastes are located, unloaded, pumped or packaged (22 CCR Section 66212).

23) Transportable Treatment Unit. Hazardous waste treatment works which are designed to be moved either intact or in modules and which are intended to be operated at a given location for a limited period of time~~;~~.

24) Treatment Facility. A facility at which hazardous waste generated in the City of Ontario is subjected to treatment or where a resource is recovered from a hazardous waste.

25) Waste Pile. Any non-containerized accumulation of solid, non-flowing hazardous waste that is used for treatment or storage (22 CCR Section 66160).

Height (of a Building or Structure). The vertical dimension of a building or any other type of structure measured from the lower of existing grade or finished grade elevation to the highest point of the roof, not including chimneys, antennas, or other appurtenant structures. The height of structures shall be measured vertically, from a line representing a horizontal plane drawn through either the base of the structure at the lowest elevation of the existing grade prior to development or finished grade of the structure, whichever is lower, to a line representing a horizontal plane drawn through the highest point of the roof or through the coping of a flat roof, the deck line of a mansard roof or the highest ridge of a sloping roof.

Historic Preservation. "Historic Preservation" refers to the treatment of historic places and sites. For the purposes of the historic preservation regulations contained in this Development Code, the following definitions shall apply:

1) Alteration. Any exterior change or modification, through public or private action, to the character-defining or significant physical features of properties affected by this Development Code, such as changes to or modification of a structure, architectural details or characteristics, rock curbs, the addition of new structures, cutting or removal of trees, and the placement or removal of significant objects, including but not limited to signs, plaques, light fixtures, street furniture, walls, fences, or steps, which affect the significant historical qualities of the property. This may also include any identified significant interior features of historic property.

2) Certificate of Appropriateness. A certificate issued by the Approving Authority approving plans, specifications, statements of work, and any other information that are reasonably required by the Approving Authority to make a decision on any proposed alteration, restoration, rehabilitation, construction, removal, relocation, or demolition, in whole or in part, or to an historic resource.

3) Certificate of Economic Hardship. A certificate authorizing work described in the accompanying Certificate of Appropriateness granted by the Approving Authority because of extreme financial privation or adversity.

4) Certified Local Government. A local government certified under a federal program by the State office of Historic Preservation for the purpose of more direct participation in federal and state historic preservation programs.

5) Character-Defining Feature. The man-made elements embodying style or components of an improvement, including but not limited to the kind and texture of the building materials, roof pitches, exterior wall finishes, and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.

6) Contributing Resource. Any improvement, building, structure, sign, feature, tree, or other object adding to the historical, architectural or cultural significance of an historic district.

7) Demolition. Any act or process that destroys in part or in whole an individual historic resource or a structure within an historic district.

8) Design Guidelines. The principles contained in a document, which illustrate appropriate and inappropriate methods of rehabilitation and construction. The purpose of using design guidelines is to aid design and decision-making with regard to retaining the integrity of scale, design, intent, materials, feelings, patterns of development, and historic character of an historic resource.

9) Designated Site. A parcel or part thereof on which an historic resource is situated, and any abutting parcel or part thereof constituting part of the premises on which the Historical Resource is situated, and which has been designated a historic landmark or district.

10) Historic Context. A framework for interpreting history that groups information about historical resources sharing a common theme, geographical area, or chronology. The development of "historic context" is a foundation for decisions regarding the planning, identification, evaluation, registration, and treatment of historical resources based upon comparative historic significance.

11) Historic District. Any defined contiguous or noncontiguous grouping of properties that share a common theme and/or period of significance containing a concentration of

improvements which have a special historical interest or value, which possess integrity of location, design, setting, materials, workmanship, feeling, and association, or which represent one or more architectural periods or styles typical to the history of the City, and that has been nominated or designated a Historic District, or placed on the National Register of Historic Places or the California Register of Historical Resources.

12) **Historic Integrity.** The authenticity of a property's historic identity evidenced by the survival of physical characteristics that existed during the property's prehistoric or historic period. Historic integrity is the composite of seven qualities which include location, design, setting, materials, workmanship, feeling, and association.

13) **Historic Landmark.** Any singular Historical Resource that has been nominated or designated, or placed on the National Register of Historic Places, or the California Register of Historical Resources.

14) **Historic Resources.** Improvements, buildings, structures, signs, features, Historic Districts, conservation zones, trees, or other objects of cultural, architectural, or historical significance to the City, State, Region, or the Nation, which have been determined to be eligible for nomination or designation and determined to be appropriate for historic preservation by the Approving Authority.

15) **Historic Resources Survey.** A survey conducted to identify, record, and evaluate historic properties within a community, neighborhood, project area, or region. A reconnaissance level survey involves the preparation of a Primary Record form (or DPR523A) pursuant to standards established by the California Office of Historic Preservation. A Primary Record documents the location and physical description of a building, structure, object, or site. An intensive level survey involves the preparation of a Building, Structure, and Object (BSO) Record form (or DPR523B) pursuant to the standards established by the California Office of Historic Preservation. A BSO Record is used to evaluate and present detailed information about buildings, structures and objects. The intensive level survey will also evaluate areas or neighborhoods for historic significance and a DPR523D form will be prepared.

16) **Improvement.** Any building, structure, fence, gate, tree, wall or other specified object constituting a historical physical feature of real property, or any part of such feature.

17) **Local Historic Status Codes.** A classification system that identifies historic resources based on the level of evaluation and designation for which the property has been approved.

18) **Mills Act Contract.** A property contract entered into between the City and a property owner that provides a potential for lower property taxes in return for the rehabilitation, restoration and preservation of a qualified historical property pursuant to GC Section 50280, et seq.

19) **Noncontributing Resource.** Any improvement, building, structure, sign, feature, tree or other object that does not add to the historical, architectural or cultural significance of a district.

20) **Object.** A material thing of historical, cultural or architectural value.

21) **Ontario Register.** A list that includes historic resources that have been surveyed at the intensive level (DPR523A and DPR523B) and determined to be eligible for local, state, or national through a regulatory process. This includes "determined eligible," "designated," and "nominated" properties. Historic Preservation Subcommittee maintains the Ontario Register.

22) Ordinary Maintenance and Repair. Any work, for which a building permit is not required by law, where the purpose and effect of such work is to correct any deterioration of or damage to a structure or any part thereof and to restore the same, to its condition prior to the occurrence of such deterioration or damage.

23) Period of Significance. The length of time when a property was associated with important events, activities, or persons, or attained the characteristics which qualify it for listing in the Local, State, and/or National Register.

24) Preservation. The identification, study, protection, restoration, rehabilitation, or acquisition of Historical Resources.

25) Secretary of the Interior Standards for Rehabilitation. The guidelines prepared by the National Park Service for Rehabilitating Historic Buildings and the Standards for Historic Preservation Projects prepared by the National Park Service with Guidelines for Applying the Standards.

26) Statement of Significance. An organizational format which groups information about related historical resources based on theme, geographic units, and chronological period. The information should describe why the resource is significant within a relevant historic context.

27) Significant Feature. The man-made elements embodying style or components of an improvement, including but not limited to the kind and texture of the building materials, and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.

28) State Historic Building Code. HSC Part 2.7 (commencing with HSC Section 18950), and the regulations promulgated thereunder, as they may be amended from time to time (24 CCR, Part 8).

Home Occupation. An occupation conducted by the occupant of a dwelling as a secondary use in which there is no display, no stock-in-trade, no commodity sold on the premises, no person employed other than residents of the dwelling, and no mechanical equipment used, except for that necessary for housekeeping purposes.

Hotel. A lodging facility, which offers transient accommodations at a daily rate, to the general public, and which may provide additional services, such as restaurants, meeting rooms and recreational facilities.

Household. One or more individuals occupying a single dwelling, with common access to and use of all living, eating, and kitchen facilities within the dwelling.

Household Pet. A small, domesticated animal, normally allowed access to the house or yard, kept for company, security or pleasure, limited to any combination of dogs, cats, potbellied pigs, rabbits, chinchillas, and other small, domesticated animals that are maintained for non-breeding purposes only.

Human Signs. A sign held by, or attached to, a human for the purpose of advertising or otherwise attracting attention to an individual, or a business, commodity, service, or product, and includes the use of a person dressed in costume for the purpose of advertising or attracting attention to an individual, business, commodity, service, or product. A "human sign" may also be referred to as a human billboard, human directional, sign walker, sign waver, or sign twirler.

I. Definitions of Words Beginning with the Letter "I."

Immediate Neighborhood. The block in which the subject property is located, as well as the opposite block face along the same street.

Improvement. Any street work and utilities to be installed, or agreed to be installed, by the subdivider on land to be used for public or private streets, highways, driveways, drive aisles and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic, and drainage needs as a condition precedent to the approval and acceptance of the final tract map. Furthermore, the term shall mean any other specific improvement or type of improvement, whether public or private, the installation of which, either by the subdivider, public agencies, private utilities, any other entity approved by the local agency, or by a combination of such, which is necessary to ensure consistency with or implementation of the general plan or any applicable specific plan.

Industrial Clinic. Establishments of independent healthcare practitioners providing services to businesses and their employees, which are engaged in: **[i]** providing physical therapy services to patients with impairments, functional limitations, disabilities, or changes in physical functions and health status, which are a result of injury, disease or other causes received while on-the-job, or who require prevention, wellness or fitness services; **[ii]** planning and administering educational, recreational, and social activities designed to help patients or individuals with disabilities, regain physical or mental functioning or to adapt to their disabilities; and **[iii]** diagnosing and treating speech, language, or hearing problems.

Industrial Park (Industrial Complex). A development within an industrial zone or land use district, which consists of 2 or more buildings constructed by a single developer or group of developers and designed to function as a single cohesive unit in terms of access, parking, landscaping, property and landscape maintenance, and architecture, regardless of the subsequent parcelization. The terms "industrial park" and "industrial complex" may be used interchangeably.

In-Lieu Fee. A cash payment that may be required of an owner or developer as a substitute for the dedication of land or the construction of public improvements.

Interim Use. A use of land or a structure that is less than permanent, with the duration of the use subject to City approval.

Institutional Use. A privately operated use of a semi-public type, such as a church, convent, monastery, day care facility or hospital, nursing home, hospice facility, club, or lodge, philanthropic or charitable foundation, nonprofit library, art gallery, museum, or similar type of establishment.

Intensification of Use. The use of a property, site, or defined area of land, or a structure or portion of a structure, at a higher density (residential) or intensity (nonresidential) than previously recognized and/or approved by the City, either through development, redevelopment, infill, addition, or expansion.

J. Definitions of Words Beginning with the Letter "J."

Junior College. Establishments primarily engaged in furnishing academic, or academic and technical, courses and granting associate degrees, certificates, or diplomas below the baccalaureate level. The requirement for admission to an associate or equivalent degree

program is at least a high school diploma or equivalent general academic training. Instruction may be provided in diverse settings, such as the establishments or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

K. Definitions of Words Beginning with the Letter "K."

Kennel. A place in which 4 or more dogs over 4 months in age are kept.

Kiosk. A small, freestanding lightweight structure less than 150 SF in area, sometimes open on one or more sides. Kiosks are often used as a newsstand or for small-scale merchandising.

Kitchen. A room or portion of a room in a structure, which is used for the purposes of preparing meals and contains the necessary cooking or food preparation facilities (and may include a microwave oven or hot plate) and shall also be equipped with a sink and hot and cold running water.

L. Definitions of Words Beginning with the Letter "L."

Lane (Alleyway). The principal means of vehicular access to one or more abutting dwellings within a townhouse, rowhouse, or cluster development, which is not intended for through access and is privately owned and improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, excluding loose materials, such as gravel, stone or slag. The terms "lane" and "alleyway" may be used interchangeably.

Landscaped Area. The unpaved portion of a site containing planted areas and plant materials, including trees, shrubs, lawns and flowers and ground cover, together with such decorative elements as walkways, benches, patios, terraces, water features, and the like, suitable for ornamenting a site or structure, or use on the site. Landscaping may also include non-plant decorative material as an intended complementary aspect of a landscape design, such as:

1) Public art installed pursuant to Division 6.07 (Public Art) of this Development Code;

2) Decorative fountains, reflecting pools, and ponds;

3) Decorative rock, stone, bark, mulch, and other similar decorative materials installed for the purpose of reducing the need for the watering of plant material, and which does not cover more than 5 percent of the total landscaped area; and

4) Trellises, porticos, arbors, and other similar garden structures, which do not exceed 6 FT in width, 3 FT in depth, and 8 FT in height.

Live Entertainment. Any live performance, including, but not limited to, all forms of music, theatrical or comedic performance, song, dance, karaoke, or vocal entertainment by a disc jockey (DJ) or announcer, in which one or more employees, independent contractors, guests, customers, or any other individual participates. Live entertainment shall also include dancing by patrons to live or recorded music.

Live entertainment shall not include ambient or incidental music provided for guests or patrons by one nonamplified musician, or the use of a radio, television, or other electronic

playback device in any establishment, except when utilized by an announcer, DJ, master of ceremony (MC), or presenter, who at any time provides any form of vocal or visual entertainment for the purpose of gaining the attention and interest of, or diverting or amusing, guests or patrons, including the announcing of song titles or artists' names.

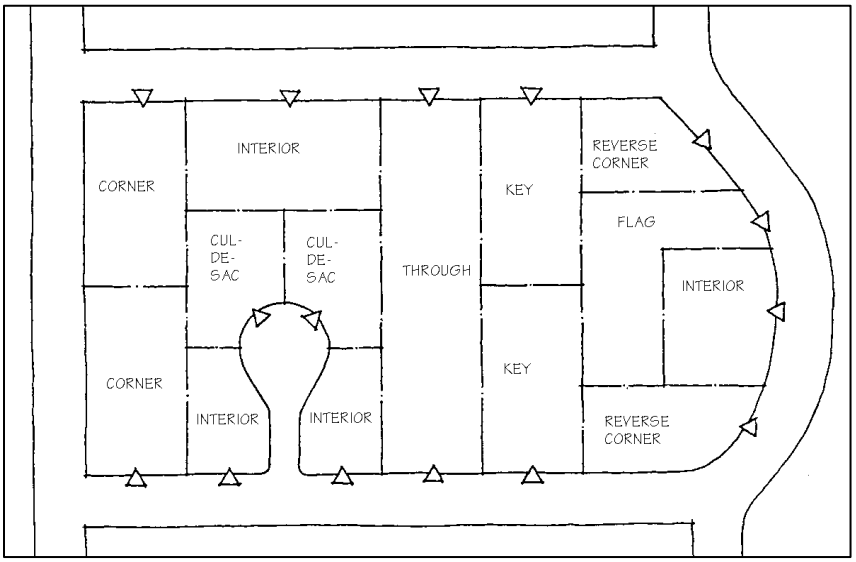
Living Area. The interior habitable area of a dwelling unit, including improved basements and attics, but does not include a garage or accessory structure.

Loading Area. The portion of a site developed for the loading or unloading of motor vehicles or trailers, including loading spaces, drive aisles and driveways.

Lodging Facility. An establishment that provides transient sleeping accommodations for rent.

Lodging House. See "Boarding House."

Lot. A unit or portion of land, separate from other units or portions by description, as shown on a final map or by other such map or instrument approved by the City or applicable government entity under the provisions of the Subdivision Map Act (commencing with GC Section 66410) and City ordinances in effect at the time of such approval, for the purpose of sale, lease, or financing. The classifications of "lot" are described as follows (see examples below):



Lot Types

1) **Corner.** A lot located at the intersection of 2 or more streets.

2) **Cul-De-Sac.** A lot located on the turning end of a dead-end street.

3) **Flag.** A lot having access to a street by means of a private driveway access easement, or parcel of land not meeting the requirements of this Code for lot width but having a dimension of at least 20 FT at its narrowest point.

4) **Interior.** A lot other than a corner lot.

5) Key. The first interior lot to the rear of a reversed corner lot.

6) Reverse corner. A corner lot, the side of which on a street side is substantially a continuation of the front property line of the first lot to its rear.

7) Through. An interior lot having frontage on 2 parallel or approximately parallel streets.

Lot Area. The area within the property lines of a lot or parcel, exclusive of any dedications for public rights-of-way, parks, school sites or other public dedications.

Lot Area, Adjusted Gross. The gross lot area, excluding public highways, streets, alleys, and other public rights-of-way, and non-buildable easements for public utilities, railroads, and private streets.

Lot Area, Gross. The entire area within the boundaries of a lot or parcel, measured to the centerline of adjoining alleys, highways, or streets or to the underlying fee ownership of such adjoining alleys, highways or streets, whichever is applicable.

Lot Area, Net. A unit of land measure, not including the area within the established right-of-way of a public or private street or railroad, or any other area dedicated or required to be dedicated in the future for a public use.

Lot Coverage. The area devoted to principal and accessory structures on a lot, including patios enclosed on 3 sides, garages, and covered parking.

Lot Depth. The horizontal distance between the front and rear property lines of a site measured along a line midway between the side property lines.

Lot Line. The lines bounding a lot (also see "Property Line"). The classifications of "Lot Line" are as follows:

1) Front. The line separating the narrowest street frontage of a lot from a public or private street right-of-way.

2) Interior side. Any lot line that is not a front or rear lot line, and that does not border a public or private street right-of-way.

3) Rear. The lot line opposite and most distant from the front lot line. In the case of an irregularly-shaped lot, a straight line shall be drawn within the lot most nearly parallel to and the maximum distance from the front lot line

4) Street side. Any lot line that is not a front or rear lot line, and which abuts a public or private street right-of-way.

Lot Line Adjustment. A boundary realignment between 2 or more adjoining lots that are legally recognized and under the same or different ownership, where land taken from one lot is added to an adjacent lot, and where a greater number of lots other than originally existed is not thereby created. A lot line adjustment shall not result in the adjustment (moving) of more than 4 lot lines.

Lot Width. The horizontal distance between the side property lines of a lot, measured in a straight line in the mean direction of the front property line, at the minimum front yard setback line of a lot.

M. Definitions of Words Beginning with the Letter "M."

Maintenance. Repair work or upkeep on a structure, including painting, carpentry, glazing, and the reinforcement or replacement of defective parts, including roofs, foundations, structural members, and the like, but not including an addition, enlargement, or replacement of the structure.

Manufactured Home. A structure designed for single-family residential use that is factory made and is fully or partially assembled on the site of ultimate use, as permitted by Federal laws and the State of California.

Manufacturing. A use engaged in the manufacture, primarily from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental processing of extracted raw materials.

Marijuana. All parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include:

1) Industrial hemp, as defined in Section 11018.5 of the California Health & Safety Code; or

2) The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

Marijuana Cultivation. Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.

Marijuana Dispensary. Any association, cooperative, club, coop, delivery service, collective and any other similar use involved in the sale, exchange, bartering, giving away for any form of compensation whatsoever, possession, cultivation, use and/or distribution of marijuana.

Massage. Any method of treating the external parts of the body for remedial, health or hygienic purposes, by means of pressure on or friction against; or stroking, kneading, rubbing, tapping, pounding; or stimulating the external parts of the body with the hands or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances; or with or without supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice and shall include herbal body wraps.

For the purposes of the Massage regulations contained in the Development Code, the following definitions shall also apply:

1) Chair Massage. Any massage of the neck, arms, shoulders, hands, feet and back area above the waist, where the client is fully clothed, sitting upright in a chair, and done without the use of supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations.

2) Massage Establishment. An establishment having a fixed place of business where any person, association, firm, partnership, or corporation engages in, conducts, or carries on, or permits to be engaged in, conducted, or carried on, any business of giving massage, baths, administration of fomentation, electric or magnetic treatments, alcohol rubs, or any other type of system for treatment or manipulation of the human body, with or without any character of bath, such as Turkish, Russian, Swedish, Japanese, vapor, shower, electric tub, sponge, mineral, fomentation, or any other type of bath.

Master Plans. A term used to describe a process that determines community goals and aspirations in terms of community development. The outcome of comprehensive planning is the Master Plan (also referred to as the "comprehensive plan"), which dictates public policy in terms of transportation, utilities, land use, recreation, public safety, and housing. Master plans typically encompass large geographical areas, a broad range of topics, and cover a long-term timeframe.

Material Recovery Facility. A facility that receives, processes, and recycles municipal mixed solid wastes, commercial high-grade wastes (such as corrugated cardboard, newspaper, mixed papers, etc.), construction debris, commingled recyclable materials, and green waste, and ships recovered recyclables and residual solid waste to market or disposal destinations. These facilities typically include:

1) Materials handling, sorting, processing and compacting equipment and facilities;

2) Shipping/hauling of sorted materials, either by truck or rail;

3) Administrative functions, such as office, employee and training areas;

4) Weighing of vehicles and collection of fees; and

5) Maintenance of vehicles and equipment used in conjunction with the facility.

Medical Marijuana Dispensary. Any association, cooperative, club, coop, delivery service, collective and any other similar use involved in the sale, possession, cultivation, use and/or distribution of marijuana for medicinal purposes.

Menu Board. A permanently mounted sign displaying the bill of fare of a drive-in, drive-through or walk-up restaurant.

Metal Salvage Yards. An establishment that collects and utilizes scrap metal for use as salable products.

Mezzanine. A second level, internal to a building or unit, composed of permanent or modular construction that adds usable square footage to a unit.

Mixed-Use Development. The development of a tract of land, building, or structure, which includes residential land uses in conjunction with a variety of complementary uses, such as, but not limited to, office, manufacturing, retail, public, or entertainment, in an integrated development project with significant functional interrelationships and a coherent and cohesive physical design.

Mobile Home. Same as "Manufactured Home," but subject to the National Manufactured Housing Construction and Safety Standards Act of 1974.

Mobile Home Park. A development designed exclusively for the placement of mobile homes on spaces or lots offered for sale, lease, rent or condominium ownership, including all improvements, buildings, structures, recreational areas, or other facilities for the use of the residents of such development, but not including any sites or spaces available on a transient basis.

Mobile Recycling Unit. An automobile, truck, trailer, or van, licensed by the California Department of Motor Vehicles, which is used for the collection of recyclable materials. This definition encompasses bins, boxes or containers transported by trucks, vans or trailers and used for the collection of recyclable materials. Mobile units shall not be visible from Euclid Avenue.

Monopole. A structure composed of a single spire used to support communications equipment.

Motel. A lodging facility that offers transient accommodations at a daily rate, to the general public, which are predominantly accessed from parking lots or exterior walkways.

Motorhome. A motor vehicle originally designed or permanently altered and equipped for human habitation.

Motor Truck. A motor vehicle designed, used, or maintained primarily for the transportation of property, which has two or more axles and a gross vehicle weight rating (GVWR) of more than 10,000 pounds (CVC Section 410).

Mortuaries. See "Funeral Parlors."

Mulch. A layer of organic material derived from plants (e.g., compost, leaf mold, peat, shredded bark, wood chips, etc.), which is applied to the surface of an area of soil to conserve moisture, improve the fertility and health of the soil, reduce weed growth, and enhance the visual appeal of the area. Nonstabilized decomposed granite or gravel may be used with appropriate California native landscapes.

Multiple Tenant Building. A building wherein two or more separate and independently owned, rented, leased, or operated commercial occupancies are contained.

Municipal Utility. A utility owned and operated by an agency of local government.

Mural. An original, noncommercial work of art that is displayed by being painted directly on, or being affixed directly to, the exterior wall of a building or structure, and which is clearly intended as a decorative or ornamental feature. Murals do not contain text, numbers, registered trademarks, registered logos, or business or service advertising or identification.

N. Definitions of Words Beginning with the Letter "N."

Neighborhood Convenience Facility. A retail establishment offering for sale, any prepackaged food products or household items, newspapers or magazines, salads or sandwiches, or other freshly prepared foods, for consumption off the premises.

Noncommercial Speech. Any message that is not determined to be commercial speech as defined in this Division.

Nonconforming Structure. A structure or building, the size, dimensions, or location of which was lawful prior to the adoption, revision, or amendment to a zoning ordinance, but which fails,

by reason of such adoption, revision, or amendment, to conform to the present requirements of the zoning district.

Nonconforming Use. A use or activity which was lawful prior to the adoption, revision, or amendment to a zoning ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

Nonprofit Social Service Organization. An organization that is incorporated under State law and has an unpaid board of directors, and which provides social services on a non-resident basis to the public, on an ability-to-pay or non-fee basis.

Nuisance. Anything that is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use in the customary manner of any public park, street, sidewalk, alleyway, highway or other public easement is a nuisance. The classifications of nuisance are as follows:

1) **Private Nuisance.** A private nuisance is an interference with a person's enjoyment and use of their land, recognizing that landowners, or those in rightful possession of land, have the right to the unimpaired condition of the property and to reasonable comfort and convenience in its occupation.

2) **Public Nuisance.** A public nuisance interferes with the public as a class, not merely one person or a group of citizens; however, some nuisances can be both public and private in certain circumstances where the public nuisance substantially interferes with the use of an individual's land.

3) **Attractive Nuisance.** An attractive nuisance is alluring or fascinating to those persons, who, because of their age, inexperience, and/or mental capability, are unable to recognize its dangerous quality.

Nuisance Vegetation. Weeds and wild grasses, such as those commonly known as foxtails, tumbleweeds, devil thorns, puncture vines, horehound gourd vines, and other similar grasses and weeds.

Nursery School. See "Child Day Care Facility."

Nursing Home (Convalescent Home (Hospital), Rest Home, or Rehab (Rehabilitation) Facility). A lodging and care facility for convalescents, invalids, or aged persons, not including persons suffering from contagious or mental diseases, alcoholism, or drug addiction, and in which surgery is not performed and primary treatment, as given in hospitals or sanitariums, is not provided. The terms "Nursing Home," "Convalescent Home," "Convalescent Hospital," "Rest Home," or "Rehab Facility" may be used interchangeably.

O. Definitions of Words Beginning with the Letter "O."

Office Building. A building containing two or more separate, independently owned, rented, leased, or operated commercial, administrative or support services, or professional tenants, in which the primary access to the lease area of each occupant is from the interior of the building (from a lobby or foyer), as opposed to direct access from a street or parking lot.

Open Space. Any lot or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring the open space. Open space does not include area covered by buildings or accessory structures (except recreational structures), paved areas (except recreational facilities), proposed and existing private and public streets, drive aisles, or driveways. The classifications of open space are as follows:

1) **Common.** Open space within an area owned, designed, and set aside for use by all occupants of a development, or the occupants of a designated portion of a development. Common open space is not dedicated to the public and is owned or maintained by a private organization made up of the open space users. Common open space includes common recreation facilities, open landscaped areas, and greenbelts, and excludes streets, drive aisles, driveways, parking lots and other similar pavement areas, parkways, and landscaping within a public right-of-way.

2) **Private.** Open space directly adjoining a dwelling, which is intended for the private enjoyment of the occupants of the dwelling. For multiple-family dwellings, private open space includes area within private patios or balconies. For single-family dwellings, private open space includes front, rear, and side yard areas of individual lots.

Overlay District. A zoning district established by this Development Code that may be applied to an area or vicinity only in combination with a base zoning district.

Owner. Any person in possession, or any person(s) shown as owner(s) on the last equalized property tax assessment rolls.

P. Definitions of Words Beginning with the Letter "P."

Passenger Vehicle. Any motor vehicle, unless the vehicle is used for the transportation of persons for hire, compensation, or profit.

Patio. An outdoor living area constructed at ground level, which may extend from a building or may be freestanding. Patios may or may not have covers or roofs, can take on any shape, and may be constructed of a variety of materials, including concrete, brick, stone, gravel, pavers, flagstone, or other similar materials.

Patio, Covered. A patio with a shade structure, consisting of a roof and structural supports.

Patio, Enclosed. A patio area, consisting of a roof and vertical walls on up to 3 sides which are a minimum of 65 percent open. For the purpose of this definition, the term "open" may include the use of screen material and/or plexiglass, or other similar material. An enclosed patio shall not include any portion of a building that is habitable, as defined in the Uniform Building Code.

Parcel Map. A map that is designated to be placed on record with the office of the County Recorder for any subdivision creating 4 or fewer lots, or 5 or more lots if the subdivision complies with the provisions of GC Section 66426.

Parking Area. A site, or a portion of a site, devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and related landscape and screening areas.

Parolee, Federal. An individual convicted of a federal crime, sentenced to a United States federal prison, and received conditional and revocable release in the community under the supervision of a Federal parole officer.

Parolee, State Adult. An individual who is serving a period of supervised community custody, as defined in PC Section 3000, following a term of imprisonment in a state prison and is under the jurisdiction of the California Department of Correction, Parole and Community Services Division.

Parolee, Youth Authority. An adult or juvenile individual sentenced to a term in the California Youth Authority and received conditional and revocable release in the community under the supervision of a Youth Authority parole officer.

Pavement (Paving). An area improved by the laying or covering with a material, such as asphalt, concrete, laid brick, or concrete block, so as to form a substantially flat, hard, and level all-weather surface. The terms "pavement" and "paving" may be used interchangeably.

Personal Property Donation Bin. An unattended canister, bin, box, receptacle, or similar device used for soliciting and collecting donations of personal property.

Personal Services. Services of a household or personal nature, such as dry cleaning, apparel repair, beauty and barbershops, but not including adult businesses as defined in this article.

Philanthropic Institution. See "Charitable Institution."

Pickup Truck. A motor truck with a manufacturer's gross vehicle weight rating (GVWR) of less than 11,500 pounds and an unladen weight of less than 8,001 pounds, which is equipped with an open box-type bed less than nine feet in length. The term "pickup truck" does not include a motor vehicle otherwise meeting the aforementioned definition, which is equipped with a bed-mounted storage compartment commonly called a "utility body" (CVC Section 471).

Place of Worship. See "Religious Assembly."

Planned Development. A development, other than a condominium or stock cooperative, having a common area owned by a property owner association, or in common by the owners of the separate interests who possess appurtenant rights to the beneficial use and enjoyment of the common area.

Planned Residential Development. A residential development on a site under one ownership or under the legally incorporated control of the individual owner-members, approved in conjunction with a subdivision, developed as a single entity, allowing a mix of dwelling types and individual parcels, and containing commonly owned open space and recreation areas.

Planning Commission. The Planning Commission of the City of Ontario.

Planning Director. The Planning Director of the City of Ontario, or his/her designee.

Political Sign. Any election or non-election sign, advertising structure, or display that communicate any message or idea identifying, supporting, opposing, promoting, or conveying a position upon or relating to any political cause or issue, or candidate for public office, or proposition or issue connected with any local, special, state, or national election.

Pool Hall. See "Billiard Parlor."

Prezoning. The classification of unincorporated territory adjoining a City into one or more City zoning districts.

Primary Use, Activity, or Facility. The principal or main use, activity, or facility of land, buildings, or other structures.

Primary Business Activity. The principal concern or interest of a business, based upon volume of business activity, gross receipts, and gross floor area devoted to business activity, in order of rank or importance.

Property Line. A line of record, which bounds a lot, and which divides a lot from another lot, a public or private street, or from any other public or private space (also see "Lot Line").

Public Nuisance. A nuisance that affects at the same time, an entire community or neighborhood, or any large number of persons, although the extent of the annoyance of damage inflicted upon individuals may be unequal.

Public Service Installation. Buildings and other structures and equipment owned and/or operated by an agency of local, state or federal government.

Public Storage. See "Mini Warehouse."

Public Right-of-Way. Any public street, alley, sidewalk, street island, median, or parkway that is owned or granted by easement, operated, or controlled by the City.

Public Utility Installation. Buildings and other structures and equipment owned and operated by a public utility or private utility company subject to the regulation of the Public Utility Commission of the State.

Public View. Observable or likely to be observed by a person positioned on publicly or privately owned property, at a location to which the public have unfettered access.

Q. Definitions of Words Beginning with the Letter "Q."

Reserved

R. Definitions of Words Beginning with the Letter "R."

Recognized Lot. Any lot that was a separate lot of record on November 5, 1947, as shown in the official records of the County Recorder, or any lot that was created after July 21, 1977, in accordance with State law or any applicable City law, or any lot that, at the time of annexation of the City, was a separate lot of record, as shown in the official records of the County Recorder.

Recreational Vehicle. A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor homes, converted trucks or buses, boats and boat trailers, all-terrain vehicles, truck campers, personal water craft and trailers for their transport, off-road vehicles, fifth-wheel trailers, utility trailers and horse trailers. All-terrain and off-road vehicles licensed for use on the public street

shall not be considered a recreational vehicle, such as 4-wheel drive pick-up trucks, sport utility vehicles, and 4-wheel drive passenger vehicles.

Recreational Vehicle Park. A facility for the accommodation of recreational vehicles for short-term periods, generally for not less than one night and not used as a place of residence by persons, other than a manager or other employee and their families.

Recycling Center. A center for the collection and/or processing of recyclable materials certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986 (commencing with PRC Section 14500). A recycling facility does not include storage containers or processing activity on the premises of a residential, commercial, or industrial use, and used solely for the recycling of material generated by the residential property, business, or industry. For the purposes of these provisions, recyclable material shall mean reusable material, including, but not limited to metals, glass, plastic, and paper intended for reuse, remanufacture, or reconstitution for use in an altered form. Recyclable material may include used motor oil collected and transported in accordance with the California Health and Safety Code. Recycling facility is further defined as follows:

1) Large Collection Facility. A center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public, that occupies an area of more than 500 SF, is not appurtenant to a host use and may use a permanent building. In addition, large collection facilities may have the capacity for aggregating and storing large amounts of material on-site.

2) Processing Facility. A facility certified by the California Department of Conservation, which purchases empty aluminum beverage containers, bimetal beverage containers, glass beverage containers, plastic beverage containers, or any other beverage containers, including any one or more of those beverage containers that have a refund value established pursuant to the California Beverage Container Recycling and Litter Reduction Act, from recycling centers within the state of California, for recycling. Processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source-separated recyclable materials, and repairing of reusable materials sufficient to qualify as a certified processing facility. A processing facility shall not shred, compact, or bale ferrous metals, other than food and beverage containers.

3) Reverse Vending Machine. An automated mechanical device that accepts one or more types of empty beverage containers, including, but not limited to, aluminum cans, glass, and plastic bottles, and issues a cash refund or a redeemable voucher. A reverse vending machine may sort and process containers mechanically if the entire process is enclosed within the machine.

4) Small Collection Facility. A center of not more than 500 SF in area for the acceptance by donation, redemption, or purchase, of recyclable materials from the public, and consisting of one or more of the following:

a) Mobile Recycling Unit. An automobile, truck, trailer, or van that is licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials. A mobile recycling unit also means bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials.

b) Bulk Reverse Vending Machine. A reverse vending machine that is larger than 50 SF in area, is designed to accept more than one container at a time and will pay by weight rather than by individual container.

c) Kiosk Type Unit. Portable recycling units but may include small permanent structures.

d) Unattended Containers. Any unattended container placed for the donation of recyclable material.

Rehab (Rehabilitation) Facility. See "Nursing Home."

Religious Assembly (Place of Worship). A facility operated for worship or recurring organized religious services, or activities, including churches, temples, mosques, synagogues, and other similar facilities of religious instruction. Such facilities may include a variety of traditional accessory uses, amenities and activities, such as offices, classrooms, multi-purpose rooms, play fields and gymnasiums, rectory, group living quarters, child and adult daycare facilities, and incidental retail activities that support the primary religious activity, limited to the sale religious books and paraphernalia. "Religious assembly" within commercial, mixed-use, and specialized use zoning districts may also include nontraditional accessory uses, amenities, and activities, such as general retail sales, entertainment facilities, sports and recreation centers, and broadcasting and recording studios. "Religious assembly" shall not include dwellings periodically used for religious activities that are clearly incidental to the primary residential use of the dwelling and do not create a nuisance.

Residence Inn. A lodging facility consisting of one or more buildings containing individual guest rooms or suites of rooms and/or dwelling units, which may provide kitchen facilities, amenities, recreational facilities, and/or meals. "Residence inn" shall not include residential, group, or community care facilities, as defined in this Division.

Residential Complex. Multiple-family residential developments, mobile home parks, and common interest developments, each consisting of 5 or more dwelling units constructed by a single developer or group of developers, and designed to function as a single cohesive unit in terms of access, parking, landscaping, property and landscape maintenance, and architecture, regardless of the subsequent parcelization.

Residential, Group, or Community Care Facility. Any facility, place or building that is maintained and operated to provide residential care as defined by State law and including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, abused or neglected children and the elderly. Community Care Facilities include, but are not limited to, the following: residential facility, adult day care facility, therapeutic day services facility, foster family agency, foster family home, small family home, social rehabilitation facility, community treatment facility, full service adoption agency, noncustodial adoption agency, and transitional shelter care facility. Any of these facilities with 6 or fewer people in residence shall be viewed as a single-family residence.

Residential Project. Conditional Use Permit, Development Plan, Subdivision Map, or other discretionary or ministerial land use approval that authorizes the development of one or more dwellings and/or residential lots.

Rest Home. See "Nursing Home."

Restaurant. A business establishment that prepares and serves food and drinks to customers in exchange for money. The classifications of restaurant are described as follows:

1) Full-Service Restaurant. A sit-down eatery where food is served directly to the customers' table. These establishments may sell alcoholic beverages. Food and drink may be consumed on the premises, taken out, or delivered to customers' locations.

2) Limited Service Restaurants. An establishment whose patrons generally order or select items and pay prior to eating. Food and drink may be consumed on the premises, taken out, or delivered to customers' locations.

3) Cafeterias. A restaurant or dining room in a school or a business in which customers serve themselves or are served from a counter and pay before eating.

Reviewing Authority. Advisory Authorities, Approving Authorities, and Appeal Authorities of the City, which are responsible for acting on **[i]** land use or development entitlements, permits, and licenses; and **[ii]** other planning, zoning, and/or development actions and decisions, as established by Division 2.02 (Application Filing and Processing) of this Development Code.

Rooming House. See "Boarding House."

S. Definitions of Words Beginning with the Letter "S."

Salvage Facility. Any place of outdoor storage or deposit for the storing, keeping, processing, buying, or selling of junk motor vehicles and/or scrap metal, or an outdoor area used for the operation of a motor vehicle graveyard. A salvage facility does not include a garage where wrecked or disabled motor vehicles are stored for less than 90 days, for repairs.

As used in this definition, the following terms shall apply:

1) Motor Vehicle Graveyard. A yard, field, or other outdoor area used or maintained for storing or depositing more than one junk motor vehicle on a property owned or controlled by the owner of the Junk Motor Vehicle. A Motor Vehicle Graveyard does not include the following:

a) An area used by a motor vehicle hobbyist to store, organize, restore, or display motor vehicles, or parts of such vehicles, provided that the hobbyist's activities comply with all applicable federal, State, and local laws;

b) An area used by a motor vehicle dealership for the storage of new or used operational motor vehicles; and/or

c) An area used or maintained for the temporary parking or storage of operational commercial motor vehicles, which are temporarily out of service and/or unregistered but are expected to be used in the future by the motor vehicle owner or operator. For the purpose of this definition, "temporarily out of service and/or unregistered" shall mean a period of 90 days from the date of placement or discovery.

2) Junk Motor Vehicle. A discarded, dismantled, wrecked, scrapped, or ruined motor vehicle, or parts thereof, or a motor vehicle, other than an on-premise utility vehicle, which is allowed to remain unregistered for a period of 90 or more days from the date of placement or discovery.

School, Private. A school owned and operated by a private entity.

School, Public. A school owned and operated by a public school district.

Self-Storage Facility. A structure or group of structures containing separate storage spaces of varying sizes to be leased or rented on an individual basis.

Senior Citizen. As set forth in CC Section 51.3, as said section may be hereinafter amended.

Senior Citizen Housing Development. A housing development consistent with the California Fair Employment and Housing Act, which has been designed to meet the physical and social needs of senior citizens, and which otherwise, qualifies as housing for senior citizens pursuant to CC Section 51.1. Senior Citizen Housing Developments shall not include Congregate Care Facilities, as defined in this Division.

Service Station. See "Gasoline Service Station."

Setback Area. A required open space area on a parcel of land, unobstructed and unoccupied from the ground upward, except as permitted by this Development Code. The classifications of setback area are described as follows:

1) **Front.** An area that abuts a public or private street, or access easement, which extends across the full width of a lot, the depth of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line perpendicular to the front lot line and extending from the front lot line (measured from face-of-curb in the case of an access easement) toward the interior of the lot, to a line parallel to the front lot line.

2) **Interior Side.** An area that abuts another lot or lots, extending across the full depth of a lot, the width of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line perpendicular to the interior side lot line, and extending from the interior side lot line, toward the interior of the lot, to a line parallel to the interior side lot line.

3) **Rear.** An area extending across the full width of a lot, the depth of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line perpendicular to the rear lot line and extending from the rear lot line toward the interior of the lot, to a line parallel to the rear lot line.

4) **Street Side.** An area that abuts a public or private street, or access easement, which extends across the full depth of a lot, the width of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line, perpendicular to the street side lot line and extending from the street side lot line (measured from face of curb in the case of an access easement), toward the interior of the lot, to a line parallel to the street side lot line.

Shopping Center. A group of retail stores and similar complementary establishments on a site that is planned and built as a coordinated unit, with shared pedestrian and vehicular circulation and off-street parking.

Single Room Occupancy Hotel. A cluster of 5 or more dwelling units on one property for weekly or longer tenancy and providing sleeping and living facilities for one or 2 persons within the unit, in which sanitary facilities are also normally provided and cooking facilities may be provided within each unit or shared by multiple units.

Single Tenant Building. A building in which no more than one owned, rented, leased or operated commercial occupancy is contained.

Sign. Any writing (including letter, word, or numeral), pictorial presentation (including illustration or decoration), emblem (including device, symbol, or trademark), flag (including banner or pennant), or any other device, figure, or similar character that: **[i]** is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building, other structure or device; and **[ii]** is used to announce, direct attention to, or advertise; and **[iii]** is visible from the outside of a building.

The classifications of "sign," and definitions specifically related to the establishment of a sign, are as follows:

1) Backlit Awnings and/or Canopies. Awnings and/or canopies that are illuminated from behind so as to permit the transmission of light through a covering material, which thereby serves to attract attention to the building or structure upon which the awnings and/or canopies are affixed.

2) Banner Signs. A Temporary sign of lightweight flexible plastic, nylon, fabric, or similar material. Banner signs are further classified as follows:

a) Promotional or Special Event Banners. A sign attached to a building, wall or fence, or otherwise suspended down or across its face for the purpose of advertising a promotion or special event for an interim period, as specified by this Development Code.

b) Street Banners. A sign that is mounted on City light standards within the right-of-way of arterial public streets, for the purpose of **[i]** promoting economic development messages to the general public, or **[ii]** for honoring the men and women of the City that are actively serving with the United States armed forces, or have died while serving.

3) Billboard Sign. A sign located in an area distant, and on a separate parcel of land from the place where the product, business, or premises being advertise is located.

4) Building Identification Sign. A sign that identifies the name of a building, or the primary use, establishment, activity, owner, or occupant of a building.

5) Center (Complex) Identification Sign. A sign that identifies a shopping center, office complex, industrial complex, or other use of a site containing more than one establishment.

6) Construction Sign. Signage that identifies contractors, lenders, designers, realtors, and other similar parties involved in the construction of a building or site.

7) Content Neutral Sign. Consistently applicable non-discriminatory sign regulations that specify, without reference to the content of the message, when, how, and where a sign can be displayed, with physical standards, such as, but not limited to, height, size and location, that allow the sign to be readable.

8) Descriptor Sign. Secondary signage that is intended to illustrate the products or services sold or offered by a business at the site on which the business is located.

9) Directional Sign. Signage intended to lead pedestrian and/or vehicular traffic to a predetermined location or destination.

10) Double-Faced Sign. A sign with two parallel opposing (back-to-back) faces.

11) Electronic Message Display. An LED, LCD, or plasma advertising display containing a changing text message or pictorial presentation.

12) Electronic Text Display. A sign with electronically controlled changeable copy and/or message containing internally illuminated letters whose function is primarily to scroll text. Such signs are intended for use with those retail, entertainment, and assembly uses that typically necessitate signs with easily changeable copy, such as fuel pricing signs, marquee-type signs for public or private schools, public facilities and services, theaters, convention centers, arenas, places of worship, and other similar assembly uses.

13) Fascia Sign. A sign on the exterior of a building that is attached to a wooden board or other flat piece of material that covers the ends of joists or rafters.

14) Freestanding Sign. A sign structure that is permanently affixed to the ground, and includes: **[i]** complex identification monument signs, which identify a commercial, professional or industrial complex or center, which consists of 2 or more separate buildings, or 5 or more uses within one or more buildings; **[ii]** building or tenant (business) identification monument signs, which identify a single building or specific use or uses within an individual building; and **[iii]** freeway oriented signs.

15) Freeway Sign. A freestanding sign, including a sign incorporated into garden and screen wall, that is located within 600 FT of a roadway that is declared to be a freeway in compliance with the California Streets and Highways Code, and which complies with the minimum "freeway sign" requirements established by Division 8.01 (Signs) of this Development Code.

16) Fuel Island Canopy Sign. Signage placed on the fascia of a canopy structure located over pump (fuel dispenser) islands.

17) Historical Marker. An indicator, such as a plaque or sign, to commemorate an event or person of historic interest, and to associate that point of interest with a specific locale one can visit.

18) Human Sign. An advertisement that is applied to, worn, or held by a person. Most commonly, this means holding or wearing a sign, but may also include wearing advertising as clothing. A person holding a sign is known in the advertising industry as a "human directional," but may also be referred to as a "sign walker," "sign waver," or "sign twirler." Frequently, a "human directional" will spin or dance, or wear a costume with the promotional sign in order to attract attention.

19) Menu Board. A board on which a food menu is written.

20) Monument Sign. A freestanding sign with a solid base that is in close contact with the ground, which is equal to or larger than the width of the sign face and incorporates the architectural theme and building materials of the building(s) located on the property in which the sign serves.

21) Off-Site Subdivision Sign. A sign that is located off-site, which contains the name of and the direction of travel to a residential subdivision project in the City.

22) Permanent Sign. A sign attached to a building, structure, or the ground in a manner that enables the sign to resist environmental loads, such as wind, and precludes ready removal or movement of the sign.

23) Pole Sign. A freestanding sign with visible support structure.

24) Political Sign. Any display utilized for the purpose of proposing or opposing the election of a candidate, or ballot measure or proposition.

25) Portable Sign. A sign not permanently attached to the ground or building, with a power-cord for connection to an electrical source, and readily removable using ordinary hand tools.

26) Real Estate Sign. A temporary sign advertising the sale, rental, or lease of the premises upon which the sign is maintained.

27) Roof Sign. A sign mounted on or above the roof of a building, but not including a sign mounted on a parapet.

28) Single-Face Sign. A sign with only one face plane.

29) Supergraphics. A large-scale painted or applied sign, typically in bold colors and containing simple geometric or typographic designs, placed over exterior walls of buildings, and sometimes roofs.

30) Swooper Sign. A sign that is longer than it is wide, which is made of a flexible material (typically cloth, nylon, or vinyl), and mounted to a pole that allows it to fly freely, and is commonly used to attract attention to a business or event, or to advertise goods and/or services.

31) Temporary Sign. Any sign not intended for permanent installation, which is incidental or secondary in nature, and is subject to a time limitation, such as banner signs, construction signs, political signs, and real estate signs.

32) Tenant (Business) Identification Sign. A sign displaying the name of the business to which it pertains and/or the name or description of the products or services sold or offered by the business at the site on which the business is located. A business identification sign may be an attached or freestanding sign.

33) Vehicle-Mounted Billboard (moving or stationary). An automobile, truck, trailer, semi-trailer, or other vehicle to which a business identification sign is mounted, painted, or otherwise affixed.

34) Wall Sign. A sign attached to the exterior wall of a building or structure.

35) Way-Finding Signs. Signage, including maps and other graphic or audible methods, which is used to convey location and directions to pedestrian and/or vehicular traffic.

36) Window Sign. A sign that is posted, painted, placed, or affixed to, or suspended or placed within 5 FT feet of the interior side of, a window or glass door of a building, which is intended for viewing from the exterior of the building.

Sign Area. The entire face of a sign, including the surface of any framing, projections or molding, but not including the support structure. The area of a sign consisting of individual channel letters mounted on a building wall or freestanding structure shall be calculated by including the entire area within a single, continuous perimeter enclosing the extreme limits of lettering, representation, emblem, or other display.

Sign Copy. Any words, letters, numbers, figures, designs, or any other symbolic representations incorporated onto the face of a sign, excluding building addresses.

Sign Face. The exterior surface of a sign, exclusive of structural supports, on which is placed the sign copy.

Site. A parcel of land or combination of contiguous parcels of land.

Site Area. The net horizontal area included within the boundary lines of a site, not including the area of any easement within which the right of use has been relinquished, and not including the area within the established right-of-way of a public street, future public street, railroad, or any other area dedicated or to be dedicated for a public use.

Small Cell Facility. Has the same meaning as "small wireless facility" in 47 CFR 1.6002(l), or any successor provision, which is a personal wireless services facility that meets the conditions that, solely for convenience, have been set forth below.

1) The facility:

a) is mounted on a structure 50 FT or less in height, including antennas, as defined in 47 CFR Section 1.1320(d), or

b) is mounted on a structure no more than 10 percent taller than other adjacent structures, or

c) does not extend an existing structure on which it is located, to a height of more than 50 FT or by more than 10 percent, whichever is greater;

2) Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 CFR Section 1.1320(d)), is no more than 3 cubic feet in volume;

3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

4) The facility does not require antenna structure registration under 47 CFR Part 17;

5) The facility is not located on Tribal lands, as defined under 36 CFR Section 800.16(x); and

6) The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR Section 1.1307(b).

Special District. An agency of the State for the local performance of governmental or proprietary functions within limited boundaries including a county service area, a maintenance

district or area, an improvement district, or any other area or district formed for the purpose of designating an area within which a tax or charge will be levied to pay for a service or improvement benefiting that area, but not including a school district or community college district.

State. The State of California.

State Density Bonus Law. The laws, rules and regulations contained in GC Section 65915, as said section may be hereinafter amended.

State Freeway. Any section of a State highway that has been declared to be a freeway by resolution of the Highway Commission of the State, pursuant to the provisions of SHC Section 100.3, and/or any section of State highway that has been fenced by a State agency between intersecting streets, for the purpose of limiting or restricting access thereto.

Stealth Facility. Any wireless telecommunications facility that is designed to blend into the surrounding environment. Examples of stealth facilities may include architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure, antennas integrated into architectural elements and details, and antenna structures designed to look like light poles, trees, and flagpoles. Stealth facilities are also referred to as concealed antennas.

Street. Any public or private thoroughfare, other than an alley, that provides the principal means of access to abutting property and has been designed and/or constructed pursuant to the City's minimum established standards for public streets. The classifications of "street" are as follows:

1) Arterial Street. A street with signals at important intersections and stop signs on the side streets that collect and distribute traffic to and from collector streets.

2) Collector Street. A street that collects traffic from local streets and connects with arterial streets.

3) Local Street. A street designed to provide vehicular access to abutting property and to discourage through traffic.

4) Private Street. A street in private ownership, which complies with all of the following:

a) The street is built to the standards for public streets established by the City of Ontario;

b) The street has not been accepted for dedication as a public street; and

c) The street is the principal means of vehicular access to properties that do not have access to a public street.

5) Public Street. A street that has been accepted for dedication by the City, the County, or the State.

Stock Cooperative. A development in which a corporation is formed to hold title to improved real property, and in which all of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between the floor and the ceiling above it, and including basements used for primary use.

Structure. Anything that is built or constructed, whether installed on, above, or below the surface of land or water, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, but not including light standards, poles, lines, cables, or other transmission or distribution facilities of a public utility.

Subdivider. A person, firm, corporation, partnership, or association who proposes to divide, divides, or causes to be divided, real property into a subdivision for oneself or others. The term shall not include employees or consultants of such persons or entities, acting in such capacity.

Subdivision. The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease, or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in CC Section 1351(f), a community apartment project, as defined in CC Section 1351(d), or the conversion of 5 or more existing dwelling units to a stock cooperative, as defined in CC Section 1351(m).

Subdivision Map Act. The provisions of GC Title 7, Division 2, commencing with Section 66410, and such amendments thereto as may be made from time to time.

Substandard Lot. Any lot that does not meet the minimum dimension or area requirement of the zoning district in which it is located and for which no variance has been obtained. In determining the minimum lot area or dimensions, the area of any easement that restricts the normal usage of the lot may be excluded.

Supermarket. See "Grocery Store."

Supportive Housing. As defined in HSC Section 50675.14(b)(2), "supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. For the purposes of this definition, the term "target population" means persons, including persons with disabilities, and families who are "homeless," as that term is defined by USC 42 Section 11302, or who are "homeless youth," as that term is defined by GC 11139.3(e)(2). Furthermore, individuals and families currently residing in supportive housing meet the definition of "target population" if the individual or family was homeless when approved for tenancy in the supportive housing project in which they currently reside.

Swap Meet (Concession Mall). The retail sales of a variety of unrelated merchandise within a single enclosed establishment or marketplace by 5 or more independent persons, merchants and/or businesses, that individually occupy or make use of floor area or wall space, for which a fee, commission, rent, or lease is charged. The terms "swap meet" and "concession mall" may be used interchangeably.

T. Definitions of Words Beginning with the Letter "T."

Tasting Room. A separate area of the alcoholic beverage manufacturer's licensed premises, maintained and operated by and for an alcoholic beverage manufacturer, wherein

alcoholic beverages may be sold and served by an employee or designated representative of the alcoholic beverage manufacturer, to consumers of legal drinking age for consumption on the alcoholic beverage manufacturer's licensed premises. The alcoholic beverages served shall be limited to the products that are authorized to be sold by the alcoholic beverage manufacturer under its license issued by the California Department of Alcoholic Beverage Control. Alcoholic beverages manufactured elsewhere may not be sold in the tasting room or on the alcoholic beverage manufacturer1s licensed premises. A tasting room is, and at all limes shall remain, an incidental use to the primary alcoholic beverage manufacturing use.

Temporary Use, Activity or Facility. A use, activity, or facility established pursuant to the requirements of this Development Code, for a specific period of time, with the intent to discontinue the use, activity, or facility at the end of the designated time period.

Tentative Map. A map prepared for showing the design of a proposed subdivision and the existing conditions in and around it. The classifications of "tentative map" are as follows:

1) **Tentative Parcel Map.** A tentative map for a proposed subdivision creating 5 or more lots, 5 or more condominiums as defined in CC Section 783, a community apartment project containing 5 or more parcels, or for the conversion of a dwelling to a stock cooperative containing 5 or more dwelling units, excepting those subdivisions that comply with the provisions of GC Section 66426(a) through (d).

2) **Tentative Parcel Map.** A tentative map for a proposed subdivision creating 4 or fewer lots or 5 or more proposed lots that comply with the provisions of GC Section 66426(a) through (d).

3) **Vesting Tentative Map.** A tentative map prepared in accordance with the provisions of this Title that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed.

Tow Truck. Pursuant to CVC Section 615A motor vehicle that has been altered or designed and equipped for, and primarily used in the business of, transporting vehicles by means of a crane, hoist, tow bar, tow line, or dolly, or is otherwise primarily used to render assistance to other vehicles. The term "tow truck" also includes a "roll-back carrier" designed to carry up to 2 vehicles, and excludes an automobile dismantler's tow vehicle or a tow vehicle used for the repossession of vehicles, defined as follows:

1) **Automobile Dismantlers' Tow Vehicle.** A tow vehicle that is registered by an automobile dismantler licensed pursuant to BPC Division 5, Chapter 3 (commencing with Section 11500), and is used exclusively to tow vehicles owned by the automobile dismantler in the course of the automobile dismantling business.

2) **Repossessor's Tow Vehicle.** A tow vehicle that is registered to a repossessor licensed or registered pursuant to BPC Division 3, Chapter 11 (commencing with Section 7500), which is used exclusively in the course of the repossession business.

Tract Map. See "Final Map."

Trailer Coach. A trailer designed primarily for human habitation or human occupancy.

Transient. Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license, or other agreement, for a period of 30 days or less,

counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed a transient until said 30-day period has expired.

Transitional Housing. Intended as a middle point between "emergency shelter" and permanent housing, "transitional housing" provides shelter for homeless individuals and families for up to 2 years, in an environment of security and support, which is designed to help residents progress toward self-sufficiency.

Transitional Living Centers. A facility for homeless persons, which varies by program and facility. The length of stay and services provided vary by program. Some transitional living facilities are simply shared houses with minimal supervision, while others may provide meals, medical care, employment assistance, case management, and other similar homeless services.

Transportation Terminal. A station or passenger terminal for any type of transportation system.

Trash Containers. Any container such as trash bags, boxes, or bins used to store trash, rubbish, or other such refuse matter that meets the requirements of OMC Section 6-3.302 (Placement of Refuse, Recycling and Green Waste in Receptacles) and is placed at a collection point.

Travel Trailer. A non-motorized vehicle designed to be towed by a motor vehicle, used for recreation purposes, including human habitation while parked or at rest, but not as a permanent place of residence.

Tree. A plant having a permanently woody main, erect stem or trunk, with a circumference of at least 9.5 inches (or a diameter of 3 inches) at a height of 54 inches above natural grade at maturity, having a rather distinct and elevated head (crown), and usually developing branches at some distance from the ground.

Truck Camper. A recreation vehicle in which the part containing the living and sleeping accommodations is separate from the vehicle and may be removed from the bed of the truck.

Truck Tractor. A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the vehicle weight and load that is drawn. As used herein, the term "load" does not include items carried on the truck tractor in conjunction with the vehicle operation if the load carrying space for these items does not exceed 34 SF (CVC Section 655).

U. Definitions of Words Beginning with the Letter "U."

Unladen Vehicle Weight. The weight of a vehicle equipped and ready for operation on the road, including body, fenders, permanently attached boxes, and body parts, oil in the motor, radiator full of water, weight of 5 gallons of fuel, and any machinery, equipment, or attachment that functions as a part of the body or vehicle in its normal operation.

University. See "College."

Urban Farm. The growing of plants and products derived from them, which are grown and sold on the same lot, or sold off-site.

Use. The purpose for which land, buildings or other structures are arranged, designed, intended, constructed, erected, moved, altered, or enlarged, or for which either land, buildings or other structures may be occupied or maintained.

Used Merchandise Stores. Retail establishments primarily engaged in the sale of vintage goods, antique furniture and home furnishings, antique glassware, rare books and manuscripts, and other antique objects of art, and previously owned goods. "Used merchandise stores" does not include the retail sales of used motor vehicles and parts, such as automobiles, recreational vehicles, motorcycles, boats, motor vehicle parts, tires, and mobile homes, and pawn shops, which sell a variety of used merchandise but generate most of their revenue from interest and fees on loans.

The classifications of "used merchandise stores" are as follows:

1) **Antique Shops/Dealers.** A retail establishment offering objects for sale that are 100 or more years old, such as works of art, furniture or decorative items, that are collected or desirable because of age, rarity, condition, utility, craftsmanship or other unique feature, and which represent a previous era in human society.

2) **Collectibles Shops.** A retail establishment offering new or used objects for sale, typically mass produced, which are less than 100 years old and are designed for people to collect or have value due to their rarity and/or desirability.

3) **Consignment Shops.** A retail establishment offering objects for sale that are owned by others and derives their profit by collecting a set fee for the objects that are sold or retaining a portion of their purchase price.

4) **Flea Markets and Swap Meets.** A single enclosed retail establishment offering a variety of unrelated objects for sale, within which individual sales booths, or stall or wall spaces are available for use, for which a fee, commission or lease is charged, for the display and/or sale of new, antique, vintage, or collectible objects or merchandise, or for the display and/or sale of services, by 5 or more vendors possessing a valid City business license.

5) **Thrift and Secondhand Stores.** A retail establishment operated by a charitable organization for the purpose of fundraising, offering objects for sale that are used, typically at reduced prices.

6) **Used Goods Stores.** A retail establishment offering objects for sale that that are used or previously owned, such as clothing, shoes, furniture, home furnishings, appliances, electronic equipment and devices, books, musical instruments, compact discs (CDs), tapes, records, and specialty building materials architectural elements.

7) **Vintage Shops.** A retail establishment offering objects for sale that are more than 20 years old, and which exhibit the best of a certain quality, or qualities, associated with, or belonging to, a specific era, and is representational and recognizable as belonging to the era in which it was made.

V. Definitions of Words Beginning with the Letter "V."

Vanpool Vehicle. Any motor vehicle, other than a motor truck or truck tractor, which is designed for carrying more than 10, but not more than 15 persons (including the driver), which is

maintained and used primarily for the nonprofit work-related transportation of adults for the purposes of ridesharing (CVC Section 668).

Variance. A zoning instrument which allows deviation from development standards required in the Code when, because of special circumstances applicable to the property, strict application of Code requirements deprives a property the privileges enjoyed by other properties in the vicinity and under identical zoning. Any variance granted will assure that the adjustment granted will not constitute a special privilege.

Variety Store. An establishment primarily engaged in retailing new goods in general merchandise stores (except department stores, discount stores, warehouse clubs, superstores, and supercenters). These establishments retail a general line of new merchandise, such as apparel, automotive parts, dry goods, hardware, groceries, housewares or home furnishings, and other lines in limited amounts, with none of the lines predominating.

Veterinary Hospital. See "Animal Hospital."

W. Definitions of Words Beginning with the Letter "W."

Wellness Center. An establishment that offers health services for the body and mind, including but not limited to fitness, personal training, nutrition consulting, skin care services, massage, holistic and herbal therapies, and therapeutic application and retail sales of medicinal cannabis products containing cannabidiol (CBD), but excluding all products containing tetrahydrocannabinol (THC).

Whip (Omnidirectional, Stick or Pipe) Antenna. An antenna that transmits signals in 360 degrees. Whip antennae are typically cylindrical in shape and are less than 6 inches in diameter and measure up to 18 FT in height.

Wine. The product obtained from normal alcoholic fermentation of the juice of sound ripe grapes or other agricultural products containing natural or added sugar, or any such alcoholic beverage to which is added grape brandy, fruit brandy, or spirits of wine, which is distilled from the particular agricultural product or products of which the wine is made and other rectified wine products and by whatever name, and which does not contain more than 15 percent added flavoring, coloring, and blending material, and which contains not more than 24 percent of alcohol by volume, and includes vermouth and sake (also known as Japanese rice wine).

Wine Grower. Any establishment licensed by the Department of Alcoholic Beverage Control of the State of California, which has facilities and equipment for the conversion of grapes, berries, or other fruit into wine, and is engaged in the production of wine within the City.

Wireless Telecommunications Facility. The transmitters, antenna structures and other types of installations used for the provision of wireless services at a fixed location, including, without limitation, any associated tower(s), support structure(s), and base station(s).

X. Definitions of Words Beginning with the Letter "X."

Reserved

Y. Definitions of Words Beginning with the Letter "Y."

Yard. An open space unoccupied by and unobstructed from the natural ground upward, except as otherwise provided for in this Development Code. Required yards shall be measured parallel with the front, side or rear property line, as appropriate, in a line perpendicular to the nearest point of a structure on the site; provided, however, where a future right-of-way of a street, highway, freeway or railroad has been established, required yards shall be measured from the established right-of-way line.

Where a site abuts on a street having only a portion of its required width dedicated or a reserved for street purposes, the required yard shall be measured from the line establishing the additional width required for street purposes abutting the line.

On a site that is so irregularly shaped that the locations of the required front, side, and rear yards cannot clearly be identified, the locations and the manner of measurements shall be prescribed by the Zoning Administrator.

The classifications of "yard" are described as follows:

1) Front. A yard that extends across the full width of a lot, between the primary (front) façade of the forward-most building on the lot and the front property line, the depth of which is the horizontal distance between the front property line and the structure.

2) Interior Side. A yard that abuts another lot or lots, extending between the front and rear yards, the depth of which is the horizontal distance between the side property line and a structure on the site.

3) Rear. A yard extending across the full width of a site, between the rear-most building and the rear property line, the depth of which is the horizontal distance between the rear property line the structure.

4) Street Side. A yard that abuts a public or private street, or access easement, extending between the front and rear yards, the depth of which is the horizontal distance between the side property line and a structure on the site.

Z. Definitions of Words Beginning with the Letter "Z."

Zoning District (Zone). A specifically delineated area, district, or zone within the City, in which regulations and requirements uniformly govern the use, placement, spacing and size of land and buildings. The terms "zoning district" and "zone" may be used interchangeably.

Zoning Administrator. The Zoning Administrator of the City of Ontario, or their designee.

9.01.015: Acronyms and Abbreviations

For the purposes of this Development Code, the following abbreviations and acronyms shall have the meanings listed below:

<—Less than
≤—Less than or equal to
>—Greater than
≥—Greater than or equal to
ABC—Department of Alcoholic Beverage Control of the State of California

AC—Acre(s)
ADA—Americans with Disabilities Act of 1990
ADT—Average Daily Trips made by vehicles or persons within a 24-hour period
ALUC—Airport Land Use Commission of the City of Ontario
ALUCP—Airport Land Use Compatibility Plan
AQMD—Air Quality Management District
ARB—California Air Resources Board
BLM—United States Bureau of Land Management
BMP—Best Management Practices
BMR—Below Market Rate
BPC—Business and Professions Code of the State of California
BTH—Brown trunk height
CAC—California Administrative Code
CalEPA—California Environmental Protection Agency
CalGreen—California Green Building Standards Code
CBD—Central Business District
CC—Civil Code of the State of California
CCP—Code of Civil Procedure
CC&Rs—Covenants, conditions, and restrictions
CCR—California Code of Regulations
CDBG—Community Development Block Grant
CEQA—California Environmental Quality Act of 1970, as amended
CESA—California Endangered Species Act
CF—Cubic feet (foot)
CFD—Community Facilities District
CFR—Code of Federal Regulations
CHBC—California Historical Building Code
CIP—Capital Improvement Program
CLG—Certified Local Government
CMP—Congestion Management Plan
CNEL—Community Noise Equivalent Level
CNO—Chino Airport
CNO ALUCP—Chino Airport Land Use Compatibility Plan
COG—Council of Governments
CPI—Consumer Price Index
CSA—Community Service District
CUP—Conditional Use Permit
CVC—California Vehicle Code
CWA—Federal Clean Water Act
CY—Cubic yard
DAB—Development Advisory Board of the City of Ontario
dB—Decibels
DFG—California Department of Fish and Game
DG—Decomposed Granite
DMV—Department of Motor Vehicles of the State of California
DOE—United States Department of Energy
DOT—United States Department of Transportation
du/ac—Residential dwelling unit per acre
DU—Residential dwelling unit
EC—Education Code of the State of California
EIR—Environmental Impact Report
EIS—Environmental Impact Statement

EPA—Federal Environmental Protection Agency
ESA—Federal Endangered Species Act
FAA—Federal Aviation Administration
FAR—Floor area ratio
FEIR—Final Environmental Impact Report
FEMA—Federal Emergency Management Agency
FHA—Federal Housing Administration
FHWA—Federal Highway Administration
FIA—Fiscal Impact Analysis
FIFRA—Federal Insecticide, Fungicide and Rodenticide Act
FIR—Fiscal Impact Report
FT—Feet (foot)
GC—Government Code of the State of California
GFA—Gross floor area
GLA—Gross leasable area
HCD—California Department of Housing and Community Development
HDR—High Density Residential
HPC—Historic Preservation Commission of the City of Ontario
HSC—Health and Safety Code of the State of California
HUD—United States Department of Housing and Urban Development
JPA—Joint Powers Authority
LAB—Labor Code of the State of California
LAC—Local Assistance Committee
LAFCO—Local Agency Formation Commission
LDR—Low Density Residential
LOS—Level of Service
MDR—Medium Density Residential
MOU—Memorandum of Understanding
NEPA—National Environmental Policy Act
NOC—Notice of Completion
NOD—Notice of Determination
NOP—Notice of Preparation
NPDES—National Pollution Discharge Elimination System
ODC—Ontario Development Code
ONT—Ontario International Airport
ONT ALUCP— Ontario International Airport Land Use Compatibility Plan
OPA—Office of Permit Assistance of the State of California
OPR—Governor's Office of Planning and Research of the State of California
OMC—Ontario Municipal Code
PC—[i] Penal Code of the State of California; or **[ii]** Planning Commission
PRC—Public Resources Code of the State of California
PUC—Public Utilities Code of the State of California
PUD—Planned Unit Development
Ref—Reference
RFP—Request for Proposal
RFQ—Request for Qualifications
RLUIPA—Religious Land Use and Institutionalized Persons Act
R-O-W—Right-of-Way
RWQCB—Regional Water Quality Control Board
SCAQMD—South Coast Air Quality Management District
SF—Square Feet (Foot)
SFR—Single-Family Residential

SHC—Streets and Highways Code of the State of California
SMA—Subdivision Map Act
TOD—Transit Oriented Development
TOT—Transient Occupancy Tax
USC—United States Code
WQMP—Water Quality Management Plan
WRCB—Water Resources Control Board
WUCOLS—Water Use Classifications of Landscape Species

Division 9.02—Glossary

Sections:

9.02.000: Purpose
9.02.005: Applicability
9.02.010: Glossary of Terms and Phrases

9.02.000: Purpose

The purpose of this Division is to define common nomenclature used in explaining, depicting, expressing, illustrating, or portraying urban planning and architectural design concepts and elements.

9.02.005: Applicability

A. Unless otherwise apparent from the context, the urban planning and architectural design nomenclature stated in this Division may be used in the implementation of the development and design standards of this Development Code.

B. The words, terms, phrases, abbreviations, and acronyms defined in this Division shall be maintained in correct alphabetical order.

9.02.010: Glossary of Terms and Phrases

A. Definition of Words Beginning with the Letter "A."

Acoustical Separation. An area or component provided for the purpose of restricting sound transmission between abutting areas or building modules.

Arcades. Covered walkways attached to buildings and supported on one side by columns. Arcades provide pedestrians with shelter and can serve to provide large buildings with a more human scale.

Articulation. The visible expression of architectural or landscape elements through form, structure or materiality. Articulation provides a method for reducing the scale and breaking up the mass of buildings and plazas.

Awnings. Roof-like shelters, generally of canvas, that project from the wall of a building. Awnings serve to provide protection for buildings and pedestrians against the harsh elements of sunlight and weather.

B. Definition of Words Beginning with the Letter "B."

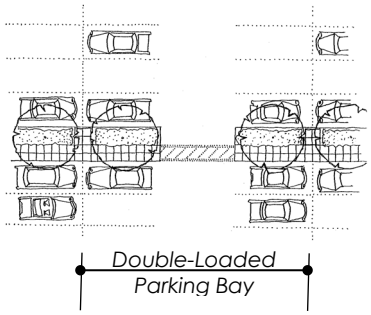
Bank. A sloping surface often used to create separation. See also "Berm."

Base. The bottom portion of a building, which generally supports its upper portions, both structurally and visually.

Bays. The term "bays" may be used when referring to the structural design of a building or when referring to parking lot design, as follows:

1) Bays of a Building. Structural modules occurring between the vertical means of support. Structural bays generally occur between columns or load-bearing walls.

2) Parking Bays. Bays in parking lots are a "complete" parking module consisting of a drive aisle with perpendicular or diagonal parking on one side (single-loaded parking bays) or both sides (double-loaded parking bays) (see figure, right).

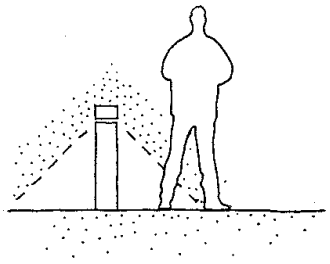


Parking Bays

Bay Windows. Window assemblies that protrude beyond the wall plane of a building. Bay windows may be semi-circular, faceted, or rectangular, and often have their own roof. They are used to provide a wider view, bring in more light, and contribute to the articulation of a building's exterior.

Berm. An artificial bank of earth usually located along roadsides and off-street parking areas. Berms serve to physically and visually separate areas by raising the level of plants and other landscape elements.

Bollard Light. A short post, generally not more than 3 feet in height, with a built-in light fixture at its uppermost portion (see example, right).



Bollard Light

Build-Out. Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations.

Build-To Lines. Building edges that are required to be placed at given locations, as established by the development standards of the City. Build-to lines are generally defined as a given distance from a property line, and can be used to encourage building fronts, entrances and windows to line and spatially define streets, parks, or plazas.

C. Definition of Words Beginning with the Letter "C."

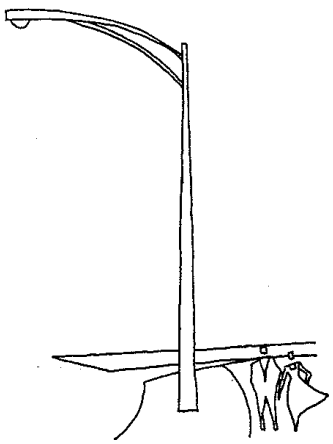
Can Sign. A sign that is internally or externally illuminated, which is generally formed into a square or rectangular-shaped box.

Canopy. A structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity, or decoration, and may be structurally independent or supported by attachment to a building.

Cantilever. A horizontal projection without external bracing. Cantilevers may appear visually awkward, as they typically appear to have no apparent source of support.

Cap. The crowning feature of a wall. Caps protect walls from the weather and provide architectural detailing that contributes to the wall's visual interest.

Cobrahead Light. A streetlight whose luminaire is supported on a cantilevered arm, which extends over the street, having a profile vaguely resembling that of a cobra snake (see example, right).



Cobrahead Light

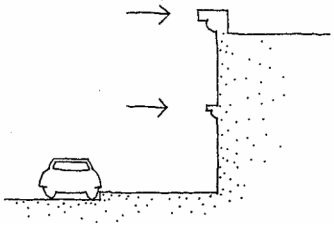
Clapboard Siding. A building sheathing made up of overlapping horizontal boards.

Clerestory Windows. Windows with high sills that are often used to bring in light when lower windows are undesirable because of privacy concerns.

Common Open Space. Semi-public areas intended for the use of residents or workers within a project. Common open spaces may include gardens, plazas, or recreational spaces.

Connecting Walkways. Pedestrian paths that connect buildings or open spaces directly to the street and are not overly circuitous. See also "Pedestrian Connections."

Cornice. Horizontal ornamentation on a building's façade, which is generally located near the top of a building's façade and is often located near the floor line of upper stories (see example, right).



Cornice

Cupola. A small hat-like projection occurring the ridgeline of a roof. Cupolas traditionally covered the place where large structures, like barns, were vented.

D. Definition of Words Beginning with the Letter "D."

Detailing. The manner in which separate building elements are assembled. Careful detailing will minimize the effects of weather on buildings and promote an attractive and long-lasting appearance.

Dormers. Upright windows built out from a sloping roof.

Downspouts. Pipes that carry rainwater from a roof gutter to the ground or sewer.

E. Definition of Words Beginning with the Letter "E."

Eaves. The portion of a sloping roof that extends beyond the exterior wall of a building. See also "Overhang."

Egress. The point of exit.

Emulate. To represent or re-create the qualities of something else, without duplicating it literally. For example, historic styles may be emulated without copying an historic building.

Entry. The doorway into a building, along with the architectural treatments that accompany it.

F. Definition of Words Beginning with the Letter "F."

Fast Food. Those food service establishments offering relatively immediate service of pre-prepared food in disposable containers.

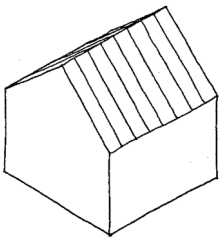
Fenestration. The arrangement of windows in a building.

Finishes. The materials applied to the surface of buildings or landscape elements. Properly applied finishes contribute to an attractive appearance and long-lasting wear.

Freestanding. To be supported at the ground and without support from a building or other structure.

G. Definition of Words Beginning with the Letter "G."

Gable Roof. A type of roof that slopes upward on two sides from the eaves to the ridge (see example, right).



Gable Roof

Gateway. Generally, a major entry into a district or area, which is often emphasized through landscaping.

Gazebo. A small, free-standing structure with a roof, which is open on all sides. Traditionally, gazebos are used as an outdoor room within gardens, or to cover musicians performing in community concerts.

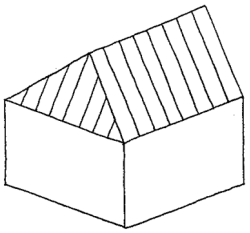
Glazing. The glass within a window.

Grade. The surface of a building site or its vertical elevation (often measured as feet above sea level).

Grasscrete. A paving material that supports the weight of an occasional vehicle, while also permitting groundcover to grow. Also referred to as "turf block".

H. Definition of Words Beginning with the Letter "H."

Hip Roof. A type of roof that slopes upward on all sides, from the eaves to the ridge (see example, right).



Hip Roof

I. Definition of Words Beginning with the Letter "I."

Ingress. A point of entry.

J. Definition of Words Beginning with the Letter "J."

Reserved

K. Definition of Words Beginning with the Letter "K."

Reserved

L. Definition of Words Beginning with the Letter "L."

Landscape Architectural Feature. Decorative structural elements in a landscaped area, such as walks, benches, patios, terraces, water features, and the like.

Landscaped Buffer. An attractive arrangement of trees, shrubs, and other vegetation that acts as a divider between incompatible uses or activities.

Lattice. An open framework of wood or other members that is often used to partly block views or support vines.

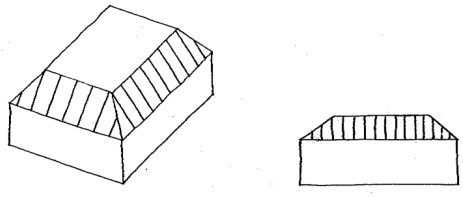
Loggia. A roofed deck that is integrated within an upper level of a building.

Lotting Pattern. A recognizable arrangement of residential lots, which are of the same or varying sizes and widths.

M. Definition of Words Beginning with the Letter "M."

Major Entry. The most common point or points of ingress for a development project or building.

Mansard Roofs. Extremely steep as they slope up from the eaves; this steeply sloped roof may end in a roof with a shallow roof or a parapet. Mansard roofs are a popular way of decorating tall parapets, such as are used to screen the rooftop equipment above fast food restaurants (see example, right).



Mansard Roof

Mass. The overall volume or form of a building or building element.

Median. An area dividing opposing travel lanes at or near the middle of a road, which is often landscaped.

Metal Standing Seam Roof. A sheet metal roof that has its joints folded together and raised above the roof surface in order to attach metal sheets and prevent leaks.

Modules. Similar units or subcomponents that are combined to create a total building system.

Mullion. The outer structural vertical and horizontal members of a glazing system, which forms a division between the glazing units.

Muntin. The nonstructural vertical and horizontal members of a window that divides the window into individual lites and holds (or appears to hold) the individual panes of glass.

Muted. A softened or less-vivid color tone.

N. Definition of Words Beginning with the Letter "N."

Neotraditional. A form of design that attempts to recreate positive features of neighborhoods from an earlier generation.

O. Definition of Words Beginning with the Letter "O."

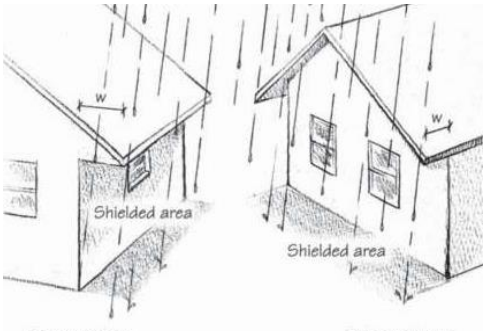
Oblique View. A view at an angle that allows one to see more than one side of a building.

On-Site Parking. Parking stalls and aisles that occur on parcels outside of a street right-of-way.

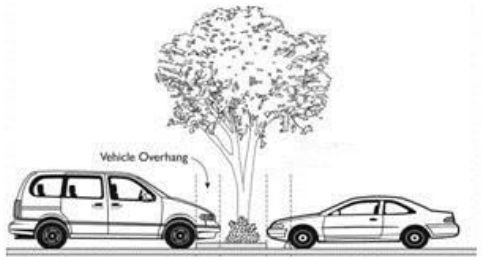
On-Street Parking. Parking stalls provided within the street right-of-way. On-street parking is often in a parallel configuration, along the edge of curbs.

Opaque. Not transparent or semi-transparent.

Overhang. [1] The portion of a building that extends horizontally beyond the building's exterior wall (also referred to as the "eaves"); or **[2]** the portion of a motor vehicle that extends beyond the tires, to the front or back of a car (see examples, right).



Roof Overhang



Motor Vehicle Overhang

P. Definition of Words Beginning with the Letter "P."

Parapet. A wall that extends above the roof, which is often used to protect the edge of the roof, hide roof-mounted equipment, and express ornamentation.

Park. A place for public recreation that generally contains landscaped ground surfaces, such as lawns and gardens.

Pavers. Units of pavement assembled to form the "floor" of a plaza or street. Pavers are often made of concrete or terra cotta (brick).

Pavilion. A small, lightweight structure, often with a roof, used for recreation or shelter in a garden, park or plaza.

Pedestrian Connections. Sidewalks that provide convenient routes between destinations. Pedestrian connections are generally lined by landscape and building features for the pedestrian's comfort and visual interest. See also "Connecting Walkways."

Pedestrian Oriented. Designing to make a building or structure inviting to pedestrian traffic.

Pilaster. A vertical architectural member that is integrated within a wall but is architecturally treated as a column and usually projects one-third or less of its width from the wall.

Place Making. The creation of pleasant and memorable spaces.

Plaza. A place for public recreation that generally contains hard surfaces, such as seating areas and ornate pavement.

Podium Apartments. A ground floor parking structure with one or more levels of residential units above.

Porte Cochere. A roofed extension of a building over a driveway that shelters passengers getting into and out of vehicles.

Portico. A roofed porch that may be open or partly enclosed.

Prefab. A construction method in which shop-manufactured pieces undergo final assembly on-site.

Primary Building Entry. A publicly accessible and commonly used place of building ingress.

Public Way. A path or road that is accessible by, and generally maintained, by the public.

Q. Definition of Words Beginning with the Letter "Q."

Reserved

R. Definition of Words Beginning with the Letter "R."

Recessed Panel. An indentation within a building facade, such as occurs between pilasters or within other framed openings.

Reveals. Depressions or notches, primarily at an edge or corner, used to provide architectural detail by showing depth and enriching character.

Ridge. The line of intersection between opposing sides or slopes of a roof.

S. Definition of Words Beginning With the Letter "S."

Scale. The proportion of one thing relative to the size of another. Something that is "human" in scale has elements that are comparable to the size of a person. Scale *of a* building is the proportional system that relates the various-sized building elements to each other and to people.

Setback. The required distance that a building, structure, parking space, drive aisle, or other designated item must be located from a lot line or other designated location. Setback requirements provide a way of encouraging the spatial definition of open space; the separation of uses, activities or facilities; or the provision of yards and landscaping.

Staggered Walls. Sections of walls placed in shifted planes.

Structural Podium. See "Podium Apartments."

T. Definition of Words Beginning with the Letter "T."

Tandem. An arrangement of things placed one behind the other. Tandem parking places one car behind another.

Terrace. An outdoor paved platform extending from a building that complements the use or activities located within the building.

Tops. The uppermost portions of a building and often include cornice treatments, roof overhangs, or parapets.

Transformers. Electrical switching equipment used for converting electricity from high-voltage to common current. They are often located in ground-mounted boxes.

Trellis. A light framework of horizontal and/or vertical members, often used to support climbing plants.

U. Definition of Words Beginning with the Letter "U."

Unit. One of many similar or identical components that comprise a greater whole. Unit is also a single dwelling, either on its own lot (in the case of single-family homes) or grouped as part of a multi-family complex.

V. Definition of Words Beginning with the Letter "V."

Value. A color's relative lightness or darkness.

Vehicular Access. An entrance or exit for cars or trucks.

Vestibule. An entrance hall or lobby of a building.

W. Definition of Words Beginning with the Letter "W."

Wainscot. An area of facing or paneling on the lower portion of the walls of a room.

Wall Footings. Structural foundation elements that carry the weight of a structure to the ground.

Window Stem Walls. Low walls that support a large window, generally on a storefront.

X. Definition of Words Beginning with the Letter "X."

Reserved

Y. Definition of Words Beginning with the Letter "Y."

Reserved

Z. Definition of Words Beginning with the Letter "Z."

Zero Lot Line. A development approach in which a building is sited on a lot in such a manner that one or more of the structure's sides rest directly (to the extent possible) on a lot line. The intent is to allow more flexibility in site design and to increase the amount of usable open space on a lot.

Zone Division Walls. Walls constructed for the purpose of buffering adjacent incompatible land uses.

Zoning Map. The official zoning map of the City, which delineates the location of the zoning districts of the City, governing the use, placement, spacing, and size of land and buildings.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA24-003, A DEVELOPMENT CODE AMENDMENT REVISING AND CLARIFYING CERTAIN PROVISIONS OF CHAPTERS 2.0 (ADMINISTRATION AND PROCEDURES), 4.0 (PERMITS, ACTIONS, AND DECISIONS), 5.0 (ZONING AND LAND USE), 6.0 (DEVELOPMENT AND SUBDIVISION REGULATIONS), 8.0 (SIGN REGULATIONS), AND 9.0 (DEFINITIONS AND GLOSSARY) OF THE CITY OF ONTARIO DEVELOPMENT CODE, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, THE CITY OF ONTARIO ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA24-003, as described title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which establishes long term principals, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision, and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens; and

WHEREAS, the Development Code Amendment is of citywide impact, affecting approximately 50 square miles (31,789 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south; and

WHEREAS, certain clarifications and revisions to the City of Ontario Development Code are proposed, generally described as follows:

(1) Revise requirements for Lot Mergers from "Discretionary Permits and Actions" to "Ministerial Permits and Decisions" to include the following:

(a) Revise Section 2.02.005 Applicability, Table 2.02-1: Review Table to delete (B)(14)(a) and add (C)(15)(i). This changes the approval process from Discretionary Review with Development Advisory Board (DAB) recommended, Planning Commission (PC) Approving Authority, and City Council (CC) Appeal Authority to Ministerial Permits and Decisions with City Engineer as the Approving Authority, and PC and CC as the Appeal Authority.

(b) Revise Division 4.02-Discretionary Permits and Actions to delete Section 4.02.085: Subdivisions-Lot Merger (Merger of Contiguous Parcels) and revise Division 4.03-Ministerial (Administrative) Permits

and Decisions to add Section 4.03.050: Subdivisions-Lot Merger (Merger of Contiguous Parcels).

(2) Revise Division 4.01-Legislative Actions, Section 4.01.025 Amendments to the Policy Plan Component of The Ontario Plan, 3. Land Use Amendment Findings to correct references to the Regional Housing Needs Assessment (RHNA) and Housing Element Sites Inventory.

(3) Revise Division 4.02, Section 4.02.025 Development Plans (B)(2)(k) to add "Commercial developments and [t]he development of a permanent building within the CIV, …" so that the text is consistent with Table 2.02-1: Review Matrix, B. Discretionary Permits and Actions, (4)(b).

(4) Revise Division 5.01-Zoning Districts and Boundaries, Section 5.01.005, D. Industrial Zoning Districts, 3. IL (Light Industrial) Zoning District to correct mid paragraph punctuation error separating incomplete sentences.

(5) Revise Table 5.02-1: Land Use Matrix to include the following:

(a) Revise permitted uses under TRANSPORTATION AND WAREHOUSING, Warehousing and Storage, Outside Materials and Equipment Storage [1] In conjunction with an allowed use to delete outside storage as a permitted use in the IP zoning district.

(b) Amend permitted uses under OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION, Repair and Maintenance, Motor Vehicle Repair and Maintenance, All Other Automative Repair and Maintenance to add Hydrogen Fueling Stations as a permitted land use in Commercial and Industrial zoning districts.

(6) Revise Division 5.03-Supplemental Land Use Regulations to include the following:

(a) Revise Section 5.03.010: Accessory Dwelling Units to delete Section 8 relating to Deed Restrictions.

(b) Revise Section 5.03.150: Drive-Thru Facilities, B. Development Standards, 5. Building Orientation to identify that "Buildings incorporating drive-thru facilities shall be oriented toward the street, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan)."

(c) Amend Section 5.03.240: Home Occupations to regulate use of an accessory residential structure and compliance with the California Department of Public Health Approved Cottage Foods list.

(d) Revise Section 5.03.270: Massage Establishments and Services to include additional requirements for B. Massage Establishment

Requirements, D. Outcall Massages, and F. Rights of Authorized Representatives to Enter a Massage Establishment.

(e) Add adopted text for Section 5.03.363: Short Term Rentals.

(7) Revise Division 6.0-District Standards and Guidelines, Section 6.01.010: Residential Zoning Districts, I. Residential Design Guidelines (1) to reference the adopted Residential Design Guidelines "included as Reference "D" of this Development Code," Section 6.01.015: Commercial Zoning Districts, F. Commercial Design Guidelines (1) to reference the adopted Commercial Design Guidelines "included as Reference "E" of this Development Code" and Section 6.01.025: Industrial Zoning Districts, F. Industrial Design Guidelines (1) to reference the adopted Industrial Design Guidelines "included as Reference "F" of this Development Code."

(8) Revise Chapter 6.0. Development and Subdivision Regulations to delete various references to "public art works installed pursuant to Division 6.07 (Public Art)," a section which was previously deleted from the Development Code.

(9) Amend Division 6.01-District Standards and Guidelines, Section 6.01.010: Residential Zoning Districts, F. General Provisions to add 16. Equipment Screening applicable to residential structure.

(10) Revise Division 6.01-District Standards and Guidelines, Section 6.01.035: Overlay Zoning Districts, C. Overlay Zoning District Standards, 6. AH (Affordable Housing) Overlay Zoning District (b), Correcting the referenced mixed use district as MU-8C.

(11) Amend Chapter 8.0: Sign Regulations, Division 8.01-Sign Regulations, Section 8.01.020: Sign Standards, C. Freestanding Signs, 2.0 Freeway Signs to establish criteria for City Manager review and approval of an electronic display sign.

(12) Revise Chapter 9.0: Definitions and Glossary to include the following:

(a) Revise Division 9.01-Definitions to correct the Section reference for Accessory Dwelling Units.

(b) Amend Chapter 9.0: Definitions and Glossary, Division 9.01-Definitions to establish a Day Spa definition.

WHEREAS, pursuant to the provisions of Government Code Title 1, Division 1, Chapter 3 (commencing with Government Code Section 65100) Ontario Development Code Table 2.02-1 (Review Matrix) assigns the City Council the responsibility and authority to review act on the Development Code Amendment following review and recommendation on the matter by the Planning Commission; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 24, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider the Development Code Amendment and concluded said hearing on that date, voting to issue Resolution No. PC24-049, recommending the City Council approve the Development Code Amendment; and

WHEREAS, on November 19, 2024, the City Council of the City of Ontario conducted a public hearing on the Development Code Amendment and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the City Council of the City of Ontario, as follows:

SECTION 1. ***Environmental Determination and Findings.*** As the decision-making body for the Development Code Amendment, the City Council has reviewed and considered the information contained in the administrative record for the Development Code Amendment. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the" common sense exemption" (also known as the "general rule exemption") that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

(3) The determination that the Development Code Amendment is not subject to CEQA reflects the independent judgment of the City Council.

SECTION 2. ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Development Code Amendment, the City Council finds that based on the facts and information contained in the Application and supporting

documentation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan.

SECTION 3. ***Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670, et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

(1) On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Development Code Amendment, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the City Council, therefore, finds and determines that the Project is consistent with the policies and criteria set forth within the ONT ALUCP; and

(2) On August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport ("CNO") Overlay Zoning District ("OZD") and Reference I, Chino Airport Land Use Compatibility Plan ("CNO ALUCP"). The CNO OZD and CNO ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The CNO ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook. The proposed Project is located within the Airport Influence Area of Chino Airport and was evaluated and found to be consistent with the California Airport Land Use Planning Handbook and the CNO ALUCP. As the decision-making body for the Development Code Amendment, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the CNO ALUCP compatibility factors, including Safety, Airspace Protection, Overflight. As a result, the City Council, therefore, finds and determines that the Project is consistent with the policies and criteria set forth within the California Airport Land Use Planning Handbook and the CNO ALUCP.

SECTION 4. ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the City Council hereby concludes as follows:

(1) The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Goals components of The Ontario Plan ("TOP"). The Development Code Amendment will: (a) serve to promote a community that is consistently seeking—and thoughtfully applying—new ways of doing things better, as encouraged by TOP's Vision; (b) provides for a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, have a wide spectrum of choices of where they can live and recreate, as promoted by Land Use Element Policy LU-1.6, Complete Community; and (c) promotes the City Council Goals through the establishment of Development Code provisions that encourages investment in the growth and evolution of the City's economy and focuses City resources in commercial and residential neighborhoods.

(2) The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The Development Code Amendment incorporates safeguards intended to ensure that the purposes of the Development Code are preserved; the project will not be contrary to or damage the public health, safety, convenience, or general welfare; the project will not result in any significant environmental impacts; and the project will be in full conformity with the Vision, City Council Priorities, and Policy Plan components of The Ontario Plan.

SECTION 5. ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the City Council hereby APPROVES the herein described changes that comprise the Development Code Amendment, and which are attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 6. ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7. ***Severability.*** If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause, or phrase thereof, irrespective of the

fact that any one or more section, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 8. ***Effective Date.*** This Ordinance shall become effective 30 days following its adoption.

SECTION 9. ***Publication and Posting.*** The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2024.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held _____ and adopted at the regular meeting held _____, 2024 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. _____ duly passed and adopted by the Ontario City Council at their regular meeting held _____ and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

File No. PDCA24-003
2024 Development Code Amendment No. 1

(Document to follow this page)

Chapter 2.0:
Administration and Procedures

Division 2.01—Planning Agency
Division 2.02—Application Filing and Processing
Division 2.03—Public Hearings
Division 2.04—Appeals
Division 2.05—City Initiated Modification or Revocation
Division 2.06—Performance Guarantees

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Division 2.01—Planning Agency

Sections:

2.01.000: Purpose
2.01.005: Applicability
2.01.010: City Council
2.01.015: Planning Commission
2.01.020: Historic Preservation Commission
2.01.025: Historic Preservation Subcommittee
2.01.030: Development Advisory Board
2.01.035: Zoning Administrator

2.01.000: Purpose

GC Section 65100 provides that each city and county establish a planning agency with the powers necessary to carry out the planning and zoning functions of the jurisdiction. The purpose of this Division is to identify and establish bodies, commissions, committees, positions, boards, and departments responsible for carrying out the powers and duties of the planning agency.

2.01.005: Applicability

The functions of the planning agency are hereby assigned to the following bodies, commissions, committees, positions, boards, and departments:

A. City Council;

B. Planning Commission;

C. Historic Preservation Commission;

D. Historic Preservation Subcommittee;

E. Development Advisory Board;

F. Zoning Administrator;

G. Planning Department.

2.01.010: City Council

A. **Established.** The City Council's establishment, membership, and operation are recognized by OMC Title 2 (Administration), Chapter 1 (City Council), commencing with Article 1, Section 2-1.101.

B. **Powers and Duties.** The City Council shall have the authority to hear and decide on those application types established by Table 2.02-1 (Review Matrix) of this Development Code and shall

have review and final authority on all appeals of Planning Commission or Historic Preservation Commission actions.

2.01.015: Planning Commission

A. Established. The Planning Commission's establishment, membership and operation are recognized by OMC Title 2 (Administration), Chapter 2 (Commissions and Boards), Article 3 (Planning Commission), commencing with OMC Section 2-2.301.

B. Powers and Duties. The Planning Commission shall have the authority to hear, recommend, and decide on those application types identified in Table 2.02-1 (Review Matrix) of this Development Code. In addition, the Planning Commission shall have the authority to act upon an appeal of any order, requirement, permit, decision or determination concerning zoning, land use or development, made by an administrative or appointed official or body, such as the Planning Director, Zoning Administrator, or Development Advisory Board, pursuant to the provisions of this Development Code.

C. Meetings. The Planning Commission shall adopt rules as necessary to the conduct of its affairs and in keeping with the provisions of this Development Code. Meetings shall be held on a regular basis and open to the public. The Planning Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, and shall keep records of its own examinations and other official actions, which shall be filed with the Planning Department.

2.01.020: Historic Preservation Commission

A. Established. Pursuant to the authority granted to municipalities by State Planning and Zoning Law, as established by GC Title 1, Division 1, Chapter 3 (commencing with GC Section 65100), there is hereby created and established in the City of Ontario, an Historic Preservation Commission.

B. Membership. The Historic Preservation Commission shall consist of the 7 standing members of the Planning Commission.

C. Powers and Duties. The Historic Preservation Commission shall have the following powers and duties:

1. Establish criteria for and conduct or cause to be conducted a comprehensive survey in conformance with state survey standards and guidelines of Historical Resources within the boundaries of the City, and publicize and periodically update the survey results;

2. The authority to hear make recommendations and/or decide on those application types established by Table 2.02-1 (Review Matrix) of this Development Code;

3. Authority to act upon an appeal of any order, requirement, permit, decisions, or determination concerning Historic Resources under this Development Code, made by the Historic Preservation Subcommittee;

4. Maintain a local register of Designated Historic Landmarks and Districts consistent with the National Register of Historic Places criteria, including all information required for each designation; and

5. Undertake any other action or activity necessary or appropriate to implement its powers or duties to fulfill the objectives of the Historic Preservation program.

D. Meetings. The Historic Preservation Commission shall adopt rules and procedures governing meeting business, conduct, and actions within the Historic Preservation Commission's jurisdiction and setting timeframes for such meetings.

2.01.025: Historic Preservation Subcommittee

A. Established. In accordance with the authority granted to municipalities by State Planning and Zoning Law, pursuant to GC Division 1, Chapter 3 (commencing with GC Section 65100), there is hereby created and established in the City of Ontario, an Historic Preservation Subcommittee.

B. Membership. The Historic Preservation Subcommittee shall consist of 3 members of the Historic Preservation Commission, to be appointed pursuant to the Historic Preservation Commission rules and procedures.

C. Powers and Duties. The Historic Preservation Subcommittee shall have the following powers and duties:

1. The authority to hear make recommendations and/or decide on those application types established by Table 2.02-1 (Review Matrix) of this Development Code;

2. The authority to review historic preservation work program, assist staff in any survey or historic research being conducted, and review of the City's list of Historical Resources; and

3. The authority to act upon appeals of administrative permits, decisions and actions concerning Historical Resources under this Development Code, made by any City Department.

D. Meetings. The Historic Preservation Commission shall adopt rules and procedures governing meeting business, conduct, and actions within the Historic Preservation Subcommittee's jurisdiction and setting timeframes for such meetings.

2.01.030: Development Advisory Board

A. Established. In accordance with the authority granted to municipalities by State Planning and Zoning Law, pursuant to GC Division 1, Chapter 3 (commencing with GC Section 65100), there is hereby created and established in the City of Ontario, a Development Advisory Board.

B. Membership. The Development Advisory Board shall include those representatives of certain City departments and/or agencies as established by resolution of the City Council.

C. Powers and Duties. The Development Advisory Board shall have the authority to hear, recommend and decide on those application types identified in Table 2.02-1 (Review Matrix) of this Development Code.

D. **Meetings.** The Development Advisory Board shall adopt rules and regulations to govern the procedures at meetings within the Board's jurisdiction and to set a time for such meetings.

2.01.035: Zoning Administrator

A. **Established.** In accordance with the authority granted to municipalities by State Planning and Zoning Law, pursuant to GC Division 1, Chapter 3 (commencing with GC Section 65100), there is hereby created and established in the City, the position of Zoning Administrator.

B. **Membership.** The Zoning Administrator position shall be filled by the Planning Director or the Zoning Administrator's designee, who shall fill the position of Deputy Zoning Administrator.

C. **Powers and Duties.** The Zoning Administrator shall have the power and duty to review and make decisions on those application types identified in Table 2.02-1 (Review Matrix) of this Development Code.

D. **Meetings.** The Zoning Administrator shall adopt rules and procedures governing meeting business, conduct, and actions within the Zoning Administrator's jurisdiction and setting timeframes for such meetings.

Division 2.02—Application Filing and Processing

Sections:

2.02.000: Purpose
2.02.005: Applicability
2.02.010: Applications and Fees
2.02.015: Application Processing Procedures
2.02.020: Environmental Review
2.02.025: Time Limits and Extensions
2.02.030: Failure by Applicant to Complete Application Processing
2.02.035: Limitations on Application Refiling
2.02.040: Indemnification

2.02.000: Purpose

The purpose of this Division is to establish procedures and requirements for the preparation, filing and processing of applications for permits, amendments, and approvals stipulated by this Development Code.

2.02.005: Applicability

Table 2.02-1 (Review Matrix), below, establishes the recommending, approving, and appeal authorities for all permits, amendments, and approvals stipulated by this Development Code. The symbols used within the Table have the following meanings:

R = Advisory (Recommending) Authority
X = Approving Authority
A = Appeal Authority

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	*Reviewing Authorities [4]*										
	Planning Director	*City Engineer*	*Fire Marshal*	*Building Official*	*Zoning Administrator [2]*	*Development Advisory Board*	*Historic Preservation Subcommittee [2] [11]*	*Historic Preservation Commission [11]*	*Planning Commission [11]*	*City Council [11]*	*Ontario International Airport Authority*
A. LEGISLATIVE ACTIONS											
1. Airport Land Use Compatibility Plan and Amendments **[1]** (Ref: ODC Section 4.01.010)									**R**	**X**	
2. Development Agreements **[1]** (Ref: ODC Section 4.01.015)									**R**	**X**	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	*Reviewing Authorities [4]*										
	Planning Director	*City Engineer*	*Fire Marshal*	*Building Official*	*Zoning Administrator [2]*	*Development Advisory Board*	*Historic Preservation Subcommittee [2] [11]*	*Historic Preservation Commission [11]*	*Planning Commission [11]*	*City Council [11]*	*Ontario International Airport Authority*
3. Development Code Amendments **[1]** (Ref: ODC Section 4.01.020)									**R**	**X**	
4. Amendment to the Policy Plan (General Plan) Component of The Ontario Plan **[1]** (Ref: ODC Section 4.01.025)									**R**	**X**	
5. Planned Unit Developments and Amendments **[1]** (Ref: ODC Section 4.01.030)									**R**	**X**	
6. Specific Plans and Amendments **[1][12]** (Ref: ODC Section 4.01.035)									**R**	**X**	
7. Williamson Act Contract Cancellations **[1]** (Ref: GC Section 51200 et.seq.)									**R**	**X**	
8. Zone Changes **[1]** (Ref: ODC Section 4.01.040)									**R**	**X**	
B. DISCRETIONARY PERMITS AND ACTIONS											
1. Billboard Relocation Agreements **[1]** (Ref: ODC Section 4.02.010)									**R**	**X**	
2. Conditional Use Permits (Ref: ODC Section 4.02.015)											
a. Hotels, Motels and Residence Inns **[1]**									**R**	**X**	
b. Use established in conjunction with a Development Plan **[1]**						**R**			**X**	**A**	
c. Use established within an existing structure **[1]**					**X**				**A**	**A**	
d. Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**									**X**	**A**	
e. Revocation due to abandonment of use per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**					**X**				**A**	**A**	
3. Density Bonus and Other Incentives per ODC Section 6.01.010.G (Density Bonus and Other Incentives) **[1]**									**R**	**X**	
4. Development Plans, except within the ONT zoning district (Ref: ODC Section 4.02.025)											
a. Residential developments totaling 5 or more dwelling units or the development of 3 or more dwelling units on a single lot or parcel						**R**			**X**	**A**	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]										
	Planning Director	City Engineer	Fire Marshal	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
b. Commercial developments, and developments in the CIV, OS-R, OS-C and UC zoning districts, greater than 500 SF in area						X			A	A	
c. Industrial developments equal to or less than 0.45 FAR						X			A	A	
d. Industrial developments exceeding 0.45 FAR						R			X	A	
e. Wireless telecommunications facilities pursuant to Section 5.03.415 (Wireless Telecommunications Facilities) of this Development Code											
(1) Tier 2 facilities						X			A	A	
(2) Tier 3 facilities **[2]**						X			A	A	
f. All others						X			A	A	
5. Extensions of Legal Nonconforming Status **[1]** (Ref: ODC Section 4.02.030)					X				A	A	
6. Historic Preservation											
a. Certificates of Appropriateness (Ref: ODC Section 4.02.050)											
(1) Designated Historic Landmarks and Contributors, and Architectural Conservation Areas; and Demolition of an Historic Resource **[1]**							R	X		A	
(2) Deferral of Replacement Structure **[1]**							R	X		A	
(3) Eligible Historic Resources **[1]**							X	A		A	
(4) Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**							R	X		A	
(5) Waivers for Minor Improvements	X						A[6]	A[6]			
b. Certificates of Economic Hardship **[1]** (Ref: ODC Section 4.02.055) **[1]**							R	X		A	
c. Certificates of Economic Hardship—Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**							R	X		A	
d. Conservation Plans (Ref: ODC Section 4.02.060)							X	A		A	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]										
	Planning Director	City Engineer	Fire Marshal	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
e. Historic Resource Tiering (Ref: ODC Section 4.02.040), including Rescinding or Amending Status (Ref: ODC Section 4.02.045)							X	A		A	
f. Local Historic Landmark and Local District Designations, and Architectural Conservation Areas (Ref: ODC Section 4.02.040), including Rescinding or Amending Status (Ref: ODC Section 4.02.045)							R	R		X	
g. Mills Act Contracts (Ref: ODC Section 4.02.065)							R	R		X	
h. Mills Act Cancellations **[1]** (Ref: ODC Section 4.02.065)							R	R		X	
i. Addition/Removal of Resources to/from the Ontario Register (Ref: ODC Section 4.02.045)											
(1) At the request of the property owner, or upon City initiation if the most recently prepared Historic Resource Survey evaluating the resource is more than 5 years old.							X	A		A	
(2) Loss of all historic and/or cultural significance due to a catastrophe causing a loss of integrity, or due to extensive legally performed alterations performed after the property was initially surveyed.	X							A		A	
7. Master Plans and Amendments **[1]** (Ref: ODC Section 4.02.070)									R	X	
8. Minor Adjustments/Alterations (Ref: ODC Section 4.02.020.C)					X				A	A	
9. Nonconforming Structure Reconstruction **[1]** (Ref: ODC Section 3.01.020)									X	A	
10. Parking Reduction (Ref: ODC Section 6.03.025)									X	A	
11. Sign Programs (Ref: ODC Section 4.02.075)	X								A	A	
12. Specific Plan Minor Adjustments/Alterations **[12]** (Ref: ODC Section 4.02.080)	X								A	A	
13. Stays of Permit Approval Time Limit (Ref: ODC Section 2.02.025.A.8)					X[5]	X[5]	X[5]	X[5]	X[5]	X[5]	
14. Subdivisions											

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	*Reviewing Authorities [4]*										
	Planning Director	*City Engineer*	*Fire Marshal*	*Building Official*	*Zoning Administrator [2]*	*Development Advisory Board*	*Historic Preservation Subcommittee [2] [11]*	*Historic Preservation Commission [11]*	*Planning Commission [11]*	*City Council [11]*	*Ontario International Airport Authority*
~~a. Lot Merger (Merger of Contiguous Parcels) [1] (Ref: ODC Section 4.02.085)~~						~~R~~			~~X~~	~~A~~	
~~b.~~a. Reversions to Acreage **[1]** (Ref: ODC Section 4.02.090)						R			X	A	
~~c.~~b. Tentative Tract and Parcel Maps, and Vesting Maps **[1]** (Ref: ODC Section 4.02.095)						R			X	A	
~~d.~~c. Tentative Tract and Parcel Map Time Extensions (Ref: ODC Section 2.02.025.A.3 & 4)						R			X	A	
15. Time Extensions, excepting tentative subdivision maps (Ref: ODC Section 2.02.025)	X								A	A	
16. Variances (Ref: ODC Section 4.02.020.D)											
a. Homeowner **[1]**					X				A	A	
b. Other **[1]**						R			X	A	
C. MINISTERIAL (ADMINISTRATIVE) PERMITS AND DECISIONS											
1. Historic Preservation – Adaptive Reuse Plans (Ref: ODC Section 4.03.010)	X		X	X							
2. Administrative Exceptions (Ref: ODC Section 4.03.050)					X				A	A	
3. Administrative Use Permits (Ref: ODC Section 4.03.015)	X										
4. Business License - Zoning/Land Use Compliance (Ref: OMC 3-1.129 (Zoning Compliance)	X								A	A	
5. Development Plans within the ONT zoning district (Ref: ODC Section 4.02.025)	X								A	A	
6. Fair Housing and Reasonable Accommodation Ref: ODC Section 4.02.035)					X				A	A	
7. Interpretations and Land Use Determinations (Ref: ODC Section 1.02.010)					X				A	A	
8. Landscape and Irrigation Plans (Ref. ODC Section 6.05.005)	X								A	A	
9. Off-Site (Public) Improvement Plans (Ref: ODC Section 6.08.040)		X							A	A	
10. ONT ALUCP Interagency Review **[7]** (Ref: ONT ALUCP)	X									A[8]	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	*Reviewing Authorities [4]*										
	Planning Director	*City Engineer*	*Fire Marshal*	*Building Official*	*Zoning Administrator [2]*	*Development Advisory Board*	*Historic Preservation Subcommittee [2] [11]*	*Historic Preservation Commission [11]*	*Planning Commission [11]*	*City Council [11]*	*Ontario International Airport Authority*
11. Other Plan Checks and actions required by this Development Code	X								A	A	
12. Shopping Cart Retention Plans (Ref: ODC Section 6.11.020)	X								A	A	
13. Sign Plans (Ref: ODC Section 4.03.020)	X								A	A	
14. Single-Family Two-Unit Developments (Ref: ODC Section 5.03.403)	X								A	A	
15. Subdivisions											
a. Certificates of Compliance (Ref: ODC Section 4.03.025)		X							A	A	
b. Final Tract and Parcel Maps, and Vesting Maps (Ref: ODC Section 4.03.030)										X	
c. Lot Line Adjustments (Ref: ODC Section 4.03.035)		X							A	A	
d. Map Corrections and Amendments (Ref: ODC Section 4.03.040)		X							A	A	
e. Street Address Numbering (Ref. ODC Section 6.06.010)				X					A	A	
f. Street Name Assignment (Ref. ODC Section 6.06.010)	X								A	A	
g. Subdivision Improvement Agreement (Ref: ODC Section 6.08.040.G)		X							A	A	
h. Urban Lot Split (Ref: ODC Section 6.08.060		X							A	A	
i. (Lot Merger (Merger of Contiguous Parcels) **[1]** (Ref: ODC Section 4.02.085)		X							A	A	
16. Tier 1 wireless telecommunications facility pursuant to ODC Section 5.03.420 (Wireless Telecommunications Facilities)					X				A	A	
17. Wall, Fence, and Obstructions Plans not associated with a Development Plan (Ref. ODC Section 6.02.005)	X								A	A	
D. ENVIRONMENTAL DETERMINATIONS AND ACTIONS											
1. Environmental Impact Reports (EIRs) (Ref: CCR Section 15080, et seq.)									X[3]	X[3]	
2. Exempt Projects (Ref: CCR Section 15300, et seq.)	X[3]				X[3]	X[3]	X[3]	X[3]	A	A	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	***Reviewing Authorities [4]***										
	Planning Director	***City Engineer***	***Fire Marshal***	***Building Official***	***Zoning Administrator [2]***	***Development Advisory Board***	***Historic Preservation Subcommittee [2] [11]***	***Historic Preservation Commission [11]***	***Planning Commission [11]***	***City Council [11]***	***Ontario International Airport Authority***
3. Ministerial Projects (Ref: CCR Section 15268)		**Ministerial projects are exempt from the requirements of CEQA [10]**									
4. Negative Declarations (NDs) and Mitigated Negative Declarations (MNDs) (Ref: CCR Section 15070, et seq.)					**X[3]**	**X[3]**	**X[3]**	**X[3]**	**X[3]**	**X[3]**	
5. Addendums to previously certified EIRs and previously adopted NDs and MNDs (Ref: CCR Section 15164)					**X[3]**	**X[3]**	**X[3]**	**X[3]**	**X[3]**	**X[3]**	
6. Environmental review for projects located within the ONT zoning district **[9]**											**X**

Notes:

[1] A public hearing is required pursuant to the procedures set forth in Division 2.03 (Public Hearings) of this Development Code; however, public notification shall not be required for Development Advisory Board or Historic Preservation Subcommittee hearings when acting in the capacity of an Advisory Authority.

[2] The Approving Authority may refer any application subject to their review to the next higher authority (Appeal Authority).

[3] The Approving Authority for environmental determinations/actions shall be the same as the related legislative or discretionary actions. NDs and MNDs, and Addendums to previously certified EIRs, and previously adopted NDs or MNDs, which are not associated with, or are independent of, legislative or discretionary actions, shall be subject to Development Advisory Board review and adoption. EIRs that are not associated with, or are independent of, legislative or discretionary actions shall be subject to Planning Commission review and certification.

[4] An application submitted for concurrent review and action with another application, action or decision requiring review and action by a higher Reviewing Authority may be subject to concurrent review and action by that higher Reviewing Authority upon their request.

[5] The Approving Authority responsible for issuing a "Stay of Permit Approval Time Limit" pursuant to Section 2.02.025 (Projects Involving Pending Litigation) of the Development Code, shall be the same as for the related application, action, or decision.

[6] An appeal of an Historic Preservation—Certificate of Appropriateness—Waiver shall be considered by the Historic Preservation Subcommittee, except that an Historic Preservation—Waiver for an Historic Landmark shall be considered by the Historic Preservation Commission.

[7] Refer to the ONT ALUCP for procedures for application processing and administration, and appeals processing.

[8] Appeal shall be subject to review by the Mediation Board established pursuant to ALUCP Section 4.

[9] Pursuant to the Joint Powers Authority agreement between the City of Ontario and the County of San Bernardino, the Ontario International Airport Authority shall be the lead agency.

[10] Ministerial projects are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15268 of the CEQA Guidelines. The following projects or actions shall be deemed ministerial:

- *Administrative Exceptions;*
- *Administrative Use Permit issuance;*
- *ALUCP inter agency reviews;*
- *Building permit issuance;*
- *Business license issuance;*
- *Encroachment permit issuance;*

- *Final subdivision map approval;*
- *Individual utility service connection and disconnection approval;*
- *Landscape and irrigation plan approval;*
- *Lot Line Adjustment approval;*
- *Public improvement plan approval;*
- *Shopping cart retention plan approval;*
- *Sign Plan approval;*
- *Single-Family Two-Unit Developments;*
- *Street address number issuance;*
- *Subdivision Improvement Agreement approval;*
- *Subdivision map corrections and amendments approval;*
- *Temporary Use Permit issuance;*
- *Tier 1 wireless telecommunications facility approval;*
- *Urban Lot Splits; and*
- *Wall and/or fence plan approval.*

[11] Applications that do not require a public Hearing pursuant to Note 1, above, may be reviewed and acted upon under the "Consent Calendar" portion of the Approving Authority meeting agenda.

[12] Unless otherwise specified in a respective Specific Plan, a Specific Plan Amendment or Specific Plan Minor Adjustment/Minor Alterations application shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing), and Division 4.01 (Legislative Actions) or Division 4.02 (Discretionary Permits and Actions).

2.02.010: Applications and Fees

A. Application filing.

1. An application for a permit, permit modification, amendment, or any other matters pertaining to this Development Code shall be filed with the City, on a City application form, together with any required fees, plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to process the application.

2. An application may be initiated by the City, owner(s) or lessee(s) of property, or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Development Code, or their agent(s).

3. A project requiring the filing of more than one land use or entitlement permit application shall, to the extent possible, be filed with all related applications for concurrent review and action by the highest required Reviewing Authority, except that an Administrative Exception application filed in conjunction with a Development Plan shall require separate review and action by the appropriate Reviewing Authority.

B. Filing Fees.

1. The City Council may establish by resolution, a schedule of fees for permits, amendments, inspections, licenses, services, and other matters pertaining to this Development Code. The schedule of fees may be changed or modified only by resolution of the City Council.

2. Application review and action shall not commence until such time that all applicable filing fees and/or deposits have been paid in full. An application received without all applicable filing fees and/or deposits shall be deemed incomplete for filing and further processing and shall be deemed just cause for denial of the application. In the case of time and materials projects, the payment of additional deposits may be required to fully cover all City processing costs.

C. Refunds and Withdrawals.

1. The refund of filing fees in response to the denial of an application shall be prohibited, recognizing that filing fees are utilized to cover City costs related to public hearings, mailings, postings, transcripts, and staff time involved in processing applications.

2. An applicant wishing to withdraw their application may do so by written request to the Planning Director at any time prior to action by the Approving Authority.

3. Upon receipt of a request for application withdrawal, the Planning Director may order the refund of all or part of the filing fees, based upon the prorated costs to date and determination of the status of the application at the time of withdrawal.

2.02.015: Application Processing Procedures

This section is intended to provide general procedures for the processing of applications for legislative actions, discretionary permits and actions, and ministerial permits and decisions filed pursuant Table 2.02-1 (Review Matrix) of this Division.

A. Legislative Actions. The Advisory and Approving Authorities for legislative actions are established by Table 2.02-1 (Review Matrix) of this Division. Unless otherwise stipulated by Division 4.01 (Legislative Actions) of this Development Code, the procedure for reviewing and acting upon an application resulting in a legislative action is as follows:

1. Initial Review for Application Completeness. Legislative actions shall be initially reviewed for application completeness and acceptance, as follows:

a. *Review for Application Completeness.*

(1) Following receipt of an application filed in compliance with this Division, the Planning Department shall determine, in writing, whether the application is complete for processing and shall transmit the determination to the applicant.

(2) If an application is determined to be incomplete for processing, the Planning Department shall specify those parts of the application that are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the City in response to the list and description, which shall be reviewed pursuant to Subparagraph A.1.a(1), above.

(3) If the application, together with the submitted materials, is determined to be incomplete for processing, the applicant may appeal that decision to the Planning Commission pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

(4) Failure of an applicant to submit complete or adequate information pursuant to the provisions of Subparagraphs A.1.a(1) and (2), above, shall constitute grounds for denial of the application.

b. *Application Acceptance.*

(1) Following acceptance of an application as complete for processing, no new or additional information may be requested of the applicant; however, in the course of processing the application, the Planning Department may request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application. This provision shall not be so construed as to require an applicant to submit with the initial application, the entirety of the information that the Planning Department may require in order to take final action on the application.

(2) Prior to accepting an application as complete for processing, the Planning Department shall inform the applicant of any information included in the list prepared pursuant to Subparagraph A.1.b(1), above, which will subsequently be required from the applicant in order to complete final action on the application.

(3) The provisions of this Section shall not be construed as limiting the ability of the Planning Department to request and obtain information that may be needed in order to comply with the provisions of PRC Division 13 (commencing with Section 21000).

2. Investigation and Report.

a. Following acceptance of an application as complete for processing pursuant to Subparagraph B.1 (Initial Review for Application Completeness), above, the Planning Department shall investigate the facts bearing on the application and shall prepare a written report, which shall be transmitted to the appropriate Reviewing Authority.

b. The Planning Department's report shall provide the information necessary for action on the application, consistent with the provisions of this Development Code and The Ontario Plan, and shall report all findings to the appropriate Reviewing Authority.

c. During the investigation of the facts bearing on the application, the Planning Department may consult with other City departments and public agencies.

3. Public Hearings.

a. The Advisory and Approving Authorities established by Table 2.02-1 (Review Matrix), shall each conduct at least one public hearing, which shall be duly noticed, heard, and acted upon pursuant to Division 2.03 (Public Hearings) of this Development Code.

b. The Planning Department's written report, prepared pursuant to Subparagraphs A.2.a through c, above, shall be made available to the property owner and applicant, if different from the property owner, at least 72 hours prior to the public hearing.

4. Advisory Authority Review and Recommendation. The procedure for review and recommendation on a legislative action by an Advisory Authority is as follows:

a. The Advisory Authority shall make recommendation to the Approving Authority whether to approve, approve in modified form, or deny an application, which shall be transmitted to the Approving Authority in such manner and form as specified by the Approving Authority.

b. The Advisory Authority shall forward its recommendation to the Approving Authority within 60 days following the date its decision was rendered.

5. Approving Authority Review and Action. The procedure for review and action on a legislative action by the Approving Authority is as follows:

a. Upon receipt of the Advisory Authority's recommendation, the Approving Authority shall approve, approve in modified form, or deny an application.

b. The action of the Approving Authority shall be by written decision, setting forth the basis for the action, and shall include any applicable findings prescribed by Division 4.01 (Legislative Actions) of this Development Code. There shall be no time limit within which the Approving Authority must act on a legislative action.

c. The Approving Authority's action shall be final and conclusive.

6. Effective Date of Approving Authority Action. A legislative approval granted by resolution is effective immediately upon adoption of the numbered resolution by the City Council. A legislative approval granted by ordinance is effective 30 days following the date of adoption of the ordinance by the Approving Authority.

B. Discretionary Permits and Actions. The Advisory, Approving, and Appeal Authorities for discretionary permits and actions are established by Table 2.02-1 (Review Matrix) of this Division. Unless otherwise stipulated by Division 4.02 (Discretionary Permits and Actions) of this Development Code, the procedure for reviewing and acting upon an application resulting in a discretionary permit or action is as follows:

1. Initial Review for Application Completeness. Applications requesting discretionary permits and/or actions shall be initially reviewed for application completeness and acceptance, as follows:

a. *Review for Application Completeness.*

(1) Within 30 days following receipt of an application filed in compliance with this Division, the Planning Department shall determine, in writing, whether the application is complete for processing and shall transmit the determination to the applicant. If the written determination is not made within the required period, the application shall be automatically deemed complete for processing. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which time completeness of the resubmitted application shall be determined.

(2) If an application is determined to be incomplete for processing, the Planning Department shall specify those parts of the application that are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the Planning Department in response to the list and description, which shall be reviewed pursuant to Subparagraph B.1.a(1), above.

(3) If the application, together with the submitted materials, is determined to be incomplete for processing, the applicant may appeal that decision to the Planning Commission pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

(4) Failure of an applicant to submit complete or adequate information pursuant to the provisions of Subparagraphs B.1.a(1) and (2), above, shall constitute grounds for denial of the application.

b. *Application Acceptance.*

(1) Following acceptance of an application as complete for processing, no new or additional information may be requested of the applicant; however, in the course of processing the application, the Planning Department may request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application. This provision shall not be so construed as to require an applicant to submit with the initial application, the entirety of the information that the City may require in order to facilitate final action on the application.

(2) Prior to accepting an application as complete for processing, the Planning Department shall inform the applicant of any information included in the list prepared pursuant to Subparagraph B.1.b(1), above, which will subsequently be required from the applicant in order to complete final action on the application.

(3) The provisions of this Subsection shall not be construed as limiting the ability of the Planning Department to request and obtain information that may be needed in order to comply with the provisions of PRC Division 13 (commencing with Section 21000).

2. Investigation and Report.

a. Following acceptance of an application as complete for processing pursuant to Subparagraph B.1 (Initial Review for Application Completeness), above, the Planning Department shall investigate the facts bearing on the application and shall prepare a written report, which shall be transmitted to the appropriate Reviewing Authority.

b. The Planning Department's report shall provide the information necessary for action on the application, consistent with the provisions of this Development Code and The Ontario Plan, and shall report all findings to the appropriate Reviewing Authority.

c. During the investigation of the facts bearing on the application, the Planning Department may consult with other City departments and public agencies.

3. Public Hearings.

a. The Advisory, Approving and Appeal Authorities established by Table 2.02-1 (Review Matrix), and which require a public hearing pursuant to the Review Matrix, shall each conduct at least one public hearing, which shall be duly noticed, heard, and acted upon pursuant to Division 2.03 (Public Hearings) of this Development Code.

b. The Planning Department's written report, prepared pursuant to Subparagraphs B.2.a through c, above, shall be made available to the property owner and applicant, if different from the property owner, at least 72 hours prior to the public hearing.

4. Advisory Authority Review and Recommendation. If required pursuant to Table 2.02-1 (Review Matrix), the procedure for review and recommendation on a discretionary permit or action by an Advisory Authority is as follows:

a. The Advisory Authority shall make recommendation to the Approving Authority whether to approve, approve in modified form, or deny an application, which shall be transmitted to the Approving Authority in such manner and form as specified by the Approving Authority.

b. The Advisory Authority shall forward its recommendation to the Approving Authority within 60 days following the date its decision was rendered.

c. In instances where review and recommendation by more than one Advisory Authority is required, the initial Advisory Authority shall forward its recommendation whether to approve, approve in modified form, or deny an application to the subsequent Advisory Authority within 30 days following the date its decision was rendered. The 30-day time limit may be extended by mutual agreement of the applicant and City.

5. Approving Authority Review and Action. The procedure for review and action on a discretionary permit or action by an Approving Authority is as follows:

a. Upon receipt of the Advisory Authority's recommendation, the Approving Authority shall approve, approve in modified form, or deny an application, and may impose reasonable conditions to the approval of an application.

b. The action of the Approving Authority shall be by written decision, setting forth the basis for the action, and shall include any applicable findings prescribed by Division 4.02 (Discretionary Permits and Actions) of this Development Code. A discretionary permit or action shall be acted upon within the timeframes specified by GC Section 65950, 65950.1, 65951, and 65952, except that Tentative Subdivision Maps shall be acted upon within the timeframes specified by GC Section 66452.1.

c. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

6. Effective Date of Approving Authority Action. A discretionary permit or action shall become effective on the City business day following Approving Authority action, unless the discretionary permit is being processed concurrently with and dependent upon any legislative action; in which case, the effective date of the discretionary permit or action shall be governed by Paragraph A.6 (Effective Date of Approving Authority Action) of this Section. The Approving Authority's action to approve, approve in modified form, or deny a discretionary permit or action shall be immediately suspended upon the filing of an appeal pursuant to Division 2.04 (Appeals) of this Development Code.

C. Ministerial Permits and Decisions. The Advisory, Approving and Appeal Authorities for ministerial permits and decisions are established by Table 2.02-1 (Review Matrix) of this Division. Unless otherwise stipulated by Division 4.03 (Ministerial Permits and Decisions) of this Development Code, the procedure for reviewing and acting upon an application requiring a ministerial permit or decision is as follows:

1. Initial Review for Application Completeness. Applications requesting ministerial permits and/or decisions shall be initially reviewed for completeness and acceptance, as follows:

a. *Review for Application Completeness.*

(1) Within 30 days following receipt of an application filed in compliance with this Division, the City shall review the application and determine, in writing, whether the application is complete for further processing, and shall transmit the determination to the applicant. If the written determination is not made within the required period, the application shall automatically be deemed complete for further processing. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which time completeness of the resubmitted application shall be determined.

(2) If an application is determined to be incomplete for processing, the City shall specify those parts of the application that are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the responsible City department in response to the list and description, which shall be reviewed pursuant to Subparagraph C.1.a(1), above.

(3) If an application, together with the submitted materials, is determined to be incomplete for processing, the applicant may appeal that decision to the Planning Commission pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

(4) Failure of an applicant to submit complete or adequate information pursuant to the provisions of Subparagraphs C.1.a(1) and (2), above, shall constitute grounds for denial of the application.

b. *Application Acceptance.*

(1) Following acceptance of an application as complete for processing, no new or additional information may be requested of the applicant; however, in the course of processing the application, the responsible City department may request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application. This provision shall not be so construed as to require an applicant to submit with the initial application, the entirety of the information that the responsible City department may require in order to facilitate final action on the application.

(2) Prior to accepting an application as complete for processing, the responsible City department shall inform the applicant of any information included in the list prepared pursuant to Subparagraph C.1.b(1), above, which will subsequently be required from the applicant in order to complete final action on the application.

(3) The provisions of this Subsection shall not be construed as limiting the ability of the responsible City department to request and obtain information that may be needed in order to comply with the provisions of PRC Division 13 (commencing with Section 21000).

2. Investigation. Following acceptance of an application as complete for processing, the responsible City department shall investigate the facts bearing on the application and provide the information necessary for action or determination, consistent with this Development Code and The Ontario Plan, which shall be reported to the Approving Authority.

3. Review and Action.

a. The Approving Authority shall review the application and shall then approve, approve in modified form, or deny the application. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

b. The Approving Authority shall act on a ministerial approval request within 60 days following acceptance of an application as complete for processing pursuant to Paragraph C.1 (Initial Review for Application Completeness), above. The 60-day time limit may be extended by mutual agreement of the applicant and City.

4. Effective Date of Approving Authority Action. A ministerial permit or action shall become effective immediately upon Approving Authority action. An Approving Authority action to approve or deny a ministerial permit or decision shall be immediately suspended upon the filing of an appeal pursuant to Division 2.04 (Appeals) of this Development Code.

2.02.020: Environmental Review

A. Purpose. The purpose of this Section is to assist the City in accomplishing the basic objectives of CEQA, as follows:

1. Enhance and provide long-term protection for the environment, while providing a decent home and satisfying living environment for every Californian;

2. Provide information to governmental decision-makers and the public regarding the potential significant environmental effects of the proposed project;

3. Provide an analysis of the environmental effects of future actions associated with a project in order to adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project;

4. Identify ways that environmental damage can be avoided or significantly reduced;

5. Prevent significant avoidable environmental damage through utilization of feasible project alternatives or mitigation measures; and

6. Provide full public disclosure of the City's basis for project approval in the manner chosen. Public participation is an essential part of the CEQA process. Each public agency should encourage wide public involvement, formal and informal, in order to receive and evaluate public reactions to environmental issues related to a public agency's activities. The involvement should include, whenever possible, making environmental information available in electronic format on the Internet, on a web site maintained or utilized by the public agency.

B. Applicability. The provisions of this division shall apply to any activity of the City that is determined to be a "project" pursuant CEQA (PRC Section 21000 through Section 21178) and the CEQA Guidelines (CCR Section 15000 through Section 15387).

C. CEQA Implementation. Local guidelines for the implementation of CEQA shall be adopted by Resolution of the City Council. The guidelines may be changed or modified only by resolution of the City Council.

D. **Environmental Review.** The City of Ontario shall conduct an environmental review of any activity within the City that constitutes a "project" pursuant CEQA, the CEQA Guidelines and the City's local guidelines for the implementation of CEQA. Depending upon the nature and scope of a "project," it may be found to be exempt from further environmental review, or a negative declaration, mitigated negative declaration or environmental impact report may be required to be completed. Negative declarations, mitigated negative declarations, and environmental impact reports shall be prepared pursuant to the requirements of CEQA and the implementing guidelines, and the City's local guidelines for the implementation of CEQA.

2.02.025: Time Limits and Extensions

A. **Time Limits.** Discretionary permits/actions granted pursuant to this Division shall become invalid if not exercised within the below-listed timeframes:

1. Generally. Unless otherwise stipulated by the conditions of approval, a discretionary permit/action shall become invalid if not exercised within 12 months following the effective date of application approval, except as specified in Paragraphs A.2 through A.6, below, unless extended by time extension pursuant to Subsection B (Time Extensions) of this Section.

2. Development Plan. Unless otherwise stipulated by the conditions of approval, a Development Plan shall become invalid if not exercised within 24 months following the effective date of application approval, unless extended by time extension pursuant to Subsection B (Time Extensions) of this Section.

3. Tentative Subdivision Map. A Tentative Tract or Parcel Map shall become invalid if not exercised within the time limits specified by GC Section 66452.6.

4. Vesting Tentative Maps.

a. A vesting tentative map shall become invalid if not exercised within the time limits specified by Paragraph A.3 (Tentative Subdivision Map), above.

b. If a final tract map is approved prior to the expiration of the vesting tentative map, the tentative map vesting rights for the final tract map area shall last for the periods listed below:

(1) An initial period of 12 months following recordation of the final tract map. Where several final tract maps are recorded on phases of a project covered by a single vesting tentative map, the 12-month period for each final tract map shall begin on the date of recordation of that final tract map;

(2) The initial period set forth in Subparagraph A.4.b.(1), above, shall be automatically extended by any time used by the City for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds 30 days; provided, that the extension shall only be for the number of days in excess of 30 days; and

(3) If during the 24-month period following approval of a final tract map or parcel map, the City receives a complete application for a building permit and the subdivider has satisfied all requirements for the issuance of a building permit, the right to proceed with development in accordance with the tentative map shall continue until the expiration of the building permit.

5. Expiration of Vesting Development Rights. Vesting development rights shall expire if a final map is not filed for approval prior to the expiration of the vesting tentative map, as provided in Paragraph A.6 (Vesting Tentative Maps) of this Section. If the final map is approved, these rights shall last for the following time periods, extending beyond the recording of the final map:

a. An initial period of 12 months, except that where several final maps are recorded for various project phases of a single vesting tentative tract map, this initial time period shall begin with each phase, when the final map for that phase is recorded;

b. The initial time period set forth in Subparagraph A.6.b(1) of this Section shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if the processing exceeds 30 days from the date a complete application is filed;

c. A subdivider may apply for a 12-month extension at any time before the initial expiration date for map approval; and

d. If the subdivider submits a complete application for a building permit during the time periods specified in Subparagraphs A.5.a through A.5.c, above, the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit.

6. Certificate of Appropriateness. A Certificate of Appropriateness granted pursuant to this Division shall become invalid if not exercised within the time limit specified by the conditions of approval, or within 24 months if no time limit has been specified.

7. Phased Projects.

a. Wherein a project involves the construction of multiple phases over an extended period, and the conditions of approval do not specify a time limit differing from Paragraphs A.2 through A.5, above, the portion of entitlement applicable to a particular phase shall be deemed exercised through the issuance of a building permit for that phase. The remainder of the entitlement related to further construction shall expire 12 months following building permit expiration, final building inspection, or Certificate of Occupancy issuance for the previous construction phase, unless extended pursuant to Subsection B, below.

b. A building permit may be issued for a subsequent phase if no more than 12 months have lapsed since a Certificate of Occupancy was issued for the previous phase and the applicant is diligently pursuing the project toward completion. However, if more than 12 months have lapsed since Certificate of Occupancy issuance or final inspection has occurred for the previous phase, and the entitlement was not extended pursuant to Subsection B, below, the entitlement granting the construction of any subsequent phases shall be deemed invalid and no further building permits shall not be issued, unless a time extension is granted pursuant to Section 2.02.025 (Time Limits and Extensions) of this Division.

8. Projects Involving Pending Litigation. The time limits specified in Paragraphs A.1 through A.5, above, including any time extension granted pursuant to Subsection B, below, shall not include the period of time during which a lawsuit involving the approval or conditional approval of a discretionary permit is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the Approving Authority pursuant to this Division. After service of the initial petition or complaint in the lawsuit upon the City, the applicant, or property owner if

different from the applicant, may apply to the local agency for a Stay of Permit Approval Time Limit. Within 40 days after receiving the application, the Review Authority may stay the time limit for up to 5 years.

9. Definition. For the purposes of this Section, the term "exercised" shall mean the following:

a. The applicant, or property owner if different from the applicant, has completed or fulfilled all conditions of approval imposed upon the permit or action by the Approving Authority; and

b. In the case of permits or actions pertaining to a development project approval, a Building Permit shall have been issued and construction shall have been diligently pursued toward project completion. In the case of permits or actions pertaining to a land use approval, the approved use shall have commenced. In the case of a Merger of Contiguous Parcels, Reversion to Acreage, or Tentative Subdivision Map, the Merger, Reversion, or Final Subdivision Map shall have been recorded at the office of the San Bernardino County Recorder.

B. Time Extensions. The time limits within which a discretionary permit or action must be exercised, may be extended as follows:

1. Project Applicant or Property Owner Requested Time Extension.

a. The project applicant, or property owner if different from the applicant, may file a Time Extension request, together with any required filing fees, with the City (Planning Department or Engineering Department, as applicable) prior to the expiration date of an approved discretionary permit or action.

b. Upon the submittal of a Time Extension request, the affected discretionary permit or action shall be granted an automatic 90-day time extension to allow sufficient time for application processing.

2. An extension of the expiration date for an approved discretionary permit or action shall be acted upon as follows:

a. The Approving Authority may grant a Time Extension upon determination of the following:

(1) Each of the findings and conditions of the original approval are still applicable to the project and there are no changed circumstances;

(2) The Time Extension will not adversely affect the public health, safety, or welfare; and

(3) There has been diligent pursuit to exercise the permit or action for which an extension is being requested.

b. The burden of proof shall lie with the permittee to establish with substantial evidence that the approval for which the Time Extension is requested should not be allowed to expire. If the Approving Authority determines that the permittee has good-faith intent to commence with the proposed project, the Approving Authority may grant a Time Extension.

c. A discretionary permit or action may be granted Time Extensions in one-year increments, not to exceed a total of three, one-year time extensions, excepting tentative subdivision maps, which shall be subject to the provisions of GC Section 66452.6.

3. Blanket Time Extensions Granted by the City Council.

a. In addition to the Time Extensions allowed pursuant to Paragraph B.1 of this Section, the City Council may, by resolution, grant time extensions for discretionary permits and actions, as identified in Table 2.02-1 (Review Matrix) of this Division, to benefit homeowners, developers, landowners, and business owners within the City that may be negatively affected by economic slowdown/downturn or recession.

b. A blanket time extension shall be applicable only to those permits and actions that have not expired prior to the date that the Time Extension is granted.

2.02.030: Failure by Applicant to Complete Application Processing

A. Within 180 days following a written request by the City for plan changes, corrections, revisions, or the submittal of additional information, an application shall be deemed withdrawn if the Planning Director determines that the applicant has not made reasonable progress toward providing necessary plan changes or corrections, or additional information. Application processing shall not resume thereafter until a new application is filed, including fees, plans, exhibits, and other materials required for any project on the same site.

B. Upon written request of the applicant, the Planning Director may order the refund of all or a portion of filing fees pursuant to Section 2.02.010.C (Refunds and Withdrawals) of this Division.

2.02.035: Limitations on Application Refiling

A final action denying an application shall prohibit the further filing of the same or a substantially similar application for a period of not less than 12 months following the date of application denial, except that an application denied without prejudice may be resubmitted within the 12-month period following application denial.

2.02.040: Indemnification

It shall be a condition of any application approved pursuant to this Division, or any approval or certification required pursuant to CEQA or the CEQA Guidelines, that a property owner or applicant, if different from the property owner, shall defend, indemnify, and hold harmless the City and its agents, officers, attorneys, and employees:

A. From any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul the City's decision to approve any development, land use permit, and/or approvals and certifications under CEQA, but excluding any subdivision approval governed by GC Section 66474.9. This indemnification shall include, but not be limited to, damages, fees, and/or costs awarded against the City, if any, and the cost of any suit, attorney's fees, and/or other costs, liabilities, and expenses incurred in connection with a

lawsuit, whether incurred by the applicant, the City, and/or the parties initiating or bringing a lawsuit;

B. For all costs incurred in additional investigation and/or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as, but not limited to, a negative declaration, mitigated negative declaration, environmental impact report, general plan amendment, specific plan, or specific plan amendment), if made necessary by a lawsuit and if the applicant desires to pursue securing approvals that are condition of application approval, after initiation of a lawsuit; and

C. For all costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in Subsections A and B of this Section.

Division 2.03—Public Hearings

Sections:

2.03.000: Purpose
2.03.005: Applicability
2.03.010: Public Hearing Notices
2.03.015: Public Hearing Procedures
2.03.020: Request for Notification
2.03.025: Failure to Receive a Public Notice
2.03.030: Cemeteries

2.03.000: Purpose

The purpose of this Division is to implement GC Division 1, Chapter 2.7 (commencing with GC Section 65090), which governs public hearing and notification procedures for consideration of legislative actions, discretionary land use and development entitlements, and discretionary administrative actions. Public hearings are not required for nondiscretionary administrative permits, decisions, and actions; however, public notice may be required pursuant to this Division.

2.03.005: Applicability

A. A public hearing for a legislative action, land use or development entitlement, or any other matters pertaining to this Development Code requiring a public hearing pursuant to GC Division 1, Chapter 2.7 (commencing with GC Section 65090), shall be scheduled and heard in accordance with the provisions of this Division.

B. Public hearing notification for legislative actions, land use or development entitlements, or administrative permits, decisions, or actions shall be provided in the manner prescribed by Table 2.03-1 (Notification Matrix), below.

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
A. LEGISLATIVE ACTIONS				
1. Airport Land Use Compatibility Plan and Amendments **[1]** (Ref: ODC Section 4.01.010)		X	X	X
2. Development Agreements **[1]** (Ref: ODC Section 4.01.015)		X	X	X

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
3. Development Code Amendments **[1]** (Ref: ODC Section 4.01.020)				X
4. Amendment to the Policy Plan (General Plan) Component of The Ontario Plan **[1]** (Ref: ODC Section 4.01.025)		X	X	X
5. Planned Unit Developments and Amendments **[1]** (Ref: ODC Section 4.01.030)		X	X	X
6. Specific Plans and Amendments **[1]** (Ref: ODC Section 4.01.035)		X	X	X
7. Williamson Act Contract Cancellations **[1]** (Ref: GC Section 51200 et.seq.)		X	X	X
8. Zone Changes **[1]** (Ref: ODC Section 4.01.040)		X	X	X
B. DISCRETIONARY PERMITS AND ACTIONS				
1. Billboard Relocation Agreements **[1]** (Ref: ODC Section 4.02.010)	X			
2. Conditional Use Permits (Ref: ODC Section 4.02.015)				
a. Hotels, Motels and Residence Inns **[1]**		X	X	
b. Use established in conjunction with a Development Plan **[1]**		X	X	
c. Use established within an existing structure **[1]**		X	X	
d. Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**		X	X	
e. Revocation due to abandonment of use per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**		X	X	
3. Density Bonus and Other Incentives per ODC Section 6.01.010.G (Density Bonus and Other Incentives) **[1]**		X	X	
4. Development Plans, except within the ONT zoning district (Ref: ODC Section 4.02.025)				
a. Residential developments totaling 5 or more dwelling units or the development of 3 or more dwelling units on a single lot or parcel		X		

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
b. Commercial developments, and developments in the CIV, OS-R, OS-C and UC zoning districts, greater than 500 SF in area		X		
c. Industrial developments equal to or less than 0.45 FAR		X		
d. Industrial developments exceeding 0.45 FAR		X		
e. Wireless telecommunications facilities pursuant to Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code				
(1) Tier 2 facilities		X		
(2) Tier 3 facilities		X		
f. All others		X		
5. Extensions of Legal Nonconforming Status **[1]** (Ref: ODC Section 4.02.030)		X	X	
6. Historic Preservation				
a. Certificates of Appropriateness (Ref: ODC Section 4.02.050)				
(1) Designated Historic Landmarks and Contributors, and Architectural Conservation Areas; and Demolition of an Historic Resource **[1]**		X	X	
(2) Deferral of Replacement Structure **[1]**		X	X	
(3) Eligible Historic Resources **[1]**		X	X	
(4) Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**		X	X	
(5) Waivers and Minor Improvements	X			
b. Certificates of Economic Hardship **[1]** (Ref: ODC Section 4.02.055)		X	X	
c. Certificates of Economic Hardship—Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) **[1]**		X	X	
d. Conservation Plans (Ref: ODC Section 4.02.060)		X		

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
e. Historic Resource Tiering (Ref: ODC Section 4.02.040), including Rescinding or Amending Status (Ref: ODC Section 4.02.045)	X			
f. Local Historic Landmark and Local District Designations, and Architectural Conservation Areas [Ref: ODC Section 4.02.040), including Rescinding or Amending Status (Ref: ODC Section 4.02.045)		X		
g. Mills Act Contracts (Ref: ODC Section 4.02.065)		X		
h. Mills Act Cancellations **[1]**		X	X	
i. Addition/Removal of Resources to/from the Ontario Register (Ref: ODC Section 4.02.045)				
(1) At the request of the property owner, or upon City initiation if the most recently prepared Historic Resource Survey evaluating the resource is more than 5 years old.	X			
(2) Loss of all historic and/or cultural significance due to a catastrophe causing a loss of integrity, or due to extensive legally performed alterations performed after the property was initially surveyed.	X			
7. Interpretations and Land Use Determinations (Ref: ODC Section 1.02.010)	X			
8. Master Plans and Amendments **[1]** (Ref: ODC Section 4.02.070)		X	X	X
9. Minor Adjustments/Alterations **[4]** (Ref: ODC Section 4.02.020.C)		X[5]	X	
10. Nonconforming Structure Reconstruction **[1]** (Ref: ODC Section 3.01.020)		X	X	
11. Parking Reduction (Ref: ODC Section 6.03.025)	X			
12. Sign Programs (Ref: ODC Section 4.02.075)	X			
13. Specific Plan Minor Amendments (Ref: ODC Section 4.02.080)	X			
14. Stays of Permit Approval Time Limit (Ref: ODC Section 2.02.025.A.8)	X			

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
15. Subdivisions				
a. Lot Merger (Merger of Contiguous Parcels) **[1]** (Ref: ODC Section 4.02.085)		X	X	
b. Reversions to Acreage **[1]** (Ref: ODC Section 4.02.090)		X	X	
c. Tentative Tract and Parcel Maps, and Vesting Maps **[1]** (Ref: ODC Section 4.02.095)		X	X	
d. Tentative Tract and Parcel Map Time Extensions (Ref: ODC Section 2.02.025.A.3 & 4)		X		
16. Time Extensions, excepting tentative subdivision maps (Ref: ODC Section 2.02.025)	X			
17. Variances (Ref: ODC Section 4.02.020.E)				
a. Homeowner **[1]**		X	X	
b. Other **[1]**		X	X	
C. MINISTERIAL (ADMINISTRATIVE) PERMITS AND DECISIONS				
1. Administrative Exceptions (Ref: ODC Section 4.03.050.C)	X			
2. Administrative Use Permit (Ref: ODC Section 4.02.015)	X			
3. Business License - Zoning/Land Use Compliance (Ref: OMC 3-1.129 (Zoning Compliance)	X			
4. Development Plans within the ONT zoning district (Ref: ODC Section 4.02.025)	X			
5. Fair Housing and Reasonable Accommodation Ref: ODC Section 4.02.035)	X			
6. Landscape and Irrigation Documentation Plans (Ref. ODC Section 6.05.015)	X			
7. Off-Site (Public) Improvement Plans (Ref: ODC Section 6.08.040)	X			
8. ONT ALUCP Interagency Reviews **[3]** (Ref: ONT ALUCP)	X			
9. Other Plan Checks and actions required by this Development Code	X			

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
10. Shopping Cart Retention Plans (Ref: ODC Section 6.11.020)	X			
11. Sign Plans (Ref: ODC Section 4.03.020)	X			
12. Single-Family Two-Unit Developments (Ref: ODC Section 5.03.403)	X			
13. Subdivisions				
a. Certificates of Compliance (Ref: ODC Section 4.03.025)	X			
b. Final Tract and Parcel Maps, and Vesting Maps (Ref: ODC Section 4.03.030)	X			
c. Lot Line Adjustments (Ref: ODC Section 4.03.035)	X			
d. Map Corrections and Amendments (Ref: ODC Section 4.03.040)	X			
e. Street Address Numbering (Ref: ODC Section6.06.010)	X			
f. Street Name Assignment (Ref: ODC Section 6.06.010	X			
g. Subdivision Improvement Agreement (Ref: ODC Section 6.08.040.G)	X			
h. Urban Lot Splits (Ref: ODC Section 8.08.060)	X			
14. Tier 1 wireless telecommunications facility pursuant to ODC Section 5.03.415 (Wireless Telecommunications Facilities)	X			
15. Walls, Fences, and Other Obstructions Plans not associated with a Development Plan (Ref: ODC Section 6.02.005)	X			
D. ENVIRONMENTAL DETERMINATIONS AND ACTIONS				
1. Environmental Impact Reports (EIRs) (Ref: CCR Section 15080, et seq.)		X	X	X
2. Exempt Projects (Ref: CCR Section 15300, et seq.)	X			
3. Ministerial Projects (Ref: CCR Section 15268)	X			

Table 2.03-1: Notification Matrix

Applications, Actions, Decisions And Processes	*Required Method of Public Notification*			
	Not Required	*Newspaper or Posting [2]*	*First Class Mail or Delivery [2]*	*Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000*
4. Negative Declarations (NDs) and Mitigated Negative Declarations (MNDs) (Ref: CCR Section 15070, et seq.)		X		
5. Addendums to previously certified EIRs and previously adopted NDs and MNDs (Ref: CCR Section 15164)	X			

Notes:

[1] Public hearing notification is required pursuant to Section 2.03.010 (Public Hearing Notification) of this Division.

[2] Public notification shall not be required for Development Advisory Board or Historic Preservation Subcommittee hearings when acting in the capacity of an Advisory Authority.

[3] Refer to the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) for procedures for application processing and administration, and appeals processing.

[4] A Minor Adjustment/Alteration shall require notification pursuant to Paragraph 4.02.020.C.3 (Application Filing, Processing and Hearing) of this Development Code.

[5] Publication or posting of a legal notice is required only if a public hearing is requested by the applicant, an abutting property owner, or other affected person or entity.

2.03.010: Public Hearing Notification

A. Public Hearing Notice Minimum Information. Public hearing notices shall contain the following minimum information:

1. A general description, in text or by diagram, of the location of the real property that is the subject of the hearing;

2. Time, place, and location of the public hearing;

3. A general description of the matter to be considered;

4. A statement indicating that additional application materials and documentation are on file with the City of Ontario and where such additional project information may be viewed or obtained;

5. A statement that any interested person may appear at the hearing or submit written material prior to the commencement of the hearing; and

6. The identity of the hearing body or officer.

B. Notices for Public Hearings Conducted by the City Council. A notice for a public hearing conducted by the City Council shall not be published, mailed, delivered, or posted in advance of a public hearing conducted by the Planning Commission pursuant to Table 2.02-1 (Review Matrix) of this Development Code, as the public hearing notice shall include the recommendation of the Planning Commission.

C. Public Notification Required 10 Days in Advance of any Public Hearing. Public hearing notification shall be provided a minimum of 10 days in advance of any public hearing and shall be provided by one or more of the following methods, as necessary:

1. First Class Mail or Delivery. First Class Mail or delivery shall be provided to:

a. Any person filing a request to the Planning Department to receive such notices; and

b. All owners of real property located within a minimum of 300 FT of the exterior boundaries of the property that is the subject of the hearing, as shown on the last equalized assessment roll, or records of the county assessor or tax collector if those records contain more recent information than the information contained on the assessment roll, except that:

(1) For Minor Variances, the area of notification shall include all properties having a property line common with the affected property; and

(2) For wireless telecommunications facilities located 500 FT or less from residentially zoned property, the area of notification shall be within 500 FT of the exterior boundaries of the property that is the subject of the hearing.

c. The owner's duly authorized agent, if any; and

d. The project applicant; and

e. Any owner of a mineral right pertaining to the subject real property who has recorded a notice of intent to preserve the mineral right pursuant to CC Section 883.230; and

f. Each local agency expected to provide water, sewage, streets, roads, schools or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.

2. Number of Owners Requiring Public Hearing Notification Is Greater Than 1,000. If the number of owners to whom notice would be mailed or delivered pursuant to Subparagraph C.1.b of this Section, is greater than 1,000, in lieu of mailed or delivered notice, a display advertisement of at least 1/8 page may be placed in at least one newspaper of general circulation within the City of Ontario.

3. Public Hearing Notice Publication. If notice is mailed or delivered pursuant to Subparagraph C.1.b of this Section, notice shall also be published in at least one newspaper of general circulation in the City or, if there is no such newspaper of general circulation, the notice shall be posted in at least 3 public places within the boundaries of the City, including the subject site.

4. Supplemental Public Noticing Requirements — Posting.

a. In addition to the requirements of paragraphs C.1 through C.3, above, supplemental public notice shall be provided, which consists of one or more large public notification signs consisting of a 6-foot-tall freestanding sign, having a sign face measuring 4 feet tall by 8 feet wide, which shall be posted on the project site for development related projects meeting any of the following criteria:

(1) The proposed project is planned to be developed at a higher density or intensity than the existing surrounding neighborhood; and/or

(2) The proposed project requires a General Plan Amendment, Specific Plan Amendment, or Zone Change; and/or

(3) The proposed project requires the preparation of an environmental impact report; and/or

(4) The Planning Director has determined that supplemental public notice is necessary and desirable based on the nature of the proposed project. For large projects, the planning director may determine that more than one sign is necessary.

b. A cash deposit is required in an amount adopted by resolution of the City Council, to ensure compliance with the supplemental notification requirements, including maintenance and removal of the large notification sign.

c. In order to implement the large public notification signs as an effective form of public notification, the following rules and standards shall apply:

(1) Large public notification signs shall be constructed and installed pursuant to the specifications established and published by the Planning Director.

(2) Large public notification signs shall be posted 300 lineal feet apart along each project site's street frontage. Sign locations shall be approved by the Planning Director in conjunction with a Sign Plan for a temporary sign issued pursuant to the requirements of Division 8.01 (Sign Regulations) of this Development Code.

(3) The fabrication and installation of a large public notification sign shall be the responsibility of the project applicant. Once the project application is deemed complete and all notification signs installed per city standards, the proposed project will be scheduled for all required public hearings.

(4) Large public notification signs shall be maintained in good condition and shall remain in place until the final decision on the proposed project has been made or the application is withdrawn.

(5) Large public notification signs shall be removed by the applicant within 14 days following the final decision on the project or the date of application withdrawal. Failure to remove the sign within the prescribed period shall result in forfeiture of the cash deposit and removal of the sign by the City.

5. Other Acceptable Methods of Public Noticing. In addition to the public noticing required by Paragraphs C.1 through C.4 of this Section, the City may give notice of a hearing by any other method deemed necessary or desirable by the Planning Director.

D. Public Notices Required Pursuant to CEQA. Public notification required pursuant to CEQA shall be prepared and advertised consistent with the requirements of the "City of Ontario Guidelines for the implementation of the California Environmental Quality Act," latest edition.

2.03.015: Public Hearing Procedures

A. At any public hearing held pursuant to the provisions of this Division, the Advisory, Approving or Appeal Authority shall hear the applicant, appellant, and any interested persons. The Advisory, Approving or Appeal Authority may restrict the oral presentation by any person to a time period established in the rules and procedures of the Authority, and may preclude the introduction of any evidence determined to be irrelevant to the public hearing. However, an Advisory, Approving or Appeal Authority shall receive any person's written statement.

B. In the event that an Advisory, Approving or Appeal Authority has obtained evidence outside of the hearing, the information shall be placed into the record. Thereafter, the applicant, appellant or any interested person may rebut the information and shall be entitled to a continuance for that purpose; however, no person may examine an Advisory, Approving or Appeal Authority.

C. Any action or decision of an Advisory, Approving or Appeal Authority shall require a majority vote of its attending members. An abstention by any member who is present at the hearing, and has heard all presented evidence, shall constitute an affirmative vote on any motion regarding the application.

D. When an action or decision of an Approving Authority is anticipated to be contested, the City shall insure that a verbatim record of the hearing is made and duly preserved, provided that a written request is submitted to the City, along with a deposit equal to the total anticipated cost of preparing the record, at least 5 days prior to the date of the hearing. If the actual cost to prepare the record is greater than the provided deposit, the difference (amount owed) shall be paid to the City prior to the record being made available. The City shall return any unused portion of the deposit following completion of the record.

E. Any public hearing conducted pursuant to this Section may be continued from time-to-time. If a hearing is continued at the request of an applicant or appellant, the continuance shall constitute a waiver of any applicable time period in which to act or render a decision.

F. Any action or decision of the Approving Authority shall be final and conclusive, unless appealed pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

2.03.020: Request for Notification

Wherein notice of a public hearing is required pursuant to Section 2.03.010 (Public Hearing Notices) of this Division, the notice shall also be mailed or delivered at least 10 days prior to the hearing to any person who has filed a written request for such notice with either the city clerk or the Planning Department.

2.03.025: Failure to Receive a Public Notice

Pursuant to GC Section 65093, the failure of any person or entity to receive notice given pursuant to this Division shall not constitute grounds for any court to invalidate the actions of the Approving Authority for which the notice was given.

2.03.030: Cemeteries

Wherein an application is submitted for a Development Code Amendment, General Plan Amendment, Specific Plan Amendment, Variance, Conditional Use Permit, Development Plan, or any entitlement for use which would permit all or any part of a cemetery, as defined in HSC Section 8100, to be used for other than cemetery purposes, the City shall give notice pursuant to Section 2.03.010 (Public Hearing Notices) of this Division. Those persons requesting notice shall be notified by the City at the address provided at the time of the request.

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Division 2.04—Appeals

Sections:

2.04.000: Purpose
2.04.005: Applicability
2.04.010: Appeals
2.04.015: Planning Commission Right to Direct that a Decision or Action of the Zoning Administrator or Development Advisory Board be Further Considered
2.04.020: City Council Right to Direct that a Decision or Action of the Planning Commission, Zoning Administrator, or Development Advisory Board be Further Considered

2.04.000: Purpose

The purpose of this Division is to implement GC Section 65903, which governs the establishment of procedures for the filing, processing and hearing of appeals on actions or decisions of a City department, agency, or Approving Authority.

2.04.005: Applicability

Any person having legal standing, including but not limited to an applicant, resident, business owner, or any person owning real property within the City, that is aggrieved by an interpretation, action or decision made pursuant to this Development Code by any City agency or department, or by an Approving Authority, may appeal such action to the Appeal Authority in accordance with the provisions of this Division.

2.04.010: Appeals

A. Appeal Authority.

1. The Appeal Authority for all legislative actions, discretionary permits and actions, and ministerial permits and decisions, is hereby established pursuant to Table 2.02-1 (Review Matrix) of this Development Code.

2. The Appeal Authority for an administrative interpretation, action, or decision made by any City agency or department head regarding any matter prescribed or governed by this Development Code may be appealed to the Planning Commission, except as otherwise prescribed by this Development Code.

B. Appeal Procedure.

1. An appeal request shall be filed with the Planning Department on a City application form, along with any appropriate fees established by resolution of the City Council, within 10 days following the action or decision being appealed. The appeal shall include a statement identifying the specific action or decision of the Approving Authority that is being appealed, the specific grounds for the appeal, and the relief requested from the Appeal Authority.

2. An appeal of an action or decision by the Approving Authority shall be limited to those matters raised during the hearing and contained in the appeal statement. The Appeal Authority shall not consider any matter that was not raised during the hearing before the Approving Authority and contained in the appeal statement.

3. Upon receipt of an appeal request, copies of the request and supporting information shall be conveyed to the Appeal Authority within 45 days (30 days for a tentative subdivision map) following the filing of the appeal request. The Appeal Authority shall set the matter for hearing, which shall be noticed and conducted pursuant to Division 2.03 (Public Hearings) of this Development Code.

4. Upon receipt of an appeal request, the Planning Director shall prepare the record on the subject matter of the appeal, including any staff reports and meeting minutes, and transmit the record to the Appeal Authority. The Planning Director shall also prepare a written report responding to the appeal statement, containing a recommendation on the appeal and appropriate findings supporting the recommendation, along with any appropriate conditions of approval. The report shall be made available to the Appellant at least 72 hours prior to the hearing before the Appeal Authority.

5. Within 30 days (10 days for a tentative subdivision map) following the conclusion of the hearing, the Appeal Authority shall render its decision on the appeal. The Appeal Authority may deny the appeal or may grant the appeal in whole or in part, along with any conditions it deems necessary to protect the public health, safety and general welfare. The decision shall include all required findings.

2.04.015: Planning Commission Right to Direct Further Consideration of a Zoning Administrator or Development Advisory Board Action

A. Agendas of Zoning Administrator and Development Advisory Board hearings shall be provided to the Planning Commission at least 72 hours prior to the date of the hearing.

B. Within 10 days following any decision or action of the Zoning Administrator or Development Advisory Board, the Planning Commission may call-up such decision or action for further consideration.

C. Upon calling-up a decision or action pursuant to Subsection B, above, the Planning Commission shall set the matter for hearing, which shall be noticed and conducted pursuant Division 2.03 (Public Hearings) of this Development Code. The hearing shall proceed pursuant to Subsection 2.04.010.B (Appeal Procedure) of this Division.

D. The Planning Commission may affirm, reverse, or modify the decision or action being reconsidered. The Planning Commission's decision shall be final and conclusive in the absence of an appeal filed pursuant to this Division.

2.04.020: City Council Right to Direct Further Consideration of a Planning Commission, Zoning Administrator, or Development Advisory Board Action

A. All agendas for Zoning Administrator, Development Advisory Board and Planning Commission hearings shall be provided to the City Council at least 72 hours prior to the date of the hearing.

B. Within 10 days following any decision or action of the Planning Commission, Zoning Administrator, or Development Advisory Board, the City Council may direct that such decision or action be sent to the Planning Commission for further consideration.

C. Within 10 days following any decision or action of the Planning Commission, the City Council may call-up such decision for further consideration.

D. Upon sending or calling-up a decision or action pursuant to Subsections B and C of this Section, the applicable hearing body shall set the matter for hearing, which shall be noticed and conducted pursuant to Division 2.03 (Public Hearings) of this Development Code. The hearing shall proceed pursuant to Section 2.04.010.B (Appeal Procedure) of this Division.

E. The Planning Commission or City Council may affirm, reverse, or modify the decision or action being reconsidered. The Planning Commission's decision shall be final and conclusive, unless appealed to the City Council pursuant to Section 2.04.010 (Appeals) of this Division. The City Council's decision shall be final and conclusive.

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Division 2.05—City Initiated Modification or Revocation

Sections:

2.05.000: Purpose
2.05.005: Applicability
2.05.010: Procedures for Disciplinary or Punitive Modification or Revocation
2.05.015: Procedures for Conditional Use Permit Revocation Due to Abandonment of Use

2.05.000: Purpose

The purpose of this Division is to:

A. Establish procedures for securing disciplinary or punitive modification or revocation of a previously granted Conditional Use Permit, or Historic Preservation—Certificate of Appropriateness or Certificate of Economic Hardship; and

B. Establish procedures for the revocation of Conditional Use Permits, for which the land use granted has been abandoned.

2.05.005: Applicability

A. Conditional Use Permit.

1. Disciplinary or Punitive Modification.

a. The Approving Authority shall have authority to add, delete, or modify conditions of approval imposed upon a previously granted Conditional Use Permit, based upon one or more of the following causes of action:

(1) The Conditional Use Permit granted is being, or has recently been exercised contrary to the terms and/or conditions of application approval;

(2) The Conditional Use Permit granted is being, or has recently been exercised in violation of a federal, State or City statute, ordinance, law, or regulation; and/or

(3) The Conditional Use Permit granted was exercised in a way that is detrimental to the public peace, health, safety, or welfare, or constitutes a nuisance.

b. The action to modify a Conditional Use Permit shall have the effect of changing the physical and/or operational aspects of the Conditional Use Permit. The changes may include the physical and/or operational aspects related to noise, buffers, duration of the permit, hours of operation, landscaping and maintenance, lighting, parking, performance guarantees, property maintenance, signs, surfacing, traffic circulation, or any other aspect or condition determined to be reasonable and necessary to ensure that the Conditional Use Permit is implemented in a manner consistent with the original findings for approval, and all conditions of project approval.

2. Disciplinary or Punitive Revocation.

a. The Approving Authority shall have authority to revoke a Conditional Use Permit, based upon one or more of the following causes of action:

(1) The Conditional Use Permit approval was obtained by fraud;

(2) The Conditional Use Permit granted is not being exercised, has ceased to exist, or has been suspended for more than 180 consecutive days;

(3) The Conditional Use Permit granted is being, or has recently been exercised contrary to the terms and/or conditions of application approval;

(4) The Conditional Use Permit granted is being or has been exercised in violation of a federal, State or City statute, ordinance, law, or regulation; and/or

(5) The Conditional Use Permit granted was exercised in a way that is detrimental to the public peace, health, safety, or welfare, or constitutes a nuisance.

b. The Approving Authority's action to revoke a Conditional Use Permit shall have the effect of terminating the permit and denying the privileges granted by the original approval and any subsequent modifications.

3. Revocation of Due to Abandonment of Use. A Conditional Use Permit granting a land use that is not being exercised, has ceased to exist, or has been suspended for more than 180 consecutive days, may be deemed to be abandoned (cause of action) and may be revoked solely on the basis of its abandonment.

B. Historic Preservation—Certificate of Appropriateness or Certificate of Economic Hardship.

1. Disciplinary or Punitive Modification.

a. The Approving Authority shall have authority to add, delete, or modify conditions of approval imposed upon a previously granted Certificate of Appropriateness or Certificate of Economic Hardship, based upon one or more of the following causes of action:

(1) The Certificate of Appropriateness or Certificate of Economic Hardship granted is being, or has recently been exercised contrary to the terms and/or conditions of certificate approval;

(2) The Certificate of Appropriateness or Certificate of Economic Hardship granted is being, or has recently been exercised in violation of a federal, State or City statute, ordinance, law, or regulation; and/or

(3) The Certificate of Appropriateness or Certificate of Economic Hardship granted was exercised in a way that is detrimental to the public peace, health, safety, or welfare, or constitutes a nuisance.

b. The action to modify a Certificate of Appropriateness or Certificate of Economic Hardship shall have the effect of changing the physical aspects of the certificate, such as landscaping and irrigation, lighting, parking, performance guarantees, property maintenance, signs, paving, or any other aspect or condition determined to be reasonable and necessary to en

sure that the certificate is implemented in a manner consistent with the original findings for approval, and all conditions of project approval.

2. Disciplinary or Punitive Revocation.

a. The Approving Authority shall have authority to revoke a Certificate of Appropriateness or Certificate of Economic Hardship, based upon one or more of the following causes of action:

(1) The Certificate of Appropriateness or Certificate of Economic Hardship approval was obtained by fraud;

(2) The Certificate of Appropriateness or Certificate of Economic Hardship granted is not being exercised;

(3) The Certificate of Appropriateness or Certificate of Economic Hardship granted is being, or has recently been exercised contrary to the terms and/or conditions of application approval;

(4) The Certificate of Appropriateness or Certificate of Economic Hardship granted is being or has been exercised in violation of a federal, State or City statute, ordinance, law, or regulation; and/or

(5) The Certificate of Appropriateness or Certificate of Economic Hardship granted was exercised in a way that is detrimental to the public peace, health, safety, or welfare, or constitutes a nuisance.

b. The Approving Authority's action to revoke a Certificate of Appropriateness or Certificate of Economic Hardship shall have the effect of terminating the certificate and denying the privileges granted by the original approval and any subsequent modifications.

2.05.010: Procedures for Disciplinary or Punitive Modification or Revocation

A. Initiation of Modification or Revocation.

1. Conditional Use Permit. It shall be the responsibility of the Zoning Administrator to determine whether reasonable grounds exist to initiate a Conditional Use Permit modification or revocation.

2. Certificate of Appropriateness or Certificate of Economic Hardship. It shall be the responsibility of the Historic Preservation Subcommittee to determine whether reasonable grounds exist to initiate a Certificate of Appropriateness or Certificate of Economic Hardship modification or revocation.

B. Hearing Notification. Upon determination that reasonable grounds exist to initiate a permit or certificate modification or revocation, the City shall:

1. Schedule a hearing before the Approving Authority, which shall be noticed pursuant to Division 2.03 (Public Hearings) of this Development Code, based upon the type of application being considered (Note: If Division 2.03 (Public Hearings) does not require public

notification for the application type being considered, no public notice shall be required for the modification/revocation hearing); and

2. Serve the affected applicant(s) and property occupant(s), and property owner if different from the applicant(s) or property occupant(s), with a *Notice of Commencement of Modification/Revocation Proceedings*. The notice shall be sent by certified mail at least 10 days prior to the public hearing date, and shall contain the following minimum information:

a. A description of the subject property, including street address, Assessor Parcel Number(s) or legal description;

b. The name(s) of the owner, and name(s) of occupants if different from the owner;

c. The project file number and date of issuance;

d. A description of the authorized land use or development entitlement, or discretionary administrative permit;

e. Statements supporting one or more of the causes of action contained in Section 2.05.005 (Applicability) of this Division;

f. A statement that the Approving Authority will hold a public hearing within 60 days following the date of the Notice, to determine whether sufficient cause exists and that the Approving Authority, at the conclusion of the hearing, may either revoke the entitlement or permit, or take other action as deemed appropriate to ensure entitlement or permit compliance;

g. A statement that the applicant, owner, and/or occupant may appear in person and/or be represented by legal counsel, may present oral and documentary evidence, and may call witnesses and may ask questions of witnesses called on behalf of the City; and

h. The date, time, and place of the public hearing.

C. Hearing.

1. The modification or revocation shall be heard and acted upon pursuant to the procedures for public hearings contained in Division 2.03 (Public Hearings) of this Development Code.

2. At the conclusion of the hearing, the Approving Authority may take appropriate action to ensure permit or certificate compliance, including the addition, deletion, or modification of conditions of approval, or revocation of the permit or certificate.

D. Decision and Notice to Property Owner.

1. Within 45 days following the conclusion of the modification or revocation hearing, the Approving Authority shall render a decision and shall mail notice of the decision, including facts and reasons supporting the causes of action, to the property owner and property occupant, if different from the property owner, and any other interested persons that have filed a written request for the notice.

2. The decision of the Approving Authority to modify or revoke an approved discretionary permit or action shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

2.05.015: Procedures for Conditional Use Permit Revocation Due to Abandonment of Use

A. Revocation Initiation. The Approving Authority may initiate the revocation of a Conditional Use Permit when sufficient grounds exist, which clearly demonstrate abandonment of the use granted.

B. Hearing Notification. Upon determination by the Approving Authority that reasonable grounds exist to initiate Conditional Use Permit revocation, the Approving Authority shall conduct a hearing, setting the date and time upon which the request will be considered. Notice of the hearing shall be given, and the hearing shall be conducted, pursuant to Division 2.03 (Public Hearings) of this Development Code.

C. Decision and Notice to Property Owner.

1. The Approving Authority shall not revoke a Conditional Use Permit if there is a compelling government interest in maintaining the subject permit.

2. The Approving Authority's action to revoke a Conditional Use Permit shall have the effect of terminating the land use permit, along with any privileges granted by the original approval and any subsequent modifications that may have been granted.

3. Following the conclusion of the revocation hearing, the Approving Authority shall render a decision and shall mail notice of the decision, including facts and reasons supporting the cause of action, to the property owner and property occupant, if different from the property owner, and any other interested persons that have filed a written request for the notice.

4. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

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Division 2.06—Performance Guarantees

Sections:

2.06.000: Purpose
2.06.005: Applicability
2.06.010: Surety Form and Amount
2.06.015: Surety for Maintenance
2.06.020: Duration of Surety
2.06.025: Release or Forfeiture of Surety

2.06.000: Purpose

The purpose of this Division is to establish a procedure by which a discretionary permit or action, or ministerial permit or decision may require, by conditions of approval or by action of the Approving Authority, to provide surety guaranteeing the faithful performance and proper completion of any approved work and compliance with conditions of approval.

2.06.005: Applicability

The provisions of this Division shall apply to performance guarantees for projects authorized by any a discretionary permit or action, or ministerial permit or decision required by this Development Code.

2.06.010: Surety Form and Amount

The required surety shall be in a form (e.g., cash deposit, certificate of deposit, surety bond, etc.) approved by the Planning Director or City Engineer, upon recommendation of the City Attorney. The amount of surety shall be as determined by the Planning Director and/or City Engineer to be necessary to ensure proper completion of the work and compliance with conditions of approval.

2.06.015: Surety for Maintenance

In addition to any improvement surety required to guarantee proper completion of work, the Planning Director or City Engineer may require surety for maintenance of the work in an amount determined by the Planning Director and/or City Engineer to be sufficient to ensure the proper maintenance and functioning of improvements.

2.06.020: Duration of Surety

Required improvement surety shall remain in effect until final inspections have been made and all work has been accepted by the Planning Director and/or City Engineer, or until any warranty period required by the Planning Director and/or City Engineer has lapsed. Maintenance surety shall remain in effect for the one-year period following the date of final inspection.

2.06.025: Release or Forfeiture of Surety

A. Upon satisfactory completion of work and the approval of a final inspection at the end of the required time for maintenance surety, the improvement and/or maintenance deposits or bonds shall be released.

B. Upon failure to complete all required work, failure to comply with all of the terms of any applicable permit or failure of the completed improvements to function properly, the City may perform the required work or cause it to be completed, and collect from the permittee or surety, all the costs incurred by the City, including the all costs for the work and all related administrative, inspection and legal costs.

C. Any unused portion of the surety shall be refunded to the funding source after deduction of all costs for the work and all related administrative, inspection and legal costs.

Chapter 4.0:
Permits, Actions, and Decisions

Division 4.01—Legislative Actions
Division 4.02—Discretionary Permits and Actions
Division 4.03—Ministerial (Administrative) Permits and Decisions

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Division 4.01—Legislative Actions

Sections:

4.01.000: Purpose
4.01.005: Applicability
4.01.010: Airport Land Use Compatibility Plan (ALUCP) and Amendments
4.01.015: Development Agreements
4.01.020: Development Code Amendments
4.01.025: Amendments to the Policy Plan Component of The Ontario Plan (General Plan Amendments)
4.01.030: Planned Unit Developments (PUD) and Amendments
4.01.035: Specific Plans and Amendments
4.01.040: Zone Changes

4.01.000: Purpose

The purpose of this Division is to prescribe procedures for the consideration of legislative actions by the appropriate Reviewing Authorities. Generally, legislative actions entail the establishment of rules, policies, or standards of general applicability, which involve the exercise of discretion and preside over considerations of public health, safety, and welfare.

4.01.005: Applicability

Whenever the public necessity, convenience, general welfare, or good planning practice so requires, the appropriate Reviewing Authorities, as prescribed by Table 2.02-1 (Review Matrix) of this Development Code, may consider the adoption of a legislative action pursuant to the general provisions prescribed by Division 2.02 (Application Filing and Processing) of this Development Code, and the provisions of this Division that are appropriate to the legislative action being considered.

4.01.010: Airport Land Use Compatibility Plan (ALUCP) and Amendments

A. Purpose. The purpose of this Section is to establish procedures for adopting, amending, supplementing, or changing the Los Angeles/Ontario International Airport Land Use Compatibility Plan pursuant to the provisions of PUC Section 21670 et seq., whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. Authority.

1. PUC Section 21675 requires the preparation of an Airport Land Use Compatibility Plan (ALUCP) that will provide for the orderly growth of Los Angeles/Ontario International Airport and the area surrounding the airport and will safeguard the inhabitants within the vicinity of the airport and the public in general. The City Council may, by ordinance and upon written recommendation of the Planning Commission, further amended, supplement or change the ALUCP, whenever the public necessity, convenience, general welfare, and good planning practice so requires.

2. The Los Angeles/Ontario International Airport Land Use Compatibility Plan and any amendments thereto, shall be enforceable in the same manner and to the same extent as any other provision of this Development Code.

C. Application Filing, Processing and Hearing. An application for ALUCP adoption or an amendment there to, shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. Findings and Decision. An ALUCP, or any amendment thereto, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed ALUCP, or amendment thereto, will protect the public health, safety, and welfare by ensuring the orderly expansion of airports;

2. The proposed ALUCP, or amendment thereto, will minimize the public's exposure to excessive noise and safety hazards within areas around the airport to the extent that these areas are not already devoted to incompatible uses;

3. The proposed ALUCP, or amendment thereto, is consistent with the goals and policies of the general plan; and

4. The proposed ALUCP, or amendment thereto, is reasonable and beneficial, and in the interest of good planning practice.

4.01.015: Development Agreements

A. Purpose. The purpose of this Section is to establish procedures for adopting, amending, supplementing, or changing Development Agreements by and between the City and persons having a legal or equitable interest in a property proposed to be the subject of an agreement, whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. Authority. Pursuant to GC Section 65864 et seq., the City Council may, by ordinance and upon written recommendation of the Planning Commission as to the consistency of a proposed Development Agreement with the Policy Plan (General Plan) component of The Ontario Plan, enter into a development agreement with any person having a legal or equitable interest in real property for the development of the property. It is intended that the provisions of this division shall be fully consistent and compliant with the provisions of GC Section 65864 et seq. and shall be so construed.

C. Agreement Contents.

1. A Development Agreement entered into pursuant to the provisions of this Division shall, at a minimum, include the following information:

a. Duration of the agreement;

b. The permitted use(s) of the property;

c. The density or intensity of use;

d. The maximum height and size of proposed buildings; and

e. Provisions for reservation or dedication of land for public purposes.

2. In addition to the minimum information required by Paragraph C.1., above, the development agreement may include the following:

a. Conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided such conditions, terms, restrictions and requirements for subsequent discretionary actions shall not prevent development of the land for the use(s) and to the density or intensity of development set forth in the agreement;

b. Provide that construction shall be commenced within a specified time period and that the project, or any phase thereof, be completed within a specified time;

c. Terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement over time; and

d. Any other such terms, conditions, and requirements as deemed necessary and proper by the City Council, including, but not limited to, a requirement for assuring to the satisfaction of the City, performance of all provisions of the development agreement in a timely fashion by the agreement holder.

D. Application Filing, Processing and Hearing. An application for Development Agreement consideration shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

E. Findings. A Development Agreement shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing that the provisions of the Agreement are consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and any applicable specific plans, and giving supporting reasons for each finding. A Development Agreement shall be denied if one or more of the required findings cannot be clearly established.

F. Recordation of Agreement. Within 10 days following the City entering into a Development Agreement, the City Clerk shall record with the county recorder, a copy of the Agreement, which shall prescribe the land subject to the agreement. From and after the time of recordation, the Agreement shall impart notice thereof to all persons as is afforded by the recording laws of this State. The burdens of the Agreement shall be binding upon, and the benefits of the Agreement shall inure to, all successors in interest to the parties to the agreement.

G. Amendments. A Development Agreement may be amended, or cancelled in whole or in part, by mutual consent of the parties to the Agreement, or their successors in interest. Any action to amend or cancel any portion of the Agreement shall be carried out pursuant to the procedures specified in Subsection D (Application Filing, Processing and Hearing), above.

H. Annual Review.

1. Every Development Agreement approved and executed pursuant to this Division shall be annually reviewed during the term of the Agreement, following the date of its execution. The purpose of the review is to determine whether the holder of the Agreement has complied in good faith with the terms of the Agreement. The burden shall be placed on the holder of the Agreement to demonstrate compliance to the full satisfaction of and in a manner prescribed by the City.

2. If as a result of annual review pursuant to this Subsection the City Council finds and determines, on the basis of substantial evidence, that the holder of the Development Agreement has not complied in good faith with the terms or conditions of the Agreement, the City Council may either amend or terminate the Agreement.

I. Modification/Suspension in Compliance with State or Federal Regulations. In the event that State or Federal laws or regulations, enacted after a Development Agreement has been entered into, prevent or preclude compliance with one or more provisions of the Development Agreement, the affected provisions of the Agreement shall be modified or suspended as may be necessary to comply with State or Federal laws or regulations.

4.01.020: Development Code Amendments

A. Purpose. The purpose of this Section is to establish procedures for amending, supplementing, or changing this Development Code whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. Authority. Pursuant to GC Section 65853 through Section 65859, the City Council may, by ordinance and upon written recommendation of the Planning Commission, amend, supplement, or change the ordinances codified in this Development Code whenever the public necessity, convenience, general welfare, or good zoning practice so requires.

C. Application Filing, Processing and Hearing. An application for a Development Code Amendment shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. Findings and Decision. A Development Code Amendment shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

2. The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

E. Urgency Measure: Interim Ordinance. Without following the procedures otherwise required prior to the adoption of a Development Code Amendment, to protect the public safety, health,

and welfare, the City Council may adopt as an urgency measure, an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City Council, Planning Commission, or the Planning Department is considering or studying, or intends to study within a reasonable period. An urgency measure shall be completed pursuant to the provisions of GC Section 65858.

4.01.025: Amendments to the Policy Plan Component of The Ontario Plan (General Plan Amendments)

A. Purpose. The Policy Plan component of The Ontario Plan serves as the City's General Plan, which is mandated by State law pursuant to GC Section 65300 et seq. The purpose of this Section is to establish procedures for amending, supplementing, or changing the Policy Plan whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. Authority.

1. Pursuant to GC Section 65358, the City Council may, by resolution and upon written recommendation of the Planning Commission, amend, supplement, or change the Policy Plan (General Plan) component of The Ontario Plan.

2. A mandatory element of the Policy Plan shall not be amended more than 4 times during any calendar year; except that this limitation shall not apply to amendments necessary for the development of residential units where at least 25 percent of the proposed units will be occupied by, or available to, persons and families of low or moderate income, as defined by HSC Section 50093.

C. Application Filing, Processing and Hearing. An application for a General Plan (Policy Plan) Amendment shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. Findings and Decision. A General Plan (Policy Plan) Amendment shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. Technical Amendment Findings. The first finding (Subparagraph D.1.a, below) and any one or more of the subsequent findings (Subparagraphs D.1.b through e, below) shall justify a technical amendment:

a. The proposed amendment will not change any policy direction or intent of the Policy Plan (General Plan) component of The Ontario Plan.

b. An error or omission is in need of correction.

c. A land use designation was based on inaccurate or misleading information and, therefore, should be changed to properly reflect the policy intent of the Policy Plan (General Plan) component of The Ontario Plan.

d. A point of clarification is needed to more accurately express the meaning of the Policy Plan (General Plan) component of The Ontario Plan, or eliminate a source of confusion.

e. A minor change in boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries.

2. Entitlement/Policy Amendment Findings. The first two findings (of the Policy Plan (General Plan) component of The Ontario Plan, below), and any one or more of the subsequent findings (Subparagraphs D.2.c through f, below), shall justify an entitlement/policy amendment:

a. The proposed change does not involve a change in, or conflict with:

(1) The Ontario Plan Vision;

(2) Any principle of the Policy Plan (General Plan) component of The Ontario Plan; or

(3) Any basic/foundational component of The Ontario Plan.

b. The proposed amendment would contribute to the achievement of the purposes of the Policy Plan (General Plan) component of The Ontario Plan, or, at a minimum, would not be detrimental to them.

c. Special circumstances or conditions have emerged that were unknown or unanticipated at the time the Policy Plan (General Plan) component of The Ontario Plan was adopted.

d. A change in policy is required to conform to changes in state or federal law, or applicable findings of a court of law.

e. An amendment is required to comply with an update of the Housing Element or change in State Housing Element law (commencing with GC Section 65580).

f. An amendment is required to address changes in public ownership of land.

3. Land Use Amendment Findings. The first four findings (Subparagraphs D.3.a through d, below), and any one or more of the subsequent findings (Subparagraphs D.3.e through h, below), shall justify an entitlement/policy amendment:

a. The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan.

b. The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

c. The Land Use Element is a mandatory element of the Policy Plan (General Plan) component of The Ontario Plan, which, pursuant to GC Section 65358, may be amended up to four times per calendar year, and the proposed General Plan Amendment is the first, second, third, or fourth (insert applicable amendment cycle) amendment to the Land Use Element within the current calendar year.

d. During the amendment of the Policy Plan (General Plan) component of The Ontario Plan, opportunities for the involvement of citizens, California Native American Indian tribes (pursuant to GC Section 65352.3), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means, were implemented consistent with GC Section 65351.

e. The proposed project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties listed in the ~~Available Land Inventory of the~~ Housing Element Sites Inventory. Furthermore, changing the land use designation of the subject property from the existing Policy Plan (General Plan) land use designation (including density, if applicable) to the proposed Policy Plan (General Plan) land use designation (including density, if applicable) will not impact the City's Regional Housing Needs ~~Allocation~~Assessment (RHNA) obligations, or the City's ability to satisfy its share of the region's future housing need.

f. The proposed project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is listed in the ~~Available Land Inventory of the~~ Housing Element Sites Inventory, and the proposed project is consistent with the number of dwelling units and density specified in the Housing Element Sites~~Available Land~~ Inventory.

g. The project site is listed in the ~~Available Land Inventory contained in the~~ Housing Element Sites Inventory of the Policy Plan (General Plan) component of The Ontario Plan, and the proposed project is not consistent with the number of dwelling units or density specified in the Housing Element Sites~~Available Land~~ Inventory; therefore, a General Plan Amendment to remove the subject property from the Housing Element Sites~~Available Land~~ Inventory is required. Removal of the subject property from the inventory will not impact the City's ~~Regional Housing Needs Allocation~~RHNA obligations since there are an adequate number of sites in the inventory to meet the City's ~~Regional Housing Needs Allocation (~~RHNA~~)~~ obligations.

h. The proposed project is not consistent with the adopted Housing Element. The project site is listed in the ~~Available Land Inventory of the~~ Housing Element Sites Inventory of the Policy Plan (General Plan) component of The Ontario Plan, and the proposed project is not consistent with the number of dwelling units or density specified in the Housing Element Sites~~Available Land~~ Inventory; therefore, a General Plan Amendment to remove the subject property from the Housing Element Sites~~Available Land~~ Inventory ~~of the Housing Element~~ is required. Removal of the subject property from the inventory will impact the City's RHNA~~Regional Housing Needs Allocation~~ obligations since there are not an adequate number of sites in the inventory to meet the City's ~~Regional Housing Needs Allocation (~~RHNA~~)~~ obligations; therefore, the following property(ies) will be added to the Housing Element Sites~~Available Land~~ Inventory:

Assessor Parcel Numbers (APN)	***Lot Area***
[insert APN]	[insert lot area]

	Housing Element Sites~~Available Land~~ Inventory	
	Existing	***Proposed***
Number of Units:	[insert existing number of units]	[insert proposed number of units]
Assumed Density:	[insert existing density]	[insert proposed density]

4.01.030: Planned Unit Developments (PUD) and Amendments

A. Purpose.

1. The purpose of this Section is to establish procedures for adopting, amending, supplementing, or changing PUDs whenever the public necessity, convenience, general welfare, or good planning practice so requires.

2. The PUD is intended to:

a. Secure a fuller realization of the Policy Plan component of The Ontario Plan than would result from the strict application of present zoning district regulations;

b. Promote high standards in urban design;

c. Encourage the development of exceptionally high quality, mixed-use, high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs; and

d. Ensure harmonious relationships with surrounding land uses.

B. Authority.

1. Pursuant to GC Section 65850, the City Council may, by ordinance and upon written recommendation of the Planning Commission, adopt, amend, supplement or change regulations pertaining to the use of buildings, structures, and land; and establish development standards governing: building location, height, bulk, number of stories, and size; the size and use of lots, yards, courts, and other open spaces; lot coverage; the intensity of land use; off-street parking and loading; and signage, whenever the public necessity, convenience, general welfare and good planning practice so requires.

2. A PUD shall be required for those properly identified areas shown on Exhibit LU-05 (Additional Plans Required Map) of The Ontario Plan, and may be allowed on those properties located within the growth areas described on Exhibit LU-04 (Generalized and Growth Areas) of The Ontario Plan and in conjunction with mixed-use developments.

3. A PUD, and any amendments thereto, adopted pursuant to this Division shall be enforceable in the same manner and to the same extent as any other provision of this Development Code.

C. Application Filing, Processing and Hearing. An application for Planned Unit Development adoption or amendment thereto, shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. Findings and Decision. A PUD, or amendment thereto, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed PUD, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. The proposed PUD, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

3. In the case of an application affecting specific property(ies), the proposed PUD, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses; and

4. In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.

5. The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan.

4.01.035: Specific Plans and Amendments

A. **Purpose.** The purpose of this Section is to establish procedures for adopting, amending, supplementing, or changing Specific Plans whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. **Authority.**

1. Pursuant to GC Section 65450 et seq., the City Council may, by ordinance or resolution, and upon written recommendation of the Planning Commission, adopt, amend, supplement or change a specific plan.

2. A Specific Plan and any amendments thereto, adopted pursuant to this Division, shall be enforceable in the same manner and to the same extent as any other provision of this Development Code.

C. **Application Filing, Processing and Hearing.** Unless otherwise specified in a respective Specific Plan, an application for Specific Plan adoption or amendment shall be filed, processed and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. **Findings and Decision.** A Specific Plan, or amendment thereto, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

3. In the case of an application affecting specific property(ies), the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses; and

4. In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.

4.01.040: Zone Changes

A. **Purpose.** The purpose of this Section is to establish procedures for amending or changing the zoning boundaries or zoning classification (Zone Change) of any property within the City whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. **Authority.** Pursuant to GC Section 65853 through Section 65859, the City Council may, by ordinance, and upon written recommendation of the Planning Commission, change the zoning boundaries or classification of any property within the City, whenever the public necessity, convenience, general welfare, or good zoning practice so requires.

C. **Application Filing, Processing and Hearing.** An application for Zone Change shall be filed, processed, and heard pursuant to Section 2.02.015.A (Legislative Actions) of this Development Code.

D. **Findings and Decision.** A Zone Change, or amendment thereto, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed Zone Change is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. The proposed Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

3. The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses; and

4. The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.

E. **Prezoning of Unincorporated Territory.** The prezoning of unincorporated territory within the sphere of influence of the City may be initiated by the Planning Commission on its own motion, or by the City Council in the form of a request to the Planning Commission that it consider the prezoning, or by a petition of the owner or owners of land in the unincorporated territory proposed to be prezoned. A Prezone shall be completed pursuant to GC Section 65859 and this Section and shall become effective at the same time annexation of territory to the City becomes effective.

Division 4.02—Discretionary Permits and Actions

Sections:

4.02.000: Purpose
4.02.005: Applicability
4.02.010: Billboard Relocation Agreements
4.02.015: Conditional Use Permits
4.02.020: Departures from Development Standards (Minor Adjustments/Alterations and Variances)
4.02.025: Development Plans
4.02.030: Extensions of Legal Nonconforming Status
4.02.040: Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas
4.02.045: Historic Preservation—Rescind or Amend the Status of a Historic Resource
4.02.050: Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources
4.02.055: Historic Preservation—Certificates of Economic Hardship
4.02.060: Historic Preservation—Conservation Plans
4.02.065: Historic Preservation—Mills Act Contracts
4.02.070: Master Plans and Amendments
4.02.075: Sign Programs
4.02.080: Specific Plan Minor Amendments/Alterations
~~4.02.085: Subdivisions—Lot Merger (Merger of Contiguous Parcels)~~
4.02.090: Subdivisions—Reversions to Acreage
4.02.095: Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps

4.02.000: Purpose

The purpose of this Division is to prescribe procedures for the consideration of discretionary permits or actions. A discretionary permit or action, as established by Table 2.02-1 (Review Matrix) of this Development Code, includes projects that require the exercise of judgment or deliberation when making a decision to approve, conditionally approve, or deny a particular activity.

4.02.005: Applicability

The Reviewing Authorities prescribed by Table 2.02-1 (Review Matrix) of this Development Code, shall consider a discretionary permit or action pursuant to the general provisions prescribed by Division 2.02 (Application Filing and Processing) of this Development Code, and the provisions of this Division that are appropriate to the discretionary permit or action being considered.

4.02.010: Billboard Relocation Agreements

A. Purpose. The purpose of this Section is to establish a procedure to reduce the overall number of legally established nonconforming billboards within the City, allowing billboards to be relocated to locations within the City that are more suitable, and provide for more attractive, aesthetically pleasing billboard designs. In addition, Billboard Relocation Agreements are intended to reduce or eliminate the City's obligation to pay compensation for the removal of legal

nonconforming billboards. Billboard Relocation Agreements are part of the City's demonstrated commitment to improve its overall aesthetic appearance.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority, upon written recommendation of the Advisory Authority, is hereby empowered to approve, approve in modified form, or deny a Billboard Relocation Agreement for the relocation of legally established nonconforming billboards within the City, to a relocation site established pursuant to this Section, provided a minimum of two existing legal nonconforming billboards are removed.

2. Existing legally established nonconforming billboards may be relocated only as part of a Billboard Relocation Agreement.

3. A relocated billboard proposed pursuant to this Section shall require the concurrent filing of a Sign Plan application pursuant to Section 4.03.020 (Sign Plans) of this Development Code.

C. Definitions. For the purposes of this Section, the following definitions shall apply:

1. "Major Gateway" means an entry into the City through a major transportation corridor or node (e.g., airport, arterial, and rail lines).

2. "Regionally Significant" means a use that supports activities or economies at a scale greater than that of a single jurisdiction, drawing predominately from a market area that extends at least 20 miles beyond the City limits.

3. "Underdeveloped" means a lot that is not developed to its highest and best use.

4. "Visual Clutter" means disorganized, distracting, and/or competing graphics within public view, which contribute to visual blight.

D. Relocation Sites and Billboard Design Criteria. Generally, relocation sites are restricted to areas that are recognized as major gateways into the City, within or adjacent to a regionally significant project. The following considerations shall serve as guidelines for the placement and design of relocated billboards:

1. Site Criteria. The below-listed considerations shall serve as general guidelines for use by applicants and the City in the identification of potential suitable billboard relocation sites. Specific sites within suitable areas will be negotiated through the Billboard Relocation Agreement process.

a. The area is developed with a legally established allowed use that is regionally significant;

b. The area does not have excessive visual clutter;

c. The proposed relocated billboard would be compatible with uses and structures on the site, and in the surrounding area;

d. The proposed billboard would not create a traffic or safety problem with regard to on-site access, circulation, or visibility; and

e. The proposed billboard would not interfere with on-site parking or landscaping required by City ordinance or permit.

2. Prohibited Sites. No Billboard shall be relocated to a site if it meets any of the following criteria:

a. The site is adjacent to any freeway (Interstate 10, Interstate 15, or State Route 60) or Euclid Avenue;

b. The site is located within the AG (Interim Agricultural Overlay) zoning district;

c. The site is undeveloped or underdeveloped;

d. The site is within 3,000 FT of property located within a residential land use district shown on the Land Use Plan (Exhibit LU-01) of the Policy Plan (General Plan) component of The Ontario Plan; and

e. The site is within 3,000 FT of an existing billboard or electronic message center.

f. *Interagency Relocation Exception.* Notwithstanding the foregoing, a billboard may be relocated from a location outside the City, to any location within the City, pursuant to an agreement approved at the discretion of the City Council, between the City and another public agency, so long as the following findings can be clearly established:

(1) A minimum of 6 existing, legal nonconforming billboards shall be removed, at least 5 of which must be currently located within the City;

(2) The billboard's relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard; and

(3) The public health safety and welfare are not impaired by the relocation.

3. Design Criteria. Typical billboard design with a large sign area mounted on a pole is not permitted. Pylon-type signs, which are structural elements with architectural treatment, are required. Suitable design shall be based on the following considerations:

a. The design should be integrated into the design scheme of the surrounding area and/or buildings;

b. The design shall provide architectural interest for the structure; and

c. The design shall incorporate a top and base treatment to the billboard structure;

E. Candidate Billboards for Relocation. The following considerations shall serve as general guidelines in identifying candidate billboards for relocation:

1. Areas of general priority for removal and relocation include redevelopment project areas, areas along major thoroughfares leading into commercial districts, areas visible to freeways and highways, and streets upon which billboards are heavily concentrated and contribute to existing visual clutter.

2. Candidate billboards must be legally established non-conforming billboards. Illegally placed billboards shall not be candidates for Billboard Relocation Agreements.

F. Application Filing, Processing and Hearing. A Billboard Relocation Agreement application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

G. Findings. A Billboard Relocation Agreement shall be acted on based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The Agreement shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The Billboard Relocation Agreement is consistent with the goals, policies, plans and exhibits of The Ontario Plan, the requirements of the Development Code, and any applicable specific plans, area plans, or planned unit developments;

2. The proposed relocation site is compatible with uses and structures on the site and in the surrounding area;

3. The Billboard Relocation Agreement contributes to the reduction of visual clutter in the City;

4. The proposed site complies with the relocation criteria established by this Section; and

5. The proposed billboard will not create a traffic or safety problem with regard to on-site access, circulation, or visibility.

4.02.015: Conditional Use Permits

A. Purpose. The purpose of this Section is to establish a procedure to ensure that a degree of compatibility is maintained with respect to certain uses on certain properties, due to their nature, intensity or size, or to compensate for variations and degrees of technological processes and equipment as related to the generation of noise, smoke, dust, fumes, vibration, odors and other practical hazards.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority, as applicable, is hereby empowered to approve, approve in modified form, or deny a Conditional Use Permit, and to impose reasonable conditions upon the approval of the application.

2. Conditional Use Permit approval shall be required prior to: **[i]** the establishment of those land uses, activities and facilities so identified in Table 5.02-1 (Land Use Matrix) of this Development Code; **[ii]** the conversion of any existing residential development project for sale, transfer, or conveyance as a common interest project pursuant to Section 6.08.045 (Conversion to a Residential Common Interest Project); **[iii]** the conversion of any existing commercial or industrial development project for sale, transfer, or conveyance, as a common interest project pursuant to Section 6.08.050 (Conversion to a Commercial or Industrial Common Interest Project); and **[iv]** the alteration/expansion of a nonconforming nonresidential land use or structure pursuant to Subsection 3.01.020.J (Alteration and/or Expansion of a Nonconforming Nonresidential Structure) of this Development Code.

C. Application Filing, Processing and Hearing. A Conditional Use Permit application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. A Conditional Use Permit shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.

2. The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

3. The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of this Development Code and any applicable specific plan or planned unit development.

4. The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan.

5. The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.

E. Conditions of Approval.

1. In approving a Conditional Use Permit, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. The conditions imposed on Conditional Use Permits may include provisions concerning use, height, area, yards, open spaces, setbacks, parking, loading, signs, improvements (public and private), site design, operational characteristics, land use compatibility, general character, appearance, environmental impact, time limits for commencement or termination of the construction or use authorized, revocation and use termination dates, and other conditions the Approving Authority may deem appropriate and necessary to carry out the purposes of the Development Code.

3. A copy of the approving decision or resolution, and related conditions of approval (if any) issued by the Approving Authority shall be maintained on site and shall be made available for inspection upon demand by a City representative.

4. A Conditional Use Permit shall only apply to the approved particular use on a particular property, which may be transferred from one owner of the property to another successive owner of the same property.

5. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

F. Conditional Use Permit Modification/Revision.

1. Conditional Use Permits and/or their conditions of approval may be modified/revised upon application by a project proponent or property owner if different from the proponent. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing).

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original approval and there are no resulting inconsistencies with this Development Code. Modifications/revisions are considered minor in nature if in the opinion of the Planning Director, they do not involve substantial changes to the approved plans or the conditions of approval and would in no way affect surrounding properties.

3. Modifications/revisions to an approved plan or conditions of approval that, in the opinion of the Planning Director, are not minor in nature, shall be processed as a revised Conditional Use Permit, following the procedures set forth in this Section for Conditional Use Permit approval, except that modification/revision approval shall not alter the expiration date established by the original application approval.

G. Voluntary Surrender of a Conditional Use Permit. A Conditional Use Permit approved pursuant to this Development Code may be voluntarily surrendered, in writing, by the affected property owner. The procedure for Conditional Use Permit surrender shall be as follows:

1. The Reviewing Authority originally approving the subject Conditional Use Permit shall set a date and time on which the request will be considered. Notice of the hearing shall be given pursuant to Division 2.03 (Public Hearings) of this Development Code.

2. The notice shall indicate that any interested person may make a written request at any time prior to the advertised public hearing, or may request in person at the time of the advertised hearing, that a public hearing be held at the advertised date and time. If no hearing is requested, the Reviewing Authority may decide on the matter without a public hearing. If a pu

blic hearing is requested, the Reviewing Authority shall conduct the public hearing pursuant to Division 2.03 (Public Hearings) of this Development Code.

3. The Reviewing Authority shall deny the surrender of the Conditional Use Permit only if it can be clearly shown that there is a compelling government interest in maintaining the Conditional Use Permit.

4. The decision of the Reviewing Authority shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

4.02.020: Departures from Development Standards (Minor Adjustments/Alterations and Variances)

A. **Purpose.** The purpose of this Section is to establish procedures by which departures from certain development standards may be permitted by this Development Code when certain specified circumstances exist.

B. **Applicability.**

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny certain departures from certain development standards established by this Development Code, and to impose reasonable conditions upon the approval of such request.

2. The City's authority to grant departures from the development regulations contained in this Development Code is authorized by GC Section 65906, which provides that in cases where special circumstances applicable to a property exist, and the strict application of the development regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification, the City may allow deviation from the strict application of the development regulations.

C. **Minor Adjustments/Alterations.**

1. Purpose. Minor Adjustments/Alterations, like Variances, are intended to allow for departures from the strict application of the numerical development standards established by this Development Code, when their strict application would result in practical difficulties, unnecessary hardships, or results inconsistent with the general purpose of the development regulations. Minor Adjustments/Alterations, however, are determined to have a lesser (minor) measure of impact than Variances, due to the limited measure of adjustment allowed; therefore, requiring a modified review process.

2. Applicability.

a. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Minor Adjustment/Alteration, and to impose reasonable conditions upon the approval of the application.

b. Minor Adjustments/Alterations may be approved for:

(1) A reduction of up to 25 percent from minimum setback and separation requirements, excepting nonresidential setback requirements from property lines that are common with any residentially zoned property; or

(2) A 10 percent increase in the maximum height of structures.

c. A Minor Adjustment/Alteration shall not be approved for reductions in minimum lot size, lot coverage, lot dimension, landscape coverage, parking requirements, or for an increase in maximum density or floor area ratio.

3. Application Filing, Processing and Hearing.

a. A Minor Adjustment/Alteration shall be filed and processed pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

b. The applicant and the owners of all properties having a property line common with the affected property shall be notified of the proposed Minor Adjustment/Alteration pursuant to Section 2.03.010 (Public Hearing Notification) of this Development Code. Furthermore, the notice shall state that a public hearing shall not be required unless requested by the applicant, an abutting property owner, or other affected person or entity.

c. A public hearing, if requested, shall be conducted pursuant to Division 2.03 (Public Hearings) of this Development Code.

d. If no public hearing is requested, the Zoning Administrator shall approve, approve in modified form, or deny a Minor Adjustment/Alteration no less than 10 days following distribution of the notice required by Subparagraph D.3.b, above.

4. Findings and Decision. A Minor Adjustment/Alteration shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

a. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code;

b. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district;

c. The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district;

d. The granting of the Minor Adjustment/Alteration will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.

e. The proposed Minor Adjustment/Alteration is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.

5. Conditions of Approval.

a. In approving a Minor Adjustment/Alteration, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

b. All conditions or requirements authorized by this section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

D. Variance.

1. Purpose. The City's authority to grant a Variance from the development regulations contained in this Development Code is authorized by GC Section 65906, which provides that in cases where special circumstances applicable to a property exist, and the strict application of the development regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification, the City may allow deviation from the strict application of the development regulations.

2. Applicability.

a. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority, is hereby empowered to approve, approve in modified form, or deny a Variance application, and to impose reasonable conditions upon the approval of the application.

b. A Variance may be approved to allow deviation from any numerical development standard established by this Development Code with respect to minimum and/or maximum dimension, area, mass, and quantity, except that a Variance shall not be granted for increases in maximum density or floor area ratio.

c. A variance shall not be approved on a lot that authorizes a use or activity that is not otherwise expressly authorized by the zoning district governing the affected lot, nor shall the power to approve a Variance extend to any public health or safety standard, as this authority has been precluded by state laws.

3. Application Filing, Processing and Hearing. A Variance application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

4. Findings and Decision. A Variance shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after

considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

a. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code;

b. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district;

c. The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district;

d. The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.

e. The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.

5. Conditions of Approval.

a. In approving a Variance, the Approving Authority, as applicable, may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

b. All conditions or requirements authorized by this section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

4.02.025: Development Plans

A. **Purpose.** The purpose of this Section is to:

1. Establish a review process whereby the integrity and character of the physical fabric of the City will be protected in a manner consistent with the goals and policies of The Ontario Plan. This is ensured through the review of:

a. The suitability of building location;

b. Location and design of off-street parking and loading facilities;

c. Location, design and dedication of streets and alleys (public and private facilities);

d. Location and design of pedestrian and vehicular entrances and exits;

e. Location, design, materials and colors of walls and fences;

f. Location, design, size, and type of landscaping (public and private facilities);

g. Location, design, and materials of hardscape areas, such as patios, sidewalks and walkways (public and private facilities);

h. Drainage and off-site improvements (public and private facilities);

i. Compatibility with the surrounding area;

j. Exterior building architectural design, materials and colors;

k. Quality of proposed design and construction;

l. Location, type, design, colors, and materials of signs; and

m. Any conditions affecting the public health, safety, welfare, and general aesthetic of the community.

2. Protect and preserve the value of properties and to encourage high quality development throughout the City, whereas adverse effects would otherwise result from excessive uniformity, dissimilarity, poor exterior quality and appearance of buildings and structures; inadequate and poorly planned landscaping; and failure to preserve, where feasible, natural landscape features, and open spaces.

3. Recognize the interdependence of land values and aesthetics, and to provide a method to implement this interdependence in order to maintain the values of surrounding properties and improvements consistent with The Ontario Plan, with due regard to the public and private interests involved.

4. Ensure that the public benefits derived from expenditures of public funds for improvement and beautification of streets and public facilities are protected by the exercise of reasonable controls over the character and design of private buildings, structures, parking and loading facilities, landscaped areas, recreation amenities and open spaces.

5. Ensure the design of landscaping and irrigation that shades parking facilities and other paved areas, buffers or screens undesirable views and compliments building architecture and overall site design.

6. Ensure reasonable controls over the character, design and location of signs, and the appropriate use of well-designed signs that complement the architecture of surrounding buildings, while considering the public and private interests involved and the exercise of control over the undesirable use of excessive signage.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Development Plan application, and to impose reasonable conditions upon a Development Plan approval.

2. Development Plan approval shall be required for the physical alteration of a lot, the construction of a building, or the addition or significant alteration of an existing building, as follows:

a. The development of 3 or more dwelling units on a single lot;

b. The development of 5 or more lots within a residential subdivision;

c. The development of 5 or more dwelling units, regardless of the number of lots involved;

d. The development of a nonresidential building within a residential zoning district, or an addition thereto, which is in excess of 25 percent of the original structure GFA or 500 SF (cumulative), whichever is less;

e. The development of a vacant lot within a nonresidential zoning district;

f. The conversion of a commercial structure to a residential structure, or conversion of a residential structure to a commercial structure;

g. The remodel of, or addition to, an existing nonresidential building, which results in an overall change in the architectural/aesthetic integrity, as determined by the Planning Director;

h. The remodel of, or addition to, a nonresidential building, which would result in the demolition and replacement/reconstruction of more than 50 percent of the existing building;

i. The conversion of a gasoline or fueling station to facilitate another allowed land use (see standards contained in Subsection 5.03.040,C (Conversion of Gasoline and Fueling Stations) of this Development Code);

j. An addition to an institutional facility (including religious assembly and places of worship, government services, healthcare services, and educational services), when such addition would exceed 25 percent of the original structure GFA or 500 SF (cumulative), whichever is less;

k. Commercial developments and ~~T~~the development of a permanent building within the CIV, OS-R, OS-C, or UC zoning district, when such development would exceed 500 SF of GFA (cumulative), or an addition thereto, when such addition would exceed 25 percent of the original structure GFA or 500 SF (cumulative), whichever is less;

l. The development of a permanent building within the AG zoning district, when such development would exceed 5,000 SF of GFA (cumulative), or an addition thereto, when such addition would exceed 25 percent of the original structure GFA or 5,000 SF (cumulative), whichever is less;

m. The relocation (move-on) of a building within any zoning district;

n. The addition of dwelling units to a multiple-family residential development project, when such addition would result in 3 or more dwelling units on a single lot after the addition;

o. An addition to a previously developed site within a commercial zoning district, when such addition would exceed 25 percent of the original structure GFA or 2,000 SF (cumulative), whichever is less;

p. An addition to a previously developed site within an industrial zoning district, when such addition would exceed 25 percent of the original structure GFA or 10,000 SF (cumulative), whichever is less;

q. A Tier 2 or Tier 3 wireless telecommunications facility pursuant to Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code; and

r. Other projects, which, in the opinion of the Planning Director, require such level of review prior to issuance of a building permit, due to the size, nature and/or complexity of the project, or because the project could cause significant environmental impacts or generate significant neighborhood opposition or controversy.

3. A Development Plan shall remain in effect for the life of the affected development project, which shall be developed and maintained in substantial conformance with the plans as approved by the Approving Authority and shall be maintained on file with the City.

C. Application Filing, Processing and Hearing. A Development Plan application, except for wireless telecommunications facilities in the public right-of-way and facilities qualifying as Eligible Facilities Requests (EFRs), shall be filed, processed and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section. Applications to install wireless telecommunications facilities in the public right-of-way and for facilities qualifying as EFRs shall be filed and processed pursuant to the following:

1. Scope. There shall be a type of permit entitled a "Wireless Permit," which shall be subject to all of the requirements of this Section. Unless exempted, every person who desires to place a wireless telecommunications facility in the public right-of-way, modify an existing wireless telecommunications facility in the public right-of-way, or perform work as part of an EFR must obtain a Wireless Permit authorizing the placement or modification in accordance with this Section. Except for small cell facilities, facilities qualifying as EFRs, or any other type of facility expressly allowed in the public right-of-way by state or federal law, no other wireless telecommunications facilities shall be permitted pursuant to this Section.

2. Approving Authority. The Zoning Administrator is the approving authority for wireless telecommunications facilities in the public right-of-way and facilities qualifying as EFRs.

3. Application Submittal. Applications shall be submitted on a City application form issued and amended, from time-to-time, by the Zoning Administrator.

4. Review and Action.

a. The Zoning Administrator shall review the application and then approve, approve in modified form, or deny the application. The decision of the Approving Authority shall

be final and conclusive in the absence of an appeal filed pursuant to Paragraph C.5 (Appeals), below.

b. The wireless regulations and decisions on applications for placement of wireless telecommunications facilities in the public right-of-way and facilities qualifying as EFRs shall, at a minimum, ensure that the requirements of this Section are satisfied, unless it is determined that Applicant has established that denial of an application would, within the meaning of federal law, prohibit or effectively prohibit the provision of personal wireless services, or otherwise violate applicable laws or regulations. If that determination is made, the requirements of this Development Code may be waived by the Zoning Administrator, but only to the minimum extent required to avoid the prohibition or violation.

c. There will be no public hearings.

5. Appeals. The Applicant may appeal the decision to the Planning Commission, which may decide the issue *de novo*, and whose written decision will be the final decision of the City. An appeal by a wireless infrastructure provider must be taken jointly with the wireless service provider that intends to use the wireless telecommunications facility. Where the Zoning Administrator grants an application based on a finding that denial would result in a prohibition or effective prohibition under applicable federal law, the decision shall be automatically appealed to the Planning Commission. All appeals must be filed within 2 business days of the written decision of the Zoning Administrator, unless the Zoning Administrator extends the time therefore. An extension may not be granted where extension would result in approval of the application by operation of law. Any appeal shall be conducted so that a timely written decision may be issued in accordance with applicable law.

D. Findings and Decision. A Development Plan shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established. Findings 1-4 do not apply to applications for wireless telecommunications facilities in the public right-of-way or facilities qualifying as EFRs, which are subject to the findings set forth by Paragraph 5, below.

1. The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located;

3. The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project;

4. The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.

5. Required findings for wireless telecommunications facilities in the public right-of-way and facilities qualifying as EFRs are as follows:

a. Except for EFRs, the Zoning Administrator or Planning Commission, as the case may be, shall approve an application if, on the basis of the application and other materials or evidence provided in review thereof, it finds the following:

(1) The facility is not detrimental to the public health, safety, and welfare;

(2) The facility complies with this Development Code and all applicable design and development standards; and

(3) The facility meets applicable requirements and standards of state and federal law.

b. For EFRs, the Zoning Administrator or Planning Commission, as the case may be, shall approve an application if, on the basis of the application and other materials or evidence provided in review thereof, it finds the following:

(1) That the application qualifies as an eligible facilities request; and

(2) That the proposed facility will comply with all generally applicable laws.

E. Conditions of Approval.

1. In approving a Development Plan application, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. Conditions of approval imposed upon a Development Plan approval may include, but is not limited to, provisions concerning building height, bulk or mass; setbacks; lot coverage; lighting; private and common open space, and/or recreation amenities; screening, including garages, trash receptacles, mechanical and roof-mounted equipment and appurtenances; landscaping; walls and fences; vehicular parking, access and circulation; pedestrian circulation; on-site security; grading; street dedication and improvements (public and private); on and off-site public improvements (public and private) necessary to service the proposed development; project timing/phasing; loading and outdoor storage; architectural treatment; signage; vehicular trip reduction; graffiti removal; sound attenuation; reparation and recordation of covenants, conditions and restrictions, mutual access agreements, maintenance agreements and other similar agreements; property disclosure pursuant to BPC Section 11000 et seq.; and other conditions the Approving Authority may deem appropriate and necessary to carry out the purposes of the Development Code.

3. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

F. Development Plan Modifications/Revisions.

1. Development Plans and/or their conditions of approval may be modified/revised upon application by a project applicant or property owner if different from the applicant. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original approval and there are no resulting inconsistencies with this Development Code. Modifications/revisions are considered minor in nature if in the opinion of the Planning Director, they do not involve substantial changes to the approved plans or the conditions of approval and would in no way affect surrounding properties.

3. Modifications/revisions to an approved plan or conditions of approval that, in the opinion of the Planning Director, are not minor in nature, shall be processed as a revised Development Plan, following the procedures set forth in this Section for Development Plan approval, except that modification/revision approval shall not alter the expiration date established by the original application approval.

4.02.030: Extensions of Legal Nonconforming Status

A. Purpose. The purpose of this Section is to establish a process whereby the date that a legal nonconforming use would lose its legal nonconforming status pursuant to Section 3.01.015 (Nonconforming Land Use) of this Development Code, may be extended to allow additional time to complete the sale of the affected property or structure, secure tenants for the affected property or structure, and/or obtain necessary permits or the completion of necessary improvements.

B. Applicability. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny an Extension of Legal Nonconforming Status application, and to impose reasonable conditions upon the approval of the application.

1. The submittal of an application requesting an Extension of Legal Nonconforming Status shall automatically extend the legal nonconforming status of a land use or structure for an initial period of 60 days to allow for the processing of the request pursuant to the procedures prescribed by this Section. The Zoning Administrator may then approve an additional 120-day extension, for a total of 180 days.

2. If due to unforeseen circumstances, a property/structure owner is unable to complete the sale of the affected property, secure necessary tenants for the property or structure, and/or obtain necessary permits and complete all necessary tenant improvements to allow for occupancy of the affected property or structure within the period established by Subsection B.2, above, (180 days), the Approving Authority may grant additional extensions, not to exceed a total of one-year.

C. Application Filing, Processing and Hearing. An Extension of Legal Nonconforming Status application shall be filed, processed and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. An Extension of Legal Nonconforming Status shall be acted on based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and comments and testimony provided by the public, only after considering and clearly establishing all of the below-listed findings, and giving reasons in support of each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The applicant has made a good faith effort to keep the nonconforming status;

2. A physical and/or economic hardship has prevented the nonconforming use from being reestablished prior to the expiration date;

3. Approving the extension will not adversely affect the character, integrity, or value of surrounding properties;

4. Approving the extension will not adversely affect the character, integrity, or general welfare of the neighborhood; and

5. The extension will not adversely impact the public health, safety, or welfare of the City's residents.

E. Conditions of Approval.

1. In approving an Extension of Legal Nonconforming Status, the Approving Authority, may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

4.02.040: Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas

A. Purpose. The purpose of this Section is to establish procedures by which Local Historic Landmarks and Districts, Historic Resource Tiering, and Architectural Conservation Areas may be designated

B. Applicability.

1. Designation of Historic Landmarks and Districts, Historic Resource Tiering and Architectural Conservation Areas. The Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code is hereby empowered to approve, approve in modified form, or deny a Historic Preservation—Historic Landmark and District Designations, Historic Resource Tiering and Architectural Conservation Areas application.

2. Local Landmark Designation. A historic resource may be designated an "historic landmark" by the City if it meets the criteria for listing in the National Register of Historic Places or the California Register of Historic Resources, or it meets one or more of the following criteria:

a. The historic resource exemplifies or reflects special elements of the City's history;

b. The historic resource is identified with persons or events significant in local, state, or national history;

c. The historic resource is representative of the work of a notable builder, designer, architect, or artist;

d. The historic resource embodies distinguishing architectural characteristics of a style, type, period, or method of construction;

e. The historic resource is a noteworthy example of the use of indigenous materials or craftsmanship;

f. The historic resource embodies elements that represent a significant structural, engineering, or architectural achievement or innovation;

g. The historic resource has a unique location, a singular physical characteristic, or is an established and familiar visual feature of a neighborhood, community, or the City;

h. The historic resource is one of the few remaining examples in the City, region, state or nation, possessing distinguishing characteristics of an architectural or historical type or specimen: or

i. The historic resource has yielded, or is likely to yield, information important to the City's history or prehistory.

3. Local Historic District Designation. A neighborhood or area listed as a historic resource may be designated a "Local Historic District" by the City if the neighborhood meets the criteria for listing in the National Register of Historic Places or the California Register of Historic Resources, or it meets one or more of the following criteria:

a. The historic resource is a geographically definable area possessing a concentration of historic resources or a thematically related grouping of structures that contribute to each other and are unified by plan, style, or physical development, and embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values;

b. The historic resource reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of a park landscape, site design, or community planning;

c. The historic resource is associated with, or the contributing resources are unified by, events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or

d. The historic resource is, or the contributing resources are, associated with the lives of persons important to the City, State or National history.

4. Additional Historic Resource Evaluation Criteria. In addition to the "significance," criteria established in Paragraph B.2 (Local Landmark Designation) and Paragraph B.3 (Local Historic District Designation) of this Section, historic resources must have "integrity" for the time in which they are "significant." The period of "significance" is the date or span of time within which significant events transpired or significant individuals made their important contributions. The term "integrity" means the authenticity of a historical resource's physical identity, as evidenced by the survival of characteristics or historic or prehistoric fabric that existed during the resource's period of significance. Only after significance has been established, should the issue of integrity be addressed. The following criteria should be considered when evaluating properties for integrity:

a. *Design.* Any alterations to the property should not have adversely affected the character defining features of the property. Alterations to a resource or changes in its use over time may have historic, cultural or architectural significance.

b. *Setting.* Changes in the immediate surroundings of the property (e.g., buildings, land use and topography) should not have adversely affected the character of the property.

c. *Materials and Workmanship.* Any original materials should be retained, or if they have been removed or altered, replacements have been made that are compatible with the original materials.

d. *Location.* The relationship between a property and its location is an important component in determining integrity. The place where the property was built and where historic events occurred is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in a few cases, the relationship between a property and its historic associations is destroyed if the property is moved.

e. *Feeling.* The term "feeling" means a property's expression of the aesthetic or historic sense of a particular period. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district, such as the Guasti Winery, retaining original design, materials, workmanship and setting, will relate the feeling of agricultural life in the 19th century.

f. *Association.* The term "association" means the direct link between an important historic event or person, and a historic property. A property retains its association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like "feeling," association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary War battlefield, whose natural and manmade elements have remained intact since the 18th century, will retain its quality of "association" with the battle.

Because "feeling" and "association" depend upon individual perceptions, their retention alone is never sufficient to support eligibility. Historic resources must retain enough of their historic or prehistoric character or appearance to be recognizable as historic resources, and to convey the reasons for their significance.

C. Application Filing, Processing, and Hearing. Historic Preservation—Historic Landmark and Historic District Designation applications shall be filed and processed pursuant to Division 2.02 (Application Filing and Processing) of this Development Code, and the provisions of this Section. All eligible historic resources nominated for designation as a Landmark or a Historic District shall be evaluated, processed, and designated a Tier pursuant to Subsection G (Historic Resource Tiering System) of this Section, concurrently with the application for landmark or historic district designation.

D. Local Historic Landmark and District Designation Application Findings and Decision.

1. Within the 30-day period following acceptance of a Historic Preservation—Historic Landmark and District Designations application as complete pursuant to the applicable provisions contained in Section 2.02.015.B (Discretionary Permits and Actions) of this Development Code, the Advisory Authority shall make a preliminary determination as to whether the requested Local Historic Landmark or Local Historic District designation is appropriate, based upon the designation criteria set forth in Paragraphs B.2 (Local Landmark Designation), B.3 (Local Historic District Designation), and B.4 (Additional Historic Resource Evaluation Criteria) of this Section. If it is determined that the proposed resource merits further consideration, the application shall be forwarded to the subsequent Advisory Authority. If the proposed resource does not merit further consideration due to failure of the property to meet the applicable designation criteria, the application shall be denied.

2. Upon receipt of the Advisory Authority's recommendation, the subsequent Advisory Authority shall make a recommendation to the Approving Authority to grant or deny a Historic Preservation—Landmark or District Designation application on the basis of the application and the evidence presented in the Planning Department's written report, after considering and clearly establishing the designation criteria set forth in Paragraphs B.2 (Local Landmark Designation), B.3 (Local Historic District Designation), and B.4 (Additional Historic Resource Evaluation Criteria) of this Section, and giving specific reasons in support of each applicable criterion.

3. The Approving Authority may grant or deny a Historic Preservation—Landmark or District Designation application on the basis of the application and the evidence presented in the Planning Department's written report, after considering and clearly establishing the applicable designation criteria set forth in Paragraphs B.2 (Local Landmark Designation), B.3 (Local Historic District Designation), and B.4 (Additional Historic Resource Evaluation Criteria) of this Section, and giving specific reasons in support of each applicable criterion.

E. Permits. No building, alteration, demolition, or removal permits for any proposed Local Landmark or Local Historic District shall be issued after a Historic Preservation—Landmark or District Designation application has been filed with the Planning Department, until such time that any public hearing or appeal proceedings regarding the application have been completed.

F. Automatic Designations.

1. Any property listed in the National Register of Historic Places or the California Register of Historic Resources shall automatically be designated as a local Historic Landmark.

2. Any neighborhood or area listed in the National Register of Historic Places or the California Register of Historic Resources shall automatically be designated as a local Historic District.

3. Any property identified as a contributing structure to a historic district listed on the National Register of Historic Places or the California Register of Historic Resources shall be considered a contributing structure within the historic district.

G. Historic Resource Tiering System. The Historic Preservation Commission shall be responsible for the adoption of the Historic Resource Tier Designation List, which shall be maintained by the Historic Preservation Subcommittee. A historic resource may be designated "Tier I, Tier II, or Tier III" by the Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code, to establish a ranking of historic resources within the City, based upon the determined significance of each resource, as specified below. For the purpose of this Section, upon determining the appropriate tier designation for a historic district, the Approving Authority may rank all contributing structures within that district into the same tier designation. Tier I, II and III historic resources shall be judged based upon their determined degree of significance, pursuant to the criteria contained in Subsection H (Historic Resource Tiering Criteria) of this Section.

1. Tier I. Tier I consists of historic resources that should not be demolished or significantly altered under any circumstances, regardless of their designation status. Resources within this tier are determined to be the City's most significant historical or cultural resources. Tier I resources shall meet one or more of the following:

a. A resource listed on the Ontario Register that meets at least one of the criteria within the Architecture/Form category, and 3 criteria within the History category, listed in Subsection H (Historic Resource Tiering Criteria) of this Section; or

b. A contributing resource within a district that meets at least one of the criteria within the Architecture/Form Category and 3 criteria within the History Category as listed below.

2. Tier II. Tier II consists of historic resources wherein demolition of these properties should be avoided. Tier II resources shall meet one or more of the following:

a. Any historic resource listed or determined eligible for listing in the National Register of Historic Places;

b. Any historic resource listed or determined eligible for listing in the California Register of Historic Resources;

c. A historic resource listed on the Ontario Register and meets at least 2 criteria within the Architecture/Form or History categories, listed in Subsection H (Historic Resource Tiering Criteria) of this Section; or

d. A contributing resource within an eligible historic district wherein the district meets at least 2 of the criteria in either the Architecture/Form or History categories as listed in Subsection H (Historic Resource Tiering Criteria) of this Section.

3. Tier III. Tier III consists of historic resources that are Designated Local Historic Landmarks, are contributing properties within Designated Local Historic Districts, or are eligible historic resources. Demolition of these resources should be avoided where possible but may be appropriate under certain circumstances.

H. Historic Resource Tiering Criteria. The following listing contains criteria to be used in determining the Tier designation of a historic resource:

1. Local Historic Landmark.

a. *Architecture/Form.*

(1) The resource is prototypical, or one of the finest examples, of a period, style, architectural movement, or construction in the City of a particular style of architecture, building type, or historical or archeological object. Only preeminent examples should be considered. Good representative examples of a style, period or method of construction are not appropriate; or

(2) The resource is the first, last, only, or one of the finest examples, notable works, or the best surviving work by an architect or designer of major importance to the City, State or Nation.

b. *History.*

(1) The resource is the location of a historic event(s) that has significantly contributed to the history of the City, State, or Nation;

(2) The resource is associated with a business, company, or individual that has made a significant cultural, social, or scientific contribution to the City, State, or Nation;

(3) The resource is identified with a person(s) who has exerted a major influence on the heritage or history of the City, State, or Nation;

(4) The resource embodies the ideals or principles of the "Model Colony" or furthers the ideals or principals established by the Chaffey Brothers;

(5) The resource has a direct relationship to one of the principal historic contexts in the City's history, including the "Model Colony," (includes the Chaffey Brothers, the Ontario Land and Improvement Company, or the citrus industry), the Guasti Winery or the wine industry, or the Dairy Preserve or the dairy industry;

(6) The resource is related with a business, company, or individual significant in the agricultural history of the City; or

(7) The resource is related to the archeological past of the region.

2. Local Historic Districts.

a. *Architecture/Form.*

(1) The district contains resources that are a prototype of, or one of the finest examples of, or the first, last, only, or few remaining groupings of a period, style, architectural movement, or construction in the City of a particular style of architecture, building type, or historical or archeological object. Only preeminent examples should be considered. Good representative examples of a style, period or method of construction are not appropriate; or

(2) The district contains resources that are the first, last, only, or the finest examples, notable works, or the best surviving work by an architect or designer of major importance to the City, State or Nation.

b. *History*.

(1) The district is the location of a historic event(s) that has significantly contributed to the history of the City, State, or Nation;

(2) The district is associated with a business, company, or individual that has made a significant, cultural, social, or scientific contribution to the City, State, or Nation;

(3) The district is identified with a person(s) who has exerted a major influence on the heritage or history of the City, State, or Nation;

(4) The district embodies the ideals or principles of the "Model Colony," or furthers the ideals or principals established by the Chaffey Brothers;

(5) The district has a direct relationship to one of the principal historic contexts in the City's history, including the "Model Colony," (includes the Chaffey Brothers, the Ontario Land and Improvement Company, or the citrus industry), the Guasti Winery or the wine industry, or the Dairy Preserve or the dairy industry, or the citrus industry; or

(6) The district is related with a business, company, or individual significant in the agricultural history of the City.

I. Architectural Conservation Area. An area may be designated an "Architectural Conservation Area" by the Approving Authority if the area meets any one of the below-listed criteria; however, these criteria do not evaluate for historic significance. As a result, properties within Architectural Conservation Areas are not qualified for historic landmark or historic district consideration. The criteria for establishing an Architectural Conservation Area are as follows:

1. The area is geographically definable and conveys a sense of architectural cohesiveness through its design, setting, materials, workmanship, or association; or

2. The area reflects significant geographical patterns, including those associated with different areas of settlement and growth, particular transportation modes, or distinctive examples of a park landscape, site design or community planning, or represents established and familiar visual features in the community.

3. Alternately, an area may be designated an Architectural Conservation Area by the City if a conservation plan has been prepared pursuant to Section 4.02.055 (Historic Preservation—Conservation Plans), outlining the character defining features of the neighborhood and appropriate design guidelines that will maintain the character of the neighborhood.

4.02.045: Historic Preservation—Rescind or Amend the Status of a Historic Resource

A. Purpose. The purpose of this Section is to establish a process by which a historic resource may rescind or amend its assigned status, including a Local Landmark or Local District Designation, a Tier Designation, an Eligibility Determination, or an Architectural Conservation Area.

B. Applicability. The Approving Authority for the original application type, pursuant to Table 2.02-1 (Review Matrix) of this Development Code, is hereby empowered to approve, approve in modified form, or deny a request to rescind or amend the assigned status of a Local Historic

Landmark or Local Historic District Designation, Tier Designation, Eligibility Determination, or Architectural Conservation Area.

C. Addition to the Ontario Register. Any property or grouping of properties surveyed at the intensive level pursuant to standards established by the California Office of Historic Preservation, and determined to meet the designation criteria for local historic landmarks or local historic districts set forth in Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of this Development Code, shall be determined by the Approving Authority to be an "eligible" historic resource.

D. Removal of Eligible or Nominated Historic Resources from the Ontario Register. An eligible historic resource or a nominated historic resource may be removed from the Ontario Register, as follows:

1. Any historic resource listed on the Ontario Register may be removed by the Approving Authority if the resource has lost all historic and/or cultural significance due to a catastrophe causing a loss of integrity, or the resource has lost all historical and/or cultural significance due to extensive legally performed alteration(s), which has caused a loss of integrity after the property was initially surveyed.

2. Any historic resource listed on the Ontario Register may be removed by the Approving Authority upon reevaluation of the resource at the request of the property owner, or upon initiation by the City, if the most recently prepared Historic Resource Survey evaluating the resource is more than 5 years old.

3. The Historic Preservation Subcommittee shall evaluate a historic resource utilizing the designation criteria set forth in Paragraph 4.02.040.B.2 (Local Landmark Designation) of this Division. Furthermore, when a historic resource is located within an eligible local historic district, the area or neighborhood shall also be evaluated using the designation criteria set forth in Paragraph 4.02.040.B.3 (Local Historic District Designation) of this Division, and shall be evaluated to determine if it contributes to the significance of the district. The Approving Authority may retain a noncontributing property within a proposed or potential historic district.

4. Any reevaluation of a property shall be valid for a 5-year period.

E. Amending or Rescinding a Local Landmark, Local Historic District, or a Tier Designation from the Ontario Register. A local landmark, local historic district, or a tier designation may be amended or rescinded from the Ontario Register, if:

1. It is discovered that the information relied upon by the Advisory Authority and/or Approving Authority in making the original designation, was erroneous or false;

2. New information compromises the significance of a historic resource;

3. The historic resource has been demolished, relocated, or removed; or

4. The historic resource has been rendered ineligible for designation due to a catastrophic event, beyond the owner's control, which has destroyed the resource to the point where it is considered a hazard to the public health and safety, and the restoration of the resource is not feasible.

4.02.050: Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources

A. Purpose. The purpose of this Section is to establish a process to ensure that any alteration to, or demolition of, an eligible or designated historic resource within the City is in keeping with the historic character of the resource.

B. Applicability.

1. The Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code is hereby empowered to approve, approve in modified form, or deny a Historic Preservation—Certificate of Appropriateness application, and to impose reasonable conditions upon the approval of the application.

2. A Certificate of Appropriateness shall be required for any:

a. Alteration, addition, restoration, rehabilitation, remodeling, relocation, repainting, and/or resurfacing of an historic resource. Certificate of Appropriateness approval shall be required even if the City requires no other permits;

b. For any work to the exterior of any noncontributing resource in a Historic District or on a historic property. A reasonable effort shall be made to produce compatibility, and in no event shall there be a greater deviation from compatibility;

c. Infill development within a historic district or on a historic property; and

d. Any demolition, whether in whole or in part, of a historic resource or a noncontributor within a designated historic district in conjunction with a demolition application.

3. No permit shall be issued for work on a historic resource until a Certificate of Appropriateness or Waiver has been issued in accordance with the provisions of this Division.

4. Once a Certificate of Appropriateness has been issued, the Planning Department, from time to time, shall inspect the work to ensure that it is being carried-out in compliance with the approved Certificate of Appropriateness and shall issue a Certificate of Completion prior to any final inspection or occupancy by any City Department to ensure the work has been satisfactorily completed.

C. Application Filing, Processing and Hearing. A Historic Preservation—Certificate of Appropriateness application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section, except as follows:

1. Determination of Significance.

a. Upon acceptance of a Historic Preservation—Certificate of Appropriateness application as complete for processing pursuant to Subsection 2.02.015.B (Discretionary Permits and Actions) of this Development Code, the Historic Preservation Subcommittee shall evaluate the affected historic resource for significance, which shall include a review conducted by the Planning Department consisting of an evaluation of the resource's eligibility for listing on the National Register of Historic Places, the California Register of Historic

Resources, or the Ontario Register. The review may also include the preparation of a Historic Resource Survey, at the intensive level, pursuant to the standards set forth by the California Office of Historic Preservation.

b. A historic resource that does not meet the criteria for designation set forth in Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of this Division, and not located within a designated, proposed, or potential district, shall be removed from the Ontario Register and the Certificate of Appropriateness shall be deemed approved. A resource that meets the designation criteria set forth in Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of this Division, shall be further processed pursuant to this Section.

2. Environmental Review.

a. Upon determination that a historic resource is "significant," an environmental review shall be conducted pursuant to Section 2.02.020 (Environmental Review) of this Development Code; however, in determining the appropriate level of review for the demolition of a historic resource, the tiering system established pursuant to Subsection 4.02.040.G (Historic Resource Tiering System) of this Division shall be utilized.

b. Any historic resource proposed for demolition, which is determined to be within Tier III pursuant to Subsection 4.02.040.G (Historic Resource Tiering System) of this Division, shall require preparation of an Addendum to The Ontario Plan Environmental Impact Report pursuant to the requirements of CEQA and the implementing guidelines, and City's Local Guidelines For Implementing the California Environmental Quality Act, in conjunction with the approval of Certificate of Appropriateness and Demolition applications.

c. Any historic resource proposed for demolition, which is determined to be within Tier I or Tier II pursuant to Subsection 4.02.040.G (Historic Resource Tiering System) of this Division, shall require preparation and certification of an Environmental Impact Report pursuant to the requirements of CEQA and the implementing guidelines, and City's Local Guidelines For Implementing the California Environmental Quality Act, in conjunction with the approval of Certificate of Appropriateness and Demolition applications.

3. Hearing. Each Advisory or Approving Authority shall hold at least one hearing on the application, which shall be duly noticed, heard, and acted upon pursuant to Division 2.03 (Public Hearings) of this Development Code.

4. Advisory Authority Review and Recommendation. Following completion of all required environmental review pursuant to Paragraph C.2 (Environmental Review) of this Subsection, the Advisory Authority shall make recommendation to the Approving Authority whether to approve, approve in modified form or deny the application. The Advisory Authority's recommendation shall be transmitted to the Approving Authority in such manner and form as specified by the Approving Authority, within 60 days following the date the decision was rendered. The 60-day time limit may be extended by mutual agreement of the applicant and City.

5. Approving Authority Review and Action.

a. Upon receipt of the Advisory Authority's recommendation, the Approving Authority shall approve, conditionally approve, or deny the application, either in whole or in part. The action of the Approving Authority shall be by written decision, setting forth the basis for the

action and shall include all applicable findings prescribed by Subsection D (Findings and Decision), below.

b. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

D. Findings and Decision.

1. Designated Historic Landmarks, Contributors, and Non-Contributors and Eligible Historic Resources.

a. A Historic Preservation—Certificate of Appropriateness application for Designated Historic Landmarks and Contributors, or Eligible Historic Resources, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

(1) The proposed alteration, restoration, relocation, or construction will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource;

(2) The proposed alteration, restoration, relocation, or construction will not detrimentally change, destroy or adversely affect the historic character or value of the resource;

(3) The proposed alteration, restoration, relocation, or construction will be compatible with the exterior character-defining features of the historic resource; and

(4) The proposed alteration, restoration, relocation, or construction will not adversely affect or detract from the character of the historic district.

2. Demolition of Historic Resources.

a. A Historic Preservation—Certificate of Appropriateness and Demolition application for the Demolition Of Historic Resources shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

(1) The proposed demolition is necessary because all efforts to restore, rehabilitate, and/or relocate the resource have been exhausted;

(2) The proposed demolition is necessary because restoration/rehabilitation is not practical because the extensive alterations required would render the resource not worthy of preservation;

(3) The proposed demolition is necessary because failure to demolish the resource would adversely affect or detract from the character of the District; and

(4) The resource proposed to be demolished has been assigned a Tier III designation.

3. Instances Wherein Findings Are Not Required. The Approving Authority may act upon Historic Preservation—Certificate of Appropriateness and/or Demolition applications for Tier I and Tier II historic resources that are designated historic landmark contributors and noncontributors to historic districts, or eligible historic resources , without making the findings contained in Paragraph D.1 (Designated Historic Landmarks, Contributors, and Non-Contributors and Eligible Historic Resources) or Paragraph D.2 (Demolition of Historic Resources) of this Subsection, if a Historic Preservation—Certificate of Economic Hardship has been granted pursuant to Section 4.02.055 (Historic Preservation—Certificates of Economic Hardship) of this Division.

E. Conditions of Approval.

1. In approving Historic Preservation—Certificate of Appropriateness and/or Demolition applications, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner, and to the same extent, as any other applicable requirement of this Development Code.

3. In approving Historic Preservation—Certificate of Appropriateness and/or Demolition applications, the following conditions of approval shall be imposed, and shall be completed prior to commencing any demolition work:

a. Each historic resource shall be fully documented and cataloged pursuant to Historic American Building Survey/Historic American Engineering Record (HABS/HAER) standards, to provide a record of the resource, including, but not limited to: **[i]** the preparation of site plans, floor plans, exterior and interior elevations, and detail drawings of character defining features (such as moldings, stairs, etc.); and **[ii]** photographs of the resource, including the exterior, interior, and interior and exterior character defining features (such as moldings, light fixtures, trim patterns, etc.).

b. A mitigation fee established pursuant to Section 7.01.025 (Historic Preservation Mitigation Fee) shall be paid to the City prior to the issuance of a demolition permit for Tier III historic resources. Fees for Tier I and II historic resources shall be determined during the Environmental Impact Report process. The fees established for Tier III will be used as a reference point for establishing fees for Tier I and II historic resources.

c. A Certificate of Appropriateness shall not be issued for the demolition of an historic resource, either in whole or in part, until such time that a demolition permit application and a replacement structure has been approved by the City, and appropriate permits have been issued for its construction, unless: **[i]** a waiver is granted pursuant to Subsection H (Replacement Structure Waiver for Historic Resources Located within Industrial Zoning Districts) of this Section; **[ii]** a deferral of the replacement structure requirement is granted pursuant to Subsection G

(Replacement Structure Deferral) of this Section; or **[iii]** demolition is required pursuant to Section 7.01.050 (Unsafe or Dangerous Conditions) of this Development Code.

d. In an effort to preserve features and artifacts from historic resources, a determination whether items within or on the resource should be salvaged must be made by the Planning Department and may include the local historical society prior to the issuance of the demolition permit. The applicant shall be responsible for the removal, relocation, storage, and donation of such items selected for salvaging. The applicant shall provide an inventory of salvaged items to the Planning Department, and shall include a list of each item name, description and dimension (as necessary), and the location of each item on a floor plan.

F. Certificate of Appropriateness Waivers. The Approving Authority may waive the requirement for Certificate of Appropriateness approval for certain alterations, restorations, rehabilitations, remodeling, repainting, resurfacing, and additions to historic resources, as follows:

1. A waiver may be issued for work that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties and the guidelines set forth in Division 7.01 (Historic Preservation) of this Development Code.

2. A waiver may be issued for minor alterations to historic resources, provided no change in appearance occurs or the proposed change restores period features, including but not limited to, chimneys; fences and walls, including construction, demolition, or alteration of side, rear and front yard fences and walls; foundations; landscaping, unless the Landmark designation specifically identifies the landscape, layout, features or elements as having particular historical, architectural or cultural merit; roofing, provided a 30 year dimensional shingle, or an aesthetically equivalent dimensional shingle is used, and the replacement shingle must maintain the architectural character of the historic resource in terms of scale, pattern, texture, and coloration; and signage, including directional, monument, wall and window signs.

3. A waiver may be issued for the construction of residential accessory structures and additions less than 650 SF in area or 50 percent of the existing original historic building area, whichever is less, to historic resources that are not visible from a public right-of-way, excluding public alleys.

G. Replacement Structure Deferral. The Approving Authority may defer the obligation to construct replacement structures as a requirement for approval of the demolition of a historic resource, if the ultimate project proposed for the site of the demolition provides an exceptional benefit to the community.

1. Findings. A Replacement Structure Deferral shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and any public testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

a. The demolition is necessary to allow the acquisition and assembly of land for a future redevelopment or housing project within a redevelopment project area;

b. The future project will provide exceptional benefits to the City with respect to employment, fiscal, social, housing and economic needs of the community, or will provide new

public facilities that are needed by the City (such as off-site improvements, parks, open space, recreation, or other community facilities, not including parking lots); and

c. Failure to demolish the historic structures could hinder the ability of the City to revitalize or redevelop a blighted lot or area of the City or meet housing production requirements.

2. Condition of Approval. In granting a deferral of the replacement structure requirement, the Approving Authority shall impose a condition of approval requiring any new project on the subject site to be designed pursuant to the infill development guidelines listed in Subsection I (Infill Development Guidelines) of this Section, to insure compatibility with the surrounding area or neighborhood. The Historic Preservation Subcommittee shall make a recommendation to the Approving Authority for the replacement structure regarding compliance with the infill development guidelines.

H. Replacement Structure Waiver for Historic Resources Located within Industrial Zoning Districts. The Approving Authority may waive the obligation to construct replacement structures as a requirement for approval of the demolition of a Tier III Historic Resource, if the site is located in an Industrial Zone. The waiver shall be acted on based upon the information provided in the submitted application, after considering and clearly establishing all of the below-listed findings and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The Tier III Historic Resource is a residential building located in an Industrial Zoning District;

2. Approving the deferral will not adversely affect the character, integrity, general welfare of the surrounding neighborhood, residents, and adjacent properties;

3. Conversion and/or rehabilitation of the residential home is not economically feasible, demonstrated through market analysis, construction costs, structural reports, property and building conditions assessments, and/or any other study/report deemed necessary by the Planning Director;

I. Infill Development Guidelines. The following infill development guidelines shall be incorporated into the design of all new structures proposed within a designated, proposed, or potential Historic District, or on a historic property, pursuant to this Division:

1. New buildings, structures, or improvements constructed within a historic district shall be designed to be compatible with the architectural style, features, and historic character of the district.

2. New buildings shall be compatible with the original style of the contributing buildings within a historic district. The design of the new building shall incorporate the following considerations:

a. The design shall incorporate the design features and details of contributing structures;

b. The height, width, and length of the new building shall be consistent with the original characteristic of the contributing structures; and

c. The exterior materials and treatment shall be similar to the contributing structures.

3. New buildings, structures, and/or improvements constructed on a historic property shall be designed to be compatible with the architectural style and features of contributing historic buildings located on the historic property.

4. New buildings shall be compatible with the original architectural style of the contributing historic buildings on the historic property. The design of the new building shall incorporate the following considerations:

a. The design shall incorporate the design features and details of the historic structure;

b. The height, width, and length of the new building shall be consistent with the original characteristic of the historic building; and

c. The exterior materials and treatment shall be similar to the historic building.

J. Certificate of Appropriateness Modification/Revision.

1. Historic Preservation—Certificates of Appropriateness and/or their conditions of approval may be modified/revised upon application by a project proponent or property owner if different from the proponent. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing).

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original approval and there are no resulting inconsistencies with this Development Code. Modifications/revisions are considered minor in nature if in the opinion of the Planning Director, they do not involve substantial changes to the approved plans or the conditions of approval and would in no way affect surrounding properties.

3. Modifications/revisions to an approved plan or conditions of approval that are not minor in nature shall be processed as a revised Historic Preservation—Certificate of Appropriateness, following the procedures set forth in this Section for Historic Preservation—Certificate of Appropriateness approval, except that modification/revision approval shall not alter the expiration date established by the original application approval.

4.02.055: Historic Preservation—Certificates of Economic Hardship

A. Purpose. The purpose of this Section is to establish a process to ensure that denial of a Certificate of Appropriateness and/or a Demolition Application does not create any undue hardship upon the owner of a Tier I or Tier II historic resource.

B. Applicability.

1. The Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code is hereby empowered to approve, approve in modified form, or deny a Historic Preservation—Certificate of Economic Hardship application.

2. A Certificate of Economic Hardship may be filed concurrently with a Certificate of Appropriateness and/or Demolition Application in cases where the alteration, restoration, rehabilitation, remodel, addition to a historic resource, or demolition, partially or in whole, in compliance with the Certificate of Appropriateness and/or Demolition Application, would cause an immediate and substantial financial hardship. Furthermore, the denial of the Certificate of Appropriateness and/or Demolition Application would deny the property owner all reasonable beneficial use of, or return on, the property.

3. No action shall be taken to demolish or otherwise alter the historic resource for a period of 14 days following the issuance of a Certificate of Economic Hardship.

C. Application Filing, Processing and Hearing. A Historic Preservation—Certificate of Economic Hardship application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. A Historic Preservation—Certificate of Economic Hardship application shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. Denial of the application will diminish the value of the subject property so as to leave substantially no value;

2. Sale or rental of the property is impractical, when compared to the cost of holding the property for uses permitted in the underlying zoning district;

3. An adaptive reuse study has been conducted and found that utilization of the property for lawful purposes is prohibited or impractical;

4. Rental at a reasonable rate of return is not feasible;

5. Denial of the Certificate of Appropriateness would damage the owner of the property unreasonably in comparison to the benefit conferred on the community, and

6. All means involving City sponsored incentives, such as a transfer of development rights, tax abatements, financial assistance, building code modifications, changes in the zoning ordinance, loans, grants, and reimbursements, have been explored to relieve possible economic disincentives.

4.02.060: Historic Preservation—Conservation Plans

A. Purpose. The purpose of this Section is to establish a process to expedite the review process for project areas in which numerous historic resources within a single project area would require the issuance of multiple Certificates of Appropriateness for proposed work to those Historic Resources.

B. Applicability. The Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code is hereby empowered to approve, approve in modified form, or deny

a Historic Preservation—Conservation Plan application and to impose reasonable conditions upon the approval of the application.

C. Application Filing, Processing and Hearing. A Historic Preservation—Conservation Plan application shall be filed, processed, and acted upon pursuant to the requirements for Historic Preservation—Certificates of Appropriateness, contained in Section 4.02.050 (Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources) of this Development Code, and the provisions of this Section.

D. Findings and Decision. A Historic Preservation—Conservation Plan shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed alterations, restorations, relocations, or construction, in whole or in part, within the plan area will not detrimentally change, destroy or adversely affect any significant architectural feature of Historic Resources;

2. The proposed alterations, restorations, relocations, or construction, in whole or in part, within the plan area will not detrimentally change, destroy or adversely affect the historic character or value of Historic Resources;

3. The proposed alterations, restorations, relocations, or construction, in whole or in part, within the plan area will be compatible with the exterior features of other improvements within the plan area; and

4. The proposed alterations, restorations, relocations, or construction, in whole or in part, within the plan area will not adversely affect or detract from the character of the plan area.

E. Conditions of Approval.

1. In approving a Historic Preservation—Conservation Plan application, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner, and to the same extent, as any other applicable requirement of this Development Code.

F. Conservation Plan Modification/Revision.

1. Historic Preservation—Conservation Plans and/or their conditions of approval may be modified/revised upon application by a project proponent or property owner if different from the proponent. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing).

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original approval and there are no resulting inconsistencies with this Development Code. Modifications/revisions are considered minor in nature if in the opinion of the Zoning Administrator, they do not involve substantial changes to the approved plans or the conditions of approval and would in no way affect surrounding properties.

3. Modifications/revisions to an approved plan or conditions of approval that are not minor in nature shall be processed as a revised Historic Preservation—Conservation Plan, following the procedures set forth in this Section for Historic Preservation—Conservation Plan approval, except that modification/revision approval shall not alter the expiration date established by the original application approval.

4.02.065: Historic Preservation—Mills Act Contracts

A. **Purpose.** The purpose of this Section is to establish a process by which economic incentives may be provided for the preservation of a designated historic landmark or contributing structure within a designated historic district.

B. **Applicability.**

1. The Approving Authority established pursuant to Table 2.02-1 (Review Matrix) of this Development Code is hereby empowered to approve, approve in modified form, or deny a Historic Preservation—Mills Act Contract (Contract) application.

2. Pursuant to GC Section 50280, et seq., the owner(s) of designated historic landmarks, contributing structures within designated historic districts, and properties listed on the National Register of Historic Places or the California Register of Historic Resources, may request to enter into a Mills Act Contract with the City.

C. **Application Filing, Processing and Hearing.**

1. Historic Preservation—Mills Act Contract applications shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

2. The owner shall furnish the Approving Authority with any information the Approving Authority shall require in order to enable it to determine the eligibility of the property involved.

D. **Findings and Decision.**

1. A Historic Preservation—Mills Act Contract shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing **[i]** the eligibility of the property involved, **[ii]** the appropriateness and sequencing of the improvements proposed, and **[iii]** the fiscal benefits derived from those improvements.

2. No later than 20 days after the City enters into a Mills Act Contract with an owner pursuant to this Section, the City Clerk shall record a copy of the Contract with the county recorder, which shall fully describe the affected property.

E. Required Contract Provisions. Pursuant to GC Section 50281, any Mills Act Contract entered into under this Section shall contain the following provisions:

1. The term of the Contract shall be for a minimum period of 10 years.

2. Where applicable, the Contract shall provide for the following:

a. The preservation of designated historic landmarks, contributing structures within designated historic districts, and properties listed on the National Register of Historic Places or the California Register of Historic Resources, and, when necessary, to restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, and the State Historical Building Code;

b. The periodic examinations of the interior and exterior of the premises by the City, San Bernardino County Assessor, the Department of Parks and Recreation, and the State Board of Equalization, as may be necessary to determine the owner's compliance with the Contract; and

c. The Contract shall be binding upon, and inure to the benefit of, all successors in interest of the owner. A successor in interest shall have the same rights and obligations under the Contract as the original owner who entered into the Contract.

F. Term of Contract. Each Mills Act Contract shall provide that on the anniversary date of the Contract, or other annual date specified in the Contract, a year shall be automatically added to the initial term of the Contract unless notice of nonrenewal is given pursuant to Subsection G (Contract Nonrenewal), below. If the property owner or the Approving Authority desires within any year not to renew the Contract, that party shall serve written notice of nonrenewal of the Contract on the other party in advance of the annual renewal date of the Contract. Unless the notice is served by the owner at least 90 days prior to the renewal date or by the Approving Authority at least 60 days prior to the renewal date, one year shall be automatically added to the term of the Contract.

G. Contract Nonrenewal.

1. Upon receipt by the owner of a notice of nonrenewal from the Approving Authority, the owner may make a written protest of the notice. The Approving Authority may, at any time prior to the renewal date, withdraw the notice of nonrenewal.

2. If, within any year, the Approving Authority or the owner serves notice of intent not to renew the Contract, the existing Contract shall remain in effect for the balance of the period remaining since the original execution or the last renewal of the Contract, as applicable.

H. Contract Cancellation.

1. The Approving Authority may cancel a Mills Act Contract if it determines that the owner has breached any of the conditions of the Contract provided for in this Section or has allowed the property to deteriorate to the point that it no longer meets the standards for a qualified historic property. The Approving Authority may also cancel a Contract if it determines that the owner has failed to restore or rehabilitate the property in the manner specified in the Contract.

2. A Mills Act Contract shall not be canceled until after the Reviewing Authorities have given notice of, and has held, a public hearing on the matter pursuant to Division 2.03 (Public Hearings) of this Development Code.

3. If a Mills Act Contract is canceled pursuant to Paragraph G.1, above, the owner shall pay a cancellation fee equal to 12.5 percent of the current fair market value of the property, as determined by the county assessor as though the property were free of the contractual restriction.

4. As an alternative to cancellation of a Mills Act Contract for breach of any condition, the City, or any landowner may bring any action in court necessary to enforce a Contract, including, but not limited to, an action to enforce the Contract by specific performance or injunction.

5. In the event that property subject to Mills Act Contract under this Section is acquired in whole or in part by eminent domain or other acquisition by any entity authorized to exercise the power of eminent domain, and the acquisition is determined by the Approving Authority to frustrate the purpose of the Contract, the Contract shall be canceled and no fee shall be imposed as required under Paragraph G.3, above. Furthermore, the Contract shall be deemed null and void for all purposes of determining the value of the acquired property.

I. Amendment to Work Program. Upon request of the property owner(s), the Planning Director may approve amendments to a Mills Act Contract Work Program, subject to the following:

1. The items listed in the proposed Work Program are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and the guidelines set forth in this Development Code;

2. The Work Program shall be completed within the 10-year period following Contract enactment, unless extended by action of the City Council; and

3. The proposed Work Program shall have an equal or greater preservation and monetary value than the previously approved Work Program.

4.02.070: Master Plans and Amendments

A. Purpose. The purpose of this Section is to establish procedures for amending, supplementing, or changing official Master Plans of the City, whenever the public necessity, convenience, general welfare, or good planning practice so requires.

B. Applicability.

1. The Approving Authority is hereby empowered to approve, approve in modified form, or deny an official Master Plan of the City, or any amendment thereto, and to impose reasonable conditions upon the Master Plan approval.

2. The Master Plans subject to the provisions of this Section include the following:

a. 5-Year Capital Improvement Program (CIP) Master Plan prepared pursuant to GC Section 66540.32(b)(2)(H);

b. Fiber Optic Master Plan;

c. Parks Master Plan;

d. Citywide Streets Master Plan;

e. Sewer Master Plan;

f. Storm Drain Master Plan;

g. Water/Recycled Water Master Plan.

3. A Master Plan of the City shall be an internally consistent, action-oriented and pragmatic, considering both the short-term and long-term future, and shall present clear and concise policy guidance.

C. Application Filing, Processing, and Hearing. The adoption of a Master Plan of the City, or any amendments thereto, carried-out pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision.

1. A Master Plan or amendment thereto, shall be acted upon by the Approving Authority, upon recommendation of the Advisory Authority.

2. The actions of the Approving and Advisory Authorities shall be based upon the evidence presented in the departmental written report and testimony provided during the public hearing, only after considering and clearly establishing that the proposed Master Plan, or any amendment thereto, promotes and/or is consistent with the goals and policies of The Ontario Plan, and giving supporting reasons for the finding. A Master Plan shall be denied if reasons supporting the required finding cannot be clearly established.

E. Conditions of Approval.

1. In approving a Master Plan or any amendment thereto, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner, and to the same extent, as any other applicable requirement of this Development Code.

4.02.075: Sign Programs

A. **Purpose.** The purpose of this Section is to establish a process whereby a Sign Program may be required to provide coordinated signing within development projects, utilizing common design elements and integrating the design of signs with the building and landscape design, to form a unified architectural statement.

B. **Applicability.**

1. Within any commercial, mixed-use, industrial, or specialized use or overlay zoning district, a Sign Program shall be submitted for any multi-tenanted building, complex or center, which shall fully comply with Section 8.01.020.F (Sign Programs) of this Development Code.

2. The Approving Authority is hereby empowered to approve, approve in modified form, or deny, either in whole or in part, a Sign Program on the basis of the application, supporting plans and documentation, and evidence submitted by the applicant.

C. **Application Filing and Processing.** A Sign Program shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code, the provisions of this Section, and the requirements of Subsection 8.01.020.F (Sign Programs) of this Development Code.

D. **Decision.** A Sign Program shall be acted upon only after considering and clearly establishing **[i]** that the Sign Program is in conformance with the provisions of this Section and Division 8.01 (Sign Regulations) of this Development Code, and **[ii]** that any deviations from Division 8.01 (Sign Regulations) of this Development Code, as allowed by the Sign Program, are limited only to those set forth in Paragraphs 8.01.020.F.2 and F.3 of this Development Code.

4.02.080: Specific Plan Minor Adjustments/Alterations

A. **Purpose.** The purpose of this Section is to establish a procedure by which minor departures from the strict application of the development standards and/or design guidelines established by a Specific Plan may be approved, provided the requested departure is in the interest of furthering the goals and policies of the affected Specific Plan and The Ontario Plan.

B. **Applicability.**

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Specific Plan Minor Adjustments/Alterations application, and to impose reasonable conditions upon the approval of the application.

2. The following constitute minor adjustments/alterations, not requiring a Specific Plan Amendment and/or update of the affected specific plan:

a. A net change of not more than 15 percent to the number of units within an individual residential area, provided the total number of units for the entire specific plan area does not exceed that established in the affected specific plan;

b. Adjustment/alteration of a residential planning area boundary, provided the total acreage of the affected area does not increase or decrease the total acreage stated in the affected specific plan by more than 15 percent;

c. Minor adjustments/alterations to landscape materials, wall materials, wall alignment, entry design, and streetscape design, which are consistent with the conceptual design set forth in the affected specific plan's development standards and design guidelines;

d. Minor adjustments/alterations to design guidelines, which are intended to be conceptual in nature, and are clearly intended to be flexible in implementation;

e. Other adjustments/alterations of a similar nature to those listed above, which are deemed minor by the Planning Director to be in keeping with the purpose and intent of the affected specific plan and are in conformance with The Ontario Plan; and

f. Adjustments/alterations in street alignments and dimensions that are deemed appropriate by the City Engineer, which are in keeping with the purpose and intent of the specific plan and are consistent with the purpose, principles, goals, and policies, of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, provided the changes do not impact the sizing of master planned infrastructure.

C. Application Filing, Processing and Hearing. Unless otherwise specified in a respective Specific Plan, a Specific Plan Minor Adjustments/Alterations application shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section. A noticed hearing pursuant to Division 2.03 (Public Hearings) of this Development Code shall not be required.

D. Findings and Decision. A Specific Plan Minor Adjustments/Alterations shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed Specific Plan Minor Adjustment/Alteration is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the specific plan;

2. The proposed Specific Plan Minor Adjustment/Alteration is reasonable and beneficial, and in the interest of good planning practice; and

3. The proposed Specific Plan Minor Adjustment/Alteration will not adversely affect the harmonious relationship with adjacent properties and land uses.

~~4.02.085: Subdivisions—Lot Merger (Merger of Contiguous Parcels)~~

~~**A. Purpose.** The purpose of this Section is to establish a process for the implementation of those provisions of the Subdivision Map Act (commencing with GC Section 66451.10), pertaining to the merger of contiguous lots under common ownership (Lot Merger).~~

~~**B. Applicability.**~~

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Lot Merger application, and to impose reasonable conditions upon the approval of the application.

2. The City may initiate a Lot Merger if any one of the contiguous lots or units held by the same owner does not conform to standards for minimum lot size applicable to the lots or units of land, and if all of the following requirements are satisfied:

a. At least one of the affected lots is not developed with a structure for which a building permit was issued or for which a building permit was not required at the time of construction, or is only developed with one or more accessory structures, or is developed with a single primary structure that is partially sited on a contiguous lot or unit.

b. With respect to any affected lot, one or more of the following conditions exists:

(1) Comprises less than 5,000 SF in area at the time of the determination of merger;

(2) Was not created in compliance with applicable laws and ordinances in effect at the time of its creation;

(3) Does not meet current standards for sewage disposal and domestic water supply;

(4) Does not meet slope stability standards;

(5) Has no legal access that is adequate for vehicular and safety equipment access and maneuverability;

(6) Its development would create health or safety hazards; or

(7) Is inconsistent with The Ontario Plan and any applicable area plan, specific plan, or planned unit development (other than minimum lot size or density standards).

c. The affected lots, when merged, will not:

(1) Be inconsistent or create a conflict with The Ontario Plan, any applicable Area Plan or Specific Plan, or the provisions of this Development Code;

(2) Result in a conflict with the location of any existing structures;

(3) Deprive or restrict access to another lot; or

(4) Result in the creation of new lot lines.

3. The City may require the owner of any contiguous lots to initiate the merger of contiguous lots as a condition of any Development Plan or Conditional Use Permit approval.

C. Application Filing, Processing and Hearing. A Lot Merger application shall be filed and processed pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Notification of Intention to Merge Lots.

1. Prior to merging any contiguous lots, the Planning Director shall mail a Notice of Intention to Merge ("NIM"), which notifies affected property owner(s) that the affected lots may be merged pursuant to the provisions of this Section. The NIM shall be sent by certified mail to the property owner(s) of record at the address(es) shown on the latest available assessment roll of the County of San Bernardino. The NIM shall include a statement that the property owner(s) may request a hearing to present evidence that the proposed Lot Merger does not meet the criteria for a merger. For the purpose of this Section, a property owner is any person holding any portion of title to any affected property.

2. The NIM shall be recorded with the San Bernardino County Recorder on the date that the notice is mailed to all property owners of record.

E. Request for Hearing. Within 30 days following the recordation of the NIM, the owner of the affected property may file a request with the Planning Director, for a hearing regarding the proposed Lot Merger.

F. Procedure for Hearing.

1. Upon receiving a request for a hearing, the Planning Director shall set a time, date, and location for a hearing to be conducted by the Approving Authority, and shall notify the property owner of the time, date, and location of the hearing by certified mail. The hearing shall be conducted not more than 60 days following the City's receipt of the property owner's request for hearing but may be postponed by mutual consent of the City and the property owner.

2. During the hearing, the property owner shall be given the opportunity to present any evidence that the affected property does not meet the standards for Lot Merger specified by this Section.

3. At the conclusion of the hearing, the Approving Authority shall make a determination as to whether the affected lots should be merged and shall so notify the property owner of its determination.

4. The Approving Authority may approve or deny a Lot Merger on the basis of the application and the presented evidence, after considering and clearly establishing the following findings, and giving specific reasons in support of each finding:

a. The merged lots comply with the appropriate provisions of the Subdivision Map Act and all applicable City requirements for the merging of contiguous lots; and

b. The merged lots do not adversely affect the purpose and intent of The Ontario Plan, or the public health, safety, and welfare.

5. If the Approving Authority determines that the affected lots shall be merged, the Planning Director shall cause the Notice of Intention to Merge, specifying the names of the recorded owner(s) and describing the affected real property, to be recorded with the San Bernardino County Recorder within 30 days following conclusion of the hearing.

6. If the Approving Authority determines that the affected lots shall not be merged, the Planning Director shall cause a Release of Notice of Intention to Merge to be recorded with

~~the San Bernardino County Recorder, and a letter of notification shall be sent by certified mail to the property owner(s) of record.~~

~~**G. Determination When No Hearing Is Requested.** If within the 30 days following the recordation of the NIM specified in Subsection D (Request for Hearing) of this Section, the property owner does not file a request for a hearing, at any time thereafter, the Approving Authority may make a determination whether or not the affected lots are to be merged. A Notice of Intention to Merge shall be recorded as provided for in Paragraph F.5 of this Section, no later than 90 days following the mailing of the NIM.~~

4.02.090: Subdivisions—Reversions to Acreage

A. Purpose. The purpose of this Section is to establish a process for the implementation of those provisions of the Subdivision Map Act (commencing with GC Section 66451.30), pertaining to the unmerger of parcels (reversions to acreage).

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Reversion to Acreage application and to impose reasonable conditions upon the approval of the application.

2. Proceedings for Reversion to Acreage may be initiated by the City Council or by petition of all of the property owners of record of the real property within a subdivision.

C. Application Filing, Processing and Hearing. A Reversion to Acreage application (petition by property owners) shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. A Reversion to Acreage shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed Reversion to Acreage is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. Dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes; and

3. Either:

a. All owners of an interest in the real property within the subdivision have consented to reversion; or

b. None of the improvements required to be made have been made within 2 years from the date the final map or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is the later; or

c. No lots shown on the final map or parcel map have been sold within 5 years from the date the map was filed for recordation.

E. Conditions of Approval.

1. In approving a Reversion to Acreage request, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s); and ensure compliance with GC Section 66499.17.

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

F. Filing of Parcel Map.

1. A parcel map submitted for the purpose of reverting to acreage shall be accompanied by evidence of title and nonuse or lack of necessity of any streets or easements that are to be vacated or abandoned, and a parcel map in a form acceptable to the City Engineer, which delineates any streets or easements that are to remain in effect after the reversion.

2. After approval of the reversion by the Approving Authority and City Engineer, the parcel map shall be delivered to the County Recorder. The reversion shall be effective upon the recordation of the parcel map by the County Recorder.

3. The filing of the parcel map shall constitute abandonment of all streets and easements not shown on the parcel map and shall constitute a merger of the separate lots into one lot, and shall thereby be shown as a single lot on the assessment roll of the County Assessor, subject to the provisions of GC Section 66445.

4. Except as provided in GC Section 66445(f), on any parcel map used for reverting acreage, a certificate shall appear, signed and acknowledged by all parties having any record title interest in the land being reverted, consenting to the preparation and filing of the parcel map.

G. Return of Fees and Deposits, and Release of Securities. Return of fees and deposits, and release of securities shall be in accordance with GC Section 66499.19.

H. Merger and Resubdividing Without Reversion.

1. Subdivided lands may be merged and resubdivided without reverting to acreage by complying with all the applicable requirements for the subdivision of land as provided by Section 4.02.095 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Division, and the Subdivision Map Act (commencing with GC Section 66410).

2. The filing of the final map or parcel map shall constitute legal merging of the lots into one lot and the resubdivision of the lot, which will thereafter be shown with the new lot boundaries on the assessment roll of the County Assessor.

3. Any unused fees or deposits pertaining to the resubdivided property shall be credited pro rata towards any of the requirements for the same purposes that are applicable at the time of resubdivision.

4. Any streets or public easements to be left in effect after the resubdivision shall be adequately delineated on the map.

5. After approval of the merger and resubdivision by the Approving Authority, the map shall be delivered to the San Bernardino County Recorder. The filing of the map shall constitute legal merger and resubdivision of the affected land and shall constitute abandonment of all public streets or public easements not shown on the map.

4.02.095: Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps

A. **Purpose.** The purpose of this Section is to establish a process for the implementation of those provisions of the Subdivision Map Act (commencing with GC Section 66410), pertaining to the review, regulation, and control of the design of subdivisions, and to achieve the following:

1. Assist in implementing the Vision, Policy Plan (General Plan) and City Council Priorities components of The Ontario Plan;

2. Encourage orderly development of the City through the regulation and control of the design and improvement of subdivisions, with a proper consideration of its relationship to adjoining areas;

3. Ensure that the areas within a subdivision that are dedicated for public purposes will be properly improved by the subdivider so that they will not become an undue burden on the community;

4. Protect the public and individual transferees of land from fraud and exploitation;

5. Provide lots of sufficient size and appropriate design for the purposes for which they are to be used;

6. Provide streets of adequate capacity and design for the traffic that will utilize them and to ensure maximum safety for pedestrians and vehicles;

7. Provide sidewalks or pedestrian ways where needed for the safety and convenience of pedestrians;

8. Identification and preservation of the cultural resources and natural assets of the City;

9. Prevent the indiscriminate clearing of property and the destruction of desirable landscape features;

10. Ensure adequate access to each building site, and safeguard the public safety and welfare through superior subdivision design;

11. Provide adequate systems of water supply, sanitary sewage disposal, storm drainage, street lighting, and other utilities necessary to the public health, safety, and convenience;

12. Provide adequate sites for public facilities necessary to serve the residents of the new developments; and

13. Ensure that the costs of providing land for streets, alleys, pedestrian ways, easements, and other rights-of-way, and for the improvements therein needed to serve new developments, are borne by the subdivider rather than by the taxpayers of the City at large.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Tentative Tract Map, Tentative Parcel Map, Vesting Tentative Tract Map, or Vesting Tentative Parcel Map, and to impose reasonable conditions upon the approval of the application pursuant to the provisions of the Subdivision Map Act (commencing with GC Section 66410), Planning and Zoning Law (commencing with GC Section 65000) and the California Environmental Quality Act (commencing with PRC Section 21000).

2. Each proposed parcel map, tract map or vesting parcel or tract map shall be submitted to the City in the form of a tentative map, which shall include an identifying map number issued by the office of the San Bernardino County Surveyor. All tentative maps shall be prepared by a state-licensed land surveyor or state-registered civil engineer authorized to practice land surveying.

C. Application Filing, Processing and Hearing. A Tentative Subdivision Map application shall be filed, processed and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. A Tentative Subdivision Map shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The proposed map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments;

2. The design or improvement of the proposed subdivision is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments;

3. The site is physically suitable for the type of development proposed;

4. The site is physically suitable for the proposed density of development;

5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

6. The design of the subdivision or type of improvements are not likely to cause serious public health problems; and

7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

E. Conditions of Approval.

1. In approving a Tentative Subdivision Map, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

F. Tentative Map Modification/Revision.

1. Tentative maps and/or their conditions of approval may be modified/revised upon application by the subdivider or property owner if different from the subdivider. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original tentative map approval, do not affect off-site properties and there are no resulting inconsistencies with this Development Code. The following modifications/revisions are considered minor in nature:

a. Modifications/revisions affecting less than 20 percent of the total number of lots in the subdivision, provided there is no increase in the total number of lots within the subdivision; and

b. Any other changes that, in the opinion of the Planning Director and City Engineer, do not involve substantial changes to the map or the conditions of approval, and do not affect surrounding properties.

3. Any other amendment or modification of an approved tentative subdivision map shall be processed as a revised tentative map, following the procedures set forth in this Section for tentative subdivision map approval, except that modification/revision approval shall not alter the original expiration date of the tentative map.

G. Vesting Tentative Maps.

1. Filing and Processing of Vesting Tentative Maps. A vesting tentative map shall be filed in the same form; shall have the same content, accompanying data and reports; and shall be processed in the same manner described for tentative maps in Subsections A through F of this Section, except as stated below:

2. Development Rights.

a. The approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies and standards described in GC Section 66474.2. However, if GC Section 66474.2 is repealed, the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting tentative map is approved or conditionally approved.

b. Notwithstanding Subparagraph G.2.a of this Section, a permit, approval, extension, or entitlement may be made conditional or may be denied if any of the following are determined:

(1) Failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both; and/or

(2) The condition(s) or denial is required in order to comply with state or federal laws.

c. The provisions of this Subparagraph shall not:

(1) Limit the City from imposing reasonable conditions on subsequently required approvals or permits necessary for the development and authorized by the ordinances, policies and standards described in Paragraph G.1 (Filing and Processing of Vesting Tentative Maps) of this Section; and

(2) Diminish or alter the types of conditions that may be imposed by the City on a development or the City's power to protect against a condition dangerous to the public health or safety.

3. Modifications/Revisions to Vesting Tentative Maps. At any time prior to the expiration of a vesting tentative map, the subdivider, their successor, or their assignee, may apply for a modification to the map. A public hearing shall be held by the Approving Authority on any application involving a modification to the vesting tentative map, or by the development related thereto, following procedures set forth for the modification of tentative maps contained in Subsection F (Tentative Map Modification/Revision) of this Section. Approval of a modification to a vesting tentative map, or development related thereto, shall be evaluated for compliance with the City regulations, standards, and policies in effect at the time the original vesting tentative map was deemed complete.

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Division 4.03—Ministerial (Administrative) Permits and Decisions

Sections:

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4.03.0550: Administrative Exceptions
4.03.06055: Fair Housing and Reasonable Accommodations

4.03.000: Purpose

The purpose of this Division is to prescribe procedures for the consideration of ministerial (administrative) permits or decisions by the Reviewing Authorities established by Table 2.02-1 (Review Matrix) of this Development Code. Ministerial permits and decisions consist of City actions and determinations that involve little or no personal judgment by a public official as to the wisdom or manner of carrying out a project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements.

4.03.005: Applicability

The Reviewing Authorities established by Table 2.02-1 (Review Matrix) of this Development Code shall consider a ministerial permit or decision pursuant to the general provisions prescribed by Division 2.02 (Application Filing and Processing) of this Development Code, and the provisions of this Division that are specific to each discretionary permit or action stipulated herein.

4.03.010: Historic Preservation—Adaptive Reuse Plan

A. Purpose. The purpose of this Section is to establish a procedure by which Adaptive Reuse Plans may be approved by the City, while at the same time:

1. Provide a more efficient way for qualified historic buildings and adaptive reuse projects to meet development, building, and fire protection standards;

2. Promote adaptive reuse as part of broader goals supporting historic preservation, economic development, environmental sustainability and resilience, and recognize the social value of historic buildings;

3. Incentivize building reuse to encourage activation of Downtown Ontario where there is a large collection of commercial and industrial historic buildings that are worthy of preservation;

4. Eliminate or allow nonconformance with certain development regulations that would make adaptive reuse of qualified historic buildings infeasible, including such standards related to parking and loading, height, density, floor-area ratio, and open space; and

5. Allow alternative building and fire code compliance for qualified adaptive reuse projects able to demonstrate an alternative means or method of protecting public health, safety, and welfare.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny an Adaptive Reuse Plan application, and to impose reasonable conditions upon the approval of the application.

2. Adaptive Reuse Plan approval shall allow for those land uses identified in Table 5.02-1 (Land Use Matrix) of this Development Code, which allows for a broad range of land uses of the underlying zoning district in which the site is located. However, no new uses that emits noxious odors or excessive noise shall be allowed, unless it can be demonstrated to the satisfaction of the Planning Director that the use will not cause adverse impacts to nearby residential land uses.

3. Qualifying buildings include those listed on the National Register of Historic Places, on the California Register of Historic Resources, Ontario Register of Historic Resources as designated local landmarks or contributors to designated local historic districts located within the Adaptive Reuse Plan Area.

4. Adaptive Reuse projects are construction and remodeling projects that reconfigure existing spaces within existing buildings to accommodate a new use or purpose other than what it was originally designed for. Adaptive Reuse projects require a change of use and building occupancy from office or commercial to residential, industrial to work/live, residential to office or commercial, or assembly to residential, office or commercial.

5. Application Filing and Processing. An Adaptive Reuse Plan application shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section. Plans and reports prepared for an Adaptive Reuse Plan shall be prepared by a California licensed architect meeting the minimum qualifications standards of The Secretary of the interior Professional Qualifications (Code of Federal Regulations, 36 CFR Part 61).

C. Adaptive Reuse Plan Area. This area consists of the City's original downtown, and extends north to include the historic districts adjacent to Euclid Avenue, the boundary of which is as follows:

> *Beginning at the intersection of the centerlines of State Street and San Antonio Avenue, thence north to the northernmost city boundary, thence east to the centerline of Sultana Avenue, thence south to the centerline of I Street, thence east to the centerline of Campus Avenue, thence south to the centerline of State Street, thence west to the point of beginning.*

D. Alternative Building and Fire Code Regulations. The alternative building and fire codes regulations adopted in this Section are applicable to qualified buildings and adaptive reuse projects.

1. *Alternative Codes.* Use of the California Historic Building Code, International Existing Building Code, California Health and Safety Code and the Ontario Adaptive Reuse Plan Technical Manual shall provide a process and the ability for the Building Official and Fire Marshal to consider alternative building standards while ensuring adequate health and safety protections.

2. In permitting repairs, alterations, and additions necessary to accommodate adaptive reuse projects, the alternative code regulations shall impose requirements that will, in the determination of the Building Official and the Fire Marshal, protect the public health, safety, and welfare.

3. Nothing in this Section shall be construed to allow the reduction of existing seismic or fire and life-safety elements of an eligible building where such elements provide a greater level of protection than the minimum requirements established by this Section.

4. Subject to the approval of the Building Official and Fire Marshal, the use or occupancy type of a qualified building shall be allowed to be changed as part of an adaptive reuse project without conforming to all requirements of Title 8, Building Regulations, and Title 4, Chapter 4, Fire Code of the City of Ontario Municipal Code provided the new or proposed occupancy is equally or less hazardous, based on life and fire risk, than the existing use.

5. Whenever there are practical difficulties involved in carrying out the provisions of Title 8, Building Regulations, and Title 4, Chapter 4, Fire Code of the City of Ontario Municipal Code, the Building Official and Fire Marshal shall have the authority to grant modifications for individual cases, provided the Approving Authority shall first find that special individual reasons make the strict letter of the local codes impractical and the modification is in compliance with the intent and purpose of the local codes and that such modification does not lessen health, life and safety requirements.

F. Incentives. The Planning Director may grant the following departures from certain development standards and requirements to incentivize qualified Adaptive Reuse Plans:

1. *Development Plan Waived.* Approved Adaptive Reuse Plans, which may allow for new additions up to 25 percent of the existing building floor area and is not visible from the public right-of-way, shall be exempt for the requirements for Development Plan review set forth in Section 4.02.025.

2. *Mezzanines*. Loft spaces in joint living and work quarters, dwelling units and guest rooms which do not exceed more than 33 percent of the floor area of the space below shall not be considered new floor area. Mezzanines may be included in the calculation of floor area for the purpose of determining compliance with the standards set forth in Paragraph (E) of this subdivision.

3. *Parking Reduction*. New parking spaces shall not be required for any converted use within the existing footprint of the building, but expansions to floor area shall require one parking space per bedroom or one parking space per 250 square feet of gross floor area for office or commercial.

4. *Setbacks*. Existing building setbacks may remain and shall be considered legally nonconforming, but no further encroachments shall be permitted into any nonconforming setback.

5. *Increases in Maximum Building Height*. The height of the structure, if it exceeds the maximum height of the zoning district, may remain and shall be considered legally nonconforming. Any rooftop construction needed for drainage, ventilation, utilities, or passive recreation shall be included within the height exemption. This height exemption does not include new residential or commercial floor area.

6. *Open Space*. Private open space for residential adaptive reuse projects may be waived when it is determined by the Approving Authority that the requirement would result in exterior alterations to the existing building that would result in an adverse impact to a historic resource. A minimum of 100 square feet of common open space per residential unit or 25 percent of the building square footage, whichever is less, shall be required and may be provided on the rooftop of the building or within the building and include various type of indoor amenities such as fitness center, workstations, playrooms, etc.

7. *Loading Zone*. A new loading zone shall not be required if the existing building does not have an existing loading zone.

G. Standards. Adaptive Reuse Projects permitted pursuant to this subdivision shall be developed in compliance with the following standards:

1. *Minimum Dwelling Units*. Adaptive reuse projects that propose residential shall develop no less than 3 units. The minimum floor area for new dwelling units and joint living and work quarters shall be 450 square feet. Floor area shall not include hallways or other common areas, or rooftops, balconies, terraces, fire escapes, or other projections or surfaces exterior to the walls of the building. The floor area of both the living space and the workspace shall be combined to determine the size of joint living and work quarters. The average floor area, as defined above, of all the dwelling units and joint living and work quarters in the building, including those that existed prior to the effective date of this ordinance, shall be at least 750 square feet. That minimum average size shall be maintained and not reduced.

2. *Storefront*. Ground floor of an existing multiple level commercial building shall contain street frontage and shall be used as a commercial storefront. Residential on ground may occur at the rear of the building behind the storefront.

3. *Exterior or Interior (Public Space) Alterations*. A Certificate of Appropriateness pursuant to Section 4.02.050: Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources is required for any alteration, addition, restoration, rehabilitation, remodeling, relocation, repainting, and/or resurfacing of an historic resource.

4. *Other Provisions*. Floor Area Ratio (FAR), Landscaping, Lot Coverage, and any other development standard of the underlying zone may be waived by the Approving Authority.

H. Conditions of Approval.

1. In approving an Adaptive Reuse Plan, the Planning Director may impose certain safeguards and standards to ensure that the purposes of this Development Code are maintained; ensure that the permit will not endanger the public health, safety or general welfare; ensure that the permit will not result in any significant environmental impacts; ensure that the permit will be in

harmony with the area in which it is located; and ensure that the permit will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. The standards and requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

I. Findings and Decision. An Adaptive Reuse Plan, or any amendment thereto, shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. That the use(s) of the property will not be detrimental to the public health, safety and general welfare surrounding the project location;

2. That the Adaptive Reuse Project complies with the standards set forth in Section 4.03.010 (F) of this Development Code; and

3. A Certificate of Appropriateness has been approved or Waived for the Adaptive Reuse Plan.

4.03.015: Administrative Use Permits

A. Purpose. The purpose of this Section is to establish a procedure by which Administrative Use Permits may be issued by the City, while at the same time:

1. Eliminating any possibility for the exercise of unfettered discretion during the application review process through the establishment of reasonable and uniform regulations that will reduce possible adverse effects that uses subject to this Section may have upon the residents of the City; and

2. Establishing a process whereby the unique operating characteristics of the uses subject to this Section may be properly conditioned through an individual review, in order to ensure compatibility with surrounding uses of property, and preserve the integrity of the residential, commercial, mixed-use, and industrial areas of the City.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny an Administrative Use Permit application, and to impose reasonable conditions upon the approval of the application.

2. Administrative Use Permit approval shall be required for those land uses so identified in Table 5.02-1 (Land Use Matrix) of this Development Code, excepting the following temporary and interim land uses:

a. Car Washes for Fundraising Purposes. Car washes shall be conducted by a qualifying sponsoring organization within a nonresidential zoning or land use district. Sponsorship

shall be limited to educational, fraternal, religious, or service organizations directly engaged in civic or charitable efforts, or to tax-exempt organizations in compliance with Federal Internal Revenue Code Section 501(c). Exempt temporary car washes for fundraising purposes shall be limited to one event per month at each location the activity is conducted and shall be limited to a maximum of 2 days duration.

b. Emergency Public Health and Safety Activities and Facilities. Temporary activities and facilities associated with emergency public health and safety needs of the City, State, and federal governments.

c. Film/Video Making. Temporary filming, photography, and videography, and production activities associated with a Film Permit issued by the City.

C. Application Filing and Processing. An Administrative Use Permit application shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Decision.

1. An Administrative Use Permit shall be acted upon by the Approving Authority, based upon the information provided in the submitted application, evidence presented with any supplemental information or written report, and testimony provided during any hearing (if required), only after considering and clearly establishing that the use for which an Administrative Use Permit is requested complies with all applicable Development Code provisions specific to the requested use.

2. An Administrative Use Permit shall be issued if the Approving Authority determines that the proposed use complies with all applicable Development Code provisions,

3. An Administrative Use Permit shall be denied if the proposed use does not comply with one or more Development Code provisions.

E. Conditions of Approval.

1. In approving an Administrative Use Permit, the Approving Authority may impose certain safeguards and standards to ensure that the purposes of this Development Code are maintained; ensure that the permit will not endanger the public health, safety or general welfare; ensure that the permit will not result in any significant environmental impacts; ensure that the permit will be in harmony with the area in which it is located; and ensure that the permit will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. The standards and requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

3. A copy of the approved Administrative Use Permit shall be maintained on site for the duration of the use, activity, or facility authorized, and shall be made available for inspection upon demand by a City representative.

F. Unlawful Business Practices May Be Enjoined; All Remedies Are Cumulative. Any business activity requiring Administrative Use Permit approval pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, and which is operated, conducted, or maintained contrary to the

provisions of this Development Code, shall constitute an unlawful business practice pursuant to Business & Professions Code Section 17200 et seq., and the City may file a complaint with the District Attorney and request the District Attorney bring action seeking an injunction prohibiting the unlawful business practice or any other remedy available at law, including but not limited to fines, attorney's fees, and costs. All remedies provided for in this Section are cumulative.

G. Administrative Fines.

1. Violations. Upon a finding by the Police Chief or Community Improvement Director that a land use or business for which an Administrative Use Permit has been issued has violated any provision of this Development Code or of the City or Ontario Municipal Code, the Police Chief or Community Improvement Director may issue an administrative fine of up to $500.

2. Separate Violations. Each violation of this Development Code or of the Ontario Municipal Code constitutes a separate violation. Each day a violation of this Development Code or the Ontario Municipal Code occurs also constitutes a separate violation.

3. Administrative Fine Procedures. A Notice of Administrative Fine shall be served by hand delivery or certified mail and shall state the legal violation and all supporting facts. Furthermore, the Notice shall also contain an advisement of the right to request an appeal hearing before the Zoning Administrator to contest the suspension or revocation.

4. Appeal of Administrative Fines.

a. An appeal request shall be filed with the Planning Department on a City application form, within 10 days following the date appearing on the Notice of Administrative Fine. The appeal request shall include a statement identifying the pertinent facts disputing the violation.

b. An appeal hearing shall be scheduled within 30 days following the Planning Department's receipt of the appeal request unless an extension is mutually agreed upon by the appellant and the Zoning Administrator.

c. The appeal shall be heard by the Zoning Administrator. The decision of the Zoning Administrator shall be provided by certified mail. The decision constitutes a final administrative order, with no additional administrative right of appeal.

5. Failure to Pay Administrative Fines.

a. If an administrative fine is not paid within 30 days after the date appearing on the Notice of Administrative Fine or, if the Notice is appealed, within 30 days after the date of the Zoning Administrator's decision, whichever occurs later, the fine may be referred to a collection agency.

b. Any outstanding fine must be paid prior to the issuance or renewal of any license or permit issued by the City.

H. Suspension and Revocation of Administrative Use Permits.

1. Reasons. The Police Chief and the Community Improvement Director each has the authority to suspend or revoke an Administrative Use Permit, based on one or more of the following reasons:

a. The Administrative Use Permit approval was obtained by fraud;

b. The Administrative Use Permit is being, or has recently been exercised contrary to the terms or conditions of the application approval;

c. The Administrative Use Permit is being or has been exercised in violation of a federal, state, or City statute, ordinance, law, or regulation; and/or

d. The Administrative Use Permit was exercised in a way that is detrimental to the public peace, health, safety, or welfare, or otherwise constitutes a nuisance.

2. Suspension and Revocation Procedures. A Notice of Suspension or Revocation shall be served on the owner of the property and upon any tenant or operator in possession of the property, if different from the owner, by hand delivery or certified mail, along with the legal violation and supporting facts. The Notice shall also contain an advisement of the right to request an appeal hearing before the Zoning Administrator to contest the suspension or revocation.

3. Time Period of Suspension of Permit. When any of the conditions listed in H.1.a through d above exists, the Police Chief and the Community Improvement Director are each authorized to suspend an Administrative Use Permit for a period of no less than 5 days, and no more than 90 days, at their discretion.

4. Effective Date of Suspension or Revocation. A Notice of Suspension or Revocation issued under Paragraph H.2 of this Section is effective 10 days following the date appearing on the Notice, in the absence of an appeal filed in accordance with Paragraph H.5 of this Section.

5. Appeal of Suspension or Revocation of Permit.

a. The decision of the Police Chief or Community Improvement Director to suspend or revoke an Administrative Use Permit may be appealed by the permittee.

b. The appeal request shall be filed with the Planning Department on a City application form and shall include a statement identifying pertinent facts disputing the reasons stated in the Notice of Suspension or Revocation.

c. An appeal request must be received by the Planning Department on or before the effective date of the suspension or revocation under Paragraph H.4 of this Section.

d. The timely filing of an appeal request stays a suspension or revocation pending a decision on the appeal by the Zoning Administrator.

e. An appeal hearing shall be scheduled within 30 days following the Planning Department's receipt of the appeal request, unless an extension is mutually agreed upon by the appellant and the Zoning Administrator.

f. Within 20 days following the appeal hearing, the Zoning Administrator shall issue a final administrative order to the appellant, by certified mail. There shall be no further administrative right of appeal.

6. Evidence. The following rules shall apply to any hearing required by this Section. All parties involved shall have the right to offer testimonial, documentary, and tangible evidence

bearing on the issues, to be represented by counsel, and to confront and cross-examine witnesses. Any relevant evidence may be admitted if it is the sort of evidence upon which reasonable persons are accustomed to relying in the conduct of serious affairs. Formal rules of discovery do not apply to proceedings governed by this Section. Unless otherwise specifically prohibited by law, the burden of proof is on the appellant in any hearing or other matter under this Section.

7. Limitations on Application Refiling. A holder of an Administrative Use Permit who has had the Permit revoked under this Section may not apply for the same or substantially similar Administrative Use Permit for 12 months after the date of the Final Administrative Order revoking the Permit.

I. Public Nuisance. It shall be unlawful and a public nuisance for a land use or business activity for which an Administrative Use Permit has been issued to be operated, conducted, or maintained contrary to the provisions of this Development Code or of any conditions of approval imposed on an Administrative Use Permit by the Approving Authority. The City may exercise its discretion, in addition to or in lieu of prosecuting a criminal action, to commence proceedings for the abatement, removal, or enjoinment of that land use or business activity in any manner provided by law.

4.03.020: Sign Plans

A. Purpose. The purpose of this Section is to establish a process by which Sign Plans may be required to ensure compliance with the standards and guidelines contained within this Development Code pertaining to the number, placement, height, size, illumination, and design of signs, and to ensure compliance with any previously approved entitlements.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Sign Plan application, and to impose reasonable conditions upon the approval of the application.

2. An approved Sign Plan shall be required prior to placing, erecting, modifying, moving, or reconstructing any sign in the City, unless expressly exempted by this Development Code. Signs requiring a permit shall comply with: **[i]** the provisions of this Development Code, **[ii]** all other applicable laws and ordinances, and **[iii]** with any associated approved entitlements.

C. Application Filing and Processing. A Sign Plan application shall be filed, processed and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Decision. A Sign Plan shall be acted upon by the Approving Authority based upon the information contained in the application, supporting plans and documentation, and evidence submitted by the applicant, only after considering and clearly establishing that the Sign Plan is in conformance with the provisions of Division 8.1 (Sign Regulations) of this Development Code, and any associated entitlements that have been previously approved by the City.

4.03.025: Subdivisions—Certificates of Compliance

A. Purpose. The purpose of this Section is to establish a means by which a Certificate of Compliance or Conditional Certificate of Compliance may be issued by the City pursuant to GC Section 66499.35, and legal status may be conferred to parcels of real property that were not established by other legal means.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the City Engineer is hereby empowered to approve, approve in modified form, or deny a Certificate of Compliance, and to impose reasonable conditions upon the approval of the application.

2. The provisions of this Section shall apply to real property for which there is no final map, parcel map, official map, or approved certificate of exception, which establish the status for legal creation of parcels of real property.

C. Application Filing and Processing. A Certificate of Compliance shall be filed, processed and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Decision.

1. Certificate of Compliance.

a. Upon receipt of a Certificate of Compliance application, the City Engineer shall determine whether the affected real property complies with the applicable provisions of the Subdivision Map Act and this Development Code. A certificate of compliance shall be issued for any real property that has been approved for development of the property.

b. If the City Engineer determines that the real property that is the subject of a Certificate of Compliance application complies with the applicable provisions of the Subdivision Map Act and this Development Code, it shall cause a Certificate of Compliance to be filed for recordation with the County Recorder.

2. Conditional Certificate of Compliance.

a. If the City Engineer determines that the real property that is the subject of a Certificate of Compliance application does not comply with the provisions of the Subdivision Map Act and this Development Code, it shall issue a Conditional Certificate of Compliance. As a condition to granting a Conditional Certificate of Compliance, the City Engineer may impose any conditions that would have been applicable to a division of land on the date the applicant acquired the property, except that if the current property owner was the owner of record at the time of the initial land division and currently owns one or more of the parcels involved in the land division, the Conditional Certificate of Compliance may impose conditions that would be applicable to a current division of land.

b. Upon making a determination and establishing conditions, the City shall cause a Conditional Certificate of Compliance to be filed for recordation with the County Recorder. The certificate shall serve as notice to the property owner or vendee who has applied for the Certificate pursuant to this Section, a grantee of the property owner, or any subsequent transferee or assignee of the property, that the fulfillment and implementation of these conditions

shall be required prior to subsequent issuance of a permit or other grant of approval for development of the property.

c. Compliance with imposed conditions shall not be required until the time that a permit or other grant of approval for development of the property is issued by the City.

E. Right to Develop. The issuance of a Certificate of Compliance or Conditional Certificate of Compliance does not imply or grant a right to develop the affected property.

4.03.030 Subdivisions—Final Maps and Parcel Maps

A. Purpose. The purpose of this Section is to establish a process for the implementation of those provisions of the Subdivision Map Act (commencing with GC Section 66410) pertaining to the review, approval and recordation of a final map or parcel map.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the City Council is hereby empowered to approve or deny a final map or parcel map.

2. The subdivider may cause a final map or parcel map to be prepared in substantial accord with the tentative tract map or parcel map as approved, and pursuant to the provisions of this Development Code and applicable standards imposed by the County of San Bernardino for maps filed with the County Recorder.

3. The final map or parcel map, and any accompanying data or additional information, shall be prepared by or under the direction of a registered civil engineer that possesses a State of California license registration number below C33966 and is competent to practice land surveying, or a licensed land surveyor authorized to practice in the State of California.

C. Final Map Preparation. Following approval or conditional approval of a tentative map, and prior to the expiration of the map, the subdivider may cause the property, or any part thereof, to be surveyed and a final map to be prepared, which is consistent with the tentative map, as approved, and the provisions of this Development Code and the Subdivision Map Act (commencing with GC Section 66410). A final map shall be filed with the County Recorder only after a determination by the City Engineer and Planning Director that the conditions of the tentative map have been met. The City Engineer and Planning Director determinations may be appealed to the City Council pursuant to Division 2.04 (Appeals) of this Development Code.

D. Multiple Final Maps. Multiple final maps relating to a single approved or conditionally approved tentative map may be filed pursuant to GC Section 66456.1. The subdivision improvement agreement to be executed by the subdivider shall include provisions for the construction of such improvements as may be required by the City Engineer to constitute a logical and orderly development of the whole subdivision by phases. Each phase shall be so designed and improved as to be functionally self-sufficient.

E. Final Map/Parcel Map Filing, Processing, and Action. A final map or parcel map shall be filed, processed and acted upon as follows:

1. Final Map/Parcel Map Filing.

a. Where a final map or parcel map, or a vesting final map or parcel map is required, the subdivider shall, prior to submitting the map for final review, complete all offers of dedication, secure the required approvals with respect to public and private easements and complete plans and specifications for public improvements, including drainage facilities and sewer facilities, and all applicable provisions of Section 6.08.025 (Improvements) of this Development Code. All certificates shall be executed, excepting those to be executed by the City Engineer, City Clerk and County Recorder.

b. The subdivider shall submit to the City Engineer for approval, the original mylar and as many prints as may be required, along with any required statements and documents. The City Engineer, after ensuring that all conditions and approvals have been met or secured, shall process the map for adoption by the City Council and recordation with the County Recorder.

2. Final Map/Parcel Map Processing.

a. The City Engineer shall, within 30 working days of receipt of the final map or parcel, and accompanying documents, fees and materials, cause the final map or parcel map to be examined, and if found to be in substantial conformity with the approved tentative map and all amendments, conditions, modifications, and provisions made or required by the City Council, and if found to be complete, technically correct, in conformity with the improvement plans and specifications, and in compliance with the requirements of this Development Code, other applicable codes, specific plans, and the Policy Plan (General Plan) component of The Ontario Plan, shall execute the City Engineer's certificate on the map, and shall file the final map or parcel map, and accompanying materials with the City Council.

b. Should the final map or parcel map, or other accompanying documents, fees or materials be found to be incomplete or incorrect in any respect, the subdivider shall be advised of the changes or additions that must be made. The City Engineer shall then cause the corrected final map or parcel map to be reexamined. If the map is found to be correct and in compliance with this Development Code and all other applicable codes, specific plans, and the Policy Plan (General Plan) component of The Ontario Plan, the City Engineer shall execute the City Engineer's certificate on the map, and shall file the final map or parcel map and accompanying materials with the City Council. The date of filing, as set forth in GC Section 66458, shall be the meeting date in which the final map or parcel map is received by the City Council.

3. Final Map/Parcel Map Action.

a. The City Council, at the meeting it receives the final map or parcel map, or at its next regular meeting or within a period of not more than 10 days following the meeting at which the City Council receives the final map and any accompanying materials, shall approve the map if it is found to be consistent with the approved tentative tract or parcel map, and is in compliance with this Development Code and all other applicable codes, specific plans, and the Policy Plan (General Plan) component of The Ontario Plan, and shall instruct the City Clerk to execute the approval certificate. If the final map or parcel does not conform, the City Council shall deny the final map.

b. At the time of approval of the final map or parcel map, the City Council shall accept, subject to improvement, or reject any offers of dedication.

c. The time limit for approval of the final map or parcel map may be extended by mutual consent of the subdivider and the City.

d. If the City Council does not approve or deny the final map or parcel map within the prescribed time, or any authorized extension, and the final map or parcel map conforms to all requirements and rulings, it shall be deemed approved, and the City Clerk shall certify its approval.

e. The City Clerk shall provide notice of any pending approval or denial of a final map or parcel map by the City Council. The notice shall be attached and posted with the City Council's regular agenda and shall be mailed to interested parties who request notification.

4.03.035: Subdivisions—Lot Line Adjustments

A. **Purpose.** The purpose of this Section is to establish procedures for adjusting the property lines between existing lots by means of a Lot Line Adjustment authorized by GC Section 66412(d).

B. **Applicability.**

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the City Engineer is hereby empowered to approve, approve in modified form, or deny a Lot Line Adjustment, and to impose reasonable conditions upon its issuance.

2. A Lot Line Adjustment may be utilized to reconfigure up to 4 adjoining legally recognized lots, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created.

C. **Application Filing and Processing.** A Lot Line Adjustment shall be filed, processed and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. **Decision.**

1. The City Engineer may approve or deny a Lot Line Adjustment on the basis of the application, supporting plans, and documentation submitted by the applicant. The City Engineer shall limit its review to a determination of whether or not the lots resulting from the Lot Line Adjustment will conform to the Policy Plan (General Plan) component of The Ontario Plan; any applicable specific plan, area plan or planned unit development; and this Development Code.

2. Upon approval of a Lot Line Adjustment, the applicant shall provide the City with a conforming grant deed for each affected lot, which reflects the approved Lot Line Adjustment. The City shall then cause the grant deed(s) to be filed for record with the County Recorder. No record of survey shall be required for a Lot Line Adjustment unless required by BPC Section 8762.

E. **Conditions of Approval.**

1. The City Engineer shall not impose conditions or exactions on its approval of a Lot Line Adjustment, except as follows:

a. Require conformance to the Policy Plan (General Plan) component of The Ontario Plan, and any applicable specific plan, planned unit development, or area plan;

b. Require conformance with all applicable provisions of this Development Code and any applicable building ordinances;

c. Require the prepayment of real property taxes prior to the approval of the Lot Line Adjustment; and

d. Facilitate the relocation of existing utilities, infrastructure, or easements.

2. No tentative tract map, final map or parcel map shall be required as a condition to the approval of a Lot Line Adjustment.

4.03.040: Subdivisions—Map Corrections and Amendments

A. Purpose. The purpose of this Section is to establish a process by which a final map or parcel map that has been filed for recordation with the County Recorder may be amended by either a Certificate of Correction or an amending map.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the City Engineer is hereby empowered to approve, approve in modified form, or deny an application to correct or amend a final map or parcel map that has been filed for recordation with the County Recorder.

2. After a final map or parcel map is filed for recordation in the office of the County Recorder, it may be amended by a Certificate of Correction for any of the following purposes:

a. Correct an error in any course or distance shown on the map;

b. Show any course or distance that was omitted from the map;

c. Correct an error in the description of the real property shown on the map;

d. Indicate monuments set after the death, disability, and retirement from practice or replacement of the engineer or surveyor charged with responsibilities for setting monuments;

e. Show the proper location or character of any monument that has been changed in location or character, or originally was shown at the wrong location or incorrectly as to its character; or

f. Correct any other type of map error or omission that does not affect any property right, including, but are not limited to, lot numbers, acreage, street names, and identification of adjacent record maps.

C. Application Filing and Processing. An amending map or Certificate of Correction shall be filed, processed, and acted upon pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. The City Engineer may approve an amending map or Certificate of Correction only after finding that the changes made are limited to those set forth in Paragraphs B.2.a through f, above, and shall certify to this fact on the amending map or Certificate of Correction.

E. Form and Content of Amendment.

1. The Certificate of Correction shall be prepared and signed by a registered civil engineer that possesses a State of California license registration number below C33966 and is competent to practice land surveying, or a licensed land surveyor authorized to practice in the State of California.

2. The form and content of the amending map shall conform to the requirements of this Development Code for tentative tract maps, final maps or parcel maps.

3. The Certificate of Correction shall set forth in detail the corrections made and show the names of the present fee owners of the property affected by the correction.

4.03.045: Subdivisions—Parcel Map Waiver

A. Purpose. The purpose of this Section is to establish a procedure for waiving the requirement for a final parcel map pursuant to GC Section 66428(b), which requires that a local agency provide a procedure for such.

B. Applicability. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the City Engineer is hereby empowered to waive the requirement for a final parcel map for the below-listed reasons, following the approval of a tentative map pursuant to this Development Code:

1. ‡The parcel map is for a division of real property or interests therein created by probate, eminent domain procedures, partition, or other civil judgments or decrees; or

2. The Parcel Map is for a division of property resulting from the conveyance of land, or interest therein, to a public agency for a public purpose (e.g., drainage or sewers, public building sites, rights-of-way for streets, school sites, and utilities).

C. Application Filing and Processing. A request for waiver from the requirement for a final parcel map shall be filed and processed in conjunction with the tentative map. The City Engineer may act upon the parcel map waiver following approval of the tentative map and compliance with the conditions of approval imposed upon tentative map approval (if any).

D. Findings and Decision.

1. The City Engineer shall approve a waiver from the requirement for a final parcel map only after the City Engineer for the corresponding tentative map required pursuant to this Section finds that the proposed division of land:

a. Is consistent with the approved tentative parcel map, and is in compliance with this Development Code, the Subdivision Map Act, and all other applicable codes, specific plans, and is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

b. Complies with the requirements established by this Development Code and the Subdivision Map Act as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection.

2. If the proposed division of land does not conform to Subparagraphs 1.a and b above, the City Engineer shall not approve the Parcel Map Waiver.

E. Certificate of Compliance Required.

1. Following approval of a Parcel Map Waiver by the City Engineer, a Certificate of Compliance for the land to be divided shall be filed with the County Recorder.

2. Requirements for the construction of improvements shall be noted on the Certificate of Compliance by certificate pursuant to GC Section 66411.1.

F. Payment of Processing Fees. All necessary fees as established by City ordinance or by resolution of the City Council shall be paid by the applicant for processing and filing for record, any documents pertaining to the Parcel Map Waiver process.

4.03.050: Subdivisions—Lot Merger (Merger of Contiguous Parcels)

A. Purpose. The purpose of this Section is to establish a process for the implementation of those provisions of the Subdivision Map Act (commencing with GC Section 66451.10), pertaining to the merger of contiguous lots under common ownership (Lot Merger).

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the **City Engineer ~~Approving Authority~~** is hereby empowered to approve, approve in modified form, or deny a Lot Merger application, and to impose reasonable conditions upon the approval of the application.

2. The City may initiate a Lot Merger if any one of the contiguous lots or units held by the same owner does not conform to standards for minimum lot size applicable to the lots or units of land, and if all of the following requirements are satisfied:

a. At least one of the affected lots is not developed with a structure for which a building permit was issued or for which a building permit was not required at the time of construction, or is only developed with one or more accessory structures, or is developed with a single primary structure that is partially sited on a contiguous lot or unit.

b. With respect to any affected lot, one or more of the following conditions exists:

(1) Comprises less than 5,000 SF in area at the time of the determination of merger;

(2) Was not created in compliance with applicable laws and ordinances in effect at the time of its creation;

(3) Does not meet current standards for sewage disposal and domestic water supply;

(4) Does not meet slope stability standards;

(5) Has no legal access that is adequate for vehicular and safety equipment access and maneuverability;

(6) Its development would create health or safety hazards; or

(7) Is inconsistent with The Ontario Plan and any applicable area plan, specific plan, or planned unit development (other than minimum lot size or density standards).

c. The affected lots, when merged, will not:

(1) Be inconsistent or create a conflict with The Ontario Plan, any applicable Area Plan or Specific Plan, or the provisions of this Development Code;

(2) Result in a conflict with the location of any existing structures;

(3) Deprive or restrict access to another lot; or

(4) Result in the creation of new lot lines.

3. The City may require the owner of any contiguous lots to initiate the merger of contiguous lots as a condition of any Development Plan or Conditional Use Permit approval.

C. Application Filing, Processing and Hearing. A Lot Merger application shall be filed and processed pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Notification of Intention to Merge Lots.

1. Prior to merging any contiguous lots, the **City Engineer ~~Planning Director~~** shall mail a Notice of Intention to Merge ("NIM"), which notifies affected property owner(s) that the affected lots may be merged pursuant to the provisions of this Section. The NIM shall be sent by certified mail to the property owner(s) of record at the address(es) shown on the latest available assessment roll of the County of San Bernardino. The NIM shall include a statement that the property owner(s) may **appeal the decision of the City Engineer to the Planning Commission ~~request a hearing~~** to present evidence that the proposed Lot Merger does not meet the criteria for a merger. For the purpose of this Section, a property owner is any person holding any portion of title to any affected property.

2. The NIM shall be recorded with the San Bernardino County Recorder on the date that the notice is mailed to all property owners of record.

E. Request for Hearing. Within 30 days following the recordation of the NIM, the owner of the affected property may file a request with the **City Engineer ~~Planning Director~~**, for a hearing regarding the proposed Lot Merger.

F. Procedure for Hearing.

1. Upon receiving a request for a hearing, the **City Engineer ~~Planning Director~~** shall set a time, date, and location for a hearing to be conducted by the **Appeal ~~Approving~~** Authority, and shall notify the property owner of the time, date, and location of the hearing by certified mail. The hearing shall be conducted not more than 60 days following the City's receipt of the property owner's request for hearing but may be postponed by mutual consent of the City and the property owner.

2. During the hearing, the property owner shall be given the opportunity to present any evidence that the affected property does not meet the standards for Lot Merger specified by this Section.

3. At the conclusion of the hearing, the **Appeal ~~Approving~~** Authority shall make a determination as to whether the affected lots should be merged and shall so notify the property owner of its determination.

4. The **Appeal ~~Approving~~** Authority may approve or deny a Lot Merger on the basis of the application and the presented evidence, after considering and clearly establishing the following findings, and giving specific reasons in support of each finding:

a. The merged lots comply with the appropriate provisions of the Subdivision Map Act and all applicable City requirements for the merging of contiguous lots; and

b. The merged lots do not adversely affect the purpose and intent of The Ontario Plan, or the public health, safety, and welfare.

5. If the **Appeal ~~Approving~~** Authority determines that the affected lots shall be merged, the **City Engineer ~~Planning Director~~** shall cause the **NIM ~~Notice of Intention to Merge~~**, specifying the names of the recorded owner(s) and describing the affected real property, to be recorded with the San Bernardino County Recorder within 30 days following conclusion of the **appeal** hearing.

6. If the **Appeal ~~Approving~~** Authority determines that the affected lots shall not be merged, the **City Engineer ~~Planning Director~~** shall cause a Release of **NIM ~~Notice of Intention to Merge~~** to be recorded with the San Bernardino County Recorder, and a letter of notification shall be sent by certified mail to the property owner(s) of record.

G. Determination When No Hearing Is Requested. If within the 30 days following the recordation of the NIM specified in Subsection D (Request for Hearing) of this Section, the property owner does not file a request for a hearing, at any time thereafter, the **City Engineer ~~Approving Authority~~** may make a determination whether or not the affected lots are to be merged. A **NIM ~~Notice of Intention to Merge~~** shall be recorded as provided for in Paragraph F.5 of this Section, no later than 90 days following the mailing of the NIM.

4.03.0550: Administrative Exceptions

A. Purpose. The Administrative Exception is hereby established for the purpose of granting minor departures from the strict application of certain numerical development standards established by this Development Code, when the departure would result in superior site, landscape, or architectural design features that could not otherwise be incorporated into a development project under the strict application of the development standards contained in this Development Code.

B. Applicability.

a. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny an Administrative Exception application, and to impose reasonable conditions upon the approval of the application.

b. Administrative Exceptions may be approved for reductions of up to 10 percent from **[i]** minimum setback and separation requirements, excepting nonresidential setback requirements from property lines that are common with any residentially zoned property; and, **[ii]** off-street parking required for nonresidential land uses pursuant to Table 6.03-1 (Off-Street Parking Requirements). An Administrative Exception shall not be approved for reductions from minimum lot size, lot dimensions, landscape coverage, or for an increase in maximum density, floor area ratio, or the height of a structure.

C. Application Filing, Processing and Hearing.

1. An Administrative Exception shall be filed and processed pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

2. A hearing shall not be required; however, the owners of all properties having a property line common with the affected property shall be notified of the proposed Administrative Exception pursuant to Section 2.03.010 (Public Hearing Notification) of this Development Code and shall be invited to comment on the application.

D. Findings and Decision. An Administrative Exception shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and any comments received from property owners notified pursuant to Subparagraph C.3.b of this Section, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The approval of the Administrative Exception is necessary to the production of a comprehensive development, incorporating an enhanced environment and architectural excellence (e.g., appropriate variety of structure placement and orientation opportunities, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than would normally be possible under the strict application of the applicable development standards;

2. The approval of the Administrative Exception will allow for the inclusion of site, architectural, or landscape features that could not otherwise be incorporated into the design of the project under the strict application of the provisions of the applicable development standards; and

3. The approval of the Administrative Exception will not adversely affect the overall quality of development on the project site and will not adversely affect neighboring properties.

4. The proposed Administrative Exception is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of

The Ontario Plan, and the purposes of any applicable Specific Plan or Planned Unit Development, and the purposes of this Development Code.

E. Conditions of Approval.

1. In approving an Administrative Exception, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

4.03.0~~6055~~: Fair Housing and Reasonable Accommodations

A. Purpose. Pursuant to Federal and State fair housing laws, the purpose of this Section is to provide a procedure whereby exceptions from specific applications of this Development Code may be considered and properly evaluated in order to assure that no person is discriminated against on the basis of race, color, religion, sex, sexual orientation, family status, marital status, disability, national origin, source of income, or ancestry, by being denied an equal opportunity to use and enjoy a dwelling.

B. Applicability.

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Fair Housing and Reasonable Accommodation application and to impose reasonable conditions upon the approval of the application.

2. The Approving Authority may approve reasonable exceptions from the provisions of this Development Code, except that a Fair Housing and Reasonable Accommodation request shall not be approved that would allow the establishment of a land use that would not otherwise be allowed in the zoning district in which the affected property is located, or for increases in residential density.

C. Application Filing, Processing and Hearing. A Fair Housing and Reasonable Accommodation application shall be filed, processed, and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section.

D. Findings and Decision. A Fair Housing and Reasonable Accommodation request shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

1. The persons who will use the subject property are protected under federal and state fair housing laws;

2. The requested exception is necessary to make specific housing available to a person who will occupy the subject property and who is protected under federal and state fair housing laws;

3. The requested exception will not impose an undo financial or administrative burden upon the City; and

4. The requested exception will comply with all applicable Building and Fire Codes and will not result in a fundamental alteration of the planning, zoning and development laws and procedures of the City.

E. Conditions of Approval.

1. In approving a Fair Housing and Reasonable Accommodation application, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

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Chapter 5.0:
Zoning and Land Use

Division 5.01—Zoning Districts and Boundaries
Division 5.02—General Land Use Provisions
Division 5.03—Supplemental Land Use Regulations

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Division 5.01—Zoning Districts and Boundaries

Sections:

5.01.000: Purpose
5.01.005: Establishment of Base Zoning Districts
5.01.010: Zoning Map Adoption
5.01.015: Zoning District Boundaries

5.01.000: Purpose

The purpose of this Division is to establish zoning districts to implement the goals of the community as stated in The Ontario Plan. The text and maps of the Policy Plan component of The Ontario Plan will provide additional guidance in the development and use of properties throughout the City.

5.01.005: Establishment of Base Zoning Districts

In order to carry out the purpose and provisions of this Development Code, the City is hereby divided into the following zoning districts:

A. Residential Zoning Districts.

1. AR-2 (Residential-Agricultural—0 to 2.0 DU/Acre) Zoning District. The AR-2 zoning district is hereby established to accommodate single-family residences on large lots, at a density range of 0 to 2.0 dwelling units per acre and allow for limited agricultural activities and animal keeping within a rural environment. The AR-2 zoning district is further intended to maintain a rural agricultural heritage and protect the area from suburban infringement, while maintaining a harmonious relationship between the rural and adjacent suburban land uses. The AR-2 zoning district is consistent with and implements the Rural Residential land use designation of the Policy Plan component of The Ontario Plan.

2. RE-2 Rural Estate—0 to 2.0 DU/Acre) Zoning District. The RE-2 zoning district is hereby established to accommodate single-family residences on larger lots, at a density range of 0 to 2.0 dwelling units per acre, in a semi-rural environment where limited animal keeping is permitted. The RE-2 zoning district is consistent with and implements the Rural Residential land use designation of the Policy Plan component of The Ontario Plan.

3. RE-4 Residential Estate—2.1 to 4.0 DU/Acre) Zoning District. The RE-4 zoning district is hereby established to accommodate single-family homes on estate-sized lots, in a suburban environment, at a density range of 2.1 to 4.0 dwelling units per acre. The RE-4 zoning district is consistent with and implements the Low Density Residential land use designation of the Policy Plan component of The Ontario Plan.

4. LDR-5 (Low Density Residential—2.1 to 5.0 DU/Acre) Zoning District. The LDR-5 zoning district is hereby established to accommodate single-family homes on individual lots, in a suburban environment, at a density range of 2.1 to 5.0 dwelling units per acre. The LDR-5 zoning district is consistent with and implements the Low Density Residential land use designation of the Policy Plan component of The Ontario Plan.

5. MDR-11 (Low-Medium Density Residential—5.1 to 11.0 DU/Acre) Zoning District. The MDR-11 zoning district is hereby established to accommodate a variety of attached and detached housing types, in a suburban environment, at a density range of 5.1 to 11.0 dwelling units per acre. The MDR-11 zoning district is consistent with and implements the Low-Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

6. MDR-18 (Medium Density Residential—11.1 to 18.0 DU/Acre) Zoning District. The MDR-18 zoning district is hereby established to accommodate a variety of attached and detached housing types, in a suburban environment, at a density range of 11.1 to 18.0 dwelling units per acre. The MDR-18 zoning district is consistent with and implements the Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

7. MDR-25 (Medium-High Density Residential—18.1 to 25.0 DU/Acre) Zoning District. The MDR-25 zoning district is hereby established to accommodate higher density residential developments, in a more urbanized environment, at a density range of 18.1 to 25.0 dwelling units per acre. The MDR-25 zoning district is consistent with and implements the Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

8. HDR-45 (High Density Residential—25.1 to 45.0 DU/Acre) Zoning District. The HDR-45 zoning district is hereby established to accommodate high-density multiple-family developments in an urban environment, generally located within 1/2-mile of a transit corridor or station, at a density range of 25.1 to 45.0 dwelling units per acre. The HDR-45 zoning district is consistent with and implements the High Density Residential land use designation of the Policy Plan component of The Ontario Plan.

B. Commercial Zoning Districts.

1. CS (Corner Store) Zoning District. The CS zoning district is hereby established to accommodate pedestrian-oriented neighborhood retail and service establishments developed at a maximum intensity of 0.4 FAR, which would have few impacts to adjacent residential uses due to the types of uses allowed and their limited hours of operation. CS zoning district locations are within established or planned neighborhoods, generally along residential collector streets, and are intended to provide their goods and services within walking distance to most of their customers. This zoning district provides for a scale and character of development that tends to attract and promote a walk-in clientele. Development within the CS zoning district should maximize human scale design elements, while providing a sensitive transition between the allowed uses and neighboring residences, including the provision of adequate and properly sited parking (including allowances for on-street parking). Sites within this zoning district are typically small in size (less than 0.5-acre), are usually stand-alone land uses, and are intended to fit into and protect the residential pattern of development. The CS zoning district is consistent with and implements the Neighborhood Commercial land use designation of the Policy Plan component of The Ontario Plan.

2. CN (Neighborhood Commercial—0.4 Maximum FAR) Zoning District. The CN zoning district is hereby established to accommodate the development of convenience centers at a maximum intensity of 0.55 FAR and are intended to serve residents within a one to 2-mile radius, with some customers within walking distance. Intended uses are smaller scale, which support the local market rather than a citywide or regional market (i.e., the difference between a Best Buy and a Radio Shack). Given their proximity to residential uses, the hours and types of uses allowed within the CN zoning district may be limited either by ordinance or by conditions of approval. Uses may be standalone or within a center generally 10 to 15 acres in size. The CN zoning district is

consistent with and implements the Neighborhood Commercial land use designation of the Policy Plan component of The Ontario Plan.

3. CC (Community Commercial—0.4 Maximum FAR) Zoning District. The CC zoning district is hereby established to accommodate retail, office, and service uses developed at a maximum intensity of 0.4 FAR, which serve residents within a 5-mile radius. If located within close proximity to residential areas, the operation of the commercial land uses may be limited to protect the nearby sensitive uses. Commercial uses within the CC zoning district may be standalone or within centers generally 10 to 20 acres in size. The CC zoning district is consistent with and implements the General Commercial land use designation of the Policy Plan component of The Ontario Plan.

4. CR (Regional Commercial—0.4 Maximum FAR) Zoning District. The CR zoning district is hereby established to accommodate commercial and entertainment centers which are larger in size than would otherwise be accommodated in the CC zoning district, developed at a maximum intensity of 0.4 FAR. The zoning district is intended for intense, regional-serving commercial and entertainment uses, and is generally located adjacent to, or in close proximity to, freeways and arterial roadways that accommodate regional traffic. Uses may be standalone or within a center generally 15 or more acres in size. The CR zoning district is consistent with and implements the General Commercial and Office Commercial land use designations of the Policy Plan component of The Ontario Plan. Furthermore, the CR zoning district is consistent with and implements the Office Commercial land use designation of the Policy Plan component of The Ontario Plan; provided, (a) the property shall have a minimum of 350 lineal feet of freeway frontage along Interstate 10 or Interstate 15, and (b) the use of the property shall be restricted to automobile dealers (including new and used automobiles, light trucks and vans).

5. CCS (Convention Center Support Commercial) Zoning District. The CCS zoning district is intended to accommodate uses developed at a maximum intensity of 1.0 FAR, which predominantly serve the Ontario Convention Center, regional uses, and the special needs of leisure and business clientele who visit the City and surrounding region. The CCS zoning district is consistent with and implements the Hospitality land use designation of the Policy Plan component of The Ontario Plan.

6. OL (Low Intensity Office) Zoning District. The OL zoning district is hereby established to accommodate low-intensity office and support commercial uses developed at a maximum intensity of 0.75 FAR, which are typically located in close proximity to residential developments. Development within this zoning district is residential in scale and typically no more than 2 stories in height. Uses within this zoning district are generally limited in their hours of operation to limit their impact upon nearby residents, and include administrative and business support services, local branches of financial institutions, legal services, insurance services, real estate services, medical and dental services, and similar support services. The OL zoning district is consistent with and implements the Office/Commercial land use designation of the Policy Plan component of The Ontario Plan.

7. OH (High Intensity Office) Zoning District. The OH zoning district is hereby established to accommodate intense professional office and supporting uses developed at a maximum intensity of 0.75 FAR, and is intended to be applied in areas planned for more concentrated urban uses, or in key locations of potential mass transit, major intersections, or in close proximity to identified activity centers. The OH zoning district is consistent with and implements the Office/Commercial land use designation of the Policy Plan component of The Ontario Plan.

C. Mixed Use Zoning Districts.

1. MU-1 (Downtown Mixed Use) Zoning District.

a. The MU-1 zoning district is hereby established to accommodate a fairly intensive mixture of vertical and horizontal retail, entertainment, and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 DU/AC, with the most intensive uses envisioned along Euclid Avenue and Holt Boulevard. Development projects are intended to maintain a pedestrian friendly atmosphere, while at the same time enhancing the historic character of the area.

b. Furthermore, the MU-1 zoning district is established to: **[i]** recognize, protect, and enhance the visual character and quality of Ontario's historic downtown area as a historic resource; **[ii]** establish and recognize Ontario's historic downtown as the arts and entertainment mecca for the surrounding region, to include a wide range of allowed uses, such as shopping, restaurants, outdoor dining, cultural offerings, street fairs, artist festivals, galleries, work/live lofts, breweries, and artisan co-ops; **[iii]** recognize Holt Boulevard as a vital east-west link to Ontario's historic downtown, offering opportunities for vertical and horizontal mixed use developments consisting of market rate and below market rate housing, retail and offices, and work/live uses; and **[iv]** recognize Ontario's civic center for its significant outdoor spaces, amenities and services, which serve to enhance the historic downtown's shopping, dining, and living experiences.

c. In order to carry out the purposes and provisions of the Land Use component of The Ontario Plan and this Development Code, the MU-1 zoning district is hereby divided into four Land Use Areas. The boundaries of each Land Use Area (LUA) is shown in Figure 5.01-1 (MU-1 (Downtown Mixed Use) Zoning District Land Use Areas Map) of this Division, and their purposes are described below.

(1) LUA-1 (Euclid Avenue Entertainment) District—The Euclid Avenue Entertainment District is a central urban location intended to provide the vitality, amenities, and a range of entertainment, shopping, restaurant, outdoor dining, and cultural offerings. The District is further intended to promote a variety of dense housing options; enhanced public and private rights-of-way to improve pedestrian, bicyclist, and vehicular connectivity; and grow employment opportunities.

(2) LUA-2 (Arts) District—

(a) The Arts District is intended as a dynamic destination for locals and tourists, while creating a fulfilling urban experience energized by artistic, educational, and commercial participants. The focus of the Area is to increase the number of collaborated events and programs within the Area, with the intent to attract visitors, promote economic vitality, and boost revenue. Street fairs, artist festivals, restaurants, galleries, work/live lofts, breweries, and artisan co-ops will contribute to the physical and cultural diversity of the Arts District.

(b) The Arts District is divided into two subareas: Arts District North and Arts District South.

(i) Arts District North is intended to accommodate a mix of work/live lofts, artisan co-ops, restaurants, galleries, breweries, and other commercial uses intended to strengthen the economic base of the area.

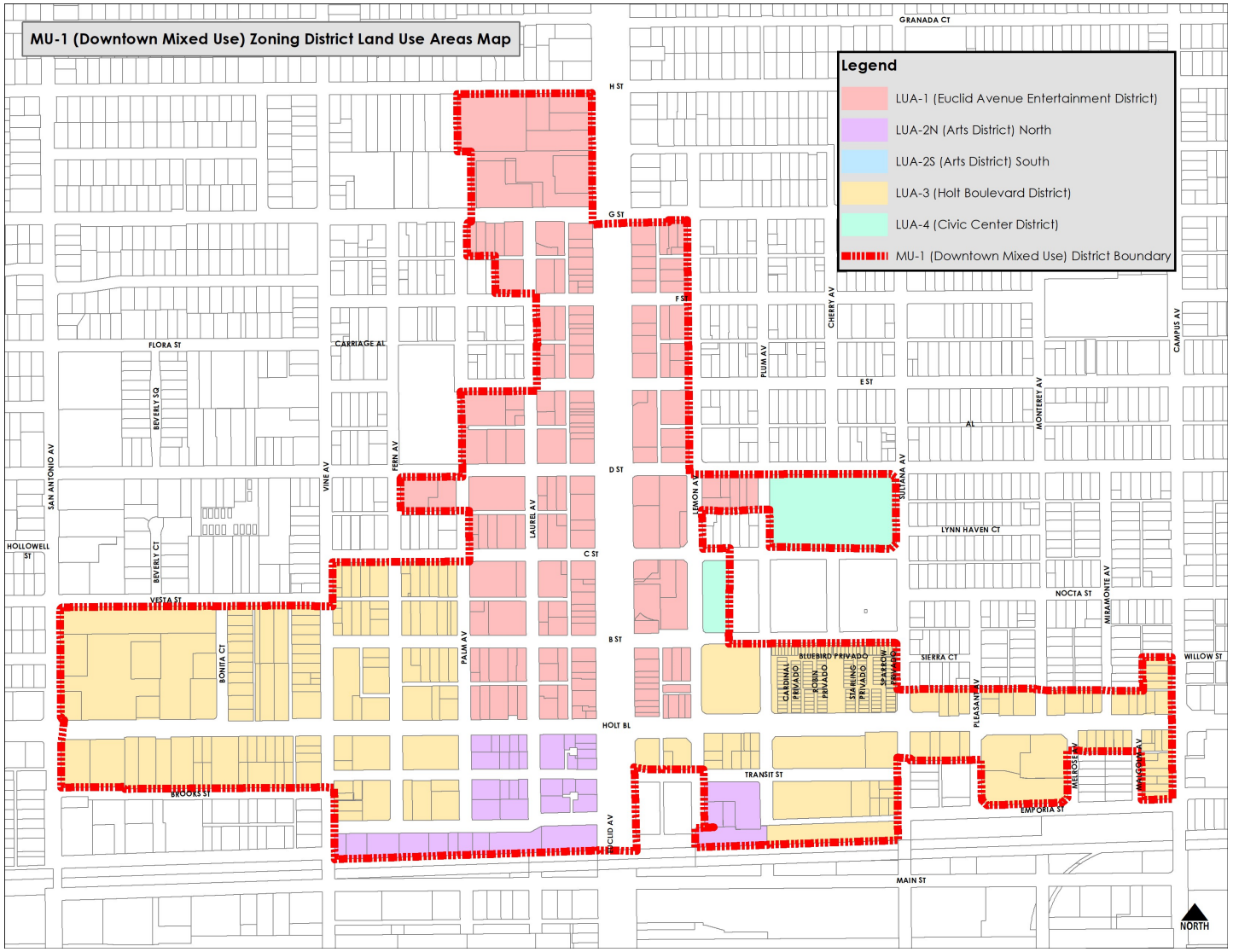


Figure 5.01-1: MU-1 (Downtown Mixed-Use) Zoning District Land Use Areas Map

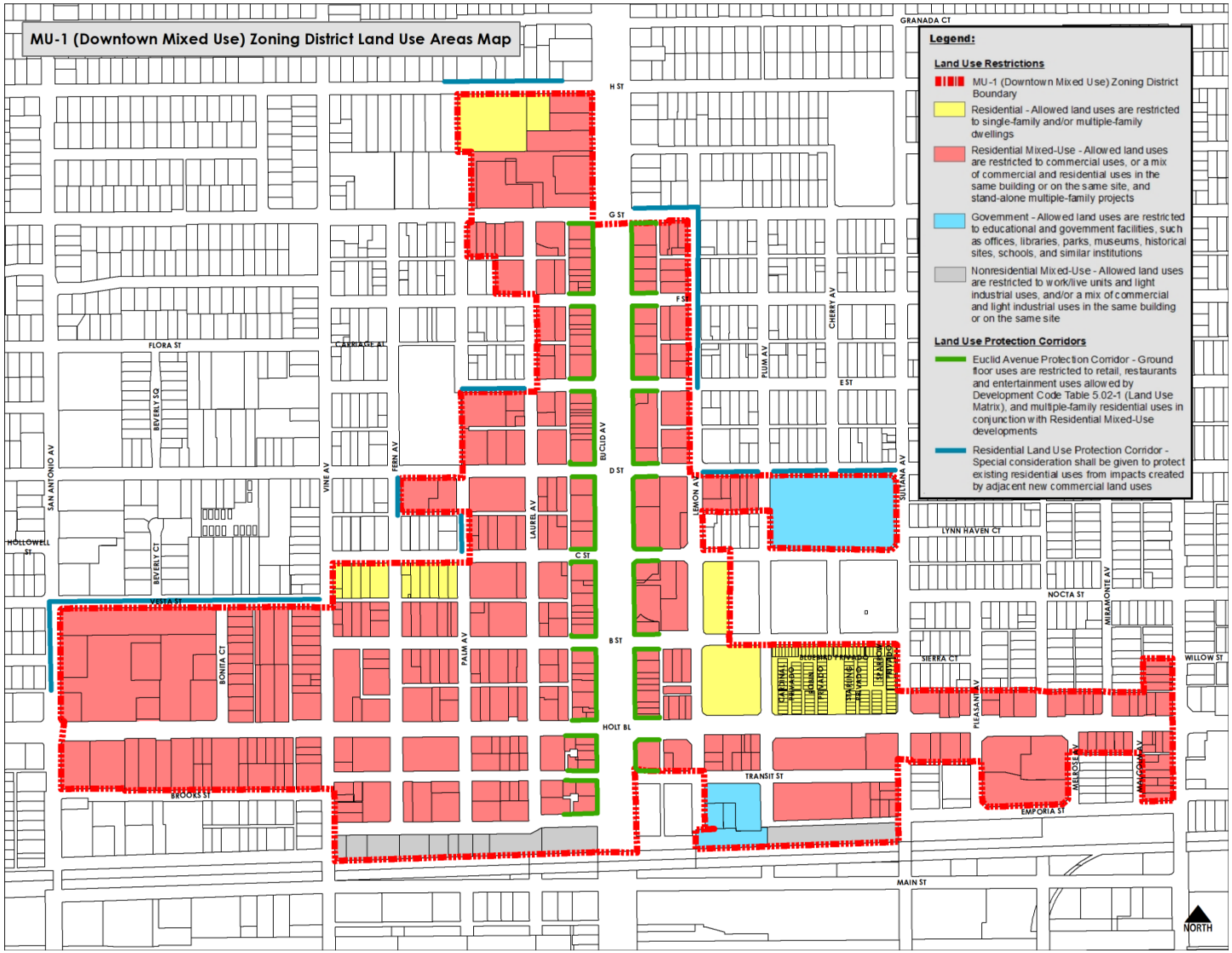


Figure 5.01-2: MU-1 (Downtown Mized Use) Zoning District Land Use Map

(ii) Arts District South is situated between Union Pacific and Southern Pacific Rail Lines, within an area not particularly suited to uses having a residential component (such as work/live lofts). Arts District South is envisioned to accommodate a mix of commercial, business park, and light industrial activities, which like Arts District North, will serve to stimulate the economic vitality of the area.

(3) LUA-3 (Holt Boulevard) District—Holt Boulevard is a vital east-west link to the downtown, particularly from Ontario International Airport, the Ontario Convention Center, and the nearby hospitality center. The Holt Boulevard District offers the most opportunity for development of market-rate and attainable housing. Mixed-use may be vertical or horizontal, with retail or live/work on the ground floor. Residents will have access to many downtown amenities, including shopping, public services, open space, and public transportation (Bus Rapid Transit or "BRT"). The District will be designed as a signature gateway to the City's historic downtown.

(4) LUA-4 (Civic Center) District—The Civic Center District's proximity to the Euclid Avenue Entertainment District will contribute to the community character and commercial vitality of Ontario's historic downtown area. People in need of City services at City Hall, the Public Library, or the Community Center, are potential shoppers and diners at downtown stores and restaurants. Furthermore, the Civic Center's significant outdoor spaces provide a link to downtown shopping, dining, streetscapes, and friendly pedestrian experiences.

d. To accomplish the objectives of the MU-1 (Downtown Mixed Use) zoning district, certain blocks have been imposed with use restrictions, as shown in Figure 5.01-2 (MU-1 (Downtown Mixed Use) Zoning District Land Use Map) of this Division.

e. The MU-1 zoning district, along with the Land Use Areas and Land Use Subdistricts established thereunder, is consistent with and implements the Downtown Mixed Use land use designation of the Policy Plan component of The Ontario Plan.

2. MU-3 (East Guasti Mixed Use) Zoning District. The MU-3 zoning district is hereby established to accommodate a mixture of low-rise (up to 5 stories) office and retail uses at an intensity of 1.0 FAR and residential uses at a density of 20 to 65 DU/AC, that will create identity and place within the southeast corner of the Guasti Mixed Use area. Approximately one-half of the MU-3 zoning district is developed with the historic San Secondo d'Asti Catholic Church. The remaining half of the area is intended for development with high-quality office, lodging, retail, and residential uses that respect the history of the adjacent Guasti Winery. The MU-3 zoning district is consistent with and implements the Guasti Mixed Use land use designation of the Policy Plan component of The Ontario Plan.

3. MU-6 (East Holt Mixed Use) Zoning District. The MU-6 zoning district is hereby established to accommodate the intensification of the Holt Boulevard Corridor with low-rise (up to 5 stories) buildings housing a mixture of retail and office uses at a development intensity of up to 1.0 FAR and 2.0 FAR, respectively, and residential uses at a density of 14 to 40 DU/AC. The intent of this zoning district is to create identity and place along the Holt Boulevard Corridor and provide a connection between the Downtown Mixed Use Area and the Ontario Airport Metro Center. The MU-6 zoning district is consistent with and implements the Holt Mixed Use land use designation of the Policy Plan component of The Ontario Plan.

4. MU-8B (Mountain/Fourth Mixed Use) Zoning District. The MU-8B zoning district is hereby established to accommodate a low-rise (up to 5 stories) mixture of retail uses at an intensity of 1.0 FAR and residential uses at a density of 20 to 75 DU/AC, that will create identity and place along the Mountain Avenue corridor and serve the surrounding residents. The MU-8B zoning district

is consistent with and implements the Mountain/Fourth Mixed Use Neighborhood Activity Hub land use designation of the Policy Plan component of The Ontario Plan.

5. MU-8C (West Holt Mixed Use) Zoning District. The MU-8C zoning district is hereby established to accommodate the intensification of the Holt Boulevard Corridor with low-rise (up to 5 stories) buildings housing a mixture of retail and office uses at a development intensity of up to 1.0 FAR and 2.0 FAR, respectively, and residential uses at a density of 14 to 40 DU/AC. The intent of this zoning district is to create identity and place along the Holt Boulevard Corridor and provide a connection between the Downtown Mixed Use Area and the Ontario Airport Metro Center. The MU-8C zoning district is consistent with and implements the Holt Mixed Use land use designation of the Policy Plan component of The Ontario Plan.

6. MU-8D (Euclid/Francis Mixed Use) Zoning District. The MU-8D zoning district is hereby established to accommodate a mixture of low-rise (up to 5 stories) retail uses at an intensity of up to 1.0 FAR, and residential uses at a density of 20 to 75 DU/AC, that will create identity and place along the Euclid Avenue corridor. The MU-8D zoning district is consistent with and implements the Euclid/Francis Mixed Use Neighborhood Activity Hub land use designation of the Policy Plan component of The Ontario Plan.

7. MU-8E (Euclid/Walnut Mixed Use) Zoning District. The MU-8E zoning district is hereby established to accommodate a low-rise (up to 5 stories) mixture of retail uses at an intensity of 1.0 FAR and residential uses at a density of 20 to 75 DU/AC, that will create identity and place along the Euclid Avenue corridor and serve the surrounding residents. The MU-8E zoning district is consistent with and implements the Euclid/Walnut Mixed Use Neighborhood Activity Hub land use designation of the Policy Plan component of The Ontario Plan.

D. Industrial Zoning Districts.

1. BP (Business Park) Zoning District. The BP zoning district is hereby established to accommodate industrial-serving commercial and office uses, and very light industrial uses, which may be developed at a maximum intensity of 0.6 FAR. Development within this zoning district is typically multi-tenant in nature; however, single-tenant buildings are not precluded. The BP zoning district is consistent with, and implements, the Business Park land use designation of the Policy Plan component of The Ontario Plan.

2. IP (Industrial Park) Zoning District. The IP zoning district is hereby established to accommodate a combination of commercial activity and light industrial uses, which may be developed at a maximum intensity of 0.6 FAR, and which support services to nearby industrial uses, technology centers, research and development, "clean" industry, and limited manufacturing activities. The IP zoning district is consistent with, and implements, the Business Park land use designation of the Policy Plan component of The Ontario Plan.

3. IL (Light Industrial) Zoning District. The IL zoning district is hereby established to accommodate lighter manufacturing and assembly activities, storage and warehousing activities, and other similar uses developed at a maximum intensity of 0.55 FAR. This zoning district is typically located within 500 feet of residentially zoned properties, public parks and schools, and mixed-use properties having a residential component~~.~~ ~~A~~and is intended to serve as a buffer between residentially zoned areas and heavier industrial zoning districts. Allowed uses are expected to have little or no impacts on nearby residential uses with regard to noise, odor, or hazards. The IL zoning district is consistent with, and implements, the Business Park and Industrial land use designations of the Policy Plan component of The Ontario Plan.

4. IG (General Industrial) Zoning District. The IG zoning district is hereby established to accommodate a wide range of manufacturing and assembly activities, storage and warehousing activities, and other similar uses developed at a maximum intensity of 0.55 FAR, which desire to locate in larger buildings and on larger sites. This zoning district is generally located away from residentially zoned properties, public parks and schools, and mixed-use properties having a residential component. The IG zoning district is consistent with, and implements, the Industrial land use designation of the Policy Plan component of The Ontario Plan.

5. IH (Heavy Industrial) Zoning District. The IH zoning district is hereby established to accommodate heavier manufacturing, assembly, storage, warehousing, and other similar industrial activities, as well as adult uses, which may have negative impacts when located near residential or other sensitive land uses, and which may be developed at a maximum intensity of 0.55 FAR. This zoning district is intended to be located away from residentially zoned properties, public parks and schools, and mixed-use properties having a residential component. The IH zoning district is consistent with, and implements, the Industrial land use designation of the Policy Plan component of The Ontario Plan.

E. Specialized Use Zoning Districts.

1. CIV (Civic) Zoning District. The CIV zoning district is hereby established to accommodate permanent public facilities such as City Hall, public libraries, museums, public and private schools and colleges/universities, police and fire stations, and other similar facilities that require significant public investment and are utilized by the public. The CIV zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

2. MHP (Mobile Home Park) Zoning District. The MHP zoning district is hereby established to accommodate communities consisting of mobile homes and manufactured housing at a density range of 5.1 to 8.0 dwelling units per acre. The MHP zoning district is consistent with, and implements, the Low-Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

3. ONT (Ontario International Airport) Zoning District. The ONT zoning district is hereby established to accommodate Ontario International Airport and surrounding properties directly impacted by airport operations. This zoning district includes uses such as airport terminals (including commercial and service uses related to the terminals), car rental agencies, and airport-related industrial, and delivery uses developed at a maximum overall zoning district intensity of 0.55 FAR. The ONT zoning district is consistent with, and implements, the Ontario International Airport land use designation of the Policy Plan component of The Ontario Plan.

4. OS-C (Open Space-Cemetery) Zoning District. The OS-C zoning district is hereby established to accommodate cemetery sites. Cemeteries provide visual open space, but not recreational opportunities, and have unique characteristics and activities that warrant a separate zoning designation to address their operational characteristics. The OS-C zoning district is consistent with, and implements, the Open Space-Nonrecreation land use designation of the Policy Plan component of The Ontario Plan.

5. OS-R (Open Space-Recreation) Zoning District. The OS-R zoning district is hereby established to accommodate open space uses such as public parks and recreation centers. The OS-R zoning district is consistent with, and implements, the Open Space-Parkland and Open Space-Water land use designation of the Policy Plan component of The Ontario Plan.

6. PUD (Planned Unit Development) Zoning District. The PUD zoning district is hereby established to accommodate projects that require master plan approval pursuant to The Ontario Plan Policy Plan, which focuses on the character of the development, relationship of uses, public and private access, parking, pedestrian facilities, building form, integration with the roadways and pedestrian ways, public spaces, landscaping, amenities, and unique product types. The PUD zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

7. RC (Rail Corridor) Zoning District. The RC zoning district is hereby established to accommodate permanent rail or fixed transit corridors through the City and includes stations and ancillary facilities, railroad maintenance yards, and construction storage yards. The RC zoning district is consistent with, and implements, the Railroad land use designation of the Policy Plan component of The Ontario Plan.

8. SP (Specific Plan) Zoning District. The SP zoning district is hereby established to accommodate the adoption of Specific Plans pursuant to this Development Code. The SP zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

9. UC (Utilities Corridor) Zoning District. The UC zoning district is hereby established to accommodate flood control channels, retention and detention basins, electrical transmission corridors and landfills, and may include ancillary recreational facilities, such as public trails in conjunction with the primary use of the site. The UC zoning district is consistent with, and implements, the Open Space-Nonrecreational land use designation of the Policy Plan component of The Ontario Plan.

F. Overlay Districts.

1. AG (Agriculture) Overlay Zoning District. The AG Overlay zoning district is hereby established to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that development is slated to occur consistent with the Policy Plan component of The Ontario Plan and the underlying zoning district. Furthermore, it is the intent of this overlay zoning district is to permit continued agricultural use of properties or to establish general agricultural uses, including dairies, which are appropriate for areas of concentrated agricultural uses. The AG Overlay zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

2. EA (Euclid Avenue) Overlay Zoning District. The EA Overlay zoning district is intended to: **[i]** recognize, protect, and enhance the visual character and quality of Euclid Avenue as a major scenic and historic resource of the City; **[ii]** recognize and protect Euclid Avenue's position on the National Register of Historic Places; and **[iii]** recognize Euclid Avenue as a major contributor to Ontario's historic downtown area.

3. ES (Emergency Shelter) Overlay Zoning District. The ES Overlay zoning district is hereby established to accommodate Emergency Shelters, Supportive Housing, Transitional Housing, and Transitional Living Centers pursuant to the Housing Element of the Policy Plan component of The Ontario Plan, and GC Section 65583. The ES overlay district is consistent with, and implements, all land use designations of the Policy Plan component of The Ontario Plan.

4. MTC (Multimodal Transit Center) Overlay Zoning District. The MTC Overlay zoning district is hereby established to allow for the interim use of existing industrial buildings located in the Multimodal Mixed-Use land use designation, as shown on the Land Use Plan (Exhibit LU-01) of

The Ontario Plan, with general industrial land uses allowed in the IG zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Division, while at the same time preserving the City's vision for the development of a multi-modal transit center and supporting mixed-use development. The MTC Overlay zoning district is consistent with, and implements, the Multimodal Mixed-Use land use designation of the Policy Plan component of The Ontario Plan.

5. ICC (Interim Community Commercial) Overlay Zoning District. The ICC Overlay zoning district is hereby established to allow for the interim use of existing commercial buildings, which are nonconforming as to zoning and/or land use. Property in the ICC Overlay zoning district shall be subject to the land use requirements of the CN and CC zoning districts, as shown in Table 5.02-1 (Land Use Matrix) of this Division, while at the same time preserving the City's long term vision for the development and use of property consistent with the underlying Policy Plan (general plan) land use designation. The ICC Overlay zoning district is consistent with, and implements, all land use designations of the Policy Plan component of The Ontario Plan.

6. AH (Affordable Housing) Overlay Zoning District. The AH Overlay zoning district is hereby established to facilitate housing opportunities within the City of Ontario by means of the implementation of required rezone programs pursuant to the City's adopted Housing Element, where required for compliance with State Housing Element law.

7. CNO (Chino Airport) Overlay Zoning District. The CNO zoning district is hereby established to: **[i]** delineate the Airport Influence Area (AIA) for Chino Airport as the boundary of the CNO Overlay zoning district; **[ii]** adopt an airport land use compatibility plan for Chino Airport that is consistent with the 2011 Caltrans Airport Land Use Planning Handbook solely to address impacts within the boundaries of the City of Ontario; and **[iii]** promote compatibility between Chino Airport and the land uses that surround it. Property in the CNO Overlay zoning district shall be subject to the requirements of Reference I (Chino Airport Land Use Compatibility Plan) of this Development Code, which includes maps, criteria, and policy language to guide development within the Chino Airport AIA.

5.01.010: Zoning Map Adoption

The City Council hereby adopts the official zoning map of the City, entitled "City of Ontario Zoning Map" (hereafter referred to as "Zoning Map"). The Zoning Map is hereby incorporated into this Development Code by reference and shall be maintained on file in the office of the Planning Department. The boundaries of the zones as set forth on the Zoning Map are confirmed, adopted, and established, and may be amended pursuant to the requirements of Section 4.01.040 (Zone Changes) of this Development Code.

5.01.015: Zoning District Boundaries

When uncertainty exists as to the boundary of a district shown on the Zoning Map, the following regulations shall control:

A. Where a boundary line is indicated as following a street or alley, the boundary line shall be construed as following the centerline of the right-of-way;

B. Where a boundary line follows or coincides approximately with a lot line or property ownership line, the boundary line shall be construed as following the lot line or boundary line;

C. Where the boundary line is not indicated as following a street or alley and does not follow or coincide approximately with a lot line or property ownership line, unless specifically indicated by dimensions on the Zoning Map, the boundary line shall be determined based on the scale of the Zoning Map;

D. Where uncertainty exists, the Zoning Administrator shall determine in writing, the location of the boundary in question, giving due consideration to the location indicated on the Zoning Map, the objectives of the Development Code, and the specific purposes for each district; and

E. Where a street or alley is officially vacated or abandoned, the area within the area of vacated street or alley on each side of the centerline shall be classified in the same zoning district as the adjoining property.

Division 5.02—General Land Use Provisions

Sections:

5.02.000: Purpose
5.02.005: Applicability
5.02.010: Allowed Land Uses, Activities and Facilities

5.02.000: Purpose

The purpose of this Division is to identify those land uses, activities and facilities that may be established in conjunction with any buildings, improvements, lots, or premises that are privately owned, leased, operated, or controlled within the zoning districts established by Section 5.01.005 (Establishment of Base Zoning Districts) of this Development Code, and is to serve as a guide for the establishment of publicly owned land uses, activities and facilities (see Subsection 1.01.015.F (City Properties) of this Development Code.

5.02.005: Applicability

A. Land Use Matrix.

1. Land and facilities thereon shall be developed, divided, and/or used only for those activities and facilities listed in Table 5.02-1 (Land Use Matrix) of this Division. Table 5.02-1 (Land Use Matrix) establishes uses that are permitted, conditionally permitted, administratively permitted, or expressly prohibited, within the zoning districts established by Section 5.01.005 (Establishment of Base Zoning Districts) and identified on the Zoning Map established by Section 5.01.015 (Zoning Map Adoption) of this Chapter. A use that is not specifically allowed by Table 5.02-1 (Land Use Matrix) shall be deemed a prohibited use unless otherwise allowed by the Zoning Administrator pursuant to Subsection C (Land Uses, Activities and Facilities Not Addressed by the Land Use Matrix) of this Section. Notwithstanding any other provision of this Development Code, a medical marijuana dispensary, as defined in Division 9.01 (Definitions) of this Development Code shall be a prohibited use in all zoning districts of the City (see Section 5.03.295 (Medical Marijuana Dispensary) of this Chapter).

2. Table 5.02-1 (Land Use Matrix) further establishes a hierarchy of land uses, activities, and facilities, based upon the North American Industry Classification System (NAICS) — the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy — and identifies the NAICS code for each industry sector (2-number code), subsector (3-number code), group (4-number code), subgroup (5-number code), and use (6-number code), as they are applicable to the City, allowing the user to effectively reference the NAICS Association web site to obtain definitions for each industry, along with background information and access to various NAICS reference files and tools.

B. Land Use Regulations, Operating Conditions, and Development Standards. The "Additional Regulations" column of Table 5.02-1 (Land Use Matrix) references the location of regulations, operating conditions, and/or development standards that are applicable to the corresponding land uses, activities and facilities.

C. Land Uses, Activities and Facilities Not Addressed by the Land Use Matrix. Land uses, activities, or facilities not addressed by Table 5.02.1 (Land Use Matrix) may be considered by the Zoning Administrator upon the request for a land use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code.

D. Specialized Use and Overlay Zoning Districts. Land uses, activities, and facilities within Specialized Use and Overlay Zoning Districts, which are not addressed in Table 5.02-1 (Land Use Matrix), shall be applied as follows:

1. PUD (Planned Unit Development) Zoning District. The PUD zoning district is established to accommodate the development and use of properties that require Planned Unit Development approval pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. Land uses, activities, and facilities within the PUD zoning district shall only be allowed pursuant to the applicable Planned Unit Development document.

2. SP (Specific Plan) Zoning District. The SP zoning district is established to accommodate the adoption of Specific Plans pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. All land uses, activities, and facilities within the SP zoning district shall only be allowed pursuant to the applicable Specific Plan document.

3. EA (Euclid Avenue) Overlay District. The EA Overlay District is established to protect Euclid Avenue as a major scenic and historic resource of the City. All land uses, activities, and facilities within the EA Overlay district shall be allowed pursuant to the requirements of the applicable underlying base zoning district.

4. ES (Emergency Shelter) Overlay District. The ES Overlay District is established to accommodate Emergency Shelters, Supportive Housing, Transitional Housing, and Transitional Living Centers within areas of the City predetermined by the Housing Element (contained within the Policy Plan component of The Ontario Plan), pursuant to GC Section 65583. Within the ES Overlay District, Emergency Shelters, Supportive Housing, Transitional Housing, and Transitional Living Centers are permitted by right of being within the correct zoning district, and are subject to the land use standards contained within Section 5.03.400 (Temporary Shelters) of this Chapter and the development standards and guidelines contained within (Division 6.01 (District Standards and Guidelines) of this Development Code, as applicable to the underlying base zoning district.

5. MTC (Multimodal Transit Center) Overlay District. The MTC Overlay District is established to allow for the interim use of existing buildings located within the overly district boundary (established pursuant to Paragraph 5.01.010.F.4 (MTC (Multimodal Transit Center) Overlay District) of this Development Code), while at the same time preserving the City's vision for development of a multi-modal transit center and supporting mixed-use development. To this end, the below-listed land uses shall be permitted within existing buildings located within the MTC Overlay District:

a. General warehousing, storage, and distribution trades;

b. Wholesale trades;

c. Retail trades, limited to 15 percent of the building GFA or 8,000 SF, whichever is less;

d. Office administrative and business support services; and

e. Other uses approved by the Zoning Administrator that are similar in nature to those uses listed in Subparagraphs B.5.a through d, above, provided all activities are wholly contained within the building and do not have the potential to negatively impact properties in the vicinity, or are consistent with the Vision and Policy Plan components of The Ontario Plan.

E. Mobile Business Activities not addressed by Table 5.02-1 (Land Use Matrix). Any mobile business activity that is not otherwise allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Division, or has been allowed by the Zoning Administrator following a request for a use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code, shall be expressly prohibited.

5.02.010: Allowed Land Uses, Activities and Facilities

A. Land Use Matrix (Table 5.02-1) Symbols. Land and facilities thereon shall only be developed, divided and/or used for those activities listed in Table 5.02-1 (Land Use Matrix) of this Division. The symbols shown in the Land Use Matrix shall have the following meanings:

1. "**P**" (permitted) shall mean the land use, activity, or facility within the specified zoning district is permitted by right of being in the proper zoning district, and is subject to each Development Code provision applicable to the specified zoning district and the standards for specific uses, activities, and facilities contained in Division 5.03 (Supplemental Land Use Regulations) of this Development Code.

2. "**C**" (conditionally permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of a Conditional Use Permit pursuant to Section 4.02.025 (Conditional Use Permits) of this Development Code, and is subject to each Development Code provision applicable to the specified zoning district and the standards for specific uses, activities, and facilities contained in Division 5.03 (Standards For Specific Uses, Activities and Facilities).

3. "**A**" (administratively permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of an Administrative Use Permit pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code, and is subject to Development Code provisions applicable to the specified zoning district and the standards for specific uses, activities and facilities contained in Division 5.03 (Standards For Specific Uses, Activities and Facilities).

4. **"---"** (prohibited) shall mean the land use, activity, or facility within the specified zoning district is expressly prohibited and shall not be allowed within the specified zoning district unless changed by Development Code Amendment.

B. Consistency with the Policy Plan (General Plan) Component of The Ontario Plan. No land use, activity or facility shall be permitted that is inconsistent with the objectives, polices, general land uses and programs specified in Policy Plan (General Plan) component of The Ontario Plan. A land use is consistent with The Ontario Plan if considering all of its aspects, it is found to further the objectives and policies of The Ontario Plan.

C. Table 5.02-1 (Land Use Matrix) Organization. The land uses addressed in Table 5.02-1 (Land Use Matrix) are organized as follows:

NAICS Codes	Land Uses, Activities and Facilities
	Residential
	Mixed Use
11	Commercial Agriculture
21	Mining, Quarrying, and Oil and Gas Extraction
22	Utilities
23	Construction
31-33	Manufacturing
42	Wholesale Trade
44-45	Retail Trade
48-49	Transportation and Warehousing
51	Information
52	Finance and Insurance
53	Real Estate, Rental and Leasing
54	Professional, Scientific and Technical Services
55	Management of Companies and Enterprises
56	Administrative and Support, and Waste Management and Remediation Services
61	Education Services
62	Health Care and Social Assistance
71	Arts, Entertainment and Recreation
72	Accommodation and Food Services
81	Other Services (except Public Administration)
92	Public Administration
	Temporary and Interim Land Uses, Buildings and Structures

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	RESIDENTIAL																																			
	Animal Keeping (as an accessory use)																																			
	Birds																																			
	• *Fewer than 25 birds*	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	See residential animal keeping standards contained in Section 5.03.410 (Urban Agriculture)
	• *25 to 100 birds*	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	• *More than 100 birds*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Cattle & Buffalo	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Exotic Pets	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	
	Horses	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Household Pets (limited to any combination of dogs, cats, potbellied pigs, rabbits, chinchillas, and other small, domesticated animals that are maintained for non-breeding purposes only)																																			
	• *4 or fewer pets*	P	P	P	P	---	---	---	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	P	---	P	---	---	---	---	---	See residential animal keeping standards contained in Section 5.03.410 (Urban Agriculture)
	• *5 to 8 pets*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	• *More than 8 pets*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	Llamas, Alpacas, Burros, Donkeys, and Mules	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Ostriches, Emus, and Rheas	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Poultry and Fowl	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Rabbits and Chinchillas	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Swine	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Sheep, Goats, and Similar Livestock	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
	Caretaker Quarters (excludes Caretaker Quarters established in conjunction with Self-Storage Facilities (NAICS 493190))	---	---	---	---	---	C	C	C	C	---	C	---	---	---	---	---	---	---	---	---	---	---	C	---	C	C	C	P	---	---	---	---	---	---	---	
	Community Gardens, Urban Farms, and Related Uses	A	A	A	A	A	A	A	A	A	A	A	**A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	---	A	A	---	A	See community garden and urban farms standards contained in Section 5.03.410 (Urban Agriculture) ** Use shall be prohibited on property located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	Employee (Farmworker) Housing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	See Section 5.03.177 (Employee (Farmworker) Housing)
	Home Occupations	A	A	A	A	---	---	---	---	---	---	---	A	A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	A	---	A	---	---	---	---	---	See Section 5.03.240 (Home Occupations)
	Mobilehome Parks	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	See Section 5.03.295 (Mobilehome Parks)

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	Residential Development Projects																																				
	Accessory Residential Structures (structures that are incidental to a primary single-family dwelling)																																				
	Accessory Dwelling Units	P	P	P	P	---	---	---	---	---	---	---	P	P	P	P	P	P	P	P	P	---	P	---	---	---	---	---	P	---	---	---	---	---	---	---	See Section 5.03.010 (Accessory Dwelling Units)
	Accessory Residential Structures (includes guesthouses, pool houses, freestanding recreation rooms, garages, carports, garden and tool sheds, and other ancillary buildings and structures determined appropriate by the Planning Director)	P	P	P	P	---	---	---	---	---	---	---	P	P	---	P	---	P	P	P	P	P	P	---	---	---	---	---	P	---	P	---	---	---	---	---	See Subsection B (Accessory Residential Structures) of Section 5.03.011
	Multiple-Family Dwellings	---	---	P	P	---	---	---	---	---	---	---	P	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Table 6.01-3 (Multiple-Family Residential Development Standards)
	Single-Family Dwellings																																				
	• *Traditional Single-Family Residential Subdivisions*	P	P	P	P	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings); See Table 6.01-1 (Traditional Single-Family Development Standards)
	• *Small Lot Traditional Single-Family Residential Subdivisions*	---	P	P	P	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings); See Table 6.01-2A (Small Lot Traditional Residential Development Standards)
	• *Small Lot Alley-Loaded Single-Family Residential Subdivisions*	---	---	P	P	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings); See Table 6.01-2B (Small Lot Alley-Loaded Residential Development Standards)
	• *Cluster Single-Family Residential Subdivisions*	---	---	P	P	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings); See Table 6.01-2C (Cluster Single-Family Residential Development Standards)
	Small Lot Infill Subdivisions	---	---	P	P	---	---	---	---	---	---	---	P	P	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 6.01.010.F (Small Lot Infill Subdivisions)
	Senior Citizen Housing Developments	---	---	P	P	---	C	C	---	---	---	---	P	---	---	P	P	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.360 (Senior Citizen Housing Developments)
	Single Room Occupancy (SRO) Facilities	---	---	---	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.370 (Single Room Occupancy (SRO) Facilities)
	Supportive Housing	P	P	P	---	---	---	C	---	---	---	---	C	---	---	C	---	---	---	---	---	---	---	---	---	P	C	---	---	C	---	---	---	---	---	---	---	See Section 5.03.405 (Transitional Shelters and Supportive Housing)
	MIXED USES																																				
	Nonresidential Mixed-Use Developments (development projects containing a mix of commercial and light industrial uses in the same building or on the same site)	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.285 (Mixed-Use Developments)
	Residential Mixed-Use Developments (development projects containing a mix of commercial and residential uses in the same building or on the same site)	---	---	---	---	---	C	C	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.285 (Mixed-Use Developments)
	Work/Live Units	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.425 (Work/Live Units)

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
11	**COMMERCIAL AGRICULTURE**																																			
111	**Commercial Crop Production and Farming** (except community gardens, urban farms, and marijuana cultivation)	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	P	P	P	P	P	See Section 5.03.410 (Urban Agriculture) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Community Gardens*	A	A	A	A	A	A	A	A	A	A	A	**A	A	A	A	A	A	A	A	A	A	A	A	A	A	---	---	A	A	A	---	A	A	A	A	
	• *Urban Farms*	A	A	A	A	A	A	A	A	A	A	A	**A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	---	---	A	A	A	A	
	• *Marijuana Cultivation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See OMC Title 6, Chapter 18 for Marijuana Cultivation for Personal Use
112	**Commercial Animal Production and Aquaculture**																																			
1121	**Cattle Ranching and Farming**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	See Commercial Animal Production Standards contained in Section 5.03.410 (Urban Agriculture)
1122	**Hog and Pig Farming**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
1123	**Poultry and Egg Production**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
1124	**Sheep and Goat Farming**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	
1125	**Aquaculture** *(includes the cultivation of freshwater and saltwater fish, crustaceans, mollusks, aquatic plants, algae, and other organisms)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
1129	**Other Animal Production**																																			
112910	*Apiculture (beekeeping and production)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	P	---	---	---	P	See Commercial Animal Production Standards contained in Section 5.03.410 (Urban Agriculture)
112920	*Horses and Other Equine Production*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	
112930	*Fur-Bearing Animal Production (limited to rabbits, chinchillas, and other similar small, fur-bearing animals)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	
112990	*All Other Animal Production, limited to the following:*																																			
	• *Kennels and Catteries (includes animals owned by the owner or occupant of the property, and those kept and/or boarded for remuneration)*																																			
	[1] *Fewer than 8 animals*	P	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	P	---	---	---	---	---	---	---	See Commercial Animal Production Standards contained in Section 5.03.410 (Urban Agriculture) and OMC Section 6-1.224 through Section 6-1.228 regarding commercial kennel licensing.
	[2] *8 or more animals*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	C	---	---	---	---	---	---	---	
	• *Alpaca and Llama Farming*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	See Commercial Animal Production Standards contained in Section 5.03.410 (Urban Agriculture)
	• *Aviaries*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	
	• *Ostrich, Emu, and Rhea Farming*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
115	**Support Activities for Agriculture**																																			
115111 115112 115113 115114 115115 115116	*Support Activities for Crop Production (includes cotton ginning; soil preparation, planting and cultivating; crop harvesting; postharvest crop activities; farm labor contractors and crew leaders; and farm management services)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**P**	---	---	---	---	---	---	---	
115210	*Support Activities for Animal Production*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**P**	---	---	---	---	---	---	---	
21	**MINING, QUARRYING, AND OIL AND GAS EXTRACTION**																																			
211	**Oil and Gas Extraction**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
212	**Mining** (except oil and gas)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
213	**Support Activities for Mining**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
22	**UTILITIES**																																			
221	**Utilities**																																			
2211	**Electric Power Generation, Transmission and Distribution**																																			
221111	*Hydroelectric Power Generation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**C**	---	---	---	---	---	---	---	---	
221112	*Fossil Fuel Electric Power Generation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**C**	**C**	---	---	---	**C**	---	---	---	
221113	*Nuclear Electric Power Generation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
221114, 221115	*Solar and Wind Electric Power Generation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**P**	---	**P**	---	---	---	---	---	**C**	See Section 5.03.160 (Electric Power Generation, Solar and Wind)
221116, 221117, 221118	*Geothermal, Biomass, and All Other Electric Power Generation (excepting solar and wind electric power generation)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**C**	---	---	---	---	---	---	---	---	
221121 221122	*Electric Power Transmission, Control and Distribution (includes power transmission and control, and power distribution)*	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	---	**C**	**C**	**P**	**C**	**C**	**C**	**C**	
23	**CONSTRUCTION**																																			
236, 237, 238	**Contractors** (limited to businesses whose primary activity is performing specific activities involved in building construction, engineering and capital improvement projects, or the preparation of sites for construction)																																			
	• *Completely within a Building*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**P**	**P**	**P**	**P**	**P**	---	---	---	**P**	---	---	---	---	
	• *With Outdoor Storage (screened from public view)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	**C**	**C**	**P**	**P**	---	---	---	---	---	---	---	---	See Section 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors)

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
31-33	**MANUFACTURING**																																			
***	**Boutique/Artisan Small-Scale and Micro Manufacturing Facilities** (includes all types of small-scale businesses that produce tangible goods, such as but not limited to: textiles, hardware and hardware prototyping, woodworking, metal working, 3D printing, consumer product design and prototyping, nonalcoholic beverage production, local food production and packaging, soaps, perfumes and lotions. Businesses may provide products directly to the consumer and/or to other businesses)	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	*** NAICS number shall be established based upon the primary manufacturing land use type See Section 5.03.037 (Artisan Small-Scale and Micro Manufacturing Facilities)
311	**Food Manufacturing**																																			
3111	**Animal Food Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3112	**Grain and Oilseed Milling**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3113	**Sugar and Confectionery Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3114	**Fruit and Vegetable Preserving and Specialty Food Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3115	**Dairy Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3116	**Animal Slaughtering and Processing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	
3117	**Seafood Product Preparation and Packaging**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
3118	**Bread and Tortilla Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.085 (Bread and Tortilla Manufacturing)
3119	**Other Food Manufacturing** (including snack foods, roasted nuts and peanut butter, coffee and tea, flavoring syrup and concentrate, seasoning and dressing, spice and extract, and all other miscellaneous food manufacturing)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.190 (Food Manufacturing, Other)
312	**Beverage and Tobacco Product Manufacturing**																																			
312111 312112 312113	**Beverage Manufacturing** (including soft drink, bottled water and ice manufacturing; however, excludes alcoholic beverage manufacturing)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
312120 312130 312140	**Alcoholic Beverage Manufacturing** (including breweries, wineries and distilleries, and related tasting rooms)																																			
	• *GFA less than 10,000 SF*	---	---	---	---	---	---	C	C	C	---	---	A	A	A	A	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.023 (Alcoholic Beverage Manufacturing)
	• *GFA 10,000 or More SF*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	
3122	**Tobacco Products Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	
313	**Textile Mills** (transforms basic fiber into fabric)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
314	**Textile Product Mills** (transforms fabric into product, except apparel)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	
315	**Apparel Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.035 (Apparel Manufacturing)
316	**Leather and Allied Product Manufacturing**																																			
3161	**Leather and Hide Tanning and Finishing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
3162	**Footwear Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.195 (Footwear Manufacturing)
3169	**Other Leather and Allied Product Manufacturing** (limited to manufacturing of luggage, handbags, purses, personal leather goods and other leather products)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.255 (Leather and Allied Product Manufacturing, Other)
321	**Wood Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
322	**Paper Manufacturing**																																				
3221	**Pulp, Paper, and Paperboard Mills**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
3222	**Converted Paper Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	---	---	---	---	---	
323	**Printing and Related Support Activities**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
324	**Petroleum and Coal Products Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
325	**Chemical Manufacturing**																																				
3251	**Basic Chemical Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
3252	**Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	
3253	**Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing**																																				
325311	*Fertilizer Manufacturing with on-site composting*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	See Section 5.03.187 (Fertilizer Manufacturing from Manure Operations (FMMO)); and Section 5.03.415 (Waste Treatment and Disposal—Composting and Anaerobic Digestion Facilities)
325314	*Fertilizer Manufacturing without on-site composting (limited to mixing of purchased materials)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	
325320	*Pesticide and Other Agricultural Chemical Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
3254	**Pharmaceutical and Medicine Manufacturing** (excludes biological product manufacturing—see NAICS 325414, below)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	P	---	---	---	P	---	---	---	---	See Section 5.03.325 (Pharmaceutical and Medicine Manufacturing)
325414	*Biological Product (except diagnostic) manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
3255	**Paint, Coating, and Adhesive Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
3256	**Soap, Cleaning Compound, and Toilet Preparation Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	See Section 5.03.375 (Soap, Cleaning Compound, and Toilet Preparation Manufacturing)
3259	**Other Chemical Product and Preparation Manufacturing**																																				
325910	*Printing Ink Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
325920	*Explosives Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
325991	*Custom Compounding of Purchased Resins*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	
325992	*Photographic Film, Paper, Plate, and Chemical Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

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													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
325998	*All Other Miscellaneous Chemical Product and Preparation Manufacturing (such as: activated carbon and charcoal, antifreeze preparations, electronic cigarette vapor refills, industrial salt, lighter fluids (e.g., charcoal, cigarette), matches and matchbooks, pyrotechnics (e.g., flares, flashlight bombs, signals), sugar substitutes (i.e., synthetic sweeteners blended with other ingredients) made from purchased synthetic sweeteners, swimming pool chemical preparations, and writing inks)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	
326	**Plastics and Rubber Products Manufacturing**																																			
3261	**Plastics Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.335 (Plastics Product Manufacturing)
3262	**Rubber Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
327	**Nonmetallic Mineral Product Manufacturing** (except glass and glass product manufacturing)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
327211 327212 327213 327215	*Glass and Glass Product Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	
331	**Primary Metal Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	
332	**Fabricated Metal Product Manufacturing**																																			
3321	**Forging and Stamping**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	P	---	---	---	---	
3322	**Cutlery and Hand Tool Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.135 (Cutlery and Hand Tool Manufacturing)
3323	**Architectural and Structural Metals Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
3324	**Boiler, Tank and Shipping Container Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	
3325	**Hardware Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.235 (Hardware Manufacturing)
3326	**Spring and Wire Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.385 (Spring and Wire Product Manufacturing)
3327	**Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.260 (Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing)
3328	**Coating (e.g., anodizing, electroplating, etc.), Engraving, Heat Treating, and Allied Activities** (except painting, powder coating, and polishing metal and metal products for the trade)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
332812	*Painting, Powder Coating and Polishing Metal and Metal Products for the Trade*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
3329	**Other Fabricated Metal Product Manufacturing**																																			
332911 332912 329913 332919	*Metal Valve Manufacturing*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	

Table 5.02-1: Land Use Matrix

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332991	Ball and Roller Bearing Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	
332992	Small Arms Ammunition Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
332993	Ammunition (except Small Arms) Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing, limited to the following:																																			
	• Small Arms Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
	• Other Ordnance and Accessories Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
332996	Fabricated Pipe and Pipe Fitting Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing (such as: foil containers (except bags), industrial patterns, metal hair curlers, metal ironing boards, metal pallets, metal pipe hangers and supports, metal safes, metal vaults (except burial), permanent metallic magnets, portable metal ladders, sanitary ware (e.g., bathtubs, lavatories, sinks), metal and enameled metal, and steel wool)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	See Section 5.03.185 (Fabricated Metal Product Manufacturing, All Other Miscellaneous)
333	**Machinery Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
334	**Computer and Electronic Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.115 (Computer and Electronic Product Manufacturing)
335	**Electrical Equipment, Appliance, and Component Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.165 (Electrical Equipment, Appliance, and Component Manufacturing)
336	**Transportation Equipment Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
337	**Furniture and Related Product Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.215 (Furniture and Related Product Manufacturing)
339	**Miscellaneous Manufacturing**																																			
3391, 3399	**Medical Equipment and Supplies; Jewelry and Silverware; Sporting and Athletic Goods; Dolls, Toys and Games; Office Supplies; Signs; and All Other Miscellaneous Manufacturing**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.265 (Manufacturing, Miscellaneous)
42	**WHOLESALE TRADE**																																			
423	**Merchant Wholesalers, Durable Goods**																																			
4231	**Motor Vehicles and Motor Vehicle Parts and Supplies**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
4232	**Furniture and Home Furnishings**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
4233	**Lumber and Other Construction Materials**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
4234	**Professional and Commercial Equipment and Supplies**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
4235	**Metals and Minerals (except Petroleum)**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
4236	**Household Appliances, and Electrical and Electronic Goods**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
4237	**Hardware and Plumbing, and Heating Equipment and Supplies**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	

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		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
4238	**Machinery, Equipment and Supplies**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	
4239	**Miscellaneous Durable Goods**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	
423910	*Sporting and Recreational Goods and Supplies*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
423920	*Toy and Hobby Goods and Supplies*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
423930	*Recyclable Materials (includes wholesale activity only; refer to NAICS 562920 (Material Recovery Facilities) for recovery/processing (recycling) activities)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	---	---	---	---	---	---	---	---	
423940	*Jewelry, Watches, Precious Stones, and Precious Metals*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
423990	*Other Miscellaneous Durable Goods, excepting ordnance and accessories (includes uses such as: firearms (except sporting), musical instruments, prerecorded audio and video tapes and discs, phonograph records, prerecorded compact discs (CDs) and digital video discs (DVDs), and timber and timber products (except lumber))*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	
424	**Merchant Wholesalers, Nondurable Goods** (excludes industrial gases, petroleum bulk stations and terminals, and fireworks and explosives merchant wholesalers)																																			
4241	**Paper and Paper Product Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4242	**Drugs and Druggists' Sundries Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4243	**Apparel, Piece Goods, and Notions Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4244	**Grocery and Related Product Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4245	**Farm Product Raw Materials Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4246	**Chemical and Allied Product Merchant Wholesalers**, except as listed below:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
424690	*Explosives and Fireworks*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	
424690	*Industrial Gases and Liquefied Gases (except petroleum gas)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	
424690	*Welding Gases*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	
4247	**Petroleum and Petroleum Products Merchant Wholesalers**, as listed below:																																			
424710	*Petroleum Bulk Stations and Terminals*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	
424720	*Petroleum and Petroleum Products (except bulk stations and terminals)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	
4248	**Beer, Wine, and Distilled Alcoholic Beverage Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
4249	**Miscellaneous Nondurable Goods Merchant Wholesalers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
425	**Wholesale Trade Agents and Brokers**																																			
425120	*Automobile auctions (wholesale auctions only)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
425120	*Business to Business Electronic Markets (via internet or other electronic means)*	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.090 (Business to Business Electronic Markets)
425120	*Durable and Nondurable Goods Agents and Brokers (office only)*	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.155 (Durable and Nondurable Goods Agents and Brokers)
425120	*Group Purchasing Organizations (acting as agents for goods distribution)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
425120	*Petroleum Brokers (office only)*	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	
44-45	**RETAIL TRADE**																																				
441	**Motor Vehicle and Parts Dealers**																																				
4411	**Automobile Dealers**, limited to new and used automobiles, and light trucks and vans (includes vehicle sales, and ancillary motor vehicle repair and maintenance activities)																																				
441110	*New Vehicles*	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.040 (Automobile Dealers - New Vehicle Sales and Leasing, and Automobile Rental) and Section 5.03.305 (Motor Vehicle Dealers)
441120	*Used Vehicles*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.305 (Motor Vehicle Dealers)
4412	**Other Motor Vehicle Dealers**																																				
441210	*Recreational Vehicles*	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.305 (Motor Vehicle Dealers)
441222	*Boats*	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	
441227	*Motorcycles, Personal Watercraft, All Terrain Vehicles, and Other Similar Vehicles*	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	
4413	**Automotive Parts, Accessories and Tire Stores**																																				
441330	*Automotive Parts and Accessories (excludes automotive repair)*	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	
441340	*Tire Stores*	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	
444	**Building Materials, Garden Equipment and Supplies Stores**	---	---	---	---	---	---	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
445	**Food and Beverage Stores**																																				
4451	**Grocery and Convenience Stores**																																				
445110	*Supermarkets and Other Grocery Stores, Delicatessens (primarily retailing a range of grocery items and meats), Commissaries and Food Stores*	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
445131	*Convenience Stores (limited to 10,000 SF maximum)*	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
445132	*Vending Machine Operators (retailing of merchandise through vending machines, as an ancillary business activity, within a fully enclosed building)*	---	---	---	---	P	P	P	P	P	P	P	P	---	---	P	---	---	P	P	P	P	P	P	P	P	P	---	P	---	P	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
4452	**Specialty Food Stores**																																			
445230 445240 445250 445291 445292 445298	*Confectionary and Baked Goods, Confectionary and Nut Stores, Dairy Products, Ice Cream, Meat, Seafood, Produce (except farmers markets and certified farmers' markets), Soft Drink, Tea and Coffee, Water Stores, and All Other Specialty Foods*	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.125 (Convenience Markets and Specialty Food Stores)
445230	*Farmers Markets and Certified Farmers Markets*	---	---	---	---	C	C	C	C	---	---	---	C	C	C	---	C	C	---	C	---	---	C	---	---	---	---	---	C	C	---	---	---	C	---	---	
4453	**Alcoholic Beverage Sales for Consumption Off-Premises**																																			
445320	*Alcoholic Beverage Sales for Consumption Off-Premises (except beer, wine, and liquor stores, see below)*	---	---	---	---	C	C	C	C	C	---	C	C	C	C	C	C	C	C	C	C	C	C	C	---	---	---	---	---	---	---	C	---	---	---	---	See Section 5.03.025 (Alcoholic Beverage Sales)
445320	*Beer, Wine, and Liquor Stores*	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	P	---	---	---	---	
449	**Furniture, Home Furnishings, Electronics, and Appliance Retailers**																																			
4491	**Furniture and Home Furnishings Stores**	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.210 (Furniture and Home Furnishings Stores)
4492	**Electronics and Appliance Stores**	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.175 (Electronics and Appliance Stores)
455	**General Merchandise Stores**																																			
4551	**Department Stores**	---	---	---	---	---	---	P	P	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4552	**Warehouse Clubs, Supercenters, and Other General Merchandise Stores**																																			
455211	*Warehouse Clubs and Supercenters*	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
455219	*All Other General Merchandise Stores (includes dollar stores, general merchandise catalog showrooms (except catalog mail order), general stores, general merchandise trading posts, home and automobile supply stores, and variety stores)*	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
456	**Health and Personal Care Stores**																																			
456110	*Pharmacies and Drug Stores*	---	---	---	---	P	P	P	P	---	P	P	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	See Section 5.03.330 (Pharmacies and Drug Stores) See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities.
	Marijuana Dispensaries	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.280 (Marijuana Dispensary)
456120	*Cosmetics, Beauty Supplies, and Perfume Stores*	---	---	---	---	P	P	P	P	---	---	---	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
456130	*Optical Goods Stores*	---	---	---	---	P	P	P	P	---	---	P	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
456191	*Food (Health) Supplement Stores*	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
456199	*All Other Health and Personal Care Stores (such as: hearing aids, medical equipment and supplies, personal mobility scooters, and prosthetics)*	---	---	---	---	---	P	P	P	---	---	P	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
457	**Gasoline Stations and Fuel Dealers**																																			
457110	*Gasoline Stations with Convenience Stores*	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	
457120	*Other Gasoline Stations, including Truck Stops*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
457190	*Self-Serve and Full Service Gasoline Stations*	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	P	P	P	P	P	P	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.225 (Gasoline and Fueling Stations)
457190	*Automated Fueling Stations ("card lock" facilities)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	P	---	---	---	---	See Section 5.03.225 (Gasoline and Fueling Stations)
457210	*Fuel Dealers (limited to the direct selling of alternative fuels, bottled gas, firewood, fuel oil, jet fuel bulk stations, and liquefied petroleum gas (LPG))*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	P	---	---	---	---	
458	**Clothing, Clothing Accessories, Shoes, and Jewelry Stores**	---	---	---	---	C	P	P	P	---	---	---	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
459	**Sporting Goods, Hobby, Book, and Musical Instrument Stores** (such as: sporting goods stores; hobby, toy, and game stores; sewing, needlework and piece goods (fabric and upholstery materials) stores; musical instrument and supplies stores; bookstores; and newsstands)	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
4591	**Sporting Goods, Hobby, and Musical Instrument Stores**	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
4592	**Book Stores and News Dealers**	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
4593	**Florists**	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
4594	**Office Supplies, Stationery, and Gift Stores**	---	---	---	---	C	P	P	P	P	---	P	P	P	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	
4595	**Used Merchandise Stores** (except motor vehicles), limited to the following:																																			
459510	*Antique, Vintage and Collectibles Shops*	---	---	---	---	---	P	P	P	---	---	P	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
459510	*Consignment Shops*	---	---	---	---	---	P	P	P	---	---	---	P	P	P	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
459510	*Flea Markets and Swap Meets (indoor only)*	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
459510	*Precious Metals, Gemstones, Jewelry, and Similar Merchandise (includes purchase of previously owned merchandise, such as "cash for gold" stores)*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	
459510	*Personal Property Donation Bins*	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.320 (Personal Property Donation Bins)
459510	*Thrift and Secondhand Stores, and Used Goods Stores*	---	---	---	---	---	---	P	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.400 (Thrift and Secondhand Stores, and Used Goods Stores)
4599	**Other Miscellaneous Stores**																																				
459910	*Pet and Pet Supplies Stores*	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
459920	*Art Dealers*	---	---	---	---	---	P	P	P	---	---	P	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
459930	*Manufactured (Mobile) Home Dealers, limited to the following:*																																				
	• *Without Display of Homes*	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	• *With Indoor Display of Homes (no outdoor display of homes permitted)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	
459991	*Smoking/Vaping Retailers (includes cigar stores, cigarette stands, electronic cigarette stores, hookah supplies stores, smoking / vaping supplies stores, tobacco stores, and other similar facilities — In-store smoking and/or vaping shall be prohibited)*	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.245 (Hookah Establishments, Smoking / Vaping Lounges, and Smoking / Vaping Retailers)
459999	*All Other Miscellaneous Store Retailers, limited to the following:*																																			
	• *Art Supplies, Candles, Closet Organizers, Collectibles, Flowers, Home Security Equipment, Hot Tubs, Janitorial Supplies, Police Supplies, Religious Goods, Swimming Pool Supplies and Trophy Shops*	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• *Auction Houses*	---	---	---	---	---	---	---	C	---	---	---	**C	---	---	C	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Industrial Retail Sales (limited to the ancillary retail sales of goods and/or product either manufactured, warehoused, or wholesaled on-site)*																																			
	[1] *≤ 15% of Building GFA Area or 8,000 SF, whichever is less*	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
	[2] *> 8,000 SF or 15% of Building GFA*	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	C	C	C	C	C	---	---	---	P	---	---	---	---	
48-49	**TRANSPORTATION AND WAREHOUSING**																																			
481	**Air Transportation**, limited to the following:																																			
481111 481112	*Scheduled Passenger Air Transportation and Scheduled Freight Air Transportation (Airport Facilities)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	See Section 5.03.020 (Air Transportation)
481211 481212	*Nonscheduled Chartered Passenger Air Transportation and Nonscheduled Chartered Freight Air Transportation*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	
481219	*Other Nonscheduled Air Transportation (such as: aircraft charter services, aviation clubs, and privately-owned aircraft)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	
481219	*Helipad/Heliport*	---	---	---	---	---	---	---	P	C	---	C	---	---	---	---	---	C	---	---	---	---	---	---	---	---	P	P	---	P	---	P	---	---	---	---	
482	**Rail Transportation**																																			
482111 482112	*Line-Haul, Short-Line and Beltline Railroads*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	P	---	
484	**Truck Transportation** (includes general and specialized freight trucking)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
485	**Transit and Ground Passenger Transportation**																																			
4851	**Urban Transit Systems** (includes public mixed-mode, commuter rail and bus transit passenger terminals and stations)	---	---	---	---	---	---	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	C	C	C	
4853	**Taxi and Limousine Services**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
4855	**Charter Bus Services**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
4859	**Other Transit and Ground Passenger Transportation**																																			

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
485991	*Special Needs Transportation (such as: handicapped passenger transportation, paratransit transportation, pet transportation, senior citizen transportation, and special needs passenger transportation)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
485999	*Other Transit and Ground Passenger Transportation (such as: airport limousine and shuttle services, and carpool and vanpool operations)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	
488	**Support Activities for Transportation**																																			
4881	**Support Activities for Air Transportation**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	
4882	**Support Activities for Rail Transportation** (includes servicing and maintenance facilities)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	C	---	
488210	*Railroad Passenger Terminals (line-haul, short-line and belt-line railroads)*	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	C	C	C	---	P	---	P	---	---	P	---	
488210	*Railroad Equipment Maintenance Yards*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	C	---	
4884	**Support Activities for Road Transportation**																																			
488410	*Towing Services (see Motor Vehicle Storage (NAICS 493190) for vehicle storage requirements)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	
488490	*Bus Passenger Terminals (independent)*	---	---	---	---	---	---	C	C	C	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	
4885	**Freight Transportation Arrangement** (limited to shipping agents and brokers)	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.200 (Freight Transportation Arrangement)
491	**Postal Service** (limited to US Postal Service and contract services. See "Private Mail Centers and Postal Services and Supplies" (NAICS 561431) for commercial mail services)	---	---	---	---	P	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
492	**Couriers and Messengers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	
493	**Warehousing and Storage**																																			
493110	*General Warehousing and Storage, limited to the following:*																																			
	• *Within a Wholly Enclosed Building*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
	• *Outside Materials and Equipment Storage*																																			
	[1] *In conjunction with an allowed use*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---P	P	P	P	---	---	---	P	---	---	---	---	
	[2] *As a primary use of property*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	p	---	---	---	P	---	---	---	---	
493120	*Refrigerated Warehousing and Storage*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	
493190	*Other Warehousing and Storage, limited to the following:*																																			
	• *Bulk Petroleum Storage (tank farm)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
	• *Lumber Storage*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
	• *Motor Vehicle Storage*																																			
	[1] *Indoor Vehicle Storage*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	[2] Outdoor Vehicle Storage	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	P	---	---	---	C	See Section 5.03.310 (Motor Vehicle Storage Facilities)
51	**INFORMATION**																																			
512	**Motion Picture and Sound Recording Industries**																																			
5121	**Motion Picture and Video Industries**																																			
512110 512120	*Motion Picture and Video Production and Distribution*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	P	---	---	---	
512131	*Motion Picture and Video Exhibition (movie theaters, except drive-in theaters)*	---	---	---	---	---	---	C	P	P	P	---	**P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
512191	Teleproduction and Other Postproduction Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	
512199	Other Motion Picture and Video Industries (such as: booking agencies, film libraries, film laboratories and film restoration)	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	
5122	**Sound (Audio) Recording Facilities**	---	---	---	---	---	---	P	P	---	*P	*P	**P	P	P	P	---	*P	P	*P	*P	P	*P	P	P	P	P	*P	---	---	---	---	---	---	---	---	See Section 5.03.380 (Sound (Audio) Recording Facilities) * Only allowed incidental to a permitted or conditionally permitted land use ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
513	**Publishing Industries** (except Internet—see Other Information Services)																																			
5131	**Newspaper, Periodical, Book, and Directory Publishers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	P	P	---	---	---	---	---	---	---	---	
5132	**Software Publishers**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	
516	**Broadcasting** (except Internet—see Other Information Services)																																			
516110 516120	*Radio Broadcast Studios/Stations*	---	---	---	---	---	C	P	P	---	---	P	**P	P	P	P	---	P	---	C	P	C	P	P	P	P	P	P	---	---	---	---	P	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
516120	*Television Broadcast Studios/Stations*	---	---	---	---	---	C	P	P	---	---	P	**P	P	P	P	---	P	---	P	P	C	P	P	P	P	P	P	---	---	---	---	P	---	---	---	
517	**Telecommunications Facilities**																																			
517111	*Wired telecommunications Facilities*	C	C	C	C	C	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	---	P	P	P	P	See Section 5.03.420 (Wireless Telecommunications Facilities) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
517112	*Wireless Telecommunications Facilities*	P	P	P	P	P	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	P	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
5174	**Satellite Telecommunications Facilities**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	P	---	---	---	---	
5178	**All Other Telecommunications** (includes telecommunications resellers, radar station operations, and satellite telemetry operations and tracking stations)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	
518	**Data Processing, Hosting and Related Services**	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.140 (Data Processing, Hosting and Related Services)
519	**Libraries and Archives**																																				
519210	*Libraries and Archives*	C	C	C	C	C	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	C	---	---	---	---	---	P	---	---	---	---	---	---	
52	**FINANCE AND INSURANCE**																																				
522	**Credit Intermediation and Related Activities**																																				
5221	**Depository Credit Intermediation** (limited to commercial banking, savings institutions, and credit unions)	---	---	---	---	---	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.145 (Depository Credit Intermediation) See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities. ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5222	**Nondepository Credit Intermediation** (such as: credit card issuing, sales financing, consumer and real estate lending, and secondary market financing, excluding pawn shops and pawn brokers)	---	---	---	---	---	---	P	P	---	P	P	---	---	---	P	P	P	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	
522299	*Pawnshops and Pawnbrokers*	---	---	---	---	---	---	C	C	---	---	---	**C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5223	**Activities Related to Credit Intermediation**																																				
522310	*Mortgage and Nonmortgage Loan Brokers*	---	---	---	---	---	P	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
522320	*Financial Transactions Processing and Clearinghouse Activities*	---	---	---	---	---	---	P	P	---	---	P	**P	P	P	P	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	
522390	*Other Activities Related to Credit Intermediation (limited to check cashing, money order issuance, money transmission and payday advance services)*	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.130 (Credit Intermediation-Related Activities)

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
523, 524, 525	**Securities, Commodity Contracts, and Other Financial Investments; Insurance Carriers; and Related Activities, Funds, Trusts, and Other Financial Vehicles**	---	---	---	---	---	P	P	P	---	P	P	**P	P	P	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
53	**REAL ESTATE RENTAL AND LEASING**																																				
531	**Real Estate**																																				
5311	**Real Estate Rental or Leasing**, except banquet halls	---	---	---	---	C	P	P	P	P	P	P	**P	P	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
531120	*Banquet Halls (standalone facilities)*	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.067(Banquet Facilities - Historic Properties) for administratively permitted banquet facility uses located on historically designated properties
531130	*Self-Storage Facilities*	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	See Section 5.03.355 (Self-Storage Facilities)
5312	**Real Estate Agents and Brokers**	---	---	---	---	C	P	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5313	**Activities Related to Real Estate** (such as: escrow services, fiduciaries, listing services, property managers, and appraisers)	---	---	---	---	P	P	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
532	**Rental and Leasing Services**																																				
5321	**Automotive Equipment Rental and Leasing**																																				
53211	*Passenger Car Rental and Leasing*	---	---	---	---	---	---	C/P	C/P	C/P	---	---	---	---	---	---	---	C	---	C	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.040 (Automobile Dealers—New Vehicle Sales and Leasing, and Automobile Rental)
53212	*Truck, Utility Trailer, and Recreational Vehicle Rental and Leasing*	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	P	---	---	---	P	---	---	---	---	
5322	**Consumer Goods Rental** (limited to rental of consumer electronics and appliances, costumes, formal wear, furniture rental, home health equipment, musical instrument rental, party and banquet accessories, recreational goods, and video tapes and discs)	---	---	---	---	---	---	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.120 (Consumer Goods Rental) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5323	**General Rental Centers** (limited to home and garden tool and equipment rental)	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	P	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.230 (General Rental Centers)
5324	**Commercial and Industrial Machinery and Equipment Rental and Leasing**	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
54	**PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES**																																				
541	**Professional, Scientific, and Technical Services, except Scientific Research and Development Services, and Veterinary and Animal Hospital Services** (such as legal, accounting, tax preparation, bookkeeping, payroll, architecture, engineering, and specialized design services; systems design; management, scientific, and technical consulting services; and advertising and public relations services)	---	---	---	---	---	---	P	P	P	P	P	**P	---	---	P	---	---	P	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5417	**Scientific Research and Development Services**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
5419	**Other Professional, Scientific, and Technical Services** (except veterinary and animal hospital services)	---	---	---	---	---	P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	P	---	---	---	---	
541940	*Veterinary and Animal Hospital Services*	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	---	---	P	P	P	P	P	P	P	---	---	---	C	---	---	---	---	---	---	---	
55	**MANAGEMENT OF COMPANIES AND ENTERPRISES**																																				
551	**Management of Companies and Enterprises** (limited to offices of holding companies, and corporate, subsidiary, and regional managing offices)	---	---	---	---	---	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
56	**ADMINISTRATIVE AND SUPPORT, AND WASTE MANAGEMENT AND REMEDIATION SERVICES**																																				
561	**Administrative and Support Services**																																				
5611, 5612	**Office Administrative Services and Facilities Support Services** (limited to services provided for others on a contract or fee basis)	---	---	---	---	---	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5613	**Employment Services** (limited to employment placement, executive search, and temporary employment services)	---	---	---	---	---	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	
5614	**Business Support Services**																																				
561410	*Document Preparation Services*	---	---	---	---	---	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
561421 561422	*Telephone Answering Services and Call Centers*	---	---	---	---	---	---	P	P	---	---	P	---	---	---	---	---	P	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	
561431	*Private Mail Centers, and Postal Services and Supplies*	---	---	---	---	P	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	
561439	*Other Business Service Centers (limited to mailbox rental, photocopying, duplicating, blueprinting, mailing services, document copying services, facsimile services, word processing services, on-site PC rental services, and office product sales)*	---	---	---	---	P	P	P	P	P	---	P	**P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	
561440	*Collection Agencies*	---	---	---	---	---	---	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
561450	*Credit Bureaus*	---	---	---	---	---	---	P	P	---	---	P	---	---	---	---	---	P	P	P	P	P	P	C	---	---	---	---	---	---	---	---	---	---	---	---	
561491 561492 561499	*Other Business Support Services (including repossession services, court reporting and stenotype services and all other business support services)*	---	---	---	---	---	---	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure
5615	**Travel Arrangement and Reservation Services**	---	---	---	---	---	P	P	P	P	P	P	**P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
5616	**Investigation and Security Services**	---	---	---	---	---	---	P	P	---	---	P	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
5617	**Services to Buildings and Dwellings** (limited to exterminating and pest control, janitorial, landscaping, carpet and upholstery cleaning, building exterior and chimney cleaning, power washing, gutter cleaning, light building maintenance, parking lot cleaning and swimming pool maintenance services)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	See Section 5.03.180 (Exterminating Services)
5619	**Other Support Services** (limited to packaging and labeling services, convention and trade show organizers, and document shredding services)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
562	**Waste Management and Remediation Services**																																			
5621	**Waste Collection**																																			
562111	*Solid Waste Collection, limited to the following*																																			
	• *Waste, Refuse and Garbage Collection Services (service yards)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	G	---	---	---	---	---	---	---	---	
	• *Waste Transfer Facilities*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
	• *Recycling Facilities (implements the California Beverage Container Recycling and Litter Reduction Act (PRC Section 14500 et seq.))*																																			
	[1] *Reverse Vending Machines*	---	---	---	---	---	A	A	A	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.340 (Recycling Facilities)
	[2] *Small Collection Facilities (a facility 500 SF or less in area, including Mobile Recycling Units, Bulk Reverse Vending Machines, Kiosk Type Units, and Unattended Containers)*	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	
	[3] *Large Collection Facilities (a facility greater than 500 SF in area)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	P	P	---	---	---	---	---	---	---	---	
	[4] *Processing Facilities*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
	• *Salvage Facilities (such as automobile dismantling and metal salvage/recycling. See NAICS 562920, Material Recovery Facilities, for the recovery/processing (recycling) of waste materials)*																																			
	[1] *Within a Wholly Enclosed Building*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	See Section 5.03.350 (Salvage Facilities)
	[2] *With Outdoor Storage and/or Processing Activities*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
562112	*Hazardous Waste Collection, limited to the following:*																																			
	• *Hazardous Waste Collection and Storage Facilities (except household hazardous waste collection facilities)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
	• *Hazardous Waste Collection Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
	• *Household Hazardous Waste Collection Facility*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	
562119	*Other Waste Collection Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
5622	**Waste Treatment and Disposal**																																			
562211	*Hazardous Waste Treatment and Disposal*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
562212	*Solid Waste Landfill*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
562213	*Solid Waste Combustors and Incinerators*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
562219	*Other Nonhazardous Waste Treatment and Disposal (limited to composting facilities and anaerobic digestion; excludes fertilizer manufacturing—see NAICS 325314)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	See Section 5.03.415 (Waste Treatment and Disposal—Composting and Anaerobic Digestion Facilities)
5629	**Remediation and Other Waste Management Services**																																				
562910	*Remediation Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	
562920	*Material Recovery Facilities (MRF) (consists of the removal of recyclable materials from a waste stream)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	See Section 5.03.275 (Material Recovery Facilities)
562920	• *Electronic Equipment Recycling*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	See Section 5.03.275 (Material Recovery Facilities)
562920	• *Salvage Facilities (includes facilities for the recovery/processing (recycling) of waste materials. See NAICS 562111 for automobile dismantling and metal salvage/recycling facilities. See NAICS 327999 for concrete and asphalt crushing or grinding)*																																				
562920	***[1]*** *Within a Wholly Enclosed Building*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	See Sections 5.03.275 (Material Recovery Facilities) and 5.03.350 (Salvage Facilities)
562920	***[2]*** *With Outdoor Storage and/or Processing Activities*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
562920	• *Tires and Scrap Rubber Recycling*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	See Section 5.03.275 (Material Recovery Facilities)
562991	*Septic Tank and Related Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	
562998	*All Other Miscellaneous Waste Management Services (includes but is not limited to storm and catch basin cleaning services, grease trap cleaning services, sewer cleaning and rodding services, and tank cleaning and disposal services)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	
61	**EDUCATION SERVICES**																																				
611	**Educational Services**																																				
6111, 6112, 6113	**Elementary and Secondary Schools, Junior Colleges, and Colleges, Universities and Professional Schools** (also includes activities and facilities ancillary to, and/or serving, an educational service, such as, but not limited to, administrative offices, student and educator housing, libraries and museums, performing arts and sports facilities, eating facilities, medical clinics, etc.)																																				
	• *Public Schools*	P	P	P	P	P	P	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	P	P	P	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Private Schools*	C	C	C	C	C	C	C	C	---	---	C	**C	C	C	C	C	C	---	---	---	---	---	C	---	---	---	---	C	C	C	---	---	---	---	---	
6114	**Business Schools and Computer and Management Training**	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	C	---	---	---	C	---	C	C	C	C	---	---	---	C	---	---	---	---	---	---	
6115	**Technical, Trade, and Vocational Schools**	---	---	---	---	---	---	C	C	---	---	C	---	---	---	---	C	---	C	---	C	C	C	C	C	C	C	---	---	C	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
6116	**Other Schools and Instruction**																																			
611610	*Fine Arts Schools (nonacademic instruction, including music, dance, performing arts, drama, photography, ceramics, painting, and sculpture)*																																			
	• *GFA less than 2,000 SF*	---	---	---	---	C	P	P	P	P	---	P	**P	P	P	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *GFA 2,000 SF or more*	---	---	---	---	---	C	C	C	C	---	C	**C	C	C	C	---	C	C	C	C	C	C	C	C	C	C	---	---	---	---	---	---	---	---	---	
611620	*Sports and Recreation Instruction (cheerleading, gymnastics, and martial arts)*																																			
	• *GFA less than 10,000 SF*	---	---	---	---	---	P	P	P	P	---	P	---	---	---	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	
	• *GFA 10,000 or More SF*	---	---	---	---	---	C	C	C	P	---	C	---	---	---	C	---	C	C	C	C	C	C	C	C	C	C	---	---	---	---	----	---	---	---	---	
611691	*Exam Preparation and Tutoring Services*	---	---	---	---	---	---	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
611692	*Automobile Driving School*	---	---	---	---	---	---	C	C	---	---	C	---	---	---	C	---	C	C	C	C	C	C	C	C	---	---	---	---	C	---	---	---	---	---	---	
611699	*Other Schools of Instruction (public speaking, survival training, and speed reading)*	---	---	---	---	---	---	C	C	---	---	C	C	---	---	C	---	C	C	C	C	C	C	C	C	---	---	---	---	C	---	---	---	---	---	---	
6117	**Educational Support Services** (limited to testing, evaluation, tutorial, and online education services)	---	---	---	---	---	---	P	P	P	P	P	P	---	---	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	
62	**HEALTH CARE AND SOCIAL ASSISTANCE**																																			
621	**Ambulatory Health Care Services**																																			
6211, 6212, 6213, 6214, 6215, 6216	**Offices of Physicians and Dentists, Other Health Practitioners, Outpatient Centers, Laboratory Testing Services, Home Healthcare Services, and Community Clinics** (excludes massage establishments—see NAICS 812199)	---	---	---	---	---	P	P	P	P	P	P	P	---	---	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.02.270 (Massage Establishments and Services) for massage therapists or massage practitioners Pursuant to Figure 5.01-2 (MU-1 (Downtown Mixed Use) Zoning District Land Use Map) and Section 6.01.035.B.2.c (Development Standards and Guidelines) uses that front on to Euclid Avenue are not permitted on the ground/first floor.
6219	**Other Ambulatory Health Care Services**																																			
621910	*Ambulance Services*	---	---	---	---	---	---	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	C	---	---	---	---	
621991	*Blood and Organ Banks*	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
621999	*All Other Miscellaneous Ambulatory Health Care Services (limited to blood pressure screening, health screening, hearing testing, industrial clinics, pacemaker monitoring, physical fitness evaluation, and smoking cessation program services)*	---	---	---	---	---	P	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	See Section 5.03.030 (Ambulatory Health Care Services—All Other Miscellaneous) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
622	**Hospitals**	---	---	---	---	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	C	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	
623	**Nursing and Residential Care Facilities**																																				
6231	**Nursing Care Facilities** (includes State licensed facilities engaged in providing inpatient nursing and rehabilitative services by a permanent core staff of registered/licensed practical nurses who, along with other staff, provide nursing and continuous personal care services)	---	---	---	---	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	
6232	**Residential Intellectual and Developmental Disability, Mental Health, and Substance Abuse Facilities**																																				
623210	*Residential Intellectual and Developmental Disability Facilities (includes State licensed group homes, and intermediate care facilities primarily engaged in providing residential care services – room, board, protective supervision, and counseling services -- for persons diagnosed with intellectual and developmental disabilities)*																																				
	• *6 or fewer persons*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence.
	• *More than 6 persons*	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	
623220	*Residential Mental Health and Substance Abuse Facilities (includes State licensed residential care and treatment – room, board, protective supervision, and counseling services -- for patients with mental health and/or substance abuse illnesses. Medical services may be provided incidental to counseling, mental rehabilitation, and support services offered)*																																				
	• *6 or fewer persons*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence.
	• *More than 6 persons*	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	
6233	**Continuing Care Retirement Communities and Assisted Living Facilities for the Elderly**																																				
623311	*Continuing Care Retirement Communities (includes State licensed facilities providing a range of residential personal care services with on-site nursing care facilities for: [1] the elderly and other persons that are unable to fully care for themselves, and/or [2] the elderly and other persons who do not desire to live independently)*																																				
	• *6 or fewer persons*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence. See Section 5.03.110 (Community Care Facilities for the Elderly—6 or Fewer Persons)
	• *More than 6 persons*	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	See Section 5.03.105 (Community Care Facilities for the Elderly—More Than 6 Persons)

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
623312	*Assisted Living Facilities for the Elderly (includes State licensed facilities providing residential and personal care services without on-site nursing care facilities for: [1] the elderly and other persons that are unable to fully care for themselves, and/or [2] the elderly and other persons who do not desire to live independently)*																																			
	• *6 or fewer persons*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence. See Section 5.03.110 (Community Care Facilities for the Elderly—6 or Fewer Persons)
	• *More than 6 persons*	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	See Section 5.03.105 (Community Care Facilities for the Elderly—More Than 6 Persons)
6239	**Other Residential Care Facilities for 6 or fewer persons** (includes facilities providing residential care services, such as: group homes for the hearing or visually impaired, child group foster homes, halfway group homes for ex-offenders, homes for unwed mothers, group homes for the disabled without nursing care, orphanages, etc.)	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence. See Section 5.03.345 (Residential Care Facilities, Other—6 or Fewer Persons)
624	**Social Assistance**																																			
6241	**Individual and Family Services**																																			
624110	*Adoption Services, Child Guidance Agencies, Child Welfare Services, and Foster Care Placement Services*	---	---	---	---	---	P	P	P	---	P	P	---	---	---	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
624110	*Teen Outreach Services and Youth Centers*	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	P	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
624120	*Senior Citizen and Adult Community Centers*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	P	P	---	P	---	---	---	---	---	---	P	---	---	---	---	---	---	
624120	*Adult Daycare Services*																																			
	• *6 or Fewer Persons*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	---	*P	*P	P*	*P	*P	*P	---	---	---	---	---	*P	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence
	• *7 or More Persons*	---	---	C	C	---	C	C	---	---	C	---	---	---	---	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	C	---	---	---	---	---	
624190	*Other Individual and Family Services*	---	---	---	---	---	---	P	---	---	P	P	---	---	---	P	---	P	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
6242	**Community Food and Housing, Emergency and Other Relief Services**																																			
624210	*Community Food Services (limited to food banks, meal delivery programs, and fixed and mobile soup kitchens)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	---	
624221	*Temporary Shelters*																																			
	• *Emergency Shelters*	---	---	C	---	---	---	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	P	C	C	---	C	C	---	---	---	---	---	See Section 5.03.405 (Transitional Shelters and Supportive Housing)
	• *Transitional Housing*	P	P	P	P	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	C	C	---	C	P	---	---	---	---	---	
	• *Transitional Living Centers*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	
624229	*Other Community Housing Services (agencies and organizations)*	---	---	---	---	---	P	P	---	---	P	P	**P	---	---	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
624230	*Emergency and Other Relief Services (administrative services/activities only)*	---	---	---	---	---	---	P	---	---	P	P	**P	---	---	P	P	P	P	---	---	P	---	---	---	---	---	---	---	P	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
6243	**Vocational Rehabilitation Services** (limited to vocational habilitation and rehabilitation, and workshops for persons with disabilities)	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	P	---	---	---	C	---	C	C	C	C	---	---	---	C	---	---	---	---	---	---	---	
6244	**Child Daycare Services**, limited to the following:																																				
624410	*Child Daycare Centers (Commercial Facilities)*	---	---	C	C	C	C	C	C	---	C	C	---	---	---	C	---	C	C	C	C	C	C	P	P	---	---	---	---	P	C	---	---	---	---	---	---	See Section 5.03.100 (Child Daycare Services)
624410	*Child Daycare Centers (Employer Provided Services)*	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	P	P	---	C	C	C	C	P	P	P	P	P	---	P	---	---	---	---	---	---	---	
624410	*Family Child Daycare Homes (up to 14 children)*	*P	*P	*P	*P	---	---	---	---	---	---	---	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	*P	---	---	---	---	---	*P	---	*P	---	---	---	---	---	* Allowed only in conjunction with an existing residence, including a single-family dwelling, a townhouse dwelling, a dwelling unit within a single-family dwelling, a multiple-family dwelling, or a dwelling unit within a multiple-family dwelling. Furthermore, the dwelling may be rented, leased, or owned, and the child daycare provider shall reside in the dwelling. See Section 5.03.100 (Child Daycare Services)
71	**ARTS, ENTERTAINMENT AND RECREATION**																																				
711	**Performing Arts, Spectator Sports, and Related Industries**																																				
7111	**Performing Arts Companies**	---	---	---	---	---	---	---	C	C	---	---	C	C	C	C	---	C	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	
7112	**Spectator Sports**	---	---	---	---	---	---	---	C	C	---	---	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	
7113	**Promoters of Performing Arts, Sports, and Similar Events** (offices only)	---	---	---	---	---	---	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
7114	**Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures** (offices only)	---	---	---	---	---	---	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
7115	**Independent Artists, Writers, and Performers** (offices only)	---	---	---	---	---	---	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
712	**Museums, Historical Sites, and Similar Institutions**																																				
7121	**Museums, Historical Sites, and Similar Institutions**																																				
712110	*Museums*	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	C	---	---	P	---	---	
712130	*Zoos and Botanical Gardens*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	
713	**Amusement, Gambling, and Recreation Industries**																																				
7131	**Amusement Parks and Arcades**																																				
713110	*Amusement and Theme Parks*	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	
713120	*Amusement Arcades (limited to video and electronic game arcades, cyber cafes, and on-line and internet gaming facilities)*	---	---	---	---	---	---	C	C	---	---	---	C	---	---	C	---	---	C	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.220 (Game Arcades, Internet Cafes, On-Line Internet Gaming, and Similar Facilities)
7132	**Gambling Industries** (except Bingo conducted pursuant to Ontario Municipal Code Title 5, Chapter 18 (Bingo for Charity))	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
7139	**Other Amusement and Recreation Industries**																																				
713910	*Golf Courses and Country Clubs*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
713940	*Fitness and Recreational Sports Centers (limited to health clubs and gyms, fitness and sports training facilities, tennis clubs, swim clubs and other similar activities and facilities)*																																			
	• GFA Less than 10,000 SF	---	---	---	---	---	P	P	P	P	---	P	**P	---	---	P	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	P	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• GFA 10,000 or More SF	---	---	---	---	---	C	C	C	P	---	C	**C	---	---	C	---	C	C	C	C	C	C	C	C	C	C	---	---	---	---	C	---	---	---	---	
713950	*Bowling Centers*	---	---	---	---	---	---	P	P	---	---	---	P	P	P	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
713990	*Adult-Oriented Businesses*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	See Section 5.03.015 (Adult-Oriented Businesses)
713990	*Batting Cages -- Indoor*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	
713990	*Batting Cages -- Outdoor*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	C	---	---	
713990	*Billiard Parlors and Pool Halls*	---	---	---	---	---	---	C	C	---	---	---	C	---	---	C	---	---	C	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.075 (Billiard Parlors and Pool Halls)
713990	*Dancing, Dance Clubs, Dance Halls, Ballrooms, and Discotheques*																																			
	• GFA Less than 5,000 SF	---	---	---	---	---	---	C	C	---	---	---	*A	---	---	---	---	---	C	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	* In the MU-1 zoning district, dancing activities/facilities are administratively permitted only in conjunction with a bona fide full-service restaurant or alcoholic beverage manufacturer's tasting room.
	• GFA 5,000 or More SF	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	---	---	C	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	
713990	*Escape, Exit, Mystery, and Puzzle Rooms*	---	---	---	---	---	---	C	C	---	---	---	C	C	C	---	---	---	---	---	C	---	C	C	---	C	C	---	---	---	---	---	---	---	---	---	---	
713990	*Golf Driving Ranges, Miniature and Pitch-N-Put Golf Courses, and Practice Ranges*	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	
713990	*Hookah Establishments and Facilities*	---	---	---	---	---	C	C	---	---	---	---	*/**A	*A	*A	*A	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	* In the MU-1 zoning district, hookah facilities are administratively permitted only in conjunction with a bona fide full-service restaurant. Standalone establishments and facilities shall not be allowed. ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations. See Section 5.03.245 (Hookah Establishments)
713990	*Live Entertainment (excludes adult-oriented establishments)*																																			

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	• GFA Less than 5,000 SF	‡A	‡A	‡A	‡A	---	C	C	C	C	---	---	*A/ **C	*A/ **C	*A/ **C	*A/ **C	---	C	C	C	C	C	C	C	---	---	---	---	---	---	C	---	P	---	---	---	---	* In the MU-1 zoning district, live entertainment is administratively permitted only in conjunction with a bona fide full-service restaurant or alcoholic beverage manufacturer's tasting room. ** Standalone live entertainment activities/facilities shall be subject to Conditional Use Permit approval and shall be prohibited on property located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations. ‡ Allowed in residential zoning districts only in conjunction with a banquet facility in association with a historic property
	• GFA 5,000 or More SF	---	---	---	---	---	C	C	C	C	---	---	**C	---	---	**C	---	C	C	C	C	C	C	C	---	---	---	---	---	---	C	---	C	---	---	---	---	
713990	*Off-Road Vehicle Riding Facilities (recreational)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
713990	*Open Space and Park Lands (publicly owned facilities)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
713990	*Shooting and Archery Ranges and Galleries — Indoor Only*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	---	
713990	*Simulated Racing (limited to go-carts, radio-controlled vehicles, and other similar facilities)*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	
713990	*Simulated Shooting Games — Indoor Only (limited to laser tag and paint ball)*	---	---	---	---	---	---	C	C	---	---	---	C	---	---	C	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	
713990	*Skating Rinks and Parks (indoor only)*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	C	---	---	---	---	C	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	
713990	*Smoking Lounges, Vape Lounges, and Other Similar Facilities (excluding hookah establishments)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
713990	*Stables (commercial riding)*	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	
72	**ACCOMMODATION AND FOOD SERVICES**																																				
721	**Accommodation (Lodging Facilities)**																																				
7211	**Traveler Accommodation**																																				
721110	*Hotels and Motels*	---	---	---	---	---	---	---	C	C	---	C	**C	---	---	C	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	See Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
721191	*Bed-and-Breakfast Inns*	C	C	C	C	C	C	C	C	---	C	C	**C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	See Section 5.03.070 (Bed-and-Breakfast Inns) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
721199	*All Other Traveler Accommodation*																																			
	• *Residence Inns*	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation)
	• *Cabins and Cottages*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• *Hostels*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
7212	**Recreational Vehicle (RV) Parks and Recreational Camps**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
7213	**Boarding, Lodging and Rooming Houses**	A	A	A	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	A	---	A	---	---	---	---	---	See Section 5.03.080 (Boarding, Lodging and Rooming Houses)
722	**Food Services and Drinking Places**																																			
7223	**Special Food Services**																																			
722310	*Food Service Contractors*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
722320	*Catering Services and Facilities*	---	---	---	---	---	---	P	---	P	---	---	P	P	P	P	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	
722330	*Mobile Food Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	See Section 5.03.290 (Mobile Food Services)
7224	**Drinking Places** (Alcoholic Beverage Sales *for On-Premises Consumption*)																																			
722410	*Drinking Places Other Than Bars, Cocktail Lounges, and Taverns (and other similar facilities)*																																			
	• *GFA less than 10,000 SF*	‡A	‡A	‡A	‡A	C	C	C	C	C	---	C	A	A	A	C	C	C	C	C	C	C	C	C	C	C	C	---	---	C	---	P	---	C	---	---	‡ Allowed in residential zoning districts only in conjunction with a banquet facility in association with a historic property or a not for profit homeowners association that maintains/operates a clubhouse or similar place of assembly for exclusive use by association members and their guests. See Section 5.03.025 (Alcoholic Beverage Sales)
	• *GFA 10,000 or More SF*	---	---	---	---	C	C	C	C	C	---	C	C	C	C	C	---	C	C	C	C	C	C	C	C	C	C	C	---	---	C	---	P	---	C	---	---	
722410	*Bars, Cocktail Lounges, Nightclubs and Taverns, and Other Similar Facilities*																																			
	• *GFA less than 5,000 SF*	---	---	---	---	---	---	C	C	C	---	C	**A	**A	**A	C	---	C	C	C	C	C	C	---	---	---	---	---	---	---	---	P	---	C	---	---	** Standalone bars, taverns, and other similar facilities shall be prohibited on property located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations. See Section 5.03.025 (Alcoholic Beverage Sales)
	• *GFA 5,000 or More SF*	---	---	---	---	---	---	C	C	C	---	C	C**	---	---	---	---	C	C	C	C	C	C	---	---	---	---	---	---	---	---	P	---	C	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																						
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
7225	**Restaurants and Other Eating Places**																																			
722511	*Full-Service Restaurants (includes ancillary banquet facilities— see NAICS 531120 for standalone banquet facilities)***	---	---	---	---	---	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	P	---	P	---	P	---	---	See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities. ** Outdoor dining areas, both temporary and permanent, which are provided in addition to seating areas approved with the development of a building, may be permitted, subject to the approval of an Administrative Use Permit.
722513	*Limited-Service and Fast Food Restaurants***	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	P	---	---	
722514	*Cafeterias and Buffets***	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	P	---	---	
722515	*Snack and Nonalcoholic Beverage Bars***	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	P	---	---	
81	**OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)**																																			
811	**Repair and Maintenance**																																			
8111	**Motor Vehicle Repair and Maintenance** (Note: See Motor Vehicle Storage (NAICS 493190) for vehicle storage requirements)																																			
811111	*Servicing Facilities (limited to retail-oriented services, such as emissions testing, battery replacement and other similar retail activities that involves the limited use of pneumatic tools or equipment that create noise impacts)*	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	P	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	See Section 5.03.065 (Automotive Repair and Maintenance—Servicing Facilities)
811111	*General Repair Facilities (includes general motor vehicle mechanical and electrical repair and maintenance of air conditioning, brake, cooling, electric, exhaust, fuel, and suspension systems; and engine, transmission, and drive train)*																																			
	• *Automobile, Light Truck and Van Repair and Maintenance*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	P	---	---	---	---	See Section 5.03.060 (Automotive Repair and Maintenance—General Repair Facilities)
	• *Large Truck, Bus and Similarly Large Motor Vehicle Repair and Maintenance*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
811121	*Automotive Body, Paint, and Interior Repair and Customization*																																			
	• *Automobile, Light Truck and Van Body, Paint, and Interior Repair and Customization*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	P	---	---	---	---	---	---	---	---	See Section 5.03.045 (Automotive Body, Paint, and Interior Repair and Customization—Minor Customization Work)
	• *Minor Customization Work (limited to the "bolt-on" replacement or addition of parts only -- body and/or paint work is prohibited)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	P	---	---	---	P	---	---	---	---	
	• *Large Truck and Bus Body, Paint, and Interior Repair and Maintenance*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
	• *Mobile Body and Paint Repair Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	P	---	---	---	---	---	---	---	---	See Section 5.03.050 (Automotive Body and Paint—Mobile Repair Services)
811122	*Automotive Glass Replacement Shops (includes stationary and mobile services)*	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	See Section 5.03.055 (Automotive Glass Replacement Shops)
811122	*Automotive Window Tinting and Vehicle Wrapping*	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	
811191	*Automotive Oil Change and Lubrication Shops*	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	
811192	*Car Washes--Full-Service and Self-Service (excludes facilities ancillary to fueling stations)*																																			

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	• *Automobiles, Light Trucks and Vans*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	C	---	---	C	---	---	C	---	---	---	---	---	---	P	---	---	---	---	
	• *Trucks and Similarly Large Vehicles*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	
	• *Mobile Washing and Detailing Services*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	See Section 5.03.300 (Mobile Washing and Detailing Services)
811198	*All Other Automotive Repair and Maintenance*																																			
	• *Emissions Testing (test only facilities), and Diagnostic Centers and Safety Inspection Services (without repair)*	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	
	• *Rustproofing and Undercoating Shops*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
	• *Spray-On Bedliner Installation Shops*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
	• *Tire Sales, Installation, and Repair (except retreading) Services*	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
	• *Plug-In Electric Vehicle (PEV) Charging Facilities (ancillary to an allowed land use)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	• *Hydrogen Fueling Station*	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	
8112	**Electronic and Precision Equipment Repair and Maintenance**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
8113	**Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance**	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	
8114	**Personal and Household Goods Repair and Maintenance**																																			
811411, 811412	*Home and Garden Equipment and Appliance Repair and Maintenance*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
811420	*Reupholsters and Furniture Repair*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	
811430	*Footwear and Leather Goods Repair*	---	---	---	---	---	P	P	P	---	---	---	**P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
811490	*Other Personal and Household Goods Repair and Maintenance -- Without Retail Sales (limited to garment alteration and repair, gun repair, jewelry repair, key duplicating, musical instrument repair and tailor shops)*	---	---	---	---	---	P	P	P	---	---	---	**P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
811490	*Boat Repair and Maintenance Services (no retail sales of new boats)*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	---	---	---	---	---	
811490	*Motorcycle Repair and Maintenance Services (no retail sales of new motorcycles)*	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts										Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																						
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
812	**Personal and Laundry Services**																																			
8121	**Personal Care Services**																																			
812111 812112 812113	*Barber Shops, Beauty Salons, Nail, and Skin Care Services*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	P	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812191	*Diet and Weight Reducing Centers*	---	---	---	---	---	P	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
812199	*Other Personal Care Services, limited to the following:*																																			
	• *Body Art Services (includes tattooing, body piercing, and branding)*	---	---	---	---	---	---	C	---	C	---	---	**P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.390 (Tattoo, Body Piercing, Branding, and Permanent Cosmetics Application) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Chair Massage*	---	---	---	---	P	P	P	P	P	P	P	**P	---	---	P	---	---	---	P	P	---	P	---	---	---	---	---	---	---	---	P	---	---	---	---	See Section 5.03.270 (Massage Establishments and Services) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Color Consulting Services*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Day Spas*	---	---	---	---	---	P	P	P	---	---	---	**P	---	---	P	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• *Hair Removal Services*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• *Hair Replacement Services*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• *Make-Up Salons (includes the application of permanent cosmetics)*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.390 (Tattoo, Body Piercing, Branding, and Permanent Cosmetics Application) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities *Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.*	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	• *Massage Establishments*	---	---	---	---	---	---	A	---	A	---	---	**A	---	---	A	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.270 (Massage Establishments and Services) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Tanning Salons*	---	---	---	---	P	P	P	P	---	---	---	**P	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Wellness Centers*	---	---	---	---	---	---	P	---	P	---	---	**P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	If ancillary massage services are proposed, refer to Section 5.03.270 (Massage Establishments and Services) for regulations ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
8122	**Death Care Services**																																			
812210	*Funeral Director Services (limited to office/retail only)*	---	---	---	---	---	P	P	P	---	---	P	**P	P	P	P	---	---	---	---	---	---	---	P	---	*P	*P	*P	---	---	---	---	P	---	---	---	See Section 5.03.205 (Funeral Director Services) * Allowed only as an ancillary use to Funeral Parlors and Mortuary Services. ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812210	*Funeral Parlors and Mortuary Services (excludes funeral establishments)*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	P	---	---	---	
812210	*Funeral Establishments*	---	---	---	---	---	C	C	C	---	---	---	---	---	---	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	P	---	---	---	
812220	*Cemeteries restrictions*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	
812220	*Crematories*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	C	---	---	---	
8123	**Drycleaning and Laundry Services**																																			
812310	*Coin-Operated Laundries and Drycleaners*	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
812320	*Drycleaning and Laundry Services (except Coin-Operated)*	---	---	---	---	---	P	P	P	P	---	---	**P	---	---	P	---	P	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities. ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
812331	*Linen Supply*	---	---	---	---	---	---	P	---	---	---	---	---	---	---	P	---	---	---	---	P	---	P	P	P	P	P	P	---	---	---	P	---	---	---	---	
812332	*Industrial Launderers*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
8129	**Other Personal Services**																																			
812910	*Pet Grooming and Training Services*	---	---	---	---	---	P	P	P	---	---	---	**P	P	P	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812910	*Pet Boarding and Sitting (animal daycare) Services, and Shelters*	---	---	---	---	---	C	C	C	---	---	---	---	---	---	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	P	---	---	---	---	
812921	*Photofinishing*	---	---	---	---	---	P	P	P	---	---	---	**P	P	P	P	---	P	---	P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812930	Parking Lots and Parking Garages																																				
	• Commercial Facilities (pay to park)	---	---	---	---	---	---	C	C	C	---	C	C	C	C	C	C	C	C	C	C	C	C	P	---	---	---	---	---	---	---	---	---	---	---	---	
	• Publicly-Owned Facilities	---	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	P	---	---	
	• Facilities Required in Conjunction with Allowed Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
812990	*Astrology, Fortunetelling, Numerology, Palmistry, Phrenology and Psychic Reading Services*	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
812990	*Funeral Planning Services (office only—excludes preparation of the dead for burial or interment, and the conducting of funeral services)*	---	---	---	---	---	P	P	P	---	P	P	**P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812990	*Party Planning Services*	---	---	---	---	---	P	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812990	*Personal Fitness Trainer*	---	---	---	---	---	P	P	P	P	P	P	**P	P	P	P	---	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	See Section 5.03.315 (Personal Fitness Trainer) ** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
812990	*Wedding and Funerary Chapels (excludes religious assembly)*	---	---	---	---	---	C	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
813	**Religious, Grantmaking, Civic, Professional and Similar Organizations**																																				
8131	**Religious Organizations**																																				
813110	*Religious Assembly*	C	C	C	C	C	C	C	---	C	---	---	---	C	C	C	---	C	C	C	C	C	C	C	C	---	---	---	---	C	C	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2022 NAICS Code	Land Uses, Activities, and Facilities Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts											Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations
													MU-1 Zoning District																							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-3	MU-6	MU-8B	MU-8C	MU-8D	MU-8E	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
813110	*Monasteries, Convents and Other Similar Facilities*	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	C	C	C	C	C	C	---	---	---	---	---	---	---	C	---	---	---	---	---	
8132, 8133, 8134, 8139	**Grant-Making and Giving Services; Social Advocacy Organizations; Civic and Social Organizations; and Business, Professional, Labor, Political and Similar Organizations**																																			
	• *Offices Only*	---	---	---	---	---	---	P	P	---	P	P	**P	P	P	P	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	• *Assembly Facilities*	---	---	---	---	---	---	C	C	---	C	C	---	C	C	C	---	---	---	---	C	---	C	C	C	C	---	---	---	---	---	---	---	---	---	---	
92	**PUBLIC ADMINISTRATION**																																			
921	**Executive, Legislative, and Other General Government Support**	---	---	---	---	---	---	P	P	---	P	P	**P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	P	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
922	**Justice, Public Order, and Safety Activities**																																			
922110	*Courts*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	
922120	*Police Protection (stations, substations, and storefront facilities)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
922130	*Legal Counsel and Prosecution*	---	---	---	---	---	---	P	P	P	P	P	**P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
922140	*Correctional Institutions*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
922150	*Parole Offices and Probation Offices*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	P	---	---	---	---	---	---	
922160	*Fire Protection*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
923	**Administration of Human Resource Programs** (limited to administrative offices for education, public health and veterans' affairs, and other similar facilities)	---	---	---	---	---	---	P	P	---	P	P	**P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---	** Use shall be prohibited on the ground/first floor of buildings located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.
	TEMPORARY AND INTERIM LAND USES, BUILDINGS, AND STRUCTURES																																			
	Temporary and Interim Land Uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	See Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures)
	Temporary and Interim Buildings, Structures, and Facilities																																			
	• *Fewer than 5 years*	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	See Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures)
	• *5 to 10 years*	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	A	C	C	C	
	• *More than 10 years*	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	A	---	---	---	

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Division 5.03—Supplemental Land Use Regulations

Sections:

5.03.000: Purpose
5.03.005: Applicability
5.03.010: Accessory Dwelling Units
5.03.011: Accessory Residential Structures
5.03.015: Adult-Oriented Businesses
5.03.020: Air Transportation
5.03.023: Alcoholic Beverage Manufacturing
5.03.025: Alcoholic Beverage Sales
5.03.030: Ambulatory Health Care Services—All Other Miscellaneous Services
5.03.035: Apparel Manufacturing
5.03.037: Artisan Small-Scale and Micro Manufacturing Facilities
5.03.040: Automobile Dealers—New Vehicles Sales and Leasing, and Automobile Rental
5.03.045: Automotive Body, Paint, and Interior Repair and Customization—Minor Customization
5.03.050: Automotive Body and Paint—Mobile Repair Services
5.03.055: Automotive Glass Replacement Shops
5.03.060: Automotive Repair and Maintenance—General Repair Facilities
5.03.065: Automotive Repair and Maintenance—Servicing Facilities
5.03.067: Banquet Facilities - Historic Properties
5.03.070: Bed-and-Breakfast Inns
5.03.075: Billiard Parlors and Pool Halls
5.03.080: Boarding, Lodging, and Rooming Houses
5.03.085: Bread and Tortilla Manufacturing
5.03.090: Business to Business Electronic Markets
5.03.095: Caretaker Quarters
5.03.100: Child Daycare Services
5.03.105: Community Care Facilities for the Elderly—More Than 6 Persons
5.03.110: Community Care Facilities for the Elderly—6 or Fewer Persons
5.03.115: Computer and Electronic Product Manufacturing
5.03.120: Consumer Goods Rental
5.03.125: Convenience Markets and Specialty Food Stores
5.03.130: Credit Intermediation-Related Activities
5.03.135: Cutlery and Hand Tool Manufacturing
5.03.140: Data Processing, Hosting, and Related Services
5.03.145: Depository Credit Intermediation
5.03.150: Drive-Thru Facilities
5.03.155: Durable and Nondurable Goods Agents and Brokers
5.03.160: Electric Power Generation, Solar and Wind
5.03.165: Electrical Equipment, Appliance, and Component Manufacturing
5.03.170: Electronic Shopping and Mail Order Houses
5.03.175: Electronics and Appliance Stores
5.03.177: Employee (Farmworker) Housing
5.03.180: Exterminating Services
5.03.185: Fabricated Metal Product Manufacturing, All Other Miscellaneous
5.03.187: Fertilizer Manufacturing from Manure Operations (FMMO)
5.03.190: Food Manufacturing, Other
5.03.195: Footwear Manufacturing
5.03.200: Freight Transportation Arrangement

5.03.205: Funeral Director Services
5.03.210: Furniture and Home Furnishings Stores
5.03.215: Furniture and Related Product Manufacturing
5.03.220: Game Arcades, Internet Cafes, On-Line Internet Gaming, and Similar Facilities
5.03.225: Gasoline and Fueling Stations
5.03.230: General Rental Centers
5.03.235: Hardware Manufacturing
5.03.240: Home Occupations
5.03.245: Hookah Establishments, Smoking/Vaping Lounges, and Smoking/Vaping Retailers
5.03.250: Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation
5.03.255: Leather and Allied Product Manufacturing, Other
5.03.257: Live Entertainment
5.03.260: Machine Shops, and Turned Product, Screw, Nut, and Bolt Manufacturing
5.03.265: Manufacturing, Miscellaneous
5.03.270: Massage Establishments and Services
5.03.275: Material Recovery Facilities (MRF)
5.03.280: Marijuana Dispensary
5.03.285: Mixed-Use Developments
5.03.290: Mobile Food Services
5.03.295: Mobilehome Parks
5.03.300: Mobile Washing and Detailing Services
5.03.305: Motor Vehicle Dealers
5.03.310: Motor Vehicle Storage Facilities
5.03.315: Personal Fitness Trainer
5.03.320: Personal Property Donation Bins
5.03.325: Pharmaceutical and Medicine Manufacturing
5.03.330: Pharmacies and Drug Stores
5.03.335: Plastics Product Manufacturing
5.03.340: Recycling Facilities
5.03.345: Residential Care Facilities, Other—6 or Fewer Persons
5.03.350: Salvage Facilities
5.03.355: Self-Storage Facilities
5.03.360: Senior Citizen Housing Developments
5.03.363: Short Term Rentals
5.03.365: Single-Family Dwellings
5.03.370: Single Room Occupancy (SRO) Facilities
5.03.375: Soap, Cleaning Compound, and Toilet Preparation Manufacturing
5.03.380: Sound (Audio) Recording Facilities
5.03.385: Spring and Wire Product Manufacturing
5.03.390: Tattooing, Body Piercing, Branding, and the Application of Permanent Cosmetics
5.03.395: Temporary and Interim Land Uses, Buildings, and Structures
5.03.400: Thrift and Secondhand Stores, and Used Goods Stores
5.03.403: Single-Family Two-Unit Projects
5.03.405: Temporary Shelters and Supportive Housing
5.03.410: Urban Agriculture
5.03.415: Waste Treatment and Disposal—Composting and Anaerobic Digestion Facilities
5.03.420: Wireless Telecommunications Facilities
5.03.425: Work/Live Units

5.03.000: Purpose

The purpose of this Division is to provide operating, site planning and/or development standards for certain land uses allowed by Division 5.02 (Land Use) of this Development Code, and for activities and facilities that require special standards to mitigate their potential adverse impacts, thereby assuring a land use, activity, and/or facility of stable and desirable character, which is compatible with existing and future development and land uses in the vicinity, and protects the use and enjoyment of neighboring properties consistent with goals and policies of The Ontario Plan.

5.03.005: Applicability

A. The land uses, activities and facilities addressed by this Division shall be located in compliance with Division 5.02 (Land Use) of this Development Code.

B. The standards for specific uses, activities and facilities established by this Division shall supplement, and are required in addition to, the applicable development and subdivision regulations contained in Chapter 6.0 (Development and Subdivision Regulations) of this Development Code.

C. Each and every physical improvement required to be installed or constructed in conjunction with the establishment of a land use, activity or facility addressed by this Division, shall be completed prior to the commencement of the land use.

5.03.010: Accessory Dwelling Units

A. **Purpose.** The purpose of this Section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code Sections 65852.2 and 65852.22.

B. **Effect of Conforming.** An ADU or JADU that conforms to the standards in this Section will not be:

1. Deemed to be inconsistent with the City's general plan and zoning designation for the lot on which the ADU or JADU is located.

2. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

3. Considered in the application of any local ordinance, policy, or program to limit residential growth.

4. Required to correct a nonconforming zoning condition, as defined in Subsection C.7, below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

C. **Definitions.** As used in this Section, the words or phrases listed below shall have the meanings thereafter specified:

1. Accessory Dwelling Unit (ADU). An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

a. An efficiency unit, as defined by HSC Section 17958.1; and

b. A manufactured home, as defined by HSC Section 18007.

2. Accessory Structure. A structure that is accessory and incidental to a dwelling located on the same lot.

3. Complete Independent Living Facilities. Permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multiple-family dwelling is or will be situated.

4. Efficiency Kitchen. A kitchen that includes each of the following:

a. A cooking facility with appliances.

b. A food preparation counter and storage cabinets that are of a reasonable size in relation to the JADU.

5. Junior Accessory Dwelling Unit (JADU). A residential unit that:

a. Is no more than 500 SF in size;

b. Is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure;

c. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure;

d. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling; and

e. It includes an efficiency kitchen, as defined in Subsection C.4, above.

6. Living Area. The interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

7. Nonconforming Zoning Condition. A physical improvement on a property that does not conform with current zoning standards.

8. Passageway. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

9. Proposed Dwelling. A dwelling that is the subject of a permit application and that meets the requirements for permitting.

10. Public Transit. A location, including but not limited to a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

11. Tandem Parking. Two or more automobiles parked on a driveway or on any other location on a lot, lined up one behind the other.

D. Approvals. The following approvals apply to ADUs and JADUs under this Section:

1. Building Permit Only. If an ADU or JADU complies with each of the general requirements in subsection E below, it is allowed with only a building permit in the following scenarios:

a. *Converted on Single-Family Lot.* One ADU as described in this Subsection D.1.a and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

(1) Is either within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling, or (~~-~~in the case of and ADU only) within the existing space of an accessory structure, plus up to 150 additional SF if the expansion is limited to accommodating ingress and egress; and

(2) Has exterior access that is independent of that for the single-family dwelling; and

(3) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes; and

(4) The JADU complies with the requirements of Government Code Section 65852.22.

b. *Limited Detached on Single-Family Lot.* One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under Subsection D.1.a, above), if the detached ADU satisfies each of the following limitations:

(1) The side- and rear-yard setbacks are at least 4 FT; and

(2) The total floor area is 800 SF or smaller; and

(3) The peak height above grade does not exceed the applicable height limit provided in Subsection E.2, below.

c. *Converted on Multiple-Family Lot.* One or more ADUs within portions of existing multiple-family dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this Subsection D.1.c, at least one converted ADU is allowed within an existing multiple-family dwelling, up to a quantity equal to 25 percent of the existing multiple-family dwelling units.

d. *Limited Detached on Multiple-Family Lot.* No more than two detached ADUs on a lot that has an existing or proposed multiple-family dwelling if each detached ADU satisfies both of the following limitations:

(1) The side- and rear-yard setbacks are at least 4 FT. If the existing multiple-family dwelling has a rear or side yard setback of less than 4 FT, the City shall not require any modification to the multiple-family dwelling as a condition of approving the ADU; and

(2) The peak height above grade does not exceed the applicable height limit provided in Subsection E.2, below.

2. Process and Timing.

a. The City must approve or deny an application to create an ADU or JADU within 60 days from the date that the City receives a completed application. If the City has not approved or denied the completed application within 60 days, the application is deemed approved unless either:

(1) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or

(2) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multiple-family dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family or multiple-family dwelling, but the application to create the ADU or JADU will still be considered ministerially, without discretionary review or a hearing.

b. If the City denies application to create an ADU or JADU, the City must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by SubsectionD.3.b, above.

c. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

E. General ADU and JADU Requirements. The following requirements apply to all ADUs and JADUs that are approved under Subsections D.1 or D.2, above:

1. Zoning.

a. An ADU or JADU subject only to a building permit under Subsection D.1, above, may be created on a lot in a residential or mixed-use zoning district.

b. An ADU or JADU subject to an ADU permit under Subsection D.2, above, may be created on a lot that is zoned to allow single-family dwelling residential use or multiple-family dwelling residential use.

2. Height.

a. Except as otherwise provided by Subsections E.2.b and E.2.c, below, a detached ADU created on a lot with an existing or proposed single-family or multiple-family dwelling unit may not exceed 16 FT in height.

b. A detached ADU may be up to 18 FT in height if it is created on a lot with an existing or proposed single family or multiple-family dwelling unit that is located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 20 FT) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

c. A detached ADU created on a lot with an existing or proposed multiple-family dwelling that has more than one story may not exceed 18 FT in height.

d. An ADU that is attached to the primary dwelling may not exceed 25 FT in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this Subsection E.2.d may not exceed two stories.

e. For purposes of this subsection E.2, height is measured from existing legal grade to the peak of the structure.

3. Fire Sprinklers.

a. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

b. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

4. Rental Term. No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.

5. No Separate Sale or Conveyance. An ADU or JADU may be rented; however, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multiple-family lot), except as otherwise provided in Government Code Section 65852.26.

6. Septic System. If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last 5 years or, if the percolation test has been recertified, within the last 10 years.

7. Owner Occupancy.

a. An ADU permitted after January 1, 2020, but before January 1, 2025, is not subject to the owner-occupancy requirement that was in place when the ADU was created.

b. Unless applicable law requires otherwise, all ADUs that are permitted on or after January 1, 2025 are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

c. As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement in this Subsection E.7.c does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

~~**8.** Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Planning Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:~~

~~**a.** Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.~~

~~**b.** The ADU or JADU is restricted to the approved size and to other attributes allowed by this Section.~~

~~**c.** The deed restriction runs with the land and may be enforced against future property owners.~~

~~**d.** The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Planning Director, providing evidence that the ADU or JADU has in fact been eliminated. The Planning Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Planning Director's determination, consistent with other provisions of this Development Code. If the ADU or JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Development Code.~~

~~**e.** The deed restriction is enforceable by the Planning Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including but not limited to obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.~~

~~**9.**~~**8.** Income Reporting. In order to facilitate the City's obligation to identify adequate sites for housing in accordance with Government Code Sections 65583.1 and 65852.2, the following requirements must be satisfied:

a. With the building-permit application, the applicant must provide the City with an estimate of the projected annualized rent that will be charged for the ADU or JADU.

b. Within 90 days after each yearly anniversary of the issuance of the building permit, the owner must report the actual rent charged for the ADU or JADU during the prior year. If the City does not receive the report within the 90-day period, the owner is in violation of this Code, and the City may send the owner a notice of violation and allow the owner another 30 days to submit the report. If the owner fails to submit the report within the 30-day period, the City may enforce this provision in accordance with applicable law.

~~10.~~9. Building and Safety.

a. *Must Comply with Building Code*. Subject to Subsection E.10.b, below, all ADUs and JADUs must comply with all local building code requirements.

b. *No Change of Occupancy*. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this Subsection E.10.b prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this Section.

F. **Specific ADU Requirements.** The following requirements apply only to ADUs that require an ADU permit under Subsection D.2, above.

1. Maximum Size.

a. The maximum size of a detached or attached ADU subject to this Subsection F is 850 SF for a studio or one-bedroom unit and 1,000 SF for a unit with two or more bedrooms.

b. An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.

c. Application of other development standards in this Subsection F, such as lot coverage, might further limit the size of the ADU; nevertheless, no application of the percent-based size limit in Subsection F.1.b, above, or lot coverage limit or open-space requirement may require the ADU to be less than 800 SF.

2. Building Setbacks.

a. Subject to Subsection F.1.c, above, an ADU that is subject to this Subsection F shall maintain a minimum front yard setback of 30 FT from arterial street rights-of-way and 20 FT from all collector and local street rights-of-way.

b. An ADU that is subject to this Subsection F must conform to 4-FT side yard and rear yard setbacks.

c. No setback is required for an ADU that is subject to this Subsection F if the ADU is constructed in the same location and to the same dimensions as an existing structure.

3. Lot Coverage. No ADU subject to this Subsection F may cause the total lot coverage of the lot to exceed the maximum lot coverages shown in the Tables below, subject to Subsection F.1.c, above.

Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts				
	AR-2	RE-2	RE-4	LDR-5	MDR-11, MDR-18, MDR-25 & HDR-45
Maximum Lot Coverage	30%	40%		50%	60%

Small Lot Traditional and Alley-Loaded Single-Family Residential Development Standards

Requirements	Residential Zoning Districts		
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45
Maximum Lot Coverage	55%	60%	70%

Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts			
	MDR-11	MDR-18	MDR-25	HDR- 45
Maximum Project Coverage	60%			100%

4. Minimum Open Space. No ADU subject to this Subsection F may cause the total percentage of open space of the lot to fall below the minimum requirements specified below, subject to Subsection F.1.c, above.

a. *Small Lot Traditional and Alley-Loaded Development Projects, and Cluster Single-Family Development Projects.* Small lot traditional, small lot alley-loaded, and cluster single-family development projects that consist of more than 3 dwellings, shall devote a minimum of 20 percent of the project site to open space.

b. *Multiple-Family and Mixed-Use Development Projects.* Multiple-family development projects and the multiple-family residential portion of mixed-use development projects that consist of more than 3 dwellings, shall provide open space as follows:

Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects

Open Space Type	Zoning Districts		
	MDR-11 & MDR-18	MDR-25	HDR-45
Private Open Space	200 SF (40%)	150 SF (37.5%)	60 SF (20%)
Common Open Space	300 SF (60%)	250 SF (62.5%)	250 SF (80%)
Total Open Space	500 SF (100%)	400 SF (100%)	310 SF (100%)

5. Passageway. No passageway, as defined by Subsection C.8, above, is required for an ADU.

6. Off-Street Parking.

a. *Generally.* One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Subsection C.11, above.

b. *Exceptions.* No parking under Subsection F.7.a, above, is required in the following situations:

(1) The ADU is located within one-half mile walking distance of public transit, as defined in Subsection C.10, above.

(2) The ADU is located within an architecturally and historically significant historic district.

(3) The ADU is part of the proposed or existing primary residence, or an accessory structure under Subsection D.1.a, above.

(4) When on-street parking permits are required but not offered to the occupant of the ADU.

(5) When there is an established car share vehicle stop located within one block of the ADU.

(6) When the permit application to create an ADU is submitted with an application to create a new single-family or multiple-family dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in Subsections F.6.b(1) through F.6.b(5), above.

c. *No Replacement.* When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

7. Architectural Requirements.

a. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.

b. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

c. The exterior lighting must be limited to down-lights or as otherwise required by the City's Building or Fire Code.

d. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

e. The interior horizontal dimensions of an ADU must be at least 10 FT wide in every direction, with a minimum interior wall height of 7 FT.

f. Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property. Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line-of-sight.

g. All windows and doors in an ADU are less than 30 FT from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least 6 FT above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.

8. Landscape Requirements. A Landscape Plan shall be submitted to the City, which provides for evergreen landscape screening, to include trees, shrubs, and groundcovers that shall be planted, permanently irrigated, and fully maintained, and which is located between an ADU and adjacent parcels, and where an ADU impacts a front yard and/or is subject to public views from a public or private street. Evergreen landscape screening shall be provided as follows:

a. Minimum 15-gallon size screening shrubs shall be installed at every 5 linear feet of exterior building wall. Alternatively, a 6-FT high decorative masonry block wall may be constructed.

b. ADUs created by garage conversion, which results in the removal of the garage door, shall provide a minimum 3-FT wide foundation landscape planter for the full length of the wall wherein the garage door was removed, which shall be fully landscaped and irrigated, and permanently maintained.

c. All landscaping must be drought tolerant and California friendly.

d. Landscape and irrigation plans shall be prepared and submitted to the City for review and approval.

9. Historical Protections. An ADU that is on or within 600 feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.

G. Fees. The following requirements apply to all ADUs and JADUs that are approved under Subsections D.1 or D.2, above.

1. Impact Fees.

a. No impact fee is required for an ADU that is less than 750 SF in size. For the purposes of this Subsection G.1, the term "impact fee" means a "fee" under the Mitigation Fee Act (Government Code Section 66000(b)) and a fee under the Quimby Act (Government Code Section 66477). "Impact fee" as used in this Section, does not include any connection fee or capacity charge for water or sewer service.

b. Any impact fee that is required for an ADU that is 750 SF or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit (e.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

2. Utility Fees. ADUs and JADUs shall not be required to have a new or separate utility connection directly between the ADU or JADU and the utility, nor shall a connection fee or capacity charge be required.

H. Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

1. Generally. The City will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

2. Unpermitted ADUs constructed before 2018.

a. *Permit to Legalize.* As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:

(1) The ADU violates applicable building standards; or

(2) The ADU does not comply with state ADU law (Government Code Section 65852.2) or this ADU ordinance (Section 5.03.010).

b. *Exceptions.*

(1) Notwithstanding Subsection H.2.a, above the City may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the City makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.

(2) Subsection H.2.a, above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code Section 17920.3.

I. Nonconforming ADUs and Discretionary Approval. Any proposed ADU or JADU that does not conform to the objective standards set forth in Subsections A through H of this Section may be allowed by the City, subject to a Conditional Use Permit issued in accordance with the other provisions of this Development Code.

5.03.011: Accessory Residential Structures

A. Purpose. The purpose of this Section is to establish standards for the construction and use of Accessory Residential Structures (other than Accessory Dwelling Units allowed pursuant to Section 5.03.010 of this Development Code) in conjunction with existing single-family dwellings located within single-family or multiple-family zoning districts. (Note: The construction and use of Accessory Residential Structures in conjunction with existing multiple-family dwellings shall be subject to the development standards applicable to the primary multiple-family dwellings.)

B. Applicability. For purposes of this Section, the herein established development standards shall apply to Accessory Residential Structures such as garages, carports, guesthouses, storage sheds, pool houses, recreation rooms, etc., which are incidental or subordinate to the primary dwelling.

C. Definitions. As used in this Section, the words or phrases listed below shall have the meanings thereafter specified:

1. Accessory Residential Structure. A structure that is incidental or subordinate to the primary dwelling on the same site, or the use of which is incidental or subordinate to the use of the primary dwelling of the site.

2. Attached Accessory Residential Structure. An Accessory Residential Structure that is joined to the primary dwelling by means of a shared common wall or is joined by a roof that

extends the full width of the smaller of two connecting structures, creating a covered breezeway. An Attached Accessory Residential Structure is deemed to be attached to, and a part of, the primary dwelling.

3. Breezeway. A fully roofed, open passage that connects two buildings, such as a house and garage.

D. General Requirements. Accessory detached residential structures shall be developed pursuant to the following standards:

1. Accessory Residential Structures shall only be allowed on a lot containing a single-family dwelling, and may be attached to the primary dwelling, or may be an independent structure that is detached from the primary dwelling.

2. An Accessory Residential Structure that is attached to the primary residential structure shall contain no more than 50 percent of the gross floor area of the primary residential structure and shall be subject to the development standards applicable to the primary residential structure (refer to Section 6.01.010 (Residential Zoning Districts) of this Development Code).

3. An Accessory Residential Structure that is detached from the primary residential structure shall comply with the development standards contained in Table 5.03-1 (Development Standards for Accessory Residential Structures), below:

Table 5.03-1: Development Standards for Detached Accessory Residential Structures

Requirements	*Residential Zoning Districts*				*Additional Regulations*
	AR-2 & RE-2	*RE-4 & LDR-5*	*MDR-11, 18 & 25*	*HDR-45*	
A. Maximum Height					
1. Conditional Use Permit Required	35 FT				Note 1
2. Permitted by Right	16 FT				
B. Maximum Area					
1. Conditional Use Permit Required	As deemed appropriate by the Approving Authority				Note 2
2. Permitted by Right	650 SF/1,100 SF				Note 2
3. Guesthouses	650 SF				
C. Minimum Setbacks					
1. From Street Side Property Line	10 FT				Notes 3 and 4
2. From Interior Side Property Line	10 FT	0 FT/5 FT			Notes 3 and 5
3. From Rear Property Line					
a. Width of Structure ≤25 FT	5 FT				Note 3
b. Width of Structure >25 FT	10 FT				Note 3
4. From Alley Property Line (alley-facing garages only)	6 FT				Note 6

Table 5.03-1: Development Standards for Detached Accessory Residential Structures

Requirements	Residential Zoning Districts				Additional Regulations
	AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	
D. Minimum Separation Between Structures	6 FT				Note 3
E. Minimum Separation from Major Pipelines	50 FT				Note 7

Notes:

1. *Detached Accessory Residential Structures in excess of 16 FT in height shall require Conditional Use Permit (or Certificate of Appropriateness for structures on the Ontario Register of Historic Places) approval.*
2. *Detached accessory structures in excess of 650 SF in area shall require Conditional Use Permit or Certificate of Appropriateness approval, as applicable, except that the maximum area allowed without benefit of Conditional Use Permit or Certificate of Appropriateness approval may be increased to 1,100 SF to accommodate garage parking required for uses on the affected property pursuant to Table 6.03-1 (Off-Street Parking Requirements) of this Development Code.*
3. *For child play structures, doghouses, and other similar accessory structures, there shall be no minimum required setback or separation between buildings/structures; provided, the accessory structure is located within a side or rear yard area and is screened from public view.*
4. *Garages with vehicle doors facing a public street shall be setback a minimum of 20 FT behind the street property line (minimum 18 FT behind the street property line if an overhead rollup garage door is provided).*
5. *Within the MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts, the interior side setback shall be 5 FT for structures located 75 FT or less from the front property line, and 0 FT for structures located more than 75 FT from the front property line For a setback less than 3 FT, the Zoning Administrator may require that an easement be provided on the contiguous lot to ensure access to all sides of the structure for the purpose of building maintenance.*
6. *A detached garage that takes access from a public alley shall be setback a minimum of 6 FT from the property line that is common to the public alley, measured from the wall containing the vehicle access door.*
7. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
   a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
   b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*

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4. An Accessory Residential Structure that is detached from the primary residential structure shall be located on the rear one-half of the lot on which it is constructed.

5. The sum total of the area of all Accessory Residential Structures on a lot, excepting ADUs conforming to Section 5.03.010 (Accessory Dwelling Units) of this Division, shall be equal to no more than 50 percent of the GFA of the primary residential structure or 650 SF, whichever is greater. A Conditional Use Permit shall be required for properties where the sum total of all Accessory Residential Structures exceeds 50 percent of the GFA of the primary residential structure or 650 SF, whichever is greater.

6. An Accessory Residential Structure shall not contain a kitchen or cooking facilities (excluding outdoor kitchens and cooking facilities).

7. The size, footprint, height, bulk, and scale of an Accessory Residential Structure shall be compatible with the primary residential structure, and other Accessory Residential Structures in the surrounding neighborhood.

8. The area of an Accessory Residential Structure shall be the minimum necessary to house, shelter, or secure the use proposed within the structure; however, in no case shall the total gross floor area of all Accessory Detached Residential Structures on a lot exceed the floor area of the primary residential structure, excepting those accessory structures used for animal keeping purposes. In calculating the area of all Accessory Residential Structures on a lot, required parking within a garage shall be excluded from the calculation, up to a maximum of 3 covered parking stalls (maximum 651 SF).

9. Accessory Residential Structures shall match the primary residential structure with respect to architectural design and detailing, roof material and design, exterior color, exterior finish materials, window and door design, and design and placement of attic vents, excepting those Accessory Detached Residential Structures less than 120 SF in area, and those used solely for animal keeping purposes within the AR-2 and RE-2 zoning districts, and the AG Overlay district. For the purposes of this Section, Accessory Residential Structures intended solely for animal keeping purposes may also be used for the storage of vehicles, machinery, and equipment used in animal keeping.

10. No shipping container or other similar container shall be located on any residentially zoned property to accommodate the on-site storage of tools, vehicles, equipment, and other materials. This provision is not intended to prohibit the conversion of shipping containers into legally established buildings for habitable or non-habitable purposes.

11. Accessory Residential Structures shall not be located within front yards, street side yards of corner lots, or in front of the main dwelling.

12. An Accessory Residential Structure containing mechanical or other fixed equipment capable of creating a noise that is audible beyond the property line shall be placed a minimum of 5 FT from an interior side or rear property line.

13. An Accessory Residential Structure shall only be placed within the interior side or rear yard area of a lot.

14. A lot developed with an Accessory Residential Structure shall maintain a useable rear yard as follows:

a. A traditional single-family dwelling shall maintain a useable rear yard area having minimum dimension of 20 FT in any horizontal direction; and

b. A small lot single-family dwelling shall maintain a useable rear yard having a minimum dimension of 10 FT in any horizontal direction.

15. On a reversed corner lot, an Accessory Residential Structure shall comply with the following:

a. The Accessory Residential Structure located within the rear yard area shall not project beyond the minimum required front yard setback of the adjoining key lot, and shall be located no closer than 5 FT from the side property line of the key lot (rear property line of the reverse corner lot); and

b. The Accessory Structure shall be no closer to the rear property line than the minimum required side yard setback on the adjoining key lot.

E. Guesthouses. In addition to the standards applicable to Other Accessory Residential Structures contained in Subsection B of this Section, guesthouses shall comply with the following additional standards:

1. Not more than one Guesthouse shall be permitted per lot containing a primary single-family dwelling, and a Guesthouse shall not be constructed if an Accessory Dwelling Unit exists on the lot.

2. A Guesthouse shall be for the sole use of the family of the occupants of the main dwelling and persons employed on the premises, or for temporary use by non-paying guests for a period not to exceed 90 days within any 120-day period. In addition, Guesthouses shall not be rented or otherwise used as a separate, independent residence.

F. Carports. No Carport shall be allowed within a front or street side yard setback area. Carports shall not be permitted in lieu of a garage required pursuant to the provisions of Table 6.03-1 (Off-Street Parking Requirements) of this Development Code, unless otherwise permitted by this Section.

G. Restrictive Covenant. Prior to the issuance of a building permit for an Accessory Residential Structures, the Planning Director may require that a restrictive covenant running with the land, which is binding on the property owner and their successors in interest, be recorded with the office of the San Bernardino County Recorder, which specifies that the Accessory Residential Structure shall not be used as an independent dwelling unit. Furthermore, restrictions may be included that are intended to ensure on-going compliance with the provisions of this Subsection B.

5.03.015: Adult-Oriented Businesses

The following regulations shall govern the establishment and operation of adult-oriented businesses within the City:

A. Purpose. It is the intent of these Adult-Oriented Business regulations to prevent community-wide adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods, which can be brought about by locating Adult-Oriented Businesses in close proximity to each other or proximity to other incompatible uses such as schools, churches, and residentially zoned districts or uses. The City Council finds that it has been demonstrated in various communities that the concentration of Adult-Oriented Businesses causes an increase in the number of transients in the area, and an increase in crime, and in addition to the effects described above, can cause other businesses and residents to move elsewhere. It is, therefore, the purpose of these Adult-Oriented Business regulations to establish reasonable and uniform regulations to ameliorate the harmful effects of Adult-Oriented Businesses or their close proximity to incompatible uses, while providing reasonable alternative avenues of communication.

Moreover, it is also the purpose of these Adult-Oriented Business regulations to facilitate regulation of Adult-Oriented Businesses and the performers that may be employed by such establishments pending resolution of the prior permitting issues raised in Baby Tam & Co., Inc. v. City of Las Vegas, 154 F.3d 1097 (9th Cir. 1998). The intent of the registration requirements

contained in these Adult-Oriented Business regulations is to provide enforcement agencies with sufficient information to assist them in ensuring that criminal elements do not infiltrate Adult-Oriented Businesses, that minors are not employed by such establishments, and that the establishments will comply with the zoning and operational standards imposed by these Adult-Oriented Business regulations.

B. **Findings.** The City Council of the City of Ontario, California, hereby, finds as follows:

1. The City Council finds that various studies and court decisions presented to the City Council have determined that the establishment of Adult-Oriented Businesses is linked to increases in crime and other adverse effects. The City, in enacting this ordinance, more specifically finds that these studies provide convincing evidence that:

a. Adult-Oriented Businesses are linked to, and associated with, increases in crime rates in those areas in which they are located and in surrounding areas;

b. Both the proximity of Adult-Oriented Businesses to sensitive land uses and the concentration of Adult-Oriented Businesses tend to result in the blighting and deterioration of the areas next to which, and near which, they are located;

c. There is substantial evidence that an increase in crime tends to accompany, concentrate around, and be aggravated by Adult-Oriented Businesses, including but not limited to an increase in the crimes of narcotics distribution and use, prostitution, pandering, and violence against persons and property. The studies from other cities establish convincing evidence that Adult-Oriented Businesses that are not regulated as to permissible locations often have a deleterious effect on nearby businesses and residential areas, causing, among other adverse secondary effects, an increase in crime and a decrease in property values;

d. Studies concerning increases in crime surrounding Adult-Oriented Businesses are further supported by the City's own experiences confirming an inordinate amount of police response calls to the City's two existing Adult-Oriented Businesses, "the Reel One" and "the Villa Theater." The police response statistics from the Ontario Police Department for the period from 1996 to 1998 indicate that City police have been called out to these locations over 70 times to investigate solicitation and prostitution activities, lewd conduct, indecent exposure, illegal drug use and possession, use of counterfeit money, thefts, burglaries, and other disturbances;

2. Based on the forgoing, the City Council finds and determines that special regulation of Adult-Oriented Businesses is necessary to ensure that their adverse secondary effects will not cause or contribute to an increase in crime rates or the blighting or deterioration of the areas in which they are located or surrounding areas. The need for such special regulations is based upon the recognition that Adult-Oriented Businesses not only cause adverse secondary effects, but also have seriously objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances or located in direct proximity to sensitive uses, thereby having a deleterious effect upon an adjacent area. It is the purpose and intent of these regulations to prevent or mitigate such adverse secondary effects;

3. The protection and preservation of the public health, safety and welfare require that certain distances be maintained between Adult-Oriented Businesses and other sensitive uses, including residential, religious and educational uses, as well as to minimize the adverse secondary effects between the proximity of Adult-Oriented Businesses and other Adult-Oriented Businesses and truck stops. Moreover, the locational requirements established by this Section do not unreasonably restrict the establishment or operation of constitutionally protected Adult-Oriented

Businesses in the City. A sufficient and reasonable number of appropriate locations for the operation of Adult-Oriented Businesses will remain available after the enactment of these Adult-Oriented Business regulations.

4. The City Council also finds that locational criteria alone do not adequately protect the health, safety, and general welfare of the citizens of the City, and thus, certain requirements with respect to the ownership and operation of Adult-Oriented Businesses are in the public interest. In addition to the findings and studies conducted in other cities regarding increases in crime rates, decreases in property values, and the blighting of areas in which Adult-Oriented Business are located, the city Council also takes legislative notice of the facts recited in the case of *Kev, Inc., v. Kitsap County* (9th Cir. 1986) 793 F.2d 1053, and *Colacurcio v. City of Kent*, 1998 WL 848036 (9th Cir.), regarding how live adult entertainment results in adverse secondary effects such as prostitution, drug dealing, and other law enforcement problems;

5. Zoning, permitting, licensing, and other police power regulations are legitimate, reasonable means of accountability to help protect the quality of life in the City and to help assure that owners, operators and performers of Adult-Oriented Businesses comply with reasonable regulations and are located in places that minimize the adverse secondary effects that naturally accompany the operation of Adult-Oriented Businesses;

6. The City Council recognizes that possible harmful effects on children and minors exposed to the secondary effects of Adult-Oriented Businesses, the deterioration of respect for family values, and the need and desire of children and minors to stay away from, and avoid, Adult-Oriented Businesses, which causes children to be fearful and cautions when walking through or visiting the immediate neighborhood of these businesses. The City Council desires to: minimize and control the adverse secondary effects associated with the operation of Adult-Oriented Businesses and thereby protect the health, safety, and welfare of the citizens of Ontario, and in particular, the health, safety, and welfare of children and minors in the City; protect the citizens from increased crime; preserve their quality of life; preserve property values and the character of surrounding neighborhoods and businesses; deter the spread of urban blight and protect against the threat to health from the spread of communicable and sexually transmitted diseases;

7. Nothing in these Adult-Oriented Business regulations is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building, or use that violates any applicable City ordinance or any statute of the State of California relating to public nuisances, unlawful or indecent exposure, sexual conduct, lewdness, obscene or harmful matter, or the exhibition or public display thereof;

8. The City Council further finds the following, in part, based upon its understanding of the judicial decisions and the reports, studies and other documents in the public record:

a. Evidence indicates that the existence of Adult-Oriented Businesses that permit nudity have been shown in some cities to increase the secondary effects of crime and decrease property values;

b. Evidence has demonstrated that Performers employed by Adult-Oriented Businesses have been found to offer and provide private shows to patrons who, for a price, are permitted to observe and participate with the performers in live sex shows;

c. Evidence indicates that performers at Adult-Oriented Businesses have been found to engage in acts of prostitution with patrons of the establishment;

d. Evidence indicates that fully enclosed booths, individual viewing areas, and other small rooms whose interiors cannot be seen from public areas of the Adult-Oriented Business regularly have been found to be used as locations for engaging in unlawful sexual activity; and

e. As a result of Subparagraphs B.8.a through d, above, and the increase in the incidence of AIDS and Hepatitis B, which are both sexually transmitted diseases, the City Council has a substantial interest in adopting regulations that will reduce to the greatest extent possible, the possibility for the occurrence of casual sex acts at Adult-Oriented Businesses;

9. In regulating nudity and semi-nudity in Adult-Oriented Businesses, the City Council does not intend to proscribe the communication of erotic messages or any other communicative element or activity, but rather only to regulate nudity and semi-nudity in Adult-Oriented Businesses due to the adverse secondary effects associated therewith, including prostitution, sexual assault, and associated crimes;

10. The City Council further finds, as a wholly independent basis, that it has a substantial public interest in preserving societal order and morality, and that such interest is furthered by the regulation of nudity and semi-nudity in Adult-Oriented Businesses;

11. While the City Council desires to protect the rights conferred by the United States and California Constitutions on Adult-Oriented Businesses, it does so in a manner that ensures the continued and orderly development of property within the City and diminishes, to the greatest extent feasible, those undesirable secondary adverse effects which the Studies have shown to be associated with the development and operation of Adult-Oriented Businesses;

12. In enacting nudity and semi-nudity regulations pursuant to these Adult-Oriented Business regulations, the City Council declares that the regulations do not create or regulate a criminal offense, and the City Council has not provided a criminal penalty for a violation of these regulations;

13. The City Council finds that preventing the direct exchange of money between Performers and Patrons also reduces the likelihood of drug and sexual transactions occurring in Adult-Oriented Businesses;

14. Requiring a 10-FT separation between performers and patrons reduces the likelihood that these persons will negotiate narcotics sales, or negotiate for the purpose of engaging in sexual activities or obtaining sexual favors within the Adult-Oriented Businesses; and

15. Enclosed or concealed booths and dimly lit areas within Adult-Oriented Businesses greatly increase the potential for misuse of the premises, including unlawful conduct of a type that facilitates transmission of disease. Requirements that all indoor areas be open to view by management at all times and that adequate lighting be provided are necessary in order to reduce the opportunity for, and, therefore, the incidence of illegal conduct within Adult-Oriented Businesses, and to facilitate the inspection of the interior of the premises thereof by law enforcement personnel.

C. Definitions. As used in these Adult-Oriented Business regulations, the following words, terms, and phrases are defined as follows:

1. Applicant. A person who is required to file an application for a registration certificate under these Adult-Oriented Business regulations, including an individual owner,

managing partner, officer of a corporation, or any other operator, manager, employee, or agent of an Adult-Oriented Business.

2. Bar. Any commercial establishment licensed by the State Department of Alcoholic Beverage Control to serve any alcoholic beverages on the premises.

3. Chief of Police. The Chief of Police of the City of Ontario or his or her designee.

4. City Council. The City Council of the City of Ontario.

5. Day. A calendar day and not business day. Whenever "day" is used to identify requirements of these Adult-Oriented Business regulations to be performed on a particular day, which day falls upon a holiday, Saturday or Sunday, the day for performance of the requirements of these Adult-Oriented Business regulations will be the next business day after the holiday, Saturday or Sunday.

6. Distinguished or Characterized by an Emphasis Upon. The dominant or essential theme of the object described by the phrase. For example, when the phrase refers to films "which are distinguished or characterized by an emphasis upon "the depiction or description of specified sexual activities or specified anatomical areas, the films so described are those whose dominant or predominant character and theme are the depiction of the enumerated sexual activities or anatomical areas.

7. Establishment of an Adult-Oriented Business. Means and includes any of the following:

a. The opening or commencement of any Adult-Oriented Business as a new business;

b. The conversion of an existing business, whether or not an Adult-Oriented Business, to any Adult-Oriented Business defined herein;

c. The addition of any of the Adult-Oriented Businesses defined herein to any other existing Adult-Oriented Business; or

d. The relocation of any Adult-Oriented Business.

8. Figure Model. Any person who, for pecuniary compensation, consideration, hire or reward, poses in a modeling studio to be observed, sketched, painted, drawn, sculptured, photographed, or otherwise depicted.

9. Health Officer. The Health Officer of the County of San Bernardino, or his or her duly authorized representative.

10. Nudity or State of Nudity. The showing of the human male or female genitals, pubic area, buttocks or anus with less than a full opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernible turgid state.

11. Patron. A customer of an Adult-Oriented Business.

12. Permit. Any permit or registration certificate issued pursuant to these Adult-Oriented Business regulations.

13. Permittee. Any person to whom an Adult-Oriented Business registration certificate is issued.

14. Person. Any individual, partnership, copartnership, firm, association, joint stock company, corporation, or combination thereof, in whatever form or character.

15. Regularly Features. With respect to an adult theater, adult cabaret, adult arcade or adult motion picture theater, a regular and substantial course of conduct. Performances that are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities, occur on 2 or more occasions within a 30 day period; 3 or more occasions within a 60 day period; or 4 or more occasions within a 180 day period shall, to the extent permitted by law, be deemed to be a regular and substantial course of conduct.

16. Religious Institution. A structure that is used primarily for religious worship and related religious activities.

17. School. Any child or daycare facility, or an institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.

18. Semi Nude or Semi-Nudity. State of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola of the female breast, as well as portions of the body covered by supporting straps or devices.

19. Adult-Oriented Businesses. Any one of the following:

a. *Adult Arcade*. An establishment that, for any form of consideration, provides one or more still or motion picture projectors, or similar machines, for viewing by patrons and which shows films, computer generated images, motion pictures, video cassettes, slides, or similar photographic reproductions, more than 30 percent of which showings are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

b. *Adult Bookstore*. An establishment having a substantial and a significant portion of its business derived from the sale or rental of books, magazines, periodicals or other printed matter, or of photographs, films, motion pictures, video cassettes, slides, tapes, or other form of visual or audio representations that are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas, or sexually oriented merchandise. The fact that more than 30 percent of the establishment inventory is composed of such materials, 30 percent of its floor area is devoted to such materials, or that 30 percent of its gross income is derived from such materials, or that the establishment advertises itself as "adult" in nature, shall, to the extent permitted by law, be evidence that the establishment is an "Adult Bookstore."

c. *Adult-Oriented Business.* Any business establishment or concern which operates as an Adult Bookstore, Adult Video Store, Adult Arcade, Adult Cabaret, Adult Theater, Adult Motion Picture Theater, Adult Motel, Escort Agency, Massage Establishment, Modeling Studio, Sexual Encounter/Rap Studio, Sexual Novelty Store or any other business or concern that regularly features or offers to its patrons as a substantial significant portion of its business, products, merchandise, services, or entertainment that are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, but not including those uses or activities the regulation of which is preempted by State law. "Adult-Oriented Business" also includes any establishments, which as a regular and substantial course of conduct, provides or allows performers, models, or employees to appear in any public place dressed only in lingerie. "Adult-Oriented Business" does not include those uses, businesses or activities of licensed professionals who are otherwise exempt from classification as a "Massage Establishment" pursuant to this Development Code.

d. *Adult Cabaret or Adult Theater.* A nightclub, restaurant, or business establishment that regularly features live performances that are distinguished or characterized by an emphasis upon the display of specified sexual activities; regularly featured persons who appear semi-nude; or that shows films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

e. *Adult Hotel or Motel.* A hotel, motel, or similar business establishment offering public accommodations for any form of consideration, which provides patrons with closed circuit television transmissions, films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for less than a 6-hour period, or rents, leases, or lets any single room more than twice in a 24-hour period.

f. *Adult Motion Picture Theater.* A business establishment where, for any form of consideration, films, computer generated images, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

g. *Escort Agency.* A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

h. *Massage Establishment.* An establishment having a fixed place of business where any person association, firm, or corporation engages in, conducts, or carries on or permits to be engaged in, conducted, or carried on, any business of giving Turkish, Russian, Swedish vapor, sweat, electric, salt, or any other kind of character of baths and where alcohol rubs, fomentations, baths, or manipulations of the body, or similar procedures, are given including acupressure clinics or establishments.

i. *Modeling Studio.* A business that regularly features, for pecuniary compensation, monetary, or other consideration, hire or reward figure models who, for the purposes of sexual stimulation of patrons, display specified anatomical areas to be observed, sketched, photographed, painted, sculpted or otherwise depicted by persons paying such consideration. "Modeling Studio" does not include schools maintained pursuant to standards set

by the State Board of Education, or a studio or similar facility owned, operated or maintained by an individual artist or group of artists, that does not provide, permit, or make available "specified sexual activities."

20. Adult-Oriented Business Operator or Operator. A person who supervises, manages, inspects, directs, organizes, controls, or in any other way is responsible for or in charge of the premises of an Adult-Oriented Business, or the conduct or activities occurring on the premises thereof.

21. Adult-Oriented Business Performer or Performer. Any person who is an employee or independent contractor of the Adult-Oriented Business, and any person who, with or without any compensation or other form of consideration, performs live entertainment dressed in no more than a state of semi-nudity for patrons of an Adult-Oriented Business.

22. Sexually Oriented Merchandise. Sexually oriented implements and paraphernalia, including, but not limited to: dildos, auto-sucks, sexually oriented vibrators, edible underwear, ben-wah balls, inflatable orifices, anatomical balloons with orifices, simulated and battery-operated vaginas, and similar sexually oriented devices, or any other merchandise characterized by an emphasis on sexual activities or specified anatomical parts.

23. Sexually Oriented Merchandise. Sexually oriented implements and paraphernalia, including, but not limited to: dildos, auto-sucks, sexually oriented vibrators, edible underwear, ben-wah balls, inflatable orifices, anatomical balloons with orifices, simulated and battery-operated vaginas and similar sexually oriented devices, or other merchandise characterized by an emphasis on sexual activities or specified anatomical parts.

24. Specified Anatomical Areas. Means and includes any of the following less than completely and opaquely covered human:

a. genitals or public region;

b. buttocks;

c. female breast below a point immediately above the top of the areola;

d. Human male genitals in a discernibly turgid state, even if completely and opaquely covered; or

e. Any device, costume or covering that simulates any of the body parts included in Subparagraphs B.24.a or b, above.

25. Specified Sexual Activities. Means and include any of the following, whether performed directly or indirectly through clothing or other covering:

a. The fondling or other erotic touching of human genitals, public region, buttocks, anus, or female breast;

b. Sex acts, actual or simulated, including intercourse, oral copulation or sodomy;

c. Masturbation, actual or simulated; or

d. Excretory functions as part of or in connection with any of the other activities described in Subparagraphs B.25.a through c, above.

26. Studies. The studies and reports prepared by other cities and judicial rulings referred to in Paragraph B.1 herein of these Adult-Oriented Business regulations, including studies and reports prepared by the City relating to the adverse secondary impacts of existing Adult-Oriented Businesses.

D. Minimum separation and locational requirements.

1. No Adult-Oriented Business shall be located within 1,500 FT of any property located within a residential or mixed-use zoning district, or any property located within a residential or mixed-use land use district of an adopted Specific Plan.

2. No Adult-Oriented Business shall be located within 1,000 FT of the following:

a. Any church, chapel, or similar place of worship, whether inside or outside of Ontario city limits;

b. Any school or daycare establishment, or public or private park or playground, whether inside or outside of Ontario city Limits;

c. Any retirement or convalescent hospital, whether inside or outside of Ontario city limits;

d. Any recreational facility, such as game arcade, bowling alley, skateboard rink, skating rink, or similar area where minors regularly congregate, whether inside or outside Ontario city limits;

e. City Hall, City offices, and other government buildings normally open to the public;

f. Libraries, whether inside or outside Ontario city limits; and

g. Any truck stops, whether inside or outside Ontario city limits.

3. No Adult-Oriented Business shall be located within 300 FT of another Adult-Oriented Business, whether inside or outside Ontario city limits;

4. For purposes of the regulations contained herein, all distances shall be measured in a straight line, without regard for intervening structures, from the nearest property line for which the Adult-Oriented Business is proposed to be located to the nearest property line of a use or district identified in these Adult-Oriented Business regulations.

E. Adult-Oriented Business Development and Performance Standards. The following development and performance standards shall be applicable to Adult-Oriented Businesses in the City:

1. No Adult-Oriented Business shall be operated in any manner that permits the observation of any materials or activities depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas from any public way or from any location outside the building or area of such establishment. No Adult-Oriented Business shall be operated in any

manner that permits the observation of any live performance depicting, describing or relating to specified sexual activities or semi-nudity from any public way, or from any location outside the building or area of such establishment. This provision shall apply to any display, decoration, sign, show window or other opening. No exterior door or window on the premises shall be propped or kept open at any time while the business is open, and any exterior windows shall be covered with opaque covering at all times.

2. All off-street parking area and premise entries of the Adult-Oriented Business shall be illuminated from dusk to closing hours of operation with a lighting system that provides an average maintained horizontal illumination of one footcandle of light, measured on the parking surface or walkway. The required lighting level is established in order to provide sufficient illumination of the parking areas and walkways serving the Adult-Oriented Business for the personal safety of patrons and employees, and to reduce the incidence of vandalism and criminal conduct.

3. The premises within which the Adult-Oriented Business is located shall provide sufficient sound-absorbing insulation so that noise generated inside the premises shall not be audible anywhere on any adjacent property or public right-of-way, or within any other building or other separate unit within the same building.

4. Except for those businesses also regulated by the California Department of Alcoholic Beverage Control, an Adult-Oriented Business shall be open for business only between the hours of 8:00 AM and 12:00 PM (midnight) on any particular day.

5. The building entrance to an Adult-Oriented Business shall be clearly and legibly posted with a notice indicating that persons under 18 years of age are precluded from entering the premises. The notice shall be constructed and posted to the satisfaction of the Chief of Police. No person under the age of 18 years shall be permitted within the premises at any time.

6. All indoor areas of the Adult-Oriented Business within which patrons are permitted, except restrooms, shall be open to view by the management at all times.

7. Any Adult-Oriented Business that is also an Adult Arcade that provides viewing area(s), shall comply with the following additional requirements:

a. Each Adult Arcade shall have at least one manager's station. It shall be the duty of the operator(s) to ensure that at least one employee is on duty and situated at each manager's station at all times that any patron is present inside the Adult Arcade.

b. The interior of the Adult Arcade shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the Adult Arcade to which any patron is permitted access for any purpose, excluding restrooms. If the Adult Arcade has two or more manager's stations designated, then the interior of the Adult Arcade shall be configured in such a manner that there is an unobstructed view of each area of the Adult Arcade to which any patron is permitted access for any purpose, excluding restrooms, from at least one of the manager's stations. The view required by this Subparagraph shall be by direct line of sight from the manager's station. There shall be a security system that visually records each viewing booth at all times that the business is open or occupied for business.

c. It shall be the duty of the operator(s) and also the duty of all employees present in the Adult Arcade to ensure that the individual viewing areas remain unobstructed by any doors, walls, persons, merchandise, display rack or other materials at all times and to ensure

that no patron is permitted access to any area of the Adult Arcade that has been designated as an area in which patrons will not be permitted.

d. No individual viewing area may be occupied by more than one person at any one time. "Individual viewing area" shall mean a viewing area designed for occupancy by one person. Individual viewing areas of the Adult Arcade shall be operated and maintained without any hole or other opening, or means of direct communication, or visual or physical access between the interior spaces of two or more Individual viewing areas.

e. No individual viewing area shall contain booths, stalls, or partitioned portions of individual viewing area used for the viewing of sexually oriented material or other forms of entertainment having doors, curtains, or portal partitions, unless the individual viewing areas containing booths, stalls, or partitioned portions have at least one side open to the manager's station and is visible to the manager's station. Any booth, stall, or partitioned portion of an individual viewing area authorized under this subparagraph shall be constructed to allow 12 inches of open space between the bottom of the stall or partition and the floor. The open space shall remain unobstructed at all times.

f. The Adult Arcade shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access, but such lighting shall not be of an intensity as to prevent the viewing of the sexually oriented material.

g. It shall be the duty of the operator(s) and all employees present at the Adult Arcade to ensure that the illumination described in Subparagraph E.7.f, above, is maintained at all times that any patron is present in the Adult Arcade.

h. The floors, seats, walls, and other interior portions of all booths shall be maintained clean and free from waste and bodily secretions. Presence of human excrement, urine, semen or saliva in any such booths shall be evidence of improper maintenance and inadequate sanitary controls.

8. All areas of the Adult-Oriented Business that are accessible to the public shall be illuminated at the following minimum footcandles, which shall be minimally maintained and evenly distributed at ground level, pursuant to Table 5.03-2 (Minimum Lighting Requirements for Adult-Oriented Businesses), below.

Table 5.03-2: Minimum Lighting Requirements for Adult-Oriented Businesses

Area	*Minimum Foot-Candles*
Bookstores and other retail establishments:	20
Theaters and cabarets (except during performances, at which time lighting shall be at least 1.25 foot-candles):	5
Arcades:	10
Motels/Hotels (in public areas):	20
Modeling Studios:	20

9. Patrons and employees shall not use the same restrooms. The Adult-Oriented Business shall provide and maintain separate restroom facilities for male patrons and employees, on the one hand, and female patrons and employees, on the other. Male patrons and employees shall be prohibited from entering any restroom for females, and female patrons and employees shall be prohibited from entering any restroom for males, except when an employee carries out

duties of repair, maintenance, or cleaning of the restroom facilities. All restrooms shall be free from any sexually oriented materials. No restrooms shall contain television monitors or other motion picture or video projection, computers, recording, or reproduction equipment. The foregoing provisions of this Paragraph shall not apply to an Adult-Oriented Business that deals exclusively with sale or rental of sexually oriented materials that are not used or consumed on the premises, such as an Adult Bookstore or Adult Video Store, and which does not provide restroom facilities to its patrons or the public.

10. The following additional requirements shall pertain to Adult-Oriented Businesses that provide live performances in Adult Cabarets or Adult Theaters:

a. No person shall perform live entertainment for patrons of an Adult-Oriented Business except upon a stage at least 2 FT above the level of the floor, which is separated by a distance of at least 10 FT from the nearest area occupied by patrons, and no Patron shall be permitted within 10 FT of the stage while the stage is occupied by an Adult-Oriented Business performer.

b. The Adult-Oriented Business shall provide separate dressing room facilities for performers that are exclusively dedicated to the performers' use. No public access shall be permitted to any dressing room facility.

c. The Adult-Oriented Business shall provide an entrance and exit for performers that is separate from the entrance and exit used by patrons.

d. The Adult-Oriented Business shall provide access for performers between the stage and dressing rooms, which are completely separated from the patrons. If separate access is not physically feasible, the Adult-Oriented Business shall provide a minimum 3-FT wide walk aisle for performers between the dressing room area and the stage, with a railing, fence, or other barrier separating the patrons and the performers capable of, and which actually results in, preventing any physical contact on the premises of the Adult-Oriented Business.

e. No performer, either before, during, or after performances, shall have any physical contact with any Patron, and no patron shall have physical contact with any performer before, during, or after performances by a performer. This Subparagraph shall only apply to physical contact on the premises of the Adult-Oriented Business.

f. Fixed guardrails at least 30 inches in height shall be maintained establishing the separations between performers and patrons required by the herein-stated Adult-Oriented Business Development and Performance Standards.

g. No patron shall directly pay or give any gratuity to any performer, and no performer shall solicit any pay or gratuity from any patron.

11. No operator, owner, or other person with managerial control over an Adult-Oriented Business shall permit any person on the premises of an Adult-Oriented Business to engage in a live showing of any specified anatomical areas. This provision may not be complied with by applying an opaque covering simulating the appearance of the specified anatomical areas required to be covered. Notwithstanding any other penalties that may be provided in this Development Code or the Ontario Municipal Code, a violation of this Subparagraph shall be grounds for revocation of an Adult-Oriented Business registration certificate.

12. No Adult-Oriented Business performer on the premises of an Adult-Oriented Business shall engage in a live showing of any specified anatomical areas. This provision may not be complied with by applying an opaque covering simulating the appearance of the specified anatomical areas required to be covered. Notwithstanding any other penalties that may be provided in this Development Code or the Ontario Municipal Code, a violation of this Subparagraph shall be grounds for revocation of an Adult-Oriented Business registration certificate.

13. Adult-Oriented Businesses shall employ security guards in order to maintain the public peace and safety, and to prevent any illegal activity from occurring on the premises, based upon the following standards:

a. Adult-Oriented Businesses featuring live entertainment shall provide at least one security guard at all times while the business is open. If the occupancy limit of the premises is greater than 35 persons, an additional security guard shall also be on duty at all times while the business is open.

b. Security guards for other Adult-Oriented Businesses may be required if it is determined by the Chief of Police that their presence is necessary in order to maintain public peace and safety, and to prevent any illegal activity from occurring on the premises.

c. Security guards shall be charged with preventing violations of law and enforcing compliance by patrons of the requirements of these regulations. Each security guard shall be uniformed in such a manner so as to be readily identifiable as a security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state law. No security guard required pursuant to this Subparagraph shall act as a door person, ticket seller, ticket taker, admittance person, or sole occupant of the manager's station while acting as a security guard.

14. The Adult-Oriented Business shall provide a security system that visually records and monitors all parking lot areas at all times that the business is open or occupied for business.

15. Views of parking areas and doorways of Adult-Oriented Businesses shall be unobstructed so as to allow visibility of these areas from public rights-of-way.

16. The Adult-Oriented Business shall comply with the City's sign regulations.

17. The Adult-Oriented Business shall comply with the development, parking, and design requirements of the underlying zone for the specific underlying use. All exterior areas of an Adult-Oriented Business, including buildings, landscaping, and parking areas shall be maintained in a clean and orderly manner.

F. Employment of and Services Rendered to Persons Under the Age of 18 Years Prohibited.

1. It shall be unlawful for any operator or other person in charge of any Adult-Oriented Business to employ any person who is not at least 18 years or age.

2. It shall be unlawful for any operator or other person in charge of any Adult-Oriented Business to permit to enter, or remain within the Adult-Oriented Business, any person who is under the age of 18.

G. Inspection and Operators. All operators shall permit the Chief of Police, representatives of the San Bernardino County Health Department, and the City of Ontario Fire Department to conduct unscheduled inspections of the premises of the Adult-Oriented Business for the purpose of insuring compliance with the laws, and the development and performance standards applicable to Adult-Oriented Businesses at any time it is occupied or opened for business.

H. Regulations Nonexclusive. The provisions of this Development Code regulating Adult-Oriented Businesses are not intended to be exclusive and compliance therewith shall not excuse noncompliance with any other regulations pertaining to the operation of businesses as adopted by the City Council.

5.03.020: Air Transportation

A. Site and Building Development Standards within the ONT (Ontario International Airport) Zoning District. To facilitate the further development of Ontario International Airport and surrounding properties directly impacted by airport operations, all development within the ONT zoning district shall be designed and constructed pursuant to the site and development standards of the IG zoning district, except as follows:

1. The FAR calculation for development projects within the ONT zoning district shall be based on the ratio of gross cumulative building area to overall land area of the ONT zoning district; and

2. The Planning Director shall have the authority to approve deviations from minimum landscape coverage, minimum building setbacks, and maximum building height standards when it can be found and clearly established that such deviation is necessary due to identified site conditions.

B. Helipads/Heliports. Within the CR, IG, and IH zoning districts, helipad/heliport facilities shall be allowed only in conjunction with a permitted or conditionally permitted land use. Standalone helipad/heliport facilities shall be prohibited, except within the ONT zoning district.

5.03.023: Alcoholic Beverage Manufacturing

The following regulations shall govern the establishment and operation of alcoholic beverage manufacturing uses and activities, as follows:

A. Alcoholic Beverage Manufacturing in the MU-1 (Downtown Mixed Use) Zoning District. Alcoholic beverage manufacturing facilities established within LUA-1, LUA-2 North, and LUA-2 South areas of the MU-1 zoning district shall comply with the following:

1. Land use approval shall be subject to the approval of an Administrative Use Permit pursuant to the requirements of Section 4.03.015 (Administrative Use Permits) of this Development Code;

2. The GFA of an alcoholic beverage manufacturing facility shall be less than 10,000 SF;

3. An alcoholic beverage manufacturer shall not be permitted unless the licensed alcoholic beverage manufacturer also sells alcoholic beverages to consumers for consumption on the premises, within a tasting room that complies with Subsection D of this Section, or in a bona

fide restaurant that is located on the licensed premises, or at a bona fide restaurant that is contiguous to the licensed premises;

4. No video, electronic or other amusement devices or games shall be permitted;

5. Outdoor storage in conjunction with an alcoholic beverage manufacturer shall be prohibited.

B. Sewer Study May Be Required for Alcoholic Beverage Manufacturers in the MU-1 (Downtown Mixed Use) Zoning District. Alcoholic beverage manufacturing facilities established within the CC, CR and CCS zoning districts shall comply with the following:

1. Land use approval shall be subject to the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code;

2. The GFA of an alcoholic beverage manufacturer shall be less than 10,000 SF;

3. An alcoholic beverage manufacturer shall not be permitted unless the licensed alcoholic beverage manufacturer also sells alcoholic beverages to consumers for consumption on the premises, within a tasting room that complies with Subsection D of this Section, or in a bona fide restaurant that is located on the licensed premises, or at a bona fide restaurant that is contiguous to the licensed premises.

4. No video, electronic or other amusement devices or games shall be permitted.

5. Outdoor storage in conjunction with an alcoholic beverage manufacturer shall be prohibited.

C. Conditional Use Permit Required for Tasting Rooms in the IL (Light Industrial), IG (General Industrial) and IH (Heavy Industrial) Zoning Districts. Within the IL, IG and IH zoning districts, the establishment of a tasting room in conjunction with an alcoholic beverage manufacturer shall require the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code. Tasting rooms shall be designed in compliance with the requirements of Subsection D of this Section.

D. Tasting Rooms Not to Exceed 1,000 SF Unless Otherwise Permitted by a Conditional Use Permit. A tasting room shall not exceed 1,000 SF in area, except that within the MU-1 zoning district, tasting rooms in excess of 1,000 SF may be permitted by Conditional Use Permit approval. The tasting room floor area shall include any indoor area within the alcoholic beverage manufacturing licensed premises where alcoholic beverages are consumed, including any bar and seating areas, but shall exclude restrooms serving the tasting room and any outdoor patio areas. Outdoor patio areas may be permitted, provided they are not located in any required parking space or access way, and do not exceed 1,000 SF in total area.

E. Use of Grain Silos. A grain silo may be located outside of a building occupied by an alcoholic beverage manufacturing use, which shall comply with the following:

1. The grain silo shall not be located in any required parking space, driveway or drive aisle, or situated so as to adversely affect the pedestrian path of travel.

2. One sign identifying the alcoholic beverage manufacturing use may be placed on the grain silo, having a maximum area of 9 SF. The silo sign is permitted in addition to any wall signs or monument signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Development Code.

F. Outdoor Utility Equipment Shall Be Completely Screened. Outdoor utility equipment associated with an alcoholic beverage manufacturing use shall be completely screened from public view.

G. Property Shall Be Permanently Maintained. The real property upon which an alcoholic beverage manufacturing use is operated shall be permanently maintained in an orderly fashion by the provision of regular landscape maintenance, removal of trash and debris, and removal of graffiti within 24 hours from the time of occurrence.

H. Roof-Mounted or Ground-Mounted Mechanical Equipment Shall Be Completely Screened. Any proposed roof-mounted or ground-mounted mechanical equipment shall be completely screened from public view. Equipment screening information shall be specifically shown on the plans submitted for building permit issuance.

I. Security Plan Required. A security plan, in a form satisfactory to the Ontario Police Department, shall be submitted to and approved by the Police Chief prior to building permit issuance. The security plan shall be formulated to deter unlawful conduct of employees and patrons, to promote the safe and orderly assembly and movement of persons and vehicles, and to prevent disturbances to surrounding land uses and the neighborhood in general, by excessive noise created by patrons entering or leaving the alcoholic beverage manufacturer's licensed premises.

J. On-Site Lighting Required to Provide a Safe and Secure Environment. Parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings occupied by an alcoholic beverage manufacturing use shall be provided with enough lighting to illuminate and make clearly visible, the presence of any person on or about the alcoholic beverage manufacturer's licensed premises during the hours of darkness, and shall provide a safe and secure environment for all persons, property, and vehicles on and around the premises.

K. Admission Fee, Cover Charge, and Minimum Purchase Requirements. It shall be unlawful to require the payment of an admission fee or cover charge or require a minimum purchase.

L. Alcoholic Beverage Signs Required. Signs shall be posted inside the business, near the exit door, which states "NO ALCOHOLIC BEVERAGE ALLOWED BEYOND THIS POINT."

M. Maximum Occupancy Load Shall Not Be Exceeded. The number of persons shall not exceed the maximum occupancy load as determined by the Ontario Fire Department. Signs indicating the maximum occupant load shall be posted in a conspicuous place on an approved sign near the main exit from the room.

N. No Live Entertainment or Dancing Permitted without First Obtaining Land Use Approval. There shall be no live entertainment or dancing permitted on the alcoholic beverage manufacturer's licensed premises at any time, without first obtaining land use approval for the activities pursuant to the requirements of this Development Code.

O. Display of Alcoholic Beverages. The display of alcoholic beverages shall not be located outside of a building or within 5 FT of any public entrance to the building.

P. Alcoholic Beverages Distributed By Competing Alcoholic Beverage Manufacturers Shall Not Be Served. An alcoholic beverage manufacturer shall not serve brands of alcoholic beverages distributed by a competing alcoholic beverage manufacturer. The alcoholic beverages served shall be limited to the products that are authorized to be sold by the alcoholic beverage manufacturer under its license issued by the California Department of Alcoholic Beverage Control.

5.03.025: Alcoholic Beverage Sales

A. Purpose. The purpose of this Section is to establish standards governing the establishment and operation of alcoholic beverage sales within the City.

B. Applicability.

1. Conditional Use Permit and/or Administrative Use Permit Required.

a. The retail sales of alcoholic beverages, whether intended for consumption on or off the premises wherein the beverage is sold, shall require the approval of a Conditional Use Permit pursuant to Development Code Section 4.02.015 (Conditional Use Permit), or the approval of an Administrative Use Permit pursuant to Development Code Section 4.03.015 (Administrative Use Permits), as applicable, prior to the establishment of the use, excepting temporary alcoholic beverage sales allowed by Paragraph B.2, of this Section.

b. The violation of any provision of this Section shall be grounds for, and may result in, the modification or revocation of such Conditional Use Permit by the City, pursuant to Division 2.05 (City Initiated Modification or Revocation) of this Development Code.

c. A Conditional Use Permit and/or Administrative Use Permit for alcoholic beverage sales may be granted only in conjunction with, and shall be ancillary to, those legally established land uses identified in Subsections D (Alcoholic Beverage Sales for Consumption on the Premises) and E (Alcoholic Beverage Sales for Consumption off the Premises) of this Section.

2. Alcoholic Beverage Sales and/or Tasting in Conjunction with a Temporary Activity. Temporary alcoholic beverage sales and/or tasting may be allowed, provided an Administrative Use Permit issued pursuant to Section 4.03.015 (Administrative Use Permit) of this Development Code is first obtained prior to the establishment of the temporary activity, and the temporary activity is in full compliance with Subsection D (Temporary Alcoholic Beverage Sales) of Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures) of this Division.

3. Undue Concentration of Alcoholic Beverage Licenses within a Census Tract. A Conditional Use Permit for the retail sale of alcoholic beverages shall not be issued for a business located within a census tract that has been determined to contain an undue concentration of alcoholic beverage licenses, as defined in BPC Section 23958.4, unless a determination of public convenience or necessity is made by the Reviewing Authority pursuant to Subsection F (Public Convenience or Necessity Determination) of this Section.

C. Compliance with State of California Department of Alcoholic Beverage Control (ABC) Regulations. Any business engaging in the retail sales of alcoholic beverages shall first obtain the appropriate retail license from ABC and shall operate such business in strict compliance with the

Alcoholic Beverage Control Act (commencing with BPC Section 23000 et seq.), and all applicable ABC rules, regulations, and orders.

D. Alcoholic Beverage Sales for Consumption on the Premises (On-Sale Alcoholic Beverage Sales). On-sale alcoholic beverage sales comprises establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment, for consumption on the premises in which they are sold. Typical uses include, but are not limited to, bars, brew pubs, nightclubs, wine bars, and restaurants that serve alcoholic beverages.

Establishments engaged in on-sale alcoholic beverage sales shall comply with the following:

1. Conditional Use Permit approval shall be required for an on-sale alcoholic beverage sales activity, and/or for the on premise tasting of any alcoholic beverage in conjunction with a legally established and ABC-licensed wine grower, beer manufacturer, brandy manufacturer, or distilled spirits manufacturer, except that within the MU-1 (Historic Downtown Mixed Use) zoning district, Administrative Use Permit approval shall be obtained from the City prior to establishing an on-sale alcoholic beverage sales use or activity.

2. Any business engaged in on-sale alcoholic beverage sales or on-premises tasting of any alcoholic beverage in conjunction with a legally established and ABC-licensed wine grower, beer manufacturer, brandy manufacturer, or distilled spirits manufacturer, shall not allow any alcoholic beverage to be consumed outside of the enclosed building, except within an outdoor area that has been designed to be separated from direct public contact/access by a wall, fence or other barrier acceptable to the City. The design of said outdoor area and required wall, fence or other barrier shall be subject to review and approval by the Planning Director and Police Chief.

E. Alcoholic Beverage Sales for Consumption off the Premises (Off-Sale Alcoholic Beverage Sales). Off-sale alcoholic beverage sales comprises establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment for consumption off the premises in which they are sold. Typical uses include, but are not limited to, convenience stores, grocery stores, and liquor stores.

Establishments engaged in off-sale alcoholic beverage sales shall comply with the following:

1. Conditional Use Permit approval shall be required for off-sale alcoholic beverage sales.

2. Establishments engaged in the concurrent sale of motor vehicle fuel with alcoholic beverage sales shall comply with all of the following conditions pursuant to BPC Section 23790.5:

a. No beer or wine shall be displayed within 5 FT of the cash register or the front door unless it is in a permanently affixed cooler.

b. No advertisement of alcoholic beverages shall be displayed at motor fuel islands;

c. No sale of alcoholic beverages shall be made from a drive-up window;

d. No display or sale of beer or wine shall be made from an ice tub;

e. No beer or wine advertising shall be located on motor fuel islands and no self-illuminated advertising for beer or wine shall be located on buildings or windows; and

f. Employees on duty between the hours of 10 p.m. and 2 a.m. who sell beer or wine shall be at least 21 years of age.

3. The on-premises consumption of an alcoholic beverage shall be prohibited.

F. Public Convenience or Necessity Determination. BPC Section 23958.4 provides that the City shall have authority to review a retail alcoholic beverage license application proposed within an area having an "undue concentration" (high density of alcoholic beverage sales locations) of licenses; determine whether public convenience or necessity would be served by license issuance; and inform ABC of the determination.

1. Purpose. The purpose of this Subsection is to establish a procedure by which the public convenience or necessity may be determined, as provided by State law, and establish the criteria by which the determination shall be made.

2. Applicability. In considering a Conditional Use Permit or Administrative Use Permit (as applicable) application for alcoholic beverage sales, it shall be the responsibility of the Reviewing Authority prescribed by Table 2.02-1 (Review Matrix) of this Development Code, to make a determination of public convenience or necessity, if required pursuant to this Subsection.

3. Determining Public Convenience or Necessity for On-Sale Alcoholic Beverage Sales Licenses. Within a census tract having an undue concentration of on-sale ABC licenses, whether the public convenience or necessity would be served by an ABC license issuance shall be determined as follows:

a. *Alcoholic Beverage License Issuance in Conjunction with a Bona Fide Restaurant.* The issuance of an alcoholic beverage license in conjunction with a bona fide restaurant is hereby deemed to be provided as convenience to business patrons. The Reviewing Authority shall, therefore, establish that the public convenience would be served by the issuance of an ABC license in such cases;

b. *All Other On-Sale Alcoholic Beverage Licenses.* For all other on-sale alcoholic beverage licenses, the Approving Authority shall determine whether public convenience or necessity would be served by ABC license issuance on a case-by-case basis, upon a thorough review of the facts pertaining to the proposed use.

4. Criteria for Determining Public Convenience or Necessity for Off-Sale Alcoholic Beverage Sales Licenses. Within a census tract having an undue concentration of off-sale ABC licenses, the City desires to strike a balance between the number of off-sale ABC licenses and the convenience of business patrons. Consequently, the Approving Authority is hereby granted authority to make determinations of public convenience and necessity, and shall rely upon the following factors in making such determinations:

a. The proposed retail alcohol license is not located within a high crime area, which is defined as an area characterized by a high ratio of Police Department calls for service to alcohol-related incidences, not to exceed 20 percent greater than the average number of

alcohol-related incidences reported for the City as a whole), including but not limited to disturbing the peace, public intoxication, assault and battery, prostitution, vandalism, graffiti, loitering, pan-handling, all BPC violations, drug violations, and driving while intoxicated or under the influence;

b. The proposed retail alcohol license is not located within close proximity (600 FT or less, as measured in a straight line from any point along the outer boundaries of the building GFA containing the business) of an existing or proposed sensitive land use (as provided in BPC Section 23789), including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate;

c. The anticipated amount (percentage) of retail sales to be derived from alcoholic beverages is clearly incidental to the primary land use, making-up no more than one-third of anticipated gross retail sales;

d. If the business for which the retail alcoholic beverage license application is proposed is a grocery store, it shall contain at least 12,000 SF of GFA;

e. No more than 10 percent of the retail business' GFA shall be devoted to alcoholic beverage display and sale;

f. At least 10 percent of the retail business' GFA shall be devoted to food display and sales. (Note: Food preparation areas shall not be counted toward the food sales floor area calculation); and

g. The building or property wherein the proposed business is located has no outstanding building or health code violations, is not an active Code Enforcement Department case, and complies with applicable Development Code regulations, including but not limited to property maintenance, building improvements, off-street parking (design and number of spaces provided), and landscape and lighting improvements.

5. Criteria for Determining Public Convenience or Necessity for Off-Sale Alcoholic Beverage Sales in Conjunction with Alcoholic Beverage Manufacturing Uses. Within a census tract having an undue concentration of off-sale ABC licenses, the Reviewing Authority is hereby granted authority to make determinations of public convenience and necessity for off-sale alcoholic beverage sales in conjunction with an alcoholic beverage manufacturing uses, and shall rely upon the following factors in making such determinations:

a. The proposed alcoholic beverage manufacturing use is not located within a high crime area, which is defined as an area characterized by a high ratio of Police Department calls for service to alcohol-related incidences, not to exceed 20 percent greater than the average number of alcohol-related incidences reported for the City as a whole), including but not limited to disturbing the peace, public intoxication, assault and battery, prostitution, vandalism, graffiti, loitering, pan-handling, all BPC violations, drug violations, and driving while intoxicated or under the influence;

b. The proposed retail alcohol license is not located within close proximity (600 FT or less, as measured in a straight line from any point along the outer boundaries of the building GFA containing the business) of an existing or proposed residential or sensitive land use (as provided in BPC Section 23789), including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or

high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate;

c. The retail sales of alcoholic beverages is ancillary to the primary alcoholic beverage manufacturing use; and

d. The building or property wherein the proposed business is located has no outstanding building or health code violations, is not an active Code Enforcement Department case, and complies with applicable Development Code regulations, including but not limited to property maintenance, building improvements, off-street parking (design and number of spaces provided), and landscape and lighting improvements.

G. Deemed Approved Alcoholic Beverage Sales Regulations. The provisions of this Subsection shall be known as the Ontario Deemed Approved Alcoholic Beverage Sales Regulations.

1. Purpose. The general purposes of the Deemed Approved Alcoholic Beverage Sale Regulations are to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare of the citizens of the City by requiring that alcoholic beverage sales commercial activities that were legal nonconforming Activities immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations are operated to achieve the following objectives:

a. Protect residential, commercial, industrial, and civic areas from nuisance, and minimize the adverse impacts of nonconforming and incompatible uses;

b. Provide opportunities for Alcoholic Beverage Sale Activities to operate in a mutually beneficial relationship to each other, and to other commercial and civic services;

c. Provide mechanisms to address problems often associated with the public consumption of alcoholic beverages, such as litter, loitering, graffiti, unruly behavior, and escalated noise levels;

d. Assure that Alcoholic Beverage Sale Commercial Activities are not the source of undue public nuisances in the community;

e. Encourage properly maintained alcoholic beverage sale establishments so that negative impacts generated by these activities are not harmful to the surrounding environment in any way; and

f. Monitor deemed approved activities to ensure they do not substantially change in mode or character of operation.

2. Applicability.

a. The Deemed Approved Alcoholic Beverage Sale regulations shall be applicable, to the extent permissible under other laws, to the following:

(1) All Legal Nonconforming Alcoholic Beverage Sale Commercial Activities within the City;

(2) The Nonconforming Use provisions contained in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs) of this Development Code; and

(3) A Conditional Use Permit operated pursuant to its conditions of approval.

b. Whenever any provision of the Deemed Approved Alcoholic Beverage Sale regulations and any other provision of law, whether set forth in this Development Code, or in any other law, ordinance, or resolution of any kind, imposes overlapping or contradictory regulations, or contain restrictions covering any of the same subject matter, the provision that is more restrictive, or imposes a higher standard, shall control, except as otherwise expressly provided by the Deemed Approved Alcoholic Beverage Sale Regulations.

3. Zoning Administrator. The Zoning Administrator shall conduct public hearings and make recommendations intended to encourage and achieve the compliance of particular sites with the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section, as appropriate. This Paragraph is not intended to restrict the powers and duties otherwise pertaining to other City officers or bodies, in the field of monitoring and ensuring the harmony of Alcoholic Beverage Sale Commercial Activities in the City. These parties shall have the powers and duties assigned to them by the Development Code, by the zoning regulations, by other codes and ordinances, or by valid administrative authority.

4. Definitions. For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

a. *Alcoholic Beverage*. Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, which contains 0.5 percent or more of alcohol by volume and which is fit for beverage purposes, either alone or when diluted, mixed, or combined with other substances, and sales of which requires an ABC license.

b. *Alcoholic Beverage Sales Commercial Activity*. The retail sale, for on-site or off-site consumption, of liquor, beer, wine, or other alcoholic beverages at establishments including but not limited to stores, liquor stores, specialty wine shops, restaurants, restaurant/bars, bars, taverns, brew pubs, cabarets, and businesses with temporary or permanent licenses from ABC to sell alcoholic beverages to the general public.

c. *Deemed Approved Activity*. Any Legal Nonconforming Alcoholic Beverage Sales Commercial Activity, as defined in this section, where the activity was in existence immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section. These activities shall be considered a Deemed Approved Activity as long as the establishment conducting the Deemed Approved Activity complies with the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section.

d. *Deemed Approved Status.* The permitted use of land for a Deemed Approved Activity. Deemed Approved Status replaces legal nonconforming status with respect to Alcoholic Beverage Sales Commercial Activity.

e. *Illegal Activity*. An activity that has been finally determined to be in noncompliance with the Deemed Approved performance standards contained in Paragraph G.6 (Performance Standards and Deemed Approved Activities), of this Section. Such an activity shall lose its Deemed Approved Status and shall no longer be considered a Deemed Approved Activity.

f. *Legal Nonconforming Alcoholic Beverage Sales Commercial Activity (Legal Nonconforming Activity)*. An Alcoholic Beverage Sales Commercial Activity that was a nonconforming use pursuant to the Nonconforming Use regulations contained in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs) of this Development Code, and for which a valid ABC license had been issued and used in the exercise of the rights and privileges conferred by the license, at a time immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations. The Activity shall be considered a Deemed Approved Activity, and shall no longer be considered a Legal Nonconforming Activity, except the Activity shall be subject to those zoning regulations relating to nonconforming uses as specified in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs), as of the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations.

g. *Low-End Fortified Wine.* A class of inexpensive fortified wines. In contrast to table wine, which may be enjoyed as an accompaniment to a meal, or high-end fortified wine, enjoyed as an aperitif, low-end fortified wines are generally considered suitable only for intoxication.

h. *Off-Sale Alcohol Outlet.* An establishment that conducts retail sales of Alcoholic Beverages for consumption off the premises where sold.

i. *On-Sale Alcohol Outlet.* An establishment that conducts retail sales of Alcoholic Beverages for consumption on the premises where sold.

j. *Performance Standards.* Regulations prescribed in the Deemed Approved Performance Standards contained in Paragraph G.6 (Performance Standards and Deemed Approved Activities) of this Section, regulating the business practice, activities and land use for locations with Deemed Approved Status, or those further requirements imposed by the Zoning Administrator to achieve these goals. Performance Standards constitute requirements that shall be complied with by an establishment in order for the establishment to retain its Deemed Approved Status.

k. *Premises.* The building and land surrounding it considered as a single business engaged in Alcoholic Beverage Sales Activities. The premises shall include parking areas, outdoor patios and similar features.

l. *Supplemental Conditions of Approval.* Those requirements imposed by the Zoning Administrator following a public hearing conducted pursuant to the provisions of Paragraph G.8 (Violations of Performance Standards, Supplemental Conditions of Approval, or Other Provisions of this Article—Public Hearing) et seq. of this Section. Supplemental Conditions of Approval constitute requirements that shall be complied with by an establishment in order for the establishment to retain its Deemed Approved Status.

5. Automatic Deemed Approved Status.

a. All Alcoholic Beverage Sales Commercial Activities that were Legal Nonconforming Activities immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations shall automatically become Deemed Approved Activities as of the effective date of the Deemed Approved Alcoholic Beverage Sale regulations and shall no longer be considered Legal Nonconforming Activities.

b. Each establishment with Deemed Approved Status shall retain its Deemed Approved Status; provided, it complies with the Deemed Approved performance standards as set forth in Paragraph G.6 (Performance Standards and Deemed Approved Activities) of this Section, or as promulgated by the Zoning Administrator. However, any change in the State Department of Alcoholic Beverage Control license type, revocation of the ABC license, or a substantial physical change of character of the establishment, as defined in CCR Title 4, Section 64.2(b), shall terminate the Deemed Approved Status for the establishment and shall thereafter require a Conditional Use Permit or other applicable entitlements allowing Alcoholic Beverage Sales Commercial Activity to continue the activity.

c. If any establishment with Deemed Approved Status discontinues operation, is suspended from operations, or surrenders the premises for more than 90 consecutive days, the Deemed Approved Status is subject to revocation per the requirements of Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs) of this Development Code. Any subsequent Alcoholic Beverage Sales Commercial Activity may only be resumed upon the granting by the City of a Conditional Use Permit allowing such Activity. Revocation of Deemed Approved Status pursuant to this Section may be made following a public hearing by the Zoning Administrator pursuant to the provisions of Paragraph G.8 (Violations of Performance Standards, Supplemental Conditions of Approval or Other Provisions of this Article – Public Hearing) et seq. of this Section.

6. Performance Standards and Deemed Approved Activities. A Deemed Approved Activity shall retain its Deemed Approved Status only if it conforms to each of the following Deemed Approved Performance Standards:

a. The Deemed Approved Activity shall not result in adverse impacts to the health, peace or safety of persons residing or working in the surrounding area;

b. The Deemed Approved Activity shall not result in jeopardizing or endangering the public health or safety of persons residing or working in the surrounding area;

c. The Deemed Approved Activity shall not result in nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, sales to minors, curfew violations, lewd conduct, or police detentions and arrests;

d. The Deemed Approved Activity shall comply with all applicable provision of any local, state, or federal regulation, ordinance or statute, including but not limited to those of the ABC, BPC Sections 24200, 24200.6 and 25612.5, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders. This includes compliance with annual City business taxes and alcohol sales administrative program fees imposed pursuant to the OMC; and

e. The upkeep and operating characteristics of the Deemed Approved Activity shall be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

7. Notification to Owners of Establishments Conducting Deemed Approved Activities. The Zoning Administrator shall notify the owner of each establishment conducting a Deemed Approved Activity, and the property owner, if different from the Deemed Approved Activity, of

the establishment's Deemed Approved Status. The notice shall be sent via certified mail return receipt requested; shall include a copy of the performance standards contained in Paragraph G.6 (Performance Standards and Deemed Approved Activities), above, with the requirement that these be posted in a conspicuous and unobstructed place, which is visible from the entrance of the establishment for public review; notification that the establishment is required to comply with all performance standards; that a review fee is required, as adopted by separate resolution of the City Council, and the amount of the fee that is required to be paid; and that the activity is required to comply with all other aspects of the Deemed Approved Alcoholic Beverage Sale Regulations. Should the notice be returned, it shall then be sent via regular U.S. Mail.

8. Violations of Performance Standards, Supplemental Conditions of Approval or Other Provisions of this Article—Public Hearing.

a. Upon receipt of a complaint that an establishment conducting a Deemed Approved Activity is in violation of the Performance Standards set forth in Paragraph G.6 (Performance Standards and Deemed Approved Activities) of this Section, or other conditions promulgated by the Zoning Administrator, or any other provision of these Deemed Approved Alcoholic Beverage Sales Regulations, and once it is reasonably determined by the City that the violations have occurred, or are occurring, then the Deemed Approved Status of the establishment in question shall be reviewed by the Zoning Administrator at a public hearing. Notification of the public hearing shall be provided pursuant to Paragraph G.10 (Notification of Public Hearing) of this Section.

b. The purpose of the public hearing is for any interested party to submit evidence to the Zoning Administrator concerning whether the operating methods of the establishment conducting the Deemed Approved Activity is violating the Performance Standards, Supplemental Conditions of Approval, other provisions of these Deemed Approved Alcoholic Beverage Sales Regulations, or are causing a nuisance in the area surrounding the establishment. Within 10 days of completion of the hearing, the Zoning Administrator shall render a written decision. The Zoning Administrator's decision may allow the Deemed Approved Status to continue for the establishment in question, to impose Supplemental Conditions of Approval pursuant to Paragraph G.9 (Supplemental Conditions of Approval) of this Section, that are, in the judgment of the Zoning Administrator, necessary to ensure compliance with the Performance Standards or the provisions of these Deemed Approved Alcoholic Beverage Sales Regulations, or to suspend or revoke the establishment's Deemed Approved Status. The decision of the Zoning Administrator shall be based upon information and evidence submitted by staff, evidence submitted by the business establishment owner and evidence submitted by any other interested parties. Supplemental Conditions of Approval shall be made a part of the Deemed Approved Status, and the establishment shall be required to comply with these Supplemental Conditions of Approval in order to retain its Deemed Approved Status. The determination of the Zoning Administrator shall become final 10 calendar days after the date of decision, unless appealed to the Planning Commission pursuant to Division 2.04 (Appeals) of this Development Code.

9. Supplemental Conditions of Approval.

a. The Zoning Administrator may impose Supplemental Conditions of Approval relating to one or more of the following (may not apply to Wineries with a Type 02 ABC license):

(1) Entertainment uses, activities, or amusement devices on the premises;

(2) Separation, monitoring, or design of area devoted to alcohol sales;

(3) Security measures for both the interior and exterior of the premises;

(4) Lighting, litter, trash receptacles, graffiti or nuisance abatement, or other similar requirements; or

(5) Maintenance.

b. Specific Supplemental Conditions of Approval that may be imposed, include, but are not limited to, the following:

(1) **Sound Walls.** If the Deemed Approved Activity abuts residential areas, a sound wall may be required between the establishment conducting the Deemed Approved Activity and the abutting residential areas. The sound wall shall comply with all state and local requirements for construction and location and shall not obstruct the view of the building and parking areas from the street. Vegetation may be required to be planted along the sound wall to improve the appearance of the sound wall.

(2) **Trash Receptacles.** Permanent, non-flammable trash receptacles, may be required to be located at convenient locations, appropriately screened from view, outside the establishment and in the establishment's parking area (if any). The operators of the business may be required to remove on a daily basis, or more frequently if needed to maintain a litter-free environment, all trash from these receptacles and from the sidewalk adjacent to the establishment. The operators of the business also may be required to remove, at least three times per week, all trash originating from its establishment deposited on public property within 250 FT of any boundary of its premises.

(3) **Pay Telephones.** Pay telephones on the site of the establishment may either be (a) prohibited; or (b) required to be of the type that only allow outgoing calls and be located in a visible and well-lighted location.

(4) **Program.** A "complaint response-community relations" program established and maintained by the establishment conducting the Deemed Approved Activity may be required. The program may include the following:

(a) Posting at the entry of the establishment providing the telephone number for the area commander of the local law enforcement substation to any requesting individual.

(b) Coordinating efforts with the Police Department to monitor community complaints about the establishment's activities.

(c) Having a representative of the establishment meet with neighbors or the applicable neighborhood association on a regular basis and at their request, attempt to resolve any neighborhood complaints regarding the establishment.

(5) **Activities.** If appropriate, the following activities may be prohibited on the premises: pool or billiard tables, pinball games, arcade style video or electronic games, or coin-operated amusement devices.

(6) Prohibited Products. To discourage nuisance activities, an Off-Sale Alcohol Outlet may be prohibited from selling one or more of the following products or may be required to sell products in the manner prescribed below:

(a) Malt beverage products with alcohol content greater than 5-1/2 percent by volume;

(b) Wine with an alcoholic content greater than 18 percent by volume. No sales of low-end fortified wine are permitted;

(c) Containers of beer or malt liquor larger than 39 ounces;

(d) Distilled spirits in bottles or containers smaller than 375 milliliters;

(e) Cooler products, either wine- or malt-beverage-based, in less than manufacturer pre-packaged multi-unit quantities;

(f) No beer or malt beverage products shall be sold, regardless of container size, in quantities of less than manufacturer pre-packaged multi-unit quantities;

(g) Wine in less than 750 milliliter volume containers, specialty wine products in less than 375 milliliter volume containers, or in less than manufacturer pre-packaged multi-unit quantities; and/or

(h) Wine coolers, beer coolers, or pre-mixed distilled spirit cocktails shall be sold in manufacturer pre-packaged multi-unit quantities. No sales of single containers of wine coolers, beer coolers, or pre-mixed spirit cocktails are permitted.

(7) Alcoholic Beverage Sales/Delivery Restricted to Building Confines. The sales and/or delivery of alcoholic beverages shall be restricted to and within the confines of the building portion of the premises.

(8) Alcoholic Beverage Sales/Delivery through a Pass-Through Window. The sales and/or delivery of alcoholic beverages through any pass-through window is prohibited.

(9) Exterior Advertising or Signage that Promotes or Indicates the Availability of Alcohol Beverages. There shall be no exterior advertising or sign of any kind or type (other than business identification), including advertising directed to the exterior from within, promoting or indicating the availability of alcohol beverages (interior displays of alcoholic beverages or signs that are clearly visible to the exterior shall constitute a violation of this condition).

(10) Chilled Alcoholic Beverages. An Off-Sale Alcohol Outlet may be prohibited from maintaining refrigerated or otherwise chilled alcoholic beverages on the premises.

(11) Hours of Operation. In an On-Sale or Off-Sale Alcohol Outlet, the sale of alcoholic beverages may be restricted to certain hours of each day of the week and may be limited further by ABC.

(12) Paper or Plastic Cups. In Off-Sale Alcohol Outlets, the sale or distribution to the customer of paper or plastic cups in quantities less than their usual and customary packaging may be prohibited.

(13) Signs. The following signs may be required to be prominently posted in a readily visible manner in English, Spanish, and the predominant language of the patrons:

(a) "California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age"; and

(b) "It is illegal to possess an open container of alcohol in the vicinity of this establishment."

(14) Presentation of Documents. A copy of all Conditions of Approval and the California Department of Alcoholic Beverage Control license may be required to be kept on the premises and presented to any law enforcement officer or authorized state or county official upon request.

(15) Mitigating Alcohol-Related Problems. The establishment may be required to operate in a manner appropriate with mitigating alcohol-related problems that negatively impact those individuals living or working in the neighborhood, including but not limited to: sales to minors, the congregation of individuals, violence on or near the premises, drunkenness, public urination, solicitation, drug dealing, drug use, loud noise, and litter.

(16) Employee Training. The owners and all employees of the Deemed Approved Activity may be required to attend a Deemed Approved regulations training class and to complete an approved course in "responsible beverage service training." Owners and employees of the Deemed Approved Activity may thereafter be required to attend these training classes once every three years. All salesclerks in On-Sale Alcohol Outlets and Off-Sale Alcohol Outlets may be required, within 90 days of the beginning of employment, to attend these same classes. The establishment may be required to provide evidence of the employee's completion of this training to city, county or state authorities within 10 days following completion of training.

(17) Drug Paraphernalia. An Off-Sale Alcohol Outlet may be prohibited from selling drug paraphernalia products as defined in HSC Section 11014.5 and Section 11364.5. "Drug Paraphernalia" means all equipment, products and materials of any kind that are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the California Uniform Controlled Substances Act (commencing with HSC Section 11000).

(18) Loitering. The establishment's operators or employees may be required to discourage loiterers and to ask persons loitering longer than 15 minutes to leave the area and contact local law enforcement officials for enforcement of applicable trespassing and loitering laws if persons requested to leave fail to do so.

(19) Security Cameras. A minimum of two 24-hour time-lapse security cameras may be required to be installed and properly maintained on the exterior of the building at locations recommended by the Police Department. All criminal and suspicious activities recorded on this surveillance equipment shall be reported to local law enforcement. To the extent

allowed by law, the establishment's operators may be required to provide any tapes or other recording media from the security cameras to the police department.

(20) Prohibited Vegetation. No exterior vegetation may be planted or maintained that could be used as a hiding place for persons on the premises. Exterior vegetation may be planted and maintained in a manner that minimizes its use as a hiding place.

(21) Security Guards. An establishment may be required to retain a specified number of security guards. The number of security guards shall vary based upon the specific facts and circumstances of each establishment's site and operation. All security guards shall have all required state and City permits and licenses.

c. An On-Sale Alcohol Outlet may also be required to comply with the following supplemental conditions:

(1) Sales and delivery of alcoholic beverages to customers shall be made from behind a counter or bar where an establishment employee will obtain the product;

(2) No self-service of alcoholic beverages will be permitted. This does not include pouring the beverage for oneself or another after an establishment employee has served the alcoholic beverage to a patron;

(3) Sales, delivery and consumption of alcoholic beverages shall be restricted to and within the confines of the building portion of the premises or other approved areas, such as enclosed patios;

(4) The premises shall be maintained as a bona fide food restaurant, as defined by applicable provisions of the BPC, and shall provide a menu containing an assortment of foods normally offered in such restaurants; and

(5) No alcoholic beverages shall be consumed on any property adjacent to the premises under the control of the On-Sale Alcohol Outlet.

10. Notification of Public Hearing.

a. The Zoning Administrator shall notify the owner of each establishment conducting the Deemed Approved Activity, and shall notify the property owner, if different from the Deemed Approved Activity, of the time and place of the public hearing. The notice shall be personally delivered or sent via certified mail return receipt requested and shall include notification that the Deemed Approved Status of the establishment conducting the Deemed Approved Activity will be considered before the Zoning Administrator. The public hearing notice shall also be given by mail or delivery to all persons shown on the last available equalized assessment roll as owning real property in the city within 300 FT of the subject property. No notice shall be given less than 10 days prior to the date set for the hearing if such is to be held. Fees for notification shall be pursuant to Paragraph G.11 (Annual Inspection Applicability) of this Section and paid for by the establishment in question that is conducting Deemed Approved Activity.

b. Notice by mail is deemed given on the date the notice is placed into the U.S. Mail system.

11. Annual Inspection Applicability. Annual inspections shall be conducted at all alcohol sales facilities, including all existing On-Sale and Off-Sale Deemed Approved facilities, as

well as existing and future On-Sale and Off-Sale alcohol sales facilities operating under a Conditional Use Permit.

12. Fees Schedule. Fees including annual inspection, appeal, and reinspection fees shall be pursuant to the City master fee schedule.

13. Official Action. All officials, departments, and employees of the City, which are vested with the authority to issue permits, certificates, or licenses, shall adhere to, and require conformance with, the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section.

14. Violations and Penalties.

a. *Violations of Deemed Approved Alcoholic Beverage Sale Regulations*. Any person who violates, causes, or permits another person to violate any provision of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section is guilty of either an infraction or misdemeanor, as determined by OMC Section 1-2.01 (Punishment for Violation). Either any person convicted of an infraction or misdemeanor under the provision of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section shall be punished by a fine, imprisonment, or both, according to state law.

b. *Separate Offenses for Each Day*. Any violator shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of these regulations is committed, continued, permitted, or caused by such violator and shall be punishable accordingly.

c. *Any Violation a Public Nuisance*. In addition to the penalties provided in this section, any use or condition caused or permitted to exist in violation of any of the provisions of these regulations shall be and is declared to be a public nuisance and may be abated as such by the City.

d. *Injunction as Additional Remedy*. Any violation of any provision of these regulations shall be and is declared to be contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief.

e. *Administrative Penalties.* In addition to any other penalties provided in this section, a person who violates, causes, or permits another person to violate any provision of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section may be issued an administrative citation pursuant to the provisions of OMC Title 1, Chapter 5 (Administrative Citations). Violations of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section are subject to the "health and safety penalties" listed in OMC Section 1-5.04 (Amount of Fines).

f. *Assessment of Additional Penalties*. There will be no additional penalties assessed to owners other than those provided above.

g. *Liability for Expenses.* In addition to the punishment provided by law, a violator is liable for such costs, expenses, and disbursements paid or incurred by the City or any of its contractors in correction, abatement, and prosecution of the violation. Reinspection fees to ascertain compliance with previously noticed or cited violations shall be charged against the owner of the establishment conducting the Deemed Approved Activity or owner of the property where the establishment is located. Fees shall be in the amount described in Paragraph G.11

(Annual Inspection Applicability) of his Section, for charged reinspections. The inspection official shall give the owner or other responsible party of such affected premises a written notice showing the itemized cost of such chargeable service and requesting payment thereof. Should the bill not be paid in the required time, the charges shall be placed as a lien against the property.

15. Enforcement. The City shall designate the appropriate personnel to enforce the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section.

16. Inspection and Right of Entry. The officials responsible for enforcement of the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section, other provisions of the Development Code, or their duly authorized representatives, may enter on any site or into any structure for the purpose of investigation, provided they shall do so in a reasonable manner, whenever they have cause to suspect a violation of any provision of the Deemed Approved Alcoholic Beverage Sale Regulations, or whenever necessary to the investigation of violations to the Deemed Approved performance standards or conditions of approval prescribed in these regulations. All inspections shall be conducted in compliance with the Fourth Amendment to the United States Constitution.

5.03.030: Ambulatory Health Care Services—All Other Miscellaneous Services

The following standards shall govern the establishment and operation of "all other miscellaneous ambulatory health care services":

A. "All other miscellaneous ambulatory health care services" shall include blood pressure screening, health screening, hearing testing, industrial clinics, pacemaker monitoring, physical fitness evaluation, and smoking cessation program services.

B. Within the OL zoning district, operating hours shall be limited to 7:00 AM to 7:00 PM, daily.

C. Within the MU-1 zoning district, the use shall not be allowed on the ground floor of storefronts that directly front on to Euclid Avenue.

D. Within the BP, IP, IL, IG, and ONT zoning districts, services shall only be limited to industrial clinics.

5.03.035: Apparel Manufacturing

Within the BP and IP zoning districts, the development of new apparel manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.037: Artisan Small-Scale and Micro Manufacturing Facilities

The following standards shall govern the establishment and operation of "boutique/artisan small-scale and micro manufacturing facilities":

A. Boutique/artisan small-scale and micro manufacturing facilities shall not exceed 10,000 SF in GFA;

B. Storage of materials and production activities shall be maintained within a completely enclosed structure; and

C. The use shall not include the bulk storage of flammable materials for use or sale, or the bulk storage of hazardous waste.

5.03.040: Automobile Dealers—New Vehicles Sales and Leasing, and Automobile Rental

A. **Automobile Dealers—New Vehicles Sales and Leasing.** For new automobile dealers, up to a maximum of 49 percent of the total number of vehicles on-site at any one time, which are available for sale or lease, may consist of previously owned vehicles.

B. **Vehicle Rental and Leasing.**

1. Passenger car and light truck, utility trailer, recreational vehicle and truck rental and leasing may be conditionally permitted as a freestanding land use pursuant to Table 5.02-1 (Land Use Matrix).

2. Passenger car and light truck rental shall be permitted by right pursuant to Table 5.02-1 (Land Use Matrix), when established in conjunction with, and ancillary to, new motor vehicle sales, motor vehicle general repair facilities, motor vehicle body and paint facilities, or full-service hotels.

3. It is intended that passenger car, truck, utility trailer, and recreational vehicle rental facilities allowed pursuant to Table 5.02-1 (Land Use Matrix), shall be permitted to maintain an on-site rental vehicle fleet, provided adequate off-street parking facilities are provided pursuant to the requirements of Division 6.03 (Off-Street Parking and loading) of this Development Code.

5.03.045: Automotive Body, Paint, and Interior Repair and Customization—Minor Customization

Minor customization work shall be limited to the "bolt-on" replacement or addition of parts only. No body or paintwork shall be permitted, except as may be allowed pursuant to Section 5.03.050 (Automotive Body and Paint—Mobile Repair Services) of this Division.

5.03.050: Automotive Body and Paint—Mobile Repair Services

The following standards shall govern the establishment and operation of mobile automotive body and paint repair services:

A. The mobile operation shall be based at a fixed location within the City pursuant to Table 5.02-1 (Land Use Matrix). The use shall not be licensed as a home occupation.

B. Comply with all applicable requirements of the South Coast Air Quality Management District (SCAQMD). Compliance with SCAQMD regulations shall be demonstrated to the Planning Department prior to business license issuance by the City.

C. Mobile body and paint repair services shall be limited to minor dent and blemish removal/repair on motor vehicles, and the performing of minor reparative and touch-up painting to damaged or blemished areas of motor vehicles.

D. Mobile body and paint repair services shall only be performed for automobile dealerships, car rental agencies and fleet vehicle operators, within zoning districts allowing these land uses. Repair services shall not be provided to individuals.

E. All work shall be performed within areas that are completely screened from public view.

F. Paint shall be applied using a high volume, low pressure coating delivery and application system utilizing a turbine motor to produce high volumetric flow rates at a low pressure, not to exceed 5 pounds per square inch.

G. Prior to business license issuance, the business owner or operator shall provide to the Planning Department for review and approval, written policies and procedures and for:

1. The storage, use and disposal of cleaning solvents and thinners used in conjunction with painting and repair activities pursuant to federal, state, county and local laws, regulations, ordinances and orders;

2. The recording of daily use of solvents, thinners, coating materials and formulations used in conjunction with painting and repair activities;

3. The packaging, handling and transportation of hazardous materials used in conjunction with painting and repair activities;

4. The control of solids and liquids produced during grinding, sanding or coating, to prevent contact with the ground and potentially contaminating storm water runoff;

5. The storage, handling and disposal of hazardous wastes created as a result of painting and repair activities, pursuant to federal, state, county and local laws, regulations, ordinances and orders; and

6. Workspace safety and organization.

H. As a condition of business operations, the licensee shall fully comply with the approved policies and procedures established by Subsection G of this Section, and shall consent to the following requests by the authorized representatives of the City's Police Department, Fire Department, Planning Department, Engineering Department or Code Enforcement Officers, during regular business hours, for the purpose of making reasonable unscheduled inspections to observe and enforce compliance with the applicable regulations, laws, and provisions of this Ordinance:

1. Review of business records pertaining to the daily use of solvents, thinners, coating materials and formulations used in conjunction with painting and repair activities;

2. Observation of vehicle repair and painting activities; and

3. Inspection of vehicles, materials and equipment used in conjunction with painting and repair activities.

I. Failure to comply with the mobile body and paint repair services standards contained in this Section may result in business license revocation by the City.

5.03.055: Automotive Glass Replacement Shops

The following standards shall govern the establishment and operation of automotive glass replacement shops:

A. Automotive glass replacement shops shall include both stationary and mobile services.

B. Mobile services shall be licensed to a fixed location within the City and shall not be licensed as a home occupation.

5.03.060: Automotive Repair and Maintenance—General Repair Facilities

Automotive general repair facilities shall include mechanical and electrical repair such as air conditioning, brake, cooling, electric, exhaust, and suspension systems repair, and engine, transmission, and drive train repair and maintenance activities.

5.03.065: Automotive Repair and Maintenance—Servicing Facilities

Automotive servicing facilities shall include mechanical and electrical retail-oriented services such as emissions testing, battery replacement and other similar retail activities that do not involve the use of pneumatic tools or equipment that create noise impacts.

5.03.067: Banquet Facilities - Historic Properties

The following standards shall govern the establishment and operation of banquet facilities on historically designated properties that are located outside of zoning districts that would otherwise allow the activity:

A. A banquet facility shall be allowed in all zoning districts within a commercial structure or on property designated as a local historic landmark, or a contributing structure within a designated historic district, established pursuant to Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservations Areas) of this Development Code, and shall be subject to the regulations therein during the life of the permit, except that no banquet facility shall be allowed in the MU-1 (Downtown Mixed Use) zoning district.

B. The minimum number of parking spaces required shall be provided pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code. A parking demand study may be prepared by a qualified traffic consultant or engineer to support a reduction in the required number of parking spaces. The intent is to provide lower, flexible parking standards wherever possible and appropriate. Consideration shall be given to shared parking systems, on and off-street parking resources, compatibility with historic patterns of development, and the availability of mass transit resources.

C. Live entertainment shall be prohibited. Request for live entertainment shall require conditional use permit approval by the Zoning Administrator. Karaoke, DJs, live musical acts, and other similar forms of entertainment are considered live entertainment. Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible beyond the property lines of the business establishment.

D. Alcohol beverage sales shall be allowed subject to the approval of a Conditional Use Permit issued pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) and Section 5.03.025 (Alcoholic Beverage Sales) of this Development Code.

E. The applicant shall comply with all applicable building code regulations related to the change of use of the structure to a banquet facility.

5.03.070: Bed-and-Breakfast Inns

The following standards shall govern the establishment and operation of bed-and-breakfast inns:

F. A bed-and-breakfast inn shall be allowed only within a structure designated as a local historic landmark, or a contributing structure within a designated historic district, established pursuant to Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservations Areas) of this Development Code, and shall be subject to the regulations therein during the life of the permit.

G. The inn structure shall serve as the primary residence of the bed-and-breakfast inn owner(s), or the majority shareholder if the facility is owned by a corporation.

H. The bed-and-breakfast inn shall be accessory to the residential use of the property.

I. The lot upon which the bed-and-breakfast inn is operated shall conform to the standards of the zoning district in which it is located, and the applicable land use and operational requirements of this Development Code.

J. No long-term rental of rooms shall be permitted. The maximum length of stay for any guest shall be 14 days within any 30-day period.

K. Guests may check in only between the hours of 9:00 AM and 9:00 PM.

L. Breakfast shall be the only full meal served, excepting light snacks and refreshments, and may only be served to guests of the bed-and-breakfast inn. Restaurants are prohibited, and no cooking facilities shall be allowed within any guestroom.

M. The applicant shall comply with all applicable building code regulations related to the change of use of the structure to a bed-and-breakfast inn.

5.03.075: Billiard Parlors and Pool Halls

The following standards shall govern the establishment and operation of billiard parlors and pool halls:

A. All billiard and pool tables are to be located so as to be visible at all times by one or more employees of the business.

B. Unless otherwise specifically approved by Conditional Use Permit, billiard and pool tables shall be limited to a size not typically used for regular professional tournament play (9 FT long by 4.5 FT wide), as established by the World Billiard Congress, World Pool-Billiard Association, American Pool Players Association, and other similar professional organizations.

C. Billiard parlors and pool halls shall be located a minimum of 300 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

D. Minors shall not be permitted to enter or remain in a billiard parlor and pool hall during the following periods, unless accompanied by a parent or legal guardian:

1. Monday through Friday, between 8:00 AM and 3:00 PM, or after 10:00 PM; and Saturday and Sunday, after 10: 00 PM.

2. The weekday daytime hours of restriction shall not apply to school vacation days or holidays, as established by any public school district or private elementary, middle (junior high) or high school operating within the City.

3. Notice of the herein specified hours of restriction for minors shall be posted at the facilities entrance(s), in lettering of at least 2 inches in height.

E. The establishment shall not be open to customers, patrons, or any member of the public between the hours of 2:00 AM and 6:00 AM.

F. "No Loitering" signs shall be posted at the front and rear of the business.

G. The facility shall have a minimum of one managing employee at least 21 years of age during all working hours.

H. Occupancy shall not exceed the number required under the City's building and fire codes, and the maximum occupancy load shall be posted at the main entrance.

I. The establishment shall maintain and operate a video surveillance system during all business hours, which is capable of storing a minimum of 186 hours (7 days) of video surveillance.

1. The video surveillance system shall cover the entire interior of the premises and all entrances and exits of the establishment and shall be capable of delineating upon playback of the system, the activity and physical features of persons or areas within the premises.

2. The business owner shall permit City Police and/or Code Enforcement officers to inspect the stored video surveillance during normal business hours, upon demand.

3. The video surveillance system shall be maintained in good working order.

4. A sign shall be posted inside and at the entrances to the establishment indicating that the premises are under video surveillance.

J. The business owner shall submit and receive approval of a Fire Exit Plan from the Fire Department. The plan shall address all requirements of the City's building and fire codes, including, but is not limited to, showing all necessary dimensions, equipment location, aisle locations/path of travel, building exiting, and panic hardware.

K. Window areas shall not be covered or made opaque in any way. All windows and entrances shall be unobstructed at all times so as to allow an unimpaired line-of-sight by police officers.

L. The Chief of Police is hereby authorized to require the business owner/operator provide a security guard on the premises in the event that there are significant calls for service relating to assaults, gang-related activity, weapons offenses, disturbances, juvenile related crime and truancy, or other good causes. The decision of the Chief of Police may be appealed to the City Council pursuant to Division 2.04 (Appeals) of this Development Code.

M. No exterior pay phones shall be allowed on a property containing a billiard parlor or pool hall.

5.03.080: Boarding, Lodging, and Rooming Houses

The following standards shall govern the establishment and operation of boarding, lodging and rooming houses:

A. All boarding, lodging, and rooming houses shall require the submittal and approval of an Administrative Use Permit or Conditional Use Permit, and business license, prior to establishing the use.

B. No more than one Federal, State or Youth Authority parolee shall be allowed to live in a boarding, lodging, or rooming house.

C. The application submitted for approval of a boarding, lodging, or rooming house shall identify whether any boarders are currently Federal, State, or Youth Authority parolees. That information shall be provided by the landlord to each lessee or renter upon signing a lease or other rental agreement. Owners and/ or operators of approved boarding, lodging or rooming houses shall update the information required by this Section anytime a person that is a Federal, State, or Youth Authority parolee is provided accommodation in the approved boarding, lodging, or rooming house.

D. All boarding, lodging, and rooming houses shall require boarders to sign a Crime Free Lease Addendum to their lease or rental agreement. The Crime Free Lease Addendum shall provide that any criminal violations perpetrated by boarders shall be grounds for termination of the written or oral lease, sublease, or agreement.

E. Boarding, lodging, or rooming houses shall be operated and maintained in full compliance with all applicable requirements of this Development Code and the Ontario Municipal Code, prior to the issuance of an Administrative Use Permit or Conditional Use Permit authorizing the use, and at all times following permit issuance. Violation of any local, State, or Federal laws by individual

boarders while on the premises, shall be grounds for revocation of the permit, including but not limited to violations of PC Section 3003.5.

F. No boarding, lodging, or rooming house shall be maintained as a nuisance.

G. The violation of any provision of this Section shall be grounds for revocation of the Administrative Use Permit or Conditional Use Permit authorizing the boarding, lodging, or rooming house use. In revoking an Administrative Use Permit or Conditional Use Permit, the procedures contained in Division 2.05 (City Initiated Modification or Revocation) of this Development Code shall be followed.

H. All boarding, lodging, and rooming houses shall be required to pay to the City, an administrative fee in an amount determined by separate resolution of the City Council, to cover the costs of Administrative Use Permit or Conditional Use Permit review and issuance, and inspection of the facilities.

I. Boarding, lodging, and rooming houses may provide rented, leased, or subleased accommodations for occupancy by no more than 6 individuals, excluding a resident owner, agent, or manager. The operator may seek relief from the strict application of this provision by submitting a request for reasonable accommodation pursuant to Section 4.02.035 (Fair Housing and Reasonable Accommodation) of this Development Code.

5.03.085: Bread and Tortilla Manufacturing

Within the IP zoning district, bread and tortilla manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.090: Business to Business Electronic Markets

Within the BP zoning district, the development of business to business electronic markets shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) developments.

5.03.095: Caretaker Quarters

The following standards shall govern the establishment and operation of caretaker quarters:

A. Caretaker quarters may be allowed in conjunction with, and accessory to, an allowed land use, when determined by the Reviewing Authority to be essential to providing 24-hour on-site property security and surveillance.

B. Caretaker quarters shall not exceed 600 SF in gross floor area and shall contain no more than one bedroom.

C. Caretaker quarters shall be for occupancy by the business owner or an employee of the business.

5.03.100: Child Daycare Services

The following standards shall govern the establishment and operation of child daycare services:

A. Child Daycare Centers.

1. No City permit for a child daycare center shall be effective until satisfactory evidence has been provided to the City demonstrating that all necessary State licenses and permits have been obtained.

2. Child daycare centers shall not be allowed in conjunction with a residential land use.

3. Within industrial zoning districts, child daycare centers shall be limited to employer-provided services, which are only for employee use. Such centers may also be established by a group of industrial businesses, which are located within close proximity, to serve their employees at an on-site or off-site location.

4. Comply with all fire and life safety standards required by the State Fire Marshall and the Ontario Fire Department.

5. All areas designated for active play, or any play structures, shall only be permitted within a side yard or rear yard area. In addition, all play areas shall be enclosed by a 6 FT high decorative fence or wall. Property line fences or walls may be used to fulfill this requirement.

6. Landscaping and decorative masonry block walls shall be used to buffer noise inside and rear yard areas when abutting a residential zoning district.

7. Outdoor play areas shall be located at least 25 FT from any residential structure located on an abutting residentially zoned lot.

8. Any swimming pool, pond, wading pools, or similar bodies of water greater than 18 inches in depth shall be fully enclosed by a minimum 5 FT high non-climbable fence. Additionally, all entrances and exits shall have self-closing and latching gates. All latches shall be located at least 54 inches above adjacent grade.

9. All trash receptacles and air-conditioning units located outdoors and adjacent to any play area shall be fully enclosed by a wall or fence.

10. A daycare center shall not be located within any area in which the measurable exterior noise level is 65 CNEL or greater.

B. Family Child Daycare Homes.

1. To prevent over concentrations of family child daycare homes that would impair the integrity of residential neighborhoods, a minimum 300-FT separation shall be provided between dwellings licensed with the California Department of Social Services as a family child daycare home. The distance between any structure used as a family child daycare home and another structure used as a family child daycare home shall be measured in a straight line, without regard to intervening structures, from the closest property line of the structure used as a family

child daycare home to the closest property line of another structure used as a family child daycare home.

2. A family child daycare home shall be clearly incidental and subordinate to the primary residential use of the dwelling.

3. No family child daycare home shall commence until all necessary licenses and permits have first been obtained from the California Department of Social Services.

5.03.105: Community Care Facilities for the Elderly—More Than 6 Persons

The following standards shall govern the development and/or operation of community care facilities for the elderly, which are designed for occupancy by more than 6 persons:

A. Within residential and mixed-use zoning districts, the maximum density of a community care facility for the elderly that incorporates shared or common kitchen facilities, if proposed at a density greater than allowed by the underlying zoning district, shall be determined based upon a study of equivalent impact, assessing factors of traffic generation, water usage, and sewerage generation, in comparison to a multiple-family residential development on the same site, constructed at maximum density. Applicants for community care facilities for the elderly shall be responsible for all City costs incurred in preparation of the study.

B. Within commercial zoning districts, the maximum allowed density of a community care facility for the elderly shall be based a study of equivalent impact, assessing traffic/transportation, water usage, and sewerage generation, in comparison to a typical commercial development on the same site. Applicants for community care facilities for the elderly shall be responsible for providing appropriate traffic, water usage and sewerage generation information to the City to assist in determining allowed densities.

C. Community care facilities for the elderly should be located where public transit linkages are available, such as bus or transit facilities on or adjacent to the site, regular shuttle service to a regular transit route, or equivalent alternative methods as approved by the Planning Director.

D. A minimum of 75 SF of private open space and 75 SF of common open space shall be provided per dwelling or room used for dwelling purposes. Common spaces shall be provided with recreation room(s), swimming pools, lawn bowling courts and similar recreational facilities, based upon the size of proposed facility and the anticipated needs of its occupants.

E. Common or individual laundry, eating and/or kitchen facilities may be provided.

F. Occupancy of a community care facility for the elderly may be age restricted by means of a deed restriction or an agreement acceptable to the City Attorney.

G. Occupancy of community care facility for the elderly shall not be granted by the City until satisfactory evidence has been provided to the City demonstrating that all necessary State licenses and permits have been obtained for the use.

5.03.110: Community Care Facilities for the Elderly—6 or Fewer Persons

Community care facilities for the elderly, for 6 or fewer persons, may only be established in conjunction with a single-family dwelling.

5.03.115: Computer and Electronic Product Manufacturing

Within the IP zoning district, the development of new computer and electronic product manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.120: Consumer Goods Rental

The following standards shall govern the establishment and operation of consumer goods rental services:

A. Consumer goods rental services shall include the rental of consumer electronics and appliances, costumes, formal wear, furniture rental, home health equipment, musical instrument rental, party and banquet accessories, recreational goods, and video tapes and discs.

B. Outdoor storage shall be prohibited in conjunction with consumer goods rental services.

5.03.125: Convenience Markets and Specialty Food Stores

The following standards shall govern the establishment and operation of convenience markets and specialty food stores:

A. Within the CS zoning district, hours of operation shall be limited to between 7:00 AM and 10:00 PM, daily.

B. All convenience markets and specialty food stores that sell prepared or prepackaged food items shall provide and maintain outdoor trash receptacles adjacent to the business entry, for use by customers.

C. Where a convenience market or specialty food store abuts a residential zoning district, no commercial loading activity is permitted between the hours of 7:00 PM and 7:00 AM.

5.03.130: Credit Intermediation-Related Activities

The following standards shall govern the establishment and operation of credit intermediation-related activities:

A. Credit intermediation-related activities include check cashing, money order issuance, money transmission and payday advance services.

B. Within the MU-1 zoning district, credit intermediation-related activities shall only be allowed in conjunction with a permitted or conditionally permitted land use, Standalone credit intermediation-related activities within the MU-1 zoning district shall be prohibited.

5.03.135: Cutlery and Hand Tool Manufacturing

Within the IP zoning district, the development of new cutlery and hand tool manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.140: Data Processing, Hosting, and Related Services

Within the OL and OH zoning districts, data processing, hosting, and related services shall only be allowed in conjunction with a permitted or conditionally permitted land use. Standalone data processing, hosting, and related services shall be prohibited within these zoning districts.

5.03.145: Depository Credit Intermediation

The following standards shall govern the establishment and operation of depository credit intermediation uses:

A. Depository credit intermediation shall include commercial banking, savings institutions, and credit unions.

B. Drive-thru facilities in conjunction with depository credit intermediation shall be permitted subject to the provisions of Section 5.03.150 (Drive-Thru Facilities) of this Division.

5.03.150: Drive-Thru Facilities

The following standards shall govern the establishment and operation of drive-thru facilities, and are intended to result in facilities that are well designed, encourage pedestrian activity, and enhance the commercial areas in which they located:

A. Location Standards.

1. Drive-thru facilities shall be permitted in conjunction with the below-listed land uses, except that such facilities located within the MU-1(Downtown Mixed-Use) zoning district shall not be visible from Euclid Avenue, as demonstrated in Figure 5.03-1 (Drive-Thru Facility Street-Oriented Example Site Plan), below.

a. Pharmacies and Drug Stores;

b. Banks and Credit Unions;

c. Restaurants and other eating places;

d. Drycleaning and Laundry Services; and

e. Other land uses deemed appropriate by the Zoning Administrator, as determined pursuant to the procedures established in Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code.

2. Drive-thru facilities shall not disrupt the pedestrian activity of adjacent or nearby commercial uses or commercially zoned property. Furthermore, drive-thru facilities shall not interfere with the normal use of adjoining properties or the potential for a planned commercial development.

B. Development Standards. Uses incorporating drive-thru facilities shall comply with each of the following development standards:

1. Lot Area. Drive-through businesses shall be located on lots having a minimum area of one-acre. This area may be reduced when the business is within an integrated shopping center.

2. Lot Coverage. The lot coverage shall not exceed 40 percent of the lot area.

3. Floor Area.

a. The minimum GFA for a building incorporating a drive-thru shall be 2,000 SF (including gross floor area of the building and associated outdoor seating areas), with a minimum interior floor area of 1,500 SF.

b. A building incorporating a drive-thru may have a GFA less than 2,000 SF subject to the approval of a Conditional Use Permit by the Zoning Administrator, provided that the building is proposed to be located within an existing retail shopping center.

4. Setbacks.

a. Setbacks shall be provided pursuant to the requirements of the underlying zoning district in which the drive-thru facility is proposed.

b. A minimum 25-FT landscaped setback shall be maintained between any drive-thru facility, including drive-up windows, drive-thru lane and menu/order stations, and any adjacent residentially zoned property or residential land use.

c. The building shall maintain a minimum 20-FT landscaped setback from street property lines. Design elements, such as trellises, may encroach into the setback when well-integrated with the landscape.

5. Building Orientation. Buildings incorporating drive-thru facilities ~~should~~shall be oriented toward the street, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan).

6. Access. Each developed site shall not have more than one drive approach per street frontage. Drive-thru ingress and egress aisles shall not take direct access from a public street

or thoroughfare, but instead shall take access from a parking area or on-site drive aisle, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan).

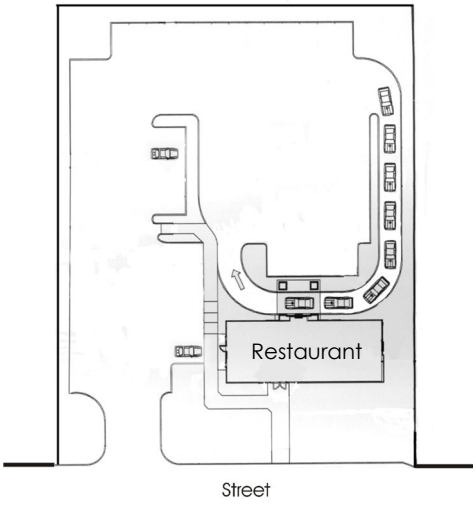


Figure 5.03-1: Drive-Thru Facility Street-Oriented Example Site Plan

7. Building Height. Buildings with drive-thru facilities shall not exceed a height of 35 FT.

8. Site Design.

a. Buildings shall be oriented toward the street, with drive-thru lanes, pick-up windows, and off-street parking facilities oriented toward the rear yard or side yard areas.

b. Decorative low garden walls shall be provided to screen the parking lot and drive-thru aisle from view of the public street.

c. All service and loading areas shall be screened from public view, to the extent possible.

d. Restrooms shall not be accessed from outside the structure.

e. Ladders for roof access shall be mounted on the inside of the building or shall be completely concealed from public view.

f. The site design shall minimize pedestrian/vehicle conflicts by creating opportunities for courtyards, plazas, outdoor dining, and landscaped pathways that promote safe and convenient pedestrian movement.

9. Drive-Thru Lane Design.

a. Drive-thru lanes in conjunction with restaurants shall have a minimum length of 144 FT, measured from entry to pick-up window, which accommodates a minimum of 6 vehicles. (Note: The Planning Director may require an increased drive-thru stacking length to accommodate businesses known to generate a higher drive-thru demand.)

b. Drive-thru lanes shall have a minimum width of 11 FT on straight sections and 12 FT on curved sections.

c. Drive-thru lanes shall be screened from view of a public street through building orientation, landscaping, low screen walls, and trelliswork.

C. Maintenance.

1. The premises shall be kept clean, and the operator shall make all reasonable efforts to see that no trash or litter originating from the use is deposited on adjacent properties.

2. Adequate trash containers shall be provided, and, on a daily basis, employees shall be required to pick up trash originating from the site, both on site and within 50 FT of the perimeter of the site.

3. No undesirable odors shall be generated on-site.

4. All merchandise, wares, crates in the form of temporary and permanent storage, displays, and goods offered for sale shall be maintained wholly within the building. Storage of any kind shall be contained completely within an enclosed structure.

D. **Noise.** Noise emanating from sound systems, including intercom and public address systems, shall not be audible beyond the property line.

E. **Signs.** All signs shall conform to the sign provisions of Division 8.1 (Sign Regulations) of this Development Code. Facilities within an integrated shopping center or plan shall comply with the uniform sign program as established in the center. Menu signs will be limited to two 6-FT high signs, having a maximum area of 24 SF each. Menu board signs shall not obscure vehicular visibility.

F. **Design Guidelines.** The following design guidelines are intended as a reference to assist the designer in understanding the City's goals and objectives for high quality commercial development. The guidelines compliment the mandatory development standards contained in Subsection B (Development Standards), above, by providing good examples of potential design solutions and by providing design interpretations of the various mandatory regulations.

The design guidelines are general in nature and may be interpreted with some flexibility in their application to specific projects. The guidelines will be utilized during the City's development review process to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of the project designer(s). However, unless there is a compelling reason, these design guidelines shall be observed.

1. Architecture.

a. *Style*. The construction of the building should depict a specific architectural style by distinctive elements and features consistent with the chosen style. Accessory structures should portray the style through their features as well. The style of the building should also reflect and complement the styles of surrounding commercial buildings. Architectural treatment should be employed over the entire building exterior (360-degree architecture), and the building should be individually designed for its site. The use of standardized corporate architectural styles is highly discouraged.

b. *Materials.* A variety of quality building materials should be incorporated into the building, such as brick, finished wood, natural stone, tinted/textured concrete masonry, and ceramic tile, which have a substantial and long-lasting appearance. Veneers having a prefabricated or false appearance shall not be used.

c. *Structure*. Drive-up windows should be covered by a structure that reflects the style of the building and is substantial in character; however, it should remain subsidiary to the main structure. Entries should project 10 to 12 FT from the building in order to add depth and variation to the façade.

d. *Entry Design*. Gables, awnings, sign locations, or other features should clearly express the location of doorways. Greater attention should be given to materials and detailing adjacent to entries.

e. *Arcades and Awnings.* Outdoor arcades are encouraged to protect pedestrians from summer heat and winter rain. Where an arcade is not provided, a separate awning or other architectural feature should be used for each business to enhance the individual identity of small shops. Because they can quickly deteriorate, canvas awnings are discouraged, or should be properly maintained.

f. *Roof Forms.* Roof forms should reflect the architectural style and internal organization of buildings. Hipped and gable roofs are encouraged. Flat roof parapets should be accompanied by a cornice or other shadow-creating detail at its "top."

g. *Drive-Up Windows.* Construct roofs or trellises over drive-up windows. Posts supporting roofs or trellises should be substantial in appearance and fully integrated into the architecture of the building. The stacking area for drive-up windows should be screened from the street through a combination of low walls and landscaping.

h. *Lighting.*

(1) On-site lighting shall be directed away or shielded from adjacent freeways, roads, streets, and adjacent properties. All exterior lighting shall be of an indirect nature, coming from under eaves and canopies, or at ground level, with in landscaped areas.

(2) Exterior lighting fixtures should be a decorative and reinforce the architectural style of the building.

(3) Light standards less than 15 FT in height (including lighting bollards) should illuminate all street sidewalks and connecting walkways and are encouraged throughout the project.

i. *Landscaping.*

(1) The minimum amount of on-site landscaping, including defined plazas and courtyards, shall equal 15 percent of the net lot area. Landscaping should be used on the site to show transition from adjacent uses, define a circulation pattern on the lot, screen the parking lot from the street, highlight entries, provide shade for parking as well as outdoor seating areas, and to soften the appearance of the building.

(2) At a minimum, landscaping shall include 15-gallon trees planted no more than 20 FT on center, within minimum 5-FT wide planters. A suitable plant material (grasses, ivy, etc.) should be used as ground cover. Minimum 10-FT wide planters containing a combination of hedges and low walls shall be used to screen drive-thru lanes from view of public streets.

(3) Pedestrian walkways should not intersect drive-thru lanes; however, in the event this occurs, adequate visibility for pedestrians and vehicles shall be provided, and pedestrian crossings shall be clearly marked with signs.

j. *Play Structures.*

(1) Play structures should be placed indoors, becoming an integral part of the architecture, yet remaining a subordinate element. If located outside, play structures shall be oriented away from the public street and properly screened, and shall be no more than 11 FT in height.

(2) Indoor restaurant playground facilities shall be ancillary to the restaurant use. Scale and massing shall not dominate the main structure and the height of the playground facility shall not exceed the height of the main roof of the main structure.

5.03.155: Durable and Nondurable Goods Agents and Brokers

Within the BP and IP zoning districts, business to business electronic markets shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.160: Electric Power Generation, Solar and Wind

Solar and wind electric power generation facilities, with ancillary ground mounted battery storage systems, shall only be allowed in conjunction with a permitted or conditionally permitted land use, except that standalone facilities shall be allowed within the CIV, IH, and UC zoning districts.

5.03.165: Electrical Equipment, Appliance, and Component Manufacturing

Within the IP zoning district, electrical equipment, appliance, and component manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.170: Electronic Shopping and Mail Order Houses

A. Within the IP, IL, IG, and IH industrial zoning districts, direct business to consumer sales via the internet, direct mail, or telephone shall only be allowed ancillary to a permitted or conditionally permitted land use, such as manufacturing, warehousing, wholesaling, and/or distribution activities.

B. Standalone (office only) business to consumer sales via the internet, direct mail, or telephone shall be allowed as a primary land use only within the CN, CC, CR, OL, and OH commercial zoning districts; the MU-1, MU-2, and MU-11 mixed-use zoning districts; and the BP industrial zoning district.

5.03.175: Electronics and Appliance Stores

Within the CN zoning district, only small-scale (GFA of 5,000 SF or less) electronics and appliance stores may be established.

5.03.177: Employee (Farmworker) Housing

Where allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, Employee (Farmworker) Housing units and complexes shall be subject to the below-listed requirements.

A. General Requirements.

1. Every person, or agent, or officer thereof, which constructs, operates, or maintains Farmworker Housing, shall comply with the requirements of this Section, and all applicable health, safety, and building codes and standards.

2. Farmworker Housing shall be designed, constructed, and maintained in conformance with the Employee Housing Act (commencing with HSC Section 17000), CCR Tiles 24 and 25, and the California Building Code.

3. A Farmworker Housing unit providing accommodations for 6 or fewer employees, or for one employee and their respective household, shall be deemed a single-family structure.

4. A Farmworker Housing Complex consisting of up to 36 beds in a group quarters, or 12 units or spaces designed for use by a single family or household, shall be deemed an agricultural use.

5. Farmworker Housing shall not include hotels, motels, boarding houses, bed and breakfast inns, rooming houses, dormitories, or other similar uses that would imply that the employee housing is a business run for profit or differs in any way from a single-family dwelling or an agricultural use.

6. Farmworker housing provided by the employer and maintained in connection with the work, or place where work is being performed, shall comply with all provisions of HSC Section 17008(a). Farmworker housing not maintained in connection with any workplace, and provided by someone other than an agricultural employer, shall comply with all provisions of HSC Section 17008(b).

7. Farmworker Housing for agricultural employees and their families shall be allowed subject to the same fees applicable to any other agricultural use. In the event the Farmworker Housing is converted to another use, the units shall be subject to all applicable Development Code standards in existence at the time of conversion. For the purposes of this Section, the term "agricultural employee" shall mean a person who works full or part-time (24 or more hours per week) in the service of bona fide commercial agricultural operations, in any of the branches of farming

8. All Farmworker Housing shall comply with all City regulations and permitting requirements, including but not limited to building construction, sewage disposal, water supply, NPDES, and storm water quality control, prior to occupancy of the housing units.

9. No person shall construct, reconstruct, erect, install, relocate, or alter any building used for human habitation, building accessory thereto, or other housing accommodations, intended to be used for Farmworker Housing, or any electrical, mechanical, or plumbing equipment installed in Farmworker Housing, without first obtaining all necessary City permits.

10. Farmworker housing is not required to be located on the same site as the qualifying agricultural operation where the farmworkers are employed.

11. The minimum lot size for Farmworker Housing shall be 10 acres.

B. Farmworker Dwelling Units.

1. Housing for up to 6 agricultural employees or one farm employee and his or her household is an allowed use in the AG Overlay District and all residential and mixed use zoning districts that allow single-family dwellings.

2. A farmworker dwelling unit is subject to all requirements relevant to this Development Code, which are applicable to single-family dwellings, including but not limited to site and building development standards, off-street parking requirements, security standards, wall and fencing requirements, and landscaping requirements. At least one off-street parking space shall be provided for each dwelling unit.

3. A farmworker dwelling unit provided pursuant to Paragraph B.4, below, shall not be required to be located on the same site as the qualifying agricultural operation where the farmworkers are employed.

4. A farmworker dwelling unit shall meet the standards for single-family dwellings contained in Section 6.01.010 (Residential Zoning Districts) of this Development Code, and applicable requirements of the Ontario Building Code.

5. A farmworker dwelling unit shall not be subdivided from the primary lot on which it is located.

6. At least one off-street parking space shall be provided for each farmworker dwelling unit.

C. Farmworker Housing Complex.

1. A farmworker housing complex, with up to 36 beds in group quarters or 12 units designed for use by single families or households, which comply to the standards for single-family dwellings contained in Section 6.01.010 (Residential Zoning Districts) of this Development Code, is an allowed use in the AG Overlay District.

2. A minimum of 50 SF of floor area shall be provided for sleeping purposes for each occupant of group living quarters, such as barracks and bunkhouses, within a farmworker housing complex.

3. At least one off-street parking space shall be provided for each dwelling unit, or one parking space for each 3 beds, whichever is greater, plus one off-street parking space for each farmworker housing complex employee.

D. Farmworker Verification.

1. All new permanent farmworker dwelling units and farmworker housing complexes shall require the completion of a Farmworker Housing Verification Form prior to building permit application submittal.

2. The Farmworker Housing Verification Form shall include information regarding the housing type, number of dwelling units or beds, length of occupancy, number of occupants, occupants' employment information, and, for farmworker housing for 5 or more workers, proof that a permit to operate from HCD has been obtained and maintained.

3. The verification form shall be submitted annually, by May 15th of each year, to the Planning Director, in a form acceptable to the Planning Director, that all the dwelling units or

sleeping quarters are being rented to, and occupied by, persons who meet the following agricultural employee employment criteria:

a. Tilling and cultivation of the soil associated with commercial crop production;

b. Raising, production, and cultivation of commercial livestock for the production of food and/or fiber;

c. Growing and harvesting of any commercial agricultural or horticultural commodities;

d. Commercial raising of bees, fur-bearing animals or poultry;

e. Preparation and processing of farm products for market; or

f. Timber or forestry operations.

4. At a minimum, the verification form shall contain the following information:

a. Entity responsible for housing maintenance and upkeep;

b. Description of whether the housing will be based on a permanent, temporary, and/or seasonal basis;

c. Total number of people to be housed on-site at any one time;

d. Description of the housing, including, whether the structures will be permanent and/or temporary, intended as units for families, one person or several persons, and cost of the units and utilities to the workers;

e. Location(s) where the employees will work;

f. Assessment of how much water will be used by the proposed development and description of how water is proposed to be supplied to the housing and how the water system complies with all applicable state and local potable water supply requirements; and

g. Description of the sewage disposal method, such as septic systems, to be used to service the housing, and how the sewage disposal method complies with all applicable state and local potable water supply requirements.

E. Location of Housing.

1. Farmworker housing shall be located no less than 75 FT from barns, pens, or other structures that house livestock or poultry.

2. Farmworker housing shall be located off prime and productive agricultural land, unless no other alternative locations exist on-site.

3. Farmworker housing shall be set back a minimum of 200 FT from the property line of any adjacent residential zoning district.

F. **Maximum Floor Area for Farmworker Dwelling Units.** The maximum floor area allowed for a farmworker dwelling unit shall be 650 SF. As used in this Paragraph, the term "floor area" shall mean the living area of a dwelling, exclusive of any garage or carport, which is measured from the outside surfaces of exterior walls or walls between living areas and a garage.

G. **Removal of Housing.** Farmworker housing is subject to removal (or conversion to another approved use) within 45 days following cessation of the agricultural employment for which the farmworker dwelling units are needed. This provision shall not apply if it can be shown that elimination of the agricultural use for no more than 24 months is related to the long-term functioning of agriculture on the site(s) used to establish the farmworker housing need (e.g., crop rotation, disease, replanting, etc.).

H. **State Reporting Requirements.** Farmworker housing for 5 or more employees is subject to permitting requirements of the California Employee Housing Act. The property owner shall obtain and maintain all required permits from HCD, pursuant to the Employee Housing Act and CCR, Title 25, Division 1, Chapter 1, Section 600 through Section 940, prior to the occupancy of the farmworker housing units. A copy of the HCD permit shall be provided to the Planning Director within 14 days following permit issuance, or at the time of building permit application submittal, whichever is earlier.

I. **Maximum Number of Housing Units Allowed.** No more than 36 beds in a group quarters or 12 farmworker dwelling units or spaces designed for use by a single family or household shall be allowed on a single lot of record. The Planning Commission may authorize additional beds or units, or a combination thereof, by issuance of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code, based upon specific findings that document the necessity for the number of approved beds and/or farmworker dwelling units requested.

J. **Facilities to Accommodate Recreational Vehicles, Tents or Other Mobile Camping Equipment.**

1. Permits for the installation of appropriate permanent facilities to accommodate mobilehomes and recreational vehicles shall be obtained from the City prior to installation.

2. The use of tents, recreational vehicles, or other mobile camping equipment by farmworkers shall not occur for a period of more than 30 days within any 180-day period. Incidental camping shall be conducted so as not to create any health, fire, or other safety hazards. For 5 or more workers, a permit to operate from HCD shall be obtained and maintained.

5.03.180 Exterminating Services

The following standards shall govern the establishment and operation of exterminating services:

A. A copy of the Emergency Business Contingency Plan and/or Risk Management Prevention Program filed with the San Bernardino County Fire Department shall be filed with the Ontario Fire Department. No changes in practices or procedures, or the type and/or maximum quantity of material shall occur without first notifying the Ontario Fire Department and appropriate amendments made to the Business Emergency/Contingency Plan and/or Risk Management Prevention Program on file with the San Bernardino County Fire Department.

B. The outdoor storage of hazardous chemicals or materials is prohibited. Furthermore, the storage of chemicals or service trucks within a 100-year flood zone shall be prohibited.

C. The storage and handling of hazardous materials shall be limited to those quantities specified in the City's building and fire codes.

D. At all times, all operations shall be in full compliance with all federal, state and local regulations pertaining to containment, including restricting use/storage to designated areas, stacking height limitations of materials, and the provision of appropriate pre-approved containment walls where required.

E. A list of all types and amounts of chemical used or stored on the site shall be submitted to the Ontario Engineering Department as well as a Chemical Spillage Control Plan.

F. Hazardous chemicals and their containers shall be disposed of at an approved hazardous materials disposal site and not in City sewers or within solid waste dumpsters.

G. Individuals and firms operating businesses relating to exterminating services shall be licensed by the State of California according to their particular discipline.

H. Access to and the handling of hazardous chemicals and materials shall be limited to properly trained and authorized personnel.

5.03.185: Fabricated Metal Product Manufacturing, All Other Miscellaneous

Within the BP and IP zoning districts, the development of all new "all other miscellaneous fabricated metal product manufacturing" shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.187: Fertilizer Manufacturing from Manure Operations (FMMO)

The following standards shall govern the establishment and operation of Fertilizer Manufacturing from Manure Operation (FMMO):

A. All driveways and employee parking areas shall be paved to create an all-weather surface, to the satisfaction of the Planning Director and City Engineer.

B. Inorganic chemical additives shall be limited to 10 percent of the total FMMO raw material inventory.

C. The FMMO establishment and operation shall comply with the rules, regulations and orders of all appropriate regulatory agencies including but not limited to the South Coast Air Quality Management District and the Regional Water Quality Control Board.

D. FMMO stockpile areas shall be enclosed by a minimum 8-FT high wall or fence, and shall be fully screened with closely spaced, fast-growing trees, upon review and approval by the Planning Director.

E. Except for the stockpiling of raw materials, all FMMO operations, including screening, grinding, mixing, adding, and sacking, shall be wholly contained inside a building.

F. All FMMO windrows/stockpiles shall confine their rainstorm runoff waters so they do not drain onto adjoining properties and public rights-of-way.

G. Appropriate facilities shall be installed to collect or divert drainage from surrounding lands, away from stockpile areas.

H. FMMO windrows/stockpiles shall be at least 120 FT from street property lines and 35 FT from interior side and rear property lines.

I. FMMO windrows/stockpiles shall not exceed a 25 FT in height, 150 FT in width, and 250 FT in length; however, the Approving Authority may require a lesser maximum stockpile dimensions so as not to cause a nuisance to neighboring properties and/or to protect the public health and safety.

J. Windrows/stockpiles shall be separated from adjacent stockpiles by approved apparatus roads, minimum 20 FT in width.

K. FMMO stockpiles and/or any processing of manure shall not occur within 150 FT of a milking barn or milk house of a producer dairy, or a dwelling on adjoining property. The Approving Authority may require greater distances upon determining the direction and magnitude of prevailing winds at the site.

L. Approved material-handling equipment shall be maintained on-site for moving windrow/stockpile materials during emergency or firefighting operations.

M. The FMMO owner or operator shall develop and submit a plan to the Ontario Fire Department Fire Prevention Bureau for review and approval, which shall include, but not be limited to, methods and policies for:

1. Monitoring, controlling and extinguishing spot fires;

2. Emergency contact information for personnel who are able to respond to the FMMO location 24 hours a day, 7 days a week;

3. On-site equipment to assist with firefighting operations (e.g., dozers, water tenders, large tractors, etc.); and

4. Special considerations for fire safety during extreme weather conditions.

N. Noise levels from the FMMO shall not exceed local ambient levels found for general agricultural uses, when adjoining occupied dwellings.

O. Vehicles carrying materials to and from the site, shall be adequately covered to confine the contents and prevent materials from being windblown or otherwise scattered.

P. No public nuisance shall occur as a result of the FMMO establishment and operation.

5.03.190: Food Manufacturing, Other

The following standards shall govern the establishment and operation of "other food manufacturing" facilities:

A. "Other food manufacturing" shall include snack foods, roasted nuts and peanut butter, coffee and tea, flavoring syrup and concentrate, seasoning and dressing, spice and extract, and all other miscellaneous food manufacturing.

B. Within the BP and IP zoning districts, the development of new "other food manufacturing" shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.195: Footwear Manufacturing

Within the BP and IP zoning districts, the development of all new footwear manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.200: Freight Transportation Arrangement

Freight transportation arrangement shall include shipping agents and brokers. Within the BP and IP zoning districts, such use shall be limited to offices only. Within the IG and IH zoning districts, freight transportation arrangement shall only be allowed as an ancillary use to a truck transportation use (NAICS 448).

5.03.205: Funeral Director Services

Within the IL, IG, and IH zoning districts, funeral director services shall only be allowed as an ancillary use to funeral parlors, mortuaries and embalming services.

5.03.210: Furniture and Home Furnishings Stores

Within the CN zoning district, only small-scale (GFA of 5,000 SF or less) furniture and home furnishings stores may be established.

5.03.215: Furniture and Related Product Manufacturing

Within the IP zoning district, the development of new furniture and related product manufacturing (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) shall be limited to small-scale manufacturers.

5.03.220: Game Arcades, Internet Cafes, Internet Gaming, and Similar Facilities

The following standards shall govern the establishment and operation of any business with a primary business activity consisting of the operation of game arcades, cyber cafes, internet gaming, and similar facilities:

A. All video games, pinball machines, computers, gaming stations and similar devices are to be located so as to be visible at all times by one or more employees of the business.

B. Game arcades, cyber cafes, internet gaming, and similar facilities shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from a public or private elementary, middle (junior high) or high school, public park, recreation center, sports park, or any other similar facility where minors (persons under 18 years of age) regularly congregate.

C. Minors shall not be permitted to enter or remain in a game arcade, cyber cafe, on-line internet gaming facility, or any similar facility during the following periods, unless accompanied by a parent or legal guardian:

1. Monday through Friday, between 8:00 AM and 3:00 PM, or after 10:00 PM; and Saturday and Sunday, after 10:00 PM.

2. The weekday daytime hours of restriction shall not apply to school vacation days or holidays, as established by any public school district or private elementary, middle (junior high) or high school operating within the City.

3. Notice of the herein specified hours of restriction for minors shall be posted at the facilities entrance(s), in lettering of at least 2 inches in height.

D. The establishment shall not be open to customers, patrons or any member of the public between the hours of 12:00 AM and 7:00 AM.

E. "No Loitering" signs shall be posted at the front and rear of the business. In addition, a waiting area with not less than 8 seats shall be provided for customers waiting to use a computer or game/gaming station. No outside waiting or seating area is permitted.

F. No person shall be permitted to consume or sell alcohol on the premises.

G. Employees shall be at least 21 years of age. There shall be a minimum of one employee managing the facility during all working hours. If the business has more than 20 games/gaming stations or computers, the business is required to add one additional employee for every additional 20 computers, or portion thereof, and for every 20 computers thereafter, or any portion thereof. During each employee's working hours, the employee shall wear a badge identifying the business and the employee's full name.

H. Occupancy shall not exceed that required under the City's building and fire codes, and the maximum occupancy load shall be posted at the main entrance.

I. The establishment shall maintain and operate a video surveillance system during all business hours, which is capable of storing a minimum of 186 hours (7 days) of video surveillance.

1. The video surveillance system shall cover the entire interior of the premises and all entrances and exits of the establishment and shall be capable of delineating upon playback of the system, the activity and physical features of persons or areas within the premises.

2. The business owner shall permit City Police and/or Code Enforcement officers to inspect the stored video surveillance during normal business hours, upon demand.

3. The video surveillance system shall be maintained in good working order.

4. A sign shall be posted inside and at the entrances to the establishment indicating that the premises are under video surveillance.

J. The business owner shall submit and receive approval of a Fire Exit Plan from the Fire Department. The plan shall address all requirements of the City's building and fire codes, including, but is not limited to, showing all necessary dimensions, equipment location, aisle locations/path of travel, building exiting, and panic hardware.

K. Any display of or access to adult-oriented materials for minors is prohibited. Access to adult-oriented materials, if permitted by the business owner, shall be limited to the hours of 10:30 PM to 12:00 AM.

L. Window areas shall not be covered or made opaque in any way. All windows and entrances shall be unobstructed at all times so as to allow an unimpaired line-of-sight by police officers.

M. The Chief of Police is authorized to require a specific owner/operator to provide a security guard on the premises in the event that there are significant calls for service relating to assaults, gang-related activity, weapons offenses, disturbances, juvenile related crime and truancy, or other good causes. The decision of the Chief of Police may be appealed to the City Council pursuant to Division 2.04 (Appeals) of this Development Code.

N. No exterior pay phones shall be permitted.

O. No gaming tournaments for cash prizes shall be permitted.

5.03.225: Gasoline and Fueling Stations

The below-listed standards shall govern the establishment and operation of gasoline and fueling stations and are intended to result in facilities that are well-designed, appropriate in scale, and enhance the surrounding community.

A. Self-Serve and Full Service Fueling Stations. The following standards shall govern the establishment and operation of self-serve and full service fueling stations:

1. A service station shall only be located at:

a. The intersection of 2 arterial streets;

b. The intersection of an arterial and collector street; or

c. The intersection of an arterial street and a freeway.

2. The project site shall have a minimum area of 22,500 SF.

3. The project site shall have a minimum width and depth of 150 FT.

4. The project site shall not have more than one access per street frontage.

5. Landscaping shall comprise a minimum of 20 percent of the site area.

6. Provide enhanced pavement sections to relieve visually dominant asphalt surfaces.

7. A self-serve or full service fueling station may include a fully automated car wash (e.g., roll-over or express car wash), which is incidental to the primary fueling station activity.

8. An automated car wash which is ancillary to a self-serve or full service fueling station shall be setback a minimum of 100 FT from any residential zoning district or any residential dwelling in a mixed-use project.

9. A full-service fueling station may include general repair and servicing facilities (maximum 2 service bays), and automotive parts, accessories and tire sales, which is incidental to the primary fueling station activity.

B. Automated Fueling Facilities. The following standards shall govern the development and/or operation of automated fueling facilities:

1. Automated (card lock) fueling facilities shall be located with least one street frontage on an arterial street.

2. Automated (card lock) fueling facilities shall not locate within 1,000 FT of a residential zoning district and shall not interfere with the normal use of adjoining properties.

3. The project site shall have a minimum area of 40,000 SF.

4. Automated (card lock) fueling facilities located at the intersection of two street shall not have more than one access per street frontage. Mid-block facilities may be allowed two accesses on the same street.

5. Landscaping shall comprise a minimum of 40 percent of the site area.

6. All pump island areas shall be covered by a canopy, which shall not exceed 17 FT in overall height.

C. Conversion of Gasoline and Fueling Stations. A property originally improved as a gasoline or fueling station, and which is proposed to be converted so as to facilitate another allowed use, shall require upgrading and remodeling of the gasoline or fueling station. Necessary upgrading and remodeling shall include, but is not limited to, the following:

1. Removal of all fuel appurtenances;

2. Removal of canopies;

3. Removal of pump islands;

4. Removal of fuel storage tanks;

5. Removal of overhead doors;

6. Additional off-site street improvements or modification of existing improvements to conform to access requirements in effect at the time of conversion;

7. Exterior remodeling of the building;

8. Additional on-site landscaping and parking improvements to conform with requirements in effect at the time of conversion; and

9. Conformance with all standards and guidelines contained in this Development Code, which are applicable to the base zoning district.

5.03.230: General Rental Centers

The following standards shall govern the establishment and operation of general rental centers:

A. General rental centers shall include home and garden tool and equipment rental services.

B. Within commercial and mixed-use zoning districts, general rental centers shall only be allowed in conjunction with "Building Materials, Garden Equipment and Supplies Stores," Standalone general rental centers shall be prohibited within these zoning districts.

C. All outdoor storage of equipment shall be screened from public view.

5.03.235: Hardware Manufacturing

Within the IP zoning district, hardware manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.240: Home Occupations

A. **Purpose.** The purpose of these provisions is to allow for the operation of home-based businesses that are incidental to and compatible with residential land uses. A Home Occupation represents a legal income producing activity by the occupant of a residential dwelling unit.

B. **Applicability.**

1. License Required. No person shall engage in a Home Occupation unless such person holds a valid business license issued by the City.

2. Prohibited Uses. The following list represents example uses that are not considered to be incidental to and/or compatible with residential activities, and for which a Home Occupation permit shall not be issued:

a. Gun/munitions repair or sales;

b. Ammunition loading or sales;

c. Barber and beauty shops;

d. Businesses involving the harboring, training, breeding, raising or grooming of cats, dogs or other animals on the premises, except as otherwise permitted in the AR-2 zoning district;

e. Carpentry and cabinet making;

f. Medical and dental offices or clinics;

g. Repair or fix-it shops;

h. Storage of equipment, materials and other accessories to the construction or service trades;

i. Motor vehicle repair (body or mechanical), upholstery or painting;

j. Welding or machining;

k. On-site sales of motor vehicles (new or used);

l. Massage services, excepting out-call services; and

m. Any other use determined by the Zoning Administrator that is not incidental to and/or compatible with residential activities.

C. Operating Requirements. Home Occupations shall comply with the following operating standards:

1. A Home Occupation shall be clearly incidental and subordinate to the primary residential use.

2. Only the occupants of the dwelling may engage in the Home Occupation.

3. Not more than one client/customer shall visit the premises at any one time, excepting in-home educational activities, including but not limited to music lessons, academic tutoring, or religious instruction, provided no more than 3 students are present at any one time and each of the operating requirements enumerated herein are complied with.

4. There shall be no change in the outward appearance of the premises.

5. There shall be no advertising that identifies the Home Occupation by street address.

6. The Home Occupation shall be conducted within an enclosed structure, completely confined to one room of the dwelling and occupying no more than 10 percent of the GFA of the dwelling, except as follows:

a. Floriculture may be conducted outdoors in conjunction with a single-family dwelling located in the appropriate zoning district. All activities shall take place within the rear one-half of the lot and occupy no more than 10 percent of the net lot area.

b. Within the AR-2 zoning district, kennels and catteries (limited to fewer than 8 animals) shall be conducted in conjunction with a single-family residential land use, within the rear one-half of the lot, and all applicable requirements of Section 5.03.410.C (Animal Keeping and Production) of this Division shall be complied with.

~~b.~~c. Permitted accessory residential structures may be utilized for storage or workspace, provided the items being stored are contained completely within the structure, and use of the accessory residential structure maintains that the Home Occupation is incidental and subordinate to the primary residential use.

7. Only one vehicle specifically associated with the Home Occupation, no larger than a one-ton pick-up truck or van, may be maintained on the property.

8. There shall be no use or storage of materials, chemicals, compounds or equipment not typically recognized as being part of a normal household or hobby use.

9. Activities conducted, and equipment or material used, shall not change the fire safety or occupancy classifications of the premises.

~~9.~~10. Cottage Food Operations shall be conducted consistent with State law operating requirements and shall only involve products contained on the Approved Cottage Foods list maintained by the California Department of Public Health.

~~10.~~11. The Home Occupation shall not generate vehicular or pedestrian traffic in greater volumes than normal in a residential neighborhood.

~~11.~~12. The Home Occupation shall not involve the use of commercial vehicles for delivery of materials either to or from the premises, excepting the use of standard parcel delivery services.

~~12.~~13. No equipment or processes shall be used that creates noise, odor, smoke, glare, dust, fumes, vibration, or result in interference with radio or television reception detectable to the normal senses outside the dwelling unit in which the Home Occupation is conducted.

~~13.~~14. If the Home Occupation is to be conducted on rental property, the property owner's written authorization shall be provided on the home occupation application.

~~14.~~15. No Home Occupation shall be conducted without a current City business license.

D. **Internet, Direct Mail, and Telephone Retail Sales.**

1. Direct business to consumer retail sales via internet, direct mail or telephone, including wine sales (Type 85 ABC license) conducted pursuant to BPC Sections 23393.5, 23661.7, 24045.18, 25503.56, and 25503.9, shall be permitted as a Home Occupation.

2. No items intended for retail sale shall be stored on the premises, or packaged and shipped from the premises, in quantities greater than typical for single-family dwellings.

3. The business premises shall not be open to the public for the purchase or pickup of retail items.

E. **Change in Information or Circumstance.** If during the life of a home occupation, the applicant has any change in information or circumstance concerning the original application,

notification shall be made to the Planning Department, in writing, within 30 days of the change occurring.

F. Inspections. Authorized representatives of the City's Planning Department, Police Department, Building Department, Fire Department, and/or Code Enforcement Officers shall have the right to enter the property upon which a home occupation permit has been granted, during normal business hours, for the purpose of making reasonable unscheduled inspections to observe and enforce compliance with applicable regulations, laws and provisions of this Development Code and the Ontario Municipal Code.

5.03.245: Hookah Establishments, Smoking/Vaping Lounges, and Smoking/Vaping Retailers

The following standards shall govern the establishment and operation of hookah establishments:

A. Purpose. The purpose of this Section is to help mitigate negative impacts associated with smoking and vaping uses, in order to serve the public health, safety, and welfare of City residence, and City businesses and their patrons. Furthermore, this Section is specifically intended to reduce the impact of smoking and vaping uses on minors, as an abundance of such uses increases the potential for minors to associate smoking and vaping with a normative lifestyle.

B. Applicability. All smoking and vaping businesses throughout the City shall comply with the regulations and requirements of this Section.

C. Definitions. For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

1. Electronic Cigarette (E-Cigarette). An electronic device, which is typically battery-operated, designed to deliver a nicotine-based liquid, or other substance, that is vaporized and then inhaled (called "vaping"), simulating the experience of smoking tobacco. Such devices are manufactured to resemble traditional tobacco cigarettes, cigars, pipes, or even everyday items, such as pens or USB memory sticks. The term includes any such device manufactured, distributed, marketed, or sold as an electronic cigarette or e-cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. The term does not include any medical inhaler prescribed by a licensed physician.

2. Hookah Establishments. Any facility or location whose business operation, whether a primary or accessory use, is characterized as a commercial establishment where patrons gather to share in the smoking of flavored tobacco (shisha) from a communal hookah, including but not limited to establishments known variously as a hookah lounge or bar, or shisha bar or den, including smoking cigars or establishing cigar bars.

3. Hookah. A single or multi-stemmed instrument for smoking flavored tobacco (or shisha), whose vapor or smoke is passed through a water basin before inhalation.

4. Smoking/Vaping Lounge. Any facility or location whose business operation, whether a primary or accessory use, is characterized by the sale, offering, and/or preparation of smoking tobacco, electronic cigarettes, or similar products, including but not limited to establishments known variously as smoking lounges, and vaping lounges, excluding cigars and cigar bars.

5. Smoking/Vaping Retailer. A smoke shop, tobacco store, electronic cigarette retailer, or any other retail business where more than 25 percent of the gross floor area is dedicated to the sale of tobacco or tobacco products, electronic cigarettes, or related products, for consumption off the premises.

D. Operating Requirements. Hookah establishments, smoking/vaping lounges, and smoking/vaping retailers shall comply with the following operating standards:

1. Hookah Establishments. The following standards shall govern the establishment and operation of hookah establishments:

a. A hookah establishment may be established within an outside patio area that is open to the sky, either: **[i]** as a standalone establishment, **[ii]** in conjunction with a sit-down restaurant, or **[iii]** in conjunction with an ABC-licensed bona fide eating establishment.

b. A hookah establishment shall not be established in conjunction with live entertainment.

c. A hookah establishment shall not be established in conjunction with a bar or nightclub.

d. A hookah establishment shall operate in compliance with all applicable State laws and regulations pertaining to smoking facilities (limitation on numbers of paid staff shall meet CAL-OSHA requirements for air filtration and circulation and meet fire standards for smoking lounges).

e. A hookah establishment shall dispose of ash and coals pursuant to the requirements of the Ontario Fire Department.

f. A hookah establishment shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

g. A hookah establishment shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any other hookah establishment, or a smoking/vaping lounge or smoking/vaping retailer.

2. Smoking/Vaping Lounges. The establishment and operation of smoking/vaping lounges shall be prohibited, excepting hookah establishments established pursuant to Paragraph D.1 (Hookah Establishments) of this Section.

3. Smoking/Vaping Retailers. The following standards shall govern the establishment and operation of smoking/vaping retailers:

a. A smoking/vaping retailer shall be located a minimum of 1,320 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any residentially zoned property or sensitive land use, including

residential land uses within mixed use developments, hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate; and

b. A smoking/vaping retailer shall be located a minimum of 1,320 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any other smoking/vaping retailer, or a hookah establishment.

c. No smoking/vaping shall be permitted in conjunction a smoking/vaping retailer.

5.03.250: Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation

The following standards shall govern the establishment, construction, and operation of hotels, motels, residence inns, and other similar traveler accommodation:

A. **Kitchens, kitchenettes, and Other Cooking Facilities.** Kitchens, kitchenettes, and other cooking facilities shall not be permitted within guestrooms, excepting the manager's unit and residence inns.

B. **Minimum Number of Guestrooms Required.** A hotel, motel, residence inn, or other similar traveler accommodation shall contain no fewer than 6 guest rooms.

C. **Market Feasibility Report Required.** A Conditional Use Permit application to establish a hotel, motel, residence inn, or other similar traveler accommodation, shall be accompanied by a market feasibility report prepared by a professional economist, and shall include the following information:

1. A complete listing of proposed facilities, amenities, and services (i.e.: number and type of rooms, meeting space square footage, recreational amenities, business services such as data ports-workstations-etc., refrigerators in room, laundry service, restaurant-coffee shop-food service, etc.);

2. History of proposed developer and potential operators (i.e.: years in business, principals, capitalization, experience, listing of projects, number of units owned, average rates charged, occupancy rates, etc.);

3. Analysis of economic environment projecting likely future economic conditions as they relate to the operation of the subject hotel;

4. Subjects competitive market (i.e.: identification of their market, 3 and 5 year history of occupancy-average daily rate-revenue per available room trends for that market, estimated share of the market the hotel will capture during the first five years of operation, etc.);

5. Analysis of the economic impacts on existing hotel markets within Ontario (i.e.: estimate of the dilution of the market due to addition of proposed hotel, etc.). Note: new hotel projects should only be approved if competitive market occupancy remains at or above 65 percent for a five year projection period;

6. Relationship to demand generators (i.e.: airport, convention center, corporate market, shopping, and entertainment); and

7. Public cost/revenue projections.

D. Minimum Amenity Package. No Development Plan and/or Conditional Use Permit shall be approved for a hotel, motel, residence inn, or other similar traveler accommodation, unless the following amenities are provided:

1. Each guestroom shall include voicemail, wired or wireless internet access, desk with chair, hairdryer, retractable magnifying (10X) and lighted makeup mirror, iron and ironing board, high definition television, and alarm clock or wake-up service;

2. Minimum of 15 SF of meeting space per guestroom for limited –service hotels and 30 SF for full-service hotels;

3. The following minimum active and passive leisure amenities shall be provided:

a. A swimming pool, except that the Approving Authority may approve smaller boutique hotels, motels, residence inns, or other similar travel accommodations having fewer than 75 rooms, with alternate amenities, such as, but not limited to:

(1) A full-service restaurant or café;

(2) Highly amenitized guest rooms, which exceed the minimum amenities required by Paragraph D.1, above;

(3) Meeting space, which substantially exceeds the minimum requirements of Paragraph D.2, above;

(4) Highly detailed architectural features that reflect an established architectural style identified in Reference C (Architectural Styles) of this Development Code; and/or

(5) Other amenities acceptable to the Approving Authority; and

b. A whirlpool/spa; or a furnished cabana containing items such as lighting, ceiling fans, tables, chairs, sofas, lounge chairs, and fire pit;

c. A fitness room; and

4. A full-service restaurant shall be provided in conjunction with a full-service hotel and a guest courtesy lounge (for light meals and snacks) shall be provided with limited-service hotels.

E. Occupancy of Accommodations.

1. No guestroom shall be rented for a period exceeding 30 consecutive calendar days, counting portions of calendar days as full days.

2. No guestroom shall be rented for less than one 24-hour period.

F. Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation Located in the SP (Specific Plan) Zoning District. Hotels, motels, residence inns, and other similar traveler accommodations that are located in the SP (Specific Plan) zoning district shall be subject to Conditional Use Permit approval.

5.03.255: Leather and Allied Product Manufacturing, Other

The following standards shall govern establishment and operation of "other leather and allied product manufacturing" facilities:

A. "Other leather and allied product manufacturing" shall include the manufacture of luggage, handbags, purses, personal leather goods, and other leather products.

B. Within the BP and IP zoning districts, the development of new "other leather and allied product manufacturing" shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.257: Live Entertainment

The following standards shall govern the establishment and operation of live entertainment facilities:

A. No person, firm, partnership, corporation, company, or non-profit or charitable organization shall conduct any entertainment, without first making application to the City and obtaining a Conditional Use Permit or Administrative Use Permit, as applicable, to do so, nor shall any person conduct the same during the time while a permit to do so is revoked.

B. Any modifications or revisions to the live entertainment provided under a Conditional Use Permit or Administrative Use Permit shall require City approval.

5.03.260: Machine Shops, and Turned Product, Screw, Nut, and Bolt Manufacturing

Within the IP zoning district, the development of new machine shops, and turned product, screw, nut, and bolt manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.265: Manufacturing, Miscellaneous

Within the IP zoning district, the development of new "miscellaneous manufacturing" shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.270: Massage Establishments and Services

The following provisions shall govern Massage Establishments and/or any business providing massage services, or any person that administers massage for financial or other consideration, or acts in the capacity of a Massage Practitioner or Massage Therapist:

A. Requirements for Massage Establishments and Massage Services for Compensation. No person shall provide massage services for compensation or engage in the business of massage, or administer massage or provide services as a Massage Therapist or Massage Practitioner, unless such person holds a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600, et seq.

B. Massage Establishment Operational Requirements. Every Massage Establishment shall maintain facilities meeting the following requirements:

1. If wet and dry heat rooms, steam and vapor rooms or cabinets, toilet rooms, shower rooms, bathrooms, tanning booths, whirlpool baths, or pools are offered, they shall be thoroughly cleaned and disinfected as needed, and at least once each day the premises are open. Bathtubs shall be thoroughly cleaned and disinfected. All walls, ceilings, floors, and other physical facilities for the establishment shall be in good repair and maintained in a clean and sanitary condition.

2. Instruments for performing massage shall not be used on more than one patron unless they have been sterilized using sterilizing methods approved by the San Bernardino County Health Department.

3. All employees, including Massage Practitioners and/or Massage Therapists, shall be clean, and shall be clothed in a manner consistent with the Massage Therapy Act, BPC Division 2, Chapter 10.5 (commencing with Section 4600).

4. No person shall enter, be or remain in any part of a Massage Establishment while in possession of, consuming or using any alcoholic beverage or drugs, except pursuant to a prescription for such drugs. The owner, operator, responsible managing employee, manager or permittee shall not permit any such person to enter or remain upon such premises.

5. No massage service may be carried on within any cubicle, room, booth or any area within a Massage Establishment which is not immediately accessible to supervisory, safety or inspection personnel during all hours of operation.

6. No Massage Establishment employing Massage Therapists shall be equipped with tinted or "one-way" glass in any room or office.

7. Pads used on massage tables, or on other furniture upon which massage services are performed, shall be covered with a durable, washable plastic or other waterproof material acceptable to the City.

8. A list of all Massage Therapy services and their costs shall be posted in an open and conspicuous place near the entrance of the Massage Establishment. No Massage Establishment Owner or Manager shall permit, and no employee or independent contractor of the Massage Establishment shall offer to perform, any Massage Therapy services, or charge any fees, other than those posted.

9. No portion of the Massage Establishment will be used for overnight stay or residential purposes.

10. No Massage Establishment shall be opened at the same address where a Massage Establishment was closed and/or revoked in violation of any provision of this Chapter, or for any violation of Federal, State, or local laws, for at least 24 months at location(s) where the closure(s) occurred.

11. A sign at least 8.5 inches by 11 inches in size, containing the following written notice in minimum 16-point font, shall be posted in a conspicuous place in the Massage Establishment, displayed in English, Vietnamese, Mandarin, Spanish, Cantonese, and Korean, and easy to read by any person entering the premises:

> **If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, construction, factory, retail, or restaurant work, or any other activity – call the National Human Trafficking Hotline at 1-888-373-7888 or the Coalition to Abolish Slavery and Trafficking (CAST) 1-888-KEY-2-FREE or 1-888-539-2373 to access help and services. Victims of slavery and human trafficking are protected under United States and California Law.**
>
> **These hotlines are:**
> - **Available 24 hours a day, 7 days a week.**
> - **Toll-free.**
> - **Operated by nonprofit, nongovernmental organizations.**
> - **Anonymous and confidential.**
> - **Accessible in more than 160 languages.**
> - **Able to provide help, referral to services, training, and general information.**

C. Massage Establishment Hours of Operation. Massage Establishment hours of operation shall be limited to 8:00 AM to 10:00 PM of the same day.

D. Outcall Massages. No Massage Therapy shall be conducted in a hotel or motel room, or in the private residence of the Massage Therapist.

~~D.~~**E. Minimum Separation Between a Massage Establishment and Sensitive Land Uses.** Maintain a minimum 300-FT separation between a Massage Establishment and any sensitive land use, including schools, preschools, child daycare facilities, or parks.

~~E.~~**F. Right of Authorized Representatives to Enter a Massage Establishment.** As a condition of business license issuance for a Massage Establishment, the permittee shall consent to the right of authorized representatives of the City's Police Department, Building Department, Fire Department, Code Enforcement Officers or San Bernardino County Health Department to enter the Massage Establishment during regular business hours for the purpose of making reasonable unscheduled inspections, to observe and enforce compliance with applicable regulations, laws, and provisions of this Development Code.

The following notice shall be posted in a conspicuous place in the Massage Establishment. The notice must be easy to read by any person, must be displayed in English and Spanish, and must be visible to anyone entering the Massage Establishment:

NOTICE TO ALL PATRONS: THIS MASSAGE ESTABLISHMENT AND THE MASSAGE ROOMS DO NOT PROVIDE COMPLETE PRIVACY AND ARE SUBJECT TO INSPECTION BY AUTHORIZED CITY OF ONTARIO PERSONNEL WITHOUT PRIOR NOTICE.

~~F.~~G. **Business Owner Required to Maintain a List of all Employees and Independent Contractors, and Their CAMTC or City Certifications.** As a condition of business license issuance for a Massage Establishment, the business owner shall provide a list of all employees and independent contractors and their CAMTC or City certifications. The business owner shall notify the City should this information change. Additionally, with the annual renewal of their business license, the business owner shall provide an updated list of all employees and their certifications.

~~G.~~H. **Institutions or Classes of Individuals Not Applicable to this Section.** The provisions of this section pertaining to massage services shall not apply to the following institutions or classes of individuals, while engaged in the performance of the duties of their respective professions:

1. Hospitals, nursing homes, sanatoriums or other similar health facilities duly licensed by the State;

2. Recognized schools of massage;

3. Physicians, surgeons, chiropractors, osteopaths, or physical therapists, who are duly licensed to practice their respective professions in the State, or other persons licensed to practice any healing art pursuant to BPC Section 500, et seq.;

4. Nurses registered under the laws of the State;

5. Barbers, cosmetologists, beauticians, and manicurists who are duly licensed under the laws of the State while engaging in practices within the scope of their licenses, except that this provision shall apply solely to the massaging of the neck, face, scalp, hands and/or feet of the customer client;

6. Coaches and trainers in accredited high schools, junior colleges, and colleges or universities, acting within the scope of their employment; and

7. Trainers of amateur, semi-professional or professional athletes or athletic teams.

~~H.~~I. **Chair Massage Services.** The following operational requirements shall apply to the location, establishment, and operation of Chair Massage Services:

1. Any person, corporation or partnership wishing to perform chair massage in the City shall first be doing business at a fixed location in the City, having a valid business license, or a valid home occupation pursuant to the "home occupations" provisions of this Division.

2. Chair massage services may be performed only by a person with a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600, et seq., or a valid City Massage Therapist permit.

3. Chair massage services may only be offered at nonresidential places of business within the CS, CN, CC, CR, CCS, OL, OH, MU-1, and ONT zoning districts and the California Commerce Center North (Ontario Mills) Specific Plan.

4. A Massage Therapist offering chair massage shall have a signed contract for service at each location the service is provided. A copy of such contract shall be provided for inspection upon demand, to any City official with responsibility for enforcement of this Section. The contract shall specify the location, days, and times the service is to be offered.

5. Chair massage shall be offered at a set time and day at each location and shall not be offered at any other time. Such service shall only be conducted between the hours of 8:00 AM and 10:00 PM of the same day.

~~I.~~J. **Unlawful Conduct.** The following actions shall constitute unlawful conduct as they pertain to the location, establishment, and operation of Massage Establishments and Services:

1. It shall be unlawful for any person, for financial or other consideration, to massage any other person, or give or administer any bath, or give or administer any of the other services set forth in this Development Code for immoral purposes, or in a manner intended to arouse, appeal to, or gratify the lust or passions or sexual desires.

2. It shall be unlawful for any Massage Therapist to massage the genital area of any patron or the breasts of any female patron or for any responsible managing officer in charge of the premises of a Massage Establishment to allow or permit such massage.

3. It shall be unlawful for a person serving as a Massage Therapist to be clothed in a manner inconsistent with the Massage Therapy Act, BPC Division 2, Chapter 10.5 (commencing with BPC Section 4600). Massage Therapists shall maintain their permit identification card clearly visible on their person during business hours.

4. It shall be unlawful for a Massage Therapist issued a permit by the City in accordance with Paragraph A.2 of this Section, to perform any massage service at any location other than that location specified on the Massage Therapist's permit. If during the life of a permit, the applicant has any change in information concerning the original application, notification shall be made to the Zoning Administrator, in writing, within 30 days of the change.

5. It shall be unlawful for any owner, manager, operator, responsible managing employee, or permittee in charge of or in control of a Massage Establishment to employ or permit a person to act as a Massage Therapist who is not in possession of a valid, unrevoked Massage Therapist permit issued pursuant to Paragraph A.2 of this Section, or a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600, et seq.

6. It is unlawful for any Massage Establishment, Massage Therapist or Massage Practitioner to provide, or to offer to provide, out-call massage services in the City. For the purpose of this provision, the term "out-call massage services" shall mean to engage in or carry on massage, not at a fixed location, but at a location designated by the customer or client. "Out-call massage services" shall not include chair massage services conducted pursuant to Subsection G (Institutions or Classes of Individuals Not Applicable to this Section) of this Section.

~~J.~~K. **Violations and Penalties.** The following violations and penalties shall apply to the location, establishment, and operation of Massage Establishments and Services:

1. Every person, except those persons who are specifically exempted by the massage services provisions pursuant to division F herein, whether acting as an individual, owner, employee of the owner, or operator or employee of the operator, or whether acting as a mere helper for

the owner, employee, or operator, or whether acting as a participant or worker in any way who gives massages or conducts a Massage Establishment or room, or who gives or administers, or who practices the giving or administering of steam baths, electric light baths, electric tub baths, shower baths, sponge baths, vapor baths, fomentations, sunbathes, mineral baths, alcohol rubs, Russian, Swedish, or Turkish baths, or any other type of baths, salt glows, or any type of therapy, or who does or practices any of the other services or acts set forth in these provisions, without first obtaining a valid, unrevoked Massage Therapist permit issued pursuant to Paragraph A.2 of this Section, or a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600, et seq., or who shall violate any operational standard of the massage services provisions, shall be guilty of a misdemeanor.

2. Any owner, operator, manager, or permittee in charge or in control of a Massage Establishment who knowingly employs a person performing as a Massage Therapist, as defined in this Development Code, who is not in possession of a valid, unrevoked Massage Therapist permit issued pursuant to Paragraph A.2 of this Section, or a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600 et seq., or who allows such an employee to perform, operate, or practice within such a place of business shall be guilty of a misdemeanor.

3. Any owner, operator, manager, or permittee in charge or in control of a Massage Establishment under this Development Code shall be a Responsible Person. "Responsible Person" shall mean a person who causes a violation of this Development Code or the Ontario Municipal Code to occur, or allows a violation to exist or continue, by his or her action or failure to act, or whose agent, employee, or independent contractor causes a violation to occur, or allows a violation to exist or continue. A Responsible Person shall be liable for the violation of his or her agent, employee, or independent contractor. For the purposes of this Development Code, there may be more than one Responsible Person for a violation.

4. Any Massage Establishment operated, conducted, or maintained contrary to the provisions of this Development Code shall be, and the same is hereby declared to be, unlawful and a public nuisance, and the City may, in addition to or in lieu of prosecuting a criminal action hereunder, commence actions or proceedings for the abatement, removal, and enjoinment thereof in the manner provided by law and shall take such other steps and apply to such courts as may have jurisdiction to grant such relief as will abate or remove such Massage Establishment and restrain and enjoin any person from operating, conducting or maintaining a Massage Establishment contrary to the provisions of this Development Code.

5. Any violation of any of the provisions of this Development Code shall be subject to punishment for violation in accordance with the penalty provisions set forth in OMC Title 1, Chapter 2 (Penalty Provisions). Punishment for any violation of any of this Development Code's provisions shall be in accordance with the Ontario Municipal Code punishment and fine provisions as set forth in OMC Section 1-2.01 (Punishment for Violation).

5.03.275: Material Recovery Facilities (MRF)

All activities associated with a MRF shall be wholly contained within a fully enclosed building, excepting salvage facilities (such as automobile dismantling and metal salvage/recycling) established in compliance with the requirements of Section 5.03.350 (Salvage Facilities) of this Division, which may be allowed outside with the approval of a Conditional Use Permit.

5.03.280: Marijuana Dispensary

Notwithstanding any other provision of this Development Code, a Marijuana Dispensary, as defined in Division 9.01 (Definitions) of this Development Code, shall be a prohibited use in all zoning districts of the City, as follows:

A. The operation of any marijuana dispensary within the City is hereby declared a public nuisance and shall be abated pursuant to all available remedies. Violations of this Section may be enforced by any applicable law.

B. No person shall deliver marijuana or marijuana-infused products, such as tinctures, baked goods or other consumable products, to any location within the City from a marijuana dispensary, regardless of whether the marijuana dispensary from which the delivery originated is within the City, or engage in any effort to locate, operate, own, lease, supply, allow to be operated, or aid, abet, or assist in the operation of any marijuana dispensary in the City.

C. No person shall deliver marijuana or marijuana-infused products with such delivery originating from any marijuana dispensary located within the City, regardless of whether the delivery destination is within the City.

5.03.285: Mixed-Use Developments

A. **Residential Mixed-Use Projects.** The following standards shall govern the development of residential mixed use projects consisting of single-family and/or multiple-family dwellings constructed in conjunction with a variety of complementary commercial land uses as may be allowed within the base zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, including office, retail, public, or entertainment uses, in a fully integrated development project having functional interrelationships and a cohesive physical design:

1. Residential Mixed-Use Developments Subject to the Standards and Guidelines of the Base Zoning District. The site and building(s) of a residential mixed use development project shall be designed and constructed pursuant to, and consistent with, the development standards (e.g., FAR, landscape coverage, lot size, setbacks and separations, etc.) and design guidelines of the base zoning district.

2. Residential Mixed-Use Developments within Commercial Zoning Districts.

a. As allowed within commercial zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, dwellings may be constructed on the upper floors of commercial buildings containing office, retail, public and/or entertainment uses, or behind commercial buildings containing such uses, at or above ground level.

b. To ensure that the residential portion of a mixed use development is no more intense than the commercial development that would otherwise be allowed, the maximum residential density shall be determined based upon an Equivalent Impact Study (EIS) prepared for the project, which assesses the maximum allowed residential density based upon the comparable traffic generation, water usage, and sewerage generation of the maximum allowed commercial floor area.

c. The applicant for a mixed-use development project shall be responsible for all City costs incurred in preparing the EIS.

3. Residential Mixed-Use Developments within Mixed Use Zoning Districts. Residential mixed-use development projects within mixed-use zoning districts shall be developed pursuant to the requirements of Section.6.01.020 (Mixed Use Zoning Districts) of this Development Code and the Policy Plan component of The Ontario Plan.

B. Nonresidential Mixed-Use Projects. The following standards shall govern the development of nonresidential mixed use projects consisting of commercial land uses constructed in conjunction with a variety of complementary light industrial and business park land uses as may be allowed within the base zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, in a fully integrated development project having functional interrelationships and a cohesive physical design:

1. Nonresidential Mixed-Use Developments Subject to the Standards and Guidelines of the Base Zoning District. The site and building(s) of a nonresidential mixed use development project shall be designed and constructed pursuant to, and consistent with, the development standards (e.g., FAR, landscape coverage, lot size, setbacks and separations, etc.) and design guidelines of the base zoning district.

2. Nonresidential Mixed-Use Developments within Industrial Zoning Districts.

a. As allowed within industrial zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, commercial land uses may be constructed on the upper floors of industrial buildings, or behind industrial buildings containing such uses, at or above ground level.

b. To ensure that the nonresidential portion of a mixed use development is no more intense than the industrial development that would otherwise be allowed, the maximum residential density shall be determined based upon an Equivalent Impact Study (EIS) prepared for the project, which assesses the maximum allowed residential density based upon the comparable traffic generation, water usage, and sewerage generation of the maximum allowed industrial floor area.

c. The applicant for a mixed-use development project shall be responsible for all City costs incurred in preparing the EIS.

3. Nonresidential Mixed-Use Developments within Mixed-Use Zoning Districts. Within mixed use zoning districts, nonresidential mixed-use developments shall be developed pursuant to the requirements of Section.6.01.020 (Mixed Use Zoning Districts) of this Development Code and the Policy Plan component of The Ontario Plan.

5.03.290: Mobile Food Services

The following standards shall govern the design and establishment of mobile food services:

A. Mobile food services shall only be allowed in conjunction with a temporary event approved pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code.

B. All mobile food services shall display a current San Bernardino County Department of Environmental Health Services operating decal and/or permit, and inspection letter grade.

C. Mobile food service wastewater shall not be discharged to the ground or to a storm drain.

D. Restroom facilities for mobile food service employees, which shall include facilities for washing hands, shall be provided.

5.03.295: Mobilehome Parks

The following standards shall govern the design and establishment of mobilehome parks:

A. **Allowed within the MHP Zoning District.** Mobilehome parks shall only be established within the MHP zoning district.

B. **Site Development Standards.**

1. Project Area. The minimum project area shall be 3.0 acres.

2. Density. The maximum residential density shall not exceed 8.0 dwelling units/acre.

3. Common Open Space and Recreation Areas. A minimum of 300 SF of common recreational open space per mobilehome pad shall be provided. Common recreation amenities shall be provided pursuant to the minimum requirements prescribed for multiple-family developments in Subparagraphs 6.01.010.E.2.c (Active Open Space Area) and d (Passive Open Space Area) of this Development Code.

4. Project Entries. The mobilehome park entrance shall be delineated with enhanced paving treatment (e.g., color pigmented concrete, interlocking pavers, and stamped concrete) and intensified landscaping, including elements such as specimen-sized trees, decorative low garden walls, raised planters, and alluvial rockscapes.

5. Walls and Fences.

a. Decorative walls, fences, and gates shall be provided along the project perimeter.

b. All private open space areas shall be delineated by a decorative fence or wall.

c. All walls and fences shall be designed, constructed, and maintained pursuant to Division 6.02 (Walls, Fences and Obstructions) of this Development Code.

6. Off-Street Parking. Off-street parking facilities shall be provided pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

7. Landscaping. Landscaped areas shall be designed, installed, and maintained pursuant to Division 6.05 (Landscaping) of this Development Code.

8. Signs. All signs shall be designed, installed, and maintained consistent with the provisions of Division 8.1 (Sign Regulations) of this Development Code.

C. **Building Development Standards.**

1. Minimum Building Separations. Minimum building and structure separations shall be maintained pursuant to Table 5.03-4 (Minimum Mobilehome Building Separation Requirements), below.

Table 5.03-3: Minimum Mobilehome Building Separation Requirements

Setback Area	*Minimum Yard Dimension***
Side to side:	20 FT
End to side:	15 FT
End to end:	10 FT
Front to front (across access drive):	36 FT
Mobilehome to any other building, excepting detached garage or accessory structure:	15 FT
Mobilehome to detached garage or accessory structure:	5 FT

Note:

** *For the purpose of determining minimum separation requirements, awnings, overhangs, enclosed porches, and similar structures shall be deemed a part of the mobilehome unit and shall not be allowed to encroach into a required yard area.*

D. **Mobilehome Exterior Design and Finishes.** The exterior of mobilehomes shall resemble conventionally built single-family homes to the fullest extent feasible. To this end, each mobilehome shall incorporate the following design features:

1. Skirting or Supporting Pad Required. The tongue or hitch each mobilehome shall be removed or suitably screened, and each mobilehome shall be equipped with skirting to screen all foundation jacks and other supporting structure, or a supporting pad shall be provided that is designed to give the appearance that the mobilehome is placed on-grade.

2. Roof Overhang. A minimum roof overhang of one FT shall be provided.

3. Roof Material. Roof material shall consist of wood shingle or shakes, architectural grade asphalt shingles, or concrete or clay tiles.

4. Exterior Wall Finishes. Exterior wall finishes shall include wood, stucco, masonry, natural stone, or other suitable materials as determined by the Planning Director. All exterior wall finishes and skirting required pursuant to Paragraph D.1 (Skirting or Supporting Pad Required), above, shall extend to the ground, except when a solid concrete or masonry perimeter foundation is used, in which case, the exterior material shall extend below the top of the foundation.

E. **Utilities.** All on-site utilities to individual mobilehomes shall be located underground.

5.03.300: Mobile Washing and Detailing Services

The following standards shall govern the establishment of mobile washing and detailing services:

A. All mobile washing and detailing services shall be licensed to a fixed location within the City.

B. A mobile washing and detailing service may be licensed as a home occupation, provided no washing or detailing of vehicles is performed on the premises, excepting personal vehicles of the home occupant.

C. Mobile car washing and detailing shall be considered an incidental use related to the permitted principal land use in any zoning district upon which the activity takes place. A city business license and any applicable permits related to wastewater or environmental protection must be obtained. The following operational requirements shall apply to all mobile car washing and detailing uses:

1. Operators are prohibited from engaging in washing the exterior of a vehicle at the following locations:

a. On any public street or public right-of-way;

b. On any vacant unimproved lot; and

c. On any landscaped area of a lot.

2. Mobile car washing and detailing businesses operating in nonresidential zoning districts shall not operate within 300 FT of a boundary of a residential zoning district and/or residential structure, excepting residential structures within mixed-use zoning districts.

3. Hours of operation in residential zoning districts shall be limited to Monday through Saturday, 8:00 a.m. to 7:00 p.m., and Sunday, 9:00 a.m. to 6:00 p.m. Hours of operation in nonresidential zoning districts shall be limited to Monday through Sunday, 8:00 a.m. to 7:00 p.m.

4. In nonresidential zoning districts, mobile car washing and detailing businesses shall not operate at the same location and/or at the same property for more than 5 hours during the permitted hours of operation (as identified above).

5. In nonresidential zoning districts, mobile car washing and detailing businesses shall not service more than 20 vehicles per location per week.

6. Operators shall maintain noise levels below the levels provided in Title 5 (Chapter 29: Noise) of the Municipal Code.

7. The operator of a mobile car washing and detailing business shall obtain and have evidence of the authorization of the property owner (or the property owner's authorized representative) to operate prior to commencement of operations and throughout the duration of the activities.

8. At all times, operators shall either contain wastewater for disposal off site or divert wastewater to a sanitary sewer on site to the satisfaction of the City Engineer.

5.03.305: Motor Vehicle Dealers

The following standards shall govern the establishment and operation of new or used motor vehicle dealers, including automobiles, light trucks and vans (rated at one ton or less), and

recreational vehicles, motorcycles, watercraft, all-terrain vehicles, and other similar motor vehicles:

A. Motor vehicle servicing, repair, and maintenance activities shall be performed within a wholly enclosed building. Service bay doors shall be located so as not to be visible from any public or private street, or office, retail sales and off-street parking facilities on adjoining lots.

B. There shall be no outside storage of inoperable motor vehicles or motor vehicle parts.

C. Prior to the issuance of a business license by the City, a site plan shall be submitted to the Planning Department for review and approval, which demonstrates compliance with the following:

1. Motor vehicle display areas shall meet the minimum parking setback requirements of the zoning district in which the use is located, and the design standards for off-street parking facilities contained in Division 6.03 (Off-Street Parking and Loading) of this Development Code. Setback areas shall be fully landscaped and provided with an automatic irrigation system.

2. A vehicle loading and unloading area shall be provided for each vehicle sales facility. The loading area shall be clearly demarcated by signs and pavement markings. The loading area shall not encroach into required parking areas or block fire access lanes, and shall occur on-site, at a location approved by the Fire Department. On-street vehicle loading and unloading shall be prohibited.

D. Automobile dealers providing vehicle service and repair shall provide a minimum of 6 queuing (waiting) spaces for service write-ups, which shall not encroach into required parking or loading spaces.

E. The retail sales of motor vehicles from a residentially zoned property shall be prohibited as a Home Occupation.

F. Motor vehicle sales on any property with shared parking facilities shall only be permitted if all vehicle sales, display, and storage areas are located within a fully enclosed building.

G. Motor vehicle sales as a temporary sales event shall only be permitted pursuant to the requirements for "temporary and interim uses" contained in this Division. The motor vehicle retailer shall be licensed to a fixed motor vehicle sales location in the City.

5.03.310: Motor Vehicle Storage Facilities

The following standards shall govern the establishment and operation of motor vehicle storage facilities:

A. For the purposes of administration and enforcement of this Section:

1. Any motor vehicle maintained on a property for 72 or more consecutive hours shall be deemed to be "stored."

2. Motor vehicle storage shall include the keeping of automobiles, trucks, vans, recreational vehicles and watercraft, motorcycles, trailers, forklifts, and any inoperative vehicle, regardless of vehicle type.

B. The indoor storage of motor vehicles shall comply with all applicable requirements of the fire and building codes.

C. All vehicles stored outdoors shall be screened from public view by a minimum 8-FT high decorative masonry block wall.

D. All vehicles stored outdoors shall comply with all requirements of the base zoning district, which are applicable to the design and use of outdoor storage areas.

5.03.315: Personal Fitness Trainer

Within the IP, IL, and IH zoning districts, a personal fitness trainer shall only be allowed to establish in conjunction with fitness and recreational sports centers (NAICS 713940).

5.03.320: Personal Property Donation Bins

A. Welfare and Institutions Code Division 1, Chapter 2 (commencing with Section 150) allows a city, county, or city and county to impose requirements on the solicitation and sale of salvageable personal property within its jurisdiction.

B. The following regulations shall govern the establishment and operation of salvageable personal property collection boxes/bins within the City:

1. The provisions of Welfare and Institutions Code Division 1, Chapter 1.8 (commencing with Section 148) and Chapter 2 (commencing with Section 150), which governs the acquisition and disposition of salvageable personal property for charitable purposes, and unattended collection bins, respectively, shall be complied with.

2. Salvageable personal property collection bins may only be established in conjunction with a host business, subject to Conditional Use Permit approval pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

3. Collection bins shall be constructed and maintained with durable, waterproof, and rustproof material, and shall be fully enclosed.

4. Collection bins shall be clearly marked to identify the type of materials that may be deposited.

5. Collection bins shall be swept and maintained in a in a clean, litter-free condition, on a daily basis.

6. Collection bins shall be setback a minimum of 30 FT from any arterial street property line, and 20 FT from any collector or local public street property line, and shall not obstruct pedestrian or vehicular circulation.

7. The occupation of parking spaces by salvageable personal property collection bins shall not reduce available parking spaces below the minimum required for the host business pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

8. Collection bins shall not encroach upon any existing landscaped areas, unless replaced elsewhere on the site.

9. Additional landscaped areas and architectural elements, such as vertical and horizontal decorative trellises, seat walls, and raised planters, may be required by the Approving Authority to screen collection bins.

5.03.325: Pharmaceutical and Medicine Manufacturing

Within the BP and IP zoning districts, the development of new pharmaceutical and medicine manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.330: Pharmacies and Drug Stores

Drive-thru facilities in conjunction with pharmacies and drug stores shall be permitted subject to the provisions of Section 5.03.165 (Drive-Thru Facilities) of this Division.

5.03.335: Plastics Product Manufacturing

Within the IP zoning district, the development of new plastics product manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.340: Recycling Facilities

The purpose of this Section is to implement the California Beverage Container Recycling and Litter Reduction Act (PRC Section 14500, et seq.). The following standards shall govern the establishment and operation of recyclable container collection facilities:

A. **Reverse Vending Machines.** Reverse vending machines may be established in conjunction with a host business for the collection of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, and shall comply with the following:

1. Reverse vending machines shall be established pursuant to the requirements of this Development Code, and the building and fire codes of the City.

2. Reverse vending machines shall be located within 30 FT of the entrance of the host business and shall not obstruct pedestrian or vehicular circulation.

3. Reverse vending machines shall be constructed and maintained with durable waterproof and rustproof materials and shall be covered.

4. Reverse vending machines shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and telephone number of the operator or manager if the facilities become inoperable.

5. Reverse vending machines shall be limited to 3 machines for each host business.

6. Reverse vending machines shall occupy a maximum of 50 SF per installation, including any protective enclosure, and shall not exceed 9 FT in height.

7. Reverse vending machines shall not occupy parking spaces required for the host business pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code, nor shall it encroach upon any landscaped area.

8. Reverse vending machines shall be maintained in a clean, litter-free condition.

9. The operating hours of reverse vending machines shall be the same as the host business.

10. Reverse vending machines shall be illuminated to ensure comfortable and safe operation if open between dusk and dawn.

B. Small Collection Facilities. Small collection facilities may be established in conjunction with a host business for the collection of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, and shall comply with following:

1. Small collection facilities shall occupy a maximum area of 500 SF and shall be established in conjunction with a host business at a fixed location within the City, which complies with this Development Code, and the building and fire codes of the City.

2. Small collection facilities shall be constructed and maintained with durable, waterproof and rustproof material, with fully enclosed materials storage containers.

3. Small collection facilities shall be clearly marked to identify the type of recyclables that may be deposited.

4. The name and telephone number of the owner or manager, and the hours of operation of small collection facilities shall be conspicuously posted.

5. Small collection facility sites shall be swept and maintained in a in a clean, litter-free condition on a daily basis.

6. Small collection facilities shall be setback a minimum of 20 FT from any public street right-of-way and shall not obstruct pedestrian or vehicular circulation.

7. Small collection facilities shall not operate power-driven sorting or consolidating equipment, such as crushers, shredders, balers, or other mechanized equipment.

8. Use of the facility for deposit of solid waste or hazardous waste is prohibited.

9. The operating hours of small collection facilities with attendants shall be the same as the host business, except that facilities located within 100 FT of property zoned for, or occupied by, residential land uses shall only be operated between the hours of 9:00 AM and 7:00 PM.

10. Small collection facilities without attendants shall be located at least 30 FT from any property zoned for, or occupied by, residential land uses, unless the facility is located within an

established service area/corridor and, for sound attenuation purposes, a minimum 6-FT high masonry block wall has been constructed between the small collection facility and the residential land use(s).

11. Mobile recycling facilities shall have an area clearly marked to prohibit other vehicular parking during the hours when the mobile unit is scheduled to be present.

12. The occupation of parking spaces by a small collection facility and any attendant shall not reduce available parking spaces below the minimum required for the host business pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code, unless the facility is located within one-half mile of a supermarket. A reduction in required parking spaces may be allowed to accommodate a small collection facility pursuant to Table 5.03-5 (Small Collection Facility Maximum Parking Reduction), below.

Table 5.03-4: Small Collection Facility Maximum Parking Reduction

Required Number of Parking Spaces	*Parking Space Reduction*
0 to 25 spaces:	0 spaces
26 to 35 spaces:	2 spaces
36 to 49 spaces:	3 spaces
50 to 99 spaces:	4 spaces
100 or more spaces:	5 spaces

13. Small collection facilities shall not encroach upon any existing landscaped areas, unless replaced elsewhere on the site. Furthermore, additional landscaped areas and architectural elements, such as vertical and horizontal decorative trellises, seat walls, and raised planters, may be required to screen collection containers.

C. Large Collection Facilities. Large collection facilities may be established for the collection of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, and shall comply with following:

1. Large collection facilities shall occupy an area of more than 500 SF and shall not be appurtenant to a host use.

2. Large collection facilities shall not be located within 500 FT of property zoned, planned or occupied for residential land uses.

3. All processing activities shall be within a fully enclosed building.

4. Large collection facilities shall be screened from public view by buildings or decorative masonry block walls, which are of sufficient height to completely screen all loading, processing, and storage activities/facilities. All gates shall be view obstructing.

5. All materials stored outside shall be maintained within fully enclosed containers that are secured and maintained in good condition. Storage containers for flammable materials shall be constructed of nonflammable materials. Oil storage shall be in containers approved by the Ontario Fire Department.

6. Large collection facilities shall be swept and maintained in a in a clean, litter-free condition on a daily basis, and shall be secured from unauthorized entry and removal of materials when unattended.

7. Large collection facilities shall provide adequate area on-site to accommodate a minimum of 6 vehicles, or the anticipated peak customer volume, whichever is higher, to circulate and deposit recyclable materials.

8. Containers provided for after-hours donation shall be located at least 50 FT from any property zoned, planned or occupied for residential use. Containers shall be of sturdy, rustproof construction, have sufficient capacity to accommodate materials collected, and be secured from unauthorized entry or removal of material. Containers shall be located at least 10 FT from any building.

9. Donation containers shall be clearly marked to identify the type of material that may be deposited. Notices shall be conspicuously posted stating that no material shall be left outside of donation containers.

10. The name and telephone number of the owner or manager, and the hours of operation of large collection facilities shall be conspicuously posted.

11. Large collection facilities may operate power-driven processing equipment, including aluminum foil and can compacting, baling, shredding, or other similar light processing activities necessary for efficient temporary storage and shipment of materials, as may be approved by the Planning Director.

12. The business owner and the property owner, if different from the business owner, shall cause the removal of all recyclable materials that have accumulated, or are deposited, on the site, on a regular basis, but no less than annually. Upon failure to remove the recyclable materials, the City may deem the land use and the property thereon to be abandoned and may enter the property for the purpose of removing the recyclable materials. The business owner and the property owner, if different from the business owner, shall be responsible for payment to the City, all costs borne by the City related to the enforcement of this Paragraph.

D. Processing Facilities. Processing facilities may be established for the recycling of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, which are purchased from recycling centers located within the state of California. Processing facilities are not intended for the acceptance of donated or purchased post-consumer food and beverage containers from the general public. Processing facilities shall comply with following:

1. A processing facility shall not accept donated post-consumer food and beverage containers, nor shall it purchase such materials, from the public; however, a processing facility shall not be precluded from operating on the same site with, or in conjunction with, a collection facility, provided each activity is located within the correct zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

2. Processing facilities shall not be located within 500 FT of any property zoned or planned for, or occupied by, residential land uses.

3. All processing activities, including collection, processing, and storage, shall be conducted within a fully enclosed building.

4. Processing facilities shall be screened from public view by buildings or decorative masonry block walls, which are of sufficient height to completely screen all loading, processing, and storage activities/facilities. All gates shall be view obstructing.

5. Processing facilities may operate power-driven processing equipment for the purpose of baling, briquetting, crushing, compacting, grinding, shredding, sorting, or other similar processing activities. Processing facilities shall not shred, compact, or bale ferrous metals, excepting food and beverage containers.

6. Processing facilities shall be maintained in a in a clean, litter-free condition on a daily basis, and shall be secured from unauthorized entry and removal of materials when unattended.

7. A processing facility owner and the property owner, if different from the business owner, shall cause the removal of all recyclable materials that have accumulated, or are deposited, on the site, on a daily basis. Upon failure to remove the recyclable materials, the City may deem the land use and the property thereon to be abandoned and may enter the property for the purpose of removing the recyclable materials. The facility owner, and the property owner, if different from the business owner, shall be responsible for payment to the City, all costs borne by the City related to the enforcement of this Paragraph.

5.03.345: Residential Care Facilities, Other—6 or Fewer Persons

"Other residential care facilities" for 6 or fewer persons may only be established in conjunction with a single-family dwelling.

5.03.350: Salvage Facilities

The following standards shall govern the establishment and operation of salvage facilities for the purpose of reclaiming recyclable equipment, materials, and parts, from home appliances, commercial and industrial machinery, motor vehicles, and other similar recyclable items acceptable to the Approving Authority:

A. Salvage facilities shall be located a minimum of 300 FT from any residentially zoned lot.

B. Loading and processing activities, and stored vehicles, materials, and equipment, shall be completely screened from public view and view from adjoining lots, by buildings and/or decorative masonry block walls with view-obstructing gates.

C. Loading, processing, and storage activities shall not be conducted within a required setback area.

D. All setbacks from a street property line shall be fully landscaped and permanently maintained, excepting those areas necessary for pedestrian or vehicular access.

E. All sorting, compaction, shredding, grinding, crushing, and other similar processing activities, shall be conducted within a completely enclosed structure designed to minimize noise and dust generated by the activities.

F. All existing salvage facilities, regardless of the zoning district in which they are located, shall conform with the requirements of this Section within one-year following notification by the Planning Director of the pending amortization of the use. The Planning Commission may abrogate the requirements of this Subsection because unusual circumstances exist with regard to the site or its location, which makes full compliance with the requirements of this Section impracticable.

5.03.355: Self-Storage Facilities

A self-storage facility may exceed the maximum FAR of the zoning district in which it is located, provided that the facility, at its proposed maximum buildout, has been proven to be no more intense than other permitted land uses in the same general vicinity and the same zoning district. To this end, an Equivalent Impact Study (EIS) shall be prepared for the proposed self-storage facility, which shall determine its maximum allowed gross floor area based upon the comparable traffic generation of other existing permitted land uses in the same general vicinity and the same zoning district, constructed at the maximum allowed FAR of the zoning district.

5.03.360: Senior Citizen Housing Developments

A. **Purposes.** The purpose of this Section is to establish minimum standards, regulations and incentives for the development of senior citizen housing, and low income senior citizen housing within the City's commercial zoning districts, in a manner that is consistent with the Policy Plan component of The Ontario Plan, this Development Code, and State Density Bonus Law (GC Section 65915).

B. **Applicability.** Senior Citizen Housing Developments shall be allowed on property located pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

C. **Definitions.** For purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings thereafter specified:

1. Affordable Housing Cost for Owner Occupied Low Income Household. The affordable housing costs as defined in HSC Section 50052.5, exclusive of subdivision (a).

2. Affordable Housing Cost for Owner Renter Occupied Low Income Household. The affordable housing costs as defined in HSC Section 50053, exclusive of subdivision (a).

3. Affordable Housing Cost for Owner Occupied Very Low Income Household. The affordable housing costs as defined in HSC Section 50052.5, exclusive of subdivision (a).

4. Affordable Housing Cost for Owner Renter Occupied Very Low Income Household. The affordable housing costs as defined in HSC Section 50053, exclusive of subdivision (a).

5. Density Bonus Waivers and Modifications. Those waivers and modifications of City development standards granted by City to Owner of a senior citizen housing development defined as conditions affecting the physical location or type of construction of the senior citizen housing development structure and do not include use restrictions, procedural requirements, and fees as more particularly described in GC Section 65915(o)(1).

6. Low Income Households (Lower Income Households). Households, as defined in HSC Section 50079.5, paying Affordable Housing Costs or Affordable Rents for a Senior Citizen Housing unit.

7. Very Low Income Households. Households, as defined in HSC Section 50105 paying Affordable Housing Costs or Affordable Rents for a Senior Citizen Housing unit.

D. Base Density. Within residential zoning districts, the base density for a Senior Citizen Housing Development shall be pursuant to the development standards of the respective zoning district. Within nonresidential zoning districts, the base density for a Senior Citizen Housing Development shall be as follows:

Base Density *(in DU/Acre)*	***Districts***			
	CN	***CC***	***MU-1***	***MU-6***
	25	25	25	25

E. Density Bonus.

1. In addition to the base density provided by Subsection D, above, senior citizen housing developments within residential zoning districts shall be eligible for a density bonus as provided in State density bonus law, as prescribed in Subsection 6.01.010.G (Density Bonus and Other Incentives) of this Development Code. Nonresidential zoning districts shall be eligible for a density bonus as provided in State density bonus law, as follows:

Density Bonus *(in percentage/units)*	***Districts***			
	CN	***CC***	***MU-1***	***MU-6***
	20%	20%	20%	20%

2. For senior citizen housing developments using the density bonus provisions of State density bonus law, a density bonus regulatory agreement securing the use of the senior citizen housing development by qualified senior citizens shall also be required. The density bonus regulatory agreement shall be recorded against the property and shall be in a form acceptable to the City Attorney.

3. The density bonus provisions shall apply to senior citizen housing developments consisting of 5 or more dwelling units, exclusive of a caretaker's unit. All density calculations resulting in fractional units shall be rounded up to the next whole number.

4. Pursuant to State density bonus law, applicants for senior citizen housing developments may request certain waivers and modifications of the City's development standards. For purposes of considering such requests for waivers and modifications of development standards, the "development standards" shall be defined as conditions affecting the physical location or type of construction of the senior citizen housing project, and do not include use restrictions, procedural requirements, and fees as more particularly described in GC Section 65915(o)(1).

5. Use of the senior citizen housing development for use by senior citizen households shall be secured via use of covenants and/or agreements recorded against the property in a form acceptable to the City Attorney.

F. Affordability Bonus for Senior Citizen Housing Developments.

1. In addition to the base density provided by Subsection D and the density bonus authorized by Subsection E of this Section, senior citizen housing developments shall be eligible for an additional density bonus of 10% above the total number of units that can be constructed (base density plus density bonus) whenever an applicant makes at least 50% of the additional units affordable (affordable rental units or affordable for-sale housing) to very low and/or low income senior citizen households. In example, a senior citizen housing development that is entitled to construct 100 units, may construct 10 additional units when it makes 5 of those units available to very low and/or low income senior citizen households.

2. All density calculations resulting in fractional units shall be rounded up to the next whole number, including the determination of affordable units. Use of the affordability bonus provided in this Section shall be subject to the senior citizen housing development meeting the development standards contained in this Section.

3. Affordability of the units for very low and/or low income senior citizen households shall be secured via use of covenants and/or agreements for a minimum term of 45 years for ownership units and 55 years for rental units. The affordability covenants/agreement shall be in a form acceptable to the City Attorney.

G. Senior Citizen Housing Locational Criteria. A request for Conditional Use Permit approval of a senior citizen housing development shall be reviewed pursuant to the extent to which the senior citizen housing development substantially complies with each of the following locational criteria:

1. Transit Amenities. The site is within one-quarter mile of a transit station, rail station, commuter rail station or bus station, or bus stop with service at least every 30 minutes during the hours of 7:00 AM to 9:00 AM, and 4:00 PM to 6:00 PM.

2. Parks and Open Space. The site is within one-quarter mile of a public park (not including school grounds, unless there is a bona fide, formal joint use agreement between the City and the school district providing availability to the general public of the school grounds and/or facilities) or a community center, senior citizen center, or other facility offering daily services specifically designed for senior citizens, which is open to the general public.

3. Library. The project site is within one-quarter mile of a public library, or senior or community center, which contains a library.

4. Daily Shopping Opportunities. The project site is within one-quarter mile of a grocery store/supermarket where staples, fresh meat, and fresh produce are sold.

5. Medical Facilities. The project site is within one mile of a medical clinic or hospital (not merely a private doctor's office).

6. Pharmacy. The project site is within one mile of a pharmacy or supermarket containing an interior pharmacy.

H. Senior Citizen Housing Development Amenities. A request for Conditional Use Permit approval of senior citizen housing development shall be reviewed pursuant to the extent to which

the senior citizen housing development substantially complies with one or more of the following development amenities:

1. High speed internet service is provided in each unit (free of charge to the tenants) or within a group activity room within the senior citizen housing development.

2. The senior citizen housing development will provide a bona fide service coordinator available on the premises to assist with activities of daily living, or provision of counseling services, social event planning, and/or concierge service.

3. The Senior Citizen Housing Development will provide exercise facilities on the premises.

I. Senior Citizen Dwelling Unit Standards. Notwithstanding any other provision of this Section, the minimum floor area for each residential unit for senior citizen use shall be as follows:

1. Bachelor or studio-type dwelling units: Four hundred fifty (450) SF;

2. One-bedroom dwelling units: Five hundred fifty (550) SF; and

3. Two-bedroom dwelling units: Six hundred fifty (650) SF.

J. Senior Citizen Development Parking Standards. Notwithstanding any other provision of this Development Code, the number of parking spaces required to be provided for senior citizen housing developments may be as low as 0.25 spaces per rental dwelling unit and as high as 1.0 space per for-sale dwelling unit. The actual ratio shall be determined at the time of project approval for the use and shall be based upon a parking demand study to be prepared by a qualified traffic consultant or engineer. Ten percent of the parking spaces provided shall be designated as parking for the physically impaired ("handicapped parking spaces"). In determining the number of parking spaces required, the following factors, as well as any other relevant factors, shall be considered:

1. The number of employees required by the use, whether such employees will reside on the premises, and hours during which any nonresident employees will be employed;

2. The availability of public transportation;

3. Whether residents of the use will be eligible for government rent subsidies;

4. The degree to which on-site provision of services and facilities will affect the need of residents to leave the site; and

5. The proximity of facilities and services to the site. Where appropriate, employee parking on the site shall be separately identified and shall be available only to employees.

6. Other Development Standards. Except as provided by this Section, additional development standards for senior citizen housing developments shall be those applicable to residential uses in such underlying zoning districts.

5.03.363: Short Term Rentals

A. Definitions. As used in this Section, the words or phrases listed below shall have the meanings thereafter specified:

1. Booking transaction. Any reservation or payment service provided by a person who facilitates a short-term rental, home sharing, or similar transaction between a prospective guest and a host.

2. Director. The finance director of the City of Ontario.

3. Dwelling unit. A structure or portion thereof which is used for human habitation.

4. Guest. A person who rents a short-term rental for a period of less than 30 days.

5. Group. A single guest or any number of guests who are occupying a short-term rental on a single rental agreement.

6. Host. A person engaged in providing short-term rental at their primary residence.

7. Hosted stay. Short-term rental activity whereby the host remains on the site of his or her primary residence throughout the duration of the guest's stay, expect during daytime and/or work hours.

8. Hosting platform. A marketplace in whatever form or format which facilitates the short-term rental activity, through advertising, match-making, or any other means, using any medium of facilitation, and from which the operator of the hosting platform derives revenues, including booking fees or advertising revenues, from providing or maintaining the marketplace.

9. Primary residence. The dwelling unit used as the permanent residence or usual place of return for housing by the host. A person may have only one primary residence.

10. Short-term rental. A dwelling unit, or any portion thereof, that is rented by the host to another party for a period of not more than 30 consecutive days in exchange for any form of monetary or non-monetary consideration, including trade, fee, swap or any other consideration in lieu of cash payment. Hosted stays, Un-hosted stays, and vacation rentals are types of short-term rental.

11. Transient occupancy tax or "TOT". The tax imposed on occupancies of 30 consecutive calendar days or less under Chapter 6 of Title 3 of the Ontario Municipal Code.

12. Un-hosted stay. A short-term rental activity whereby the host remains off the site of his or her primary residence-site for some or all of the duration of the guest's stay.

13. Vacation rental. A dwelling unit that is not a primary residence, and which is available for temporary lodging, for compensation or any form of consideration. The term "vacation rental" shall not include: single-room occupancy buildings, bed and breakfast inns, hotels, a dwelling unit for which a tenant has a month-to-month rental agreement and the rental payments are made on a monthly basis, or corporate housing.

B. Permit required for authorized short-term rental. No person, either for themselves or any other person, shall cause, allow, conduct, permit, maintain, or facilitate short-term rental at any dwelling unit within the city without first obtaining a short-term rental permit pursuant to this

chapter, and complying with all other applicable provisions of this code. A short-term rental permit shall only be issued to authorize hosted stays and un-hosted stays. Vacation rentals are prohibited.

C. Permit application. To apply for a short-term rental permit, a person seeking to become a host must file an application with the City, accompanied by a nonrefundable processing fee in an amount established by resolution of the city council. The application shall be in a form prescribed by the City and shall contain, at a minimum, the following:

1. The legal name, current address and telephone number of the applicant;

2. Address of the short-term rental property, and if applicable, location telephone number;

3. An index of all residents of the property with name and date of birth, juveniles may be listed by title and age only;

4. A diagram of the property indicating areas intended for use as short-term rental;

5. Documentation indicating the number of bedrooms within the dwelling unit, such as a record from the County Assessor's Office;

6. A parking plan indicating sufficient lawful parking on the property for all vehicles belonging to residents and one additional space for each bedroom of the house to be used for short-term rental;

7. Evidence that the applicant has applied for and is in the process of obtaining a business license pursuant to Chapter 1 of Title 3 of the Ontario Municipal Code;

8. A home occupation permit pursuant to Section 5.03.240 of the Ontario Development Code is not required;

9. Emergency contact information for 24-hour response within 30 minutes;

10. Certification by the applicant that the information contained in the application is true to his or her knowledge and belief;

11. Documentation establishing that the dwelling unit proposed to be used as a short-term rental is the host's primary residence. Such documentation shall include at least two of the following and be in the name of the host: Motor vehicle registration, driver's license, voter registration, or tax documents showing the residential unit as the residence of the host;

12. Two passport size photographs of the applicant; and

13. Any other information required by regulations promulgated pursuant to this chapter or deemed necessary by the director.

D. Application investigation and criteria for approval or denial or permit. Upon receipt of a completed application, the City, shall cause an investigation of the applicant and the application as submitted. The investigation shall be completed in a timely manner as follows and the applicant shall be notified of the result in writing in a timely manner:

1. The applicant shall be required to pay the established fees for such service in addition to the permit fee.

2. Inspection of the property by city staff shall be scheduled within 30 days of application. Annual inspections will be required upon renewal of a short-term rental permit.

3. If, as a result of this investigation, the applicant is found to satisfy all of the requirements of Section 5.03.063.D., and no grounds for denial exist, the application shall be approved, and a short-term rental permit shall be issued to the applicant. The permit shall contain the name, address of the permittee, a description of the short-term rental to be offered, the date of issuance and term of the permit, photograph of the permittee, and the signature of the Planning Director or his or her designee.

4. A short-term rental permit application may be denied for any of the following reasons:

a. Information contained in the application, or supplemental information requested from the applicant, is false or misleading in any material detail;

b. The applicant failed to provide a complete application, after having been notified of the requirement to produce additional information or documents;

c. The applicant is delinquent in payment of any city or county taxes, fines, or penalties in relation to short-term rental;

d. The applicant has previously held a short-term rental permit which was revoked by the city during the year prior to the application;

e. The applicant has failed to pay any previous administrative fines, remediate any other violations, and/or complete any other alternative disposition associated with a previous violation of this chapter; or

f. The applicant has failed to demonstrate an ability to conform to the operating standards set forth in Section 5.03.363.1.

If the permit application is denied, written notice of such denial and the reasons therefore shall be provided to the applicant.

E. Permit expiration and renewal. A short-term rental permit shall be valid for 12 months from the date of issuance and shall expire and become null and void on the first anniversary date of its issuance. A person may apply for a permit renewal on a form provided by the city prior to the expiration of his or her active short-term rental permit and upon successfully completing an inspection by city staff. The applicant shall be required to pay the administrative fee for the permit renewal fee in the amount established by city council resolution at the time the renewal application is filed. In addition, the applicant shall renew their business license. Failure of the applicant to submit a complete application prior to the expiration date of the existing short-term rental permit shall be a basis for denial of the renewal.

F. Permit revocation. Two (2) violations of any provision of this chapter or this code within one year by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, with respect to any one residential dwelling shall result in an

immediate suspension of the short-term vacation rental permit. A revocation under this section may be appealed in accordance with the procedure set forth in Section 5.03.363(G), below.

G. Appeals. Any person whose short-term rental permit is denied or revoked may file an appeal of the decision in writing with the city clerk within 15 days following the date of the director's decision stating the grounds for said appeal. The appellant shall pay a non-refundable fee in an amount established by resolution of the city council for such appeal. The city clerk shall schedule an appeal hearing with the city manager or his or her designee within 15 days of an appeal being filed. The decision of the city manager or the designee shall be final.

H. Permits nontransferable. A short-term rental permit granted pursuant to this chapter shall not be transferable to another person, parcel number, or to another property owner. Said permit shall not run with the land or property to which it applies.

I. Operating requirements. Short-term rental hosts shall comply with the following requirements:

1. The host shall be:

a. The property owner or the spouse, parent, or adult child of the property owner.

b. A tenant of the property who has occupied the property as his or her primary residence prior to making application for a short-term rental permit and who has submitted written authorization from the property owner to operate short-term rental at the residence.

2. The dwelling unit shall be the primary residence of the host.

3. The dwelling unit must be located within the following zones: AR-2, RE-2, RE-4, LDR-5, MDR-11, MDR-18, MDR-25, HDR-45, LUA-3, MU-2, MU-1, MU-3, MU-6, MU-8B, MU-8C, MU-8D and MU-8E, including residential and mixed-use zoning districts within specific plan and planned unit development areas. Dwelling units are not permitted to be used as short-term rentals in any other zones.

4. All advertising for the dwelling unit as a short-term rental that is displayed on a hosting platform or other media shall display the number of the current and valid permit as issued by the city, a street-view photo of the front of the house and the maximum number of guests based on the occupancy limit set forth in subsection 1.5.

5. The dwelling unit's occupancy, including the host, other residents of the dwelling unit, and guests, during a short-term rental shall not exceed two times the number of bedrooms of the dwelling unit.

6. The short-term rental permit shall be conspicuously displayed in each area of the dwelling unit available for occupancy.

7. Any accessory dwelling unit subject to a covenant that specifically prohibits rentals of 30 days or less may not be used as a short-term rental.

8. A single dwelling unit shall be limited to two groups of any number concurrently or two concurrent booking transactions.

9. The short-term rental shall comply with all applicable provisions of this Code and State law.

10. Conditions that cause a public nuisance, as defined by this code or state law, are prohibited at the dwelling unit during a short-term rental.

11. Un-hosted stays shall be limited to a total of 90 days within a calendar year at the same dwelling unit. Hosted stays shall not be limited.

12. Excessive traffic to and from the short-term rental that significantly impairs the quiet enjoyment of neighboring properties is prohibited.

13. Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. The amplification of sound by any device outside the short-term rental is prohibited. Quiet hours during which noise must be restricted to the interior of the short-term rental shall be between 10:00 p.m. and 7:00 a.m. the following morning.

14. The obstruction of any public right-of-way, road, street, highway, or private road by occupants of the unit is prohibited.

15. No event, including a conference, wedding, fundraiser, or similar gathering, or any commercial event, may be held at a short-term rental.

16. The permittee shall install at least one public-facing camera at or near the front entrance of the home that enables the host or manager to remotely monitor the number of individuals entering the home and activity in the front yard. The permittee shall install at least one public-facing camera over the garage of the home that enables the host or manager to remotely monitor the activity in the front driveway and street in front of the residence. The permittee shall maintain video recordings from both required cameras for a minimum of 30 days.

17. A permittee shall, for a period of at least one year after the date of each stay, keep written rental records that document the following information:

a. All dates on which the permittee rented the short-term rental to one or more guests;

b. The name and contact information for each renter; and

c. The license plate(s) of vehicles associated with the renter stored at or near the short-term rental during their stay.

18. Short-term rentals, within those neighborhood communities with established Homeowner Associations (HOAs), shall comply with any HOA Short-Term Rental provisions and/or regulations.

19. Off-street parking spaces shall be provided on the property sufficient for all vehicles associated with the short-term rental property or its occupants in accordance with the Ontario Development Code Section 6.03.015. Parking is allowed only in designated driveways and

garages. The maximum number of vehicles at a Short-Term rental property at any time is equivalent to the minimum number of parking spaces required for that property.

J. Hosting platform requirements.

1. Hosting platforms shall be responsible for collecting all applicable TOTs and remitting the same to the city. TOT remittance is due monthly, in accordance with Chapter 6 of Title 3 of the Ontario Municipal Code. The hosting platform shall be considered a managing agent of the host for purpose of TOT collections and remittance responsibilities as set forth in Chapter 6 of Title 3 of the Ontario Municipal Code.

2. Subject to applicable laws, hosting platforms shall disclose to the city on a regular basis each short-term rental listing located in the city, the names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing and the price paid for each stay.

3. Hosting platforms shall require hosts to include the city-issued registration number in their listing(s), in a format designated by the city. Upon notice from the city that a listing is non-compliant, hosting platforms shall cease any short-term rental booking transactions for said listing(s) within five business days. A hosting platform shall not complete any booking transaction for a residential property or unit subject to a city notice until notified by the city that the residential property or unit is in compliance with the local registration requirement.

4. Hosting platforms shall not collect or receive a fee, directly or indirectly through an agent or intermediary, for facilitating or providing services ancillary to a vacation rental or unregistered short-term rental, including, but not limited to, insurance, concierge services, catering, restaurant bookings, tours, guide services, entertainment, cleaning, property management, or maintenance of the dwelling unit.

5. A hosting platform operating exclusively on the internet, which operates in compliance with subsections 1., 2., 3., and 4. above, shall be presumed to be in compliance with this chapter.

6. The provisions of this section shall be interpreted in accordance with otherwise applicable state and federal law(s) and will not apply if determined by the city to be in violation of, or preempted by, any such law(s).

K. Enforcement and penalties.

1. Operating a short-term rental without a valid short-term rental permit and business license is prohibited. Advertising shall be considered prima facie evidence of operation. Additional evidence of operation may include, but shall not be limited to, guest testimony, online reviews, rental agreements, receipts, or any other information deemed relevant by the city.

2. A violation of this chapter shall constitute a public nuisance, which may be abated by any means provided by law, including, but not limited to, injunctive relief, issuance of administrative fines pursuant to Chapter 2 of Title 1 of the Ontario Municipal Code, and shall also constitute a misdemeanor punishable pursuant to Chapter 2 of Title. The city may issue an administrative citation to any applicant, occupant, responsible person, local contact person, owner, owner's authorized agent or representative, or hosting platform of this code, if there is any violation of this chapter committed, caused or maintained by any of the above parties. Nothing

in this section shall preclude the city from also issuing a citation upon the occurrence of the same offense on a separate day.

3. An administrative citation may impose a civil penalty for one (1) or more violations of this chapter in the maximum amount allowed by state law or this code. A civil penalty issued in accordance with this code shall be in the amount of one thousand dollars ($1,000.00) for the first violation, two thousand dollars ($2,000.00) for the second violation, and three thousand dollars ($3,000.00) for the third and all subsequent violations.

4. Each and every day, or portion thereof, a violation of this chapter exists shall constitute a separate and distinct violation.

5. The remedies provided herein are intended to be cumulative and may be used in lieu of or in addition to any other remedy provided by this chapter or other law."

5.03.365: Single-Family Dwellings

Within the MDR-25 and HDR-45 zoning districts, single-family dwellings shall only be allowed:

A. On legally established lots having a gross area that is less than the minimum required by the base zoning district pursuant to Table 6.01-3 (Multiple-Family Residential Development Standards); and

B. On legally established lots having a gross area that results in a density calculation of less than the allowed density range for the base zoning district pursuant to Table 6.01-3 (Multiple-Family Residential Development Standards) of this Development Code.

5.03.370: Single Room Occupancy (SRO) Facilities

The following standards shall govern the establishment and operation of SRO facilities:

A. A minimum of one full common kitchen shall be provided on each floor (story) if full kitchens are not provided within each unit. For the purposes of this provision, a full kitchen shall include a range or stove and oven, sink, and refrigerator.

B. If complete bathrooms are not provided in each unit, shared showers shall be provided at a ratio of one shower for each 8 residents, or fraction thereof, on the same floor. Lockers shall be provided for use of the residents.

C. An SRO facility shall not be located within 500 FT, as measured in a straight line from any point along the outer boundaries of the property containing the use, of any public or private school for children under the age of 18, church, child daycare center, family child daycare facility, or any existing SRO facility.

D. A comprehensive management plan shall be submitted with applications for conditional use permits. The plan shall include the company or agency responsible for resident selection, day-to-day maintenance of the facility, proposed security arrangements and background information and references for the proposed management company or agency.

5.03.375: Soap, Cleaning Compound, and Toilet Preparation Manufacturing

Within the IP zoning district, the development of new soap, cleaning compound, and toilet preparation manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.380: Sound (Audio) Recording Facilities

Within the OL, OH and IH zoning districts, sound (audio) recording facilities shall only be allowed in conjunction with a permitted or conditionally permitted land use. Standalone sound recording facilities within these zoning districts shall be prohibited.

5.03.385: Spring and Wire Product Manufacturing

Within the IP zoning district, the development of new spring and wire product manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.390: Tattooing, Body Piercing, Branding, and the Application of Permanent Cosmetics

The below-listed standards shall govern the establishment and operation of body art services in the City. For the purposes of this section, "body art services" shall mean tattooing, body piercing, branding, or the application of permanent cosmetics, excepting the piercing of an ear with a disposable, single-use, presterilized stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear.

A. Every person and every business engaged in body art and/or permanent cosmetics services shall comply with all applicable provisions of the Safe Body Art Act (HSC Section 119300 et seq.).

B. Every person and every business engaged in body art and/or permanent cosmetics services shall obtain a health permit from the San Bernardino County Division of Environmental Health Services prior to commencement of the business activity.

C. A person proposing to construct, remodel, or revise a body art and/or permanent cosmetics facility shall first submit plans to the Ontario Planning Department and the San Bernardino County Division of Environmental Health Services for review and approval, prior to construction.

D. A body art services business located in the MU-1 (Downtown Mixed Use) zoning district shall not be located within 0.25-mile, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any other body art services business. Refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map for locations.

5.03.395: Temporary and Interim Land Uses, Buildings, and Structures

The following temporary and interim land uses shall be allowed upon the issuance of an Administrative Use Permit by the City pursuant to Section 4.03.015 (Administrative Use Permit) of this Development Code:

A. **Interim Farming Activities on Vacant or Underdeveloped Lands.** Farming activities may be established and operated as an interim use on vacant or underdeveloped lands pursuant to the requirements of Subsection 5.03.405.F (Urban Farms) of this Division.

B. **Model Homes.** The following standards shall govern the design and establishment of model homes:

1. Access shall meet the requirements of the Americans with Disabilities Act.

2. Any "trap" fencing shall be located on private property.

3. Any garage used as a sales office shall be converted back to a garage prior to dwelling occupancy.

4. A model complex consisting of 3 or more model homes shall develop and improve a separate lot to accommodate off-street parking, which shall be provided pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

5. Subdivisions of 8 or more dwellings having at least one model home that is landscaped, shall demonstrate by installed landscape and irrigation, the principles of water-efficient landscaping and irrigation.

6. The developer of model homes constructed prior to the recordation of a final map for the subdivision containing the model homes, shall enter into a model home agreement with the City, in a form satisfactory to the City Attorney, to ensure that the model homes will not be sold prior to recordation of the final map, and that the model homes will be demolished and removed should the final map not record within a period acceptable to the City.

7. The project proponent shall remove the model homes and their appurtenances from the affected property within 30 days following the expiration of the Administrative Use Permit.

8. In approving a model home facility, the Reviewing Authority may require the installation of certain minimum improvements, such as paved parking, lighting and landscaping, and other improvements necessary to ensure and protect the public health, safety, and welfare.

9. To ensure removal of model homes and their appurtenances within the required period, the Reviewing Authority may require the project proponent provide a performance guarantee pursuant to Division 2.06 (Performance Guarantees) of this Development Code, in the amount of $10,000. The performance guarantee may be utilized by the City to pay any fees and costs incurred by the City, which is associated with the enforcement of Paragraphs A.1 through 8, above, and any conditions of Administrative Use Permit approval imposed by the Reviewing Authority.

C. **Street Fairs.** Street fairs may be allowed within any commercial or mixed-use zoning district.

D. Temporary Alcoholic Beverage Sales. Temporary alcoholic beverage sales for consumption on the premises may be allowed within nonresidential zoning districts in conjunction with a temporary activity, display, or event for which an Administrative Use Permit is granted pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code.

E. Temporary Buildings and Structures. Temporary buildings and structures, including but not limited to trailers and prefabricated ("modular") buildings, and appurtenances thereto, may be allowed within any residential, commercial, mixed-use, industrial, specialized use, or overlay zoning district, subject to the following:

1. The Planning Director may approve temporary buildings and structures for an initial 2-year period, which shall be granted pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code. The time in which the approval expires may be extended by the Reviewing Authority for a maximum of 2 one-year periods.

2. Temporary buildings and structures requested for periods in excess of the maximum 4 years allowed pursuant to Paragraph E.1, above, may be allowed for periods not to exceed a total of 10 years, subject to Conditional Use Permit approval, granted pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

3. In approving temporary buildings and structures, the Reviewing Authority may require the installation of certain minimum improvements, such as paved parking, lighting and landscaping, and other improvements necessary to ensure and protect the public health, safety, and/or welfare.

4. The project proponent shall remove the temporary building(s) or structure(s), and any appurtenances thereto, from the affected property within 30 days following the expiration of project approval.

5. To ensure removal of a temporary building or structure, and all appurtenances thereto, within the required period, the Reviewing Authority may require the project proponent provide a performance guarantee pursuant to Division 2.06 (Performance Guarantees) of this Development Code, in the amount of $10,000. The performance guarantee may be utilized by the City to pay any fees and costs incurred by the City, which is associated with the enforcement Paragraphs F.1 and F.3, above, and any conditions of Administrative Use Permit or Conditional Use Permit approval, as applicable, imposed by the Reviewing Authority.

F. Temporary Facilities. Temporary facilities, such as parking lots for interim use, may be allowed within any residential, commercial, mixed-use, industrial, specialized use, or overlay zoning district, subject to the following:

1. The Planning Director may approve temporary facilities for an initial 2-year period, which shall be granted pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code. The time in which the approval expires may be extended by the Planning Director a maximum of 2 one-year periods.

2. Temporary facilities requested for periods in excess of the maximum 4 years allowed pursuant to Paragraph E.1, above, may be allowed for periods not to exceed a total of 10 years, subject to Conditional Use Permit approval, granted pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

3. In approving a temporary facility, the Reviewing Authority may require the installation of certain minimum improvements, such as paved parking, lighting and landscaping, and other improvements necessary to ensure and protect the public health, safety, and/or welfare.

4. The project proponent shall remove the temporary facility and all appurtenances thereto from the affected property within 30 days following the expiration of the Administrative Use Permit.

5. To ensure removal of a temporary facility and all appurtenances thereto within the required period, the Reviewing Authority may require the project proponent provide a performance guarantee pursuant to Division 2.06 (Performance Guarantees) of this Development Code, in the amount of $10,000. The performance guarantee may be utilized by the City to pay fees and costs incurred by the City, associated with the enforcement of Paragraphs E.1 and E.3, above, and any conditions of Administrative Use Permit or Conditional Use Permit approval, as applicable, imposed by the Reviewing Authority.

G. Temporary Outdoor Activities, Displays, Events, and Sales. Temporary outdoor sales, displays, and activities may be allowed within any commercial, mixed-use, industrial, or specialized use zoning district, and within residential zoning districts in conjunction with a legally established religious assembly land use, subject to the approval of an Administrative Use Permit pursuant to Section 4.03.015 (Administrative Use Permit) of this Development Code, and are further classified as follows:

1. Retail Sales Events and Other Similar Business Events. Retail sales events and other similar business events, including but not limited to special outdoor sales, sidewalk sales, and parking lot sales, are subject to the following:

a. A retail sales event or other similar business event shall only be allowed in conjunction with a legally established business that has been operated for a period of at least 180 days prior to the retail sales event or other similar business event.

b. Retail sales events and other similar business events shall be limited to 12, one-week periods per calendar year, per business location. The one-week periods may be used consecutively, with a mandatory down time of one week between each 6-week period.

c. The outdoor display of merchandise shall be restricted to an area directly adjacent to the business' exterior storefront; however, in the case of shopping centers, when it is not practical for the outdoor display area to be located directly adjacent to the business front, the sale area shall be located in an area as close as practically possible, to the business' exterior storefront.

d. The display of merchandise shall not impede pedestrian or vehicular circulation.

e. All merchandise, materials, signs, and debris shall be removed from the outdoor area by 9:00 AM following the last day of the retail sales event.

2. Holiday Retail Sales. Holiday retail sales include Christmas tree and pumpkin sales, and shall be limited to 30 days duration, 2 times per calendar year, for each business location.

3. Shows and Exhibits. Religious, historic, patriotic, or other similar outdoor displays may be permitted within a yard, parking lot or landscaped area, by or for the benefit of nonprofit organizations, subject to the following:

a. Shows and exhibits shall be limited to 30 days duration within any 90-day period.

b. The show or exhibit shall not impede pedestrian or vehicular traffic.

c. Shows and exhibits shall not be conducted within 1,000 FT of any residential land use, as measured in a straight line from any point along the outer boundaries of the property containing the show or exhibit. This separation requirement may be reduced by the Planning Director, provided the type and size of event proposed could in no way adversely affect residential land uses.

d. All equipment, materials, signs, and debris shall be removed from the outdoor area by 9:00 AM following the last day of the display.

4. Amusement and/or Sporting Events. Bazaars, circuses, carnivals, rodeos, pony rides and other similar temporary amusement and/or sporting events may be permitted, subject to the following:

a. Events shall be limited to 2 periods of 7 days duration per calendar year, for each event location. The 2 event periods may be used consecutively.

b. Events shall not be conducted within 1,000 FT of any residential zoning district, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the event. This separation requirement may be reduced by the Planning Director, provided the type and size of event proposed could in no way adversely affect residential land uses.

c. All equipment, materials, signs, and debris shall be removed from the event location by 9:00 AM following the last day of the event.

5. Tent Revivals. Tent revivals and other similar temporary events involving the large assemblage of people and/or equipment within a temporary structure or in the open air, may be permitted, subject to the following:

a. Tent revivals shall be limited to 2 periods of 7 days duration per calendar year, for each event location. The 2 event periods may be used consecutively.

b. Tent revivals shall not be conducted within 1,000 FT of any residential land use, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the tent revival. This separation requirement may be reduced by the Planning Director, provided the type and size of event proposed could in no way adversely affect residential land uses.

c. All equipment, materials, signs, and debris shall be removed from the event location by 9:00 AM following the last day of the event.

6. Charitable and Fund Raising Events. Fund raising events for charitable organizations and other non-profit organizations, such as churches, schools, clubs, and other

similar organizations, may be permitted to hold special outdoor fund raising events, hosted by and in conjunction with a legally established commercial or industrial land uses, subject to the following:

a. Charitable and fund raising events shall be limited to 12 events per calendar year per location, not to exceed one event per month. Events shall be limited to a maximum of 4 days duration.

b. Charitable and fund raising events shall be restricted to an area directly adjacent to the host business' exterior; however, when it is impractical for the event to be located directly adjacent to the host business, such as in the case of a commercial shopping center, the event shall be located in an area as close as practically possible to the host business' exterior.

c. Charitable and fund raising events shall not impede pedestrian or vehicular circulation.

d. All equipment, materials, signs, and debris shall be removed from the event location by 9:00 AM following the last day of the event.

H. Temporary Produce Stands. Temporary produce stands may be established and operated pursuant to the requirements of 5.03.410.E.2.d (Community Garden On-Site Produce Sales) and 5.03.410.F.d.2 (Urban Farm On-Site Produce Sales) of this Division.

I. Temporary Real Estate Sales, Lease and Rental Offices. Temporary real estate sales, lease, and rental offices may be allowed within any residential, commercial, mixed-use, industrial, specialized use, or overlay zoning district, subject to the following:

1. A temporary real estate sales, lease, or rental office shall be located a minimum of 200 FT from any existing dwelling outside of the subdivision or development project.

2. A temporary real estate sales, lease, or rental office may be established within a model dwelling, or within a temporary structure specifically designed for the use and approved pursuant to Subsection E (Temporary Office Structures) of this Section.

3. A certificate of occupancy for a temporary real estate sales, lease, or rental office shall not be issued until after a subdivision has been recorded with the San Bernardino County Recorder, or a building permit has been issued for a multiple-family development project.

4. Temporary real estate sales, lease, or rental offices shall be removed from the site within 30 days following the sale, lease, or rental of the last dwelling unit.

5. Comply with all provisions of Division 8.1 (Sign Regulations) pertaining to temporary real estate sales, lease, and rental signs.

J. Temporary Wireless Telecommunications Facilities. Temporary wireless telecommunications facilities may be allowed to fulfill short-term wireless capacity and/or coverage needs of the community, resulting from special activities or events for which a Temporary Use Permit has been approved, or to serve areas experiencing short-term population increases which the existing wireless telecommunications system cannot adequately support, such as seasonal retail sales, and other City-supported activities/events.

1. The Planning Director may approve short-term temporary wireless telecommunications facility pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code. Should the City determine that a temporary wireless telecommunications facility is needed to fulfill the short-term wireless capacity and coverage needs of the community, an application for the short-term temporary wireless telecommunications facility, and applicable processing fees, shall be submitted for review and approval by the City. Furthermore, the following shall be imposed as a condition of application approval:

a. The short-term temporary wireless telecommunications facility may remain in place for a period of 90 days from date of installation. The time in which the approval expires may be extended for a maximum of 2 periods of 90 days duration, each, for a total of 270 days.

b. Engineered plans and drawings (if required) to erect the temporary wireless telecommunications facility are to be submitted to the Building and Planning Departments for review and approval. All applicable building permits shall be required.

c. If a generator is to be provided to operate or provide backup power to the temporary wireless telecommunications facility, all applicable requirements of OMC Chapter 29 (Noise) of Title 5 (Public Welfare, Morals and Conduct) shall be complied with.

d. An agreement with the City and the posting of a $10,000 bond shall be required for any short-term temporary wireless telecommunications facility. The agreement shall state the applicant's concurrence with the temporary nature of the permit and the acceptance of the conditions of approval. The bond shall secure the applicant's obligations to immediately remove approved facility upon expiration of the use permit. (Note: The bond requirement may be waived by the Development Agency Director.)

5.03.400: Thrift and Secondhand Stores, and Used Goods Stores

The on-site collection of salvageable personal property in conjunction with thrift and secondhand stores, and used goods stores, shall be prohibited, except as allowed by Section 5.03.320 (Personal Property Collection Bins) of this Division.

5.03.403: Single-Family Two-Unit Projects

A. **Purpose.** The purpose of this Section is to allow and appropriately regulate Single-Family Two-Unit Projects pursuant to GC Section 65852.21.

B. **Definition**. A "Single-Family Two-Unit Project" means the development of two primary dwelling units or, if there is already a primary dwelling unit on the lot, the development of a second primary dwelling unit on a legally subdivided lot pursuant to the requirements of this Section.

C. **Application**.

1. Only individual property owners may apply for a Two-Unit Project. "Individual property owner" means a natural person holding fee title individually or jointly in the person's own name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, LP, LLC, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Section 214.15).

2. An application for a Two-Unit Project shall be submitted on a City application form.

3. The applicant shall obtain a certificate of compliance with the Subdivision Map Act for the lot and provide the certificate with the application.

4. Only a complete application will be considered. The City will inform the applicant in writing of any incompleteness within 30 days following application submittal.

5. The City may establish a fee to recover its costs for adopting, implementing, and enforcing this Section of the Development Code, pursuant to applicable law. The City council may establish and change the fee by resolution. The fee shall be paid with the application.

D. **Approval**.

1. An application for a Two-Unit Project is approved or denied ministerially, by the Planning Director, without discretionary review.

2. The ministerial approval of a Two-Unit Project does not take effect until the City has confirmed that all required documents have been recorded, such as the deed restriction and easements.

3. The approval shall require the owner and applicant to hold the City harmless from all claims and damages related to the approval and its subject matter.

4. The approval shall require the owner and applicant to reimburse the City for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this Development Code.

E. **Requirements**. A Two-Unit Project shall satisfy all of the following requirements:

1. Subdivision Map Act (SMA) Compliance. The lot shall have been legally subdivided.

2. Zoning District. The lot is in a single-family residential zoning district. For the purpose of this Section, the term "single-family residential zoning district" shall mean the LRD-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district.

3. Lot Location. Pursuant to the GC Section 65913.4(a)(6)(B) through (K), the lot to be split shall not be located on a site that is any of the following:

a. Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters.

b. A wetland.

c. Within a very high fire hazard severity zone, unless the site complies with all fire-hazard mitigation measures required by existing building standards.

d. A hazardous waste site that has not been cleared for residential use.

e. Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection building code standards.

f. Within a 100-year flood hazard area, unless the site has either:

(1) Been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction; or

(2) Meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.

g. Within a regulatory floodway, unless all development on the site has received a no-rise certification.

h. Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.

i. Habitat for protected species.

j. Land under conservation easement.

4. Not Historic. The lot shall not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a city or county landmark, or as a historic property or district.

5. No Impact on Protected Housing. The Two-Unit Project shall not require or include the demolition or alteration of any of the following types of housing:

a. Housing that is income-restricted for households of moderate, low, or very low income.

b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its policy power.

c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (GC Sections 7060–7060.7) at any time in the 15 years prior to submission of the Urban Lot Split application.

d. Housing that has been occupied by a tenant in the last 3 years. The applicant and the owner of a property for which an Urban Lot Split is sought shall provide a sworn statement as to this fact with the application for the tentative parcel map. The City may conduct its own inquiries and investigation to ascertain the veracity of the sworn statement, including but not limited to, surveying owners of nearby properties; and the City may require additional evidence of the applicant and owner as necessary to determine compliance with this requirement.

6. Unit Standards.

a. *Quantity*.

(1) No more than two dwelling units of any kind may be built on a lot that results from an Urban Lot Split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created pursuant to Section 5.03.403 (Two-Unit Projects) of this Development Code, or an ADU or JADU created pursuant to State law and Section 5.03.010 (Accessory Dwelling Unit) of this Development Code.

(2) A lot that is not created by an Urban Lot Split may have a Two-Unit Project as provided by this Section, plus any ADU or JADU that shall be allowed pursuant to State law and Section 5.03.010 (Accessory Dwelling Unit) of this Development Code.

b. *Unit Size*.

(1) The total floor area of each primary dwelling that is developed under this Section shall be a minimum of 500 SF in area and a maximum of 800 SF in area.

(2) A primary dwelling that was legally established on the lot prior to the Two-Unit Project and is larger than 800 SF is limited to the lawful floor area at the time of the Two-Unit Project. The unit may not be expanded.

(3) A primary dwelling that was legally established prior to the Two-Unit Project and is smaller than 800 SF may be expanded to 800 SF after or as part of the Two-Unit Project.

c. *Height Restrictions*.

(1) On a lot that is larger than 2,000 SF, no new primary dwelling unit may exceed one-story or 16 FT in height, measured from grade to peak of the structure.

(2) On a lot that is smaller than 2,000 SF, no new primary dwelling unit may exceed two-stories or 22 FT in height, measured from grade to peak of the structure. Any portion of a new primary dwelling that exceeds one story in height shall be stepped back by an additional 5 FT from the ground floor; no balcony deck or other portion of the second story may project into the stepback.

(3) No rooftop deck is permitted on any new or remodeled dwelling or structure on a lot with a Two-Unit Project.

d. *Demo Cap*. The Two-Unit Project shall not involve the demolition of more than 25 percent of the existing exterior walls of an existing dwelling unless the site has not been occupied by a tenant in the last 3 years.

e. *Lot Coverage*. This lot coverage standard is only enforced to the extent that it does not prevent two primary dwelling units on the lot at 800 SF each, as required by the underlying zoning district.

f. *Setback Requirements*.

(1) **Generally**. All setbacks shall conform to the minimum requirements of the underlying zoning district.

(2) **Exceptions**. Notwithstanding subpart E.6.f above:

(a) Existing Structures. No setback is required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.

(b) Cannot Preclude Construction of Two 800-SF Units and 4-FT Side/Rear Setbacks. The setbacks imposed by the underlying zoning district shall yield to the degree necessary to avoid physically precluding the construction of up to two units on the lot or either of the two units from being at least 800 SF in floor area; but in no event may any structure be less than 4 FT from a side or rear property line.

(3) **Front Setback Area**. Notwithstanding any other part of this code, dwellings that are constructed under this Section shall conform to the front setback requirement of the underlying zoning district. The front setback area shall:

(a) Be kept free from all structures greater than 3 FT high; and

(b) Allow for vehicular and fire-safety access to the front structure.

g. *Parking*. Each new primary dwelling unit shall have at least one off-street parking space per unit within a fully enclosed garage having a minimum interior clear area measuring 10 FT in width and 20 FT in length, unless one of the following applies:

(1) The lot is located within one-half mile walking distance of either

(a) A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours or

(b) A site that contains:

(i) An existing rail or bus rapid transit station,

(ii) A ferry terminal served by either a bus or rail transit service, or

(iii) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

(2) The site is located within one block of a permanently established car-share vehicle pickup/drop-off location.

h. *Architecture*.

(1) If there is a legal primary dwelling on the lot that was established before the Two-Unit Project, any new primary dwelling unit shall match the existing primary dwelling unit with respect to exterior materials, finishes, color, and dominant roof pitch. The dominant roof pitch means the slope shared by the largest portion of the roof.

(2) If there is no legal primary dwelling on the lot before the Two-Unit Project, and if two primary dwellings are developed on the lot, the dwellings shall match each

other with respect to exterior materials, finishes, color, and dominant roof pitch. The dominant roof pitch means the slope shared by the largest portion of the roof.

(3) All exterior lighting shall be limited to down-lights.

(4) No window or door of a dwelling that is constructed on the lot may have a direct line of sight to an adjoining residential property. Decorative masonry block walls, dense landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.

(5) If any portion of a dwelling is less than 30 FT from a property line that is not a public street right-of-way line, then all windows and doors in that portion shall either be (for windows) clerestory with the bottom of the glass at least 6 FT above the finished floor, or (for windows and doors) utilize frosted or obscure glass.

i. *Walls, Fences, and Obstructions*.

(1) A lot comprising a Two-Unit Project shall be provided with 6-FT high decorative masonry block walls (reduced to 3 FT in height within front setback areas) at the following locations:

(a) Interior side and rear lot lines of each lot; and

(b) Street side property lines and along the rear property line of through lots, setback a minimum of 5 FT behind the sidewalk.

(2) The construction and maintenance of walls, fences, and other obstructions shall comply with the requirements of Chapter 6.0 (Development and Subdivision Regulations), (Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

j. *Landscaping*. A lot comprising a Two-Unit Project shall be fully landscaped and provided with a permanent automatic irrigation system pursuant to the requirements Chapter 6.0 (Development and Subdivision Regulations), Division 6.05 (Landscaping) of this Development Code.

k. *Nonconforming Conditions*. A Two-Unit Project shall be approved only if all nonconforming zoning conditions are corrected.

l. *Utilities*.

(1) Each primary dwelling unit on the resulting lots shall have its own direct utility connection to the utility service provider.

(2) Each primary dwelling unit on the resulting lots that is or that is proposed to be connected to an onsite wastewater treatment system shall first have a percolation test completed within the last 5 years or, if the percolation test has been recertified, within the last 10 years.

m. *Building & Safety*. All structures built on a lot comprising a Two-Unit Project shall comply with all current local building standards. A project under this Section is a change of use and subjects the whole of the lot, and all structures, to the City's current code.

7. Fire-Hazard Mitigation Measures. A lot in a very high fire hazard severity zone shall comply with each of the following fire-hazard mitigation measures:

a. It shall have direct access to a public street right-of-way with a paved street with a width of at least 40 FT. The public street right-of-way shall have at least two independent points of access for fire and life safety to access and for residents to evacuate.

b. All dwellings on the site shall comply with current fire code requirements for dwellings in a very high fire hazard severity zone.

c. All enclosed structures on the site shall have fire sprinklers.

d. All sides of all dwellings on the site shall be within a 150-FT hose-pull distance from either the public street right-of-way or of an onsite fire hydrant or standpipe.

e. If the lot does not have a swimming pool, the lot shall have a water reservoir of at least 5,000 gallons per dwelling, with fire-authority approved hookups compatible with fire-authority standard pump and hose equipment.

8. Separate Conveyance.

a. Primary dwelling units on the lot may not be owned or conveyed separately from each other.

b. Condominium airspace divisions and common interest developments are prohibited.

c. All fee interest in a lot and all dwellings on the lot shall be held equally and undivided by all individual property owners.

9. Regulation of Uses.

a. *Residential-Only*. No non-residential use is permitted on the lot.

b. *No Short Term Rentals*. No dwelling unit on a lot comprising a Two-Unit Project shall be rented for a period of less than 30 days.

c. *Owner Occupancy*. Unless the lot comprising a Two-Unit Project was formed by an Urban Lot Split, the individual property owners of a lot with a Two-Unit Project shall occupy one of the dwellings on the lot as the owners' principal residence and legal domicile.

10. Notice of Construction.

a. At least 30 business days before starting any construction of a Two-Unit Project, the property owner shall give written notice to all the owners of record of each of the adjacent residential parcels, which notice shall include the following information:

(1) Notice that construction has been authorized,

(2) The anticipated start and end dates for construction,

(3) The hours of construction,

(4) Contact information for the project manager (for construction-related complaints), and

(5) Contact information for the Building & Safety Department.

b. This notice requirement does not confer a right on the noticed persons or on anyone else to comment on the project before permits are issued. Approval is ministerial. Under state law, the City has no discretion in approving or denying a particular project under this Section. This notice requirement is purely to promote neighborhood awareness and expectation.

11. Deed Restriction. The owner shall record a deed restriction, acceptable to the City, that does each of the following:

a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.

b. Expressly prohibits any non-residential use of the lot.

c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest development within the lot.

d. If the lot is not created by an Urban Lot Split: Expressly requires the individual property owners to live in one of the dwelling units on the lot as the owners' primary residence and legal domicile.

e. States that the property is formed by an Urban Lot Split and is therefore subject to the City's Urban Lot Split regulations, including all applicable limits on dwelling size and development.

F. Specific Adverse Impacts.

1. Notwithstanding anything else in this Section, the City may deny an application for a Two-Unit Project if the building official makes a written finding, based on a preponderance of the evidence, that the project would have a "specific, adverse impact" on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

2. The term "specific adverse impact" has the same meaning as in GC Section 65589.5(d)(2): "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" and does not include (1) inconsistency with the zoning ordinance or general plan land use designation or (2) the eligibility to claim a welfare exemption under Revenue and Taxation Code Section 214(g).

3. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.

G. Remedies. If a Two-Unit Project violates any part of this Development Code or any other legal requirement:

1. The buyer, grantee, or lessee of any part of the property has an action for damages or to void the deed, sale, or contract.

2. The City may:

a. Bring an action to enjoin any attempt to sell, lease, or finance the property.

b. Bring an action for other legal, equitable, or summary remedy, such as declaratory and injunctive relief.

c. Pursue criminal prosecution, punishable by imprisonment in county jail or state prison for up to one year, by a fine of up to $10,000, or both; or a misdemeanor.

d. Record a notice of violation.

e. Withhold any or all future permits and approvals.

f. Pursue all other administrative, legal, or equitable remedies that are allowed by law, this Development Code, or the City's Municipal Code.

5.03.405: Temporary Shelters and Supportive Housing

The following standards shall govern the establishment and operation of Supportive Housing for the homeless families, persons with disabilities and homeless youth, and Temporary Shelters, including Emergency Shelters, Transitional Housing, and Transitional Living Centers.

A. General Requirements.

1. No portion of any Temporary Shelter or Supportive Housing facility shall be located within 300 FT of another such facility that is constructed, or that is approved for construction.

2. Temporary Shelters and Supportive Housing facilities shall observe State and Federal Fair Housing regulations and standards.

3. No more than one Federal, State, or Youth Authority parolee shall be allowed to live in a Temporary Shelter or Supportive Housing facility.

4. An application submitted for approval of a Temporary Shelter or Supportive Housing facility shall identify whether any boarders are currently Federal, State, or Youth Authority parolees. Owners and/or operators of Temporary Shelters and Supportive Housing facilities shall update the information required by this Section anytime a person that is a Federal, State, or Youth Authority parolee is provided accommodations at the facility.

5. All Temporary Shelters and Supportive Housing facilities shall require boarders to sign a Crime Free Lease Addendum as part of their lease or rental agreement (as applicable), which provides that any criminal violations perpetrated by boarders shall be grounds for termination of the written or oral lease, sublease, or agreement under which they reside at the temporary/transitional shelter or housing.

6. Temporary Shelters and Supportive Housing facilities shall be operated in full compliance with all applicable requirements of this Development Code. Violation of any local,

State, or Federal laws by individual boarders while on the premises shall be grounds for Conditional Use Permit (if applicable) and/or business license revocation, including but not limited to, violations of PC Section 3003.5.

7. No Temporary Shelter or Supportive Housing facility shall be maintained as a nuisance. The conduct of any Temporary Shelter or Supportive Housing facility within the City, in violation of any of the terms of this Article or other applicable provisions of this Development Code found and declared to be a public nuisance, and the City Attorney or the District Attorney may, in addition or in lieu of prosecuting a criminal action hereunder, commence an action or proceeding for the abatement, removal and enjoinment thereof, in the manner provided by law; and shall take other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate or remove such Temporary Shelter or Supportive Housing facility, and restrain and enjoin any person from conducting, operating or maintaining a Temporary Shelter or Supportive Housing facility contrary to the provisions of this Article or Development Code.

8. Any owner, operator, manager, employee or independent contractor of a Temporary Shelter or Supportive Housing facility violating or permitting, counseling, or assisting the violation of any of the provisions of this Article or applicable provisions of this Development Code regulating Temporary Shelters and Supportive Housing facilities shall be subject to any and all civil and criminal penalties pursuant to OMC Title 1, Chapter 2 (Penalty Provisions), and/or administrative citations pursuant to OMC Title 1, Chapter 5 (Administrative Citations). All remedies provided herein shall be cumulative and not exclusive. Any violation of these provisions shall constitute a separate violation for each and every day during which such violation is committed or continued.

9. For those Temporary Shelters and Supportive Housing facilities that require Conditional Use Permit approval pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, violation of any of provision of this Section, or the Conditional Use Permit authorizing the Temporary Shelter or Supportive Housing facility, shall be grounds for revocation of the Conditional Use Permit pursuant to the provisions of Division 2.05 (City Initiated Modification or Revocation) of this Development Code.

10. Temporary Shelters and Supportive Housing facilities shall be prohibited within ALUCP safety zones.

11. Temporary Shelters and Supportive Housing facilities shall be in compliance with all requirements of this Development Code at all times, as well as any applicable provisions of the Ontario Municipal Code, including obtaining any other permits or licenses, such as building permits or a business license, required before establishing, expanding or maintaining the use.

B. Emergency Shelters. When allowed by Table 5.02-1 (Land Use Matrix) of this Development Code, Emergency Shelters shall be subject to the following standards:

1. The maximum length of stay for an Emergency Shelter client shall be 6 months.

2. On-site management shall be provided during the hours that the Emergency Shelter is in operation.

3. On-site security shall be provided during the hours that the Emergency Shelter is in operation.

4. No more than 20 client/tenant beds shall be allowed within any Emergency Shelter.

5. An intake waiting area equal to a minimum of 10 SF for each client/tenant bed shall be provided.

6. The exterior of the intake waiting areas shall be screened from public view by a 6-FT high decorative masonry block wall and appropriate landscaping.

7. A storage area for use by clients/tenants shall be provided at a rate of 7 SF for each client/tenant bed. A storage area is not required to be provided adjacent to the respective client/tenant bed.

8. An emergency shelter shall provide lavatory, toilet, and shower facilities adequate for the number of clients/tenants served; however, a minimum of one such facility shall be provided for each 15 client/tenant beds.

5.03.410: Urban Agriculture

A. Purpose. The purpose of these urban agriculture regulations is to create a more sustainable and secure local food system by increasing opportunities to grow and sell food within all zoning districts of the City.

B. Applicability. The urban agriculture regulations established by this Section govern the establishment and operation of agricultural activities and facilities within all zoning districts of the City. The regulations established by this Section recognize 5 different urban agricultural activities, including Animal Keeping and Production; Commercial Crop Production and Farming; Community Gardens; Urban Farms; and On-Site Produce Sales Stands.

C. Animal Keeping and Production.

1. Residential Animal Keeping.

a. *Allowed Activities/Facilities.* Residential animal keeping shall be maintained only as an ancillary use to single-family dwellings, and shall be maintained only for noncommercial hobby or show purposes, or for the personal enrichment of City residents, as follows:

(1) Residential Zones. Residential animal keeping is permitted by right within the AR-2 and RE-2 zoning districts in conjunction with a single-family dwelling. Furthermore, the keeping of 4 or fewer household pets is permitted by right within all residential and mixed-use zoning districts, and within the AG and MHP zoning districts, in conjunction with a single-family or multiple-family dwelling.

(2) Commercial Zones. Residential animal keeping is prohibited within all commercial zoning districts.

(3) Mixed-Use Zones. Residential animal keeping is limited to the keeping of household pets within all mixed-use zoning districts.

(4) Industrial Zones. Residential animal keeping is prohibited within all industrial zoning districts.

(5) Specialized Use Zones. Residential animal keeping is permitted by right within the AG zoning district. Furthermore, the keeping of 4 or fewer household pets is permitted within the MHP zoning district.

b. *Land Use Standards.* The following standards govern residential animal keeping activities and facilities:

(1) General Requirements.

(a) Animals At Large—It shall be unlawful for any person within the City having the care, charge, control, or possession of any animal, fowl or bird to permit it to be, remain, go, or run at large upon any public street, alley, or unenclosed lot or land in the City, except dogs on leashes, cats, racing homing pigeons during runs, an animal in a vehicle, or a horse mounted or led by a responsible person. Animals shall be secured by a fence or wall at least 5 FT in height when out of doors.

(b) Sanitation of Premises—

(i) Every person owning or occupying property within the City upon which any animal, fowl, or bird is kept shall maintain the property and any stable, barn, stall, pen, coop, building, or place thereon in which animals are kept, in a clean and sanitary condition so as not to be detrimental to the public health.

(ii) Proper management of animal waste shall be carried out pursuant to all requirements of the State Regional Water Quality Control Board or regulating agency.

(c) Proximity of Animals to Yards, Property Lines, Dwellings and Residential Accessory Structures—

(i) It shall be unlawful in residential zones of the City to keep any animal, except household pets, within 20 FT of any property line.

(ii) It shall be unlawful for any person to keep any animal, other than household pets, within 50 FT (70 FT for swine) of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes, except as allowed by Subparagraph (iii), below.

(iii) It shall be unlawful for any person to keep any hobby, show or game bird, fowl, or rabbit, other than a household pet, within 30 FT of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes.

(iv) No animal is to be stabled, kept, or maintained in any front or street-side yard area.

(d) Nonconforming Animal Keeping Activities. Animal keeping that becomes non-conforming by reason of new development on neighboring properties may be continued; provided, the nonconforming activity maintains compliance with the provisions of Division 3.01 (Nonconforming Lots, Land Uses and Structures) of the Ontario Development Code.

(e) Maximum Animal Keeping Densities. Table 5.03-6 (Maximum Animal Keeping Densities as an Accessory Use), below, establishes the maximum number of animals that may be maintained on a lot, provided the particular animal type is allowed pursuant to Table 5.01-1 (Land Use Matrix) of the Ontario Development Code. The maximum animal densities are based upon net lot area; however, any portion of a lot used to qualify one animal type shall not be used to qualify another animal type.

Table 5.03-5: Maximum Animal Keeping Densities as an Accessory Use

Animal Type	*Maximum Animal Density*
A. Birds	One animal for each 1,000 SF of lot area, except that within the AR-2 zoning district, maximum animal density may be increased as determined by a Conditional Use Permit
B. Cattle and Buffalo	One animal for each 6,000 SF of lot area
C. Exotic Pets	As determined by Conditional Use Permit
D. Horses	One animal for each 6,000 SF of lot area
E. Household Pets	Pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, not to exceed 8 animals
F. Llamas, Alpacas, Burros, Donkeys, and Mules	One animal for each 4,000 SF of lot area
G. Ostriches, Emus, and Rheas	One animal for each 6,000 SF of lot area
H. Poultry and Fowl	One animal for each 1,000 SF of lot area
I. Rabbits and Chinchillas	One animal for each 1,000 SF of lot area
J. Swine	One animal for each 20,000 SF of lot area, not to exceed 3 animals
K. Sheep, Goats (female only), and Similar Livestock	One animal for each 3,600 SF of lot area

(2) Keeping of Exotic Pets. The keeping of exotic pets shall be allowed only in conjunction with, and accessory to, a single-family dwelling, subject to the following standards:

(a) The keeping of exotic animals shall require approval of a Conditional Use Permit pursuant to Section 4.02.025 (Conditional Use Permits) of the Ontario Development Code.

(b) The approval of a Conditional Use Permit for an exotic animal shall not be effective until the Reviewing Authority receives written evidence that the applicant has obtained a permit from the State Department of Fish and Game, if required.

(c) The keeping of an exotic animal shall comply with all applicable Federal and State laws and requirements.

(3) Keeping of a Potbellied Pig. The keeping of a potbellied pig as a household pet shall only be allowed in the AR-2, RE-2, RE-4, and LDR-5 zoning districts, in conjunction with, and ancillary to, a traditional single-family dwelling, subject to the following standards:

(a) For the purposes of this Section, the term "potbellied pig" shall mean a domesticated miniature Vietnamese, Chinese, or Asian potbellied pig, not

exceeding 90 pounds in weight and 18 inches in height (measured at the shoulder) and characterized by a swayed back and straight tail.

(b) Potbellied pigs shall be provided with a fenced yard designed to assure confinement of the animal when kept outside. Yard areas shall be maintained in a clean, safe, and odor-free condition.

(c) There shall be no more than one potbellied pig permitted on a lot.

(d) Potbellied pigs shall be licensed in the same manner as dogs, subject to the same restrictions and penalties, pursuant to the provisions of OMC Title 6 (Sanitation and Health).

(e) The breeding of potbellied pigs shall not be permitted. All potbellied pigs shall be spayed or neutered.

(f) Prior to licensing of a potbellied pig, veterinary certification shall be required stating:

(i) The pig is spayed or neutered;

(ii) The pig is in good health and has received all necessary vaccinations; and

(iii) The height and weight of the potbellied pig.

(g) All male potbellied pigs 2 years of age or older shall have their tusks removed.

(h) While outside the owner's premises or property, potbellied pigs shall be restrained by a harness and leash, or other similar restraint, no more than 6 FT in length.

(4) **Male Goats.** It shall be unlawful to keep any male goat that is not neutered.

(5) **Poisonous or Otherwise Dangerous Reptiles.** It shall be unlawful to keep any poisonous or otherwise dangerous reptile, as determined by the Zoning Administrator.

(6) **Crowing Fowl.** It shall be unlawful for any person to keep any crowing rooster, peacock, guinea fowl, or any other fowl that by sound or cry shall unreasonably disturb the peace and quiet of a neighborhood.

2. Commercial Animal Production.

a. *Allowed Activities/Facilities.* Commercial animal production includes cattle ranching and farming; sheep and goat farming; aquaculture; apiculture, horse, and other equine production; fur-bearing animal production; kennels and catteries, alpaca, and llama production; aviaries; ostrich, emu and rhea production; and support activities for animal production. Commercial animal production is allowed as a primary use of land, as follows:

(1) Residential Zones. Commercial animal production is prohibited within residential zoning districts, except that within the AR-2 zoning district, kennels and catteries having fewer than 8 animals shall be permitted as a Home Occupation pursuant to the requirements of the Section 5.03.240 of this Development Code.

(2) Commercial Zones. Commercial animal production is prohibited within commercial zoning districts, except that kennels and catteries, for the purpose of boarding only, shall be allowed within the CC and CR zoning districts in conjunction with veterinary and/or animal hospital services (NAICS 541940), pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

(3) Mixed-Use Zones. Commercial animal production is prohibited within mixed-use zoning districts.

(4) Industrial Zones. Commercial animal production is prohibited within industrial zoning districts, except that kennels and catteries shall be allowed within the IL and IH zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

(5) Specialized Use Zones. Commercial animal keeping is conditionally permitted (requires Conditional Use Permit approval pursuant to the requirements of Section 4.02.015 of this Development Code) within the AG zoning district on lots no less than 2 acres in area (20,000 SF for farms exclusively for small animal keeping), except apiculture (bee keeping and production), which is permitted by right within the AG, ONT, and UC zoning districts.

b. *Land Use Standards.* The following standards shall govern the development and/or operation of facilities for commercial animal production and related uses:

(1) Minimum Lot Area. Animal keeping for animal production and related uses (excludes kennels and catteries, for the purpose of boarding only, in conjunction with veterinary and/or animal hospital services) shall be on a lot of no less than 2 acres in area, except that farms exclusively for small animal keeping, including apiaries, aviaries, rabbit, chinchilla, or other similar small raising, shall be permitted on lots of no less than 20,000 SF in area.

(2) Animals At Large. It shall be unlawful for any person within the City of Ontario, which has the care, charge, control, or possession of any animal, fowl or bird to permit it to be, remain, go, or run at large upon any public street, alley, or unenclosed lot or land in the City, except dogs on leashes, cats, racing homing pigeons during runs, an animal in a vehicle, or a horse mounted or led by a responsible person.

(3) Sanitation of Premises.

(a) Every person owning or occupying property within the City upon which any animal, fowl, or bird is kept shall maintain the property and any stable, barn, stall, pen, coop, building, or place thereon in which animals are kept, in a clean and sanitary condition so as not to be detrimental to the public health.

(b) Proper management of animal waste shall be carried out pursuant to all requirements of the State Regional Water Quality Control Board or regulating agency.

(4) Hitching and Tethering Animals. It shall be unlawful to hitch, tie, or otherwise fasten any horse, cow, or other animal to any tree or shrub within the City, or to tether

or hitch for feeding any animal so as to allow the animal to cross any street, sidewalk, or alley within the City.

(5) Proximity of Animals to Yards, Property Lines, Dwellings and Residential Accessory Structures, and Water Wells.

(a) It shall be unlawful in residential zones of the City to keep any animal, other than household pets, within 20 FT of any property line.

(b) It shall be unlawful for any person to keep any animal, other than household pets, within 50 FT of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes, except as allowed by Subparagraph (c), below.

(c) It shall be unlawful for any person to keep any hobby, show or game bird, fowl, or rabbit, other than a household pet, within 30 FT of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes.

(d) No animal is to be stabled, kept, or maintained in any front or street-side yard area.

(e) No animals shall be kept within 100 FT of any domestic water well.

(f) Any new animal feed trough, corral/pen, dairy/feed lot, including manure stockpiles and related wastewater detention basins, shall maintain a minimum 500-FT separation from the boundary of any residential or non-residential subdivision map recorded after January 31, 2000. A reduction in the separation requirement may be considered for facilities with proven means of reducing odors, such as covering lagoons, substituting concrete-lined pits for lagoons, and employing recommended ventilation systems for animal confinement buildings. Consideration of alternative setbacks shall be subject to consultation with qualified agricultural engineers to ensure that the measure will reliably accomplish the intended purpose.

(g) A minimum 100-FT separation shall be maintained between any new residential or nonresidential development, or any structure used for public assembly, and any existing animal feed trough, corral/pen, or an existing dairy/feed lot, including manure stockpiles and related wastewater detention basins. The separation requirement may be satisfied by off-site easements acceptable to the Planning Director.

(6) Nonconforming Animal Keeping Activities. Areas used for animal keeping that become non-conforming by reason of new development on neighboring properties, may be continued indefinitely; provided, that the nonconforming animal keeping activity maintains compliance with the provisions of Division 3.01 (Nonconforming Lots, Land Uses and Structures) of the Ontario Development Code.

(7) Maximum Animal Keeping Densities. Table 5.03-7 (Maximum Animal Keeping Densities for Animal Production), below, establishes the maximum number of animals that may be maintained on a lot, provided the particular animal type is allowed pursuant to Table 5.01-1 (Land Use Matrix) of the Ontario Development Code. The maximum animal densities are based upon net lot area; however, any portion of a lot used to qualify one animal type shall not be used to qualify another animal type.

Table 5.03-6: Maximum Animal Keeping Densities for Animal Production

Animal Type	Maximum Animal Density
A. Alpacas or Llamas	One for each 4,000SF of lot area
B. Cattle or Buffalo (raised for nondairy purposes)	One animal for each 6,000 SF of lot area
C. Dairy Cattle	As permitted by Reviewing Authority **[1]**
D. Fish	One pond for each acre of lot area, not to exceed 4 ponds per lot. Each pond shall not exceed 0.5-acre in surface area.
E. Goats	
1. Female	One animal for each 3,000 SF of lot area
2. Male	
a. Lots less than 10 acres in area	One
b. Lots 10 or more acres in area	One animal for each 5 acres of lot area, not to exceed 4 animals
F. Horses and Other Equine	One animal for each 6,000 SF of lot area
G. Kennels and Catteries	One animal for each 3,000 SF of lot area
H. Ostriches, Emus and Rheas	One animal for each 6,000 SF of lot area
I. Rabbits and Chinchillas	50 animals for each 10,000 SF of lot area, not to exceed 200 animals
J. Sheep and similar livestock	One animal for each 3,000 SF of lot area

Notes:

[1] New or expansions to existing dairy or other animal confinement facilities are considered on a case-by-case basis, subject to Conditional Use Permit approval. Animal density shall be determined by Reviewing Authority, which may impose special operational conditions, requirements, or standards, as deemed necessary to insure the public health and safety. Animal density shall be based on measures to prevent the unacceptable nitrification or salt pollution of soils, and the pollution of groundwater by nitrates and salts emanating from the facility as defined by the Regional Water Quality Control Board.

3. Aquaculture Production.

a. Aquaculture production shall be primarily for the commercial sale of freshwater and saltwater fish, crustaceans, mollusks, aquatic plants, algae, and other organisms under controlled conditions for food.

b. In the IG and IH zoning districts, aquaculture production shall be limited to building integrated aquaculture that incorporates a holistic design approach that efficiently integrates a closed-loop aquaculture system within the built industrial environment. Pond or pen-based aquaculture systems that are not wholly contained within a building shall be prohibited.

D. Commercial Crop Production and Farming. Commercial Crop Production and Farming is a use in which plants and their products are grown for sale, intended for widespread distribution to wholesalers or retail outlets. Commercial Crop Production and Farming includes oilseed and grain farming; vegetable and melon farming; fruit and tree nut farming; greenhouse, nursery and floriculture production; and other crop farming.

1. Allowed Activities/Facilities. Commercial Crop Production and Farming is allowed as a primary or ancillary use of land, and as an interim land use on vacant and underdeveloped properties, as follows

a. Residential Zones. Commercial Crop Production and Farming is conditionally permitted (requires Conditional Use Permit approval pursuant to the requirements of Section 4.02.015 of this Development Code) within the AR-2 and RE-2 zoning districts and is prohibited within all other residential zoning districts, excepting community gardens and urban farms allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

b. Commercial Zones. Commercial Crop Production and Farming is prohibited within commercial zoning districts, excepting community gardens and urban farms allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

c. Mixed-Use Zones. Commercial Crop Production and Farming is prohibited within mixed-use zoning districts, excepting community gardens and urban farms allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

d. Industrial Zones. Commercial Crop Production and Farming shall be allowed within the IL, IG, and IH zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

e. Specialized Use Zones. Commercial Crop Production and Farming shall be allowed within specialized use and overlay zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

2. Land Use Standards. The following standards shall govern the establishment and operation of Commercial Crop Production and Farming:

a. *Operational Standards.* The following standards shall govern the operation of Commercial Crop Production and Farming:

(1) A Commercial Crop Production and Farming operation shall not sell plants and produce grown on-site or operate an On-Site Produce Sales Stand, excepting Community Gardens established pursuant to Subparagraph E.2.d (Community Garden On-Site Produce Sales) and Subparagraph F.2.d (Urban Farm On-Site Produce Sales) of this Section.

(2) A Commercial Crop Production and Farming operation shall be designed and maintained to ensure that irrigation and storm water will not drain to adjacent properties or the public right-of-way.

(3) A Commercial Crop Production and Farming operation shall be designed and maintained to prevent dust and other fugitive particles from leaving the site.

(4) A Commercial Crop Production and Farming operation shall be designed and maintained to prevent the uninhibited growth of weeds and the accumulation of debris.

(5) Refuse storage containers, serviced by the City, shall be provided and screened from the public right-of-way. The requirement and placement of storage containers shall be determined by the City.

(6) A storage area for tools, equipment and other materials shall be enclosed and located outside of designated front yard and street side yard setback areas. Storage buildings shall not exceed 120 SF in area and 14 FT in height.

(7) The hours of operation shall be limited to the hours between 7:00 AM and dusk.

(8) Lighting for the site shall be reviewed and approved by the Planning and Police Departments. Light shall be for general security and not for nighttime operations.

b. *Composting.* The on-site composting of site-generated refuse shall be prohibited.

E. Community Gardens. Community Gardens include small-scale crop production and farming by individuals on multiple plots, or food and/or ornamental crop production on larger plots, which is maintained and grown by volunteers or community groups as a form of recreation, education, and/or community charity. (Note: To ensure the sustainability of a Community Garden, up to 49 percent of the Community Garden may consist of an Urban Farm established in compliance with Subsection F (Urban Farm) of this Section).

1. Allowed Activities/Facilities. Community Gardens are allowed as an interim land use on vacant or underdeveloped land, or as a long-term ancillary land use, as follows:

a. *Residential Zones.* Community Gardens are administratively permitted within all residential zoning districts.

b. *Commercial Zones.* Community Gardens are administratively permitted within all commercial zoning districts.

c. *Mixed-Use Zones.* Community Gardens are administratively within all mixed-use zoning districts.

d. *Industrial Zones.* Community Gardens are administratively permitted within the BP, IP and IL zoning districts. Within the IG and IH zoning districts, Community Gardens shall be prohibited as a permanent use of land; however, the use may be administratively permitted as an interim land use on undeveloped or underdeveloped properties

e. *Specialized Use Zones.* Community Gardens are administratively permitted within all specialized use and overlay zoning districts.

2. Land Use Standards. The following standards shall govern the establishment and operation of Community Gardens:

a. *General Provisions.* Community Garden approval is subject to the granting of an Administrative Use Permit filed pursuant to Section 4.03.015 (Administrative Use Permits) of the Ontario Development Code, and the requirements of this Section. The Administrative Use Permit application shall include a copy of all contract templates that will be utilized between the garden owner/manager and all garden participants. The templates shall include plot maintenance requirements, fee requirements, and any other requirements that would be imposed on the participants of the Community Garden.

b. *Development Standards for Community Gardens.* Community Gardens shall comply with the following operational standards:

(1) The on-site sale of produce for profit is strictly prohibited.

(2) The site shall be designed and maintained to ensure that water will not drain to adjacent properties or the public right-of-way.

(3) The site will be designed and maintained to prevent dust and other fugitive particles from leaving the Community Garden.

(4) Community Gardens shall not use non-organic pesticides or herbicides.

(5) The site shall be designed and maintained to prevent the uninhibited growth of weeds and the accumulation of debris.

(6) Permanent open fencing shall be provided around the perimeter of a Community Garden, such as chainlink, and shall be consistent with the fencing standards of the zoning district in which the Community Garden is located. Furthermore, fenced Community Gardens shall have at least one access gate, and fencing shall be affixed to the ground with steel posts anchored in a concrete footing.

(7) A landscape screen may be provided along street frontages through the use of vines or espalier fruit trees to provide an attractive visual buffer from the public right-of-way.

(8) A minimum 4-FT wide walkway shall be provided from the public right-of-way to the Community Garden. The walkway shall be clearly marked and made from a decorative compacted material, such as decomposed granite, or a decorative pervious surface, such as concrete pavers.

(9) Refuse storage containers, serviced by the City, shall be provided and screened from the public right-of-way. The requirement and placement of storage containers shall be determined by the City during the Administrative Use Permit review process.

(10) Any storage area for tools, equipment and other materials shall be enclosed and located outside of designated front yard and street side yard setback areas. Storage buildings shall not exceed 120 SF in area and 14 FT in height. The use of metal shipping containers shall not be permitted.

(11) A water meter and hose bibs shall be provided for the site and shall be consistent with all applicable landscape regulations. Standard water rates will be applied to Community Gardens.

(12) The hours of operation shall be limited to the hours between 7:00 AM and dusk, or as set forth in the Administrative Use Permit for the Community Garden. The property should be locked and secure during non-operating hours.

(13) Lighting for the site shall be reviewed and approved by the Planning and Police Departments. Light shall be for general security and not for nighttime operations.

(14) Maintenance of the Community Gardens shall not involve the use of commercial or industrial grade machinery and powered equipment without prior approval by the City's Planning Department (only mechanical equipment designed for household use should be used). The use of tractors, excavators, etc., may be limited by the Administrative Use Permit issued for the Community Garden.

(15) Approval by a homeowner or property owner association (if any) shall be provided prior to the issuance of an Administrative Use Permit for a Community Garden.

c. *Composting*. The composting of site-generated refuse is an excellent method for providing sustainable fertilization of Community Gardens. Materials from off-site sources shall be limited to green waste (no manure from off-site sources shall be used for composting purposes). Facilities that choose to engage in composting shall provide a Composting Plan with their Administrative Use Permit application (required pursuant to Subparagraph E.2.a (General Provisions) of this Section), and shall comply with each of the following standards:

(1) A compost pile and composting facilities shall be located at least 20 FT from any interior property line and shall not be located within any front or street side yard setback area.

(2) A compost pile shall be located at least 50 FT from any habitable structure.

(3) A compost pile and composting facilities shall be screened and/or hidden from public view and shall not exceed 5 FT in height.

(4) Composting activities shall be conducted in a manner that does not create a nuisance (generation of noise, odors, insects, etc.) nor impact the public health, safety or welfare of the area surrounding the Community Garden, and/or Community Garden participants.

(5) The scale of the composting activity shall be consistent with the fertilizer requirements for the Community Garden the composting activity is intended to serve.

d. *Community Garden On-Site Produce Sales.*

(1) An On-Site Produce Sales Stand may be permitted by issuance of the Administrative Use Permit for the Community Garden.

(2) An On-Site Produce Sales Stand shall be operated by a non-profit organization and are intended to be small in scale and designed to benefit residents and businesses immediately surrounding the Community Garden. Furthermore, On-Site Produce Sales Stands may be used as a marketing tool to encourage new Community Garden participants, and to offset the costs of maintaining and operating a Community Garden. Community Gardens that choose to operate an On-Site Produce Sales Stand shall submit a Produce Sales Stand Operation Plan with their Administrative Use Permit application.

(3) An On-Site Produce Sales Stand established and operated in conjunction with a Community Garden shall comply with each of the following standards:

(a) The produce sales stand shall be located on the same site as the Community Garden established pursuant to this Section.

(b) At least 51 percent of the produce sold at the produce sales stand shall be grown on-site or at other Community Gardens located within the City, which have been established pursuant to this Section. The balance of the produce sold at the stand may be grown outside the City, at a facility holding a County Certified Producer Permit.

(c) All proceeds from the produce sales stand shall directly benefit the Community Garden program; however, a nominal amount of proceeds, not to exceed 10 percent of gross revenues, may be used to supplement the overhead costs of the non-profit organization that operates the sales stand.

(d) The applicant shall provide information on the non-profit organization that will operate the garden and shall include a copy of the Internal Revenue Service 501(c)(3) non-profit status form.

(e) The non-profit organization operating the produce sales stand shall be responsible for obtaining all necessary food and health licenses, and permits issued by the State and County.

(f) One produce sales stand shall be permitted on lots greater than 20,000 SF in area. The floor area of the stand shall not exceed 120 SF, and it shall not have a permanent foundation.

(g) The produce sales stand shall be removed by the property owner(s), at their expense, upon termination of the host Community Garden.

(h) The produce sales stand shall not be located within a public right-of-way.

(i) The produce sales stand shall be setback a minimum of 20 FT from any street property line (public right-of-way), or side or rear property line.

(j) The off-street parking area for the produce sales stand shall be improved with compacted gravel or other material approved by the City, to control dust and erosion, and provide an all-weather driving surface.

(k) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director and City Engineer.

F. Urban Farms. Urban Farms are smaller-scale private farming operations in which plants and their products are grown and sold (on-site and/or off-site) for profit. Urban Farms include, but are not limited to, strawberry fields, flower and vegetable raising orchards, and vineyards. Additionally, Urban Farms may include items grown or produced as an ancillary activity to established land uses, such as, but not limited to, food service uses, including restaurants and special food services. Items not grown or produced on-site shall not be sold on-site, except in conjunction with an allowed retail store. (Note: An Urban Farm may be established and operated ancillary to a Community Garden pursuant to Subsection E (Community Gardens) of this Section.)

1. Allowed Activities/Facilities. Urban Farms are allowed as an interim land use on vacant or underdeveloped property, and as an ancillary activity to established food service uses, including but not limited to restaurants and special food services that grow spices, seasonings, or produce on-site, for use in their business operations. Plants and their products grown on-site may be sold on-site and/or off-site. Allowed activities/facilities are as follows:

a. *Residential Zones.* Urban Farms are administratively permitted within all residential zoning districts, as an interim land use on vacant lands.

b. *Commercial Zones.* Urban Farms are administratively permitted within all commercial zoning districts, as an interim land use on vacant lands, or as an ancillary activity to a legally established food service use.

c. *Mixed-Use Zones.* Urban Farms are administratively within all mixed-use zoning districts, as an interim land use on vacant lands, or as an ancillary activity to a legally established food service use.

d. *Industrial Zones.* Urban Farms are administratively permitted within all industrial zoning districts, as an interim land use on vacant or underdeveloped lands.

e. *Specialized Use Zones.* Urban Farms are administratively permitted within specialized use and overlay zoning districts, except within the MHP zoning district, wherein the land use is prohibited.

2. Land Use Standards. The following standards shall govern the establishment and operation of Urban Farms:

a. *General Provisions.* Urban Farm approval is subject to the granting of an Administrative Use Permit filed pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code, and the requirements of this Section.

b. *Operational Standards.* The following standards shall govern the establishment and operation of Urban Farms:

(1) An Urban Farm may sell plants and produce grown on-site in compliance with the "On-Site Produce Sales Stands" (see Subsection G of this Section) standards listed below.

(2) An Urban Farm shall be designed and maintained to ensure that irrigation and storm water will not drain to adjacent properties or the public right-of-way.

(3) An Urban Farm shall be designed and maintained to prevent dust and other fugitive particles from leaving the site.

(4) An Urban Farm shall be designed and maintained to prevent the uninhibited growth of weeds and the accumulation of debris.

(5) A fence may be required around the perimeter of an Urban Farm, as set forth by the Administrative Use Permit. Fencing shall comply with the standards of the zoning district in which the Urban Farm is located. Fencing located adjacent and parallel to a street shall be of an open design to allow for views into the site, shall have at least one access gate. Fences shall be affixed to the ground with steel posts anchored in a concrete footing.

(6) A landscape screen may be required along street frontages, as set forth in the approved Administrative Use Permit, through the use of vines or espalier fruit trees, to provide an attractive visual buffer from the public right-of-way.

(7) Refuse storage containers, serviced by the City, shall be provided and screened from the public right-of-way. The requirement and placement of storage containers shall be determined by the City during the Administrative Use Permit review process.

(8) A storage area for tools, equipment and other materials shall be enclosed and located outside of designated front yard and street side yard setback areas. Storage buildings shall not exceed 120 SF in area and 14 FT in height.

(9) A water meter and appropriate hose bibs shall be provided for the site and shall be consistent with all applicable landscape regulations.

(10) The hours of operation shall be limited to the hours between 7:00 AM and dusk, or as set forth in the Administrative Use Permit.

(11) Lighting for the site shall be reviewed and approved by the Planning and Police Departments. Light shall be for general security and not for nighttime operations.

(12) The use of commercial grade machinery and powered equipment, such as tractors, tillers, or excavators, may be limited by the Administrative Use Permit, based upon the Urban Farm location and its proximity to, and impact on, neighboring sensitive land uses.

(13) Approval by a homeowner or property owner association, if any, shall be provided prior to the issuance of an Administrative Use Permit for an Urban Farm.

c. *Composting.* The composting of site-generated refuse is an excellent method for providing sustainable fertilization of Urban Farms. Facilities that choose to engage in composting shall provide a Composting Plan with their Administrative Use Permit application (required pursuant to Subparagraph F.2.a (General Provisions) of this Section), and shall comply with the composting standards set forth in the "Community Gardens" requirements (see Subparagraphs E.2.c(1) through (5) of this Section).

d. *Urban Farm On-Site Produce Sales Stands.*

(1) An On-Site Produce Sales Stand may be permitted by issuance of the Administrative Use Permit for the Urban Farm.

(2) An On-Site Produce Sales Stand established and operated in conjunction with an Urban Farm shall comply with all of the following standards:

(a) The produce sales stand shall be located on the same site as the Urban Farm it serves.

(b) The operator of the produce sales stand shall be responsible for obtaining all necessary food and health licenses, and permits issued by the State and/or County.

(c) The produce sales stand shall only be used for the retail sales of plants or products that are grown on-site.

(d) One produce sales stand shall be permitted on lots greater than 20,000 SF in area. The floor area of the stand shall not exceed 120 SF, and it shall not have a permanent foundation.

(e) The produce sales stand shall be removed by the property owner(s), at their expense, upon termination of the host Community Garden or Urban Farm.

(f) The produce sales stand shall not be located within a public right-of-way.

(g) The produce sales stand shall be setback a minimum of 20 FT from any street property line (public right-of-way), or side or rear property line.

(h) The off-street parking area for the produce sales stand shall be improved with compacted gravel or other material approved by the City, to control dust and erosion, and provide an all-weather driving surface.

(i) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director and City Engineer.

5.03.415: Waste Treatment and Disposal—Composting and Anaerobic Digestion Facilities

The following standards shall govern the establishment and operation of composting and anaerobic digestion facilities:

A. Any new Dairy for which a Conditional Use Permit is required, shall not be located within 100 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

B. A Manure Only Composting Facility shall not be located within 0.25-mile, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

C. A Green Waste or combination Green Waste and Manure Composting Facility shall not be located within 0.50 mile, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

D. A 100-FT setback shall be maintained between a project's perimeter property line and any material being composted or anaerobic digester on the project site.

E. A Conditional Use Permit application for a Composting or Anaerobic Digestion Facility shall be submitted with a traffic study, which analyzes the impacts of project generated truck traffic on traffic from residential development in the area and the surrounding roadway system, and recommends measures to mitigate identified impacts to a level of non-significance and appropriate routes to freeways.

F. The following shall be considered for inclusion as conditions of approval, as appropriate, for any Composting or Anaerobic Digestion Facility requiring Conditional Use Permit approval:

1. Maintain good air flow through the compost material;

2. Turn compost based on temperature, not a schedule;

3. Restrict material movement to times when the potential for winds are low and general population is least (i.e., when people are indoors or away from their homes, and not on weekends);

4. Minimize disturbance of dusty areas by equipment;

5. Minimize dust by adding moisture to material when moving or turning, and regularly water dirt roadways, dry material, and unused areas;

6. Berms (defined as earthen mounds constructed along the perimeter of a composting site to minimize sight into the property and reduce debris from blowing off-site) shall be maximum 15 FT in height, and in no case higher than the allowed material rows;

7. Berms shall be set back minimum 10 FT behind a street property line and minimum 5 FT from all other property lines, or one-half the height of the berm, whichever is greater;

8. Berms shall be comprised primarily of soil, and shall have a slope not to exceed a 2:1 ratio (horizontal to vertical (h:v)). Berms can be as steep as 1.5:1, if properly evaluated, with appropriate calculations, by the City Engineer; and

9. The surface of the outside portions of the slopes (facing a public street) should have properly installed and maintained landscaping or hydro seeding with jute matting to prevent erosion or sloughing.

5.03.420: Wireless Telecommunications Facilities

The following regulations shall govern the establishment and operation of wireless telecommunications facilities:

A. Review of Wireless Telecommunications Facilities. All applications for wireless telecommunication facilities are subject to a 3-tier review process established by this Section. The Planning Director shall have the discretion to determine the design and level of review requirements for projects proposed in specific plan areas, based upon the similarity of the specific plan's land use designation to the citywide zoning districts.

1. Tier 1 Review. The following applications for wireless telecommunications facilities shall be reviewed and acted upon utilizing the Building Department's plan check review process:

a. A wireless telecommunications facility integrated into a building/structure design;

b. A roof-mounted wireless telecommunications facility that is less than 10 FT in height, which is architecturally screened from view and is located within a nonresidential zoning district;

c. The establishment of small cell wireless telecommunications facilities, which conform to the following conditions:

(1) Small cell wireless telecommunications facilities should be attached to existing City light standards; however, if new or replacement light standards are necessary, concrete of steel poles shall be used, which match poles in the surrounding area and is consistent with current City standards. The use of new or existing wood poles shall not be permitted.

(2) Small cell wireless telecommunications facilities shall be limited to single-carrier facilities.

(3) All transmission equipment, excluding antennas and remote radio units, shall be placed underground, to the extent possible, in a manner consistent with City regulations. To the extent that the project proponent determines that all transmission equipment cannot be placed underground, the project proponent shall provide written supporting justification to the City, which excludes the cost of equipment undergrounding, for review and approval by the Planning Director and City Engineer.

(4) Small cell wireless telecommunications facilities shall be erected to a height no greater than the height of surrounding light standards, not to exceed a total of 35 FT, including antennas, lightning rods, or other extensions.

(5) Supporting equipment, such as cabling and conduits, shall be concealed within the pole so as not to be visible to the public. All other equipment such as antennas, enclosures, brackets, equipment boxes, etc., shall be painted to match pole.

(6) A Small Cell Wireless Telecommunications Facilities Agreement by and between the City and the project proponent shall be prepared, and reviewed and approved by the City Council, prior to encroachment permit issuance by the City for the installation of small cell telecommunications facilities.

d. The alteration or expansion of existing wireless telecommunications facilities, or collocation of additional facilities with an existing wireless telecommunications facility, in any zoning district, that does not exceed the below-listed thresholds, the calculation for which shall be cumulative over time, following the initial approval of the telecommunications facility:

(1) The height of the existing antenna array is increased by no more than 20 percent or 20 FT, whichever is greater; however, no such increase in height shall be permitted to exceed the maximum height limit prescribed in this Section;

(2) The existing facility is increased by no more than 4 new equipment cabinets;

(3) The new facility will not have an additional protrusion more than 20 percent greater than the existing tower width; and

(4) Installation of the new facility will not require excavation outside existing leased or owned property and current easements. The calculation for such modifications shall be cumulative over time following the initial approval of the telecommunications facility. No such modification shall be permitted if the antenna array will exceed the maximum height prescribed by this Section (refer to Subparagraphs E.6.a and E.6.b of this Section).

2. Tier 2 Review.

a. A proposed wireless telecommunications facility meeting each of the following criteria shall require Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code:

(1) The facility is located within a nonresidential zoning district;

(2) The facility is more than 500 FT from a residential zoning district, as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility;

(3) The facility complies with all development standards of this Section and the applicable zoning district;

(4) The facility is of a stealth design so as not to be recognized as a telecommunications facility; and

(5) All support equipment to the proposed facility is located within a completely enclosed structure or is otherwise screened from public view

b. A new wireless telecommunications facility proposed within a nonresidential zoning district, which is to be collocated with an existing wireless telecommunications facility and complies with all development standards of this Section and the applicable zoning district, shall be reviewed and acted upon by the Development Advisory Board.

3. Tier 3 Review. A proposed wireless telecommunications facility meeting one or more of the following criteria shall require Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code:

a. Wireless telecommunications facilities not meeting the above-stated Tier 1 or Tier 2 review criteria;

b. Wireless telecommunications facilities located 500 FT or less (as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility) from a residential zoning district;

c. All nonstealth wireless telecommunications facilities;

d. Wireless telecommunications facilities proposed in the AG Overlay District, excepting those facilities meeting the Tier 1 review criteria, above. In addition to requiring Development Plan approval, wireless telecommunications facilities proposed in the AG Overlay District shall also require Conditional Use Permit approval pursuant to Table 5.02-1 (Land Use Matrix) and Paragraph C.1.f (Conditionally Permitted Uses) of Section 6.01.035 (Overlay Zoning Districts) of this Development Code;

e. Wireless telecommunications facilities creating more than a minimal visual impact on surroundings, as determined by the Planning Director. In determining whether more than a minimal visual impact exists, the Planning Director shall consider the facility's location and size, the view of the facility from the public street and neighboring properties, and the contrast between the facility and other external structural equipment. The applicant may be required to perform tests that would replicate the height of a proposed facility in order to adequately assess potential visual impacts;

f. Wireless telecommunications facilities located within line-of-sight of any scenic corridor identified by the Policy Plan component of The Ontario Plan; and

g. Wireless telecommunications facilities that include a request for an increase in height, which exceeds the maximum height provisions established by Paragraph E.5 of this Section. The Reviewing Authority may consider an increase in height if the strict application of Paragraph E.5 of this Section would prevent a provider of wireless telecommunications services from attaining adequate coverage to a service area due to practical difficulties beyond the control of the service provider. The service provider shall clearly demonstrate the nature of the problem, and that no other reasonable alternative is available to provide adequate coverage to the service area.

B. Additional Submittal Requirements.

1. In addition to the general submittal requirements for plan checks, wireless telecommunication facilities requiring Development Plan and/or Conditional Use Permit approval shall provide the plans and information required by the *Minimum Filing Requirements Checklist* and the *Plan Preparation Guidelines and Minimum Plan Contents Checklist* of the General Application Packet.

2. The City may contract with an independent radio frequency engineering consultant, or other qualified professional with knowledge and expertise regarding wireless telecommunication systems, to verify applicant's technical assertions. Such verification may include, but is not limited to, issues related to transmission coverage requirements, required height of facilities, technical limitations related to collocating facilities, evaluation of new technologies that are available and the potential for interference with other facilities, such as public safety radio communications systems. All costs associated with verification shall be borne by the applicant.

C. Performance Standards for Wireless Telecommunications Facilities. The operator of a wireless telecommunications facility and/or the owner of the property upon which the facility is located is responsible for compliance with the following:

1. No existing or future wireless telecommunications facility shall interfere with any public safety radio communications system including but not limited to the 800 MHz radio system operated by the West End Communication Authority (WECA), which provides public safety

communications during emergencies and natural disasters. Pursuant to GC Section 38771, a violation of this standard constitutes a public nuisance.

2. If any wireless telecommunications facility is found to interfere with a public safety radio communications system, or any system facilitating the transmission or relay of voice or data information for public safety, the carrier and/or property owner shall immediately cease operation of the radio channel(s) causing system interference. Operation of an offending wireless telecommunications facility shall only be allowed to resume upon removal, or other resolution, of the interference, to the satisfaction of the City.

Any request for an increase in antenna height that would exceed the maximum height provisions established by Paragraph E.6 of this Section in order to resolve interference conflicts with a public safety radio communications system, shall only be considered by the City after the facility operator and/or property owner have sufficiently demonstrated that all feasible methods of eliminating the conflict have been considered.

3. A wireless telecommunications facility, including poles, antennas, materials used to camouflage or stealth the facility, and equipment buildings and enclosures, shall be maintained in a manner so as to ensure that the facility will maintain its original appearance. In the event that over time, with exposure to wind, rain, sunlight, etc., any part of the facility begins to flake, pit, fade, discolor, disintegrate, or otherwise not maintain its original appearance as initially constructed, as determined by the Planning Director, it shall be repaired/replaced at the sole expense of the carrier.

4. The inspection and approval of a wireless telecommunications facility shall be received from the Planning Department prior to Building Department final inspection and the establishment/release of permanent electrical power to the facility.

5. Wireless telecommunications facilities, including landscaping and surface areas, shall be continuously maintained free of weeds, debris, litter, and temporary signage. All graffiti shall be removed from the premises within 48 hours of discovery.

D. Location Guidelines and Criteria. All applications for wireless telecommunications facilities are subject to the following location guidelines and criteria:

1. The preferred order of location for wireless telecommunications facilities is: industrial zoning districts, followed in descending order by commercial, mixed-use, and residential zoning districts. If proposed within an established specific plan area, the preferred order of location, listed in descending order, is:

a. Industrial zoning/land use districts;

b. Business park zoning/land use districts;

c. Commercial zoning/land use districts;

d. Mixed Use zoning/land use districts; and

e. Residential zoning/land use districts.

2. Wireless communications facilities located within residential zoning districts shall be allowed only in conjunction with a nonresidential land use, such as, but not limited to, a church, fire station, park, or school.

3. Wireless telecommunications facilities may be located in close proximity to each other; provided, they utilize a stealth design, meet the height requirements of this Section, and are compatible with surrounding development. Wireless telecommunication facilities that are nonstealth in design shall be located a minimum of 1,000 FT from any other nonstealth wireless telecommunication facility, as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility.

4. Wireless telecommunication facilities shall not be located within any front or street side setback area.

5. Wireless telecommunications facilities shall not be located so as to create a nonconforming condition, such as reductions in parking, landscaping, loading zones or other applicable development standards.

6. Wireless telecommunications facilities shall be located where existing vegetation, structures, and/or topography provide the greatest amount of screening. Where insufficient screening exists, additional screening shall be provided through the installation of dense landscaping, installation of enhanced architectural treatments, or relocation of the facility so that the massing of existing buildings or vegetation will provide adequate screening. Support structures shall be constructed of galvanized steel and painted an unobtrusive color to neutralize and blend with surroundings or be of a stealth design.

E. Development Standards. It is a goal of the City that wireless telecommunications facilities be developed in harmony with the surrounding environment so as to be as unobtrusive as possible. This is especially true when located in visually prominent locations (e.g., along major thoroughfares, at entry points into the City, near high activity areas, etc.). The following guidelines are intended to ensure that the design of wireless telecommunications facilities is compatible with the community:

1. Wireless telecommunications facilities should:

a. Be collocated with another facility, where possible;

b. Be stealth in design, or building/structure or roof mounted as an integral architectural element on an existing structure; and

c. Utilize state-of-the-art wireless technology.

2. Wireless telecommunications facilities shall meet all applicable zoning and setback regulations of the zoning district in which they are located.

3. Wireless telecommunications facilities shall be installed and maintained in full compliance with all Federal, State and local codes and standards.

4. All proposed nonstealth facilities shall be designed to accommodate co-location of 2 or more service providers. To the extent possible, stealth facilities shall also be designed to accommodate co-location of facilities.

5. The height of wireless telecommunications facility support structures shall be the minimum necessary to provide adequate user coverage; however, an antenna or its support structure shall not exceed the maximum allowed height for wireless telecommunications facilities set forth below, except as provided for in Subparagraph A.3.f of this Section. The height of stealth design "tree" monopoles shall be measured to the top of the antenna arrays, with the branches/fronds extending above antenna arrays, to create a natural appearance.

6. The maximum height for wireless telecommunications facilities shall be as follows:

a. Freestanding single-carrier facilities shall not exceed 55 FT in height;

b. Freestanding collocated facilities (two or more carriers) shall not exceed 75 FT within the IL (Light Industrial), IG (General Industrial), and IH (Heavy Industrial) zoning districts, and 65 FT in height within all other zoning districts; and

c. Roof-mounted or building-mounted facilities shall not exceed 10 FT above the height of the building.

7. Prior to the issuance of a building permit for a wireless telecommunications facility, the carrier shall submit a Federal Aviation Administration determination for the proposed facility. Safety lighting or colors, if prescribed by the City or other approving agency, such as the Federal Aviation Administration, may be required for support structures.

8. Wireless communications facilities located within residential zoning districts shall be of stealth design.

9. All accessory equipment associated with the wireless telecommunications facility shall be screened from public view by a decorative fence, wall, landscaping, berming or a combination thereof, or shall be located within a building, enclosure or underground vault, which is designed, colored and textured to match the architecture of adjacent buildings or blend in with surrounding development.

10. All utilities associated with wireless telecommunications facilities shall be undergrounded. Cable connections from equipment structures to any antennae shall not be visible by the public.

11. The design of stealth wireless telecommunications facilities shall be compatible with the surrounding neighborhood. Stealth designs include building mounted designs and freestanding designs. Examples of building mounted designs include architecturally screened roof mounted facilities, facilities attached to a building/structure, bell towers, clock towers, or steeples, installation behind false windows, or other types of architectural features that are designed to camouflage the facility and are integrated into the building design. Examples of stealth freestanding wireless telecommunications facilities include facilities that are camouflaged as freestanding signage, flagpoles, light poles, or "tree" monopoles (such as "monopalms" and "monopines") that are blended with groupings of real trees. The use of "monopalms" should not be the default design if no other live palms are within the immediate surroundings. Wireless telecommunications facilities may be designed as, or within, a piece of public art or a historical monument for public benefit.

12. The use of whip and/or microwave dish antennas shall be permitted only if integrated into the design of a structure and/or if fully screened from public view.

13. Chainlink fencing is not permitted for containment of wireless telecommunications facilities, unless the fencing is located in the interior side or rear portion of property and is out of public view.

14. The use of lattice-type telecommunications towers shall not be permitted within the City.

15. Planning Department approval shall be received prior to any modification or addition to any existing wireless telecommunications facility.

16. Stealth wireless telecommunications facilities utilizing a flagpole monopole design shall comply with the following:

a. The flag to be placed on the flagpole monopole shall be proportionate in size to the height and diameter of the pole and shall be maintained at all times and replaced when needed due to weathering, as determined necessary by the Planning Director.

b. Only the National, State, County or City flags shall be flown on the flagpole. A flag shall be flown on the flagpole at all times, which shall be properly lighted.

c. Covers concealing antenna arrays shall be painted to match the flagpole.

17. Stealth wireless telecommunications facilities utilizing a monopine design shall comply with the following:

a. The branch count shall be a minimum of 3 branches per lineal FT of trunk height. Branches shall be randomly dispersed and of differing lengths to provide a natural appearance.

b. Simulated bark shall extend the entire length of the pole (trunk), or the branch count shall be increased so that the pole is not visible.

c. Branches and foliage shall extend beyond an antenna array a minimum of 2 FT horizontally and 7 FT vertically, in order to adequately camouflage the array, antennas and bracketry. In addition, antennas and supporting bracketry shall be wrapped in artificial pine foliage.

d. The size and spread of antenna arrays shall be the minimum necessary to ensure that they are adequately camouflaged.

e. A minimum of 2 live pine trees shall be planted for each proposed monopine, which shall have the same growth habit as the pine tree being simulated by the monopine and shall be in scale with the height of the monopine. The pine trees may be planted adjacent to the proposed monopine, or elsewhere on the site as deemed appropriate by the Planning Director. The planting of additional trees and tree species may be required for larger project sites.

18. Stealth wireless telecommunications facilities utilizing a monopalm design shall comply with the following:

a. All antennas shall be fully concealed within a "pineapple ball" (also referred to as "growth ball" or "terminal bud ball") located at the end of the trunk. Furthermore, all wires

and connectors shall be fully concealed within the trunk, and all unused ports (for co-location) shall have covers installed.

b. Simulated bark shall extend the entire height of the pole (trunk).

c. A minimum of 2 live palm trees shall be planted for each proposed monopalm, which shall have the same growth habit as the type of palm tree being simulated by the monopalm and shall be in scale with the height of the monopalm. The palm trees may be planted adjacent to the proposed monopalm, or elsewhere on the site as deemed appropriate by the Planning Director. The planting of additional trees and tree species may be required for larger project sites.

19. A sign measuring 2 FT high by 2 FT wide shall be posted at the exterior entrance of wireless telecommunications facilities, and clearly visible to the public, identifying the carrier(s) and contact telephone number(s) for reporting emergency and maintenance issues.

5.03.425: Work/Live Units

A. **Purpose.** The purpose of this Section is to provide for, and make feasible, the construction of new buildings, and the reuse of existing buildings, for joint work/live units occupied by artists, artisans, professionals, and similarly situated individuals, as contemplated by HSC Section 17958.11.

B. **Applicability.** Work/live units shall be allowed pursuant to the provisions of this Section, within the zoning districts designated in Table 5.02-1 (Land Use Matrix) as permitting "work/live units."

C. **Definitions.** As used in this Section, the following words, terms, and phrases are defined as follows:

1. Adaptability. The capability of altering or adding to certain building spaces, and/or elements such as kitchen counters, sinks, and grab bars, so as to accommodate the needs of persons with or without disabilities or to accommodate the needs of persons with different types or degrees of disabilities.

2. Artist or Artisan. One whose works are subject to aesthetic criteria. An individual who practices one of the fine arts, who works in one of the performing arts including music, or whose trade or profession requires a knowledge of design, drawing, painting, sculpting, writing or similar trades such as the creative and/or applied arts. This definition specifically does not include tattoo applicators, and designers/fabricators of drug and tobacco paraphernalia/accessories.

3. Commercial Building Use. An occupation, employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

4. Industrial Building Use. A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials.

5. Listed or Listing. Terms referred to equipment and materials that are shown in a list published by an approved testing agency qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current productions, and which listing states that the material or equipment complies with accepted national standards that are approved, or standards that have been evaluated for conformity with approved standards.

6. Prevailing Code. The adopted federal, state, and local laws and regulations to be applied at the time of permit application.

7. Professional. One who engages in a pursuit or is active professionally in fields that include architecture, education, law, computer programming, media, and similar fields.

8. Work/Live Unit. An area comprised of one or more rooms or floors in new construction, or in a building originally designed for industrial or commercial occupancy that has been remodeled, which includes each of the following:

a. Cooking space and sanitary facilities;

b. Sleeping space; and

c. Assigned working space in, adjacent to, or near the unit.

D. Administration.

1. Requirements for Application.

a. An application for a work/live unit permit shall be made pursuant to the prevailing Building and Fire Codes. The application shall be accompanied by architectural drawings (drawn pursuant to standards established by the Building Official) depicting the existing uses within the building or new construction, and where the proposed work/live units will be located.

b. The Building Official shall be responsible for distributing a copy of the submitted application and architectural drawing to all affected departments for review and approval.

c. A Certificate of Appropriateness shall be required for properties that meet the State or local criteria for historic resources.

2. Work/Live Units Permit Required. No building shall be used for work/live units unless a work/live permit has first been obtained from the Building Department.

3. Building Permit Required. No building or structure regulated by this Section shall be constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate permit for each building, or portion thereof, has first been obtained from the Building Official.

4. Business License Requirement. No work/live unit shall be occupied without obtaining an appropriate business license pursuant to OMC Title 3 (Finance), Chapter 1 (Business License Regulations), commencing with Section 3-1.101.

5. Certificate of Occupancy.

a. *Use and Occupancy*. No work/live unit shall be used or occupied until the Building Official and the Fire Marshall have completed and approved their final inspection of the unit, and a certification of occupancy has been requested for the work/live unit. In a complex with multiple work/live units, an individual unit or units can receive final inspection(s), request a

certificate of occupancy, and be occupied, prior to all units being completed and receiving final inspection.

b. *Occupancy Violations.* Whenever any portion of a building designated as work/live is being used contrary to the provisions of this code, the Building Official may order such use discontinued within the unit or specified portion of the building. Provided the violation is not life threatening to the occupants within the building, such person shall discontinue the use within 7 days after the receipt of such notice, as prescribed by the Building Official, to make the structure, or portion thereof, comply with the requirements of this code

E. Development Criteria. The following criteria shall be imposed upon the development of work/live units:

1. Work/live units may be located in upper stories, basements (below grade), or within the first floor of all commercial and industrial buildings.

2. Work/live developments that have frontage along Holt Boulevard or Euclid Avenue, where the City has designated a historic retail corridor, the first 20 FT of floor area depth at the street level frontage shall be devoted to pedestrian-oriented gallery, showroom, retail, or similar commercial activity, except that if the 20 FT of floor area depth exceeds 30 percent of the primary ground floor area, less than 20 FT of depth is allowed as determined appropriate by the Reviewing Authority.

3. Each work/live unit shall be provided a primary entry from common areas, such as hallways, corridors, and/or exterior portions of the building, including courtyards, breezeways, parking areas, common open spaces, and public spaces.

4. Where any unit containing a work/live occupancy is adjacent to any other unit containing a separate work/live occupancy, such units shall be separated by one-hour fire resistant floors and walls, except that if 2 or more work-live units are combined into a single suite, then the partition walls and floors do not need to be fire rated.

5. Doors opening into corridors shall be protected by 20-minute fire assemblies or solid wood doors, not less than 1.75 inches thick. Where an existing frame will not accommodate a 1.75-inch thick door, a 1.375-inch thick solid, bonded wood core door, or equivalent insulated steel door, shall be permitted. The doors shall be provided with a gasket so installed as to provide a seal where the door meets the stop on both sides and across the top.

6. The minimum area of a work/live unit shall be 700 SF. No more than 50 percent of the primary floor or level (i.e., excluding mezzanines, upper levels, and raised sleeping areas) of any individual work/live unit shall be used or arranged for residential purposes, such as a sleeping area and kitchen, except that in new construction, work/live units on upper floors, or on ground floors without public street frontage, do not have a minimum area set aside for work purposes.

7. The residential occupancy in any work/live unit shall not exceed 4 persons.

8. For the purposes of determining the minimum number of persons for which the building exiting system shall be designed, the occupant load factors prescribed by the California Building Code shall be used.

9. Each work/live unit shall have one openable window accessible for exiting, with an opening of not less than 20 inches wide by 30 inches high, or a second exit door. Any security bars

placed over required window openings shall be operable and have an opening not less than 20 inches wide by 30 inches high. Work/live units are not required to meet light and ventilation standards for habitable spaces if no life-safety hazard is created.

10. The life-safety requirements contained in the Building Code shall apply to all work/live units. For the purpose of providing a reasonable degree of life-safety for individuals occupying work/live units, the code provisions regarding dwelling units shall apply.

11. All work/live units shall be provided with single station smoke detectors, which shall receive their primary power from the building's wiring system and provided with a battery backup. Smoke detectors shall be installed pursuant to approved manufacturer's instructions and shall be mounted on the ceiling at a point centrally located in the residential portion of the unit and in each sleeping-room separated by floor to ceiling walls. In the working area of the work/live unit, one hardwired smoke detector shall be centrally located on the ceiling. Where the working area is subdivided into separate rooms by floor to ceiling walls, one smoke detector shall be installed on the ceiling of each workroom.

12. Any new commercial or industrial building developed with work/live units shall retain its industrial or commercial classification. Any building converted or partly converted to work/live units shall not be considered to have changed occupancy classification (i.e., there is no intensification of use).

13. All work/live units, including any alteration to a work/live unit, shall be required to meet the minimum life-safety standards set forth in this Section, and the following requirements:

a. Each work/live unit shall have a kitchen area consisting of a sink and garbage disposal, with ground fault interrupted circuit outlets provided.

b. Each work/live unit shall have sanitation facilities consisting of a toilet, lavatory, and shower and/or bathtub.

c. Each work/live unit shall have an approved UL listed heating system in the residential portion of the unit.

d. Habitable space shall have a dimension of not less than 7 FT.

e. Restrooms and bathrooms located on the primary floor area of a work/live unit shall be designed and equipped to be adaptable to ADA compliance, and shall include the following:

(1) 36-inch doors.

(2) Inside 60-inch diameter clear wheelchair turning radius.

(3) Water closet meeting ADA fixture specifications.

(4) Water closet with ADA clearances from adjacent walls.

(5) Walls shall include necessary blocking for the installation of ADA grab bars.

(6) Sinks shall meet ADA height and clearance specifications.

(7) All switches and outlets shall meet ADA specifications.

f. Restrooms and bathrooms located on the second level of a work/live unit (e.g., mezzanines or upper levels) can follow residential standards for bathrooms if an ADA compliant restroom is available to visitors within the building and on an accessible path of travel from the unit. Table 5.03-8 (Minimum Number of Work/Live Units to be Equipped with a Shower Adaptable for ADA Compliance), below, prescribes the number of all work/live units within the building that shall be equipped with a shower that can be adapted for ADA compliance.

Table 5.03-7: Minimum Number of Work/Live Units to be Equipped with a Shower Adaptable for ADA Compliance

Number of Work/Live Units	*Number of Units with Adaptable Showers*
Fewer Than 5 Units:	None
5 to 12 Units:	One Unit
13 to 20 Units:	2 Units
More than 20 Units:	2 Units, Plus One Unit for Each 7 Work/Live Units in Excess of 20 Units

14. Energy insulation need not be installed, nor energy audits and mitigations provided, resulting from work/live units being developed within an existing building. In addition, sound mitigations need not be provided or installed resulting from work/live units being developed within an existing building, unless otherwise required by a Conditional Use Permit. However, all new buildings shall comply with current Building Code requirements for new construction.

15. Stairways serving a mezzanine, or second level of a work/live unit, shall comply with the City's Building Code; stairs are to have an 8-inch maximum rise a 9-inch minimum run and a 30-inch minimum width. In addition, mezzanines of less than 400 SF may be accessed by spiral stairways or other similar reduced tread, open riser alternative stairways. A mezzanine can cover up to 50 percent of the primary floor area of a work/live unit without being considered a story or triggering additional exiting requirements.

16. An elevator need not be provided resulting from work/live units being developed within an existing building; however, all new buildings shall comply with current Building Code requirements for new construction.

17. Modifications that create a life-safety hazardous condition shall not be authorized by the Building Official. The Building Official shall have the power to render interpretations of this Section and to adopt and enforce rules and supplemental regulations, which are in conformance with the intent and purpose of this Section, in order to clarify the application of its provisions.

18. Existing buildings that are renovated to include work/live units shall be presumed to have adequate parking for both the renovated and unaltered portions of the building. Stalls for work/live units are not required to be covered or secured.

19. New construction of work/live units shall provide off-street parking facilities pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code. The intent is to provide lower, flexible parking standards wherever possible and appropriate. Consideration shall be given to shared parking systems, on and off street parking resources, compatibility with historic patterns of development, and the availability of mass transit resources.

F. Conditions of Approval. The following conditions of approval shall be imposed upon any work/live units established pursuant to this Section:

1. Business hours shall be clearly posted within the main lobby area of the building containing work/live units.

2. Sales of artists' materials shall be restricted to products of the occupant and similar or related items. Sales of drug and tobacco related paraphernalia/accessories are prohibited.

3. Work/live units shall be occupied and used only by an artist, artisan, professional, or a similarly situated individual and their family, consisting of not more than 4 unrelated persons.

Chapter 6.0:
Development and Subdivision Regulations

Division 6.01—District Standards and Guidelines
Division 6.02—Walls, Fences and Obstructions
Division 6.03—Off-Street Parking and Loading
Division 6.04—Congestion Management and Trip Reduction
Division 6.05—Landscaping
Division 6.06—Street Naming and Address Numbering
Division 6.07—Reserved
Division 6.08—Development Projects and Subdivisions
Division 6.09—Reserved
Division 6.10—Reserved
Division 6.11—Shopping Cart Retention and Storage

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Division 6.01—District Standards and Guidelines

Sections:

6.01.000: Purpose
6.01.005: Applicability
6.01.010: Residential Zoning Districts
6.01.015: Commercial Zoning Districts
6.01.020: Mixed Use Zoning Districts
6.01.025: Industrial Zoning Districts
6.01.030: Specialized Use Zoning Districts
6.01.035: Overlay Zoning Districts

6.01.000: Purpose

This Division addresses development standards and guidelines, to ensure that proposed development produces an environment of stable and desirable character, is compatible with existing and future development in the vicinity, and protects the use and enjoyment of neighboring properties consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

6.01.005: Applicability

A. New Development Projects and Land Uses. The requirements of this Chapter shall apply to all proposed development projects and subdivisions, and new land uses, except as specified in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs), and shall be considered in combination with the provisions of Division 5.03 (Standards for Specific Land Uses, Activities, and Facilities). If any provision of this Division conflicts with the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities, and Facilities), the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities, and Facilities) shall control.

B. Conformity with District Regulations.

1. No site or structure shall be used for any purpose or in any manner other than in conformity with the regulations of the zoning district in which the site or structure is located.

2. No structure is to be erected and no existing structure is to be moved, altered, or enlarged, except in conformity with the regulations of the zoning district in which the structure or use is located.

3. No required yard or open space area related to any structure or use shall be used, encroached upon, or reduced in any manner, except in conformity with the regulations of the zoning district in which the yard or open space is located.

4. No lot or parcel shall be reduced in area to less than the minimum area prescribed for the district in which the site is located, unless a Variance is granted pursuant to Section 4.02.020 (Departures from Development Standards) of this Development Code.

5. Any lot that is shown on a recorded map prior to November 5, 1947, and that had a legal area, width, and frontage at the time the subdivision map was recorded or the lot was legally created, may be used for an allowed land use, and shall be subject to all other regulations applicable to the zoning district in which the site is located.

6.01.010: Residential Zoning Districts

A. **Purpose.** The purpose of the provisions of this Section is to ensure that development within residential zoning districts of the City will contribute toward an urban environment of stable, desirable character; which is harmonious with existing and future development; and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan. These regulations are further established to:

1. Assist in implementing the goals and objectives of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. Reserve appropriate areas for residential living in a variety of dwelling types and tenures, at reasonable ranges of population densities, that will accommodate the City's future population growth;

3. Encourage the continued vitality of existing neighborhoods, and, where appropriate, encourage the revitalization of neighborhoods by the use of appropriate standards and incentives;

4. Provide a physical environment that contributes to, and enhances, the quality of life;

5. Promote stable neighborhoods that are well designed, safe, and pleasant places to live, and that contributes to the establishment of Ontario as a "complete community;"

6. Ensure adequate light, air, privacy, and open space for dwellings;

7. Establish architectural and design guidelines to encourage a high quality appearance of new and remodeled structures;

8. Establish standards ensuring that new infill residential construction is consistent with the character and fabric of existing neighborhoods, including densities, design and exterior appearance;

9. Protect residential properties from the hazards of traffic congestion, noise, fire, explosion, noxious fumes, and other hazards;

10. Facilitate the provision of public utilities and services commensurate with their need; and

11. Allow for innovative and flexible methods of implementing the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

B. **Applicability.** The standards and guidelines established by this Section shall apply to each of the City's residential zoning districts. The provisions of this Section shall apply to all residential

land subdivision and any new residential construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Development Standards. The design and development of residentially zoned properties shall comply with the following:

1. Traditional Single-Family Residential Development Standards.

a. Traditional single-family residential development projects shall comply with the requirements of Table 6.01-1 (Traditional Single-Family Residential Development Standards), which specifies development standards within the AR-2, RE-2, RE-4, LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Traditional single-family residential development projects consist of the construction of one or more single-family (detached) dwellings within zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-1 (Traditional Single-Family Residential Development Standards) of this Division. Examples of traditional single-family residential development are contained in Figure 6.01-1A (Example Development—Traditional Single-Family Residential) and Figure 6.01-1B (Example Development—Traditional Single-Family Residential with Public Alley Access) of this Division.

2. Small Lot Traditional Single-Family Residential Development Standards.

a. Small lot traditional single-family residential development projects shall comply with the requirements of Table 6.01-2A (Small Lot Traditional Single-Family Residential Development Standards), which specifies development standards within the LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Small lot traditional single-family residential development projects consist of the construction of single-family (detached) dwellings in zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-2A (Small Lot Traditional Single-Family Residential Development Standards) of this Division. Examples of traditional single-family residential development are contained in Figure 6.01-2A (Example Development—Small Lot Traditional Single-Family Residential) of this Division.

3. Small Lot Alley-Loaded Single-Family Residential Development Standards.

a. Small lot alley-loaded single-family residential development projects shall comply with the requirements of Table 6.01-2B (Small Lot Alley-Loaded Single-Family Residential Development Standards), which specifies development standards within the LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Small lot alley-loaded single-family residential development projects consist of the construction of one or more single-family (detached) dwellings, which take garage access from a private lane/alleyway or public alley, and are located within zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-2B (Small Lot Alley-Loaded Single-Family Residential Development Standards) of this Division. An example of small lot alley-loaded single-family residential

development is contained in Figure 6.01-2B (Example Development—Small Lot Alley-Loaded Single-Family Residential) of this Division.

4. Cluster Single-Family Residential Development Standards.

a. Cluster single-family residential development projects shall comply with the requirements of Table 6.01-2C (Cluster Single-Family Residential Development Standards), which specifies development standards within the LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Cluster single-family residential development projects consist of the construction of 3 or more single-family (detached) dwellings, which take garage access from a private lane/alleyway or public alley, and are located within zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-2C (Cluster Single-Family Residential Development Standards) of this Division. An example of cluster single-family residential development is contained in Figure 6.01-2C (Example Development—Cluster Single-Family Residential) of this Division.

5. Multiple-Family Residential Development Standards.

a. Multiple-family (attached) residential development projects shall comply with the requirements of Table 6.01-3 (Multiple-Family Residential Development Standards), which specifies development standards within the MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Multiple-family (attached) residential development projects consist of the construction of multiple-family (attached) dwellings in zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the development standards prescribed in Table 6.01-3 (Multiple-Family Residential Development Standards) of this Division. Examples of multiple-family residential development are contained in Figure 6.01-3A (Example Multiple-Family Development—MDR-11 (5.1 to 11.0 DU/Acre) Zoning District), Figure 6.01-3B (Example Multiple-Family Development—MDR-18 (11.1 to 18.0 DU/Acre) Zoning District), Figure 6.01-3C (Example Multiple-Family Development—MDR-25 (18.1 to 25.0 DU/Acre) Zoning District), and Figure 6.01-3D (Example Multiple-Family Development—HDR-45 (25.1 to 45.0 DU/Acre) Zoning District) of this Division.

6. Nonresidential Land Uses within Residential Zoning Districts. Nonresidential land uses allowed within residential zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code shall comply with the setback requirements applicable to multiple-family developments, except as follows:

a. The minimum building setback from any exterior (front and street side) property line that abuts a street or public alley shall meet the requirements of the zoning district upon which the building is located.

b. The minimum building setback from any interior residential property line (a property line that abuts another residentially zoned property) shall be 25-FT.

c. The minimum off-street parking space, drive aisle, or driveway setback, from any exterior property line or from any interior residential property line, shall be 10-FT. Off-street parking facilities shall not be located adjacent to a Euclid Avenue property line.

Table 6.01-1: Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts					Additional Regulations
	AR-2	RE-2	RE-4	LDR-5	MDR-11, MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS						
1. Density Range (minimum to maximum, in dwelling units per acre)	0 to 2.0	0 to 2.0	2.1 to 4.0	2.1 to 5.0	MDR-11: 5.1 to 11.0 MDR-18: 11.1 to 18.0 MDR-25: 18.1 to 25.0 HDR-45: 25.1 to 45.0	Notes 2, 4 & 5
2. Minimum Lot Size						
a. Minimum (in SF)	18,000	10,000		7,200	5,000	Note 1
b. Average (in SF)		18,000		8,000	6,000	
3. Maximum Lot Coverage	30%	40%		50%	60%	
4. Minimum Lot Dimensions						
a. Lot Width						
(1) Interior Lots	100 FT	70 FT		60 FT	50 FT	Note 1
(2) Corner Lots	120 FT	80 FT		65 FT	50 FT	Note 1
(3) Cul-de-Sac Lots						
(a) At Front Property Line	40 FT					Note 1
(b) At Front Building Setback	70 FT			60 FT	40 FT	Note 1
b. Lot Depth	135 FT	100 FT		75 FT	100 FT	Note 1
5. Equestrian Trails Required	Yes		No			If yes, see Section 6.01.010. G.9
6. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).					
7. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).					
8. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).					
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).					
10. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.					
11. Signs	Refer to Division 8.1 (Sign Regulations).					
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).					

Table 6.01-1: Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts					Additional Regulations
	AR-2	RE-2	RE-4	LDR-5	MDR-11, MDR-18, MDR-25 & HDR-45	
13. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).					
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.					
B. BUILDING DEVELOPMENT STANDARDS						
1. Minimum Setback from Street and Alley Property Lines						Note 9
a. From Freeways	20 FT					
b. From Arterial Streets	30 FT – Front For street side and rear setbacks, refer to the Collector and Local Streets standards, below.					Note 7
c. From Collector and Local Streets	30 FT		20 FT – Front 10 FT – Front Garage Other (side-on condition) 10 FT – Street Side 10 FT – Street Rear 1st Floor 20 FT – Street Rear 2nd/3rd Floor			Note 7
d. From Rear Alleys	10 FT – 1st Floor 20 FT – 2nd/3rd Floor 5 FT –Garage Entry (1st Floor Only) 10 FT –Garage Other (1st Floor Only) For side alley conditions, refer to the Interior Property Lines standards, below.					Note 8
2. Minimum Setbacks from Interior Property Lines						
a. From Side Property Lines	10 FT		5 FT			Note 3
b. From Rear Property Lines	25 FT		10 FT – 1st Floor Living Area 20 FT – 2nd/3rd Floor Living Area 10 FT – Patio Covers			
3. Minimum Separation Between Buildings	6 FT (from buildings on the same lot)					
4. Maximum Height	35 FT					
5. Minimum Setback from Major Pipelines	50 FT (to any habitable structures)					Note 6

Notes:

1. *An existing lot of record that is substandard as to minimum "lot" area and/or dimension(s) shall be granted all development rights of the zoning district in which it is located (refer to Subsection 3.01.010.B of this Development Code).*

2. *A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives) of this Section.*

3. *When vehicle parking is provided at the rear of a lot (whether within a garage or carport, or uncovered) that does not have alley access, a minimum 10-FT interior side building setback, which is clear of meters and mechanical equipment, shall be provided to ensure clear vehicular access to the rear of the lot.*

4. *Lots with a maximum density calculation of less than one dwelling shall be allowed the construction of one dwelling unit.*

5. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that If, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*

6. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*

    a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*

    b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*

7. *On a lot having a street adjacent rear property line (arterial, collector and local streets, only), for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.*

8. *A traditional single-family lot shall maintain a useable rear yard area having minimum horizontal dimension of 20 FT in any direction and a clear vertical dimension of 8 FT.*

9. *The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*

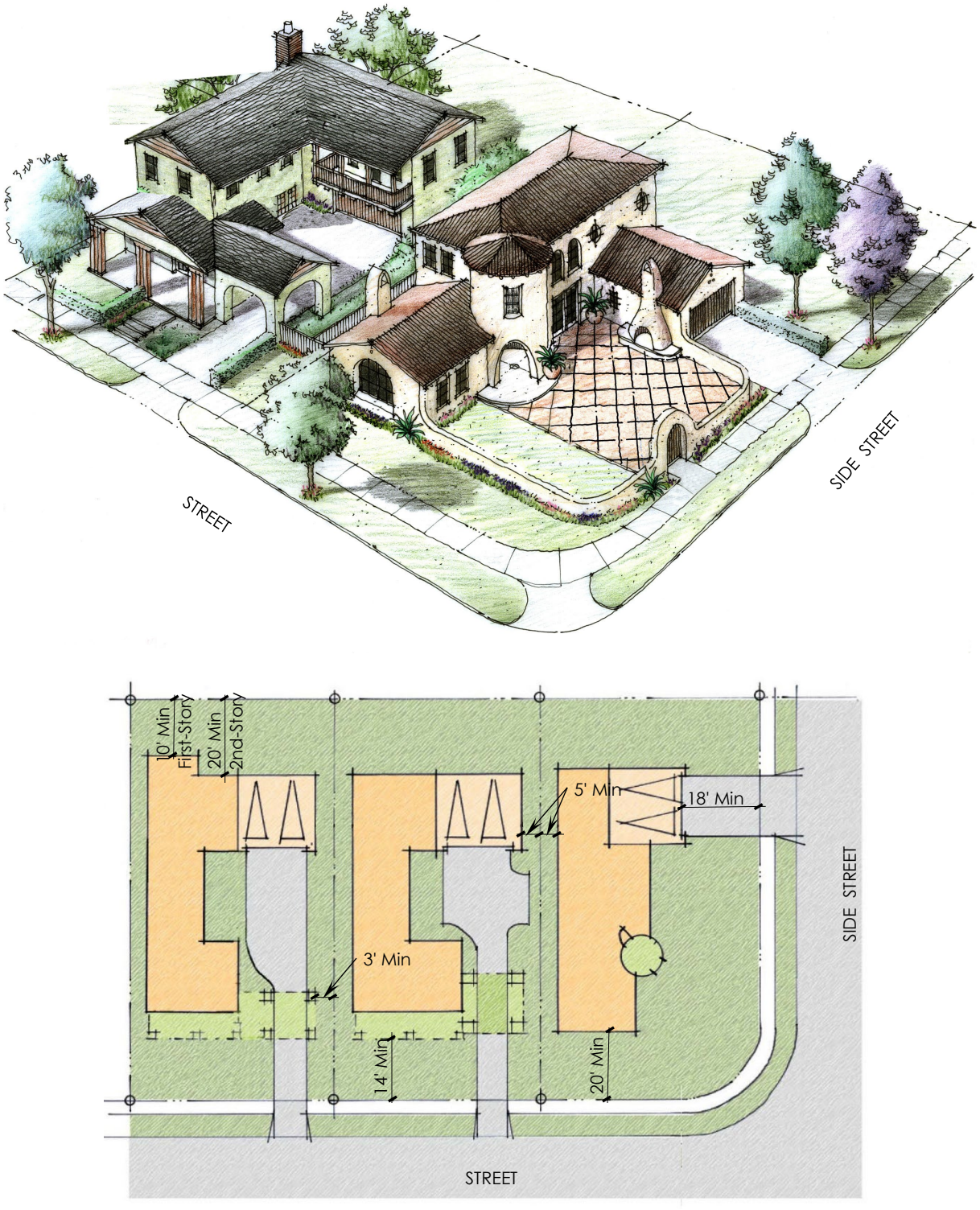


Figure 6.01-1A: Example Development—Traditional Single-Family Residential





Figure 6.01-1B: Example Development—Traditional Single-Family Residential with Public Alley Access

Table 6.01-2A: Small Lot Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum, in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	MDR-18: 11.1 to 18.0 MDR-25: 18.1 to 25.0 HDR-45: 25.1 to 45.0	Notes 2, 3 & 4
2. Minimum Project Area	One acre			Note 1
3. Minimum Lot Size	4,000 SF – Interior Lot 4,500 SF – Corner Lot		2,800 SF – Interior Lot 3,200 SF – Corner Lot	
4. Maximum Lot Coverage	55%	60%	70%	
5. Minimum Lot Dimensions				
a. Lot Width	40 FT – Interior Lots 45 FT – Corner Lots		35 FT – Interior Lots 40 FT – Corner Lots	
b. Lot Depth	75 FT		70 FT	
6. Minimum Parking Space (Uncovered), Drive Aisle, and Driveway Setbacks				
a. From Project Boundary Street Property Lines	20 FT - Freeways 30 FT – Arterial Streets 20 FT – All Other Streets			
b. From Project Boundary Interior Property Lines	5 FT			
7. Equestrian Trails Required	No			
8. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).			
9. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).			
10. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).			
11. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).			
12. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).			
13. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.			
14. Signs	Refer to Division 8.1 (Sign Regulations).			
15. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).			

Table 6.01-2A: Small Lot Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
16. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).			
17. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.			
B. BUILDING DEVELOPMENT STANDARDS				
1. Minimum Setback from Street Property Lines				Note 7
a. From Freeways	20 FT			
b. From Arterial Streets	30 FT – Front For street side, rear, and alley setbacks, refer to the Collector and Local Streets standards, below.			
c. From Collector and Local Streets				
(1) From Street Front	14 FT – Living Area 18 FT – Garage Entry 10 FT – Other Garage (side-on condition)			
(2) From Street Side	10 FT			Note 6
(3) From Street Rear	10 FT – 1st Floor 15 FT – 2nd/3rd Floors 18 FT – Garage Entry 5 FT –Garage Other (1st Floor Only) 5 FT – Patio Covers			Note 6
d. From Alley Rear	5 FT –Garage (1st Floor Only) 10 FT – Rear 2nd/3rd Floors For side alley conditions, refer to the Interior Property Lines standards, below.			
2. Minimum Setback from Interior Property Lines				
a. From Side Property Lines	5/4 FT			Note 8
b. From Rear Property Lines	10 FT - Living Area 5 FT –Garage (1st Floor Only) 5 FT – Patio Cover to Side or Rear			
3. Minimum Separation Between Buildings	6 FT (from buildings on the same lot)			
4. Maximum Building Height	35 FT			
5. Minimum Setback from Major Pipelines	50 FT (to habitable structures)			Note 5

Notes:

1. *An existing lot of record that is substandard as to minimum "project" area and/or dimension(s) shall be permitted the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum allowed within the density range.*
2. *A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).*
3. *Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.*
4. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that If, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*
5. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
    a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
    b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
6. *On a lot having a street adjacent side or rear property line, for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.*
7. *The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*
8. *The interior side property line setback may be reduced to 4 FT if the setback area is combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls, thereby allowing a minimum 8–FT wide side to side building separation.*

Small Lot Traditional Single-Family Residential; 4,000/4,500 SF Lots

Small Lot Traditional Single-Family Residential; 2,800/3,200 SF Lots



Figure 6.01-2A: Example Development—Small Lot Traditional Single-Family Residential

Table 6.01-2B: Small Lot Alley-Loaded Single-Family Development Standards

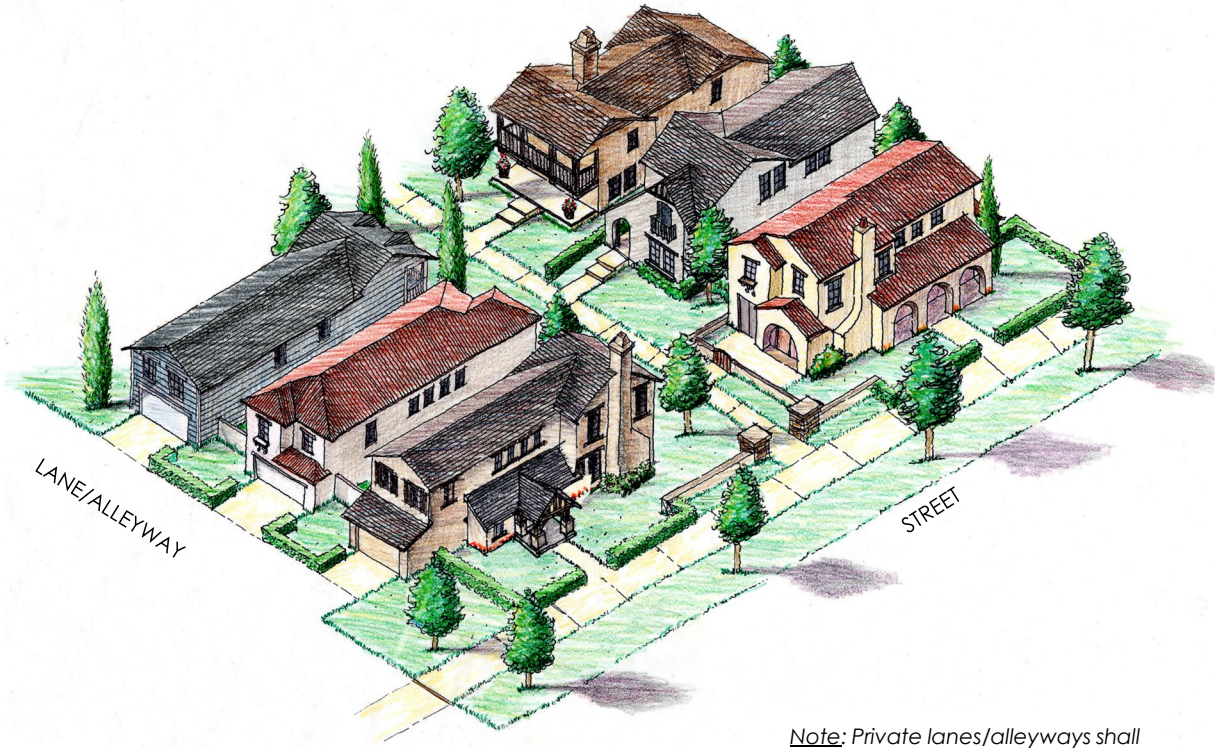
Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum, in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	MDR-18: 11.1 to 18.0; MDR-25: 18.1 to 25.0; HDR-45: 25.1 to 45.0	Notes 2, 3 & 4
2. Minimum Project Area	One acre			Note 1
3. Minimum Project Dimensions	200 FT – Width 200 FT - Depth			Note 1
4. Minimum Lot Size				
a. Lot width	40 FT – Interior Lots 45 FT – Corner Lots		35 FT – Interior Lots 40 FT – Corner Lots	
b. Lot Depth	75 FT		70 FT	
5. Maximum Lot Coverage	55%	60%	70%	
6. Minimum Lot Dimensions	N/A			
7. Minimum Parking Space (Uncovered) and Private Street, Drive, or lane/Alleyway Setbacks				
a. From Project Boundary Street Property Lines	20 FT - Freeways 30 FT – Arterial Streets 20 FT – Other Streets			
b. From Project Boundary Interior Property Lines	5 FT			
8. Equestrian Trails Required	No			
9. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).			
10. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).			
11. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).			
12. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).			
13. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).			
14. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.			
15. Signs	Refer to Division 8.1 (Sign Regulations).			
16. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).			

Table 6.01-2B: Small Lot Alley-Loaded Single-Family Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
17. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).			
18. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.			
B. BUILDING DEVELOPMENT STANDARDS				
1. Minimum Setback from Street Property Lines				Note 8
a. From Freeways	20 FT			
b. From Arterial Streets	30 FT			Note 5
c. From Collector and Local Streets	10 FT - Front 10 FT – Street Sides 15 FT – Street Rear			Note 5
2. Minimum Setback from Project Boundary Property Lines	10 FT – Project Boundaries 5/4 FT – Side 10 FT – Rear 5 FT – Patio Cover			Note 6
3. Minimum Setback from Private Drives	10 FT – Living Area 6 FT – Porch (Single-Story) 18 FT – Garage Entry 10 FT – Other Garage (side/rear)			Note 8
4. Minimum Setback from Private Lanes/Alleyways	10 FT – Living Area 5 FT – Garage			
5. Minimum Setback from Parking Spaces	10 FT			
6. Minimum Separations Between Buildings				
a. Dwelling Front to Front	25 FT			
b. Dwelling Front to Side	20 FT			
c. Dwelling Side to Side	10/8 FT			Note 6
d. Dwelling Rear to Rear	20 FT			
e. Garage to Garage	30 FT – Entry to Entry 30 FT – Entry to Side 10/8 FT – Side to Side 10/8 FT – Side to Rear			Note 6
7. Maximum Building Height	35 FT			
8. Minimum Setback from Major Pipelines	50 FT (to habitable structures)			Note 7

Notes:

1. *An existing lot of record that is substandard as to minimum "project" area and/or dimension(s) shall be permitted the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum allowed within the density range.*
2. *A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).*
3. *Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.*
4. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that If, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*
5. *On lot having a street-adjacent side or rear property line, for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.*
6. *The interior side property line setback may be reduced to 4 FT if the setback area is combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls, thereby allowing a minimum 8–FT wide side to side building separation.*
7. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
    a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
    b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
8. *The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*



Note: Private lanes/alleyways shall be provided with enhanced paving, such as interlocking pavers, integral color stamped and/or scored concrete, or other similar materials acceptable to the Planning Director.

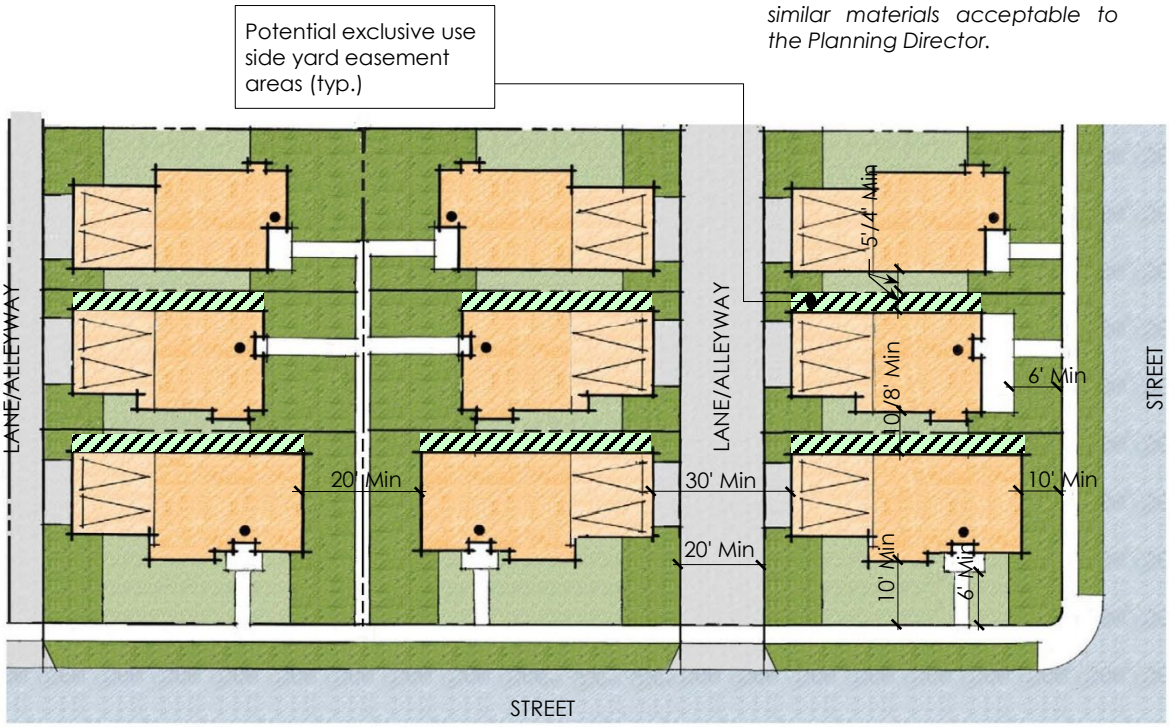


Figure 6.01-2B: Example Development—Small Lot Alley-Loaded Single-Family Residential Example

Table 6.01-2C: Cluster Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum, in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	MDR-18: 11.1 to 18.0 MDR-25: 18.1 to 25.0 HDR-45: 25.1 to 45.0	Notes 2, 3 & 4
2. Minimum Project Area	One acre			Note 1
3. Minimum Project Dimensions	200 FT - Width 200 FT - Depth			Note 1
4. Minimum Lot Size	N/A			
5. Maximum Lot Coverage	N/A			
6. Minimum Lot Dimensions	N/A			
7. Minimum Parking Space (Uncovered) and Private Street, Drive, or lane/Alleyway Setbacks				
a. From Project Boundary Street Property Lines	20 FT - Freeways 30 FT – Aerial Streets 20 FT – Other Streets			
b. From Project Boundary Interior Property Lines	5 FT			
8. Equestrian Trails Required	No			
9. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).			
10. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).			
11. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).			
12. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).			
13. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).			
14. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.			
15. Signs	Refer to Division 8.1 (Sign Regulations).			
16. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).			
17. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).			

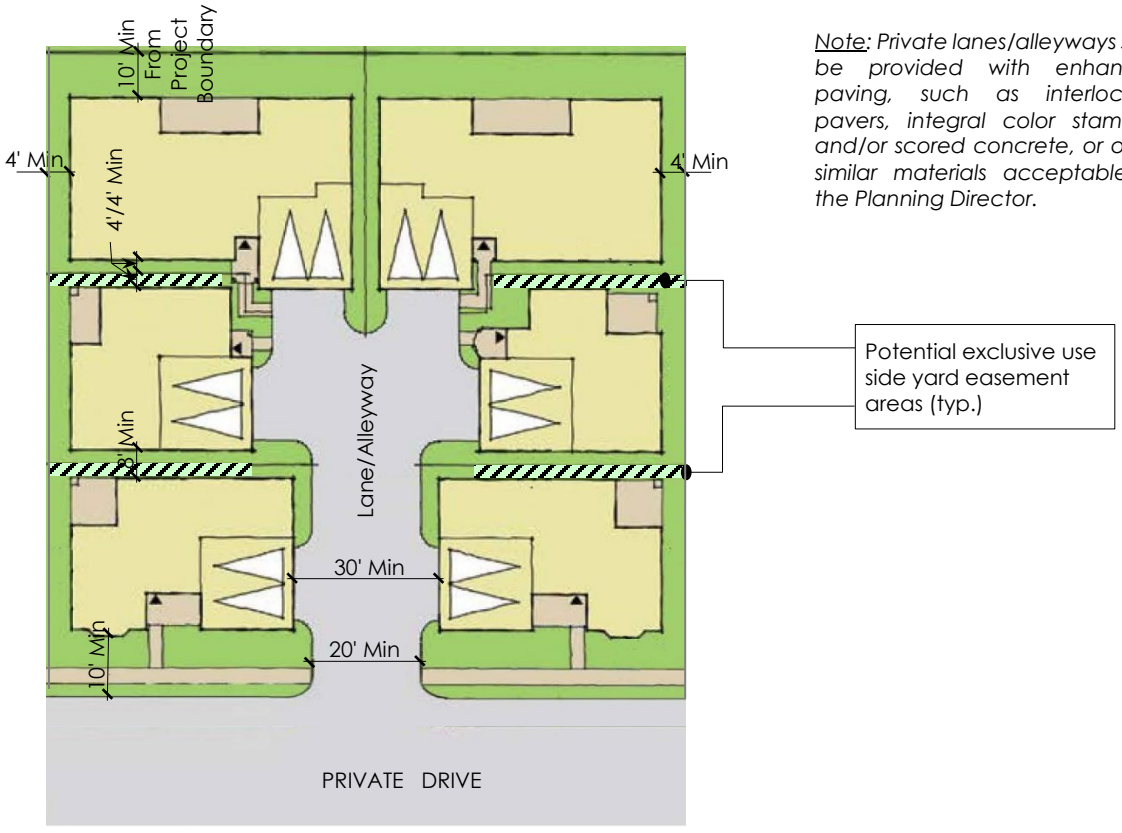
Table 6.01-2C: Cluster Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
18. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.			
B. BUILDING DEVELOPMENT STANDARDS				
1. Minimum Setback from Public Street Property Lines				Note 8
a. Freeways	20 FT			
b. Arterial Streets	30 FT			Note 5
c. Collector and Local Streets	20 FT - Front 10 FT – Street Sides 15 FT – Street Rear			Note 5
2. Minimum Setback from Interior Property Lines	10 FT – Project Boundaries 4 FT – Side 4 FT – Rear 4 FT – Patio Cover			Note 6
3. Minimum Setback from Private Drives	10 FT – Living Area 5 FT – Porch (Single-Story) ≤ 5 FT or ≥ 18 FT – Garage Entry 10 FT – Garage Other			Note 8
4. Minimum Setback from Lanes/Alleyways (measured from back-of-curb)	5 FT – Living Area 5 FT – Porch (Single-Story) 5 FT – Garage			
5. Minimum Setback from Parking Spaces	10 FT – Living Area 8 FT – Porch (Single-Story) 5 FT - Garage			
6. Minimum Separation Between Buildings				
a. Dwelling Front to Front	30 FT			
b. Dwelling Front to Side	14 FT			Note 6
c. Dwelling Side to Side	8 FT			Note 6
d. Dwelling Side to Rear	8 FT			
e. Dwelling Rear to Rear	16 FT			
f. Garage to Garage	30 FT – Entry to Entry 30 FT – Entry to Side 8 FT – Side to Side 8 FT – Side to Rear			Note 6
7. Maximum Building Height	35 FT			
8. Minimum Setback from Major Pipelines	50 FT (to habitable structures)			Note 7

Notes:

1. *An existing lot of record that is substandard as to minimum "project" area and/or dimension(s) shall be permitted the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum allowed within the density range.*
2. *A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).*
3. *Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.*
4. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that If, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*
5. *On a lot having a street-adjacent side or rear property line, for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.*
6. *The interior side property line setback may be combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls, which is defined in the project CC&Rs.*
7. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
    a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
    b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
8. *The minimum setback from private streets and drives shall be measured from a line running parallel to the street/drive, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*





Note: Private lanes/alleyways shall be provided with enhanced paving, such as interlocking pavers, integral color stamped and/or scored concrete, or other similar materials acceptable to the Planning Director.

Figure 6.01-2C: Example Development—Cluster Single-Family Residential

Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR- 45	
A SITE DEVELOPMENT STANDARDS					
1. Density Range (minimum to maximum, in dwelling units per acre)	5.1 to 11.0	11.1 to 18.0	18.1 to 25.0	25.1 to 45.0	Notes 1, 2, 6 & 7
2. Minimum Project Area	0.23 Acre (10,000 SF)			1.0 AC	Note 1
3. Minimum Project Dimensions					
a. Width	100 FT			180 FT	Note 1
b. Depth	100 FT			200 FT	Note 1
4. Maximum Project Coverage	60%			100%	
5. Minimum Lot Size	N/A				
6. Maximum Lot Coverage	N/A				
7. Minimum Lot Dimensions					
a. Lot Width	Refer to Subsection 6.08.045.C (Common Interest Subdivisions are Exempt from Minimum Lot Area and Building Setback Requirements)				
b. Lot Depth					
8. Minimum Parking Space (Uncovered), Drive Aisle and Driveway Setbacks					
a. From Project Boundary Street Property Line	20 FT – Freeways 20 FT – Arterial Streets 10 FT – Collector and Local Streets			10 FT – Freeways 10 FT – Arterial Streets 10 FT – Collector and Local Streets	
b. From Project Boundary Interior Property Line	5 FT				
9. Equestrian Trails Required	No				
10. Walls, Fences and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).				
11. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).				
12. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).				
13. Landscaping	Refer to Division 6.05 (Landscaping) landscape standards. Also refer to Paragraph 6.01.010.G.6.c (Single-Family Cluster and Multiple-Family Development) for additional standards addressing multiple-family development within commercial zoning districts				
14. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).				

Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR- 45	
15. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.				
16. Signs	Refer to Division 8.1 (Sign Regulations).				
17. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).				
18. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).				
19. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.				
B BUILDING DEVELOPMENT STANDARDS					
1. Minimum Setback from Public Street Property Lines	20 FT – Freeways 30 FT – Arterial Streets 20 FT – Collector and Local Streets			10 FT	Notes 3 & 9
2. Minimum Setback from Interior Project Boundary Property Lines	5 FT				Note 4
3. Minimum Setback from Public Alley Property Lines	5 FT				
4. Minimum Setback from Private Drives/Alleyways (from edge of drive aisle)					
a. Living Area	15 FT				
b. Garages and Other Nonhabitable Structures	5 FT				
5. Minimum Setback from Dwellings to Parking Spaces					
a. Living Area	10 FT				
b. Garages and Other Nonhabitable Structures	5 FT				
6. Minimum Setback from Parking Space or Drive Aisle to Wall or Fence	5 FT				
7. Minimum Separation Between Detached Buildings					
a. Dwelling Front to Front	≤ 2-Stories: 25 FT; ≥ 3 Stories: 30 FT				
b. Dwelling Front to Rear	≤ 2-Stories: 25 FT; ≥ 3 Stories: 30 FT				
c. Dwelling Front to Side	≤ 2-Stories: 25 FT; ≥ 3 Stories: 30 FT				
d. Dwelling Side to Side	≤ 2-Stories: 10 FT; ≥ 3 Stories: 15 FT				

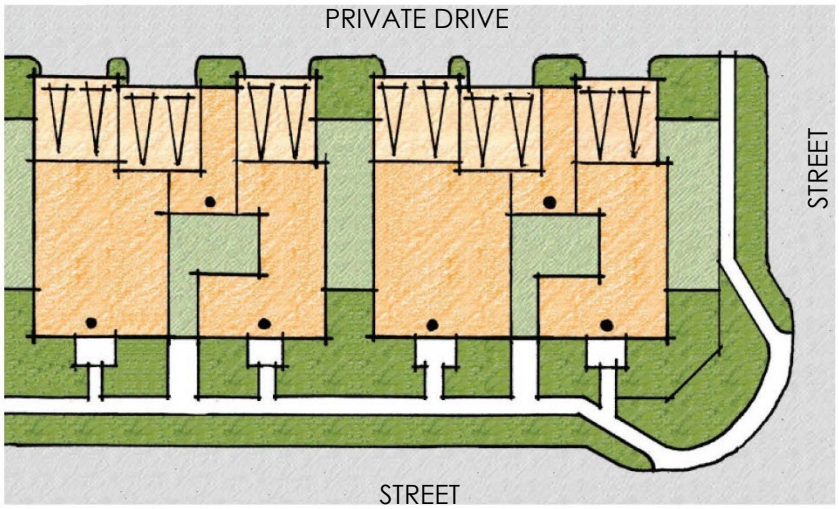
Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR- 45	
e. Dwelling Side to Rear	15 FT				
f. Dwelling Rear to Rear	20 FT				
g. Garage to Garage (or other nonhabitable structures)	30 FT – Entry to Entry 30 FT – Entry to Side 10 FT – Side to Side 10 FT – Side to Rear				
8. Minimum Storage Space	240 CF				Note 5
9. Maximum Building Height	35 FT	45 FT	60 FT	75 FT	
10. Minimum Setback from Major Pipelines	50 FT (to habitable structures)				Note 8

Notes:

1. *An existing lot of record that is substandard as to minimum "project" area and/or dimension(s), shall be permitted all of the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum number of dwelling units allowed within the specified density range for the applicable zoning district.*
2. *A density bonus and other incentives pursuant to GC Sections 65915 through 65918, may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).*
3. *A health risk assessment shall be required for multiple-family development projects located within close proximity to a freeway, as determined by the Zoning Administrator.*
4. *A dwelling having the primary entry facing onto an interior property line shall maintain a minimum 10-FT setback from the corresponding interior property line.*
5. *Adequate lockable private storage space shall be provided within a garage or storage building, or a space directly accessible from the dwelling. Exterior closets accessed from patios or balconies may be used if screened from public view.*
6. *Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.*
7. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that If, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*
8. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
   a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
   b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
9. *The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*

Triplex Townhomes — 5.1 to 11 DU/Acre



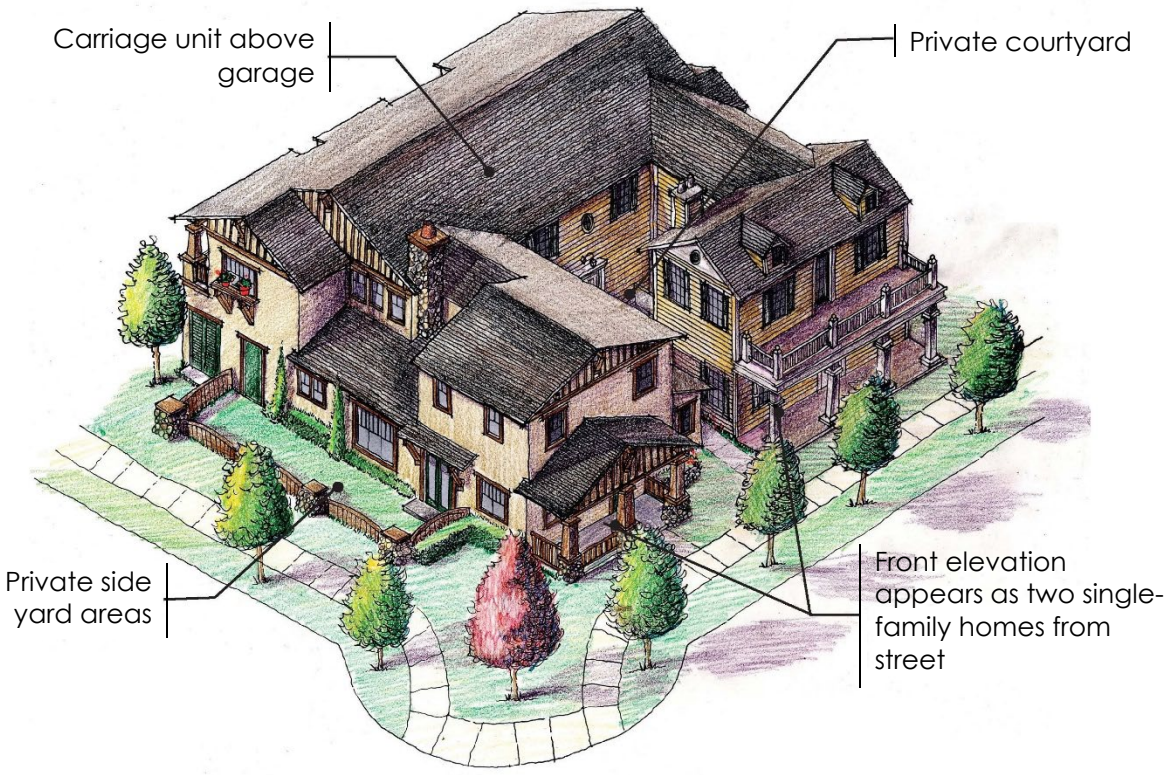


Figure 6.01-3A: Example Multiple-Family Development — MDR-11 (5.1 to 11.0 DU/Acre) Zoning District

Courtyard Townhomes — 11.1 to 18 DU/Acre



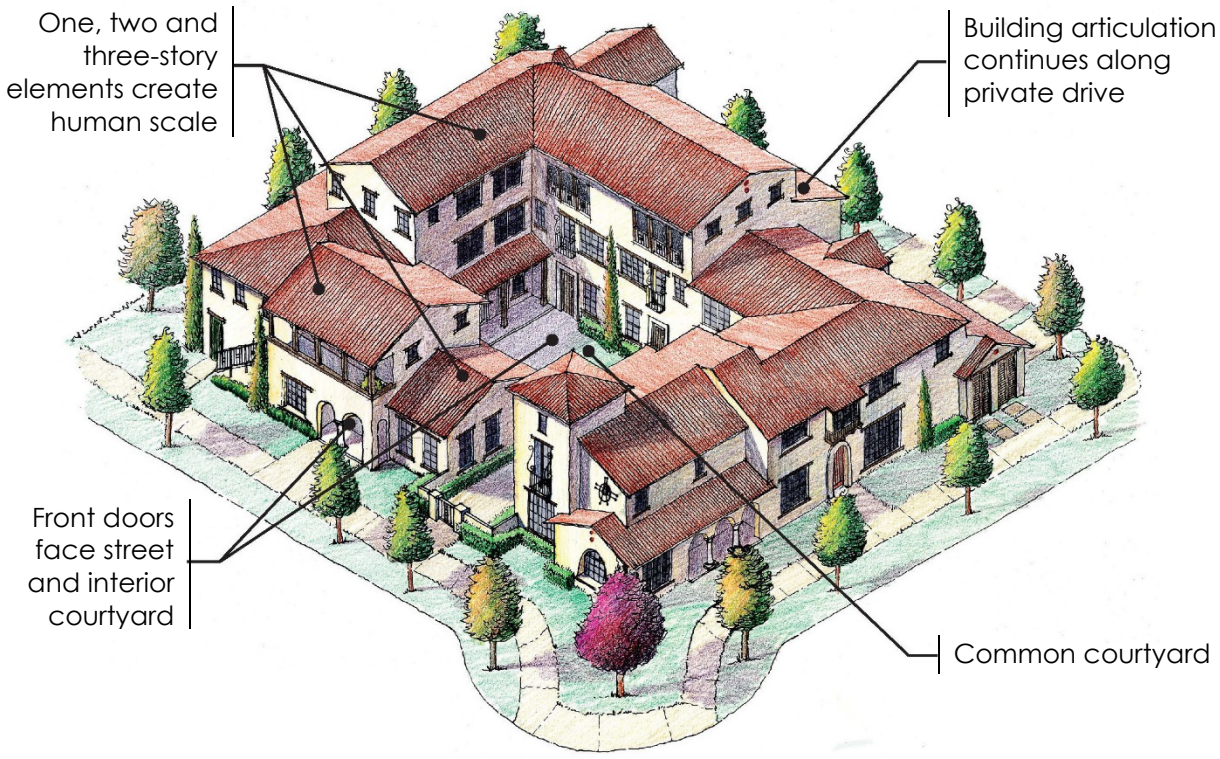


Figure 6.01-3B: Example Multiple-Family Development — MDR-18 (11.1 to 18.0 DU/Acre) Zoning District

Motorcourt Townhomes — 18.1 to 25 DU/Acre

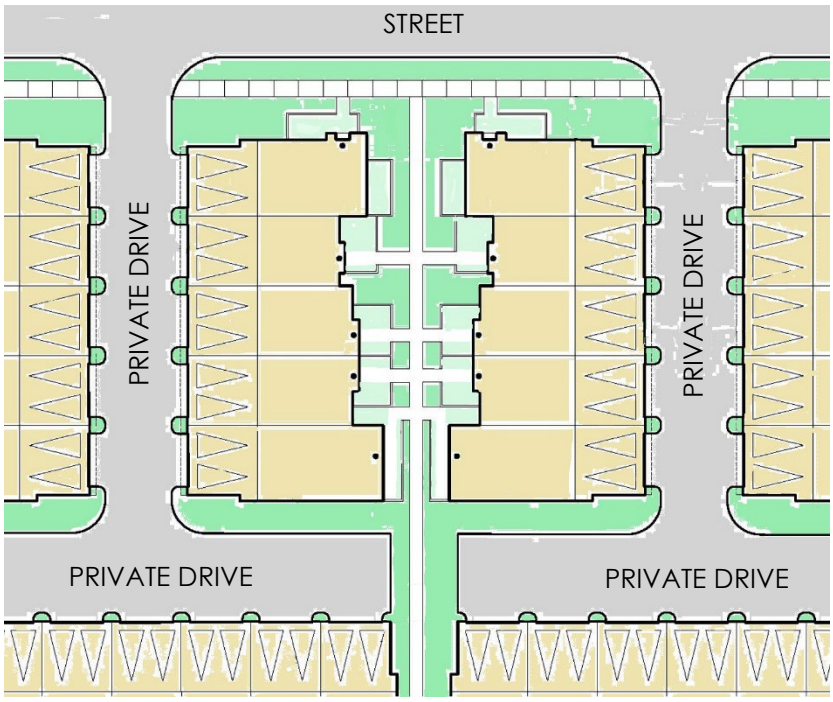




Figure 6.01-3C: Example Multiple-Family Development — MDR-25 (18.1 to 25.0 DU/Acre) Zoning District

Stacked Flats Condominiums Over Podium Parking — 25.1 to 45 DU/Acre





Figure 6.01-3D: Example Multiple-Family Development — HDR-45 (25.1 to 45.0 DU/Acre) Zoning District

D. Exceptions to Development Standards. The following exceptions from the maximum height and minimum setback requirements stipulated in Table 6.01.010-1 (Traditional Single-Family Residential Development Standards), Table 6.01.010-2 (Single-Family Residential Small Lot and Cluster Development Standards), and Table 6.01.010-3 (Multiple-Family Residential Development Standards) shall be permitted:

1. Height.

a. *Aerials and Antennas, Chimneys, Cupolas, Elevator Penthouses, Flagpoles, Monuments, Parapet Walls, Spires, Towers, Water Tanks, and Other Similar Structures*. Aerials and antennas, chimneys, cupolas, elevator penthouses, flagpoles, monuments, parapet walls, spires, towers, water tanks, and other similar structures may be erected to a height of up to 25 percent above the prescribed height limit of the base zoning district.

b. *Amateur (HAM) Radio Antennas*. HAM radio antennas may exceed the maximum prescribed height limit of a zoning district by a maximum of 10 FT. The Zoning Administrator, however, may allow HAM radio antennas to exceed this height limitation if it is necessary to accommodate amateur radio service communications. A HAM radio antenna that exceeds the maximum prescribed height limit of the zoning district in which it is located shall not exceed the minimum height and dimensions necessary to accommodate amateur radio service communications.

c. *Wireless Telecommunication Facilities*. Wireless telecommunication facilities shall comply with Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code.

2. Encroachments into Required Setback Areas.

a. *Attached Porte Cocheres.* Porte cocheres attached to the main dwelling may extend into a required front setback a maximum of 30 percent of the required setback depth and may extend into a side setback a maximum of 50 percent of the required setback width, provided the porte cochere is no greater than 20 FT in width. In no case, however, shall the side setback width be reduced to less than 3 FT.

b. *Cornices, Eaves, Canopies, Decorative Wall Elements, and Similar Architectural Features*. Cornices, eaves, canopies, decorative wall elements, and similar architectural features may extend into a required front, street side, or rear setback area, a maximum of 50 percent of the required setback, not to exceed 2.5 FT.

c. *Fireplaces and Chimneys.* Fireplaces and chimneys may extend a maximum of 2 FT into a required front, rear, side, or street side setback area; however, in no case shall the side setback be reduced to less than 3 FT.

d. *Porches, Patios, and Decks.* A porch, patio, or deck, may extend up to 30 percent into a required street setback area, provided the porch, patio, or deck, is no greater than 20 FT in width.

e. *Decorative Archways, Pergolas, and Porticos.* Decorative archways, pergolas, and porticos may be located within a front or street side setback area, provided the structure does not exceed 5 FT in width, 4 FT in depth, and 8 FT in height, and a minimum clear interior vertical dimension of 7 FT is maintained.

f. *Patio Covers.* Support structure for patio covers (i.e., columns, beams, and lintels) attached to single-family dwellings may extend into a required rear setback, to within 10 FT of the rear property line, to within 5 FT of an interior property line and to within 5 FT of a street side property line.

g. *Signs*. Signs allowed pursuant to Division 8.1 (Sign Regulations) of this Development Code may encroach into a required front or street side setback area, or rear setback area of a through-lot.

h. *Single-Story Additions to Single-Family Dwellings.* Single-story additions to single-family dwellings may extend into a required rear setback to within 10 FT of the rear property line, provided the building addition does not occupy more than 25 percent of the required rear setback area.

i. *Stairwells and Balconies.* Open, unenclosed stairways and balconies, which are not covered by a roof or canopy, may extend a maximum of 4 FT into a required setback area; however, in no case shall the side setback be reduced to less than 2.5 FT.

j. *Walls, Fences, and Obstructions.* Walls, fences, and obstructions may be permitted within required setback areas pursuant to the provisions of Division 6.02 (Fences, Walls, and Obstructions) of this Chapter.

k. *Utility and Storage Closets.* Utility and storage closets may extend a maximum of 2 FT into a required rear or side setback area. In no case, however, shall the setback be reduced to less than 3 FT.

E. Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects.

1. It is the intent of this section to ensure sufficient open space areas for the active enjoyment of recreational activities by residents and guests of small lot single-family and cluster development projects, and multiple-family and the residential portion of mixed-use development projects. In this regard, active open space elements shall be of sufficient size and location, and easily accessible to each dwelling unit.

2. Active open space areas that feature recreational amenities, such as pools, spas, court activities, etc., shall be placed and managed so as not to infringe upon the peacefulness of any neighboring traditional single-family development. The following open space areas shall contribute to the open space requirements for single-family small lot and cluster development projects, and multiple-family and the residential portion of mixed-use development projects:

a. *Minimum Open Space Requirements.*

(1) Small Lot Traditional and Alley-Loaded Development Projects, and Cluster Single-Family Development Projects—Small lot traditional, small lot alley-loaded, and cluster single-family development projects, which consist of more than 3 dwellings, shall devote a minimum of 20 percent of the project site to open space (private and common area), and shall include common recreation amenities and facilities pursuant to Paragraph E.2.c (Common Active Open Space Area) et seq., of this Section.

(2) Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects—

(a) Table 6.01-4 (Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects), below, establishes the minimum open space requirements for multiple-family development projects and the multiple-family residential portion of mixed-use development projects consisting of more than 3 dwellings. The required open space area shall be calculated on a per unit basis and includes **[i]** private open space for the exclusive use of a dwelling's occupants and guests, and **[ii]** common open space areas for the enjoyment of all residents within a development project. Common open space consists of active areas, with recreation facilities, and passive areas incorporating features that enhance the appearance and desirability of a development project, such as turf areas, exotic plantings, pathways, waterscape, hardscape, rockscapes, benches, gazebos, raised planters, and other unique features.

Table 6.01-4: Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects

Open Space Type	Zoning Districts		
	MDR-11 & MDR-18	MDR-25	HDR-45
Private Open Space	200 SF (40%)	150 SF (37.5%)	60 SF (20%)
Common Open Space	300 SF (60%)	250 SF (62.5%)	250 SF (80%)
Total Open Space	500 SF (100%)	400 SF (100%)	310 SF (100%)

(b) The ratios of "private" open space area to "common" open space area specified in Table 6.01-4 (Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects), above, are recommended and may be adjusted by the developer, based upon the housing market the proposed development is intended to serve, and subject to approval by the Approving Authority for the project. At a minimum, the "required total" open space for each zoning district shall be provided by all single-family residential small lot and cluster development projects, and multiple-family development projects.

(c) Off-street parking spaces, drive aisles, driveways, loading areas, or service areas, shall not be included in minimum open space calculations.

b. *Private Open Space Areas.*

(1) For small lot and cluster single-family development projects, a contiguous useable private open space area shall be provided for each dwelling at ground level, with a minimum clear horizontal dimension of 15 FT in depth by 15 FT in width (225 SF), and a minimum clear vertical dimension of 8 FT.

(2) For multiple-family dwellings, contiguous useable private open space located at the dwelling's main living level shall be provided, having a minimum contiguous clear area of 60 SF, a minimum clear horizontal dimension of 7 FT, and a minimum clear vertical dimension of 8 FT. Other open space areas located on balconies or roof decks shall have a minimum contiguous clear area of 50 SF, a minimum clear horizontal dimension of 6 FT, and a minimum clear vertical dimension of 8 FT.

(3) Private ground level open spaces located on the street side of a structure shall be screened from street public view by a decorative wall or fence, and densely planted landscaping.

(4) Private open spaces shall be permanently maintained in an orderly manner, and kept clear of weeds and refuse, debris, rubble, or any other waste.

c. *Common Active Open Space Area.*

(1) Common active open space areas containing recreation facilities shall be provided pursuant to Table 6.01-5 (Minimum Requirements for Common Recreation Amenities). For the purpose of this provision, required recreation facilities shall be categorized as follows:

(a) Major Recreation Facilities—A major recreation facility is intended to be a significant recreation node or focal point for residents, and include recreation buildings, swimming or wading pools, splash pads and water play fountains, tennis courts, childcare facilities, and other major amenities requiring significant investment and of appropriate size to serve the project residents, as determined by the City. (Note: For projects consisting of 45 or fewer dwellings, two minor recreation facilities may be provided in place of one major recreation facility.)

(b) Minor Recreation Facilities—A minor recreation facility is intended to augment the variety and availability of recreation facilities, and include tot lots for ages 2 to 5 and/or play areas/equipment for ages 5 to 12, spas or saunas, picnic and barbecue areas, cabanas and shade structures, basketball courts, volleyball courts, community gardens, and other similar amenities requiring significant investment and appropriate to serve project residents, as determined by the City.

Table 6.01-5: Minimum Requirements for Common Recreation Amenities

Type	*No. of Dwelling Units*							
	4-10	*10-25*	*26-100*	*101-150*	*151-200*	*201-250*	*251-300*	*> 300*
Major Facilities:	0	1**	1**	1	2	2	3	One per 100 DUs
Minor Facilities:	1	0	1	2	2	3	3	One per 50 DUs

*Note: **Projects consisting of 45 or fewer dwellings may provide two minor recreation facilities in place of one major recreation facility.*

(2) Common active open space areas shall not be located within required setback areas from public or private streets.

(3) Common active open space areas shall be located a minimum of 10 FT from any habitable structures, and shall have a minimum contiguous area of 300 SF, with no horizontal dimension less than 15 FT, and no clear vertical dimension less than 8 FT.

(4) All common active open space areas shall be planted with permanent landscaping or be devoted to recreational facilities, such as swimming pools, tennis courts, tot lots, patios, or similar open space and recreational facilities.

(5) Common active open space areas are to be permanently maintained in an orderly manner.

d. *Common Passive Open Space Area.*

(1) Common passive open space areas shall not be located within required setback areas from public or private streets.

(2) Passive common open space areas shall be located a minimum of 5 FT from the habitable portion of any dwelling on the project site.

(3) Passive common open space areas shall have a minimum dimension of 5 FT; however, not more than 50 percent of the passive areas having a dimension less than 10 FT may be counted toward the minimum open space requirements of this Section.

F. General Provisions. The following general provisions are applicable within all residential zoning districts:

1. Single-Family Dwellings.

a. *Minimum Dwelling Width*. All traditional single-family residential dwellings units, including mobile homes constructed outside of mobile home parks, shall have a minimum overall width of 24 FT, excepting accessory detached residential structures and second dwellings.

b. *Variety of Floor Plans and Elevations.* For the development of 5 or more single-family dwellings, a variety of floor plans and building elevations shall be provided pursuant to Table 6.01-6 (Minimum Requirements for Floor Plan and Exterior Elevation Variation), below.

Table 6.01-6: Minimum Requirements for Floor Plan and Exterior Elevation Variation for Single-Family Dwellings

No. of Dwellings Proposed	*Minimum No. of Differing Floor Plans Required*	*Minimum No. of Elevations for Each Floor Plan Required*
5 to 10	2	2
11 to 25	2	3
26 to 50	3	3
51 to 75	3	4
76 to 100	4	4
> 100	Requirement for 76 to 100 dwellings, plus one additional floor plan with 4 elevations for each additional 25 units exceeding 100	

2. Roofing Materials on Sloped Roofs. Roofing materials used on sloped roofs, whether new construction or replacement roofing, shall be of clay or concrete tile, architectural grade dimensional composition shingle, or decorative metal shingle. Built-up/rock, roll-roofing, or other material shall not be permitted.

3. Temporary Structures. No temporary structure shall be located within a front or street side yard area. A temporary structure may be located within the rear or interior side yard area, provided it is screened from view by a solid 6-FT high fence or wall with appropriate view-obstructing access gate.

4. Refuse Storage Areas.

a. Within all residential zoning districts, refuse and recyclable materials shall be stored in an appropriate container, out of view from public streets and adjacent properties.

b. Any new dwelling unit or residential development project, for which a building permit has been issued, shall provide adequate, accessible, and convenient areas and facilities for the collection and storage of refuse and recyclable materials.

c. All animal keeping uses within residential zoning districts that generate a substantial amount of waste or refuse, as determined by the Ontario Municipal Utilities Company, shall provide refuse enclosures conforming to City standards.

d. New dwellings that have individual trash pick-up shall include an area for the storage of recyclable materials within a garage, or side or rear yard area. Furthermore, developers shall provide areas or systems containing recyclable materials receptacles, such as under-cabinet rollout drawers within kitchens, to make recycling more convenient and accessible to residents.

e. Single-family small lot and cluster developments, and multiple-family development projects that have not been approved by the City for individual dwelling unit pick-up of refuse and recyclable materials, shall provide trash enclosures for the storage of refuse and recyclable materials containers, as follows:

(1) The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with City standards.

(2) Trash enclosures shall be designed to contain separate containers for the collection of refuse and recyclable materials, with an adequate number of containers provided to allow for the collection of both refuse and recyclable materials generated by the development, pursuant to standards established by the Ontario Municipal Utilities Company.

(3) Trash enclosures shall meet the minimum design standards depicted in the standard drawings adopted by the City, which shall include: **[i]** a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, **[ii]** separate pedestrian access that is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion, and **[iii]** a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable, and screen trash bins from view of the upper floors of adjacent dwellings. Furthermore, trash enclosures shall be architecturally enhanced, and shall be consistent with the architectural design of adjacent buildings.

(4) Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

(5) Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

(6) Trash enclosures shall be located a minimum of 10 FT from the interior project boundary/property line.

(7) Care shall be given when placing trash enclosures immediately adjacent to dwelling units; however, in no case should a trash enclosure be located within 10 FT of the livable portion of a structure.

(8) Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates.

(9) Prior to the issuance of an occupancy permit, a developer or homeowners association may be required to develop a written recycling plan, which specifies the identification of targeted materials to be recycled, and methods of recycling program promotion to tenants or homeowners.

5. Stored Automobiles, Recreational Vehicles, Light Trucks, Trailers, and Other Similar Vehicles.

a. Automobiles, boats, recreational vehicles, trucks, trailers, and other similar vehicles stored within a front or street side yard area, is prohibited. For the purposes of this Section, the term "stored" means continuously parked in the same location for more than 72 hours.

b. Automobiles, boats, recreational vehicles, trucks, trailers, and other similarly used vehicles that are not stored within an enclosed structure, shall comply with the following:

(1) Vehicles shall be stored on a paved surface and screened from public view by buildings, decorative screen walls or fences, or a combination thereof.

(2) Vehicles shall only be stored on property owned by the owner of the vehicle or on property where the registered owner resides.

(3) Vehicles shall bear current vehicle registration (as required by state law).

(4) Vehicles shall not be stored in a wrecked, dismantled, or inoperative condition.

(5) Vehicles stored within side and rear yard areas shall be limited to 5 percent of the total lot area.

c. Recreational vehicles shall not be occupied or otherwise used as a living unit.

6. Landscaping.

a. *Traditional and Small Lot Single-Family Development.* The front and street side yards of lots developed with single-family dwellings shall be fully landscaped and provided with an automatic irrigation system irrigated prior to Certificate of Occupancy issuance.

b. *Maximum Allowed Area Devoted to Hardscape.* A maximum of 45 percent of the front yard of traditional single-family lots, including the street side yard area of corner lots, that is open to public view may be comprised of hardscape materials, including, but not limited to, paved porches, patios, courtyards, walkways, and driveways, areas of gravel and/or decomposed granite, and areas of artificial turf.

c. *Single-Family Cluster and Multiple-Family Development.* All areas of a development project not covered by structures, drive aisles, off-street parking facilities, or hardscape, shall be fully landscaped and provided with a permanent automatic irrigation system

prior to Certificate of Occupancy issuance, excepting private open space areas that are enclosed by a minimum 6-FT high decorative wall or fence.

7. Drive Approaches, Driveways, and Drive Aisles. Residential drive approaches, driveways, and drive aisles shall comply with the following:

a. *Drive Aisles and Driveways.*

(1) Drive aisles and driveways shall be allowed solely for the purpose of providing access to off-street parking facilities, and emergency vehicle access to a property.

(2) For lots developed with single-family dwellings:

(a) One driveway per lot may be permitted, which shall lead to a garage or carport, and shall not exceed the overall width of the garage or carport, except that vehicular access (maximum 10 FT in width, pursuant to Paragraph 6.01.010.F.6 (Landscaping)) may be provided to the side or rear yard area of lot used for vehicle storage pursuant to Paragraph 6.01.010.F.5 (Storage of Automobiles, Recreational Vehicles, Light Trucks, Trailers, and Other Similar Vehicles) of this Section; and

(b) Temporary off-street parking within a front or street side yard area shall only be allowed on a driveway leading to a garage or carport, or on an approved circular driveway constructed pursuant to Subparagraph 6.01.010.G.7.b (Circular Driveways) of this Section.

(c) Corner lots may have a rear yard access drive from a side street, subject to Planning Director and City Engineer approval. The rear yard access drive shall not exceed 12 FT in width and shall lead to a parking area that is screened by a view-obstructing wall or fence, with appropriate view-obstructing gate.

b. *Circular Driveways.* Circular driveways shall be permitted on lots developed with a single-family dwelling, which meet all of the following:

(1) The lot is located within the AR-2, RE-2, RE-4, or LDR-5 zoning district, or AG overlay zoning district, and is at least 10,000 SF in area;

(2) The property takes vehicular access from an arterial street, as identified on Exhibit M1 (Mobility Plan Map) of the Policy Plan component of The Ontario Plan, and does not front onto, or take vehicular access from, Euclid Avenue;

(3) The dwelling is setback at least 30 FT behind the front property line; and

(4) The proposed circular driveway does not exceed 10 FT in width.

c. *Maximum Drive Approach Width.*

(1) **Driveway Access for Traditional Single-Family Developments—**A drive approach on a public street shall not exceed the maximum widths prescribed by Table 6.01-7 (Maximum Single-Family Residential Drive Approach Widths), below, based upon the lot width range.

Table: 6.01-7: Maximum Single-Family Residential Drive Approach Widths

Lot Width Range	Maximum Drive Approach Width
Less than 51 FT	12 FT
51 to 80 FT	16 FT
Greater than 80 FT	20 FT

(2) Drive Aisle Access for Single-Family Cluster and Multiple-Family Developments—A drive approach providing street access to an intersecting drive aisle shall not exceed the width of the corresponding drive aisle, not to exceed 26 FT in width, unless otherwise required by the City Engineer.

d. *Drive Approaches, Driveways, and Drive Aisles Serving Developments with Multiple Dwellings.*

(1) Drive approaches serving a development project of 5 or more dwellings shall be delineated with enhanced paving treatment, such as interlocking pavers, textured and color pigmented concrete, or stamped concrete. Such treatment shall extend from the back of the drive approach to the first intersecting drive aisle or parking space.

(2) Single-family and multiple-family development projects that include dwellings configured into one or more motorcourts, shall incorporate enhanced paving treatments consisting of interlocking pavers, and textured and/or color pigmented concrete, throughout all motorcourt drives.

(3) Pedestrian pathways that cross driveways and drive aisles shall be delineated by enhanced paving treatments, such as interlocking pavers, and textured and/or color pigmented concrete.

8. Conversion of Garages. No garage shall be converted to another use unless a replacement garage is constructed on-site, which meets the minimum requirements of Division 6.03 (Off-Street Parking and Loading) of this Chapter, excepting a garage conversion to accommodate an Accessory Dwelling Units conforming to Section 5.03.010 (Accessory Dwelling Units) of this Development Code.

9. Equestrian Trails and Related Facilities. The following standards shall govern the establishment of equestrian trails and easements within the City:

a. If required by Table 6.01-1 (Traditional Single-Family Residential Development Standards) of this Section, an unobstructed 8-FT wide easement for equestrian trail purposes shall be dedicated immediately adjacent to the front property line. Furthermore, if determined necessary by the Planning Director, additional 8-FT wide equestrian trail easements may be required at the end of blocks, and along interior side, street side, or rear property lines, to create connections to adjacent public streets or equestrian trail easements. Moreover, if determined by the Planning Director that providing equestrian easements on both sides of a street is not necessary or practical, the requirement to provide equestrian trail easements may be waived.

b. Trails shall not be surfaced with hard materials such as concrete or asphalt. Preferred surface materials include wood chips, decomposed granite, and shale;

c. Fencing built at the edge of an easement shall not be over 48 inches in height; an additional inch of height shall be allowed for every 2 inches that the fence is setback from the easement. Within 4 FT of the easement, fences shall not be opaque for more than 50% of their surface area. Wooden rail and wood plank fencing are preferred, while chainlink and wrought iron fencing should be avoided. Entries to individual properties should be accentuated with hitching posts and gates;

d. Entrances to an equestrian trail from the street shall allow the free movement of pedestrians and equestrians. Vehicular access to the trail may be limited by removable bollards or a gate and should be designed to permit emergency vehicle access and occasional vehicular access by residents, as shown in Figure 6.01-4 (Equestrian Trail Step-Through Entry Design) and Figure 6.01-5 (Equestrian Trail Steel Barrier Gate Entry Design). Street crossing by pedestrians and equestrians should be facilitated at the street-trail entry by restricting on-street parking, narrowing paved widths (to minimize crossing distances), and marking the crossing with striping and signs.

10. Infill Traditional Single-Family Dwellings. Infill traditional single-family dwellings within existing residential neighborhoods are to be complementary with the character of the surrounding neighborhood in which they are proposed in terms of building height, setbacks, general architectural style, and use of exterior finish materials, and shall comply with the following standards:

a. New infill traditional single-family dwellings constructed within existing residential neighborhoods shall be integrated with existing surrounding homes to protect, enhance, and preserve the physical integrity of the existing neighborhood.

b. The area, dimensions, lot coverage, height, bulk, and scale of a proposed infill traditional single-family dwellings shall be compatible with existing residential development in the surrounding neighborhood.

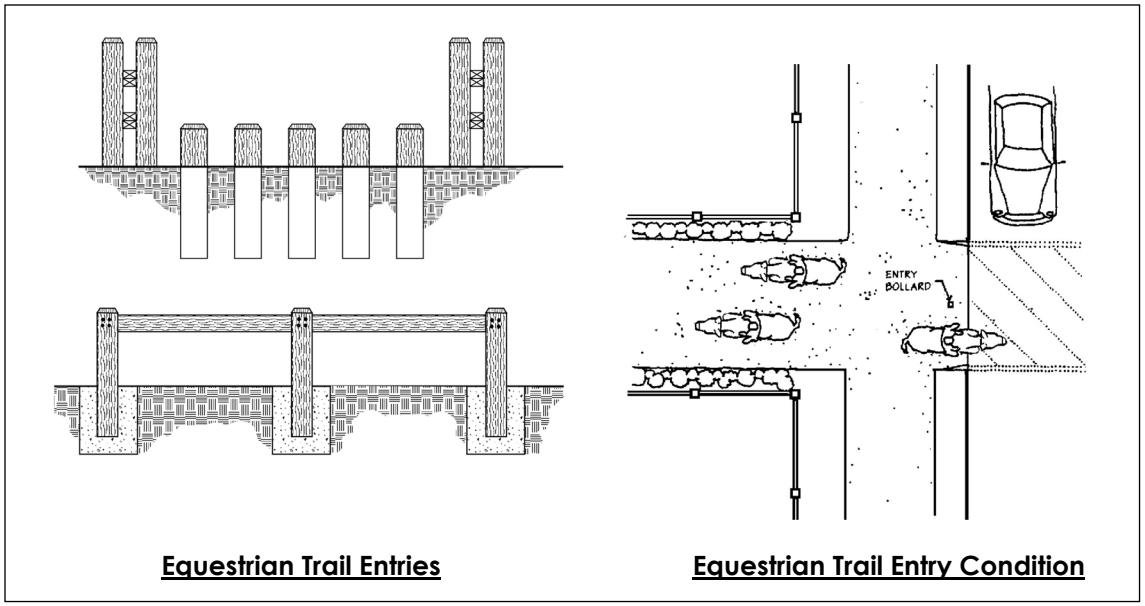


Figure 6.01-4: Equestrian Trail Step-Through Entry Design

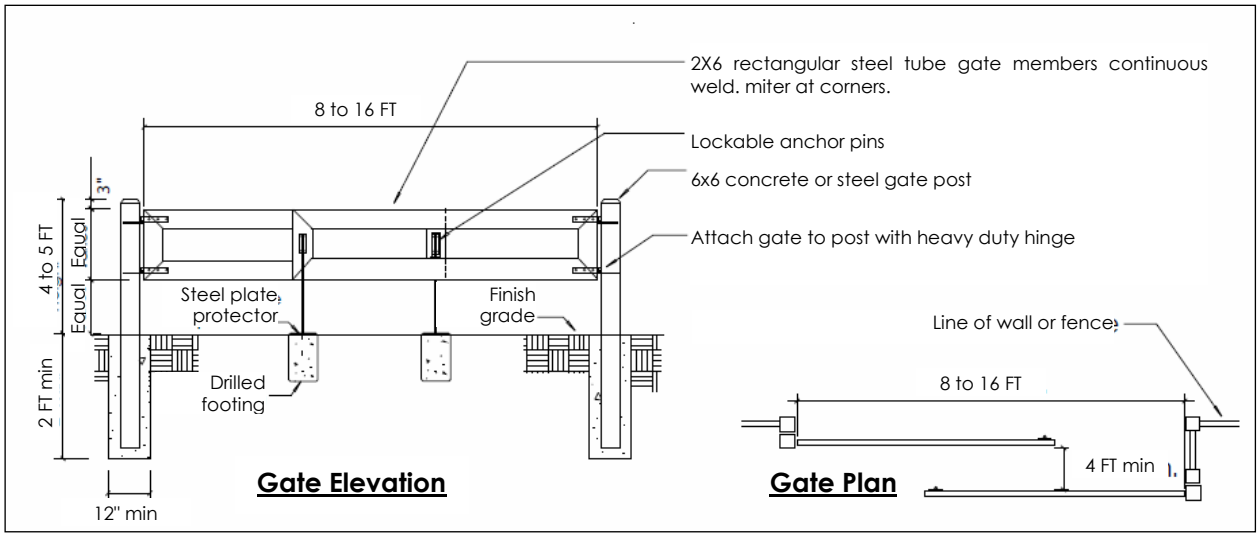


Figure 6.01-5: Equestrian Trail Steel Barrier Gate Entry Design

c. Infill traditional single-family dwellings shall be plotted on a lot in a manner consistent with the pattern of development in the surrounding residential neighborhood. The front door should be oriented toward the frontage street and any secondary entrances and side yard facing windows should be situated in such a way that the privacy of adjacent homes is not substantially impacted. Placing side yard facing windows across from side yard facing windows of adjacent houses is discouraged.

d. Garages shall be oriented consistent with garage orientations within the surrounding neighborhood. Garages shall be oriented with access off an alley on lots with alley access.

e. New street curb cuts should not be permitted on lots with alley access. If permitted, new curb cut locations should not compromise street trees, visibility, or neighborhood consistency.

f. Separation of pedestrian and vehicular circulation within the lot is encouraged. Exterior doors should not exit onto a driveway unless a porch or landing is provided.

11. Mobile Homes and Manufactured Housing on Residential Lots Not Constructed Within a Mobile Home Park. The following standards shall govern the development of mobile homes and manufactured housing on residential lots not constructed within a mobile home park:

a. Each housing unit shall meet and be certified under the standards set forth in the National Manufactured Housing Construction and Safety Act (42USC5401 et. seq.), as amended, at the time of any application for the placement of a mobile home or a manufactured housing unit;

b. The mobile home or manufactured housing unit shall be placed on a permanent foundation system;

c. The mobile home is to be covered with exterior finish materials similar in appearance to new, conventionally constructed dwellings within area surrounding the project site;

d. The exterior finish material shall extend to the ground. If a solid concrete or masonry perimeter foundation is used, the exterior finish material need not extend below the top of the foundation. Alternative skirting materials commonly found on conventionally built residential structures shall be considered compatible;

e. The roofing material shall be of a type commonly found on conventionally built residential structures located within the area surrounding the project site;

f. Electricity, water and natural gas service, and sewer connections are to be made in a permanent manner, as typically required for permanent buildings. Gas shut-off valves, meters, and regulators shall not be located beneath a mobile home or manufactured housing structure; and

g. An attached or detached garage, which is similar to conventionally built residential structures within the area surrounding the project site, shall be provided for each mobile home or manufactured housing unit. The roof material and exterior wall finishes of the garage or carport shall exactly match the mobile home or manufactured housing unit.

12. Gutters, Vents, and Downspouts. Gutters, vents, and downspouts shall be concealed from public view to the extent possible. Exposed gutters and downspouts, where necessary, shall be colored to match the fascia or wall material to which they are attached. Roof vents shall be colored to match the roof material or the dominant trim color of the structure, as appropriate.

13. Swimming Pools, Hot Tubs, Spas, Ponds, and Decorative Bodies of Water. Swimming pools, hot tubs, spas, ponds, and decorative bodies of water shall be permitted ancillary to those land uses allowed within residential zoning districts pursuant Table 5.02-1 (Land Use Matrix), subject to the following regulations governing their placement, construction, and security:

a. Swimming pools, hot tubs, spas, ponds, and decorative bodies of water that are 1.5 FT or more in depth, shall be secured by a decorative fence or wall pursuant to the requirements of Section 6.02.020.A.3 (Ponds and Swimming Pools) of this Development Code.

b. All gates or doors within the fence or wall shall be kept securely closed at all times when not in use.

c. A clear path, minimum of 3 FT wide, shall be provided around the entire perimeter of a swimming pool, hot tub, spa, pond, or decorative body of water to permit emergency access. For properties containing 2 or fewer dwellings, a clear path shall be provided around at least 50 percent of said perimeter.

d. Swimming pools, hot tubs, spas, ponds, and decorative bodies of water that are 1.5 FT or more in depth shall not be constructed within a front yard area and shall be setback a minimum of 3 FT from any side or rear property line.

e. Diving boards, slides, waterfalls, fountains, decorative rockscapes, and other similar appurtenances shall be setback a minimum of 5 FT from side and rear property lines, except that appurtenances that exceed 6 FT in height, measured from adjacent grade to the highest point of the structure, shall comply with the minimum building setback requirements of the applicable zoning district.

f. Swimming pools, hot tubs, spas, ponds, and decorative bodies of water shall comply with all applicable provisions of the City's building code.

14. Lighting. Exterior light fixtures shall be designed and/or located to eliminate adverse impacts of light spillover on to adjacent properties and promote safe vehicular and pedestrian access.

a. Exterior light fixtures shall prevent glare and light spillover on to adjacent properties, buildings, and public and private streets and roadways.

b. Parking lot lighting shall comply with Section 6.03.050 (Parking Lot Lighting) of this Development Code, and OMC Section 4-11.09(j).

c. Exterior light fixtures should use color-correct luminaires such as halogen, metal halide, or LED, to ensure true-color at night, visual comfort for pedestrians, and energy efficiency.

d. Pedestrian-level pole-mounted lighting, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings or walls, shall be used to light pedestrian walkways. Pole-mounted, building-mounted, or tree-mounted lighting fixtures shall be no more than 12 FT in height. Bollard-type lighting shall be no more than 4 FT in height.

e. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures, were possible.

15. Building Color. Building exteriors shall incorporate colors that are of compatible hues and intensities. Color schemes shall tie building elements together, relate separate buildings within the same development, and enhance the architectural form of a building.

a. Exterior building colors shall be low-reflecting and subtle. Furthermore, overly intense, overly bright, or fluorescent or Day-Glo colors, shall not be used on a building exterior, as determined by the Planning Director.

b. The exterior building color of a new development project shall be reviewed and approved in conjunction with the approval of the structure by the Approving Authority. Development projects consisting of multiple buildings shall incorporate colors that are coordinated between structures, utilizing compatible hues and intensities. The final review and approval of paint colors, utilizing a color test, may be required by the City, prior to painting a building.

c. All building mechanical equipment and appurtenances, including, but not limited to, meters, flues, vents, gutters, and utilities, shall match or complement the permanent color of the surface from which they are attached or project.

16. Equipment Screening.

a. *Single-Family Dwellings*. The placement of new exterior roof-mounted mechanical, heating and air conditioning equipment is prohibited; however, the replacement of existing permitted roof mounted equipment shall be permitted provided the replacement equipment does not exceed the size, height, and location of the existing equipment.

b. *Multiple-Family Dwellings*. The placement of exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

c. All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened by landscaping and/or decorative low garden walls.

G. Small Lot Infill Subdivisions.

1. Purpose. The purpose of this Subsection is to regulate the development and subdivision of existing lots within certain residential and mixed use zoning districts, with infill small lots as an alternative form of fee simple homeownership.

2. Applicability. Small Lot Infill Subdivisions are permitted within residential and mixed use zoning districts specified in Table 5.02-1 (Land Use Matrix) of this Development Code.

3. Development Standards.

(a) *Site Development Standards.* A Small Lot Infill Single-Family Subdivision shall comply with the following site development standards:

(1) Maximum Number of Dwelling Units. A Small Lot Infill Single-Family Subdivision shall contain no more than 45 dwelling units.

(2) Density Range. A Small Lot Infill Single-Family Subdivisions shall comply with the density requirements of the underlying zoning district in which it is located.

(3) Lot Area and Dimension. Each individual lot established by a Small Lot Infill Single-Family Subdivision shall have a minimum area of 480 SF and a minimum lot width of 16 FT.

(4) Lot Coverage and Open Space.

(a) There shall be a maximum lot coverage of 80 percent for each individual lot established by a Small Lot Infill Subdivision.

(b) As an alternative to Subdivision (a), above, a Small Lot Infill Subdivision may provide common open space amenities within a common open space easement, which is equal to at least 20 percent of the total subdivision area, and having no horizontal dimension less than 5 FT Furthermore, each dwelling shall be provided a minimum of 50 SF of private open space (patios and/or balconies) having no horizontal dimension less than 5 FT.

(5) Lot Access. Access to a lot containing a dwelling unit and its required parking shall be by way of a public or private street, alley, or access easement.

(6) Off-Street Parking. Small Lot Infill Subdivisions shall provide off-street parking facilities pursuant to the requirements of Division 6.03 (Off-Street Parking and Loading) of this Development Code, except as follows:

(a) Off-street parking shall be provided for each dwelling at the minimum rate of 1.0 parking space per bedroom, plus guest/visitor parking at the minimum rate of 0.2 parking space per bedroom. A minimum of one space shall be provided in a fully enclosed garage.

(b) There shall be no limitations on the use of tandem parking spaces, except that tandem parking shall be no more than 2 parking spaces in depth and shall not be used for guest/visitor parking.

(7) **Fences, Walls, and Obstructions.** Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).

(8) **Landscaping.** Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).

(9) ***Historic Preservation.*** Certain portions of residential and mixed use zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.

(10) **Security Standards.** Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).

(11) **Noise.** Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

(12) **Airport Safety Zones.** Properties within the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.

(b) *Building Development Standards.*

(1) **Minimum Setbacks.**

(a) No front, side, or rear yard setback is required between interior lots within an approved Small Lot Infill Single-Family Subdivision; however, a minimum 5-FT setback shall be provided where a lot abuts a lot that is not created pursuant to this Section.

(b) The front yard setback required by the underlying zoning district shall apply to the front lot line of a Small Lot Infill Subdivision that abuts a public street.

(c) Any Small Lot Infill Subdivision **sharing** a property line with a LDR-5 (Low Density Residential - 2.1 to 5.0 DUs/Ac) or higher density residentially zoned property, shall provide front, side, and rear yard setbacks along the subdivision perimeter that are consistent with the requirements of the underlying residential zoning district.

(d) Any Small Lot Infill Single-Family Subdivision **not sharing** a property line with a LDR-5 (Low Density Residential - 2.1 to 5.0 DUs/Ac) or higher density residentially zoned property shall provide a minimum 5-FT setback along the side lot line of the subdivision perimeter and a minimum 10-FT setback along the rear lot line of the subdivision perimeter.

(2) **Building Separations.** There shall be a minimum 6-FT separation between buildings, except that a minimum 10-FT separation shall be provided between the front face (contains the primary entry) of a Small Lot Home and the adjacent building wall of a neighboring Small Lot Home. Chimneys may extend up to 2 FT into the minimum building separation area.

(3) **Maximum Height.** Within a Small Lot Infill Subdivision, the maximum allowed building height is 40 FT.

(4) **Driveway Length.** Straight-in driveways to garages shall have a minimum length of 18 FT, measured from the right-of way of a public or private street, or from the edge of a private drive. No driveways shall be more than 5 FT in length if parking is not provided in front of a garage.

4. Building Design.

(a) *Dwelling Orientation.*

(1) Small Lot Dwelling Units that abut a public or private street shall orient the primary entryway (front door) toward the street. Where there is a physical site constraint, provide a clearly identifiable pedestrian entry to the site from the street.

(2) Small Lot Dwelling Units located in the interior of the subdivision shall orient the primary entryway toward, and be visible from, a pedestrian pathway that is connected to a public or private street.

(3) Small Lot Dwelling Units that abut an alley shall orient the primary entryway toward the alley or shall be connected to a pedestrian pathway that leads directly to a public or private street.

(b) *Small Lot Dwelling Primary Unit Entries.*

(1) All Small Lot Dwelling Units shall have a primary entry. All primary entries shall be provided with the address or unit identification, ornamental low-level lighting to illuminate the entry area, and a porch or landing.

(2) All primary entries shall incorporate all of the following elements:

(a) The entry shall be recessed at least 3 FT behind the building façade to create a covered porch or landing area.

(b) The entry shall be designed with an overhead projection of at least 12 inches (awning, canopy, roof, or other design features) in depth, which distinguish the entry area from the rest of the building façade.

(c) The entry shall be clearly marked with a side lite window panel, adjacent window, or a door with a window.

(d) The entry porch or landing area shall be raised at least one stair step (6-inch riser) above the pedestrian pathway, except as otherwise required by the Building Code, Americans with Disabilities Act, or Universal Design Standards.

(e) The entry porch or landing area shall be enhanced with decorative paving, texture, pattern, or color that is differentiated from the pedestrian pathway.

(c) *Façade Articulation.* Façades facing a public or private street, the project perimeter, and all portions of exterior building elevations located greater than 7 FT from an adjacent Small Lot Dwelling Unit, shall be treated with an equal level of detail and articulation, and shall incorporate all of the following façade articulation techniques:

(1) Change in exterior building materials to include at least two high-quality building façade materials that accentuate or correspond to variations in building massing. Building materials may include, but are not limited to wood, glass, brick, metal spandrel, cement board siding, tile, or other material acceptable to the Approving Authority.

(2) Porticos, awnings, terraces, balconies, eyebrows, or trellises of at least 12 inches in depth that provide variations in the building plane.

(3) Window treatments that are recessed behind the building façade a minimum of 4 inches. Windows or doors that are flush with the plane of the building (rather than recessed at least 4 inches) will not qualify as facade articulation.

(4) A break in the façade plane of at least 8 inches in depth, which is applied to at least 10 vertical FT of the facade.

(5) Other additional architectural enhancements that create a human scale to the building. Examples include handrails, fixed planters, and ornamental details such as lighting, molding, tiles, or other similar design elements acceptable to the Approving Authority.

(d) *Varied Roofline.* Any Small Lot Dwelling Unit façade exceeding two stories in height, which faces a public or private street, shall be provided with an articulated roofline incorporating at least two of the following design elements:

(1) A roof with a slope equal to or greater than 3 inches of rise for every 12 inches of run, including but not limited to a sloped or curved roofline at the top of the dwelling.

(2) An open deck having a minimum clear area of 6 FT in depth and 8 FT in width.

(3) A flat roof with a minimum of 2 FT vertical height difference for a minimum of 10 horizontal FT along the roofline of each building façade.

(4) A vertical break in the façade plane of at least 1.5 FT in depth, which extends up and through the roofline.

(5) Any form of roofline variation incorporating a change or break in roof plane, such as horizontal recesses, incorporation of dormers, or other similar design elements acceptable to the Approving Authority.

(e) *Roof Decks.* All roof decks shall be stepped back a minimum of 5 FT from the roof edge to prevent direct views of abutting residential neighbors, except that roof decks facing a street are not required to be stepped back.

(f) *Building Massing Variation.*

(1) Small Lot Dwelling Units shall be grouped into clusters to avoid long spans of building wall, not to exceed six dwelling units in a single continuous row or 180 linear FT, whichever is less. Clusters of Small Lot Dwelling Units shall be separated with a building gap of at least 6 FT, which shall be treated with a combination of landscaping, open space, common walkways, or driveways.

(2) Small Lot Dwelling Units in a single row shall provide a horizontal change in plane in the building façade of at least 1.5 feet for every 3 dwelling units, or every 90 linear FT, whichever is less. The Approving Authority may approve alternate exterior building designs that achieve the City's desired variation in building massing.

(3) The exterior design of adjoining Small Lot Dwelling Units shall be unique, so as to provide architectural variety within a subdivision. A Small Lot Infill Subdivision containing more than 5 dwelling units in a single row shall provide at least two variations in building design, such as changes in dwelling orientation, primary entryways, fenestration patterns, façade articulation, and rooflines. A Small Lot development of 10 or more dwelling units shall provide at least 3 variations in exterior building design.

5. Pedestrian Connectivity and Access.

(a) *Pedestrian Pathways.*

(1) Pedestrian pathways, minimum 3 FT in width, shall be provided from the public street to all primary entryways and common areas.

(2) A pedestrian pathway located within or parallel to a common driveway shall be constructed and/or treated with a change of material, finish, pattern, or paving that distinguishes the pathway from vehicular traffic.

(3) Small Lot Infill Subdivisions shall provide pedestrian and bicycle access to surrounding neighborhood streets.

(b) *Walls and Fences.*

(1) Walls and fences abutting a public or private street or alley, or common open space area, shall be decorative. Walls shall be finished with a decorative masonry material, such as brick, natural or cultured stone, or stucco, or be constructed of decorative concrete block, such as split-face, slump, burnished, or shot block. Fences shall be constructed of ornamental tube steel or iron.

(2) Garden walls and fences, maximum 3 FT in height, that abut a public or private street shall provide a point of entry into each individual lot that abuts the street.

(c) *Landscaping, Common Open Space Areas, and Amenities.*

(1) All areas of a Small Lot Infill Subdivision not used for buildings, parking areas, driveways, pedestrian pathways, utilities, or common open space areas shall be automatically irrigated, and fully landscaped and maintained.

(2) Required common open space areas shall have a minimum area of 300 SF, with no horizontal dimension less than 15 FT, measured perpendicular from any point on each of the boundaries of the open space area. Driveways, parking spaces, or pedestrian pathways cannot be counted toward the open space requirement.

(3) Required common open space areas shall be open to the sky and have no structures that project into the common open space area, excepting structures provided as a common open space enhancement pursuant to Subparagraph G.3(c)(5), below.

(4) Common open space areas shall be located at grade level, contiguous or connected, and readily accessible to all residents of the Small Lot Infill Subdivision.

(5) Common open space areas shall be multi-functional and designed to accommodate a range of passive, active, or social uses, and may include enhancements such as activity lawns, swimming pools, spas, picnic tables, benches, children's play areas, ball courts, barbecue areas, sitting areas, decorative bike racks, and/or dog washing stations. Enhanced common side and rear yards that meet the minimum area and dimension specified in Subparagraph G.3(c)(2), above, may be counted toward common open space requirements.

(6) All yards of a subdivision abutting the right-of-way shall be improved with landscaping (combination of groundcover, shrubs, and trees) and amenities. Amenities may include decorative fencing, uncovered patios, enhanced pedestrian pathways, garden walls, seating areas, and/or decorative bike racks.

6. Small Lot Infill Subdivisions with Existing Dwellings. Small Lot Infill Subdivisions incorporating existing dwelling units, such as, but not limited to, multiple detached single-family structures or historic detached bungalow courts on a single lot, may be subdivided. The conversion of an existing structure to a Small Lot Infill Subdivision shall be required to comply with the following design standards:

(a) *Common Access Driveway*. Existing common access driveways, pedestrian pathways, and central common open space areas shall be maintained and not reduced in size.

(b) *Pedestrian Pathway*. Pedestrian pathways, minimum 3 FT in width, shall be provided from the public street to all primary entryways and common areas, such as centralized trash enclosures, guest parking, and open space easements, etc. If narrower pathways exist, they may be maintained in the same footprint and area and shall not be further reduced in width.

(c) *Existing Structures.* New dwelling unit construction or building additions affecting designated or identified historic structures shall be in conformance with the Secretary of the Interior's Standards for Rehabilitation.

(d) *New Dwelling*. All new dwelling units shall meet all applicable design standards in Paragraphs G.3 (Development Standards) and G.4 (Building Design) of this Subsection.

(e) *Landscaping.* All areas of the Small Lot Infill Subdivision not used for buildings, parking areas, driveways, pedestrian pathways, utilities, or amenity areas shall be fully landscaped and maintained, and automatically irrigated.

H. Density Bonus and Other Incentives.

1. Purpose. The purpose of these provisions is to establish a process whereby the City may provide a density bonus and other incentives to a developer agreeing or proposing to produce affordable housing within the City. The density bonus and incentives allowed by these regulations are used by the City as a means of meeting its commitment to encouraging the provision of affordable housing to all economic groups living within the City.

2. Applicability. A developer may request a density bonus and other incentives as prescribed in GC Section 65915, et seq. These density bonus provisions shall apply to single-family and multiple-family residential development projects, and mixed-use development projects, which contain a minimum of 5 dwelling units, excluding dwellings units granted as a density bonus.

3. Procedure. A request for a density bonus and other incentives shall be filed, processed, and acted upon following the procedures for Development Agreements contained in Section 4.01.015 (Development Agreements) of this Development Code, and shall require the approval and adoption of a Development Agreement and a Density Bonus Agreement for its implementation. The Density Bonus Agreement shall be filed, processed, and acted upon following the procedures for Development Agreements.

4. Findings and Decision. In considering a proposed density bonus and other incentives, the Approving Authority shall consider and clearly establish that the density bonus and other incentives are consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and any applicable specific plans, giving reasons as to how the proposed density bonus and other incentives are consistent. Furthermore, the Approving Authority shall grant the requested concession or incentive, unless one or more of the following findings is established, based upon substantial evidence:

a. The concession or incentive is not required in order to provide for affordable housing costs, as defined in HSC Section 50052.5, or for rents for the targeted units to be set as specified in GC Section 659159(c).

b. The concession or incentive would have a specific adverse impact, as defined in GC Section 65589.5(d)(2), upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

c. The concession or incentive would be contrary to state or federal law.

I. Residential Design Guidelines.

1. The City Council adopted~~shall establish by resolution,~~ ~~r~~Residential ~~d~~Design ~~g~~Guidelines, included as Reference "D" of this Development Code, applicable to all residential zoning districts, which are intended as a reference to assist the designer in understanding the City's goals and objectives for residential development. The guidelines ~~shall~~ compliment the mandatory residential development regulations contained in this Section, by providing examples of potential design solutions, and by providing design interpretations of the various mandatory regulations contained herein.

2. The design guidelines authorized herein shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

6.01.015: Commercial Zoning Districts

A. Purpose. The purpose of the provisions of this Section is to ensure that development within commercial zoning districts of the City will contribute toward an urban environment of stable, desirable character; which is compatible with existing and future development; and is consistent with the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. These regulations are further established to:

1. Promote the construction of well-designed professional office buildings.

2. Reserve certain areas of the City, consistent with the Policy Plan (General Plan) component of The Ontario Plan, allowing the establishment of a full range of retail stores, business and professional offices, personal and business service establishments, transportation related service establishments, and certain wholesale establishments, which are scaled to meet the needs of City neighborhood dwellers, residents of the City as a whole, residents of the nearby region and visitors.

3. Establish appropriate standards for the siting of neighborhood convenience retail stores, helping foster neighborhood cohesion, and reducing the need for vehicular traffic.

4. Encourage the construction of attractive and functional community shopping centers at strategic locations throughout the City, consistent with the Policy Plan (General Plan) component of The Ontario Plan.

5. Ensure adequate space on commercial lots to meet the needs of commercial development, including on-site parking, loading, and landscaping.

6. Provide a strong economic and financial base, and to increase employment opportunities for City residents and those of the surrounding area.

7. Ensure a high quality of exterior appearance for commercial uses and structures is maintained in harmony with the visual character of the area in which they are located, and at the same time, minimize the impact of uses and structures on surrounding residential neighborhoods.

8. Provide specific design guidelines that will result in well-designed and high quality commercial development projects.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's commercial zoning districts. Furthermore, the provisions of this Section shall apply to all commercial land subdivisions and any new commercial construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Commercial Zoning District Development Standards. Development within commercial zoning districts shall comply with the requirements of Table 6.01-8 (Commercial Zoning District Development Standards), below, which specifies standards for the development of structures within the CS, CN, CC, CR, CCS, OL, and OH zoning districts.

Table 6.01-8: Commercial Zoning District Development Standards

Requirements	Commercial Zoning Districts							Additional Regulations
	CS	CN	CC	CR	CCS	OL	OH	
A SITE DEVELOPMENT STANDARDS								
1. Minimum Lot Size	10,000 SF				20,000 SF	7,200 SF		Note 1
2. Maximum Floor Area Ratio (FAR)	0.4				1.0	0.75		Note 5
3. Minimum Lot Dimensions								
a. Lot Width	100 FT					60 FT		Note 1
b. Lot Depth	100 FT							Note 1
4. Minimum Landscape Coverage	Refer to Division 6.05 (Landscaping) landscape standards. Also refer to Paragraph 6.01.010.G.6.c (Single-Family Cluster and Multiple-Family Development) for additional standards addressing multiple-family development within commercial zoning districts.							
a. Interior Lots	15%		10%			15%		Notes 2 and 3
b. Corner Lots	18%		13%			18%		Notes 2 and 3
c. Off-Street Parking Areas	7%							Section 6.05.040.D (Landscaping of Off-Street Parking Facilities)
5. Minimum Parking Space and Drive Aisle Separations								
a. Parking Space or Drive Aisle to Street Property Line								
(1) Freeway	20 FT							
(2) Arterial Street	20 FT				25 FT	20 FT		
(3) Collector and Local Street	20 FT				15 FT	10 FT		
b. Parking Space or Drive Aisle to Interior Property Line	10 FT	5 FT						
Exception: Property line common to a residential zoning district	10 FT (area shall be densely landscaped)							
c. Parking Space or Drive Aisle to Buildings, Walls, and Fences	5 FT							Note 4
6. Walls, Fences and Obstructions	Refer to Section 6.02.025 (Design Standards for Nonresidential Zoning Districts).							
7. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).							
8. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).							
9. Historic Preservation	Certain portions of commercial zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application							

Table 6.01-8: Commercial Zoning District Development Standards

Requirements	Commercial Zoning Districts							Additional Regulations
	CS	CN	CC	CR	CCS	OL	OH	
	processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.							
10. Signs	Refer to Division 8.1 (Sign Regulations).							
11. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).							
12. Noise	Buildings shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).							
13. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.							
B BUILDING DEVELOPMENT STANDARDS								
1. Minimum Street Setback								
a. From Freeway Property Line	20 FT							
b. From Arterial Street Property Line	20 FT				25 FT	20 FT		
c. From Collector and Local Street Property Line	20 FT				15 FT	10 FT		
2. Minimum Interior Property Line Setback	10 FT	5 FT	0 FT			5 FT	0 FT	
Exception: Setback at a property line common to a residential zoning district	15 FT		20 FT			15 FT		
3. Maximum Height	35 FT		55 FT			35 FT	65 FT	
Exception: Project contains properties having one or more property lines common with, or across the street from, a residential zoning district	Same as the adjacent residential zoning district. This exception shall not apply to development projects within the CIV (Civic) zoning district that are subject to the requirements of the OH zoning district.							
4. Minimum Setback from Major Pipelines (to habitable structures)	50 FT							Note 5

Notes:

1. *There is no minimum lot area or dimension for common interest subdivisions established pursuant to Section 6.08.010 (Common Interest Subdivisions) of this Development Code.*
2. *Landscaped areas with a minimum dimension of 5 FT or more shall contribute toward the "minimum landscape coverage" calculation.*
3. *The "minimum landscape coverage" calculation for interior and corner lots shall exclude all landscaped areas located within public rights-of-way.*
4. *The minimum separation area between a building, wall or fence, and a parking space or drive aisle, shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 3-FT wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang.*

5. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*

   a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*

   b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*

D. Exceptions to Development Standards.

1. Building Height.

a. *Aerials and Antennas, Chimneys, Cupolas, Elevator Penthouses, Flagpoles, Monuments, Parapet Walls, Spires, Towers, Water Tanks, and Other Similar Structures*. Aerials and antennas, chimneys, cupolas, elevator penthouses, flagpoles, monuments, parapet walls, spires, towers, water tanks, and other similar structures may be erected to a height of up to 25 percent above the prescribed height limit of the base zoning district.

b. *Amateur (HAM) Radio Antennas*. HAM radio antennas may exceed the maximum prescribed height limit of a zoning district by a maximum of 10 FT. The Zoning Administrator, however, may allow HAM radio antennas to exceed this height limitation if it is necessary to accommodate amateur radio service communications. A HAM radio antenna that exceeds the maximum prescribed height limit of the zoning district in which it is located shall not exceed the minimum height and dimensions necessary to accommodate amateur radio service communications.

c. *Wireless Telecommunication Facilities*. Wireless telecommunication facilities shall comply with Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code.

2. Encroachments into Required Setback Areas.

a. *Balconies.* Balconies may extend into a required street or interior property line setback area a maximum of 50 percent of the required setback, not to exceed 4 FT.

b. *Cornices, Eaves, Canopies, Decorative Wall Elements, and Similar Architectural Features*. Cornices, eaves, canopies, decorative wall elements, and similar architectural features may extend into a required street or interior property line setback area a maximum of 50 percent of the required setback, not to exceed 4 FT.

c. *Signs*. Signs and advertising structures may encroach into a required front setback area, street side setback area, or rear setback area of a through-lot, pursuant to Division 8.1 (Sign Regulations) of this Development Code.

d. *Walls, Fences, and Obstructions.* Walls, fences, and obstructions may be permitted within required setback areas pursuant to the provisions of Division 6.02 (Fences, Walls, and Obstructions) of this Chapter.

E. General Provisions.

1. Building Setback Areas Adjoining Streets. Except as otherwise specifically provided by this Development Code, required setback areas adjoining streets shall only be used for the placement of landscaping and irrigation installed pursuant to Division 6.05 (Landscaping)~~;~~, ~~public art works installed pursuant to Division 6.07 (Public Art);~~ vehicular and pedestrian accesses, off-street parking and vehicular circulation, and site lighting pursuant to Division 6.03 (Off-Street Parking and Loading), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

2. Location of Off-Street Parking Lots on Properties that Front or Have Direct Access to Euclid Avenue. Proposed off-street parking lots on properties with Euclid Avenue frontage, or having direct access to Euclid Avenue, shall be located at the side or rear of the buildings they serve, excepting shared off-street parking lots serving shopping centers. This provision shall not preclude the City approval of access driveways to parking lots on properties with Euclid Avenue frontage or having direct access to Euclid Avenue.

3. Parking Space and Drive Aisle Setback Areas. Parking space and drive aisle setback areas required pursuant to Table 6.01-7 (Commercial Zoning District Development Standards) of this Division shall only be used for landscaping and irrigation installed pursuant to Division 6.05 (Landscaping), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), ~~public art works installed pursuant to Division 6.07 (Public Art),~~ and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

4. Compatibility with Existing Surrounding Development. New buildings shall respect and enhance the qualities and features of the existing neighborhood or area in which they are built. In-fill development projects within existing developed areas that have an established character shall be compatible with, or complement, the established architectural character of the area in terms of **[i]** consistency of rooflines, materials, and colors; **[ii]** similar window and door patterns; and **[iii]** similar decorative elements.

5. Compatibility within a Complex or Center. Development projects consisting of multiple buildings within a complex or center shall be designed as a distinct place or district, establishing a cohesive identity for the development, which differentiates it from other commercial development projects within the area.

6. 360-Degree Architecture. Buildings shall not have the appearance of a false facade attached to the front of a uniform building shell. A building shall be designed to ensure that it's massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

7. Corporate Architecture. A building within a complex or center, or an in-fill building within a developed area that has an established character, shall not be dominated by corporate or trademark architectural details, or building forms intended to serve as signing and marketing elements.

a. Individual corporate image, trademark, or design elements and colors intended to market the occupant of a building shall be incorporated only as secondary design elements, and not as dominant features of the building. These secondary design elements shall be compatible with the surrounding development and shall not define the character or style of the building or development.

b. The City hereby reserves the right to require significant departures from "corporate architecture," which is proposed for the purpose of marketing or branding the occupant of a structure, when such architectural features are determined by the Approving Authority, to dominate the established architectural theme or character of a complex or center, or that of a developed area that has an established architectural character.

8. Building Materials. Building exteriors shall be finished with attractive and durable materials, which are of high quality and require minimal maintenance.

a. *Acceptable Exterior Building Finishes.* Exterior building finishes shall be classified according to their visual weight and are listed in Table 6.01-9 (Acceptable Exterior Building Finishes), below. The list of finishes is not all-inclusive but is intended to describe the types of finishes applicable to each weighted category.

Table 6.01-9: Acceptable Exterior Building Finishes

Heavy Materials	*Intermediate Materials*	*Light Materials*
Natural Stone	Stucco	Natural Wood
Integrally-Colored Decorative Masonry Block	Exterior Insulation and Finishing System (EIFS)	Cement Board
Brick	Smooth Textured Tilt-Up or Precast Concrete Panels	Synthetic Wood
Cast and Synthetic Stone		Architectural Metal
Richly Textured Tilt-Up or Precast Concrete Panels		Glass Curtain Wall

b. *Hierarchy of Materials.*

(1) **Heavy Materials**—Heavy materials shall be principally located: (a) at the base of the structure, as a foundation material that visually carries the weight of the structure; and/or (b) on significant architectural elements of a structure, to define those elements or suggest that the building has been built and added to, over time. Generally, heavy materials comprise the foundation (most visually significant) materials used on the exterior wall surface area.

(2) **Intermediate Materials**—Intermediate materials shall be situated so as to be visually supported by heavy materials. Generally, intermediate materials comprise the body (primary building material) of a building.

(3) **Light Materials**—Light materials shall be positioned above intermediate materials, at the top of the structure, and visually supported by the intermediate and heavy materials below.

c. *Manufactured Materials.* The use of manufactured materials, such as synthetic, cast, and cultured materials is allowed, provided the materials are identical in appearance and of equal or greater durability to the natural materials they are intended to emulate.

9. Use of Structural Masonry and Masonry Veneers. Concrete block, brick, stone, and other types of structural masonry or masonry veneer shall be detailed as masonry bearing walls, especially at openings. Proper masonry detailing allows the building to be more pleasing to the eye, as the openings appear to be structurally supported.

a. *Exterior Corners.* Stone and brick used on exterior walls shall not terminate at exterior corners, except where such termination would be consistent with the architectural style being represented.

b. *Masonry Openings.* Openings in a block, brick, or stone façade, including all windows and doors, shall have a lintel, arch, or soldier course at the top of the opening, which appears to structurally support the area of masonry above the opening.

c. *Horizontal Change in Material.* A horizontal change in material from masonry to another material shall include a decorative cap or sill that projects from the face of the building.

10. Parapets and Cornices.

a. A parapet wall and decorative cornice shall be used to visually terminate an exterior wall on a building with a flat roof and shall be used as the primary method for screening roof-mounted mechanical equipment.

b. The parapet and cornice design shall be in proportion to the size and scale of the building and shall reflect the architectural style and detailing of the building.

11. Gutters and Downspouts.

a. Gutters and downspouts shall be concealed from public view, unless designed as a continuous architectural feature.

b. Exposed gutters and downspouts used as architectural features should be colored to match the fascia or wall material to which they are attached.

c. Care shall be taken to avoid locating downspouts near building public entrances and openings.

12. Glazing. The ground floor glazing of a building shall be transparent. Ground floor transparency guarantees a visual connection to the casual observer located at the building exterior, which is an essential feature of commercial structures. By exposing the ground floor to the exterior, there is an invitation to participate with the activity inside. Furthermore, the use of transparent glazing provides the City's public safety personnel the ability to view inside a building without having to first enter the structure.

a. The minimum glazing required on all primary building façades shall be equal to at least 60 percent of the view plane area, with at least 50 percent of the view plane area being transparent.

b. For the purposes of these regulations governing glazing on a building, the following words, terms, and phrases are defined as follows:

(1) *Primary Facade*. Primary facade shall mean any exterior building elevation that faces a street, access way, pedestrian walkway, or drive aisle internal to a complex or center. For the purposes of this requirement, alleys and service drives shall not be considered a street, access way, or internal drive aisle.

(2) *View Plane Area.* View plane area shall mean the wall area on the primary façade of a building, which is located between 2 FT and 10 FT above the adjacent exterior grade.

(3) *Transparent.* Transparent shall mean glazing that is see-through from both the exterior and the interior of the building. This does not, however, preclude the use of tinted glazing.

c. This standard shall not apply if the Approving Authority determines that the required transparency is inconsistent with the operational or design needs of the building.

13. Lighting. Commercial development shall incorporate lighting fixtures that are decorative and are designed to eliminate adverse impacts of light spillover and promote safe vehicular and pedestrian access.

a. Light fixtures shall be full cut-off fixtures to prevent glare and light spill off the project site onto adjacent properties, buildings, and roadways.

b. Parking lot lighting shall comply with Section 6.03.050 (Parking Lot Lighting) of this Development Code and OMC Section 4-11.09(j).

c. Lighting fixtures shall be color-correct types, such as halogen, metal halide, or LED, to ensure true-color at night, visual comfort for pedestrians, and energy efficiency.

d. Pedestrian-level pole-mounted lighting, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings or walls shall be used to light pedestrian walkways. Pole-mounted, building-mounted, or tree-mounted lighting fixtures shall be no more than 12 FT in height. Bollard-type lighting shall be no more than 4 FT in height.

e. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures, were possible.

14. Building Color. Building exteriors shall incorporate colors that are of compatible hues and intensities. Color schemes shall tie building elements together, relate separate buildings within the same development, and enhance the architectural form of a building.

a. Exterior building colors shall be low-reflecting and subtle. Furthermore, overly intense, overly bright, or fluorescent or Day-Glo colors, shall not be used on a building exterior, as determined by the Planning Director.

b. The exterior building color of a new development project shall be reviewed and approved in conjunction with the approval of the structure by the Approving Authority. Development projects consisting of multiple buildings shall incorporate colors that are coordinated between structures, utilizing compatible hues and intensities. The final review and approval of paint colors, utilizing a color test, may be required by the City, prior to painting a building.

c. All building mechanical equipment and appurtenances, including, but not limited to, meters, flues, vents, gutters, and utilities, shall match or complement the permanent color of the surface from which they are attached or project.

15. Roof Access Ladders. Ladders for roof access shall be mounted on the inside of the building, or if located on the building exterior, shall be completely concealed from public view.

16. Equipment Screening.

a. All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

b. All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened by landscaping and/or decorative low garden walls.

17. Refuse Storage Areas (Trash Enclosures).

a. Within commercial zoning districts, refuse and recyclable materials shall be stored in an appropriate container, out of view of public or private streets, and adjacent properties.

b. Refuse and recyclable materials container storage shall be within City-approved enclosures designed to contain separate containers for the collection of refuse and recyclable materials. The number of trash enclosures required, their precise locations and dimensions, and their design shall be pursuant to the City's Refuse and Recycling Planning Manual. The requirement for refuse container storage areas may be reduced or waived by the Approving Authority if a trash compactor is used, which is screened from public view.

c. Trash enclosures shall consist of a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, and separate pedestrian access, which is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion. The enclosure design shall be consistent with the architectural design of adjacent buildings and shall include a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable.

d. To the extent practicable, trash enclosures shall be located away from property lines common with sensitive uses, such as, but not limited to, dwellings, schools, playgrounds, childcare centers, health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

e. Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

f. Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling, shall be posted adjacent to all points of access to each trash enclosure.

g. Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates, except when located out of public view.

h. Prior to the issuance of an occupancy permit, a developer or property owner(s) may be required to develop a written recycling plan, which specifies the identification of targeted materials to be recycled, and methods of recycling program promotion to tenants.

18. Trip Reduction. All new development projects shall fully implement trip reduction measures in compliance with Division 6.04 (Congestion Management and Trip Reduction) of this Chapter.

19. Outdoor Loading and Storage Areas.

a. Loading facilities shall be designed and constructed pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

b. Areas designated for open space, landscaping, off-street parking, loading, and vehicular circulation and maneuvering shall not be used for the outdoor storage of materials or equipment.

c. The outdoor storage of materials and equipment shall be permitted only within the CC and CR zoning districts in conjunction with, and ancillary to, the primary allowed land use. Outdoor loading and storage areas, and loading doors, shall be fully enclosed by a masonry screen wall with view-obstructing gates pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Development Code. Walls and gates visible to the public shall be decorative. Chain link fencing with a screening material shall not be used to screen loading and storage activities and areas.

20. Outdoor Activities. All business activities shall be conducted entirely within a completely enclosed structure, except for the following:

a. Sale or display of new or used automobiles, boats, trucks, recreational vehicles and similar large equipment;

b. Outdoor cafes and eating areas;

c. Sale or display of building material, lumber, nursery stock and similar bulk stock, subject to the location and screening requirements of this Section;

d. Temporary activities, such as Christmas tree sales, sidewalk sales and other temporary or seasonal activities, subject to the issuance of an Administrative Use Permit for temporary uses, activities, and facilities pursuant Section 4.03.015 (Administrative Use Permits) of this Development Code;

e. Off-street parking facilities, and outdoor loading and storage areas, which are properly screened pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Chapter; and

f. As allowed pursuant to the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities as Facilities) of this Development Code.

21. Noise. Within all commercial zoning districts, structures and equipment shall be designed, located, constructed, and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in OMC Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

22. Airport Safety Zones. Within commercial zoning districts, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.

23. Security Standards. Within commercial zoning districts, any lot, and any building or structures thereon, shall comply with all applicable requirements of OMC Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

F. Commercial Design Guidelines.

1. The City Council adopted~~shall establish by resolution,~~ ~~c~~Commercial ~~d~~Design ~~g~~Guidelines, included as Reference "E" of this Development Code, applicable to all commercial zoning districts, which are intended as a reference to assist the designer in understanding the City's goals and objectives for commercial development. The guidelines ~~shall~~ compliment the mandatory commercial development regulations contained in this Section, by providing examples of potential design solutions and by providing design interpretations of the various mandatory regulations contained herein.

2. The design guidelines authorized herein shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

6.01.020: Mixed Use Zoning Districts

A. Purpose.

1. The purpose of this Section is to establish regulations intended to encourage innovative mixed-use development as an alternative to the typical suburban, use-segregated developments found throughout the Inland Empire, which is consistent with the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. Generally, mixed-use districts are intended for the creation of development projects that:

a. Create a dynamic, walkable, mixed-use environment;

b. Provide for a development pattern that encourages the use of public transportation;

c. Provide for a mix of housing types that are within close proximity to retail and service uses;

d. Establish high standards for the design and development of buildings, infrastructure, and landscaping;

e. Ensure a high degree of pedestrian and vehicular connectivity, and enhance the vitality of commercial corridors within the City;

f. Facilitate the development of housing, retail, and office uses within close proximity to one another, allowing residents to walk to retail and service uses, and transit services; and

g. In selected areas, locate buildings close to the street, so that streets and squares feel enclosed, establishing outdoor rooms.

2. The intent of each established mixed-use district is as follows:

a. *Downtown Mixed-Use Area.* The Downtown Mixed-Use District (MU-1 zoning district) is intended to accommodate an intensive mixture of vertical and horizontal retail and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 DU/AC. The Downtown Mixed-Use District is intended to encourage the development and revitalization of the City's historic downtown district in such manner as to achieve the District's full potential as a unique shopping and residential area, as well as the City's focus for governmental, cultural, and educational activities.

b. *East Holt Mixed-Use Area*. The East Holt Mixed-Use District (MU-2 zoning district) is intended to accommodate the intensification of the East Holt Boulevard Corridor with low-rise (up to 5 stories) buildings housing a mixture of retail and office uses at a development intensity of up to 2.0 FAR and 1.0 FAR, respectively, and residential uses at a density of 14 to 40 DU/AC. The intent of this zoning district is to create identity and place along the Holt Boulevard Corridor and provide a connection between the Downtown Mixed Use Area and the Ontario Airport Metro Center.

c. *Euclid/Francis Mixed-Use Area.* The Euclid/Francis Mixed-Use District (MU-11 zoning district) is intended to accommodate a low-rise (up to 3 stories) mixture of retail uses at an intensity of up to 1.0 FAR, and residential uses at a density of 14 to 25 DU/AC, that will create identity and place along the Euclid Avenue corridor.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's mixed-use zoning districts. Furthermore, the provisions of this Section shall apply to all land subdivisions for mixed-use purposes, and any new mixed-use construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Mixed Use Zoning District Development Standards. Development within the MU-1, MU-2, and MU-11 mixed-use zoning districts shall comply with the following standards:

1. MU-1 (Downtown Mixed Use Area) Zoning District.

a. *Planned Unit Development Required.* Within the MU-1 zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Area Plan and Form-Based Development Standards In Lieu of Planned Unit Development Adoption.* In lieu of Planned Unit Development adoption, the City may elect to prepare and adopt an Area Plan to provide additional policy-level guidance for development within MU-1 zoning district, in conjunction with the inclusion of appropriate form-based development standards within this Section, to be established on a minimum per block basis.

c. *Allowed Development Density/Intensity*. Within the MU-1 zoning district, residential development shall range from a minimum allowed density of 25 dwelling units per acre, to a maximum allowed density of 75.0 dwelling units per acre. Commercial-retail and/or office development shall not exceed 2.0 FAR.

d. *Downtown Ontario Design Guidelines*. In August 1998, the City Council adopted the Downtown Ontario Design Guidelines, included as Reference "C" of this Development Code, which establishes a set of architectural, graphic, and lighting design principles, to provide guidance to business owners, homeowners, City staff, and design professionals, for the development and/or rehabilitation of properties within the City's historic original downtown area (project area). The project area is bordered by "I" Street on the north, Vine Street on the west, Sultana Avenue on the east, and railroad tracks on the south, and is defined in Figure 1.4 (Land Use Districts) of the Downtown Ontario Design Guidelines. The design guidelines also apply to those properties located across the street from, and directly abut, the project area.

2. MU-3 (East Guasti Mixed Use) Zoning District.

a. *Planned Unit Development Required*. Within the MU-3 zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity*. Within the MU-3 zoning district, commercial and residential development shall be low-rise, not to exceed 5 stories in height. Residential development shall range from a minimum allowed density of 20.0 dwelling units per acre, to a maximum allowed density of 65.0 dwelling units per acre. Commercial-retail and office development shall not exceed 1.0 FAR.

3. MU-6 (East Holt Boulevard Mixed Use Area) Zoning District.

a. *Planned Unit Development Required*. Within the MU-6 zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity*. Within the MU-6 zoning district, residential development shall range from a minimum allowed density of 14.1 dwelling units per acre, to a maximum allowed density of 40.0 dwelling units per acre. Commercial-retail development shall not exceed 1.0 FAR and commercial-office development shall not exceed 2.0 FAR.

4. MU-8B (Mountain/Fourth Mixed Use) Zoning District.

a. *Planned Unit Development Required*. Within the MU-8B zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity*. Within the MU-8B zoning district, commercial and residential development shall be low-rise, not to exceed 5 stories in height. Residential development shall range from a minimum allowed density of 20.0 dwelling units per acre, to a maximum allowed density of 75.0 dwelling units per acre. Commercial-retail and office development shall not exceed 1.0 FAR.

5. MU-8C (West Holt Boulevard Mixed Use) Zoning District.

a. *Planned Unit Development Required.* Within the MU-8C zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity.* Within the MU-8C zoning district, commercial and residential development shall be low-rise, not to exceed 5 stories in height. Residential development shall range from a minimum allowed density of 14.0 dwelling units per acre, to a maximum allowed density of 40.0 dwelling units per acre. Commercial-retail development shall not exceed 1.0 FAR and commercial-office development shall not exceed 2.0 FAR.

6. MU-8D (Euclid/Francis Mixed Use Area) Zoning District.

a. *Residential Development.* Within the MU-8D zoning district, low-rise (up to 5 stories) residential development shall be allowed pursuant to the standards of the HDR-45 zoning district and shall range from a minimum allowed density of 20.0 dwelling units per acre, to a maximum allowed density of 75.0 dwelling units per acre.

b. *Nonresidential Development.* Within the MU-8D zoning district, nonresidential development shall be allowed pursuant to the requirements of the CC zoning district, and shall not exceed 1.0 FAR.

7. MU-8E (Euclid/Walnut Mixed Use) Zoning District.

a. *Planned Unit Development Required.* Within the MU-8E zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity.* Within the MU-3 zoning district, commercial and residential development shall be low-rise, not to exceed 5 stories in height. Residential development shall range from a minimum allowed density of 20.0 dwelling units per acre, to a maximum allowed density of 75.0 dwelling units per acre. Commercial-retail and office development shall not exceed 1.0 FAR.

6.01.025: Industrial Zoning Districts

A. **Purpose.** The purpose of this Section is to ensure that development within the industrial zoning districts of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan. These regulations are further established to:

1. Reserve appropriate areas in the community for a full range of industrial uses, which are grouped to achieve maximum compatibility with respect to the characteristics of the various types of industrial activities and processes;

2. Encourage the development of all types of industrial establishments in a manner that is consistent with sound standards of public health and safety;

3. Allow certain types of light industrial uses that are relatively free of nuisance or hazardous features, which may be located in areas nearest to residential, office, and commercial areas, while providing space for industrial uses with more severe impacts in more remote locations;

4. Protect areas appropriate for industrial development from intrusion by residences and other incompatible uses, while providing opportunities for various types of industrial establishments and similar uses to concentrate in mutually beneficial relationships to each other;

5. Ensure the provision of adequate space to meet the needs of industrial development, including landscaped setbacks, off-street parking and truck loading areas;

6. Strengthen the City's economic base and jobs-housing balance by increasing employment opportunities close to home for residents of the City and surrounding communities;

7. Ensure that the appearance of industrial buildings and uses is compatible with the visual character of the area in which they are located; and

8. Provide a sufficient number of appropriately located sites for adult businesses within the IH (Heavy Industrial) zoning district.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's industrial zoning districts. Furthermore, the provisions of this Section shall apply to all industrial land subdivisions and any new industrial construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Development Standards. Development within industrial zoning districts shall comply with the requirements of Table 6.01-10 (Industrial Zoning District Development Standards), below, which specifies standards for the development of structures within the BP, IP, IL, IG, and IH zoning districts.

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
A. SITE DEVELOPMENT STANDARDS						
1. Minimum Lot Area	1.0 AC		10,000 SF			Note 1
2. Maximum Floor Area Ratio (FAR)	0.60		0.55			Note 7
3. Minimum Lot Dimensions	100 FT – Lot Width 100 FT – Lot Depth					Note 1
4. Minimum Landscape Coverage	Refer to Division 6.05 (Landscaping)					
a. Interior Lots	15%	10%				Notes 2 and 3
b. Corner Lots	20%	15%				Notes 2 and 3
c. Off-Street Parking Areas	7%					See Section 6.05.040.D (Landscaping of Off-Street Parking Facilities)

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
5. Minimum Parking Space and Drive Aisle Separations						
a. Parking Space or Drive Aisle to Street Property Line	20 FT		10 FT			
b. Parking Space or Drive Aisle to Interior Property Line	5 FT					Notes 4 and 5
Exception: From property line common with residential district	10 FT (area shall be densely landscaped)			n/a		
c. Parking Space to Buildings, Walls, and Fences	10 FT - Areas adjacent to public entries and office areas 5 FT - Areas adjacent to other building areas					Note 5
Exception: Within screened loading and storage yard areas	0 FT					
d. Drive Aisles to Buildings, Walls, and Fences	10 FT					Note 5
Exception: Within screened loading and storage yard areas	0 FT					
6. Minimum Screened Loading and Storage Yard Separations						
a. Enclosed Loading and Storage Yard to Street Property Line	20 FT - Freeways 20 FT - Arterial Streets 10 FT - Collector/Local Streets					
b. Screened Loading and Storage Yard to Interior Property Line	0 FT					
Exception: From interior property line common with residential district	10 FT (area shall be densely landscaped)				n/a	
c. Screened Loading and Storage Yard to Buildings, Walls, and Fences	0 FT					
7. Walls, Fences and Obstructions	Refer to Section 6.02.025 (Design Standards for Nonresidential Zoning Districts).					
8. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).					
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).					
10. Historic Preservation	Certain portions of commercial zoning districts are identified as historic or potentially historic, and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.					

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
11. Signs	Refer to Division 8.1 (Sign Regulations).					
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).					
13. Noise	Buildings shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).					
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.					
B. BUILDING DEVELOPMENT STANDARDS						
1. Maximum Area Per Building	45,000 SF - Single-Tenant 60,000 SF - Multi-Tenant		See Note 9	n/a		
2. Minimum Street Setback						
a. From Freeway Property Line	20 FT					
b. From Arterial Street Property Line	10 FT - Holt Boulevard 20 FT - All Other Arterial Streets					
c. From Collector and Local Street Property Line	10 FT					
3. Minimum Interior Property Line Setback	0 FT					Note 6
Exception: Property line common with residential districts	30 FT					
4. Maximum Height	45 FT		55 FT			Note 7
5. Minimum Setback From Major Pipelines (to habitable structures)	50 FT					Note 8

Notes:

1. *There is no minimum lot area or dimension for common interest subdivisions established pursuant to Section 6.08.010 (Common Interest Subdivisions) of this Development Code.*
2. *Landscaped areas with a minimum dimension of less than 5 FT shall not contribute toward the "minimum landscape coverage" calculation.*
3. *The "minimum landscape coverage" calculation for interior and corner lots shall exclude all landscaped areas located within public rights-of-way.*
4. *Within yard areas fully screened by a decorative wall, there shall be no minimum drive aisle or parking space setback required, unless adjacent to residentially zoned properties.*
5. *The minimum separation area between a building, wall, or fence, and a parking space or drive aisle, shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 3-FT wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang.*
6. *There shall not be a minimum required building setback from property lines that are interior to a business park, or industrial park or complex.*
7. *The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by airport safety zones.*

8. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*

   a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*

   b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*

9. *Within the IL zoning district, lots abutting, or directly across the street from, a residentially zoned property, shall comply with the "Maximum Height" applicable to the BP and IP zoning districts.*

D. **Exceptions to Development Standards.** The following exceptions from the industrial zoning district development standards stipulated in Table 6.01-8 (Industrial Zoning District Development Standards) shall be permitted:

1. Building Height.

a. *Aerials and Antennas, Chimneys, Cupolas, Elevator Penthouses, Flagpoles, Monuments, Parapet Walls, Spires, Towers, Water Tanks, and Other Similar Structures*. Aerials and antennas, chimneys, cupolas, elevator penthouses, flagpoles, monuments, parapet walls, spires, towers, water tanks, and other similar structures may be erected to a height of up to 25 percent above the prescribed height limit of the base zoning district.

b. *Amateur (HAM) Radio Antennas*. HAM radio antennas may exceed the maximum prescribed height limit of a zoning district by a maximum of 10 FT. The Zoning Administrator, however, may allow HAM radio antennas to exceed this height limitation if it is necessary to accommodate amateur radio service communications. A HAM radio antenna that exceeds the maximum prescribed height limit of the zoning district in which it is located shall not exceed the minimum height and dimensions necessary to accommodate amateur radio service communications.

c. *Wireless Telecommunication Facilities*. Wireless telecommunication facilities shall comply with Section 5.03.42 (Wireless Telecommunications Facilities) of this Development Code.

2. Encroachments into Required Setback Areas.

a. *Cornices, Eaves, Canopies, Decorative Wall Elements, and Similar Architectural Features*. Cornices, eaves, canopies, decorative wall elements, and similar architectural features may extend into a required street or interior property line setback area a maximum of 50 percent of the required setback, not to exceed 4 FT.

b. *Signs*. Signs and advertising structures may encroach into a required front street setback area pursuant to Division 8.1 (Sign Regulations) of this Development Code.

c. *Walls, Fences, and Obstructions.* Walls, fences, and obstructions may be permitted within required setback areas pursuant to the provisions of Division 6.02 (Fences, Walls, and Obstructions) of this Chapter.

E. **General Provisions.** The following general regulations shall be applicable to all land uses, activities, and facilities within each industrial zoning district:

1. Building Setback Areas Adjoining Streets. Except as otherwise specifically provided by this Development Code, required setback areas adjoining streets shall only be used for the placement of landscaping and irrigation installed pursuant to Division 6.05 (Landscaping)~~;~~, ~~public art works installed pursuant to Division 6.07 (Public Art);~~ vehicular and pedestrian accesses, off-street parking and vehicular circulation, and site lighting pursuant to Division 6.03 (Off-Street Parking and Loading), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

2. Parking Space and Drive Aisle Setback Areas. Parking space and drive aisle setback areas required pursuant to Table 6.01-10 (Industrial Zoning District Development Standards) shall only be used for landscaping and irrigation installed pursuant to Division 6.05 (Landscaping), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), ~~public art works installed pursuant to Division 6.07 (Public Art),~~ and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

3. Refuse Storage Areas (Trash Enclosures).

a. Within industrial zoning districts, refuse and recyclable materials shall be stored in an appropriate container, out of view of public or private streets, and adjacent properties.

b. Refuse and recyclable materials container storage shall be within City-approved enclosures designed to contain separate containers for the collection of refuse and recyclable materials. The number of trash enclosures required, their precise locations and dimensions, and their design shall be pursuant to the City's Refuse and Recycling Planning Manual. The requirement for refuse container storage areas may be reduced or waived by the Approving Authority if a trash compactor is used, which is screened from public view.

c. Trash enclosures shall consist of a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, and separate pedestrian access, which is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion. The enclosure design shall be consistent with the architectural design of adjacent buildings and shall include a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable.

d. To the extent practicable, trash enclosures shall be located away from property lines common with sensitive uses, such as, but not limited to, dwellings, schools, playgrounds, childcare centers, health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

e. Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

f. Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

g. Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates, except when located out of public view.

h. Prior to the issuance of an occupancy permit, a developer or property owner(s) may be required to develop a written recycling plan, which specifies the identification of targeted materials to be recycled, and methods of recycling program promotion to tenants.

4. Lighting. Commercial development shall incorporate lighting fixtures that are decorative and are designed to eliminate adverse impacts of light spillover and promote safe vehicular and pedestrian access.

a. Light fixtures shall be full cut-off fixtures to prevent glare and light spill off the project site onto adjacent properties, buildings, and roadways.

b. Parking lot lighting shall comply with Section 6.03.050 (Parking Lot Lighting) of this Development Code and OMC Section 4-11.09(j).

c. Lighting fixtures shall be color-correct types, such as halogen, metal halide, or LED, to ensure true-color at night, visual comfort for pedestrians, and energy efficiency.

d. Pedestrian-level pole-mounted lighting, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings or walls shall be used to light pedestrian walkways. Pole-mounted, building-mounted, or tree-mounted lighting fixtures shall be no more than 14 FT in height. Bollard-type lighting shall be no more than 4 FT in height.

e. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures, were possible.

5. Equipment Screening.

a. All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

b. All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

6. Outdoor Loading and Storage Areas.

a. Loading facilities shall be designed and constructed pursuant to Division 6.03 (Off-Street Parking and Loading) of this Chapter.

b. Areas designated for open space, landscaping, off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

c. The outdoor storage of materials and equipment shall be permitted only within the IL, IG, IH, and ONT zoning districts in conjunction with, and ancillary to, the primary

allowed land use, except as otherwise allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

d. Outdoor loading and storage areas, and loading doors, shall be screened from public view by a decorative masonry wall with view-obstructing gates, pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Development Code. Furthermore, loading and storage areas, and loading doors, shall not face a freeway, Euclid Avenue, or Mission Boulevard, unless fully screened from view of the freeway or street.

e. The outdoor storage of materials or equipment shall not be allowed within the BP and IP zoning districts.

7. Outdoor Manufacturing and Processing.

a. Manufacturing and processing activities shall be conducted within a wholly enclosed building, except that outdoor manufacturing and processing activities may be allowed within the IG, IH, and ONT zoning districts in conjunction with, and ancillary to, the primary allowed land use, subject to the approval of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

b. Outdoor manufacturing and processing activities allowed pursuant to Subparagraph C.7.a, above, shall be screened from public view by buildings and/or decorative masonry walls with view-obstructing gates.

8. Outdoor Sales and Display. Within industrial zoning districts, all sales and display activities shall be conducted within a wholly enclosed building, except as follows:

a. Sale or display of new or used automobiles, boats, trucks, recreational vehicles and similar large equipment;

b. Outdoor cafes and eating areas;

c. Sale or display of building material, lumber, nursery stock and similar bulk stock, subject to the location and screening requirements of this Section;

d. Temporary activities, such as Christmas tree sales, sidewalk sales and other temporary or seasonal activities, subject to the issuance of an Administrative Use Permit for temporary uses, activities, and facilities pursuant Section 4.03.015 (Administrative Use Permits) of this Development Code;

e. Off-street parking facilities, and outdoor loading and storage areas, which are properly screened pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Chapter; and

f. As allowed pursuant to the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities as Facilities) of this Development Code.

9. Building Color. Building exteriors shall incorporate colors that are of compatible hues and intensities. Color schemes shall tie building elements together, relate separate buildings within the same development, and enhance the architectural form of a building.

a. Exterior building colors shall be low-reflecting and subtle. Furthermore, overly intense, overly bright, or fluorescent or Day-Glo colors, shall not be used on a building exterior, as determined by the Planning Director.

b. The exterior building color of a new development project shall be reviewed and approved in conjunction with the approval of the structure by the Approving Authority. Development projects consisting of multiple buildings shall incorporate colors that are coordinated between structures, utilizing compatible hues and intensities. The final review and approval of paint colors, utilizing a color test, may be required by the City, prior to painting a building.

c. All building mechanical equipment and appurtenances, including, but not limited to, meters, flues, vents, gutters, and utilities, shall match or complement the permanent color of the surface from which they are attached or project.

10. Roof Access Ladders. Ladders for roof access shall be mounted on the inside of the building, or if located on the building exterior, shall be completely concealed from public view.

11. Gutters and Downspouts. Gutters and downspouts shall be concealed from public view, unless designed as a continuous architectural feature. Exposed gutters and downspouts used as architectural features should be colored to match the fascia or wall material to which they are attached.

12. Trip Reduction. All new development projects shall fully implement trip reduction measures in compliance with Division 6.04 (Congestion Management and Trip Reduction) of this Chapter.

13. Noise. Within all industrial zoning districts, structures and equipment shall be designed, located, constructed, and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in OMC Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

14. Airport Safety Zones. Industrially zoned properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.

15. Security Standards. Within industrial zoning districts, any lot, and any building or structures thereon, shall comply with all applicable requirements of OMC Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

F. Industrial Design Guidelines.

1. The City Council adopted~~shall establish by resolution,~~ ~~i~~Industrial ~~d~~Design ~~g~~Guidelines, included as Reference "F" of this Development Code, applicable to all industrial zoning districts, which are intended as a reference to assist the designer in understanding the City's goals and objectives for industrial development. The guidelines ~~shall~~ compliment the mandatory industrial development regulations contained in this Section, by providing examples of potential design solutions and by providing design interpretations of the various mandatory regulations contained herein.

2. The design guidelines authorized herein shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

6.01.030: Specialized Use Zoning Districts

A. Purpose. The purpose of this Section is to ensure that development within each Special Purpose zoning district of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's special purpose zoning districts. Furthermore, the provisions of this Section shall apply to all subdivisions of land and any new construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City, within a Special Purpose zoning district.

C. Specialized Use Zoning District Standards. The design and development of properties located within specialized use zoning districts shall comply with the following:

1. CIV (Civic) Zoning District. The CIV zoning district is established to accommodate permanent public facilities such as City Hall, public libraries, museums, public and private schools and colleges/universities, police and fire stations, and other similar facilities utilized by the public. Properties within the CIV zoning district shall be developed pursuant to the standards and guidelines applicable to the OH zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

2. MHP (Mobile Home Park) Zoning District. The MHP zoning district is established to accommodate communities consisting of mobile homes and manufactured housing. All development within the MHP zoning district shall be designed and constructed pursuant to the requirements of Section 5.03.295 (Mobilehome Parks) of this Development Code.

3. ONT (Ontario International Airport) Zoning District. The ONT zoning district is established to accommodate on-going development of Ontario International Airport and surrounding properties directly impacted by airport operations. All development within the ONT zoning district shall be designed and constructed pursuant to the applicable requirements of Section 5.03.020 (Air Transportation) of this Development Code.

4. OS-C (Open Space-Cemetery) Zoning District. The OS-C zoning district is established to accommodate cemetery sites. Properties within the OS-C zoning district shall be developed pursuant to the standards and guidelines applicable to the OL zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

5. OS-R (Open Space-Recreation) Zoning District. The OS-R zoning district is established to accommodate open space uses, such as public parks and recreation centers. Properties within the OS-R zoning district shall be developed pursuant to the standards and guidelines applicable to the OL zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

6. PUD (Planned Unit Development) Zoning District. The PUD zoning district is established to accommodate the development and use of properties that require Planned Unit Development approval pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. All development within the PUD zoning district shall only be allowed pursuant the applicable Planned Unit Development document.

7. RC (Rail Corridor) Zoning District. The RC zoning district is established to accommodate permanent rail or fixed transit corridors through the City, as well as stations and similar ancillary facilities. Properties within the RC zoning district shall be developed pursuant to the standards and guidelines applicable to the IH zoning district (see Section 6.01.025 (Industrial Zoning District) of this Division).

8. SP (Specific Plan) Zoning District. The SP zoning district is established to accommodate the adoption of Specific Plans pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. All development within the SP zoning district shall be designed and constructed pursuant to the standards and guidelines of the applicable Specific Plan document. (Note: If no specific plan has been adopted for a property within the SP zoning district, a new specific plan shall be adopted for the property, or the property shall be annexed to an existing neighboring specific plan, prior to the issuance of any grading or building permits.)

9. UC (Utility Corridor) Zoning District. The UC zoning district is established to accommodate flood control channels, retention and detention basins, electrical transmission corridors, and landfills, and may include ancillary recreational facilities in conjunction with the primary use of the site. Properties within the UC zoning district shall be developed pursuant to the standards and guidelines applicable to the OL zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

6.01.035: Overlay Zoning Districts

A. **Purpose.** The purpose of this Section is to ensure that development within each Overlay zoning district of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan.

B. **Applicability.** The standards and guidelines established by this Section shall apply to each of the City's overlay districts. Furthermore, the provisions of this Section shall apply to all subdivisions of land and any new construction, addition, or remodel requiring a building permit or other similar entitlement by the City, within an overlay district.

C. **Overlay Zoning District Standards.** The design and development of properties located within overlay zoning districts shall comply with the following:

1. AG (Agricultural) Overlay Zoning District.

a. *Purpose*. The purpose of the AG Overlay zoning district is to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that the Overlay District is developed consistent with the goals and policies of The Ontario Plan. The transition of the AG Overlay zoning district will be gradual, requiring the establishment of regulations intended to guide agricultural-related development activities for the interim period. It is the intent of the AG Overlay zoning district to allow for the continuation of agricultural uses and related support uses as defined herein. The AG Overlay zoning district is further intended to protect vital agricultural uses by limiting land use activity to those uses which are compatible and supportive of agriculture and related uses, and/or their products.

b. *Applicability*.

(1) The herein established rights and responsibilities applicable to the AG Overlay District shall apply to all property located within the boundary of the Overlay District, as shown on the official Zoning Map of the City. The AG Overlay zoning district provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit, or other similar entitlement, is required by the City.

(2) Any new building construction, excepting buildings to accommodate agricultural uses or agricultural-related activities, and single-family homes and buildings ancillary thereto on lots 10 acres or more in area, shall first require the adoption of a Specific Plan pursuant to Section 4.01.035 (Specific Plans and Amendments) of this Development Code, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to the project.

(3) All rights pertaining to the AG Overlay zoning district established herein, shall run with the land and shall be transferable to any future owner(s) of property within the AG Overlay district, and their assigns.

c. *Definitions.* For the purpose of the AG Overlay zoning district, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

Agricultural Support Services. These uses are supportive of the farm community and are fully compatible with agricultural uses. Agricultural support services are uses which directly support, or which are accessory or incidental to, established agricultural uses within the AG Overlay zoning district. These include, but are not limited to the following:

1) Agricultural chemicals, fuel and fuel oil, nonflammable bottled gas;

2) Animal husbandry services veterinary services for large and small animals, and horseshoeing;

3) Farm machinery equipment and supplies, sale and repair;

4) Farm produce sales and supply (feed, hay, grain and grain products, fertilizer);

5) Farm products packaging and processing;

6) Feed storage, farm products warehousing and storage (except stockyards); and

7) Waste management facilities and fertilizer operations in accordance with applicable local, State and Federal regulations.

Animal Confinement Facility. Where used, the term "animal confinement facility" includes animal barns, corrals, or pens.

Commercial Kennels and Catteries. The keeping of more than 5 dogs or 5 cats over the age of 4 months for breeding, boarding, training, or sale on a lot minimum 2.5 acres in area.

Cow and Goat Dairies. Any premises where milk is produced for wholesale distribution and where 10 or more cows or goats are in lactation.

Crop Production. A primary use of the land which includes cultivation of open field or greenhouse crops, fruits, vegetables, grain, fibers, flowers, ornamental and nursery plant materials for wholesale or retail sales and ultimate consumption by others.

Expanded Use. An expanded use consists of a building expansion or new construction in excess of 5,000 square feet.

Trade of Livestock. Sale of livestock to general public (e.g. animal auctions).

d. *Uses Generally*. No building, structure, or land shall be used, and no building or structure shall be hereafter erected, structurally altered, or enlarged, except for the purposes set out in this Paragraph C.1 (AG (Agricultural) Overlay Zoning District) of this Section.

e. *Permitted Land Uses.* In addition to those land uses allowed in the AG Overlay District as prescribed by Table 5.01-1 (Land Use Matrix) of this Development Code, the following land uses are permitted by right of being within the correct zoning district:

(1) Row, field, tree, and crop production;

(2) Plant nurseries (retail and wholesale);

(3) Single dwelling unit on a lot not less than 10 acres in area; a specific plan is required for any subdivision or master planned development; and

(4) Animal keeping activities, excepting household pets, shall comply with the following:

(a) Animal keeping shall be on a legally recognized lot no less than 2 acres in area. Lot area used to qualify one animal type shall not be reused to qualify another animal type;

(b) Proper management of animal waste shall be carried out in accordance with all requirements of the State Regional Water Quality Control Board or regulating agency;

(c) Small animal keeping. Aviary or similar small animal ranches or farms (excluding chicken and hog ranches) shall be permitted on lots that are at least one-half acre in area. Fish raising shall be limited to one pond per acre, with a maximum of 4 ponds per parcel. Each pond shall not exceed one-half acre in area; and

(d) Refer to Table 6.01-11 (Animal Types and Densities), below, for animal density requirements and Section 5.03.410 (Urban Agriculture) of this Development Code, for animal separation/setback requirements.

Table 6.01-11: Animal Types and Maximum Densities

Animal Type	*Maximum Animal Density*	*Additional Regulations*
A. Dairy Cow	As permitted by Approving Authority	Note 1
B. Non-dairy Cattle/Buffalo	1/6,000 SF of lot area	
C. Horses	1/6,000 SF of lot area	

Table 6.01-11: Animal Types and Maximum Densities

Animal Type	Maximum Animal Density	Additional Regulations
D. Swine (5 maximum)	1/12,000 SF of lot area	
E. Sheep, female goats and similar livestock	1/3,000 SF of lot area	
F. Male adult goats		
1. Parcel < 10 acres	One maximum	
2. 10 acres and above	1/5 acres of lot area (not to exceed 4 maximum)	
G. Rabbits and chinchillas (200 maximum)	50/10,000 SF of lot area	
H. Ostriches	1/6,000 SF of lot area	
I. Emus and rheas	1/6,000 SF of lot area	
J. Poultry		
1. Female		
a. Parcel < 10 acres	25 maximum	
b. 10 acres and above	25/ 10 acres of lot area (50 maximum)	
2. Male (9 maximum)		
a. Parcel < 10 acres	2 species/parcel	
b. 10 acres and above	2 species/5 acres	

Notes:

1. *New or expansions to existing dairy or other animal confinement facilities shall be considered on a case-by-case basis, subject to the approval of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code. Animal density shall be as determined by the appropriate approving authority (i.e. Regional Water Quality Control Board) which may impose special operational conditions, requirements or standards deemed necessary to insure the public health, safety, and general welfare. Animal density shall be based on measures to prevent the unacceptable nitrification or salt pollution of soils, and the pollution of groundwater by nitrates and salts emanating from the facility, as defined by the Regional Water Quality Control Board.*

f. *Conditionally Permitted Land Uses.* In addition to those land uses allowed in the AG Overlay District as prescribed by Table 5.01-1 (Land Use Matrix) of this Development Code, the following land uses shall be allowed subject to the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code:

(1) Agricultural Support Services;

(2) Animal raising of densities greater than or the raising of animal types different than those specified by this Paragraph C.1 (AG (Agricultural) Overlay Zoning District), subject to review by the appropriate Approving Authority (such as Regional Water Quality Control Board); and fish raising using ponds or lakes that are of greater surface area or number than those specified by this Paragraph C.1 (AG (Agricultural) Overlay Zoning District);

(3) Animal hospitals and veterinary clinics;

(4) Antennas and wireless telecommunications facilities;

(5) Apiaries;

(6) Calf growing ranches (lots shall be 5 or more acres in area);

(7) Places of worship within an existing building, and expansions to existing facilities (establishment of new places of worship in new structures shall only be permitted as part of a specific plan);

(8) Dairies, including expansions to existing dairies;

(9) Educational facilities and institutions;

(10) Fertilizer operations;

(11) Kennels (requires a 2.5-acre minimum lot size);

(12) Mushroom farms (the use of manure as a planting/growing medium is prohibited);

(13) Rodeos;

(14) Trade of livestock; and

(15) Waste management facilities.

g. *Time Limit for Conditionally Permitted Land Uses.* Conditionally permitted uses may be subject to a 5-year time limit through an agreement with the applicant, in order to assess potential impacts from the conditional use upon surrounding land uses. Under such time limit, a time extension application may be filed at least 6 months prior to the end of the 5-year period. Approval of a time extension request shall be based on the continued compatibility of the project with surrounding land uses.

h. *Temporary Uses.* The following temporary uses are permitted, subject to the requirements of Section 5.03.395 (Temporary and Interim Land Uses, Buildings and Structures) of this Development Code:

(1) Christmas tree and Halloween pumpkin sales, or other similar seasonal sales authorized by the City, not to exceed a period of 30 days, each;

(2) Temporary produce stands in conjunction with an Urban Farm established pursuant to Section 5.03.410.F (Urban Farms) of this Development Code; and

(3) Temporary Wireless Telecommunications Facilities.

i. *Accessory Uses.* The following accessory uses, and structures are permitted when customarily associated with, and subordinate to, a permitted use on the same lot:

(1) Barns, stables, storage tanks, and other farm buildings;

(2) Accessory dwelling unit or guesthouse, not to exceed one per lot, pursuant to the requirements of Section 5.03.030 (Accessory Residential Structures) of this

Development Code. Any guesthouse or accessory dwelling unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay Zoning District Development Standards);

(3) Accessory building(s) not usable as a guesthouse or accessory dwelling unit. There shall be no maximum size for accessory structures in the AG Overlay District. Accessory Structures in the AG Overlay District in excess of 650 SF shall not require the approval of a Conditional Use Permit;

(4) Office unit in conjunction with row, field, tree, plant nursery, or crop production operation, not to exceed 1,500 SF in area (maximum one building per lot). An office unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay Zoning District Development Standards);

(5) Caretaker's unit, not to exceed 650 SF in area (maximum one building per lot). Any caretaker's unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay Zoning District Development Standards);

(6) Garages and carports;

(7) Fences and walls;

(8) Patio covers;

(9) Swimming pools; and

(10) Stands for the sale of agricultural products grown or produced on the same premises (excluding milk and meat products), subject to the following conditions:

(a) Stand shall be permitted only on lots containing a minimum of 10,000 SF;

(b) The floor area of the stand shall not exceed 100 SF;

(c) The stand shall not have a permanent foundation;

(d) The owner(s) shall remove such stand at their expense when the use has terminated;

(e) Stands shall be located a minimum of twenty (20) feet from the right-of-way line of any street or highway;

(f) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director; and

j. *Prohibited Uses.* Notwithstanding Subparagraphs d through f of Paragraph C.1 (AG (Agricultural) Overlay Zoning District) of this Section, the following uses shall be specifically prohibited:

(1) Animal slaughter operations;

(2) Commercial poultry ranches;

(3) Commercial hog ranches; and

k. *Uses Not Specifically Listed.* The Zoning Administrator may make a land use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code, for those uses not specifically listed herein as permitted or conditionally permitted uses, based on the similarity of the subject use to one of the categories listed in Subparagraphs d through f of this Paragraph C.1 (AG (Agricultural) Overlay Zoning District), and the herein stated purpose of the AG Overlay District.

l. *Nonconforming Uses and Structures.* Nonconforming uses and structures within the AG Overlay District shall be governed by Division 3.01 (Nonconforming Lots, Land Uses, and Structures) of this Development Code, except as follows:

(1) **Abandonment.** Whenever a nonconforming use or structure has been abandoned, the nonconforming use or structure shall not be reestablished, and the use of the structure and the site thereafter shall be in conformity with the regulations of the AG Overlay District. For the purposes of this Paragraph C.1 (AG (Agricultural) Overlay Zoning District), discontinuance of the nonconforming use for a continuous period of 180 days shall be conclusive evidence of abandonment of such nonconforming use regardless of the landowner's intent.

(2) **Special Hardship Circumstances.** The Zoning Administrator may extend the 180-day period for up to an additional 180 days. To receive such consideration, the property owner shall request an extension, in writing, prior to the expiration of the initial 180-day period, including a full explanation of the reason why the extension should be granted.

m. *Animal Keeping/Separation Standards.* The following site development standards shall apply to the keeping of animals, except household pets:

(1) Animals shall be restrained a distance of at least 40 FT, measured in a straight line, from any habitable structure or structure used for public assembly located on adjoining property. For dairies, refer to Subparagraph n of this Paragraph C.1 (AG (Agricultural) Overlay Zoning District), for separation requirements;

(2) Animals shall be restrained a distance of at least 5 FT from interior side and rear property lines, and 15 feet from street side property lines;

(3) Animals shall be secured by a fence or wall at least 5 FT in height, made of chain link, wood with horizontal members no less than 6 inches apart, solid masonry or other appropriate solid confining material. Property line walls and fences may be used to secure animals, provided the appropriate restraint distances are maintained;

(4) Animals shall be kept a minimum of 100 FT from any domestic water well;

(5) For new diaries/feed lots, a separation of 500 FT shall be required between an animal feed trough, corral/pen from new development and/or from property with a residential or nonresidential tract map recorded after January 1, 2000, as measured from the building setback line; and

(6) A reduction in animal separation requirements may also be considered for facilities with proven means of reducing odors, such as covering lagoons,

substituting concrete-lined pits for lagoons, and employing recommended ventilation systems for animal confinement buildings. Consideration of alternative setbacks shall be subject to consultation with qualified agricultural engineers to ensure that the measure will reliably accomplish the intended purpose.

n. *Separation Requirements for New Development.* The following separation requirements from existing dairies/feed lots shall apply to new residential, commercial, and/or industrial development or structures used for public assembly purposes from existing dairies/feed lots:

(1) A minimum 100-FT separation shall be required between a new residential, commercial, or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-FT separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map; and

(2) Separation requirements between dairies within a proposed specific plan area and new development will be addressed through the specific plan review procedure which may include buffers, expanded parkways, open space, and other approved measures to mitigate potential impacts.

o. *Permanent Structures.* A Development Plan is required pursuant to Section 4.02.025 (Development Plans) of this Development Code, for all new, altered, or expanded structures/uses, including all new structures in excess of 5,000 SF in area.

p. *Development Standards and Guidelines.*

(1) The development of buildings to accommodate agricultural uses or agricultural-related activities, and single-family homes and buildings ancillary thereto, on lots 10 acres or more in area, shall be designed and constructed pursuant to the standards contained in Table 6.01-12 (AG (Agricultural) Overlay Zoning District Development Standards), below.

Table 6.01-12: AG (Agricultural) Overlay Zoning District Development Standards

Requirements	Standards	Additional Regulations
A. SITE DEVELOPMENT STANDARDS		
1. Minimum Lot Size	10 acres	Note 1
2. Maximum Lot Coverage		
3. Allowed Density Range	One dwelling per 10 acres	
4. Minimum Lot Dimensions		
a. Ratio (lot width to lot depth)	1:4	
b. Lot Width	300 FT	Note 1
c. Lot Depth	300 FT	Note 1
5. Equestrian Trails Required	No	
6. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts) of this Development Code.	

Table 6.01-12: AG (Agricultural) Overlay Zoning District Development Standards

Requirements	Standards	Additional Regulations
7. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading) of this Development Code.	
8. Landscaping	Refer to Division 6.05 (Landscaping) of this Development Code.	
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance) of this Development Code.	
10. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.	
11. Signs	Refer to Subparagraph q (Sign Standards) of this Paragraph C.1 (AG (Agricultural) Overlay Zoning District) and Division 8.1 (Sign Regulations) of this Development Code.	
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).	
13. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).	
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.	
B. BUILDING DEVELOPMENT STANDARDS		
1. Minimum Building Setbacks		
a. From Front Property Line	25 FT	
b. From Street Side Property Line	25 FT	
c. From Interior Side Property Line	15 FT	
d. From Rear Property Line	15 FT	
2. Minimum Building Separations	6 FT	
3. Maximum Building Height	35 FT	Note 2

Notes:

1. *An existing lot of record that is substandard as to minimum "lot" area and/or dimension(s) shall be granted all development rights of the zoning district in which it is located (refer to Subsection 3.01.010.B of this Development Code).*
2. *The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by Airport Safety Zones.*

(2) Development within the AG Overlay District shall be consistent with the Residential Design Guidelines established by resolution of the City Council, which are intended as a reference to assist the designer in understanding the City's goals and objectives for residential development. Such guidelines shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

q. *Sign Standards.* Notwithstanding the sign regulations contained in Division 8.1 (Sign Regulations) of this Development Code, signs installed within the AG Overlay District shall comply with the following:

(1) **Freestanding Signs.** One unlighted single or double faced sign shall be permitted, not to exceed 6 FT in height and 12 SF in area, for each 60 FT of street frontage, and shall be placed behind the street property line.

(2) **Wall Mounted Signs.** One wall-mounted sign shall be permitted on each building elevation facing a street, not to exceed one SF of sign area for each lineal foot of building elevation length, not to exceed 50 SF.

2. EA (Euclid Avenue) Overlay Zoning District.

a. *Purpose*. The purposes of the EA Overlay zoning district is to recognize and protect Euclid Avenue as a major scenic and historic resource of the City, and major contributor to Ontario's historic downtown. Furthermore, the EA Overlay zoning district is intended to help identify and safeguard Euclid Avenue's position on the National Register of Historic Places.

b. *Applicability*. The herein established rights and responsibilities applicable to the EA Overlay zoning district shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The EA Overlay zoning district provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

c. *Development Standards and Guidelines.* Land development within the EA Overlay zoning district shall be designed and constructed pursuant to the standards and guidelines applicable to the underlying base zoning district and the requirements of the Downtown Ontario Design Guidelines (see Reference C—Downtown Ontario Design Guidelines), as applicable.

d. *Certificate of Appropriateness Required.* A development project within the EA Overlay zoning district, which requires Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code, shall require the approval of a Certificate of Appropriateness pursuant to Section 4.02.050 (Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources).

e. *Medical Offices and Clinics*. Medical offices and clinics within the EA Overlay zoning district, and which are located in the MU-1 zoning district and have street frontage on Euclid Avenue, shall be allowed only on the second floor of a building or above (occupancy of the ground/first floor shall not be allowed). Medical offices and clinics within the EA Overlay zoning district, which are not located in the MU-1 zoning district, or do not have street frontage on Euclid Avenue, may occupy the ground/first floor of a building.

3. ES (Emergency Shelter) Overlay Zoning District.

a. *Purpose*. The purpose of the ES Overlay zoning district (established pursuant to Section 5.01.010.F.3 (ES (Emergency Shelter) Overlay District) is to accommodate the establishment of emergency shelters, supportive housing, and transitional housing land uses within the City.

b. *Applicability*.

(1) The herein established rights and responsibilities applicable to the ES Overlay zoning district shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The ES Overlay zoning district provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

(2) The ES Overlay zoning district shall be located within areas of the City that are predetermined by the Housing Element, pursuant to GC Section 65583 and contained within the Policy Plan component of The Ontario Plan. Alternate locations may be established by resolution of the City Council, upon recommendation of the Planning Commission.

c. *Development Standards and Guidelines.* Within the ES Overlay zoning district, land and improvements thereon shall be designed and developed pursuant to the standards and guidelines of the underlying base zoning district.

4. MTC (Multimodal Transit Center) Overlay Zoning District.

a. *Purpose*.

(1) The multimodal transit facility anticipated by the Policy Plan component of The Ontario Plan is generally located south of Interstate 10, north of the railroad tracks, east of Guasti Road and west of Archibald Avenue. The multimodal center will serve as a transit hub for local buses, BRT, the Gold Line, high-speed rail, the proposed Ontario Airport Metro Center circulator, and other future transit modes. Many of these transit modes require extensive capital outlay and years of planning, environmental review, design, and, ultimately, construction. Much of the financing of these facilities is beyond the control of the City, being handled by other local, regional, State and federal agencies. The development of a multimodal facility and related services is a long term endeavor, anticipated to take years, if not decades, to bring to fruition.

(2) The MTC Overlay zoning district (established pursuant to Section 5.01.010.F.4 (MTC (Multimodal Transit Center) Overlay District) of this Development Code) is currently developed with a ±425,000 SF warehouse/distribution building with ancillary offices, and a ±6,000 SF building used as a contractor's office and yard. These buildings are not suited for residential, retail, or office uses as envisioned by the Policy Plan, and use of these facilities in the near term would be somewhat limited, until the property is redeveloped as a multimodal transit center. Consequently, the City wishes to authorize the use of the existing buildings for the purpose for which they were previously used.

(3) The purpose of the MTC Overlay zoning district is to allow for the establishment of warehouse and distribution land uses, on an interim basis, within existing buildings located within the overly district boundary.

b. *Applicability*.

(1) The herein established rights and responsibilities applicable to the MTC Overlay zoning district shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The MTC Overlay zoning district provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

(2) Allowed land uses within the MTC Overlay zoning district shall be limited to warehouse/distribution facilities, ancillary offices, and those temporary land uses allowed within the IG zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

(3) Any expansion of existing buildings or proposals for new building construction shall require the adoption of a Specific Plan pursuant to Section 4.01.035 (Specific Plans and Amendments) of this Development Code, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to the project.

(4) The MTC Overlay zoning district shall remain in effect until June 30, 2027, unless otherwise extended pursuant to Section 4.01.020 (Development Code Amendments) of this Development Code, or the existing buildings are removed.

(5) All rights pertaining to the MTC Overlay zoning district established herein, shall run with the land and shall be transferable to any future owner(s) of property within the MTC Overlay zoning district, and their assigns.

5. ICC (Interim Community Commercial) Overlay Zoning District.

a. *Purpose*. The purpose of the ICC Overlay zoning district (established pursuant to Section 5.01.010.F.5 (ICC (Interim Community Commercial) Overlay District) of this Development Code) is to allow for the establishment of Community Commercial land uses, on an interim basis, within existing buildings located within the overlay district boundary.

b. *Applicability*.

(1) The herein established rights and responsibilities applicable to the ICC Overlay zoning district shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The ICC Overlay zoning district provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

(2) The ICC Overlay zoning district may be established pursuant to the requirements of Section 4.01.040 (Zone Changes) of this Development Code, on property containing existing buildings constructed for occupancy by commercial land uses.

(3) The ICC Overlay zoning district shall allow those commercial uses allowed in the CN and CC zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, while at the same time preserving the City's vision for the development and use of property consistent with the underlying Policy Plan (general plan) land use designation.

c. *Expansion of Existing Commercial Structures and Uses.*

(1) Within the ICC Overlay zoning district, building expansion, shall only be allowed for the purpose of expanding an existing, legally established commercial land use, which is allowed pursuant to Subparagraph B.5.b(3) of this Section.

(2) The expansion of an existing commercial building shall be allowed pursuant to the requirements of Subsection 3.01.020.J (Alteration and/or Expansion of a Nonconforming Nonresidential Structure) of this Development Code and shall be developed consistent with the standards of the CC zoning district.

(3) *New Residential Development.* New residential development, which is proposed consistent with the Official Land Use Plan (Exhibit LU-01) of the Policy Plan component of The Ontario Plan, shall first require a zone change to the HDR-45 zoning district pursuant to Section 4.01.040 (Zone Changes) of this Development Code, and full compliance with the land use requirements, and development standards and guidelines of the HDR-45 zoning district.

(4) *Protection of ICC Overlay zoning district Land Use and Development Rights.* All land use and development rights granted by the ICC Overlay zoning district shall be transferable to any future owner(s) of property within the ICC Overlay zoning district, and their assigns.

6. AH (Affordable Housing) Overlay Zoning District.

a. *Purpose*. The purpose of the AH Overlay zoning district is to facilitate housing opportunities within the community via implementation of required rezone programs pursuant to the City's adopted Housing Element where required for compliance with State Housing Element law.

b. *Applicability*. The herein established rights and responsibilities applicable to the AH Overlay District shall apply to sites identified in the housing inventory, part of the City's Housing Element, located 1) south of Riverside Drive, 2) along East Holt Boulevard between the Cucamonga Creek Channel and Corona Avenue, and 3) areas designated as MU-~~2~~8C at the northeast corner of West Holt Boulevard and Mountain Avenue.

c. *Definitions.* For the purpose of the AH Overlay zoning district, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

Affordable Housing Project. Affordable housing projects for the purposes of the affordable housing overlay are defined as follows:

- Tier 1. Any projects with a residential component with at least 20 percent of total units are designated as affordable to lower incomes via deed restriction or another mechanism to guarantee affordability for a minimum of 30 years.

- Tier 2. Any projects with a residential component with at least 25 percent of total units are designated as affordable to lower incomes via deed restriction or another mechanism to guarantee affordability for a minimum of 30 years.

d. *Development Standards.* The development standards applicable to proposed development in the Affordable Housing Overlay District shall be in accordance with the applicable base zone, other overlay zones, and all applicable provisions of the Development

Code, unless otherwise indicated herein, or where necessary to comply with Federal and State law.

(1) Minimum Density. Within the AH Overlay zoning district, all new residential development, regardless of affordability, requires a minimum density of 20 dwelling units per acre. The minimum density shall be calculated as an average over the entire project area on sites south of Riverside Drive.

(2) Affordable Housing Projects. The development of affordable housing projects within the AH Overlay zoning district shall be allowed by right and are encouraged in accordance with the following provisions:

(a) Tier 1 Affordable Housing Projects. Tier 1 Affordable Housing Projects on property having a base zoning designation of SP, may be developed as follows:

(i) *Medium Density Residential (MDR)*. Affordable housing projects on property designated as MDR by the Land Use Plan (Figure LU-01) of the Policy Plan, may be developed pursuant to the requirements of either the SP zoning district or the MDR-25 zoning district.

(ii) *Mixed Use (MU)*. Affordable housing projects on property designated as MU by the Land Use Plan (Figure LU-01) of the Policy Plan, may be developed pursuant to the requirements of either the SP zoning district or a comparable existing zoning implementation tool that aligns with the density and intensity of the proposed project, except that the maximum density allowed shall be equivalent to the maximum density identified for the applicable Mixed Use area in the Land Use Designations Summary Table (Figure LU-02) of the Policy Plan.

(iii) *Calculating Minimum Density*. If a project with a base designation of SP develops without a specific plan, minimum density shall be calculated as an average over the entire portion of the project area that is within the AH Overlay zoning district.

(b) Tier 2 Affordable Housing Projects. Tier 2 Affordable Housing Projects on property having a base zoning designation of SP, may developed in the same manner as Tier 1 Affordable Housing Projects, with the following additions:

(i) *Medium Density Residential.* Affordable housing projects on property designated as MDR by the Land Use Plan (Figure LU-01) of the Policy Plan shall allow a maximum density of 25 to 30 dwelling units per acre.

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Division 6.02—Walls, Fences, and Obstructions

Sections:

6.02.000: Purpose
6.02.005: Applicability
6.02.010: Prohibited Materials
6.02.015: General Requirements
6.02.020: Design Standards for Residential Zoning Districts
6.02.025: Design Standards for Nonresidential Zoning Districts
6.02.030: Protection of Intersection Visibility
6.02.035: Temporary Security or Construction Fencing

6.02.000: Purpose

The purpose of this Division is to establish standards regulating the construction and maintenance of walls, fences, and other obstructions to allow for the maximum enjoyment and use of property, and to ensure the maximum safety of persons using streets and sidewalks.

6.02.005: Applicability

A. The provisions of this Division shall apply to the construction, addition or remodel of any wall or fence, and the placement of landscaping, signs, poles, equipment, or any other object that may pose an obstruction to pedestrian or vehicular travel or visibility.

B. The design and location of all walls, fences, and gates shall be subject to review and approval by the Planning Director, regardless of whether a building permit is required for its construction.

6.02.010: Prohibited Materials

The following materials shall be prohibited in the construction and/or installation of walls, fences, and obstructions:

A. Walls or fences containing razor wire or any other material or application considered by the Planning Director to be unsafe, shall be prohibited.

B. Walls and/or fences containing barbed wire shall be prohibited within residential and commercial zoning districts, and within mixed-use zoning districts and overlay districts for residential or commercial purposes.

C. Walls and/or fences containing electrified wire, and the installation of electrified fences, shall be prohibited within residential zoning districts, and in conjunction with residential development in mixed-use zoning districts and overlay districts for residential purposes.

6.02.015: General Requirements

A. No hedge, fence, wall, merchandise, sign, or any other equipment may be constructed, placed, grown, or permitted on any sidewalk, excepting newsstands, public trash receptacles, U.S. Government mailboxes, public utility poles, public transit shelters and/or seating, or any other object that is deemed no more objectionable than the foregoing by resolution of the City Council. The authorized equipment shall be placed out of the normal flow of pedestrian traffic and shall not be so placed as to constitute a hazard or nuisance.

B. No hedge, fence, wall, merchandise, sign, or any other equipment shall be permitted in or on any parkway adjacent to any sidewalk, except as allowed by the City Engineer, or excepting newsstands, public trash receptacles, U.S. Government mailboxes, public utility poles, public transit shelters and/or seating, or any other object that is deemed no more objectionable than the foregoing by the City Engineer. The authorized equipment shall be placed out of the normal flow or pedestrian traffic and shall not be so placed as to constitute a hazard or nuisance.

C. No fence, wall, shrub, sprinkler system, or any construction may be placed within any street right-of-way without first obtaining an encroachment permit from the City Engineer.

D. Any fence, shrub, sprinkler system, or any construction placed within the street right-of-way without permission of the City Engineer shall be removed by the owner upon request of the City Engineer within 7 days of notification, at no expense to the City. Upon failure to comply with an order for removal, the City may cause removal at the expense of the owner.

E. No fence shall be constructed of metal other than ornamental iron or tube steel, chain link, or wire mesh having a minimum size and thickness of 4-inches by 4-inches by 12.5 gauge.

F. Walls, fences, hedges or other plant growth that, in the opinion of the Planning Director or City Engineering, adversely affects the safe ingress or egress of pedestrians or vehicles shall not exceed 3 FT in height within any required front or street side yard setback area.

G. A 6 FT high wall or fence shall be constructed along the perimeter of all areas determined by the Planning Director, Building Official, or City Engineer, to pose a danger to the public health or safety.

6.02.020: Design Standards for Residential Zoning Districts

Within residential zoning districts, walls and fences shall be constructed as follows:

A. Required Walls and Fences.

1. Single-Family Development Projects and Subdivisions. Single-family residential development projects and subdivisions, regardless of the number of dwellings proposed, shall provide 6-FT high walls, as follows:

a. A decorative masonry block wall shall be constructed along the perimeter of single-family development projects and subdivisions, including all interior side and rear project boundaries, and street frontages without front-on units.

b. A decorative masonry block wall shall be constructed along all street side property lines and along the rear property line of through lots and shall be setback a minimum of 5 FT behind the sidewalk.

c. A masonry block wall shall be constructed along interior side and rear property lines. Walls shall not be required along property lines that abut a property zoned or used as open space or maintained for recreation purposes.

d. A decorative masonry block wall shall be constructed between side yard walls and the adjacent dwelling. Appropriate gates for rear yard access shall be provided.

2. Multiple-Family Development Projects and Subdivisions. Multiple-family residential development projects and subdivisions, regardless of the number of dwellings proposed, shall provide 6-FT high walls or fences, as follows:

a. A decorative masonry block wall, or decorative tube steel fence with decorative masonry pilasters, shall be constructed along the interior side and rear project boundaries of multiple-family development projects and subdivisions. Walls or fences shall not be required along property lines that abut a property zoned or used as open space or maintained for recreation purposes.

b. A minimum 6-FT high decorative masonry wall shall be constructed along property lines that separate multiple-family development projects from neighboring residential developments. The wall height shall be measured from the highest adjacent grade.

3. Swimming Pools, Hot Tubs, Spas, Ponds, and Decorative Bodies of Water. Any swimming pool, hot tub, spa, pond, or decorative body of water that is more than 1.5 FT in depth, whether located above or below ground, shall be fully enclosed by a minimum 5-FT high decorative nonclimbable fence or wall, with decorative entrance and exit gates, and shall be constructed/installed pursuant to building code requirements.

B. Materials and Design.

1. All walls and fences visible to the public shall be designed to be compatible with the architecture of the buildings on the same lot.

2. All walls that are visible to the public shall be constructed of decorative masonry that is complimentary to the exterior finishes of adjacent buildings, such as, but not limited to, brick, split-face or slump concrete block, or other materials approved by the Planning Director that are consistent with industry standards, and shall include a decorative cap. The use of a grout cap shall not be permitted.

3. Fences shall be constructed of ornamental steel or iron, wood, or PVC materials, which are consistent with industry standards. Other materials may be used if the Planning Director determines the design to be compatible with the architecture of adjacent buildings and with buildings in the surrounding neighborhood.

4. Special design considerations shall be provided on walls and fences located within front yards and areas visible from public streets to ensure compatibility with the architecture of adjacent buildings, as well as with buildings in the surrounding neighborhood.

5. Long expanses of wall or fence (ranging from 150 FT to 200 FT in length) that is adjacent to a public right-of-way shall have offset areas (decorative pilasters or a horizontal change in the plane) and shall be architecturally designed to prevent monotony. The design of walls shall emphasize the highest quality of materials and design features.

6. Within existing neighborhoods, fences located within the front and street side yards of single-family homes may be constructed of chainlink if it is the predominate material used in the neighborhood, as determined by the Planning Director. If chainlink fencing is determined to be appropriate, it shall be installed in accordance with industry standards.

C. Height. The maximum height of a walls or fences located within a residential zoning district shall be as listed below. The wall height shall be measured on the street side or exterior side of the wall, from the top of the wall to the lowest adjacent finished grade.

1. Subdivision Perimeter Walls and Fences. Subdivision perimeter walls shall not exceed 6 FT in height, except as permitted by Paragraphs C.5 (Walls and Fences in Conjunction with Retaining Walls) and C. 7 (Sound Attenuation Walls) of this Section.

2. Street Side Yard Walls and Fences. Street side yard walls or fences shall not exceed 6 FT in height, except as permitted by Paragraphs C.5 (Walls and Fences in Conjunction with Retaining Walls) and C. 7 (Sound Attenuation Walls) of this Section.

3. Interior Side and Rear Property Line Walls and Fences. Interior side and rear yard property line walls or fences shall not exceed 6 FT in height, except as permitted by Paragraphs C.5 (Walls and Fences in Conjunction with Retaining Walls) and C. 7 (Sound Attenuation Walls) of this Section.

4. Front Yard Walls and Fences. Walls or fences within a front yard area shall not exceed 3 FT in height, except as permitted by Paragraphs C.5 (Walls and Fences in Conjunction with Retaining Walls) and C. 7 (Sound Attenuation Walls) of this Section.

5. Walls and Fences in Combination with Retaining Walls. To accommodate possible differences in grade between two properties, or between a property and a public right-of-way, the Planning Director may approve walls and fences constructed in combination with retaining walls, which have an overall height in excess of the maximum wall height allowed by Paragraphs C.1 through C.4 of this Section. However, walls and fences constructed in combination with retaining walls, which are located adjacent to a public right-of-way, shall: have a maximum retaining wall height of 3 FT and a maximum free wall height equal to the maximum wall heights allowed by Paragraphs C.1 through C.4 of this Section.

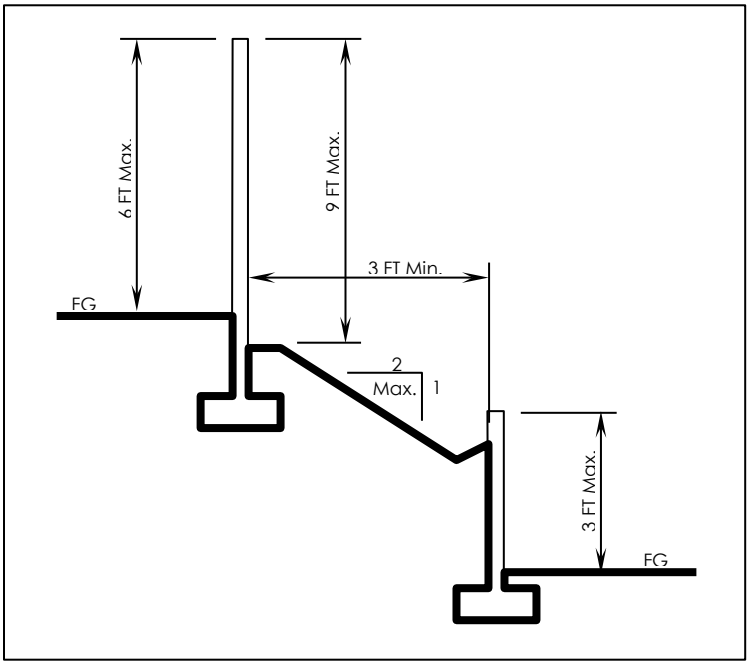


Figure 6.02-1: Tiered Retaining Wall Design Concept

6. Tiered Retaining Wall Design. In cases where more than 3 FT of earth retention is necessary adjacent to a public right-of-way, retaining walls shall be tiered as exemplified in Figure 6.02-1 (Tiered Retaining Wall Design Concept), above.

7. Sound Attenuation Walls. Walls constructed for sound attenuation pursuant to an impact study prepared by an acoustic engineer, shall be the minimum height necessary to ensure adequate sound attenuation. The design and construction of a noise attenuation wall in excess of 6 FT in height shall be approved by the Planning Director prior to building permit issuance.

8. Walls and Fences within the Buildable Area of a Lot (Behind Setback Areas). Fences and walls constructed within the buildable area of a lot shall be subject to the height limitations of the applicable base zoning district.

D. Location.

1. Interior Property Lines (Side and Rear). Where the side or rear property line of a lot is common with another lot's side or rear property line, a wall or fence may be constructed along the common property line for purposes of property division or security.

2. Street Side Property Lines. On a corner lot or reverse corner lot, where a side and rear property line of a lot is common with a side or rear property line of another lot, a wall or fence may be constructed along the street side property line. The area between the wall or fence and the sidewalk (or curb) shall be fully landscaped and maintained.

3. Front Yard Walls or Fences. Within a front yard area, walls and fences up to 3 FT in height may be constructed along a front or street side property line. The area between the wall or fence and sidewalk (or curb) shall be fully landscaped and maintained.

4. Through-Lots. On a single lot having two street frontages, each frontage at opposite ends of the lot, for the purposes of wall placement, one frontage shall be a front yard and the other a rear yard. A wall or fence shall be constructed a minimum of 5 FT behind the rear property line. The area between the wall or fence and sidewalk shall be fully landscaped and maintained.

6.02.025: Design Standards for Nonresidential Zoning Districts

Within nonresidential zoning districts, walls and fences shall be constructed as follows:

A. Required Walls and Fences.

1. Zoning District Boundary Separation.

a. A decorative masonry block wall shall be constructed along property lines that separate nonresidential zoning districts from neighboring residential zoning districts. The wall height on the nonresidential side of the wall shall be a minimum of 8 FT and shall be a minimum of 6 FT in height on the residential side of the wall.

b. A decorative tube steel fence with a sheppard's hook shall be constructed between railroad rights-of-way and development projects within nonresidential zoning districts.

2. Screening of Outdoor Loading/Storage Areas and Loading Doors.

a. Outdoor loading and storage areas, and loading doors shall be screened from public view by a decorative masonry wall with view-obstructing access gates

b. Screen walls shall be designed as an integral part of the architecture of the buildings on the lot.

c. Screen walls shall be of sufficient height to completely screen loading and storage activities, facilities, and equipment, but shall be no less than 8 FT in height.

d. Screen walls shall be constructed of tilt-up or poured-in-place concrete, brick, concrete block (split-face or slump), or other materials approved by the Planning Director.

B. Materials and Design.

1. All walls and fences visible to the public shall be designed to be compatible with the architecture of the buildings on the same lot.

2. Walls that are visible to the public shall be constructed of decorative masonry that is complimentary to the exterior finishes of adjacent buildings, such as brick; split-face concrete block; or ribbed, scored, or sandblasted tilt-up or poured-in-place concrete. Ceramic tile and natural stone veneers may also be used. Precision block shall not be used in areas visible to the public.

3. Concrete block walls shall incorporate a decorative cap. The use of a grout cap shall not be permitted.

4. Fences that are visible to the public shall be constructed of decorative wrought iron or tube steel, with decorative masonry pilasters spaced at regular intervals. Other materials may be used if the Planning Director determines the design to be compatible with the architecture of adjacent buildings. Chainlink shall not be used in areas visible to the public.

5. Long expanses of wall or fence (ranging from 150 FT to 200 FT in length) that is adjacent to a public right-of-way shall have offset areas (decorative pilasters or a horizontal change in plane) and shall be architecturally designed to prevent monotony. The design of walls shall emphasize the highest quality of materials and design features.

6. Walls or fences containing barbed wire may be used within industrial zoning districts; however, the barbed wire shall not project above the top of walls or fences so as to be visible from public areas.

C. Height. The maximum height of a wall or fence located within nonresidential zoning districts shall be as listed below. The wall height shall be measured on the street side or exterior side of the wall, from the top of the wall to the lowest adjacent finished grade.

Table 6.02-1: Maximum Height of Interior Side and Rear Property Line Walls and Fences

Zoning District	*Maximum Height*
Commercial and Mixed-Use Zoning Districts:	8 FT
Industrial Zoning Districts:	14 FT
All Other Nonresidential Zoning Districts:	6 FT

1. Interior Side and Rear Property Line Walls and Fences. Interior side and rear yard property line walls or fences shall not exceed the following heights shown in Table 6.02-1 (Maximum Height of Interior Side and Rear Property Line Walls and Fences), above, except as permitted by Paragraphs A.1 (Zoning District Boundary Separation), C.4 (Walls and Fences in Combination with Retaining Walls) and C.6 (Sound Attenuation Walls) of this Section.

2. Walls or Fences within Front and Street Side Setback Areas. Walls or fences located within front or street side setback areas shall not exceed the following heights shown in Table 6.02-2 (Maximum Height of Walls or Fences within Front and Street Side Setback Areas), below, except as permitted by Paragraphs C.4 (Walls and Fences in Combination with Retaining Walls) and C.6 (Sound Attenuation Walls) of this Section.

Table 6.02-2: Maximum Height of Walls or Fences within Front and Street Side Setback Areas

Zoning District	*Maximum Height*
Commercial and Mixed-Use Zoning Districts:	3 FT
Industrial Zoning Districts:	6 FT maximum, constructed with at least 90 percent of the vertical surface designed to be open and not view-obstructing.
All Other Nonresidential Zoning Districts:	6 FT maximum, except that the portion of a wall or fence in excess of 3 FT in height shall be constructed with at least 90 percent of the vertical surface designed to be open and not view-obstructing.

3. Walls and Fences in Combination with Retaining Walls. To accommodate possible differences in grade between two properties or between a property and a public right-of-way, the Planning Director may approve walls and fences constructed in combination with retaining walls, which have an overall height in excess of the maximum wall height allowed by Paragraphs C.1 (Interior Side and Rear Property Line Walls and Fences) and C.2 (Walls or Fences Within Front and Street Side Setback Areas) of this Section. However, walls and fences constructed in combination with retaining walls, which are located adjacent to a public right-of-way, shall: **[i]** have a maximum retaining wall height of 3 FT, **[ii]** have a maximum free wall height of 6 FT, and **[iii]** have a maximum overall height of 9 FT.

4. Tiered Retaining Wall Design. In cases where more than 3 FT of earth retention is necessary adjacent to a public right-of-way, retaining walls shall be tiered pursuant to Figure 6.02-1 (Tiered Retaining Wall Design Concept).

5. Sound Attenuation Walls. Walls constructed for sound attenuation pursuant to an impact study prepared by an acoustic engineer, shall be the minimum height necessary to ensure adequate sound attenuation. The design and construction of a noise attenuation wall in excess of 6 FT in height shall be approved by the Planning Director, prior to building permit issuance.

6. Walls and Fences within the Buildable Area of a Lot (Outside of Setback Areas). Fences and walls constructed within the buildable area of a lot shall be subject to the height limitations of the applicable base zoning district.

D. Location.

1. Interior Property Lines (Side and Rear). Where the side or rear property line of a lot is common with another lot's side or rear property line, a wall or fence may be constructed along the common property line for purposes of property division or security.

2. Street Side Property Lines. On a corner lot or reverse corner lot, a wall or fence may be constructed for property security a minimum of 5 FT behind the street side property line. The area between the wall or fence and the sidewalk (or curb if no sidewalk is present) shall be fully landscaped and maintained.

3. Front Yard Walls or Fences. Within a front yard area, a wall or fence may be constructed for property security a minimum of 5 FT behind the front property line. The area between the wall or fence and sidewalk (or curb if no sidewalk is present) shall be fully landscaped and maintained.

4. Through-Lots. On a single lot having two street frontages, with each frontage at opposite ends of the lot, for the purposes of wall placement, one frontage shall be a front yard and the other a rear yard. A wall or fence shall be constructed a minimum of 10 FT behind the rear property line. The area between the wall or fence and the sidewalk (or curb if no sidewalk is present) shall be fully landscaped and maintained.

E. Electrified Fences.

1. No electrified fence shall be installed or used unless first approved by the Planning Director. As used herein, "electrified fence" means any fence that meets the following requirements.

a. The fence is powered by an electrical energizer with both of the following output characteristics:

(1) The impulse repetition rate does not exceed 1 Hz.

(2) The impulse duration does not exceed 10 milliseconds (10/10,000 of a second).

b. The fence is used to protect and secure commercial or industrial property.

2. An owner of real property may install and operate an electrified fence on their property subject to all of the following:

a. The property is not located in a residential zone.

b. The fence meets the 2006 international standards and specifications of the International Electrotechnical Commission for electric fence energizers in "International Standard IEC 60335, Part 2-76."

c. The fence is identified by prominently placed warning signs that are legible from both sides of the fence. At a minimum, the warning signs shall meet all of the following criteria:

(1) The warning signs are placed at each gate and access point, and at intervals along the fence not exceeding 30 FT.

(2) The warning signs are adjacent to any other signs relating to chemical, radiological, or biological hazards.

(3) The warning signs are marked with a written warning or a commonly recognized symbol for shock, a written warning or a commonly recognized symbol to warn people with pacemakers, and a written warning or commonly recognized symbol about the danger of touching the fence in wet conditions.

d. Within nonresidential zoning districts, except industrial zoning districts, an electrified fence shall not exceed 10 FT in height and shall be located behind a fully enclosed perimeter wall or fence that is no less than 2 FT below the height of the electrified fence.

e. Within industrial zoning districts, an electrified fence shall not exceed 16 FT in height and shall be located behind a fully enclosed perimeter wall or fence that is no less than 2 FT below the height of the electrified fence.

f. A "Knox Box Electrical Shunt Switch" and a "Knox Box" or other similarly approved device, shall be installed for emergency access of Police and Fire Departments.

g. By issuance of a building and/or electrical permit to install or use an electric fence as provided by this Subsection, the applicant and property owner shall agree, as a condition of permit issuance, to defend, indemnify and hold harmless the City of Ontario and its agents, officers, consultants, independent contractors, and employees, from any and all claims, actions, or proceedings arising out of any personal injury, including death or property damage caused by the electrified fence.

h. In the event that access by the City of Ontario Fire Department and/or Police Department personnel to a property where a permitted electrified fence has been installed and is operating required due to an emergency or urgent circumstances, and the Knox Box or other similar approved device referred to in this Subsection is absent or non-functional, and an owner, manager, employee, custodian, or any other person with control over the property, is not present to disable the electric fence, the fire or police personnel shall be authorized to disable the electrified fence in order to gain access to the property. As a condition of permit issuance, all applicants issued permits to install or use an electrified fence as provided in this Subsection will agree to waive any and all claims for damages to the electrified fence against the City of Ontario and/or its personnel under such circumstances.

i. It shall be unlawful, and a misdemeanor, for any person to install, maintain, or operate an electrified fence in violation of this Subsection.

6.02.030: Protection of Intersection Visibility

There shall be no visual obstructions within the areas specified below. For the purposes of this Section, a visual obstruction shall be defined as any wall, fence, obstacle, mature landscaping, or thing allowed, installed, set out, or maintained, which exceeds a height of 3 FT above the nearest street pavement surface, excepting existing or future permanent buildings that are otherwise constructed or maintained in accordance with applicable zoning and building regulations, public utility poles, trees trimmed at the trunk to a point at least 8 FT above the level of the street (provided that trees are spaced so that trunks do not create a visual barrier), and official traffic or other government signs.

A. **Intersecting Streets.** At intersecting streets, an area (corner clearance) shall be maintained free of visual obstructions to ensure adequate sight distance for vehicular and pedestrian traffic.

The corner clearance shall be provided pursuant to the Engineering Department's Traffic and Transportation Guidelines.

B. Intersecting Private Driveway with a Street or Alley. Where a private driveway intersects a street or alley, the Planning Director or City Engineer may require that a clear area (corner cutoff) be maintained free of visual obstructions to ensure adequate sight distance for vehicular and pedestrian traffic. The corner cutoff is defined by a line in a horizontal plane, taken at a 45-degree angle with the street or alley, which line passes through a point on the street or alley 20 FT from the intersection.

C. Driveway Adjacent to a Reverse Corner Lot. Where a key lot has a private driveway located along the side yard which abuts the rear yard of a reverse corner lot, the Planning Director or City Engineer may require that a clear area (corner cutoff) be provided on the reverse corner lot pursuant to Subsection B (Intersecting Private Driveway With a Street or Alley), above, to assure adequate sight distance for vehicular and pedestrian traffic. Generally, new developments containing reverse corner lots shall locate the key lot driveway in the side yard opposite the rear property line of the reverse corner lot, unless determined by the Planning Director or City Engineer that the location of the driveway, as it relates to the adjoining property, will maintain adequate visibility at the intersecting driveway and street.

6.02.035: Temporary Security or Construction Fencing

A. Purpose. Temporary security or construction fences are typically used to secure vacant property from theft, vandalism and/or trespass; or to secure a construction site from the theft or vandalism of construction equipment and/or materials, protect work in progress, and to protect the public from injury while construction is underway. The herein stated regulations are intended to establish procedures and standards regarding the use of temporary security and construction fencing on sites with construction activity, on undisturbed land, around vacant buildings, on vacant sites, and for special events.

B. Applicability. Temporary security or construction fencing may be installed as follows:

1. Temporary construction fencing may be installed in conjunction with: **[i]** a building permit for the construction of a vacant property, **[ii]** the vacant portion of a partially developed property, or **[iii]** exterior improvements to an existing occupied or unoccupied building.

2. Temporary security fencing may be installed in conjunction with: **[i]** a vacant/unimproved property, **[ii]** a vacant building, or **[iii]** the vacant/unimproved portion of a partially developed property.

C. Temporary Security or Construction Fencing Design Requirements.

1. Temporary security or construction fencing shall not include barbed wire, razor wire, or any other material or application considered by the Planning Director to be unsafe.

2. Temporary security or construction fencing shall be built and maintained in good order, in full compliance with applicable Building Code and Development Code provisions.

3. The maximum height of temporary security or construction fencing shall be 6 FT within residential zoning districts, and 8 FT within nonresidential zoning districts, measured on the exterior side of the fence, from the top of the fence to the lowest adjacent finished grade.

4. All temporary security or construction fencing shall include a green fabric mesh screen or other view-obstructing material approved by the Planning Director, which shall be maintained in a neat and undamaged condition and shall include emergency identification and proper safety identification.

5. Fence openings for pedestrian access shall be provided, which consists of a lockable gate that swings into the property.

6. Fence openings for vehicular access shall be provided with a lockable rolling gate. The opening shall be no wider than the adjacent driveway approach.

7. Fencing shall not be installed in a manner that prohibits the safe and continued operation of a building pursuant to the Building Code. Required exits, existing structural elements, fire protection devices, and sanitary safeguards shall be maintained at all times, pursuant to Building Code requirements.

8. Existing streets, public transportation stops, fire hydrants, and/or public sidewalks shall not be enclosed by temporary security or construction fencing, unless the Building Official determines that the facilities are required to be fenced to protect the public health, safety, or welfare, and an encroachment permit has been obtained from the City.

9. The installation of temporary security or construction fencing shall not result in a diversion of water onto a separately owned parcel, tract, right-of-way, right-of-way easement, roadway easement, and/or private street."

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Division 6.03—Off-Street Parking and Loading

Sections:

6.03.000: Purpose
6.03.005: Applicability
6.03.010: General Requirements
6.03.015: Required Number of Off-Street Parking Spaces
6.03.020: Reduction in the Required Number of Parking Spaces
6.03.025: Tandem Parking
6.03.030: Parking for the Physically Disabled
6.03.035: Bicycle Parking
6.03.040: Parking for Fuel Efficient Vehicles
6.03.045: Off-Street Parking Design Standards
6.03.050: Parking Lot Lighting
6.03.055: Off-Street Loading Standards

6.03.000: Purpose

The off-street parking and loading regulations prescribed by this Article have been established to achieve the following purposes:

A. Provide accessible, attractive, secure, properly lighted, and well maintained parking facilities;

B. Reduce traffic congestion and hazards caused by the loading and unloading of trucks on public streets and the shortage of parking spaces;

C. To alleviate or to prevent traffic congestion caused by shortage of parking spaces and the loading and unloading of trucks on public streets;

D. Ensure that off-street parking and loading facilities are provided for new land uses and the expansion of existing land uses in proportion to the needs of the land uses they serve; and

E. To ensure that off-street parking and loading facilities are designed in a manner that will result in maximum efficiency, protect the public safety, provide for the special needs of the physically handicapped, and where appropriate, insulate surrounding land uses from their impact.

6.03.005: Applicability

A. Off-street parking and loading facilities, and parking lot lighting shall be provided pursuant to the provisions of this Division when:

1. Any lot is developed, any new building is constructed, or any existing building or structure is added to or expanded, which requires Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code;

2. Any new use is established, or any existing use is expanded or intensified, which requires Conditional Use Permit approval pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code;

3. The gross floor area of any existing building or structure is increased or enlarged by more than 5 percent (cumulative) of the existing floor area or permanent seating (off-street parking shall be provided for the total resulting buildings, structures and capacities of uses);

4. Permanent seating for an assembly use is increased or enlarged; (off-street parking shall be provided for the total resulting seating and capacities of uses); and

5. Any intensification of use or change in the occupancy of any building or in the manner in which any use is conducted, that would result in additional parking spaces being required.

B. No existing land use shall be deemed nonconforming solely based upon the lack of off-street parking or loading spaces required by this Division.

6.03.010: General Requirements

A. All off-street parking facilities required by this Division shall be designed and maintained to be fully usable for the duration of the use requiring the facilities.

B. Areas provided to meet applicable parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

C. Requirements for uses not specifically addressed by this Division shall be determined by the Zoning Administrator, based upon the requirements for comparable uses and the particular characteristics of the use.

D. All off-street parking and loading spaces required by this Division shall be located on the same lot as the use that they are intended to serve, except that nonresidential uses that cannot accommodate the required number of parking spaces on the same lot may provide parking spaces at a separate off-site location, not more than 500 FT from the use the parking spaces are intended to serve, as measured in a straight line from any point from the outer boundaries of the property or lease space containing the use.

E. The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy, or at the time of occupancy of any building addition or intensification of use. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

F. No vehicle shall be parked upon a public or private parking lot, or public property, for the purpose of displaying the vehicle for sale, hire, or rental, unless the property is appropriately zoned, the vendor is licensed to transact the applicable business at that location, and the vendor has obtained all appropriate land use approvals.

G. All parking stalls shall have direct access from a drive aisle, driveway or alley, and shall be designed in a side-by-side or parallel configuration, except as permitted by Section 6.03.030 (Tandem Parking) of this Division.

6.03.015: Required Number of Off-Street Parking Spaces

A. Off-Street Parking Requirements. Off-street parking spaces shall be provided pursuant to Table 6.03-1 (Off-Street Parking Requirements) of this Division, except that within the MU-1 (Downtown Mixed Use) zoning district, off-street parking shall not be required for existing buildings having a GFA less than 10,000 SF. If more than one land use is established on a lot or project site, the number of off-street parking spaces required shall be equal to the sum of the requirements prescribed for each individual land use.

B. Minimum Standards. The parking requirements of Table 6.03-1 (Off-Street Parking and Loading Requirements) are expressed as minimum standards, which should be met and not exceeded. Nevertheless, if additional parking is essential to a project, the minimum parking standard may be exceeded as follows:

1. Residential Uses—Additional Parking Allowed Without Limit. For residential uses, there is no maximum limit as to the number of parking spaces that may be provided. As such, any additional parking may be provided as a matter of right.

2. Nonresidential Uses—Limited Additional Parking Allowed. Additional parking spaces provided in excess of the number required pursuant to Table 6.03-1 (Off-Street Parking and Loading Requirements) of this Section may be provided for nonresidential uses or the nonresidential portions of mixed-use projects, as follows:

a. Parking spaces may be provided up to a maximum of 10 percent above the required number as a matter of right, without any discretionary review by the City.

b. Parking spaces provided in excess of 10 percent above the required number shall be allowed only upon approval by the Planning Commission, based upon proven need.

C. Gross Floor Area (GFA). References to spaces per square foot are to be computed based upon GFA, unless otherwise specified, and includes allocations of shared restrooms, and circulation and storage areas, and other similar common facilities.

D. Rounding of Off-Street Parking Calculations. If a fractional number results from calculations performed in compliance with this Section, one parking space shall be required for a fractional unit of 0.50 or greater, and no space shall be required for a fractional unit of less than 0.50.

E. Uses Not Listed.

1. Land uses not specifically listed in Table 6.03-1 (Off-Street Parking Requirements) of this Division, shall provide parking as required by the Zoning Administrator or Approving Authority pursuant to Table 2.02-1 (Review Matrix) of this Development Code, as applicable.

2. The Approving Authority shall rely upon the requirements of Table 6.03-1 (Off-Street Parking Requirements), and the standards recommended by the Institute of Transportation Engineers, as a guide in determining the necessary number of off-street parking spaces to be provided.

F. Parking Management Plan.

1. Parking Management Plan Required for Multiple-Family Residential Projects. A Parking Management Plan shall be submitted in conjunction with any Development Plan application for the construction of a multiple-family residential development project, or the residential portion of any mixed-use development project, which consists of 3 or more dwelling units. The Plan shall identify the number and location of resident parking spaces (existing and proposed) provided pursuant to Table 6.03-1 (Off-Street Parking and Loading Requirements) of this Section and establish to which dwelling each required resident parking space is to be assigned.

2. Parking Management Plan Shall Be Included in CC&Rs. The Parking Management Plan required pursuant to Paragraph F.1, above, shall be included in any CC&Rs required by the City as a condition of project approval.

3. Required Resident Parking Spaces Cannot Be Separately Rented/Leased. It shall be unlawful to rent or lease a required residential parking space, or any parking space required for the residential portion of any mixed-use development project, separately from the dwelling for which a parking space has been provided pursuant to Table 6.03-1 (Off-Street Parking and Loading Requirements) of this Section, and/or assigned by a Parking Management Plan prepared pursuant to Paragraph F.1 (Parking Management Plan Required for Multiple-Family Residential Projects) of this Section.

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
A. Residential	
1. Caretaker Quarters	One space within a garage
2. Live/Work Developments	3 spaces per 1,000 SF (0.003/SF) of GFA
3. Mobile Home Parks	
a. Resident Parking Spaces	2 spaces per dwelling
b. Guest/Visitor Parking Spaces	**[1]** Portion of dwellings < 50: 0.25 spaces per dwelling; **[2]** Portion of 50 to 100 dwellings: 0.20 spaces per dwelling; **[3]** Portion of dwellings > 100: 0.17 spaces per dwelling; and **[4]** A minimum of 3 guest spaces shall be provided for developments consisting of more than 8 dwellings.
4. Model Homes	2 spaces per model home
5. Multiple-Family Residential	
a. Resident Parking Spaces	**[1]** Studio: 1.5 spaces per dwelling, including one space in a garage or carport; **[2]** One-Bedroom: 1.75 spaces per dwelling, including one space in a garage or carport; **[3]** Two-Bedrooms: 2.0 spaces per dwelling, including one space in a garage or carport; and **[4]** Three or more Bedrooms: 2.5 spaces per dwelling, including one space in a garage or carport.
b. Guest/Visitor Parking Spaces	**[1]** Portion of dwellings < 50: 0.25 spaces per dwelling; **[2]** Portion of 50 to 100 dwellings: 0.20 spaces per dwelling; **[3]** Portion of dwellings > 100: 0.17 spaces per dwelling; and **[4]** A minimum of 3 guest spaces shall be provided for developments consisting of more than 8 dwellings.

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
6. Senior Citizen Housing (as defined pursuant to CC Section 51.3 an CC Section 51.12)	
a. Income Qualified Development	0.7 resident space per dwelling, plus, guest/visitor parking spaces pursuant to the Multiple-Family Residential standards (Subparagraph A.5.b of this Table).
b. Market Rate Development	One resident space per dwelling, plus, guest/visitor parking spaces pursuant to the Multiple-Family Residential standards (Subparagraph A.5.b of this Table).
7. Single-Family Dwellings	
a. Traditional Development	2 spaces per dwelling within a garage
b. Small Lot and Common Interest Developments	2 resident spaces per dwelling within a garage, plus, 0.2 guest/visitor spaces per dwelling. Guest parking spaces may be provided on-street, immediately adjacent to the development boundary, if available. A minimum of 2 guest spaces shall be provided regardless of the number of dwellings proposed.
8. Single Room Occupancy Facilities	One resident space per room; plus, 2 spaces for the resident manager, plus, guest/visitor parking spaces pursuant to the Multiple-Family Residential standards (Subparagraph A.4.b of this Table).
B. Commercial Agriculture	
1. Commercial Crop Production and Farming	Determined by the Zoning Administrator
2. Commercial Animal Production	Determined by the Zoning Administrator
3. Support Activities for Agriculture	Determined by the Zoning Administrator
C. Utilities	One space per employee during the largest shift.
D. Construction	Required parking for "general warehousing;" plus 0.1 space per 1,000 SF (0.0001/SF) of outside storage yards.
E. Manufacturing	See parking standards for "Industrial and Business Park Developments".
F. Retail Trade	
1. General and Convenience Retail	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Grocery Stores	4 spaces per 1,000 SF (0.004/SF)
3. Motor Vehicle Dealers	Interior show rooms: 2.5 spaces per 1,000 SF (0.0025/SF) of GFA; plus, outdoor display areas: one space per 1,000 SF of GFA; plus, required parking for "motor vehicle repair;" plus, required parking for "offices".
4. Motor Vehicle Parts and Accessories	4 spaces per 1,000 SF (0.004/SF) of GFA
5. Tire Stores	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
6. Furniture and Home Furnishings Stores	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
7. Electronics and Appliance Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
8. Building Materials, Garden Equipment, and Supplies	2.5 spaces per 1,000 SF (0.0025/SF) of GFA; plus, one space per 1,000 SF of outdoor display and storage areas.
9. Food and Beverage Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
10. Health and Personal Care Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
11. Gasoline and Fueling Stations	

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
a. Self-Serve and Full Service Fueling Stations	3 spaces minimum; plus, parking requirements for combination uses (e.g., convenience store, food services, motor vehicle repair, etc.). Fueling stations operating in conjunction with other uses may be granted shared parking credit at the rate of one space for each fuel dispenser.
b. Automated Fueling Facilities	Determined by the Zoning Administrator
c. Truck Stops	Determined by the Zoning Administrator
12. Clothing and Clothing Accessory Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
13. Sporting Goods, Hobby, Book, and Music Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
14. General Merchandise Stores	
a. General and Convenience Retail	4 spaces per 1,000 SF (0.004/SF) of GFA
b. Discount and Specialty Superstores	5 space per 1,000 SF (0.005/SF) of GFA
G. Transportation and Warehousing	
1. Airports	Determined by the Zoning Administrator
2. Railroad Passenger Terminals	Determined by the Zoning Administrator
3. Truck Transportation—General and Specialized Freight Trucking	One space per employee during the largest shift
4. Warehousing and Storage	
a. Warehousing and General Storage	See U.1.a (Warehousing/Distribution) of this Table.
b. Motor Vehicle Storage	0.1 space per 1,000 SF (0.0001/SF) of GFA devoted to storage; plus, required parking for "general business offices".
c. Self-Storage	0.1 spaces per 1,000 SF (0.0001/SF) of GFA; plus, required parking for "caretaker quarters" (if provided).
H. Information	
1. Publishing Industries	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Motion Picture and Video Industries (except movie theaters)	Determined by the Zoning Administrator
3. Movie Theaters	0.33 spaces per fixed seat
4. Sound Recording Facilities	4 spaces per 1,000 SF (0.004/SF) of GFA
5. Broadcasting	4 spaces per 1,000 SF (0.004/SF) of GFA
6. Wireless Telecommunications Antennas	One space per facility
7. Data Processing, Hosting, and Related Services	6 spaces per 1,000 SF (0.006/SF) of GFA
8. Libraries and Archives	Determined by the Zoning Administrator
I. Finance and Insurance	
1. Banks, Savings Institutions, and Credit Unions	4.6 per 1,000 SF (0.0046/SF) of GFA
2. Pawn Shops and Pawnbrokers	4 spaces per 1,000 SF (0.004/SF) of GFA
3. Insurance Carriers	4 spaces per 1,000 SF (0.004/SF) of GFA
J. Real Estate, Rental, and Leasing	

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
1. Real Estate Lessors, Agents and Brokers, Property Managers and Appraisers, and Escrow and Listing Services	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Rental and Leasing Services	4 spaces per 1,000 SF (0.004/SF) of GFA
K. Professional, Scientific, and Technical Services	
1. Professional, Scientific, and Technical Services	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Scientific, Research, and Development Services	4 spaces per 1,000 SF (0.004/SF) of GFA
3. Veterinary and Animal Hospital Services	5.7 spaces per 1,000 SF (0.0057/SF) of GFA
L. Management of Companies and Enterprises	4 spaces per 1,000 SF (0.004/SF) of GFA
M. Administrative and Support, and Waste Management and Remediation Services	
1. General Business Offices	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Telephone Call Centers	6 spaces per 1,000 SF (0.006/SF) of GFA
3. Waste Management and Remediation Service	Determined by the Zoning Administrator
N. Education Services	
1. Elementary and Middle Schools	0.28 spaces per student, based upon maximum enrollment.
2. High schools	0.26 spaces per student, based upon maximum enrollment.
3. Colleges and Universities	0.5 spaces per student, based upon maximum enrollment; plus, one space per employee or staff during the largest shift.
4. Business, Technical and Trade Schools	6 spaces per 1,000 SF (0.006/SF) of GFA
5. Instructional Dance Studios	5 spaces per 1,000 SF (0.005/SF) of GFA
O. Health Care and Social Assistance	
1. Medical Offices	5.7 spaces per 1,000 SF (0.0057/SF) of GFA
2. Hospitals and Medical Centers	1.8 spaces per bed; plus, one space per employee or staff during the largest shift; plus, required parking for associated "medical offices".
3. Child and Youth Services	Determined by the Zoning Administrator
4. Services for the Elderly and Persons with Disabilities	Determined by the Zoning Administrator
5. Other Residential Care Facilities (more than 6 persons)	0.5 spaces per bed; plus, one space per employee or staff.
6. Child Day Care Services, excluding Small Family Residential Facilities	0.2 spaces per child, based upon maximum licensed enrollment capacity; plus, one space per employee during the largest shift.
P. Arts, Entertainment, and Recreation	
1. Performing Arts and Spectator Sports	0.33 spaces per fixed seat
2. Convention Centers, Auditoriums and Other Public Assembly Facilities	0.25 spaces for each fixed seat or 25 spaces per 1,000 SF (0.025/SF) of GFA.
3. Amusement and Theme Parks	Determined by the Zoning Administrator
4. Game Arcades	10 spaces per 1,000 SF (0.01/SF) of GFA

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
5. Golf Courses and Country Clubs	8 spaces per hole; plus, required parking for associated uses.
6. Golf Driving Range	One space per tee
7. Miniature Golf Course	3 spaces per hole
8. Fitness and Recreational Sports Centers	
a. Health Clubs and Gyms	5 spaces per 1,000 SF (0.005/SF) of GFA
b. Swim Clubs	3.3 spaces per 1,000 SF of pool surface area (0.0033/SF)
c. Tennis Clubs	3 spaces per tennis court
9. Bowling Centers	4 spaces per lane
10. Batting Cages	Determined by the Zoning Administrator
11. Billiard Parlors and Pool Halls	2 spaces per table
12. Dance Clubs and Halls, Ball Rooms, and Discotheques	25 spaces per 1,000 SF (0.025/SF) of GFA
13. Skating Rinks	3.3 spaces per 1,000 SF (0.0033/SF) of GFA
14. Stables (Commercial)	0.2 spaces per horse maintained on-site
Q. Accommodation and Food Services	
1. Lodging Facilities (bed and breakfast inns, boarding and rooming houses, hotels and motels, and residence inns)	One space per sleeping room; however, provide no fewer than one space per 2 beds; plus, required parking for associated uses.
2. Full Service Restaurants	10 spaces per 1,000 SF (0.01/SF) of GFA (includes outdoor seating area up to 25 percent of GFA).
3. Fast Food Restaurants	13.3 spaces per 1,000 SF (0.0133/SF) of GFA (includes outdoor seating area up to 25 percent of GFA). Restaurants with drive-thru may be credited one space for each 24 lineal FT of drive-thru lane behind the pickup window.
4. Banquet Facilities	25 spaces per 1,000 SF (0.025/SF) of GFA
5. Caterers	2 spaces per 1,000 SF (0.002/SF) of GFA
6. Drinking Places (bars, cocktail lounges, and nightclubs)	10 spaces per 1,000 SF (0.01/SF) of GFA
R. Other Services	
1. Motor Vehicle Repair and Maintenance	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
2. Car Washes, Full-Service and Self-Service	One space per employee, minimum 10 spaces; plus, required parking for accessory uses (i.e., motor vehicle repair and service, and retail uses).
3. Upholstery and Furniture Repair	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
4. Footwear and Leather Goods Repair	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
5. Personal Care Services	4 spaces per 1,000 SF (0.004/SF) of GFA
6. Death Care Service	
a. Cemeteries	Determined by the Zoning Administrator
b. Funeral Homes and Services	25 spaces per 1,000 SF (0.025/SF) of GFA of assembly area; plus, required parking for "general offices"

Table 6.03-1: Off-Street Parking Requirements

Land Uses, Activities, and Facilities	*No. of Parking Spaces Required*
7. Religious Assembly and Wedding Chapels	0.33 spaces per fixed seat or 25 spaces per 1,000 SF (0.025/SF) of GFA
S. Public Administration	Determined by the Zoning Administrator
T. Temporary and Interim Land Uses	Determined by the Zoning Administrator
U. Industrial and Business Park Developments	
1. Industrial	
a. Warehousing and Distribution	**[1]** Portion of GFA 20,000 SF or Less: One space per 1,000 SF (0.001/SF); **[2]** Portion of GFA Greater Than 20,000 SF: 0.5 space per 1,000 SF (0.0005/SF); **[3]** Tractor-Trailer Parking: One tractor-trailer parking space per 4 dock-high loading doors; **[4]** Parking for "general business offices" and other associated uses shall be provided when those uses exceed 10 percent of the building GFA; and **[5]** The Approving Authority may require a restrictive covenant running with the land, filed with the office of the County Recorder, which restricts the use of a property/building to warehousing and distribution, unless an alternate parking plan is provided, which demonstrates that on-site parking can be provided in compliance with the "General Industrial" parking requirements (see U.1.c of this Table), to support more intense industrial land uses.
b. Manufacturing	**[1]** General Requirement: Provide1.85 spaces per 1,000 SF (0.00185/SF) of GFA; **[2]** Tractor-Trailer Parking: One tractor-trailer parking space per 4 dock-high loading doors; and **[3]** Parking for "general business offices" and other associated uses shall be provided when those uses exceed 10 percent of the building GFA.
c. General Industrial (speculative buildings)	**[1]** Portion of GFA < 50,000 SF: 1.85 spaces per 1,000 SF (0.00185/SF); **[2]** Portion of GFA 50,000 SF to 100,000 SF: One space per 1,000 SF (0.001/SF); **[3]** Portion of GFA > 100,000 SF: 0.5 space per 1,000 SF (0.0005/SF); and **[4]** Tractor-Trailer Parking: One tractor-trailer parking space per 4 dock-high loading doors; **[5]** Parking for "general business offices" and other associated uses shall be provided when those uses exceed 10 percent of the building GFA.
2. Multi-Tenant Business Park	3 spaces per 1,000 SF (0.003/SF); plus, required parking for "general business offices" when exceeding 10 percent of GFA; plus, one trailer parking space per 4 dock-high loading doors.

6.03.020: Reduction in the Required Number of Parking Spaces

A reduction in the number of parking spaces required by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division may be granted as follows:

A. Shared Parking. Any project site where the hours of operation allow the shared use of off-street parking spaces to occur without conflict, the number of parking spaces required may be reduced pursuant to the following conditions:

1. Approval Required. Shared parking may be allowed upon the approval of a Shared Parking Agreement by the applicable Approving Authority pursuant to Table 2.02-1 (Review Matrix) of this Development Code.

2. Reasonable Walking Distance Required to Shared Parking Facilities. Shared off-street parking facilities shall be provided within a reasonable walking distance from the uses they serve, and shall be located no further than 500 FT from the uses served, measured from the nearest point of the parking facility to the entrance of each use served via the shortest pedestrian route.

3. Shared Parking Agreement.

a. A Shared Parking Agreement by and between the City, the applicant, and all other affected property owners, shall be executed and recorded with the County Recorder, which shall ensure the availability of the number of parking spaces designated for joint use, during the hours specified in the Agreement, for the duration of the uses subject to the shared parking arrangement.

b. The Agreement shall be subject to City Attorney review and approval, as to form and content.

4. Parking Analysis. The Approving Authority may require the applicant to submit a parking demand analysis, prepared by a person/firm experienced in preparing such analyses, to assist the Zoning Administrator in determining the appropriate shared parking reduction. A parking demand analysis shall be prepared pursuant to the Urban Land Institute's *Shared Parking* publication. The methodology of the *Shared Parking* publication may be used as a guide in reviewing a shared parking proposal.

5. Shared Loading Spaces. Loading spaces required by this Division may be shared pursuant to this Section.

B. Low Demand. Any project site where it can be demonstrated that the land use thereon will not utilize the required number of parking spaces due to the nature of the specific land use, or the manner in which the specific land use is conducted, the number of parking spaces required by Table 6.03-1 (Off-Street Parking Requirements) of this Division may be reduced pursuant to the following:

1. Approval Required. A parking reduction based upon low parking demand may be allowed upon the approval of a Low Demand Parking Reduction Agreement by the applicable Approving Authority pursuant to Table 2.02-1 (Review Matrix) of this Development Code.

2. Alternate Parking Plan. In approving a parking reduction, the Approving Authority may require the preparation of an Alternate Off-Street Parking Plan, which demonstrates that additional parking spaces can be provided on-site, as necessary, to accommodate future land use changes or intensifications in land use. Alternately, a restrictive covenant that runs with the land may be required by the Approving Authority, which restricts the use of the subject property for the duration of the parking reduction.

3. Low Demand Parking Reduction Agreement. A Low Demand Parking Reduction Agreement by and between the City, the applicant, and all other affected property owners, shall be executed and recorded with the County Recorder, which, at a minimum, shall: **[i]** provide confirmation that the parking supply proposed will be adequate during periods of maximum demand, **[ii]** confirm that the parking demand is provided within a reasonable walking distance to the use it serves, and **[iii]** identify parking management strategies that are necessary to ensure the availability of the necessary number of parking spaces for the duration of the current use and future users of the project site. The Low Demand Parking Reduction Agreement shall be subject to City Attorney review and approval as to form and content.

4. Parking Analysis. The Approving Authority may require the applicant to submit a parking analysis, prepared by a person/firm experienced in preparing such analyses, to assist the Approving Authority in determining the appropriate reduction.

5. Loading Space Reduction. The number of loading spaces required by this Division may be reduced pursuant to this Section.

6.03.025: Tandem Parking

Tandem parking spaces may be allowed as follows:

A. **Family Child Day Care.** Family child day care homes may provide tandem parking spaces to satisfy the minimum parking requirement for the use.

B. **Mobile Home Parks.** Mobile home parks may provide tandem parking spaces to satisfy the minimum resident parking requirement for the use. The use of tandem parking spaces shall not be permitted for guest parking spaces.

C. **Multiple-Family Projects.**

1. Multiple-family development projects may provide tandem parking spaces to satisfy unenclosed (not within a garage or carport) on-site resident parking requirements (i.e., a driveway space located behind a garage or carport space). Multiple-family projects may also provide tandem parking spaces within a parking structure, which meet both enclosed (within garage or carport) and unenclosed resident parking requirements. Guest/visitor parking spaces shall not be designed in a tandem configuration.

2. A tandem parking space shall consist of no more than 2 automobile parking spaces. Both automobile spaces shall be assigned for use by the same dwelling unit.

3. Tandem parking spaces may be counted toward a maximum of 12 percent of the resident parking space requirement established by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division.

D. **Residential Component of Mixed-Use Projects.** Tandem parking spaces may be provided to satisfy resident parking requirements for the residential component of mixed-use projects and shall comply with the requirements for multiple-family projects, stated Subsection C (Multiple-Family Projects) of this Section.

E. **Single-Family Dwellings.** Tandem parking spaces may be provided in conjunction with single-family dwellings, when such parking spaces are provided in excess of the minimum parking

requirement for the use (i.e., driveway spaces and tandem garage spaces), as required by Table 6.03-1 (Off-Street Parking Requirements) of this Division.

F. Valet Parking. The Zoning Administrator may authorize valet parking as a means of satisfying the applicable off-street parking requirements of this Division, provided that:

1. Valet parking may be counted toward a maximum of 15 percent of the minimum parking space requirements established by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division.

2. Valet parking facilities shall be provided within a reasonable walking distance from the uses they serve and shall be located no further than 500 FT from the uses served, measured from the nearest point of the parking facility to the entrance of each use served via the shortest pedestrian route.

3. An automobile shall be retrievable from its parking space with the movement of a maximum of 2 additional vehicles;

4. An equivalent number of valet parking spaces shall be available to replace the parking spaces required by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division; and

5. Valet parking spaces shall not require individual striping.

6.03.030: Parking for the Physically Disabled

A. Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

B. Parking spaces for the physically disabled required by this Section shall count toward fulfilling the minimum off-street parking requirements.

C. For existing parking facilities, the Zoning Administrator may approve a reduction in the number of parking spaces in an existing parking lot below the minimum required by this Section, in order to accommodate required parking spaces for the physically disabled.

6.03.035: Bicycle Parking

Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

6.03.040: Parking for Fuel Efficient Vehicles

Parking spaces specifically designated and conveniently located for fuel-efficient vehicles shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

6.03.045: Off-Street Parking Design Standards

A. Minimum dimensions and design.

1. Minimum Dimensions. The minimum dimensions for off-street parking and loading spaces and access drives shall be as prescribed in Table 6.03-2 (Standards for Parking Spaces, Drive Aisles, and Driveways), below.

Table 6.03-2: Standards for Parking Spaces, Drive Aisles, and Driveways

Requirement	*Standard*
A. Garage or Carport Space Dimensions (enclosed space)	10 FT wide by 20 FT long
B. Parking Space Dimensions (unenclosed space)	
1. Standard Parking	9 FT wide by 18 FT long [1][2]
2. Parallel Parking	8 FT wide by 24 FT long [1]
3. Tandem Parking	9 FT wide by 34 FT long (consists of 2 parking spaces) [1]
4. Trailer Parking	12 FT wide by 45 FT long
C. Loading Space Dimensions	12 FT wide by 18 FT long, unless otherwise specified by this Division
D. Minimum Drive Aisle and Driveway Widths	
1. Driveways for Single-Family Dwellings	10 FT wide
2. One-Way Drive Aisles and Driveways for Multiple-Family and Nonresidential Projects	12 FT wide
3. Two-Way Drive Aisles for Multiple-Family and Nonresidential Projects	24 FT wide, except that fire lanes required pursuant to the Ontario Fire Code shall be designed pursuant to Ontario Fire Department standards. Furthermore, two-way drive aisles may be reduced to 20 FT in width along segments that are not directly accessed by parking spaces.
4. Two-Way Driveways for Residential Projects	20 FT wide

Notes:

[1] An additional foot of width shall be provided for each side of a parking space that is contiguous with a fence, structure, wall, or other obstruction.

[2] The standard parking space length may be reduced to 16 feet, if 2 feet of width is added to adjacent sidewalk and/or landscape areas, to accommodate motor vehicle overhang. Vehicle overhang shall not encroach into a pedestrian path of travel.

2. End of a Drive Aisle. A drive aisle providing access to a parking space that is perpendicular to the drive aisle shall extend 5 FT beyond the side of the last parking space in the drive aisle to provide adequate area for the backing-up of parked vehicles.

3. Minimum Vertical Clearances Required.

a. *All Off-Street Parking Spaces.* A minimum 7-FT vertical clearance shall be maintained for all off-street parking spaces, including entrances, except that the vertical

clearance for the front 4 FT of a parking space serving a single-family dwelling or multiple-family residents may be reduced to not less than 4.5 FT in height.

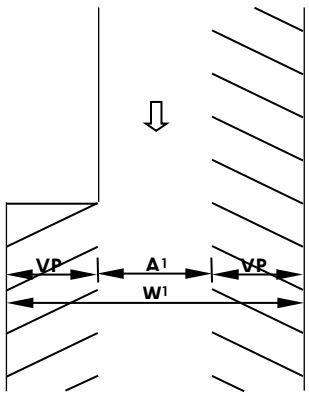
b. *Off-Street Parking Spaces for the Physically Disabled.* A minimum 98-inch vertical clearance shall be maintained for all off-street parking spaces for the physically disabled, including entrances and accesses to the spaces.

c. *All Off-Street Loading Spaces.* A minimum 14-FT vertical clearance shall be maintained for all off-street loading spaces, including entrances and accesses to the spaces.

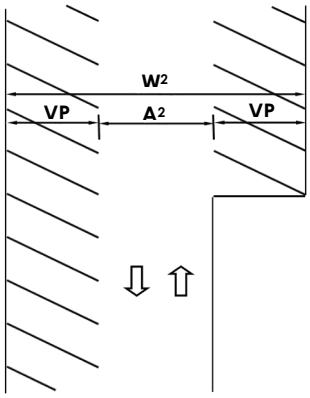
4. Parking Bays and Drive Aisles. The minimum dimension and design of parking bays and maneuvering drive aisles shall be as prescribed in Table 6.03-3 (Dimensions for Parking Facilities), below.

Table 6.03-3: Dimensions for Parking Facilities

Parking Angle	Vehicle Projection (VP)	Aisle Width		Base Module	
		One-Way (A^1)	Two-Way (A^2)	One-Way (W^1)	Two-Way (W^2)
45°	17'-7"	11'-10"	24'-0"	47'-0"	59'-2"
50°	18'-2"	12'-2"	24'-0"	48'-6"	60'-4"
55°	18'-8"	12'-8"	24'-0"	50'-0"	61'-4"
60°	19'-0"	13'-6"	24'-0"	51'-6"	62'-0"
65°	19'-2"	14'-8"	24'-0"	53'-0"	62'-4"
70°	19'-3"	15'-6"	24'-0"	54'-0"	62'-6"
75°	19'-1"	16'-10"	24'-0"	55'-0"	62'-2"
90°	18'-0"	24'-0"	24'-0"	59'-0"	60'-0"



One-Way Drive Aisle



Two-Way Drive Aisle

B. Parking Lot Access and Location of Parking Spaces.

1. The design and location of all vehicle accesses from a public street or alley to an off-street parking facility shall be approved by the City Engineer.

2. Each parking space shall be accessible from a street or alley, provided no parking space shall be designed to require that vehicles back into a street, excepting parking that serves a single-family dwelling.

3. No parking space shall be located so that a vehicle will be required to maneuver for position to enter or exit the space within 30 FT of a vehicular entrance from a public street.

4. Commercial or office developments with parking for at least 150 or more vehicles shall be designed with primary drive aisles unencumbered by parking spaces, intersecting parking aisles, or other access drives, for a distance of at least 100 FT behind the street property line or 112 FT behind the street curb face, whichever is greater.

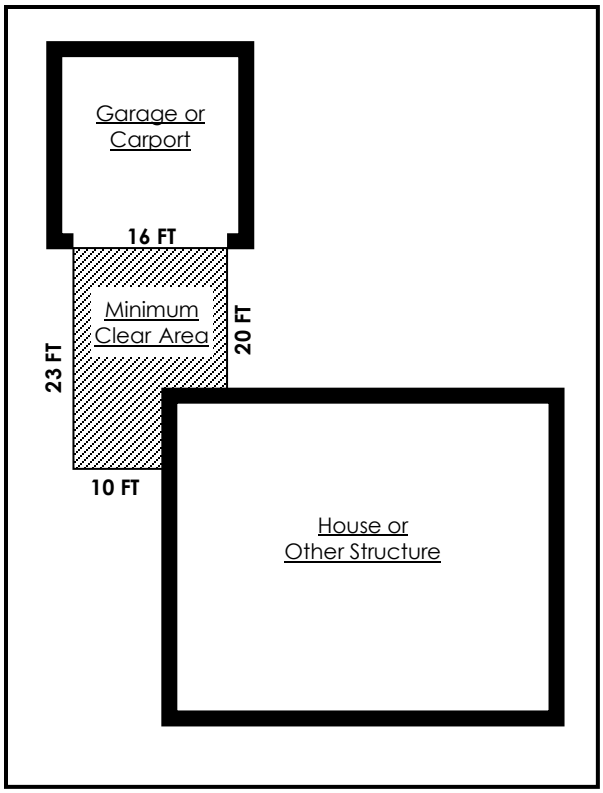


Figure 6.03-1: Garage/Carport Entrance Clear Area

5. Carpool and high occupancy vehicle spaces should be located in the most advantageous and reasonable location, as close as possible to the primary employee entrance(s) of the user(s) which they are intended to serve.

6. Parking spaces for dwellings shall be located within 150 FT from the dwelling (front or rear door) for which the space is provided, excluding structures containing 3 or more stories.

7. Bicycle and automobile parking areas shall be separated from one another by a physical barrier or sufficient distance to protect bicycles and their riders from damage by maneuvering automobiles.

8. A garage facing a public street shall provide a clear space of at least 20 FT between the garage entrance and the street property line.

9. The minimum clear area for vehicle access in front of a garage or carport entrance shall be as shown in Figure 6.03-1 (Garage/Carport Entrance Clear Area).

10. Except as otherwise provided in this Development Code, off-street parking spaces are not to be located within a required front or street side setback area, or the required rear setback area of a through lot.

11. All drive aisles entering a site shall be provided with an enhanced pavement treatment, excepting lots containing single-family dwellings. The enhanced paving shall extend

from the back of the drive approach apron to the first intersecting drive aisle, driveway, or parking space.

C. Striping and Identification.

1. All automobile parking spaces within commercial zoning districts shall be clearly outlined with double lines on the parking area surface. Within all other zoning districts, automobile parking shall be clearly outlined with single lines on the parking area surface (double lines may be used).

2. All parking area striping shall be permanently maintained in a clear and visible manor.

3. All parking spaces for the physically disabled shall be striped and marked in accordance with applicable State laws and standards.

4. All parking spaces reserved for low emissions vehicles shall be clearly marked with the words "Low Emissions Vehicles Only" either on the wheel stop or curb, or on the pavement at the opening of the space.

5. All spaces reserved for carpools and high occupancy vehicles shall be clearly marked with the words "Carpool/HOV Only" on either the wheel stop or curb at the back of each space, or on the pavement at the opening of the space.

6. Within multiple family residential developments, required guest parking spaces shall be clearly marked with the word "Guest" on either a wheel stop or curb at the head of each space, or on the parking surface at the opening of each space.

D. Parking, Drive Aisle, and Driveway Surface Paving. All permanent parking spaces, drive aisles, and driveways shall be paved with asphalt, concrete, or other all-weather surface approved by the Planning Director, Fire Marshall, and City Engineer.

E. Wheel Stops and Curbs.

1. Drive aisles and parking surfaces contiguous with planter areas shall have a 6-inch concrete curb separation constructed per City standards, except where a landscape area is parallel and adjacent to a parking stall the curb separation be increased to a minimum of 12 inches in width to provide a step-out area from motor vehicles.

2. All parking spaces located adjacent to buildings or walls shall have concrete wheel stops located from a minimum of 2.0 FT, to a maximum of 2.5 FT, from the building or wall.

F. Maintenance. All parking facilities shall be permanently maintained, free of weeds, liter, and debris.

6.03.050: Parking Lot Lighting

A. Parking Lot Lighting Required. All off-street parking facilities shall be provided with nighttime security lighting pursuant to OMC Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted

light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

B. Lighting Level Measurement. Lighting levels shall be measured with a direct-reading portable light meter. The equipment used shall allow accurate measurements, with all measurements made after dark with the lights on and then again with the lights off. The difference between the two readings shall then be compared to the applicable standard for maximum permitted illumination.

C. Light Fixtures Shall Be Decorative. All parking lot lighting fixtures shall be decorative.

D. Lighting Along Pedestrian Corridors. Along pedestrian movement corridors, the use of decorative low-mounted bollard light standards, which reinforce pedestrian scale, shall be used.

E. Illumination on Adjacent Property. Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

F. Maximum Luminaire Heights. The maximum permitted height of luminaires within a parking lot shall be as follows:

1. No Cutoff Luminaire. When a light source or luminaire has no cutoff (the point at which all light rays are completely shielded), the maximum permitted height of the luminaire shall be 14 FT.

2. Ninety Degree or More Cutoff Luminaire. When a luminaire has a total cutoff of light at an angle of 90 degrees or greater, the maximum permitted height of the luminaire shall be 24 FT.

3. Less than 90-Degree Cutoff Luminaire. When a luminaire has a total cutoff of light at an angle of less than 90 degrees, the maximum permitted height of the luminaire shall be 30 FT.

6.03.055: Off-Street Loading Standards

A. Number of Loading Spaces Required. Full-service and limited-service eating places, drinking places, convenience stores, hotels and motels, and all other traveler accommodations, and any other use deemed by the Zoning Administrator to be in need of off-street loading facilities, shall be provided a minimum of one off-street loading space.

B. Minimum Dimensions and Design.

1. At-Grade Loading Facilities. At-grade loading doors shall be provided with an off-street loading space located immediately in front of the door measuring a minimum of 12 FT in width and 18 FT in length, and having a minimum vertical clearance of 14 FT, measured from the finish grade of the space. The loading space may be provided either perpendicular or parallel to the loading door.

2. Dock-High Loading Facilities.

a. Dock-high loading doors shall be provided with an off-street loading space located immediately in front of the door measuring a minimum of 12 FT in width and 45 FT in length,

and having a minimum vertical clearance of 14 FT, measured from the finish surface of the loading dock.

b. A truck maneuvering area equal to the width of the loading door and a minimum of 120 FT in depth shall be provided in front of dock-high loading doors, and, at a minimum, the maneuvering area shall be designed to accommodate the minimum practical turning radius of a 55-FT semi-trailer and tractor combination. Deviations from this minimum maneuvering standard may be permitted if it can be shown that the spatial needs are less than the minimum required due to the truck size and type that will be utilized in the operation of a specific use; however, in permitting such deviation(s), a covenant of restriction to run with the land may be required, which specifies limitations relating to truck size and/or type. Larger maneuvering areas shall be required if the use of a larger semi-trailer and tractor combination is proposed.

c. Truck maneuvering areas shall not encroach into required off-street parking areas and landscaped areas.

C. Loading Facilities Prohibited Within Setback Areas. Except as otherwise provided by this Chapter, off-street loading spaces and areas, and associated vehicle maneuvering areas shall not be located within required front or street side setback areas, the rear setback area of a through lot, or any other required setback area located within 25 FT of a residentially zoned property.

D. Screening of Loading Facilities. Loading facilities should be located at the rear or interior side of buildings and shall be screened from public view or view from residential, retail and office uses, and the offices of industrial uses on adjacent properties. When it is not possible or desirable to locate loading facilities at the rear or interior side of buildings, loading facilities may be located on the street side or front of buildings, provided they are screened from public view by a decorative masonry wall with view-obstructing access gates pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

E. Loading Space Ingress and Egress. All loading spaces shall have adequate ingress and egress as approved by the City Engineer and shall be designed and maintained so that vehicle maneuvering and loading/unloading activities do not interfere with the orderly movement of traffic and pedestrians on any public street or alley.

F. Screening of At-Grade Loading Doors and associated Loading Spaces. All at-grade loading doors shall be decorative, unless located within an enclosed yard area and screened from public view by a decorative masonry wall with view-obstructing access gates pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

G. Screening of Dock-High Loading Doors and Associated Loading Spaces and Truck Maneuvering, Parking, and Staging Areas. All dock-high loading doors and associated loading spaces and truck maneuvering, parking, and staging areas, shall be located within an enclosed yard area and screened from public view by a decorative masonry wall with view-obstructing access gates pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

H. No Backing onto or from a Public Street. All loading spaces shall be designed and maintained so that vehicles do not back in from, or onto, a public street.

I. Match Loading Bay and Roll-Up Door Color to Adjacent Building Finish. The loading bays and roll-up doors shall be painted to blend with the adjacent exterior building finishes.

J. Concealment and Screening of Loading Areas. Areas for loading and unloading shall be designed to avoid potential adverse noise, visual, and illumination impacts on neighboring residences. These areas shall be concealed from view by the public and adjoining land uses. Concealment and screening may be accomplished by use of any of the following methods, subject to Zoning Administrator approval:

1. Orient loading spaces, areas, and doors such that they are concealed from public view by buildings; and

2. Screen loading spaces, areas, and doors pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code, with walls and view-obstructing gates, which are architecturally coordinated with adjacent buildings. In addition, incorporate intense on-site landscaping to block public views of loading areas.

K. Loading Facilities in Close Proximity to Dwellings. Special orientation or design treatment of loading bays and doors located in close proximity to dwellings shall be required in order to reduce associated light and noise impacts to less-than-significant levels.

L. Striping and Identification. Loading spaces shall be striped, indicating the loading spaces and identifying the spaces for "Loading Only." The striping shall be permanently maintained by the property owner/tenant in a clear and visible manner at all times.

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Division 6.04—Congestion Management and Trip Reduction

Sections:

6.04.000: Purpose and Intent
6.04.005: Applicability
6.04.010: Trip Reduction Measures

6.04.000: Purpose

Use of the private automobile in Southern California has created serious traffic congestion and air quality problems. At the regional and local levels, government agencies have adopted policies and programs aimed at reducing the number of single-passenger vehicles traveling along the region's highways, thereby alleviating congestion and improving air quality within the region. The trip reduction measures contained in this Division are intended to help meet congestion management and air quality goals of the region.

6.04.005: Applicability

A project requiring the approval of a tentative tract or parcel map pursuant to Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps), Development Plan pursuant to Section 4.02.030 (Development Plan), and/or Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code, and for which an application was submitted on or after January 1, 1994, provision shall be made for the applicable trip reduction measures required by this Division.

6.04.010: Trip Reduction Measures

The following trip reduction measures shall be implemented:

A. Non-Residential Projects.

1. Bicycle Parking and Shower/Changing Rooms. Safe and convenient access to bicycle racks shall be provided from public streets. Bicycle racks or other secure bicycle parking, and shower/changing rooms, shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2. On-Site Pedestrian Walkways. On-site pedestrian walkways shall be provided, which connect each building in a development to bicycle parking facilities (if required) and public streets.

3. Passenger Loading Areas. Passenger loading areas shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

4. Carpool/Vanpool Parking Spaces. Parking spaces reserved for use by carpool/vanpool vehicles shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

5. Transit Facilities. Transit facilities, such as bus shelters, bus pullouts, and bus pads, shall be provided if the Planning Director, in consultation with local transit providers, determines they are needed to serve the development.

6. On-Site Video Conferencing Facilities. On-site video conferencing facilities shall be provided for office buildings with a capacity of 1,000 employees or greater.

B. **Multiple-Family Residential Projects** (consisting of 10 or more dwellings)**.**

1. Bicycle Parking and Shower/Changing Rooms. Safe and convenient access to bicycle racks shall be provided from public streets. Bicycle racks or other secure bicycle parking, and shower/changing rooms, shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2. On-Site Pedestrian Walkways. On-site pedestrian walkways shall be provided, which connect each building in a development to bicycle parking facilities (if required) and public streets.

3. Passenger Loading Areas. Passenger loading areas shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

4. Transit Facilities. Transit facilities, such as bus shelters, bus pullouts, and bus pads, shall be provided if the Planning Director, in consultation with local transit providers, determines they are needed to serve the development.

C. **Single-Family Residential Projects of 500 or More Dwellings.** Facilities shall be provided to give residents an opportunity to telecommute, or an in-lieu contribution, shall make provision for telecommuting facilities, or an alternate strategy for reducing an equal amount of trips as would have occurred from provision of telecommuting facilities shall be implemented per Subsection D (Modification of Trip Reduction Measures) of this Section.

D. **Modification of Trip Reduction Measures.** The Approving Authority may modify all or part of the trip reduction measures for new projects, if the following findings can be clearly established:

1. One or more of the measures are not applicable due to special circumstances, including, but not limited to, the location or configuration of the project, the implementation of existing trip reduction measures and transportation demand strategies, or other specific factors that make implementation infeasible or reduce the effectiveness of the prescribed measures.

2. An alternative trip reduction and transportation demand management strategy will be implemented to reduce an equal number of trips as would have occurred as a result of imposition of the prescribed measures. Implementation of the alternative strategy shall be a condition of project approval.

E. **Trip Reduction and Transportation Demand Management Program/Facility Credit.** Credit may be granted for trip reduction and transportation demand management programs and facilities, as follows:

1. Existing trip reduction and transportation demand programs and facilities in a development program may satisfy all or part the requirements of this Section pertaining to new construction, subject to the approval of the Approving Authority. The amount of credit given shall

be determined through an assessment of how the existing facilities would meet the requirements of this Section if based upon the GFA of the entire complex.

2. The Planning Commission may determine that a reduction in the required number of parking spaces for the proposed use or uses is acceptable because implementation of the trip reduction and transportation demand management measures would eliminate some of the demand for parking.

F. **Certificate of Occupancy.** Prior to the issuance of a certificate of occupancy for any new building or addition to an existing building, all facilities and improvements required by this Section shall be constructed or otherwise provided.

G. **Improvements and Facilities to be Maintained in Good Repair.** All facilities and improvements constructed or otherwise required by this Section shall be maintained in a state of good repair.

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Division 6.05—Landscaping

Sections:

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6.05.000: Purpose

The purpose of this Division is to establish standards regulating landscaping and irrigation systems, which:

A. Improve the connection between the built and natural environments, increase the function of outdoor spaces and buffer land use compatibility conflicts;

B. Enhance the aesthetic appearance of development in all areas of the City by providing standards relating to the quality, quantity, and functional aspects of landscaping;

C. Reduce heat and glare generated by development;

D. Promote public health, safety, and welfare, by minimizing the impacts of all forms of physical and visual pollution, preserving the integrity of neighborhoods, and enhancing pedestrian and vehicular traffic safety;

E. Reduce energy use and associated costs from heating and air conditioning buildings and the transportation and pumping of water.

F. Preserve existing protected trees and topsoil where possible, incorporate native plant communities, and ecosystems into landscape design, and control soil erosion;

G. Promote the conservation of water by establishing provisions for water management practices, and techniques for the installation and maintenance of appropriate landscape materials and efficient irrigation systems as required by the Water Conservation in Landscaping Act of 2006 (AB 1881) and Executive Order No. B-29-15 (updated 2015), Model Water Efficient Ordinance (MWELO), commencing with GC Section 65591.

6.05.005: Applicability

A. Landscaping Required. All projects shall provide and maintain landscaping and irrigation systems in compliance with the provisions of this Division.

B. Landscape and Irrigation Plans Subject to City Review.

1. Submittal of Landscape and Irrigation Plans Required. Landscape and irrigation plans shall be submitted to the City for review for compliance with the requirements of this Division.

2. Plan Approval Required. Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by this Division have been approved by the Approving Authority. The Approving Authority is established by Table 2.02-1 (Review Matrix) of this Development Code and shall be empowered to approve or deny Landscape and Irrigation Documentation Plans.

3. Changes to Approved Landscape and Irrigation Plans. Changes to approved Landscape and Irrigation Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Approving Authority, prior to the commencement of the changes.

6.05.010: Landscape Design Principles

Landscaping is an important part of the aesthetic quality of the City and is important to create a sense of the City as a pleasant and safe place to live and work. The standards prescribed by this Division are intended to pursue sustainable, high quality landscaping, which is associated with the varying land use characteristics of the community. It is further intended that implementation of these guidelines will serve to enhance the street environment for motorists, as well as to contribute to convenient pedestrian connections throughout the City.

1. Use landscaping to define and create usable spaces throughout each development. Landscaping should be used to guide the user through the site and incorporate appropriate design elements for spaces such as entrances, walkways, gathering spaces, seating areas, utility areas, view corridors, open spaces, play spaces, and foregrounds and backdrops. Landscape design can be accomplished by utilizing form, function, scale, unity, contrast, varying the density of landscape material, use of color, layering, vertical and horizontal contrasts, and varying the texture of planting. Individual building projects can be enhanced through larger and more intensely developed landscaping.

2. Use landscaping to reduce the massing of buildings and eliminate large blank walls. Landscaping should be used to reduce the massing or bulk of buildings, particularly large industrial and warehouse/distribution buildings. Reductions in massing can be accomplished by using landscape treatments to provide vertical and horizontal contrast and to add visual interest. Major buildings should have foundation plantings adjacent to buildings such as hedgerows or shrub masses to break the horizontal ground plane from the vertical plane of the building.

3. Use landscaping to soften the effect of paved areas. Landscaping should be provided in all parking areas to reduce the visual impact of parking areas and reduce associated heat build-up. Parking lot landscaping should be integrated with, and an extension of, other on-site landscape features.

4. Landscapes should be designed to achieve harmony and unity between indoor and outdoor spaces. Designs should create both pleasing and economical layouts, incorporating durable and natural materials while ensuring safety and providing guidance for pedestrians and vehicles to their destinations. High quality landscapes should be attractive with open accessibility to nature while incorporating measures to promote sustainability: environmentally, economically, and socially.

5. Environmentally sustainable landscapes efficiently manage stormwater by capturing, and infiltrating runoff into dry wells, french drains, vegetated swales, or basins in planter areas or into porous hardscapes. Hardscape areas should be planted with canopy trees to clean air and mitigate the urban heat island effect and use California native and Mediterranean type plants to conserve water.

6. Economically sustainable landscapes are energy efficient by using large trees to buffer summer sun and winter wind on buildings or outdoor seating areas. They use resources carefully by incorporating low water using plants and efficient irrigation systems. Turfgrass areas are limited to parks and open spaces for active play which help reduce maintenance, pollution and water resource costs.

7. Socially sustainable landscapes create unique environments that enhance places to work, shop or dine and lend significant value to development. High quality landscapes have a profound impact on people's attitude and work performance as well as their enjoyment of a place. Open spaces, plazas, employee lunch areas and trails offer places to unwind, and meet people. Accessible paths and trails improve health through walking and biking.

6.05.015: Landscape Plans

A. Preliminary Landscape Plans.

1. Plan Required. A preliminary landscape plan shall be submitted with a Development Plan application or any other discretionary permit or action that proposes new or revised landscaped area. Where no discretionary permit or action is required, Landscape and Construction Irrigation Documentation Plans prepared pursuant to Subsection B (Landscape and Irrigation Construction Documentation Plans) of this Section, may be required by the City prior to the issuance of a Building Permit, as a requirement of any landscaped area proposed in fulfillment of the requirements of this Development Code.

2. Preliminary Landscape Plan.

a. The preliminary landscape plan shall meet the purposes of this Division by exhibiting a design layout that demonstrates the desired landscaping program in terms of function, location, size, scale, theme, and similar attributes.

b. The preliminary landscape plan shall provide the Approving Authority with a clear understanding of the landscaping program prior to preparation of the detailed Landscape and Irrigation Documentation Plans.

c. The preliminary landscape plan shall meet the purposes of OMC Title 10 (Parks and Recreation), Chapter 2 (Parkway Trees), commencing with Section 10-2.01.

d. The preliminary landscape plan shall include the Maximum Applied Water Allowance (MAWA) calculation, based upon the area devoted to landscaping as shown on the preliminary landscape plan. See worksheets contained in the Landscape Design and Construction Guidelines (Development Code Reference G) for the MAWA calculation formula.

3. Plan Preparation by a Qualified Design Professional is Required. Preliminary landscape plans shall be prepared by a California-registered landscape architect, or the architect that designed the on-site structures and improvements, or other qualified design professional.

4. Waiver of Requirements. The Approving Authority may waive the requirement for a preliminary landscape plan for building additions and remodels if no alterations, or minor alterations, are proposed to existing landscape areas or site topography.

B. Landscape and Irrigation Construction Documentation Plans.

1. Landscape and Irrigation Construction Documentation Plans Required.

a. Prior to the installation of landscaping and irrigation systems required by this Division, Landscape and Irrigation Construction Documentation Plans shall be submitted to the City for review and approval by the Approving Authority.

b. The required plans shall be prepared by, and bear the seal of, a landscape architect registered with the State of California.

c. Landscape and Irrigation Construction Documentation Plans shall be provided for each of the following project types:

(1) New and rehabilitated public or private development projects with landscaping;

(2) Developer-installed landscaping for all single-family and multiple-family development projects; and

(3) New and rehabilitated homeowner-installed or homeowner-hired projects with landscaping totaling 5,000 SF or more in area, on any lot containing a single-family or multiple-family dwelling.

2. Water Conservation Concept Statement. A Water Conservation Concept Statement shall be provided on the cover sheet of the Landscape and Irrigation Construction Documentation Plan set required by Paragraph B.1 (Landscape and Irrigation Documentation Plans Required) of this Section, which serves as a checklist to verify that all required elements of the Landscape and Irrigation Construction Documentation Plans have been provided. A Water Conservation Concept Statement shall have the form and content shown in the Landscape Design and Construction Guidelines (Development Code Reference G).

3. Water Budget Worksheet. A Water Budget Worksheet for new landscape areas shall be provided with each Landscape and Irrigation Construction Documentation Plan set submitted for areas to be newly landscaped, as required by Paragraph B.1 (Landscape and Irrigation Documentation Plans Required) of this Section. Said worksheet shall have the form and content shown in the Landscape Design and Construction Guidelines (Development Code Reference G), and shall include: **[i]** calculation of the Maximum Applied Water Allowance

(MAWA), **[ii]** calculation of the Estimated Total Water Use (ETWU), and **[iii]** calculation of the Water Budget Comparison.

4. Requirements for Existing Landscape Areas.

a. All existing landscape areas that are one or more acres in size, and were installed prior to January 1, 2010, shall provide a project's MAWA for existing landscaping. A Water Budget Worksheet for Existing Landscape Areas shall be provided with the Landscape and Irrigation Construction Documentation Plans, which shall be consistent with the form and content shown in the Landscape Design and Construction Guidelines (Development Code Reference G).

b. Existing landscape areas and landscape areas that do not have a dedicated water meter shall employ techniques, equipment and procedures to reduce water use and meet the MAWA for existing landscapes.

c. Landscape areas that do not meet the MAWA shall utilize: **[i]** an irrigation survey; **[ii]** an audit performed by a Certified Landscape Irrigation Auditor or a Landscape Industry Technician certified in irrigation, to provide recommendations, such as replacement or repairing of irrigation equipment as recommended in order to prevent water waste and meet the water budget; or **[iii]** other methods acceptable to the City.

5. Planting Plan. The Planting Plan shall be included in the Landscape and Irrigation Construction Documentation Plans and shall contain all required information prescribed by this Division and the Landscape Design and Construction Guidelines (Development Code Reference G).

6. Irrigation Plan. The Irrigation Plan shall be included in the Landscape and Irrigation Construction Documentation Plans and shall contain all required information prescribed by this Division and the Landscape Design and Construction Guidelines (Development Code Reference G).

7. Precise Grading Plan. A Precise Grading Plan shall be included in the Landscape and Irrigation Documentation Plans and shall contain all required information prescribed by this Division and the Landscape Design and Construction Guidelines (Development Code Reference G). To promote the efficient use of water, the grading of a project site shall be designed to minimize soil erosion, runoff, and water waste, and shall avoid soil compaction in landscape areas. Furthermore, said plans shall show grading techniques and stormwater devices that increase rainwater capture for infiltration and/or on-site storage coordinated with the landscape design.

8. Soil Management Report. Agronomical soil testing shall be performed, and test results and recommendations shall be included on the Landscape Documentation Plans. Testing shall be performed, and recommendations shall be implemented, prior to landscape installation.

9. Irrigation Schedules. Irrigation Schedules shall be included in the Landscape and Irrigation Construction Documentation Plans.

10. Maintenance Schedules. Landscaping and irrigation systems shall be maintained to ensure water use efficiency, plant health, and a well maintained, attractive appearance. A regular maintenance schedule shall be included in the Landscape and Irrigation Construction Documentation Plans.

11. Certificate of Completion. Upon completion of landscaping and irrigation system installation, the licensed landscape architect of record, or their designee, shall conduct a final field inspection and shall prepare a Certificate of Completion, which shall be filed with the City. The Certificate of Completion shall specifically indicate that the landscaping and the irrigation system were installed as shown on the approved Planting and Irrigation Plans, and that the soil testing and amendments have been installed as specified by the soil management plan. If the irrigation system was not installed pursuant to plans, or if water use exceeds the water budget, a certified landscape irrigation auditor shall conduct an irrigation audit, and the recommendations to ensure water efficiency shall be provided, prior to permit approval.

12. Required Plans, Maps, Reports, Schedules, and Other Necessary Information. All plans, maps, reports, schedules, and other information required to be contained in the Landscape and Irrigation Construction Documentation Plan set by this Section, shall include all information stipulated by the Landscape Design and Construction Guidelines (Development Code Reference G), which prescribes the minimum information to be submitted, together with any required plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to review and act upon the required plans and information.

13. Public Education. All model homes that are landscaped shall incorporate signs and written information to demonstrate the principals of water efficient landscapes described in this Division. Signs shall feature elements such as hydrozones, irrigation equipment, and plants that contribute to the overall water efficient theme. Written information shall be provided about plant types, irrigation systems and managing and maintaining water efficient landscapes.

6.05.020: Tree Preservation Policy and Protection Measures

A. **Purpose.** The purpose of this Section is to establish policies and measures that will further the preservation, protection, and maintenance of established and healthy heritage trees within the City, to improve the community forest that provides environmental, aesthetic and economic benefits, and enhances the quality of life. It is pertinent to the public welfare that such trees be protected from indiscriminate cutting or removal.

B. **Applicability.** The City Council hereby establishes that it is the policy of the City to preserve, protect, and maintain established and healthy trees within the City, to the extent practicable. Consideration shall be afforded Heritage Trees, as set forth in this Section.

C. **Definitions.** As used in this Section**, the following** words, terms, and phrases are defined as follows:

1. Heritage Tree. The term "Heritage Tree" means a tree of historic or cultural significance, or a tree of importance to the community due to any one of the following factors:

a. A tree designated for preservation pursuant to Section 4.02.040 (Historic Preservation—Historic Landmark and District Designations, and Architectural Conservation Areas) of this Development Code.

b. It is one of the largest or oldest trees of the species located in the City, with a trunk diameter of 18 inches or greater, measured at 54 inches above natural grade; or

c. It has historical significance due to an association with an historic building, site, street, person, or event; or

d. It is a defining landmark or significant outstanding feature of a neighborhood or district, or typical of early Ontario landscapes, including **[i]** Cinnamomum camphora (Camphor Tree), **[ii]** Cedrus deodara (Deodar Cedar), **[iii]** Platanus acerifolia, **[iv]** Quercus suber (Cork Oak), **[v]** Quercus ilex (Holly Oak), or **[vi]** Schinus molle (California Pepper); or

e. It is a Native Tree. The term "Native Tree" means any one of the following California native tree species, which has a trunk diameter of more than 8 inches, measured at 54 inches above natural grade, including **[i]** Platanus racemosa (California Sycamore), **[ii]** Pinus torreyana (Torrey Pine), **[iii]** Quercus agrifolia (Coast Live Oak), **[iv]** Quercus engelmannii (Engelmann Oak), **[v]** Quercus lobata (Valley Oak), or **[vi]** Umbellularia californica (California Bay).

2. Tree Protection Area. The term "Tree Protection Area" (TPA) means the area of tree roots and canopy to be designated by fencing to prohibit access during construction activities. The tree protection area is typically equal to one foot of radius for each inch of trunk diameter measured at 54 inches above natural grade, but not less than an 8-FT radius. This term may also be referred to as "Protected Root Area" (PRA).

D. Tree Inventory and Preservation Plan.

1. Property proposed for development on which a Heritage Tree exists, shall require the submittal of a Tree Inventory and Preservation Plan prepared by a licensed landscape architect, horticulturalist, certified arborist, or other related professional. Said plan shall be submitted concurrent with a Development Plan or building permit request for alterations of a site and shall be reviewed and approved by the Approving Authority for the corresponding application request.

2. The Tree Inventory and Preservation Plan shall show all existing on-site trees, and those existing trees on abutting lots and public rights-of-way with a canopy or root zone that extends onto the site or within 8 FT of a construction, staging or storage area, or graded site. Furthermore, the Tree Inventory and Preservation Plan shall identify TPAs and trees requested to be removed and shall show replacement trees as required by this Division.

3. The Tree Inventory and Preservation Plan shall include a tree evaluation or arborist report of affected trees, prepared by a City-approved certified arborist or qualified horticulturalist, to determine health, structure, condition, and expected life span of all affected trees.

E. Tree Protection During Construction.

1. All trades performing work on property in which trees have been specifically identified for protection pursuant to this Section, shall be informed of the protected trees.

2. During site construction, no person in control of work shall leave any Heritage Tree(s) without sufficient protections in place to prevent injury to the tree(s). Furthermore, it shall be unlawful and a violation of this Section to leave any Heritage Tree protected pursuant to this Section without sufficient protections in place.

3. Any special Tree Protection During Construction requirements shall be included in the Tree Inventory and Preservation Plan, and on any Demolition, Grading, or Construction Plan(s) where existing trees may be impacted, along with the following Tree Protection During Construction standard notes:

a. Existing trees to be protected shall be identified with protective fencing to form a TPA. The TPA shall encircle the tree at the outer most edge of the root zone and canopy. The TPA is defined by its "Critical Root Radius," which is calculated by measuring the tree's diameter at 54 inches above natural grade (dbh) and allowing 1.5 FT of radius for each inch of tree diameter. In example, if a tree's dbh is 10 inches, its Critical Root Radius is 15 FT.

b. Protective fencing shall be installed prior to any earthwork and shall remain in place until all work is complete. Fencing shall be 3 FT to 4 FT in height and shall be installed at the outer most edge of the Critical Root Radius or TPA. The temporary fencing shall be of chain link or other approved durable material. Post "Tree Protection Zone – Keep Out" signs on TPA fencing.

c. No construction or staging equipment is allowed within a TPA, including heavy equipment that will compact and damage the roots.

d. No disposal of construction materials or by products including paint, plaster, or chemical solutions, is allowed within a TPA.

e. Natural or preconstruction grade shall be maintained within a TPA. At no time shall soil be in contact with a tree trunk above the root flare.

f. TPAs shall be irrigated sufficiently with clean potable water to keep the tree in good health and vigor before, during, and after construction. Deep watering may be necessary on a weekly basis. Verify that the depth of irrigation provided to roots is adequate.

g. Apply a 4-inch to 6-inch thick layer of mulch within the TPA, one foot away from the trunk, before construction begins.

h. Any work required to be conducted in the ground, within the TPA, shall be accomplished with hand tools or an air spade.

i. Pruning for clearance, if needed, shall be done to prevent damaging branches with large equipment. All pruning shall be in accordance with industry standards (International Society of Arboriculture ANSI A300) under the direction of a Certified Arborist.

j. Avoid cutting roots with a diameter larger than 2 inches. Cuts should be clean and made at right angles to the roots. When practical, cut roots back to a branching lateral root. Trenches for piping shall be bored under, at a minimum depth of 36 inches. Consult a Certified Arborist to be present if more than 33 percent of the root zone is impacted, or roots greater than 2 inches diameter within 5 FT of the trunk will be cut, to ensure tree stability and that health will not be affected.

k. Protect soil and roots from compaction in landscape areas used for driveways, storage, or parking, with a layer of geotextile fabric and 6 inches of crushed gravel.

4. All trades performing work on property in which trees have been specifically identified for protection pursuant to this Section, shall be informed of the Tree Protection and Inventory Plan and the Tree Protection During Construction requirements.

F. Waiver of Development Standards to Further Heritage Tree Preservation and Protection. When considering an application for any permit or approval that may adversely affect Heritage

Trees, the City may allow certain departures from established development standards to assist in their preservation, through the granting of an Administrative Exception pursuant to Section 4.02.020 (Departures from Development Standards) of this Development Code. Allowable exceptions specifically for the furtherance of tree preservation shall be limited to a maximum 15 percent reduction from minimum setback and separation requirements, and maximum 10 percent from off-street parking requirements. The Approving Authority may grant Administrative Exceptions from said setback, separation, and/or parking standards after first finding that:

1. The applicant has investigated alternative site designs and building configurations in strict compliance with the applicable development standards;

2. The tree(s) to be preserved is/are in good health and condition (taking into account species and longevity) as determined by a certified arborist;

3. The project includes a well-integrated and thoughtful design solution that enhances the property and its surroundings;

4. The project would not be injurious to adjacent properties or uses, or detrimental to the environment, quality of life, or the health, safety, and welfare of the public; and

5. The project is consistent with the purposes of the applicable zoning district, planned unit development, or specific plan, the applicable development standards and guidelines, and the Vision, Policy Plan, and City Council Priorities components of The Ontario Plan.

G. Heritage Tree Removal. It is the City's policy to protect and preserve healthy trees that provide benefits to the community, whenever possible. However, if it is determined through an arborist report, tree evaluation, or other city approved means, that a Heritage tree is dead, hazardous, diseased, or damaged beyond repair, or may pose an emergency or safety concern, the Approving Authority may order removal of the tree.

H. Heritage Tree Pruning. Pruning of any Heritage Tree protected pursuant to this Section shall be performed under the direction of a certified arborist, horticulturalist, or similar qualified licensed professional, following the most recent standards of the International Society of Arboriculture and ANSI A300 standards for tree care operations.

I. Heritage Tree Damage or Tree Removal without City Approval.

1. The damage or removal of a Heritage Tree protected pursuant to this Section, or encroachment into a protected root area or TPA, shall require an evaluation by a City-approved certified arborist as to the resulting condition, prescribed treatment to repair the damage, replacement trees if removed (as prescribed by this Division), and monetary value of the tree if removed or damaged beyond repair. Penalties pursuant to Section 6.05.035 (Violation—Penalty) of this Division shall apply.

2. For the purposes of this Subsection, the term "tree removal" shall include any act that causes the actual removal of a Heritage Tree, or the effective removal of a Heritage Tree by means of willful damage; damage resulting from excessive or improper pruning, excavation, or construction; poisoning; or any other direct or indirect action resulting in tree death within the 3-year period following said actions.

J. Heritage Tree Replacement. Healthy Heritage Trees that are approved for removal shall be replaced with new trees and shall be shown on required Landscape and Irrigation Construction

Documentation Plans. Replacement trees shall have a total trunk diameter (caliper) equal to the tree(s) removed, or as deemed appropriate by the Approving Authority based on the lot size and available planting space. Replacement trees shall be in addition to the quantity of trees required by this Division for landscaping. The Approving Authority shall review the landscape plan and approve appropriate species for tree replacement (see Section 6.05.045 (Landscape Development Standards) for required trees).

K. **Monetary Value.** The monetary value of Heritage Trees protected pursuant to this Division, which are removed, shall be based upon the "Guide for Plant Appraisal," which is available from the International Society of Arboriculture. Appraisals shall be performed by a City-approved professional plant appraiser or certified arborist skilled in tree appraisals.

L. **Prohibited Acts.** It shall be expressly prohibited to damage or to remove any Heritage Tree without prior specific authorization by the Zoning Administrator, except that tree removal specifically approved as a part of a Development Plan or Building Permit approval; Certificate of Appropriateness; pruning or removal to obtain adequate line-of-sight distances as specifically authorized by the City Engineer; pruning or removal as required for public safety as specifically authorized by City representatives; and/or actions taken by a public or private utility company for the protection of their existing electrical power or communication lines, or other property of a public utility.

6.05.025: Heritage Tree Preservation Mitigation Fee

A. **Purpose.** The purpose of this Section is to establish the Heritage Tree Preservation Mitigation Fee whereby the impacts resulting from the construction or demolition of heritage tree(s) may be mitigated by the collection of fees that will provide a source of funds for the conservation, preservation, restoration, replanting and reforestation of trees within the City.

B. **Applicability.**

1. A mitigation fee, in an amount established by this Section, shall be paid prior to the issuance of any permit for construction or demolition of any heritage tree(s). The mitigation fee shall be deposited in the Heritage Tree Preservation Trust Fund established pursuant to Section 6.05.030 (Heritage Tree Preservation Trust Fund) of this Division.

2. The mitigation fee shall be based on the Tree Inventory and Preservation Plan pursuant to Section 6.05.020 (Tree Preservation Policy and Protection Measures) of this division.

a. The mitigation fee for Healthy Heritage Trees that are approved for removal shall equal the replacement value of the total trunk diameter (caliper) equal to the tree(s) removed, or as deemed appropriate by the Approving Authority based on the Tree Inventory and Preservation Plan. The Approving Authority shall review the Tree Inventory and Preservation Plan and approve the replacement value.

b. The mitigation fee for the monetary value of Heritage Trees protected pursuant to this Division, which are removed, shall be based upon the "Guide for Plant Appraisal," which is available from the International Society of Arboriculture. Appraisals shall be performed by a City-approved professional plant appraiser or certified arborist skilled in tree appraisals.

6.05.030: Heritage Tree Preservation Trust Fund

A. Purpose. The purpose of the Heritage Tree Preservation Trust Fund is to provide funding, under direction of the City Council, for the conservation, preservation, restoration, replanting and reforestation within the City.

B. Applicability. The Heritage Tree Preservation Trust Fund is hereby established as means to receive and replenish monies to assist the funding of tree preservation and reforestation projects within the City. All funds deposited in the Heritage Tree Preservation Trust Fund shall be used solely for the conservation, preservation, restoration, replanting and reforestation of the City, as provided in this Section.

C. Trust Fund Administration.

1. The City Manager, or designee of the City Manager, shall have authority for establishing policy for Heritage Tree Preservation Trust Fund expenditures.

2. The City Manager, or designee of the City Manager shall have authority to make recommendations to the City Council regarding any action or activity necessary or appropriate to implement its powers or duties to fulfill the objectives of the Heritage Tree Preservation Trust Fund.

3. The City Manager, or designee of the City Manager, shall serve as financial administrator of the Heritage Tree Preservation Trust Fund and shall be responsible for management of its finances, which shall be carried-out pursuant to all applicable federal, State and local laws.

4. The Planning Director, or designee of the Planning Director, shall serve as program administrator of the Historic Preservation Trust Fund and shall be responsible for its day-to-day management and operations.

D. Heritage Tree Preservation Trust Fund Proceeds.

1. Deposits. All funds received by the City for heritage tree preservation purposes shall be deposited in the Heritage Tree Preservation Trust Fund. The City's Fiscal Services Department may establish separate accounts within the Trust Fund for the purpose of separating deposits according to their origin or intended purpose.

E. Heritage Tree Preservation Trust Fund Program Activities.

1. Qualifying Program Activities are hereby established for the following:

a. *New Tree Plantings.* Tree plantings in parkways or city right-of-way shall be per the Street Tree Master Plan or Ontario Ranch Streetscape Master Plan. Tree plantings in public projects such as parks and city facilities shall be determined by the Approving Authority.

b. *Reforestation Tree Plantings.* Reforestation tree plantings in parkways or city right-of-way shall be per the Street Tree Master Plan or Ontario Ranch Streetscape Master Plan. Tree plantings in public projects such as parks and city facilities shall be determined by the Approving Authority.

c. *Tree Removal Alternatives and Mitigation Measures.* Tree removal alternatives and mitigation measures such as root pruning, flexible paving material, other materials, protection measures, and mitigation measures recommended in the Certified Arborist's report.

d. *Acquisition, Planting and Maintenance of Trees.* Activities to acquire, plant and maintain existing and proposed heritage trees as determined by the Approving Authority, identified in the Certified Arborist's report.

2. Qualifying Projects that implement Trust Fund~~s~~ Program Activities are hereby established for the following project types:

a. *Capital Improvement Projects (CIP) for New Construction and Rehabilitation Projects. CIP* Construction projects allow for activities that contribute to the conservation, preservation, restoration, replanting and reforestation of heritage trees located within public spaces.

(1) Conservation, preservation and restoration of trees within public spaces, such as but not limited to parkways and rights-of-ways. Funds may support public projects and include activities directly contributing to the conservation, preservation, and restoration of existing heritage trees. Activities may include, but are not limited to, the installation of alternate sidewalk materials, meandering sidewalks, and any reports and analyses prepared by a certified arborist that identify protection measures that will contribute to extending the life and viability of existing heritage trees.

(2) Replanting and reforestation of trees within public spaces, such as but not limited to parkways and rights-of-ways. Any replanting or reforestation efforts must be identified in the certified arborist report and include circumstances that warrant tree removal. Such conditions that warrant the removal of heritage tree(s) may include tree(s) that are dead, hazardous, diseased, or damaged beyond repair, or may pose an emergency or safety concern relating to the health, safety, and welfare of the public. Funds shall be used to support the overall project and include activities directly contributing to the replanting and reforestation of trees where a certified arborist has recommended the removal of a heritage tree(s). Activities may include, but are not limited to, intermittent planting strategies and new tree plantings, as well as warranty and maintenance efforts that support the establishment and longevity of new tree plantings, such as tree staking, irrigation measures and other construction activities to support the viability of newly planted trees.

b. *Public Works Projects for New Construction and Rehabilitation Projects. Public Works* Construction projects that allow for activities that directly contribute to the conservation, preservation, restoration, replanting, and reforestation of heritage trees located within public spaces.

(1) Conservation, preservation and restoration of trees within public spaces, such as but not limited to public parks, parkways, rights-of-ways and city facilities. Funds may support public projects and include activities directly contributing to the conservation, preservation, and restoration of existing heritage trees. Activities may include, but are not limited to, the installation of alternate sidewalk materials, meandering sidewalks, and any reports and analyses prepared by a certified arborist that identify protection measures that will contribute to extending the life and viability of existing heritage trees.

(2) Replanting and reforestation of trees within public spaces, such as but not limited to public parks, parkways, rights-of-ways, and city facilities. Any replanting or reforestation efforts must be identified in the certified arborist report and include circumstances that warrant tree removal. Such conditions that warrant the removal of heritage tree(s) may include tree(s) that are dead, hazardous, diseased, or damaged beyond repair, or may pose an emergency or safety concern relating to the health, safety, and welfare of the public. Funds shall be used to support the overall project and include activities directly contributing to the replanting and reforestation where a certified arborist has recommended the removal of a heritage tree(s). Activities may include but are not limited to, intermittent planting strategies and new tree plantings as well as warranty and maintenance efforts that support the establishment and longevity of new tree plantings such as tree staking, irrigation measures and other construction activities to support the viability of newly planted trees.

c. *Planning Projects.* Studies and reports that analyze existing conditions and make recommendations on conservation and preservation of heritage trees and reforestation treatments; and

d. *Community Outreach.* Outreach campaigns consist of the creation of education material and media to raise awareness of tree preservation benefits.

3. Project Selection Criteria. The award of Heritage Tree Preservation Funds shall be based upon consideration of the following criteria:

a. Level of significance of the heritage tree(s) impacted.

b. Overall benefit to the community; and

c. Ability to ensure the longevity of the health of the trees and features through warranty and maintenance.

6.05.035: Violation-Penalty

A. **Violation.** Any violation of this chapter shall be a misdemeanor or infraction at the discretion of the City Attorney or District Attorney.

B. **Civil Penalties.** Irrespective of, and cumulative to, any criminal conviction for a violation of this Division, the City may, pursuant to GC Section 36901, impose a civil penalty in an amount not exceeding $1,000, or by imprisonment not to exceed 6 months, or both such fine and imprisonment on any person either through an administrative hearing or a civil action brought either by the City Attorney or a designated employee of the City. Each tree removed in violation of this Division shall constitute a separate offense.

C. **Restitution for Damage or Removal of Protected Trees within the City.** Irrespective of whether the City pursues criminal and/or civil action under this Division, nothing in this Division shall prevent the City from seeking restitution for damage or removal of trees within the City, which are protected by this Division, as an alternative to criminal action and/or civil action to recover a civil penalty in accordance with Subsection B of this Section.

D. **Assessment of Civil Penalties.** Civil penalties may be assessed against a responsible party as confirmed by resolution of the City Council, and shall constitute a special assessment against the property to which it relates and after its recording, as thus made and confirmed, the same

shall constitute a lien on the property in the amount of such assessment. The notices of such special assessment shall be provided to the responsible party by certified mail, as determined from the County Assessor's or County Recorder's records. The assessment shall be collected at the same time and in the same manner as ordinary City taxes are collected and shall be subject to the same penalties and the same procedure as provided for ordinary City taxes. All laws applicable to the levy, collection and enforcement of City taxes shall be applicable to the special assessment.

E. Appeals.

1. Within 10 days after mailing of a Notice of Violation, which states the civil penalties to be assessed, the owner or person having charge of affected premises may file an appeal of the assessed civil penalties and the violations upon which the civil penalties are based, with the Planning Department, on a City application form.

2. Within 45 days following receipt of an appeal request, the City Manager shall hold a hearing, which shall be open to the public. The City Manager shall hear and consider objections and/or protests from any owner or person having charge of affected premises, or other interested persons relative to the accrual of civil penalties, and shall hear and receive all relevant evidence and testimony relative to the violations upon which the civil penalties are based, and shall consider all of the related facts.

3. Upon conclusion of the appeal hearing, the City Manager shall determine the amount of civil penalties to be assessed. The decision of the City Manager shall be final and conclusive.

F. Penalties collected resulting from enforcement of this section shall be placed in the general fund and used solely for the purposes of the City to ensure and maintain the character and well-being of the City.

6.05.040: Required Landscape Areas

A. Residential Projects. Residential development projects shall be landscaped and irrigated as follows:

1. Conventional and Small Lot Single-Family Projects.

a. The front yard and any street side yard of a conventional or small lot single-family project site, and all parkway areas that abut the site, shall be fully landscaped and provided with an underground automatic irrigation system, and shall be maintained in compliance with the requirements of this Division.

b. A landscape and irrigation documentation plan shall be submitted for review and approval by the Approving Authority prior to building permit issuance, pursuant to Subsection 6.05.015.B (Landscape and Irrigation Construction Documentation Plans) of this Division.

2. Cluster Single-Family and Multiple-Family Projects.

a. The entirety of a cluster single-family or multiple-family project site, including street parkway and median areas that abut the project site, which is not otherwise devoted to

building area and paving, shall be fully landscaped and provided with an underground automatic irrigation system, and shall be maintained in compliance with the requirements of this Division.

b. A landscape and irrigation documentation plan shall be submitted for review and approval by the Approving Authority prior to building permit issuance, pursuant to Subsection 6.05.015.B (Landscape and Irrigation Construction Documentation Plans) of this Division.

B. Nonresidential Projects. Nonresidential development projects shall be landscaped and irrigated as follows:

1. The entirety of a nonresidential project site (excluding areas devoted to building area, paving, and/or outdoor loading and storage areas that are screened from public view), including street parkway and median areas that abut the project site, shall be fully landscaped, provided with an underground automatic irrigation system, and maintained in compliance with the requirements of this Division.

2. A landscape and irrigation construction documentation plan shall be submitted for review and approval by the Approving Authority prior to building permit issuance, pursuant to Subsection 6.05.015.B (Landscape and Irrigation Construction Documentation Plans) of this Division.

C. All Unused Areas of a Site shall be Landscaped and Irrigated.

1. All areas of a project site not intended for a specific use, including pad sites held for future development, shall be landscaped and provided with an automatic irrigation system, unless it is determined by the Approving Authority that landscaping is not necessary to fulfill the purposes of this Division. This requirement shall not apply to the side or rear yard area of a single-family residence, or that portion of a lot devoted to a legally established agricultural use.

2. The Approving Authority shall determine the level or intensity of landscaping to be provided for vacant pad sites, based upon an approved phasing plan.

D. Landscaping of Off-Street Parking Facilities. Outdoor off-street parking lots within residential developments, or within nonresidential developments that are visible from a public or private street, or are accessible by the public, shall be landscaped in the following manner:

1. At least 7 percent of the total area of a parking lot shall be landscaped, excluding perimeter landscaping or setback areas that may be required by the base zoning district.

2. Landscaping consistent with the landscape setback provisions of the base zoning district in which a parking lot is located, shall be provided adjacent to adjoining streets.

3. Landscaping shall be evenly distributed throughout the parking lot and shall not be concentrated in any one area.

4. No landscaped area is to have a dimension smaller than 5 FT clear in any direction, except as provided elsewhere by this Development Code.

5. Where parking lots occur along streets, a landscaped buffer element, minimum 10 FT in width, shall be constructed, which consists of a minimum 3-FT high hedge-like material to

screen views of parked cars from the street. To shade pedestrians and create an attractive streetscape, shade trees shall be planted within this landscaped buffer at an average spacing of 25 to 30 FT on center. Landscaping may be combined with low walls or dense plant material to mitigate the visual effects of parking lots and loading areas.

6. There shall be provided within each row of parking spaces, planter islands at least 5 FT in width (exclusive of curbs), which extend the full length of the abutting parking space(s), located so as to prevent no more than 10 vehicles from being parked side-by-side in an abutting configuration.

7. Planter islands for a single row of parking spaces shall be landscaped with at least one tree, appropriate shrubs, and groundcover. Planter islands for a double row of parking spaces shall contain not less than 2 trees, and appropriate shrubs and groundcover.

8. Throughout parking lots tree wells, tree diamonds or center planter strips shall be provided to facilitate the planting of shade trees at the minimum rate of one tree for each 4 parking spaces. Tree wells shall be a minimum of 5 FT in width and 5 FT in length (exclusive of curbs).

9. Shade trees shall have a minimum canopy of 30 FT in diameter at maturity, to provide an aesthetically pleasing area and relief from summer heat.

10. All rows of parking spaces shall be provided with landscape islands at each row terminus, at least 5 FT in width (exclusive of curbs) and extending the full length of the adjacent parking spaces, to protect parked vehicles, ensure visibility, confine moving traffic to drive aisles and driveways, and provide adequate space for landscaping.

11. Landscaped areas shall be delineated with a 6-inch wide concrete curb, except where a landscape area is parallel and adjacent to a parking stall, the curb shall be a minimum of 12-inches wide, to provide a step area for persons entering or exiting motor vehicles.

6.05.045: Landscape Development Standards

Landscaping required by this Division shall be designed, installed, and maintained in compliance with the following:

A. **Landscape Design Standards.** Landscaped areas shall comply with each of the following:

1. Landscaped areas shall have a minimum dimension of 5 FT (exclusive of curbs), excepting vine pockets, which shall have a minimum dimension of 1.5 FT, or as otherwise prescribed by this Development Code.

2. All landscaped areas shall be bordered by a concrete or masonry curb, or other means acceptable to the City, to prevent vehicles from entering landscape areas, and to define maintenance responsibilities or property ownership. Curbs along pavement may have openings to allow water infiltration into landscape areas.

3. Landscaped areas shall be comprised of living plant materials, planted at a spacing no greater than the mature plant diameter. Non-living ornamental features (e.g., boulders, dry stream beds, gravel, etc.) may comprise a maximum of 5 percent of a landscaped area and shall be of a permeable material.

4. All areas of a parkway that are not devoted to sidewalks shall be landscaped, irrigated, and permanently maintained pursuant to City standards.

5. All utilities shall be shown on plans to facilitate the landscape design and tree placement. Utilities such as backflow devices and transformers shall be located a minimum of 5 FT away from paving or other utilities to allow for landscape screening to cover at least 75 percent of the height of the equipment.

6. Accent landscape is required on all commercial or industrial corners including vehicular entries and major corner intersections. Accent trees shall be minimum 36-inch box size and palms shall be minimum 17-FT brown trunk height.

7. Foundation planting adjacent to buildings (hedgerows or shrub masses in a hierarchy pattern) is required at major building perimeters and residential front yards to break horizontal ground plane from the vertical plane of building.

8. Shade trees with irrigation shall be located in all appropriate areas where space permits to reduce the impacts of heat gain by shading large areas of paving, building walls, roof and windows also enhancing stormwater management and improving water quality.

9. Shade trees shall have a minimum canopy of 30 FT in diameter at maturity to provide an aesthetically pleasing area and relief from summer heat.

10. Trash enclosures shall be designed with adjacent planters for trees shrubs and vines for screening.

11. Accent landscape at monument signs shall be a hierarchy of ornamental shrubs or perennials.

B. Planting Requirements.

1. A variety of plant material appropriate for the project may be selected for planting, provided the ETWU for the landscape area does not exceed the MAWA (see Paragraph B.3.c (Calculation of the Budget Comparison) of this Division). The landscape plan shall be designed for the intended function of the project and for the efficient use of water, and shall include the following:

a. Protection and promotion of appropriate native species;

b. Selection of water conserving plant species; and

c. Selection of trees for shading buildings and paved surfaces and for stormwater management.

2. Plants shall be selected and appropriately planted based upon their adaptability to the climatic, geologic, and topographical conditions of the project site.

a. The Sunset Western Climate Zone System should be utilized, which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;

b. Recognize the growth habit of plant types, such as mature plant size and invasiveness of surface roots, to minimize damage to property and infrastructure (e.g., buildings, sidewalks, power lines);

c. Disease and pest resistant plants should be used, to promote health and longevity;

d. Consider the solar orientation for tree placement to maximize summer shade and winter solar gain;

e. Plants with similar water needs and climatic requirements shall be grouped together and irrigated separately;

f. Graded but undeveloped areas within the project site shall be seeded with wildflower or ornamental grass mix and automatically irrigated to prevent soil erosion from rain and strong winds;

g. Avoid use of invasive species that have a negative effect upon public health or disrupt or destroy native ecosystems as identified by the California Invasive Species List; and

h. Additional planting requirements of a Specific Plan may be required based upon the project location.

3. Limit the use or quantity used of turf except where used for play or recreation.

C. Irrigation Requirements

1. The irrigation system and its related components shall be designed to be efficient and effective for the landscape proposed with no run-off or overspray.

2. Irrigation plans shall include a water budget with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU) calculations shown pursuant to Paragraph 6.05.015.B.3 (Water Budget Worksheet) of this Division. The ETWU shall not exceed the MAWA.

3. Automatic irrigation controllers utilizing either evapotranspiration or moisture sensor data are required. A verification letter from the manufacturer certifying proper installation and sensor connection shall be provided prior to acceptance of the project.

4. Irrigation systems shall be designed with like plant material grouped together and proper solar orientation. Turf shall be on separate valves from shrub areas. Landscape areas in the shade (north or east sides of buildings) shall be controlled separately from areas in the sun (south or west).

5. Provide on plans all equipment required, sizes, notes and details, include water meter (note potable or recycled), static pressure, and maximum GPM. Contact the City's Utilities Department for City main pressure. Pressure regulating or boosting devices shall be installed to meet the pressure requirements of the system.

6. Backflow devices are required. Non–residential backflow devices shall be painted green and protected in a locking enclosure.

7. Spacing design for irrigation heads shall achieve 100 percent coverage, (head to head). Allow for wind velocities. Spacing shall achieve the highest possible distribution uniformity using the manufacturer's recommendations.

8. Narrow or irregularly shaped areas including turf, less than 8 FT in any direction shall be irrigated with subsurface irrigation or a low volume irrigation system. Low precipitation heads, rotators or drip systems shall be used in general to reduce water use and overspray.

9. Add check valves or anti-drain valves to prevent low head drainage.

10. Locate spray heads 2 FT from non-pervious paving to prevent overspray. Exception allowed if adjacent surface is permeable or if using alternative technology irrigation. Low precipitation rate heads less than 0.75 inches per hour may be located one FT from paving.

11. Trees in turf, 36-inch box and larger size trees in any area, and all palm trees, shall have pop-up stream bubbler heads. Trees in tree wells or permeable paving may use bubblers in a maximum 1.5 FT deep perforated root watering tube. Tree irrigation shall be on a separate valve, minimum 2 heads per tree.

12. Size all irrigation main lines and laterals on the plan, minimum 3/4 inch.

13. Under landscape, mainlines shall be buried with 1.5 FT minimum cover, laterals one FT minimum cover.

14. Under paving mainlines shall be buried with 2 FT minimum cover; lateral lines 1.5 FT minimum cover.

15. Pipe under roadways shall be installed 3 FT deep, sleeved and identified with marking tape installed one FT from the surface, identifying the type of line with APWA standard "Caution Waterline Buried Below" in blue, or "Caution Recycled Waterline Buried Below" in purple. Sleeves shall be Schedule 40 PVC, minimum 2 times the diameter of the pipe being sleeved.

16. Automatic Controllers shall contain a neatly drawn laminated irrigation layout chart, color coded to identify stations and valves as-built. Central controller shall include a manufacturer support page. Locate pedestals within planter areas with a 1.5 FT pad of DG or mulch at front for access.

17. An irrigation schedule shall be on the plan and layout chart noting irrigation cycles and run times per station or plant type (turf, shrub, trees, sun areas, shade areas, etc.) monthly or seasonally. Add multiple start times to prevent run off. Watering shall occur between 6:00PM and 6:00AM, excepting drip irrigation.

D. **Soil Testing.** Agronomical soil testing shall be performed to encourage healthy plant growth and reduce run off. One test shall be performed for each street frontage, or as otherwise required by the Approving Authority. Soil analysis shall include soil texture, infiltration rate, pH, total soluble salts, sodium, percent organic matter, and recommendations for amendments based upon the proposed plant material and tree types. Soil test results and recommendations for amendments shall be listed on the Landscape Planting Plan required pursuant to Paragraph 6.05.015.B.5 (Landscape Planting Plan) of this Division, noting the name, address, telephone number of the City-approved soils testing laboratory, and the test date.

E. Trees. Within required landscape areas, as prescribed by Section 6.05.040 Required Landscape Areas) of this Division, trees shall be provided as follows:

1. For cluster single-family or multiple-family residential development projects, and nonresidential development projects, a mix of tree sizes shall be provided on-site, for each development project, as prescribed in Table 6.05-1 (Minimum Tree Size Mix), below. Palm trees shall not be counted toward the minimum mix of required trees.

Table 6.05-1: Minimum Tree Size Mix

Requires Tree Sizes	*Minimum Mix of Required Trees*
48-inch box	5%
36-inch box	10%
24-inch box	30%
15-gallon	55%

2. For cluster single-family or multiple-family residential development projects, and nonresidential development projects, a mix of tree species shall be provided for each development project, as prescribed by Table 6.05-2 (Minimum Tree Species Mix), below. A minimum of 20 percent of the total number of trees provided shall be a California native species appropriate for the project site. Palm trees shall not be counted toward the minimum number of tree species required.

Table 6.05-2: Minimum Tree Species Mix

Number of Trees Provided	*Minimum Number of Tree Species Required*
20 or fewer	3
21 to 30	4
31 to 40	5
More than 40	6

3. All trees required by this Division shall conform to the minimum measurements prescribed by Table 6.05-3 (Minimum Tree Size Specifications), below.

Table 6.05-3: Minimum Tree Size Specifications

Tree Size	*Minimum Trunk Caliper*	*Minimum Height Range*	*Minimum Spread Range*
48-inch box	3.5 inches	14 to 16 FT	7 to 8 FT
36-inch box	2.5 inches	12 to 14 FT	6 to 7 FT
24-inch box	1.5 inches	9 to 11 FT	4 to 5 FT
15-gallon	1.0 inch	7 to 8 FT	2 to 3 FT
Palm trees		17-FT brown trunk height	

4. Existing trees shall be protected in place, whenever possible, pursuant to Section 6.05.020 (Tree Preservation Policy and Protection Measures) of this Division. Existing large canopy trees may be counted toward the 48-inch box tree requirement prescribed by Paragraph E.1. of this Section, provided the tree(s) to be preserved is/are in good health and condition (taking into account species and longevity), as determined by a certified arborist's report.

5. Tree planting shall maintain the following minimum setbacks and/or separations from permanent improvements as prescribed by Table 6.05-4 (Minimum Tree Setbacks/Separations), below.

Table 6.05-4: Minimum Tree Setbacks/Separations

Improvement	*Minimum Setback/Separation*
Beginning of Curb Returns at Street Intersections	25 FT
Light Standards, Power Poles, and Fire Hydrants	10 FT
Water and Sewer Lines	7 FT
Sidewalks (except within parkways), Driveways, and Buildings	5 FT

6. Trees shall not be placed where they interfere with site drainage or require frequent pruning in order to avoid interference with overhead utilities.

7. Shade trees shall have a mature canopy diameter of 30 FT, single dominant leader or a balanced arrangement of branches, and a healthy root system not girdled by the growing container.

8. Street trees shall be minimum 24-inch box or larger and shall be planted at an average spacing of 25 FT to 30 FT on center, except where necessary to meet the minimum tree setback/separations required by Table 6.05-4 (Minimum Tree Setbacks/Separations) of this Section.

9. Trees shall be planted with a visible trunk flare and rootball that is 2 inches higher than the adjacent grade. No soil shall be placed on top of the rootball, and mulch shall be maintained 6 inches clear of the trunk. Trees with kinked or girdling roots shall be rejected before installation or replaced if planted.

10. Root barriers shall not be required for use in parkways or City maintained areas; however, if used, they shall be a maximum of one FT in depth and shall not encircle the tree rootball. Furthermore, if the tree trunk is within 5 FT of paved areas, root barriers, if used, shall run adjacent and parallel to the pavement.

11. Palm trees may be used as accents, with a minimum brown trunk height of 17 FT, and shall not count toward the minimum tree species mix required pursuant to Table 6.05-2 (Minimum Tree Species Mix) of this Division.

12. Trees shall be staked or guyed to prevent wind damage and allow healthy growth. Ties shall be flexible, allowing some trunk movement while providing protection from damage.

13. Parking lot lighting and site utilities shall be designed to avoid conflict with required shade tree locations.

14. Solar collectors shall be designed and located to avoid conflict with tree canopy and future shading from the mature size of trees, as defined by the PRC Section 25980 through Section 25986 (The Solar Shade Act).

F. **Tree Staking and Tying.** Trees shall be staked and tied as follows:

1. Fifteen gallon and 24-inch box trees shall be double-staked perpendicular to the prevailing wind, or parallel to the street, as appropriate. Stakes shall be located to prevent branch damage and shall extend a minimum of 7 to 8 FT above grade and 3 to 4 FT below grade. Stakes shall be tied into the tree canopy for wind protection. Galvanized stakes are recommended for wind prone areas.

2. Box trees that are 36-inches or larger, shall be rootball guyed or anchored.

3. Flexible tree ties shall be used. Wire and hose, or metal rod-type braces shall not be used. Nursery stakes shall be removed at time of installation or loosened if they are to remain during the maintenance period and shall be removed by the end of maintenance period.

G. Shrubs. Within required landscape areas, as prescribed by Section 6.05.040 Required Landscape Areas) of this Division, shrubs shall be a minimum 5-gallon container size and shall be spaced at a rate equal to three-fourths of the shrub's mature size. One-gallon containers may be used for perennials and groundcovers.

H. Groundcovers. Within required landscape areas, as prescribed by Section 6.05.040 Required Landscape Areas) of this Division, one-gallon containers shall be used for groundcover areas. Perennials or annual color shall be spaced at a maximum of 8 inches on center.

1. Turf. Turf grass is typically a high water use plant and is best reserved for recreation and active play areas. Low water groundcovers or native or warm season turf grasses may be used in traditional turf areas, such as parkways or front yards. Concrete mow strips shall be used to separate turf from landscape areas, excepting single-family residential development projects, which may utilize wood or fabricated benderboard materials.

2. Mulch. Mulch shall be applied and maintained in all non-turf areas and shall be at least 3 inches in depth in shrub areas and at least one-inch in depth in groundcover areas. Mulch shall be of an organic material, such as shredded or chipped bark, as it will supply nutrients to the soil and plants over time. Native plants shall have mulch applied that is appropriate for the type of landscape. Synthetic mulch materials shall not be used.

I. Screening and Buffering.

1. Landscaping may be used to aid in the screening and buffering of mechanical equipment, trash collection areas, and loading docks and outside storage areas from public view, and the screening and buffering of differing land uses. Walls and/or fences used for screening and buffering purposes should incorporate landscaping over at least 60 percent of its surface area, which will serve to both buffer uses and "soften" the appearance of masonry walls.

2. Utility boxes and vaults shall be located away from entry driveways, corner accent landscapes and other highly visible areas, and shall be screened with a variety of landscape materials.

J. Defining of On-Site Circulation. Landscaping shall be used to define circulation patterns for safety and ease of use.

1. Landscaping shall be used to direct on-site vehicular and pedestrian circulation routes by providing clear direction, barrier planting (such as hedges), and accent planting, to define site entrances and pedestrian pathways.

2. Landscaping shall be designed to facilitate pedestrian circulation and access to buildings and shall be designed to buffer pedestrians from vehicular traffic, as well as to emphasize walkways.

3. Landscaping shall be designed to further pedestrian safety. Where provided, walkways shall have adequate width and be separated from parking lots, loading areas, and buildings (excepting building entries), with a landscape buffer. Furthermore, trees shall be planted along walkways to create shade and comfortable environments.

K. Grading Design and Stormwater Management.

1. Grading shall be designed to minimize soil erosion, water run-off or water waste, and increase on-site retention and infiltration. Grading shall ensure all irrigation and normal rainfall remains on-site and does not drain onto impermeable surfaces. Landscape areas shall be graded to be 1.5 inches below the grade of the adjacent finished surface.

2. Landscape plans shall include stormwater collection methods or devices that direct water into depressed landscape areas, such as vegetated swales, detention basins or infiltration areas. These areas shall incorporate proper plant materials and irrigation for success in saturated soils, drought conditions and to withstand possible erosion from the hydraulic impacts of stormwater collection. Manufactured drywells, pervious pavement, or storage chambers may also be used for stormwater infiltration.

3. Stormwater collection in landscape areas shall be designed with a natural appearance, utilizing curvilinear forms, native plants, varying sizes of boulders or river rock, and maximum 3:1 slope.

4. On-site landscape areas for stormwater management may utilize vegetated swales but shall not exceed 40 percent of the landscaped area width.

5. Landscaped slopes 3:1 or greater shall incorporate rolled erosion control products and landscape appropriate for slopes. Slopes shall be irrigated by a system with a low precipitation rate of 0.75 inches per hour or less. Turf is not allowed on slopes greater than 4:1, or where the toe of the slope is adjacent to an impermeable hardscape.

6. Compaction during site grading shall not occur within landscape areas. Compacted soils shall be repaired by deep tilling, or as directed by the soil analysis prescribed by Subsection D (Soil Testing) of this Section.

7. Vegetated swales, basins and sloped grades for stormwater management shall incorporate a level area adjacent to paved edges, at least 3 FT to 5 FT in width, to allow utilities, such as backflow devices, to be located on level ground, and to serve as a buffer from sloped edges for pedestrian safety purposes.

L. Decorative Water Features. Decorative water features shall be properly maintained to operate and function to meet the intent of the design. Furthermore, decorative water features shall incorporate recirculating water systems, and shall use recycled water, where available, excluding swimming pools and spas.

6.05.050: Landscape Maintenance

A. Landscape Maintenance Required. Where a Landscape and Irrigation Documentation Plan is required pursuant to Subsection 6.05.015.B (Landscape and Irrigation Documentation Plans) of this Division, all installed landscaping shall be permanently maintained as prescribed by this Section.

1. Once installed, no landscaping shall be removed unless replaced with landscaping of a similar design, character, and coverage, at maturity.

2. Trees shall be monitored, staking inspected, and branches pruned, if necessary, pursuant to Section 6.05.020 (Tree Preservation Policy and Protection Measures) of this Division, to direct new growth, and to avoid conflict with vehicles, pedestrians, lighting, or buildings. Stakes and ties shall be removed upon establishment, typically 2 years after planting.

3. Once installed, no landscaping shall be allowed to die-off. The replacement of dead or dying landscape materials shall occur in a timely manner, or immediately upon notification by the City, as prescribed by Division 6.10 (Property Appearance and Maintenance) of this Development Code.

4. Irrigation systems shall be maintained to prevent water waste. Broken or inefficient irrigation shall be repaired, replaced, or modified to prevent runoff from leaving the target landscape due to low head drainage, overspray, or other similar condition where water flows onto adjacent property, non-irrigated areas, walkways, roadways, parking lots or structures, unless the nonpermeable surfaces are designed and constructed to drain entirely to landscaping.

B. Landscape Maintenance Defined. On-going landscape maintenance shall consist of the following:

1. Regular watering;

2. Monitoring and treating for pests, disease, or injury;

3. Regular mowing, pruning, and the removal and replacement of dead or dying plants;

4. Regular fertilizing;

5. Clearing of debris and providing weed control;

6. Repair and/or timely replacement of irrigation systems, and components thereof;

7. Repair and/or timely replacement of integrated architectural features; and

8. Any other similar act(s) that promotes growth, health, beauty, and the life of plants, shrubs, trees, and/or groundcover/turf.

6.05.055: Landscape Design and Construction Guidelines

A. The City Council shall establish by resolution, Landscape Design and Construction Guidelines (Development Code Reference G), which are intended as a reference to assist design

professionals, landscape contractors and homeowners in their understanding of the City's goals and objectives for the preparation of landscape construction documentation plans, and the installation of landscape materials and elements.

B. The Landscape Design and Construction Guidelines (Development Code Reference G) shall compliment the mandatory landscaping regulations contained in this Division, by providing examples of potential design solutions, and by providing interpretations of the various mandatory landscaping regulations contained in this Division.

C. The Landscape Design and Construction Guidelines (Development Code Reference G) authorized by this Section, shall be enforceable in the same manner, and to the same extent, as any other applicable requirement of this Development Code.

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Division 6.06—Street Naming and Street Address Numbering

Sections:

6.06.000: Purpose
6.06.005: Applicability
6.06.010: Assignment of Street Names and Street Address Numbers
6.06.015: Street-Naming
6.06.020: Street Address Numbering

6.06.000: Purpose

The purpose of this division is to establish policies for the naming of public and private streets and alleyways, and the address numbering of lots, parcels, dwelling units, places of businesses, and public buildings located along public and/or private streets within the City.

6.06.005: Applicability

A. The naming of any new public or private street or alleyway within the City and any request to change the previously established name of a public or private street or alley within the City shall be accomplished pursuant to the Street Naming Policy established by this division.

B. A street address number shall be assigned to a lot, parcel, dwelling unit, place of business and/or public building located along a public and/or private street within the City pursuant to the Street Address Numbering Policy established by this division.

6.06.010: Assignment of Street Names and Street Address Numbers

A. **Assignment of Street Names.** The Planning Director shall be responsible for the assignment of street names, and shall, upon recommendation of the Building Official, City Engineer, Fire Chief, and Police Chief, assign street names as established by Section 6.06.015 (Street Naming) of this Division.

B. **Assignment of Street Addresses.** The Building Official shall be responsible for the assignment of street addresses and shall assign street addresses as established by Section 6.06.020 (Street Address Numbering) of this Division.

6.06.015: Street Naming

A. **Naming of Streets.** Street names should be assigned based upon one of the following criteria:

1. Presidents of the United States;

2. States of the United States;

3. Cities of the United States;

4. California counties;

5. Names of famous local, state, and national personalities who are deceased;

6. Names of culturally significant historic places and events;

7. Famous fictitious names;

8. Names of astrological constellations;

9. Colleges;

10. Colors;

11. Precious metals;

12. Rocks;

13. Trees, shrubs and flowers;

14. Fruits and nuts;

15. Armstrong registered roses; or

16. Others, as approved by the Planning Director.

B. **Street Name Prefix.** All street names shall be assigned a prefix based upon its direction and location in the City, as follows:

1. Each street that generally runs in a north-south direction, and is located north of Holt Boulevard, shall be assigned "North" as its street name prefix.

2. Each street that generally runs in a north-south direction, and is located south of Holt Boulevard, shall be assigned "South" as its street name prefix.

3. Each street that generally runs in an east-west direction, and is located east of Euclid Avenue, shall be assigned "East" as its street name prefix.

4. Each street that generally runs in an east-west direction, and is located west of Euclid Avenue, shall be assigned "West" as its street name prefix.

C. **Street Name Suffix.** All street names shall be assigned a suffix based upon its direction and design, as follows (excepting subregional thoroughfares, such as Holt and Mission Boulevards):

1. Each through street that generally runs in a north-south direction shall be assigned "Avenue" as its street name suffix.

2. Each through street that generally runs in an east-west direction shall be assigned "Street" as its street name suffix.

3. Each portion of a through street that changes direction, and generally runs in a north-south direction, shall be assigned "Way," "Parkway," or "Trail," as its street name suffix.

4. Each portion of a through street that changes direction, and generally runs in an east-west direction, shall be assigned "Road," "Drive," or "Lane," as its street name suffix.

5. Each cul-de-sac in which the centerline generally points in a north-south direction at its termination point shall be assigned "Place" as its street name suffix.

6. Each cul-de-sac in which the centerline generally points in an east-west direction at its termination point shall be assigned "Court" as its street name suffix.

7. Each circling street shall be assigned "Circle" as its street name suffix.

8. Each looping street shall be assigned "Loop" as its street name suffix.

D. **Naming of Private Streets and Drives.** The name of a private street or drive shall be determined pursuant to Subsection A (Naming of Streets) of this Section. In addition, each private street (or a private drive, if deemed necessary or desirable by the Planning Director) shall be assigned a "Privado" or "Paseo" street name suffix to identify that the street is privately owned and maintained.

E. **Naming of Alleys.** Alleys shall only be named if all the following criteria are met:

1. The alley leads to a landlocked parcel with frontage only onto an alley (no street frontage).

2. The structure(s) on the property are designated as a local historic landmark.

3. The naming will not adversely affect any other landlocked parcel.

6.06.020: Street Address Numbering

A. **Assignment of Street Addresses.** Street addresses shall be assigned based upon the following numbering system:

1. Euclid Avenue is hereby designated as the north-south street address-numbering axis and Holt Boulevard is hereby designated as the east-west street address-numbering axis. All streets that run in a general north-south direction shall be numbered from Holt Boulevard, consecutively, to the City limits. All streets that run in a general east-west direction shall be numbered from Euclid Avenue, consecutively, to corporate limits.

2. The numbering system shall begin at 100 and extend from each axis point. Wherever possible, succeeding blocks shall be assigned addresses in intervals of 100. Block length shall be determined by the next street succeeding street intersection, or at 660 FT intervals when no street intersection exists, with one whole street number assigned for each 20 lineal FT of street frontage.

3. On north-south running streets, north of Holt Boulevard, odd address numbers shall be assigned to the west side of the street and even address numbers to the east side of the street.

South of Holt Boulevard, odd address numbers shall be assigned to the east side of the street and even address numbers to the west side of the street.

4. On east-west running streets, east of Euclid Avenue, odd address numbers shall be assigned to the north side of the street and even address numbers to the south side of the street. West of Euclid Avenue, odd address numbers shall be assigned to the south side of the street and even address numbers to the north side of the street.

5. A new street having the design of a circle or loop shall bear one given name along its entire length and shall have a street address numbering system as follows:

a. Where the entrance to the circle or loop is from an adjacent east-west running street, the address numbering shall conform to that used on the north-south streets;

b. Where the entrance to the circle or loop is from an adjacent north-south running street, the address numbering shall conform to that use on the east-west streets.

B. Posting of Street Address Numbers. The owner, occupant or person in charge of any house or building to which a number has been assigned shall be responsible for posting assigned street address numbers pursuant to the following specifications:

1. Principal buildings shall display the address number on the side where the front entrance is located. A principal building occupied by more than one business or dwelling unit shall display the assigned number at the front entrance of each tenant or dwelling unit. In addition, commercial and industrial buildings shall display the assigned numbers at rear and side entrances facing a public alley or access drive.

2. A lot or development site having more than one building shall be assigned an address number in a manner determined by the Building Official. Commercial and industrial buildings shall display a directory at the main entrance to the site.

3. Street address numbers shall be posted so as to be conspicuously visible from the street or road fronting the property. The actual location and size of the numbers shall be approved by the Building Official, subject to the following guidelines:

a. Each individual digit stroke shall be a minimum of one inch wide;

b. Street address numerals located less than 50 FT from the street curb face shall be a minimum of 4 inches in height. Address numerals located from 50 to 100 FT from the street curb face shall be a minimum of 8 inches in height. Address numerals located more than 100 FT from the street curb face shall be a minimum of 12 inches in height~~.~~; and

c. Street address numerals that are not visible from the street due to setback distance or would otherwise be obstructed may be posted on a freestanding structure having a maximum height of 3.5 FT and maximum area of 4 SF.

4. Street address numerals and the background to which they are affixed shall be of contrasting colors or shades and shall be of reflective material for nighttime visibility. Samples of the materials shall be submitted to and approved by the Building Official.

C. Street Address Number Required for Building Permit Issuance. No building permit shall be issued for any principal building until the owner or owner's agent has obtained the official street

address number of the premises from the Building Official. Final approval for a certificate of occupancy of any principal building erected, repaired or expanded shall be withheld until permanent and proper street address numbers have been displayed pursuant to this division.

D. Posting of Rooftop Address Numbers. Street addresses, suite/unit numbers and letters shall be displayed on rooftops as follows:

1. Street address numbers shall be displayed on rooftops of all multiple unit residential, commercial and industrial buildings. The numbers shall face the street corresponding to the address. Numerals shall be 3 FT long by one FT wide and shall be painted in reflective white paint on a flat black painted background.

2. Any other buildings may display secondary street address numbers on rooftops in coordination with the Police Department. Numerals shall be 3 FT long by 5 inches wide and shall be painted in reflective white paint on a flat black painted background.

3. Roof top street address numbers should not be visible from the street.

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Division 6.07—Reserved

**********Reserved for Future Use**********

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Division 6.08—Development Projects and Subdivisions

Sections:

6.08.000: Purpose
6.08.005: Applicability
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6.08.035: Dedications and Improvements
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6.08.045: Common Interest Subdivisions
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6.08.000: Purpose

The purpose of this Division is to set forth rules and regulations for the subdivision and/or development of real property pursuant to the provisions of the Subdivision Map Act of the State of California (commencing with GC Section 66410) and the Ontario Municipal Code. Furthermore, it is the purpose of this Division to regulate and control all divisions of land that may be lawfully regulated by the City pursuant to the Subdivision Map Act. The provisions of this Division shall be interpreted to carry out this intent and purpose. In the event of a conflict between any mandatory provision of the Subdivision Map Act and a provision of this Division, the Subdivision Map Act shall control.

6.08.005: Applicability

A. Pursuant to the provisions of the Subdivision Map Act, and in addition to any other applicable regulations provided by State law, the regulations contained in this Division shall apply to all subdivisions or parts of subdivisions of land proposed within the corporate limits of the City, and to the preparation of subdivision maps and any other maps provided for by the Subdivision Map Act. Prior to the subdivision and/or development of any land in the City, the subdivider and developer thereof shall conform to, and comply with, the requirements, rules, and regulations of this Division.

B. No land shall be subdivided and developed for any purpose that is not in conformity with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and any applicable specific plan or planned unit development of the City. The type and intensity of land use shown in the Policy Plan, or applicable specific plan or planned unit development, shall determine the type of streets, roads, highways, utilities, and public services that shall be provided by the subdivider and/or the developer.

6.08.010: Maps

The requirement or necessity for a tentative, final, or parcel map shall be governed by the provisions of this Section.

A. Tentative Tract Maps and Final Maps. A tentative tract map and final map shall be required for all subdivisions creating 5 or more lots, 5 or more condominium units, a community apartment project containing 5 or more lots, or for the conversion of a dwelling to a stock cooperative containing 5 or more dwelling units, except as provided by Section GC 66418.2 and Section GC 66426.

B. Parcel Maps. A parcel map shall be required for all subdivisions creating 4 or fewer lots, or 4 or fewer condominium units, a community apartment project containing 4 or fewer lots, or for the conversion of a dwelling to a stock cooperative containing 4 or fewer dwelling units, or for those subdivisions described in Section GC 66426.

C. Exceptions to the Preparation of a Tentative Tract Map, Final Map or Parcel Map. Exceptions to the preparation of a tentative tract map or final map, or a parcel map shall be pursuant to GC Section 66426 and 66428.

D. Exclusions from the Requirement for a Tentative Tract Map, Final Map or Parcel Map. The requirement for the filing of a subdivision map pursuant to this Section shall not be applicable in those instances identified in GC Section 66412, 66412.1, 66412.2, 66412.3, 66412.5, and any other mandatory exclusions to the applicability of the Subdivision Map Act, as provided by the Act.

E. Waiver of Parcel Maps. The City Engineer is authorized to waive a parcel map pursuant to the provisions of Section 4.03.045 (Subdivisions—Parcel Map Waiver) of this Development Code.

6.08.015: Subdivision and Development Project Design

A. Design and Improvement Requirements. Pursuant to GC Section 66473.5, a subdivision for which a tentative map or parcel map is required pursuant to Section 6.08.010 (Maps) of this Division, shall be consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, any applicable specific plan or planned unit development, and this Development Code. Unless otherwise specified, design requirements and improvement requirements may be modified or waived only by the City Council.

B. Lot Requirements. All residential, commercial, mixed use, and industrial lots shall have direct access to a public street, except where private street, common driveway or other access easement rights are specifically approved by the City. The access easement shall be reserved on a subdivision map or by separate instrument in perpetuity, for the benefit of the effected property(ies).

C. Street Rights-Of-Way and Design Requirements. The street layout of a proposed subdivision or development project shall be consistent with all street right-of-way designations contained in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, or an applicable specific plan, at the time of tentative map approval. For alignments not specifically shown in the Mobility element, the City Engineer shall approve alignments that are consistent with the Policy Plan component of The Ontario Plan, or any applicable specific plan, master plan, and City standard. All streets (public and private) shall be designed to meet public street requirements,

unless otherwise approved by the Executive Director Development or both the City Engineer and Planning Director.

D. **Utility Easements.** Whenever overhead utilities are allowed in a proposed subdivision or development project by this Development Code, utility easements of sufficient width shall be located along the rear or side lot lines. Whenever possible, such easements shall extend an equal distance into each of the 2 abutting lots. This requirement may be modified by the Approving Authority, if warranted by unusual circumstances in a particular proposed subdivision. Underground utility easements, whenever necessary and to the extent practicable, shall be adjoining and parallel to lot lines.

E. **Drainage Easements.** The design of a proposed subdivision or development project shall provide for the proper drainage of the proposed subdivision or development project, and all lots and improvements therein, based upon the runoff that can be anticipated from ultimate development of the watershed area where in the subdivision is located. Stormwater detention measures shall be provided when required by the City Engineer, to reduce any adverse effects of increased runoff from development on downstream properties.

F. **Lighting and Maintenance Districts and Community Facilities Districts.** The City may cause the annexation of an area within a subdivision or development project to be annexed into a Lighting and Maintenance District (LMD), Community Facilities District (CFD), or similar appropriate district, prior to the recordation of a final map or parcel map, or vesting map.

G. **Energy Conservation.** Pursuant to GC Section 66473.1, the design of a subdivision for which a tentative map is required pursuant to Section 6.08.010 (Maps) of this Division, or a development project, shall provide to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

H. **Cable Television Systems.** Pursuant to GC Section 66473.3, the Approving Authority may require the design of a subdivision for which a tentative map or parcel map is required pursuant to Section 6.08.010 (Maps) of this Division, to provide for appropriate cable television systems and for communication systems, including, but not limited to, telephone and Internet services, to each lot in the subdivision. This provision shall not apply to the conversion of existing dwelling units to a common interest project.

6.08.020: Monuments

A. Pursuant to GC Section 66495, at the time of survey of the final map or parcel map, the engineer or surveyor shall set sufficient durable monuments so that another engineer or surveyor may readily retrace the survey. The exterior boundary of the land being subdivided shall be adequately monumented or referenced prior to recordation of the final map or parcel map.

B. The subdivider shall submit to the City Engineer, in a form satisfactory to the City Engineer, a tie sheet showing proper ties to the location of the centerline monuments. A minimum of 3 ties shall be shown for each centerline monument. All monuments set, and tie monuments set, shall be permanently marked or tagged with the registration or license number of the responsible engineer or surveyor.

C. Interior monuments need not be set at the time the map is recorded, provided the engineer or surveyor certifies on the map that the monuments will be set prior to City Engineer acceptance of the improvements or within 2 years following the recordation of the final map,

whichever is later, and the subdivider furnishes to the City, security guaranteeing the full payment of the cost of setting the monuments.

D. Pursuant to GC Section 66497, the engineer or surveyor shall notify the subdivider and the City Engineer when monuments have been set. If the subdivider does not present evidence to the City that the engineer or surveyor has been paid for the setting of the final monuments, and the engineer or surveyor notifies the City that payment has not been received from the subdivider for the setting of the final monuments, within 3 months following the date of notification, the City shall pay the amount due to the engineer or surveyor from the monument deposit.

E. In the event of the death, disability or retirement from practice of the engineer or surveyor charged with the responsibility for setting monuments, or in the event of his refusal to set such monuments, the City Council may direct the City Engineer, or such engineer or surveyor as it may select, to set such monuments. If the original engineer or surveyor is replaced by another, the former may release his obligation to set the final monuments to the surveyor or engineer who replaced him, by letter to the City Engineer. When the monuments are so set, the substitute engineer or surveyor shall amend any map filed pursuant to this Section and the provisions of GC Section 66498, and GC Section 66499 through 66472, inclusive.

6.08.025: Reports

A. Soils Report.

1. Prior to the approval of a final tract or parcel map, vesting map, or development plan, the City may require that the subdivider and/or developer submit a preliminary soils report. If required, the report shall be prepared by a civil engineer who is registered by the State of California and shall be based upon adequate test borings or excavations in the subdivision.

2. A soils report shall be prepared by a qualified civil or geotechnical engineer, who is registered by the State of California. An investigation of each parcel in the subdivision shall be prepared if the preliminary soils report (if required) indicates the presence of any of the following problems:

a. Critically expansive soils or other soil problems that, if not corrected, would lead to structural defects;

b. Rocks or liquids containing deleterious chemicals that, if not corrected, could cause construction materials, such as concrete, steel, and ductile or cast iron, to corrode or deteriorate; or

c. The presence of methane gas and/or other toxic gases or substances, which, if not corrected, could cause life endangerment.

3. The soil investigation shall recommend corrective action that is likely to prevent structural damage to each building proposed to be constructed in the area where the soil problem exists.

4. The City shall approve a soils report (if required) upon determination that the recommended corrective action is likely to prevent structural damage to each building to be constructed in the area where a soil problem exists. The subdivider may appeal the determination to the City Council pursuant to the procedures set forth in Division 2.04 (Appeals) of this

Development Code. Subsequent building permits shall be conditioned upon the incorporation of the recommended corrective action in the construction of each building.

B. Geological Hazard Reports.

1. Prior to the approval of a final tract map or parcel map, vesting map or development plan, the City may require subdivider or developer submit a geological hazard report if the subdivision includes land within a geologic hazard area identified in the Policy Plan (General Plan) component of The Ontario Plan or by the California Department of Conservation, or if the Building Official determines that other geological conditions warrant the preparation of a report. The report shall be prepared by a civil engineer who is registered by the State of California and shall be based upon appropriate field observations.

2. If the geological hazard report indicates the presence of a potential geological hazard to life, health, or property, a qualified civil or geotechnical engineer, who is registered by the State of California, shall prepare a geological mitigation plan that identifies corrective action for the potential hazard, which shall be filed with the City.

3. The City shall approve the mitigation plan if it is determined that the recommended corrective action is likely to mitigate the potential hazard. The subdivider may appeal the determination to the City Council, pursuant to the procedures set forth in Division 2.04 (Appeals) of this Development Code. Subsequent building permits shall be conditioned upon the incorporation of the recommended corrective action in the construction of each building.

6.08.030: Park Dedication and In-Lieu Fee Regulations

A. Purpose. These park dedication and in-lieu fee regulations are enacted pursuant to the authority granted by GC Section 66477 and shall be interpreted consistent with the provisions thereof. The park and recreational facilities for which payment of impact fees and/or dedication of land are required by the terms of this Section shall be provided in accordance with the standards, specifications, and requirements of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, any applicable specific plan, and any other applicable resolution, policy, or standard of the City.

B. Applicability.

1. Effect on Other Laws. With respect to the requirement for the payment of impact fees or the dedication of land for park and recreational purposes by the subdivider or developer of a residential project, or the residential portion of a mixed-use project, pursuant to this Development Code, this Section shall supersede all other ordinances or regulations of the City inconsistent herewith. The enactment of this Section shall not supersede any other provisions or authority adopted by ordinance of the City Council, unless expressly stated in this Section.

2. Exemptions. The provisions of this Section shall not apply to subdivisions containing less than 5 parcels and not used for residential purposes; provided, however, that a condition may be placed on the approval of such parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within 4 years, an impact fee may be required to be paid by the owner of each parcel as a condition to the issuance of such permit. In addition, the provisions of this Section shall not apply to nonresidential subdivisions; or to condominium or stock cooperative projects that consist of the subdivision of

airspace in an existing apartment building that is more than 5 years old, when no new dwelling units are added.

C. Definitions. The following definitions shall govern the meaning of the words as used in this Section, unless from the context in which the word is used, a different meaning is clearly intended:

1. Fair Market Value. The value of land set forth in the City's general and specific plans, which are earmarked to be acquired by the City upon which the City intends to locate park and recreational facilities to service residents of the subdivision. Fair market value shall be based upon an appraisal by a qualified appraiser selected by the City, which appraisal shall be updated from time to time by the City. The fair market value shall be determined as of the time the final map or parcel map is filed. With regard to any park and recreation improvements, or equipment provided by the subdivider, the fair market value shall be the actual cost to acquire, construct, or install the improvement or equipment.

2. Park. A lot that is, or contiguous lots that are, owned, operated, and maintained by a public agency or private association, and which provides recreational land and facilities for the benefit and enjoyment of the residents of the subdivision and of persons residing, working, or visiting in the City. Parks may be classified as community parks, including community centers, athletic facilities, large multi-user swimming pools, picnic areas, cultural centers, or similar facilities; public neighborhood parks, including playground equipment, sports fields, and picnic areas; and private neighborhood parks, generally intended to serve only the immediate subdivision/development or specified planned community in which they are located. Parks may also include, or be limited to, open space areas suitable for active or passive uses.

3. Park and Recreational Facilities. Any public improvements deemed necessary by the City to develop, improve, or rehabilitate land and facilities for park and recreational purposes. Such improvements may include, but not be limited to, grading; landscaped areas for active and passive recreational use, open space and sports fields; irrigation and drainage systems; lawn, shrubs and trees; facilities for recreational community gardening; walkways; bicycle facilities and park lighting; playground or other recreational equipment; picnic facilities; community center or other buildings, swimming pools; volleyball, basketball, tennis, racquetball, and other courts; vehicle driveways and parking areas, and any other facilities which may hereafter be authorized by state law or approved by the City.

4. Private Open Space. Privately owned land and facilities for park and recreation purposes provided within a subdivision, and perpetually maintained and operated by the future residents or owner of the subdivision.

D. Payment of Impact Fees or Park Dedication Required. As a condition of approval of a tentative tract or parcel map, final tract or parcel map, or development project for a residential subdivision or the residential portion of a mixed-use project, or for a building permit within a subdivision, the subdivider shall be required to pay an impact fee, offer for dedication of park land in lieu thereof, or both, at the sole and exclusive option of the City, in the amount provided in this Section, for park and recreational purposes, unless the subdivider is exempted from this requirement by the express provisions of this Section. The payment of an impact fee and/or offering for dedication of land shall be at the time and according to the standards and formula contained in this Section.

E. Standards for Determining Dedication/Maximum Requirement.

1. General. If the park dedication is required under Subsection D (Payment of Impact Fees or Park Dedication Required), above, the park area required shall be determined pursuant to the standards provided in this Section.

2. Standard of Park Area to Population (Park Area Standard Ratio). it is found and determined that the public interest, convenience, health, safety, and welfare of the residents of the City require that 5.0 acres of property for every 1,000 persons residing within the City be devoted to local park and recreational purposes, and that such park area is necessary to provide for the needs of the current and future persons residing and working in the City. The ratio of 0.005 shall hereafter be referred to as the "Park Area Standard Ratio."

3. Computation of Maximum Area of Public Parkland to be Dedicated.

a. The maximum amount of public park land required to be dedicated by a subdivision or development project shall be equal to the Total Number Of Dwelling Unit Types multiplied by the dwelling unit occupancy factor established pursuant to Subparagraph b, below, multiplied by 0.005 (the Park Area Standard Ratio of 5.0 acres per 1,000 population). The computation is represented as follows:

Area of Public Parkland to be Dedicated = (Total Number of Dwelling Unit Types) x (Dwelling Unit Occupancy Factor) x (0.005)

b. The Dwelling Unit Occupancy Factor for each housing type shall be established by resolution of the City Council, based upon the latest available census data.

c. The City Council, by resolution, may require a dedication of parkland less than the maximum amount set forth above if the City Council finds, and clearly establishes that a smaller dedication will adequately serve the public interest, convenience, health, safety, and welfare of the residents of the City.

4. Qualification of Land Being Dedicated. In addition to meeting the requirements set forth in this section, any land offered for park dedication shall meet the applicable criteria specified in Section 6.08.035 (Dedications and Improvements) of this Division.

F. Standards for Determining Park Impact Fee/Maximum Fee.

1. When required by Subsection G (Determination of Dedication, Fees, or Combination) of this Section, the subdivider or developer shall pay to the City, a fee in lieu of making an offer of parkland dedication. For the purposes of impact fee calculation, 3.0 acres of property for every 1,000 persons residing within the City shall be determined to be devoted to local parkland and recreational purposes, thereby resulting in the ratio of 0.003 to be hereafter referred to as the "Park Area Fee Standard Ratio."

2. The Park Impact Fee shall be equal to the total number of dwelling units multiplied by the Dwelling Unit Occupancy Factor established pursuant to Subparagraph E.3.b (Dwelling Unit Occupancy Factor) of this Section, multiplied by the Park Area Fee Standard Ratio, multiplied by the area of parkland to be dedicated under Paragraph E.3 (Computation of Maximum Area of Parkland to be Dedicated) of this Section, multiplied by the fair market value of the land to be developed by the City for parkland and recreational facilities. The computation is represented as follows:

Park Impact Fee = (Total Number of Dwelling Units) x (Occupancy Factor) x (0.003) x (Fair Market Value of Land to be Developed)

G. Determination of Dedication, Fees, or Combination.

1. Impact Fee Generally Required. Where required by the City or where no park or recreational facility located in whole or in part within the proposed subdivision is designated in the general plan of the City or other adopted resolution policy or standard of the City, the subdivider or developer shall pay an impact fee computed in accordance with Subsection F (Standards for Determining Impact Fees/Maximum Fee), above, to be used for park and recreational purposes to serve the residents of the area being subdivided and other members of the public.

2. Dedication in Lieu of Impact Fee. Where a park or recreational facility has been designated in the Policy Plan (General Plan) component of The Ontario Plan of the City, or other adopted resolution policy or standard of the City, and is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision and other members of the public, the City may require the subdivider to dedicate land for a park and provide recreational facilities thereon in lieu of payment of an impact fee as provided in this Section, if the City determines that dedication is desirable as provided in this Section. If the fair market value of the park and recreational facilities provided is less than that required hereunder, the difference shall be paid by the subdivider as an impact fee.

3. Combination of Land and Fees. The City may accept a combination of land, recreational facilities, and fees, with the respective amounts to be determined by the sole discretion of the City, so long as the aggregate fair market value of the land and recreational facilities, plus in-lieu fees, does not exceed the limits established in this Section.

4. Determination of Land or Fee. Whether the City requires payment of an impact fee, or requires land dedication in lieu thereof, or a combination of both, shall, in the City's sole discretion, be determined by consideration of the following, and such determination shall be final and conclusive:

a. The provisions of the City's general plan, any specific plan adopted thereto, and any other adopted resolution, policy or regulation of the City;

b. Topography, geology, access and location of land in the subdivision available for dedication;

c. Size and shape of the subdivision and land available for dedication;

d. The feasibility of dedication;

e. Access and location of other park sites to subdivision; and

f. Need of other accessible park sites for development, improvement, and rehabilitation.

5. Impact Fees for Subdivisions of 50 Parcels or Less. If the subdivision contains 50 lots or less, only the payment of impact fees may be required, except that condominium, stock cooperative or community apartment projects may be required to dedicate land if they have more than 50 dwelling units.

H. Subdivider Credits.

1. Public Parks. The subdivider shall receive a credit against the impact fee payment or park dedication requirement for the fair market value of any land dedicated and for the value of any park and recreation improvements provided by subdivider in conjunction with any public park. The value of such improvements shall be determined by City based upon Paragraph C.4 of this Section.

2. Private Park. In conjunction with any planned development, real estate development, stock cooperative, community apartment, or condominium, as defined by state law, if the subdivider provides private open space as defined in Subsection C (Definitions) of this Section, then the subdivider may receive a credit against the park dedication requirement of this Section, in an amount to be determined by the City Council or its designee, but such credit shall not exceed 33 percent of such impact fee payment or park dedication requirement. The actual amount of such credit shall be determined by the City Council or its designee, based upon the comparability of the private open space to public park area and the adequacy of such private open space to serve the needs of the subdivision for active recreational uses.

3. Application of Credits. The credits provided by Paragraphs H.1 and H.2, above, shall be applied to reduce the subdivider's obligation to dedicate and/or pay an impact fee as required under this Section, but only to the extent of such credit.

I. Disposition of Land or Fees.

1. The amount and location of land to be dedicated, or the impact fees to be paid, shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision. In accordance with GC Section 66477, it is expressly acknowledged that the land to be dedicated or impact fees to be paid may be for both neighborhood and community parks. In addition, such impact fees may be used to improve or rehabilitate existing parks.

2. Impact fees paid by a subdivider pursuant to this Section may be spent to develop, improve, and rehabilitate community and neighborhood parks even though such parks may be used by nonresidents of the subdivision, so long as the benefit of the park and recreational facilities to residents of the subdivision is reasonable in relation to the location of the parks and amount of the impact fees.

J. Time of Payment of Impact Fees or Land Dedication. All park impact fees shall be paid directly to the City Cashier at the time of issuance of a building permit for each lot within the subdivision. In the event of a dedication requirement, the subdivider shall make an irrevocable offer of dedication to the City at the time of recordation of the final map.

K. Schedule of Performance.

1. City's Schedule. The City shall prepare and maintain a schedule specifying how, when, and where land or impact fees, or both, which were dedicated to the City to develop park or recreational facilities will be used. Any impact fees collected pursuant to this Section shall be committed within 5 years after the payment of such fees or the issuance of building permits on 50 percent of the lots created by the subdivision, whichever occurs later. If any fees are not so committed, they shall be distributed to subdivision owners in accordance with law.

2. Subdivider's Schedule. In the event that a subdivider improves or develops parks for public or private ownership, they shall prepare a schedule specifying when, how, and where they will develop the park or recreational facilities to serve the residents of the subdivision. This schedule will be required as a condition of subdivision map approval.

L. Procedure. Unless otherwise expressly provided in this Section, any decision or action required by City in this Section shall be made after the duly noticed public hearing, at the time of approval of the tentative tract map or parcel map by the Approving Authority. Such decision or action shall be made a condition of approval of the subdivision map and shall be final and conclusive in the absence of a timely filed appeal pursuant to Division 2.04 (Appeals).

6.08.035: Dedications and Improvements

A. General Requirements.

1. The public need, safety, and general welfare require that dedications, offers of dedication, and irrevocable offers of dedication of real property for various public uses be made to the City, or other public agency or district, as conditions precedent to the approval or conditional approval of tentative tract or parcel maps, final tract and parcel maps, development plans, reversions to acreage, lot line adjustments, and consolidations and combinations of lots, or any other action or event requiring evidence of official City approval.

2. Dedications may be required for streets, highways, alleys, public service easements, courts, walkways, bicycle trails, equestrian trails, recreation trails, vehicular and pedestrian access rights, slopes, storm drains, watercourses, floodplains, sewers, water lines, water rights, public utilities, traffic signal facilities, transit facilities, environmental enhancement, landscaping, parks, recreation areas, and for all other public uses not specified, if found to be required to conform to, or implement the Policy Plan (General Plan) component of The Ontario Plan or any element thereof, or any applicable specific plan, planned unit development, master plan, and/or City standard. Dedications may also be required by the City on behalf of any other public agency or district.

B. Dedication Requirements.

1. Dedications for streets and highways shall be to the width as designated by the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan and City standards, or as designated by an approved specific plan. Deviations may be allowed for streets and highway widths not shown in the Mobility Element, or in any approved specific plan, based upon the land use, traffic volumes or other factors as determined by the City Engineer.

2. Dedications for other public easements shall be based upon the need for service, accessibility, topography, clearances available, and other circumstances and factors as determined by the City Engineer.

C. Method of Dedication. Dedications shall be made to the City by the following prescribed methods:

1. Final Map, Parcel Map, or Development Project. All streets, highways, alleys, easements, and lots offered for dedication or to be dedicated shall be clearly indicated on the map or development plan. They shall be clearly described in the appropriate statement on the

title sheet of the map or development plan. Vehicular access right dedications shall likewise be shown and described on the final map.

2. Separate Instrument. Where dedications are made a requirement of the final approval of a Lot Merger, Development Plan, Conditional Use Permit, building permit, or any other permit, and no final map or parcel map is required to be filed and recorded as a condition thereof, the required dedications shall be made by separate instrument in a form approved by the city attorney, which shall be signed, executed and acknowledged by all parties having record title interest in the property or rights being dedicated. Preparation, execution, and delivery of the fully executed instrument shall be made prior to the final approval by the City of the lot consolidation, lot combination, development plan, or permit being requested.

3. Fee Title. Fee title shall be granted by the subdivider when in the opinion of the City Engineer, in consultation with the City Attorney, it is necessary to carry out policies and requirements of the Policy Plan (General Plan) component of The Ontario Plan, and any City ordinance, resolution or standard.

D. Acceptance of Dedications. Acceptance of dedications shall be in conformance with the following:

1. At the time of final map or parcel map acceptance and approval, the Approving Authority may accept or accept subject to improvement, any or all dedications or offers of dedication. The City Clerk shall certify the action by the Approving Authority on the map.

2. Until any dedication is accepted by the City by execution of a Certificate of Acceptance recorded in the office of the County Recorder, the City shall not be responsible for, and shall not incur, any liability with respect to the offered property.

3. If any dedication is accepted, including but not limited to road or street, path, storm drain, sanitary sewer, water (potable or recycled), public utilities, and/or other public use easement, the acceptance shall be completed by the execution and recordation of a Certificate of Acceptance, recorded in the office of the County Recorder.

4. If any dedication is accepted subject to the completion and acceptance of public improvements, the City shall not be responsible for or incur any liability with respect to such dedication, unless and until the public improvements are completed by the subdivider and accepted by the City as evidenced by a notice of completion issued by the City Engineer pursuant to Section 6.08.040.J.4 of this Division. The ownership of and responsibility for the construction and maintenance of any public improvement is held by the subdivider and shall remain so until such time as the public improvements are completed and accepted.

5. Offers of Dedication may be terminated and abandoned in the same manner as prescribed for the abandonment or vacation of streets by the Streets and Highways Code (SHC), commencing with SHC Section 8300 or SHC Section 940, as applicable.

6. Acceptance of offers of dedication on a final map shall not be effective until the final map is filed in the office of the County Recorder, or a separate resolution of acceptance, approved by the City Council, is filed in such office.

E. Dedication of Land for Public Access. All vehicular and pedestrian access rights shall be dedicated to the City for those lots abutting any major, primary, secondary or collector street, flood control channel, park, or bike trail, except at designated locations.

F. Dedication of Land for Public Schools. Pursuant to GC Section 66478, the City may reserve an elementary school site within a proposed subdivision for later purchase by the appropriate school district. Whenever there is consideration of an area for a public school site within a subdivision, the city shall notify the school district and the State Department of Education, in writing, of the proposed site. The notification shall include the identification of any existing or proposed airport runways within the distance specified in State Education Code Section 17215.

1. Standards. As a condition of approval of a tentative or vesting tentative map, and as allowed by state law, a subdivider who develops or completes the development of one or more subdivisions within the school districts serving said subdivision, shall dedicate to the school district such lands as the Approving Authority deems necessary, for the purpose of constructing elementary schools necessary to assure the residents of the subdivision adequate public school service.

2. Consistency with Policy Plan (General Plan). School sites offered for dedication shall conform to the policies in the Policy Plan (General Plan) component of The Ontario Plan and relevant specific plans, and the requirements of the school district.

3. Timing. The requirement of dedication shall be imposed at the time of approval of the tentative or vesting tentative map. If, within 30 days following the requirement to dedicate is imposed by the City, the school districts do not offer to enter into a binding commitment with the subdivider to accept the dedication, the requirement shall be automatically terminated. The required dedication may be made any time before, concurrently with, or up to 60 days following the filing of the final map on any portion of the subdivision.

4. Repayment of Costs. Upon accepting the dedication, the school district shall repay to the subdivider, or their successors, the original cost to the subdivider of the dedicated land, plus a sum equal to the total of the following amounts:

a. The cost of any improvements to the dedicated lands since acquisition by the subdivider;

b. The taxes assessed against the dedicated land from the date of the school district's offer to enter into the binding commitment to accept the dedication; and

c. Any other costs incurred by the subdivider in maintenance of such dedicated land, including interest costs incurred on any loan covering such land.

5. Exception. These dedication requirements for public school lands shall not apply to a subdivider who has owned the land being subdivided for more than 10 years prior to the filing of the tentative map.

G. Dedication for Streets. In order to meet the City's transportation goals as described in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, any subdivider or developer of land shall dedicate, or make an irrevocable offer of dedication, of all land within the subdivision or the site that is needed for public streets and alley ways.

1. When Required. The dedication, or irrevocable offer of dedication, of land for streets and alley ways shall be a condition of approval of any tentative tract or parcel map, or vesting map submitted pursuant to Section 4.02.095 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Development Code, or the approval of any Development Plan

submitted pursuant to Section 4.02.025 (Development Plans) of this Development Code, for the construction, alteration, or enlargement of any building or dwelling, or the establishment of any agricultural, commercial, or industrial land use. Furthermore, an owner, lessee, or agent constructing, altering, or enlarging a building or dwelling, or establishing an agricultural, commercial, or industrial land use, shall provide appropriate street dedication, or make an irrevocable offer of dedication, as a condition of building permit issuance, except that such dedications shall not be required for the following:

a. Any accessory building that does not exceed 1,000 SF of GFA;

b. Any alteration, enlargement, or addition that does not exceed 50 percent of the area of an existing building, dwelling, or land use, not to exceed 2,000 SF of GFA;

c. The installation or construction of walls, fences, or signs;

d. Temporary land uses not exceeding 30 days duration; and

e. Unenclosed agricultural land uses legally established pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

2. Rights-of-Way. Street dedications shall include the full right-of-way required for the functional classification of roadway as described in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, and applicable specific plans, and Section 6.08.015 (Subdivision Design) of this Division.

3. Street Design. Streets to be dedicated to the City, as well as any private streets, shall follow the design specifications in Subsection 6.08.015.C (Street Rights-of-Way) of this Division.

H. **Dedication for Pedestrian and Bicycle Paths**. Whenever a subdivider or developer is required to dedicate roadways to the public, a dedication of land may be required to provide bikeways and pedestrian paths for the use and safety of the residents of the subdivision, or to provide bikeways and pedestrian paths as shown in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, any bicycle or pedestrian master plan adopted by the City, or an applicable specific plan.

I. **Dedication for Local Transit Facilities.** In order to provide adequate local transit facilities, whenever a subdivider or developer is required to dedicate roadways to the public, a dedication of land shall be required for local transit facilities, such as bus turnouts, benches, shelters, landing pads, and similar items, that directly benefit the subdivision, or the community as a whole, as required by the Planning Director and/or the City Engineer, and as described in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, or an applicable specific plan. To facilitate a logical phasing of transit facility improvements, the City may require the payment of a fee in lieu of the construction and installation of required improvements.

J. **Improvement of Bridges, Signals, and Thoroughfares.** Pursuant to GC Section 66484 and Section 4.02.025 (Development Plans) of this Development Code, the subdivider or developer shall pay traffic impact fees for the purpose of defraying the actual or estimated cost of constructing major thoroughfares, other citywide transportation improvements or bridges. The City Council shall establish procedures and standards for determining the appropriate fees.

1. Construction, modification, or upgrading of traffic signals and appurtenances may be required as a condition of the approval of any subdivision, land division, development plan, or

use or building permit, if the additional traffic generated by the tract or development, the safety of the traveling public, the increased use of the streets, or other circumstances necessitate the construction.

2. Where the development of a subdivision or other project will be phased over a period time, and, in the opinion of the City Engineer, the full effect of increased burden on the streets will not be realized immediately, the subdivider or developer may be required to deposit a cash amount in the estimated value of the traffic signal improvements ultimately to be made, which sum shall be used at such time as the construction of the signal and appurtenances is warranted. In lieu of a cash deposit, the subdivider or developer may be permitted to post a bond or other surety to guarantee the installation of required traffic signals in a form satisfactory to the City Engineer and City Attorney. The exact amount, details and timing of the deposit and future construction shall be subject to an agreement between the city and the subdivider or developer.

K. **Groundwater Recharge Facilities.** Pursuant to GC Section 66484.5, the subdivider shall pay fees for the purpose of constructing recharge facilities for the replenishment of the underground water supply in that area of benefit. The City Council shall establish procedures and standards for determining the appropriate fees.

L. **Reservations for Other Public Uses.** In addition to the dedications for specific public uses that this Section requires, the subdivider or developer shall reserve land within the subdivision for wells, fire stations, libraries, or other public uses, consistent with the Policy Plan (General Plan) component of The Ontario Plan and applicable specific plans, provided that:

1. Develop in an Orderly and Efficient Manner. The reserved area is of a size and shape that permits the balance of the property within which the reservation is located to develop in an orderly and efficient manner;

2. Feasibility of Development. The amount of land reserved will not make development of the remaining land held by the subdivider economically infeasible; and

3. Consistency with Policy Plan (General Plan). The reserved area shall conform to the Policy Plan (General Plan) component of The Ontario Plan and applicable specific plans, and shall be in such multiples of streets and lots as to permit an efficient division of the reserved area in the event that it is not acquired within the prescribed period. In such an event, the subdivider shall make those changes that are necessary to permit the reserved area to be developed for the intended purpose, consistent with good subdividing practices.

M. **Drainage Facilities and Grading.** Drainage facilities shall be provided and installed as necessary to help protect the lots, parcels, buildings, and structures from flooding, and to minimize flooding of the public streets therein or abutting the property.

1. Facilities shall be designed to minimize the inundation of private properties from storm runoff emanating from a 100-year frequency storm.

2. Public streets shall be protected from flooding from runoffs of a 10-year frequency storm pursuant to City standards or approved equivalent. Protection to higher levels may be required by the City Engineer, dependent upon the degree of flood risk involved, the topography, location, local drainage patterns, and the requirements of the San Bernardino County Flood Control District.

3. Hydrologic and hydraulic calculations and studies for required facilities shall be subject to review and acceptance by the City Engineer and/or Building Official. All grading done in conjunction with the development of a tract or property shall be performed in conformance with the City's building code, the City grading standards, and good engineering practices.

4. On-site and off-site storm drain facilities, and site grading, shall be designed and constructed to prevent undue erosion of the site or off-site properties, and to prevent excessive deposits of mud, silt, or debris upon any public street or easement, or within any channel, storm drain facility, swale, or watercourse. The drainage facilities shall be designed in accordance with the City's drainage master plan, applicable elements of the Policy Plan (General Plan) component of The Ontario Plan, and any applicable specific plan.

N. Sewage Facilities Improvements. Sewer mains, manholes, and appurtenances shall be constructed to serve each subdivision, lot, parcel, building or structure, and individual laterals shall be provided to each lot therein. All such facilities shall be installed prior to the paving of the streets, alleys, or improvement of the easements within the development. Sanitary sewers shall be constructed to the sizes, lines, grades, and design pursuant to City standards, and applicable elements of the Policy Plan (General Plan) component of The Ontario Plan, or any applicable specific plan.

O. Water Supply System Improvements. Water mains, service meters, cross connection control devices, valves, fire protection facilities, and all other appurtenances of the water system shall be provided to the applicable City master plan(s), and water lines, grades, and design shall be pursuant to City standards, and as required by applicable elements of the Policy Plan (General Plan) component of The Ontario Plan, or any applicable specific plan.

P. Underground Utilities and Service Lines. Whenever any tentative tract or parcel map, development project, or map for the reversion of lots to acreage is filed, all electrical, telephone, cable television, and similar wires, cables, services, and appurtenances that provide direct service to the property being subdivided, divided, or developed, shall be installed underground, and all existing facilities providing direct service to the building, structure, or development being added to or rebuilt, shall be underground as a condition precedent to the approval of the tentative tract or parcel map, by the City Council or City Engineer, as applicable.

Q. Development Impact Fees.

1. Prior to the issuance of a building permit for construction on any lot within any subdivision or development project, the applicant for such permit shall pay all development impact fees established by resolution or ordinance of the City.

2. The City Council may authorize by resolution, the imposition of development impact fees that are less than the maximum fees, to encourage the development of undeveloped and underdeveloped properties within the "Old Model Colony" area of the City.

3. Where it is determined that the public interest would be served by such an agreement, the City Manager is hereby authorized to negotiate and execute agreements on behalf of the City, in order to provide credits to a project applicant against certain development impact fees, in exchange for the applicant's construction and dedication of public improvements on those reasonable terms and conditions as may be negotiated on a case-by-case basis, subject to approval by the City Council.

4. The City Manager is further authorized to negotiate and execute agreements to defer, waive, or reduce any development impact fees imposed upon an applicant for a particular development project, based upon evidence presented by the Applicant, that:

a. The development project will provide a general benefit to the health, safety, morals, and welfare of the citizens of the City, and will not only be of special benefit to the project applicant; ~~or~~

b. Other properties to be benefitted by any development impact fee will not be unfairly burdened by the delay, reduction, or waiver of said development impact fee; or

c. Deferral, waiver, or reduction in development impact fees will result in a more fair funding arrangement, and in the case of waiver or reduction, the owner will receive insufficient or no benefit from the development impact fee imposed, and would, therefore, be required, if the fee(s) were imposed in full, to pay more than their fair share for the benefit received.

5. The required findings (Subparagraphs 4.a through c, above) and any resulting agreement(s) to defer, waive, or reduce any development impact fee(s) shall be subject to approval by the City Council.

R. Condemnation Proceedings. When any dedication, improvement or design is required by the City Engineer, and the subdivider or developer does not have full control of the land required in connection with the dedication, improvement or design, and condemnation proceedings are necessary as determined by the City, the subdivider or developer shall pay all necessary and reasonable costs involved in the condemnation or acquisition including, but not limited to, appraisal and court costs.

6.08.040: Improvement Plans and Security

A. Design of Improvement Plans.

1. Following approval of a development project, tentative tract or parcel map, or vesting tentative map, and prior to the submission of any final map or parcel map, the subdivider or developer shall prepare and submit complete sets of improvement plans and cost estimates for any improvement(s) required.

2. The acceptance of all required improvement plans by the City Engineer shall be a prerequisite to the approval of the final map or parcel map, and in the case of a development project, shall be prerequisite to the issuance of any building permit.

3. All public or private improvement plans, profiles, descriptions, studies, calculations, notes, surveys and drawings required pursuant to this Division shall be provided at no expense to the City and shall be prepared pursuant to the requirements of this Section and as required by the City Engineer.

4. Construction plans for street, alley, drainage, sewer, and water improvements, traffic signals, and streetlights, and for any other required improvements, shall be drawn on standard City mylar film, in indelible ink, and shall be filed with the City Engineer for checking and review prior to their acceptance. All maps, sketches, descriptions, estimates, plans and other

drawings and items required to fulfill the requirements of this Division shall also be provided in the form, content, number, and details as specified by the City Engineer.

5. The plans and profiles of all required and proposed public and private improvements in a subdivision or development plan shall be furnished to the City Engineer and shall be ready for acceptance before a final map of the subdivision or the development plan is presented to the Approving Authority for approval.

6. No construction work shall commence on any of the improvements shown on any construction or improvement plans required herein until the plans have been reviewed, approved, and signed by the City Engineer. After acceptance and signature by the City Engineer, all original drawings shall become the property of the City.

B. Application Requirements. The improvement plans shall be prepared by or under the direction of a registered civil engineer licensed by the state of California, and shall show the complete plans, profiles and details for all streets and appurtenances, storm drainage, water systems and fire hydrants, sewers, utilities, grading and all other improvements proposed or necessary, on-site and off-site. They shall meet all the requirements deemed necessary by the City Engineer.

C. Application Review Process.

1. Upon receipt of a complete set of improvement plans, the City Engineer shall cause the plans to be reviewed and return one set to the applicant or their engineer, with the required revisions, if any, marked thereon.

2. When the plans are found to be complete and satisfactory to the City Engineer, the applicant shall submit copies in the number and term deemed necessary by the City Engineer. The copies shall be accompanied by any additional number of complete sets of copies the applicant, their engineer, and contractors may require, to be noted as approved by the City Engineer.

D. Acceptance by City Engineer.

1. Upon finding that all required revisions have been made, all required fees have been paid, and the plans conform to all applicable City ordinances, standards, and conditions of approval imposed upon the tentative map or development plan, the City Engineer shall accept the improvement plans.

2. Pursuant to GC Section 66456.2, the City Engineer shall act within 60 days of receiving the preliminary improvement plans and calculations, except that at least 15 days shall be provided for processing any resubmitted improvement plan. The period of 60 days shall not include any days during which the improvement plans have been returned to the subdivider for corrections or have been subject to review by any party other than the City or a private entity contracted by the City.

3. The City Engineer's acceptance of improvement plans shall not relieve the subdivider or developer of responsibility for the design of the improvements and for any deficiencies in the improvements.

E. Permit Required. The subdivider or developer shall not commence work on any portion of improvements prior to the issuance of an encroachment permit and payment of applicable

permit and inspection fees. The City Engineering Department shall be notified in advance of commencement of any portion of the work.

F. Construction of Improvements.

1. All construction methods and materials for improvements shall conform to the approved improvement plans, the requirements of the applicable construction permit, and any other applicable City standards and requirements.

2. All construction of improvements is subject to inspection by the City Engineer. The subdivider and/or developer shall notify the City Engineer before beginning the construction of any improvements. The City shall always have full access to the improvement work during its construction.

G. Completion of Improvements/Subdivision Improvement Agreement.

1. If any public improvement required with the approval of a subdivision will not be completed and accepted pursuant to Section 6.08.035 Dedications and Improvements) of this Division, prior to approval of the final map, the subdivider, at their expense, shall enter into a Subdivision Improvement Agreement as a condition precedent to approval of the final map, to complete the public improvements. Performance of the Subdivision Improvement Agreement shall be guaranteed by the security specified in Subsection I (Improvement Security) of this Section, and GC 66499 et seq.

2. A subdivision improvement agreement shall be prepared by the City Engineer in a form approved by the City Attorney, and shall provide for the following:

a. Construction of all improvements shall be as set forth in the approved plans and specifications;

b. The maximum period within which all improvements shall be completed to the satisfaction of the City Engineer;

c. Provisions for inspection of all improvements by the City Engineer and payment of fees by the subdivider for the cost of such inspection and all other incidental costs incurred by the City in enforcing the agreement;

d. If the subdivider fails to complete the work within the specified period of time, or any extended period of time that may have lawfully been granted to the subdivider, the City may, at its option, complete the required improvement work and the subdivider and their surety shall be firmly bound, under a continuing obligation, for payment of the full cost and expense incurred or expended by the City in completing such work, including interest from the date of notice of said cost and expense until paid;

e. In the event of litigation occasioned by a default of the owner or subdivider, his successors or assignees, the owner or subdivider, their successors or assignees will pay all costs involved, including reasonable attorney's fees, and that the same may be recovered as part of a lien against the real property; and

f. Additional terms or provisions, as may be necessary, pertaining to the forfeiture, collection, and disposition of improvement security upon the failure of the contracting

party to comply with the terms and provisions thereof or with the terms and provisions of this Development Code.

3. A subdivision improvement agreement shall be valid for a period specified in the agreement, but not to exceed 2 years from the effective date of the agreement.

a. The term of a subdivision improvement agreement may be extended at the discretion of the City Engineer.

b. A subdivision improvement agreement shall not only bind the present subdivider, but also all heirs, successors, executors, administrators, and assignees, so that the obligation runs with the real property. All agreements shall be executed by all those parties executing the final or parcel map.

H. Inspection of Improvements.

1. The construction of improvements required pursuant to this Division shall be subject to inspection and testing by the City Engineer to ensure compliance with the standards and specifications specified and required by this Division. All work and improvements shall be found to conform to the standards and specifications as a condition of the City's acceptance and release of any improvement securities held therefor.

2. No construction shall commence or continue without arrangements first having been made with the City Engineer for inspection. The City Engineer and his authorized representatives shall have the right to stop any work, refuse to inspect any work, or reject any or all work and construction if it is found that the work is unauthorized, is unsafe in any way to the workers or the public, is inferior in materials or workmanship, was performed without inspection, or does not meet or comply with city standards, specifications, or city-approved construction plans. Reasonable access to the construction and work shall be provided at all times so that full knowledge of the progress, workmanship, and character of the materials used in the work can be gained.

3. Upon completion of the required improvements, the subdivider or developer shall apply in writing to the City Engineer for preliminary final inspection. The City Engineer shall conduct a preliminary final inspection and prepare a deficiency list, noting all additional work to be performed and deficiencies in existing work to be corrected. The City Engineer shall provide a copy of the deficiency list to the subdivider or developer. If there are an excessive number of deficiencies or missing improvements, the City Engineer may choose to postpone the inspection.

4. After the subdivider or developer has corrected all of the items on the deficiency list, the subdivider or developer shall apply to the City Engineer for final inspection. The City Engineer shall conduct a final inspection and verify that the items on the deficiency list have been corrected. Upon verification, and after receiving record drawings (improvement plans), the City Engineer shall accept the improvements and issue a notice of completion to the subdivider or developer.

5. The City Engineer's acceptance of improvements shall not relieve the subdivider or developer of responsibility for correcting any deficiency that subsequently is discovered.

I. Improvement Security. Performance of a subdivision improvement agreement required pursuant to Subsection G (Completion of Improvements/Subdivision Improvement Agreement) of this Section shall be guaranteed by the security specified herein and GC Section 66499 et seq.

Any public improvement required with the approval of the Development Plan submitted pursuant to Section 4.02.025 (Development Plans) of this Development Code, at the discretion of the City Engineer, shall be guaranteed by the security specified herein.

1. Acceptable Forms of Required Improvement Security. Improvement securities shall be posted as a guarantee of the performance of any act, improvement, or obligation required as a condition of approval of any final map or parcel map, parcel map waiver, lot line adjustment, lot merger or development project. Unless otherwise provided herein, all such improvement securities shall be provided in one of the following forms, subject to approval and acceptance by the City Engineer and City Attorney:

a. *Bonds by Authorized Corporate Sureties.* One or more bonds by one or more duly authorized corporate sureties substantially in the form prescribed by the Subdivision Map Act, and subject to approval and acceptance by the City Attorney and City Council;

b. *Negotiable Bonds or a Letter of Credit.* A deposit with the City of immediately negotiable bonds or a letter of credit; or

c. *Cash and/or Negotiable Bonds of The Kind Approved for Securing Deposits of Public Moneys*. A deposit with the City or a responsible escrow agent or trust company, at the option of the City, of cash and/or negotiable bonds of the kind approved for securing deposits of public moneys; or

d. *Lien or Other Security Interests.* Any other form of security, including a lien or other security interests in real property, which the City Engineer and the City Attorney may, in their discretion, allow; provided, they determine that it is equivalent to the foregoing forms of security in terms of security and liquidity. Any written contract or document creating security interests shall be recorded in the Office of the County Recorder. From the time of recordation, a lien shall attach to the real property described therein, which shall have the priority of a judgment lien in the amounts specified.

2. Required Security Amounts.

a. *Performance and Guarantee*. The subdivider or developer shall provide an amount determined by the City Engineer, up to 100 percent of the total estimated cost of the improvement to be performed, including costs and fees incurred by the City. The estimated cost of improvement shall include a 10 percent contingency and a 10 percent increase for projected inflation computed to the estimated mid-point of construction; and

b. *Payment.* The subdivider or developer shall provide an amount determined by the City Engineer, up to 100 percent of the total estimated cost of the improvement to be performed, excluding grading and monumentation.

3. Release of Improvement Security. Improvement security may be released upon the final completion and acceptance of the act or work by the City Engineer; provided, however, such release shall not apply to the amount of security deemed necessary by the City Engineer for the guarantee and warranty period, nor to costs and reasonable expense fees, including reasonable attorney's fees incurred by the City in enforcing any improvement agreement. The subdivider or developer shall not be entitled to any reduction in security, except pursuant to Paragraph 4 (Partial Release of Improvement Security), below, until all improvements have been completed to the satisfaction of, and have been accepted by, the City Engineer.

4. Partial Release of Improvement Security. A partial release of performance security may be requested in writing from the Engineering Department. The portion of the performance security, in conjunction with the satisfactory completion of a part of the improvements as the work progresses, may be released upon the approval of the City Engineer, subject to the following:

a. No release shall be considered until at least 50 percent of the improvements are completed;

b. No release shall be considered for an amount less than 10 percent of the original total improvement security given for performance and guarantee;

c. An amount of up to 200 percent of the revised estimated construction cost for the remaining required improvements shall be required for the substitute security (or the remaining security);

d. The City Engineer is responsible for reviewing all applications and shall determine the amount of substitute security required in accordance with Subparagraph I.4.c, above; and

e. The original performance security may be released only upon receiving the proper substitute security, which has been determined acceptable by the City Attorney and the City Engineer.

J. Completion of Improvements.

1. Public improvements required as a condition of approval shall be completed pursuant to this Division unless they are deferred pursuant to Subsection K (Deferred Improvements) of this Section. The City Engineer shall review and approve any improvement agreement, conduct an inspection, and approve any constructed public improvement necessary to satisfy this provision, with the City Council delegating final approval to the City Engineer of any agreement or acceptance of any completed public improvement.

2. Once begun, public improvements for a final tract or parcel map, or development plan when required, shall be constructed to completion without interruption. The subdivider or developer shall exercise due diligence to ensure that this provision is met to the satisfaction of the City Engineer. Construction and inspection of public improvements shall be governed by City standards and the requirements of any applicable permit.

3. Notwithstanding any applicable agreement, the construction and maintenance of any public improvement is the responsibility of the subdivider or developer and shall remain so until such time that the City Council accepts the completed public improvements.

4. Upon acceptance of a public improvement, the City Engineer shall provide a notice of completion for that public improvement and shall release applicable securities for that public improvement. This action shall serve to transfer ownership and maintenance responsibility of the public improvement from the subdivider or developer to the City, and to provide full acceptance of the applicable dedication or easement, which acceptance had been contingent upon completion and acceptance of public improvements within said dedication or easement, subject to the terms of any applicable agreement.

K. Deferred Improvements. The Approving Authority for a tentative map or parcel map shall be responsible for approving any request for the deferred construction of on-site and off-site

improvements required by a tentative map or parcel map. The City Attorney shall approve the form and content of all deferred improvement agreements prior to the City accepting the document.

6.08.045: Common Interest Subdivisions

A. Purpose. The purpose of this Section is to establish criteria for the establishment of common interest subdivisions. For the purposes of this Section, the term "common interest subdivision" means a community apartment, condominium, planned development, or stock cooperative.

B. Applicability. The herein prescribed regulations shall be implemented in conjunction with the establishment of any common interest subdivision in the City.

C. Common Interest Subdivisions are Exempt from Minimum Lot Area and Building Setback Requirements. Common interest subdivisions shall be exempt from the minimum lot area and building setback regulations applicable to individually numbered and/or lettered lots identified on a tract or parcel map, excepting one-lot subdivisions. For the purposes of a common interest subdivision, any minimum lot area requirement shall be applied to the overall area of the common interest subdivision. Furthermore, any minimum building setback requirement shall only be applied to the exterior boundary of the common interest subdivision.

D. Recordation of a Tract or Parcel Map is Required. The establishment of a common interest subdivision shall require the approval and recordation of a tract or parcel map pursuant to the provisions of the Subdivision Map Act (commencing with GC Section 66410), Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) and Section 4.03.030 (Final Maps and Parcel Maps) of this Development Code, and all applicable requirements of this Division.

E. Recordation of Covenants, Conditions, and Restrictions (CC&Rs). Covenants, conditions, and restrictions, if required, shall be recorded concurrently with the final map or parcel map, required pursuant to Subsection D (Recordation of a Tract or Parcel Map is Required), above, in the office of the San Bernardino County Recorder.

1. The purpose of the covenants, conditions, and restrictions is to guarantee compatibility and coordination of all lots or units within a common interest subdivision in terms of access, parking, landscaping, recreation facilities, open space, property and landscape maintenance, and architecture. Furthermore, the covenants, conditions, and restrictions shall establish a property owner (or homeowner) association for the purpose of maintaining common areas and facilities, enforcement of the covenants, conditions, and restrictions, regulation of operations and uses within the development, and ensuring continued architectural and landscaping compatibility within the development.

2. The covenants, conditions, and restrictions shall be subject to approval and acceptance by the Planning Director and City Engineer prior to recordation. Furthermore, the City may be required to be a non-voting member of the association and maintain the right of enforcement of the covenants, conditions, and restrictions.

3. The covenants, conditions, and restrictions shall include the establishment of a specific methodology or procedure for enforcement of its provisions by the City, if adequate maintenance of the development does not occur. Such procedures may include, but is not

limited to, granting the City the right of access to correct maintenance issues and assess the property owner (or homeowner) association for all costs incurred by the City.

F. Recordation of a Condominium Plan. The establishment of a condominium shall require the approval of a Condominium Plan by the City and the recordation of said Condominium Plan in the office of the San Bernardino County Recorder, prior to the sale of the first dwelling unit.

6.08.050: Conversion to a Residential Common Interest Project

This Section shall apply to the conversion of any existing residential real property to a common interest project, including condominium, community apartments, stock cooperative project, or any other similar form of common ownership, except conversion projects for which a final or parcel map has been approved prior to the effective date of this Development Code, or where the conversion involved a limited equity housing cooperative as defined in HSC Section 33007.5. All provisions, conditions, and further definitions of condominium development, as included in the California Civil Code, shall apply to the divisions of real property as permitted herein.

A. Purpose. The purpose of this Section regulating conversions to a residential common interest project is as follows:

1. Establish criteria for the conversion of existing single-family and multiple-family rental housing to community apartments, condominiums, planned developments, or stock cooperatives;

2. Ensure that converted housing achieves high quality appearance and safety, and is consistent with the goals and policies of The Ontario Plan;

3. Endeavor to maintain a reasonable balance of ownership and rental housing within the City, and a variety of housing choices of varying tenure, type, price, and location;

4. Ensure that the purchasers of community apartments, condominiums, planned developments, or stock cooperatives converted from existing rental housing stock have been properly informed as to the physical condition of dwellings offered for purchase; and

5. Ensure compliance with all requirements of applicable development, building, fire codes, plumbing, and electrical codes, and other applicable State and local laws and regulations, in effect at the time of filing of the tentative subdivision maps for conversion.

B. Applicability. Any conversion to a residential common interest project, including a community apartment, residential condominium, residential planned development, or residential stock cooperative, shall be subject to all applicable provisions of the Subdivision Map Act (commencing with GC Section 66410), the requirements of this Section, and all other applicable requirements of this Development Code and the Ontario Municipal Code.

C. Application Requirements. A residential common interest project conversion request shall consist of the following:

1. Subdivision Application. A subdivision application as required by Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Development Code.

2. Physical Elements Report. A report on the physical elements of all structures and facilities shall be submitted with the tentative or vesting tentative map. The report shall include, but not is limited to, the following:

a. Architect's or Engineer's Report. A report by a licensed architect or engineer detailing the structural condition of all elements of the property, including foundations, electrical, plumbing, utilities, walls, ceiling, windows, recreational equipment, parking facilities, appliances, and fixtures. The report shall state, to the best knowledge or estimate of the applicant, the following:

(1) When the element was constructed or installed;

(2) The condition of each element;

(3) When the element was replaced;

(4) The approximate condition of each element;

(5) Any variation or non-compliance of the element from this Development Code and the Building Code in effect on the date the last building permit was issued for the subject structure;

(6) The approximate date upon which the application for conversion was filed and accepted by the city; and

(7) The report shall identify any defective or unsafe elements and set forth the proposed corrective measures to be employed.

b. Pest Control Report. A report from a licensed structural pest control operator, approved by the city, on each structure and each unit within the structure.

c. Soils and Geological Hazard Reports. Soils and geological hazard reports prepared pursuant to Section 6.08.025 (Reports) of this Division, regarding soil deposits, rock formations, faults, groundwater, landslides, and liquefaction within the vicinity of the project, and a statement regarding any known evidence of soil problems relating to the structures. Reference shall be made to any previous soils reports for the site and a copy submitted with the report.

d. Repairs and Improvements Report. A statement of repairs and improvements to be made by the subdivider necessary to refurbish and restore the project to achieve a high degree of appearance and safety.

e. Notice to Tenants. The subdivider shall supply proof of all written notices as required by the Subdivision Map Act for conversion projects, as listed in Subsection E (Notice to Tenants) of this Section.

f. Plans and Information. The subdivider shall provide plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to process the conversion, as identified on the applicable City application forms.

g. Proposed Declaration. The subdivider shall provide a proposed declaration, as required by CC Section 1353. The declaration shall include an agreement for the

creation of an association responsible for common area maintenance, a clear designation of parking and signage rights, and a method for resolving differences.

h. Development Plan Application Required. The developer shall submit a Development Plan application for approval of the conversion pursuant to Section 4.02.030 (Development Plans) of this Development Code.

D. Procedures.

1. Notification and Hearing Requirements. A final subdivision map creating a community apartment, condominium, planned development, or stock cooperative from the conversion of rental housing units, unless the subdivider shows that the following notification procedures have been fulfilled:

a. Each of the tenants or prospective tenants of the proposed community apartment, condominium, planned development, or stock cooperative project has received or will receive each of the notices included in the Subdivision Map Act (commencing with GC Section 66410), including the following:

(1) Written notification pursuant to GC Section 66452.8 and GC Section 66452.9, of intention to convert, provided at least 60 days prior to the filing of a tentative map;

(2) Written notification at least 10 days prior to the date of the public hearing at which the Approving Authority will review the Conditional Use Permit for the requested conversion in compliance with GC Section 65090 and GC Section 65091. Notice shall also be mailed to the owner of the subject property, as well as all property owners within 300 FT of the subject property, as shown on the last equalized tax assessor roll. In addition, a notice of public hearing shall be published at least once in a newspaper of general circulation at least 10 days prior to the hearing;

(3) Written notification pursuant to GC Section 66427.1(a) that each tenant shall receive a 10-day notice that a final public report will be, or has been, submitted to the Department of Real Estate, that the period for each tenant's right to purchase begins with the issuance of the report, and that the report will be available from the City, upon request;

(4) Written notification that the subdivider has received the public report from the Department of Real Estate. This notice shall be provided within 5 days after the date that the subdivider receives the public report from the Department of Real Estate;

(5) Written notification within 10 days following approval of a final map for the proposed conversion;

(6) Upon approval of a final map for the proposed conversion, written notification shall continually be delivered to all prospective tenants prior to execution of a rental agreement using the form in GC Section 66459(a). Failure to do so will not be grounds to deny the conversion, but will require the subdivider to pay each prospective tenant who was entitled to that notice, an amount as indicated in GC Section 66459(f);

(7) Written notification pursuant to GC Section 66452.11 shall be provided to all affected tenants at least 180 days prior to termination of tenancy due to the conversion or proposed conversion, but not before the City has approved a tentative map for the conversion. The notice given pursuant to this subparagraph shall not alter or abridge the rights or

obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by CC Section 1941, 1941.1, and 1941.2; and

(8) Notice of an exclusive right to contract for the purchase of a tenant's respective unit upon the same terms and conditions that the unit will be initially offered to the general public, or terms more favorable to the tenant. The exclusive right to purchase shall commence on the date the subdivision public report is issued, as provided in BPC Section 11018.2, and shall run for a period of not fewer than 90 days, unless the tenant gives prior written notice of their intention not to exercise the right. Notice shall be given using the form included in GC Section 66452.12(b).

b. If a rental agreement was negotiated in a language other than English, all required written notices regarding the conversion of residential real property into a community apartment, condominium, planned development, or stock cooperative project shall be issued in that language.

2. Division of Airspace Not Required. A map of a community apartment, condominium, planned development, or stock cooperative project need not show the buildings or the manner in which the buildings or the airspace above the property shown on the map are to be divided. The City does not have the right to refuse approval, of a conversion project (tentative or final map, or parcel map), based upon the manner in which the airspace is divided or any of the provisions listed in GC Section 66472.

3. Limitation on the Number of Rental Housing Units Converted Within a Current Calendar Year. The conversion of rental housing units to a community apartment, condominium, planned development, or stock cooperative, shall not result in the conversion of more than 5 percent of the potentially convertible rental units in the City during any current calendar year.

E. Notice to Tenants.

1. Tenant Notifications. The developer shall notify current and potential tenants according to Paragraph D.1 (Notification and Hearing Requirements) of this Section and the Subdivision Map Act.

2. Tenant Rights.

a. *Tenants Right to Purchase.* As provided in GC Section 66427.1(b), any present tenant or tenants of any housing unit shall be given a nontransferable right of first refusal to purchase the unit occupied at a price no greater than the price offered to the general public. The right of first refusal shall extend for at least 60 days from the date of issuance of the subdivision public report pursuant to BPC Section 11018.2, unless the tenant gives prior written notice of his intent not to exercise the right.

b. *Vacation of Units.* Each tenant that does not purchase a housing unit, and is not in default under the obligations of the rental agreement or lease under which they occupy the unit, shall have no fewer than 180 days from the date of receipt of notification from the owner of their intent to convert, or from the filing date of the final map, whichever date is later, to find substitute housing and to relocate. Tenants shall have the right to terminate leases at any time after receiving the notice.

c. *Increase in Rents.* From the date of submittal of the tentative or vesting tentative map, until the sale of the unit, no tenant's rent shall be increased more frequently than once every 12 months, at a rate no greater than the Consumer Price Index, as compiled by the Federal Bureau of Labor Statistics. This limitation shall not apply if rent increases are provided for in leases or contracts in existence prior to the filing date of the tentative map.

d. *Notice to New Tenants.* After submittal of the application to convert, any prospective tenant shall be notified in writing by the developer of the intent to convert prior to leasing or renting any unit and shall not be subject to the provisions of Subparagraph E.2.c (Increase in Rents) of this Section.

e. *Senior Citizens, the Handicapped, and the Disabled.* The developer shall be required to retain ownership of units occupied at the time of filing of the tentative map by senior citizens (persons 62 years of age or older) or the handicapped (as defined by HSC Section 50072) or the disabled (as defined by 42USC423), for a period of one year from the date of approval by the Approving Authority.

F. Standards for Conversion.

1. Building and Physical Standards.

a. The community apartment, condominium, planned development, or stock cooperative conversion project, and all individual units and common areas contained therein, shall comply with all applicable existing and current development, building (including energy conservation and sound transmission), fire, and subdivision requirements, unless legally nonconforming.

b. The community apartment, condominium, planned development, or stock cooperative conversion project shall comply with all applicable provisions of Ontario Municipal Code Chapter 11 (Security Standards for Building).

c. The consumption of gas, electricity and water within each unit shall be separately metered so that the unit owner can be separately billed for each unit. Each unit shall have its own panel, or access thereto, for all electrical circuits that serve the unit. The requirements of this subsection may be waived where the Approving Authority finds that full compliance with this provision would not be practicable and the developer submits an alternative plan approved by the Approving Authority.

d. The electrical, plumbing, mechanical, fire, and life safety systems of the structure shall be placed in a condition of good repair and maintenance.

e. The buildings and facilities shall be upgraded to meet the requirements of Ontario Municipal Code Title 5, Chapter 29 (Noise). The Approving Authority may require additional insulation or other upgrades to reduce noise to an acceptable level.

f. The developer shall dedicate land or easements for street widening, public access, or other public purposes in connection with the project, where determined necessary by the Approving Authority and in conformance with this Development Code.

g. All on-site and adjacent overhead utility service lines and poles shall be converted to an underground system consistent with the requirements of this Development Code.

h. All main buildings, structures, fences, patio enclosures, carports, irrigation systems, landscaped areas, accessory buildings, sidewalks, driveways and additional elements as required by the Approving Authority shall be refurbished and restored as necessary, to achieve a high quality appearance and safety.

i. If Development Impact Fees have not previously been paid for the affected residential units, the required fees shall be paid prior to the recordation of the final map, or as otherwise required by City ordinance.

j. The developer shall provide each purchaser with a copy of the below-listed items, prior to executing any purchase agreement or other contract to purchase a unit within the project and shall give the purchaser sufficient time to review the information. Copies of the information shall also be made available at all times at the sales office and a notice indicating that the reports and documentation are available shall be posted on the project site, at locations approved by the Planning Director. In addition, copies of the required reports and documentation shall be provided to the Homeowners Association upon its formation.

(1) Reports and documentation required by Paragraph C.2 (Physical Elements Report) of this Section, in their final form as accepted by the City; and

(2) A copy of the covenants, conditions, and restrictions, and a project maintenance plan.

k. Other conditions may be applied as deemed necessary by the Approving Authority to further the intent of this Section.

2. Securities and Penalties. All improvements and alterations required pursuant to this Section and all other applicable requirements of this Development Code, the Ontario Municipal Code, and the conditions of project approval, shall be made prior to the approval of the final map or parcel map, or upon approval of the Planning Director, City Engineer, and Building Official, and a deposit paid to the City pursuant to Division 2.06 (Performance Guarantees), to assure the completion of all required work prior to the closing of escrow on any unit within the project. The deposit shall be accompanied by an agreement by the developer, and owner of the project if different from the developer, in a form to be approved by the city attorney, guaranteeing completion of the work.

G. Findings. The Approving Authority, prior to approving a tentative tract or parcel map, or a Conditional Use Permit, for the conversion of rental housing units to a common interest project, including a community apartment, residential condominium, residential planned development, or residential stock cooperative, shall find and clearly establish the following findings:

1. Not Detrimental. All provisions of this Section have been met and the project will not be detrimental to the health, safety, or welfare of the community;

2. Consistency with The Ontario Plan. The proposed conversion is consistent with the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan;

3. Conformity with Title. The proposed conversion conforms to all applicable requirements of this Development Code; and

4. Housing Diversity. The proposed conversion of rental housing units to a community apartment, condominium, planned development, or stock cooperative, will not have an adverse effect on the diversity of housing types available in the City.

6.08.055: Conversion to a Nonresidential Common Interest Project

This Section shall apply to the conversion of any existing nonresidential real property to a common interest project, such as condominiums or any other similar form of common ownership, except conversion projects for which a final or parcel map has been approved prior to the effective date of this Development Code. All provisions, conditions, and further definitions of condominium development, as included in the California Civil Code, shall apply to the divisions of real property as permitted herein.

A. Purpose. The purpose of this Section is to provide a legal process for the conversion of existing nonresidential buildings to a common interest ownership, such as a condominium, so as to protect both the community and the purchasers of units within a common interest project. This Section provides regulations to ensure adequate and safe building design and maintenance for all industrial and commercial common interest conversions, in order to achieve this goal.

B. Applicability. Any conversion to a nonresidential common interest project shall be subject to all applicable provisions of the Subdivision Map Act (commencing with GC Section 66410), the requirements of this Section, and all other applicable requirements of this Development Code and the Ontario Municipal Code.

C. Application Requirements. A request for the approval of a parcel map for a nonresidential common interest project conversion, shall be accompanied by the following items:

1. Subdivision Application. A subdivision application as required by Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Development Code.

2. Physical Elements Report. A physical elements report shall be submitted for each structure and/or facility, as described in Paragraph C.2 (Physical Elements Report) of Section 6.08.045 (Conversion to a Residential Common Interest Project) of this Division.

3. Notice to Tenants. Proof of all written notices required by the Subdivision Map Act for conversion projects, as listed in Subsection E (Notice to Tenants) of Section 6.08.045 (Conversion to a Residential Common Interest Project) of this Division.

4. Plans and Information. Provide plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to process the conversion, as identified on the applicable City application forms.

5. Proposed Declaration. Provide a copy of the declaration required by CC Section 1353. The declaration shall include an agreement for the creation of an association responsible for common area maintenance, a clear designation of parking and signage rights, and a method for resolving differences.

6. Development Plan Application Required. The developer shall submit a Development Plan application for approval of the conversion pursuant to Section 4.02.030 (Development Plans) of this Development Code.

D. Procedures.

1. Acceptance of Reports. The final form of the reports and other documents required under Subsection C (Application Requirements) of this Section shall be as approved by the City. The reports, in their accepted form, shall remain on file with the City for review by the public. The subdivider shall provide each purchaser with a copy of the reports in their final, accepted form.

2. Inspection. In conjunction with the filing of a nonresidential common interest project conversion request, the subdivider shall request that an inspection of the premises be made by the Building Official and the City Engineer. The inspection shall include structures, common areas, site improvements, public improvements, and all other related facilities. A deficiency list shall be compiled during the inspection, which lists all necessary corrections required to conform to the requirements of this Section and all other applicable codes and ordinances.

3. Corrective Work. Upon completion of the inspection required pursuant to Paragraph D.2 (Inspection), above, a copy of the deficiency list shall be transmitted to the subdivider. All deficiencies shall be corrected to the satisfaction of the City prior to filing a final map or parcel map. When plans for corrective work are required, they shall be as approved by the appropriate city official, prior to the filing of the final map or parcel map.

4. Payment of Inspection Fees. The City shall charge the usual fees, if applicable, or an hourly fee for the inspection and processing according to an estimated actual hourly cost to the city. The owner shall post a cash deposit in an amount equal to the estimated cost of inspection. The deposit will be applied toward the inspection fee, with any refund or balance due to be resolved before the approval of the final map by the Approving Authority. Any unpaid balances shall be paid prior to recordation of the final map.

E. Standards for Conversion.

1. Building and Physical Standards.

a. Building Regulations. The project shall conform to the applicable standards of the City's Building Code that was in effect at the time the last building permit was issued for the affected structures.

b. Fire Prevention. Each unit shall be provided with a fire-warning system conforming to the City's Building Code. All fire hydrants, fire alarm systems, portable fire extinguishers and other fire protective appliances shall be retained in an operable condition at all times.

c. Sound Transmission.

(1) *Vibration Transmission.* All permanent mechanical equipment, such as motors, compressors, pumps, compactors, or any item determined by the Building Official to be a source of structural vibration or structural-borne noise shall be vibration-isolated with inertia blocks or bases, or vibration isolator springs, in a manner approved by the Building Official.

(2) *Noise Standards.* The structures shall conform to all interior and exterior sound transmission standards of CCR Title 24, the City's Building Code, and the requirements of Ontario Municipal Code Chapter 29 (Noise). The Approving Authority may require additional insulation or other upgrades to reduce noise to an acceptable level.

d. Utility Metering. Each unit shall be separately metered for gas, electricity and water, unless the covenants, conditions, and restrictions provide for the property owner association to take responsibility for these utilities.

e. Landscape Maintenance. All landscaping shall be restored, or new landscaping shall be installed, to achieve a high degree of appearance and quality pursuant to Division 6.05 (Landscaping) of this Development Code. Provisions shall be made within the declaration required pursuant to Paragraph C.5 (Proposed Declaration) of this Section, for continuing maintenance of all landscaped areas. Existing landscaping is subject to review and approval by the Approving Authority. If new landscaping is proposed, the design of all landscaping is subject to review and approval by the City.

f. Off-Street Parking and Loading. Off-street parking and loading shall be provided pursuant to the requirements of Division 6.03 (Off-Street Parking and Loading) this Development Code, for allowed commercial and industrial land uses, as applicable.

g. Refurbishing and Restoration of Improvements. Each main building, structure, fence, accessory building, sidewalk, driveway, landscaped area, utilities, and additional element as required by the department shall be refurbished and restored as necessary to achieve a high degree of appearance, quality and safety. The refurbishing and restoration is subject to review and approval by the department.

h. Building Security Standards. Each unit shall comply with all applicable provisions of Ontario Municipal Code Chapter 11 (Security Standards for Building).

i. Dedication of Land and Easements. The developer shall dedicate land or easements for street widening, public access, or other public purposes in connection with the project, where determined necessary by the Approving Authority, and in conformance with this Development Code.

j. Undergrounding of Overhead Utilities. All on-site and adjacent overhead utility service lines and poles shall be converted to an underground system consistent with the requirements of this Development Code.

k. Copies of Reports and Documentation to be Provided to New Property Owners. The developer shall provide each purchaser with a copy of the below-listed items, prior to executing any purchase agreement or other contract to purchase a unit within the project and shall give the purchaser sufficient time to review the information. In addition, copies of the required reports and documentation shall be provided to the Property Owner Association upon its formation.

(1) Reports and documentation required by Paragraph C.2 (Physical Elements Report) of this Section, in their final form as accepted by the City; and

(2) A copy of the covenants, conditions, and restrictions.

l. Additional Conditions. Additional conditions may be applied as deemed necessary by the Approving Authority to further the intent of this Section.

2. Securities and Penalties. All improvements and alterations required pursuant to this Section and all other applicable requirements of this Development Code, the Ontario Municipal Code, and the conditions of project approval, shall be made prior to the approval of the final

map or parcel map, or upon approval of the Planning Director, City Engineer, and Building Official, and a deposit paid to the City pursuant to Division 2.06 (Performance Guarantees), to assure the completion of all required work prior to the closing of escrow on any unit within the project. The deposit shall be accompanied by an agreement by the developer, and owner of the project if different from the developer, in a form to be approved by the city attorney, guaranteeing completion of the work.

F. **Findings.** The Approving Authority may not approve a request for a conversion to an industrial or commercial common interest project, unless it finds and clearly establishes that the proposed conversion conforms to the requirements of this Section, and is consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and all other applicable requirements of this Development Code and the Ontario Municipal Code.

6.08.060: Urban Lot Splits

A. **Purpose.** The purpose of this Section is to allow and appropriately regulate Urban Lot Splits pursuant to GC Section 66411.7.

B. **Definition**. For the purposes of this Section, the term "Urban Lot Split" shall mean the subdivision of an existing, legally subdivided lot into two lots pursuant to the requirements of this Section.

C. **Application**.

1. Only individual property owners may apply for an Urban Lot Split. "Individual property owner" means a natural person holding fee title individually or jointly in the person's own name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, LP, LLC, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Section 214.15).

2. An application for an Urban Lot Split shall be submitted on a City application form. Only a complete application will be considered. The City will inform the applicant in writing of any incompleteness within 30 days following application submittal.

3. The City may establish a fee to recover its costs for adopting, implementing, and enforcing this Section of the Development Code, pursuant to applicable law. The City council may establish and change the fee by resolution. The fee shall be paid with the application.

D. **Approval**.

1. An application for a parcel map for an Urban Lot Split is approved or denied ministerially, by the City Engineer, without discretionary review.

2. A tentative parcel map for an Urban Lot Split shall be approved ministerially if it complies with all the requirements of this Section. The tentative parcel map may not be recorded. A final parcel map shall be approved ministerially as well, but not until the owner demonstrates that all required documents have been recorded, such as the deed restriction and easements. The tentative parcel map shall expire 3 months following approval.

3. The approval shall require the owner and applicant to hold the City of Ontario harmless from all claims and damages related to the approval and its subject matter.

4. The approval shall require the owner and applicant to reimburse the City for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this Development Code.

E. Requirements. An Urban Lot Split shall satisfy each of the following requirements:

1. Subdivision Map Act Compliance.

a. The Urban Lot Split shall conform to all applicable objective requirements of the Subdivision Map Act (GC Section 66410 et seq., "SMA"), including implementing requirements in this Development Code, except as otherwise expressly provided in this Section.

b. If an Urban Lot Split violates any part of the SMA, the City's subdivision regulations, including this Section, or any other legal requirement:

(1) The buyer or grantee of a lot that is created by the Urban Lot Split has all the remedies available under the SMA, including but not limited to an action for damages or to void the deed, sale, or contract.

(2) The City has all the remedies available to it under the SMA, including but not limited to the following:

(a) An action to enjoin any attempt to sell, lease, or finance the property.

(b) An action for other legal, equitable, or summary remedy, such as declaratory and injunctive relief.

(c) Criminal prosecution, punishable by imprisonment in county jail or state prison for up to one year, by a fine of up to $10,000, or both, or a misdemeanor.

(d) Record a notice of violation.

(e) Withhold any or all future permits and approvals.

c. Notwithstanding Section 66411.1 of the SMA, no dedication of rights-of-way or construction of offsite improvements is required for an Urban Lot Split.

2. Zoning District. The lot to be split is in a single-family residential zoning district. For purposes of this Section, the term "single-family residential zoning district" shall mean the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district.

3. Lot Location. Pursuant to the GC Section 65913.4(a)(6)(B) through (K), the lot to be split shall not be located on a site that is any of the following:

a. Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters.

b. A wetland.

c. Within a very high fire hazard severity zone, unless the site complies with all fire-hazard mitigation measures required by existing building standards.

d. A hazardous waste site that has not been cleared for residential use.

e. Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection building code standards.

f. Within a 100-year flood hazard area, unless the site has either:

(1) Been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction; or

(2) Meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.

g. Within a regulatory floodway, unless all development on the site has received a no-rise certification.

h. Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.

i. Habitat for protected species.

j. Land under conservation easement.

4. Not Historic. The lot to be split shall not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a city or county landmark or as a historic property or district.

5. No Prior Urban Lot Split.

a. The lot to be split was not established through a prior Urban Lot Split.

b. The lot to be split is not adjacent to any lot that was established through a prior Urban Lot Split by the owner of the lot to be split or by any person acting in concert with the owner. For the purposes of this Section, the term "any person acting in concert with the owner" shall include any third-party that coordinates or assists the owners of two adjacent lots with their respective Urban Lot Splits.

6. No Impact on Protected Housing. The Urban Lot Split shall not require or include the demolition or alteration of any of the following types of housing:

a. Housing that is income-restricted for households of moderate, low, or very low income.

b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its policy power.

c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (GC Sections 7060–7060.7) at any time in the 15 years prior to submission of the Urban Lot Split application.

d. Housing that has been occupied by a tenant in the last 3 years. The applicant and the owner of a property for which an Urban Lot Split is sought shall provide a sworn statement as to this fact with the application for the tentative parcel map. The City may conduct its own inquiries and investigation to ascertain the veracity of the sworn statement, including but not limited to, surveying owners of nearby properties; and the City may require additional evidence of the applicant and owner as necessary to determine compliance with this requirement.

7. Lot Size.

a. The lot to be split shall be at least 2,400 SF.

b. Each lot created by an Urban Lot Split shall be at least 1,200 SF.

c. Each lot created by an Urban Lot Split shall be between 60 percent and 40 percent of the original lot area.

8. Easements.

a. The owner shall enter into an easement agreement with each public-service provider to establish easements that are sufficient for the provision of public services and facilities to each of the resulting lots.

b. Each easement shall be shown on the parcel map.

c. Copies of the unrecorded easement agreements shall be submitted with the application. The easement agreements shall be recorded against the property before the final parcel map may be approved pursuant to subpart D.2 above.

9. Lot Access.

a. Each lot created by an Urban Lot Split shall adjoin a public street right-of-way.

b. Each lot created by an Urban Lot Split shall have frontage on the public street right-of-way of at least 20 FT.

10. Unit Standards.

a. *Quantity*. No more than two dwelling units of any kind may be built on a lot that results from an Urban Lot Split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created pursuant to State law and Section 5.03.403 (Two-Unit Projects) of this Development Code, or an ADU or JADU created pursuant to Section 5.03.010 (Accessory Dwelling Unit) of this Development Code.

b. *Unit Size*.

(1) The total floor area of each primary dwelling that is developed on a lot resulting from an Urban Lot Split shall be a minimum of 500 SF in area and a maximum of 800 SF in area.

(2) A primary dwelling that was legally established prior to the Urban Lot Split and that is larger than 800 SF is limited to the lawful floor area at the time of the Urban Lot Split and shall not be expanded.

(3) A primary dwelling that was legally established prior to the Urban Lot Split and is smaller than 800 SF may be expanded to a maximum of 800 SF after the Urban Lot Split.

c. *Height Restrictions*.

(1) On a resulting lot that is 2,000 SF or larger, no new primary dwelling unit may exceed one-story or 16 FT in height, measured from grade to peak of the structure.

(2) On a resulting lot that is smaller than 2,000 SF, no new primary dwelling unit may exceed two-stories or 22 FT in height, measured from grade to peak of the structure. Any portion of a new primary dwelling that exceeds one story in height shall be stepped back by an additional 5 FT from the ground floor; no balcony deck or other portion of the second story may project into the stepback.

(3) No rooftop deck is permitted on any new or remodeled dwelling or structure on a lot resulting from an Urban Lot Split.

d. *Lot Coverage*. Maximum lot coverage shall conform to the requirement of the underlying zoning district. This lot coverage standard is only enforced to the extent that it does not prevent two primary dwelling units on the lot at 800 SF each.

e. *Setback Requirements*.

(1) **Generally**. All setbacks shall conform to the minimum requirements of the underlying zoning district.

(2) **Exceptions**. Notwithstanding subpart E.10.e above:

(a) Existing Structures. No setback is required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.

(b) Cannot Preclude Construction of Two 800-SF Units and 4-FT Side/Rear Setbacks. The setbacks imposed by the underlying zoning district shall yield to the degree necessary to avoid physically precluding the construction of up to two units on the lot or either of the two units from being at least 800 SF in floor area; but in no event may any structure be less than 4 FT from a side or rear property line.

(3) **Front Setback Area**. Notwithstanding any other part of this Development Code, dwellings that are constructed after an Urban Lot Split shall conform to the front setback requirement of the underlying zoning district. The front setback area shall:

(a) Be kept free from all structures greater than 3 FT high; and

(b) Allow for vehicular and fire-safety access to the front structure.

f. *Parking*. Each new primary dwelling unit shall have at least one off-street parking space per unit within a fully enclosed garage having a minimum interior clear area measuring 10 FT in width and 20 FT in length, unless one of the following applies:

(1) The lot is located within one-half mile walking distance of either:

(a) A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours or

(b) A site that contains:

(i) An existing rail or bus rapid transit station,

(ii) A ferry terminal served by either a bus or rail transit service, or

(iii) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

(2) The site is located within one-block of a permanently established car-share vehicle pickup/drop-off location.

g. *Architecture*.

(1) If there is a legal primary dwelling on the lot that was established before the Urban Lot Split, any new primary dwelling unit shall match the existing primary dwelling unit with respect to exterior materials, finishes, color, and dominant roof pitch. The dominant roof pitch means the slope shared by the largest portion of the roof.

(2) If there is no legal primary dwelling on the lot before the Urban Lot Split, and if two primary dwellings are developed on the lot, the dwellings shall match each other with respect to exterior materials, finishes, color, and dominant roof pitch. The dominant roof pitch means the slope shared by the largest portion of the roof.

(3) All exterior lighting shall be limited to down-lights.

(4) No window or door of a dwelling that is constructed on the lot may have a direct line of sight to an adjoining residential property. Decorative masonry block walls, dense landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.

(5) If a dwelling is constructed on a lot after an Urban Lot Split and any portion of the dwelling is less than 30 FT from a property line that is not a public street right-of-way line, then all windows and doors in that portion shall either be (for windows) clerestory with the bottom of the glass at least 6 FT above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.

h. *Walls, Fences, and Obstructions*.

(1) Lots created as a result of an Urban Lot Split shall be provided with 6-FT high decorative masonry block walls (reduced to 3 FT in height within front setback areas) at the following locations:

(a) Interior side and rear lot lines of each lot; and

(b) Street side property lines and along the rear property line of through lots, setback a minimum of 5 FT behind the sidewalk.

(2) The construction and maintenance of walls, fences, and other obstructions shall comply with the requirements of Division 6.02 (Walls, Fences, and Obstructions) of this Chapter.

i. *Landscaping*. Lots created as a result of an Urban Lot Split shall be fully landscaped and provided with a permanent automatic irrigation system pursuant to the requirements Division 6.05 (Landscaping) of this Chapter.

j. *Nonconforming Conditions*. An Urban Lot Split may be approved without requiring a legal nonconforming zoning condition to be corrected.

k. *Utilities*.

(1) Each primary dwelling unit on the resulting lots shall have its own direct utility connection to the utility service provider.

(2) Each primary dwelling unit on the resulting lots that is or that is proposed to be connected to an onsite wastewater treatment system shall first have a percolation test completed within the last 5 years or, if the percolation test has been recertified, within the last 10 years.

l. *Building and Safety*. An Urban Lot Split is a change of use. All structures built on a lot resulting from an Urban Lot Split shall comply with all current local building standards.

11. Fire-Hazard Mitigation Measures.

a. A lot in a very high fire hazard severity zone shall comply with each of the following fire-hazard mitigation measures:

(1) It shall have direct access to a public street right-of-way with a paved street with a width of at least 40 FT. The public street right-of-way shall have at least two independent points of access for fire and life safety to access and for residents to evacuate.

(2) All dwellings on the site shall comply with current Fire Code requirements for dwellings in a very high fire hazard severity zone.

(3) All enclosed structures on the site shall have fire sprinklers.

(4) All sides of all dwellings on the site shall be within a 150-FT hose-pull distance from either the public street right-of-way or of an onsite fire hydrant or standpipe.

(5) If the lot does not have a swimming pool, the lot shall have a water reservoir of at least 5,000 gallons per dwelling, with fire-authority approved hookups compatible with fire-authority standard pump and hose equipment.

b. Prior to submitting an application for an Urban Lot Split, the applicant shall obtain a certificate of compliance with all applicable fire-hazard mitigation measures pursuant to this subpart E.11. The City or its authorized agent shall inspect the site, including all structures on the site, and certify as to its compliance. The certificate shall be included with the application. The applicant shall pay the City's costs for inspection. Failure to pay is grounds for denying the application.

12. Separate Conveyance.

a. On a lot created by an Urban Lot Split:

(1) Primary dwelling units cannot be owned or conveyed separately from each other.

(2) Condominium airspace divisions and common interest developments are prohibited.

(3) All fee interest in a lot and all dwellings on the lot shall be held equally and undivided by all individual property owners.

(4) Separate conveyance of lots created by an Urban Lot Split is permitted. If dwellings or other structures (such as garages) on different lots are adjacent or attached to each other, the Urban Lot Split boundary may separate them for conveyance purposes if the structures meet Building Code safety standards and are sufficient to allow separate conveyance. If any attached structures span or will span the new lot line, the owner shall record appropriate CC&Rs, easements, or other documentation that is necessary to allocate rights and responsibility between the owners of the two lots.

13. Regulation of Uses.

a. *Residential-Only*. Nonresidential land uses shall be prohibited on any lot created by Urban Lot Split.

b. *No Short Term Rentals*. No dwelling unit on a lot that is created by an Urban Lot Split may be rented for a period of less than 30 days.

c. *Owner Occupancy*. The applicant for an Urban Lot Split shall sign an affidavit stating that the applicant intends to occupy one of the dwelling units on one of the resulting lots as the applicant's principal residence for a minimum of 3 years after the Urban Lot Split is approved.

14. Notice of Construction.

a. At least 30 business days prior to the starting any construction of a structure on a lot created by an Urban Lot Split, the property owner shall give written notice to all the owners of record of each of the adjacent residential parcels, which notice shall include the following information:

(1) Notice that construction has been authorized,

(2) The anticipated start and end dates for construction,

(3) The hours of construction,

(4) Contact information for the project manager (for construction-related complaints), and

(5) Contact information for the Building & Safety Department.

b. This notice requirement does not confer a right on the noticed persons or on anyone else to comment on the project before permits are issued. The approval of an Urban Lot Split is ministerial and under state law, the City has no discretion in approving or denying a particular project under this Section. This notice requirement is purely to promote neighborhood awareness and expectation.

15. Deed Restriction. The owner shall record a deed restriction, acceptable to the City, that does each of the following:

a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.

b. Expressly prohibits any nonresidential land use of Urban Lot Split.

c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest development within the lot.

d. States that the property is formed by an Urban Lot Split and is, therefore, subject to the City's Urban Lot Split regulations, including all applicable limits on dwelling size and development.

F. Specific Adverse Impacts.

1. Notwithstanding anything else in this Section, the City may deny an application for an Urban Lot Split if the building official makes a written finding, based on a preponderance of the evidence, that the project would have a "specific, adverse impact" on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

2. The term "specific adverse impact" has the same meaning as in GC Section 65589.5(d)(2): "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" and does not include (1) inconsistency with the zoning ordinance or general plan land use designation or (2) the eligibility to claim a welfare exemption under Revenue and Taxation Code Section 214(g).

3. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.

Division 6.09—Reserved

**********Reserved for Future Use**********

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Division 6.10—Reserved

**********Reserved for Future Use**********

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Division 6.11—Shopping Cart Retention and Storage

Sections:

6.11.000: Purpose
6.11.005: Applicability
6.11.010: Definitions
6.11.015: Exemption
6.11.020: Mandatory Shopping Cart Retention Plan
6.11.025: Shopping Cart Retention Plan Timeline and Approval Process
6.11.030: Penalties for Failing to Submit a Shopping Cart Retention Plan
6.11.035: Notification for Retrieval of Abandoned Carts
6.11.040: Administrative Costs and Fines
6.11.045: Disposition of Carts after 30 Days
6.11.050: Unmarked Shopping Carts: Public Nuisance
6.11.055: Unmarked Shopping Carts: Destruction
6.11.060: Shopping Cart Collection and Storage Facilities

6.11.000: Purpose

Abandoned shopping carts constitute a nuisance, create potential hazards to the health and safety of the public, and interfere with pedestrian and vehicular traffic within the City. The accumulation of wrecked, dismantled, and abandoned shopping carts on public or private property also tends to create conditions that reduce property values, promoting blight and deterioration in the City. The purpose of this Division is to provide regulations pertaining to abandoned shopping carts, unmarked shopping carts, provide a requirement for a mandatory plan to prevent cart removal, and provide adequate facilities for on-site cart storage.

6.11.005: Applicability

Any business establishment in the City that provides shopping carts for use by their patrons shall develop and implement a Shopping Cart Retention Plan, which is intended to prevent customers from removing carts from their business premises and provide appropriate cart storage areas pursuant to this Division. The Shopping Cart Retention Plan shall be reviewed and approved by the Planning Director pursuant to the procedures established for ministerial permits and decisions contained in Subsection 2.02.015.C (Ministerial Permits and Decisions) of this Development Code.

6.11.010: Definitions

As used in this Division, unless otherwise apparent from the context, the words, terms, and phrases listed below, shall have the following meaning:

A. **Abandoned Cart.** Any cart that has been removed without written permission of the owner, or on-duty manager from the premises of the business establishment, regardless of whether it has been left on either private or public property. This provision shall not apply to carts that are removed for the purpose of repair or maintenance.

B. **Cart.** A basket that is mounted on wheels or similar devise provided by a business establishment for use by a customer for the purpose of transporting goods of any kind, including, but not limited to, grocery store shopping carts.

C. **Owner.** Any person or entity, who in connection with the conduct of a business, owns, possesses, or makes any cart available to customers or the public. For the purposes of this Division, "owner" shall also include the owner's on-site or designated agent or retailer that provides the carts for use by its customers.

D. **Premises.** The entire area owned and utilized by the business establishment that provides carts for use by customers, including any parking lot or other property provided by the owner for customer parking.

E. **Unmarked Cart.** Any cart as defined by this Division that is not identified and marked pursuant to PC Section 22435.1.

6.11.015: Exemption

Any owner that agrees to enter into a contract with a City-designated retrieval service to provide for retrieval of abandoned carts, or, individually or as part of a consortium of businesses, enters into a retrieval contract with a retrieval service that is satisfactory to the City, shall be exempt from Section 6.11.025 (Prevention Plan Timeline and Approval Process), Section 6.11.030 (Penalties for Failing to Submit a Shopping Cart Retention Plan), and Section 6.11.035 (Notification for Retrieval of Abandoned Carts), below.

6.11.020: Mandatory Shopping Cart Retention Plan

Every business owner shall develop and implement a Shopping Cart Retention Plan for all businesses that utilize shopping carts for use by business patrons, to prevent customers from removing carts from the business premises. Every Shopping Cart Retention Plan shall include the following elements:

A. **Required Signs on Carts.** Every cart owned or provided by any business establishment in the City shall have a sign permanently affixed to it that contains all of the following information:

1. Identifies the owner of the cart or the name of the business establishment, or both;

2. Notifies the public of the procedure to be utilized for authorized removal of the cart from the business premises;

3. Notifies the public that the unauthorized removal of the cart from the premises or parking area of the retail establishment, or the unauthorized possession of the cart, is a violation of State law; and

4. Lists a valid telephone number to contact to report the location of the abandoned cart or lists an address for returning the cart to the owner or business establishment.

B. **Required Signs on Property.** Signs shall be placed in pertinent places near door exits and near parking lot exists that notify customers that cart removal is prohibited and constitutes a violation of State and local law.

C. Physical Measures.

1. New development, an increase of more than 10 percent in GFA, or the major alteration or remodel of any building occupied by, or proposed to be occupied by, retail commercial uses providing 10 or more shopping carts for use by business patrons, shall install and maintain in good working order, an electronic barrier system at the perimeter of the business site, which, when crossed by a shopping cart, will disable the cart, thereby preventing its removal from the site. Alternate cart retention methods that would achieve the same outcome may be considered by the Planning Director.

2. New and existing businesses providing less than 10 shopping carts for use by patrons, may be required to implement specific physical measures to prevent shopping cart removal from the business premises. These measures may include one or more of the following:

a. Installation of disabling devices on all carts;

b. Posting of a security guard to deter and stop customers who attempt to remove carts from the premises;

c. A decorative bollard and chain system or decorative fencing installed around the business premises to prevent cart removal;

d. Security deposits required for the use of all carts; and/or

e. The rental or sale of carts that can be temporarily or permanently used for the transport of purchases.

6.11.025: Shopping Cart Retention Plan Timeline and Approval Process

The Shopping Cart Retention Plan shall be submitted for approval by the City within 60 days after adoption of this Division, and each time the plan is proposed to be amended. If a new Plan is submitted, the proposed measures shall be implemented no later than 30 days after City approval is given. The prevention measures shall be continued until and unless the City indicates that measures need to be modified. Unless otherwise agreed, any modifications to the Plan imposed by the City shall be implemented within 30 days after the City notifies the retailer of the needed modifications.

6.11.030: Penalties for Failing to Submit a Shopping Cart Retention Plan

Any owner that fails to submit a Shopping Cart Retention Plan, implement the proposed Plan measures, or implement any required modifications to the Plan by the City within the periods specified in this Division, shall be subject to a $1,000 civil penalty, plus an additional penalty of $50 for each day of noncompliance.

6.11.035: Notification for Retrieval of Abandoned Carts

Pursuant to BPC Section 22435.7, the City shall notify the owner of any abandoned carts owned or used by the business establishment that have been located within the City within 24 hours of impoundment. The owner shall have 3 business days from the date that notification is given to retrieve carts from the City.

6.11.040: Administrative Costs and Fines

Pursuant to BPC Section 22435.7, any owner that fails to retrieve its abandoned cart(s) within 3 business days after receiving notice from the City, shall pay the City's administrative costs for retrieving the cart(s) and providing the notification to the owner. Any owner who fails to retrieve abandoned carts in accordance with this Division in excess of 3 times during a 6-month period shall be subject to a $50 fine for each occurrence. An occurrence includes all carts owned by the owner that are impounded by the City in a one-day period.

6.11.045: Disposition of Carts after 30 Days

Pursuant to State law, any cart not reclaimed from the City within 30 days after notification to the owner, shall be sold or otherwise disposed of by the City.

6.11.050: Unmarked Shopping Carts: Public Nuisance

Any unmarked shopping cart is hereby declared a public nuisance if:

A. It is left unattended on a public right-of-way or other public property;

B. It is left unattended on any private property at a location that will impede emergency services;

C. It is left unattended on the front or side setback of any private property without the owner's or occupant's permission; or

D. It is left on private property where it may be viewed from the public right-of-way or adjacent properties for more than 24 hours after the occupant, if any, and the owner of the property has received written notice which states that if the shopping cart is not removed from public view, it will be impounded by the City and may be sold or otherwise disposed of by the City.

6.11.055: Unmarked Shopping Carts: Destruction

Any carts found to be unmarked as defined by this Division, and has been impounded by the City, shall be destroyed without any further notice other than as specified in Subsection 6.11.050.D of this Division.

6.11.060: Shopping Cart Collection and Storage Facilities

Shopping cart storage facilities shall be provided for commercial-retail uses, including, but not limited to, automotive parts and supplies, food and beverage stores, health and personal care stores, general merchandise stores, and other miscellaneous retail stores, for 3 separate and distinct purposes: [1] the overnight or long-term storage of shopping carts; [2] the distribution of shopping carts to patrons as they enter the business; and [3] stations for the collection and storage of shopping carts within off-street parking facilities.

A. The Overnight or Long-Term Storage of Shopping Carts.

1. Facilities for the overnight or long-term storage of shopping carts shall be located within the building of the business they serve, or outside, within screened areas. Outside overnight shopping cart storage areas shall be screened and secured by a minimum 3-FT high decorative masonry wall, with a decorative cap, in combination with landscaping. The wall shall be designed to be architecturally consistent with the design of the adjacent building(s).

2. The minimum size, design, and location of overnight shopping cart storage areas shall be subject to Planning Director approval.

B. Stations for the Collection and Storage of Shopping Carts within Off-Street Parking Facilities (Shopping Cart Corrals). Shopping cart corrals shall be provided within off-street parking facilities and shall be distributed throughout parking lots for convenient access by business patrons.

1. At a minimum, shopping cart corrals shall be defined by a landscaped planter on at least two opposing perimeter sides, minimum 3 FT in width, bordered by a raised 6-inch concrete curb, which shall be planted and maintained with a hedgerow that will be allowed to grow to a minimum height of 3 FT for the purpose of screening shopping carts. The paving at the corral entrance shall be slightly raised to keep shopping carts confined within the corral. Within the required planter area, the construction of a 3-FT high decorative masonry wall with a decorative cap is encouraged, to provide further screening. The use of pipe corrals shall not be permitted.

2. Shopping cart corrals shall be distributed throughout the off-street parking area. The minimum number, dimensions, and locations of shopping cart corrals shall be determined by the Planning Director.

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Chapter 8.0:
Sign Regulations

Division 8.01—Sign Regulations

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Division 8.01—Sign Regulations

Sections:

8.01.000: Purpose
8.01.005: Applicability
8.01.010: Exempt Signs
8.01.015: Prohibited Signs
8.01.020: Sign Standards
8.01.025: Design Guidelines

8.01.000: Purpose

A. The regulations set forth by this Division contain the primary tools for implementing the sign policies, standards, and regulations of the City pursuant to the provisions of the State Outdoor Advertising Act (BPC Section 5200 et seq.), and other applicable state and local requirements, and prescribe standards for the type, placement, size, number, height, and illumination of signs in order to achieve the following purposes:

1. Maintain the attractiveness and orderliness of the City's appearance by avoiding sign clutter;

2. Protect agricultural, residential, commercial, industrial, civic, open space and utilities, from the loss of visual prominence resulting from excessive signing on nearby sites;

3. Protect public and private investment in buildings and open spaces;

4. Protect residentially zoned areas lying adjacent to commercial and industrial areas from the negative effects of excessive signs;

5. Enable users of goods and services to identify establishments offering services to meet their needs;

6. Encourage sound signing practices as an aid to business and inform the public, but to prevent excessive and confusing sign displays;

7. Regulate the number, size, height, and location of signs according to standards consistent with the types of establishments in each zoning district;

8. Promote traffic safety through appropriate and reasonable controls on signs;

9. Promote the public health, safety, and welfare by regulating and controlling all matters relating to signs; and

10. Protect the health, safety, and welfare of City residents from hazards resulting from improper, excessive, distracting and otherwise unsafe signage.

B. It is the determination of the City Council that a sign is intended to serve primarily to identify the general nature of an establishment, or to direct attention to a product, activity, place, person, organization or enterprise. The City Council further determines that as identification devices, signs should not subject the citizenry to excessive competition for their visual attention, and as

appropriate identification devices, signs should harmonize with the building or activity they serve, the neighborhood in which they are located, and other signs within the surrounding area and in the same zoning district.

C. The installation of signs that improve the appearance of a building and neighborhood is encouraged. As such, The City Council hereby promotes the use of artistry and innovation in the design of signs is decidedly encouraged.

8.01.005: Applicability

A. No sign, including copy change or a temporary sign, shall be approved and a permit therefore issued, except in conformance with the requirements of Table 2.02-1 (Review Matrix) and Section 4.03.020 (Sign Plans) of this Development Code, and the requirements of this Division.

B. No sign shall be erected, constructed, attached, affixed, or maintained on any property, except in conformity with the provisions of this Division, and expressly exempted by the provisions of Section 8.01.010 (Exempt Signs) of this Division.

C. It shall be illegal to use, occupy, or maintain property in violation of this Division. Any violation or failure to comply with the provisions of this Division shall render a person guilty of such violation, punishable in accordance with OMC Title 1, Chapter 2 (Penalty Provisions).

8.01.010: Exempt Signs

No sign, including copy change or a temporary sign, shall be placed, installed, constructed, displayed, or altered without a Sign Plan approved by the City pursuant to Section 4.03.020 (Sign Plans) of this Development Code, excepting the following:

A. **Official Notices.** Any sign, posting, notice or other indication used exclusively to display official notices, notices of any court or public office, or posted by a public officer in the performance of a public duty, or required by a public entity in carrying out its responsibility to protect the public health, safety or welfare, or otherwise required by law.

B. **Street and Traffic Control Signs.** Street name and traffic control signs, directional signs, informational signs of a public or semi-public nature, historical markers placed by a governmental or non-profit organization, and railroad crossing, danger, or other emergency warning signs, provided that no individual sign exceeds 4 SF in area.

C. **Directional Signs.** Signs guiding and directing traffic in parking lots and facilities, provided that no individual signs exceed 4 SF in area and 4 FT in height.

D. **Public Convenience Signs.** Signs showing the location of public restrooms, telephones, other public conveniences, and underground utilities, provided no individual sign exceeds 2 SF in area.

E. **Business Hours, Emergency Phone Numbers, Honoring Credit Cards, and Association Membership Signs.** Signs indicating business hours, emergency phone numbers, honoring credit cards, association memberships and similar types of sign, provided no individual sign exceeds one SF in area and the total area of all such signs does not exceed 4 SF.

F. **Interior Signs.** Signs located entirely within a building, structure or complex of buildings, which are not visible from a public street or from other adjacent properties.

G. **Menu Boards for Drive-In, Drive-Through, and Walk-Up Restaurants.** Menu boards not exceeding 36 SF in area and 6 FT in height for drive-in, drive-through, and walk-up restaurants, not to exceed 2 menu boards per restaurant.

H. **Building Plaques.** The names of buildings and dates of erection and dedicatory, memorial or historical plaques not exceeding 4 SF in area, which are constructed of bronze or other nonflammable material.

I. **Political Signs.** Political campaign signs installed pursuant to Subsection 8.01.025.J (Political Signs) of this Division.

J. **Posters and Bulletin Boards.** Temporary posters on private property, not exceeding 4 SF in area, which are located in windows or on bulletin boards, advertising benefit activities and events sponsored by local nonprofit organizations.

K. **Holiday Lights and Displays.** Holiday lights and displays that do not advertise any business establishment, product, or other commercial activity, limited to 30 days within any 60-day period.

L. **Real Estate and Construction Signs.** Temporary real estate and construction signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

M. **Home Occupation Signs.** Signs attached to the exterior wall of a dwelling, at or near the building entrance, which identify a legally established home occupation conducted therein, not to exceed one sign per dwelling, maximum 18 inches square in size, and mounted at eye level, no higher than 6 FT above finished floor of the dwelling, measured at the top edge of the sign.

8.01.015: Prohibited Signs

The following signs and circumstances are expressly prohibited within the City, except as otherwise provided by this Division:

A. Any sign not specifically allowed by this Division; however, nothing in this Division shall be construed to prohibit any sign, notice, or advertisement required by Federal, State, or local laws.

B. Billboards, including vehicle-mounted billboards (roving or stationary), excepting **[i]** billboards established pursuant to a Billboard Relocation Agreement, implemented pursuant to Section 4.02.010 (Billboard Relocation Agreements); and **[ii]** billboards located within the ONT zoning district, established pursuant to the requirements of Table 8.01-1 (Sign Regulations Matrix) of this Development Code.

C. Rotating, revolving, or otherwise moving signs designed to attract attention by visual means through the movement or semblance of movement of the whole or any part of the sign, including rotation, special lighting or wind actuated devices, and signs that flash, blink or reflect light by means of a glossy, polished, or mirrored surface, excepting barber poles, time and temperature signs, and electronic message displays allowed pursuant to Paragraph C.3 (Electronic Message Displays) of this Section.

D. Searchlights, open flames, or loudspeakers used to call attention to a product, service or property.

E. Signs that float in the air, such as signs affixed to, or printed on, hot air balloons, helium balloons, or kites, inflated signs, and any other type of aerial sign, except as temporary signs or displays allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

F. Banner signs, except as temporary promotional or special event signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

G. Signs that emit or amplify any sounds or noise.

H. Signs illuminated by lighting that changes in color or intensity of color, excepting electronic message displays allowed pursuant to Paragraph C.3 (Electronic Message Displays) of this Section.

I. Signs that generate particulate matter, including but not limited to, bubbles, smoke, fog, confetti or ashes.

J. Swooper signs, except as temporary promotional or special event signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

K. Signs placed on, affixed to, or erected on or over public rights-of-way, excepting street banners allowed pursuant to Subsection 8.01.025.G (Street Banner Program and Street Banners) of this Division.

L. Signs that identify or advertise a product or service not available on the premises, excepting offsite real estate signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

M. Signs erected on roofs, or that project above the eave, parapet line or roofline, or above a canopy of a building.

N. Internally illuminated signs with a directly exposed source of light.

O. Lit borders consisting of neon or LED fixtures, which are affixed around the interior or exterior perimeter of windows, excepting holiday and/or seasonal lights and displays allowed pursuant to Subsection 8.01.010.K of this Division.

P. Externally illuminated signs where the source of light is directly visible to pedestrians or vehicular traffic.

Q. Signs that emit or reflect light by means of direct fluorescence, phosphorescence, or "day-glow" colors.

R. Signs that obstruct the visual lines of sight at corners or intersections for drivers of motor vehicles.

S. Signs that may obstruct the free use of any exit, entrance, window, vent, emergency access, fire lane, fire hydrant, or standpipe.

T. Signs that may interfere with, obstruct, confuse, or mislead pedestrian or vehicular traffic.

U. Any sign illumination that, in the opinion of the Zoning Administrator, exhibits undue glare.

V. Signs affixed to trucks, automobiles, trailers or any other vehicle that advertise, identify, or provide direction to a use or activity not related to its lawful making of deliveries or sales of merchandise, or rendering of services from such vehicles.

W. Parking of legitimate delivery, sales, or service vehicles in an off-site location, or on-site, within a parking lot adjacent to a public street for the purpose of advertising.

X. Any sandwich board, "A" frame sign, or other portable sign, except as temporary signs or displays allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

Y. Signs affixed to, or painted on, a rock, tree, or any other natural feature.

Z. Changeable copy signs, excepting electronic message displays allowed pursuant to Paragraph 8.01.02~~5~~0.C.3 (Electronic Message Displays) of this Division, and those changeable copy signs specifically allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.

AA. Any sign having a dimension in excess of 1.5 FT in height and 1.5 FT in width, which identifies a home occupation.

BB. Any sign consisting of several sheets of paper connected together by perforations, tape, staples or any other means.

CC. Signage painted on the exterior walls or fascia of a building or structure.

DD. Supergraphics.

EE. Human signs, including human billboards, human directionals, and sign walkers, wavers and twirlers (holding or wearing a sign, or the act of spinning or dancing while holding or wearing a sign, or wearing a costume, in order to attract attention).

8.01.020: Sign Standards

A. General Regulations.

1. No sign shall be placed on private property, including vacant property, without written authorization from the owner or the occupant, and approval of plans by the City, pursuant to the provisions of Section 4.03.020 (Sign Plans) of this Development Code.

2. No sign shall be placed on public property or within the public right-of-way without written City approval. Signs placed on public property or in the public right-of-way without specific approval, shall be deemed illegal and shall be abated pursuant to the provisions of Section 3.02.015 (Illegal Signs) of this Development Code.

3. Creative and imaginative signage is strongly encouraged and is the standard by which Sign Plan applications will be judged, together with the specific architectural style of adjacent buildings.

4. There are many acceptable sign treatments that may be used; however, a mixed media, three-dimensional approach, which incorporates a combination of fabrication and lighting techniques, is preferred.

5. Consider **[i]** the overall concept of the project a proposed sign will serve, **[ii]** the scale of the proposed sign, and **[iii]** the critical viewing angles and sight lines when designing appropriate graphics and signs for site and storefront installations.

6. A sign shall be located on the same site as the use, activity, or structure it identifies, except as otherwise expressly permitted by this Division.

7. No sign shall resemble a traffic safety or control device or, by intensity of illumination, location or design, impair the vision of, or create a hazard for, motorists on a public street or highway.

8. Lateral and columnar sign supports are to be designed to be architecturally integrated with the building to which it is attached, or so that required bracing, including but not limited to, angle irons, guy wires, cables or other appurtenances, shall not be exposed to public view.

9. All signs shall be constructed to conceal conduits and raceways, exposed wiring, and electrical appurtenances.

B. Sign Regulations.

1. Sign Regulation Matrix. Table 8.01-1 (Sign Regulation Matrix) of this Division, identifies the sign classification, type, number, location, area, height, length, allowed within each zoning district of the City, along with any applicable special regulations. The standards contained in the Sign Regulation Matrix are maximums, unless otherwise stated. The maximum standard established by Table 8.01-1 (Sign Regulation Matrix) may be reduced by the Approving Authority in cases when the Approving Authority can clearly establish by written decision that that implementation of the maximum standard would:

a. Adversely affect the public health, safety or welfare; or

b. Result in a sign design and/or placement inconsistent with the requirements of this Section; or

c. Be contrary to the aesthetic sensibilities of the neighborhood in which the sign is proposed.

2. Downtown Ontario Design Guidelines. The Downtown Ontario Design Guidelines, included as Reference "C" of this Development Code, establishes a set of architectural, graphic, and lighting design principles for the rehabilitation of properties within the City's historic original downtown area (project area). Signs proposed within the project area shall be subject to the sign requirements contained within the Downtown Ontario Design Guidelines. The affected area is bordered by "I" Street on the north, Vine Street on the west, Sultana Avenue on the east, and railroad tracks on the south, and is defined in Figure 1.4 (Land Use Districts) of the Downtown Ontario Design Guidelines. The design guidelines also apply to those properties located across the street from, and directly abut, the project area.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
A. ALL ZONING DISTRICTS (excepting those "specialty signs" listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					
a. **Construction Signs**	One freestanding sign or wall sign per parcel.	32 SF per sign face.	8 FT	No restriction.	**[1]** Signs shall be nonilluminated. **[2]** Signs shall be removed within 5 days following the sale or lease of the last unit, or final Building Department inspection.
b. **Off-Site Residential Subdivision Signs**	Number and location subject to Planning Director approval; however, a sign shall not be located more than 600 FT from any other Off-Site Residential Subdivision Sign location.	35 SF	Sign: 7 FT (overall) Business Panel Signs: 10 inches (each)	Panel: 5 FT (each)	**[1]** The design, construction materials, and color scheme of Off-Site Residential Subdivision Signs shall be pursuant to an Off-Site Residential Subdivision Sign Program approved by the Planning Director. No more than 6 sign panels shall be affixed to any one structure. **[2]** Each sign panel may only contain the name of the residential subdivision and a directional arrow. **[3]** The placement of Off-Site Residential Subdivision Signs within the public right-of-way shall be subject to approval of an encroachment permit by the City Engineer. **[4]** No flags, balloons, pennants, or other riders or decorations are permitted. The illumination of Off-Site Subdivision Signs is not permitted. **[5]** Signs shall not advertise residential subdivisions located outside of the city limits.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
					[6] Individual directional panels shall be allowed to remain until such time that the respective subdivision is sold-out. **[7]** It shall be unlawful for any person to place or erect an Off-Site Residential Subdivision Sign, except in conformity with the herein stated provisions **[8]** The City Council may by resolution, authorize the administration of an Off-Site Residential Subdivision Sign Program by one or more organizations of its choosing.
c. Off-Site Business Signs	Number and location subject to Planning Commission approval.	35 SF	Sign: 7 FT (overall) Business Panel Signs: 10 inches (each)	Business Panel Signs: 5 FT (each)	**[1]** A maximum of 2 Off-Site Business Signs may be permitted for a business, or group of businesses, when the Planning Commission can make each of the following findings: ▪ Five or more businesses are affected by the same special circumstances; and ▪ Special circumstances exist which adversely affect the businesses, such as temporary closure of a public street, which provides main access to the businesses. **[2]** The design, construction materials, and color scheme of an Off-Site Business Sign shall be subject to approval by the Planning Commission.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
					[3] No more than 6 business panel signs shall be affixed to any one structure. **[4]** The placement of Off-Site Business Signs within the public right-of-way shall be subject to approval of an encroachment permit by the City Engineer. **[5]** No flags, balloons, pennants, or other riders or decorations are permitted. The illumination of Off-Site Business Signs is not permitted. **[6]** It shall be unlawful for any person to place or erect an Off-Site Business Sign, except in conformity with the herein stated provisions. **[7]** An Off-Site Business Sign shall be removed within 30 days following the special circumstances that allowed the sign, ceases to exist. **[8]** No otherwise eligible business shall be allowed an Off-Site Business Sign until all illegal signs associated with such businesses are removed.
d. Political Signs					Refer to Paragraph 8.01.020.K (Political Signs) of this Division for political sign regulations.
e. Street Banners	Pursuant to Subsection 8.01.020.G (Street Banners and Street Banner Programs) of this Division.	No restriction.	No restriction.	No restriction.	Comply with the requirements of Subsection 8.01.020.G (Street Banners and Street Banner Programs)
f. Large Public Notification Signs					Refer to Division 2.03 (Public Hearings), Paragraph 2.03.010.C.4 (Supplemental

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
					Public Noticing Requirements – Posting) for large public notification sign regulations.
2. Permanent Signs					
a. Address Signs	One wall sign and rooftop sign per building or divided tenant space.				Street addresses shall be posted pursuant to Subsections 6.06.020.B (Posting of Street Address Numbers) and D (Posting of Rooftop Address Numbers) of this Development Code.
b. Directional Signs	Pole, monument, or wall sign.	4 SF per sign face.	Pole or monument signs shall not exceed 6 FT in height.		Signs shall be for the purpose of serving the public safety or convenience (e.g., signs such as "parking," "entrance," "exit" and the like). The sign may include the name/logo of the business it serves.
c. Directory Signs	Monument or wall sign. The number and location shall be at the discretion of the Planning Director.	6 SF per sign face.	6 FT		Directory signs should include a plot plan showing all private drives and roads, building locations with unit numbers and addresses, and fire hydrant locations. The directory should also include a reference point on the plot plan indicating the location of the directory and a north arrow.
d. Government Flags and Emblems	No restrictions.	No restriction.	No restriction.	No restriction.	Includes flags or emblems of the United States of America, the State of California, the County of San Bernardino and the City of Ontario.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
e. Wall Murals	Murals shall be original, non-commercial works of art; uniquely designed for the specific location it is proposed. Ideally, murals should depict the historic character of the community or reflect Ontario's environmental setting.	There is no maximum allowed sign area; however, murals must complement the scale and architectural features of the building on which they are located.	No restriction.	No restriction.	**[1]** Murals are intended to enhance the quality of the area in which it is located, and the community as a whole. They should not serve to direct attention to a specific business, product, or service. **[2]** Wall murals may be approved by the Planning Commission, upon consideration of the following: ▪ Compatibility of the design with the immediate environment of the site; ▪ Appropriateness of the design and size to the function of the site; ▪ Compatibility of the design and location within a unified theme; and ▪ Appropriateness of the design as a public work of art. The design may portray, but not be limited to, a cultural, historical, or scenic subject.
B. RESIDENTIAL ZONING DISTRICTS (excepting those "specialty signs" listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					
a. Real Estate Signs (signs identifying properties and dwellings for resale)	One freestanding sign per lot, which identifies a property as "For Sale," "For Lease" or "For Rent." One on-site freestanding sign per event, which identifies an "Open House." Four off-site freestanding directional signs, which	8 SF per sign face. 4 SF per sign face. 4 SF per sign face.	5 FT 3 FT 3 FT		**[1]** Only nonilluminated signs shall be allowed. **[2]** A sign identifying a property for sale/lease/rent shall be removed within 5 days following the close of escrow. **[3]** Open House" signs shall be allowed as follows: ▪ Signs may be placed between the hours of 8:00

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
	identifies the location of an "Open House" event.				AM and 8:00 PM, on Friday, Saturday, Sunday, and legal holidays; ▪ Off-site directional signs shall be located no farther than 0.5-mile from the Open House location; ▪ Signs shall not be placed on the public sidewalk; and ▪ No flags, balloons, pennants, or other sign riders or decorations shall be used.
b. Subdivision Sales Offices and Model Home Gran Openings < 5 acres	One freestanding or wall sign per subdivision.	32 SF per sign face.	12 FT		**[1]** Only nonilluminated signs shall be allowed. **[2]** Signs shall be removed within 30 days following the sale of the last unit in the complex. **[3]** No flags, balloons, or pennants shall be used.
c. Subdivision Sales Offices and Model Home Grand Openings ≥ 5 acres	One freestanding or wall signs per street frontage of a subdivision, not to exceed a total of 3 signs.	32 FT per sign face.	12 FT		
2. Permanent Signs					
a. Single-Family Signs					
▪ Subdivision Signs	One monument sign or wall sign per subdivision, located at the subdivision entry or at major intersecting boundary streets.	12 SF per sign face.	4 FT (freestanding)		**[1]** Only nonilluminated signs shall be allowed. **[2]** The Planning Director may implement measures to ensure sign maintenance, such as the establishment of a homeowners association and the recordation of appropriate CC&Rs with the San Bernardino County Recorder's office, or other suitable measures.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
▪ Home Occupation Signs	One wall sign per dwelling, located at or near the building entrance.	2.25 SF	1.5 FT	1.5 FT	Home occupation signs shall be mounted at eye level, no higher than 6 FT above finished floor of the dwelling, measured at the top edge of the sign.
b. Multiple-Family Signs					
▪ Complex Signs	One monument sign or wall sign per street frontage.	24 SF per sign face.	6 FT (freestanding)		**[1]** Signs shall be nonilluminated. **[2]** Wall signs shall comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. **[3]** Monument signs shall comply with Paragraph 8.01.020.C.1 of this Division.
▪ Site Directory Signs	One monument or wall site directory sign per vehicle entry.	12 SF per sign face.	6 FT (freestanding)		
c. Institutional User Signs (e.g., day care facilities, religious assembly, schools, etc.)	Wall Signs: One sign per street frontage, not to exceed 2 signs per building. Monument Signs: One sign per street frontage.	Wall Signs: 24 SF per building elevation. Monument Signs: 24 SF per sign face.	Wall Signs: 2 FT maximum alphanumeric character height. Monument Signs: 6 FT	Wall Signs: Not to exceed 80% of the elevation width upon which the sign is located.	Wall Signs: Signs shall comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. Monument Signs: Signs shall comply with Paragraph 8.01.020.C.1 of this Division.
C. COMMERCIAL ZONING DISTRICTS (excepting those "specialty signs" listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
a. Real Estate Signs	One freestanding sign or wall sign per parcel.	32 SF per sign face.	8 FT		**[1]** Signs shall be nonilluminated. **[2]** Signs shall be removed within 5 days following the sale or lease of the last unit has been completed.
b. Window Signs and Displays	Window signs	Limited to 25% of the window area, excepting within the area covered by the Downtown Ontario Design Guidelines (see Reference "C" of this Development Code for applicable standards).			**[1]** Window signs shall be allowed only on windows located on the ground floor of a building frontage. **[2]** Window signs shall be painted or mounted only on the inside of doors and windows. **[3]** Signs placed on the interior of a building, which are located within 3 FT of a storefront window and are visible from the building exterior, shall be deemed a window sign.
c. On-Site Promotional and Special Event Signs and Banners					
▪ ≤ 8,000 SF of tenant GFA	One wall-mounted banner per tenant.	50 SF per sign face.	3 FT	Not to exceed 50% of the elevation width upon which the sign is located.	**[1]** Business Grand Opening. A new business may be allowed temporary signage identifying its grand opening, one time, for a maximum of 30 days duration. **[2]** Retail Sales and Business Events. A Retail Sales or Business Event pursuant to Paragraph 5.03.395.G.1 of this Development Code may be allowed temporary signage for maximum 3 periods of 30 days duration per calendar year.
▪ > 8,000 SF of tenant GFA	One wall-mounted banner per tenant.	75 SF per sign face.	5 FT	Not to exceed 50% of the elevation width upon which the sign is located.	

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
					Periods may be used consecutively. **[3]** Holiday Retail Sales. Holiday Retail Sales established pursuant to Paragraph 5.03.395.G.2 of this Development Code may be allowed temporary signage for maximum 30 days duration. **[4]** Shows and Exhibits. Shows and Exhibits established pursuant to Paragraph 5.03.395.G.3 of this Development Code may be allowed temporary signage for maximum 30 days duration. **[5]** Amusement and/or Sporting Events. Amusement and/or Sporting Events established pursuant to Paragraph 5.03.395.G.4 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration. **[6]** Tent Revivals. Tent Revivals established pursuant to Paragraph 5.03.395.G.5 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration. **[7]** Charitable and Fund Raising Events. Charitable and Fund Raising Events established pursuant to Paragraph 5.03.395.G.6 of this

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
					Development Code may be allowed temporary signage during the specified "holiday periods," and the specified "additional events" for which a Temporary Use Permit has been issued.
2. Permanent Signs					
a. Wall Signs					
▪ Retail: Businesses Occupying > 100,000 SF	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	200 SF per building elevation.	Primary Signs: 6 FT for alphanumeric characters and graphic logos/icons. Descriptor Signs: 2 FT for alphanumeric characters and graphic logos/icons.		Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
▪ Retail: Businesses Occupying 50,000 SF to 99,999 SF	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	175 SF per building elevation.	Primary Signs: 5 FT for alphanumeric characters and graphic logos/icons. Descriptor Signs: 2 FT for alphanumeric characters and graphic logos/icons.		
▪ Retail: Businesses Occupying 20,000 SF to 49,999 SF	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	150 SF per building elevation.	Primary Signs: 4 FT for alphanumeric characters and graphic logos/icons. Descriptor Signs: 1.5 FT for alphanumeric characters and graphic logos/icons.		
▪ Retail: Businesses Occupying 8,000 SF to 19,999 SF	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	100 SF per building elevation.	Primary Signs: 3 FT for alphanumeric characters and graphic logos/icons. Descriptor Signs: 12 inches for alphanumeric characters and graphic logos/icons.		
▪ Retail: Businesses Occupying < 8,000 SF	One wall sign per building elevation, not to exceed 3 signs.	50 SF per building elevation.	Alphanumeric Characters: 2 FT. Logos/Icons: 4 FT.		

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
▪ Office: Multiple-Story Building Identification	One wall sign per building elevation, not to exceed 2 signs.	100 SF per building elevation.	3 FT for alphanumeric characters and graphic logos/icons.		[1] Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. [2] Signage shall be limited to identification of the building, and not individual tenants.
▪ Office: Multiple Story Building—Tenant Identification	One wall sign per building elevation, not to exceed 2 signs.	50 SF per building elevation.	2 FT for alphanumeric characters and graphic logos/icons.		[1] Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. [2] A maximum of 2 tenant identification signs shall be permitted regardless of the number of tenants contained within the building.
▪ Office: Single Story Building—Tenant Identification	One wall sign per building elevation, not to exceed 2 signs. Alternately, for multiple tenant buildings, one nameplate may be provided for each tenant (2 nameplates may be provided for end/corner-unit tenants).	Wall Signs: 50 SF. Nameplates: 15 SF.	Wall Signs: 2 FT for alphanumeric characters and graphic logos/icons. Nameplates: 1.5 FT for nameplates and 12-inches for alphanumeric characters and graphic logos/icons.		[1] Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. [2] Nameplates shall not be illuminated.
b. Monument Signs					
▪ Commercial Center Identification Signs	One monument sign for each 500 FT (lineal) of street frontage, with a minimum 300 FT spacing between signs.	50 SF per sign face.	7 FT (3.5 FT for a sign installed within the corner cut-off area of intersecting streets).		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.
▪ Building Identification Signs (not a part of a center or complex)	One monument sign per street frontage.	36 SF per sign face.	6 FT		
c. Directional Signs (On-Site)	Freestanding directional signs (on-site only) shall be permitted as determined appropriate by the Planning Director.	5 SF per sign face	5 FT		The design of directional signs shall be consistent with the architectural design of the buildings they serve.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
d. Freeway Signs	[1] One sign per parcel having a minimum of 600 FT of freeway frontage and is developed as a single entity. [2] Two signs per parcel having a minimum of 1,800 FT of freeway frontage, a minimum of 10 acres in area, and is developed as a single entity. [3] Three signs per parcel having a minimum of 3,000 FT of freeway frontage, a minimum of 10 acres in area, and is developed as a single entity.	150 SF per sign face.	35 FT maximum; however, the height may be increased to 45 FT if the site is at least 10 FT lower than the freeway finish surface.	No sign face shall exceed 25 FT in any direction.	**[1]** Comply with Paragraph 8.01.020.C.2 (Freeway Signs) of this Division. **[2]** No advertising display shall contain flashing, intermittent, or moving lights, other than that part necessary to give public service information, including, but not limited to, the time, date, temperature, weather, or similar information, or an Electronic Message Display that complies with Paragraph 8.01.020.C.3 (Electronic Message Displays) of this Division.
D. MIXED-USE ZONING DISTRICTS (excepting those "specialty signs" uses listed in Subsection F (Standards for Specialty Signs) of this Table)					
All Signs	Rely upon the sign standards for residential land uses established by Subsection B (Residential Zoning Districts) of this Table; and rely upon the sign standards for commercial land uses established by Subsection C (Commercial Zoning Districts) of this Table				
E. INDUSTRIAL ZONING DISTRICTS (excepting those "specialty signs" uses listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					
a. Real Estate Signs	One freestanding sign or wall sign per parcel.	32 SF per sign face.	8 FT.		**[1]** Signs shall be nonilluminated. **[2]** Signs shall be removed within 5 days following the sale or lease of the last unit has been completed.
b. Window Signs and Displays	Window signs	Limited to 25% of the window area.			**[1]** Window signs shall be allowed only on windows located on the ground floor of a building frontage. **[2]** Window signs shall be painted or mounted only on the inside of doors and windows. **[3]** Signs placed on the interior of a building, which are

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
					located within 3 FT of a storefront window and are visible from the building exterior, shall be deemed a window sign.
c. **On-Site Promotional and Special Event Signs and Banners**	One wall-mounted banner per tenant.	One-half the area allowed for permanent tenant identification signage, not to exceed 50 SF.		Not to exceed 50% of the elevation width upon which the sign is located.	**[1]** Business Grand Opening. A new business may be allowed temporary signage identifying its grand opening, one time, for a maximum of 30 days duration. **[2]** Retail Sales and Business Events. A Retail Sales or Business Event pursuant to Paragraph 5.03.395.G.1 of this Development Code may be allowed temporary signage for maximum 3 periods of 30 days duration per calendar year. Periods may be used consecutively. **[3]** Holiday Retail Sales. Holiday Retail Sales established pursuant to Paragraph 5.03.395.G.2 of this Development Code may be allowed temporary signage for maximum 30 days duration. **[4]** Shows and Exhibits. Shows and Exhibits established pursuant to Paragraph 5.03.395.G.3 of this Development Code may be allowed temporary signage for maximum 30 days duration. **[5]** Amusement and/or Sporting Events. Amusement and/or Sporting Events established pursuant to Paragraph 5.03.395.G.4 of this Development Code may be

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Maximum Number, and Location	Maximum Sign Area	Maximum Height	Maximum Sign Length	Special Regulations
					allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration. **[6]** Tent Revivals. Tent Revivals established pursuant to Paragraph 5.03.395.G.5 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration. **[7]** Charitable and Fund Raising Events. Charitable and Fund Raising Events established pursuant to Paragraph 5.03.395.G.6 of this Development Code may be allowed temporary signage during the specified "holiday periods," and the specified "additional events" for which a Temporary Use Permit has been issued.
2. Permanent Signs					
a. Wall Signs					
▪ Businesses Occupying > 250,000 SF	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	250 SF per wall sign	Wall Signs: 6 FT for alphanumeric characters and graphic logos/icons.	Not to exceed 75% of the elevation width upon which the sign is located.	Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
▪ Businesses Occupying 249,999 SF to 100,000 SF	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	200 SF per wall sign	Wall Signs: 5 FT for alphanumeric characters and graphic logos/icons.	Not to exceed 75% of the elevation width upon which the sign is located.	

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
▪ Businesses Occupying 99,999 SF to 50,000 SF	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	150 SF per wall sign	Wall Signs: 4 FT for alphanumeric characters and graphic logos/icons.	Not to exceed 75% of the elevation width upon which the sign is located.	
▪ Businesses Occupying 49,999 SF to 20,000 SF	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	100 SF per wall sign	Wall Signs: 3 FT for alphanumeric characters and graphic logos/icons.	Not to exceed 75% of the elevation width upon which the sign is located.	
▪ Businesses Occupying < 20,000 SF	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	50 SF per wall sign	Wall Signs: 2 FT for alphanumeric characters and graphic logos/icons.	Not to exceed 75% of the elevation width upon which the sign is located.	
[b] Monument Signs					
▪ Industrial Park, Center or Complex Identification Sign	One sign per street frontage, not to exceed 2 signs.	36 SF per sign face.	6 FT (3.5 FT for a sign installed within the corner cut-off area of intersecting streets).		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.
▪ Single or Multiple-Tenant Building Identification Signs—Not a Part of a Park, Center or Complex	One sign per street frontage, not to exceed 2 signs.	36 SF per sign face.	6 FT (3.5 FT for a sign installed within the corner cut-off area of intersecting streets).		
F. SPECIAL USE ZONING DISTRICTS (excepting those "Specialty Signs" listed in Subsection F (Standards for Specialty Signs) of this Table)					

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
1. Agriculture	Residential Uses: Rely upon the sign standards for residential land uses established by Subsection B (Residential Zoning Districts) of this Table. Retail Commercial and Office Uses: Rely upon the sign standards for retail commercial and office land uses established by Subsection C (Commercial Zoning Districts) of this Table. Industrial Uses: Rely upon the sign standards for single-family residential land uses established by Subsection B (Residential Zoning Districts) of this Table.				
2. Civic	Rely upon the sign standards for office land uses established by Subsection C (Commercial Zoning Districts) of this Table.				
3. Mobile Home Park	One monument sign per street frontage.	24 SF per sign face.	6 FT		**[1]** Non-illuminated or indirect illumination only. **[2]** Signs shall not be located within a required setback area.
4. Ontario International Airport					
a. Temporary Signs					
▪ Real Estate Signs	One freestanding or wall sign per parcel.	24 SF per sign face.	7 FT		**[1]** Only nonilluminated signs shall be allowed. **[2]** Signs shall be removed within 5 days following the sale or lease of the last unit, or final Building Department inspection.
▪ Window Signs and Displays	Window signs	Limited to 25% of the window area.			**[1]** Window signs shall be allowed only on windows located on the ground floor of a building frontage. **[2]** Window signs shall be painted or mounted only on the inside of doors and windows. **[3]** Signs placed on the interior of a building that are located within 3 FT of a storefront window and are visible from the building exterior shall be deemed a window sign.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
▪ On-Site Signs and Banners	One wall-mounted sign or banner per business.	50 SF per sign face.			
b. Permanent Signs					
▪ Wall Signs	As allowed by a Sign Program established pursuant to Subsection F (Sign Program) of Development Code Section 8.01.020 (Sign Standards).				
▪ Monument Sign	As allowed by a Sign Program established pursuant to Subsection F (Sign Program) of Development Code Section 8.01.020 (Sign Standards).				
▪ Wayfinding and Directional Signs	As allowed by a Sign Program established pursuant to Subsection F (Sign Program) of Development Code Section 8.01.020 (Sign Standards).				
▪ Billboards	Three LED signs and three static message signs.	LED Signs: 675 SF per sign face. Static Signs: 250 SF per sign face. Total Sign Area: The combined area of all billboard signs shall not exceed 2,500 SF.	LED Signs: 35 FT Static Signs: 35 FT	LED Signs: 48 FT Static Signs: 11 FT	All billboard signs shall be located in close proximity to the terminals and/or rental car area of the airport.
5. Open Space—Cemetery	As determined appropriate by the Planning Director.				
6. Open Space—Recreation	As determined appropriate by the Planning Director.				
7. Rail Corridor	As determined appropriate by the Planning Director.				
8. Utilities Corridor	As determined appropriate by the Planning Director.				
G. STANDARDS FOR SPECIALTY SIGNS (Note: The below-listed standards are for the placement of permanent signs. Refer to the general zoning district standards contained in this table for the standards for temporary sign standards)					
1. Fuel Sales (Service Stations) Signs					
a. Wall Signs	One primary wall sign per building elevation, not to exceed 3 signs.	50 SF per building elevation.	**[1]** 2 FT alphanumeric characters. **[2]** 2.5 FT graphic icons/logos.	Not to exceed 80% of the elevation width upon which the sign is located.	Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.

Table 8.01-1: Sign Regulation Matrix

Sign Classification	*Sign Type, Maximum Number, and Location*	*Maximum Sign Area*	*Maximum Height*	*Maximum Sign Length*	*Special Regulations*
b. Fuel Island Canopy Sign	One fuel island canopy sign per elevation, not to exceed 2 signs.	16 SF per building elevation.	**[1]** 2 FT alphanumeric characters. **[2]** 2.5 FT graphic logos/icons may be installed in place of alphanumeric characters.	4 FT graphic logos/icons in place of alphanumeric characters.	Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
c. Fuel Pump Identification	One logo/icon identification sign per fuel pump face, not to exceed 2 signs per pump.	2.25 SF	1.5 FT graphic logo/icon		
d. Monument Signs	One monument fuel pricing sign per street frontage.	**[1]** 25 SF per sign face. **[2]** 50 SF per sign face, when combined with business identification signage.	7 FT		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.
2. Drive-Thru Restaurant Signs					
a. Wall Signs	One wall sign per building elevation, not to exceed 3 signs.	25 SF per sign face.	**[1]** 2 FT alphanumeric characters. **[2]** 2.5 FT graphic icons/logos.		Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
b. Menu Boards	One pre-order board and one order board per business.	36 SF per sign face.	6 FT (freestanding)		
c. Monument Signs	One monument sign per business.	50 SF per sign face.	6 FT		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.

C. Freestanding Signs. The following requirements apply generally to the design and placement of freestanding signs, including monument signs and freeway signs, and the use of electronic message or text display:

1. Monument Signs. Any freestanding sign that identifies: **[i]** a residential subdivision; **[ii]** a multiple-family or mixed-use development project; **[iii]** an individual building on an individual lot containing one or more nonresidential uses; or **[iv]** a center or complex consisting of 2 or more buildings containing one or more nonresidential uses per building, shall be designed as a monument sign, which complies with the following:

a. Table 8.01-1 (Sign Regulation Matrix) of this Division establishes the number, location, area, height, and additional regulations applicable to monument signs.

b. The minimum letter height shall be 8 inches.

c. Monument signs for centers/complexes shall be limited to the display of the name of the center/complex and the identification of a maximum of 7 tenants within the center/complex.

d. Monument signs shall have a maximum of 2 sign faces.

e. Monument signs may be oriented toward arterial, collector and/or local streets, or private drives, and shall not be oriented toward freeways.

f. No monument sign shall be located within a public right-of-way and must be wholly located behind the right-of-way line (street property line) for its full height. Furthermore, such signs shall be located a minimum of 10 FT behind the adjacent curb face (public and private streets).

g. A monument sign shall be located a minimum of 30 FT from a monument sign on an adjacent lot, and a minimum of 5 FT from an interior property line or driveway that intersects a public street.

h. Monument signs shall contain an address (or range of addresses) identifying the property on which the sign is located. Address numbers shall be a minimum of 6 inches in height and shall be clearly visible from the adjacent public street. The area of the address numerals shall not be calculated against the allowed sign area.

i. Unless otherwise specifically prohibited by Table 8.01-1 (Sign Regulation Matrix) of this Division, a monument sign may be internally or externally illuminated, provided that the illumination is not harsh or overly bright. Signs shall consist of individual letters/characters affixed to an opaque, matte finished background. The sign background shall not be internally illuminated; only letters/characters shall be internally illuminated.

2. Freeway Signs. Freeway signs may be allowed on lots with property lines that are common with the right-of-way of Interstate 10, Interstate 15, or State Route 60 freeways, which have at least 600 linear FT of freeway frontage, and are subject to the following:

a. Table 8.01-1 (Sign Regulation Matrix), above, establishes the number, location, area, height, and additional regulations applicable to freeway signs.

b. The maximum vertical or horizontal dimension of any freeway sign display surface is 25 FT.

c. A freeway sign shall be placed a minimum of 600 FT from any other freeway sign on the same property or on an adjacent property and shall be placed no further than 40 FT from the freeway right-of-way.

d. Freeway signs shall consist of no more than 2 faces unless alternative configurations are approved by the Planning Commission.

e. No tentative tract or parcel map, or lot merger shall be granted, which would result in the consolidation of multiple lots into a single lot with freeway signs in excess of the maximum number, location, area, and/or spacing of signs prescribed by this Section.

f. A freeway sign shall be placed no closer than 10 FT to an interior property line, drive aisle, or private drive.

g. A digital freeway sign with electronic display shall be permitted on public and/or private property subject to City Manager review and approval of the following:

(1) Approval of the digital freeway sign shall be subject to the approval of a Digital Sign and Billboard Removal Agreement between the City and the property owner;

(2) A minimum of 2 existing, legal nonconforming billboards shall be removed, both of which must be currently located within the City;

(3) The area is developed with a legally established permitted land use;

(4) The proposed sign would not create a traffic or safety problem with regard to on-site access, circulation, or visibility;

(5) The proposed sign would not interfere with on-site parking or landscaping required by City ordinance or permit;

(6) The property has at least 600 linear FT of freeway frontage;

(7) The proposed sign will display both public and private information;

(8) The overall design of the sign, including massing, proportion, and scale shall be subject to review and approval of a Sign Permit, and

(9) For projects of regional significance as determined by the City Manager, the relocation of billboards may be waived and recommended for review by the City Manager to the City Council.

3. Electronic Message Center. An Electronic Message Center may be incorporated into a freeway sign for a public or private school; public facility or service; convention centers, arenas and other similar places of assembly; and auto malls and shall be subject to review and approval by the Planning Commission. An Electronic Message Center shall comply with the following requirements:

a. The Electronic Message Center display shall not include any message or pictorial that is in motion or appears to be in motion;

b. The Electronic Message Center display shall not change the intensity of illumination;

c. The Electronic Message Center display shall not change the message or pictorial more than once every 4 seconds;

d. No Electronic Message Center shall be placed within 1,000 FT of another Electronic Message Display located on the same side of the freeway; and

e. An Electronic Message Center shall only advertise the business conducted, services rendered, or goods produced or sold upon the property on which the display is placed.

4. Electronic Text Display. An Electronic Text Display may be incorporated into a monument sign to facilitate a fuel pricing sign required pursuant to BPC Sections 13530 through 13540, or for the purpose of providing messages and information related to public or private schools, government facilities, facilities for religious assembly, theaters, convention centers, arenas, and other similar places of assembly. An Electronic Text Display shall comply with the following requirements:

a. An Electronic Text Display shall not include any pictorial display;

b. An Electronic Text Display shall not change the intensity of illumination;

c. An Electronic Text Display shall not change the message more than once every 4 seconds;

d. No Electronic Text Display shall be placed within 600 feet of another Electronic Text Display located on the same side of the street, excepting fuel pricing signs provided pursuant to BPC Sections 13530 through 13540; and

e. An Electronic Text Display shall only advertise the business name, and events and services conducted on the property upon which the Electronic Text Display is installed.

D. Building Wall and Fascia Signs.

1. Wall and/or fascia signs shall consist of individual channel letters placed flat against the exterior wall or parapet of a building, or suspended from the building eaves or overhang, or from the ceiling of a covered walkway, and having an overall depth of no more than 12 inches. A suspended sign shall have a clear space of at least 8 FT between the bottom of the sign and the surface of any walkway that may pass under the sign.

2. Acceptable wall and/or fascia sign designs include one or more of the following elements:

a. Halo lit channel letters;

b. Standard channel letters;

c. Front and halo lit channel letters;

d. Pin mounted sandblasted, textured, and/or burnished metal-leaf faced letters;

e. Signs mounted to hard canopies, eyebrows, or other projecting architectural elements, such as screens, grids or mesh, or etched, polished, patina or abraded materials; and/or

f. Mixed media signs (utilizing the designs described in Subparagraphs D.1.2.a through e, above), incorporating imagery and icons/logos. Although simple rectangular cabinet signs are generally not allowed, mixed media signs may be composed of several elements, one of which may be a sculptured cabinet; however, the cabinet sign shall not exceed 25 percent of the total sign area of each sign.

3. Wall and/or fascia signs may be located on an exterior building elevation that: **[i]** fronts/faces a public street, or **[ii]** faces an interior side or rear of a site, and contains a public entrance, pursuant to the standards prescribed by Table 8.01-1 (Sign Regulation Matrix), of this Section.

4. The characters that comprise a sign shall not occupy more than 75 percent of the length of the building wall or fascia upon which it is placed.

5. Electrical raceways and conduits shall be placed so that they are not within public view. Where this is physically impractical or doing so would damage significant architectural features or materials, the Zoning Administrator may grant a waiver from this requirement, provided all conduits, raceways, and similar devices are kept as small as possible and are painted the same colors as adjacent wall surfaces.

6. Electrical raceways shall not extend beyond the outside edges of the sign copy and shall be painted to match the color of the background on which they are placed.

7. Signs shall be placed flat against the wall and shall not project from the wall more than required for normal construction purposes and in no case more than 12 inches. The Zoning Administrator may modify this requirement in special circumstances where a projection greater than 12 inches may be desirable to allow the creation of an especially creative and unique sign design.

8. Signs shall not be placed to obstruct any portion of a window or cover architectural elements, such as cornices, transom windows, vertical piers and columns, and similar elements.

E. Address Signs Required. The City finds that it is in the interest of public safety that all street addresses be clearly visible. Unless otherwise authorized in writing by the Police and Fire Departments, all permanent structures within the City shall display street address numerals of a size, color, and location, which are clearly visible from a public right-of-way. Address signs shall not count toward the maximum sign area allowed by this Division.

F. Sign Programs.

1. A Sign Program may be allowed pursuant to Section 4.02.075 (Sign Programs) of this Development Code, for the purpose of:

a. Providing coordinated signing within a development project;

b. Utilizing common design elements; and

c. Integrating the design of signs with the context of the building and landscape design, to form a unified architectural statement.

2. A Sign Program may allow certain deviations from the standards prescribed by Table 8.01-1 (Sign Regulation Matrix) of this Division, limited to: **[i]** a 20 percent increase in maximum sign area, **[ii]** an increase in the maximum number of signs allowed, and **[iii]** the use of decorative exposed neon. In approving such deviation(s), the following findings must be clearly established:

a. The Plan's contribution to the overall design quality of the site and the surrounding area will be superior to the quality that would otherwise result under regulations normally applicable to the site;

b. The proposed signs are compatible with the style or character of existing improvements on the site and are well-related to each other; and

c. Any deviations from the standards prescribed by Table 8.01-1 (Sign Regulation Matrix) of this Development Code are fully consistent with the purposes of this Development Code.

3. A Sign Program may allow the use of complex-shaped (i.e., Polyhedron) sculptured cabinets if dimensional elements are also incorporated, such as burnished metal-leaf faced letters that are pin mounted from the cabinet face, or decorative exposed neon.

G. Street Banners and Street Banner Programs.

1. Street Banners.

a. No street banner, flag, pennant, or street decoration shall be placed or installed over and/or above any street or other public thoroughfare, without first obtaining City Manager approval, and the issuance of an encroachment permit by the City Engineer.

b. No person, either as principal, agent, or otherwise, shall hang or suspend any street banner above any street or other public thoroughfare, or cause the same be done, unless a Street Banner Program has approved pursuant to the requirements of Paragraph G.2 (Street Banner Programs) of this Section.

c. A street banner, flag, pennant, or street decoration shall be safely suspended not less than 17 FT above a public street, upon approval of the City Engineer and Building Official.

d. A street banner, flag, pennant, or street decoration shall not contain the name or designation of any individual, firm, or corporation as an advertisement for private gain.

e. A street banner, flag, pennant, or street decoration shall not remain in place longer than 30 days from the date permission is granted by the City Manager pursuant to Subparagraph G.1.a of this Section.

f. The Building Official shall, upon receipt of the required application, issue a permit for the erection and maintenance of a street banner, flag, pennant, or street decoration, according to **[i]** the terms of the City Manager's approval, **[ii]** the encroachment permit issued by the City Engineer, and **[iii]** the Street Banner Program described in Paragraph G.2 (Street Banner Programs), below (if required).

2. Street Banner Programs. A Street Banner Program shall be subject to review and approval by the Zoning Administrator, and must adhere to the following guidelines:

a. *Application.* The street banner program application shall contain the following minimum information:

(1) **Street Banner Design**—A fully dimensioned plan that clearly depicts the street banner design, materials, colors, and letter style;

(2) **Street Banner Elevations**—A fully dimensioned elevation drawing(s) depicting streetlight poles with each proposed banner type attached;

(3) **Street Banner Location**—A site plan drawn to scale, which depicts the specific location of each proposed street banner and the affected streetlight poles; and

(4) **Equipment**—All hardware and bracketry necessary for mounting the proposed street banner(s) to the affected streetlight poles, which shall meet or exceed City specifications.

b. *Private Business Recognition.* Private sponsorship of street banners shall only be permitted in association with an approved street banner program, with identification of the sponsor regulated as follows:

(1) **Placement**—The street banner sponsor may be identified on each street banner by lettering no greater than 6 inches in height, which runs the width of the banner, and covering no more than 10 percent of the banner area;

(2) **Font**—A uniform font type, style, size, and color shall be used for banner sponsor names within a given banner program; and

(3) **Graphics**—There shall be no private logos or trademark graphics allowed.

c. *Maintenance.* At a minimum, street banners shall be removed for cleaning annually, and shall be removed for repair or replacement when worn, torn, or faded. The City may require that street banners be alternated seasonally (3 to 4 times per year). Furthermore, Street banners shall be removed for repair or replacement when worn, torn, or faded.

H. Awnings and Canopies, and Outside Umbrellas.

1. As a design feature of any building, structure, or business establishment, all awnings and canopies, and outside umbrellas, shall be reviewed in the same manner as a sign, ensuring enhancement of the building or structure in which it is placed, erected, or installed.

2. Awnings and canopies that contain advertising shall be counted toward the total allowable signing for the business that it serves.

3. Umbrellas shall not contain advertising.

4. The use of backlit awnings and/or canopies shall be prohibited.

I. Accent Lighting.

1. As a design feature of any building, structure, or business establishment, all accent lighting shall be reviewed in the same manner as a sign, ensuring enhancement of the building or structure in which it is placed or installed. Accent lighting should be limited to confined areas, such as building entries, architectural features, or used to reinforce specific architectural elements, such as tower and cornice elements.

2. Accent lighting elements and luminaires placed directly on a building façade shall be shielded. Lighting elements and luminaires placed directly on a building façade so as to be directly exposed to public view, is prohibited.

J. Construction, Installation and Maintenance.

1. Construction. The construction and installation of signs shall be enforced and administered by the Building Official. All signs and advertising structures shall be designed and constructed to withstand wind loads, dead loads, and lateral forces as required by the City's Building Code and the provisions of this Division.

2. Identification. Every sign or other advertising structure hereafter erected in the City shall have an identifying number, name of erector, installation year and, if illuminated, the voltage plainly placed on the exterior surface of the sign body, in a location where the information is readily visible after erection and installation.

3. Illumination.

a. *General Requirements*.

(1) Signs with electrical components shall be constructed, inspected, and approved by the Underwriters Laboratory (UL), or equal, and a label of approval from the laboratory shall be affixed to the sign in plain view.

(2) Awnings with back-lighting are prohibited.

(3) Light sources (luminaires) used for externally illuminated signs shall not be visible within 100 FT of any residential zoning district. Internally illuminated signs visible from any residential zoning district shall not be illuminated between the hours of 11:00PM and 6:00AM, unless they identify an establishment open for business during those hours.

(4) Signs shall not have exposed fluorescent tubes or incandescent bulbs exceeding 15 watts, and the brightness of luminous or backlit signs shall not exceed 250 footlamberts (fl).

b. *Internally Illuminated Signs*. The illumination level of a sign shall be reduced if it is determined to be excessive as a result of City evaluation. Illumination shall be considered excessive if the illumination level:

(1) Is substantially greater than the illumination level of other nearby signs;

(2) Interferes with the visibility of other signs, or with the perception of objects or buildings in the vicinity of the sign;

(3) Directs glare toward streets or motorists;

(4) Adversely impacts nearby residents or residential neighborhoods; and/or

(5) Reduces the nighttime readability of the sign.

c. *Externally Illuminated Signs.* The light source for externally illuminated signs shall be arranged and shielded to substantially confine all direct light rays to the sign face, and away from streets and adjacent properties.

4. Maintenance. All signs, together with their supports and appurtenances, shall be kept neatly painted and posted. The Zoning Administrator, Building Official, or Code Enforcement Director may order the removal of any sign that is not maintained in accordance with the provisions of this Division.

K. Political Signs.

1. Purpose.

a. The purpose of these political sign regulations is to identify the compatibility between the utilization of political signs, the protection of the right to privacy of individuals, and the quiet and undisturbed enjoyment of property.

b. It is recognized that there have been abuses in the placement of political signs within the City, including: **[i]** trespassing upon private property; **[ii]** placement of political signs without permission from the property owner; **[iii]** placement of political signs in such a fashion as to make it difficult to remove them; **[iv]** littering caused by dislodged political signs; **[v]** sight distance hazards to traffic due to sign size and location; **[vi]** distracting appearance; **[vii]** aesthetically displeasing impact; **[viii]** unnecessary proliferation; and **[ix]** other reasons, all of which are determined to be contrary to the best interests of the community, and in opposition to the public health, safety and welfare.

c. The reasonable regulation of political signs will obviate many of the objections that have been raised to the unregulated placement of such signs.

d. It is recognized that to the extent that placement of political signs is not contrary to the purposes stated herein, it is in the best interests of the City and its inhabitants to allow political expression, and, for that reason, it is but to avoid the total prohibition of such signs.

e. It is believed that responsibility for the placement of political signs should lie with the candidate for public office, the proponents and opponents of ballot measures, and the various political committees connected therewith. It is recognized that political signs are printed by, or at the direction of, those listed herein, and that the ultimate responsibility for the distribution of such signs and their placement lies with them.

2. Definition. The term "political sign," as used herein, means any election or nonelection sign, advertising structure, or display, which communicate any message or idea identifying, supporting, opposing, promoting, or conveying a position upon, or relating to, any political cause or issue, or candidate for public office, or proposition or issue connected with any local, special, state, or national election.

3. Political Sign Registration. Pursuant to BPC Section 5405.3, any candidate (or their designee) or the proponents of a ballot measure who seek to utilize political signs, shall first file a Statement of Responsibility with the Code Enforcement Department, on a City registration form. The registrant shall be responsible for removing the temporary political sign and may be required to reimburse the City for any cost incurred for temporary political sign removal.

4. Permitted Signs. Political signs, as herein defined, shall be permitted within any zoning district subject to compliance with all of the rules and regulations set forth in Paragraph K.5 (Regulations) herein.

5. Regulations.

a. No provision in this Development Code shall be so construed as to prohibit the placing of temporary political signs.

b. No political sign shall be installed or displayed sooner than 45 days preceding the election for which the sign is intended.

c. No political sign shall exceed 16 SF in total area, except that a double-faced sign, not exceeding 16 SF on each side, shall be permitted.

d. No political sign shall exceed an overall height of 8 FT, except if such sign shall be within an enclosed building or structure.

e. No candidate for public office, proponent or opponent of ballot measures, and/or any political committees connected therewith, shall post more than one political sign per lot or parcel.

f. No political sign shall be lighted either directly or indirectly.

g. No political sign shall be placed on private property, vacant or otherwise, without the permission of the owner of the property.

h. No political sign shall be placed or affixed to a tree, fence, post, utility pole, or any structure, by glue, nails, or screws.

i. No political sign shall be posted on any public property or in the public right-of-way.

j. No political sign shall be placed within the right-of-way of any highway, or with 660 FT of the edge of, and visible from, the right-of-way of a landscaped freeway.

k. No political signs shall be posted in violation of any other provisions of this Development Code.

I. All political signs shall be removed within 10 days following the date of the election for which the sign was intended.

6. Removal of Illegally Placed Political Signs. The Building Official or Community Improvement Manager may cause the removal of any sign placed contrary to any provision of the Political Sign provisions contained herein (commencing with Subsection K (Political Signs) of this Section).

8.01.025: Design Guidelines

A. Introduction.

1. The following design guidelines are intended as a reference to assist the designer in understanding the city's goals and objectives for high quality sign design, construction, and placement throughout the city. These guidelines are intended to complement the mandatory standards contained in Section 8.01.020 (Sign Standards) of this Division, by providing good examples of potential design solutions and by providing design interpretations of the various mandatory requirements.

2. The design guidelines are general and may be interpreted with some flexibility in their application to specific projects. The guidelines will be utilized during the city's review of a sign program or sign plan to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of the designer. Nonetheless, unless there is a compelling reason, these design guidelines shall be observed.

B. General Guidelines.

1. Use a Brief Message. The fewer words used, the more effective the sign. A sign with a brief message is quicker and easier to read, looks cleaner and is more attractive. A sign should only include the name and/or nature of the business, and in addition to the name, may contain a maximum of three words describing the business or service provided.

2. Avoid Overly Intricate Fonts. Signs utilizing very intricate font styles are generally difficult to read and reduce a sign's ability to communicate effectively.

3. Avoid Faddish and Peculiar Fonts. Signs utilizing faddish or peculiar fonts may look good today, but soon go out of style. The image conveyed may quickly become that of a dated and unfashionable business.

4. Sign Colors and Materials. The colors and materials of a sign should be selected so that they contribute to sign legibility and design integrity. Even the most carefully thought out sign may be unattractive and a poor communicator because of poor color selection. Dayglow, fluorescent, and overly bright or loud colors should not be used.

5. Provide Contrast Between Background and Letters/Symbols. Use significant contrast between the sign's letter/symbol color and its background color. If there is little contrast in the hue (shade or tint) and intensity (brightness) between the background and letter/symbol colors, it will be difficult to read.

6. Avoid Too Many Different Colors. The use of too many different colors will overwhelm the basic function of communication. The colors compete with sign content for the

viewer's attention. The limited use of accent colors can increase legibility, while large areas of competing colors tend to confuse and annoy.

7. Sign Placement. Generally, building wall and fascia signs should be located within the middle 75 percent of the building frontage, measured from tenant line to tenant line for multiple tenant buildings, and measured across the full width of the building elevation for single tenant buildings. The Zoning Administrator shall have the authority to modify this requirement where it can be shown that:

a. The directed placement would severely limit proper sign placement; or

b. The directed placement would be contrary to the sign placement approved by a Development Plan.

8. Proportion, Scale and Rhythm of Sign Placement. Signs should be placed consistent with the proportions and scale of building elements within a building's facade:

a. A particular sign may fit well on a large, plain wall area, but would overpower the finer scale and proportion of the lower storefront.

b. Signs can be used to establish facade rhythm, scale, and proportion where such elements are weak in the building design. On buildings having a monolithic or plain facade, signs can be used to establish or continue appropriate design rhythm, proportion, and scale.

c. The proportion of letter area to sign background area should be carefully considered. If the letters take up too much of the background area, they may be harder to read — large letters are not necessarily more legible than smaller ones.

d. Generally, the characters that comprise a sign should not occupy more than 70 percent of the area of a sign's background.

9. Pedestrian Signs. Signs oriented to pedestrians should be smaller in scale. The pedestrian -oriented sign is usually read from a distance of 15 to 20 feet, whereas the vehicle-oriented sign is designed to be viewed from a much greater distance. The closer the sign's viewing distance, the smaller the sign needs to be.

10. Freestanding Signs. Freestanding signs should incorporate the materials and architectural features used in the building(s) they serve.

C. Building Wall and Fascia Signs.

1. Building wall and fascia signs should be compatible with the predominant visual elements of the building. Commercial centers and offices, industrial parks, business parks, and other similar facilities, are required to be part of a sign program in accordance with the provisions of Section 4.02.080 (Sign Programs) of this Development Code.

2. Where there is more than one sign for a business (e.g., single tenant buildings) or group of businesses (e.g., multiple tenant buildings, commercial centers, or business or industrial parks), all signs should be complementary to one another in the following ways:

a. Type of construction materials (sign copy, supports, etc.);

b. Letter size and style of copy;

c. Method and design of sign support (wall mounting or monument base);

d. Configuration of sign area; and

e. Proportion of sign copy area to background.

3. Lighted signs, whether internally or externally illuminated, are permitted; provided, they are not harsh or overly bright. Can-type box signs with translucent backlit panels should not be used.

4. Signs with backlit or internally illuminated individual channel letters are strongly encouraged.

D. Freestanding Signs.

1. Freestanding signs are intended to provide identification for single-tenant buildings, multiple-tenant buildings, commercial offices and centers, and business and industrial parks. Signs for single-tenant buildings should include the street address of the business.

2. Signs for multiple-tenant buildings, commercial offices and centers, and business and industrial parks should display the range of business addresses for that development. The business address shall not be included in the sign area calculation.

3. Lighted signs, whether internally or externally illuminated, are permitted, provided they are not harsh or overly bright. Signs should consist of individual affixed to an opaque, matte finished background. The use of backlit (halo lighting) letters is strongly encouraged.

4. Freestanding signs should be placed perpendicular to approaching vehicular traffic.

5. Freestanding signs should be placed in landscaped planters of sufficient area, shape and design that will provide a compatible setting and ground definition to the signs.

6. Monument signs should be provided with a base, which measures from 12 to 18 inches in height, to accommodate the growth of landscaping around the sign base, without interrupting view of the sign face.

Chapter 9.0:
Definitions and Glossary

Division 9.01—Definitions
Division 9.02—Glossary

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Division 9.01—Definitions

Sections:

9.01.000: Purpose
9.01.005: Applicability
9.01.010: Terms and Phrases
9.01.015: Acronyms and Abbreviations

9.01.000: Purpose

The purpose of this Division is to establish definitions for terms and phrases used in this Development Code that are technical or specialized, or that may not reflect common usage.

9.01.005: Applicability

A. Unless otherwise apparent from the context, certain words, terms, phrases, abbreviations, and acronyms used in this Development Code are defined in this Division and are listed herein, in correct alphabetical order.

B. If any of the definitions in this Division conflict with definitions in other City codes and ordinances, such as the Ontario Municipal Code, or an adopted specific plan or planned unit development, these definitions shall control for the purposes of this Development Code. If a word is not defined in this Division, the Zoning Administrator shall be responsible for determining the correct definition.

C. Words used in the present tense include the future, words in the singular number also include the plural, and words in the plural number include the singular, unless the natural construction of the wording indicates otherwise.

D. The word "shall," indicates a mandatory requirement, except as when used in connection with an action or decision of the City Council, or any City commission, board, or official; in which case, the word "shall" is directory only.

E. The word "may," is a permissive term, similar in context as the terms "might," "can," or "could."

F. Whenever used in this Development Code, the word "day" shall mean a calendar day.

9.01.010: Terms and Phrases

A. Definitions of Words Beginning with the Letter "A."

Abandonment of Use. The cessation of a land use by the owner without intent to transfer the land use to another or resume the land use within the time limitations specified in Division 3.01 (Nonconforming Lots, Land Uses, and Structures) of this Development Code.

Abatement. Reducing or eliminating the degree or intensity of a nuisance or other property-related problem.

Abutting. Having property line or zoning district boundaries in common; for example, two lots are abutting if they have property lines in common.

Access. A way of approaching or entering a property. "Access" includes ingress (the right to enter) and egress (the right to leave). In zoning and subdivision regulations, recorded lots are required to have direct access to a public street or highway, or to a private street meeting public standards. This guarantees entry by owners and emergency vehicles.

Accessory (Ancillary) Structure. A structure which is incidental or subordinate to the principal structure on the same site, or the use of which is incidental or subordinate to the use of the principal structure of the site. An accessory structure that is attached or joined to a principal structure and shares a common wall therewith or is attached by a roof, which extends the full width of the structure, creating a covered breezeway (a roofed, open passage connecting two buildings, such as a house and garage), shall be deemed a part of the principal structure.

Accessory (Ancillary) Use. The use of a structure or site, or a portion of a structure or site, which is incidental or subordinate to the principal (primary) use and is located on the same property as the principle use. An accessory use shall generally be considered less intensive as it relates to area, activity, and traffic generation.

Adult Business. A business in the form of an adult arcade, adult bookstore, adult mini-motion picture theater, class "D" cabaret, escort agency, massage establishment, nude model/figure studio, sexual encounter/rap studio or sexual novelty store, as defined in this section. This definition of adult business does not include those uses, businesses, or activities of licensed professionals who are otherwise exempt from classifications as a "massage establishment" pursuant to Section 5.03.275 (Massage Services) of this Development Code. For the purposes of the adult business regulations contained in Section 5.03.015 (Adult-Oriented Businesses) of this Development Code, the following definitions shall apply:

1) Adult Arcade. An establishment having coin-operated or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices that show images to one person per machine at any one time, and where the images so displayed are distinguished or characterized by depicting or describing "specified sexual activities," or "specified anatomical areas," as defined in this section.

2) Adult Bookstore. An establishment which has a substantial portion of its stock-in-trade (a minimum of 30 percent) and offers for sale for any form of consideration, any one or more of the following:

a) Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations which are characterized by an emphasis on "specified sexual activities" or "specified anatomical areas"; or

b) Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities," as defined in this section. This definition does not include such items customarily sold by a bona fide pharmacy.

3) Adult Motion Picture Theater. An establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown to an audience and in which a substantial portion of the total presentation time is devoted to the

showing of material which is characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas."

4) Adult Mini-Motion Picture Theater. An enclosed building with a capacity of less than 50 persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to "specified sexual activities" or "specific anatomical areas," as defined in this section, for observation by patrons therein.

5) Adult Theater. A theater, concert hall, auditorium or other similar establishment, which, for any form of consideration, regularly features live performances which are characterized by the exposure of "specified anatomical areas" or by an emphasis upon the depiction of "specified sexual activities," as defined in this section.

6) Adult Video Store. An establishment having up to 20 percent or more of its floor area trade in films, motion pictures, video cassettes or video reproduction or other visual representations which are distinguished or characterized by their emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas," as defined in this section, or any establishment devoted to the sale or display of such material.

7) Class 'D' Cabaret. A cabaret that features topless dancers, bottomless dancers, go-go dancers, strippers, male or female impersonators or similar entertainment.

8) Nude Model/Figure Studio. Any place where a person, who appears in a state of nudity or displays "specified anatomical areas," is provided to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons who pay money or any other form of consideration.

9) Sexual Encounter/Rap Studio. Any business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

a) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or

b) Activities between male and female persons and/or persons of the same sex when "specified anatomical areas" of one or more of the persons are exposed or "specified sexual activities" as defined in this section occur.

10) Sexual Novelty Store. An establishment having as a portion of its stock-in-trade goods which are replicas of, or which simulate, "specified anatomical areas," as defined in this article, or goods which are designed to be placed on "specified anatomical areas," as defined in this article, to cause sexual excitement.

11) Specified Anatomical Areas. Any of the following:

a) Less than completely and opaquely covered:

i) Human genitals, pubic region;

ii) Buttocks;

iii) Female breasts below a point immediately above the top of the areola;

b) Human male genitalia in a discernible turgid state, even if completely and opaquely covered.

12) Specified Sexual Activities. Any of the following:

a) Human genitals in a state of sexual stimulation or arousal;

b) Acts of human masturbation, sexual intercourse, oral copulation, or sodomy;

c) Fondling or other erotic touching of human genitals, pubic region, buttock or female breasts.

Advertising Display Manufacture. A business establishment engaged in the commercial preparation, fabrication, construction or manufacture of a sign of any type.

Advisory Authority. A body, commission, committee, board or position listed in Table 2.02-1 (Review Matrix) of this Development Code, which is responsible for advising the Approving Authority on the appropriate action to take on **[i]** a land use or development entitlement, permit, or license; or **[ii]** other planning, zoning, or development action or decision, pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

Aesthetics. A term dealing with form, design, and/or quality of construction of a particular sign, building, site or structure, which presents a judgmental statement concerning the level of beauty or artistic value.

Affordable Housing. Housing that is economically feasible for persons whose income level is categorized as very low, low, or moderate within standards set by the California Department of Housing and Community Development or the United States Department of Housing and Urban Development.

Agenda. A document that specifies what will be discussed at a meeting of an Advisory, Approving or Appeal Authority (Reviewing Authorities). Agendas contain a brief, general description of each item the Reviewing Authority will be addressing. Members of the public may request that an agenda be mailed to them. Local agencies generally cannot discuss and make decisions on items that are not on the agenda (see GC Section 54950).

Alcoholic Beverage. Includes alcohol, spirits, liquor, wine, beer, brandy, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

Alcoholic Beverage Manufacturing. The manufacture or production of alcoholic beverages within the City of Ontario, by any person or entity properly licensed by the Department of Alcoholic Beverage Control of the State of California, which may include the sale or distribution of said products. Typical uses include breweries, distilleries, and wineries. Tasting rooms may be included in conjunction with the manufacturing activity.

Alcoholic Beverage Manufacturer. Any person or entity within the City of Ontario that is properly licensed by the Department of Alcoholic Beverage Control of the State of California, or any officer, director, employee, or agent of any such person or entity, which manufactures or produces alcoholic beverages.

Alcoholic Beverage Sales, Off-Sale. Establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment, for consumption off the premises in which they are sold. Typical uses include convenience markets, grocery stores, and liquor stores.

Alcoholic Beverage Sales, On-Sale. Establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment, for consumption on the premises in which they are sold. Typical uses include bars, brew pubs, nightclubs, wine bars, and restaurants that serve alcoholic beverages.

Alley. A public right-of-way that is permanently reserved as a secondary means of vehicular access to abutting property, which is improved by means of asphalt, concrete, decorative laid brick or block pavers, or other similar material providing all-weather access, and excluding loose materials, such as gravel, stone or slag.

Alter. To change, add to, or modify construction, use or occupancy.

Amortization. The process by which nonconforming uses and structures must be discontinued or made to conform to requirements of the current zoning ordinance at the end of a specified period of time.

Ancillary Use, Activity or Facility. A use, activity or facility that is incidental, supplementary, or otherwise subordinate to a primary permitted or conditionally permitted use, activity or facility.

Animal Hospital. A facility in which animals or pets are given medical or surgical treatment and care during the time of such treatment, and in which the boarding of such animals or pets is permitted incidental to their medical or surgical treatment and care.

Antenna. Any exterior transmitting or receiving device mounted on a tower, building structure, or alternative tower structure and used in communications, that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies, wireless telecommunication signals or other communication signals which transmit or receive radio signals. Antennas typically are either dish, panel or whip type structures.

Apartment. A residential dwelling unit within a multiple-family dwelling, which is available for lease for an extended period.

Appeal. When a person believes a decision was made in error, an appeal may be filed so that a higher decision-making body may be allowed to review the case.

Appeal Authority. A body, commission, committee, board, or position listed in Table 2.02-1 (Review Matrix) of this Development Code, which is responsible for acting on an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code, regarding an action made on **[i]** a land use or development entitlement, permit, or license; or **[ii]** other planning, zoning, or development action or decision, pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

Approving Authority. A body, commission, committee, board, or position listed in Table 2.02-1 (Review Matrix) of this Development Code, which is responsible for approving, approving with conditions, or denying **[i]** a land use or development entitlement, permit, or license; or

[ii] other planning, zoning, or development action or decision pursuant to the provisions of Chapter 2.0 (Administration and Procedures) and Chapter 4.0 (Permits, Actions and Decisions) of this Development Code.

Architectural Element. The unique details and component parts that, together, form the architectural style of a building or structure.

Architectural Projection. A building feature that is mounted on, and/or extends from the surface of the building wall or façade, typically above ground level. Examples of architectural projections include balconies, bay windows, lighting fixtures, marquees, canopies, and other similar projections of a building.

Artisan, Small-Scale, and Micro Manufacturing. A facility where shared or individual tools, equipment, equipment, or machinery are used to manufacture specialty products on a small scale or in limited quantities (a single product or small batches of product). Products are typically manufactured by hand or with a restricted level of automation. Artisan small-scale and micro manufacturing activities include design, production, processing, printing, assembly, treatment, testing, repair, and packaging, as-well-as any incidental storage, retail, or wholesale sales and distribution. Typical small-scale and micro manufacturing activities include, but are not limited to, electronics, food products, nonalcoholic beverages, leather products, clocks and watches, jewelry, clothing/apparel, metal work, furniture and fine woodworking, glass, ceramics, paper and paper products, soaps, perfumes, and lotions, together with ancillary training and/or educational program activities. Artisan small-scale and micro manufacturing facilities are small in scale and utilize production methods using limited quantities of hazardous materials and hazardous waste production. Furthermore, artisan small-scale and micro manufacturing does not involve the use of large assembly lines, rather relying upon single workplaces or production cells that carry out production steps, until specific components or the whole product is completed. Artisan small-scale and micro manufacturing does not include agriculture, alcoholic beverage production or sales, restaurants and other eating places, or industrial activities deemed "heavy" in nature.

Automated Teller Machine (ATM). An electronic banking device, either freestanding or attached to a building, which dispenses and collects money from or to individual bank accounts. The terms "Automated Teller Machine" and "ATM" may be used interchangeably.

B. Definitions of Words Beginning with the Letter "B."

Base Zoning District. The principal zoning district in which a lot or area is classified at the same time it is classified in a combined or overlay zoning district.

Bed and Breakfast Inn. A structure in which paying guests are lodged on an overnight basis, with breakfast served in connection with their lodging.

Beer. Any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof in water, and includes ale, porter, brown, stout, lager beer, small beer, and strong beer, but does not include sake (also known as Japanese rice wine). Beer aged in an empty wooden barrel previously used to contain wine or distilled spirits, shall be defined exclusively as "beer," and shall not be considered a dilution or mixture of any other alcoholic beverage.

Beer Manufacturer. Any establishment properly licensed by the Department of Alcoholic Beverage Control of the State of California, which has facilities and equipment for the purposes of, and is engaged in, the commercial manufacture of beer.

Brandy Manufacturer. Any establishment properly licensed by the Department of Alcoholic Beverage Control of the State of California, which is engaged in the manufacture of brandy only, and not in engaged in the manufacture of any other distilled spirits.

Billboard. An outdoor advertising sign supported by posts or standards and braces set into the ground or attached to a building or other structure and containing advertising copy on the sign face not related to a use, structure or activity located on the same site.

Billiard Parlor. An establishment that provides more than 2 billiard or pool tables or has 50 percent or more of the public floor area devoted to the use of billiard or pool tables by the public for compensation, whether or not the use of billiard or pool tables constitute the primary use or an accessory or incidental use. The terms "Billiard Parlor" "Pool Hall" may be used interchangeably.

Block Face. The properties abutting on one side of a street and lying between the 2 nearest intersecting streets or nearest the intersecting street and railroad right-of-way, unsubdivided land, watercourse, or City boundary.

Boarding House (Lodging House or Rooming House). A dwelling, other than a hotel, motel, residence inn, or other similar traveler accommodation, wherein one or more rooms, with or without individual or group cooking facilities, are rented to individuals under separate rental or lease agreements, either written or oral, whether or not an owner, agent or manager is in residence. The terms "boarding house," lodging house," and "rooming house" may be used interchangeably.

Bona Fide Eating Place. A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods that may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health. For the purpose of this definition, the term "meals" means the usual assortment of foods commonly ordered at various hours of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement. Furthermore, the term "guests" means persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. Nothing in this definition, however, shall be construed to require that any food be sold or purchased with any beverage.

Building. Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Building Foundation. All dwellings and accessory structures shall be affixed to a permanent, continuous concrete or masonry foundation. The exterior building finish shall extend over the foundation, to within 6 inches of the adjacent finished grade.

Building Height. See "Height (of a building or structure)."

Building Official. The Building Official of the City of Ontario.

Bus. Any vehicle designed, used, or maintained: **[i]** to carry more than 15 persons, including the driver, or **[ii]** to carry more than 10 persons, including the driver, when it is used to transport persons for compensation or profit, or is used by a nonprofit organization (CVC Section 233).

Business Services. Services that are provided to business establishments in a support capacity, such as but not limited to duplicating, stenographic and messenger services.

C. Definitions of Words Beginning with the Letter "C."

Carport. An accessory structure or portion of a main structure, open on at least 2 sides, designed for the storage of motor vehicles.

Cattery. A place in which 4 or more cats over 4 months in age are kept.

Central Business District. The area of the City bounded by "H" Street on the north, Sultana Avenue on the east, Main Street on the south and Vine Avenue on the west.

Charitable Institution. An establishment engaged in the giving of foods, goods, financial assistance, or grants or offering services or other socially useful programs on a benevolent, non-profit basis.

City. The City of Ontario, a California municipal corporation.

City Attorney. The City Attorney of the City of Ontario, or his/her designee.

City Council. The City Council of the City of Ontario.

City Engineer. The City Engineer of the City of Ontario, or his/her designee.

City Manager. The City Manager of the City of Ontario, or his/her designee.

Clinic. An establishment where patients are admitted for outpatient examination and treatment by one or more physicians, dentists, psychologists, or social workers and where patients are not lodged overnight, excluding chemical dependency clinics.

Code Enforcement Director. The Code Enforcement Director of the City of Ontario, or his/her designee.

College (University). Establishments primarily engaged in furnishing academic courses and granting degrees at baccalaureate or graduate levels. The requirement for admission is at least a high school diploma or equivalent general academic training. Instruction may be provided in diverse settings, such as the establishments or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

The term "College" or "University" may include ancillary support services and facilities, which include, but are not limited to, student and/or faculty housing, bookstores and student stores, food services, healthcare services, social assistance services, performing arts facilities, and athletic facilities.

Collocate. Locating wireless telecommunications antennas and related equipment from more than one provider on a single site.

Commercial Center (Commercial Complex). A development within a commercial or mixed-use zoning or land use district, which consists of 2 or more buildings or a single building divided into 5 or more tenant spaces, constructed by a single developer or group of developers and designed to function as a single cohesive unit in terms of access, parking, landscaping, property and landscape maintenance, and architecture, regardless of the subsequent parcelization. The terms "commercial center" and "commercial complex" may be used interchangeably.

Commercial Recreation. An establishment, activity or use of a site or structure in which a fee is charged to provide space, services, or facilities for individual or group use in the pursuit of any recreational purpose.

Commercial Speech. Any message, the prevailing thrust of which is to propose a commercial transaction.

Commercial Vehicle. A vehicle that is used or maintained for the transportation of persons for hire, compensation, or profit (i.e., taxi or limousine), or is designed, used, or maintained primarily for the transportation of property (CVC Section 260).

Community Apartment. A development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon.

Community Care Facility. Any facility place or building that is maintained and operated to provide nonmedical residential care, day treatment adult day care or foster family agency services for children, adults, or children and adults, including but not limited to, the physically handicapped, mentally impaired incompetent persons and abused or neglected children, and includes the following, as defined by the California Community Care Facilities Act (HSC Section 1500 et seq.):

1) Residential care facility;

2) Adult day program;

3) Therapeutic day services facility;

4) Foster family agency;

5) Foster family home;

6) Small family home;

7) Social rehabilitation facility;

8) Community treatment facility;

9) Full-service adoption agency;

10) Noncustodial adoption agency;

11) Transitional shelter care facility; and

12) Transitional housing placement facility.

The term "Community Care Facility" is limited to those facilities places or buildings that are both subject to regulation by the State of California and actually licensed by the State of California. No facility place or building that may otherwise be regulated by the State of California, but which is not actually licensed by the State of California, shall be deemed a "Community Care Facility" for purposes of this title.

Community Noise Equivalent Level (CNEL). A scale for measuring noise activities that takes into account the sounds received at a point from all noise events causing noise levels above a prescribed value. Weighing factors are included which accord greater significance to noise events occurring during evening hours (7:00 PM to 10:00 PM), and even greater significance to noise events occurring at night (10:00 PM to 7:00 AM), than to noise events occurring during daytime hours (7:00 AM to 7:00 PM).

Compatibility. The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict. The designation of permitted and conditionally permitted uses in a zoning district is intended to achieve compatibility. Some elements affecting compatibility include intensity of occupancy, as measured by dwelling units per acre; pedestrian or vehicular traffic generated; volume of goods handled; and environmental effects, such as noise, vibration, glare, air pollution, or radiation.

Conditionally Permitted Use. A land use that is allowed within a specified zoning district, subject to the approval of a Conditional Use Permit.

Conditional Use Permit. A zoning instrument used primarily to review the location, site development or operation of certain land uses. A Conditional Use Permit is granted at the discretion of the Planning Commission or Zoning Administrator and is not the automatic right of the applicant or landowner.

Condominium. A development consisting of an undivided common interest in a portion of real property, coupled with a separate interest in space within a residential, commercial or industrial building, called a unit, the boundaries of which area described on a recorded final map, parcel map, or condominium plan, in sufficient detail to locate the boundaries thereof. The area of these boundaries may be filed with air, earth, water, or any combination thereof, and need not physically be attached to land, except by easements for access and, if necessary, support.

Congregate Care Facility. A facility that provides communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services and other support services appropriate for the residents. A "Congregate Care Facility" is subject to regulation by the State of California as a "Community Care Facility."

Convalescent Home (Convalescent Hospital). See "Nursing Home."

Convenience Store (Convenience Market or Mini-Market). A retail establishment, limited to a maximum size of 10,000 SF, offering for sale, prepackaged food products, household items, newspapers and magazines, and sandwiches/salads and other freshly prepared foods for off-site consumption. The terms "convenience store," "convenience market" and "mini-market" may be used interchangeably.

County. The County of San Bernardino.

County Recorder. The recorder for the County of San Bernardino.

Covenant. A private legal restriction that places a burden on a parcel of land in favor of another parcel, which is recorded in the deed. Covenants are commonly used in the establishment of a subdivision to restrict the use of lots within the development, guarantee views and solar access, and guarantee access and maintenance of designated areas.

D. Definitions of Words Beginning with the Letter "D."

Day. A calendar day.

Day Care Facilities. Day care facilities shall be defined as follows:

1) Adult Day Care Facilities. Facilities of any capacity that provide programs for frail, elderly and developmentally disabled and/or mentally disabled adults (persons 18 years of age and older) in a day care setting.

2) Child Day Care Center. A facility, other than an adult and family day care facility, providing non-medical care for children (persons less than 18 years of age) on less than a 24 hour per day basis, including infant care, pre-schools, and extended day care for school-aged children.

3) Family Child Day Care. A home that regularly provides family day care, protection and supervision for 14 or fewer children (persons less than 18 years of age) in the provider's own home, for periods of less than 24 hours per day while parents or guardians are away, and includes the following:

a) Small Family Day Care. Provides family day care to 8 or fewer children, including those children under the age of 10 years who reside at the provider's residence; and

b) Large Family Day Care. Provides family day care for 7 to 14 children, inclusive, including those children under the age of 10 who reside at the provider's residence.

Day Spa. A facility that provides personal care and wellness services employing licensed trained professionals where visitors can receive a variety of spa treatments during day hours, and overnight accommodations are not available. Examples of typical spa services include, but are not limited to exfoliation, dermabrasion, dry brushing, body composition (fat to lean muscle ratio) analysis, chemical peel, clay or mud wrap, and facial rejuvenation. Day Spas exclude massage unless the facility also meets Massage Establishment requirements of the Development Code.

dBA. A number in decibels which is read from a sound level meter with the meter switched to its weighting scale labeled "A." The number is an approximate measurement of the relative noisiness or annoyance level of common sounds.

Deck. An outdoor living area on a floor or platform that extends from a building, or may be freestanding, and which is no more than 2.5 FT above finished grade at any point. A deck is typically made of wood, or a composite wood material or vinyl.

Dedication. Property that is transferred from an owner to a public agency to be used for roads, parks, school sites or other public uses or facilities. Dedication requirements are typically imposed as a condition of a tentative map, parcel map or as a condition of development.

Deed Restriction. A private legal restriction on the use of land recorded in the deed. The restriction burdens or limits the use of the property in some way.

Density (Residential Density). A quantitative measure of the intensity with which residentially zoned land may be developed in terms of the minimum and maximum number of allowed dwelling units for each net acre of land. In calculating the allowed minimum residential density of a lot, if a fractional number results from calculations performed, the number shall be rounded up, to the higher whole number. In calculating the allowed maximum residential density of a lot, if a fractional number results from calculations performed, the number shall be rounded down, to the lower whole number.

Department Store. A retail store offering a full line of general merchandise items.

Development Advisory Board (DAB). A City panel, whose membership is established by resolution of the City Council, which is charged with the responsibility for the review and approval of certain classifications of development plans.

Development Agreement. An agreement duly entered into pursuant to GC Section 65864 et seq. of the State of California.

Development Code. The Development Code of the City of Ontario, including all text and maps, as may be amended from time to time.

Direct Access. Having unimpaired access to a public street over a front, side or rear property line adjoining a street.

Discount Store. A retail establishment that offers continually changing merchandise for sale at below market price, and has no regular stock, constant inventory, or standard supplier. Merchandise typically consists of discontinued items, stock over-runs, out of season merchandise, and one-time, large-lot purchases.

Discretionary Project. An activity that requires a public agency to exercise judgment in deciding whether or not to approve, conditionally approve, or deny a project.

Dish Antenna. A dish-like antenna used to link communications sites together by wireless transmission of voice or data. Also called microwave antenna or microwave dish antenna.

Distilled Spirits. An alcoholic beverage obtained by the distillation of fermented agricultural products, and includes alcohol for beverage use, spirits of wine, whiskey, rum, brandy, and gin, including all dilutions and mixtures thereof.

Distilled Spirits Manufacturer. Any establishment licensed by the Department of Alcoholic Beverage Control of the State of California, who produces distilled spirits from naturally fermented materials or in any other manner.

Drive-Through (Drive-Thru). Outdoor service provided by a business establishment by means of a window counter for the purpose of accommodating persons in motor vehicles.

Drive Aisle. A privately owned vehicular access, 26 FT or less in width (excluding adjoining off-street parking spaces), which is improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, and excluding loose materials, such as gravel, stone or slag, which is needed for vehicular access to off-street parking facilities required by this Development Code, and may include emergency vehicle accesses provided pursuant to the Ontario Fire Code (Ontario Municipal Code Title 4, Chapter 4 (Fire Code)).

Drive, Private. The principal means of vehicular access through a master planned development project, minimum 24 FT in width (excluding adjacent off-street parking spaces), which is privately owned and improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, and excluding loose materials, such as gravel, stone or slag, and may include emergency vehicle accesses provided pursuant to the Ontario Fire Code (Ontario Municipal Code Title 4, Chapter 4 (Fire Code)).

Driveway. The necessary hard-surfaced area, improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, excluding loose materials, such as gravel, stone or slag, which is needed for vehicular ingress and egress to a garage, carport or other off-street parking designed pursuant to Division 6.03 (Off-street Parking and Loading) of this Development Code.

Dwelling. Any building, or any portion thereof, which is not an apartment hotel, hotel, motel and which contains one or more dwelling units or guest rooms used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied or which are occupied for living purposes. The classifications of "dwelling" are as follows:

1) Accessory Dwelling Unit (ADU). Refer to Section 5.03.010 (Accessory ~~Residential Structures~~Dwelling Units) of this Development Code.

2) Multiple-Family Dwellings. Two or more attached dwelling units, with each dwelling designed for occupancy by independent households. Multiple-family dwellings shall not include accessory dwelling units.

3) Single-Family Dwellings. A single detached dwelling unit designed and intended exclusively for occupancy by a single household. Single-family dwellings may be designed or arranged in a traditional development consisting of a single detached dwelling unit on a residentially zoned lot of record, or small lot and cluster developments consisting of two or more detached dwelling units, regardless of the number or configuration of lots. In either case, there may be some portion of the development owned in common by all residents.

4) Studio Dwellings. An apartment or condominium unit containing no more than one room and bath, and cooking facilities.

Dwelling Unit. One or more habitable rooms, which are designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities, and containing no more than one kitchen, provided within the same unit for the exclusive use of the household.

E. Definitions of Words Beginning with the Letter "E."

Electronic Message Center. An advertising display where the message is changed more than once every two minutes, but no more than once every four seconds (BPC Section 5216.4).

Eligible Facilities Request. Has meaning as set forth in 47 CFR Section 1.6100(b)(3), or any successor provision.

Emergency Shelter. As defined in HSC Section 50801(e), "emergency shelter" means housing with minimal supportive services for homeless persons, which is limited to an occupancy of 6 months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Employee (Farmworker) Housing. Has the same meaning as defined in HSC Section 17008.

Equestrian Trail. A trail which is a segment of a planned trail system designed, improved, and intended to be used for horseback riding purposes and on which use by vehicles of any type, except for maintenance and service vehicles directly related to equestrian activities and public safety vehicles, is prohibited.

Escort Agency. A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip or other consideration.

Exotic Pet. Any warm-blooded or cold-blooded animal of the biological kingdom Animalia, generally considered as wild, exotic, dangerous, or not normally domesticated. The term "exotic animal" does not include venomous reptiles.

F. Definitions of Words Beginning with the Letter "F."

Façade. The exterior walls of a building exposed to public view or that wall viewed by persons not within the building. The primary facade is the exterior building face that is parallel to the front property line.

Family. One or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.

Final Map. A map showing a subdivision of 5 or more parcels for which a tentative and final map are required by the Subdivision Map Act and this Development Code, prepared in accordance with the provisions of the Subdivision Map Act and this Development Code, and designed to be filed for recordation in the office of the County Recorder.

Flophouse. A flophouse offers very inexpensive lodging, generally by providing minimal services. Flophouse occupants generally share bathroom facilities and reside in quarters that are typically very small and may resemble office cubicles more than a room in a hotel or apartment building. Persons making use of this type of lodging are often transients.

Floor Area, Gross (GFA). The total area calculation of all floors and mezzanines of a building, measured to the outside face of the exterior walls, including hallways, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and basement or attic areas having a clear height of at least 7 FT, but excluding area used exclusively for vehicle parking or loading. The GFA calculation also includes any usable area not provided with surrounding walls, which is under the horizontal projection of a roof or canopy, or floor above. A GFA calculation shall not include mezzanine areas used as catwalks and platforms for conveyers, equipment, and related workstations.

Floor Area, Net. The total area calculation of all floor areas and mezzanines of a building, measured to the inside face of the exterior walls, excluding stairwells, elevator shafts, equipment rooms, and all floors below the ground floor, except when used or intended to be used for human habitation or service to the public, and area used exclusively for vehicle parking or loading. A net floor area calculation shall not include mezzanine areas used as catwalks and platforms for conveyers, equipment, and related workstations.

Floor Area Ratio (FAR). Floor area ratio is used as a measure of the intensity of a site being developed, represented by the mathematical formula of dividing the gross floor area of the building (measured in SF) by the lot area of the same lot on which the building is located, to generate a ratio of building area to land area.

Frontage. The edge of a property that is adjacent to a public or private street, or main drive aisle through a common interest subdivision.

Fueling Stations. See "Gasoline Service Station."

Funeral Director Services. The occupation or function of organizing funerals and funeral activities and managing funeral establishments.

Funeral Establishment. A business with assembly facilities for the purpose of conducting observances for dead persons, such as viewing bodies, funerals, and memorial services. A funeral establishment does not include facilities for the preparation of the dead for burial or cremation.

Funeral Parlors (Mortuaries). Establishments with facilities for the preparation of the dead for burial or cremation, excluding establishments with facilities for viewing bodies and for funerals.

G. Definitions of Words Beginning with the Letter "G."

Game Arcade. An establishment that has 50 percent or more of the public floor area devoted to the use of video games, pinball machines, computers, or other similar devices, which are available to the public for compensation. The devices may be used for gaming, internet access, e-mail, access to computer software programs, and other similar activities. "Game arcades" includes cyber cafes, on-line internet gaming, and other similar facilities.

Garage. An accessory structure or portion of a main structure that is fully enclosed on all sides and specifically designed for the shelter or storage of motor vehicles.

Gasoline Service Station (Fueling Station, Gasoline (Gas) Station, or Service Station). A retail business engaged primarily in the sale of motor fuels, but also supplying goods and services generally required in the operation and maintenance of automotive vehicles and fulfilling motorist needs, including the sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items; lubrication services; washing of automobiles as an incidental part of the business; performance of minor automotive repair, including engine tune ups, tire and battery replacement and brake replacement, but excluding painting, body work, steam cleaning or major repairs; and the supplying of other such incidental customer services, including limited food and sundry items. The terms "fueling station," "gasoline station," "gas station," and "service station," may be used interchangeably.

General Plan. The Policy Plan (General Plan) component of The Ontario Plan, which includes all adopted elements and maps, as it may be amended from time to time. The General Plan is the foundation for local land use planning, providing a vision for the foreseeable planning

horizon—usually 10 to 20 years—and translates it into goals and policies for the physical development of the community.

Geologically Hazardous Area. An area that may be affected by one or more of the geologic hazards discussed in the General Plan of the City.

Government Code. The Government Code of the State of California. If at any time any of the sections of the Government Code referred to in this Development Code are redesignated by a new number, such new number shall thereupon be deemed substituted for such old number wherever the same appears in this Development Code.

Grocery Store. A retail establishment with at least 12,000 SF of floor area devoted to the sale of prepackaged food products, household items, newspapers and magazines, and sandwiches/salads and other freshly prepared foods for off-site consumption.

Gross Vehicle Weight Rating. The weight that equals the total unladen weight of the vehicle, plus the weight of the heaviest load that can be safely transported on the vehicle, according to the vehicle manufacturer.

Group Home. A residential facility for 6 or fewer occupants, which serves children or adults with chronic disabilities (mental or physical) and is staffed 24 hours a day by trained caregivers.

Guesthouse. Living quarters within a residential structure, which may be attached to, or detached from, the main dwelling, and is for the sole use of occupants of the main dwelling and persons employed on the premises, or for temporary use by non-paying guests for a period not to exceed 90 days within any 120-day period. A guesthouse has no kitchen facilities and cannot be rented or otherwise used as a separate residence.

H. Definitions of Words Beginning with the Letter "H."

Hardscape. A hard-surfaced area (e.g., driveways, patios, sidewalks, streets, walkways, water features, etc.), improved by means of asphalt, concrete, decomposed granite, laid block and/or brick, gravel, rock, slag, stone, and other similar materials, but excludes mulch.

Hazardous Waste. A waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may either cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed. Unless expressly provided otherwise, the term "hazardous waste" shall be undersold to also include "extremely hazardous waste" (HSC Section 25117). The EPA has established four characteristics of hazardous waste that can be determined by tests:

- Ignitability: The ability to catch fire, or to burst into flame spontaneously or by interaction with another substance or material;
- Corrosivity: The ability to wear away or destroy other materials, including human issue;
- Reactivity: The ability to enter into a violent chemical reaction, which may involve explosion or flumes; and
- Toxicity: The ability to release certain toxic constituents when leached with a mild acid (33 USC Section 1321 (b)(2)(A)).

For the purposes of the hazardous waste regulations contained in this Development Code, the following definitions shall apply:

1) Cement Kiln Incineration. The burning of organic wastes as a supplementary fuel at very high temperature during the production of cement.

2) Class "I" Land Disposal Facility. A land disposal facility which must conform to the requirements of the State Water Resources Control Board for Class "I" units, and which must be located where natural geologic features provide optimum conditions for isolation of wastes from waters of the state. Currently, these facilities may accept solid and dry hazardous waste. After 1990, they will be precluded from accepting any untreated hazardous wastes.

3) Class "II" Land Disposal Facility. A land disposal facility that must be located where site characteristics and containment structures isolate wastes from the waters of the State. Class "II" land disposal facilities are suitable for wastes which have been granted a variance from Hazardous Waste Management requirements pursuant to 22 CCR Section 66310.

4) Class "III" Land Disposal Facility. A land disposal facility for nonhazardous waste, including garbage, trash, refuse, paper, ashes. etc., provided such wastes do not contain hazardous or designated wastes. Class "III" facilities must conform to the requirements of the State Water Resources Control Board as specified in CCR, Title 23, Division 3, Chapter 15, commencing with Section 2510, and must be located where site characteristics provided adequate separation between the waste and the waters of the State (also called municipal or sanitary landfill.)

5) Deep Well Injection. Subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension (22 CCR Section 66224).

6) Disposal, Hazardous Waste. Hazardous waste disposal shall be defined as follows:

a) The discharge, deposit, injection, dumping, spilling, leaking or placing of any waste so that the waste or any constituent of the waste is or may be emitted into the air or discharged into or on any land or waters, including groundwater, or may otherwise enter the environment; and

b) The abandonment of any waste (HSC Section 25113).

7) Hazardous Material. A substance or combination of substances which, because of its facility, concentration, or physical, chemical or infectious characteristics, may either:

a) Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or

b) Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed. Unless expressly provided otherwise, the term "hazardous malarial" shall be understood to also include extremely hazardous malarial (22 CCR Section 66084).

8) Hazardous Substance. Hazardous substances shall be defined as follows:

a) Any substance designated pursuant to Slates Environmental Protection Agency has taken action pursuant to 15 USC Section 2606;

b) Any element, compound, mixture, solution or substance designated pursuant to Section 102 of the Federal Act, 42 USC Section 9602;

c) Any hazardous waste having the characteristics identified under or listed pursuant to 42 USC Section 6921, but not including any waste the regulation of which under the Solid Waste Disposal Act has been suspended by act of Congress;

d) Any toxic pollutant listed under 33 USC Section 1317(a);

e) Any hazardous air pollutant listed under 42 USC Section 7412;

f) Any imminently hazardous chemical substance or mixture with respect to which the Administrator of the United Procedure or Waste Extraction Test), or demonstrate toxicity in animal studies (22 CCR Section 66696 et seq.); and

g) Any hazardous waste or extremely hazardous waste as defined by HSC Section 25117 and HSC Section 25115, respectively, unless expressly excluded (HSC Section 25316).

9) Hazardous Waste Facility. Hazardous waste facility or facilities means all contiguous land and structures, other appurtenances, and improvements on the land used for the treatment, transfer, storage, resource recovery, or recycling of hazardous waste. A hazardous waste facility may consist of one or more treatment, transfer storage, resource recovery, or recycling hazardous waste management units, or combinations of these units (HSC Section 25117.1).

10) Hazardous Waste Landfill. A disposal facility, or part of a facility, where hazardous waste is placed in or on land that is not a land treatment facility, a surface impoundment, or an injection well (22 CCR Section 66123). After 1990, the disposal of untreated hazardous waste, except solid clean up waste from existing contaminated sites in a landfill will be illegal (HSC Section 15179.6).

11) Hazardous Waste Collection. Establishments engaged in collecting and/or hauling hazardous waste within a local area.

12) Household Hazardous Waste Collection Center. A collection center that accepts household hazardous waste from residents, which consist of but not limited to, paint, waste oil, thinners. household cleansers, etc., with a capacity of less than 55 drums (equal to 3025 gallons) of waste.

13) Incinerator. An enclosed device using controlled flame combustion, the primary purpose of which is to thermally break down hazardous waste, examples are a rotary kiln, fluidized bed liquid injection and a cement kiln.

14) Land Disposal Facility. Where hazardous waste is disposed in, on, under or to the land.

15) Land Farming (Land Application, Land Spreading). A treatment technique that involves spreading the waste on land and utilizing evaporation and microbial action to degrade the wastes. Used primarily for crude oil wastes.

16) Off-Site Hazardous Waste Facility. An operation involving handling, treatment, storage or disposal of hazardous waste at a site physically separate from the site where the waste was generated; at a site not owned by, or leased to the producer of the waste; or at a site which

receives hazardous waste from more than one generator. Also see "specified hazardous waste facility."

17) On-Site Hazardous Waste Facility. An operation involving treatment and storage of hazardous waste on land owned by the waste producer, contiguous to the site of waste generation, which receives hazardous waste produced only by the generator.

18) Residuals Repository. A hazardous waste facility which accepts for disposal only treated hazardous waste, meets all applicable federal and state regulations, and holds a hazardous waste facility permit.

19) Specified Hazardous Waste Facility. An off-site hazardous waste facility that accepts disposal wastes from more than one producer of hazardous waste (HSC Section 25199.1(m)). For purposes of this Development Code, a household hazardous waste collection center with a capacity of less than 50 drums of waste is not considered a specified hazardous waste facility.

20) Storage Facility/Hazardous Waste. A hazardous waste facility at which hazardous waste is contained for a period greater than 96 hours at an off-site facility or for periods greater than 90 days at an on-site facility (HSC Section 25123.3).

21) Surface Impoundment. A facility or part of a facility that is a natural topographic depression, man-made excavation, or diked area, formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds and lagoons (HSC Section 66200).

22) Transfer Stations. Any hazardous waste facility where hazardous wastes are located, unloaded, pumped or packaged (22 CCR Section 66212).

23) Transportable Treatment Unit. Hazardous waste treatment works which are designed to be moved either intact or in modules and which are intended to be operated at a given location for a limited period of time~~;~~.

24) Treatment Facility. A facility at which hazardous waste generated in the City of Ontario is subjected to treatment or where a resource is recovered from a hazardous waste.

25) Waste Pile. Any non-containerized accumulation of solid, non-flowing hazardous waste that is used for treatment or storage (22 CCR Section 66160).

Height (of a Building or Structure). The vertical dimension of a building or any other type of structure measured from the lower of existing grade or finished grade elevation to the highest point of the roof, not including chimneys, antennas, or other appurtenant structures. The height of structures shall be measured vertically, from a line representing a horizontal plane drawn through either the base of the structure at the lowest elevation of the existing grade prior to development or finished grade of the structure, whichever is lower, to a line representing a horizontal plane drawn through the highest point of the roof or through the coping of a flat roof, the deck line of a mansard roof or the highest ridge of a sloping roof.

Historic Preservation. "Historic Preservation" refers to the treatment of historic places and sites. For the purposes of the historic preservation regulations contained in this Development Code, the following definitions shall apply:

1) Alteration. Any exterior change or modification, through public or private action, to the character-defining or significant physical features of properties affected by this Development Code, such as changes to or modification of a structure, architectural details or characteristics, rock curbs, the addition of new structures, cutting or removal of trees, and the placement or removal of significant objects, including but not limited to signs, plaques, light fixtures, street furniture, walls, fences, or steps, which affect the significant historical qualities of the property. This may also include any identified significant interior features of historic property.

2) Certificate of Appropriateness. A certificate issued by the Approving Authority approving plans, specifications, statements of work, and any other information that are reasonably required by the Approving Authority to make a decision on any proposed alteration, restoration, rehabilitation, construction, removal, relocation, or demolition, in whole or in part, or to an historic resource.

3) Certificate of Economic Hardship. A certificate authorizing work described in the accompanying Certificate of Appropriateness granted by the Approving Authority because of extreme financial privation or adversity.

4) Certified Local Government. A local government certified under a federal program by the State office of Historic Preservation for the purpose of more direct participation in federal and state historic preservation programs.

5) Character-Defining Feature. The man-made elements embodying style or components of an improvement, including but not limited to the kind and texture of the building materials, roof pitches, exterior wall finishes, and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.

6) Contributing Resource. Any improvement, building, structure, sign, feature, tree, or other object adding to the historical, architectural or cultural significance of an historic district.

7) Demolition. Any act or process that destroys in part or in whole an individual historic resource or a structure within an historic district.

8) Design Guidelines. The principles contained in a document, which illustrate appropriate and inappropriate methods of rehabilitation and construction. The purpose of using design guidelines is to aid design and decision-making with regard to retaining the integrity of scale, design, intent, materials, feelings, patterns of development, and historic character of an historic resource.

9) Designated Site. A parcel or part thereof on which an historic resource is situated, and any abutting parcel or part thereof constituting part of the premises on which the Historical Resource is situated, and which has been designated a historic landmark or district.

10) Historic Context. A framework for interpreting history that groups information about historical resources sharing a common theme, geographical area, or chronology. The development of "historic context" is a foundation for decisions regarding the planning, identification, evaluation, registration, and treatment of historical resources based upon comparative historic significance.

11) Historic District. Any defined contiguous or noncontiguous grouping of properties that share a common theme and/or period of significance containing a concentration of

improvements which have a special historical interest or value, which possess integrity of location, design, setting, materials, workmanship, feeling, and association, or which represent one or more architectural periods or styles typical to the history of the City, and that has been nominated or designated a Historic District, or placed on the National Register of Historic Places or the California Register of Historical Resources.

12) Historic Integrity. The authenticity of a property's historic identity evidenced by the survival of physical characteristics that existed during the property's prehistoric or historic period. Historic integrity is the composite of seven qualities which include location, design, setting, materials, workmanship, feeling, and association.

13) Historic Landmark. Any singular Historical Resource that has been nominated or designated, or placed on the National Register of Historic Places, or the California Register of Historical Resources.

14) Historic Resources. Improvements, buildings, structures, signs, features, Historic Districts, conservation zones, trees, or other objects of cultural, architectural, or historical significance to the City, State, Region, or the Nation, which have been determined to be eligible for nomination or designation and determined to be appropriate for historic preservation by the Approving Authority.

15) Historic Resources Survey. A survey conducted to identify, record, and evaluate historic properties within a community, neighborhood, project area, or region. A reconnaissance level survey involves the preparation of a Primary Record form (or DPR523A) pursuant to standards established by the California Office of Historic Preservation. A Primary Record documents the location and physical description of a building, structure, object, or site. An intensive level survey involves the preparation of a Building, Structure, and Object (BSO) Record form (or DPR523B) pursuant to the standards established by the California Office of Historic Preservation. A BSO Record is used to evaluate and present detailed information about buildings, structures and objects. The intensive level survey will also evaluate areas or neighborhoods for historic significance and a DPR523D form will be prepared.

16) Improvement. Any building, structure, fence, gate, tree, wall or other specified object constituting a historical physical feature of real property, or any part of such feature.

17) Local Historic Status Codes. A classification system that identifies historic resources based on the level of evaluation and designation for which the property has been approved.

18) Mills Act Contract. A property contract entered into between the City and a property owner that provides a potential for lower property taxes in return for the rehabilitation, restoration and preservation of a qualified historical property pursuant to GC Section 50280, et seq.

19) Noncontributing Resource. Any improvement, building, structure, sign, feature, tree or other object that does not add to the historical, architectural or cultural significance of a district.

20) Object. A material thing of historical, cultural or architectural value.

21) Ontario Register. A list that includes historic resources that have been surveyed at the intensive level (DPR523A and DPR523B) and determined to be eligible for local, state, or national through a regulatory process. This includes "determined eligible," "designated," and "nominated" properties. Historic Preservation Subcommittee maintains the Ontario Register.

22) Ordinary Maintenance and Repair. Any work, for which a building permit is not required by law, where the purpose and effect of such work is to correct any deterioration of or damage to a structure or any part thereof and to restore the same, to its condition prior to the occurrence of such deterioration or damage.

23) Period of Significance. The length of time when a property was associated with important events, activities, or persons, or attained the characteristics which qualify it for listing in the Local, State, and/or National Register.

24) Preservation. The identification, study, protection, restoration, rehabilitation, or acquisition of Historical Resources.

25) Secretary of the Interior Standards for Rehabilitation. The guidelines prepared by the National Park Service for Rehabilitating Historic Buildings and the Standards for Historic Preservation Projects prepared by the National Park Service with Guidelines for Applying the Standards.

26) Statement of Significance. An organizational format which groups information about related historical resources based on theme, geographic units, and chronological period. The information should describe why the resource is significant within a relevant historic context.

27) Significant Feature. The man-made elements embodying style or components of an improvement, including but not limited to the kind and texture of the building materials, and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.

28) State Historic Building Code. HSC Part 2.7 (commencing with HSC Section 18950), and the regulations promulgated thereunder, as they may be amended from time to time (24 CCR, Part 8).

Home Occupation. An occupation conducted by the occupant of a dwelling as a secondary use in which there is no display, no stock-in-trade, no commodity sold on the premises, no person employed other than residents of the dwelling, and no mechanical equipment used, except for that necessary for housekeeping purposes.

Hotel. A lodging facility, which offers transient accommodations at a daily rate, to the general public, and which may provide additional services, such as restaurants, meeting rooms and recreational facilities.

Household. One or more individuals occupying a single dwelling, with common access to and use of all living, eating, and kitchen facilities within the dwelling.

Household Pet. A small, domesticated animal, normally allowed access to the house or yard, kept for company, security or pleasure, limited to any combination of dogs, cats, potbellied pigs, rabbits, chinchillas, and other small, domesticated animals that are maintained for non-breeding purposes only.

Human Signs. A sign held by, or attached to, a human for the purpose of advertising or otherwise attracting attention to an individual, or a business, commodity, service, or product, and includes the use of a person dressed in costume for the purpose of advertising or attracting attention to an individual, business, commodity, service, or product. A "human sign" may also be referred to as a human billboard, human directional, sign walker, sign waver, or sign twirler.

I. Definitions of Words Beginning with the Letter "I."

Immediate Neighborhood. The block in which the subject property is located, as well as the opposite block face along the same street.

Improvement. Any street work and utilities to be installed, or agreed to be installed, by the subdivider on land to be used for public or private streets, highways, driveways, drive aisles and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic, and drainage needs as a condition precedent to the approval and acceptance of the final tract map. Furthermore, the term shall mean any other specific improvement or type of improvement, whether public or private, the installation of which, either by the subdivider, public agencies, private utilities, any other entity approved by the local agency, or by a combination of such, which is necessary to ensure consistency with or implementation of the general plan or any applicable specific plan.

Industrial Clinic. Establishments of independent healthcare practitioners providing services to businesses and their employees, which are engaged in: **[i]** providing physical therapy services to patients with impairments, functional limitations, disabilities, or changes in physical functions and health status, which are a result of injury, disease or other causes received while on-the-job, or who require prevention, wellness or fitness services; **[ii]** planning and administering educational, recreational, and social activities designed to help patients or individuals with disabilities, regain physical or mental functioning or to adapt to their disabilities; and **[iii]** diagnosing and treating speech, language, or hearing problems.

Industrial Park (Industrial Complex). A development within an industrial zone or land use district, which consists of 2 or more buildings constructed by a single developer or group of developers and designed to function as a single cohesive unit in terms of access, parking, landscaping, property and landscape maintenance, and architecture, regardless of the subsequent parcelization. The terms "industrial park" and "industrial complex" may be used interchangeably.

In-Lieu Fee. A cash payment that may be required of an owner or developer as a substitute for the dedication of land or the construction of public improvements.

Interim Use. A use of land or a structure that is less than permanent, with the duration of the use subject to City approval.

Institutional Use. A privately operated use of a semi-public type, such as a church, convent, monastery, day care facility or hospital, nursing home, hospice facility, club, or lodge, philanthropic or charitable foundation, nonprofit library, art gallery, museum, or similar type of establishment.

Intensification of Use. The use of a property, site, or defined area of land, or a structure or portion of a structure, at a higher density (residential) or intensity (nonresidential) than previously recognized and/or approved by the City, either through development, redevelopment, infill, addition, or expansion.

J. Definitions of Words Beginning with the Letter "J."

Junior College. Establishments primarily engaged in furnishing academic, or academic and technical, courses and granting associate degrees, certificates, or diplomas below the baccalaureate level. The requirement for admission to an associate or equivalent degree

program is at least a high school diploma or equivalent general academic training. Instruction may be provided in diverse settings, such as the establishments or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

K. Definitions of Words Beginning with the Letter "K."

Kennel. A place in which 4 or more dogs over 4 months in age are kept.

Kiosk. A small, freestanding lightweight structure less than 150 SF in area, sometimes open on one or more sides. Kiosks are often used as a newsstand or for small-scale merchandising.

Kitchen. A room or portion of a room in a structure, which is used for the purposes of preparing meals and contains the necessary cooking or food preparation facilities (and may include a microwave oven or hot plate) and shall also be equipped with a sink and hot and cold running water.

L. Definitions of Words Beginning with the Letter "L."

Lane (Alleyway). The principal means of vehicular access to one or more abutting dwellings within a townhouse, rowhouse, or cluster development, which is not intended for through access and is privately owned and improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, excluding loose materials, such as gravel, stone or slag. The terms "lane" and "alleyway" may be used interchangeably.

Landscaped Area. The unpaved portion of a site containing planted areas and plant materials, including trees, shrubs, lawns and flowers and ground cover, together with such decorative elements as walkways, benches, patios, terraces, water features, and the like, suitable for ornamenting a site or structure, or use on the site. Landscaping may also include non-plant decorative material as an intended complementary aspect of a landscape design, such as:

1) Public art installed pursuant to Division 6.07 (Public Art) of this Development Code;

2) Decorative fountains, reflecting pools, and ponds;

3) Decorative rock, stone, bark, mulch, and other similar decorative materials installed for the purpose of reducing the need for the watering of plant material, and which does not cover more than 5 percent of the total landscaped area; and

4) Trellises, porticos, arbors, and other similar garden structures, which do not exceed 6 FT in width, 3 FT in depth, and 8 FT in height.

Live Entertainment. Any live performance, including, but not limited to, all forms of music, theatrical or comedic performance, song, dance, karaoke, or vocal entertainment by a disc jockey (DJ) or announcer, in which one or more employees, independent contractors, guests, customers, or any other individual participates. Live entertainment shall also include dancing by patrons to live or recorded music.

Live entertainment shall not include ambient or incidental music provided for guests or patrons by one nonamplified musician, or the use of a radio, television, or other electronic

playback device in any establishment, except when utilized by an announcer, DJ, master of ceremony (MC), or presenter, who at any time provides any form of vocal or visual entertainment for the purpose of gaining the attention and interest of, or diverting or amusing, guests or patrons, including the announcing of song titles or artists' names.

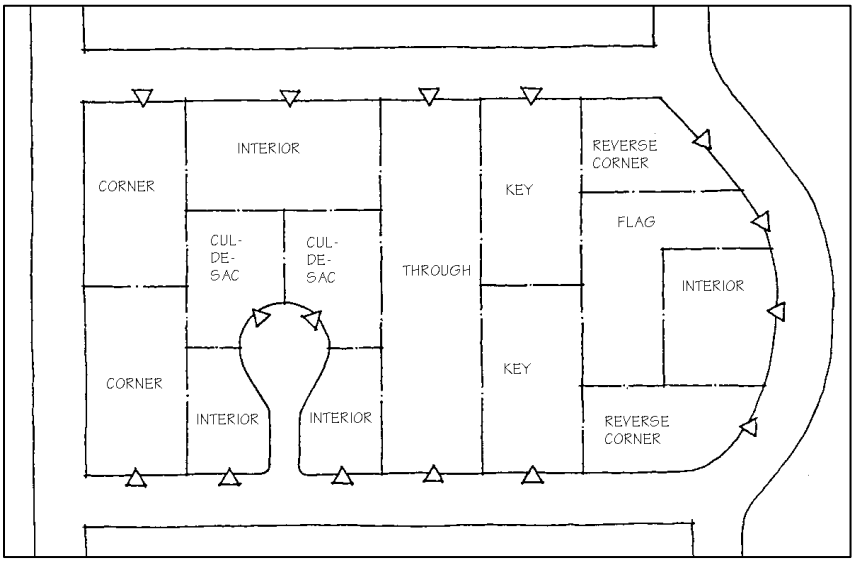
Living Area. The interior habitable area of a dwelling unit, including improved basements and attics, but does not include a garage or accessory structure.

Loading Area. The portion of a site developed for the loading or unloading of motor vehicles or trailers, including loading spaces, drive aisles and driveways.

Lodging Facility. An establishment that provides transient sleeping accommodations for rent.

Lodging House. See "Boarding House."

Lot. A unit or portion of land, separate from other units or portions by description, as shown on a final map or by other such map or instrument approved by the City or applicable government entity under the provisions of the Subdivision Map Act (commencing with GC Section 66410) and City ordinances in effect at the time of such approval, for the purpose of sale, lease, or financing. The classifications of "lot" are described as follows (see examples below):



Lot Types

1) **Corner.** A lot located at the intersection of 2 or more streets.

2) **Cul-De-Sac.** A lot located on the turning end of a dead-end street.

3) **Flag.** A lot having access to a street by means of a private driveway access easement, or parcel of land not meeting the requirements of this Code for lot width but having a dimension of at least 20 FT at its narrowest point.

4) **Interior.** A lot other than a corner lot.

5) Key. The first interior lot to the rear of a reversed corner lot.

6) Reverse corner. A corner lot, the side of which on a street side is substantially a continuation of the front property line of the first lot to its rear.

7) Through. An interior lot having frontage on 2 parallel or approximately parallel streets.

Lot Area. The area within the property lines of a lot or parcel, exclusive of any dedications for public rights-of-way, parks, school sites or other public dedications.

Lot Area, Adjusted Gross. The gross lot area, excluding public highways, streets, alleys, and other public rights-of-way, and non-buildable easements for public utilities, railroads, and private streets.

Lot Area, Gross. The entire area within the boundaries of a lot or parcel, measured to the centerline of adjoining alleys, highways, or streets or to the underlying fee ownership of such adjoining alleys, highways or streets, whichever is applicable.

Lot Area, Net. A unit of land measure, not including the area within the established right-of-way of a public or private street or railroad, or any other area dedicated or required to be dedicated in the future for a public use.

Lot Coverage. The area devoted to principal and accessory structures on a lot, including patios enclosed on 3 sides, garages, and covered parking.

Lot Depth. The horizontal distance between the front and rear property lines of a site measured along a line midway between the side property lines.

Lot Line. The lines bounding a lot (also see "Property Line"). The classifications of "Lot Line" are as follows:

1) Front. The line separating the narrowest street frontage of a lot from a public or private street right-of-way.

2) Interior side. Any lot line that is not a front or rear lot line, and that does not border a public or private street right-of-way.

3) Rear. The lot line opposite and most distant from the front lot line. In the case of an irregularly-shaped lot, a straight line shall be drawn within the lot most nearly parallel to and the maximum distance from the front lot line

4) Street side. Any lot line that is not a front or rear lot line, and which abuts a public or private street right-of-way.

Lot Line Adjustment. A boundary realignment between 2 or more adjoining lots that are legally recognized and under the same or different ownership, where land taken from one lot is added to an adjacent lot, and where a greater number of lots other than originally existed is not thereby created. A lot line adjustment shall not result in the adjustment (moving) of more than 4 lot lines.

Lot Width. The horizontal distance between the side property lines of a lot, measured in a straight line in the mean direction of the front property line, at the minimum front yard setback line of a lot.

M. Definitions of Words Beginning with the Letter "M."

Maintenance. Repair work or upkeep on a structure, including painting, carpentry, glazing, and the reinforcement or replacement of defective parts, including roofs, foundations, structural members, and the like, but not including an addition, enlargement, or replacement of the structure.

Manufactured Home. A structure designed for single-family residential use that is factory made and is fully or partially assembled on the site of ultimate use, as permitted by Federal laws and the State of California.

Manufacturing. A use engaged in the manufacture, primarily from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental processing of extracted raw materials.

Marijuana. All parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include:

1) Industrial hemp, as defined in Section 11018.5 of the California Health & Safety Code; or

2) The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

Marijuana Cultivation. Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.

Marijuana Dispensary. Any association, cooperative, club, coop, delivery service, collective and any other similar use involved in the sale, exchange, bartering, giving away for any form of compensation whatsoever, possession, cultivation, use and/or distribution of marijuana.

Massage. Any method of treating the external parts of the body for remedial, health or hygienic purposes, by means of pressure on or friction against; or stroking, kneading, rubbing, tapping, pounding; or stimulating the external parts of the body with the hands or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances; or with or without supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice and shall include herbal body wraps.

For the purposes of the Massage regulations contained in the Development Code, the following definitions shall also apply:

1) Chair Massage. Any massage of the neck, arms, shoulders, hands, feet and back area above the waist, where the client is fully clothed, sitting upright in a chair, and done without the use of supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations.

2) Massage Establishment. An establishment having a fixed place of business where any person, association, firm, partnership, or corporation engages in, conducts, or carries on, or permits to be engaged in, conducted, or carried on, any business of giving massage, baths, administration of fomentation, electric or magnetic treatments, alcohol rubs, or any other type of system for treatment or manipulation of the human body, with or without any character of bath, such as Turkish, Russian, Swedish, Japanese, vapor, shower, electric tub, sponge, mineral, fomentation, or any other type of bath.

Master Plans. A term used to describe a process that determines community goals and aspirations in terms of community development. The outcome of comprehensive planning is the Master Plan (also referred to as the "comprehensive plan"), which dictates public policy in terms of transportation, utilities, land use, recreation, public safety, and housing. Master plans typically encompass large geographical areas, a broad range of topics, and cover a long-term timeframe.

Material Recovery Facility. A facility that receives, processes, and recycles municipal mixed solid wastes, commercial high-grade wastes (such as corrugated cardboard, newspaper, mixed papers, etc.), construction debris, commingled recyclable materials, and green waste, and ships recovered recyclables and residual solid waste to market or disposal destinations. These facilities typically include:

1) Materials handling, sorting, processing and compacting equipment and facilities;

2) Shipping/hauling of sorted materials, either by truck or rail;

3) Administrative functions, such as office, employee and training areas;

4) Weighing of vehicles and collection of fees; and

5) Maintenance of vehicles and equipment used in conjunction with the facility.

Medical Marijuana Dispensary. Any association, cooperative, club, coop, delivery service, collective and any other similar use involved in the sale, possession, cultivation, use and/or distribution of marijuana for medicinal purposes.

Menu Board. A permanently mounted sign displaying the bill of fare of a drive-in, drive-through or walk-up restaurant.

Metal Salvage Yards. An establishment that collects and utilizes scrap metal for use as salable products.

Mezzanine. A second level, internal to a building or unit, composed of permanent or modular construction that adds usable square footage to a unit.

Mixed-Use Development. The development of a tract of land, building, or structure, which includes residential land uses in conjunction with a variety of complementary uses, such as, but not limited to, office, manufacturing, retail, public, or entertainment, in an integrated development project with significant functional interrelationships and a coherent and cohesive physical design.

Mobile Home. Same as "Manufactured Home," but subject to the National Manufactured Housing Construction and Safety Standards Act of 1974.

Mobile Home Park. A development designed exclusively for the placement of mobile homes on spaces or lots offered for sale, lease, rent or condominium ownership, including all improvements, buildings, structures, recreational areas, or other facilities for the use of the residents of such development, but not including any sites or spaces available on a transient basis.

Mobile Recycling Unit. An automobile, truck, trailer, or van, licensed by the California Department of Motor Vehicles, which is used for the collection of recyclable materials. This definition encompasses bins, boxes or containers transported by trucks, vans or trailers and used for the collection of recyclable materials. Mobile units shall not be visible from Euclid Avenue.

Monopole. A structure composed of a single spire used to support communications equipment.

Motel. A lodging facility that offers transient accommodations at a daily rate, to the general public, which are predominantly accessed from parking lots or exterior walkways.

Motorhome. A motor vehicle originally designed or permanently altered and equipped for human habitation.

Motor Truck. A motor vehicle designed, used, or maintained primarily for the transportation of property, which has two or more axles and a gross vehicle weight rating (GVWR) of more than 10,000 pounds (CVC Section 410).

Mortuaries. See "Funeral Parlors."

Mulch. A layer of organic material derived from plants (e.g., compost, leaf mold, peat, shredded bark, wood chips, etc.), which is applied to the surface of an area of soil to conserve moisture, improve the fertility and health of the soil, reduce weed growth, and enhance the visual appeal of the area. Nonstabilized decomposed granite or gravel may be used with appropriate California native landscapes.

Multiple Tenant Building. A building wherein two or more separate and independently owned, rented, leased, or operated commercial occupancies are contained.

Municipal Utility. A utility owned and operated by an agency of local government.

Mural. An original, noncommercial work of art that is displayed by being painted directly on, or being affixed directly to, the exterior wall of a building or structure, and which is clearly intended as a decorative or ornamental feature. Murals do not contain text, numbers, registered trademarks, registered logos, or business or service advertising or identification.

N. Definitions of Words Beginning with the Letter "N."

Neighborhood Convenience Facility. A retail establishment offering for sale, any prepackaged food products or household items, newspapers or magazines, salads or sandwiches, or other freshly prepared foods, for consumption off the premises.

Noncommercial Speech. Any message that is not determined to be commercial speech as defined in this Division.

Nonconforming Structure. A structure or building, the size, dimensions, or location of which was lawful prior to the adoption, revision, or amendment to a zoning ordinance, but which fails,

by reason of such adoption, revision, or amendment, to conform to the present requirements of the zoning district.

Nonconforming Use. A use or activity which was lawful prior to the adoption, revision, or amendment to a zoning ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

Nonprofit Social Service Organization. An organization that is incorporated under State law and has an unpaid board of directors, and which provides social services on a non-resident basis to the public, on an ability-to-pay or non-fee basis.

Nuisance. Anything that is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use in the customary manner of any public park, street, sidewalk, alleyway, highway or other public easement is a nuisance. The classifications of nuisance are as follows:

1) **Private Nuisance.** A private nuisance is an interference with a person's enjoyment and use of their land, recognizing that landowners, or those in rightful possession of land, have the right to the unimpaired condition of the property and to reasonable comfort and convenience in its occupation.

2) **Public Nuisance.** A public nuisance interferes with the public as a class, not merely one person or a group of citizens; however, some nuisances can be both public and private in certain circumstances where the public nuisance substantially interferes with the use of an individual's land.

3) **Attractive Nuisance.** An attractive nuisance is alluring or fascinating to those persons, who, because of their age, inexperience, and/or mental capability, are unable to recognize its dangerous quality.

Nuisance Vegetation. Weeds and wild grasses, such as those commonly known as foxtails, tumbleweeds, devil thorns, puncture vines, horehound gourd vines, and other similar grasses and weeds.

Nursery School. See "Child Day Care Facility."

Nursing Home (Convalescent Home (Hospital), Rest Home, or Rehab (Rehabilitation) Facility). A lodging and care facility for convalescents, invalids, or aged persons, not including persons suffering from contagious or mental diseases, alcoholism, or drug addiction, and in which surgery is not performed and primary treatment, as given in hospitals or sanitariums, is not provided. The terms "Nursing Home," "Convalescent Home," "Convalescent Hospital," "Rest Home," or "Rehab Facility" may be used interchangeably.

O. Definitions of Words Beginning with the Letter "O."

Office Building. A building containing two or more separate, independently owned, rented, leased, or operated commercial, administrative or support services, or professional tenants, in which the primary access to the lease area of each occupant is from the interior of the building (from a lobby or foyer), as opposed to direct access from a street or parking lot.

Open Space. Any lot or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring the open space. Open space does not include area covered by buildings or accessory structures (except recreational structures), paved areas (except recreational facilities), proposed and existing private and public streets, drive aisles, or driveways. The classifications of open space are as follows:

1) **Common.** Open space within an area owned, designed, and set aside for use by all occupants of a development, or the occupants of a designated portion of a development. Common open space is not dedicated to the public and is owned or maintained by a private organization made up of the open space users. Common open space includes common recreation facilities, open landscaped areas, and greenbelts, and excludes streets, drive aisles, driveways, parking lots and other similar pavement areas, parkways, and landscaping within a public right-of-way.

2) **Private.** Open space directly adjoining a dwelling, which is intended for the private enjoyment of the occupants of the dwelling. For multiple-family dwellings, private open space includes area within private patios or balconies. For single-family dwellings, private open space includes front, rear, and side yard areas of individual lots.

Overlay District. A zoning district established by this Development Code that may be applied to an area or vicinity only in combination with a base zoning district.

Owner. Any person in possession, or any person(s) shown as owner(s) on the last equalized property tax assessment rolls.

P. Definitions of Words Beginning with the Letter "P."

Passenger Vehicle. Any motor vehicle, unless the vehicle is used for the transportation of persons for hire, compensation, or profit.

Patio. An outdoor living area constructed at ground level, which may extend from a building or may be freestanding. Patios may or may not have covers or roofs, can take on any shape, and may be constructed of a variety of materials, including concrete, brick, stone, gravel, pavers, flagstone, or other similar materials.

Patio, Covered. A patio with a shade structure, consisting of a roof and structural supports.

Patio, Enclosed. A patio area, consisting of a roof and vertical walls on up to 3 sides which are a minimum of 65 percent open. For the purpose of this definition, the term "open" may include the use of screen material and/or plexiglass, or other similar material. An enclosed patio shall not include any portion of a building that is habitable, as defined in the Uniform Building Code.

Parcel Map. A map that is designated to be placed on record with the office of the County Recorder for any subdivision creating 4 or fewer lots, or 5 or more lots if the subdivision complies with the provisions of GC Section 66426.

Parking Area. A site, or a portion of a site, devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and related landscape and screening areas.

Parolee, Federal. An individual convicted of a federal crime, sentenced to a United States federal prison, and received conditional and revocable release in the community under the supervision of a Federal parole officer.

Parolee, State Adult. An individual who is serving a period of supervised community custody, as defined in PC Section 3000, following a term of imprisonment in a state prison and is under the jurisdiction of the California Department of Correction, Parole and Community Services Division.

Parolee, Youth Authority. An adult or juvenile individual sentenced to a term in the California Youth Authority and received conditional and revocable release in the community under the supervision of a Youth Authority parole officer.

Pavement (Paving). An area improved by the laying or covering with a material, such as asphalt, concrete, laid brick, or concrete block, so as to form a substantially flat, hard, and level all-weather surface. The terms "pavement" and "paving" may be used interchangeably.

Personal Property Donation Bin. An unattended canister, bin, box, receptacle, or similar device used for soliciting and collecting donations of personal property.

Personal Services. Services of a household or personal nature, such as dry cleaning, apparel repair, beauty and barbershops, but not including adult businesses as defined in this article.

Philanthropic Institution. See "Charitable Institution."

Pickup Truck. A motor truck with a manufacturer's gross vehicle weight rating (GVWR) of less than 11,500 pounds and an unladen weight of less than 8,001 pounds, which is equipped with an open box-type bed less than nine feet in length. The term "pickup truck" does not include a motor vehicle otherwise meeting the aforementioned definition, which is equipped with a bed-mounted storage compartment commonly called a "utility body" (CVC Section 471).

Place of Worship. See "Religious Assembly."

Planned Development. A development, other than a condominium or stock cooperative, having a common area owned by a property owner association, or in common by the owners of the separate interests who possess appurtenant rights to the beneficial use and enjoyment of the common area.

Planned Residential Development. A residential development on a site under one ownership or under the legally incorporated control of the individual owner-members, approved in conjunction with a subdivision, developed as a single entity, allowing a mix of dwelling types and individual parcels, and containing commonly owned open space and recreation areas.

Planning Commission. The Planning Commission of the City of Ontario.

Planning Director. The Planning Director of the City of Ontario, or his/her designee.

Political Sign. Any election or non-election sign, advertising structure, or display that communicate any message or idea identifying, supporting, opposing, promoting, or conveying a position upon or relating to any political cause or issue, or candidate for public office, or proposition or issue connected with any local, special, state, or national election.

Pool Hall. See "Billiard Parlor."

Prezoning. The classification of unincorporated territory adjoining a City into one or more City zoning districts.

Primary Use, Activity, or Facility. The principal or main use, activity, or facility of land, buildings, or other structures.

Primary Business Activity. The principal concern or interest of a business, based upon volume of business activity, gross receipts, and gross floor area devoted to business activity, in order of rank or importance.

Property Line. A line of record, which bounds a lot, and which divides a lot from another lot, a public or private street, or from any other public or private space (also see "Lot Line").

Public Nuisance. A nuisance that affects at the same time, an entire community or neighborhood, or any large number of persons, although the extent of the annoyance of damage inflicted upon individuals may be unequal.

Public Service Installation. Buildings and other structures and equipment owned and/or operated by an agency of local, state or federal government.

Public Storage. See "Mini Warehouse."

Public Right-of-Way. Any public street, alley, sidewalk, street island, median, or parkway that is owned or granted by easement, operated, or controlled by the City.

Public Utility Installation. Buildings and other structures and equipment owned and operated by a public utility or private utility company subject to the regulation of the Public Utility Commission of the State.

Public View. Observable or likely to be observed by a person positioned on publicly or privately owned property, at a location to which the public have unfettered access.

Q. Definitions of Words Beginning with the Letter "Q."

Reserved

R. Definitions of Words Beginning with the Letter "R."

Recognized Lot. Any lot that was a separate lot of record on November 5, 1947, as shown in the official records of the County Recorder, or any lot that was created after July 21, 1977, in accordance with State law or any applicable City law, or any lot that, at the time of annexation of the City, was a separate lot of record, as shown in the official records of the County Recorder.

Recreational Vehicle. A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor homes, converted trucks or buses, boats and boat trailers, all-terrain vehicles, truck campers, personal water craft and trailers for their transport, off-road vehicles, fifth-wheel trailers, utility trailers and horse trailers. All-terrain and off-road vehicles licensed for use on the public street

shall not be considered a recreational vehicle, such as 4-wheel drive pick-up trucks, sport utility vehicles, and 4-wheel drive passenger vehicles.

Recreational Vehicle Park. A facility for the accommodation of recreational vehicles for short-term periods, generally for not less than one night and not used as a place of residence by persons, other than a manager or other employee and their families.

Recycling Center. A center for the collection and/or processing of recyclable materials certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986 (commencing with PRC Section 14500). A recycling facility does not include storage containers or processing activity on the premises of a residential, commercial, or industrial use, and used solely for the recycling of material generated by the residential property, business, or industry. For the purposes of these provisions, recyclable material shall mean reusable material, including, but not limited to metals, glass, plastic, and paper intended for reuse, remanufacture, or reconstitution for use in an altered form. Recyclable material may include used motor oil collected and transported in accordance with the California Health and Safety Code. Recycling facility is further defined as follows:

1) Large Collection Facility. A center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public, that occupies an area of more than 500 SF, is not appurtenant to a host use and may use a permanent building. In addition, large collection facilities may have the capacity for aggregating and storing large amounts of material on-site.

2) Processing Facility. A facility certified by the California Department of Conservation, which purchases empty aluminum beverage containers, bimetal beverage containers, glass beverage containers, plastic beverage containers, or any other beverage containers, including any one or more of those beverage containers that have a refund value established pursuant to the California Beverage Container Recycling and Litter Reduction Act, from recycling centers within the state of California, for recycling. Processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source-separated recyclable materials, and repairing of reusable materials sufficient to qualify as a certified processing facility. A processing facility shall not shred, compact, or bale ferrous metals, other than food and beverage containers.

3) Reverse Vending Machine. An automated mechanical device that accepts one or more types of empty beverage containers, including, but not limited to, aluminum cans, glass, and plastic bottles, and issues a cash refund or a redeemable voucher. A reverse vending machine may sort and process containers mechanically if the entire process is enclosed within the machine.

4) Small Collection Facility. A center of not more than 500 SF in area for the acceptance by donation, redemption, or purchase, of recyclable materials from the public, and consisting of one or more of the following:

a) Mobile Recycling Unit. An automobile, truck, trailer, or van that is licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials. A mobile recycling unit also means bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials.

b) Bulk Reverse Vending Machine. A reverse vending machine that is larger than 50 SF in area, is designed to accept more than one container at a time and will pay by weight rather than by individual container.

c) Kiosk Type Unit. Portable recycling units but may include small permanent structures.

d) Unattended Containers. Any unattended container placed for the donation of recyclable material.

Rehab (Rehabilitation) Facility. See "Nursing Home."

Religious Assembly (Place of Worship). A facility operated for worship or recurring organized religious services, or activities, including churches, temples, mosques, synagogues, and other similar facilities of religious instruction. Such facilities may include a variety of traditional accessory uses, amenities and activities, such as offices, classrooms, multi-purpose rooms, play fields and gymnasiums, rectory, group living quarters, child and adult daycare facilities, and incidental retail activities that support the primary religious activity, limited to the sale religious books and paraphernalia. "Religious assembly" within commercial, mixed-use, and specialized use zoning districts may also include nontraditional accessory uses, amenities, and activities, such as general retail sales, entertainment facilities, sports and recreation centers, and broadcasting and recording studios. "Religious assembly" shall not include dwellings periodically used for religious activities that are clearly incidental to the primary residential use of the dwelling and do not create a nuisance.

Residence Inn. A lodging facility consisting of one or more buildings containing individual guest rooms or suites of rooms and/or dwelling units, which may provide kitchen facilities, amenities, recreational facilities, and/or meals. "Residence inn" shall not include residential, group, or community care facilities, as defined in this Division.

Residential Complex. Multiple-family residential developments, mobile home parks, and common interest developments, each consisting of 5 or more dwelling units constructed by a single developer or group of developers, and designed to function as a single cohesive unit in terms of access, parking, landscaping, property and landscape maintenance, and architecture, regardless of the subsequent parcelization.

Residential, Group, or Community Care Facility. Any facility, place or building that is maintained and operated to provide residential care as defined by State law and including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, abused or neglected children and the elderly. Community Care Facilities include, but are not limited to, the following: residential facility, adult day care facility, therapeutic day services facility, foster family agency, foster family home, small family home, social rehabilitation facility, community treatment facility, full service adoption agency, noncustodial adoption agency, and transitional shelter care facility. Any of these facilities with 6 or fewer people in residence shall be viewed as a single-family residence.

Residential Project. Conditional Use Permit, Development Plan, Subdivision Map, or other discretionary or ministerial land use approval that authorizes the development of one or more dwellings and/or residential lots.

Rest Home. See "Nursing Home."

Restaurant. A business establishment that prepares and serves food and drinks to customers in exchange for money. The classifications of restaurant are described as follows:

1) Full-Service Restaurant. A sit-down eatery where food is served directly to the customers' table. These establishments may sell alcoholic beverages. Food and drink may be consumed on the premises, taken out, or delivered to customers' locations.

2) Limited Service Restaurants. An establishment whose patrons generally order or select items and pay prior to eating. Food and drink may be consumed on the premises, taken out, or delivered to customers' locations.

3) Cafeterias. A restaurant or dining room in a school or a business in which customers serve themselves or are served from a counter and pay before eating.

Reviewing Authority. Advisory Authorities, Approving Authorities, and Appeal Authorities of the City, which are responsible for acting on **[i]** land use or development entitlements, permits, and licenses; and **[ii]** other planning, zoning, and/or development actions and decisions, as established by Division 2.02 (Application Filing and Processing) of this Development Code.

Rooming House. See "Boarding House."

S. Definitions of Words Beginning with the Letter "S."

Salvage Facility. Any place of outdoor storage or deposit for the storing, keeping, processing, buying, or selling of junk motor vehicles and/or scrap metal, or an outdoor area used for the operation of a motor vehicle graveyard. A salvage facility does not include a garage where wrecked or disabled motor vehicles are stored for less than 90 days, for repairs.

As used in this definition, the following terms shall apply:

1) Motor Vehicle Graveyard. A yard, field, or other outdoor area used or maintained for storing or depositing more than one junk motor vehicle on a property owned or controlled by the owner of the Junk Motor Vehicle. A Motor Vehicle Graveyard does not include the following:

a) An area used by a motor vehicle hobbyist to store, organize, restore, or display motor vehicles, or parts of such vehicles, provided that the hobbyist's activities comply with all applicable federal, State, and local laws;

b) An area used by a motor vehicle dealership for the storage of new or used operational motor vehicles; and/or

c) An area used or maintained for the temporary parking or storage of operational commercial motor vehicles, which are temporarily out of service and/or unregistered but are expected to be used in the future by the motor vehicle owner or operator. For the purpose of this definition, "temporarily out of service and/or unregistered" shall mean a period of 90 days from the date of placement or discovery.

2) Junk Motor Vehicle. A discarded, dismantled, wrecked, scrapped, or ruined motor vehicle, or parts thereof, or a motor vehicle, other than an on-premise utility vehicle, which is allowed to remain unregistered for a period of 90 or more days from the date of placement or discovery.

School, Private. A school owned and operated by a private entity.

School, Public. A school owned and operated by a public school district.

Self-Storage Facility. A structure or group of structures containing separate storage spaces of varying sizes to be leased or rented on an individual basis.

Senior Citizen. As set forth in CC Section 51.3, as said section may be hereinafter amended.

Senior Citizen Housing Development. A housing development consistent with the California Fair Employment and Housing Act, which has been designed to meet the physical and social needs of senior citizens, and which otherwise, qualifies as housing for senior citizens pursuant to CC Section 51.1. Senior Citizen Housing Developments shall not include Congregate Care Facilities, as defined in this Division.

Service Station. See "Gasoline Service Station."

Setback Area. A required open space area on a parcel of land, unobstructed and unoccupied from the ground upward, except as permitted by this Development Code. The classifications of setback area are described as follows:

1) **Front.** An area that abuts a public or private street, or access easement, which extends across the full width of a lot, the depth of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line perpendicular to the front lot line and extending from the front lot line (measured from face-of-curb in the case of an access easement) toward the interior of the lot, to a line parallel to the front lot line.

2) **Interior Side.** An area that abuts another lot or lots, extending across the full depth of a lot, the width of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line perpendicular to the interior side lot line, and extending from the interior side lot line, toward the interior of the lot, to a line parallel to the interior side lot line.

3) **Rear.** An area extending across the full width of a lot, the depth of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line perpendicular to the rear lot line and extending from the rear lot line toward the interior of the lot, to a line parallel to the rear lot line.

4) **Street Side.** An area that abuts a public or private street, or access easement, which extends across the full depth of a lot, the width of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line, perpendicular to the street side lot line and extending from the street side lot line (measured from face of curb in the case of an access easement), toward the interior of the lot, to a line parallel to the street side lot line.

Shopping Center. A group of retail stores and similar complementary establishments on a site that is planned and built as a coordinated unit, with shared pedestrian and vehicular circulation and off-street parking.

Single Room Occupancy Hotel. A cluster of 5 or more dwelling units on one property for weekly or longer tenancy and providing sleeping and living facilities for one or 2 persons within the unit, in which sanitary facilities are also normally provided and cooking facilities may be provided within each unit or shared by multiple units.

Single Tenant Building. A building in which no more than one owned, rented, leased or operated commercial occupancy is contained.

Sign. Any writing (including letter, word, or numeral), pictorial presentation (including illustration or decoration), emblem (including device, symbol, or trademark), flag (including banner or pennant), or any other device, figure, or similar character that: **[i]** is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building, other structure or device; and **[ii]** is used to announce, direct attention to, or advertise; and **[iii]** is visible from the outside of a building.

The classifications of "sign," and definitions specifically related to the establishment of a sign, are as follows:

1) Backlit Awnings and/or Canopies. Awnings and/or canopies that are illuminated from behind so as to permit the transmission of light through a covering material, which thereby serves to attract attention to the building or structure upon which the awnings and/or canopies are affixed.

2) Banner Signs. A Temporary sign of lightweight flexible plastic, nylon, fabric, or similar material. Banner signs are further classified as follows:

a) Promotional or Special Event Banners. A sign attached to a building, wall or fence, or otherwise suspended down or across its face for the purpose of advertising a promotion or special event for an interim period, as specified by this Development Code.

b) Street Banners. A sign that is mounted on City light standards within the right-of-way of arterial public streets, for the purpose of **[i]** promoting economic development messages to the general public, or **[ii]** for honoring the men and women of the City that are actively serving with the United States armed forces, or have died while serving.

3) Billboard Sign. A sign located in an area distant, and on a separate parcel of land from the place where the product, business, or premises being advertise is located.

4) Building Identification Sign. A sign that identifies the name of a building, or the primary use, establishment, activity, owner, or occupant of a building.

5) Center (Complex) Identification Sign. A sign that identifies a shopping center, office complex, industrial complex, or other use of a site containing more than one establishment.

6) Construction Sign. Signage that identifies contractors, lenders, designers, realtors, and other similar parties involved in the construction of a building or site.

7) Content Neutral Sign. Consistently applicable non-discriminatory sign regulations that specify, without reference to the content of the message, when, how, and where a sign can be displayed, with physical standards, such as, but not limited to, height, size and location, that allow the sign to be readable.

8) Descriptor Sign. Secondary signage that is intended to illustrate the products or services sold or offered by a business at the site on which the business is located.

9) Directional Sign. Signage intended to lead pedestrian and/or vehicular traffic to a predetermined location or destination.

10) Double-Faced Sign. A sign with two parallel opposing (back-to-back) faces.

11) Electronic Message Display. An LED, LCD, or plasma advertising display containing a changing text message or pictorial presentation.

12) Electronic Text Display. A sign with electronically controlled changeable copy and/or message containing internally illuminated letters whose function is primarily to scroll text. Such signs are intended for use with those retail, entertainment, and assembly uses that typically necessitate signs with easily changeable copy, such as fuel pricing signs, marquee-type signs for public or private schools, public facilities and services, theaters, convention centers, arenas, places of worship, and other similar assembly uses.

13) Fascia Sign. A sign on the exterior of a building that is attached to a wooden board or other flat piece of material that covers the ends of joists or rafters.

14) Freestanding Sign. A sign structure that is permanently affixed to the ground, and includes: **[i]** complex identification monument signs, which identify a commercial, professional or industrial complex or center, which consists of 2 or more separate buildings, or 5 or more uses within one or more buildings; **[ii]** building or tenant (business) identification monument signs, which identify a single building or specific use or uses within an individual building; and **[iii]** freeway oriented signs.

15) Freeway Sign. A freestanding sign, including a sign incorporated into garden and screen wall, that is located within 600 FT of a roadway that is declared to be a freeway in compliance with the California Streets and Highways Code, and which complies with the minimum "freeway sign" requirements established by Division 8.01 (Signs) of this Development Code.

16) Fuel Island Canopy Sign. Signage placed on the fascia of a canopy structure located over pump (fuel dispenser) islands.

17) Historical Marker. An indicator, such as a plaque or sign, to commemorate an event or person of historic interest, and to associate that point of interest with a specific locale one can visit.

18) Human Sign. An advertisement that is applied to, worn, or held by a person. Most commonly, this means holding or wearing a sign, but may also include wearing advertising as clothing. A person holding a sign is known in the advertising industry as a "human directional," but may also be referred to as a "sign walker," "sign waver," or "sign twirler." Frequently, a "human directional" will spin or dance, or wear a costume with the promotional sign in order to attract attention.

19) Menu Board. A board on which a food menu is written.

20) Monument Sign. A freestanding sign with a solid base that is in close contact with the ground, which is equal to or larger than the width of the sign face and incorporates the architectural theme and building materials of the building(s) located on the property in which the sign serves.

21) Off-Site Subdivision Sign. A sign that is located off-site, which contains the name of and the direction of travel to a residential subdivision project in the City.

22) Permanent Sign. A sign attached to a building, structure, or the ground in a manner that enables the sign to resist environmental loads, such as wind, and precludes ready removal or movement of the sign.

23) Pole Sign. A freestanding sign with visible support structure.

24) Political Sign. Any display utilized for the purpose of proposing or opposing the election of a candidate, or ballot measure or proposition.

25) Portable Sign. A sign not permanently attached to the ground or building, with a power-cord for connection to an electrical source, and readily removable using ordinary hand tools.

26) Real Estate Sign. A temporary sign advertising the sale, rental, or lease of the premises upon which the sign is maintained.

27) Roof Sign. A sign mounted on or above the roof of a building, but not including a sign mounted on a parapet.

28) Single-Face Sign. A sign with only one face plane.

29) Supergraphics. A large-scale painted or applied sign, typically in bold colors and containing simple geometric or typographic designs, placed over exterior walls of buildings, and sometimes roofs.

30) Swooper Sign. A sign that is longer than it is wide, which is made of a flexible material (typically cloth, nylon, or vinyl), and mounted to a pole that allows it to fly freely, and is commonly used to attract attention to a business or event, or to advertise goods and/or services.

31) Temporary Sign. Any sign not intended for permanent installation, which is incidental or secondary in nature, and is subject to a time limitation, such as banner signs, construction signs, political signs, and real estate signs.

32) Tenant (Business) Identification Sign. A sign displaying the name of the business to which it pertains and/or the name or description of the products or services sold or offered by the business at the site on which the business is located. A business identification sign may be an attached or freestanding sign.

33) Vehicle-Mounted Billboard (moving or stationary). An automobile, truck, trailer, semi-trailer, or other vehicle to which a business identification sign is mounted, painted, or otherwise affixed.

34) Wall Sign. A sign attached to the exterior wall of a building or structure.

35) Way-Finding Signs. Signage, including maps and other graphic or audible methods, which is used to convey location and directions to pedestrian and/or vehicular traffic.

36) Window Sign. A sign that is posted, painted, placed, or affixed to, or suspended or placed within 5 FT feet of the interior side of, a window or glass door of a building, which is intended for viewing from the exterior of the building.

Sign Area. The entire face of a sign, including the surface of any framing, projections or molding, but not including the support structure. The area of a sign consisting of individual channel letters mounted on a building wall or freestanding structure shall be calculated by including the entire area within a single, continuous perimeter enclosing the extreme limits of lettering, representation, emblem, or other display.

Sign Copy. Any words, letters, numbers, figures, designs, or any other symbolic representations incorporated onto the face of a sign, excluding building addresses.

Sign Face. The exterior surface of a sign, exclusive of structural supports, on which is placed the sign copy.

Site. A parcel of land or combination of contiguous parcels of land.

Site Area. The net horizontal area included within the boundary lines of a site, not including the area of any easement within which the right of use has been relinquished, and not including the area within the established right-of-way of a public street, future public street, railroad, or any other area dedicated or to be dedicated for a public use.

Small Cell Facility. Has the same meaning as "small wireless facility" in 47 CFR 1.6002(l), or any successor provision, which is a personal wireless services facility that meets the conditions that, solely for convenience, have been set forth below.

1) The facility:

a) is mounted on a structure 50 FT or less in height, including antennas, as defined in 47 CFR Section 1.1320(d), or

b) is mounted on a structure no more than 10 percent taller than other adjacent structures, or

c) does not extend an existing structure on which it is located, to a height of more than 50 FT or by more than 10 percent, whichever is greater;

2) Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 CFR Section 1.1320(d)), is no more than 3 cubic feet in volume;

3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

4) The facility does not require antenna structure registration under 47 CFR Part 17;

5) The facility is not located on Tribal lands, as defined under 36 CFR Section 800.16(x); and

6) The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR Section 1.1307(b).

Special District. An agency of the State for the local performance of governmental or proprietary functions within limited boundaries including a county service area, a maintenance

district or area, an improvement district, or any other area or district formed for the purpose of designating an area within which a tax or charge will be levied to pay for a service or improvement benefiting that area, but not including a school district or community college district.

State. The State of California.

State Density Bonus Law. The laws, rules and regulations contained in GC Section 65915, as said section may be hereinafter amended.

State Freeway. Any section of a State highway that has been declared to be a freeway by resolution of the Highway Commission of the State, pursuant to the provisions of SHC Section 100.3, and/or any section of State highway that has been fenced by a State agency between intersecting streets, for the purpose of limiting or restricting access thereto.

Stealth Facility. Any wireless telecommunications facility that is designed to blend into the surrounding environment. Examples of stealth facilities may include architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure, antennas integrated into architectural elements and details, and antenna structures designed to look like light poles, trees, and flagpoles. Stealth facilities are also referred to as concealed antennas.

Street. Any public or private thoroughfare, other than an alley, that provides the principal means of access to abutting property and has been designed and/or constructed pursuant to the City's minimum established standards for public streets. The classifications of "street" are as follows:

1) Arterial Street. A street with signals at important intersections and stop signs on the side streets that collect and distribute traffic to and from collector streets.

2) Collector Street. A street that collects traffic from local streets and connects with arterial streets.

3) Local Street. A street designed to provide vehicular access to abutting property and to discourage through traffic.

4) Private Street. A street in private ownership, which complies with all of the following:

a) The street is built to the standards for public streets established by the City of Ontario;

b) The street has not been accepted for dedication as a public street; and

c) The street is the principal means of vehicular access to properties that do not have access to a public street.

5) Public Street. A street that has been accepted for dedication by the City, the County, or the State.

Stock Cooperative. A development in which a corporation is formed to hold title to improved real property, and in which all of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between the floor and the ceiling above it, and including basements used for primary use.

Structure. Anything that is built or constructed, whether installed on, above, or below the surface of land or water, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, but not including light standards, poles, lines, cables, or other transmission or distribution facilities of a public utility.

Subdivider. A person, firm, corporation, partnership, or association who proposes to divide, divides, or causes to be divided, real property into a subdivision for oneself or others. The term shall not include employees or consultants of such persons or entities, acting in such capacity.

Subdivision. The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease, or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in CC Section 1351(f), a community apartment project, as defined in CC Section 1351(d), or the conversion of 5 or more existing dwelling units to a stock cooperative, as defined in CC Section 1351(m).

Subdivision Map Act. The provisions of GC Title 7, Division 2, commencing with Section 66410, and such amendments thereto as may be made from time to time.

Substandard Lot. Any lot that does not meet the minimum dimension or area requirement of the zoning district in which it is located and for which no variance has been obtained. In determining the minimum lot area or dimensions, the area of any easement that restricts the normal usage of the lot may be excluded.

Supermarket. See "Grocery Store."

Supportive Housing. As defined in HSC Section 50675.14(b)(2), "supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. For the purposes of this definition, the term "target population" means persons, including persons with disabilities, and families who are "homeless," as that term is defined by USC 42 Section 11302, or who are "homeless youth," as that term is defined by GC 11139.3(e)(2). Furthermore, individuals and families currently residing in supportive housing meet the definition of "target population" if the individual or family was homeless when approved for tenancy in the supportive housing project in which they currently reside.

Swap Meet (Concession Mall). The retail sales of a variety of unrelated merchandise within a single enclosed establishment or marketplace by 5 or more independent persons, merchants and/or businesses, that individually occupy or make use of floor area or wall space, for which a fee, commission, rent, or lease is charged. The terms "swap meet" and "concession mall" may be used interchangeably.

T. Definitions of Words Beginning with the Letter "T."

Tasting Room. A separate area of the alcoholic beverage manufacturer's licensed premises, maintained and operated by and for an alcoholic beverage manufacturer, wherein

alcoholic beverages may be sold and served by an employee or designated representative of the alcoholic beverage manufacturer, to consumers of legal drinking age for consumption on the alcoholic beverage manufacturer's licensed premises. The alcoholic beverages served shall be limited to the products that are authorized to be sold by the alcoholic beverage manufacturer under its license issued by the California Department of Alcoholic Beverage Control. Alcoholic beverages manufactured elsewhere may not be sold in the tasting room or on the alcoholic beverage manufacturer1s licensed premises. A tasting room is, and at all limes shall remain, an incidental use to the primary alcoholic beverage manufacturing use.

Temporary Use, Activity or Facility. A use, activity, or facility established pursuant to the requirements of this Development Code, for a specific period of time, with the intent to discontinue the use, activity, or facility at the end of the designated time period.

Tentative Map. A map prepared for showing the design of a proposed subdivision and the existing conditions in and around it. The classifications of "tentative map" are as follows:

1) **Tentative Parcel Map.** A tentative map for a proposed subdivision creating 5 or more lots, 5 or more condominiums as defined in CC Section 783, a community apartment project containing 5 or more parcels, or for the conversion of a dwelling to a stock cooperative containing 5 or more dwelling units, excepting those subdivisions that comply with the provisions of GC Section 66426(a) through (d).

2) **Tentative Parcel Map.** A tentative map for a proposed subdivision creating 4 or fewer lots or 5 or more proposed lots that comply with the provisions of GC Section 66426(a) through (d).

3) **Vesting Tentative Map.** A tentative map prepared in accordance with the provisions of this Title that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed.

Tow Truck. Pursuant to CVC Section 615A motor vehicle that has been altered or designed and equipped for, and primarily used in the business of, transporting vehicles by means of a crane, hoist, tow bar, tow line, or dolly, or is otherwise primarily used to render assistance to other vehicles. The term "tow truck" also includes a "roll-back carrier" designed to carry up to 2 vehicles, and excludes an automobile dismantler's tow vehicle or a tow vehicle used for the repossession of vehicles, defined as follows:

1) **Automobile Dismantlers' Tow Vehicle.** A tow vehicle that is registered by an automobile dismantler licensed pursuant to BPC Division 5, Chapter 3 (commencing with Section 11500), and is used exclusively to tow vehicles owned by the automobile dismantler in the course of the automobile dismantling business.

2) **Repossessor's Tow Vehicle.** A tow vehicle that is registered to a repossessor licensed or registered pursuant to BPC Division 3, Chapter 11 (commencing with Section 7500), which is used exclusively in the course of the repossession business.

Tract Map. See "Final Map."

Trailer Coach. A trailer designed primarily for human habitation or human occupancy.

Transient. Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license, or other agreement, for a period of 30 days or less,

counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed a transient until said 30-day period has expired.

Transitional Housing. Intended as a middle point between "emergency shelter" and permanent housing, "transitional housing" provides shelter for homeless individuals and families for up to 2 years, in an environment of security and support, which is designed to help residents progress toward self-sufficiency.

Transitional Living Centers. A facility for homeless persons, which varies by program and facility. The length of stay and services provided vary by program. Some transitional living facilities are simply shared houses with minimal supervision, while others may provide meals, medical care, employment assistance, case management, and other similar homeless services.

Transportation Terminal. A station or passenger terminal for any type of transportation system.

Trash Containers. Any container such as trash bags, boxes, or bins used to store trash, rubbish, or other such refuse matter that meets the requirements of OMC Section 6-3.302 (Placement of Refuse, Recycling and Green Waste in Receptacles) and is placed at a collection point.

Travel Trailer. A non-motorized vehicle designed to be towed by a motor vehicle, used for recreation purposes, including human habitation while parked or at rest, but not as a permanent place of residence.

Tree. A plant having a permanently woody main, erect stem or trunk, with a circumference of at least 9.5 inches (or a diameter of 3 inches) at a height of 54 inches above natural grade at maturity, having a rather distinct and elevated head (crown), and usually developing branches at some distance from the ground.

Truck Camper. A recreation vehicle in which the part containing the living and sleeping accommodations is separate from the vehicle and may be removed from the bed of the truck.

Truck Tractor. A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the vehicle weight and load that is drawn. As used herein, the term "load" does not include items carried on the truck tractor in conjunction with the vehicle operation if the load carrying space for these items does not exceed 34 SF (CVC Section 655).

U. Definitions of Words Beginning with the Letter "U."

Unladen Vehicle Weight. The weight of a vehicle equipped and ready for operation on the road, including body, fenders, permanently attached boxes, and body parts, oil in the motor, radiator full of water, weight of 5 gallons of fuel, and any machinery, equipment, or attachment that functions as a part of the body or vehicle in its normal operation.

University. See "College."

Urban Farm. The growing of plants and products derived from them, which are grown and sold on the same lot, or sold off-site.

Use. The purpose for which land, buildings or other structures are arranged, designed, intended, constructed, erected, moved, altered, or enlarged, or for which either land, buildings or other structures may be occupied or maintained.

Used Merchandise Stores. Retail establishments primarily engaged in the sale of vintage goods, antique furniture and home furnishings, antique glassware, rare books and manuscripts, and other antique objects of art, and previously owned goods. "Used merchandise stores" does not include the retail sales of used motor vehicles and parts, such as automobiles, recreational vehicles, motorcycles, boats, motor vehicle parts, tires, and mobile homes, and pawn shops, which sell a variety of used merchandise but generate most of their revenue from interest and fees on loans.

The classifications of "used merchandise stores" are as follows:

1) **Antique Shops/Dealers.** A retail establishment offering objects for sale that are 100 or more years old, such as works of art, furniture or decorative items, that are collected or desirable because of age, rarity, condition, utility, craftsmanship or other unique feature, and which represent a previous era in human society.

2) **Collectibles Shops.** A retail establishment offering new or used objects for sale, typically mass produced, which are less than 100 years old and are designed for people to collect or have value due to their rarity and/or desirability.

3) **Consignment Shops.** A retail establishment offering objects for sale that are owned by others and derives their profit by collecting a set fee for the objects that are sold or retaining a portion of their purchase price.

4) **Flea Markets and Swap Meets.** A single enclosed retail establishment offering a variety of unrelated objects for sale, within which individual sales booths, or stall or wall spaces are available for use, for which a fee, commission or lease is charged, for the display and/or sale of new, antique, vintage, or collectible objects or merchandise, or for the display and/or sale of services, by 5 or more vendors possessing a valid City business license.

5) **Thrift and Secondhand Stores.** A retail establishment operated by a charitable organization for the purpose of fundraising, offering objects for sale that are used, typically at reduced prices.

6) **Used Goods Stores.** A retail establishment offering objects for sale that that are used or previously owned, such as clothing, shoes, furniture, home furnishings, appliances, electronic equipment and devices, books, musical instruments, compact discs (CDs), tapes, records, and specialty building materials architectural elements.

7) **Vintage Shops.** A retail establishment offering objects for sale that are more than 20 years old, and which exhibit the best of a certain quality, or qualities, associated with, or belonging to, a specific era, and is representational and recognizable as belonging to the era in which it was made.

V. Definitions of Words Beginning with the Letter "V."

Vanpool Vehicle. Any motor vehicle, other than a motor truck or truck tractor, which is designed for carrying more than 10, but not more than 15 persons (including the driver), which is

maintained and used primarily for the nonprofit work-related transportation of adults for the purposes of ridesharing (CVC Section 668).

Variance. A zoning instrument which allows deviation from development standards required in the Code when, because of special circumstances applicable to the property, strict application of Code requirements deprives a property the privileges enjoyed by other properties in the vicinity and under identical zoning. Any variance granted will assure that the adjustment granted will not constitute a special privilege.

Variety Store. An establishment primarily engaged in retailing new goods in general merchandise stores (except department stores, discount stores, warehouse clubs, superstores, and supercenters). These establishments retail a general line of new merchandise, such as apparel, automotive parts, dry goods, hardware, groceries, housewares or home furnishings, and other lines in limited amounts, with none of the lines predominating.

Veterinary Hospital. See "Animal Hospital."

W. Definitions of Words Beginning with the Letter "W."

Wellness Center. An establishment that offers health services for the body and mind, including but not limited to fitness, personal training, nutrition consulting, skin care services, massage, holistic and herbal therapies, and therapeutic application and retail sales of medicinal cannabis products containing cannabidiol (CBD), but excluding all products containing tetrahydrocannabinol (THC).

Whip (Omnidirectional, Stick or Pipe) Antenna. An antenna that transmits signals in 360 degrees. Whip antennae are typically cylindrical in shape and are less than 6 inches in diameter and measure up to 18 FT in height.

Wine. The product obtained from normal alcoholic fermentation of the juice of sound ripe grapes or other agricultural products containing natural or added sugar, or any such alcoholic beverage to which is added grape brandy, fruit brandy, or spirits of wine, which is distilled from the particular agricultural product or products of which the wine is made and other rectified wine products and by whatever name, and which does not contain more than 15 percent added flavoring, coloring, and blending material, and which contains not more than 24 percent of alcohol by volume, and includes vermouth and sake (also known as Japanese rice wine).

Wine Grower. Any establishment licensed by the Department of Alcoholic Beverage Control of the State of California, which has facilities and equipment for the conversion of grapes, berries, or other fruit into wine, and is engaged in the production of wine within the City.

Wireless Telecommunications Facility. The transmitters, antenna structures and other types of installations used for the provision of wireless services at a fixed location, including, without limitation, any associated tower(s), support structure(s), and base station(s).

X. Definitions of Words Beginning with the Letter "X."

Reserved

Y. Definitions of Words Beginning with the Letter "Y."

Yard. An open space unoccupied by and unobstructed from the natural ground upward, except as otherwise provided for in this Development Code. Required yards shall be measured parallel with the front, side or rear property line, as appropriate, in a line perpendicular to the nearest point of a structure on the site; provided, however, where a future right-of-way of a street, highway, freeway or railroad has been established, required yards shall be measured from the established right-of-way line.

Where a site abuts on a street having only a portion of its required width dedicated or a reserved for street purposes, the required yard shall be measured from the line establishing the additional width required for street purposes abutting the line.

On a site that is so irregularly shaped that the locations of the required front, side, and rear yards cannot clearly be identified, the locations and the manner of measurements shall be prescribed by the Zoning Administrator.

The classifications of "yard" are described as follows:

1) **Front.** A yard that extends across the full width of a lot, between the primary (front) façade of the forward-most building on the lot and the front property line, the depth of which is the horizontal distance between the front property line and the structure.

2) **Interior Side.** A yard that abuts another lot or lots, extending between the front and rear yards, the depth of which is the horizontal distance between the side property line and a structure on the site.

3) **Rear.** A yard extending across the full width of a site, between the rear-most building and the rear property line, the depth of which is the horizontal distance between the rear property line the structure.

4) **Street Side.** A yard that abuts a public or private street, or access easement, extending between the front and rear yards, the depth of which is the horizontal distance between the side property line and a structure on the site.

Z. Definitions of Words Beginning with the Letter "Z."

Zoning District (Zone). A specifically delineated area, district, or zone within the City, in which regulations and requirements uniformly govern the use, placement, spacing and size of land and buildings. The terms "zoning district" and "zone" may be used interchangeably.

Zoning Administrator. The Zoning Administrator of the City of Ontario, or their designee.

9.01.015: Acronyms and Abbreviations

For the purposes of this Development Code, the following abbreviations and acronyms shall have the meanings listed below:

<—Less than
≤—Less than or equal to
>—Greater than
≥—Greater than or equal to
ABC—Department of Alcoholic Beverage Control of the State of California

AC—Acre(s)
ADA—Americans with Disabilities Act of 1990
ADT—Average Daily Trips made by vehicles or persons within a 24-hour period
ALUC—Airport Land Use Commission of the City of Ontario
ALUCP—Airport Land Use Compatibility Plan
AQMD—Air Quality Management District
ARB—California Air Resources Board
BLM—United States Bureau of Land Management
BMP—Best Management Practices
BMR—Below Market Rate
BPC—Business and Professions Code of the State of California
BTH—Brown trunk height
CAC—California Administrative Code
CalEPA—California Environmental Protection Agency
CalGreen—California Green Building Standards Code
CBD—Central Business District
CC—Civil Code of the State of California
CCP—Code of Civil Procedure
CC&Rs—Covenants, conditions, and restrictions
CCR—California Code of Regulations
CDBG—Community Development Block Grant
CEQA—California Environmental Quality Act of 1970, as amended
CESA—California Endangered Species Act
CF—Cubic feet (foot)
CFD—Community Facilities District
CFR—Code of Federal Regulations
CHBC—California Historical Building Code
CIP—Capital Improvement Program
CLG—Certified Local Government
CMP—Congestion Management Plan
CNEL—Community Noise Equivalent Level
CNO—Chino Airport
CNO ALUCP—Chino Airport Land Use Compatibility Plan
COG—Council of Governments
CPI—Consumer Price Index
CSA—Community Service District
CUP—Conditional Use Permit
CVC—California Vehicle Code
CWA—Federal Clean Water Act
CY—Cubic yard
DAB—Development Advisory Board of the City of Ontario
dB—Decibels
DFG—California Department of Fish and Game
DG—Decomposed Granite
DMV—Department of Motor Vehicles of the State of California
DOE—United States Department of Energy
DOT—United States Department of Transportation
du/ac—Residential dwelling unit per acre
DU—Residential dwelling unit
EC—Education Code of the State of California
EIR—Environmental Impact Report
EIS—Environmental Impact Statement

EPA—Federal Environmental Protection Agency
ESA—Federal Endangered Species Act
FAA—Federal Aviation Administration
FAR—Floor area ratio
FEIR—Final Environmental Impact Report
FEMA—Federal Emergency Management Agency
FHA—Federal Housing Administration
FHWA—Federal Highway Administration
FIA—Fiscal Impact Analysis
FIFRA—Federal Insecticide, Fungicide and Rodenticide Act
FIR—Fiscal Impact Report
FT—Feet (foot)
GC—Government Code of the State of California
GFA—Gross floor area
GLA—Gross leasable area
HCD—California Department of Housing and Community Development
HDR—High Density Residential
HPC—Historic Preservation Commission of the City of Ontario
HSC—Health and Safety Code of the State of California
HUD—United States Department of Housing and Urban Development
JPA—Joint Powers Authority
LAB—Labor Code of the State of California
LAC—Local Assistance Committee
LAFCO—Local Agency Formation Commission
LDR—Low Density Residential
LOS—Level of Service
MDR—Medium Density Residential
MOU—Memorandum of Understanding
NEPA—National Environmental Policy Act
NOC—Notice of Completion
NOD—Notice of Determination
NOP—Notice of Preparation
NPDES—National Pollution Discharge Elimination System
ODC—Ontario Development Code
ONT—Ontario International Airport
ONT ALUCP— Ontario International Airport Land Use Compatibility Plan
OPA—Office of Permit Assistance of the State of California
OPR—Governor's Office of Planning and Research of the State of California
OMC—Ontario Municipal Code
PC—[i] Penal Code of the State of California; or **[ii]** Planning Commission
PRC—Public Resources Code of the State of California
PUC—Public Utilities Code of the State of California
PUD—Planned Unit Development
Ref—Reference
RFP—Request for Proposal
RFQ—Request for Qualifications
RLUIPA—Religious Land Use and Institutionalized Persons Act
R-O-W—Right-of-Way
RWQCB—Regional Water Quality Control Board
SCAQMD—South Coast Air Quality Management District
SF—Square Feet (Foot)
SFR—Single-Family Residential

SHC—Streets and Highways Code of the State of California
SMA—Subdivision Map Act
TOD—Transit Oriented Development
TOT—Transient Occupancy Tax
USC—United States Code
WQMP—Water Quality Management Plan
WRCB—Water Resources Control Board
WUCOLS—Water Use Classifications of Landscape Species

Division 9.02—Glossary

Sections:

9.02.000: Purpose
9.02.005: Applicability
9.02.010: Glossary of Terms and Phrases

9.02.000: Purpose

The purpose of this Division is to define common nomenclature used in explaining, depicting, expressing, illustrating, or portraying urban planning and architectural design concepts and elements.

9.02.005: Applicability

A. Unless otherwise apparent from the context, the urban planning and architectural design nomenclature stated in this Division may be used in the implementation of the development and design standards of this Development Code.

B. The words, terms, phrases, abbreviations, and acronyms defined in this Division shall be maintained in correct alphabetical order.

9.02.010: Glossary of Terms and Phrases

A. Definition of Words Beginning with the Letter "A."

Acoustical Separation. An area or component provided for the purpose of restricting sound transmission between abutting areas or building modules.

Arcades. Covered walkways attached to buildings and supported on one side by columns. Arcades provide pedestrians with shelter and can serve to provide large buildings with a more human scale.

Articulation. The visible expression of architectural or landscape elements through form, structure or materiality. Articulation provides a method for reducing the scale and breaking up the mass of buildings and plazas.

Awnings. Roof-like shelters, generally of canvas, that project from the wall of a building. Awnings serve to provide protection for buildings and pedestrians against the harsh elements of sunlight and weather.

B. Definition of Words Beginning with the Letter "B."

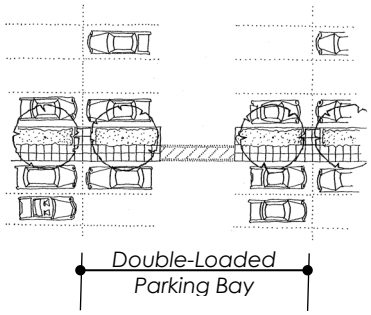
Bank. A sloping surface often used to create separation. See also "Berm."

Base. The bottom portion of a building, which generally supports its upper portions, both structurally and visually.

Bays. The term "bays" may be used when referring to the structural design of a building or when referring to parking lot design, as follows:

1) Bays of a Building. Structural modules occurring between the vertical means of support. Structural bays generally occur between columns or load-bearing walls.

2) Parking Bays. Bays in parking lots are a "complete" parking module consisting of a drive aisle with perpendicular or diagonal parking on one side (single-loaded parking bays) or both sides (double-loaded parking bays) (see figure, right).

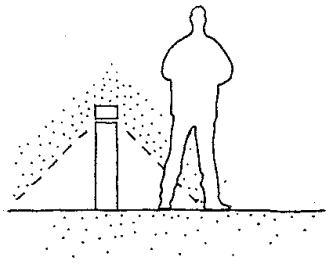


Parking Bays

Bay Windows. Window assemblies that protrude beyond the wall plane of a building. Bay windows may be semi-circular, faceted, or rectangular, and often have their own roof. They are used to provide a wider view, bring in more light, and contribute to the articulation of a building's exterior.

Berm. An artificial bank of earth usually located along roadsides and off-street parking areas. Berms serve to physically and visually separate areas by raising the level of plants and other landscape elements.

Bollard Light. A short post, generally not more than 3 feet in height, with a built-in light fixture at its uppermost portion (see example, right).



Bollard Light

Build-Out. Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations.

Build-To Lines. Building edges that are required to be placed at given locations, as established by the development standards of the City. Build-to lines are generally defined as a given distance from a property line, and can be used to encourage building fronts, entrances and windows to line and spatially define streets, parks, or plazas.

C. Definition of Words Beginning with the Letter "C."

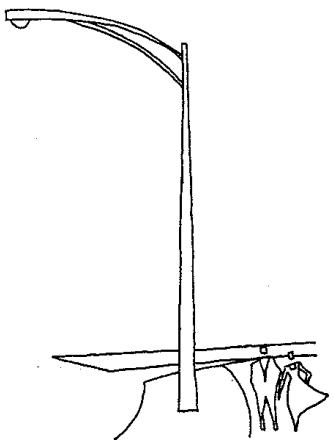
Can Sign. A sign that is internally or externally illuminated, which is generally formed into a square or rectangular-shaped box.

Canopy. A structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity, or decoration, and may be structurally independent or supported by attachment to a building.

Cantilever. A horizontal projection without external bracing. Cantilevers may appear visually awkward, as they typically appear to have no apparent source of support.

Cap. The crowning feature of a wall. Caps protect walls from the weather and provide architectural detailing that contributes to the wall's visual interest.

Cobrahead Light. A streetlight whose luminaire is supported on a cantilevered arm, which extends over the street, having a profile vaguely resembling that of a cobra snake (see example, right).



Cobrahead Light

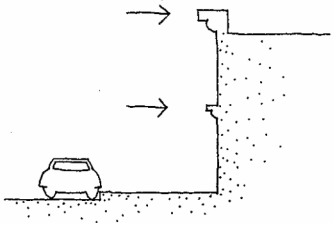
Clapboard Siding. A building sheathing made up of overlapping horizontal boards.

Clerestory Windows. Windows with high sills that are often used to bring in light when lower windows are undesirable because of privacy concerns.

Common Open Space. Semi-public areas intended for the use of residents or workers within a project. Common open spaces may include gardens, plazas, or recreational spaces.

Connecting Walkways. Pedestrian paths that connect buildings or open spaces directly to the street and are not overly circuitous. See also "Pedestrian Connections."

Cornice. Horizontal ornamentation on a building's façade, which is generally located near the top of a building's façade and is often located near the floor line of upper stories (see example, right).



Cornice

Cupola. A small hat-like projection occurring the ridgeline of a roof. Cupolas traditionally covered the place where large structures, like barns, were vented.

D. Definition of Words Beginning with the Letter "D."

Detailing. The manner in which separate building elements are assembled. Careful detailing will minimize the effects of weather on buildings and promote an attractive and long-lasting appearance.

Dormers. Upright windows built out from a sloping roof.

Downspouts. Pipes that carry rainwater from a roof gutter to the ground or sewer.

E. Definition of Words Beginning with the Letter "E."

Eaves. The portion of a sloping roof that extends beyond the exterior wall of a building. See also "Overhang."

Egress. The point of exit.

Emulate. To represent or re-create the qualities of something else, without duplicating it literally. For example, historic styles may be emulated without copying an historic building.

Entry. The doorway into a building, along with the architectural treatments that accompany it.

F. Definition of Words Beginning with the Letter "F."

Fast Food. Those food service establishments offering relatively immediate service of pre-prepared food in disposable containers.

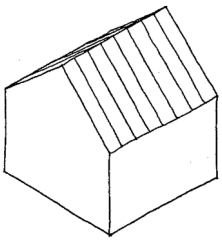
Fenestration. The arrangement of windows in a building.

Finishes. The materials applied to the surface of buildings or landscape elements. Properly applied finishes contribute to an attractive appearance and long-lasting wear.

Freestanding. To be supported at the ground and without support from a building or other structure.

G. Definition of Words Beginning with the Letter "G."

Gable Roof. A type of roof that slopes upward on two sides from the eaves to the ridge (see example, right).



Gable Roof

Gateway. Generally, a major entry into a district or area, which is often emphasized through landscaping.

Gazebo. A small, free-standing structure with a roof, which is open on all sides. Traditionally, gazebos are used as an outdoor room within gardens, or to cover musicians performing in community concerts.

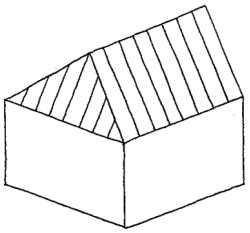
Glazing. The glass within a window.

Grade. The surface of a building site or its vertical elevation (often measured as feet above sea level).

Grasscrete. A paving material that supports the weight of an occasional vehicle, while also permitting groundcover to grow. Also referred to as "turf block".

H. Definition of Words Beginning with the Letter "H."

Hip Roof. A type of roof that slopes upward on all sides, from the eaves to the ridge (see example, right).



Hip Roof

I. Definition of Words Beginning with the Letter "I."

Ingress. A point of entry.

J. Definition of Words Beginning with the Letter "J."

Reserved

K. Definition of Words Beginning with the Letter "K."

Reserved

L. Definition of Words Beginning with the Letter "L."

Landscape Architectural Feature. Decorative structural elements in a landscaped area, such as walks, benches, patios, terraces, water features, and the like.

Landscaped Buffer. An attractive arrangement of trees, shrubs, and other vegetation that acts as a divider between incompatible uses or activities.

Lattice. An open framework of wood or other members that is often used to partly block views or support vines.

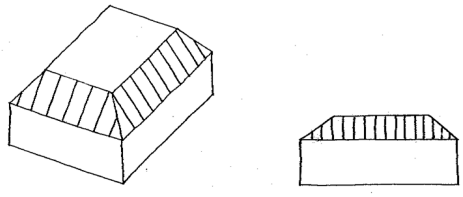
Loggia. A roofed deck that is integrated within an upper level of a building.

Lotting Pattern. A recognizable arrangement of residential lots, which are of the same or varying sizes and widths.

M. Definition of Words Beginning with the Letter "M."

Major Entry. The most common point or points of ingress for a development project or building.

Mansard Roofs. Extremely steep as they slope up from the eaves; this steeply sloped roof may end in a roof with a shallow roof or a parapet. Mansard roofs are a popular way of decorating tall parapets, such as are used to screen the rooftop equipment above fast food restaurants (see example, right).



Mansard Roof

Mass. The overall volume or form of a building or building element.

Median. An area dividing opposing travel lanes at or near the middle of a road, which is often landscaped.

Metal Standing Seam Roof. A sheet metal roof that has its joints folded together and raised above the roof surface in order to attach metal sheets and prevent leaks.

Modules. Similar units or subcomponents that are combined to create a total building system.

Mullion. The outer structural vertical and horizontal members of a glazing system, which forms a division between the glazing units.

Muntin. The nonstructural vertical and horizontal members of a window that divides the window into individual lites and holds (or appears to hold) the individual panes of glass.

Muted. A softened or less-vivid color tone.

N. Definition of Words Beginning with the Letter "N."

Neotraditional. A form of design that attempts to recreate positive features of neighborhoods from an earlier generation.

O. Definition of Words Beginning with the Letter "O."

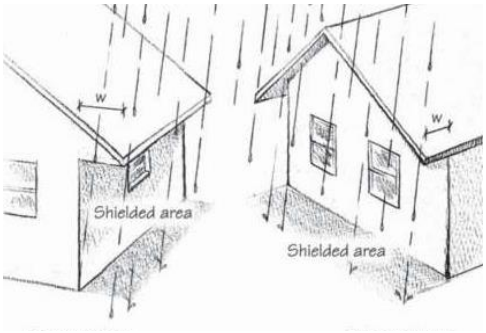
Oblique View. A view at an angle that allows one to see more than one side of a building.

On-Site Parking. Parking stalls and aisles that occur on parcels outside of a street right-of-way.

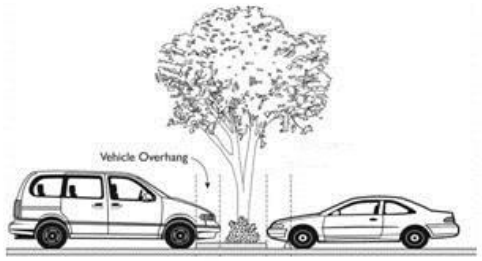
On-Street Parking. Parking stalls provided within the street right-of-way. On-street parking is often in a parallel configuration, along the edge of curbs.

Opaque. Not transparent or semi-transparent.

Overhang. [1] The portion of a building that extends horizontally beyond the building's exterior wall (also referred to as the "eaves"); or **[2]** the portion of a motor vehicle that extends beyond the tires, to the front or back of a car (see examples, right).



Roof Overhang



Motor Vehicle Overhang

P. Definition of Words Beginning with the Letter "P."

Parapet. A wall that extends above the roof, which is often used to protect the edge of the roof, hide roof-mounted equipment, and express ornamentation.

Park. A place for public recreation that generally contains landscaped ground surfaces, such as lawns and gardens.

Pavers. Units of pavement assembled to form the "floor" of a plaza or street. Pavers are often made of concrete or terra cotta (brick).

Pavilion. A small, lightweight structure, often with a roof, used for recreation or shelter in a garden, park or plaza.

Pedestrian Connections. Sidewalks that provide convenient routes between destinations. Pedestrian connections are generally lined by landscape and building features for the pedestrian's comfort and visual interest. See also "Connecting Walkways."

Pedestrian Oriented. Designing to make a building or structure inviting to pedestrian traffic.

Pilaster. A vertical architectural member that is integrated within a wall but is architecturally treated as a column and usually projects one-third or less of its width from the wall.

Place Making. The creation of pleasant and memorable spaces.

Plaza. A place for public recreation that generally contains hard surfaces, such as seating areas and ornate pavement.

Podium Apartments. A ground floor parking structure with one or more levels of residential units above.

Porte Cochere. A roofed extension of a building over a driveway that shelters passengers getting into and out of vehicles.

Portico. A roofed porch that may be open or partly enclosed.

Prefab. A construction method in which shop-manufactured pieces undergo final assembly on-site.

Primary Building Entry. A publicly accessible and commonly used place of building ingress.

Public Way. A path or road that is accessible by, and generally maintained, by the public.

Q. Definition of Words Beginning with the Letter "Q."

Reserved

R. Definition of Words Beginning with the Letter "R."

Recessed Panel. An indentation within a building facade, such as occurs between pilasters or within other framed openings.

Reveals. Depressions or notches, primarily at an edge or corner, used to provide architectural detail by showing depth and enriching character.

Ridge. The line of intersection between opposing sides or slopes of a roof.

S. Definition of Words Beginning With the Letter "S."

Scale. The proportion of one thing relative to the size of another. Something that is "human" in scale has elements that are comparable to the size of a person. Scale *of a* building is the proportional system that relates the various-sized building elements to each other and to people.

Setback. The required distance that a building, structure, parking space, drive aisle, or other designated item must be located from a lot line or other designated location. Setback requirements provide a way of encouraging the spatial definition of open space; the separation of uses, activities or facilities; or the provision of yards and landscaping.

Staggered Walls. Sections of walls placed in shifted planes.

Structural Podium. See "Podium Apartments."

T. Definition of Words Beginning with the Letter "T."

Tandem. An arrangement of things placed one behind the other. Tandem parking places one car behind another.

Terrace. An outdoor paved platform extending from a building that complements the use or activities located within the building.

Tops. The uppermost portions of a building and often include cornice treatments, roof overhangs, or parapets.

Transformers. Electrical switching equipment used for converting electricity from high-voltage to common current. They are often located in ground-mounted boxes.

Trellis. A light framework of horizontal and/or vertical members, often used to support climbing plants.

U. Definition of Words Beginning with the Letter "U."

Unit. One of many similar or identical components that comprise a greater whole. Unit is also a single dwelling, either on its own lot (in the case of single-family homes) or grouped as part of a multi-family complex.

V. Definition of Words Beginning with the Letter "V."

Value. A color's relative lightness or darkness.

Vehicular Access. An entrance or exit for cars or trucks.

Vestibule. An entrance hall or lobby of a building.

W. Definition of Words Beginning with the Letter "W."

Wainscot. An area of facing or paneling on the lower portion of the walls of a room.

Wall Footings. Structural foundation elements that carry the weight of a structure to the ground.

Window Stem Walls. Low walls that support a large window, generally on a storefront.

X. Definition of Words Beginning with the Letter "X."

Reserved

Y. Definition of Words Beginning with the Letter "Y."

Reserved

Z. Definition of Words Beginning with the Letter "Z."

Zero Lot Line. A development approach in which a building is sited on a lot in such a manner that one or more of the structure's sides rest directly (to the extent possible) on a lot line. The intent is to allow more flexibility in site design and to increase the amount of usable open space on a lot.

Zone Division Walls. Walls constructed for the purpose of buffering adjacent incompatible land uses.

Zoning Map. The official zoning map of the City, which delineates the location of the zoning districts of the City, governing the use, placement, spacing, and size of land and buildings.

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **PUBLIC HEARINGS**
Department: Economic Development Prepared By: Charity Hernandez Staff Member Presenting: Jennifer McLain Hiramoto, Economic Development Director Reviewed By: Doreen Nunes Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 12

SUBJECT: **A RESOLUTION REGARDING A LOAN AGREEMENT BETWEEN THE CITY OF ONTARIO AND OTC LOT A OWNER, LLC AND AN ECONOMIC SUBSIDY REPORT PURSUANT TO GOVERNMENT CODE SECTION 53083**

RECOMMENDATION: That the City Council consider and adopt a Resolution authorizing the execution of a Loan Agreement and other related documents in connection with providing a loan to OTC Lot A Owner, LLC and accepting the Economic Development Subsidy Report prepared pursuant to Government Code Section 53083.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner

FISCAL IMPACT: The City will issue a loan to OTC Lot A Owner, LLC in an amount not-to-exceed $6,600,000. Interest shall be equal to the California Asset Management Program ("CAMP") rate on the date of the issuance and execution of the Loan. The Loan will be funded from available City funds excluding General Fund and will be repaid within eight years from the initial draw. The budget will be included in the next quarterly budget update for Fiscal Year 2024-25.

BACKGROUND & ANALYSIS: In July of 2022, the City of Ontario ("City") and OTC Lot A Owner, LLC ("OTC") entered into a Development Agreement and Lease Agreement for the development of a mixed-use project adjacent to the Toyota Arena ("Project"). Phase I of the Project includes 384 luxury apartments and 25,000 square feet of commercial/retail uses.

OTC has requested a loan from the City to provide temporary funding for third-party pass-through fees. These pass-through fees are collected by the Inland Empire Utilities Agency and School Districts and must be paid at the time the building permit/s are issued.

The City has established criteria to provide for such loans ("Program"). The Program criteria require

that the loan be reasonably related to a legitimate governmental purpose and expenditures must be for a public purpose. In addition, the City shall receive consideration in the transaction and interest shall be payable on the loan.

An analysis of financial feasibility and community necessity has been performed and a determination has been made that the OTC has met all required Program criteria to qualify for a fifteen (15) year Loan Agreement ("Loan Agreement") with the City.

The Loan Agreement requires that OTC shall make interest only payments for the first (5) years after the earlier of (a) issuance of the temporary certificate of occupancy for the residential units on the leased property or (b) thirty six (36) months after the closing of the Developer's construction loan for the leased property. For ten (10) years following the interest only payments and no later than fifteen (15) years from the date the interest only payments became due, OTC shall pay in full the entire principal amount of the loan plus accrued but unpaid and capitalized interest.

The City finds and determines that the allocation of funds to OTC Lot A Owner, LLC pursuant to the Loan Agreement is reasonably related to a legitimate governmental purpose in that the Project will provide numerous public benefits to the City. The benefits include increased property taxes, the creation of temporary construction and permanent jobs, and increased sales taxes from retail operations and other related business activities, strengthening the City's economic base. Pursuant to Government Code Section 53083, the City has prepared an Economic Development Subsidy Report. The report will remain available to the public and posted on the City's website until the end of the term of economic development subsidy.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE LOAN AGREEMENT BETWEEN THE CITY OF ONTARIO AND OTC LOT A OWNER, LLC AND EXECUTION THEREOF; ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT PREPARED PURSUANT TO GOVERNMENT CODE SECTION 53083; FINDING THAT SUCH LOAN AGREEMENT APPROVAL IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15061(b)(3) AND 15378(b)(4) AND DIRECTING STAFF TO ISSUE A NOTICE OF EXEMPTION

WHEREAS, the City of Ontario ("City") collects Inland Empire Utilities Agency Fees ("IEUA Fees") from businesses and for development within the City's jurisdiction that connect to the City's utility infrastructure, and passes along the IEUA Fees collected to the Inland Empire Utilities Agency; and

WHEREAS, IEUA Fees have become increasingly costly to developers and businesses, and City desires to assist developers and businesses by mitigating this burden to promote economic development within the City of Ontario; and

WHEREAS, the City collects the Ontario-Montclair School District (K-12) Fees, Cucamonga School District Fees and Chaffey Joint Union High School Fees (collectively, hereinafter referred to as the "School District Fees") and passes along the School District Fees to the respective aforementioned "School Districts"; and

WHEREAS, the City has established policies and criteria for providing loans and other economic assistance to external public and private entities which may be necessary in order to facilitate an economic, community or public safety benefit to the City; provided such assistance is consistent with Article XI, Section 7 of the California Constitution, complies with the requirements of California Government Code Sections 53083 through 53085 and is not in conflict with general laws; and

WHEREAS, the City of Ontario ("City") owns that certain real property and operates a community events center, known as the Toyota Arena, located at 4000 Ontario Center, Ontario, California, 91764, thereon ("City Property"); and

WHEREAS, the City and OTC Lot A Owner, LLC, a Delaware limited liability company ("OTC"), (the "Tenant") have entered into that certain Ground Lease for a portion of the City Property located on the eastern side, known as Lot A, (the "Leased Property") whereby the Tenant plans to develop the property for residential, commercial, retail and entertainment purposes; and

WHEREAS, as part of the costs and fees associated with the improvements and development of its Leased Property, OTC will need to pay the IEUA Fees and the School District Fees and has requested a loan from City to assist it with the payment of these IEUA Fees and School District Fees; and

WHEREAS, the City wishes to provide a loan subject to OTC, subject to the terms and conditions set forth in the Loan Agreement for payment of the IEUA Fees and the School District Fees, related to the development of the Leased Property, and consistent with the established criteria for the City to provide such loans which include that:

- Such loan shall be reasonably related to a legitimate governmental purpose;
- Such loan shall have a reasonable tendency to promote public health, morals, safety or general welfare;
- Expenditure must be for a public purpose;
- The City must receive consideration in the transaction;
- Provisions of Section 53083 through 53085 of the California Government Code shall be complied with;
- There shall have been an analysis of financial feasibility and community necessity to proceed prepared;
- Interest shall be payable on the loan;
- Repayment of principal with interest;
- Not a burden on the unrestricted assets of the City;
- Such other usual, customary and reasonable requirements of the City shall be met; and

WHEREAS, based on information provided by City staff, and other such written and oral evidence, as presented to the City, the City finds and determines that the allocation of funds to OTC pursuant to the Loan Agreement is reasonably related to a legitimate governmental purpose in that development of the Leased Property will provide numerous public benefits to the City, including:

- Generating substantial revenue for the City through additional local sales tax revenue which may be used by the City for the funding of necessary public services and facilities, including but not limited to, public safety services and facilities, public improvements and recreational opportunities that otherwise may not be available to the community for many years; and
- The City will benefit from the interest accrued on the loan;
- Creation of employment opportunities during the construction and improvements made to the Property and for permanent jobs for the operations of the Property;

- Project is expected to generate substantial revenue through increased ad valorem property and possessory interest taxes;

- Increased taxes from commercial operations and related business activities, strengthening the City's economic base;

- The development of this Property within the City will create jobs, maintain economic diversity in the community and stimulate the economic recovery of the Inland Empire by generating new opportunities for economic growth within the region;

- Establishing OTC operations within the City will generate substantial revenue for the City, allow for the retention of jobs, and result in community and public improvements that might not otherwise be available to the community for many years; and

- Will not cause an undue burden on the operations and finances of the City;

- Enhancement of the Toyota Arena's profile and support of the City Property and Toyota Arena; and

WHEREAS, in accordance with Government Code Section 53083, the City provided certain information in written form to the public and on its website, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference, and held a noticed public hearing on November 19, 2024 to consider all written and oral comments on the Economic Development Subsidy Report; and

WHEREAS, OTC has met all qualifications for City for the Program, as determined in City's sole discretion, and has reviewed and is willing to enter this Loan Agreement with the City to borrow Six Million Six Hundred Thousand and No/100 Dollars ($6,600,000) ("Loan"); and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ontario as follows:

SECTION 1. Incorporation of Recitals. The foregoing recitals are true and correct, and are incorporated herein and made an operative part of this Resolution.

SECTION 2. Findings. The City Council additionally finds and determines that (a) there are identifiable public purposes fulfilled by the Agreement, as set forth in the Recitals, that outweigh the benefit to private persons; and (b) the findings set forth in this Resolution are based upon substantial written and oral evidence presented to the City Council.

SECTION 3. Approval of Financing Documents. The City Council hereby approves the Loan Agreement and Promissory Note, secured by a Leasehold Deed of Trust by third party trustors, attached thereto substantially in the respective forms on file with the City Clerk, together with and subject to any non-substantive revisions which do not increase the City's liability and such additions thereto and changes therein as legal counsel shall deem necessary, desirable, or appropriate, the execution by which the Mayor, City Manager or Executive Director of Finance shall be conclusive evidence of the approval of any such additions or changes. The Mayor, City Manager or Executive Director of Finance are hereby authorized and directed to execute, and the City Clerk is hereby authorized and directed to attest to the final form of each of the foregoing documents and agreements for and in the name and on behalf of the City. The City Council hereby authorizes the delivery and performance of the documents and agreements.

SECTION 4. Financing Terms: The City shall disburse to IEUA and the aforementioned School District on behalf of OTC a total amount not to exceed Six Million Six Hundred Thousand Dollars ($6,600,000) when such fees become due and payable. The interest rate on the Six Million Six Hundred Thousand Dollars ($6,600,000) shall be equal to the California Asset Management Program ("CAMP") rate on the date of approval by the City Council and shall begin accruing upon the date of disbursement by the City to pay the IEUA Fees and School District Fees. Loan Term is 15 years. OTC shall make interest only payments ("Interest Payments") for the first five (5) years after the earlier date of (a) issuance of the temporary certificate of occupancy for the residential units on the Leased Property or the that is thirty six (36) months after the closing of the initial construction loan for the project on the Property. OTC shall make principal and interest payments, with principal amortized over a thirty (30) year period and as provided in the repayment schedule, for the next ten (10) years, commencing upon the date that is five (5) years after the Interest Payments became due and payable and OTC shall pay in full the entire principal amount of the Loan plus accrued but unpaid and capitalized interest on or before the date that is fifteen (15) years from the date that the Interest Payments had become due and payable ("Maturity Date"). OTC may request a 180 day deferment of payments in the event it may anticipate it cannot make the payments due. In the event of actual default, City will defer payments up to 180 days and if OTC cannot pay the loan at the Maturity Date or defaults again, City will extend the Loan Term by 10 years and no additional deferments will be granted. During this Term extension, if OTC defaults, City may accelerate all payments and pursue all remedies and rights it may have available to it under the Loan Agreement, Promissory Note and Leasehold Deed of Trust.

SECTION 5. Acceptance of Economic Development Subsidy Report. The City Council finds and determines that this Economic Development Subsidy Report is in compliance with applicable law and specifically Government Code Section 53083.

SECTION 6. CEQA. The City Council hereby finds that pursuant to the California Environmental Quality Act ("CEQA") (Pub. Res. Code, § 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs, tit. 14 § 15000 et seq.), approval of the Loan Agreement and acceptance of the Economic Development Subsidy Report is not a "project" for purposes of CEQA and therefore is not subject to CEQA review. The Loan Agreement and acceptance of the Economic Development Subsidy Report is not a project pursuant to State CEQA Guidelines section 15378(b)(4), which states that government fiscal activities

which do not involve any commitment to any specific project which may result in a potentially significant environmental impact are not subject to CEQA. Further, the Loan Agreement and acceptance of the Economic Development Subsidy Report is not a project under State CEQA Guidelines section 15061(b)(3), which states that CEQA does not apply where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

In addition, the City Council will direct staff to file a categorical exemption with the County of San Bernardino for this location upon adoption of this Resolution.

SECTION 7. Severability. If any provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity, and the provisions of this Resolution are severable.

SECTION 8. Effective Date. This Resolution shall become effective immediately upon its adoption.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of November, 2024.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2024- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held November 19, 2024 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2024- duly passed and adopted by the Ontario City Council at their regular meeting held November 19, 2024.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

ECONOMIC DEVELOPMENT SUBSIDY REPORT

[Attached behind this cover page]

ECONOMIC DEVELOPMENT SUBSIDY REPORT
PURSUANT TO GOVERNMENT CODE SECTION 53083
FOR A LOAN AGREEMENT
BY AND BETWEEN
THE CITY OF ONTARIO
OTC LOT A OWNER, LLC

Pursuant to Government Code Section 53083, the City Council of the City of Ontario must hold a noticed public hearing and, prior to the public hearing, provide all of the following information in written form and available to the public and through the City's website, regarding a proposed economic development subsidy to be provided by the City pursuant to Loan Agreement ("Agreement") by and between the City of Ontario ("City") and OTC LOT A OWNER, LLC, a California corporation ("Developer"). Notice was published in the local newspaper for a public hearing to be held on November 19, 2024.

The purpose of this report is to provide the information required pursuant to Government Code Section 53083 in regard to the Agreement. This report shall remain available to the public and posted on the City's website until the end date of the economic development subsidy.

1. The name and address of all corporations or any other business entities, except for sole proprietorships, that are the beneficiary of the economic development subsidy.

The Agreement is with OTC LOT A OWNER, LLC, a California corporation

OTC LOT A OWNER, LLC
388 Cordova Street, #280
Pasadena, CA 91101

2. The start and end dates and schedule, if applicable, for the economic development subsidy.

If the Loan Agreement is approved by the City Council, the Effective Date of the Loan Agreement will be the date of Council approval. The Maturity Date will be eight (8) years from the date of the Loan Agreement.

3. A description of the economic development subsidy, including the estimated total amount of the expenditure of public funds by, or of revenue lost to, the local agency as a result of the economic development subsidy.

The economic development subsidy is related to assisting the developer with third party fees associated with development of a mixed-use project on City owned property, adjacent to the City Arena, leased by the Developer. These fees are collected by the Inland Empire Utilities Agency and the School Districts at the time a building permit is issued. The loan shall be a short-term loan in an amount not to exceed $6,600,000. Interest shall be equal to the California Asset Management Program ("CAMP") rate on the date of approval by the City Council. Developer shall interest only payments to the

City for the first five (5) years from the date of the issuance of the certification of occupancy for the residential units; provided however, the entire principal amount plus accrued but unpaid and capitalized interest shall be payable in full by the maturity date, which eight (8) from the date of the Loan Agreement.

4. A statement of the public purposes for the economic development subsidy.

The City has determined that the economic subsidy will result in benefits to the City including but not limited to the following:

- Generating substantial revenue for the City through additional local sales tax revenue which may be used by the City for the funding of necessary public services and facilities, including but not limited to, public safety services and facilities, public improvements and recreational opportunities that otherwise may not be available to the community for many years
- The City will benefit from the interest accrued on the loan
- Creation of employment opportunities during the construction and improvements made to the Property and for permanent jobs for the operations of the Property
- Project is expected to generate substantial revenue through increased ad valorem property and possessory interest taxes
- Increased taxes from commercial operations and related business activities, strengthening the City's economic base

5. The projected tax revenue to the local agency as a result of the economic development subsidy.

The City anticipates that the mixed-use project will generate significant increases in sales and unsecured property tax. The estimated assessed value of unsecured property at the conclusion of construction is estimated to be $108,000,000, in unsecured property. The increase in property valuation will generate approximately $181,000 in additional unsecured property tax revenues to the City per year. Based on the sales tax projections of over $4,000,000, it is estimated that the City will received approximately $350,000 in additional sales tax revenues per year.

6. The estimated number of jobs created by the economic development subsidy, broken down by full-time, part-time, and temporary positions.

During construction, the project will create approximately over 200 full-time prevailing-wage jobs for skilled workers across various trades. In addition, over 75 full-time permanent jobs will be added after completion and stabilization of the project’s various residential and commercial components. This not only enhances the existing uses in the area, but also injects additional economic vitality into our community by providing diverse employment opportunities.

LOAN AGREEMENT

This LOAN AGREEMENT ("**Agreement**") is made effective as of _____, 2024, by and between OTC Lot A Owner, LLC, a Delaware limited liability company ("**Borrower**") whose principal address is 388 Cordova Street, #280, Pasadena, CA 91101, and the CITY OF ONTARIO, a California municipal corporation, whose principal address is 303 East B Street, Ontario, CA 91764 ("**City**" or "**Lender**").

RECITALS

A. Lender collects Inland Empire Utilities Agency Fees ("**IEUA Fees**") from businesses within Lender's jurisdiction that connect to Lender's utility infrastructure (together, "**Businesses**"), and passes along the IEUA Fees collected from Businesses to the Inland Empire Utilities Agency ("**IEUA**").

B. IEUA Fees have become increasingly costly to developers and businesses, and Lender desires to assist developers and businesses by mitigating this burden.

C. Lender collects school districts development impact fees for the benefit of certain school districts, including the Ontario-Montclair School District fees, the Cucamonga School District fees and Chaffey Joint Union High School fees (hereinafter collectively referred to as the "**School District Fees**") from developers and businesses within the Lender's jurisdiction.

D. Lender has conducted a financial feasibility and community necessity analysis by which Lender may provide loans to qualifying Businesses to subsidize their IEUA Fees and School District Fees.

E. Borrower holds a leasehold interest under that certain Ground Lease dated July 19, 2022 with the City of Ontario and is constructing certain improvements to the land located in the City of Ontario, County of San Bernardino, State of California, also identified with Assessor's Parcel Number 0210-205-19, (the "**Leasehold Property**") for commercial and residential development, known as Lot A (the "**Project**") and has requested a loan from Lender for the purpose of paying the IEUA and School District Fees.

F. Lender wishes to provide funds on any IEUA and School District Fees when due related to the development of the Leasehold Property, and has established criteria for the City to provide such loans which include:

1. Such loan shall be reasonably related to a legitimate purpose; and

2. Such loan shall have a reasonable tendency to promote public heath, morals, safety or general welfare. To that end:

   (a) the expenditure must be for a public purpose;

   (b) the City must receive consideration in the transaction;

(c) the provisions of Section 53083 through 53085 of the California Government Code shall be complied with;

(d) there shall have been prepared an analysis of financial feasibility and community necessity to proceed;

(e) interest shall be payable on the loan; and

(f) such other requirements of the City shall be met.

G. The City will benefit from the interest accrued on the loan, in addition to the creation of construction and permanent jobs. Furthermore, the project is expected to generate substantial revenue through increased ad valorem property taxes and possessory interest taxes and increased sales tax from commercial operations and related business activities, strengthening the City's economic base.

H. Borrower has met all qualifications for Lender to grant this Loan as determined in Lender's sole discretion and has reviewed and is willing to enter this Agreement with Lender.

I. The City has entered into those certain Ground Leases with OTC Lot B Owner, LLC, OTC Lot C Owner, LLC and OTC Lot D Owner, LLC, each a Delaware limited liability company, each dated July 19, 2022, whereby the City leased City owned parcels, commonly known as Lots B, C and D to OTC Lot B Owner, LLC, OTC Lot C Owner, LLC and OTC Lot D Owner, LLC, respectively.

J. Lender desires to provide, and Borrower desires to borrow, a loan in the amount up to Six Million Six Hundred Thousand and No/100 Dollars ($6,600,000), subject to the terms and conditions set forth herein. Borrower is under common control with its affiliates OTC Lot B Owner, LLC, OTC Lot C Owner, LLC and OTC Lot D Owner, LLC, each a Delaware limited liability company (the "**Guarantors**"). Borrower has requested and the Guarantors have agreed to grant Lender a security interest in the ground leasehold interests held by each Guarantor in certain unimproved land located in the City of Ontario, County of San Bernardino, State of California, also identified with Assessor's Parcel Numbers: Lot B - Portion of 0210-205-20; Lot C – 0210-204-38; Lot D – 0210-204-39, and commonly known as Lots B, C and D (collectively, the "**Collateral**"), respectively, to secure the Loan (as defined below).

NOW, THEREFORE, in consideration of the mutual covenants, conditions, and promises set forth herein, the parties hereto agree as follows:

1. TERMS

1.1 **Terms of Loan**.

1.1.1 **Loan Amount**. Subject to the fulfillment of Lender's funding contingencies as set forth in Section 1.3, Lender shall advance to Borrower an amount not to exceed Six Million Six Hundred Thousand and No/100 Dollars ($6,600,000) (the "**Loan**"), as evidenced by a Promissory Note ("**Note**") and secured by a leasehold deed of trust (each, a

"**Security Instrument**" and collectively, the "**Security Instruments**") encumbering the Collateral, the forms of which are attached hereto as **Exhibit A**, the **Note** and **Exhibit B,** the **Security Instrument** and incorporated herein by reference. The Lender accepts the leasehold interests secured in the attached Security Instrument from all the Guarantors; provided however, the Lender reserves the right to require and the Guarantors agree to execute separate leasehold deed of trust for their respective leasehold interests in the event the Lender requires separate leasehold deeds of trust.

1.1.2 **Security**. The Promissory Note must be secured by the Security Instruments. Borrower's obligation to repay the Loan, as evidenced by the Note, will be secured by a Security Instrument executed by each Guarantor encumbering its respective leasehold interest in the Collateral, which will be recorded as a lien against each of Guarantor's respective leasehold interests in the Collateral.

1.1.3 **Use of Funds.** The Loan Funds may be used only to pay fees imposed by the Inland Empire Utilities Agency Fees and the School District Fees for payment to the IEUA and the School District(s). Borrower agrees and understands that the Loan will be disbursed directly to the IEUA and the School Districts identified in Recital C above on behalf of Borrower and that Borrower will not receive any proceeds from the Loan.

1.1.4 **Disbursement**. The disbursement of the Loan funds may be in an amount not to exceed $6,600,000.00, and may be in one disbursement or periodic disbursements and in the form as Lender may elect in its reasonable discretion.

1.1.5 **Principal**. Upon disbursement of Loan proceeds under Section 1.1.4 hereof, Lender shall provide Borrower with a repayment schedule of principal payments, attached hereto as **Exhibit C** to this Loan Agreement, and by this reference incorporated herein.

1.1.6 **Payments and Interest Rate**. Interest on the Loan is calculated on the basis of a 360-day year of twelve (12) 30-day months. Interest shall be equal to the California Asset Management Program ("CAMP") rate on the date of the issuance and execution of the Loan, being [____]% per annum for up to $6,600,000 drawn on the Loan to the Maturity Date, as defined below, or prepayment date. So long as no Event of Default occurs prior to the Maturity Date, Borrower shall only be obligated to pay periodic payments on the outstanding principal amount of this Loan and the Note as follows (each, a "**Payment**"): (a) interest only on a monthly basis commencing on the date that is the earlier of (the "**Interest Payment Commencement Date**"): (i) the date of issuance of the temporary certificate of occupancy for the residential units of the Project or (ii) the date that is thirty-six (36) months after the closing of the initial construction loan for the Project, and (b) principal and interest on a monthly basis, with principal amortized over a thirty (30) year period and as further provided in the Repayment Schedule, attached as **Exhibit C**, commencing on the date that is five (5) years after the Interest Payment Commencement Date (the "**Amortization Payment Commencement Date**") through the Maturity Date (as defined below); and (c) notwithstanding the foregoing amortization of periodic payments due, Borrower shall be obligated to pay in full the amount of principal plus any accrued and capitalized interest and charges on or before the Maturity Date provided in Section 1.1.7 (as the same may be extended pursuant to the terms of this Agreement).

1.1.7 **Maturity Date**. Borrower shall be required to make Payments to Lender during the Term as described in Section 1.1.6 above, and the entire unpaid balance of the Loan, plus any accrued and capitalized interest thereon, shall be payable in full on or before the date (as the same may be extended pursuant to the terms hereof, the "**Maturity Date**") that is fifteen (15) years from the Interest Payment Commencement Date (the "**Initial Maturity Date**"); provided, however, Borrower may exercise its right to extend the Initial Maturity Date an additional ten (10) year period (the "**Extended Maturity Date**") upon providing written notice of such extension to Lender on or before the Initial Maturity Date.

1.1.8 **Prepayment.** All or any portion of the Note and this Loan may be prepaid on any business day without penalty in an amount equal to the principal amount remaining hereunder and interest accrued thereon to the date of such prepayment. Borrower shall provide notice to Lender of such prepayment with five (5) days' notice of the payment thereof.

1.1.9 **Interest on Event of Default**. Upon an event described in Section 1.4 hereof (an "**Event of Default**"), Lender may, at Lender's option, declare the Note and the entire remaining indebtedness thereby evidenced to be immediately due and payable, regardless of the Maturity Date. Upon the occurrence of an Event of Default and subject to section 1.7, the entire remaining indebtedness shall accrue interest at a rate of 10% per annum (the "**Default Rate**").

1.2 Covenants of Borrower.

1.2.1 Borrower and Guarantors shall, at Borrower's own cost and expense, execute and deliver such further documents and instruments and take such other actions as may be reasonably required or appropriate to evidence or carry out the intent and purposes of this Agreement, including, without limitation, each Guarantor's cooperation in good faith to transfer any property interests, licenses, or any other items to any third party that Lender approves of to succeed to such Guarantor's interest in the event that Lender forecloses on the applicable Security Instrument after the occurrence of an Event of Default.

1.2.2 The Loan and the Note secured by the Security Instruments represent a lien and pledge of the revenues and assets of Guarantors relating to the Collateral. In addition to the Security Instruments, Lender may file UCC-1 Financing Statements listing each of the Guarantors (but not the Borrower) as debtor to further secure repayment of the Loan. In the event that any current outstanding lien, including any deed of trust, note or encumbrance, has been fully satisfied and released from the Collateral, the applicable Security Instrument will move into first priority. As a material inducement to the Lender providing the loan, the Security Instruments securing the Promissory Note is unconditional and irrevocable (and as further described in the Security Instruments), the Security Instruments shall survive and remain in effect and enforceable against the party providing the Security Instrument until the principal amount of the Loan and any accrued and capitalized interest is paid in full to the Lender, and notwithstanding any other events, defaults, transfers, assignments that may act to alter, impact or negate each of the Guarantor's interest in their respective Collateral, or the rights and benefits of the Lender under this Loan. Lender may take any and all actions or remedies available to enforce against the party or parties providing the Security Instruments.

1.2.3 As a condition to funding of the Loan, and while the Loan is outstanding, collectively the Guarantors shall obtain and keep in force a policy(ies) of insurance for casualty loss from fire or other damage to the Collateral in the amount of the principal sum of this Loan, together with a commercial general liability policy of insurance reasonably acceptable to Lender and protecting Guarantors and Lender, as an additional insured, against claims for bodily injury, personal injury and property damage based upon or arising out of the operation of the Collateral. Such insurance shall be on an occurrence basis providing single limit coverage in an amount not less than $1,000,000 per occurrence with an annual aggregate of not less than $2,000,000. Borrower acknowledges and agrees that the failure to obtain and keep such insurance coverage shall be an Event of Default under the Note.

1.2.4 Borrower and Guarantors shall comply with all applicable building codes, land use and planning laws, design guidelines and rules and regulations of the City. Additionally, Guarantors will carry out construction of any improvements on the Leasehold Property and Collateral, respectively, in conformity with all local, state and federal laws, rules and regulations, including but not limited to all applicable California labor standards. Each Guarantor assumes any and all responsibility and shall be solely responsible for determining whether or not laborers employed relative to the eligible project must be paid the prevailing per diem wage rate as determined by the state, pursuant to Labor Code Sections 1720, *et seq.*

1.2.5 Lender hereby acknowledges that the Collateral consists solely of leasehold interests in unimproved land. The Collateral shall be maintained in good repair and in a neat and orderly condition. Any damage to the Collateral is to be repaired immediately by the applicable Guarantor so that the Collateral remains in good condition. This includes the removal of graffiti, as defined in California Government Code Section 38772, that has been applied to any exterior surface of a structure or improvement (if any) on the Collateral that is visible from any public right-of-way adjacent or contiguous to the Collateral, shall be removed by borrower by either painting over the evidence of such vandalism with a paint that has been color-matched to the surface on which the paint is applied, or graffiti may be removed with solvents, detergents or water, as appropriate. If any such graffiti is not removed within three (3) business days following the time of the discovery of the graffiti, the City shall have the right to enter the Collateral and remove the graffiti, without notice.

1.2.6 The City or its designated representative may inspect the Collateral on an annual basis or more frequently as reasonably necessary to ensure compliance with the Loan. If the Collateral is found to be inadequately maintained, Guarantors shall immediately commence and diligently proceed to repair the Collateral within thirty (30) days after receipt of written notice from the City. Failure or delay by Guarantors to comply with the request of the Lender will constitute a default of this Loan Agreement.

1.3 Funding Contingencies. Lender's obligation to fund the Loan shall be contingent upon the fulfillment of the following contingencies, all to Lender's sole and absolute satisfaction:

(a) Borrower shall have delivered to Lender an original executed copy of the Note and Security Instruments; and

(b) intentionally omitted; and

(c) intentionally omitted; and

(d) Borrower shall have delivered to Lender evidence of insurance coverage, as described under Section 1.2.2 hereof.

1.4 Default.

1.4.1 Events of Default. The following shall be deemed an Event of Default:

(a) Borrower or Guarantors materially breach any of the obligations of the Note, the Security Instruments or this Agreement, including the covenants contained in Section 1.2 hereof; or

(b) Borrower or any of the Guarantors (i) makes a general assignment for the benefit of creditors, (ii) admits in writing Borrower's inability to pay Borrower's debts generally as they mature, (iii) files or has filed against it a petition in bankruptcy or a petition or answer seeking a reorganization, arrangement with creditors or other similar relief under the Federal bankruptcy laws or under any other applicable law of the United States of America or any state thereof, or (iv) consents to the appointment of a trustee or receiver for it or for a substantial part of Borrower's or Guarantor's property (as applicable); provided, however, if such appointment, petition or proceeding was involuntary and not consented to by Borrower only upon the same not being discharged, stayed or dismissed within ninety (90) days; or

(c) Any order, judgment or decree is entered appointing, without Borrower's or the Guarantor's consent (as applicable), a trustee or receiver for it or for a substantial part of Borrower's or Guarantor's property (as applicable) that is not removed within ninety (90) days from such entry; or

(d) any Guarantor voluntarily or involuntarily transfers, in any way, the Collateral owned by such Guarantor or any portion thereof without the Lender's prior written consent; or

(e) The event of an actual or deemed entry of an order for relief with respect to Borrower under the Federal Bankruptcy Code.

1.4.2 Remedies. Upon the occurrence of an Event of Default, Lender may, at Lender's option, exercise one or more of the following remedies, in addition to any other remedies provided herein, in the Note, or by law:

(a) Declare the Note and the entire remaining indebtedness thereby evidenced to be immediately due and payable, regardless of the Maturity Date;

(b) Exercise any collection procedures allowed by State law or by the City of Ontario Municipal Code;

(c) Pursue any legal remedy available to secure payment of any and all monies owed by Borrower.

1.4.3 The remedies provided by Section 1.4.2 are cumulative and in addition to and independent of any other remedies available to Lender by law. Any and all costs of collection shall be added to the balance owed, including but not limited to collection agency charges and reasonable attorneys' fees.

1.5 Compliance with Laws; Prevailing Wage Requirement.

1.5.1 Each Guarantor shall obtain and comply with all necessary land use entitlements and conditions therein applicable to its respective Collateral.

1.5.2 Borrower and Each Guarantor shall cause any work performed in connection with any improvements made by such Guarantor and in connection with the construction of any improvements on the Leasehold Property and Collateral (if any), respectively, after the effective date of this Agreement ("**Improvements**") to be performed in compliance with (i) all applicable federal, state and local laws, ordinances, rules and regulations; (ii) applicable state prevailing wage requirements pursuant to Labor Code Sections 1720 et seq. and 1770 et seq., and the regulations pursuant thereto, as further set forth below ("Prevailing Wage Laws"); and (iii) all applicable directions, rules and regulations of any fire marshal, health officer, building inspector, or other officer of any governmental agency with jurisdiction over the Collateral.

1.5.3 Borrower and Guarantors have been alerted to the requirements of Prevailing Wage Laws. If applicable, Borrower and each Guarantor shall pay (and shall cause any contractor and subcontractors to pay) prevailing wages and shall comply (and shall cause any contractor and subcontractors to comply) with all applicable Prevailing Wage Laws in connection with the construction of any Improvements, including the obligation to keep and retain such records as are necessary to determine if prevailing wages have been paid. Each Guarantor shall provide copies of such records to Lender upon Lender's request therefor.

1.5.4 Guarantors shall operate the Collateral, at all times, in compliance with all applicable federal, state and local laws, ordinances, rules and regulations.

1.5.5 Notwithstanding the foregoing or any contrary provision of this Agreement, the Note or the Security Instruments:

(a) In the event that Borrower anticipates it will be unable to make a Payment that is due under the Loan, Borrower may submit written notice to Lender for a deferment of payments up to 180 days and Lender shall grant such deferment. During such 180-day deferment period, Borrower shall not be deemed to be in default hereunder relative to Borrower's obligation to make payments under this Loan and the Note. Any interest accrued during such deferment period will be capitalized and added to the principal amount of the Loan.

(b) In the event that an Event of Default occurs for non-payment of any Payments due under the Loan (other than the final Payment due on the Initial Maturity Date), Lender hereby agrees to defer such payments for a 180-day period and during such period agrees not to accelerate the Payments of the principal and any accrued and capitalized interest on the Loan; provided, however, such deferment will be subject to interest accruing at the Default

Rate. Any interest accrued during such deferment period will be capitalized and added to the Principal amount of the Loan.

(c) If (i) Borrower does not pay the Loan in full on or prior to the Initial Maturity Date or (ii) an Event of Default occurs for non-payment of any Payments after any applicable deferment period, the Maturity Date will automatically be extended to the Extended Maturity Date and the Default Rate of interest will not apply during the period between the Initial Maturity Date and the Extended Maturity Date (the "**Extension Period**"). If an Event of Default for non-payment of any Payments were to occur during the Extension Period, Borrower shall not be eligible for any additional deferments and Lender may accelerate the Note and pursue all rights and remedies available to Lender hereunder, including the Lender's right to terminate any or all of the Ground Leases for Lots B, C and D of the Guarantors, by providing notice of such termination and Guarantor agrees to execute any documents necessary to terminate the Ground Leases and any agreements or documents related thereto.

1.6 Indemnification. Borrower agrees to defend, indemnify and hold Lender and its officials, officers and employees, free and harmless from and against any and all claims, liabilities, penalties, damages, judgments, costs, expenses, fees and interest (other than exemplary, indirect, incidental, special, exemplary, punitive or consequential damages**,** which include, without limitation, loss of profits, lost opportunities, diminution in value, damage to reputation or the like) arising from or related to any act or omission of Borrower in performing its obligations hereunder and arising out of or incident to any failure or alleged failure to comply with all applicable laws, rules or regulations including the Prevailing Wage Laws, or in operating its Business, and including without limitation reasonable attorneys' fees and other related costs and expenses. Borrower and Guarantors assume all risk of liability arising from any decision not to comply with Prevailing Wage Laws or for non-compliance of any applicable laws, rules or regulations. Lender shall not be liable for any and all claims, liabilities, penalties, damages, judgments, costs, expenses, fees and interest arising from or related to any act or omission of Borrower or Guarantors in performing their respective obligations hereunder and arising out of or incident to any failure or alleged failure to comply with all applicable laws, rules or regulations by the Borrower or the Guarantors.

1.7 Assignment. Borrower and Guarantors may assign all of its rights, interests, and obligations in and under this Agreement, the Note and/or the Security Instruments after obtaining the prior written approval of Lender. Any assignment of this Agreement, the Note or the Security Instruments without Lender's prior written approval shall be null and void. Upon assignment of this Agreement, the Note and/or the Security Instruments, any interest accruing on the remaining indebtedness as a result of an Event of Default shall cease to accrue.

1.8 Non-Discrimination. Borrower, for itself and its successors and assigns, agrees that, in performing the construction of the Project, it shall not discriminate against any employee or applicant for employment because of race, color, sexual orientation and/or gender identity, creed, religion, ancestry, political affiliation or opinion, national origin, sex, physical condition, medical condition, pregnancy or pregnancy-related condition, or condition of physical or mental disability or other handicap, age, marital status, or status with regard to public assistance. Borrower will take affirmative action to insure that all employment practices are free from such

discrimination. Such employment practices include but are not limited to the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation and selection for training, including apprenticeship. Borrower agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting agency setting forth the provisions of this nondiscrimination clause.

1.9 Conflict of Interest.

1.9.1 Borrower shall disclose to the Lender whether it has made any campaign contributions of more than $250 to any member of the City Council for the City of Ontario ("**City**") or other City elected officer, within the earlier of: (1) the date of the submission of Borrower's application for the Project, or (2) twelve (12) months before the date this Agreement was approved by the City Council. Borrower acknowledges that under Government Code section 84308, Borrower is prohibited from making campaign contributions of more than $250 to any member of the City Council or City elected officer for twelve (12) months after the Lender's consideration of the Agreement. In the event of a proposed amendment to this Agreement, Borrower will provide the Lender a written statement disclosing any campaign contribution(s) of more than $250 to any member of the City Council or other City elected officer within the preceding twelve (12) months of the date of the proposed amendment. Campaign contributions include those made by any agent/person/entity on behalf of the Borrower or by a parent, subsidiary or otherwise related business entity of Borrower.

1.9.2 Except for approved eligible administrative or personnel costs, no person described in Section 1.9.3 below who exercises or has exercised any functions or responsibilities with respect to the activities funded pursuant to this Agreement or who is in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during, or at any time after, such person's tenure. Borrower shall exercise due diligence to ensure that the prohibition in this Section is followed.

1.9.3 The conflict of interest provisions of this Section apply to any person who is an employee, agent, consultant, officer, or any immediate family member of such person, or any elected or appointed official of the City, or any person related within the third (3rd) degree of such person.

1.9.4 In accordance with California Government Code Section 1090 and the Political Reform Act, California Government Code section 87100 *et seq*., no person who is a director, officer, partner, trustee or employee or consultant of Borrower, or immediate family member of any of the preceding, may make or participate in a decision, made by the City or a City board, commission or committee, if it is reasonably foreseeable that the decision will have a material effect on any source of income, investment or interest in real property of that person or Borrower. Interpretation of this Section is governed by the definitions and provisions used in the Political Reform Act, California Government Code Section 87100 *et seq*., its implementing regulations manual and codes, and California Government Code Section 1090.

1.10 Notices. All notices required to be delivered under this Agreement or applicable law shall be delivered by personal delivery, express mail or by United States mail, certified, postage prepaid. Notices personally delivered or delivered by express mail shall be deemed received upon receipt. Notices delivered by certified mail shall be deemed received the earlier of three (3) days following deposit of such notice with the United States Postal Service or actual receipt. Notices shall be sent as follows:

If to Borrower:

OTC LOT A OWNER, LLC
c/o Adept Urban
Attn: Patrick Chraghchian and
Robert Montano
388 Cordova Street, #280
Pasadena, CA 91101

If to Lender:

CITY OF ONTARIO
Attn: City Manager
303 East B Street
Ontario, CA 91764

With a Copy to:

Best, Best & Krieger LLP
Attn: Ruben Duran
Ontario City Attorney
2855 E. Guasti Rd., Suite 400
Ontario, CA 91761

1.11 Severability. The unenforceability or invalidity of any provision or provisions of this Agreement as to any persons or circumstances shall not render that provision or those provisions unenforceable or invalid as to any other persons or circumstances, and all provisions hereof, in all other respects, shall remain valid and enforceable.

1.12 Binding Effect; Inurement. This Agreement shall bind Borrower and its successors and assigns and the benefits hereof shall inure to Lender and Lender's successors and assigns.

1.13 Governing Law; Jurisdiction. This Agreement shall be governed by and construed exclusively in accordance with the internal substantive laws of the State of California. The parties hereto consent to the exclusive jurisdiction of the state courts sitting in the County of San Bernardino, California, for any action or proceeding arising under this Agreement or the Loan.

1.14 Attorneys' Fees. Borrower agrees to pay the following costs, expenses, and attorneys' fees paid or incurred by Lender or adjudged by a Court: (i) reasonable costs of collection, costs, expenses, and attorneys' fees paid or incurred in connection with the collection or enforcement of the Loan, whether or not suit is filed; and (ii) costs of such sum as the Court may adjudge as attorneys' fees in an action to enforce payment of this note or any part of it. In the event either party brings an action under this Agreement, the prevailing party shall be entitled to its reasonable attorney's fees and costs.

[***Signatures on Following Page***]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

BORROWER:

OTC LOT A OWNER, LLC

By: _____
Name: Patrick Chraghchian
Title:

By: _____
Name:
Title:

LENDER:

CITY OF ONTARIO

By: _____
Scott Ochoa
City Manager

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP

_____
Ruben Duran, City Attorney

EXHIBIT A TO LOAN AGREEMENT

Promissory Note

PROMISSORY NOTE
SECURED BY A LEASEHOLD DEED OF TRUST
(Lot A Project)

Ontario, California

Principal Amount: $6,600,000 Date of Loan: _____

FOR VALUE RECEIVED, the undersigned OTC LOT A OWNER, LLC, a Delaware limited liability company ("**Borrower**") promises to pay to the CITY OF ONTARIO, a California municipal corporation ("**City**") at 303 East "B" Street, Ontario, California 91764, or at such place as the City may, from time to time, designate by written notice to the Borrower, the principal sum of Six Million Six Hundred Thousand Dollars ($6,600,000), together with interest on the unpaid principal balance of this Promissory Note from time to time outstanding at an annual rate as set forth below from the date of advance until fully paid at the City's address provided above, or at such other place as City may from time to time designate in writing, that is due and payable upon the Maturity Date (as defined in the Loan Agreement) or upon an Event of Default (as defined in the Loan Agreement).

1. Purpose of Loan. This Promissory Note is made and given pursuant to that certain Loan Agreement by and between the City of Ontario and OTC LOT A OWNER, LLC dated as of even date herewith, which is incorporated herein by reference ("**Loan Agreement**"). All initially capitalized terms used but not defined herein shall have the meanings given to them in the Loan Agreement.

2. Secured Obligation. This Promissory Note is made to evidence the Borrower's obligation to repay a loan made by City to Borrower for the total amount of Six Million Six Hundred Thousand Dollars ($6,600,000) for the funds disbursed to pay the Inland Empire Utilities Agency Fees ("**IEUA Fees**") and the School District Fees as referenced in the Loan Agreement for the total amount of IEUA Fees and for the School District Fees due for the purpose of facilitating Borrower's commercial development of the property ("**Project**") located at in the City of Ontario, County of San Bernardino, State of California (Assessor's Parcel No 0210-205-19) (the "**Leasehold Property**"), which is secured by the Security Instruments with each applicable Guarantor, as Trustor, with the City of Ontario as Trustee and as the Beneficiary to secure the principal amount of this Promissory Note upon an Event of Default.

2.1. As a material inducement to the Lender providing the loan, the Security Instruments securing the Promissory Note is unconditional and irrevocable (and as further described in the Security Instruments), the Security Instruments shall survive and remain in effect and enforceable against the party providing the Security Instruments until the principal amount of the Loan and any accrued and capitalized interest is paid in full to the Lender, and notwithstanding any other events, defaults, transfers, assignments that may act to alter, impact or negate each Guarantor's interest in its respective Collateral, or the rights and benefits of the Lender under this Loan. Lender may take any and all actions or remedies available to enforce against the party or parties providing the Security Instruments.

3. Term of Loan, Periodic Payments and Right of Agreement, Prepayment.

3.1. Maturity Date. Unless due at an earlier time by virtue of the acceleration of the balance hereof in accordance with Section 6 hereof, all unpaid principal, plus any accrued and capitalized interest, shall be due and payable by Borrower no later than the Maturity Date.

3.2. Periodic Payments or Interest Accrual Prior to Event of Default or Maturity Date. So long as no Event of Default occurs prior to the Maturity Date, Borrower shall only be obligated to pay periodic payments on the outstanding principal amount of this Loan and the Note as follows as follows (each, a "**Payment**"): (a) interest only on a monthly basis commencing on the date that is the earlier of (the "**Interest Payment Commencement Date**"): (i) the date of issuance of the temporary certificate of occupancy for the residential units of the Project or (ii) the date that is thirty-six (36) months after the closing of the initial construction loan for the Project, and (b) principal and interest on a monthly basis, with principal amortized over a thirty (30) year period and as further provided in the Repayment Schedule, attached as **Exhibit C**, commencing on the date that is five (5) years after the Interest Payment Commencement Date (the "**Amortization Payment Commencement Date**") through the Maturity Date (as defined below); and (c) notwithstanding the foregoing amortization of periodic payments due, Borrower shall be obligated to pay in full the amount of principal plus any accrued and capitalized interest and charges on or before the Maturity Date (as the same may be extended pursuant to the terms of the Loan Agreement).

3.3. Application of Payments. Each payment under this Note shall be credited first to interest then due and any remainder to principal. All payments of principal under this Note shall be applied to the most remote principal installment then unpaid.

3.4. Prepayment. This Promissory Note may be prepaid in whole or part at any time and from time to time without penalty or premium prior to the Maturity Date.

4. Repayment of Note. Principal and interest are payable in lawful money of the United States of America.

5. Payment of Interest. Upon the Payment Date, Borrower shall be obligated to make payments, computed using the exact interest method, on the principal amount of this Promissory Note that has accrued from the date hereunder until the Event of Default.

5.1. Amount of Interest. Interest shall be equal to the California Asset Management Program ("**CAMP**") rate on the date of the issuance and execution of the Loan, being [___]% per annum for up to $6,600,000 drawn on the Loan.

5.2. Calculation of Interest. Interest on the Loan is calculated on the basis of a year of three hundred and sixty (360) day year or twelve (12) thirty day (30-day) months.

6. Acceleration Upon Event of Default.

6.1. The entire unpaid principal balance and accrued interest, if any, of this Promissory Note together with any charges set forth herein, shall at the City's option be

immediately due and payable prior to the Maturity Date upon an Event of Default (as defined in the Loan Agreement).

6.2. Notwithstanding the above, in the event of an actual or deemed entry of an order for relief with respect to Borrower under the Federal Bankruptcy Code, this Promissory Note and all interest and other amounts due hereon shall automatically become and be due and payable, without presentment, demand, protest or any notice of any kind, all of which are hereby expressly waived by Borrower. Subject to Section 1.5.5 of the Loan Agreement, the City may exercise City's option to accelerate upon the occurrence of any Event of Default, regardless of any prior forbearance.

7. Default Rate of Interest. Subject to Section 1.5.5 of the Loan Agreement, upon the occurrence of an Event of Default the entire remaining indebtedness shall accrue interest at the lesser of (a) a rate of 10% per annum or (ii) the maximum interest rate allowed by law (the "**Default Rate**"). The parties hereto agree that the Default Rate represents a reasonable sum considering all of the circumstances existing on the date of this Promissory Note and represents a fair and reasonable estimate of the costs and damages that City will incur by reason of the late payment. The parties hereto further agree that proof of actual damages would be costly or inconvenient. Acceptance of any late charge shall not constitute a waiver of the default with respect to the overdue amount, and shall not prevent City from exercising any of the other rights and remedies available to City. The foregoing shall not be construed as obligating the City to accept any payment after its due date.

8. Removal of Liens. City shall only remove, or cause to be removed, the Security Instruments as liens against the Collateral after Borrower and/or Guarantors have fully complied with the terms of this Promissory Note, the Loan Agreement and the Security Instruments (as applicable).

9. Notice of Default. Borrower or Guarantors shall provide notice to City of any notice of default sent by any lender with a security interest in the Collateral within three (3) days of the date of such Guarantor's receipt of such notice.

10. Costs Paid by Borrower. Borrower agrees to pay the following costs, expenses and attorneys' fees paid or incurred by the City, or as adjudged by a court of competent jurisdiction: (a) reasonable costs of collection, costs and expenses and attorneys' fees paid or incurred in connection with the collection or enforcement of this Promissory Note, whether or not suit is filed; and (b) costs of suit in such sum as the court may adjudge reasonable as attorneys' fees in any action to enforce payment of this instrument.

11. Waiver. Borrower hereby waives diligence, presentment, protest and demand, notice of protest, dishonor and nonpayment of this instrument, and expressly agrees that, without in any way affecting the liability of Borrower hereunder, the City may extend any maturity date or the time for payment of any installment due hereunder, accept additional security, release any party liable hereunder or release any security now or hereafter securing this Promissory Note. Borrower hereby waives, to the fullest extent permitted by law, the right to plead any and all

statutes of limitations as a defense to any demand on this instrument or any deed of trust, security agreement, guarantee or other agreement now or hereafter securing this Promissory Note.

12. Disclaimer of Personal Liability. Despite anything to the contrary in this Promissory Note or in the Security Instruments securing this Promissory Note, but without in any way affecting the validity of this Promissory Note or of the lien of the Security Instruments, in the event of any Event of Default under this Promissory Note or Security Instruments, City's sole recourse for any and all such defaults shall be by judicial foreclosure, or by exercise of the trustee's power of sale, and the right to terminate the Ground Leases with the Guarantors as provided in the Loan Agreement, and the undersigned Borrower(s) shall not be personally liable for the payment of this Promissory Note of for any other default under the Security Instruments or for the payment of any deficiency established after judicial foreclosure or after a trustee's sale under the Security Instruments. Despite the foregoing, Borrower(s) shall be personally liable and shall indemnify, defend, protect and hold the City harmless from and against any and all loss, damage, liability, action, cause of action, cost or expense, including, without limitation, reasonable attorneys' fees and expenses incurred by the City, arising as a result of any (i) fraud or material misrepresentation by the Borrower under or in connection with the Agreement; (ii) intentional bad faith waste of the real property encumbered by the Security Instruments which secures this Promissory Note; and (iii) losses resulting from Guarantor's failure to maintain insurance as required under the provisions of the Security Instruments securing this Promissory Note. Borrower's obligation to indemnify the City as aforesaid shall be a recourse obligation of the Borrower, and in the event of any breach of such obligations, the City shall have the right to proceed directly against the Borrower to recover any and all losses, damages, liability, costs and expenses (including without limitation, reasonable attorneys' fees and expenses) and may bring any action and institute any proceeding to obtain a deficiency judgment in or following foreclosure for any and all such losses, damages, liabilities, costs and expenses resulting from such breach. Notwithstanding the foregoing, Lender shall have the right to terminate any or all of the Ground Leases for Lots B, C and D of the Guarantors, by providing notice of such termination and Guarantor agrees to execute any documents necessary to terminate the Ground Leases and any agreements or documents related thereto in the event of default by Borrower after all the terms in Section 1.5.5 have been exhausted, but does not require the Lender to first proceed with a foreclosure against the Borrower or Guarantors.

13. Severability. If any provision of this Promissory Note is determined by a court of competent jurisdiction to be void or unenforceable, such determination shall not affect any other provision of this instrument, and all other provisions hereof shall remain valid and in full force and effect.

14. Non Waiver. No delay in demanding or failure to demand performance hereunder shall constitute a waiver by the City of its right to subsequently demand such performance or to exercise any remedies for any default hereunder. Further, in order to be effective, any waiver of any of the City's rights and remedies hereunder shall be expressed in a writing signed by a duly appointed representative of the City. Further, waiver by the City of any right hereunder shall not constitute a waiver of any other right, including, but not limited to, the right to exercise any and all remedies for a different or subsequent event of default hereunder.

15. Successors and Assigns. This Promissory Note shall bind Borrower and Borrower's successors and assigns and the benefit hereof shall inure to City and City's successors and assigns.

16. Indemnification. Borrower agrees to indemnify and to hold City, its officers, officials, employees, successors and assigns, harmless from and against any and all claims, demands, costs, liabilities and obligations of any kind or nature (other than exemplary, indirect, incidental, special, exemplary, punitive or consequential damages**,** which include, without limitation, loss of profits, or lost opportunities) arising from any default hereunder, including, without limitation, all costs of collection, including reasonable attorneys' and expert witness fees and all costs of suit, in the event the principal amount of this Promissory Note or any other amount due hereunder is not paid when due.

17. Cooperation; Future Release of Collateral. The City hereby acknowledges that Guarantors will be obtaining construction financing for the future development of the Collateral. In connection therewith, the City hereby agrees to cooperate with Guarantors in releasing the applicable Collateral from the Security Instruments to permit such construction financing as and when reasonably requested by the applicable Guarantor and Guarantors and the City will cooperate with each other in agreeing upon reasonable replacement collateral to secure this Promissory Note. Any delay in the City's cooperation hereunder will toll each such Guarantor's applicable obligations and milestones the applicable development agreement between such Guarantor and the City recorded against the applicable Collateral.

18. Governing Law. The validity, interpretation and performance of this Promissory Note shall be governed by and construed in accordance with the laws of the State of California, without regard to conflicts of laws principles.

19. Jurisdiction and Venue. Any legal action or proceeding to interpret, enforce, or which in any way arises out of this Promissory Note shall be instituted and prosecuted in the appropriate court in San Bernardino County, California.

20. Amendments and Modifications. This Promissory Note may be amended or modified only in writing signed by the City and the Borrower.

21. Usury. All agreements between Borrower and the City are expressly limited, so that in no event or contingency, whether because of the advancement of the proceeds of this Note, acceleration of maturity of the unpaid principal balance, or otherwise, shall the amount paid or agreed to be paid to Lender for the use, forbearance, or retention of the money to be advanced under this Note exceed the highest lawful rate permissible under applicable usury laws. If, under any circumstances, fulfillment of any provision of this Note or the personal Guaranty securing this Note or any other agreement pertaining to this Note, after timely performance of such provision is due, shall involve exceeding the limit of validity prescribed by law that a court of competent jurisdiction deems applicable, then, ipso facto, the obligations to be fulfilled shall be reduced to the limit of such validity. If, under any circumstances, Lender shall ever receive as interest an amount that exceeds the highest lawful rate, the amount that would be excessive interest shall be applied to reduce the unpaid principal balance under this Note and not to pay

interest, or, if such excessive interest exceeds the unpaid principal balance under this Note, such excess shall be refunded to Borrower. This provision shall control every other provision of all agreements between Borrower and Lender.

22. Time of the Essence. Time is of the essence with regard to this Promissory Note.

23. Joint and Several Obligation. Borrower and all other persons liable or to become liable for all or part of this indebtedness, jointly and severally waive demand, presentment for payment, notice of nonpayment, protest and notice of protest hereon, and agree to pay, in the Event of Default hereunder, all costs of collection, including reasonable attorneys' fees of City, whether or not suit is commenced.

IN WITNESS WHEREOF, Borrower executes and enters into this Promissory Note as of the date of the loan as first written above:

BORROWER:

OTC LOT A OWNER, LLC

By: _____

[SIGNATURE]

EXHIBIT B TO THE LOAN AGREEMENT

FORM OF DEED OF TRUST

[to be attached]

EXHIBIT C TO LOAN AGREEMENT

REPAYMENT SCHEDULE

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

City of Ontario
303 East "B" Street
Ontario, CA 91762
ATTN: City Manager

SPACE ABOVE THIS LINE FOR RECORDER'S USE
EXEMPT FROM RECORDING FEES PURSUANT TO GOV. CODE §§6103, 27383

CITY OF ONTARIO

LEASEHOLD DEED OF TRUST, ASSIGNMENT OF RENTS, SECURITY AGREEMENT AND FIXTURE FILING

This **LEASEHOLD DEED OF TRUST, ASSIGNMENT OF RENTS, SECURITY AGREEMENT AND FIXTURE FILING ("Leasehold Deed of Trust")** is made as of _____, by, between and among **OTC LOT B OWNER, LLC, OTC LOT C OWNER, LLC, and OTC LOT D OWNER, LLC, each a Delaware limited liability company** (individually or collectively as the context requires, "**Trustor**") and the **CITY OF ONTARIO**, a California municipal corporation, as Trustee and Beneficiary ("**Trustee**" and "**Beneficiary**"). This Leasehold Deed of Trust is made with respect to that certain Loan Agreement by and between the City of Ontario and **OTC LOT A OWNER, LLC, a Delaware limited liability company** ("**Borrower**"), which is an affiliate of Trustor that is under common control with Trustor, dated as of even date herewith, which is incorporated herein by reference ("**Loan Agreement**").

1. Grant in Trust. Trustor irrevocably grants, bargains, sells, and conveys to Trustee in trust, for the benefit of Beneficiary, with the power of sale and the right of entry and possession, all of Trustor's estate, right, title, and interest in, to and under the following property: (a) that certain leasehold interests in real property located in the City of Ontario, County of San Bernardino, State of California, more particularly described and depicted in Exhibit "A" attached hereto and incorporated herein by this reference (the "**Land**"), (b) together with all buildings, structures and other improvements now or in the future located or to be constructed on the Land (the "**Improvements**") and all other rights and interests now or in the future benefiting or otherwise relating to the Land or Improvements, including existing and future easements, rights-of-way, water rights and water stock (the "**Appurtenances**"), (c) together with all materials, supplies, equipment, apparatus, articles of personal property now or hereafter attached to, placed upon for an indefinite term, or used in connection with the Land and/or Improvements, together with all goods and other property that are, or at any time become, so related to the Property that an interest in them arises under real estate law, or they are otherwise adjudged to be a "fixture" under

applicable law, including the California Uniform Commercial Code (each a "**Fixture**," collectively "**Fixtures**"), and (d) together with all other property and interests of any kind or character which may be reasonably necessary or desirable to promote the present and future beneficial use and enjoyment of such real property and improvements (all collectively known as the "**Property**").

2. Secured Obligation. Trustor makes this grant for the purpose of securing payment and performance of the following: (i) all present and future indebtedness evidenced by any promissory note or notes Borrower has executed pursuant to the Loan Agreement, which states that it is or such obligations are secured by this Leasehold Deed of Trust; and (ii) all present and future obligations of Trustor to Beneficiary under this Leasehold Deed of Trust and Borrower under the Promissory Note or the Loan Agreement; and (iii) all additional present and future obligations of Trustor to Beneficiary under any other agreement or instrument acknowledged by Trustor (whether existing now or in the future), which states that it is or such obligations are, secured by this Leasehold Deed of Trust; and (iv) all modifications, supplements, amendments, renewals, and extensions of any of the foregoing, whether evidenced by new or additional documents; and (v) reimbursement of all amounts advanced by or on behalf of Beneficiary to protect Beneficiary's interest under this Leasehold Deed of Trust (collectively referred to as the "**Secured Obligations**").

3. Authority of Lender. If any party comprising "Trustor" hereunder is not the Borrower (hereinafter, "Trustor"), Trustor hereby authorizes Lender to perform any of the following acts at any time and from time to time, all without notice or demand to Trustor and without affecting Lender's rights or Trustor's obligations under this Deed of Trust:

3.1 Alter any terms of the Note or any part of it, including renewing, compromising, extending, accelerating, or otherwise changing the time for payment of, or increasing or decreasing the rate of interest on, the Note or any part of it.

3.2 Accept new or additional documents, instruments, or agreements relative to the Note or the Obligations.

3.3 Consent to the change, restructure, or termination of the individual, partnership, or corporate structure or existence of Borrower, Trustor, or an affiliate of Borrower or Trustor and correspondingly restructure the Obligations.

3.4 Accept partial payments on the Note or the Obligations.

3.5 Assign the Note, and with it the Deed of Trust, in whole or in part.

3.6 Take and hold security for the Note, accept additional or substituted security or guaranties for the Note, and subordinate, exchange, enforce, waive, release, compromise, fail to perfect, sell, or otherwise dispose of any such security.

3.7 Apply any security now or later held for the Note in any order that Lender in its sole discretion may choose and direct the order and manner of any sale of all or any part of it and bid at any such sale.

3.8 Release the Borrower of its liability for the Note or any part of it.

3.9 Settle, release, compound, compromise, collect, or otherwise liquidate the Note or the Obligations and/or the collateral or any guaranty therefor in any manner, whether in liquidation, reorganization, receivership, bankruptcy, or otherwise.

3.10 Substitute, add, or release any collateral or one or more guarantors or endorsers of the Note.

4. Property Provisions. To protect the security of this Leasehold Deed of Trust, and with respect to the Property described above, Trustor shall and agrees:

4.1 Maintenance and Repair. Beneficiary hereby acknowledges that the Property currently consists solely of Trustor's leasehold interests in unimproved land. To keep the Property in good condition and repair; not to remove or demolish any building thereon (if any); to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon (if any) and to pay when due all claims for labor performed and materials furnished therefor (if any); to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of the law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

4.2 Insurance. To maintain hazard insurance against loss by fire, hazards included with the term "**extended coverage**," and any other hazards for which Beneficiary requires insurance, and liability insurance as set forth in the Loan Agreement. The insurance carrier and the insurance policies and amounts of coverage shall comply with the terms of the Loan Agreement or shall otherwise be acceptable to Beneficiary, the policies shall name Beneficiary as a loss payee or an additional insured, as applicable, the policies shall include Beneficiary as an additional insured, as applicable. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Trustor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

4.3 Defense of Security. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee. Trustor shall pay all costs and expenses, including costs of evidence of title and attorneys' fees, in any such action or proceeding in which Trustee or Beneficiary may appear, and in any suit brought by Beneficiary to foreclose this Leasehold Deed of Trust.

4.4 Reimbursement of Costs. Trustor shall pay upon demand all reasonable and documented sums expended by Beneficiary or Trustee provided for in this Leasehold Deed of Trust or allowed by law, with interest from date of expenditure at the maximum rate provided in the Note

4.5 Payment of Taxes and Liens. Trustor shall pay: (a) at least 10 days before delinquency, all non-abated taxes and assessments affecting the Property, including water stock assessments; (b) when due, all encumbrances, charges, and liens, with interest, on the Property,

which are or appear to be prior or superior to this Leasehold Deed of Trust; and (c) upon demand all reasonable and documented costs, fees, and expenses of this Leasehold Deed of Trust. If Trustor fails to make any payment or to do any act provided for in this Leasehold Deed of Trust after written notice of such failure by Beneficiary and a reasonably opportunity to cure, then Beneficiary or Trustee may, without obligation to do so, and with or without notice to or demand upon Trustor, and without releasing Trustor from any obligation under this Leasehold Deed of Trust: (w) make or do the same in such manner and to such extent as either may deem necessary to protect the security, Beneficiary or Trustee being authorized to enter upon the Property for such purposes; (x) appear in or commence any action or proceeding purporting to affect the security, or the rights or powers of Beneficiary or Trustee; (y) pay, purchase, contest or settle any encumbrance, charge or lien which in the judgment of either appears to be senior to this Leasehold Deed of Trust; and (z) in exercising any such powers, pay allowable expenses, including attorneys' fees.

5. Additional Provisions. It is mutually agreed:

5.1 That any award of damages in connection with any condemnation for public use of or injury to the Property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by it in the same manner and with the same effect as above provided for disposition or proceeds of fire or other insurance.

5.2 That by accepting payment of any sum secured hereby after its due date, Beneficiary does not waive its right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

5.3 That at any time or from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Leasehold Deed of Trust for endorsement, and without affecting the personal liability or any person for payment of the indebtedness secured hereby, Trustee may: reconvey any part of the Property; consent to making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof.

5.4 That upon written request of Beneficiary stating that all sums secured hereby have been paid, and Trustor has complied with its obligations under this Leasehold Deed of Trust, the Promissory Note and the Loan Agreement, and that upon surrender of this Leasehold Deed of Trust to Trustee for cancellation and retention or other disposition as Trustee in its sole discretion may choose and upon payment of its fees, Trustee shall reconvey, without warranty, the Property then held hereunder. The recitals in such reconveyance of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "the person or persons legally entitled thereto."

5.5 Beneficiary, or any successor in ownership of any indebtedness secured hereby, may from time to time, by instrument in writing, substitute a successor of successors to any Trustee named herein or acting hereunder, which instrument, executed by the Beneficiary and duly acknowledged and recorded in the office of the recorder of the county or counties where the Property is situated, shall be conclusive proof of proper substitution of such successor Trustee or

Trustees, who shall, without conveyance from the Trustee predecessor, succeed to all its title, estate, rights, powers and duties. Said instrument must contain the name of the original Trustor, Trustee and Beneficiary hereunder, the book and page where this Leasehold Deed of Trust is recorded and the name and address of the new Trustee.

5.6 That this Leasehold Deed of Trust applies to, inures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors, and assigns. The term Beneficiary shall mean the owner and holder, including pledgees, of the Promissory Note and Loan Agreement secured hereby, whether or not named as Beneficiary herein. In this Leasehold Deed of Trust, whenever the context so requires, the masculine gender includes the feminine and/or the neuter, and the singular number includes the plural.

5.7 The Trustee accepts this Trust when this Leasehold Deed of Trust, duly executed and acknowledged, is made a public record as provided by law. Trustee is not obliged to notify any party hereto of pending sale under any other deed of trust or of any action or proceeding in which Trustor, Beneficiary or Trustee shall be a party unless brought by Trustee.

5.8 Beneficiary may charge for a statement regarding the obligation secured hereby, provided the charge thereof does not exceed the maximum allowed by laws.

5.9 The undersigned Trustor, requests that a copy of any notice of default and any notice of sale hereunder be mailed to him or her at his or her address hereinbefore set forth.

6. Waivers.

6.1 Trustor warrants that (i) this Deed of Trust is executed at Borrower's request, and (ii) Trustor has established adequate means of obtaining from Borrower on a continuing basis financial and other information pertaining to Borrower's financial condition. Trustor agrees to keep adequately informed from such means as it deems appropriate of any facts, events or circumstances which might in any way affect Trustor's risks hereunder and Trustor further agrees that Beneficiary shall have no further obligation to disclose to Trustor information or materials required in the course of Beneficiary's relationship with Borrower.

6.2 Each Trustor:

6.2.1 Waives any right to require Beneficiary to: (i) proceed against any person, including Borrower, (ii) proceed against or exhaust any security held from Borrower or any other person, (iii) pursue any other remedy in Beneficiary's power, or (iv) make any presentments or demands for performance or give any notices of non-performance, protest, or dishonor in connection with any of the indebtedness held by Beneficiary.

6.2.2 Waives any defense arising by reason of: (i) any disability or other defense of Borrower or any other person, (ii) the cessation or limitation of the liability of Borrower for any cause whatsoever, other than payment in full of all indebtedness owed to Beneficiary, (iii) the application by Borrower of the proceeds of any obligation secured hereby for purposes other than the purposes represented by Borrower to Beneficiary or intended or understood by Beneficiary or Borrower, (iv) any act or omission by Beneficiary which directly or indirectly results in or aids the

discharge of Borrower or any obligation secured hereby by operation of law or otherwise, or (v) any modification of the obligations secured hereby in any form whatsoever, including, without limitation, the renewal, extension, acceleration or other change in the terms of such obligations or any part thereof, including increase or decrease of the rate of interest thereon.

6.2.3 Waives any right it may have to require Lender to proceed against the Borrower, proceed against or exhaust any security held by Lender, or pursue any other remedy in Lender's power to pursue, including any such right or any other right set forth in California Civil Code §§ 2845 or 2850.

6.2.4 Waives to the fullest extent permitted by law, all rights and benefits under California Civil Code § 2809 purporting to reduce a guarantor's obligations in proportion to the principal obligation.

6.2.5 Waives all rights and defenses arising out of an election of remedies by the Lender, even though that election of remedies, such as a non-judicial foreclosure with respect to security for a guaranteed obligation, has destroyed the Trustor's rights of subrogation and reimbursement against the principal by the operation of Civ. Proc. Code, § 580d or otherwise.

6.2.6 Shall have no right of subrogation and waives any defense that may have been based upon any election of remedies by Beneficiary which destroys Trustor's rights to proceed against Borrower for reimbursement, including, without limitation, any loss of rights Trustor may suffer by reason of any rights, powers, or remedies of Borrower in connection with any anti-deficiency laws or any other laws limiting, qualifying or discharging Trustor's obligations.

6.2.7 Further waives any right to enforce any remedy which Beneficiary now has or may hereafter have against Borrower or any other person and waives any benefit of or any right to participate in any security whatsoever now or hereafter held by Beneficiary. If any amount shall be paid to Trustor at any time when any indebtedness owing to Beneficiary shall not have been paid in full, such amount shall be held in trust for the benefit of Beneficiary and shall forthwith be paid to Beneficiary to be credited and applied upon such indebtedness, whether matured or unmatured.

6.2.8 Trustor warrants and agrees that each of the waivers set forth above is made with Trustor's full knowledge of its significance and consequences and that under the circumstances the waivers are reasonable. If any said waivers are determined to be contrary to any application of law or public policy, such waivers shall be effective only to the extent permitted by law.

7. Assignment of Rents. Subject to the rights of senior lenders, Trustor hereby absolutely and unconditionally assigns to Beneficiary all of the rents, issues, profits, royalties, revenues, income, and other benefits (collectively, the "**Rents**") derived from the Property, whether now due, past due or to become due, and hereby gives to and confers upon Beneficiary, either directly or through a receiver, the right, power, and authority, but not the obligation, to collect the Rents, and to sue, either in the name of Trustor or Beneficiary, for all such Rents and to apply the same to the

indebtedness secured hereby in such order as Beneficiary may determine in its sole discretion. This assignment of Rents is intended to create and shall be construed to create an absolute assignment to Beneficiary of all of Trustor's right, title, and interest in the Rents. So long as no default exists by Trustor in the payment of any indebtedness secured hereby, or in any other covenant contained herein, or in said note or notes or in any other document evidencing or securing such indebtedness, Trustor shall have the right to collect all Rents from the Property and to retain, use, and enjoy the same. Upon the occurrence of such a default beyond any applicable notice and cure periods, without the necessity of demand or other notice to Trustor or any other act to enforce Beneficiary's interest pursuant to this assignment, Trustor shall have no interest whatsoever in the Rents that are received by Trustor after a default, and all such Rents shall be received and held by Trustor in constructive trust for Beneficiary and delivered promptly to Beneficiary, or to a court-appointed receiver for the Property, without the necessity for further notice to, or demand upon, Trustor. Upon the occurrence of such a default, beyond any applicable notice and cure periods, and at any time thereafter during the continuance thereof, Beneficiary may, at its option, send any tenant of the Property a notice to the effect that: (a) a default has occurred; (b) Beneficiary has elected to exercise its rights under this assignment; and (c) such tenant is thereby directed to thereafter make all payments of Rents to or for the benefit of Beneficiary or as Beneficiary shall direct. Any such tenant shall be entitled to rely upon any notice from Beneficiary and shall be protected with respect to any payment of Rents made pursuant to such notice, irrespective of whether a dispute exists between Trustor and Beneficiary with respect to the existence of a default or the rights of Beneficiary hereunder. Any such tenant shall not be required to investigate or determine the validity or accuracy of such notice or the validity or enforceability of this assignment.

8. Event of Default. Subject to and without in any way limiting Section 1.5.5 of the Loan Agreement, the term "**Event of Default**" as used in this Leasehold Deed of Trust shall have the same meaning given to such term in the Loan Agreement. Upon the occurrence and during the continuance of an Event Default, Beneficiary may declare all sums secured immediately due and payable by delivery to Trustee of a declaration of default and demand for sale and of a notice of default and of a notice of sale, which notice Trustee shall cause to be filed for record. Beneficiary also shall deposit with Trustee this Leasehold Deed of Trust, said note or notes, and all documents evidencing expenditures secured by this Leasehold Deed of Trust. Upon the occurrence and during the continuance of an Event Default and acceleration of all sums due, Beneficiary may instruct Trustee to proceed with a sale of the Property under the power of sale granted in this Leasehold Deed of Trust, noticed and held in accordance with California Civil Code Sections 2924, et seq., as such statutes may be amended from time to time. Trustor waives all rights it may have to require marshaling of assets or to require sales of assets in any particular order, including any rights under California Civil Code Sections 2899 and 3455.

9. Remedies upon Event of Default. Upon the occurrence and during the continuance of any Event of Default: (i) all Secured Obligations shall immediately become due and payable without further notice to Trustor; (ii) upon demand by Beneficiary, Trustor shall pay to Beneficiary sums which will be sufficient to pay all taxes which are or may become a lien affecting the Property and the premiums for any policies of insurance to be maintained hereunder. In addition, Beneficiary may, without notice to or demand upon Trustor, exercise any one or more of the following remedies, either directly or through Trustee, an agent or court-appointed receiver:

(i) enter, take possession of, manage, and exercise any other rights of an owner of the Property, and use any other properties of Trustor relating to the Property, all without payment of rent or other compensation to Trustor;

(ii) conduct any business of Trustor in relation to the Property and deal with Trustor's creditors, debtors, tenants, agents and employees and any other persons having any relationship with Trustor in relation to the Property;

(iii) take such other action as Beneficiary deems appropriate to protect the security of this Leasehold Deed of Trust.

Beneficiary may execute and deliver to Trustee written notice of default and of its election to cause all or any part of the Property to be sold, which notice Trustee shall cause to be filed for record; and after the lapse of such time as may then be required by law following the recordation of such notice of default, and notice of sale having been given as then required by law, Trustee, without demand on Trustor, shall sell such Property at the time and place fixed by it in such notice of sale, either as a whole or in separate parcels and in such order as Beneficiary may direct (Trustor waiving any right to direct the order of sale), at public auction to the highest bidder for cash in lawful money of the United States (or cash equivalents acceptable to Trustee to the extent permitted by applicable law), payable at the time of sale. Any person, including Trustee or Beneficiary, may purchase at such sale, and any bid by Beneficiary may be, in whole or in part, in the form of cancellation of all or any part of the Secured Obligations. Any such sale shall be free and clear of any interest of Trustor and any lease, encumbrance or other matter affecting the Property so sold which is subject or subordinate to this Leasehold Deed of Trust. Notwithstanding the foregoing, Beneficiary shall have the right to terminate any and all of the Ground Leases with the Guarantors without first pursuing any other remedies provided herein and Guarantors shall execute any documents necessary to effect the termination and surrender possession of the leased property upon such termination to Beneficiary.

Each of the remedies provided in this Leasehold Deed of Trust is cumulative and not exclusive of, and shall not prejudice, any other remedy provided in this Leasehold Deed of Trust or by applicable laws and shall be subject and subordinate to the remedies of any holder of a senior lien permitted hereunder. Trustor, for itself and for any other person claiming by or through Trustor, waives, to the fullest extent permitted by applicable laws, all rights to require a marshaling of assets by Trustee or Beneficiary or to require Trustee or Beneficiary to first resort to any particular portion of the Property or any other security (whether such portion shall have been retained or conveyed by Trustor) before resorting to any other portion, and all rights of redemption, stay and appraisal.

10. Distribution of Foreclosure Proceeds. All proceeds of collection, sale, generated by any Foreclosure or other liquidation of the Property ("**Proceeds**") shall be applied first to all costs, fees, expenses and other amounts (including interest) payable by Trustor and distributed as follows: (i) First, senior liens and encumbrances (if any) on the Property shall be fully paid from the Proceeds; (ii) Second, Beneficiary shall be fully paid any amounts owing under the Secured Obligations; and (iii) Third, any remaining Proceeds shall be distributed in accordance with

California Civil Code Section 2924(k). As used herein, "**Foreclosure**" means any judicial or non-judicial foreclosure, trustee's sale, deed-in-lieu transfer, short sale, or similar transaction.

11. Costs, Fees and Expenses. Trustor shall pay, on demand, all costs, fees, expenses, advances, charges, losses and liabilities of Trustee and Beneficiary under or in connection with this Leasehold Deed of Trust or the enforcement of, or the exercise of any remedy or any other action taken by Trustee or Beneficiary under, this Leasehold Deed of Trust or the collection of the Secured Obligations, in each case including (i) reconveyance and foreclosure fees of Trustee, (ii) costs and expenses in connection with the operation, maintenance, preservation, or sale of the Property or foreclosure of this Leasehold Deed of Trust, (iii) advances made by Beneficiary to complete or partially construct all or any part of any construction on the Land, (iv) cost of evidence of title, and (v) the reasonable fees and disbursements of Trustee's and Beneficiary's legal counsel.

12. Substitution of Trustee. Beneficiary, or any successor in ownership of any indebtedness secured hereby, may from time to time, by instrument in writing, substitute a successor or successors to any Trustee named herein or acting hereunder, which instrument executed by the Beneficiary and duly acknowledged and recorded in the office of the recorder of the county or counties where the Property is situated, shall be conclusive proof of proper substitution of such successor Trustee or Trustees, who shall, without conveyance from the Trustee predecessor, succeed to all its title, estate, rights, powers, and duties. Said instrument must contain the name of the original Trustor, Trustee, and Beneficiary hereunder, the book and page where this Leasehold Deed of Trust is recorded, and the name and address of the new Trustee.

13. Successors and Assigns. This Leasehold Deed of Trust applies to, inures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors, and assigns. The term "**Beneficiary**" shall mean the owner and holder, including pledgees, of the secured note or notes, whether or not named as Beneficiary herein.

14. Trustee Acceptance. Trustee accepts this trust when this Leasehold Deed of Trust, duly executed and acknowledged, is made a public record as provided by law. Trustee is not obligated to notify any party hereto of pending sale under any other deed of trust or of any action or proceeding in which Trustor, Beneficiary or Trustee shall be a party unless brought by Trustee.

15. Further Assurances. Trustor shall, at its own cost and expense, do, execute, acknowledge, and deliver all and every such further acts, deeds, conveyances, mortgages, assignments, notices of assignments, transfers, and assurances as Trustee or Beneficiary shall from time to time reasonably require, for better assuring, conveying, assigning, transferring, and confirming unto Trustee the Property and rights hereby conveyed or assigned or intended now or hereafter so to be, or which Trustor may be or may hereafter become bound to convey or assign to Trustee, or for carrying out the intention or facilitating the performance of the terms of this Leasehold Deed of Trust, or for filing, registering, or recording this Leasehold Deed of Trust. Trustor shall, on demand, execute and deliver, and hereby authorizes Trustee and Beneficiary, or either of them, to execute in the name of Trustor, to the extent it may lawfully do so, one or more financing statements, chattel mortgages, or comparable security instruments, to evidence more effectively the lien hereof. Immediately upon the execution and delivery of this Leasehold Deed of Trust, and thereafter from time to time, Trustor shall cause this Leasehold Deed of Trust, and any security

instruments creating a lien or evidencing the lien hereof upon any personal property and each instrument of further assurance, to be filed, registered, or recorded in such manner and in such places as may be required by any present or future law in order to publish notice of and fully to protect the lien hereof upon, and the title of Trustee to, the Property encumbered hereby.

16. Estoppel Certificate**.** Trustor shall, within thirty (30) days of a written request from Beneficiary, furnish Beneficiary with a written statement, duly acknowledged, setting forth the sums secured by this Leasehold Deed of Trust and any right of set-off, counterclaim or other defense which exists against such sums and the obligations of this Leasehold Deed of Trust.

17. California Uniform Commercial Code Security Agreement; Fixture Filing**.** Trustor hereby grants Beneficiary a security interest in all personal property of Trustor located on the Property and wherever located and used in any way in connection with or in any way relating to the Property, and whether now owned or hereafter in existence, acquired or created (including equipment, inventory, goods, documents, instruments, general intangibles, chattel paper, accounts, accounts receivable, deposit accounts, and contract rights), and all fixtures of Trustor now owned or hereafter in existence, acquired or created on, of or relating to the Property, and all substitutions, replacements, additions, accessions, and proceeds (including insurance proceeds) of all of the foregoing (collectively, the "**Personal Property**"). Beneficiary may file this Leasehold Deed of Trust, or a reproduction hereof, in the real estate records or other appropriate index, as a financing statement for the Personal Property. Any reproduction of this Leasehold Deed of Trust or of any other security agreement or financing statement shall be sufficient as a financing statement. In addition, Trustor shall execute and deliver to Beneficiary, upon Beneficiary's request, any financing statements, as well as extensions, renewals, and amendments thereof, and reproductions of this Leasehold Deed of Trust in such form as Beneficiary may require to perfect a security interest with respect to the Personal Property. Trustor shall pay all costs of filing such financing statements and any extensions, renewals, amendments, and releases thereof, and shall pay all reasonable costs and expenses of any record searches for financing statements Beneficiary may reasonably require. Upon Trustor's breach of any covenant or agreement of Trustor contained in this Leasehold Deed of Trust, including the covenants to pay when due all sums secured by this Leasehold Deed of Trust, Beneficiary shall have the remedies of a secured party under the California Uniform Commercial Code and, at Beneficiary's option, may also invoke any remedies provided in this Leasehold Deed of Trust as to the Personal Property. In exercising any of such remedies, Beneficiary may proceed against the Property and any of the Personal Property separately or together and in any order whatsoever, without in any way affecting the availability of Beneficiary's remedies under the California Uniform Commercial Code or the remedies provided in the Leasehold Deed of Trust. This Leasehold Deed of Trust also covers goods which are or which are to become fixtures on the Property and constitutes a financing statement and is filed as a fixture filing under the California Uniform Commercial Code.

18. Due-On-Sale or Encumbrance**.** If all or any part of the Property, or any interest therein, or any beneficial interest in Trustor (if Trustor is not a natural person or persons but is a corporation, partnership, trust, limited liability company or other legal entity), is sold, transferred, mortgaged, assigned, pledged, or further encumbered, whether directly or indirectly, whether voluntarily or involuntarily, or by operation of law, Beneficiary may, at Beneficiary's option, declare all of the sums secured by this Leasehold Deed of Trust to be immediately due and payable, and Beneficiary

may invoke any remedies permitted by this Leasehold Deed of Trust.

19. Independent Obligations. Each Trustor's obligations under this Deed of Trust are independent of those of any other person. Lender may bring a separate action against each Trustor, and each Trustor waives any right to require Lender to proceed against Borrower or any other person, firm, or corporation or to proceed against or exhaust any other security held by it at any time or to pursue any other remedy in its powers, and each Trustor agrees that Lender shall not be obligated to resort to any other security, including security given by Borrower, with any priority, in any particular order, or at all, even if such action destroys, alters, or otherwise impairs a Trustor's subrogation rights or a Trustor's right to proceed against Borrower for reimbursement, or both.

20. Miscellaneous Provisions.

20.1 Governing Law. This instrument shall be deemed to have been made in the State of California, and the validity of this Leasehold Deed of Trust, its construction, interpretation, and enforcement, and the parties' rights hereunder and concerning the Property, shall be decided under, governed by, and construed in accordance with the laws of the State of California. The parties agree that all actions or proceedings arising in connection with this Leasehold Deed of Trust shall be tried and litigated only in the state courts located in the County of San Bernardino, State of California, or federal courts located in the Central District of California. Trustor waives any right Trustor may have to assert the doctrine of forum non conveniens or to object to such venue.

20.2 Notices. Any notice, demand, request, consent, approval, communication either party desires or is required to give the other party or any other person shall be in writing and either served personally or sent by prepaid, first-class mail to the address set forth below.

To Beneficiary:	To Trustor:
CITY OF ONTARIO	OTC LOT B OWNER, LLC OTC LOT C OWNER, LLC OTC LOT D OWNER, LLC c/o Adept Urban
Attention: City Manager 303 East "E" Street Ontario, California 91764	Attn: Patrick Chraghchian and Robert Montano 388 Cordova Street, #280 Pasadena, CA 91101
Copy to:	Copy to:
BEST BEST & KRIEGER LLP Attention: Ruben Duran City Attorney	WILLKIE FARR & GALLAHGER LLP 2029 Century Park East Los Angeles, California 90067

2855 E. Guasti Rd., Suite 400 Attention: Misty M. Sanford, Esq.
Ontario, California 91764

Notice shall be deemed given five (5) calendar days after the date of mailing to the party, or, if personally delivered, when received by the Beneficiary or the Trustor, as applicable.

20.3 Liability for Acts or Omissions. Beneficiary shall not be liable or responsible for its acts or omissions under this Leasehold Deed of Trust, except for Beneficiary's own gross negligence or willful misconduct, or be liable or responsible for any acts or omissions of any agent, attorney, or employee of Beneficiary, if selected with reasonable care.

20.4 Joint and Several Obligations. If more than one person is named as Trustor, each obligation of Trustor under this Leasehold Deed of Trust shall be the joint and several obligations of each such person.

20.5 Severability. If any provision of this Leasehold Deed of Trust shall be declared invalid, inoperative or unenforceable by a final judgment or decree of a court of competent jurisdiction such invalidity or unenforceability of such provision shall not affect the remaining parts of this Leasehold Deed of Trust which are hereby declared by the parties to be severable from any other part which is found by a court to be invalid or unenforceable.

20.6 Meaning of Certain Terms. As used in this Leasehold Deed of Trust and unless the context otherwise provides, the words “herein,” “hereunder” and “hereof” mean and include this Leasehold Deed of Trust as a whole, rather than any particular provision of it.

20.7 Captions. Captions and paragraph headings used in this Leasehold Deed of Trust are for convenience of reference only, are not a part of this Leasehold Deed of Trust and shall not be used in construing it.

20.8 Future Cooperation. Beneficiary hereby acknowledges that Trustor will be obtaining construction financing for the future development of the Property. In connection therewith, Beneficiary hereby agrees to cooperate with Trustor in releasing all or any portion of the applicable Property from this Leasehold Deed of Trust to permit such construction financing as and when reasonably requested by the applicable Trustor(s), and Trustor and Beneficiary will cooperate with each other in agreeing upon reasonable replacement collateral to secure the Promissory Note. Any delay in Beneficiary’s cooperation hereunder will toll each Trustor’s applicable obligations and milestones under the applicable development agreement between such Trustor and Beneficiary recorded against the applicable Property.

20.9 Subject to Loan Agreement and Promissory Note. By providing the Collateral and executing hereunder, Trustors, individually and collectively, in addition to being subject to and bound by the terms of this Leasehold Deed of Trust, each acknowledge and agree to be subject to and bound the terms of the Loan Agreement and Promissory Note, including those terms that expressly place certain obligations upon the Guarantors, individually and collectively.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Trustor has executed and delivered this Leasehold Deed of Trust as of the date first written above.

TRUSTOR:

OTC LOT B OWNER, LLC,
a Delaware limited liability company

By: _____
Name: Patrick Chraghchian
Title: Authorized Signatory

OTC LOT C OWNER, LLC,
a Delaware limited liability company

By: _____
Name: Patrick Chraghchian
Title: Authorized Signatory

OTC LOT D OWNER, LLC,
a Delaware limited liability company

By: _____
Name: Patrick Chraghchian
Title: Authorized Signatory

Notarized signature(s) required.

Exhibit "A"

Legal Description of Leased Property

The City has entered into those certain Ground Leases with:

1. Lot B: OTC Lot B Owner, LLC, for land identified with APN Portion of 0210-205-20

2. Lot C: OTC Lot C Owner, LLC, for land identified with APN 0210-204-38, and

3. Lot D: OTC Lot D Owner, LLC, for land identified with APN 0210-204-39

each Ground Lease dated July 19, 2022, whereby the City leased to the aforementioned parties City owned parcels, commonly known as Lot B; Lot C; Lot D, respectively.

ALL-PURPOSE ACKNOWLEDGMENT FOR CALIFORNIA

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

On _____, before me, _____,
Date Name And Title Of Officer (e.g. "Jane Doe, Notary Public")

personally appeared _____,
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____

Place Notary Seal Above Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

¨ Individual
¨ Corporate Officer

_____
Title(s)

¨ Partner(s) ¨ Limited ¨ General
¨ Attorney-In-Fact
¨ Trustee(s)
¨ Guardian/Conservator
¨ Other: _____

Signer is representing:
Name Of Person(s) Or Entity(ies)

_____

_____

DESCRIPTION OF ATTACHED DOCUMENT

_____
Title or Type of Document

_____
Number Of Pages

_____
Date Of Document

_____

Signer(s) Other Than Named Above

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **PUBLIC HEARINGS**
Department: Economic Development Prepared By: Thailin Martin Department: Prepared By: Thailin Martin Staff Member Presenting: Jennifer McLain Hiramoto, Economic Development Director Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 13

SUBJECT: **A PUBLIC HEARING TO CONSIDER THE SALE OF CITY OF ONTARIO OWNED PROPERTY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 52201; MAKING CERTAIN FINDINGS; AND ADOPTION OF A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF ONTARIO AND RICHARD FERNANDO BARBA**

RECOMMENDATION: That the City of Ontario conduct a public hearing to consider the sale of City-owned property; and adopt a Resolution approving a Purchase and Sale Agreement ("Agreement") between the City of Ontario ("City") and Richard Fernando Barba ("Developer") (on file in the Records Management Department); and authorize the City Manager to execute the Agreement and all other documents required for implementation of the Agreement.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner

FISCAL IMPACT: The City will convey the property for a purchase price of $389,400. The revenue from the land sale proceeds will be deposited into the C.D.B.G. Fund.

BACKGROUND & ANALYSIS: From 1994-2014, the City of Ontario ("City") used Airport Improvement Program funds to acquire over 220 properties that were adversely impacted by noise from operations at Ontario International Airport. This program was known as the Federal Aviation Administration Part 150 – Quiet Home Program.

In 2007, the property located at 910 East California Street and 808 South Greenwood Avenue ("Property) was acquired by the City with C.D.B.G. funds to allow for land banking and parcel consolidation with adjacent parcels acquired through the Quiet Home Program. The intent was to allow for a more desirable and higher quality redevelopment project that supports, and is compatible with, other airport related uses in the area. (A location map is provided for reference as Exhibit "A".)

The sales price of $389,400 is supported by the current fair market valu e as determined by Beth Finestone, MAI, AI-GRS, FRICS, CRE, of CBRE Valuation and Advisory Services, Inc., an independent certified general appraiser.

The Developer is proposing to construct a business park building and office space ("Project"). The Developer will be required to build all associated on-site and off-site improvements, including but not limited to all hardscape, landscaping, and public street improvements.

The proposed Project will provide for the elimination of blighting conditions, redevelop the site into its highest and best use, generate property tax revenue, produce new jobs (both permanent and temporary), stimulate economic vitality, and continue to inspire additional investment within the area. As a result, Staff recommends approval of the Agreement.

EXHIBIT "A"

910 East California Street and 808 South Greenwood Avenue



RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ONTARIO, OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF ONTARIO AND RICHARD FERNANDO BARBA FOR THE PURCHASE AND SALE OF CERTAIN REAL PROPERTY LOCATED AT 910 EAST CALIFORNIA STREET AND 808 SOUTH GREENWOOD AVENUE, ONTARIO.

WHEREAS, the City of Ontario ("City"), currently owns certain real property generally located at 910 East California Street and 808 South Greenwood Avenue, Ontario (APN 1049-371-04 and 1049-371-05) and more specifically described in Exhibit A attached to this Resolution and incorporated herein by this reference ("Property"); and

WHEREAS, the City opts to sell the Property to Richard Fernando Barba ("Purchaser") under the Economic Opportunity statutes (Government Code sections 52200 *et seq.*) (the "EO Statutes"); and

WHEREAS, the City and Purchaser have negotiated a Purchase and Sale Agreement (the "Agreement"). The Agreement provides for the sale of the Property at a fair market value price of $389,400; and

WHEREAS, on November 04, 2024, and November 11, 2024, the City published notice of the public hearing to consider the disposition of the Property pursuant to the Agreement; and

WHEREAS, Purchaser's proposed acquisition of the Property is in the best interest of the City and of the health, safety and welfare of its residents, and is in accordance with the public purposes set forth in applicable law. Approval of the Agreement will further the goals and objectives of the City's general plan by selling land that is not being used by the City for potential development and economic opportunity by Purchaser.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ONTARIO AS FOLLOWS:

SECTION 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. Findings. The City intends to sell the Property to Purchaser and, based on the Recitals and all other information and testimony provided, the City finds that the sale of the Property pursuant to the Agreement will further the goals and purposes of the City, by putting land that is not being used by the City into the hands of Purchaser for potential future development and economic opportunity. The sale of the Property will create economic opportunity by assisting in the elimination of blighting conditions, encouraging private investment, increasing availability of housing stock, and expanding the community's tax base and economic vitality.

SECTION 3. Hearing. In accordance with Government Code Section 52201, a duly noticed public hearing was held by the City on November 19, 2024.

SECTION 4. CEQA. The City's approval of the Agreement does not constitute approval by the City of any development of the Property or of other activity on the Property that would have a direct or reasonably foreseeable indirect environmental impact pursuant to CEQA. (See 14 C.C.R. §§ 15060(c); 15378(b).) Moreover, the Agreement and Purchaser's future use or development of the Property is expressly conditioned on CEQA compliance.

SECTION 5. Approval of Agreement. The City Council hereby approves the Agreement in substantially the form presented, subject to any non-substantive revisions which do not increase the City 's liability and are approved by the City Counsel and authorizes the City Manager to sign and enter into the Agreement and perform the obligations of the City under the Agreement.

SECTION 6. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council declares that the Council would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 7. Certification. The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

SECTION 8. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this 19th day of November, 2024.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2024- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held November 19, 2024 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2024- duly passed and adopted by the Ontario City Council at their regular meeting held November 19, 2024.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT “A”

Description of the Property

LOT 30, BLOCK “B” OF EVERGREEN TRACT, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, AS PER MAP RECORDED IN BOOK 16, PAGE 57, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 1049-371-04

LOT 29, BLOCK “B” OF EVERGREEN TRACT, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, AS PER MAP RECORDED IN BOOK 16, PAGE 57, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 1049-371-05

SUMMARY REPORT PURSUANT TO
CALIFORNIA GOVERNMENT CODE SECTIONS 52200 – 52201
REGARDING A PURCHASE AND SALE AGREEMENT
BY AND BETWEEN
CITY OF ONTARIO
AND
RICHARD BARBA

The following Summary Report has been prepared pursuant to Sections 52200 - 52201 of the California Government Code. The report sets forth certain details of the proposed Purchase and Sale Agreement ("Agreement") between the City of Ontario ("City") and Richard Babra ("Developer"). The site is approximately 0.298 acres located along the north side of Mission Boulevard between Bon View Avenue and Cucamonga Avenue ("Site").

The Site's current land use is Light Industrial and is occupied vacant land. The redevelopment project would consist of a business park building ("Project").

BACKGROUND STATEMENT

The following Summary Report is based upon information contained within the Agreement, and is organized into the following six sections:

I. **Terms of Agreement:** This section includes a description of the project; and the obligations imposed on the City and the Developer by the Agreement.

II. **Cost of the Agreement to the City:** This section details the total cost to the City associated with implementing the Agreement.

III. **Estimated Value of the Interests to be Conveyed Determined at the Highest Use Permitted Under the General Plan:** This section estimates the value of the interests to be conveyed determined at the highest use permitted under the existing zoning and the requirements imposed by the General Plan.

IV. **Estimated Fair Market Value of the Interest to be Conveyed:** This section summarized the valuation estimate for the City Property based on the required use.

V. **Consideration Received:** This section describes the compensation to be received by the City.

VI. **Creation of Economic Opportunity:** This section describes how the Project will assist in the creation of economic opportunity.

This Summary Report and the Agreement are to be made available for public inspection prior to the approval of the Agreement.

I. TERMS OF THE AGREEMENT

A. Project Description

The Site is located 910 East California Street and South Greenwood Avenue and the Project will consist of the development of an 10,000-15,000 square foot modern business park building.

The Developer will also be required to build all associated on-site and off-site improvements, including but not limited to all hardscape, landscaping, and public street improvements.

B. City Responsibilities

The Agreement requires the City to accept the following responsibilities:

1. The City must sell the City Property to the Developer for $389,400.

C. Developer Responsibilities

The Agreement imposes the following responsibilities on the Developer:

1. The Developer must accept conveyance of the City Property from the City under the terms of the Agreement, including paying $389,400, for the City Property.

II. COST OF THE AGREEMENT TO THE CITY

The City, prior to the City being fee owner, incurred costs to acquire the site for redevelopment purposes through Federal Aviation Administration grant funding. The City acquired the Property for $447,500.

III. ESTIMATED VALUE OF THE INTERESTS TO BE CONVEYED DETERMINED ATTHE HIGHEST USE PERMITTED UNDER THE REDEVELOPMENT PLAN

Section 52201 of the California Government Code requires the City to identify the value of the interests being conveyed at the highest use allowed by the Site's zoning and the requirements imposed by the General Plan.

The City retained CBRE Valuation and Advisory Services to estimate the fair market value of the Property. Mrs. Beth Finestone, MAI, AI-GRS, FRICS, CRE, in an appraisal dated June 18, 2024, concluded the Property had a value of $389,400.

IV. ESTIMATED REUSE VALUE OF THE INTERESTS TO BE CONVEYED

As discussed above, the City is conveying the City Property to the Developer for $389,400.

The price that the City is receiving is fair market value for the Property. Therefore, it is concluded that the fair reuse value is equal to or greater than the fair market value.

V. CONSIDERATION RECEIVED AND COMPARISON WITH THE ESTABLISHEDVALUE OF THE SITE

Under the Agreement, the City is conveying the City Property for $389,400. This falls at fair market for the Site. It is concluded that the City is receiving the fair market value of the Site through this transaction.

In addition to the Purchase Price, the City will receive its share of property tax revenues generated by the Project.

VI. CREATION OF ECONOMIC OPPORTUNITY

Implementation of the Agreement helps to remove blighting influences within the area by improving the physical appearance of the area. The Site includes closed and active industrial facilities and unsightly storage uses. These will be removed and replaced by a new modern Project.

The proposed development would fulfill goals and objectives defined in the City's adopted General Plan and create economic opportunities in the following ways:

1. The improvement of the physical appearance of the area through the implementation of a new industrial project, through public improvements including undergrounding electrical utilities, upgrading streets, sidewalks, and streetscape, andthrough a comprehensive urban design and planned signage program.

2. The proposed project will provide for elimination of blighting conditions, redevelop the site into its highest and best use, generate property tax revenue, produce new jobs (both permanent and temporary), stimulate economic vitality, and continue to inspire additional investment within the area.

PURCHASE AND SALE AGREEMENT
AND JOINT ESCROW INSTRUCTIONS

THIS PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS ("Agreement") is entered into November 19, 2024 ("Effective Date"), by and between the City of Ontario ("Seller") and Richard Fernando Barba, an individual, ("Purchaser").

A. Seller owns that certain real property (the "Property") commonly known as City of Ontario, County of San Bernardino, State of California, Assessor's Parcel No.'s 1049-371-04 and 1049-371-05, a total of three parcels, approximately 0.298 acres, more particularly described in Exhibit "A" attached hereto, together with all rights, privileges, easements or appurtenances to or affecting the Property.

B. Purchaser agrees to purchase from Seller and Seller agrees to sell to Purchaser, "AS-IS," all of Seller's right, title and interest in and to the Property on the terms and conditions set forth in this Agreement.

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

ARTICLE 1
AGREEMENT TO PURCHASE AND SELL

Purchaser agrees to purchase, and Seller agrees to sell, the Property "AS-IS," at the Purchase Price (defined in Section 2.1) and on the terms set forth herein. Seller agrees to convey to Purchaser title to the Property, including all existing privileges, rights, easements, hereditaments, and appurtenances thereto; and all right, title and interest in and to any streets, alleys, passages and other rights-of-way included therein or adjacent thereto by a recordable Grant Deed in substantially the same form as set forth in Exhibit "B" attached hereto ("Grant Deed").

ARTICLE 2
ESCROW

2.1 Purchase Price. The purchase price (the "Purchase Price") to be paid by Purchaser to Seller for the Property shall be Three Hundred Eighty-Nine Thousand Four Hundred Dollars and No Cents ($389,400.00).

2.2 Earnest Money Deposit. Upon full execution of the Agreement, Seller and Purchaser shall open an Escrow (as hereinafter defined) by depositing with Citywide Escrow Services ("Escrow Holder") a fully executed original or executed counterpart of this Agreement. The "Opening of Escrow" shall occur on that date ("Opening Date") when Escrow Holder receives a fully executed copy or executed counterparts of this Agreement. Escrow Holder will notify Seller and Purchaser of such date as well as the other dates described herein that are based on the Opening Date. Within two (2) business days after the Opening Date, Purchaser shall deposit into escrow, the sum of One Hundred Thousand Dollars ($100,000), payable in cash, by cashier's or certified check or wire transfer ("Deposit"). Reference herein to the "Deposit" shall include all interest earned thereon. Except for a termination caused by a material breach of this Agreement by Seller, the Deposit shall be paid to and retained by the Seller. If this Agreement is terminated prior to Closing because of a material breach of this Agreement

by Seller, then the Deposit shall be returned to Purchaser by Seller. Except as provided in the immediately preceding sentence, the Deposit shall be non-refundable to Purchaser. Notwithstanding anything herein to the contrary, One Hundred Dollars ($100.00) of the Deposit (the "Independent Consideration") shall not be refundable to Purchaser, but shall represent consideration for this Agreement and shall be paid to Seller. The Independent Consideration shall be paid to Seller within three (3) days of the Opening Date. The Independent Consideration shall serve as consideration for the granting of the time periods herein contained for Purchaser to exercise Purchaser's right to satisfy and approve all of Purchaser's conditions herein contained. The Deposit (less Independent Consideration) shall be applied to the Purchase Price at Closing (as defined herein).

2.3 PURCHASER'S DEFAULT AND LIQUIDATED DAMAGES. PURCHASER AND SELLER AGREE THAT SHOULD PURCHASER DEFAULT IN PURCHASER'S OBLIGATION TO PURCHASE THE PROPERTY WITHIN THE TIME AND IN THE MANNER SPECIFIED IN THIS AGREEMENT, SELLER SHALL BE RELEASED FROM ALL OBLIGATIONS IN LAW OR EQUITY TO CONVEY THE PROPERTY TO PURCHASER. PURCHASER AND SELLER AGREE THAT IT WOULD BE IMPRACTICAL OR EXTREMELY DIFFICULT TO FIX THE ACTUAL DAMAGES SUFFERED BY SELLER BECAUSE OF SUCH DEFAULT, THAT THE DEPOSIT AND ANY INTEREST EARNED THEREON SHALL CONSTITUTE A REASONABLE ESTIMATE AND AGREED STIPULATION OF DAMAGES IN THE EVENT OF SUCH DEFAULT BY PURCHASER AND THAT SELLER SHALL HAVE NO OTHER RIGHT OR CAUSE OF ACTION AGAINST PURCHASER FOR DAMAGES OR OTHERWISE ARISING FROM SAID DEFAULT. UPON PURCHASER'S DEFAULT, SELLER MAY INSTRUCT ESCROW HOLDER TO CANCEL THE ESCROW, AND PROMPTLY UPON RECEIPT OF SAID INSTRUCTIONS, ESCROW HOLDER SHALL (i) CANCEL THE ESCROW, (ii) PAY ALL OF ESCROW HOLDER'S CHARGES FROM THE DEPOSIT, AND (iii) DISBURSE TO SELLER THE DEPOSIT PURSUANT TO THIS SECTION. UPON THE OCCURRENCE OF ANY SUCH DEFAULT BY PURCHASER, PURCHASER SHALL DELIVER WITHIN 2 BUSINESS DAYS OF SELLER'S REQUEST ALL PURCHASER'S REPORTS AND APPROPRIATE DOCUMENTS ASSIGNING SAME TO SELLER. FURTHERMORE, THE PAYMENT AND RETENTION OF SUCH DEPOSIT AS LIQUIDATED DAMAGES IS NOT INTENDED AS A FORFEITURE OR PENALTY WITHIN THE MEANING OF CALIFORNIA CIVIL CODE SECTIONS 3275 AND 3369, BUT IS INTENDED TO CONSTITUTE LIQUIDATED DAMAGES TO SELLER PURSUANT TO CALIFORNIA CIVIL CODE SECTIONS 1671, 1676 AND 1677.

Seller's Initials: _____ Purchaser's Initials: _____

2.4 Closing Costs. Costs of Escrow shall be paid as follows:

2.4.1 By Seller. Seller will pay one-half (1/2) of customary escrow fees. Seller will pay for owner's title policy.

2.4.2 By Purchaser. Purchaser will pay one-half (1/2) of customary escrow fees, the cost of a title policy, the cost of extended coverage, if desired by Purchaser, the cost of any documentary transfer tax, and any additional title coverage or endorsements which Purchaser may desire and any document preparation costs. Purchaser will pay all recording fees and all County and City transfer tax fees.

Each party will be responsible for payment of its own attorneys' fees with respect to the negotiation and preparation of this Agreement.

2.5 Close of Escrow; Timing. The performance by Seller and Purchaser of their respective obligations under this Agreement directly or through the completion of the escrow deposits required of them to be made, delivery of the Purchase Price to Seller by Escrow Holder after recording of the Grant Deed and delivery of possession of the Property to Purchaser shall constitute the closing of the sale ("Closing" or "Close of Escrow"). The date of the Closing ("Closing Date") shall be on or before Thirty (30) days following expiration of the Review Period (defined below). Upon mutual agreement in writing, the parties may elect to close prior to such date.

2.6 Real Property Taxes; Closing Prorations and Adjustments. Because of Seller's status as a public entity, the Property has not been subject to real property taxation during Seller's period of ownership. Purchaser will become liable for real property taxes, together with assessments, property operating expenses, utilities, and other recurring costs with respect to the Property from and after Close of Escrow, to the extent that such taxes and assessments relate to periods following Close of Escrow. All items of income or expense, if any, shall be prorated according to prevailing local custom in San Bernardino County, California. All prorations are final.

2.7 Payment of Purchase Price. The Purchase Price, less the Deposit, Independent Consideration, and plus or minus any adjustments, credits or prorations provided for herein, shall be deposited with Escrow Holder not later than one (1) Business Day prior to the Closing Date, in immediately available funds.

2.8 Possession. Possession of the Property shall be delivered to Purchaser upon the recording of the Grant Deed.

2.9 Escrow. This sale shall be closed through Escrow Holder. This Agreement shall constitute the Escrow Agreement between the parties. Upon the creation of the Escrow, payment of the Purchase Price (after giving Purchaser credit for the Deposit) and delivery of the Grant Deed and other closing documents shall be made through the Escrow. Each party shall have the right to inspect all documents prior to or at the time of deposit in the Escrow. The fee for the Escrow shall be shared equally by the parties, except that the escrow fees attributable to any ancillary lender's agreement shall be borne by Purchaser alone.

2.10 Documents To Be Delivered By Seller At Closing. At Closing Seller shall deliver or cause to be delivered to Purchaser through the Escrow, the following, each of which shall be in form reasonably satisfactory to Purchaser:

2.10.1 A duly executed and acknowledged Grant Deed to the Property;

2.10.2 All other documents (if any) required to be executed and delivered by Seller; and

2.10.3 Such other instruments and documents as may be reasonably required in order to carry out the purposes of this Agreement.

2.11 Documents To Be Delivered By Purchaser At Closing. At the Closing, Purchaser shall deliver through the Escrow, the following, each of which shall be in form reasonably satisfactory to Seller:

2.11.1 The Purchase Price, plus or minus adjustments, credits and prorations provided for herein;

2.11.2 Evidence reasonably acceptable to Escrow that the documents delivered by Purchaser have been duly authorized and executed on behalf of Purchaser and constitute valid and binding obligations of Purchaser;

2.11.3 All other documents (if any) required to be executed and delivered by Seller; and

2.11.4 Such other instruments and documents as may be reasonably required in order to carry out the purposes of this Agreement.

2.12 Conditions to Seller's Obligations. The Closing and Seller's obligations to consummate the transaction contemplated by this Agreement are subject to the satisfaction of the following conditions (or Seller's waiver thereof which may be waived in writing in Seller's sole and absolute discretion) which are for Seller's sole benefit, on or prior to the dates designated below for the satisfaction of such conditions, or the Closing in absence of a specified date:

2.12.1 Purchaser's Obligations. As of the Closing, Purchaser shall have timely performed all of the obligations required by the terms of this Agreement to be performed by Purchaser.

2.12.2 Purchaser's Representations. As of the Closing, all representations and warranties made by Purchaser to Seller in this Agreement shall be true and correct as of the Closing.

2.12.3 Purchaser shall not be in default under this Agreement.

2.13 Conditions to Purchaser's Obligations. The Closing and Purchaser's obligations to consummate the transaction contemplated by this Agreement are subject to the satisfaction of the following conditions (or Purchaser's waiver thereof) which are for Purchaser's sole benefit, on or prior to the dates designated below for the satisfaction of such conditions, or the Closing in absence of a specified date:

2.13.1 Seller's Obligations. As of the Closing, Seller shall have timely performed all of the obligations required by the terms of this Agreement (including but not limited to delivery of the Purchase Price) to be performed by Seller.

2.13.2 Seller's Representations. As of the Closing, all representations and warranties made by Seller to Purchaser in this Agreement shall be true and correct as of the Closing.

2.13.3 Title Policy. The Title Company (defined below) shall be prepared to issue at Closing the Title Policy in accordance with the provisions of Section 3.3 below.

ARTICLE 3
REVIEW PERIOD

3.1 Purchaser's Review Period. Purchaser shall have a period of sixty (60) days following the Opening Date ("Review Period") within which to investigate and review all aspects of the Property. If Purchaser has not approved, disapproved or waived all contingencies by written notice to Seller and Escrow Holder prior to the expiration of the Review Period then all contingencies of Purchaser shall be deemed approved. Any written notice from Purchaser purporting to approve the Property and to waive contingencies that contains qualifications or conditions shall be deemed disapproval by Purchaser and an election to terminate this Agreement. In the event Purchaser elects to terminate this Agreement on or before expiration of the Review Period, the Deposit shall be returned to Purchaser. If Purchaser fails to deliver notice of approval or notice to terminate the Agreement, approves, or is deemed to have approved all contingencies upon expiration of the Review Period, Purchaser shall be deemed to have elected to proceed with this Agreement and the Closing, and the Deposit will be nonrefundable to Purchaser and will constitute liquidated damages pursuant to Section 2.3 above.

3.2 Purchaser's Investigations of the Property. During the Review Period, Purchaser and its agents and contractors shall have the right to conduct such investigations and enter upon the Property to conduct at Purchaser's expense, such tests and investigations as may be necessary for Purchaser to determine whether any matter would materially hinder or make economically unfeasible Purchaser's intended use of the Property. Prior to Purchaser or its agents or contractors entering upon the Property pursuant to this Article 3, Purchaser shall (i) give Seller forty-eight (48) hours prior written notice of such entry, and (ii) provide satisfactory evidence to Seller that Purchaser, or its agents or contractors, have obtained commercial general liability insurance, with limits of not less than $200,000.00 per occurrence and $2,000,000.00 in aggregate; workers compensation insurance in statutory limits and employers liability insurance with limits not less than $100,000.00 each incident; and umbrella excess liability insurance excess of the underlying commercial general liability and employers liability insurance with limits not less than $1,000,000.00 per occurrence and $2,000,000.00 aggregate. Seller's representative may be present with Purchaser or Purchaser's representative for any access to the Property. Purchaser is not permitted to perform any intrusive testing, including, without limitation, a Phase II environmental assessment or boring, without (i) submitting to Seller the scope and inspections for such testing; and (ii) obtaining the prior written consent of Seller, which consent shall not be unreasonably withheld or delayed. Purchaser shall keep the Property free and clear of any liens associated with the exercise of Purchaser's rights pursuant to this Section 3.2 and will indemnify, defend and hold Seller harmless from all claims and liabilities asserted against Seller for liens or for injuries to persons or physical damage to property caused by Purchaser or Purchaser's employees, agents, and contractors during their access to the Property after the Effective Date or for any claims arising after the Effective Date in connection with any breach of Purchaser's obligations under this Section, which obligations, and the foregoing indemnification obligations, shall survive Closing or termination of this Agreement. If any such lien shall be filed against the Property, Purchaser shall cause such lien to be discharged or bonded within thirty (30) days after such filing. Following any Inspections, Purchaser shall restore the Property to substantially its physical condition as existed prior to such inspection (except for any changes to the Property caused by Seller, or its agents or employees, ordinary wear and tear excepted). If any inspection or test performed on or after the Effective Date by or for Purchaser damages the Property, Purchaser shall promptly repair such damage, at Purchaser's sole expense, and Purchaser's obligation pursuant to this sentence shall survive termination of this Agreement. All due diligence conducted on or after the Effective Date by or on behalf of Purchaser shall be at Purchaser's sole cost and expense and conducted in a good and workmanlike manner.

3.3 Status of Title. Within seven (7) Business Days following the Opening Date, Purchaser will obtain from [TBD] ("Title Company") a current preliminary title report for the Property, including legible copies of title exception documents (collectively the "Title Report"). Purchaser will cause Title Company to promptly provide a copy of the Title Report concurrently to Seller. Purchaser may notify Seller during the Review Period of any objection to the status of title to the Property as disclosed by the Title Reports; provided, however, that Seller shall not be required to take any action or incur any expense with respect to any such title objections. At Closing, Purchaser may elect to obtain at its expense a policy of title insurance ("Title Policy") and such extended coverage or endorsements as Purchaser desires. Failure of Purchaser to notify Seller of Purchaser's disapproval of all or any item on the Preliminary Report shall be deemed to be an approval by Purchaser of such item(s).

3.4 **Street Vacation**. Seller shall work in reasonable good faith with Purchaser to vacate the portion of South Greenwood Avenue between California Street and Mission Boulevard. The proposed street vacation shall occur only after Purchaser acquires fee interest in 811 South Greenwood Avenue — Assessor's Parcel No.: 1049-372-02. By operation of law — should a public street be vacated, the real property subject to the street vacation is automatically reverted (from the centerline of the public street) to the property owner/s adjacent to the street vacation. As a result, should Purchaser own in fee Assessor's Parcel No's.: 1049-371-04 and 1049-371-05 and effectively vacate Greenwood Avenue between California Street and Mission Boulevard, the vacated street would automatically revert to Purchaser and Seller shall not be required to take any further action regarding conveyance of any real property within the vacated street to Purchaser.

ARTICLE 4
REPRESENTATIONS AND WARRANTIES

4.1 Seller's Representations and Warranties. Seller is selling the Property "AS-IS" with all faults, but represents and warrants to Purchaser as follows:

4.1.1 Authority. Seller has full power and authority to sell, convey and transfer the Property as provided for in this Agreement and this Agreement is binding and enforceable against Seller.

4.1.2 No Representations as to Property. There are no representations, agreements, arrangements, or circumstances, oral or written, between the parties relating to the subject matter contained in this Agreement that are not fully expressed in the Agreement, and Seller has not made and does not make any representation or warranty concerning any matter or thing affecting or relating to the Property, including but not limited to its fitness for a particular use, its physical condition or any other matter.

> PURCHASER HEREBY ACKNOWLEDGES THAT IT HAS READ AND IS FAMILIAR WITH THE PROVISIONS OF CALIFORNIA CIVIL CODE SECTION 1542 ("SECTION 1542"), WHICH IS SET FORTH BELOW
>
> "A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF

KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR"

BY INITIALING BELOW, PURCHASER HEREBY WAIVES THE PROVISIONS OF SECTION 1542 SOLELY IN CONNECTION WITH THE MATTERS WHICH ARE THE SUBJECT OF THE FOREGOING WAIVERS AND RELEASES.

_____

(Purchaser's Initials)

4.2 Purchaser's Representations and Warranties. Except as expressly set forth in this Agreement, Purchaser is relying upon no warranties, express or implied, oral or written, from Seller regarding the Property and, upon Close of Escrow, Purchaser will have accepted the Property as-is, with all faults. Purchaser represents and warrants to Seller as follows:

4.2.1 Agreements. Neither the execution and delivery of this Agreement by Purchaser nor the consummation of the transactions contemplated hereby will result in any breach or violation of or default under any judgment, decree, order, mortgage, lease, agreement, indenture or other instrument to which Purchaser is a party.

4.2.2 Authority. This Agreement and all documents executed by Purchaser which are to be delivered to Seller at the Closing are and at the time of Closing will be duly authorized, executed and delivered by Purchaser, are and at the time of Closing will be legal, valid and binding obligations of Purchaser enforceable against Purchaser in accordance with their respective terms, and do not and at the time of Closing will not violate any provision of any agreement or judicial order to which Purchaser is subject. Purchaser has obtained all necessary authorizations, approvals and consents to the execution and delivery of this Agreement and the consummation of the transactions contemplated hereby. Purchaser has full power and authority to execute this Agreement and purchase the Property as provided for in this Agreement and this Agreement is binding and enforceable against Purchaser.

4.2.3 Sophisticated Owner. Purchaser warrants that Purchaser is a sophisticated owner and buyer of real property, familiar and experienced with requirements for the development of real property. Purchaser has examined the Property or will have done so by Closing, is or will be familiar with its physical condition, and accepts the Property in an "AS-IS" condition.

4.2.4 Independent Investigation. Purchaser has conducted or will conduct an independent investigation with respect to zoning and subdivision laws, ordinances, resolutions, and regulations of all governmental authorities having jurisdiction over the Property, and the use and improvement of the Property and is, or at Closing will be, satisfied with the results of such investigation.

4.2.5 As-Is Acquisition. PURCHASER ACKNOWLEDGES AND AGREES THAT, EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED HEREIN, SELLER HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY NEGATES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (I) VALUE; (II) THE INCOME TO BE DERIVED FROM THE PROPERTY;

(III) THE NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY; (IV) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY; (V) COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATION, ORDERS OR REQUIREMENTS, INCLUDING BUT NOT LIMITED TO, TITLE III OF THE AMERICANS WITH DISABILITIES ACT OF 1990, CALIFORNIA HEALTH & SAFETY CODE, THE FEDERAL WATER POLLUTION CONTROL ACT, THE FEDERAL RESOURCE CONSERVATION AND RECOVERY ACT, THE U.S. ENVIRONMENTAL PROTECTION AGENCY REGULATIONS AT 40 C.F.R., PART 261, THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT OF 1980, AS AMENDED, THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, THE CLEAN WATER ACT, THE SAFE DRINKING WATER ACT, THE HAZARDOUS MATERIALS TRANSPORTATION ACT, THE TOXIC SUBSTANCE CONTROL ACT, AND REGULATIONS PROMULGATED UNDER ANY OF THE FOREGOING; (VI) THE PRESENCE OR ABSENCE OF HAZARDOUS MATERIALS AT, ON, UNDER, OR ADJACENT TO THE PROPERTY; (VII) THE CONTENT, COMPLETENESS OR ACCURACY OF ANY DUE DILIGENCE MATERIALS DELIVERED BY SELLER TO PURCHASER OR PRELIMINARY REPORT REGARDING TITLE; (VIII) DEFICIENCY OF ANY UNDERSHORING; (IX) DEFICIENCY OF ANY DRAINAGE; (X) THE FACT THAT ALL OR A PORTION OF THE PROPERTY MAY BE LOCATED ON OR NEAR AN EARTHQUAKE FAULT LINE OR A FLOOD ZONE; OR (XI) WITH RESPECT TO ANY OTHER MATTER. PURCHASER FURTHER ACKNOWLEDGES AND AGREES THAT IT HAS OR WILL HAVE BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY AND REVIEW INFORMATION AND DOCUMENTATION AFFECTING THE PROPERTY, AND THAT, EXCEPT FOR SELLER'S EXPRESS REPRESENTATIONS AND WARRANTIES CONTAINED HEREIN, PURCHASER IS RELYING SOLELY ON ITS OWN INVESTIGATION OF THE PROPERTY AND REVIEW OF SUCH INFORMATION AND DOCUMENTATION, AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY SELLER. PURCHASER FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION MADE AVAILABLE TO PURCHASER OR PROVIDED OR TO BE PROVIDED BY OR ON BEHALF OF SELLER WITH RESPECT TO TI-IE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT SELLER HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION. PURCHASER AGREES TO FULLY AND IRREVOCABLY RELEASE ALL SUCH SOURCES OF INFORMATION AND PREPARERS OF INFORMATION AND DOCUMENTATION AFFECTING THE PROPERTY WHICH WERE RETAINED BY SELLER FROM ANY AND ALL CLAIMS THAT THEY MAY NOW HAVE OR HEREAFTER ACQUIRE AGAINST SUCH SOURCES AND PREPARERS OF INFORMATION FOR ANY COSTS, LOSS, LIABILITY, DAMAGE, EXPENSE, DEMAND, ACTION OR CAUSE OF ACTION ARISING FROM SUCH INFORMATION OR DOCUMENTATION. EXCEPT FOR SELLER'S EXPRESS REPRESENTATIONS AND WARRANTIES CONTAINED IN SECTION 4.1 ABOVE, SELLER IS NOT LIABLE OR BOUND IN ANY MANNER BY ANY ORAL OR WRITTEN STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY, OR THE OPERATION THEREOF, FURNISHED BY ANY REAL ESTATE BROKER, AGENT, EMPLOYEE, SERVANT OR OTHER PERSON. PURCHASER FURTHER ACKNOWLEDGES AND AGREES

THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, EXCEPT FOR SELLER'S EXPRESS REPRESENTATIONS AND WARRANTIES CONTAINED IN SECTION 4.1 ABOVE, THE SALE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE ON AN "AS IS" CONDITION AND BASIS WITH ALL FAULTS, AND THAT SELLER HAS NO OBLIGATIONS TO MAKE REPAIRS, REPLACEMENTS OR IMPROVEMENTS EXCEPT AS MAY OTHERWISE BE EXPRESSLY STATED HEREIN. PURCHASER REPRESENTS, WARRANTS AND COVENANTS TO SELLER THAT, EXCEPT FOR SELLER'S EXPRESS REPRESENTATIONS AND WARRANTIES SPECIFIED IN THIS AGREEMENT, PURCHASER IS RELYING SOLELY UPON PURCHASER'S OWN INVESTIGATION OF THE PROPERTY.

4.2.6 General Waiver. With respect to the waivers and releases set forth in Section 4.2.3, above, Purchaser expressly waives any of its rights granted under California Civil Code Section 1542, which provides as follows:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

_____

Purchaser's Initials

ARTICLE 5
DEFAULTS; REMEDIES

5.1 Purchaser's Default. If the transaction contemplated hereby does not close by reason of a default by Purchaser in any of the terms hereof, then Seller may, pursue any and all other legal and equitable remedies which Seller may have hereunder for failure by Purchaser to close the transaction contemplated hereby, and receive the Deposit as liquidated damages, pursuant to Section 2.3 hereof. In addition, Seller may pursue against Purchaser any and all other rights and remedies available at law or in equity, to obtain from Purchaser: (i) copies of all soil tests, environmental studies, and other tests and studies pertaining to the Property obtained by Purchaser, and (ii) reimbursement for the payment of all costs and expenses properly allocable to Purchaser under Article 3.

5.2 Seller's Default. If the transaction contemplated hereby does not close by reason of a default by Seller in any of the terms hereof, then Purchaser may as its sole option and in lieu of any other legal and equitable remedies terminate this Agreement and pursue against Seller an action to compel Seller's specific performance of this Agreement and Seller shall return to Purchaser the Deposit. In no event shall Seller be liable to Purchaser for indirect or consequential damages, including, without limitation, any loss or damage suffered by Purchaser in connection with any lost profit or other agreement or understanding with any third party for the use, lease or purchase of the Property.

ARTICLE 6
MISCELLANEOUS

6.1 Payment of Real Estate Brokers and Consultants. Seller represents that no real estate broker has been used in connection with this transaction. Purchaser represents that a real estate broker

has been used in connection with this transaction. Purchaser shall be solely responsible, pursuant to separate agreement, for any payment, fee or commission owing to Purchaser's broker in connection with the purchase and sale of the Property in accordance with this Agreement. Purchaser agrees to indemnify, defend and hold Seller harmless from and against any claim for a real estate broker's commission or fee by any party claiming to have represented Purchaser in connection with this transaction. The indemnification obligations under this Section 6.1 shall survive the Closing or any termination of this Agreement for any reason whatsoever.

6.2 Notices. All notices and other communications which are required to be, or which may be given under this Agreement shall be in writing, and shall be delivered at the addresses set out hereinbelow. Notice may be given by personal delivery, recognized overnight courier, by United States mail or by facsimile transmission in the manner set forth below. Notice shall be deemed to have been duly given (a) if by personal delivery, on the first to occur of the date of actual receipt or refusal of delivery by any person at the intended address, (b) if by overnight courier, on the first (1st) Business Day after being delivered to a recognized overnight courier, (c) if by mail, on the third (3rd) Business Day after being deposited in the United States mail, certified or registered mail, return receipt requested, postage prepaid, or (d) by facsimile transmission shall be deemed to have been given on the next business day after being transmitted as evidenced by the confirmation slip generated by the sender's facsimile machine addressed as follows:

If to Seller:	City of Ontario Attn: City Manager 303 East "B" Street Ontario, CA 91761
If to Purchaser:	Richard Fernando Barba Certified Towing LLC 1135 East State Street Ontario, CA 91761
To Escrow Holder:	[TBD] Attn: [INSERT ADDRESS]

or to such other address as either party may from time to time specify as its address for the receipt of notices hereunder, in a notice to the other party. Notices given by an attorney shall be deemed to constitute notice from that party.

6.3 Assignment. Purchaser may not assign or pledge any of its rights hereunder without the prior written consent of Seller, which consent Seller may grant or withhold in its sole discretion; provided, however, that Seller's consent shall not be required in the event of an assignment to an entity that controls, is controlled by or under common control with Purchaser or to an instruction by Purchaser to Escrow Holder that title at Closing be vested in a vestee other than Purchaser. Subject to the foregoing, this Agreement shall be binding upon the parties hereto and each of their successors and assigns.

6.4 City Manager Implementation. Seller shall implement this Agreement through its City Manager. The City Manager is hereby authorized by Seller to enter into agreements and sign documents

referenced in this Agreement or reasonably required to implement this Agreement on behalf of Seller, issue approvals, interpretations or waivers and enter into amendments to this Agreement on behalf of Seller. All other actions shall require the consideration and approval of the City Council, unless expressly provided otherwise by action of the City Council. Nothing in this Section 6.4 shall restrict the submission to the City Council of any matter within the City Manager's authority under this Section 6.4, in the City Manager's sole and absolute discretion, to obtain the City Council's express and specific authorization on such matter. The specific intent of this Section 6.4 is to authorize certain actions on behalf of Seller by the City Manager, but not to require that such actions be taken by the City Manager, without consideration by the City Council.

6.5 Entire Agreement. This Agreement embodies the entire understanding of the parties and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to the subject matter hereof except as may be set forth in writing executed by both parties contemporaneously with or subsequent to this Agreement.

6.6 Severability. If any term or provision of this Agreement or any application thereof shall be invalid or unenforceable, the remainder of this Agreement and other applications thereof shall not be affected thereby.

6.7 Captions; Number. The captions contained in this Agreement are for the convenience of reference only, and shall not affect the meaning, interpretation or construction of this Agreement. As used in this Agreement, the singular form shall include the plural and the plural shall include the singular, to the extent that the context renders it appropriate.

6.8 Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original and all of which together shall be deemed to be one and the same instrument.

6.9 Governing Law. This Agreement has been executed and delivered, and is to be performed, in the State of California, and this Agreement and all rights, obligations and liabilities hereunder shall be governed by, and construed in accordance with, the internal laws of the State of California. Purchaser hereby irrevocably waives any objection that it may now or hereafter have to the laying of venue of any suit, action or proceeding arising out of or relating to this Agreement brought in any federal or state court sitting in San Bernardino County, California.

6.10 Time of the Essence. Time is of the essence of this Agreement.

6.11 Modification. The provisions of this Agreement may not be amended, changed or modified orally, but only by an agreement in writing signed by the party against whom any amendment, change or modification is sought.

6.12 Waiver. Except as otherwise expressly provided in this Agreement, no waiver by a party of any breach of this Agreement or of any warranty or representation hereunder by the other party shall be deemed to be a waiver of any other breach by such other party (whether preceding or succeeding and whether or not of the same or similar nature) and no acceptance of payment or performance by a party after any breach by the other party shall be deemed to be a waiver of any breach of this Agreement or of any representation or warranty hereunder by such other party whether or not the first party knows such breach at the time it accepts such payment or performance. Except as otherwise expressly provided in

this Agreement, no failure or delay by a party to exercise any right it may have by reason of the default of the other party shall operate as a waiver of default or modification of this Agreement or shall prevent the exercise of any right by the first party while the other party continues to be so in default.

6.13 Business Days. Except as otherwise provided in this Agreement, if any date specified in this Agreement for the Closing Date or for commencement or expiration of time periods for termination or approvals or for notice occurs on a day other than a Business Day, then any such date shall be postponed to the following Business Day. As used herein, "Business Day" shall mean any day other than a Friday, Saturday, Sunday or a holiday observed by national banks.

6.14 Attorney Fees. In the event of any dispute arising out of the enforcement or interpretation of this Agreement, the prevailing party shall be entitled to reasonable attorney fees and costs, to include any attorney fees or costs on appeal.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

SIGNATURES CONTINUED ON NEXT PAGE

SIGNATURE PAGE TO
PURCHASE AND SALE AGREEMENT
AND JOINT ESCROW INSTRUCTIONS

SELLER:

City of Ontario

By:_____
Scott Ochoa
City Manager

ATTEST:

By: _____
Sheila Mautz
City Clerk

PURCHASER:

Richard Fernando Barba, an individual

_____
Richard Fernando Barba

EXHIBIT "A"

Legal Description of the Property

That certain real property located in the City of Ontario, San Bernardino County, California, described as follows:

LOT 30, BLOCK "B" OF EVERGREEN TRACT, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, AS PER MAP RECORDED IN BOOK 16, PAGE 57, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
APN: 1049-371-04

LOT 29, BLOCK "B" OF EVERGREEN TRACT, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, AS PER MAP RECORDED IN BOOK 16, PAGE 57, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
APN: 1049-371-05

EXHIBIT "B"

Grant Deed

RECORDING REQUESTED BY
WHEN RECORDED MAIL TO:

Assessor's Parcel No.'s 1049-371-04 and 1049-371-05

GRANT DEED

FOR VALUE RECEIVED, receipt of which is hereby acknowledged, City of Ontario ("Grantor") hereby grants to Richard Fernando Barba, an individual ("Grantee") all that certain real property situated in the City of Ontario, County of San Bernardino, State of California, more fully described in Exhibit "1" attached hereto and incorporated herein by this reference.

Dated: _____

CITY OF ONTARIO

By: _____
Scott Ochoa
City Manager

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

On _____ , 2024 before me, _____ , Notary Public, personally appeared _____ , who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____(seal)

EXHIBIT "1"
TO GRANT DEED

Legal Description of the Property

That certain real property located in the City of Ontario, San Bernardino County, California, described as follows:

LOT 30, BLOCK "B" OF EVERGREEN TRACT, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, AS PER MAP RECORDED IN BOOK 16, PAGE 57, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
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APN: 1049-371-05

CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **ADMINISTRATIVE REPORTS/DISCUSSION/ACTION**
Department: Police Department Prepared By: Lizceth Zazueta Staff Member Presenting: Mike Lorenz, Chief of Police Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 14

SUBJECT: **INTRODUCTION OF AN ORDINANCE ANNUALLY ADOPTING A MILITARY EQUIPMENT USE POLICY PURSUANT TO GOVERNMENT CODE SECTIONS 7070, ET. SEQ.**

RECOMMENDATION: That the City Council introduce and waive further reading of an Ordinance annually adopting the Military Equipment Use Policy and approving the itemized military grade equipment currently in possession of the Ontario Police Department.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: There is no direct fiscal impact associated with this action.

BACKGROUND & ANALYSIS: Assembly Bill No. 481 (AB 481) was approved by Governor Newsom on September 30, 2021 to increase transparency, accountability, and oversight surrounding the use and acquisition of military equipment by state and local enforcement. AB 481 added Chapter 12.8, commencing with Section 7070, to the Government Code. Pursuant to Government Code section 7070 et. seq., the City Council must approve a publicly released, written Military Equipment Use Policy (Policy). The Policy must include the type, quantity, capabilities, purposes, and authorized uses of each type of military equipment owned by the law enforcement agency. Additionally, the Policy must include the acquisition and maintenance costs of the equipment, as well as the training required by any officer allowed to use the military equipment. The Policy must also include mechanisms to enforce the Policy and procedures for members of the public to register complaints or concerns about the use of military equipment.

The City Council must adopt the Policy by ordinance after a public hearing held at a regular meeting pursuant to the Brown Act. The Policy must be posted on the Ontario Police Department website at least thirty (30) days before the public hearing. In compliance with Government Code section 7071(a)(2), the Ontario Police Department made the Policy available on the City's website at https://www.ontarioca.gov/Police on October 8th, 2024, and is providing the proposed Policy to the City Council as an attachment to this staff report, thereby commencing the approval process of the

proposed Policy.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A MILITARY EQUIPMENT USE POLICY PURSUANT TO GOVERNMENT CODE §§ 7070, ET. SEQ.

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 ("AB 481"), adding Chapter 12.8, "Funding, Acquisition and Use of Military Equipment", to Division 7 of Title 1 of the Government Code (sections 7070 – 7075), relating to the use of military equipment by California law enforcement agencies; and

WHEREAS, AB 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, or used; and

WHEREAS, the Ontario Police Department is in possession of certain items of equipment that qualify as "military equipment" under AB 481 and further intends to acquire other items of military equipment; and

WHEREAS, AB 481 requires, inter alia, that a law enforcement agency possessing and using such qualifying equipment must prepare a publicly released, written, military equipment use policy document covering the inventory, description, quantity, purpose, capabilities, use, lifespan, acquisition, maintenance, authorized use, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the Department's use of such equipment; and

WHEREAS, the policy must be approved by the City Council by ordinance, and reviewed annually thereafter; and

WHEREAS, the military equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety; and

WHEREAS, the proposed Military Equipment Use Policy ("Policy") will safeguard the public's health, welfare, safety, civil rights, and civil liberties; and

WHEREAS, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and

WHEREAS, prior military equipment use complied with the applicable equipment use policy (which included equipment now defined as military equipment) that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance; and

WHEREAS, the Police Department has submitted the proposed Policy to the City Council and thereafter has made those documents available on the Police Department's website for at least 30 days prior to the public hearing concerning the military equipment at issue; and

WHEREAS, the Policy satisfies the requirements of Government Code Section 7070(d); and

WHEREAS, the City Council of the City of Ontario, having received the information required under AB 481 regarding the Ontario Police Department's use of military equipment as defined in said law, deems it to be in the best interest of the City to and hereby does approve the Military Equipment Policy.

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO HERBY ORDAINS AS FOLLOWS:

SECTION 1. Recitals. The City Council finds that all the recitals, facts, findings, and conclusions set forth above in the preamble of this Ordinance are true and correct.

SECTION 2. Approval of Military Equipment Policy.

Military Equipment Policy.

(a) The Military Equipment Policy shall govern the use of military equipment by the Ontario Police Department. (*Exhibit A)*

(b) The Policy shall be made publicly available on the Police Department's website for as long as the military equipment is available for use or as otherwise ordained by the City Council.

(c) The Police Department shall submit an annual military equipment report to the City Council containing the information required by Government Code Section 7072 and the City Council shall thereafter determine whether each type of military equipment identified therein complied with the standards for approval set forth in Government Code Section 7071(d). (Exhibit B)

(d) The City Council shall on an annual basis and at a regular meeting thereof review this ordinance and vote on whether to renew it pursuant to Government Code Section 7071(e)(2).

(e) The definitions set forth in Government Code section 7070 shall apply to this ordinance. Any provision of state law referred to herein shall mean and include any amended or successor provision thereof.

SECTION 3. Compliance with CEQA. Adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) (General Rule) of the CEQA Guidelines because it is not a "project" and because

it can be seen with certainty that there is no possibility that the passage of this Ordinance will have a significant effect on the environment.

SECTION 4. Inconsistencies. Any provision of the Ontario Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 5. Uncodified Ordinance. This Ordinance shall not be codified in the Ontario Municipal Code unless and until the City Council so ordains.

SECTION 6. Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional. No portion of this Ordinance shall supersede any local, state, or federal law, regulation, or codes dealing with life safety factors.

SECTION 7. Effective Date. This Ordinance shall become effective thirty (30) days following from its adoption.

SECTION 8. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2024.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held _____ and adopted at the regular meeting held _____, 2024 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. _____ duly passed and adopted by the Ontario City Council at their regular meeting held _____ and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

Military Equipment

708.1 PURPOSE AND SCOPE

The purpose of this policy ("Policy") is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment pursuant to Assembly Bill 481 ("AB 481") (California Government Code section 7070, et seq.).

708.1.1 DEFINITIONS

Definitions related to this Policy include those provided in Government Code section 7070, and as follows:

Governing body – The City of Ontario City Council ("City Council").

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected ("MRAP") vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles ("HMMWV)", two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of.50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than.50 caliber, including firearms and accessories identified as assault weapons in Penal Code section 30510 and Penal Code section 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices ("LRADs").
- Kinetic energy weapons and munitions.
- Any other equipment as determined by the City Council to require additional oversight.

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708.2 POLICY

It is the Policy of the City of Ontario Police Department ("Department") that members of this Department comply with the provisions of Government Code section 7070 et seq. with respect to the funding, acquisition, and use of military equipment.

708.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police will designate a member of this Department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

(a) Acting as liaison to the City Council for matters related to the requirements of this Policy.

(b) Identifying Department equipment that qualifies as military equipment in the current possession of the Department, or equipment the Department intends to acquire, that requires approval by the City Council.

(c) Conducting an inventory of all military equipment annually.

(d) Collaborating with any allied agency that may use military equipment within the jurisdiction of the Department.

(e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:

1. Publicizing the details of the meeting; and
2. Preparing for public questions regarding the Department's funding, acquisition, and use of equipment.

(f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the Ontario Police Department website (Government Code § 7072).

(g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

708.4 MILITARY EQUIPMENT INVENTORY

The list of qualifying military equipment for the Department is attached to this Policy.

708.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the City Council by way of an ordinance adopting the Policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed Policy is submitted to the City Council and is available on the Department website at least thirty (30) days prior to any public hearing concerning the military equipment at issue. The Policy must be approved by the governing body prior to engaging in any of the following:

a) Requesting military equipment made available pursuant to 10 USC § 2576(a).

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b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this Department.

e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the City Council.

f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.

g) Acquiring military equipment through any means not provided above.

708.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this Department shall be approved for the use and in accordance with this Department Policy. Military equipment used by other jurisdictions that are providing mutual aid to the City of Ontario, or otherwise engaged in law enforcement operations in this City, shall comply with their respective military equipment use policies in rendering mutual aid or carrying out a law enforcement function related to a criminal matter under their investigation.

Situations may arise where the Department may deploy or use military equipment, as defined, owned by other law enforcement agencies. The Department hereby adopts the Military Equipmentpolicy, which may be amended from time to time, under Government Code section 7070 et seq., for jurisdictions that the Department may engage with to provide mutual aid. This section is in no way a limitation to the ability of the Department to deploy or use the military equipment of another jurisdiction.

708.7 COMPLIANCE

Department members are bound to adhere to this Policy, in addition to state and local laws and ordinances when employing the use of military equipment at any time. Violations of the law or this Policy may result in criminal or administrative investigations, or action.

708.8 COMPLAINT PROCESS

Members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment in this Policy by any of the following means:

1. Via email to: MilitaryEquipmentCoordinator@ontariopolice.org

2. Via phone call to: (909) 395-2001

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3. Via mail sent to: Ontario Police Department

Attn: Military Equipment Use Coordinator

2500 S. Archibald Avenue

Ontario, CA 91761

The Department is committed to responding to complaints, concerns and/or questions received through any of the above methods in a timely manner.

708.9 ANNUAL REPORT

Upon approval of this Policy, the Chief of Police or the authorized designee will submit a military equipment report to the City Council for each type of military equipment approved within one year of approval of the Policy, and annually thereafter for as long as the military equipment is available for use.

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the Department website for as long as the military equipment is available for use. The report shall include all information required by Government Code section 7072 for the preceding calendar year for each type of military equipment in the Department's inventory.

708.10 COMMUNITY ENGAGEMENT

Within thirty (30) days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

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I. PURPOSE

This Department procedure establishes guidelines for the use, training, approval, and procurement of existing military equipment and future military equipment acquisitions in accordance with California Assembly Bill 481 (AB-481), codified in California Government Code sections 7070-7075. Additionally, this procedure outlines the fiscal impact and specific descriptions of existing military equipment within the Department's inventory.

II. SCOPE

This procedure applies to all members of the Department.

III. DEFINITIONS

Pursuant to AB-481, the following definitions are applicable **only** to the Department's current military equipment inventory and potential future military equipment acquisitions for operational needs. (For a more detailed list refer to Government Code Section 7070, for "military equipment" as defined within the assembly bill.)

A. "Governing body" means the City Council and Mayor.

B. "Military equipment" means the following:

1. Unmanned, remotely piloted, powered aerial or ground vehicles.
2. Armored personnel carriers and/or armored vehicles with breaching apparatus.
3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks.
4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
6. Weaponized aircraft, vessels, or vehicles of any kind.
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature.
8. Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this definition.
9. Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this definition.
10. Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to sworn members.
11. Any firearm or firearm accessory that is designed to launch explosive projectiles.
12. 'Flashbang' grenades and explosive breaching tools, 'tear gas' and 'pepperballs' excluding standard, service-issued handheld pepper spray.

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13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).
14. The following projectile launch platforms and their associated munitions: 40mm projectile launchers, and specialty impact munition (SIM) weapons.

C. "Military equipment use policy" refers to this Department Procedure and means a publicly released, written document governing the use of military equipment by the Department that addresses, at a minimum, all of the following:

1. A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.
2. The purposes and authorized uses for which the Department proposes to use each type of military equipment.
3. The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.
4. The legal and procedural rules that govern each authorized use.
5. The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any sworn member is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.
6. The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.
7. The procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the Department will ensure that each complaint, concern, or question receives a response in a timely manner.

D. "Law enforcement agency" means any of the following:

1. A police department, including the police department of a transit agency, school district, or any campus of the University of California, the California State University, or California Community Colleges.
2. A sheriff's department.
3. A district attorney's office.
4. A county probation department.

IV. MILITARY EQUPIMENT TYPES AND USAGE GUIDELINES

The Police Department recognizes that critical incidents are unpredictable and can be very dynamic in nature. A variety of military equipment options can greatly assist incident commanders, officers, and specific units in bringing those incidents to a swift resolution in a safe manner. The use of military equipment is restricted for use only in

certain instances and in some cases only by certain units. While this procedure is wide-ranging, it is not all inclusive. There may be instances wherein unpredictable critical incidents demand the need for incident commanders to authorize military equipment to be used in a manner not outlined within this procedure. In scrutinizing those particular instances, the judgment of the incident commander influenced by the totality of the circumstances, public safety, officer safety, civil rights, and information available at the time will be used.

It is incumbent upon incident commanders, supervisors, individual officers, and specific units to recognize the particular circumstances wherein military equipment should be employed to enhance the safety of the public and officers, and to bring a critical incident to a safe resolution.

The following are the various types, descriptions, and guidelines for usage of military equipment currently employed by the Police Department.

A. Unmanned remotely piloted, powered aerial or ground vehicles

1. **Small Unmanned Aircraft Systems (sUAS):** An unmanned aircraft of any type that is capable of sustaining directed flight, whether pre-programmed or remotely controlled, and all of the supporting or attached systems designed for gathering information through imaging, recording or by any other means.

   Capability: sUAS can support first responders in any hazardous incident which would benefit from an aerial perspective. These uses could include search and rescue, barricaded suspects or high-risk tactical operations, disaster response, and video and photographic documentation of crime scenes.

   Usage: sUAS are to be used by trained pilots during high-risk operations, tactical operations, disaster response, and video and photographic documentation. These pilots receive regular training and flight hours and when applicable adhere to FAA regulations.

   Training Requirements: Drone operators attended continual yearly training.

   Fiscal Impact: See Appendix A

   Lifespan: Approximately five (5) years.

   The Department currently possesses the following types of sUAS:

   a. **Parrot Anafi Thermal** (Quantity: 2)
      Manufacturer: Parrot
      Description: To balance the resolutions of the thermal image and visible image, and therefore benefit from information not visible in thermal, the displayed image is a fusion of the information from the two cameras.

Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

b. **DJI Avata** (Quantity: 3)
Description: A handheld drone designed for interior searches. The drone is controlled by a handheld remote control. It has the ability to record video for use with evidence collection.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

c. **LOKI 1** (Quantity: 6)
Manufacturer: Sky-Hero
Description: A handheld drone designed for interior searches. The drone is controlled by a handheld remote control.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

d. **LOKI 1I** (Quantity: 4)
Manufacturer: Sky-Hero
Description: A handheld drone designed for interior searches. The drone is controlled by a handheld remote control.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

e. **Evo II** (Quantity: 1)
Manufacturer: Autel Robotics
Description: A handheld drone designed for exterior searches. The drone is controlled by a handheld remote control. It has the ability to record video for use with evidence collection.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

f. **Mini 2** (Quantity: 2)
Manufacturer: DJI

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Description: A handheld drone designed for exterior searches. The drone is controlled by a handheld remote control. It has the ability to record video for use with evidence collection.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

g. **Mavic 3 Enterprise** (Quantity: 8)
Manufacturer: DJI
Description: A handheld drone designed for exterior searches. The drone is controlled by a handheld remote control. It has the ability to record video for use with evidence collection.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

h. **Matirce 30T** (Quantity: 4)
Manufacturer: DJI
Description: A handheld drone designed for exterior searches. The drone is controlled by a handheld remote control. It has the ability to record video for use with evidence collection.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

2. **Small Unmanned Tracked Robots:** An unmanned tracked robot of any type that is capable of being remotely controlled as well as all of the supporting or attached systems designed for gathering information through imaging, recording or by any other means.

Capability: Small Unmanned Tracked Robots can support first responders in any hazardous incident which would benefit from a ground level perspective. These uses could include barricaded suspects or high-risk tactical operations, disaster response, and use in crawl spaces or confined isolated areas to assist in searches for suspects or evidence.

Usage: Small Unmanned Tracked Robots are to be used exclusively by the SWAT unit during high-risk operations, disaster response, and in crawl spaces or confined isolated areas to assist in searches for suspects or evidence.

Training Requirements: SWAT Officers regularly train on safe robot deployment in a variety of operational settings.

Fiscal Impact: See Appendix A

Lifespan: Dragon Runner – Lifespan varies with operational usage and wear.

The Department currently possesses the following types of Small Unmanned Tracked Robot:

a. **Dragon Runner** (Quantity: 1)
Manufacturer: QinetiQm
Description: Lightweight, expandable, and one-man portable robot that offers protection and support to officers. Designed to provide situational awareness by 'scouting out' while the officers remain at a safe distance.

Designed for rapid tactical missions, the robot is simple to operate and quick to deploy for searching rooms, hallways, stairwells, and confined spaces. With rubber tracks, the Dragon Runner effortlessly climbs stairs. It also includes an extendible rotating claw arm that simplifies opening door handles.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

i. **MKI** (Quantity: 2)
Manufacturer: Sigyn
Description: Small hand-deployable remote-control robot with audio listening capabilities.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

B. Armored Personnel Carriers

1. **BearCat:** An armored rescue vehicle capable of providing high ballistic protection, cover, limited breaching capability, and transport of officers and/or civilians at critical incidents and high-risk tactical operations.

Capability: BearCats can support first responders in any hazardous, high risk, or critical incident which would benefit from having a vehicle that provides a high level of ballistic protection.

Usage: These uses could include active shooters, armed barricaded suspects, hostage situations, high-risk tactical operations, disaster response, officer/citizen

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rescues, and CBRNE (Chemical, Biological, Radiological, Nuclear, and Explosive) attacks and detection.

Training Requirements: Officers authorized to operate the BearCat are required to successfully complete in house training on its capabilities and must complete a driving assessment during the training period.

Fiscal Impact: See Appendix A

Lifespan: Approximately 20 years depending on operational usage and wear.

The Department currently possesses the following types of BearCats:

a. **BearCat G2** – 2 Door Model (Quantity: 1)
Manufacturer: Lenco
Description: The Lenco BearCat G2 is the standard armored rescue vehicle for special operations units within the US Law Enforcement community. The G2 has excellent on-road driving characteristics and maneuverability in tight urban settings. The large floor plan seats 10–12 fully equipped officers or citizens.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: $505.45
Future Acquisition Plans: Unknown

b. **BearCat G3** – 4 Door Model (Quantity: 1)
Manufacturer: Lenco
Description: The BearCat G3 provides Lenco's proven armor system in a ruggedized off-road platform. The G3 utilizes the same body design, interior features and tactical options as the G2, but it comes standard with a heavier duty upgraded suspension and off-road tires, rims & run flats to provide enhanced off-road performance. The increased ground clearance and robust suspension allows for emergency response in rural regions and natural disaster scenarios where standard armored rescue vehicles would experience challenges.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: $972.56
Future Acquisition Plans: Unknown

c. **BearCat G3 w/ P3E MARS Ramp System** – 3 Door Model (Quantity: 1)
Manufacturer: Lenco
Description: The BearCat G3 provides Lenco's proven armor system in a ruggedized off-road platform. The G3 utilizes the same body design, interior

features and tactical options as the G2, but it comes standard with a heavier duty upgraded suspension and off-road tires, rims & run flats to provide enhanced off-road performance. The increased ground clearance and robust suspension allows for emergency response in rural regions and natural disaster scenarios where standard armored rescue vehicles would experience challenges. This armored rescue vehicle is outfitted with the P3E MARS ramp system which allows officers to safely make entry into or rescue citizens from elevated structures.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: $219.30
Future Acquisition Plans: Unknown

d. **Rook** – (Quantity: 1)
Manufacturer: Ring Power
Description: The Rook is a tracked armored vehicle capable of deploying officers into a critical incident or rescue citizens during a critical incident. It features several attachments capable of moving objects, or vehicles to aide in the peace resolution of a critical incident. The attachments and vehicle also can be used in various natural disaster incidents.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: $113.42
Future Acquisition Plans: Unknown

C. Command and Control Vehicles

1. **Mobile Command Vehicles:** Completely self-contained command posts designed to provide the Incident Commander with a mobile base of operation.

Capability: As a mobile base of operation, these vehicles contain specialized command, control, and communications equipment to assist with this mission.

Usage: Mobile Command Vehicles are to be utilized as an Incident Command Post for planned or unplanned events. Vehicles are also equipped with specialized equipment to assist with numerous types of incidents.

Training Requirements: Officers are frequently train in the operations of Command vehicles.

Fiscal Impact: See Appendix A

Lifespan: No lifespan indicated by manufacturer. Dependent on operational usage and wear.

The Department currently possesses the following types of Mobile Command Vehicles:

a. **SWAT Special Equipment Vehicle** – (Quantity: 1)

The SWAT Special Equipment Vehicle is a non-armored vehicle used by SWAT personnel to transport special weapons and equipment to the scene of critical incidents. Once at an incident, it is also used as a SWAT and Tactical Operations Center (TOC).

Manufacturer: Custom Built International Chassis
Description: This vehicle is a custom build. It is capable of transporting various SWAT equipment to a critical incident. It is also outfitted with various radio and computers to aide the Incident Commander.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: $1,171.52
Future Acquisition Plans: Unknown

b. **CP131 – Command Post Vehicle** - (Quantity: 1)
Manufacturer: Custom Built Freightliner Chassis
Description: This vehicle is a custom-built truck which allows officers to aide in communicating with subjects during critical incidents or can be utilized as a command post during any type of situation.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: $1,703.70
Future Acquisition Plans: Unknown

D. Explosive Breaching Equipment

1. **Explosive Breaching Equipment:** During crisis situations, it may become necessary for a SWAT team to facilitate an entry into a target location. It is critical the point of entry is breached quickly and as safely as possible. A quick and effective breach is one key to a successful tactical mission**.** In some instances, an explosive breach may be required to provide an added degree of safety and tactical advantage in order to accomplish a mission.

A variety of specialized breaching equipment consisting of explosive materials are possessed by the Department. Explosive Breaching Equipment can only be used exclusively by the SWAT team's dedicated breaching personnel.

Capability / Usage: Explosive breaching, the use of explosive materials to affect a breach, can be an effective option in SWAT team tactics. An effective breach is a design where the least amount of explosive material is used and still accomplishes its goal. An effective Explosive Breach can defeat fortified doors

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and walls. Effective breaching techniques allow tactical officers immediate entry with minimal risk to victims, officers, and suspects. An Explosive Breach should only be utilized after taking into consideration the overall mission, officer and citizen safety, the overall construction of the structure, the presence of unstable chemicals, explosives, or incendiary materials, and whether other means of mechanical breaching would be effective and safe to use. The option to use an explosive breach shall be at the discretion of the SWAT Commander.

Training Requirements: Only SWAT Officers that are certified Explosive Breachers are authorized to utilize explosive breaches. SWAT Explosive Breachers must successfully complete a certified Explosive Breaching Course. Additionally, SWAT Explosive Breachers must maintain proficiency with the use and handling of explosives and explosive breaching techniques.

Fiscal Impact: See Appendix A

Lifespan: Approximately five (5) years.

The Department currently possesses the following types of Explosive Breaching Equipment:

a. **Explosive Breaching Equipment Kit** – (Quantity: See Below)
Explosive Breaching Equipment consists of:
1. 50 grain Detonation Cord (69,200 gr.)
2. C2 sheets (1,540 gr.)
3. Shock-tube Blasting Cap (1,879 gr.)
Manufacturer: Southwest Explosives
Description: Explosive breaching, the use of explosive materials to affect a breach, can be an effective option in SWAT team tactics. An effective breach is a design where the least amount of explosive material is used and still accomplishes its goal.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

2. **Breaching Shotguns and Breaching Ammunition:** During crisis situations, it may become necessary for a SWAT team to facilitate an entry into a target location. It is critical the point of entry is breached quickly and as safely as possible. A quick and effective breach is one key to a successful tactical mission**.** In some instances, a breach initiated by a breaching shotgun loaded with specialized breaching rounds may be required to provide an added degree of safety and tactical advantage in order to accomplish a mission.

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Specialized Breaching Rounds, also referred to as TKO round, are frangible and are designed to break into a powder form upon impact with a solid object (i.e., dead bolt lock, door frame, etc.)

The Department possesses a limited inventory of Breaching Shotguns and Breaching Shotgun Ammunition. Breaching Shotguns are to be used exclusively by trained members of the SWAT team.

Capability / Usage: Shotgun breaching, the use of a breaching shotgun to affect a breach, can be an effective option in SWAT team tactics. An effective breach is a design where the least amount of breaching shotgun rounds is used and still accomplishes its goal. An effective shotgun breach can defeat fortified doors and locks. Effective breaching techniques allow tactical officers immediate entry with minimal risk to victims, officers, and suspects.

Training Requirements: SWAT team members regularly train on the use of shotgun breaching.
Fiscal Impact: See Annual Military Report

Lifespan: Remington 870 Police Magnum – Limited lifetime warranty. Lifespan varies on operational usage and wear

Breaching Shotgun Ammunition – Five (5) year limited warranty. Five (5) year shelf life.

The Department currently possesses the following types of breaching shotguns and breaching shotgun ammunition:

a. **Remington 870 Police Magnum –** (Quantity: 5)
Manufacturer: Remington
Description: The Remington 870 Police Magnum pump-action shotgun is a rugged 12-gauge with a short barrel backed by a stout 3" chamber. The all-matte black gun is parkerized for generalized durability and rust-resistance. Both the pump action for-end and stock are robust and tough synthetic.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

b. **TKO 12-Gauge Breaching Shotgun Rounds** – (Quantity: 60)
Manufacturer: Defense Technology
Description: The 12-Gauge TKO Breaching Round is a 12-Gauge shell loaded with a compressed zinc slug, utilizing smokeless powder as a propellant. This is a widely used method to breach door locks or hinges for entry during tactical operations. When properly deployed, the TKO is capable of defeating

door lock mechanisms, doorknobs, hinges, dead bolts, safety chains, and pad locks on both wooden or hollow core doors. Upon impact with the target, the zinc slug disintegrates into a fine powder eliminating fragmentation.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

E. Firearms of .50 Caliber or greater

1. **.50 Caliber Rifles:** A heavy-duty, bolt-action rifle rated for .50 caliber ammunition that is capable for delivering precision rifle fire at great distances with effective results.

   Due to the ever-increasing number of deadly incidents involving vehicle borne attacks and fortified structures both in Southern California and around the country, the SWAT Sniper Team currently employs the use of a .50 caliber rifle to address the unique operational needs presented by these threats.

   The requirement and implementation of a .50 caliber rifle are now the standard for many SWAT Teams both in the US and abroad to combat vehicular threats that may arise out of conventional SWAT operations or domestic and international terror attacks.

   Capability / Usage: These weapons provide the capability to pierce hard armor, multiple layers of mild steel, or substantial brick, concrete and other materials that may give hard cover to potential suspects. In limited circumstances, these weapons can also be used to disable the engine block of a vehicle posing a clear and present threat to the public (i.e., a vehicle laden with explosives).

   Training Requirements: SWAT Snipers receive specific .50 caliber rifle training and must undergo regular training and weapons qualifications to be able to deploy the .50 caliber rifle.

   Fiscal Impact: See Appendix A

   Lifespan: EDM ARMS – Barrel life rated to approximately 20,000 rounds.

   a. **EDM ARMS Windrunner -** (Quantity: 1)
      Manufacturer: Bushmaster Firearms
      Description: The Windrunner is built to outshine all previous standards for long-range accuracy.
      Concerns & Complaints Received: None
      Internal Audit Results & Responses: None
      Total Annual Cost: None
      Future Acquisition Plans: Unknown

F. Ammunition of .50 caliber or greater

1. **.50 Caliber Rifle Ammunition:** Rifle ammunition manufactured specifically for .50 caliber Special Application Rifles. This caliber is also referred to as .50 BMG.

   Match Ammunition: Designed for when greater distance from a target is encountered and accuracy is needed. Match ammunition rounds excel against heavy barriers and penetrating thick glass.

   Fiscal Impact: See Appendix A

   Lifespan: Approximately 10-year shelf life.

   a. **A-Max Match Ammo - .50 BMG 750 grain** (Quantity: 10,750)
   Manufacturer: Engel Ballistic Research
   Description: 50BMG match grade 750 grain. Match ammunition rounds excel against heavy barriers and penetrating thick glass.
   Concerns & Complaints Received: None
   Internal Audit Results & Responses: None
   Total Annual Cost: None
   Future Acquisition Plans: Unknown

G. Specialized firearms and ammunition of less than .50 caliber, including assault weapons

1. **AR-15 Rifles:** A semi-automatic shoulder-fired long gun that fires a rifle caliber cartridge. The Department-approved AR-15 style weapon system is designed to fire a .223/5.56 caliber projectile.

   Capability/Usage: The rifle caliber carbine provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Additionally, AR-15 rifles offer advantages over handguns, such as increased accuracy potential and the ability to defeat soft body armor but are not appropriate for every situation.

   Training Requirements: All officers attend a POST rifle course and regularly qualify with their rifle. SWAT Officers partake in regular rifle training, and consistent weapons qualifications to maintain proficiency with the AR-15.

   Fiscal Impact: See Appendix A

   Lifespan: Colt M4 Carbine LWRC IC-45 – Barrel life rated to approximately 12,000 rounds.

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Colt M4 Carbine – Barrel life rated to approximately 12,000 rounds.

a. **Colt M4 Carbine LWRC M6IC** (Quantity: 132)
Manufacturer: LWRC International
Description: Colt style M4 rifle chambered in .223 caliber. These rifles are outfitted with a collapsible stock and flashlight.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

b. **Colt M4 Carbine** (Quantity: 150)
Manufacturer: Colt Manufacturing LLC
Description: Colt M4 rifle chambered in .223 caliber. These rifles are outfitted with a collapsible stock.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

2. **.308 Caliber Rifles:** Rifle's chambered in a .308 caliber round. These rifles are set up as a semi-automatic rifle or a bolt action. They can be outfitted with various optics and accessories depending on the mission.

Capability / Usage: The .308 rifle provides SWAT Snipers and Air Support personnel the ability to engage hostile suspects at great distances with accuracy. The .308 rifle platform are typically deployed with the SWAT Team during high-risk SWAT operations and special events or instances wherein Sniper Over Watch Teams are needed. These rifles can also be deployed by the Ontario Air Support Unit for similar situations.

Training Requirements: SWAT team members and the Air Support Unit regularly train and qualify with various weapons systems including the .308 rifle to maintain proficiency.

Fiscal Impact: See Appendix A

Lifespan: HK 91 – Barrel life rated to approximately 3,000 to 6,000 rounds.
Tactical Ops Tango 51– Barrel life rated to approximately 5,000 rounds.
Sig Sauer 716 – Barrel life rated to approximately 3,000 to 6,000 rounds.

Fiscal Impact: See Appendix A

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a. **HK 91 Rifle** (Quantity: 1)
Manufacturer: Heckler and Koch
Description: Semi-automatic .308 rifle with optic attached.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

b. **Tactical Ops Tango 51 .308 Bolt Action Rifle** (Quantity: 6)
Manufacturer: Accuracy International
Description: The bolt action Tango 51 is chambered in .308 caliber and is a bolt action rifle.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

c. **Sig Sauer 716 Rifle** (Quantity: 2)
Manufacturer: Sig Sauer
Description: Semi-automatic .308 rifle with optic attached.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

3. **MP-5 Submachine Guns:** A compact, modular, lightweight, shoulder fired, submachine gun capable of semi-automatic or automatic fire chambered in 9mm.

Capability / Usage: The MP-5 submachine gun provides the ability to deliver precision gun fire with a shoulder fired weapons system that is accurate, reliable, and safe. Its compact design allows for ease of maneuverability when operating in the open or within interior environments. The use of the MP-5 submachine gun is relegated to SWAT officers.

Training Requirements: Officers authorized to carry the MP-5 have completed numerous hours of live fire and movement training. Additionally, officers authorized to use the MP-5 must complete weapons qualifications on a regular basis to maintain proficiency.

Fiscal Impact: See Appendix A

Lifespan: Barrel life rated for approximately 50,000+ rounds.

a. **HK MP5 Submachine Gun** (Quantity: 8)

Manufacturer: Heckler & Koch

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Description: Probably the most popular series of submachine guns in the world, it functions according to the proven roller-delayed blowback principle. Tremendously reliable, with maximum safety for the user, easy to handle, modular, extremely accurate and extraordinarily easy to control when firing.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

4. **.223 Caliber or 5.56mm Rifle Ammunition:** Rifle ammunition manufactured specifically for rifles chambered in 5.56mm or .223 Remington. Currently there are two types of .223/5.56mm caliber rifle ammunition in use operationally by the Department.

   Capability / Usage: .223 caliber or 5.56mm rifle ammunition used in conjunction with an AR-15 type rifle provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Rifle ammunition fired from AR-15 rifles offer advantages over handguns, such as increased accuracy potential and the ability to defeat soft body armor but are not appropriate for every situation. For the SWAT Team, the AR-15 is the primary weapons system utilized by the team. SWAT Officers regularly utilize the AR-15 as their primary weapons system on tactical operations.

   Training Requirements: Officers receive POST training and regularly qualify with their weapon.

   Fiscal Impact: See Appendix A

   Lifespan: Approximately 10-year shelf life.

   The Department currently possesses the following types of .223 caliber or 5.56mm rifle ammunition:

   a. **Federal – FMJ .223 55 grain** (Quantity: 75,500)
      Manufacturer: Federal
      Description: American Eagle rifle ammunition offers consistent, accurate performance at a price that's perfect for high-volume shooting. The loads feature quality bullets, reloadable brass cases and dependable primers.
      Concerns & Complaints Received: None
      Internal Audit Results & Responses: None
      Total Annual Cost: None
      Future Acquisition Plans: Unknown

   b. **Federal – Gold Dot .223 62 grain** (Quantity: 11,000)
      Manufacturer: Federal

Description: Gold Dot Duty Rifle brings proven bullet technology to rifle platform. Gold Dot rifle bullets are optimized to ensure expansion out of barrels down to 10" at a wide variety of velocities out to 200 yards.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

5. **.308 Caliber Rifle Ammunition:** Rifle ammunition manufactured specifically for rifles chambered in .308 Winchester. Currently there are various types of .308 Winchester caliber rifle ammunition in use by the Department.

   Fiscal Impact: See Appendix A

   Lifespan: Approximately 10-year shelf life.
   The Department currently possesses the following types of .308 Winchester ammunition:

   a. **Federal.308 Winchester LE308TT2 Ammunition** (Quantity: 4,000)
      Manufacturer: Federal
      Description: Tactical bonded ammunition is made exclusively for law enforcement. It is designed to defeat barriers with minimal deflection.
      Concerns & Complaints Received: None
      Internal Audit Results & Responses: None
      Total Annual Cost: None
      Future Acquisition Plans: Unknown

H. Flashbangs, Chemical Agents, Chemical Agent Delivery Devices, and Pepper Ball Launchers

1. **Noise Flash Diversionary Devices (NFDD):** Canisters that emit a loud noise and bright light.

   Capability / Usage: Diversionary Devices are capable of releasing large amounts of stored energy in the form of heat, light, pressure, and noise. They are intended to temporarily distract, confuse, and disorient subjects. They can also be used as "attention-getting" devices. Diversionary Devices are to be used exclusively by the SWAT team. Noise Flash Diversionary Devices can be used in high-risk tactical operations as an attention getting device. They can also be used during high-risk warrants, and hostage rescue incidents to provide an added degree of officer safety by disorienting subjects.

   Training Requirements: SWAT Officers regularly train on safe device deployment in a variety of operational settings.

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Fiscal Impact: See Appendix A

Lifespan: Defense Technology Multi Port Distraction Device – Five (5) year shelf life.

Liberty Dynamics Distraction Device –Five (5) year shelf life.

The Department currently possesses the following types of Diversionary Devices:

a. **Defense Technology Multi Port Distraction Device** (Quantity: 60)
Manufacturer: Defense Technology
Description: These noise flash diversionary devices have a highly reliable functionality and very precise delay times.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

b. **Defense Technology Multi-bang** (Quantity: 2)
Manufacturer: Defense Technology
Description: This distraction device is capable of multiple consecutive detonations on one device.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

c. **Low-roll Distraction Device (Training Device)** (Quantity: 50)
Manufacturer: Defense Technology
Description: Training device utilizes the same deployment methods with minimal load for training purposes.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

d. **Liberty Dynamics Distraction Device** (Quantity: 138)
Manufacturer: Liberty Dynamics
Description: This diversionary device has the binary energetic material contained within the Enhanced Noise Flash Diversionary device allows for drastically lowered volatility levels, creating a vastly safer and more reliable noise-flash event.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

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2. **<u>Chemical Agents and Chemical Agent Delivery Devices</u>**: Compounds, devices, and delivery systems utilized by SWAT, Mobile Field Force, and patrol officers. Compounds can include irritants such as Chlorobenzalmalononitrile (CS) or an inflammatory agent such as Oleoresin Capsicum (OC) or Pava (synthetic OC). Chemical agents can be liquid, powder, or gaseous. Delivery systems can be pyrotechnic, blast dispersion, OC Fogger, or aerosol.

   Chemical agent delivery devices consist of the following:

   <u>Gas Ram</u>: A metal device resembling a handheld pointed battering ram that can be loaded with a chemical agent canister. The gas ram can be used to introduce chemical agents into a location by piercing the wall, door, or roof of a structure.

   <u>Burn Safe</u>: A cylindrical metal container designed to contain a pyrotechnic chemical agent canister and reduce fire hazard upon deployment into a structure.

   Capability / Usage: Depending on the delivery method, chemical agents are capable of being introduced in close proximity or from a distance. Depending on the type of delivery system and/or quantity, chemical agents can be used to saturate individual suspects, violent crowds, or areas of varied size. Chemical agents are to be used by the SWAT Team, Mobile Field Force, and/or patrol officers. Generally, during high-risk tactical incidents chemical agents can be used to dislodge a suspect from a stronghold location with the least possible danger to citizens, police, and the suspect. Chemical agents can also be used to prevent an armed suspect from accurately firing at citizens and/or officers. They can also be used in limited instances during civil unrest to disperse violent crowds.

   Training Requirements: Officers receive regular training on the deployment and use of chemical agents. Officers are required to pass annual qualifications with the use of chemical agents and chemical agent delivery systems in order to maintain proficiency.

   Fiscal Impact: See Appendix A

   Lifespan: <u>Defense Technology Chemical Agent Canisters and Munitions</u> - Five (5) year shelf life.

   <u>Chemical Agent Delivery Devices</u> - No lifespan indicated by manufacturer. Lifespan varies on operational usage and wear.

   The Department currently possesses the following types of chemical agents:

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a. **SPEDE-HEAT CS Model -** (Quantity: 16)
Manufacturer: Defense Technology
Description: The Spede-Heat CS munition is a high volume, continuous burn it expels its payload in approximately 20-40 seconds. The payload is discharged through four gas ports on top of the canister, three on the side and one on the bottom. This munition holds approximately 2.9 oz. of active agent.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

b. **40mm Liquid Ferret -** (Quantity: 169)
Manufacturer: Defense Technology
Description: These launchable munitions are capable of being deployed into a structure, through barriers, to deploy chemical agent into a structure at a safe distance.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

c. **Chemical Agent CS Pocket Tactical – Model 1016** (Quantity: 6)
Manufacturer: Defense Technology
Description: The Pocket Tactical CS munition is small, and lightweight. The 0.9 oz. of active agent will burn approximately 20-40 seconds. At 4.75 in. by 1.4 inches in size, it easily fits in most tactical pouches.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

d. **Maximum HC Smoke Model 1073 -** (Quantity: 13)
Manufacturer: Defense Technologies
Description: Pyrotechnic smoke grenade used for concealment or as a signaling device.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

e. **37mm Multiple Foam Baton – Model 6299** (Quantity: 379)
Manufacturer: Defense Technology
Description: The 37mm foam baton round contains three foam projectiles.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None

Future Acquisition Plans: Unknown

f. **40mm Skat Shell – Model 6172** (Quantity: 62)
Manufacturer: Defense Technology
Description: The 40mm Skat shell is designed to deliver multiple CS canisters from a 40mm launcher. It has a maximum effective range of 80-100 yards.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

g. **Instantaneous Blast CS – Model 1042** (Quantity: 52)
Manufacturer: Defense Technology
Description: The instantaneous blast CS munition is designed for indoor or outdoor use; this munitions powder is expelled upon initiation of a small internal detonator that has sufficient force to split the canister at six machined groves on the outside surface.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

h. **Pocket Tactical Saf-Smoke – Model 1017** (Quantity: 38)
Manufacturer: Defense Technology
Description: This munition is small and lightweight. It will burn approximately 20-40 seconds.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

i. **CS Flameless Tri-Chamber – Model 1032** (Quantity: 38)
Manufacturer: Defense Technology
Description: The flameless tri-chamber allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

j. **CS Triple-Chaser Canister – Model 1026** (Quantity: 52)
Manufacturer: Defense Technology
Description: The triple-chaser CS consists of three separate canisters pressed together with separating charges between each. When deployed, the canisters separate and land approximately 20 feet apart allowing increased area coverage.

Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

k. **40mm Muzzle Blast – Model 6042** (Quantity: 79)
Manufacturer: Defense Technology
Description: The 40mm muzzle blast CS round is widely used as a crowd management tool for the immediate and close deployment. .
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

l. **Gas Ram – Chemical Agent Delivery Device** (Quantity: 3)
Manufacturer: Custom build
Manufacturer Description: The gas ram is a double walled container constructed of steel designed to contain the flames of a pyrotechnic chemical agent canister. There is a large metal probe attached to one end designed to penetrate walls to deploy the chemical agent inside a structure from outside.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

m. **Burn Safe – Chemical Agent Delivery Device** (Quantity: 2)
Manufacturer: Burn Safe
Manufacturer Description: The Burn Safe is a double walled container constructed of aluminum. It is designed to contain the flames inside the inner chamber thereby reducing the probability of starting a fire. The Burn Safe allows the introduction of significant amounts of pyrotechnic non-lethal chemical agent into the target, which increases the probability of a successful resolution.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

3. **Pepper Ball Launchers and Pepper Ball Munitions:** A non-lethal munitions system that employs paint ball launchers to fire "pepper balls" that contain powdered synthetic OC in place of the paint. The pepper ball delivery system combines chemical agent exposure with kinetic energy impact to aid in its effectiveness in addressing armed and/or violent individuals or crowds. Pepper ball munitions also include glass breaking rounds.

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Capability / Usage: Pepper ball launchers give officers the ability to address an armed and/or violent suspect(s) with a non-lethal munition that delivers both chemical agent and kinetic energy impact. This combination can be extremely effective in gaining compliance or reducing threat potential with an armed and/or violent suspect(s). Due to its design, pepper balls can be delivered from a larger standoff distance allowing for an added degree of officer safety. Pepper ball launchers and pepper ball munitions can be used to address armed and/or violent individuals or crowds, limited instances of violent civil unrest, suicidal individuals, and individuals believed to possess or have immediate access to a deadly weapon. Pepper ball munitions can be effective in driving suspects from confined spaces or vehicles.

Training Requirements: Officers undergo regular live fire proficiency training. Additionally, Officers are required to qualify with pepper ball launchers on a consistent basis to maintain proficiency.

Fiscal Impact: See Appendix A

Lifespan: Pepper Ball Launcher – No manufacturer life span indicated by manufacturer.

Pepper Ball Munitions – Approximately three (3) year shelf life.

The Department currently possesses the following types of pepper ball launchers and pepper ball munitions:

a. **Tippman FTC Pepper Ball Launcher** (Quantity: 12)
Manufacturer: Tippman
Manufacturer Description: The Tippmann FTC paintball marker is a compact marker launcher.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

b. **PepperBall Live –** (Quantity: 3,300)
Manufacturer: PepperBall
Description: A potent and powerful concentration of PAVA pepper powder. One round of LIVE-X contains 2% PAVA.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

c. **PepperBall Glass Breaker –** (Quantity:140)

Manufacturer: PepperBall
Description: Used to break side glass of vehicles and residential glass windows.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

d. **PepperBall Inert –** (Quantity: 3,000)
Manufacturer: PepperBall
Description: Containing a harmless, scented powder, this projectile is best suited for training, qualifications, and direct impact when chemical exposure is not desired.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

I. Extended Range Impact Weapons, Projectile Launcher Platforms, Munitions, and Specialty Impact Munitions (SIM)

1. **40mm Launchers (Projectile Launch Platforms):** A single shot or multi-shot Extended Range Impact Weapon launcher capable for firing a variety of 40mm rounds. The Department also has a limited inventory of 37mm launchers that share the same characteristics as 40mm launchers but are chambered for 37mm munitions.

Capability / Usage: 40mm launchers are capable of firing a variety of munitions with a maximum effective range of one hundred twenty (120) feet. 40mm launchers can deliver 40mm munitions in the form of chemical agents, and sponge baton rounds. The 40mm launchers utilized with less lethal sponge baton rounds are designed to impact armed and/or violent suspects so officers can gain compliance, overcome resistance, or prevent serious injury or death to bystanders, officers, and the suspect. 40mm single launchers combined with less lethal 40mm sponge baton rounds are authorized to be used by any officer that has been trained in its use and maintains current qualifications.

Training Requirements: Officers that have been trained in the use of the 40mm single launcher undergo thorough training in its use. Additionally, officers trained in the use of the 40mm single launcher must pass annual qualifications to maintain proficiency.

Fiscal Impact: See Appendix A

Lifespan:

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Defense Technology 40mm Launchers – Two (2) year limited warranty. No lifespan indicated by manufacturer. Dependent on operational usage and wear.

Defense Technology 37mm Launchers – No lifespan indicated by manufacturer. Lifespan varies on operational usage and wear.

The Department currently possesses the following types of 40mm launchers:

a. **Def Tech – Model 1425** (Quantity: 15)
Manufacturer: Defense Technology
Description: The 40mm will fire standard 40mm Less Lethal ammunition, up to 4.8 inches in cartridge length.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

b. **LMT – 40mm Launcher** (Quantity: 32)
Manufacturer: Lewis Machine & Tool
Description: The 40mm will fire standard 40mm Less Lethal ammunition, up to 4.8 inches in cartridge length.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

c. **LMT – Model 203** (Quantity: 2)
Manufacturer: Lewis Machine & Tool
Description: The 40mm will fire standard 40mm Less Lethal ammunition, up to 4.8 inches in cartridge length.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

d. **Def-Tec – Model 1415** (Quantity: 4)
Manufacturer: Defense Technology
Manufacturer Description: The 37mm will fire standard 37mm Less Lethal ammunition, up to 8 inches in cartridge length.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

e. **Def-Tec 40mm 6-Shot Launcher** (Quantity: 2)

Manufacturer: Defense Technology
Description: Designed for riot and tactical situations, the 40mm 6-Shot Launcher is low-profile and lightweight, providing multi-shot capability in an easy to carry launcher.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

2. **40mm Ammunition:** The 40MM round is a sponge baton cartridge. The sponge round has a blue-colored nose with a black base. The casing is stainless.

   Fiscal Impact: See Appendix A

   Lifespan: Five (5) year shelf life.

   The Department currently possesses the following types of 40mm direct impact ammunition:

   a. **eXact iMpact 40mm Sponge Round – Model 6325** (Quantity: 500)
   Manufacturer: Defense Technology
   Description: The eXact iMpact 40 mm Sponge Round is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40 mm launcher's rifled barrel. Used for Crowd Control, Patrol, and Tactical Applications.

J. Night Vision Equipment and Infrared Sighting Systems

1. **Night Vision Optical Devices:** A night-vision device (NVD), also known as night optical/observation device (NOD) or night-vision goggles (NVG) is an optoelectronic device that allows images to be produced in low levels of light approaching total darkness.

   Capability / Usage: Night Vision Optical Devices provide the user the ability to see an enhanced image during darkness. The use of this equipment allows a tactical advantage for officers especially when operating in low light or dark environments. The majority of SWAT tactical operations occur at night or are conducted in low light environments. Having NVD's allows for SWAT Officers to have a tactical advantage and an added degree of officer safety when operating in those conditions. The use of NVD's is extremely advantageous during high-risk operations, hostage rescue, active shooter, and tactical operations in a wide range of environments.

   Training Requirements: SWAT Officers maintain proficiency by continual training and annual weapons qualifications with NVD's.

Fiscal Impact: See Appendix A

Lifespan: Approximately 10,000 hours.

The Department currently possesses the following types of Night Vision Optical Devices:

a. **Pinnacle Gen3 Night Vision –** (Quantity: 30)
Manufacturer: Night Vision Depot
Description: Pinnacle Gen3 Night Vision Device is a compact, lightweight, high-performance white phosphor dual-tube goggle.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

b. **L3 Warrior –** (Quantity: 3)
Manufacturer: L3
Description: The L3 Warrior Night vision scope can be attached quickly to the rifle to allow for enhanced vision during night time operations. It works in conjunction with the rifle's optics for improved vision.
Concerns & Complaints Received: None
Internal Audit Results & Responses: None
Total Annual Cost: None
Future Acquisition Plans: Unknown

2. **Infrared Sighting Systems:** A device attached to a firearm to aid in target acquisition. Unlike optical and iron sights where the user looks through the device to aim at the target, laser sights project a beam onto the target that provides a visual reference point. This device is used in conjunction with NVD's to aid in rapid and accurate target acquisition.

Capability / Usage: This equipment, when combined with NVD's, provide the user the ability to see an enhanced image during low light conditions or darkness. The use of this equipment allows for a tactical advantage for officers. It allows officers to obtain accurate and rapid target acquisition especially when operating in a multitude of low light or dark environments. Most SWAT operations occur at night or are conducted in low light environments. Having NVD's in conjunction with infrared sighting systems allows for SWAT Officers to have a tactical advantage and an added degree of officer safety when operating in those conditions. The use of NVD's combined with infrared sighting systems are extremely advantageous during high-risk operations, hostage rescue, active shooter, and tactical operations in a wide range of environments. Infrared sighting systems are to be used exclusively by the SWAT Unit. Night Vision optical enhancement devices combined with infrared sighting systems may be utilized

during tactical missions with approval from the SWAT Commanding Officer or SWAT Executive Officer.

Training Requirements: SWAT Officers maintain proficiency by continual training and annual weapons qualifications with NVD's and infrared sighting systems.

Fiscal Impact: See Appendix A

Lifespan: Approximately 10,000 hours.

The Department currently possesses the following types of infrared sighting systems:

a. **MAWL IR Designator** (Quantity: 30)
Manufacturer: B.E. Meyers
Description: The MAWL has an IR light and IR laser which work in conjunctions with night vision devices to illuminate and aide in aiming a weapon system.

V. USAGE OF MILITARY EQUIPMENT WHEN COLLABORATING WITH OTHER LAW ENFORCEMENT AGENCIES

On occasion, the Department may be required to assist other law enforcement agencies in a formal Law Enforcement Mutual Aid Request (LEMA) or support with day-to-day operational collaboration (i.e., pursuits, investigative unit assistance, joint law enforcement operations, etc.).

In certain mutual aid or operational collaboration circumstances, it may be necessary for sworn Department members to utilize military equipment in order to fulfill an assigned mission (i.e., civil unrest, SWAT requests, barricaded suspects in a vehicle, etc.). When sworn Department members utilize military equipment in instances of mutual aid or law enforcement collaboration, the following shall apply:

A. Department members are required to adhere to the Department's Military Equipment Procedure and **all** policies and procedures outlined within the Ontario Police Department's Policy and Procedures Manual, regardless of operational jurisdiction.

B. Should the Police Department request mutual aid from another law enforcement agency within the City and military equipment is required during the course of the response, the following shall apply:

1. The Ontario Police Department will remain in charge of the overall incident command.

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2. The Incident Commander or designee will brief the supervisor from the assisting agency and inform them of the mission, enforcement posture, and any pertinent information related to the incident.

3. The assisting agency will adhere to their respective policies and procedures, particularly those governing the use of military equipment.

4. If the Incident Commander or their designee is informed of or witnesses the utilization of military equipment by an assisting agency inconsistent with the guidelines set forth in this procedure, the Incident Commander may elect to cancel the request for mutual aid or re-assign the assisting agency to a different support mission.

VI. APPROVAL OF MILITARY EQUIPMENT BY GOVERNING BODY

A. Pursuant to AB-481 all military equipment acquired and/or in use by the Department shall be approved by the governing body by adopting a military use policy. This approval by the governing body must be granted prior to any of the following:

1. Requesting military equipment made available pursuant to Section 2576a of Title of the United States Code. This section is also commonly referred to as the Defense Logistics Agency 1033 Program. The Police Department does not participate in the 1033 Program.
2. Seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
3. Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
4. Collaborating with another law enforcement agency in the deployment or other use of military equipment within the territorial jurisdiction of the governing body.
5. Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
6. Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of, military equipment.
7. Acquiring military equipment through any other means.

B. In seeking approval of the government body for any specified military equipment, the Department shall submit a proposed military equipment use policy to the governing body and make those documents available on the Department's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.

1. The proposed or final military equipment use policy shall be made publicly available on the Department's internet website for as long as the military equipment is available for use.

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VII. ANNUAL MILITARY EQUIPMENT REPORT

A. Pursuant to AB-481, the Department shall submit to the City Council an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The Department shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The Commanding Officer or their designee shall be responsible for the preparation and submission of the annual military equipment report. The annual military equipment report shall, at a minimum, include the following information for the immediate previous calendar year for each type of military equipment:

1. A summary of how the military equipment was used and the purpose of its use.
2. A summary of any complaints or concerns received concerning the military equipment.
3. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response, consistent with state law employee privacy restrictions.
4. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
5. The quantity possessed for each type of military equipment.
6. If the Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

B. Within 30 days of submitting and publicly releasing the annual military equipment report, the Department shall hold at least one community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the Department's funding, acquisition, or use of military equipment.

C. The City Council will determine, based on the annual military equipment report, whether each type of military equipment identified in the report has complied with the standards for approval as set forth by AB 481. If the City Council determines that a type of military equipment identified in the annual military equipment report has not complied with the standards as set forth by AB 481, it may either disapprove a renewal of the authorization for that type of military equipment or require modifications to this military equipment use procedure in a manner that will resolve lack of compliance.

VIII. MILITARY EQUIPMENT USAGE ACCOUNTABILITY

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A. The use of military equipment is subject to individual Department Policies and Procedures, and is restricted for use only in certain instances and in some cases, only by certain units. It is incumbent upon incident commanders, supervisors, and individual officers to recognize the specific circumstances wherein military equipment should be employed to enhance the safety of the public and officers and to bring a critical incident to a safe resolution.

B. Department members are bound to adhere to Department Policies and Procedures, in addition to state and local laws and ordinances when employing the use of the military equipment at any time. Violations of the law or Department Policies or Procedures may result in criminal or administrative investigations and/or actions.

C. Administrative Investigations concerning complaints related to military equipment will be conducted in accordance with department policy. These investigations may be subject to review by the Office of the Chief of Police to ensure that compliance with this military equipment procedure is maintained.

D. Any corrective action or discipline imposed as a result of a violation of this Department Procedure will be administered in accordance with the department policy, relevant employee organization memorandum of understanding (MOU), Civil Service Rules, and state law.

IX. MILITARY EQUIPMENT MAINTENANCE AND INVENTORY

All military equipment shall be maintained and inventoried in accordance with department policy.

X. MILITARY EQUIPMENT COMPLAINTS AND INQUIRIES

In some instances, the application and use of military equipment can cause questions and/or concerns for members of the community. It is of vital importance that community members' questions regarding the application and use of military equipment are addressed.

The Police Department is committed to full and fair investigation of citizen complaints. As such, the Department has sound internal procedures for thorough and impartial investigations of citizen complaints. Resolving complaints in a fair, impartial, and expeditious manner will ensure the consistent high level of integrity and efficiency maintained by the Department.

A. Complaints directly related to the application or use of military equipment shall be handled in accordance with department policy.

B. The Police Department values open communication and transparency. Community questions and/or concerns regarding the application and use of specified military equipment should be addressed in the following manner:

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1. Via the Department internet website where the public can email specific military equipment related questions to the Department.
2. At pre-determined Community Engagement Meetings related to military equipment.
3. At City-Council Meetings related to military equipment.
4. In all other circumstances, the public should be directed to the Department Military Equipment Procedure and Annual Military Equipment Report available on the Department's internet website.

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MILITARY PROCEDURE APPENDIX – A
FISCAL IMPACT – Fiscal Year 2025 (July 2024 – June 2025)

Equipment Name and Model / Manufacturer	Initial Cost	Ongoing Annual Cost FY25 (approximate)
Loki I	$13,600	Varies on Usage
Anafi Thermal	$7,439	Varies on Usage
Evo II	$1,825	Varies on Usage

Equipment Name and Model / Manufacturer	Initial Cost	Ongoing Annual Cost FY25 (approximate)
Dragon Runner	$46,000	Varies on Usage

Equipment Name and Model / Manufacturer	Initial Cost	Ongoing Annual Cost FY25 (approximate)
Bearcat G2 (2 Door)	$205,568	Varies on Usage
Bearcat G3 (4 Door)	$315,835	Varies on Usage
Bearcat G3 (Ramp)	$302,609	Varies on Usage
Rook	$570,000	Varies on Usage

Equipment Name and Model / Manufacturer	Initial Unit Cost	Ongoing Annual Cost FY25 (approximate)
SWAT Equipment Vehicle	$271,715	Varies on Usage
CP131	$124,708	Varies on Usage

Equipment Name and Model / Manufacturer	Initial Cost	Ongoing Annual Cost FY25 (approximate)
Explosive Breaching Kit	$3,850	$202,010 (total SWAT equipment budget)

Equipment Name and Model / Manufacturer	Initial Cost	Ongoing Annual Cost FY25 (approximate)
Remington 870 Breaching Shotgun	$800 Each	$121,390 (total ammo budget)
TKO 12 Gauge Breaching Shotgun Rounds	$8.15 Per Box (6)	$121,390 (total ammo budget)

Equipment Name and Model / Manufacturer	Initial Cost	Ongoing Annual Cost FY25 (approximate)
Windrunner .50 cal	$7,144	Varies on Usage
Match Ammunition - .50 BMG .510" 750 grain	$59 Per Box (10)	$121,390 (total ammo budget)

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Equipment Name and Model / Manufacturer	Initial Cost	Ongoing Annual Cost FY25 (approximate)
AR-15 Colt LWRC	$1,949 Each	Varies on Usage
.308 Semi-auto HK91	$3,899 Each	Varies on Usage
.308 Tango 51	$7,999 Each	Varies on Usage
HK MP5	$3,275 Each	Varies on Usage
.380 Sig Sauer 716	$1,350 Each	Varies on Usage
Federal FMJ 55 grain	$179 Per Case	$121,390 (total ammo budget)
Gold Dot .223 62 grain	$287 Per Case	$121,390 (total ammo budget)
HSM 750g A-Max .308	$49 Per Box	$121,390 (total ammo budget)

Equipment Name and Model / Manufacturer	Initial Cost	Ongoing Annual Cost FY25 (approximate)
Def Tec Flashbang	$38.60 Each	$70,150 (total SWAT equipment budget)
Def Tec Multi-bang	$70.00 Each	$70,150 (total SWAT equipment budget)
Training Flash Bang	$58.50 Each	$70,150 (total SWAT equipment budget)
Liberty Dynamics Flash Bang	$18,694 Total	$70,150 (total SWAT equipment budget)
SPEDE Heat	$33.05 Each	$70,150 (total SWAT equipment budget)
40mm CS Ferret	$26.15 Each	$70,150 (total SWAT equipment budget)
Pocket Tactical CS	$28.00 Each	$70,150 (total SWAT equipment budget)
Maximum HC Smoke	$32.60 Each	$70,150 (total SWAT equipment budget)
37mm Foam Baton	$24.50 Each	$70,150 (total SWAT equipment budget)
40mm Skat Shell	$40.65 Each	$70,150 (total SWAT equipment budget)
Instantaneous Blast CS	$54.60 Each	$70,150 (total SWAT equipment budget)
Pocket Tactical Smoke	$32.60 Each	$70,150 (total SWAT equipment budget)
CS Flameless Tri Chamber	$46.25 Each	$70,150 (total SWAT equipment budget)
CS Triple Chaser	$46.25 Each	$70,150 (total SWAT equipment budget)
40mm Muzzle Blast CS	$26.75 Each	$70,150 (total SWAT equipment budget)
Gas Ram	$3,250 Each	$70,150 (total SWAT equipment budget)
Burn Safe	$155.40 Each	$70,150 (total SWAT equipment budget)
Tippman FTC	$499 Each	$14,127 (Department equipment budget)
PepperBall Live	$899 Box	$14,127 (Department equipment budget)
PepperBall Glass Breaker	$3.00 Per Round	$14,127 (Department equipment budget)
PepperBall Inert	$300 Per Case	$14,127 (Department equipment budget)

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Equipment Name and Model / Manufacturer	Initial Cost	Ongoing Annual Cost FY25 (approximate)
Def-Tec 40mm Launcher	$985 Each	$14,127 (Department equipment budget)
LMT 40mm Launcher	$985 Each	$14,127 (Department equipment budget)
LMT – Model 203	$3,299 Each	$14,127 (Department equipment budget)
Def-Tec 37mm Launcher	$884.50 Each	$14,127 (Department equipment budget)
Def-Tec 40mm Multi-Launcher	$2,369 Each	$14,127 (Department equipment budget)
eXact iMpact 40mm Sponge Round	$30 Each	$14,127 (Department equipment budget)

Equipment Name and Model / Manufacturer	Initial Cost	Ongoing Annual Cost FY25 (approximate)
Pinnacle Gen3 NODs	$6,995 Each	Varies on Usage
L3 Warrior Optic	$7,999 Each	Varies on Usage
MAWL Designator	$2,999 Each	Varies on Usage

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CITY OF ONTARIO *Agenda Report* **November 19, 2024**	**SECTION:** **ADMINISTRATIVE REPORTS/DISCUSSION/ACTION**
Department: Management Services Prepared By: Tricia Almiron Department: Prepared By: Tricia Almiron Staff Member Presenting: Dan Bell, Communications and Community Relations Director Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 15

SUBJECT: **AN ORDINANCE AMENDING SECTION 3-1.112 TO TITLE 3 OF THE MUNICIPAL CODE RELATING TO LICENSE REQUIREMENTS OF CONTRACTORS AND SUBCONTRACTORS TO ENHANCE COMPLIANCE WITH LOCAL LABOR STANDARDS**

RECOMMENDATION: That the City Council introduce an Ordinance amending Section 3-1.112 to Title 3 of the Ontario Municipal Code relating to requirements of contractors and subcontractors to enhance compliance with local labor standards.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner

FISCAL IMPACT: There is not a direct fiscal impact associated with this action.

BACKGROUND & ANALYSIS: The changes to Section 3-1.112 of the Municipal Code, compliance with local labor standards, include reporting thresholds and requirements, incomplete reporting, violations for not reporting, and documentation required. The changes aim to protect the public health, safety, and welfare by enhancing local compliance with the California Business and Professions Code. The license requirements promote transparency for building permits by requiring contractors to disclose subcontractor information for subcontractors working on projects permitted by the City. The Ordinance is intended to help subcontractors provide the required disclosure data to lead contactors and applicants filling out the Subcontractor Disclosure Form for Building Permit and Right-of-Way Permit at the front of the process/project versus at the end. While the City will not regulate the data provided or issue stop-work orders for incorrect information, the element of transparency created by the new Subcontractor Disclosure Ordinance will help construction community police itself by identifying labor violators and unqualified operators to help ensure accountability.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 3-1.112 TO TITLE 3 OF THE MUNICIPAL CODE RELATING TO LICENSE REQUIREMENTS OF CONTRACTORS AND SUBCONTRACTORS TO ENHANCE COMPLIANCE WITH LOCAL LABOR STANDARDS

WHEREAS, the City Council of the City of Ontario ("City") has the authority to enact and enforce ordinances and regulations for the public peace, health, and welfare of the City and its residents pursuant to the City's police power under Section 7 to Article XI of the California Constitution; and

WHEREAS, Chapter 9 to Division 3 of the California Business and Professions Code requires all persons performing contracting work ("Contractor") on any project valued at $500 or more in combined labor and material costs to be licensed by the Contractors State Licensing Board; and

WHEREAS, Section 3-1.105 (License required) to Title 3 of the Municipal Code ("Code") requires every person operating a business in the City to procure a business license from the City; and

WHEREAS, Section 3-1.023 (Contractors: Business License Tax) of the Code requires every person engaged in business as a Contractor in the City to pay an annual business license tax; and

WHEREAS, Section 3-1.111 (Contractor engaged in business) of the Code includes subcontractor and specialty contractor to the term Contractor; and

WHEREAS, Section 3-1.112 (City reporting requirements for contractors or owner-builders) of the Code requires Contractors to provide a list identifying the names and addresses of all subcontractors or specialty contractors performing work or services on buildings or projects prior to requesting final approval, and such final approval of such building or project will not be given until all subcontractors or specialty contractors have obtained City business licenses; and

WHEREAS, it is in the City's best interest to create a culture of safety, accountability, and legal compliance to increase transparency and ensure that labor standards are upheld; and

WHEREAS, the City desires to expand the scope of the information disclosed by Contractors; and

WHEREAS, these disclosures are intended to recognize and promote the value of fair labor and business practices.

THE CITY COUNCIL HEREBY RESOLVES, DETERMINES, AND APPROVES AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The above recitals are true and correct, and are incorporated herein by this reference.

SECTION 2. Amendment. Section 3-1.112 (City reporting requirements for contractors or owner-builders) of the Code is amended in its entity to read as follows:

"Sec. 3-1.112. City reporting requirements for contractors

A. Contractor Requirements. No person shall be issued a permit to perform work requiring a permit under this Code, unless they are:

(1) A licensed contractor or subcontractor ("contractor");

(2) An employee, agent, or authorized representative of a licensed contractor;

(3) A representative of an electronically subscribed service acting on behalf of a licensed contractor;

(4) The property owner performing their own work; or

(5) An employee of the owner provided that the owner shows evidence of workers' compensation insurance required by state and city law, and their Federal tax identification number.

B. Duty to Provide Information. A person applying for a permit ("applicant") under this Code to perform work on a project consisting of twenty (20) or more residential dwelling units or twenty thousand (20,000) square feet of newly constructed or improved commercial or industrial development shall submit the following information at the time of permit issuance and prior to commencement of work:

(1) Scope of inspected work to be performed.

(2) A list of all contractors and provide verification of each contractor's workers' compensation insurance (including policy number and expiration date), state contractor license and license category (and license expiration date if a license is required by the California State Licensing Board to perform the identified scope of inspected work), City business license, and Federal tax identification number. No person shall contract or subcontract construction work without a valid contractor's license pursuant to applicable provisions of the state business and professions code.

(3) A disclosure of any previous, pending, or final determinations

pertaining to state or Federal labor code violations within the prior seven (7) years; or any penalties paid, criminal convictions, or judgments over five hundred thousand dollars ($500,000) related to the provisions of the California Labor Code or the Federal Labor Standards Act within the prior seven (7) years for all contractors. The applicant may provide a sworn attestation from a contractor to satisfy this requirement.

(4) As a condition of receiving City inspections or participating in a City pre-construction meeting, the applicant shall (under penalty of perjury) submit required information to the City prior to each contractor or qualifying subcontractor starting work on the project.

C. Failure to Provide Required Information. In the event the applicant cannot provide a list of valid contractors and the information required above upon permit application, the applicant or permit holder shall provide to the City all information required by subsection B within thirty (30) days after issuance of each permit (but prior to commencement of any associated work pursuant to said permit). Failure to provide valid and current contractor listings prior to commencing work shall result in one or more of the following:

(1) City withholding inspections for any inspected work until such compliance is achieved.

(2) Issuance of a stop work order.

(3) Revocation of any permit issued by the City.

(4) The permit applicant paying a penalty for default to the City in an amount equal to the original permit fee for each violation in order to defray City costs of enforcement of this section prior to the issuance of any new permit.

D. Adding new Contractor. The information required by subsection B shall be required at the time when any new contractor is added to the permit.

E. Prior Work. Any work performed prior to satisfying the requirements of this section shall be deemed performed without the required permits.

F. Duty to Update Changed Information. The applicant is required to submit updated information to the City within seventy-two (72) hours of knowledge of any changes at any time between permit issuance and final inspection."

SECTION 3. California Environmental Quality Act ("CEQA"). The Mayor and City Council finds this Ordinance is not subject to CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change

in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines (Chapter 3 to Title 14 of the California Code of Regulations) because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications; and to this end the provisions of this Ordinance are declared to be severable.

SECTION 5. Adoption. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

SECTION 6. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2024.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held _____ and adopted at the regular meeting held _____, 2024 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. _____ duly passed and adopted by the Ontario City Council at their regular meeting held _____ and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)